



DECISION OF THE QUEENSTOWN LAKES DISTRICT COUNCIL

RESOURCE MANAGEMENT ACT 1991

Applicant:	Lakes Edge Developments Limited
RM reference:	RM170437
Location:	Lot 3 DP 492490 Alpine Lakes Drive, 8, 10 and Lot 45 DP 497935 Francis Rees Place, Kawarau Village, Kelvin Heights
Proposal:	Consent is sought for the construction of a hotel breaching height, building length and transport requirements, with associated earthworks exceeding volume, cut and fill standards.
Type of Consent:	Land use
Legal Description:	Lot 3 DP 492490 contained within Computer Freehold Register 719725 Lot 39 DP 497935 contained within Computer Freehold Register 736541 Lot 40 DP 497935 contained within Computer Freehold Register 736542 Lot 45 DP 497935 contained within Computer Freehold Register 736547
Zoning:	High Density Residential Sub-Zone B1 (Operative District Plan) High Density Residential (Proposed District Plan)
Activity Status:	Non complying
Limited Notification:	27 September 2017
Commissioners:	Commissioners Jan Caunter and Dr Lee Beattie
Date:	16 March 2018
Decision:	GRANTED SUBJECT TO CONDITIONS

UNDER THE RESOURCE MANAGEMENT ACT 1991

IN THE MATTER OF an application by Lakes Edge Development Limited to construct a hotel breaching height, transport and building length requirements, with associated earthworks exceeding volume, cut and fill standards.

Council File: RM170437

DECISION OF QUEENSTOWN LAKES DISTRICT COUNCIL HEARING COMMISSIONERS J CAUNTER AND DR L BEATTIE, APPOINTED PURSUANT TO SECTION 34A OF THE ACT

THE PROPOSAL

1. We have been given delegated authority by the Queenstown Lakes District Council ("the Council") under section 34A of the Resource Management Act 1991 ("the Act") to hear and determine the application by Lakes Edge Developments Limited ("the Applicant") and, if granted, to impose conditions of consent.
2. The Applicant seeks resource consent to construct a hotel at Alpine Lakes Drive and Francis Rees Place, Kawarau Village, Kelvin Heights.
3. A summary of the proposal follows:
 - The hotel will comprise up to seven storeys
 - It will include one large restaurant, lounge and bar, on the uppermost level of the building (the rooftop restaurant)
 - Seventy three car parking spaces are to be provided with vehicle stackers used under the hotel. The vehicle stackers will provide parking for 58 vehicles and can be configured to adapt to a range of vehicle types. Seven car parking spaces will be provided within a guest 'drop in' area. Three car parking spaces will be located to the west of the vehicle drop in vehicle crossing and a further five (staff only) spaces will be provided off Frances Rees Place.
 - Five coach parks will be provided.
 - Visitor access is off the lower part of Alpine Lakes Drive, opposite Double Tree Hotel.
 - Staff and servicing access will be formed from Frances Rees Place
 - There will be an unbroken building length of 158m and an aggregate building length of 143m
 - The building will breach the 10m height standard by up to 10.25m with the greatest located on the western portion of the building.

- Construction access will be on a top-bottom basis, such that construction occurs from Francis Rees Place, at the top of the hotel site.

4. In response to submissions received, the Applicant provided additional information to the Council on 10 November 2017, namely:

- (i) An Addendum to the Acoustic Report dated 10 November 2017 which addressed the use of Alpine Lakes Drive for acoustic activities, the hours of construction activities and use of the rooftop terrace bar;
- (ii) An updated Construction Management Plan (CMP) which included a number of changes, as follows:
 - Use of a communications manager and updates to the communication strategy
 - Measures to mitigate dust nuisance
 - Construction parking restrictions
 - Use of Alpine Lakes Drive
 - Hours of construction activities
 - Assessment of the condition of adjacent buildings and infrastructure.
- (iii) Applicant's proposed conditions of consent (as they stood at that time).

5. We set out later in this decision the further evidence and submissions lodged by the parties following the hearing in response to two Minutes issued by the Commission.

SITE DESCRIPTION

6. A description of the site and receiving environment within which the application sits can be found in the Applicant's AEE. The description accords with our impressions from our visits to the site and surrounding area.

NOTIFICATION AND SUBMISSIONS

7. The application was limited notified on 27 September 2017 with submissions closing on 26 October 2017. Council's reporting planner, Mr Woodford, provided us with a summary of the submissions, as follows:

Name	Location of Submitters' Property	Summary of Submission	Relief Sought
1. Nolene Horrell	Apartment 401 1 Alpine lakes Drive (owner of Unit 307KW Alpine Lakes Drive)	<ul style="list-style-type: none"> • Insufficient car parking provided for activity 	That consent be declined
2. James	Unit 226KW, Alpine Lakes	The development breaches	The development must not

Burns	Drive, Queenstown	QLDC planning requirements	exceed, breach (to any degree) QLDC Planning requirements
3. Joshua Mark Gillick Leckie	A501 Kawarau Residences A, 7 Alpine Lakes Drive, Kawarau Village (owner of Unit 235KW Alpine Lakes Drive)	<ul style="list-style-type: none"> Adverse amenity effects from construction activities including noise and car parking, restaurant noise, hotel parking, and vehicle movements, damage to Alpine Lakes Drive 	<p>Council to impose conditions on development that address:</p> <ul style="list-style-type: none"> Construction effects; Imposition of appropriate hours of operation for rooftop restaurant; No buses loaded or unload while parked on Alpine Lakes Drive; All delivery/ refuse vehicles to utilise designated loading dock and not Alpine lakes Drive
4. Kawarau Village Holdings Limited	5 and 8 Alpine Lakes Drive	<ul style="list-style-type: none"> Adverse effects resulting from domination, building design creating adverse visual and amenity effects, inadequate parking for staff, guest and coach parking, adverse traffic safety effects, inadequate provision for pedestrian movement, insufficient information relating to construction effects. 	<p>Decline application; OR if approved, include the following:</p> <ul style="list-style-type: none"> Reduced height of 1m or break building up into lengths not exceeding 16m long; Remove proposed concrete panels with more complementary building treatment; Redesign and relocate hotel entrance off Frances Rees Place; Provide parking at rate that reflects actual demand; Impose requirements to prepare Travel Demand Management Plan; Provide footpath adjoining hotel; Provision of a construction management plan; No occupation of Alpine Lakes Drive

			during construction activities.
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8. Written approvals were provided by the following persons:
- Lakes Edge Developments Limited, owner of Lots 41-44 and 46-47 DP 497935 (this includes the site located in Frances Rees Place);
 - Dart Development Limited, Owner of Lot 2 Northview Terrace, Lot 50 DP 497936.
9. We discuss the written approvals later in this decision.
10. We initially had some concerns that potentially adversely affected persons had not been duly notified. Enquiries made by the Applicant and the Council and reported back to us before the hearing continued on 11 December 2017 confirmed that potentially adversely affected persons had indeed been notified. The hearing therefore proceeded.

THE HEARING AND REQUEST FOR FURTHER INFORMATION

11. A hearing to consider the application was convened on 11 and 12 December 2017 in Queenstown. In attendance were:
- (a) The Applicant, represented by Mr Warwick Goldsmith (legal counsel), Mr Chris Meehan (Applicant), Mr Damian Ellerton (noise); Mr Andy Carr (traffic); Mr Nicholas Barratt-Boyes (architect and urban design) and Ms Amanda Leith (planner);
 - (b) Mr Joshua Leckie for himself as a submitter;
 - (c) Mr Brian Mayo-Smith (Hilton Hotel), Mr Chris Elman (Double Tree Hotel), Mr Kobus Mentz (urban design), Mr M Jongemeel (traffic) and Mr Peter Reaburn (planner) for Kawarau Village Holdings Limited ("KVHL") as submitter;
 - (d) Council's reporting staff and administrative support – Mr Andy Carter (engineering), Mr Mike Smith (traffic), Mr David Compton-Moen (urban design), Mr Andrew Woodford (planner) and Ms Charlotte Evans (hearing secretary).
12. We had the benefit of a section 42A report prepared by Mr Woodford. Based upon his assessment of the application, he recommended that the application be granted on the basis that:

"It is considered that the effects of the activity will be no more than minor. Specifically:

- Adverse effects in relation to the bulk and scale of the proposed building and associated activity are considered to be no more than minor.
- Adverse effects in relation to car parking and vehicle movements are considered to be no more than minor.
- Adverse effects in relation to noise have been adequately mitigated or minimised.

The proposal is not contrary to the relevant objectives and policies of the operative and proposed District Plans for the following reasons:

- The proposed development is consistent with the objectives and policies of

Parts 4, 7, 14, 18 and 22 of the Operative District Plan, which seek to enable visitor accommodation activities in this location provided adverse effects are avoided, minimised or mitigated; to concentrate urban development in the urban centres; and to seek good urban design outcomes.

- The proposed development is consistent with the objectives and policies of Chapters 4 and 9 of the Proposed District Plan, which seek to ensure that development responds to the character of its site, the street and the surrounding area while acknowledging the necessity of increased density and some change in character in some location; to provide a degree of protection of amenity values in the context of an intensified urban zone; and to promote high density development close to town centres.”

13. Following the hearing, we requested further information from the Applicant on two matters which were brought to our attention in the course of the hearing, particularly through the traffic report received from Mr Smith. This additional information was provided to the Council on 21 December 2017.
14. Submitter and Council officers were invited to respond by 21 and 28 January 2018 respectively. Final submissions were received from Mr Goldsmith on 15 February 2018.
15. We address these matters in our discussion of the evidence and in our assessment of environmental effects later in this decision.
16. Through our Fourth Minute dated 20 February 2018, we indicated to the Applicant that we may be minded to grant consent if the hotel proposal was amended in line with urban design suggestions made by Mr Kobus Mentz in his evidence dated 30 November 2017. In response, the Applicant provided new plans and amended conditions on 1 March 2018.
17. We closed the hearing on 8 March 2018.

SITE VISIT

18. We undertook a site visit on the morning of 11 December 2017, before the hearing commenced. We undertook a further site visit, unaccompanied, on 5 February 2018.

THE DISTRICT PLAN AND RESOURCE CONSENTS REQUIRED

19. The AEE and the s42A report identified that a large number of resource consents were required. These are fully set out in both documents, as are the matters to which Council's control is limited. The following list is a summary of the consents required under the Operative District Plan:

High Density Residential Activity

Controlled activity – Rule 7.5.3.2(ii) - visitor accommodation in the High Density Residential Zone

Controlled activity – Rule 7.5.3.2(iii) - buildings for non-residential activities

Restricted discretionary activity – Rule 7.5.3.4(vi) – breach of Site Standard 7.5.5.2(vii)(a) and (b) regarding an unbroken building length exceeding 16m and an aggregate length exceeding 30m

Discretionary activity - Rule 7.5.3.4(ii) - proposed sale of liquor from visitor accommodation

Non-complying activity – Rule 7.5.3.5 - breach of Zone Standard 7.5.5.3(v) to exceed the 10m height limit along the building's northern elevation

Signage

Restricted discretionary activity – Rule 22.3.2.3(a) - breach of earthworks Site Standard 22.3.3.i(a)

Restricted discretionary activity – Rule 22.3.2.3(a) - breach of Site Standard 22.3.3.ii(b) regarding maximum height of cut

Restricted discretionary activity – Rule 22.3.2.3(a) – breach of Site Standard 22.3.3.ii(b) regarding maximum height of fill

Restricted discretionary activity – Rule 22.3.2.3(a) – breach of Site Standard 22.3.3.ii(b) regarding vertical height of any cut or fill not being greater than the distance of the top of the cut or the toe of the fill from the site boundary

Transport

Restricted discretionary activity – Rule 14.2.2.3(ii) – breach of Site Standard 14.2.4.1(i) relating to provision of coach car parks. Five parks are to be provided, rather than the required six coach parks

Restricted discretionary activity – Rule 14.2.2.3(ii) – breach of Site Standard 14.2.4.1(iv)(a) relating to provision of unimpeded availability of car parking spaces. The proposed car parking spaces within the car stacker will be obstructed as one or more vehicles will have to be moved to obtain access

Restricted discretionary activity – Rule 14.2.2.3(ii) – breach of Site Standard 14.2.4.1(v) relating to size of parking spaces within the car stacker not meeting the district plan requirements

Restricted discretionary activity – Rule 14.2.2.3(i) – breach of Site Standard 14.2.4.1(viii) relating to disabled car parking dimensions not meeting the district plan requirements

Overall, the application is a **non-complying** activity under the Operative District Plan.

There are no relevant rules with immediate legal effect under the Proposed District Plan.

RELEVANT STATUTORY PROVISIONS

20. This application must be considered in terms of Sections 104, 104B, 104D, 106 and 108 of the Resource Management Act 1991 ("the" Act).
21. 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:
- (ii) other regulations:
- (iii) a national policy statement:
- (iv) a New Zealand coastal 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.

22. As a non-complying activity, the proposal must satisfy one of the two thresholds set out in section 104D of the Act, namely:

- (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
 - both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.

23. If consent is able to be granted pursuant to Section 104 and 104D, 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.

24. Section 104(3)(b) requires that we have no regard to effects on people who have given written approvals to the application.

25. Section 108 empowers us to impose conditions on land use consents.

SUMMARY OF EVIDENCE HEARD

26. All expert evidence was pre-exchanged ahead of the hearing. The following is a brief outline of all submissions, evidence and reports presented. This summary does not detail everything that was advanced at the hearing, but captures the key elements of what we were told.

Applicant

- **Mr Goldsmith** presented opening legal submissions addressing conditions, background information concerning the use of rock anchors at the site, urban design, traffic and the planning assessments. In summary, Mr Goldsmith explained that existing rock anchors running through the site prevent the site being excavated for underground parking. The rock anchors were installed when the Double Tree Hotel was constructed. At that time, the entire Kawareau Falls Village site was under single control and management. We were told that the Applicant did not know about the existence of the rock anchors when it

purchased the site. The Applicant and KVHL are in a legal dispute about this. Mr Goldsmith submitted KVHL is a trade competitor and this, along with the rock anchor dispute, were relevant to any suggestion that this hotel should be reduced in size.

- Mr Goldsmith also addressed the differences in opinion on urban design, noting the changes the Applicant had made in response to Mr Mentz's evidence for KVHL. Two issues in contention remained concerning dominance and privacy of hotel customers at the Hilton and Double Tree hotels. On traffic, Mr Goldsmith noted the cumulative traffic effects of three hotels all being located in close proximity to each other, should this consent be granted, and the lack of acknowledgement of KVHL of this cumulative effect given its hotels are already operating. Mr Goldsmith also responded to matters raised by Mr Jongeneel in his traffic evidence for KVHL concerning footpaths and car parking. He submitted that any blockage of KVHL's footpath by parked cars and trailers can be remedied by KVHL as it has the legal power and authority to remedy that as the road controlling authority. A further footpath was not warranted. On car parking, Mr Goldsmith challenged Mr Jongeneel's parking survey as being unreliable and also submitted the Applicant should not be required to provide hotel parking at full occupancy. Further submissions were made in response to Mr Jongeneel's evidence on coach parking, the car drop off area and the consideration of alternatives.
- Mr Goldsmith responded to many aspects of Mr Reaburn's planning evidence and addressed the updated conditions proposed by the Applicant.
- **Mr Meehan** did not produce written evidence. He noted in questioning that he wanted to put most of the density near the denser parts of the whole Masterplan site and this had been the focus of the hotel design.
- **Mr Barratt-Boyes** told us that he was the urban designer and master planner for the 2006 proposal, a copy of which was included in the architectural set of drawings supporting the application.¹ His evidence in chief set out the Applicant's brief to develop a hotel of this size (between 250 to 300 rooms) and associated star rating which generated a range of technical constraints for the design given the difficult nature of the escarpment site. He described the project as a "significant design challenge"² which required a carefully balanced design response which could deliver the brief while not being overtly visually dominant on the neighbouring sites or out of context in this location.
- The design approach involved rigorous testing and the consideration of a range of alternative bulk, massing and location studies to find the optimal layout and best outcome for the site. To this end, Mr Barratt-Boyes explained how the proposal had been carefully crafted and stitched into this lakefront setting and he stressed the building's clear design hierarchy, drawn from, and acknowledging its surrounding 'mountain' context creating the distinct building layers. That is, a solid base, with a middle layer creating a 'mist or snow' layer providing a "*calm respite from the existing heavier stone and timber existing building present*" with the upper light layers (level 5 and 6) floating above.³ This was supported by two vertical fissures (predominantly glass) to break up the building form.

¹ Mr Barratt-Boyes, 1.3 Architectural Statement

² Evidence in chief of N Barratt-Boyes, paragraph 4.4

³ Evidence in chief of N Barratt-Boyes, paragraph 3.4

- He then set out his design response towards the streetscene, the ground plain and the adjacent building across Alpine Lakes Drive. It was his view that the building presented a carefully considered design response to a challenging and technically demanding site.
- In his rebuttal statement dated 11 December 2017, Mr Barratt-Boyes responded to the evidence of KVHL on urban design and architectural matters (Mr Mentz), which raised issues surrounding building height, continuous building length, and the building's impact on the streetscene and the adjacent buildings. In doing so, Mr Barratt-Boyes acknowledged that some of Mr Mentz's points had merit. He suggested an amended hotel design and produced additional plans in indicative form only, highlighting these changes. This included the introduction of four mid-block vertical setbacks (3.4m x 1.6m) to break up the building length. He stressed that this change did come at a cost and that it required reducing some of the room sizes in these areas.
- However, he made no amendments to the height, and its relationship with the streetscene as he considering this to be unnecessary. Mr Barratt-Boyes noted that the density proposed through this application was much less than originally proposed and consented to in 2006. This masterplan provided for five hotels and multiple apartment accommodation buildings, with a large scale underground car parking basement towards the 'top' of the site to reduce vehicle movement throughout the site.
- **Mr Ellerton's** acoustic evidence confirmed that the construction noise can comply with NZS6803:1999 provided the recommended acoustic consent conditions were complied with. He also confirmed that operational noise related to the rooftop terrace restaurant could comply with noise limits in the ODP.
- **Ms Leith's** planning evidence in chief outlined the amendments to the application, responded to submissions and attached updated conditions. She provided an updated draft Construction Management Plan, which sought to respond to points made by Mr Leckie and KVHL on construction effects. She noted that further consideration as to the construction methodology for the hotel building identified that limited construction access to the lower, western access of Alpine Lakes Drive would be necessary, but no construction traffic would need to use the loop around the Double Tree Hotel. This change had been reassessed by Mr Ellerton, the acoustic expert. We address this point further below in our discussion of the supplementary evidence that followed our Minute of 13 December 2017.
- Ms Leith's evidence in chief also addressed the objectives and policies of the relevant plans. This was in particular response to points raised by submitters, the AEE having included the original plan assessment. She concluded that the proposal was not contrary to any of the objectives and policies of the relevant plans. Helpfully, Ms Leith also provided us with her assessment of the proposal against Stage 2 of the Proposed District Plan, notified on 23 November 2017. She did not consider the proposal to be contrary to those provisions and considered the proposal was consistent with the purpose and principles of the Act.
- Ms Leith produced a supplementary statement at the hearing, addressing KVHL's evidence and offering amendments to the building design. Ms Leith did not agree with Mr Reaburn's assessment of relevant objectives and policies

and also amended her evidence in respect to Objective 9.2.2 of the Proposed District Plan, no longer considering this to be relevant as it related only to high density residential development. She noted the Proposed District Plan excluded visitor accommodation from the definition of “residential activity”. Ms Leith produced a further set of proposed consent conditions.

- We record that Mr Goldsmith also made it clear that four other experts who had prepared technical reports in support of the application were available for questioning should we wish to explore that avenue. These experts were Mr Alan Hopkins (infrastructure), Mr Ben Dare (structural engineer), Mr Hayden Knight (earthworks) and Mr Hayden Bowen (geotechnical engineer). We did not have any questions for these witnesses. Also, Ms Lauren Christie (project manager) and Mr Blair McGill (construction) were available for questioning on the practical aspects of construction. While we did not have questions for them at the hearing, we raised the need for additional evidence on construction after our initial deliberations.

➤ **Submitters**

- **Mr Mayo-Smith**, a Director of KVHL, explained the ownership structures of the apartments under its control. He noted that KVHL would welcome a suitably designed and scaled hotel on this site, and that its concerns about this proposal related to scale and size. He disputed the Applicant’s claim that it did not know about the rock anchors when it purchased the site, noting the High Court and Court of Appeal had each found in KVHL’s favour in litigation to date. Mr Mayo-Smith noted the development undertaken by the same applicant on the higher reaches of the site, for residential subdivision, apartments and townhouses, and expressed the opinion that the Applicant was pushing the boundaries with the hotel by trying to cram as many rooms as possible into the site’s small area.
- **Mr Ehmann**, the General Manager of the Hilton Queenstown Resort & Spa and Double Tree by Hilton Queenstown, gave evidence for KVHL. He noted the existing hotels next to the Applicant’s site provided all necessary car parking and no reduction in car parking had been sought or granted when those developments occurred. He acknowledged there have nevertheless been parking issues at Kawarau Village, particularly as the level of guest and staff parking has exceeded the areas that had been made available through the developments when consented. Mr Ehmann outlined the action taken by KVHL to address this. He was of the opinion that the Applicant should provide enough parking to meet its maximum parking demand, and sought that Alpine Lakes Drive be kept clear of vehicle congestion.
- **Mr Jongeneel** presented traffic evidence for KVHL. He noted that the 2006 Masterplan did not propose vehicle access to the Applicant’s site from the one-way loop around the Double Tree Hotel but instead proposed that this come from a two lane, two way, upper section of Alpine Lakes Drive. Traffic congestion occurred in the existing environment, with the one-way loop section of Alpine Lakes Drive adding a constraint to the existing network as cars could not pass a stopped vehicle in the carriageway due to the narrow road. Mr Jongeneel’s evidence raised concerns about car parking proposed by the Applicant, coach parking, car drop offs, cumulative traffic effects and his suggested alternative coach access arrangement.
- **Mr Mentz** presented urban design evidence for KVHL. He considered that a large hotel on the subject site was acceptable in principle but considered more

work was required from the Applicant to provide for a sensitive and appropriate interface with neighbouring sites and the streetscene, which could be achieved with an examination of the bulk, massing and location, and the appropriate façade design, including materiality, activation and orientation.

- He highlighted two major concerns about the proposal and the potential impacts it could have on Alpine Lakes Drive and the adjacent properties, being the Hilton and Double Tree Hotels. He suggested that the building height, at the western end, would negatively impact on the streetscene and impact on the balconies and users in the Hilton Hotel. However, he suggested this could be addressed by setting back the upper floors. He also expressed concerns about the visual dominance the proposed long building length would have on the streetscape, especially opposite and along the Double Tree Hotel. As the ground floor would be used predominately for vehicle and service related activities, he considered would be overpowering. However, he acknowledged that, given the site constraints, this was unavoidable and it was not possible to activate the ground floor in this location. However, he suggested this issue could be addressed through the introduction of a number of vertical setbacks in the building façade to break up the building bulk and mass when viewed from the street.
- To highlight these issues his evidence in chief considered these matters from three different points of view, a 'complying version', a 'proposed version', and a version he suggested would alleviate his concerns, which we shall refer to as the Mentz version. Each version highlighted different degrees of compliance with height and height to boundary rules etc. using Mr Barratt-Boyes' visual renders. The Mentz version set back the upper floor levels at the building's western end and had a number of vertical setbacks in the building façade. He was of the view that this version would mitigate the adverse effects of the proposal without unduly affecting the functionality of the proposed hotel.
- He was critical of Mr Compton-Moen's report and suggested that these comments were provided by a non-qualified urban designer. He did not agree with Mr Compton-Moen's views on the proposal and found it difficult to understand how the effects of a complying development would be similar to that proposed.
- Finally, during the hearing Mr Mentz gave us a presentation highlighting these issues. However, as Mr Mentz's evidence was read on the second day of the hearing, he suggested further changes could be made in light of the Applicant's evidence. In essence, he suggested that if the setback on the upper levels were difficult to achieve and would significantly impact on the functionality of the hotel, as suggested by Mr Barratt-Boyes, this could be addressed by removing the sixth level, while leaving the floor below as proposed.
- **Mr Reaburn's** planning evidence for KVHL primarily raised urban design issues, relying on the evidence of Mr Mentz. Mr Reaburn reiterated that KVHL did not oppose a sizeable hotel on the subject site but considered the Applicant's proposal to be too dominant. He fairly acknowledged and accepted some of the amendments proposed by Mr Barratt-Boyes in response to the evidence of Mr Mentz. Mr Reaburn's evidence focused on adverse environmental effects that he considered arose from the proposal and relevant provisions of the planning instruments addressing those matters. He also provided comment on the conditions proposed by Ms Leith and put forward some amendments for consideration.

- **Mr Leckie** lives at Kawarau Village and noted in his presentation that the Applicant had accepted much of the relief he had sought in his submission. He continued to have concerns about some aspects of the proposed consent conditions addressing construction effects, residential amenity, road damage and traffic logistics. Mr Leckie presented us with photographs that he had taken showing current issues with truck loading and unloading and unlawful car parking along Alpine Lakes Drive. He sought that a form of bond be imposed to address any necessary road repairs.

Council Officers

- **Mr Compton-Moen** provided a report on urban design. He was concerned about potential effects of the building height on properties to the rear that may lose their view of the lake. He considered the effects on most of those lot owners to be “minor at most”. In his oral report at the hearing, Mr Compton Moen considered the overall design worked well and had no real concerns about any impact on the privacy of hotel guests at the Hilton or Double Tree, given a complying building would cause similar effects. It was his opinion that the changes to the building length proposed by the Applicant through its evidence were positive. He did not consider the building dominated visually.
- **Mr Smith** prepared a traffic report. He confirmed that the proposal satisfied the District Plan car parking requirements. While his company initially had some concerns about the car parking proposal, he was generally comfortable with the Applicant’s response, subject to operational issues such as the number of car parking valets to be employed being addressed through a Parking Management Plan. Mr Smith was concerned that there was little detail offered by the Applicant on construction effects, in particular the ability for trucks to enter and exit Northview Terrace and to manoeuvre on site without accessing the lower parts of Alpine Lakes Drive. Mr Smith considered the Applicant should consult with the Double Tree and Hilton Hotels about the Temporary Traffic Management Plan and offered other comments on consent conditions.
- **Mr Carter** prepared an engineering report. This did not raise any issues that could not be resolved through consent conditions.
- **Mr Woodford** presented his planning report. We set out earlier in this decision his recommendation to grant consent. Mr Woodford adopted Mr Compton-Moen’s opinions on urban design and did not consider there to be any privacy effects that were more than minor. He noted the proposal satisfied the District Plan parking requirements and relied on Mr Smith in his assessment of traffic effects. Mr Woodford agreed with Ms Leith’s approach to the relevant objectives and policies and offered comment on the Applicant’s amended consent conditions.

APPLICANT’S FIRST RIGHT OF REPLY

27. Mr Goldsmith presented an oral right of reply at the end of the hearing on 12 December 2017. We summarise Mr Goldsmith’s points as follows:
 - (i) The Applicant holds in its ownership this proposed hotel site, along with the sites consented for apartment and townhouse development. It was up to the Applicant to control what was built and when;

- (ii) KVHL's issues on traffic effects were only relevant to the upper corner on Alpine Lakes Drive. KVHL was a trade competitor. The Applicant did not accept the traffic evidence of Mr Jongeneel and noted the car stacking option was required because of the site's tight constraints and the fact the rock anchors prevented excavation for an underground carpark;
- (iii) He had concerns about how the bond suggested by Mr Leckie might apply as only the top of Alpine Lakes Drive would be used. Some thought would be given to a condition addressing Mr Leckie's concern;
- (iv) Mr Reaburn's complaint about the number of carparks provided was incorrectly related to the non-complying activity status overall. The number of carparks is not non-complying, it meets the District Plan standard. The aspect of the proposal that makes this proposal non-complying is height;
- (v) Mr Goldsmith discussed conditions that required amendment, including the review condition;
- (vi) The mitigation proposed by Mr Ehmann for KVHL was required for all hotel operators at Kawareau Village. Most could not provide for staff car parking. There was no basis to increase the parks to cater for staff parking or visitor parking;
- (vii) The Applicant would accept a Traffic Management Plan requirement if the Commission decided that was needed, but we should consider how that might be certified;
- (viii) The roading at Kawareau Village was built to cater for much more traffic than would occur through this proposal. Traffic congestion did not occur now, simply an occasional blocking of the road as happens from time to time in resorts;
- (ix) In response to Mr Mentz, the Applicant did not agree to remove one floor from its design. This would be a significant loss and a disbenefit. Mr Mentz's concerns related in part to the public realm. There were no adverse effects from the proposal on the Hilton. Mr Barratt-Boyes had amended the eaves over the Hilton's southern rooms.

SUPPLEMENTARY SUBMISSIONS AND EVIDENCE

28. Following the hearing, we issued a Minute dated 13 December 2017, raising concerns about construction effects. Directions were made for the lodgement of supplementary evidence by the Applicant, any supplementary evidence from submitters in response and additional section 42A reports. In response, Mr Goldsmith submitted that the proposed top-down access had always formed part of the proposal as notified and that submitters had already had an opportunity to raise concerns about this. We noted in our Second Minute dated 9 January 2018 that the references we had been directed to by the Applicant in support of this submission were mainly references to the draft Construction Management Plan lodged with the application, not specific technical reports in support of the application.

Applicant's submissions and evidence

- **Mr Goldsmith** stated that the application was prepared, lodged and notified on the basis that all access for construction purposes would be via the upper short section of Alpine Lakes Drive leading into Northview Terrace. No construction

access would be required at the bottom of the site, nor was it sought through this hearing. No supplementary evidence was therefore tabled on potential construction access below the first hairpin bend of Alpine Lakes Drive because “no such access is proposed or relied on”⁴. Mr Goldsmith otherwise referred to the supplementary evidence tabled by the Applicant and raised some procedural matters.

- **Mr McGill**, the Regional Manager for Cook Brothers Construction Limited, addressed the intended construction process for the hotel. Mr McGill noted that the specifics of the individual building elements would be determined when detailed engineering plans are prepared. This would determine the size of the materials, transportation requirements and loading requirements. Mr McGill confirmed the top-down construction method proposed and confirmed he was comfortable with and agreed that the hotel could be constructed using the top-down construction access method.
- **Ms Christie** is the Project Manager for the hotel construction, having been employed in this role for only a few months. She was not involved in the preparation and lodgement of the consent application. Ms Christie noted in her evidence the proposed top-down methodology proposed by the Applicant and noted she had suggested to the Applicant that some use of the lower section of Alpine Lakes Drive (excluding the loop around the Double Tree Hotel) would enable the construction time to be shortened. The parts of the construction programme that could benefit from this were the original earthworks and foundations, the installation of some external façade materials and some internal fit out goods and materials and the drop off of hard and soft landscaping materials for exterior works. This remained Ms Christie’s preference. It was her opinion that over 90% of the hotel would be constructed using the top-down method.
- **Mr Ellerton** stated that he had read and considered Mr McGill’s evidence and that nothing in that evidence caused him to reconsider, or amend, any aspect of his evidence in chief or his technical acoustic assessments.
- **Mr Carr** stated that while the largest construction vehicles could traverse Alpine Lakes Drive, they would not be able to undertake a U-turn within Northview Terrace or pass through the square at the top of Francis Lees Place. Those vehicles would need to reverse out into Alpine Lakes Drive, which would require traffic management measures. Smaller construction vehicles could pass through the square at the end of Northview Terrace without difficulty. He acknowledged that the movement of construction vehicles would need to be controlled using a Construction Traffic Management Plan.
- **Ms Leith** provided some background to the approach taken to the application, confirming the top-down methodology and the need for the hotel to be constructed independently of the townhouse and apartment developments next door, those consents having been sought by and granted to the same applicant. She also confirmed she had discussed the top-down approach with both Mr Carr and Mr Ellerton prior to the preparation of their technical reports which formed part of the application. Ms Leith pointed us to sections of the application which mentioned the top-down approach. We note three of the four references were contained in the draft Construction Management Plan.

⁴ Supplementary legal submissions dated 20 December 2017, paragraph 12a

Ms Leith also noted that her previous Condition 5(b) had included some use of the lower parts of Alpine Lakes Drive in response to the feedback the Applicant had received from Ms Christie as the new project manager on better use of the lower sections of the road to reduce the construction time. Ms Leith's supplementary evidence was that "the proposal now does not include any use of Alpine Lakes Drive below "the first hairpin bend"⁵ and that the conditions had been amended accordingly.

- **Mr Leckie** supported the "top down" approach proposed by the Applicant, noting it provided the relief he had sought in part of his submission. He remained concerned that rock breaking could occur on Saturdays, as could other construction and sought that there be no Saturday morning construction so as to protect residents' amenity. We agree with Mr Goldsmith that this latter point fell outside the scope of our First Minute, but also note that the Applicant responded proactively to this concern.
- **Ms Horrell**, a submitter in opposition, had not attended the hearing but provided brief comment on the Applicant's supplementary evidence addressing construction. She noted the large volume of material to be removed from the site and the potential for construction to adversely affect residential amenity (noise, dust and diesel effects).
- **Mr Reaburn's** evidence was that, as the Applicant no longer sought to use Alpine Lakes Drive beyond the intersection with Northview Terrace, KVHL did not wish to lodge any additional submission or evidence on that topic. It agreed with the revised Condition 5(b) provided by Ms Leith and sought that the conditions include a requirement for the consent holder to ensure that contractors were aware of that restriction. Mr Reaburn noted that the fresh set of plans tabled by the Applicant, along with its amended conditions, did not satisfy KVHL's concerns as expressed through its evidence at the hearing. We agree with Mr Goldsmith that this last point went beyond the matters raised in our First Minute.
- **Mr Smith** made a number of points on traffic. He remained concerned about the overlap in construction between the hotel and the adjacent townhouse and apartment developments, particularly the effect on hotel construction if those developments were built first. He noted the position of the crawler crane was not defined. He made some comment on traffic management and noted that Ms Christie's evidence was not entirely consistent with the Applicant's other evidence that the lower portion of Alpine Lakes Drive would not be used at all during construction. He also noted that tradespeople would most likely want to have access to their work vans on or near the site and the Applicant's conditions prohibited this.
- **Mr Woodford** noted that there remained unanswered questions on construction traffic and access but did not say if he considered consent should still be granted. Mr Woodford provided us with comments from Mr Smith on traffic which noted a number of concerns about the construction effects. We address these points in our discussion of traffic effects.

APPLICANT'S SECOND RIGHT OF REPLY

⁵ Supplementary evidence of A Leith, paragraph 2.10

29. Given the comments tabled by other parties in response to the Applicant's supplementary evidence on construction, we provided Mr Goldsmith with a further Right of Reply opportunity. This was received in writing on 15 February 2018. We summarise Mr Goldsmith's points as follows:
- (i) In response to Ms Horrell's concerns about noise, dust and diesel fumes from reversing trucks at the intersection of Alpine Lakes Drive and Northview Terrace, the truck movements would be relatively infrequent and temporary during construction and would not result in noise or diesel fumes to any greater extent than other traffic using Alpine Lakes Drive. There was no reason to suggest these trucks would generate any adverse dust effects. This effect overall needed to be considered in the context of the existing daily bus traffic up and down Alpine Lakes Drive;
 - (ii) The Applicant did not agree to remove an entire floor of the proposed hotel in response to the matters raised by KVHL. It did not consider an amendment to conditions addressing construction traffic was necessary but would not object to such a condition if we considered it necessary;
 - (iii) In response to Mr Leckie, the Applicant had no real concern about excluding rock breaking activities on Saturday mornings and suggested an amendment to Condition 8(j)(i) (as it then was) to address this;
 - (iv) The Applicant's position remained that the proposed hotel could be built entirely using 'top down access', regardless of whether the applicant also owns the two adjoining sites on which townhouses and apartments are consented to be built. There would be no need to remove any part of Francis Rees Place in order to construct the hotel;
 - (v) The Council is required to approve the Traffic Management Plan (TMP) as consent authority, not as road controlling authority. The consent holder must then carry out traffic operations approved by the TMP. The consent holder holds easement and ownership rights in both Northview Terrace and Francis Rees Place, therefore there is no difficulty in carrying this out.
30. As noted above we received final amended plans from the Applicant on 1 March 2018, along with amended conditions. No further legal submissions were lodged.

WRITTEN APPROVALS

31. We noted earlier in our decision the written approvals that have been provided in support of this application. These include support from this Applicant as owner of two sites that have recently been approved for development for townhouses and apartments. We agree with Mr Goldsmith that, pursuant to section 104(3)(a)(ii) of the Act, we cannot have regard to any adverse effects on the townhouse and apartment sites. This is particularly relevant to construction effects.
32. Mr Goldsmith noted that the Applicant is fully aware of the potential construction constraints if it, or a third party, seek to develop the hotel site after the townhouses and apartments have been built. As Mr Goldsmith put it, the Applicant is 'master of its own destiny' in this matter.
33. Due to the written approvals provided by the Applicant, we can take that discussion no further, other than to simply note for the record that it would clearly be desirable for the hotel to be constructed ahead of the townhouse and apartment developments.

RELEVANT PLAN PROVISIONS

The Operative District Plan

34. The subject site is zoned High Density Residential – Sub-Zone B1 under the Operative District Plan.
35. The purpose of this zone is described on Page 7-18 of the Operative District Plan as follows:

“The purpose of the zone is to make provision for the continuation and establishment of higher density residential and visitor accommodation activities in recognition of these areas proximity to the town centres, entertainment, shopping facilities and the transport routes which provide a link to attractions elsewhere in the District.

Visitor accommodation has been acknowledged in the zone to protect those activities and the important contribution they make to the economic and social well-being of the community. Residential units, intended to provide a more permanent living environment for local residents who desire a more urban setting or who cannot afford nearby low density housing, are no less important as they provide for the local work force and contribute to the life of the community.

Other non-residential activities, compatible with high density residential and visitor activities are permitted in the zone provided they meet the site and zone standards and have primary regard for residential amenities affecting the local community.”

36. The relevant provisions of the Operative District Plan that require consideration can be found in Chapter 4 (District Wide), Chapter 7 (Residential), Chapter 14 (Transport), Chapter 18 (Signs) and Chapter 22 (Earthworks).

The Proposed District Plan

37. Section 86[b](1) of the RMA states a rule in a proposed plan has legal effect only once a decision on submissions relating to the rule is made and publicly notified. An exemption to this is section 86[b](3) in which case a rule has immediate legal effect in certain circumstances including if the rule protects or relates to water, air or soil.
38. The Proposed District Plan was notified on 26 August 2015. Pursuant to Section 86[b](3) of the RMA, a number of rules that protect or relate to water have immediate legal effect. None of these rules are relevant to this application, and by extension we therefore conclude that there are no rules in the Proposed District Plan that are relevant to our consideration of this application.
39. The relevant provisions of Stage 1 of the Proposed District Plan that require consideration are Chapters 3 (Strategic Direction), 4 (Urban Development) and 9 (High Density Residential).
40. Stage 2 of the Proposed District Plan was notified on 23 November 2017. The parts of Stage 2 relevant to our assessment are Chapter 25 (Earthworks), Chapter 29 (Transport), Chapter 31 (Signs) and a variation to Stage 1 Chapter 9 relating to Visitor Accommodation in the High Density Residential Zone.

Operative Regional Policy Statement

41. The relevant objectives and policies are in Part 5 Land, Part 6 Water and Part 9 Built Environment.

Proposed Regional Policy Statement

42. The Proposed Regional Policy Statement was notified on 23 May 2015 and decisions were notified on 1 October 2016. Appeals have been lodged with the Environment Court, covering a wide range of topics.
43. The relevant objectives and policies are found in Chapters 1, 3 and 5. These generally align with the Operative Regional Policy Statement.

NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH (“NES”)

44. The Applicant stated in its AEE that it reviewed records held by both Queenstown Lakes District Council and Otago Regional Council. There is no record of activities with the potential to contaminate the land on the site. Mr Woodford agreed. No submitter raised any issues about the NES. We find that the NES does not apply.

TRADE COMPETITION

45. The Applicant has alleged that KVHL is a trade competitor but has not applied to strike out its submission. Mr Goldsmith noted that some points made by KVHL had merit and were valid. He cautioned us to be careful to look at the factual matters underpinning the concerns raised. Mr Goldsmith submitted that Mr Mentz had provided objective and independent urban design evidence, but Mr Jongeneel’s traffic evidence raised trade competition issues. In his submission, we should be careful how much weight we placed on the KVHL evidence overall.
46. The Act limits submissions from trade competitors. Section 96(2) states:
- “any person may make a submission, but the person’s right to make a submission is limited by section 308B if the person is a person A defined in section 308A and the applicant is a person B as defined in section 308A.”
47. Section 308A of the Act identifies a trade competitor as including a person who is a trade competitor of the other in the same consenting process and includes a third party that may also be receiving assistance from a trade competitor to bring an appeal against a decision made under the Act in favour of an applicant.
48. Section 308B limits submissions from such persons, so that a trade competitor may make a submission only if directly affected by an effect of the activity to which the application relates, that:
- (i) Adversely affects the environment; and
 - (ii) Does not relate to trade competition or the effects of trade competition.
49. KVHL’s submission and the evidence called in support of its submission addressed how KVHL considered it would be directly affected by the proposal. We have therefore given it some weight in our decision making. It will be evident from later parts of this decision that we do not agree with all of KVHL’s evidence, but we accept in particular

many of the urban design points made by Mr Mentz. Many of Mr Reaburn's points on conditions have also been incorporated.

DESCRIPTION OF APPLICANT'S PROPERTY AND CONSENTING BACKGROUND

50. The subject site sits prominently on the south side of Frankton, facing north towards the inner part of Lake Wakatipu. The top of the site adjoins Peninsula Road, which continues westward to the Kelvin Heights residential area. The site was once part of the Kawarau Falls Station and was later developed into a campground, within which a series of terraces were developed to allow the land to be used for both camping and cabins.
51. The AEE and the evidence set out in detail the complex consenting history of this site. Most relevantly, on 29 June 2006 resource consent RM050909 was granted to undertake earthworks associated with the construction of visitor accommodation and residential development. On 28 July 2006 resource consent RM050908 was granted to comprehensively develop the site, comprising:
 - Visitor activities including accommodation, reception and lobby areas, gym, spa, dining, conference areas, car and bus parking. Five hotels at 3 and 5 star level were proposed to be developed;
 - Residential units and associated parking;
 - Areas of open space and a network of routes for pedestrians and cyclists;
 - Staff and workers' accommodation;
 - A large car parking facility at the top of the site.
52. This comprehensive development was based around a Masterplan. The two consents were required to be implemented together and were granted for a ten year period. They lapsed in 2016. Seventeen variations have been issued by the Council since 2006 to address a number of changes. Of particular note are the following variations, as they provide an important context for our consideration of traffic effects:
 - RM081160 granted 16 December 2008 to vary conditions pertaining to the number of coach parks within the site. The District Plan required 22 coach parks. Nineteen coach parks were approved.
 - RM100643 granted 26 October 2010 to vary conditions to revise the car parking layout and roading design and consent for a shortfall of coach parking within Stage 1 of the development. The District Plan required 6 coach parks. Two coach parks were approved.
53. Consents RM050908 and 050909 have been given partial effect through the development of the following parts of the Masterplan:
 - Reserve North (Hilton Hotel)
 - Lakeside East (Lakeside East Apartments)
 - Reserve Central and Reserve South (Reserve Central, Reserve South West and Reserve South East Apartments)
 - Kingston West (Double Tree Hotel)

54. Additionally, preparatory earthworks were also undertaken over the balance of the site to allow for the construction of the remainder of the buildings.
55. As discussed earlier in our decision, the construction that has occurred to date has included the installation of a number of structural rock anchors which lie partially beneath the site of the proposed hotel and travel north beneath the Double Tree Hotel. The Applicant's evidence was that the presence of the rods means it cannot build underground parking at the hotel site. KVHL's evidence was that the rods are not present in all areas of the hotel site and there is some area free for the construction of underground car parking.
56. We are not required to rule on this one way or the other. Our consideration is focused on the parking and traffic effects of the proposal as proposed through this application.

PERMITTED BASELINE, EXISTING ENVIRONMENT AND RECEIVING ENVIRONMENT

57. The following activities are permitted:
- (i) construction of three residential units on each lot provided the bulk and location standards are met;
 - (ii) building coverage across the B1 sub-zone of 55%;
 - (iii) two setbacks of 4.5m and other setbacks of 2m;
 - (iv) earthworks of up to 400m³ per site undertaken within a 12 month period. The maximum height of any cut shall not exceed 2.4m, and the maximum height shall not exceed 2m.
 - (v) a continuous building length of 16m and an aggregate length along any true elevation of up to 30m;
 - (vi) landscape coverage across the B1 sub-zone of 20%;
 - (vii) building height of 10m above ground level and 7m above the setback line from the southern boundary of the zone (Peninsula Road).
58. We consider the permitted baseline to be of limited assistance here as the extent of the breach of the district plan provisions is considerable. We accept that the 10m height limit is relevant.
59. Regarding the existing environment, there are no live unimplemented resource consents that relate to the subject site. The earlier consents granted for the development of a hotel on the site have lapsed. Two resource consents have recently been granted to develop adjacent sites into 6 townhouses (RM170438) and 21 apartments (RM170623) but these have not yet been implemented. Consent has also been granted for a subdivision to the east of the site, comprising 55 residential allotments, three access lots and one reserve lot (RM140567). This has been given partial effect. Some variations have also been granted for this consent.
60. The receiving environment includes hotels and apartment developments which formed part of the Masterplan outlined earlier in this decision.

SECTION 104D STATUTORY ASSESSMENT

61. As a non-complying activity, the Applicant must pass through one of two thresholds. The two gateway tests in section 104D require that either:
- (i) Any adverse effects of the activity will be minor; or
 - (ii) The activity is not contrary to the objectives and policies of the relevant plans.
62. In terms of the first legal test, case law has confirmed the meaning of minor. In *Elderslie Park*,⁶ the High Court stated:
- “The word ‘minor’ is not defined in the Resource Management Act. It means lesser or comparatively small in size or importance. Ultimately an assessment of what is minor must involve conclusions as to facts and the degree of effect. There can be no absolute yardstick or measure.”
63. In *Saddle Views*,⁷ the Environment Court approached the test this way:
- “Turning to the dictionaries we find that the adjective “minor” is defined in the New Zealand Oxford Dictionary of “lesser or comparatively small in size or importance”. According to the Shorter Oxford English Dictionary “minor” means “...lesser....opposite to major...comparatively small or unimportant”. We hold that those meanings are what is intended in section 104D(1)(a). The reference to “comparatively” emphasises that what is minor depends on context – and at least all the authorities agree on that.”
64. Under the second test of section 104D(1)(b), in order to be “contrary to” the objectives and policies of the relevant plans, an activity must be “opposed to” or “repugnant to” the objectives and policies.⁸ The Act does not require us to take account of the provisions of the regional policy statement at this stage of the assessment, as those documents do not fall within the definition of “a regional plan or a district plan” as defined in section 43AA of the Act. The regional policy statement assessment does require assessment under section 104, should the proposal pass one of the section 104D thresholds. So too, any national policy statement.
65. Case law generally confirms that the objectives and policies must be considered as a whole. However, it is possible for one objective or policy to trump all others, albeit such situations would be rare.⁹
66. We consider below the assessment of effects and the proposal as measured up against the objectives and policies of the relevant plans.

⁶ *Elderslie Park Limited v Timaru District Council* [1995] NZRMA 433 (HC) at 445-446

⁷ *Saddle Views Estate Limited v Dunedin City Council* [2014] NZEnvC 243 at [78]

⁸ *NZ Rail v Marlborough District Council* [1994] NZRMA 70 (HC) at [80]

⁹ *Akaroa Civic Trust v Christchurch City Council* [2010] NZEnvC 110 at [74]; see also *Re Waiheke Marinas Ltd* [2015] NZEnvC 218

ASSESSMENT OF EFFECTS – SECTION 104D(1)(a)

Traffic Generation and Vehicle Movements, Parking and Access

67. Two main issues arose through the evidence and reports:
 - (i) Car parking and access;
 - (ii) Construction traffic effects
68. The provision of adequate car parking spaces was raised by all submitters. There was a considerable difference in opinion between the Applicant and KVHL on traffic, parking and access effects. Mr Smith, reporting for the Council, noted that his firm initially had some concerns about these matters and requested further information/detail on a number of points.
69. The proposal is to provide for car parking sufficient to meet the standards set out in the Operative District Plan, namely 60 spaces for guests and 13 spaces for staff. KVHL was critical of this approach, noting that the demand for car parking would, in its view and also in its experience, be much higher. KVHL considered more car parks should be provided.
70. Given its assertion that basement car parking cannot be constructed due to the presence of the structural rods on the site, the Applicant proposes to use vehicle stackers, which will accommodate 58 vehicles. Vehicle stackers are not common in New Zealand and no traffic witness gave specific examples of their successful operation in this country, although we understand they are often used overseas. Only hotel valets familiar with the stackers would be able to use them. It is proposed that hotel guests would drop their cars at the 'drop in' area and those cars would subsequently be relocated to the stackers by one of the valets. This issue in itself raised issues about the hotel having appropriate staffing levels to manage the car parking and valet system proposed.
71. In providing further information to the Council's traffic reviewers, Stantec, Mr Carr advised that vehicle stackers would be 'puzzle parks' and that cars would move from side to side as well as up and down. He provided specific details of the manufacturer's retrieval times and applied these to a four level stacker. This resulted in retrieval times of between zero and 91 seconds, depending on where the vehicle was parked.¹⁰
72. The same document noted that the vehicle stackers can be assembled in different ways to accommodate different vehicle types. Mr Carr noted that a stacker four levels high could accommodate vehicles of 1.8m in height. A three level stacker could accommodate vehicles of 2.4m height. Standard AS/NZS2890.1:2005 notes that "most vans and four wheel drive vehicles have a height less than 2000mm" and "the height of all passenger cars and station wagons is below 1.5 metres." On that basis, Mr Carr concluded that a larger car with a roof box could be accommodated within a three level stacker. There was no dispute between the parties that providing for vehicles of this height would be sensible, given the extensive use by visitors of large four wheel drive vehicles in the winter ski season.
73. Submitters raised the parking difficulties being faced at Kowarau Village now. KVHL discussed this in detail and Mr Leckie produced photographs showing what appeared to be illegal parking on the streets near his apartment. KVHL's position was that the

¹⁰ Carriageway Consulting response to Council request for further information, letter dated 26 July 2017

Applicant should produce more parking than the District Plan required so as to avoid these effects.

74. In Mr Jongeneel's opinion, the existing car parking challenges arise because of the Kawarau Village's relatively remote location relative to supporting land uses, the lack of mature public transport network, the increase in self-drive visitors to the District, the commercial necessity for hotel operators to prioritise on-site parking for guests and the staff having to park on the street, and the minimum car parking standards in the District Plan which do not recognise these factors.
75. Mr Jongeneel was also concerned at the undersupply of staff parking. He did not consider that the spaces allocated for staff would be utilised by them as these parks would be required by guests. In support of his opinions on carparking overall, Mr Jongeneel undertook two surveys of car parking at the Hilton and Double Tree Hotels on the afternoon and evening of 24 November 2017. Both hotels were operating at full occupancy. From this he calculated the combined parking demand of both hotels and concluded that the proposal should then supply an actual parking demand of 93 spaces, 20 more than the Operative District Plan requires.¹¹
76. We do not accept that the survey(s) demonstrates such a need. It is a survey of car parking requirements on one day only and is not reliably representative of typical car parking demand. Given KVHL is a trade competitor, we have treated this evidence with some caution.
77. Mr Jongeneel also criticised the coach parking and loading proposed, noting the Operative District Plan's requirement of 5 coach spaces. The Applicant intends to provide one coach loading space, and four parking spaces for coaches to wait to unload and load and park when the coach is not in use. Mr Jongeneel was concerned that if a coach arrived at the hotel and the unloading space was already being used by another coach, the second coach would need to wait in a parking space until the unloading space was free. He did not consider the coach drivers would unload passengers from a parking space, meaning the coach would partially straddle Alpine Lakes Drive and block street traffic.
78. Mr Carr did not agree with Mr Jongeneel's concerns and was of the opinion that the parking proposed would accommodate the hotel demand. On the topic of staff carparks, he noted that the Applicant had not applied to breach this particular District Plan standard and any failure to deliver up 13 staff carparks would be an enforcement matter for Council. He also noted that the Applicant was entitled to rely on the car parking ratios set out in the Operative District Plan and noted that Stage 2 of the Proposed District Plan (as notified in November 2017) had not changed these requirements. We agree with Mr Carr's statement that the lack of change "indicates the Council is comfortable that the existing parking ratios are appropriate."¹²
79. Mr Goldsmith noted in his opening submissions the clear cumulative effect that can be expected to arise when three hotels are operating.¹³ In his submission, KVHL needed to acknowledge the extent to which its two hotels created the existing traffic situation. It was not appropriate to place all traffic effects at Kawarau Village at the foot of the Applicant when two existing hotels were also contributing to the overall traffic effects that would be generated by the three hotels operating in unison. We agree.

¹¹ Summary of Evidence of MPC Jongeneel, paragraphs 18-19

¹² Supplementary Evidence of A Carr paragraph 3.6

¹³ Goldsmith opening submissions paragraph 25

80. In response to Mr Jongeneel's concern that a second footpath should be built by this Applicant on the southern side of Alpine Lakes Drive, in part because of the issue with cars and trailers blocking the existing footpath, Mr Goldsmith submitted that KVHL is the road controlling authority at Kawarau Village and it has the legal power to remedy any illegally parked cars and trailers. Furthermore, under the existing right of way easement in favour of the Council, KVHL is obligated to keep the footpath clear for its intended use. These are private contractual matters and not within our RMA powers to impose or resolve.¹⁴ We agree with these submissions.
81. In his evidence on construction methods and associated traffic, Mr McGill explained that a tower crane would be established on the middle of the three terraces on the site to be used to construct the hotel below. Most construction related vehicles would be of a standard size and able to navigate the first section of Alpine Lakes Drive, on to and along Northview Terrace, and then access the small square at the lower end of Francis Rees Place. Other vehicles would be too large to achieve this and would require a large turning circle as they travel through this small square. They would have to swing on to the wrong side of the road as they traverse that square and enter Francis Rees Place. Traffic management would be required.
82. Mr McGill stated that the larger vehicles would enter Northview Terrace and stop there so that materials could be lifted off the truck by the tower crane. This would not affect pedestrian access on the southern side of Northview Terrace. Traffic management would be required. These vehicles would need to back out into Alpine Lakes Drive so that they could drive forwards up that road and access Peninsula Road.
83. There would be potential effects on the public in two places. First, the medium sized vehicles travelling through the small square impacting on residential housing in that area. Second, the two point turn required to be undertaken by the largest vehicles at the Alpine Lakes Drive/ Northview Terrace intersection could affect traffic using Alpine Lakes Drive. In either case, he was of the opinion that the disruption to traffic would be minimal. Mr McGill noted that he considered the construction period to be more like 24 months, not the 18 months mentioned in the original Construction Methodology. This was because of the top-down construction access now proposed. Mr McGill was comfortable with and agreed that the hotel could be constructed using the top-down construction access method.
84. In his Second Supplementary Statement, Mr Carr supported the evidence of Mr McGill, providing us with swept path analysis to demonstrate vehicle manoeuvrability. This was helpful to our assessment. Mr Carr also provided us with a copy of an example of an overarching strategy for the management of construction traffic which provides a framework within which traffic management measures can be developed.
85. The Council's response to our First Minute included Mr Smith's traffic comments. These referred to the overlap between the construction of this hotel and the consented townhouse and apartments also proposed by the Applicant. As we have noted above, we are unable to consider these effects given the Applicant has provided written approval. We note that Mr Smith's concerns on this point did not entirely align with his report to us at the hearing that the overlap in construction between these three projects was for the Applicant to manage. Other concerns raised related to a lack of detail of some aspects of construction, such as the location of a crawler crane and the ability for long steel columns to be delivered to the site. These are matters of detail that it will be for the Applicant, and any other developer, to work through.

¹⁴ Goldsmith opening submissions paragraphs 28-32

86. Mr Smith agreed with Mr Carr that construction traffic could be managed through a suitable Traffic Management Plan. He raised a concern about a lack of alternative route if one proved to be necessary. We accept this is a valid concern but again, consider this will be for the Applicant or any other developer to manage in the construction process. We consider any developer would want to be sure traffic management was effective and did not affect Kawarau Village hotels and residents, so that the project was not unnecessarily delayed.
87. Regarding Ms Christie's evidence, we agree with Mr Smith's concern that Ms Christie mentioned some deliveries would be required from the lower portion of Alpine Lakes Drive. This evidence conflicted with other evidence for the Applicant that appeared to say the lower portion of Alpine Lakes Drive would not be used for construction. The conditions to make it clear that the lower portion of Alpine Lakes Drive will not be utilised for construction, including deliveries.
88. We agree with Mr Reaburn that it would be beneficial to include a review of traffic effects in the review condition and have amended the conditions accordingly.
89. Overall, we find the traffic effects are no more than minor and can be addressed through consent conditions and management plans.

Built Form and Urban Design

90. It was common ground between all the urban design, architectural and planning witnesses that the site was capable of accommodating a large size hotel of the scale proposed. However, we agree with the witnesses that the site is challenging and it therefore requires a carefully balanced design approach that delivers a sizeable hotel while not being excessively visually dominant in the streetscene, on the neighbouring properties or out of context with its location, particularly in the long views across the lake and beyond.
91. In our view the urban design issues cover three major areas, being:
 - (i) The impact of the building length on both the streetscene (Alpine Lakes Drive) and on adjacent hotels (Hilton and Double Tree);
 - (ii) The impact of the height, especially the sixth level (western end of the building) on the streetscene and the Hilton hotel; and
 - (iii) The impact of the proposed building in the long views and the wider context generally.
92. In turning to the first issue, we agree with Mr Mentz that the building (as originally proposed) read as two distinct building elements (if not three). The first building element (the western end) included the guest car parking area and hotel lobby at ground floor, at which point the building 'tilted' to follow the northern section of the Alpine Lakes Road one way loop. In the third element, the building tilted again to follow the road frontage. At each of the tilt points the design approach had a strong vertical element to acknowledge these changes in building direction, which Mr Barrett-Boyes referred to as 'fissures'. Mr Mentz was concerned about the length of each of these building elements and believed these should be broken up with the introduction of further vertical emphasis on the street elevations. As considered above, Mr Barrett-Boyes responded to these concerns and provided us with amended plans which introduced four vertical breaks, one in the first building element, two in the second and

one more in the third. At the end of the hearing it was common ground between Mr Barrett-Boyes, Mr Mentz and Mr Compton-Moen that these had addressed these issues. We agree and believe this has reduced the potential adverse effects in this regard to a degree which could be considered minor.

93. Turning to the second issue regarding the height of the western end of the building and its impact on the streetscene and the adjacent Hilton Hotel. Initially Mr Mentz was of the view that this could be addressed by setting back the upper two floors, which form part of the 'Mentz version'. However, during the hearing Mr Mentz had suggested that this could be amended by only requiring the removal of the upper storey (sixth). Mr Barrett-Boyes did not agree with either the need for the setback of the upper two storeys or the need to reduce the proposal by a storey in this location. He believed the design solution was appropriate and would not adversely dominate either the streetscene nor the balconies of the adjacent Hilton Hotel. However, the Applicant's final plans have introduced the setbacks at the upper levels as suggested by Mr Mentz. We agree with this approach and find that this amendment will reduce the visual impacts on the streetscene and the adjacent Hilton Hotel and will also align (in part) with the building set-backs at the upper levels of the white building to the west.
94. However, we do not agree with Mr Mentz's suggested removal of the upper level (sixth) which he raised during the hearing. We find that his initial suggestion of the upper floor setbacks has successfully resolved this matter.
95. Finally, turning to the impact of the proposal in the long views and the wider context generally, it was common ground between all of the urban design, architectural and planning witnesses that the design was appropriate in the long views, especially across the lake and beyond. We agree that the new building will read as part of the overall bulk and massing created by the existing buildings in this area, including the newly consented apartment and terrace developments.
96. As a result, we find that the amended design represent a suitable and carefully balanced design approach for a challenging and difficult site. Therefore, we find the urban design effects of the proposal are no more than minor.

Acoustic and vibration

97. We heard from only one acoustic expert, Mr Ellerton. His evidence was that the construction noise can comply with NZS:6803:1999 and that any noise effects could be addressed through appropriate conditions.
98. KVHL and Mr Leckie raised concerns about noise and vibration arising from construction equipment and rock breaking activities. Mr Woodford advised us that rock breaking will be required to excavate the building platform for the proposed development. In response to KVHL, Mr Ellerton stated that potential adverse effects from vibration were minimal for two reasons: first, there had been no adverse effects from previous earth breaking and removal on the Kwarau Village site when earlier developments were undertaken; second, this proposal required less rock breaking than the earlier developments. We find that both statements are somewhat problematic. When the Kwarau Village site was first developed we assume there were no residents on site who would have been affected by vibration and rock breaking. The fact that this development comprises less rock breaking than the first development is irrelevant. The question for us is whether the construction for this project is likely to cause adverse noise and vibration effects and if so, how that might be addressed. The Applicant proposed amendments to the conditions to address these matters. We have

further amended the conditions to prohibit rock breaking activity on Saturdays, as requested by Mr Leckie.

99. Mr Leckie was also concerned about the noise that could be generated from the proposed hotel when operational, particular the roof top bar-restaurant. As noted above, Mr Ellerton addressed this in his Addendum Report dated 10 November 2010. In response, the Applicant volunteered a number of conditions, which are included in the final conditions attached. These restrict the use of the outdoor terrace between the hours of 10pm and 8am, with all restaurant doors and windows to be closed during this period. The review condition also includes specific reference to noise effects.
100. We agree with Mr Ellerton and Mr Woodford that, provided these conditions are in place, noise and construction effects will be controlled to acceptable levels. A number of recommendations will form part of the CMP. We consider noise effects to be no more than minor.

Visitor accommodation

101. Mr Woodford's report noted that in its consideration of visitor accommodation, Council must consider the design of buildings, the location, nature and scale of activities, parking, noise and hours of operation. We were referred to Assessment matter 7.7.2(ii) of the ODP which enables Council to impose conditions in relation to character, scale, intensity, loss of privacy, the proximity of outdoor facilities, hours of operation, landscaping, urban design, adequacy of parking, noise from vehicles entering and leaving the site, pedestrian safety and mitigation of noise emissions beyond the property boundary.
102. While mindful of the large scale of the hotel, Mr Woodford considered its location to be appropriate given the character of the surrounding environment and the location of the subject site set into the hillside. In his opinion, it would not result in inappropriate effects on residential character or cohesion.

Infrastructure and servicing

103. We were told by Council officers that existing water, sewer, and stormwater infrastructure was installed under land use consent RM050908 and subdivision consent RM140567 to service the lots. Mr Carter confirmed there is sufficient water pressure to connect to the existing water mains in Alpine Lakes Drive and Francis Rees Place to provide potable and firefighting water supply.
104. The original wastewater system will need to be upgraded to cater for increased demand. This will require pipes to be enlarged. We were told this upgrade is feasible.
105. There is sufficient capacity for the proposed increase in stormwater flows in the Kawarau Village catchment. The lower level of the hotel development (Lot 3 DP492490) lies within the Kawarau Village catchment. This was designed to service a high density impervious surface development. The upper levels of the hotel development (Lots 39, 40 and 45 DP 497935) are contained within the Lakes Edge catchment which was also designed to cater for the impervious area proposed by the development.
106. As high levels of pollutants are expected to be generated due to the increased vehicle movements, the Applicant proposes to install submerged outlet sumps before discharging into the existing stormwater network.

107. Overall, we consider the infrastructure and servicing effects to be no more than minor.

Earthworks and dust

108. The application was supported by a geotechnical report from Tonkin and Taylor, which outlined a number of recommendations for managing earthworks on site to ensure site stability. The proposed earthworks are mostly clear of lot boundaries. Temporary batter slopes will be appropriate to stabilise the development and earthworks will be contained within the site boundary.
109. On behalf of Council, Mr Carter reviewed the Tonkin and Taylor report and accepted the report's findings.
110. It is anticipated that dust can be managed through conditions.
111. Mr Woodford also noted that earthworks can result in adverse visual effects. Cranes and other large construction equipment will be visible. This will be a temporary effect.
112. We agree with Mr Woodford that the adverse effects arising from earthworks and construction activities are temporary and can be addressed through conditions. We find the effects are no more than minor.

Natural Hazards

113. The site is identified on the Council's GIS as being susceptible to liquefaction but at a low to nil risk. It is a non-verified landslide feature. Tonkin and Taylor have assessed natural hazard risks in the geotechnical report. This concluded that no natural hazards are present on the site that would prevent the hotel being constructed. Mr Carter accepted the report's findings. On this basis, we find any adverse effects arising from natural hazards will be no more than minor.

Cumulative effects

114. We do not consider this proposal to raise adverse cumulative effects.

Summary - section 104D(1)(a)

115. Overall, having considered the evidence pre-circulated and presented at the hearing, the application and supporting reports, the submissions and the additional evidence provided subsequent to the hearing, and the Council's reports, we are satisfied that the proposal passes the first threshold of section 104D.

OBJECTIVES AND POLICIES OF THE RELEVANT DISTRICT PLANS – SECTION 104D(1)(b)

116. We have considered the assessments of the objectives and policies of the relevant district plans as set out in the application, the section 42A report and the evidence. Given the comprehensive coverage of the objectives and policies in those documents, we have not set them out in detail in this decision.
117. We note that Ms Leith and Mr Woodford took a similar approach to their assessment. Mr Reaburn referred to additional objectives and policies.
118. The ODP and PDP apply. Little weight can be placed on the PDP given its stage in the process. It has been the subject of some submissions and some hearings. We

understand that one decision has been made by the Council relating to the Millbrook site. This has no bearing on this application.

Operative District Plan

119. Ms Leith identified in her AEE that she considered the relevant objectives and policies of the Operative District Plan were Part 7 – Residential, Part 14 – Transport, Part 18 – Signs and Part 22 – Earthworks.
120. Mr Woodford also included in his assessment reference to Part 4 – District Wide.
121. Mr Reaburn listed his relevant objectives and policies under issues. He referred to Parts 7 and 14 only.

Part 4 District Wide

122. Objective 4.9.3.2 – Existing Urban Areas and Communities states:

“Urban growth which has regard for the built character and amenity values of the existing urban areas and enables people and communities to provide for their social, cultural and economic wellbeing.”
123. Policy 2.1 seeks to ensure new growth and development in existing urban areas takes place in a manner, form and location which protects or enhances the built character and amenity of the existing residential areas and small townships. Policy 2.2 refers to clustering growth of visitor accommodation in certain areas so as to preserve other areas for residential development.
124. We agree that this proposal would form part of a cluster of large scale visitor accommodation in this part of the District. It would enhance the built form and character of the existing high density residential area. The proposal is not contrary to this objective and its associated policies.
125. Objective 4.9.3.5 seeks to enable visitor accommodation activities while ensuring any adverse effects are avoided, remedied or mitigated. Associated policies 5.1-5.3 require the management of visitor accommodation so as to manage any adverse effects on the environment, avoiding, remedying or mitigating adverse effects of the letting of residential units for short-term accommodation on residential coherence and amenity through a registration process and standards, and ensuring the costs and regulatory obligations of visitor accommodation activities are appropriately borne and complied with by the providers of such facilities. The proposal is not contrary to Objective 4.9.3.5 and its associated policies.
126. Objective 4.9.3.7 requires that the scale and distribution of urban development is effectively managed. Policies 7.1-7.5 seek the maintenance of urban development in a way and at a rate that meets community needs, providing for the majority of urban development to be located in the two urban centres of Queenstown and Wanaka, using the Urban Growth Boundaries (UGBs) to establish distinct and defensible urban edges. The proposal is not contrary to Objective 4.9.3.7 and its associated policies. This hotel would satisfy a need in the community for additional visitor accommodation and would consolidate such development.

Part 7 Residential

127. Part 7 addresses residential zones, including high density residential.

128. Part 7.1.2 sets out District Wide Residential objectives and policies. Objective 1 seeks that sufficient land is provided for a diverse range of residential opportunities for the District's present and future urban populations, subject to the constraints imposed by the natural and physical environment. Policy 1.2 enables new residential and visitor accommodation areas in the District. Policy 1.3 promotes compact residential and visitor accommodation development. Policy 1.4 enables visitor accommodation growth in areas which have primary regard to the protection and enhancement of the landscape amenity. Policy 1.6 seeks to promote, where reasonable, a separation of visitor accommodation development from residential neighbourhoods.
129. This proposal is not contrary to Objective 1 and the relevant policies. The proposed hotel fits well with the existing level of visitor accommodation already present at Kwarau Village and is well separated from the primary residential activity of Kelvin Heights. While some private residential living occurs at Kwarau Village, this forms part of an existing visitor accommodation context. The development is compact and it protects landscape amenity. We do not go so far as to say that it enhances landscape amenity but a constructed hotel on the site is likely to look far more attractive than the empty and barren site as it currently stands.
130. Objective 3 and its associated policies are directed to residential amenity. Policy 3.3 directs provision for and encouragement of high density residential development in high density residential zones. Policy 3.4 seeks to ensure buildings reflect the urban character and form as it relates to the landscape. Policy 3.5 seeks to ensure the hours of operation of non-residential activity do not compromise residential amenity values, social wellbeing, residential cohesion and privacy.
131. Policy 3.7 seeks to ensure that residential development is not unduly shaded by structures on surrounding properties. It is particularly relevant here given the presence of the Hilton and Double Tree Hotels and residential apartments in the vicinity. Mr Woodford noted in his report that the proposed development is to the south of Alpine Lakes Drive and is not expected to shade properties to the north of that road. There is limited residential development to the south, east or west of the subject site. Most of these sites also comprise visitor accommodation. The conditions of consent are intended to address adverse effects on residential neighbours. Otherwise, written approvals have been provided by the owners of land on which future residential development is intended.
132. Policy 3.8 seeks that noise emissions associated with non-residential activities are within limits adequate to maintain amenity values. The conditions limiting the hours of operation and noise limits will ensure residential amenity is maintained.
133. On-site parking is encouraged through Policy 3.9. This policy seeks to ensure that the amenity of neighbours and the functioning of streets is maintained. The proposal meets this policy. Most relevantly, construction traffic will not access the lower portions of Alpine Lakes Drive.
134. Policy 3.13 seeks that good urban design be provided. As will be evident from our discussion of the hotel's urban design and the changes made to the design through this consenting process, we consider this policy is also met.
135. We find the proposal is not contrary to Objective 3 and its associated relevant policies.
136. The high density residential objectives and policies at Part 7.1.3 are directed at amenity values expected of a high density living environment and good design. The vitality of town centres is also relevant.

137. Objective 1 states:

Objective 1 – Amenity Values

Sustainable residential communities and neighbourhoods that have high amenity values of a quality and character anticipated in a high density living environment.”

138. Supporting Policy 1.1 seeks to ensure development enables high density living and achieves character and amenity values anticipated in a high living zone by improving the aesthetic appeal of the built environment, ensuring buildings integrate well with the neighbouring locality and provide visual connections with the surrounding built and natural environment, provide attractive pedestrian access ways and linkages, ensure the maintenance of road setbacks that are free of structures, ensure that open space is maintained between buildings on sites and between neighbouring sites and encourage the provision of underground carparking.¹⁵

139. Other relevant policies are as follows:

Policy 1.2:

To avoid visually dominant buildings that overshadow public places, block views and degrade the built environment.

Policy 1.3:

To enhance the attractiveness of the zone, including the streetscape, by:

1.3.1 Ensuring landscaped areas are provided in scale and proportion to the size of the building.

1.3.2 Encouraging the retention of existing vegetation where appropriate, especially established trees and native vegetation.

1.3.3 Ensuring the effects of developments are internalised to the site and do not detract from the amenities of neighbouring sites and roads.

Policy 1.4:

To encourage a mix of housing types and sizes with variety in the number of bedrooms, that will support a flexible and sustainable reuse in the future, while recognising that the zoning anticipates large scale buildings and multi-unit developments in some areas capable of containing a wide mix of types and sizes.

Policy 1.5:

To discourage the encroachment of large visitor accommodation developments into residential neighbourhoods.”

140. In his evidence, Mr Reaburn noted the strong theme of ensuring good design outcomes. Relying on Mr Mentz’s evidence, he considered the hotel did not fit well into its site context and surrounds and that, in its original proposed form, it would dominate the Hilton Hotel and the Double Tree Hotel to the extent that adverse effects would be more than minor. Cumulative adverse effects would arise from other features such as

¹⁵ Policies 1.1.1-1.1.6

the long building lengths, with horizontal lines and the blank and inactive elevation at street level as the proposed building faced the Double Tree Hotel. There were also streetscape effects given the height differences on each side of the road and a “tunnel effect” along Alpine Lakes Drive.¹⁶ Mr Reaburn referred back to the hotel originally included within the Master plan in 2006.

141. Having said all that, Mr Reaburn, like Mr Mentz, accepted that the subject site could accommodate a large hotel and referred us to Mr Mentz’s alternative design option.
142. Urban design has been a particular focus of our decision, as outlined earlier in our discussion of effects. We are satisfied that the proposal is not contrary to Objective 1 and its supporting policies. This a high density living environment and this type of development is anticipated there. The design of the hotel, in its final form, takes proper account of the need to ensure other hotels and residential living areas in this zone are not unduly compromised. The location of the proposal within Kwarau Village, which already contains hotel and apartments in a high density living environment, ensures other residential neighbourhoods are not encroached upon.
143. Objective 3 seeks to maintain and enhance the vitality and vibrancy of the town centres and places where residents and visitors intermingle. Policy 3.1 requires the provision of high density residential living and visitor accommodation in the high density zone, near the town centres, with good linkages to the town centres. While the subject site is some distance from the Queenstown CBD, it is close to the Remarkables park shopping centre and other shopping areas being developed within Frankton Flats. Those areas can be accessed by foot, cycle, car and public transport. The proposal is not contrary to Objective 3 and Policy 3.1.
144. For similar reasons, the proposal is not contrary to the objectives and policies in that section of the plan headed Queenstown Residential and Visitor Accommodation Areas.

Part 14 Transport

145. The objectives and policies are directed at seeking to maintain safe and efficient functioning of the District’s roads.
146. Objective 1 seeks to ensure the efficient use of the District’s roads. Policy 1.6 requires the promotion and provision for the consolidation of new areas of residential development and for high density development within identified areas. Policy 1.9 directs the requirement of off-street parking in order to limit congestion and the loss of safety and efficiency of roads. This site is zoned for high density living. The Applicant will provide the degree of off-street parking required by the District Plan. We consider the proposal is not contrary to Objective 1 and its associated policies.
147. Objective 2 seeks the safe and accessibility of pedestrian and vehicle movement throughout the District. Policies 2.1-2.3 are directed at adopting and applying a road hierarchy with associated design, parking and access standards, ensuring the intensity and nature of activities along particular roads is compatible with road capacity and function so as to ensure vehicle and pedestrian safety, and ensuring access and movement throughout the District. The roading network at Kwarau Village is private. The proposal otherwise maintains the safety and accessibility of the area. The proposal is not contrary to Objective 2 and its associated policies.

¹⁶ Evidence of P Reaburn paragraph 19

148. Objective 5 seeks sufficient accessible parking and loading facilities to cater for the anticipated demands of activities while controlling effects. Policy 5.1 directs Council to set minimum parking requirements for each activity based on parking demand for each land use but not necessarily striving to accommodate peak parking requirements. This is particularly relevant to the matters raised by KVHL and counts against its argument that more parking should be required than the District Plan requires.
149. Policy 5.2 seeks to ensure there is sufficient room for loading and unloading. Policy 5.3 directs that car parking should be available, including disabled parking. Policy 5.3 requires all off-street parking to be designed and landscaped in a manner that mitigates adverse visual effect on neighbours. Policy 5.5 requires that parking areas be designed to ensure pedestrian safety and vehicle safety. We note that both Ms Leith and Mr Woodford referred to Policy 5.6, which requires that areas be set aside for staff parking in business and industrial zones. This site is not zoned as such, therefore this policy is irrelevant.
150. Ms Leith noted in her evidence, in response to KVHL, that due to the tight constraints of this development on the site, there was no ability for a pedestrian footpath to be provided along the Alpine Lakes Drive façade of the building. This was not considered to be an issue as the main area of interest of hotel patrons leaving the hotel was to the north in the direction of Lake Wakatipu. We accept this evidence. However, we consider there is also some merit in the point made by Mr Reaburn and Mr Jongeneel that there can be expected to be some foot traffic to the east of the hotel given that is also the direction in which the Kawarau Bridge and associated walkways and cycleways may be found, as well as other residential subdivisions. We do not consider this necessarily requires a footpath be provided outside the hotel. There is already a footpath area on the opposite side of Alpine Lakes Drive.
151. We find the proposal is not contrary to the objectives and policies in Part 14 of the ODP. The proposal provides the required number of car parking spaces and a loading bay is also provided. Only three on-site car parking bays are located externally to the building. They will be appropriately screened. Valets will move visitor cars from the hotel entrance to the car stacking area.

Part 18 Signs

152. The objectives and policies in Part 18 seek to ensure that signage is of a scale and nature that is consistent with the character of the surrounding environment. The policies include the requirement for attention to be given to sign design and location. The signage proposed here is quite small. We consider the proposal is not contrary to the relevant objectives and policies in Part 18.

Part 22 Earthworks

153. Objective 1 of Part 22 seeks to enable earthworks provided they are undertaken in a way that avoids, remedies or mitigates adverse effects on communities and the natural environment. Associated policies direct that earthworks are designed to be sympathetic to natural topography where possible and are to use environmental protection measures to avoid, remedy or mitigate adverse effects. Remedial work and revegetation are to be implemented in a timely manner. The long term adverse effects of unfinished projects are to be avoided, remedied or mitigated.
154. As noted in the AEE, the hotel has been designed to step down and around the site's topography. Visual effects of earthworks will be temporary. Any remaining exposed areas will be landscaped following the completion of construction. Dust and runoff are

temporary construction effects and will be addressed through standard on-site mitigation measures and conditions. Neither Ms Leith or Mr Woodford discussed any long term effects of an unfinished project, should this occur. Mr Reaburn did not discuss this either, but we note his evidence did not include reference to the earthworks objectives and policies.

155. Objective 3 and its associated policies seek and direct that earthworks not adversely affect the stability of land, adjoining sites or exacerbate flooding. The geotechnical and structural reports provided with the application state that the proposed earthworks are feasible and can be safely constrained within the site. The geotechnical report notes that there are no natural hazards present on the site that would prevent the development from being constructed.
156. We are satisfied the proposal is not contrary to most of the earthworks objectives and policies. As there was no evidence on the policy addressing the adverse effects of an unfinished project, we can make no finding on that policy.

Proposed district plan – Stage 1

Chapter 3 Strategic Directions

157. Objective 3.2.3.1 seeks to achieve a built environment that ensures the District's urban areas are desirable and safe places to live, work and play. Policy 3.2.3.1.1 seeks to ensure that development corresponds to the character of the site, the street, open space and the surrounding area, whilst acknowledging the necessity of increased densities and some change in character in certain locations. Policy 3.2.3.1.2 directs that larger scale development be comprehensively designed with an integrated and sustainable approach to infrastructure, buildings, street, trail and open space design.
158. We find the proposal is not contrary to this objective and its two relevant policies.

Chapter 4 Urban Development

159. Objective 4.2.4 seeks to manage the scale and location of urban growth in the Queenstown Urban Growth Boundary. Policy 4.2.4.2 seeks (relevantly) to ensure that such development provides a diverse supply of residential development, provides increased density in locations close to public transport routes and with convenient access to the town centre, provides urban form that is sympathetic to the natural setting and enhances the quality of the built environment, and maximises existing infrastructure networks.
160. We find the proposal is not contrary to this objective and its associated policy. There is a shortfall of hotel rooms in Queenstown at the present time and this development will assist in addressing the shortfall. The proposal can be serviced via existing infrastructure and is well serviced by public transport routes. The design is sympathetic to its setting.

Chapter 9 – High Density Residential

161. Objective 9.2.3 seeks that a reasonable degree of protection of amenity values be provided, within the context of the high density zone, which can be expected to increasingly intensify. The associated policies seeks to limit the bulk and scale of development through the use of controls and to ensure that where development standards are breached, impacts on neighbours' amenity values and on public views (especially towards the lakes and mountains) are no more than minor relative to a complying development. In this case, the height and bulk standards are breached.

However, the design has taken account of the amenity of neighbours and on public views.

162. Objective 9.2.6 addresses the efficient use of existing infrastructure. The associated policies focus on the location of high density development being close to town centres, the encouragement of walking and cycling, access and parking being located and designed to optimise connectivity, efficiency and safety and enabling development to provide a lower level of carparking than would otherwise be anticipated if there are characteristics of the activity that justify this or there are travel plans that can demonstrate approaches that mitigate a lower parking provision.
163. Overall, we find the proposal is not contrary to these objectives and policies. As already noted, the option put forward by Mr Mentz to address some of KVHL's concerns now forms part of the final hotel design.

Proposed district plan – Stage 2

164. Ms Leith helpfully covered Stage 2 of the Proposed District Plan process, which was publicly notified on 23 November 2017. This has brought into consideration relevant objectives and policies, but not rules, addressing Earthworks, Transport, Signs and Visitor Accommodation. Before addressing these, we note that while submissions on these matters have closed, this process is still subject to further submissions and no hearings have been held. The Stage 2 provisions therefore have minimal relevance to our assessment.

Chapter 25 - Earthworks

165. Objective 25.2.1 seeks that earthworks be undertaken in a manner which minimises adverse effects on the environment and maintains landscape and visual amenity values. As noted by Ms Leith in her evidence in chief, the geotechnical report submitted with the application demonstrates that the proposed earthworks are feasible. Several consent conditions address earthworks. The visual effects will be temporary only.
166. Objective 25.2.2 seeks that the social, cultural and economic wellbeing of people and communities benefit from earthworks while being protected from adverse effects. Again, the geotechnical report addressed this, as do the consent conditions.
167. The proposal is not contrary to the Stage 2 Earthworks provisions.

Chapter 29 Transport

168. Objective 29.2.1 seeks an integrated, safe and efficient transport network that provides for all transport modes, future growth needs and continued economic development. Reliance on private motor vehicles is to be reduced. The subject site is well serviced by public transport (bus and water taxi) along with walking and cycling trails.
169. Objective 29.2.2 seeks to ensure that all parking, loading, access, manoeuvring is consistent with the character, scale, intensity and location of the zone to provide a safe and efficient network, compact urban growth and economic development. An increase in walking and cycling is to be facilitated. The proposal is not contrary to this objective.
170. Objective 29.2.3 relates to the provision of new roads and is not relevant.
171. Objective 29.2.4 seeks an integrated approach to managing subdivision, land use and transport networks such that active and public transport networks are increased and

traffic congestion reduced. This proposal is not contrary to this objective. It includes on-site parking and bike parking and provides ready access to public transportation networks.

Chapter 31 Signs

- 172. Objective 31.2.1 relates to the location, size, design and appearance of signs. These are to be managed to assist in maintaining appropriate levels of amenity. The proposal is not contrary to this objective.
- 173. Objective 31.2.2 addresses adverse effects of signs, requiring them to be managed to limit their impact on public safety. The proposed signage is not contrary to this objective.
- 174. The proposal is also not contrary to Objective 31.2.3 as the signage will be complementary to, and will not detract from, the design values of the proposed building. The signage is also sympathetic to the design values of surrounding buildings.

Visitor accommodation variation

- 175. The visitor accommodation variation proposes to insert into Chapter 9 of the Proposed District Plan an objective that visitor accommodation is provided for in urban areas close to town centres so as to respond to tourist demand. Adverse effects on residential amenity and traffic safety are to be avoided, remedied or mitigated. The High Density Zone in which this proposal would be located is not close to the Queenstown Town Centre but it is close to other growing hubs at Frankton Flat. The High Density zone clearly enables high density visitor accommodation. The proposal is not considered to be contrary to the variation in that regard. It is located in an area of the District that already contains substantial visitor accommodation and high density residential living.

Conclusion – section 104D(1)(b)

- 176. We find that the proposal is not contrary to most of the relevant objectives and policies of the ODP and PDP. The one policy that may not be met is that relating to the result of the development not being completed, but we had no evidence on this. We do not consider that policy to undermine other policies, or to trump them. We find the proposal passes the second threshold in section 104D(1)(b).

SECTION 104 ASSESSMENT

- 177. Given both section 104D thresholds are passed, we now turn to our section 104 assessment.

Section 104(1)(a)

- 178. Under sections 104 and 104B, we are satisfied that the actual and potential effects of the activity on the environment are not significant and can be addressed through consent conditions. We set out earlier in this decision our findings on environmental effects.
- 179. The proposed hotel will provide a large amount of visitor accommodation to the District. We also accept that its design will deliver a positive urban design outcome.

Section 104(1)(b)

180. Our section 104D(1)(b) assessment considered the operative and proposed district plans. We find the proposal is consistent with those district plan provisions.
181. In terms of the regional planning documents, we are required to take account of the Otago Regional Policy Statement (“ORPS”) in our assessment. As noted earlier in this decision, there is both an operative and proposed ORPS. Less weight may be accorded to the proposed ORPS given the breadth of appeals.
182. We outlined the relevant provisions of both plans earlier in this decision. Broadly, they seek to protect the landscape from inappropriate subdivision and to protect water quality. The detail of those provisions can be found in the AEE and planner’s report.
183. We find that the proposal is consistent with the relevant objectives and policies of the regional policy statements.

Section 104(1)(c) Other Matters

Precedent

184. The proposal is a non-complying activity. Given the zoning and the development of parts of the site, we do not consider this development will set a precedent. Any applications to follow that would seek to rely on this application being granted consent would have to be assessed on their merits. However we are of the opinion that any precedent set by the granting of this consent would not undermine confidence in District Plan administration.

National Policy Statement on Urban Development Capacity 2016 (NPS)

185. Mr Woodford drew our attention to the NPS, noting that it applies to all decision making concerning the urban environment. The NPS objectives aim to provide for effective and efficient urban environments that enable people and communities to provide for their wellbeing and provide sufficient opportunities for the development of housing and business land to meet demand. Objective O3 seeks to provide urban environments that, over time, develop and change in response to changing needs.
186. Policies PA2, 3 and 4 are directed to satisfaction at the level of infrastructure available, a consideration of choices, the promotion of the efficient use of urban land and taking into account the benefits of urban development on local communities as well as national, regional and district wide scales.
187. We find the proposal is consistent with the stated objectives and policies.

CONDITIONS

188. We have made changes to the final proposed conditions tabled by the Applicant. In particular, we have ensured that several controls addressing construction effects and traffic management of the hotel once operational form part of the consent conditions and are not simply part of the management plans. Management plans are able to be changed without notification to the Council or submitters and we do not consider that process sufficiently protects residents and other hotel operators. The conditions as now amended include stringent controls on the construction access to the development site (conditions 5, 30 and 31), the days and hours on which construction activities and rock breaking activities can occur (conditions 28 and 29), and the provision of disabled parking (condition 32). We have also added specific review conditions under condition 34 addressing vibration effects, the use of the outdoor rooftop restaurant and parking effects.

189. We have included in the conditions additional requirements for management plans to be available on site and open to inspection by the Council at any time. The works cannot proceed until particular management plans are approved or certified (conditions 8, 9, 10).
190. We wish to make it clear to the parties that without these conditions, and the detail of the management plans, we would not have granted consent to this application.

PART 2 MATTERS

191. There is currently a conflict in the case law as to whether it is necessary to consider a proposal against Part 2 of the Act. In RJ Davidson v Marlborough District Council¹⁷ the High Court decided that a Part 2 assessment is not required unless the governing plan contains some invalidity, incompleteness or ambiguity. We understand this decision has been appealed to the Court of Appeal and a decision is awaited.
192. A different approach has been taken in Turners & Growers Horticulture v Far North District Council,¹⁸ where a separate division of the High Court has decided that Part 2 continues to apply, at least in plan change hearings.
193. In Envirofume Limited v Bay of Plenty Regional Council¹⁹, the Environment Court has confirmed that Part 2 is still relevant to resource consents for three reasons:
- (i) As an overview or check that the purpose of the Act and Part 2 issues are properly covered and clear;
 - (ii) To focus decision makers on the overall purpose of the consent in question; and
 - (iii) To act as a check that the planning documents have recognised, provided for, or given effect to the Act and other documents in the planning hierarchy.
194. Following the Davidson approach, we find the ODP and the operative ORPS are not subject to the three caveats of invalidity, incompleteness or ambiguity. The relevant provisions of those plans have already given substance to the principles in Part 2 of the Act.
195. Decisions on the PDP, other than the decision on Millbrook to which we referred earlier in this decision, are not yet available. The notified version of the PDP on which we must rely has not yet been tested as to whether it gives effect to Part 2 of the Act. The proposed ORPS has been the subject of decisions, but these have been subject to challenge through the appeal process.
196. For completeness, given the inconsistent approach of the High Court at the time of writing this decision, and in light of the Environment Court's approach in Envirofume, we have considered Part 2. Our assessment of the application is that the purpose of the Act is achieved through this proposal. It will provide needed visitor accommodation for Queenstown and will enable people to provide for their social wellbeing whilst avoiding, remedying or mitigating any adverse effects on the environment. It does not offend any of the matters outlined in section 5(2).

¹⁷ R J Davidson Family Trust v Marlborough District Council [2017] NZHC 52

¹⁸ Turners & Growers Horticulture v Far North District Council [2017] NZHC 764

¹⁹ Envirofume Limited v Bay of Plenty Regional Council [2017] NZEnvC 12 at paragraphs 142 and 143

197. The only part of section 6 that is relevant is section 6(h). The evidence was that there were no significant natural hazard risks.
198. Under section 7:
- (i) The proposal is an efficient use of natural and physical resources;
 - (ii) It will maintain and enhance the amenity values of the area;
 - (iii) It will maintain and enhance the quality of the environment.
199. There are no section 8 matters of relevance.
200. For the reasons set out in this decision, we consider the application to satisfy the relevant matters in Part 2 of the Act, and overall it will achieve the purpose of the Act.

DETERMINATION

201. Consent is sought to construct a hotel breaching height, transport and building length requirements, with associated earthworks exceeding volume, cut and fill standards.
202. Overall, the activity was assessed as a non-complying activity under sections 104, 104B and 104D of the Act.
203. The Act seeks to avoid, remedy and mitigate adverse effects associated with developments. We consider that the adverse effects of this application can be appropriately avoided, remedied or mitigated, and that the proposal is consistent with and not contrary to the relevant objectives and policies of the Operative and Proposed District and Regional Plans. It also meets Part 2 of the Act.
204. Accordingly, we determine that consent be granted subject to the attached conditions which are imposed under section 108 of the Act.
205. Dated at Queenstown 16 March 2018.



Jan Caunter (Chair)

For the Hearings Commission

Conditions of Consent RM170437

Note: For the purposes of these conditions, reference to the “Development Site” means the area comprised within Lot 3 DP 492490, and Lots 39, 40 and 45 DP 497935.

General Conditions

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

Studio Pacific Architecture – The Terraces Hotel – Lakes Edge Development Ltd (Job 2180):

- Material Palette & Character, Drawing RC03-05, Revision 2 (20.11.2017)
- Functional Plan Diagrams, Drawing RC04-01, Revision 3 (20.12.2017)
- Functional Plan Diagrams, Drawing RC04-02, Revision 3 (2.03.2018)
- Street Façade Interface Diagrams, Drawing RC04-05, Revision 4 (02.03.2018)
- Signage Diagrams, Drawing RC04-06, Revision 3 (20.12.2017)
- Pedestrian Wayfinding – Desire Line, Drawing RC04-07, Revision 1 (20.11.2017)
- Pedestrian Wayfinding – Entry & Crossing Study, Drawing RC04-08, Revision 1 (20.11.2017)
- Location Plan, Drawing RC10-01, Revision 2 (20.12.2017)
- Hotel Plans – Ground Level, Drawing RC12-01, Revision 2 (20.11.2017)
- Hotel Plans – Level 1, Drawing RC12-02, Revision 1 (04.05.2017)
- Hotel Plans – Level 2, Drawing RC12-03, Revision 2 (20.12.2017)
- Hotel Plans – Level 3, Drawing RC12-04, Revision 3 (02.03.2018)
- Hotel Plans – Level 4, Drawing RC12-05, Revision 4 (02.03.2018)
- Hotel Plans – Level 5, Drawing RC12-06, Revision 3 (02.03.2018)
- Hotel Plans – Level 6, Drawing RC12-07, Revision 3 (02.03.2018)
- Hotel Plans – Level 7, Drawing RC12-08, Revision 3 (02.03.2018)
- Hotel Plans – Roof, Drawing RC12-09, Revision 3 (02.03.2018)
- Elevations, Drawing RC20-01, Revision 4 (02.03.2018)
- Elevations, Drawing 20-02, Revision 4 (02.03.2018)
- Transverse Section A, Drawing RC25-01, Revision 3 (02.03.2018)
- Transverse Section B, Drawing RC25-02, Revision 4 (02.03.2018)
- Transverse Section C, Drawing RC25-03, Revision 2 (20.11.2017)
- Transverse Section D, Drawing RC25-04, Revision 2 (20.11.2017)
- Transverse Section E, Drawing RC25-05, Revision 2 (20.11.2017)
- Typical Room Sheet 1, Drawing RC31-01, Revision 1 (04.05.2017)
- Typical Room Sheet 2, Drawing RC31-02, Revision 2 (02.03.2018)
- Typical Room Sheet 3, Drawing RC31-03, Revision 3 (02.03.2018)

Baxter Design – Lakes Edge – The Terraces: Hotel (Job 2712):

- Master Plan, Reference 2712-SK01, Revision B (14.11.2017)
- Planting Scheme, Reference 2712-SK02, Revision B (14.11.2017)
- Hard Surfaces and Materials, Reference 2712-SK03, Revision B (14.11.2017)

- Levels, Reference 2712-SK18, Revision B (14.11.2017)
- Hotel Entry Plan, Reference 2712-SK19, Revision B (14.11.2017)
- Vehicle and Pedestrian Barrier, Reference 2712-SK14, Revision B (14.11.2017)
- Hotel Level 3 – Patios, Reference 2712-SK15, Revision B (18.04.2017)

Clark Fortune McDonald & Associates (Job 11508):

- Earthworks Plan of Proposed Hotel on Proposed Hotel Sites, Drawing 34, Sheet 1 (16.02.2017)
- Earthworks Plan of Proposed Hotel on Proposed Hotel Sites, Drawing 34, Sheet 2 (16.02.2017)
- Earthworks Plan of Proposed Hotel on Proposed Hotel Sites, Drawing 34, Sheet 3 (16.02.2017)

stamped as approved on 16 March 2018

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

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

Engineering

General

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

Note: The current standards are available on Council's website via the following link:
<http://www.qldc.govt.nz/planning/resource-consents/qldc-land-development-and-subdivision-code-of-practice/>

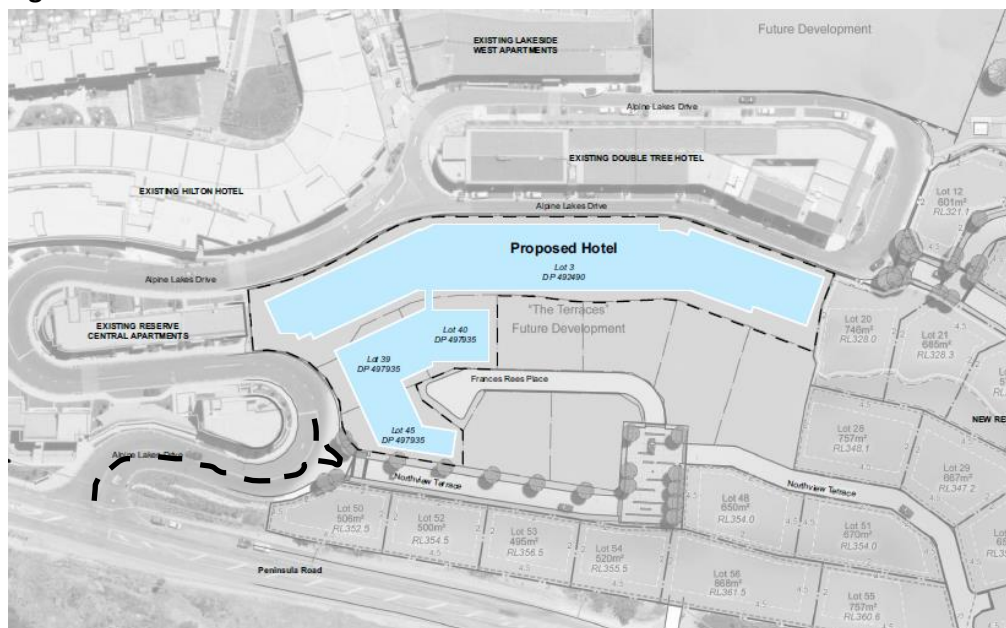
To be completed prior to the commencement of any works on-site

- 5 Prior to commencing works on the Development Site, the consent holder shall submit a Construction Traffic Management Plan to the Road Corridor Engineer at Council for approval. The Construction Traffic Management Plan shall be prepared by a Site Traffic Management Supervisor (STMS). All contractors obligated to implement temporary traffic management plans shall employ a qualified STMS on site. The STMS shall implement the approved Construction Traffic

Management Plan. A copy of the approved plan shall be submitted to the Manager Resource Management Engineering at Council prior to works commencing. The purpose of the Construction Traffic Management Plan is to set out all management procedures and methods that will be implemented to avoid, remedy or mitigate potential adverse effects arising from construction of the hotel. The Construction Management Plan is to be read alongside these conditions of consent (including in particular, but without limitation, conditions (25), (28), (29), (30) and (31)). If there is any conflict between the conditions of consent and the Construction Traffic Management Plan, the conditions of consent will prevail. The Construction Traffic Management Plan shall include but not necessarily be limited to:

- (a) A restriction that all construction vehicles including delivery vehicles, contractors' vehicles and construction staff vehicles will be parked on the Development Site or in an alternative location outside of the Kawarau Village and not along Peninsula Road.
- (b) A restriction that all vehicles referred to in (a) above must access the site via the upper part of Alpine Lakes Drive marked with a black dotted line on Figure 1 below (Limited Access) and shall not use Alpine Lakes Drive below that Limited Access.

Figure 1



- (c) Methods to ensure that traffic access and off-loading arrangements do not compromise the safety of members of the public using Alpine Lakes Drive, Northview Terrace and Frances Rees Place.
- 6 Prior to commencing any work on the site the consent holder shall install a construction vehicle crossing at a suitable location, which all construction traffic shall use to enter and exit the Development Site. The minimum standard for these crossings shall be a minimum compacted depth of 150mm AP40 metal that extends 2m into the Development Site.

The construction traffic crossing shall be removed on completion of construction works.

- 7 The consent holder shall provide a letter to the Manager of Resource Management Engineering at Council advising who its representative is for the design and execution of the engineering works and construction works required in association with this development and shall confirm that this representative will be responsible for all aspects of the works covered under Sections 1.7 & 1.8 of QLDC's Land Development and Subdivision Code of Practice, in relation to this development.

- 8 Prior to commencing any works on the Development Site, the consent holder shall obtain an approved and certified 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for all development works and information requirements specified below. A copy of the Council's approved and certified 'Engineering Review and Acceptance' referred to in this condition shall be kept at all times during the construction period in the Site Manager's office and be available for inspection by the Council at any time during working hours.

- 9 The 'Engineering Review and Acceptance' application referred to in condition (8) shall be submitted to the Manager of Resource Management Engineering at Council and shall include copies of all specifications, calculations, design plans and Schedule 1A design certificates as is considered by Council to be both necessary and adequate, in accordance with Condition (4), to detail the following requirements:
 - a) The provision of a water supply to the development in terms of Council's standards and connection policy. The costs of making these connections shall be borne by the consent holder. This shall include a bulk flow meter which consists of an approved valve and valve box with backflow prevention and provision for water metering to be located at the road reserve boundary. The costs of the connection shall be borne by the consent holder.

 - b) Provision of a suitable fire fighting water supply with adequate pressure and flow to service the development and accompanying report from a suitably qualified professional demonstrating compliance with the NZ Fire Service Code of Practice for Firefighting Water Supplies 2008 (SNZ PAS 4509:2008). Any buildings on the lots shall either be fitted with a sprinkler system and/or be designed with an appropriate fire cell size to meet the requirements of SNZ PAS 4509 for the relevant water supply classification prior to the occupation of any buildings.

 - c) The provision of a pressure foul sewer connection from the Development to Council's reticulated sewerage system in accordance with Council's standards and connection policy. The connection shall include a boundary kit and onsite storage to mitigate impacts on the downstream network in accordance with Council Standards. The costs of the connections shall be borne by the consent holder.

 - d) The provision of a connection from all potential impervious areas within the development to the Council reticulated stormwater disposal system. The individual lateral connections shall be designed to provide gravity drainage for the entire area within each lot. The stormwater system shall be designed by a suitably qualified professional as defined in Section 1.7 of

QLDC's Land Development and Subdivision Code of Practice to dispose of water from all impervious areas within the site. Generally the system shall make provision for the interception of settleable solids and floatable debris prior to discharge to the Council network.

- e) The provision of at least seventy three (73) onsite car parking spaces inclusive of 1 disabled space and 5 coach parking spaces, and all vehicle manoeuvring areas in accordance with Council's dimensional and surfacing standards, with the exception of the disabled parking spaces which can be 2.7 metres wide, 5.0 meters long with a shared area between them of 1.6 metres and an aisle width of 6.2m and as shown on the Studio Pacific Architecture Drawing "Hotel Plans – Ground Level" Number RC12-01 (Revision 2, Dated: 20.11.2017). In particular:

- i) All internal parking and loading spaces shall be sealed. External parking and loading spaces shall be sealed or formed using gobi blocks (or a similar trafficable material). All parking and loading spaces shall be clearly and permanently marked out and appropriately signed in accordance with the NZTA Manual of Traffic Signs and Markings;
- ii) The five parking spaces accessed off Frances Rees Place are to be marked as staff only parking spaces. The seven parking spaces within the drop in area and the three to the west of the drop in area are to be marked as hotel valet only parking spaces;
- iii) The fifty eight parking spaces within a 3 and 4 level vehicle stacker shall be located within the hotel building;
- iv) The internal car park shall be signed with any vertical height restrictions and a 'No pedestrians' (RG-23) sign;
- v) A longitudinal section of the vehicle access shall be provided demonstrating compliant access gradients are achieved by the access design;
- vi) Bicycle parking for at least 14 bikes is to be provided within the Development Site for visitors and staff;
- vii) The disabled car parking space shall be marked as such and maintained for the sole use of disabled persons;
- viii) Provision shall be made for stormwater disposal from all parking areas; and
- ix) All the costs associated with this condition shall be borne by the consent holder.

- 10 Prior to commencing any works on the Development Site, the consent holder shall submit to the Manager of Resource Management Engineering at Council for review and approval a Construction Site Management Plan for the works. No work may commence on the Development Site before

the approval of the Construction Site Management Plan. A copy of the approved Construction Management Plan shall be kept in the Site Manager's office at all times during the construction period and shall be available for inspection by the Council at any time during working hours. The purpose of the Construction Site Management Plan is to detail the construction methodology. It shall include the following information:

- i) A description of how the hotel will be constructed using access from the top, via Northview Terrace, without using the portion of Alpine Lakes Drive below Northview Terrace;
- ii) Dust control measures to prevent dust nuisance in any circumstances/conditions whereby dust may otherwise be generated;
- iii) Stormwater, silt and sedimentation control. This shall include details of silt traps, site drainage paths and measures to ensure silt laden stormwater does not flow from the site;
- iv) Work Programme for bulk earthworks;
- v) Co-ordination with neighbours (for example, project signboard, letter drops, meetings);
- vi) Access controls;
- vii) Site parking arrangements;
- viii) Safety fencing;
- ix) Contact details for those responsible for addressing complaints and a complaints action process (in accordance with Part 7.1 of the Draft Construction Management Plan dated November 2017); and
- x) Communication strategies to be adopted with adjacent and adjoining properties, including the owners of adjacent privately owned apartments, and evidence of consultation on those strategies with the management of the Hilton and Double Tree Hotels.

- 11 Prior to commencing any works on the Development Site, the consent holder shall submit to the Manager of Resource Management Engineering at Council for review and approval an update of the draft Parking Management Plan. The purpose of the Parking Management Plan is to set out the management procedures and methods that will be implemented to avoid, remedy or mitigate potential adverse effects arising from parking and access (including service vehicles, deliveries and coaches). The Parking Management Plan shall include specific details on:

- i) The operation of the valet parking and management of the car stackers to ensure parking measures are available in perpetuity;
- ii) The parking spaces to the west of the hotel;
- iii) The provision of 13 staff parks;
- iv) Coach parking;
- v) Disabled drivers;
- vi) Service vehicles and traffic management of the loading bay;
- vii) Road safety;
- viii) Cycle parking;
- ix) Appropriate management practices to ensure that:
 - a) There will be sufficient staff available at all times to ensure that cars waiting to unload passengers and luggage do not queue back and obstruct vehicle access along Alpine Lakes Drive;
 - b) Buses do not stop in a position which prevents traffic access along Alpine Lakes Drive;
 - c) All delivery vehicles including rubbish pick-up trucks are to ensure their loading and unloading takes place within the designated loading dock and not on Alpine Lakes Drive;
 - d) Vehicle access along Alpine Lakes Drive is maintained, including through valet parking management;
 - e) The three hotel valet parking bays to the west of the hotel are to be reverse in only;
 - f) The disabled persons parking space is only to be used by disabled persons;
 - g) The provision of Design Certificates for all engineering works associated with this development submitted by a suitably qualified design professional (for clarification this shall include all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of the QLDC's Land Development and Subdivision Code of Practice Schedule 1A Certificate;
 - h) The provision of a photo survey of the condition of Alpine Lakes Drive.

- 12 The consent holder shall implement the Parking Management Plan referred to in condition (11) before the commencement of the commercial hotel activity and shall continue to implement the Parking Management Plan for the duration of the commercial hotel activity.
- 13 A copy of the Parking Management Plan referred to in condition (11) shall be kept at all times in the Hotel Reception and shall be directly available to all hotel staff managing guest car parking and coach parking on site.
- 14 Prior to commencement of works on site, a final Construction Noise Management Plan based upon the draft Construction Noise and Vibration Management Plan prepared by Marshall Day Acoustics dated 11 April 2017 is to be submitted to the Manager of Resource Management Engineering at Council for approval and is to include the following amendments:
 - i) Construction activities are to be restricted to the hours of 7:30am to 6:00pm Monday to Friday, 7:30am to 12pm on Saturdays and no work on Sundays and public holidays.
 - ii) Rock breaking activities are limited to 7.30am to 6.00pm Monday to Friday only and shall not occur on Saturdays, Sundays and public holidays.
 - iii) Vibration effects are to be assessed under Standard DIN4150:1999 Structural Vibration – Part 3: Effects of Vibration on Structures.
- 15 The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and 'A Guide to Earthworks in the Queenstown Lakes District' brochure, prepared by the Queenstown Lakes District. 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.
- 16 At least 7 days prior to commencing excavations, the consent holder shall provide the Manager of Resource Management Engineering at Council with the name of a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice who is familiar with the Geotechnical report Tonkin & Taylor (Lakes Edge – The Terraces, Proposed Hotel Development. April 2016. Job# 54078) and who shall supervise the excavation procedure and retaining wall construction and ensure compliance with the recommendations of that report. This engineer shall continually assess the condition of the excavation and shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability.

To be monitored throughout earthworks

- 17 The earthworks, batter slopes, retaining, foundations and site management shall be undertaken in accordance with the recommendations of the reports by Tonkin & Taylor (Lakes Edge – The Terraces, Proposed Hotel Development. April 2016. Job# 54078).

- 18 No earthworks, temporary or permanent, are to breach the boundaries of the site or the service easement within the site.
- 19 The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at his/her expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the Development Site.
- 20 The principal contractor shall take the best practicable option in all aspects of the site's management to minimise (noise, traffic, public safety, dust and/or vibrations) effects on neighbours, pedestrians, and traffic from earthworks and construction activities. The measures detailed in the certified Construction Site Management Plan shall be implemented prior to the commencement of any earthworks and construction activities on site and shall remain in place for the duration of the project until the earthworks and construction activities are complete. Notwithstanding the requirements of QLDC's Land Development and Subdivision Code of Practice and adopted amendments, all site works shall be carried out in accordance with the certified Construction Site Management Plan.
- 21 If at any time Council receives justifiable complaints about or proof of effects from vibration sourced from the earthworks activities approved by this resource consent, the consent holder shall, at the request of the Council cease all earthworks activities causing vibration effects and shall engage a suitably qualified professional to prepare a report, which assesses vibration caused by earthworks associated with this consent and what adverse effect (if any) these works are having on any other land and buildings beyond the Development Site. This report must take into consideration the Standard DIN4150:1999 Structural Vibration – Part 3: Effects of Vibration on Structures. The report shall be submitted to Council for review and consideration of whether a review under Condition (34(a)) is appropriate.
- 22 The consent holder shall repair, at its sole cost, any damage to Alpine Lakes Drive caused by earthworks or construction activities within 1 month of the damage occurring.

On completion of earthworks and prior to commercial operation of the Hotel

- 23 On completion of construction and prior to commercial operation of the hotel, the consent holder shall complete the following:
 - a) The submission of 'as-built' plans and information required to detail all engineering works completed in relation to or in association with this subdivision/development at the consent holder's cost. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Roads (including right of way and access lots), Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).
 - b) The completion and implementation of all certified works detailed in Condition (8) above.

- c) All vehicle access, manoeuvring and parking areas within and immediately adjacent to the Development Site shall be subject to a post construction safety audit in accordance with the NZTA Manual “Road Safety Audit Procedures For Projects” at the consent holder’s cost and the results shall be submitted to Council for review and certification. The audit is to be limited to ensuring that the consented drawings have been accurately implemented and identifying any minor matters that could give rise to road safety concerns which were not identified on the consented drawings and which should be remedied. Should the review recommend any further works required to achieve a safe traffic environment, the consent holder shall have these works approved by Council and implemented prior to occupation of the units. If works are recommended on Alpine Lakes Drive but not approved by Council or other parties with an interest in Alpine Lakes Drive, the recommended works shall not be required to be carried out by the consent holder.
- d) Any power supply connection to the development shall be underground from existing reticulation and in accordance with any requirements and standards of the Network providers.
- e) Any wired telecommunications connection to the development shall be underground from existing reticulation and in accordance with any requirements and standards of the Network provider.
- f) All earthworked and/or exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised.
- g) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
- h) The measures included within the way finding strategy approved in Condition 1 (Plans RC04-07 and RC04-08) are to be implemented prior to occupation of the hotel and maintained in perpetuity.

Landscaping

- 24** The landscaping plan approved by Condition 1 shall be implemented within the first planting season following occupation of the hotel and the plants shall thereafter be maintained and irrigated in accordance with that plan. If any plant or tree should die or become diseased it shall be replaced within the next available planting season.

Acoustic Conditions

- 25** The earthworks and construction activities shall be undertaken in accordance with NZS 6803:1999.
- 26** The consent holder shall ensure that the restaurant outdoor terrace is not to be used by patrons between 10pm and 8am.

- 27 The consent holder shall ensure that all of the restaurant external windows and doors are to remain closed between 10pm and 8am.
- 28 Other than as provided for in condition (29), construction activities are limited to the hours of 7:30am to 6:00pm Monday to Friday and 7:30am to 12pm on Saturdays. No construction work shall occur on Sundays and public holidays.
- 29 Rock breaking activities are limited to the hours of 7.30am to 6.00pm Monday to Friday. No rock breaking activities shall occur on Saturdays, Sundays and public holidays.

Traffic and parking conditions

- 30 All construction vehicles (including delivery vehicles, contractors' vehicles and construction staff vehicles) must park on the Development Site or in an alternative location outside of the Kwarau Village, excluding Peninsula Road.
- 31 All construction vehicles referred to in condition (30) above must only access the site via the upper part of Alpine Lakes Drive marked with a black dotted line, as indicated in Figure 1 of Condition (5(b)) above. No construction access of any kind is permitted on Alpine Lakes Drive below its intersection with Northview Terrace.
- 32 The disabled persons parking space is to be marked as such and maintained for the sole use of disabled persons.

Review Conditions

- 33 Upon the receipt of information identifying non-compliance with the conditions of this consent, and/or within ten working days of each anniversary of the date of this decision, the Council may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this resource consent for any of the following purposes:
 - a) To deal with any adverse effects on the environment that may arise from the exercise of the consent which were not foreseen at the time the application was considered and which it is appropriate to deal with at a later stage;
 - b) To deal with any adverse effects on the environment which have arisen from the exercise of the consent and which were not properly assessed at the time the application was considered;
 - c) To avoid, remedy and mitigate any adverse effects on the environment which may have arisen from the exercise of the consent and which have been caused by a change in circumstances or which may be more appropriately addressed as a result of a change in circumstances, such that the conditions of this resource consent are no longer appropriate in terms of the purpose of the Resource Management Act 1991.
- 34 Additional to condition (33), the Council may also, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to:

- a. Review condition (21) of this resource consent during the construction of the development and upon receipt of evidence of vibration effects sourced from the earthworks activities approved by this resource consent, in order to review those effects;
- b. Review conditions (26) and (27) of this resource consent in order to address any adverse effects on the environment which have arisen from the use of the outdoor terrace associated with the restaurant;
- c. Review any adverse effects on the environment which have arisen from the provision of on-site and off-site carparking and coach parking associated with the development, and any related congestion on Alpine Lakes Drive.

QUEENSTOWN LAKES DISTRICT COUNCIL
3.4 Design Concept - Hotel Material Palette
APPROVED PLAN:
RM170437

Friday, 16 March 2018

REFER ELEVATIONS
FOR MATERIAL CODES & LOCATIONS



A B MID BAND GLAZING & COLOURED PANEL

Commercial Aluminium Suite with powdercoat finish (colour 1).
Feature panel with selected textured finish & colour.
Inset to glazing system. (colours 3, 4 & 5)



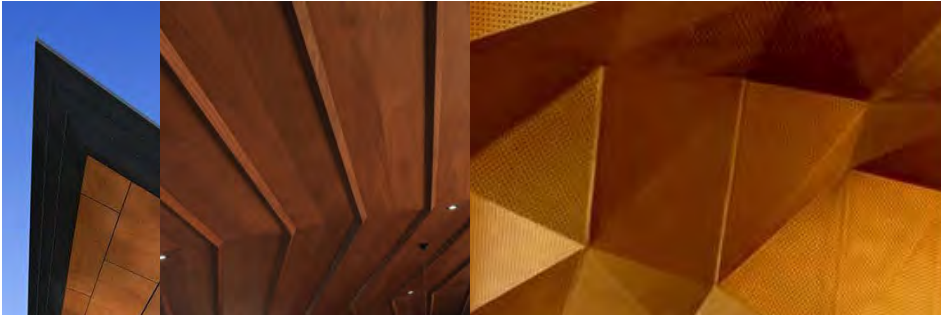
C HORIZONTAL SPANDREL

Precast concrete apron unit with paint finish. (colour 3)



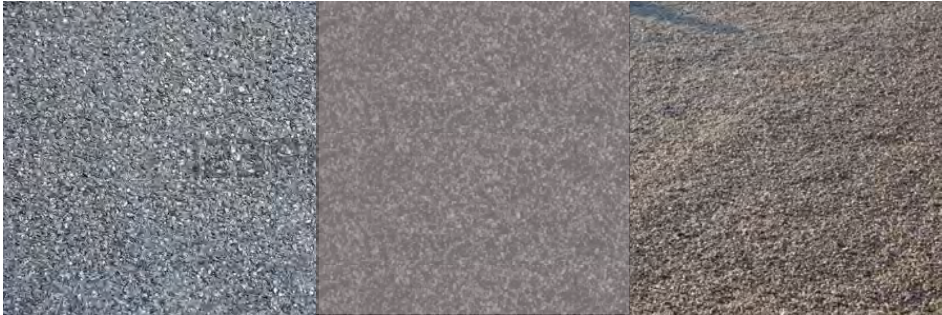
E F T FISSURE GLAZING

Full height external curtainwall flush glazed system with powdercoat finish & sealant joints. (colour 2)
Fins over to architects design to match base screen.



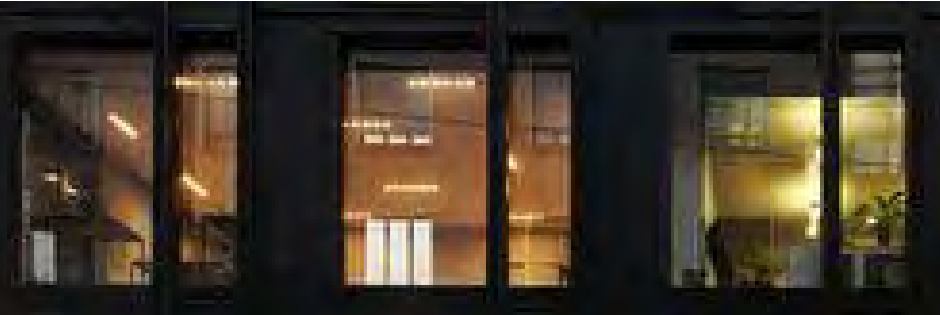
G FEATURE SOFFIT

Feature panel soffit in selected finish & colour.



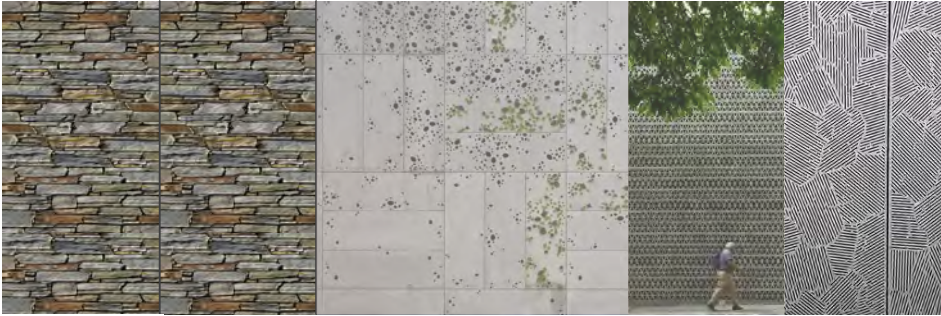
H MEMBRANE ROOF

Torch-on Membrane Roof - Ceramic Chip Cap Sheet



I BASE GLAZING

Heavy Duty Commercial Aluminium Suite with powdercoat finish and box profile to major mullions (colour 2).



J BASE SCREEN

Selected Metal Screen with perforated pattern as per Architects design.
Accompanied by Stone Panels located according to Architects Elevation.



L PLANTING

Planting to facade.
On Stainless Steel Wire System where no fins provided.



P CONCRETE

Concrete with selected pre-cast pattern to face. Paint finish.

QUEENSTOWN LAKES DISTRICT COUNCIL
4.0 Functional Diagrams - Ground Floor Interfaces
APPROVED PLAN:
RM170437

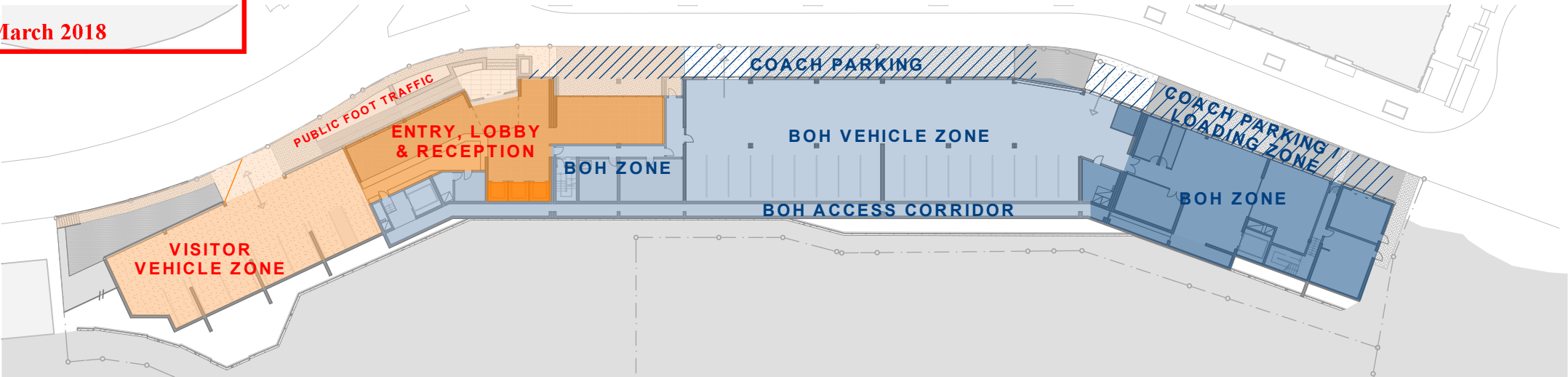
Friday, 16 March 2018

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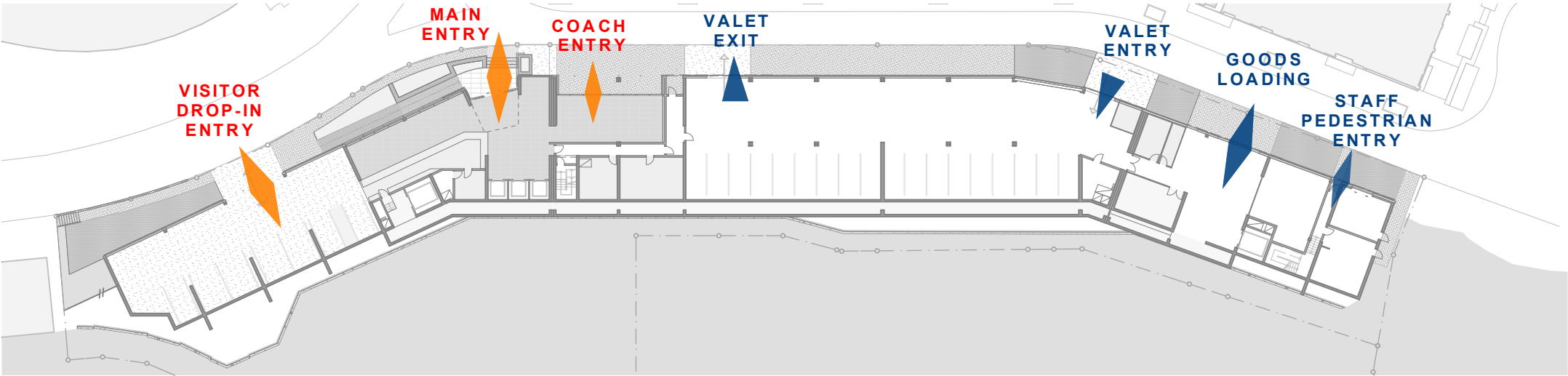
FRONT-OF-HOUSE
PUBLIC
AMENITIES

BACK-OF-HOUSE
SERVICING
UTILITIES

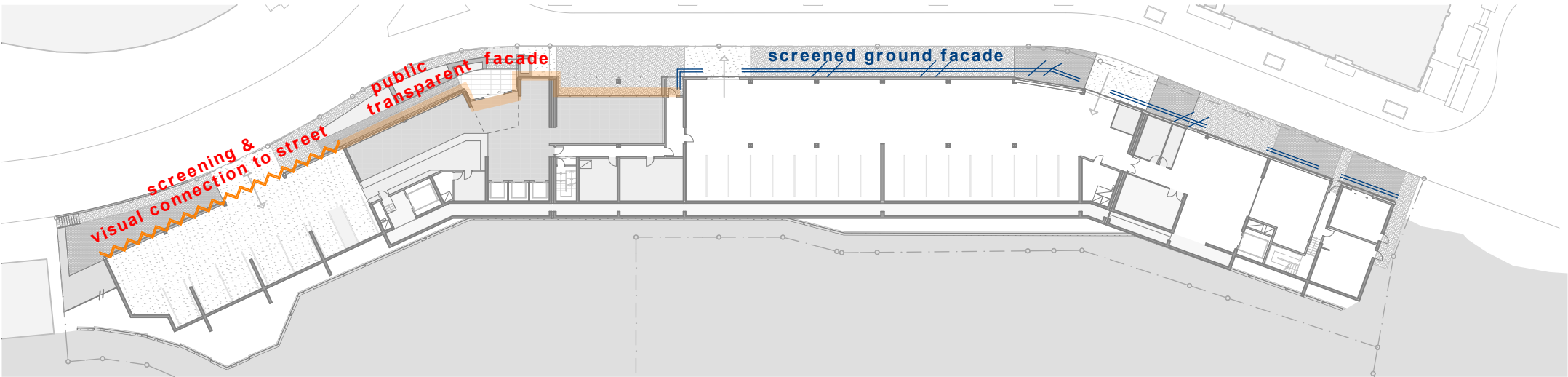
PUBLIC & PRIVATE
FOH & BOH



ENTRIES & EXITS



STREET EDGE
CONDITIONS



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Consultants:

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JAMES EMMETT & ASSOCIATES

Holmes Consulting

Holmes Fire

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FENWICK

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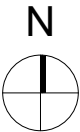
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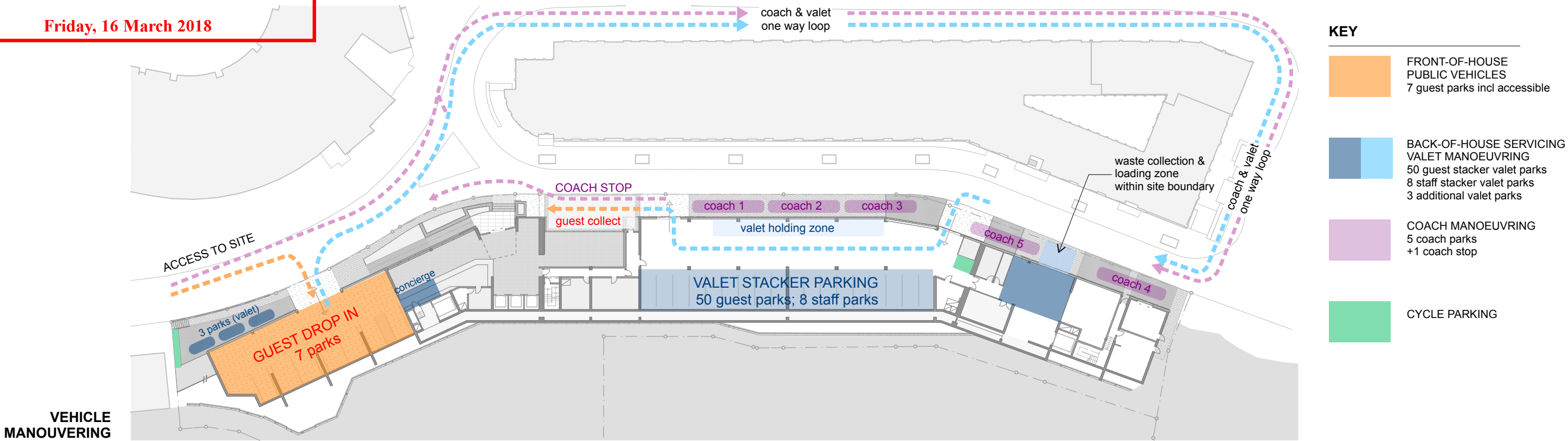
Functional Plan Diagrams

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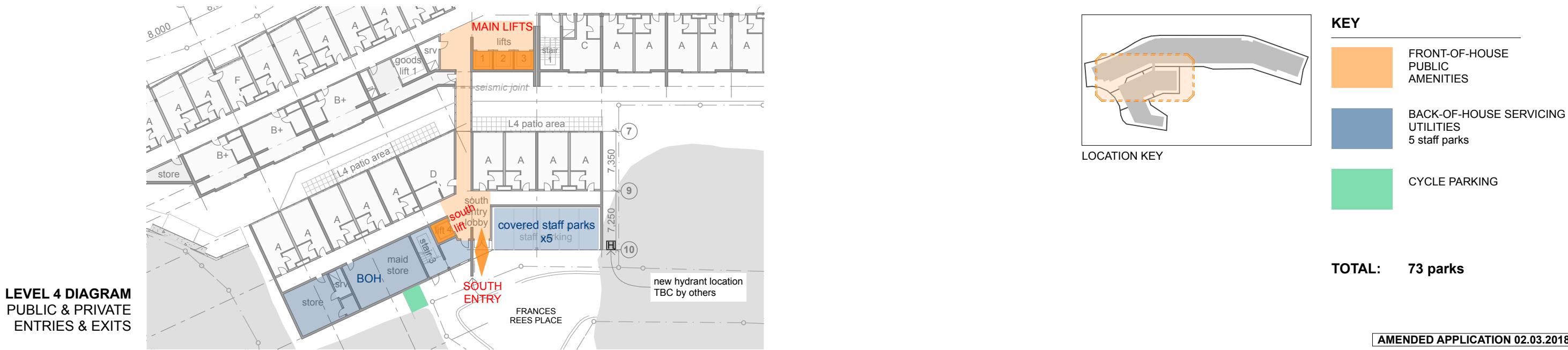
Drawing No. Job No.: 2180

RC04-01 Revision: 3

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4.2 Functional Diagrams - South Entry Interface



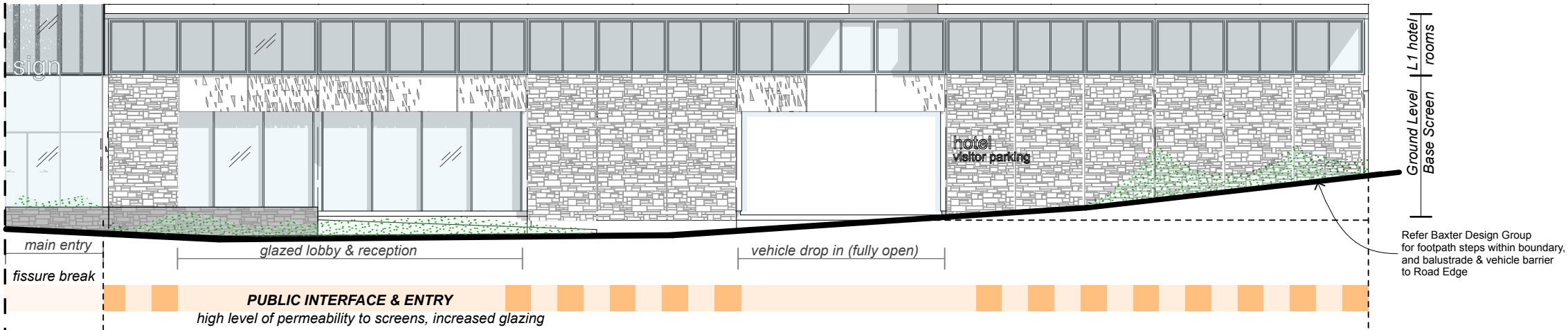
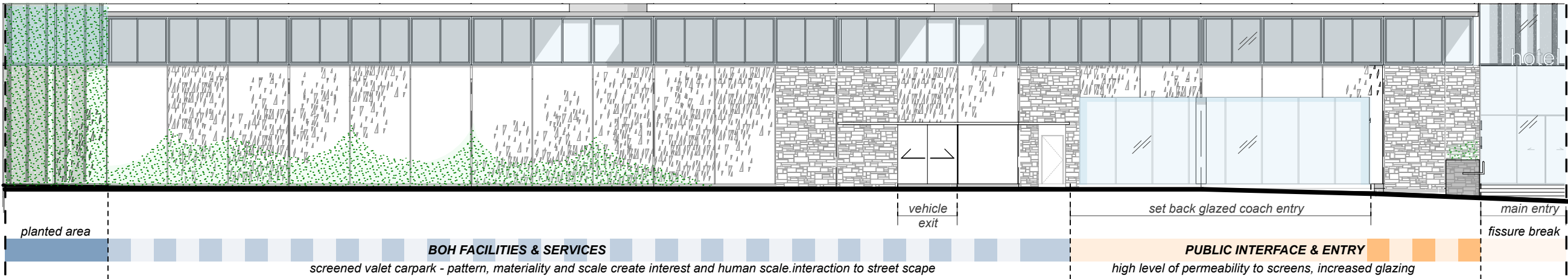
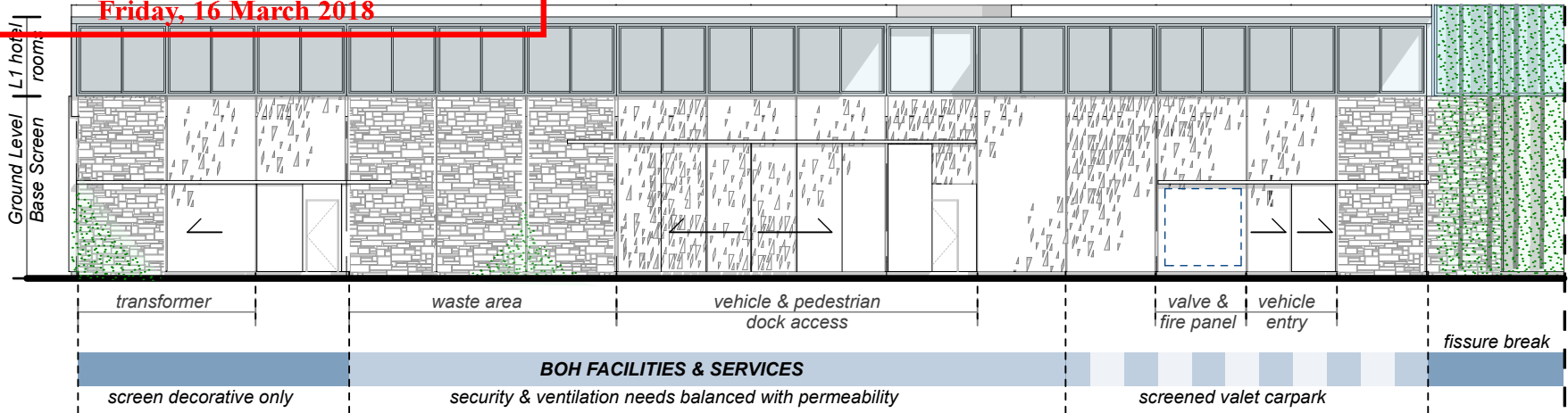
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FOR RESOURCE CONSENT

QUEENSTOWN LAKES DISTRICT COUNCIL
4.5 Functional Diagrams - Street Facade Interface
APPROVED PLAN:
RM170437

Friday, 16 March 2018



- KEY**
- FRONT-OF-HOUSE PUBLIC AMENITIES
 - BACK-OF-HOUSE SERVICING UTILITIES
 - GLAZED AREAS
 - LANDSCAPE INTEGRATION



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Street Facade Interface Diagrams

Scale: 1:200 Orig. Size: A3

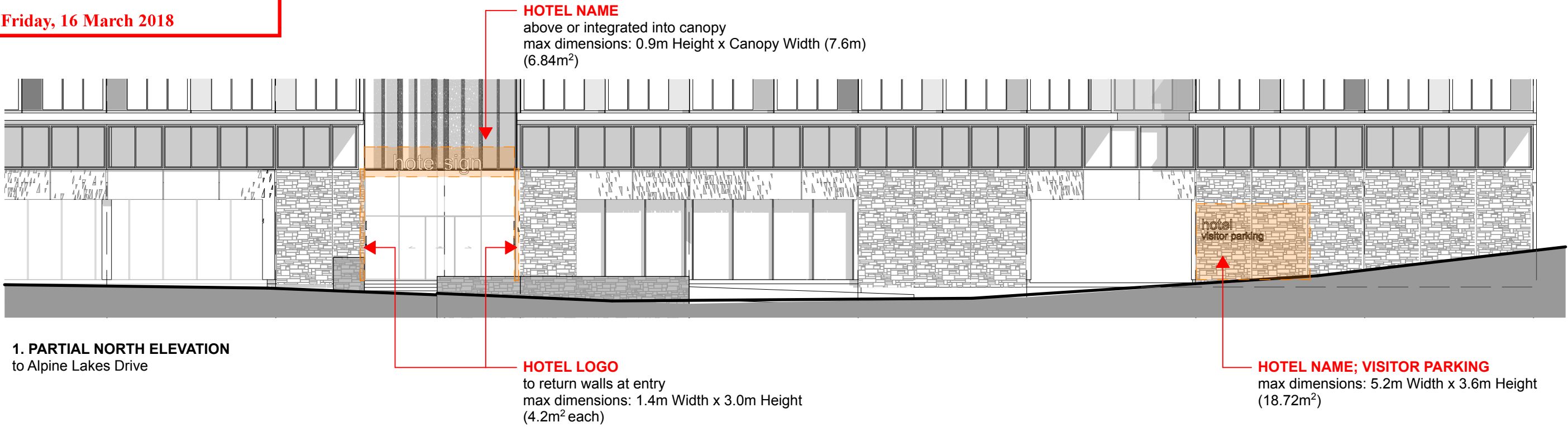
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RC04-05 Revision: 4

4.6 Functional Diagrams - Signage Platforms

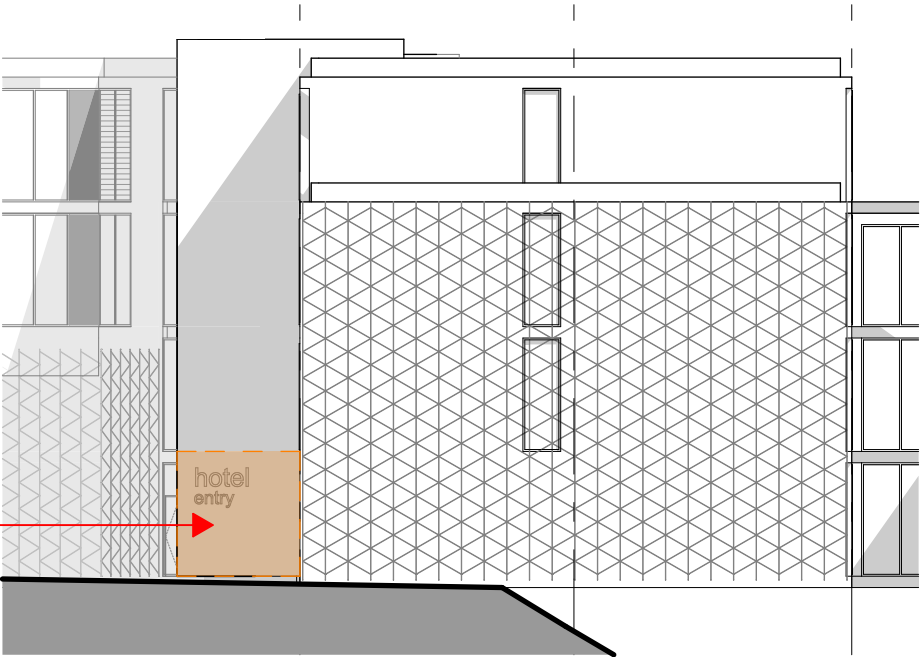
APPROVED PLAN:
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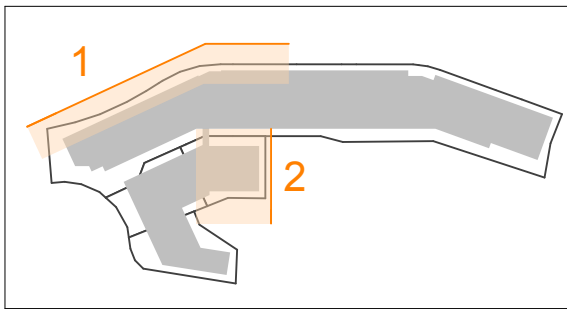


1. PARTIAL NORTH ELEVATION
to Alpine Lakes Drive

HOTEL NAME & LOGO
max dimensions: 3.0m Height x
3.2m Width (wall length)
(9.6m²)



2. PARTIAL EAST ELEVATION
at base of Frances Rees Place



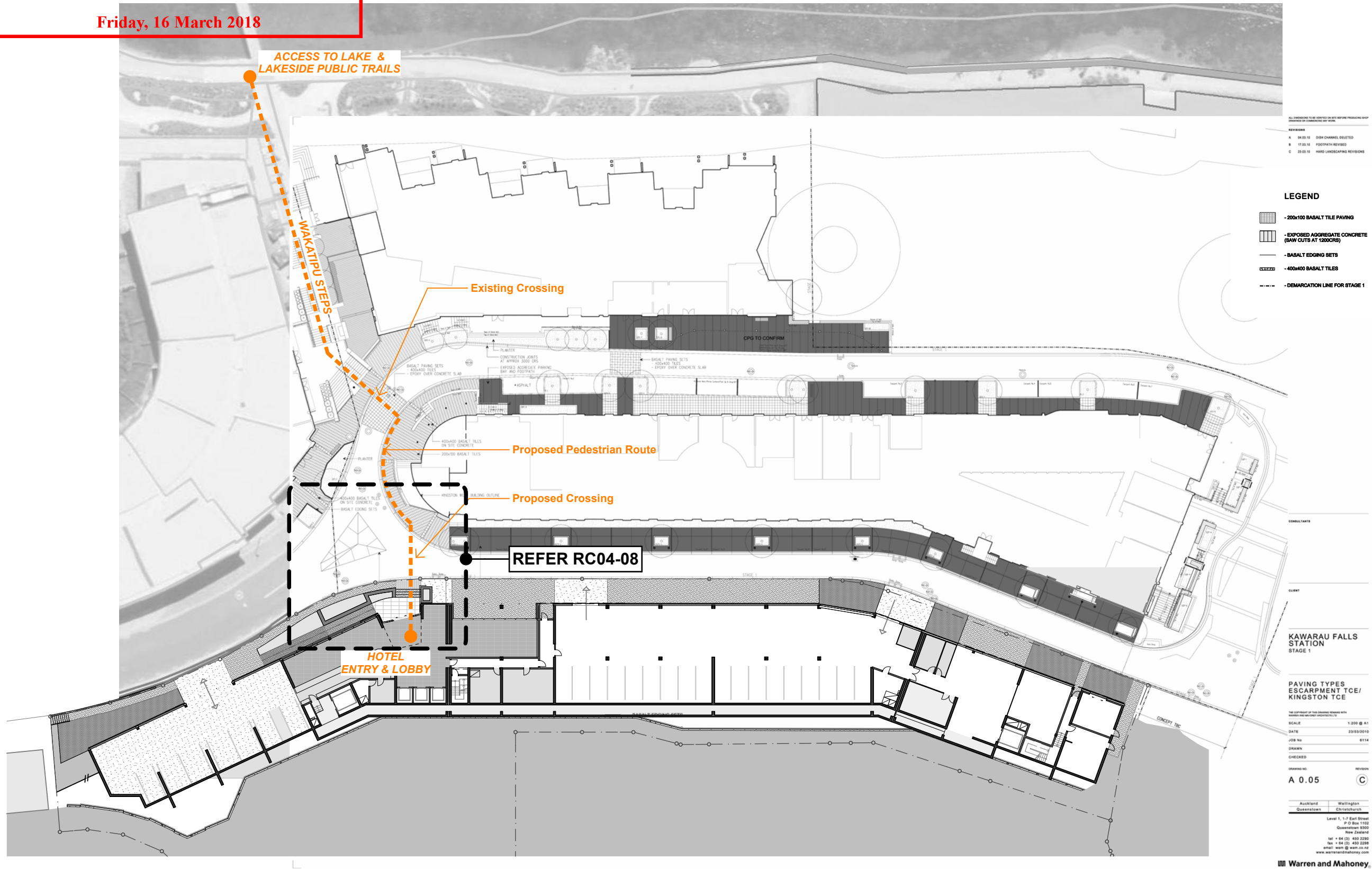
LOCATION KEY

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Drawing No. RC04-06	Job No.: 2180																				
	Revision: 3																				

4.7 Functional Diagrams - Pedestrian Wayfinding Diagram

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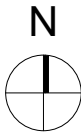
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**Pedestrian Wayfinding -
Desire Line**
Scale: NTS
Drawing No. **RC04-07**
Orig. Size: A3
Job No.: **2180**
Revision: 1

4.8 Functional Diagrams - Pedestrian Wayfinding Diagram

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EXISTING
HILTON
HOTEL

EXISTING DOUBLE TREE HOTEL

Carpark No.8 Carpark No.9

Proposed Crossing Location.
Surface Treatment to Road.

EXISTING
RAISED ISLAND

Step width to align
with crossing location

Garden Wall to direct
users to crossing
location

Include matched surface finish of crossing landing
to existing paving on adjacent footpath

Footpath at road level

PROPOSED FOOTPATH

Stone Wall with Planting
as per Baxter Design Group

Ramp <1:33

Basalt Tiles Threshold Strip
to either side of main route

Stone Garden Wall & Planting
creates edge to route & direct users

Handrail extends from entry doors
& down main steps

PROPOSED HOTEL COACH LOADING

Match Entry & Landing
Paving Materiality

PROPOSED HOTEL ENTRY

Display map orientating guests to
neighbouring amenities & routes

PROPOSED HOTEL COACH LOBBY

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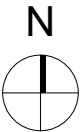
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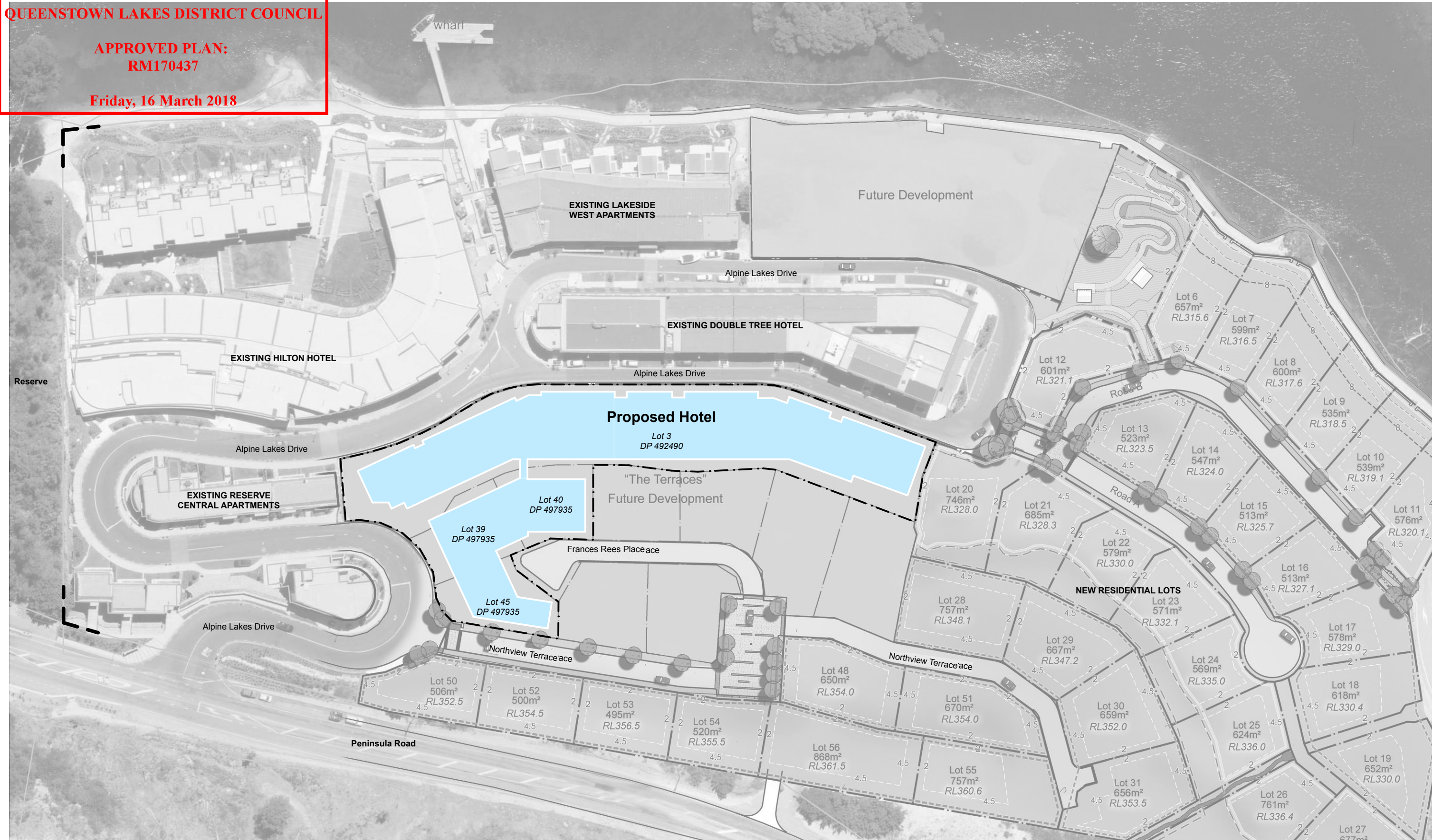


**Pedestrian Wayfinding -
Entry & Crossing Study**
Scale: 1:100 Orig. Size: A3
Drawing No. Job No.: **2180**
RC04-08 Revision: 1

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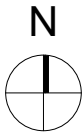
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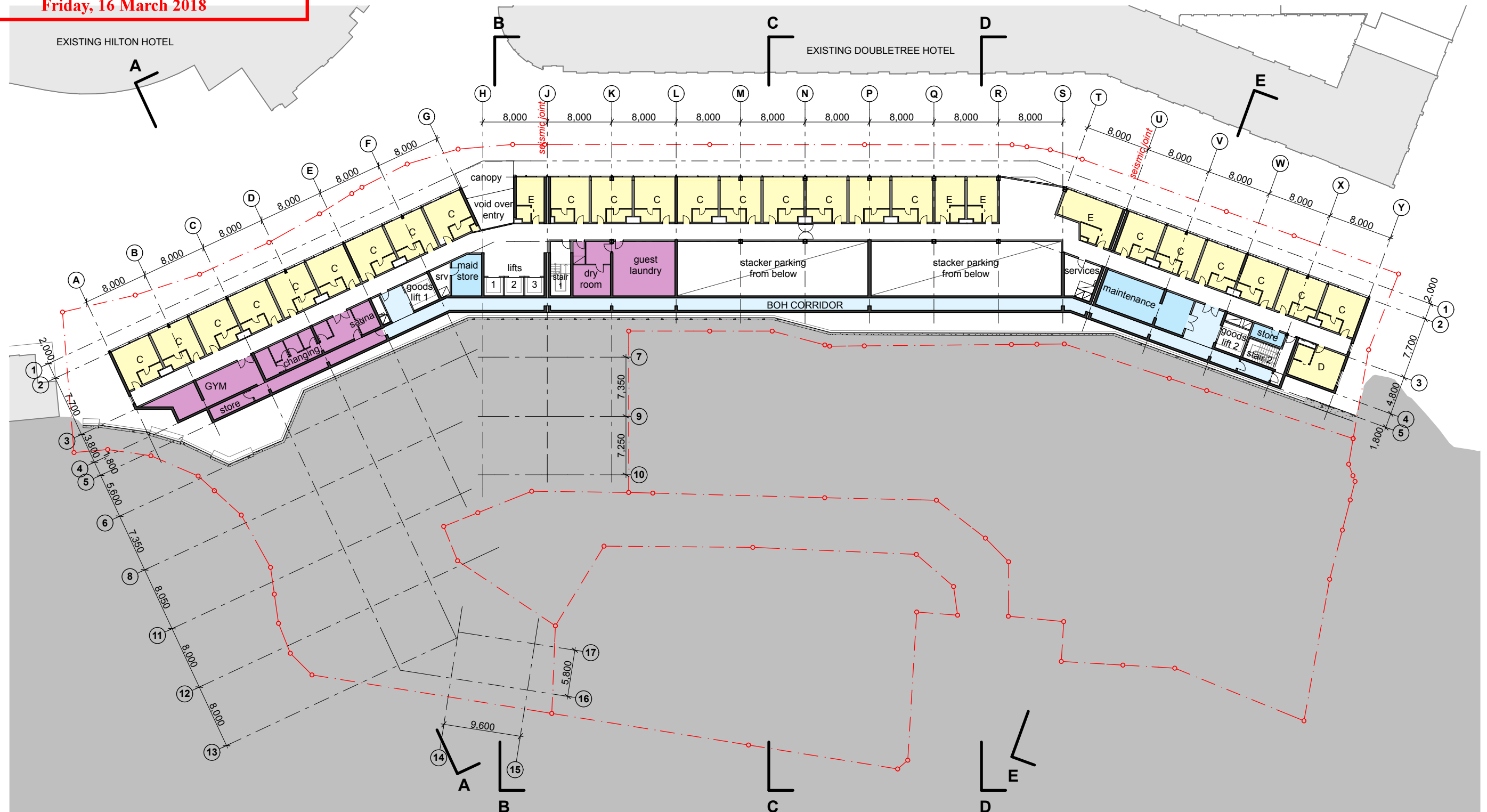
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Location Plan

Scale: 1:1000
Drawing No. **RC10-01**
Revision: 2

Orig. Size: A3
Job No.: **2180**

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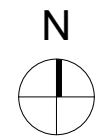
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Project Title:

The Terraces Hotel
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Kawarau Village, Queenstown



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Hotel Plans - Level 1

Scale: 1:500

Drawing No.
RC12-02

Orig. Size: A3

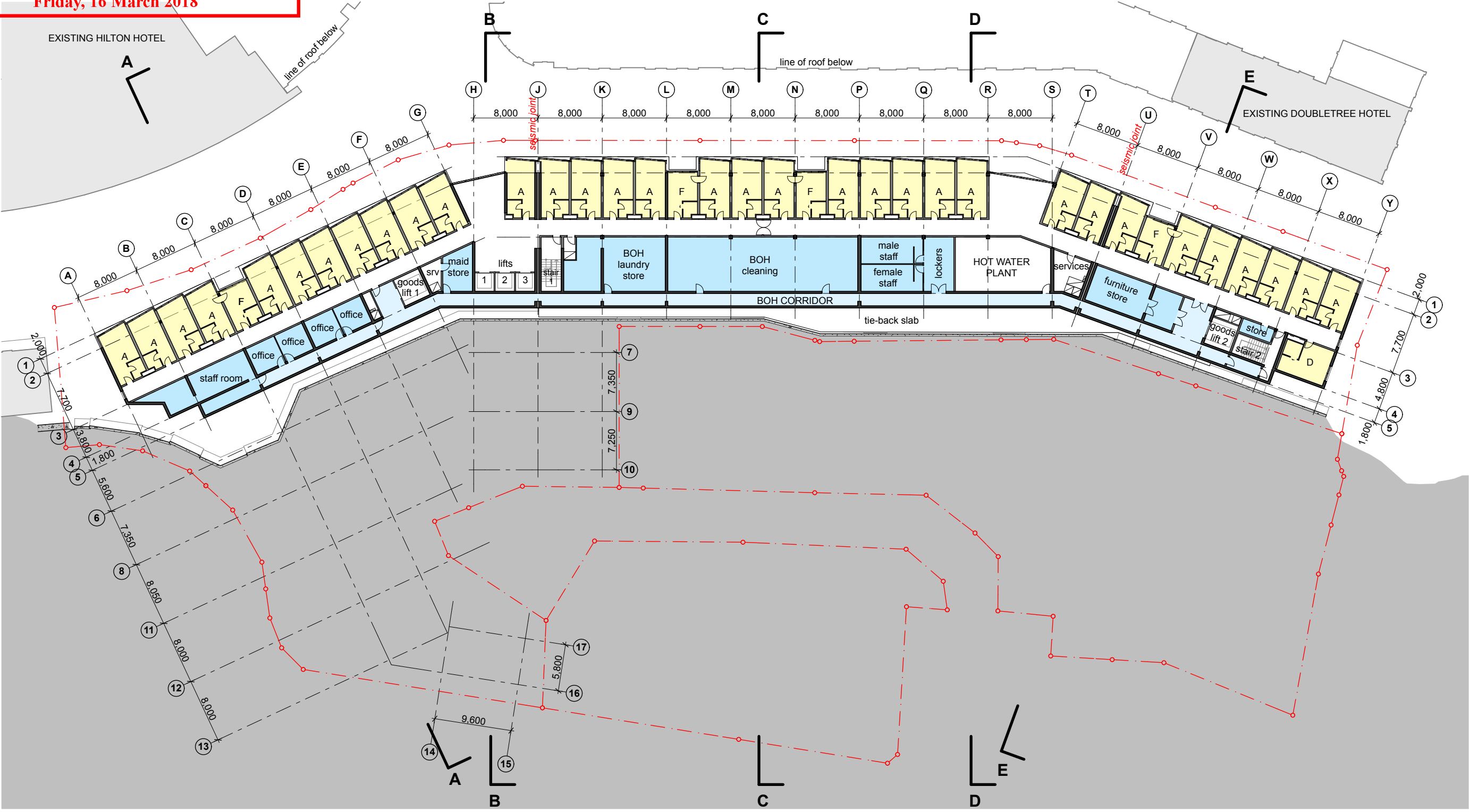
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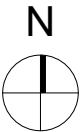
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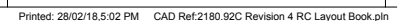
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Hotel Plans - Level 2

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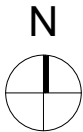
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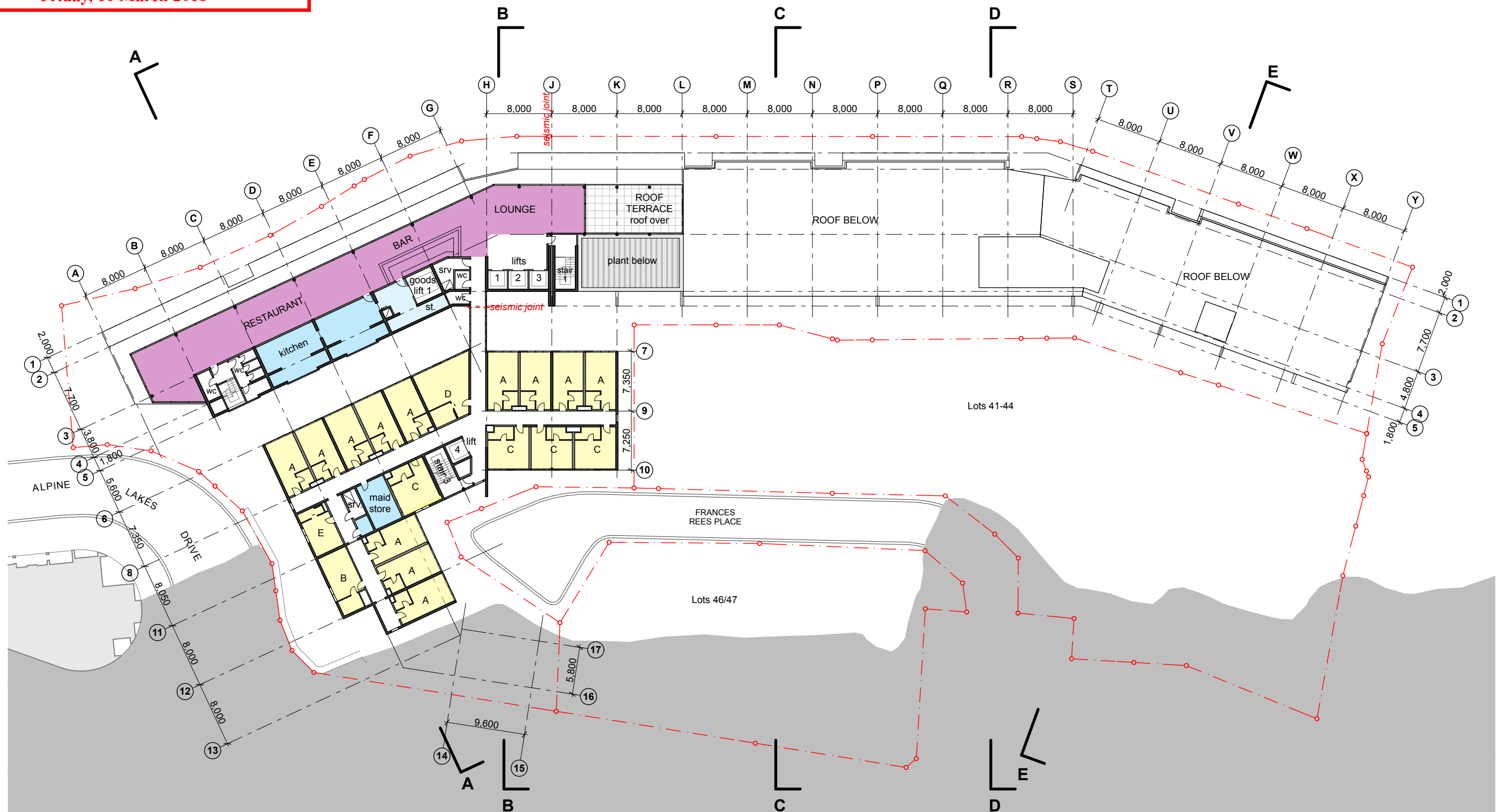
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Hotel Plans - Level 5
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Orig. Size: A3
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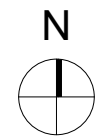
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Hotel Plans - Level 6

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Orig. Size: A3

Drawing No.

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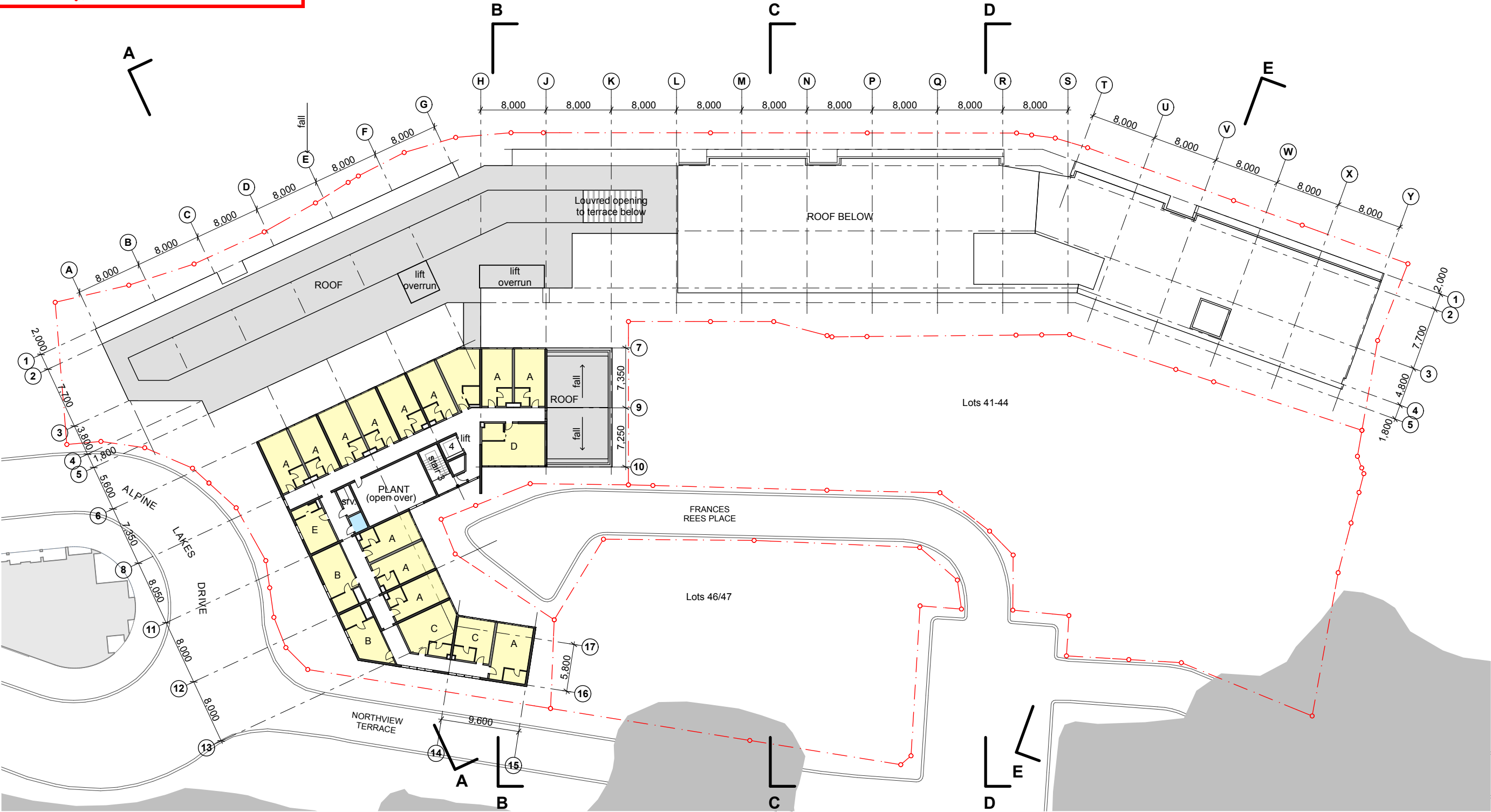
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Hotel Plans - Level 7

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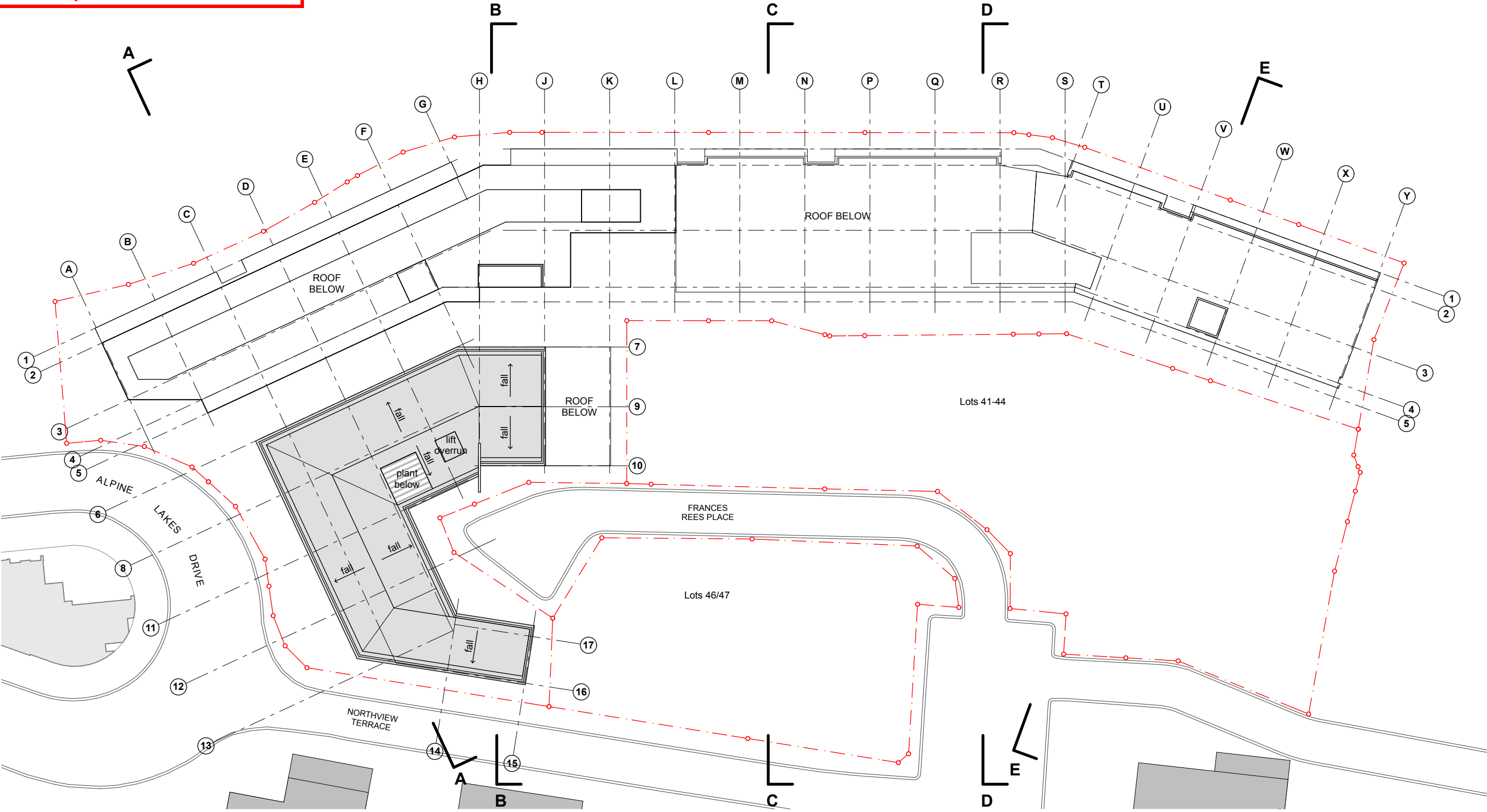
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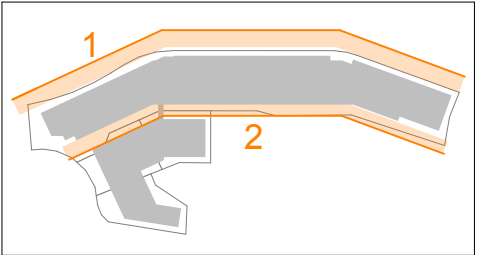
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RC12-09	Revision: 3																					

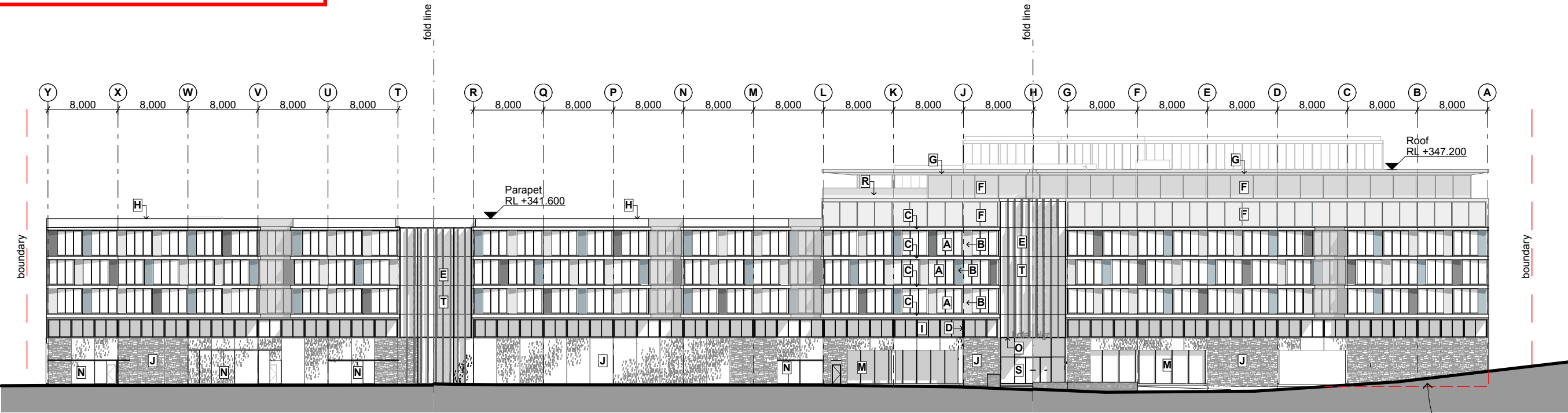
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RM170437

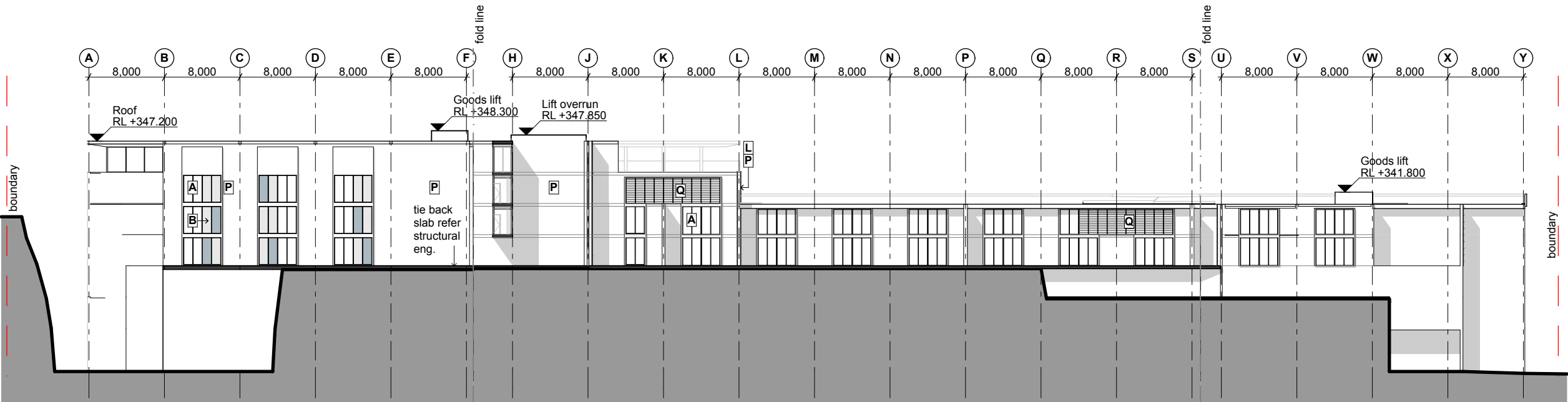
Friday, 16 March 2018



LOCATION KEY



Refer Baxter Design Group
for footpath steps within boundary,
and balustrade & vehicle barrier
to Road Edge



REFER MATERIAL KEY
ON FOLLOWING PAGE

AMENDED APPLICATION 02.03.2018

FOR RESOURCE CONSENT

Elevations

Scale: 1:500 Orig. Size: A3

Drawing No. Job No.: 2180

RC20-01 Revision: 4

Printed: 28/02/18, 5:02 PM CAD Ref: 2180.92C Revision 4 RC Layout Book.pln

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2 20.11.2017 Amended Application
3 20.12.2017 Amended Application for Hearing
4 02.03.2018 Amended Application

Consultants:
JE&A
Holmes Consulting
Powell Fenwick
Holmes Fire
CARRIAGEWAY

LAKE'S EDGE
KAWARAU VILLAGE

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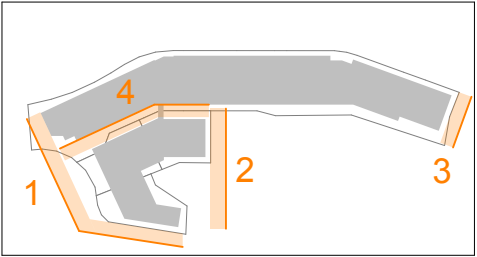
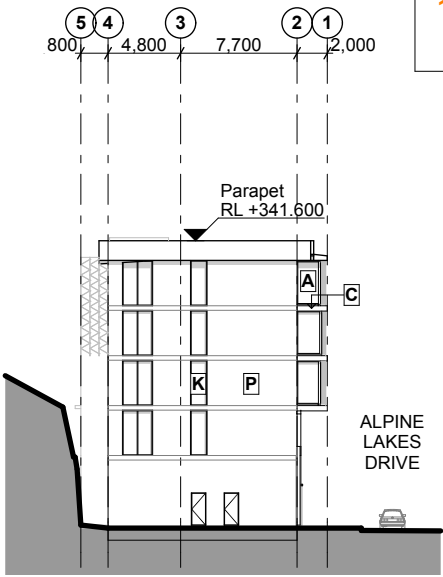
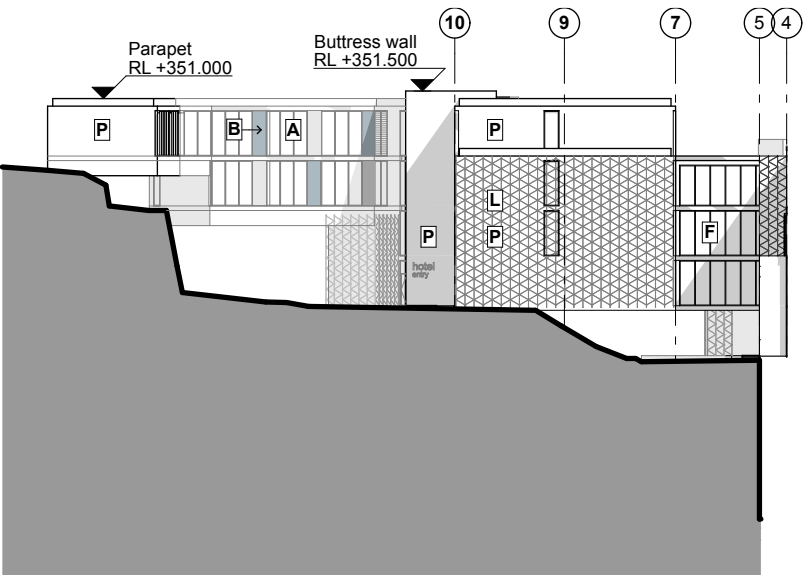
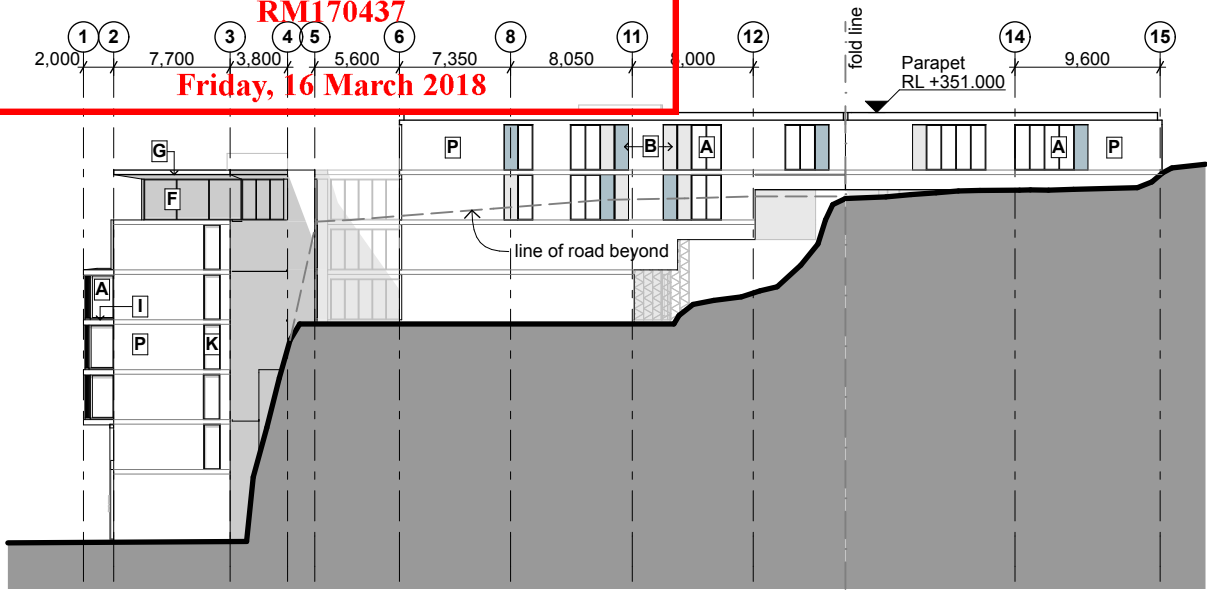
Project Title:
The Terraces Hotel
Lakes Edge Development Ltd
at
Kawarau Village, Queenstown

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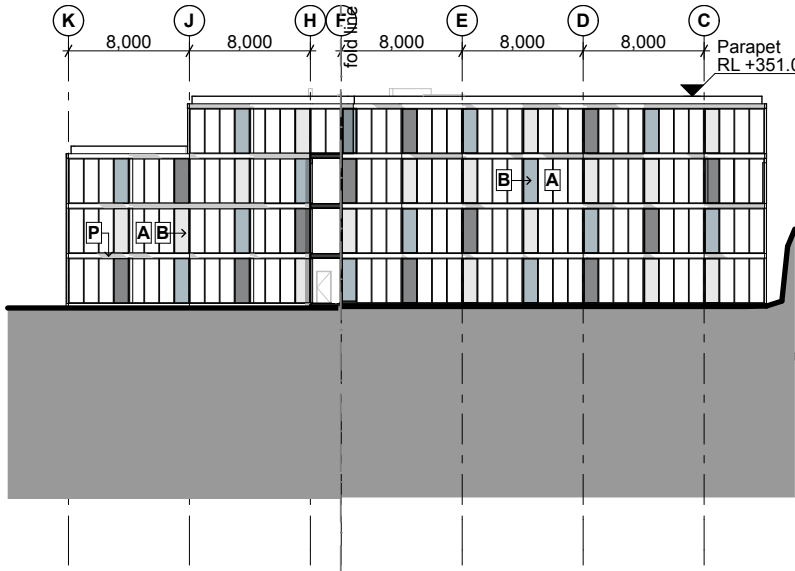
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Friday, 16 March 2018



LOCATION KEY

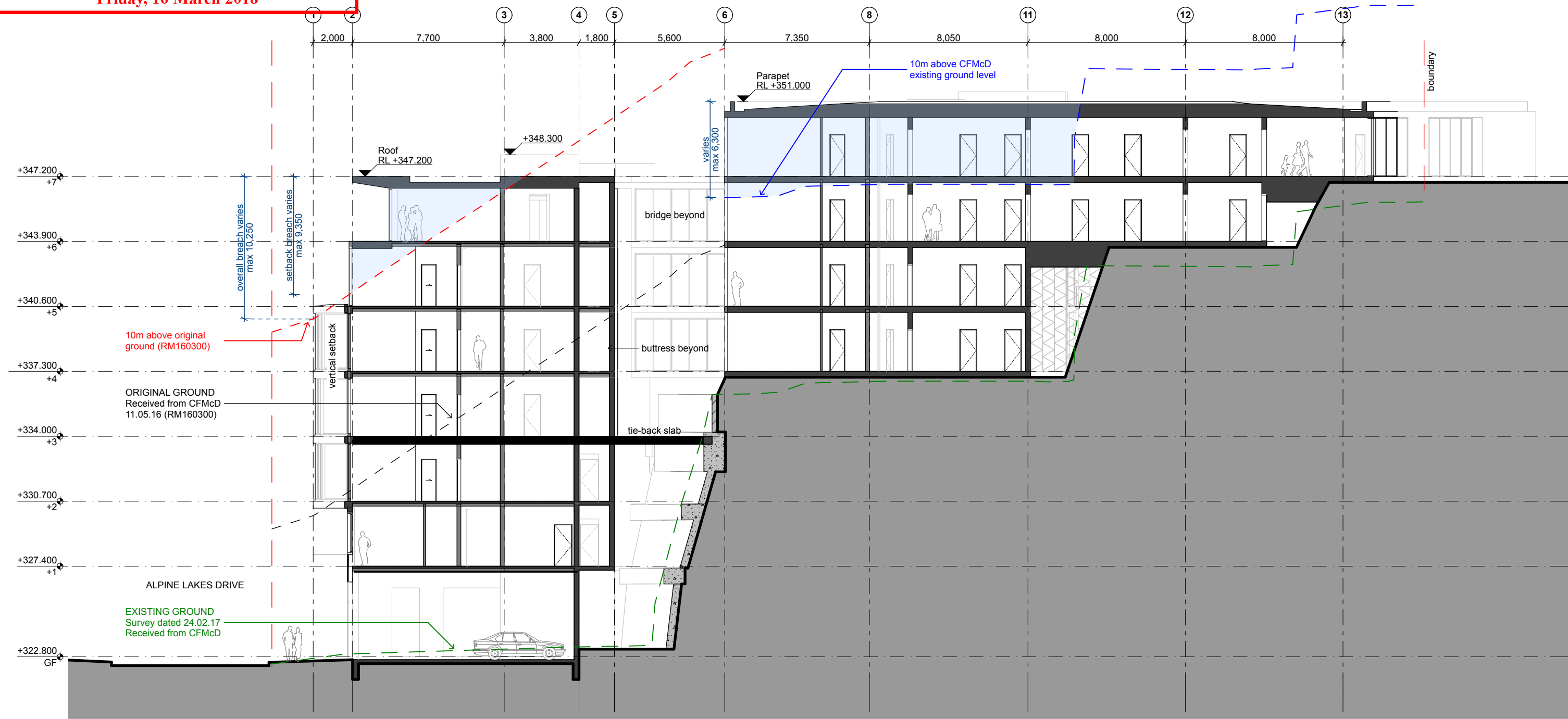


HOTEL ELEVATION KEY			* REFER MATERIAL PALETTE FOR IMAGES		
<div>A</div> <div>Commercial aluminium suite with powdercoat finish (colour 1). Raked in plan to North facade)</div>	<div>E</div> <div>Full height external curtainwall flush glazed system from 650mm AFFL of L1 to Roof. Powdercoat finish & sealant joints. (Colour 2)</div>	<div>I</div> <div>Heavy duty commercial aluminium suite with powdercoat finish (colour 2).</div>	<div>M</div> <div>Modular frameless glazing to match 'G' above.</div>	<div>Q</div> <div>Ventilation grille, louvre system, colour to match cladding</div>	
<div>B</div> <div>Feature panel with selected textured finish & colour. Inset to glazing system. (Colours 3, 4 & 5)</div>	<div>F</div> <div>Commercial aluminium suite with powdercoat finish (colour 2). Full height external glazing</div>	<div>J</div> <div>Selected metal screen with perforated pattern as per Architects design, accompanied by Stone Panels located according to Elevation.</div>	<div>N</div> <div>Modular sliding garage doors with custom cladding.</div>	<div>R</div> <div>Balustrade, clear, toughened, safety glass.</div>	
<div>C</div> <div>Precast concrete apron unit, paint finish. (Colour 3)</div>	<div>G</div> <div>Feature panel soffit in selected finish & colour.</div>	<div>K</div> <div>Commercial aluminium suite powder coat finish. Colour to be determined.</div>	<div>O</div> <div>Canopy - selected metal as per Architects design.</div>	<div>S</div> <div>Automatic frameless sliding glass doors. Toughened laminated glass including sidelights.</div>	
<div>D</div> <div>Aluminium folded box section with powdercoat finish (colour 2) attached to L1 glazing system.</div>	<div>H</div> <div>Torch-on membrane roof - ceramic chip cap sheet</div>	<div>L</div> <div>Stainless steel wire planting system to facade</div>	<div>P</div> <div>Concrete with selected pre-cast pattern to face. Paint finish.</div>	<div>T</div> <div>Fins to architects design to match 'J' above.</div>	
<div><div></div><div>— Colour 1</div></div>	<div><div></div><div>— Colour 2</div></div>	<div><div></div><div>— Colour 3</div></div>	<div><div></div><div>— Colour 4</div></div>	<div><div></div><div>— Colour 5</div></div>	

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Friday, 16 March 2018



AMENDED APPLICATION 02.03.2018

FOR RESOURCE CONSENT

Transverse Section A

Scale: 1:200 Orig. Size: A3

Drawing No. Job No.: 2180

RC25-01 Revision: 3

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Holmes Fire
POWELL FENWICK
CARRIAGEWAY

LAKE'S EDGE
KAWARAU VILLAGE

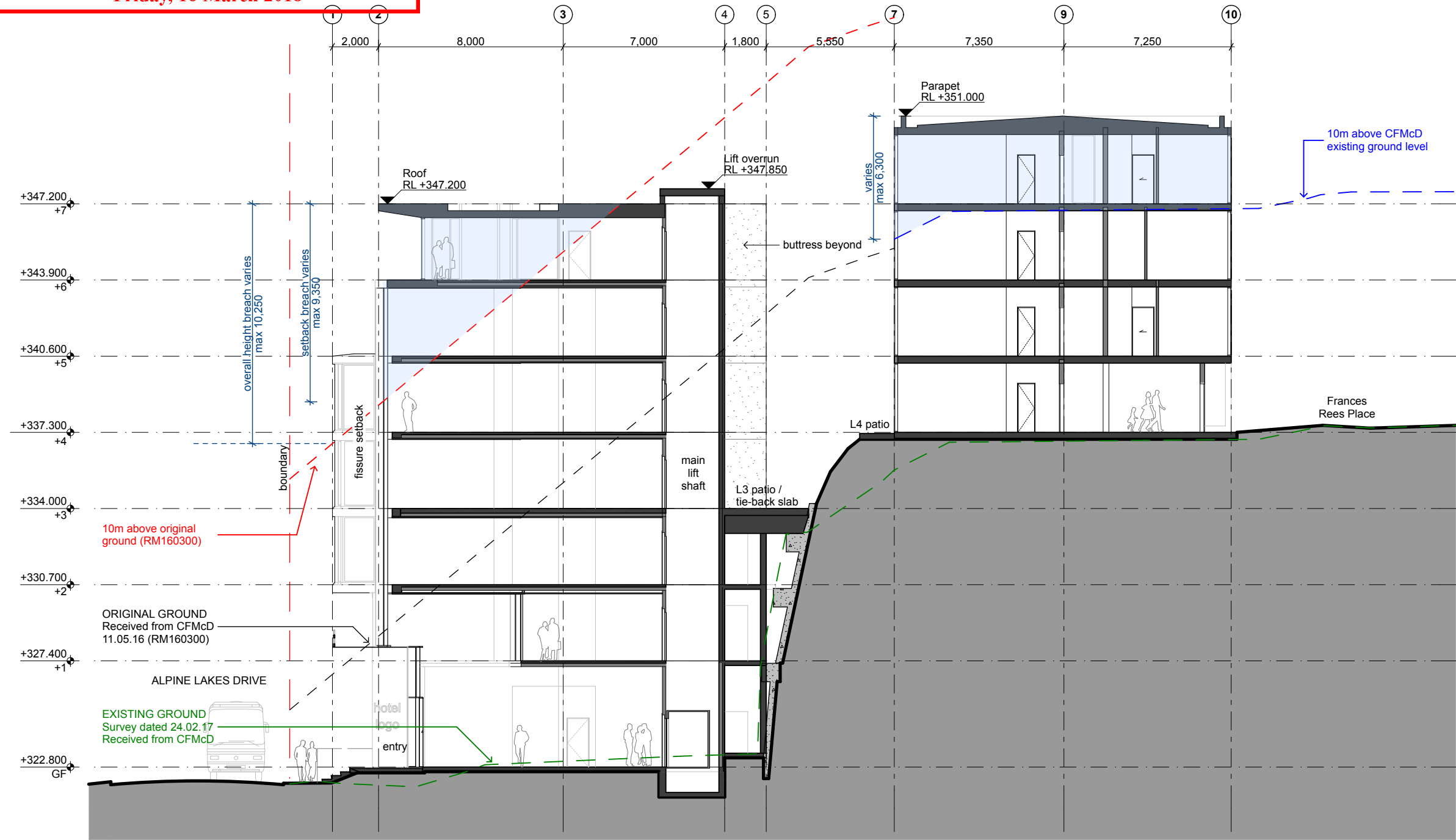
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Wellington, NZ
email: architects@studiopacific.co.nz
TEL: 64 4 802 5444
FAX: 64 4 802 5446
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Project Title:
The Terraces Hotel
Lakes Edge Development Ltd
at
Kawarau Village, Queenstown

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RM170437

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Transverse Section B

Scale: 1:200 Orig. Size: A3

Drawing No. Job No.: 2180

RC25-02 Revision: 4

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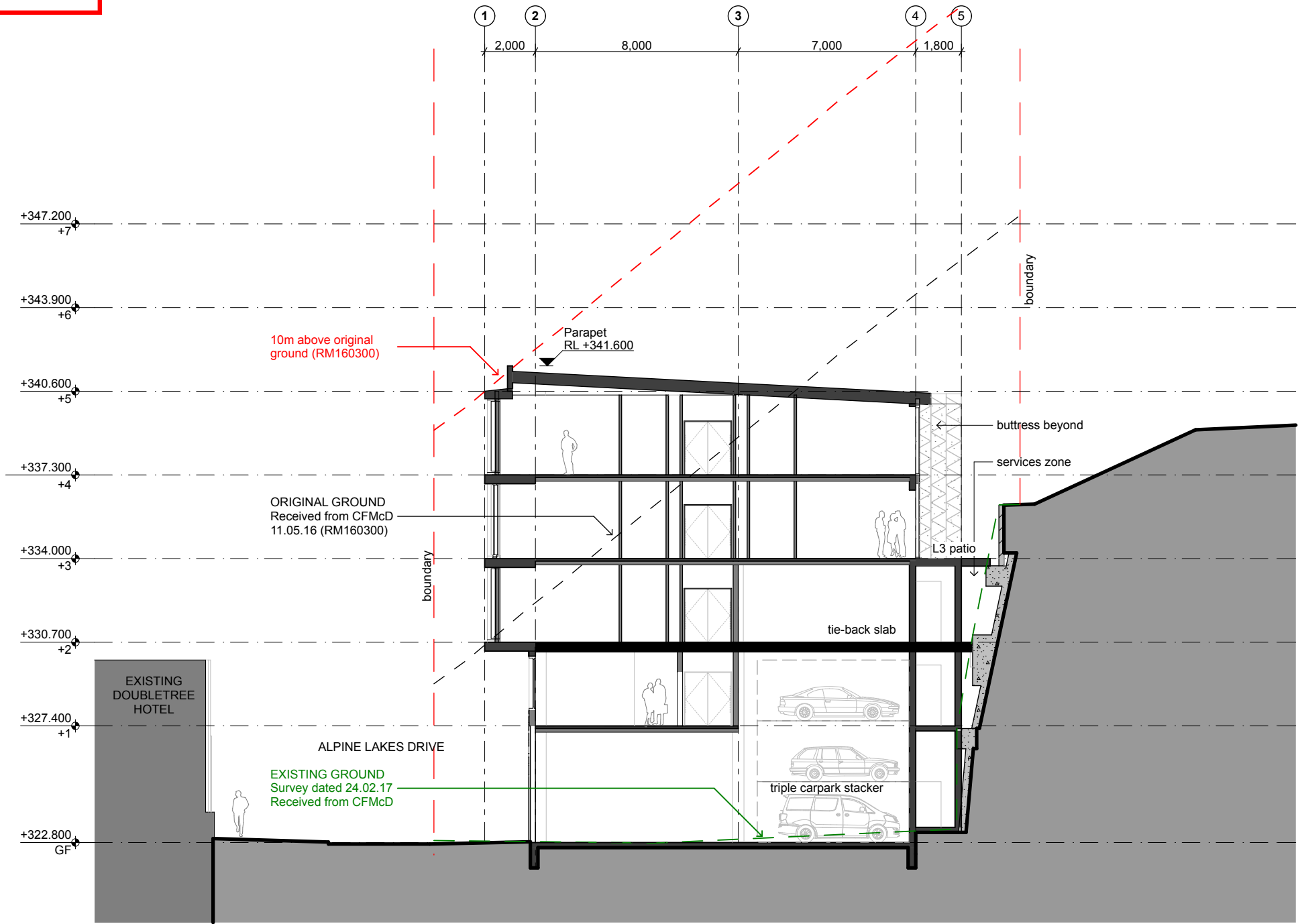
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AMENDED APPLICATION 20.11.2017

FOR RESOURCE CONSENT

Transverse Section C

Scale: 1:200 Orig. Size: A3

Drawing No. Job No.: 2180

RC25-03 Revision: 2

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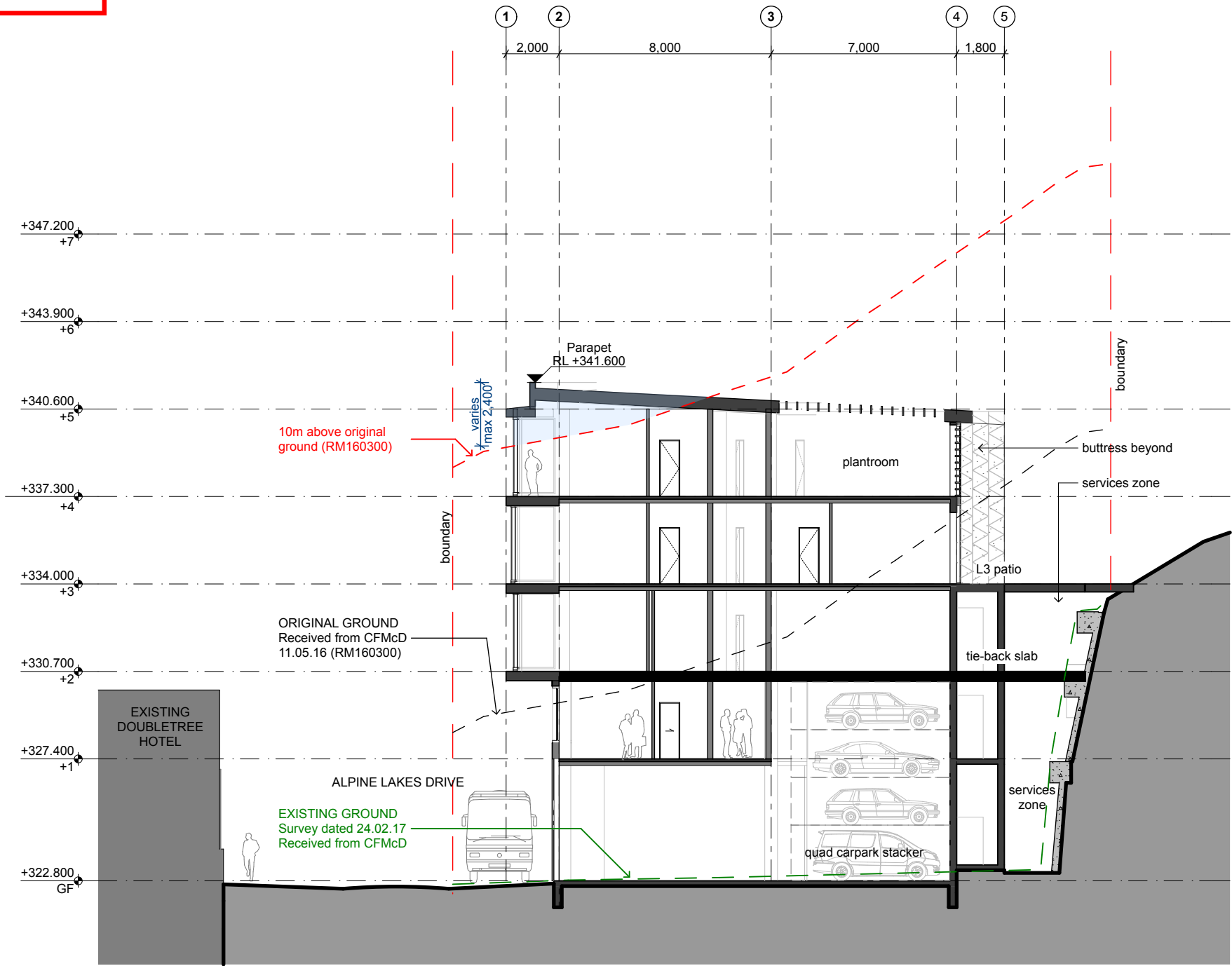
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Transverse Section D

Scale: 1:200 Orig. Size: A3

Drawing No. Job No.: 2180

RC25-04 Revision: 2

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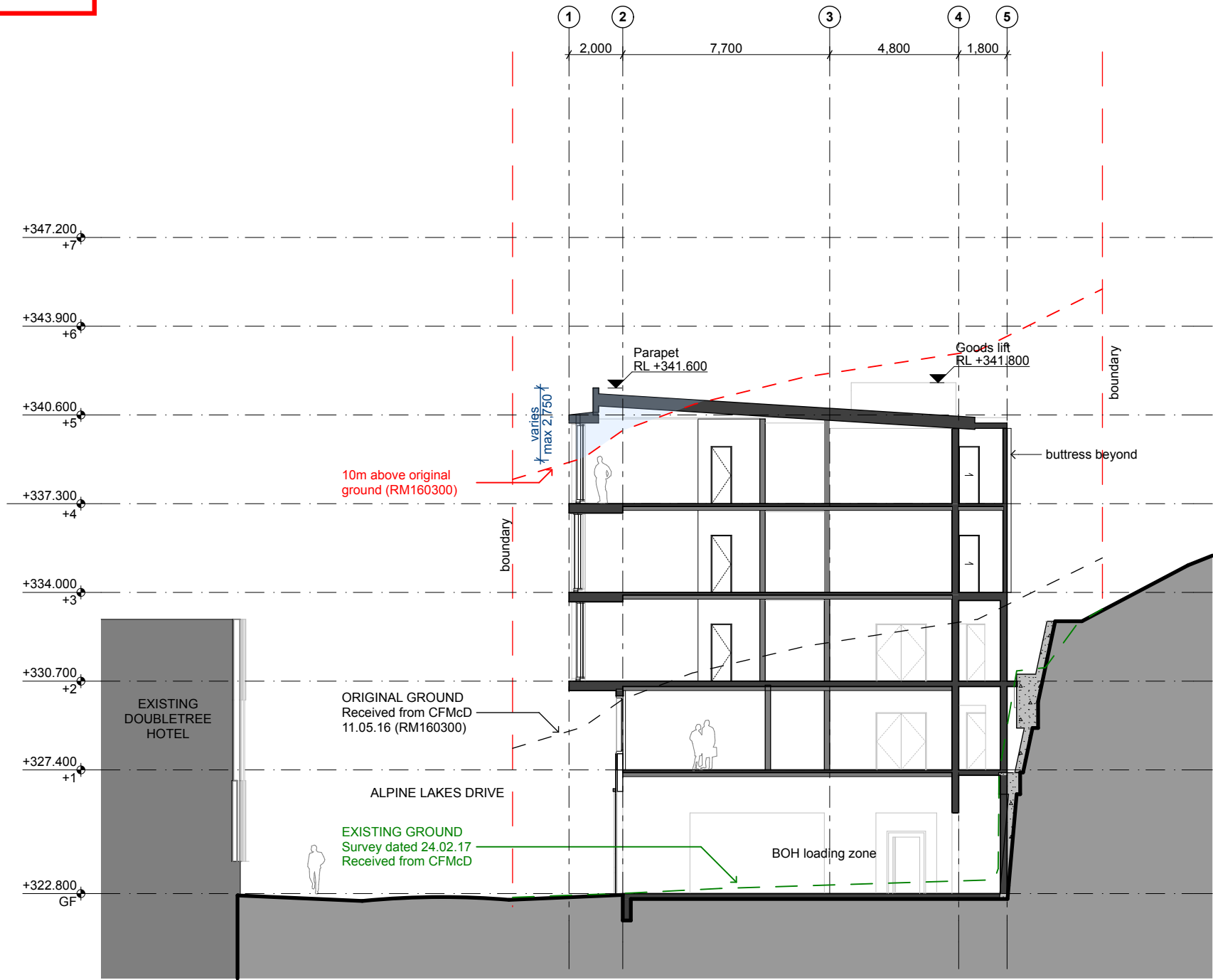
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Lakes Edge Development Ltd

at
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Transverse Section E

Scale: 1:200 Orig. Size: A3

Drawing No. Job No.: 2180

RC25-05

Revision: 2

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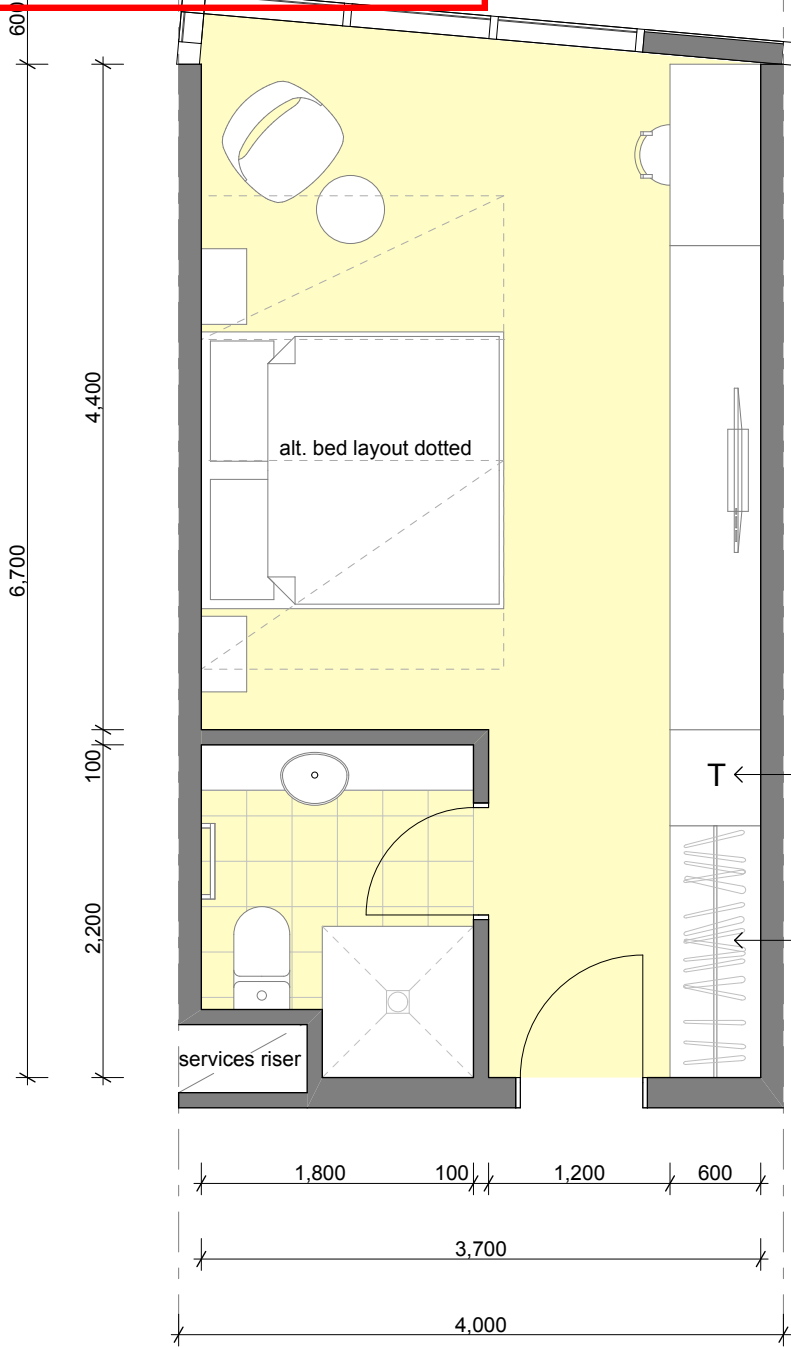
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RM170437

Friday, 16 March 2018

street side

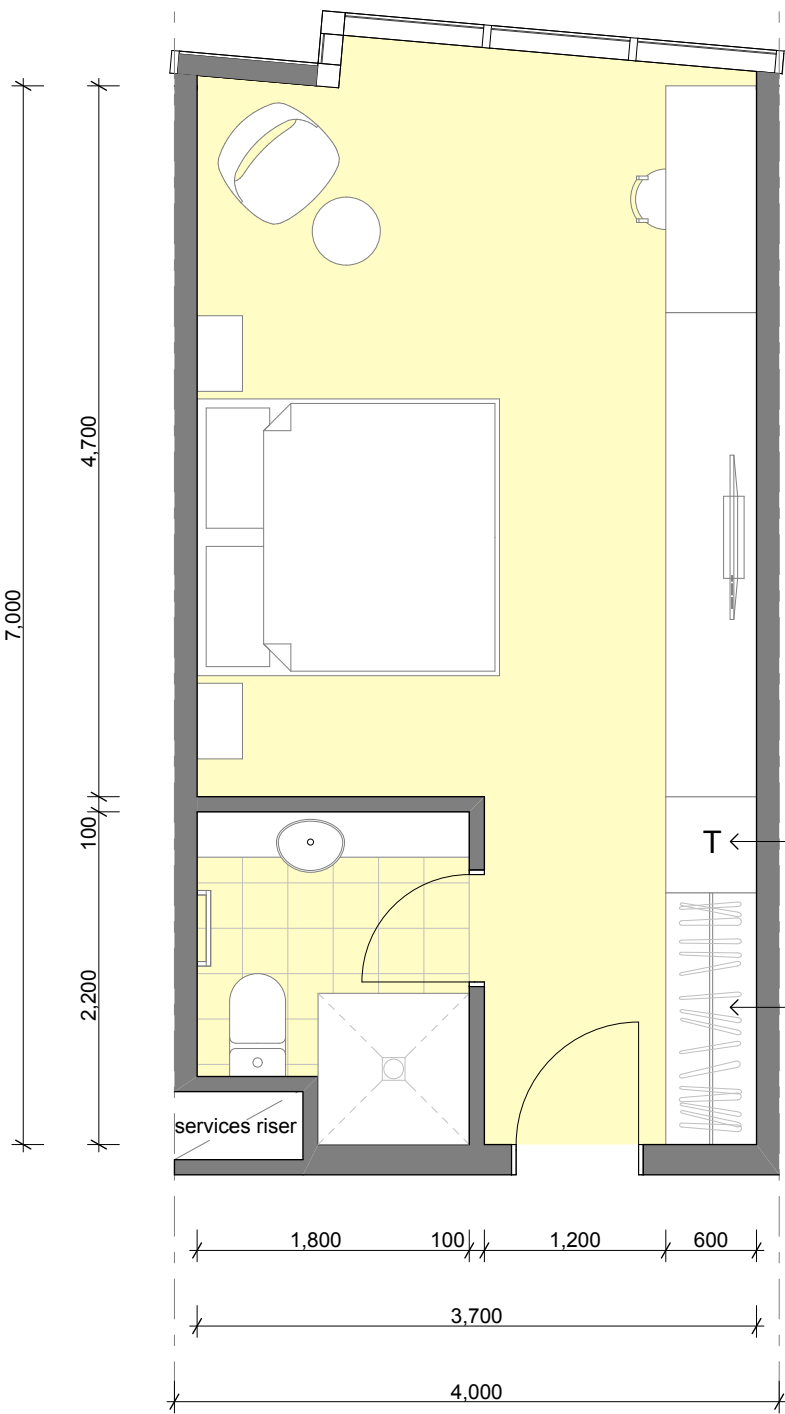
line of slab



TYPE A
(street)
25.1 m²

street side

line of slab



TYPE A
(alternative facade to street)
26.2 m²

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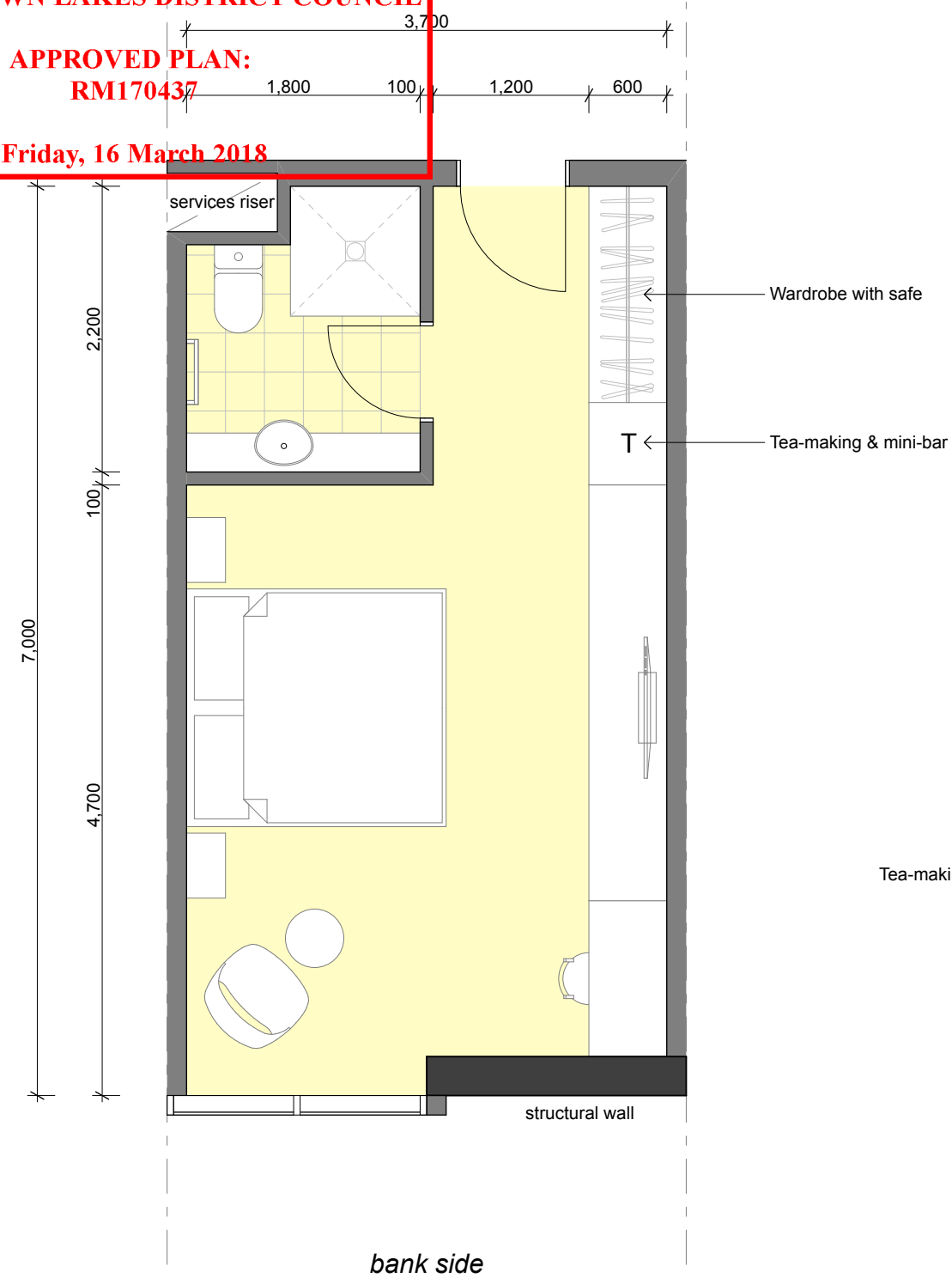
Typical Room Sheet 1

Scale: 1:50
Orig. Size: A3
Drawing No. **RC31-01**
Job No.: **2180**
Revision: 1

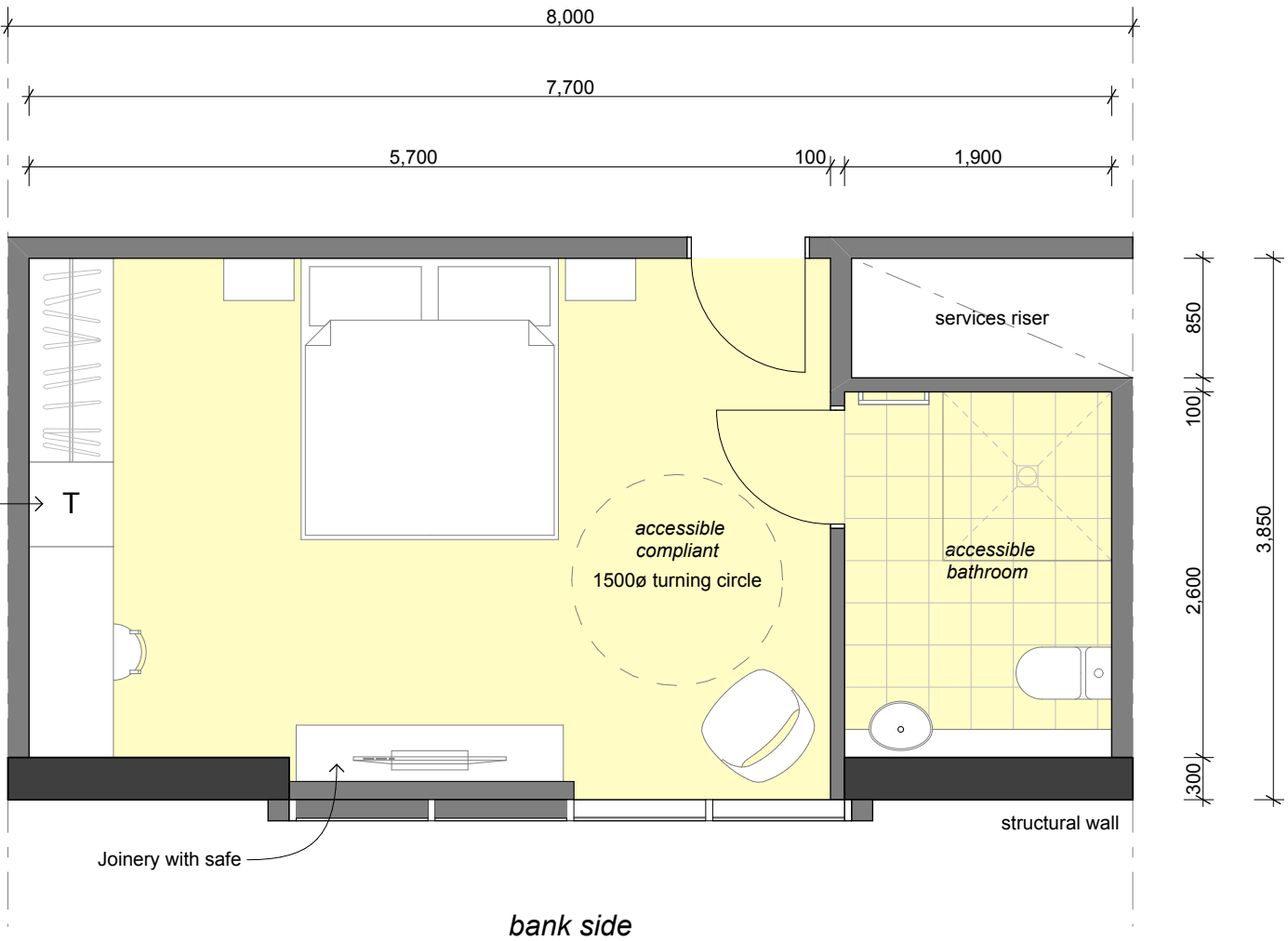
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TYPE A
(bank)
25.0 m²



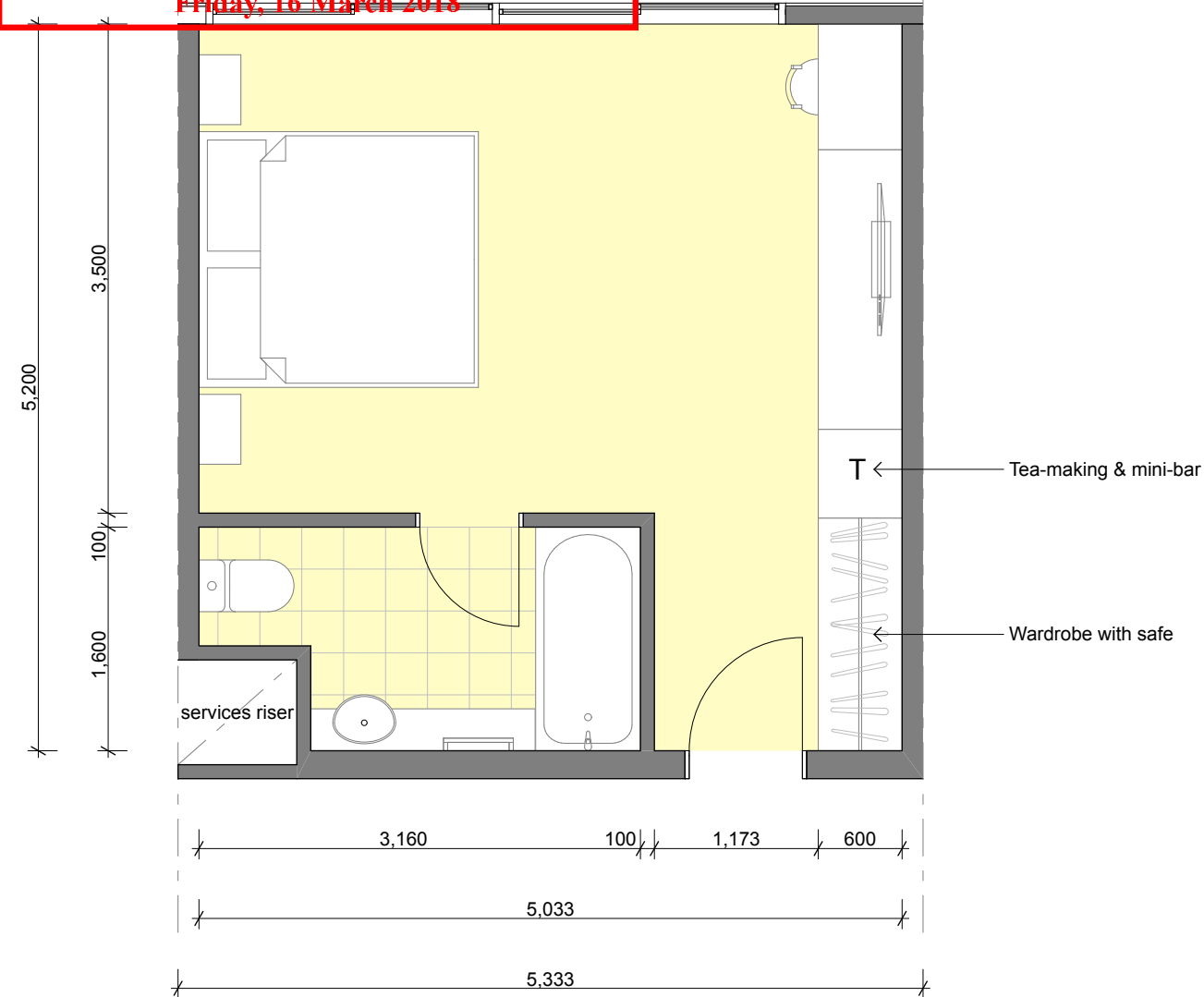
TYPE B
(accessible compliant)
26.6 m²

TYPE B+
similar layout; 40m²

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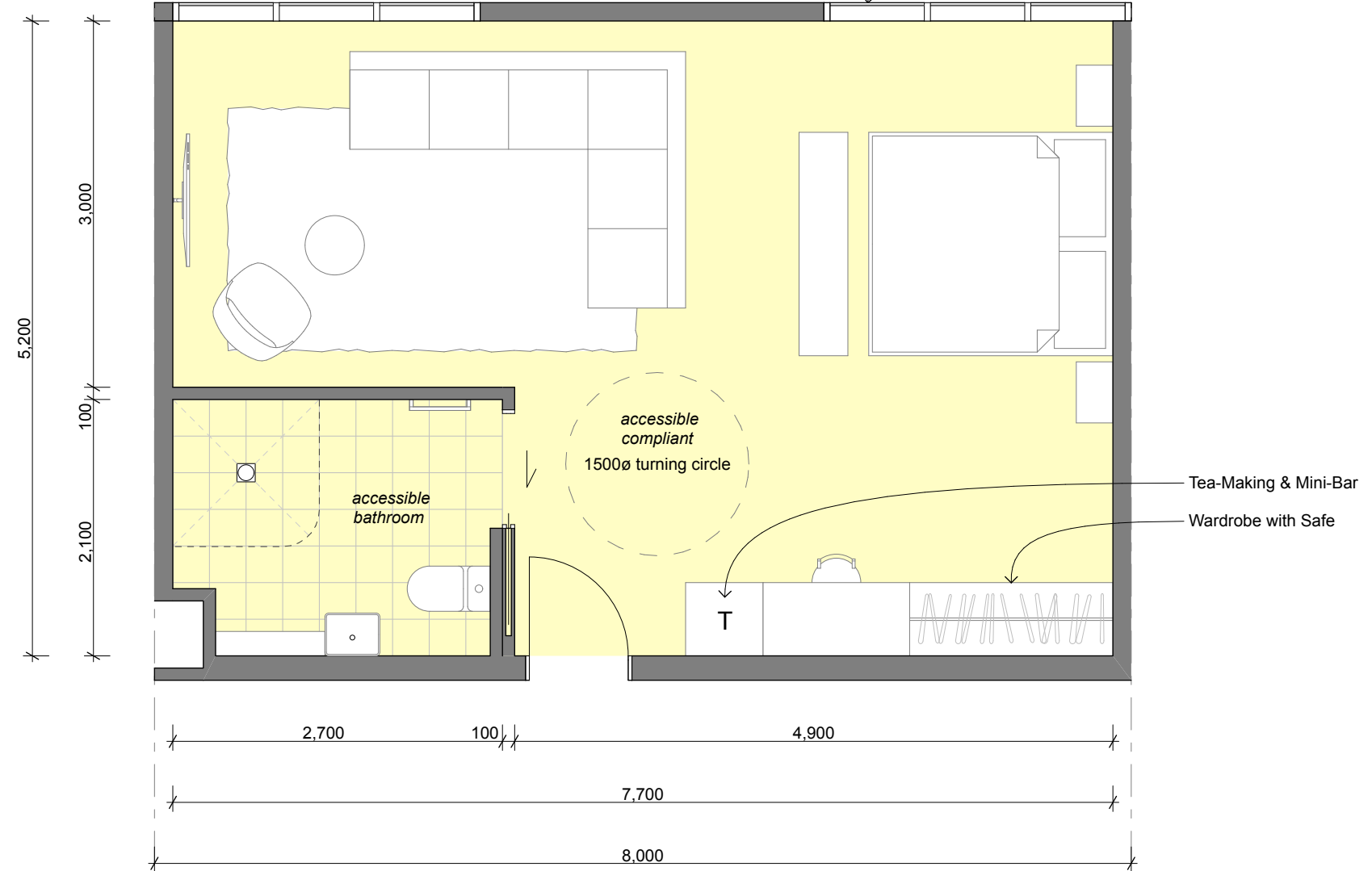
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TYPE C

25.6 m²



TYPE D suite
(accessible in some locations)

39.8 m²

TYPE E
a-typical room; layout specific to location

TYPE F
small room to act as suite combined with Type A / D

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PLAN: MASTERPLAN
1:500 @ A3



Virginia creeper



Clematis paniculata 'purity'

HOTEL ENTRY



Libertia ixiodes

PRIVACY PLANTING



Pittosporum tenuifolium 'silver sheen'



Thunbergia occidentalis smaragd

HOTEL PATIO - BUTTRESS + FIBREGLASS RAISED PLANTERS



Clematis paniculata 'purity'



Griselinia littoralis

EMBANKMENT PLANTING
AT INTERFACE BETWEEN HOTEL AND APARTMENTS
Flex MSE vegetated retaining embankment system
with planting to be certified by engineer



Coprosma kirkii

Coprosma kirkii for ground cover
on steep slopes

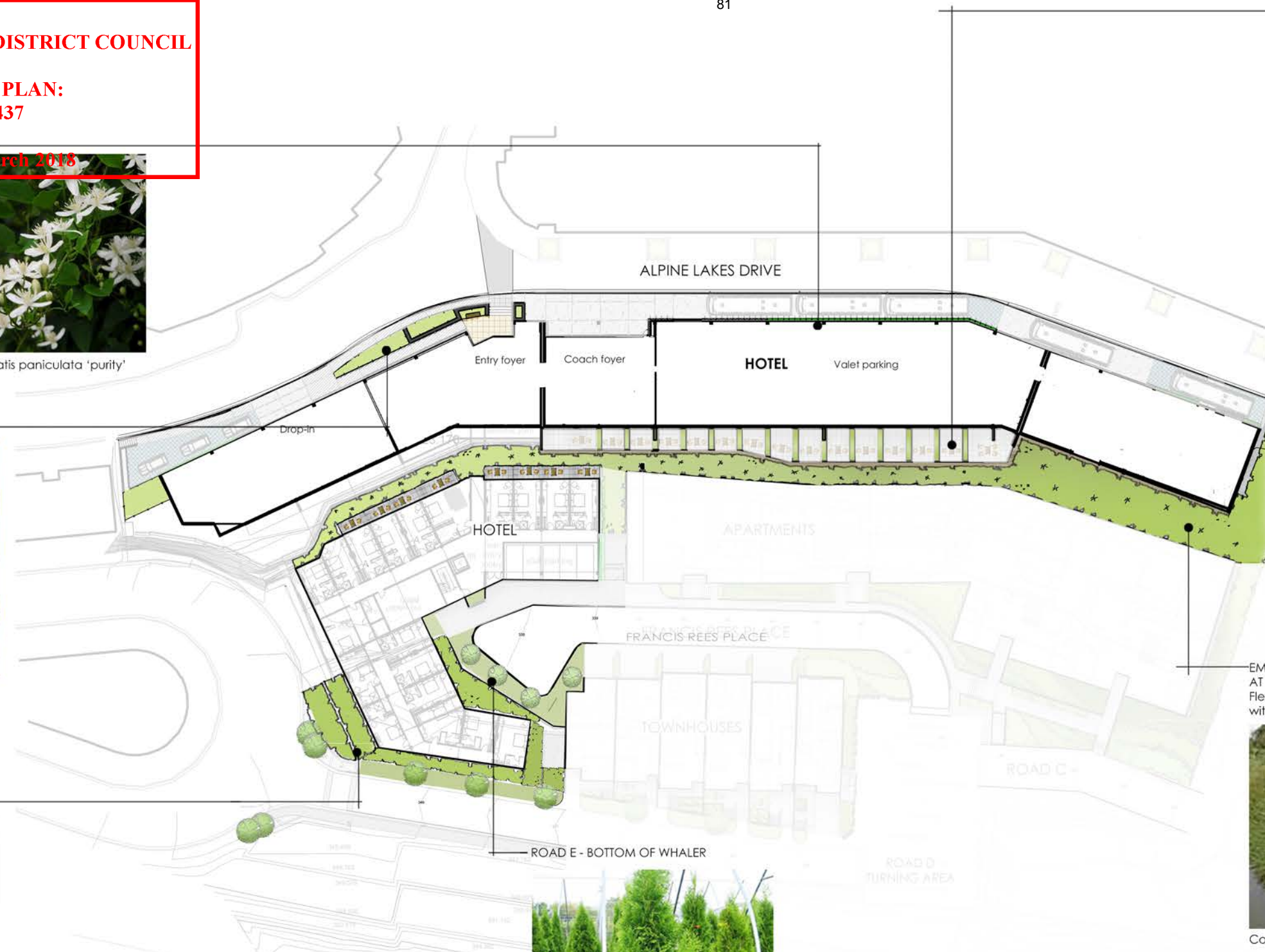
Phormium D.delight and Asteria
chathamica for accent planting
for grades less than 1:1



Astelia chathamica



Phormium d.delight



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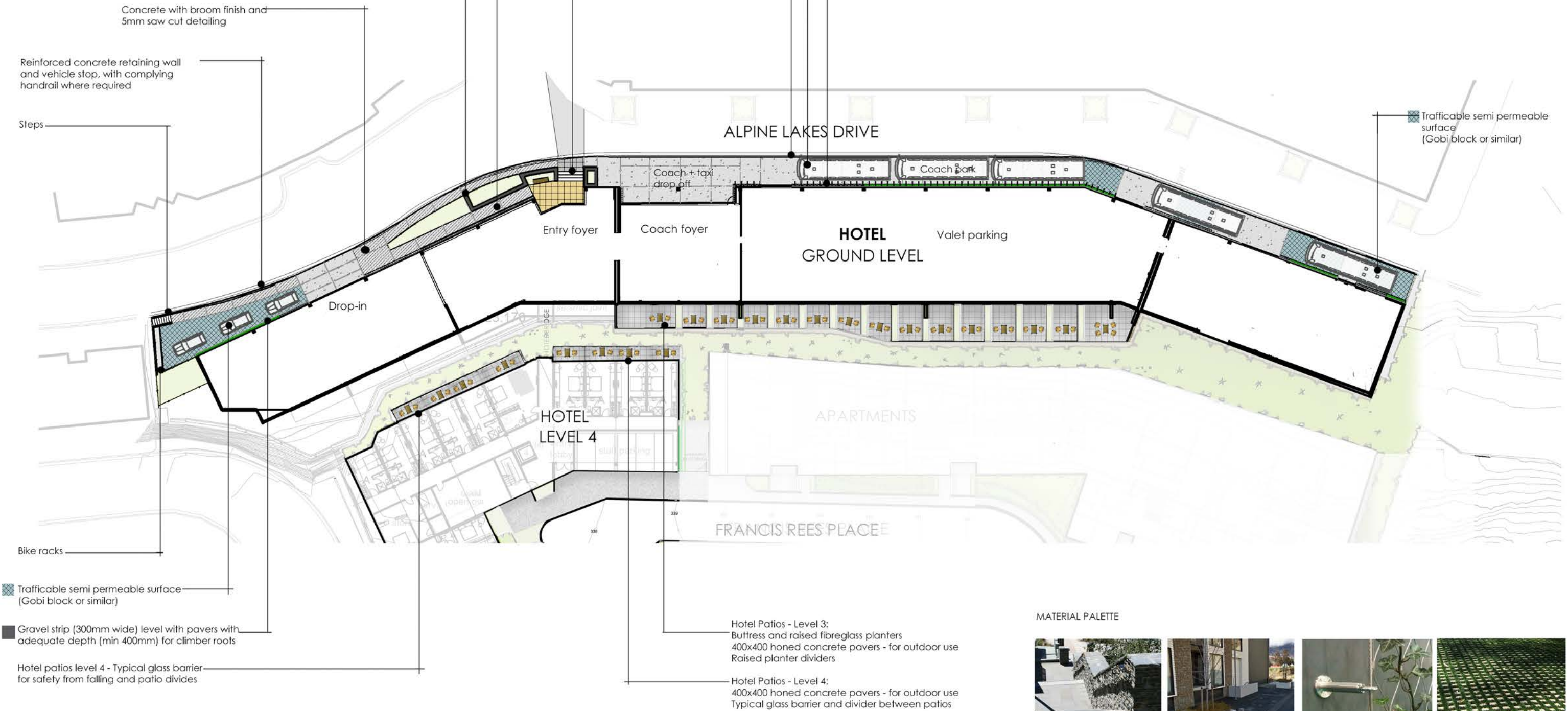
Refer to SK19 for details

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Schist wall
500mm wide, 800mm high

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MATERIAL PALETTE



Existing materiality to match hotel entry



Existing planters and paving



Climber planting on wire structure to building facade of hotel and for buttresses



Trafficable green surface

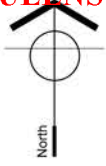
NOTE: Refer to SK14 + 15 for details

PLAN: HOTEL LANDSCAPING
1:500 @ A3

DRAFT

NOT A WORKING DRAWING
NOT FOR CONSTRUCTION

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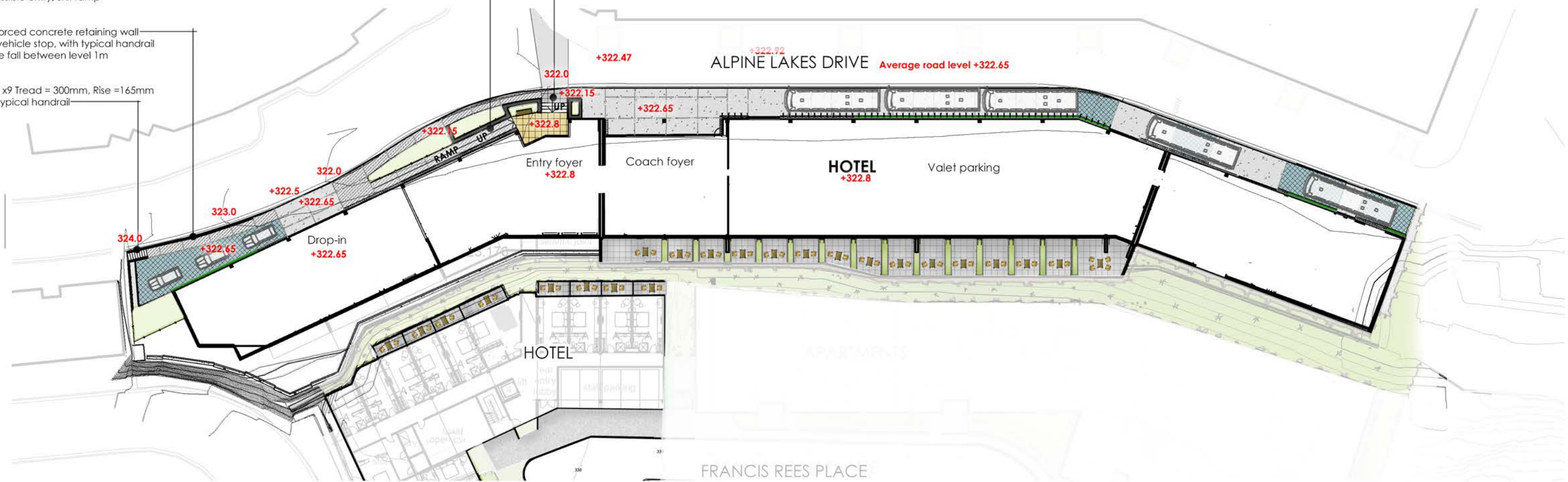
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Hotel concrete entry steps x4—
Tread = 400mm. Rise = 162mm

Accessible entry/exit ramp—

Reinforced concrete retaining wall
and vehicle stop, with typical handrail
where fall between level 1m

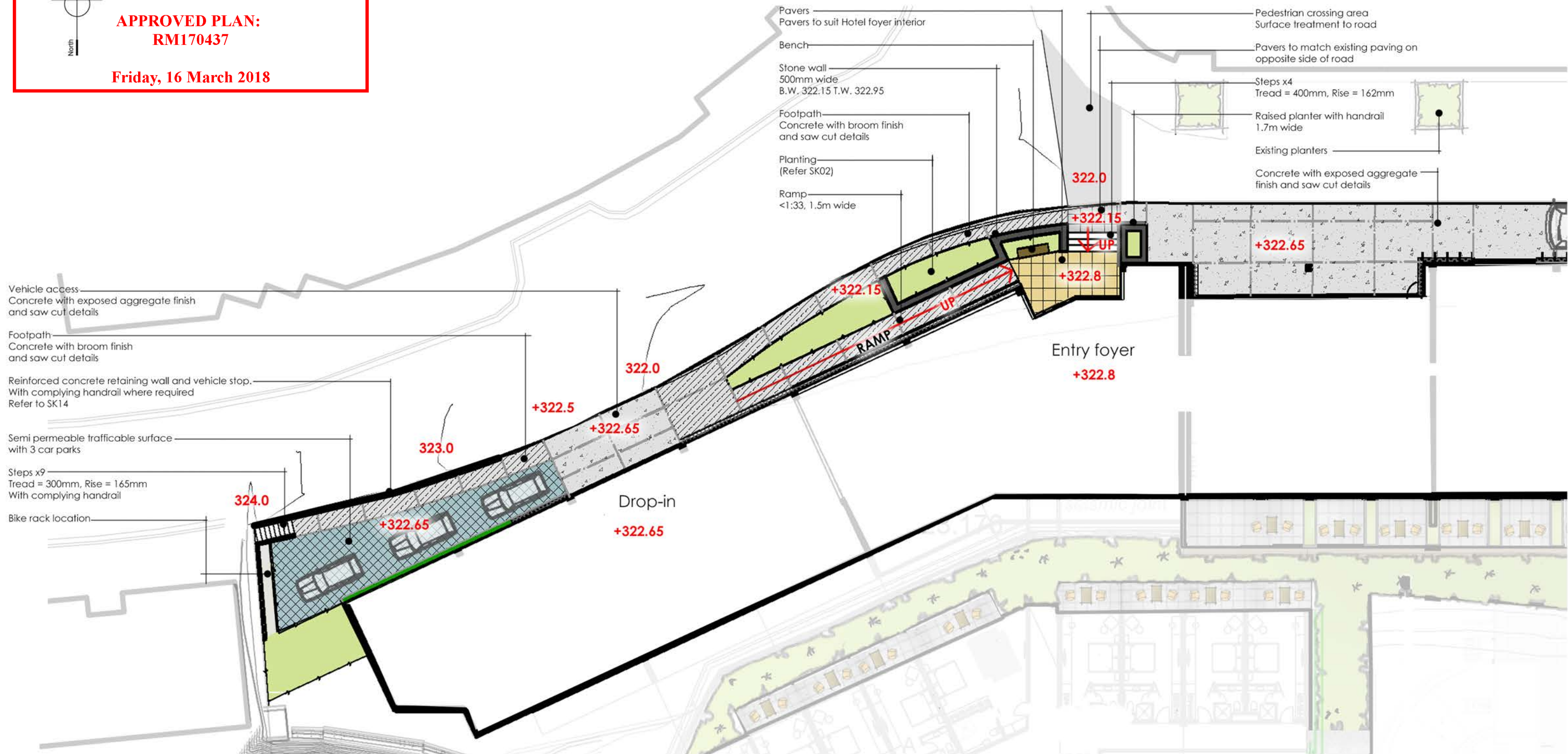
Steps x9 Tread = 300mm, Rise = 165mm
with typical handrail—



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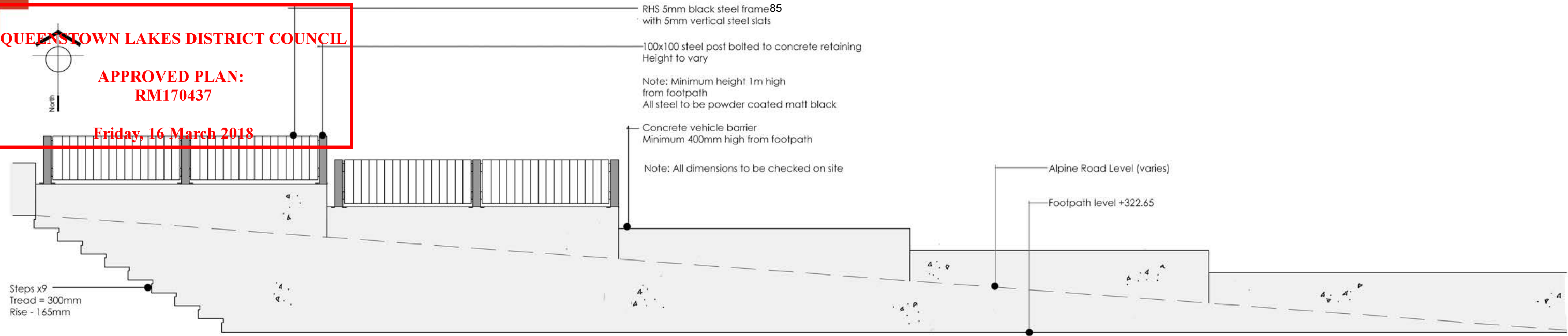
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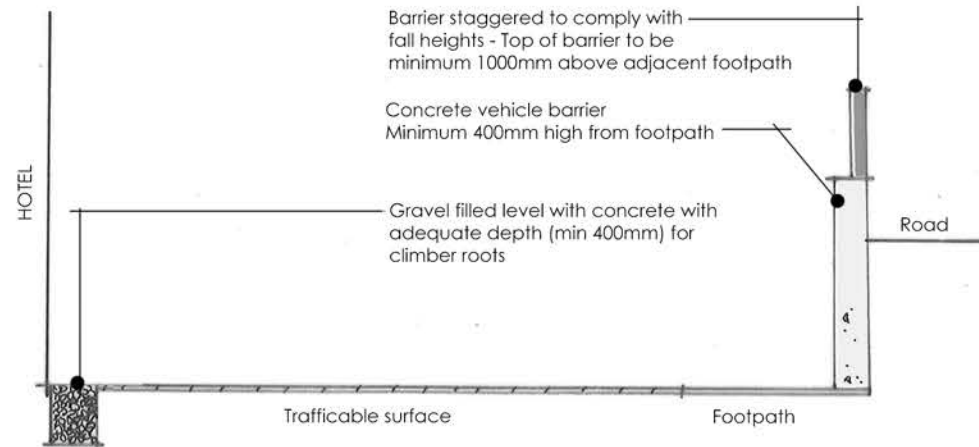
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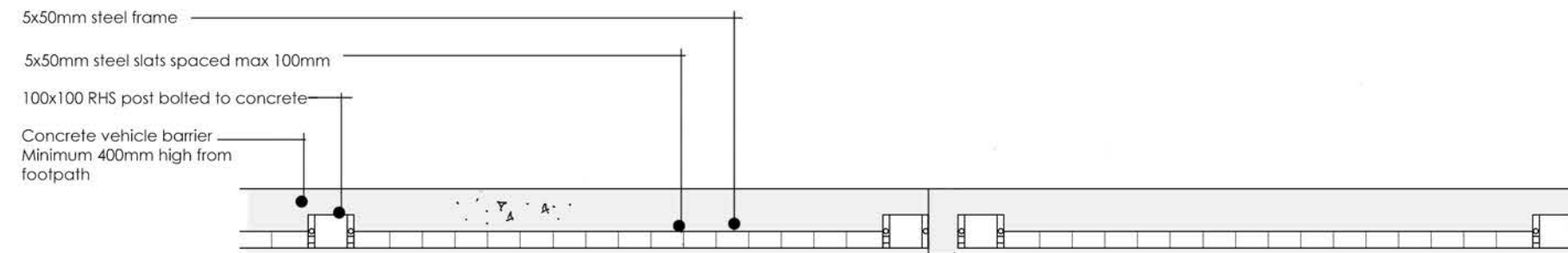
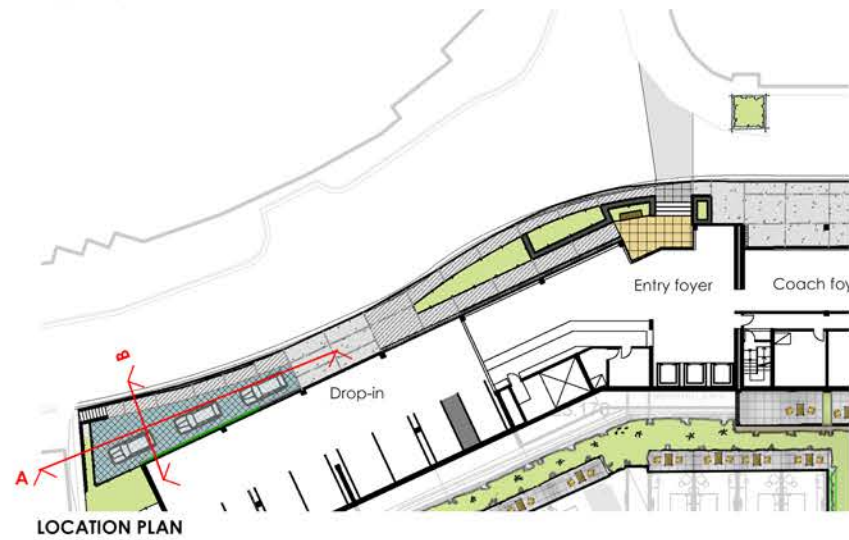
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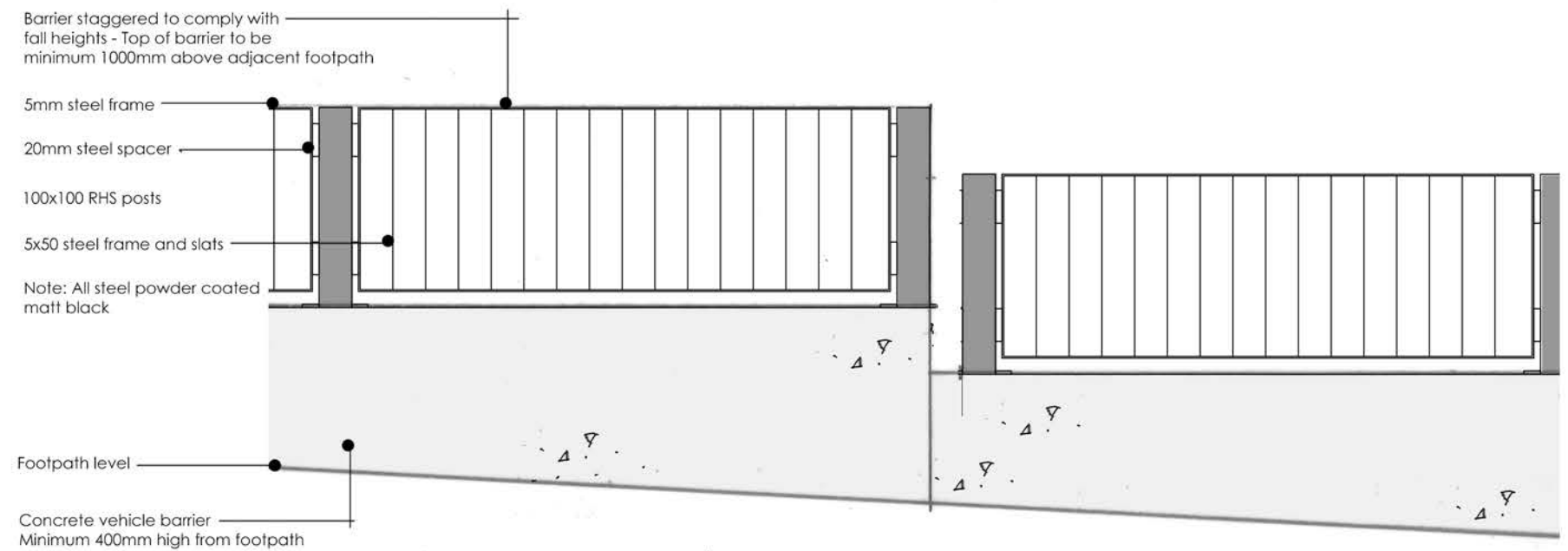
ELEVATION AA: WESTERN HOTEL STEPS AND FOOTPATH - VEHICLE AND PEDESTRIAN BARRIER
1:50 @ A3



SECTION BB: VEHICLE AND PEDESTRIAN BARRIER
1:50 @ A3



PLAN: VEHICLE AND PEDESTRIAN BARRIER
1:20 @ A3

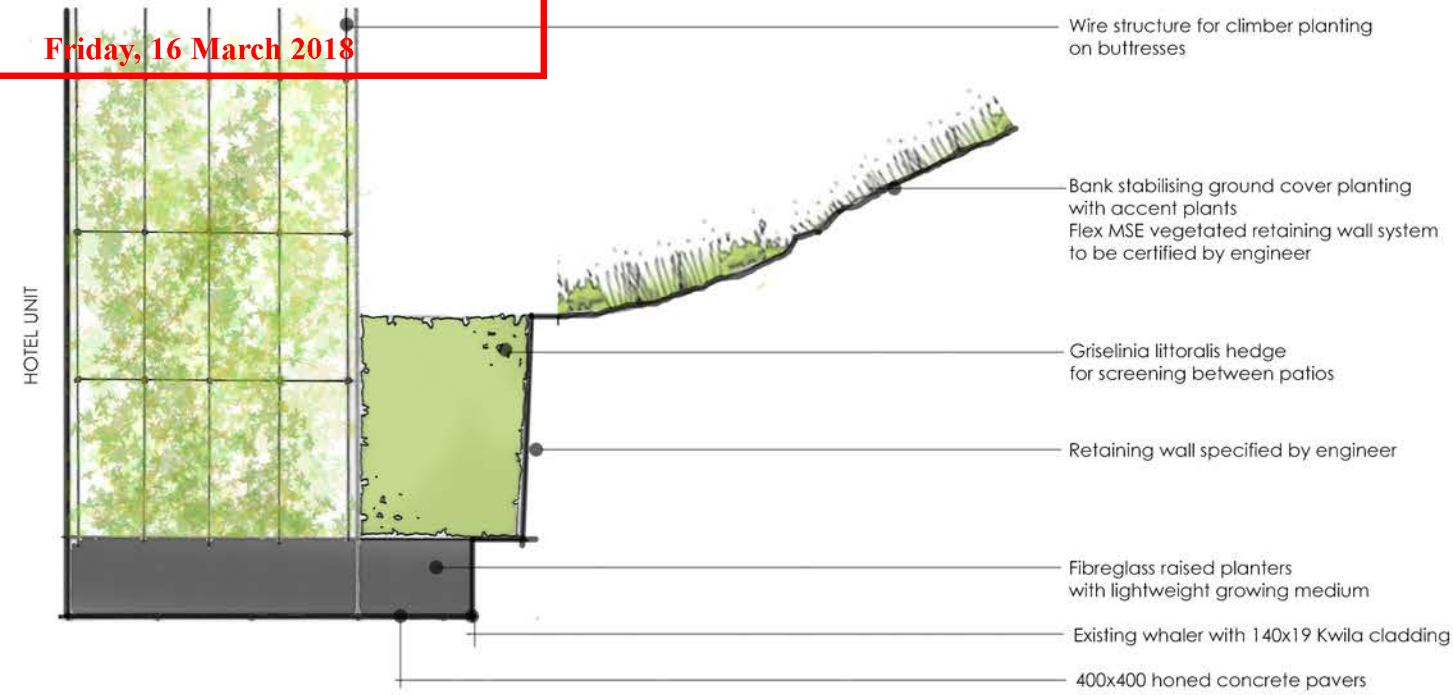


ELEVATION: VEHICLE AND PEDESTRIAN BARRIER
1:20 @ A3

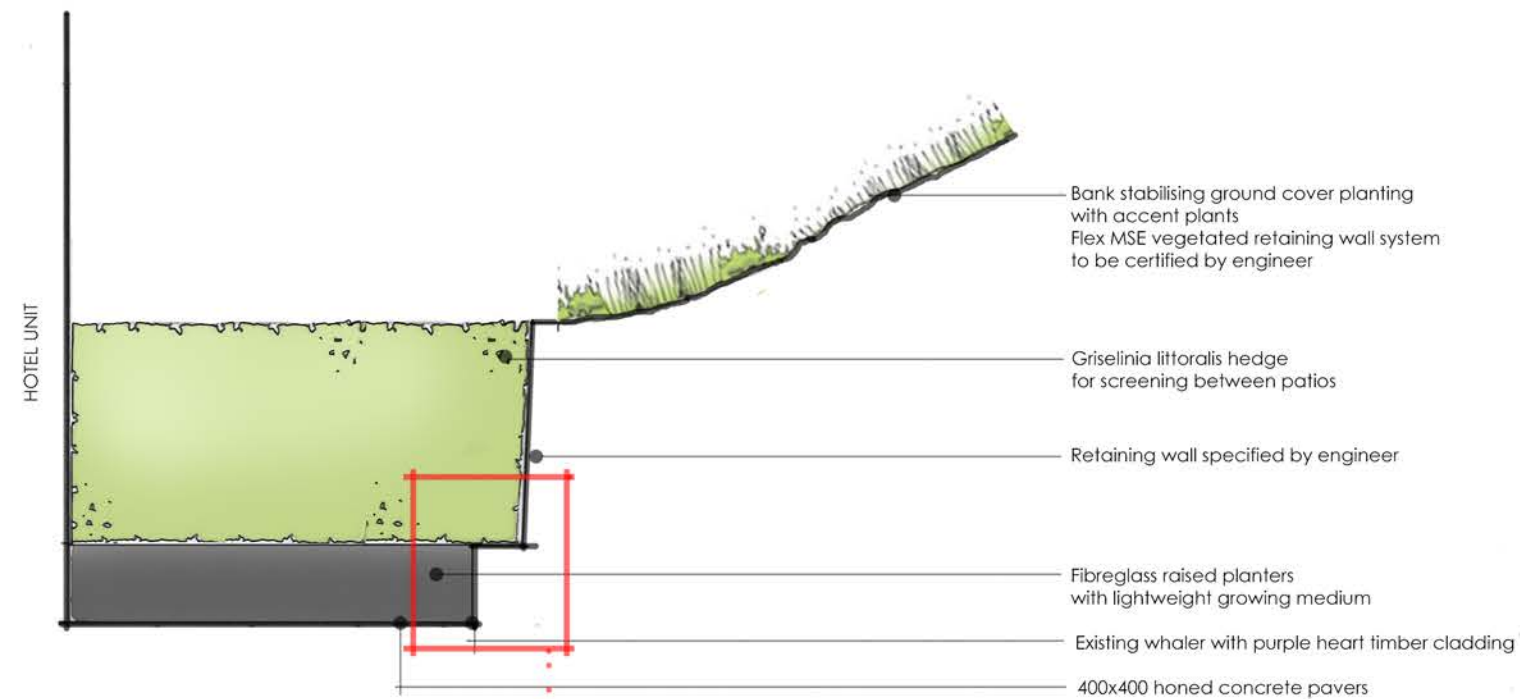
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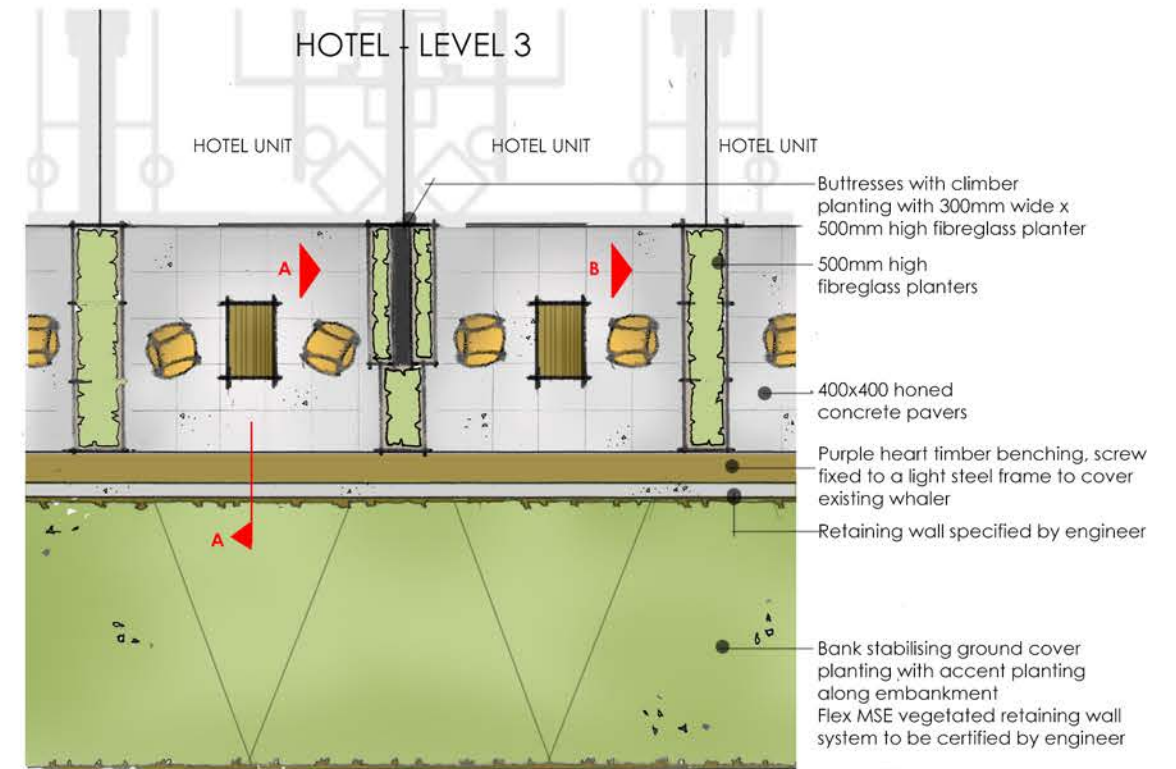
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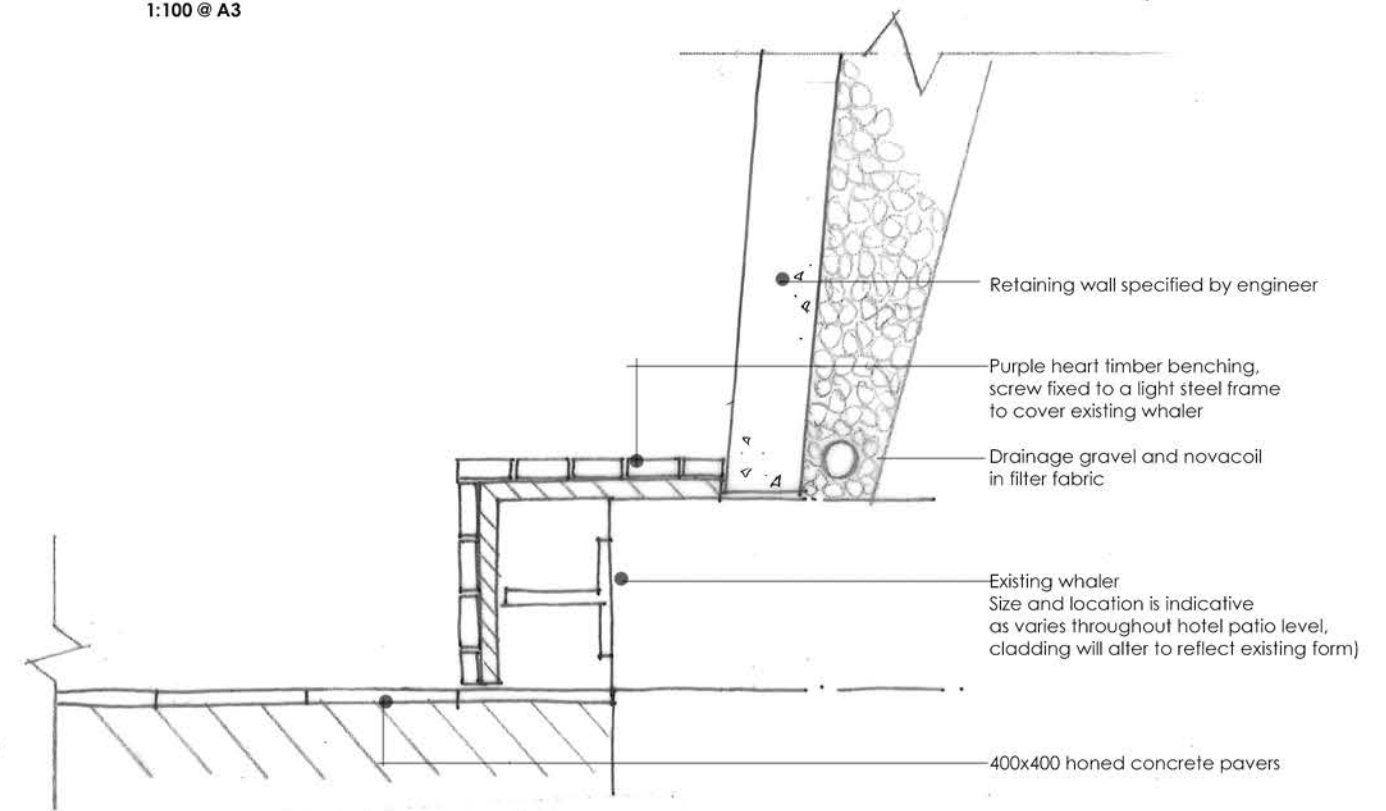
ELEVATION A: TYPICAL PLANTED BUTTRESS AND FIBREGlass RAISED PLANTER
1:50 @ A3



ELEVATION B: TYPICAL FIBREGlass RAISED PLANTER
1:50 @ A3



PLAN: TYPICAL HOTEL PATIO
1:100 @ A3



SECTION A: TYPICAL EXISTING WHALER CLADDING
1:20 @ A3

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338
Extent of Earthworks
Design Contours of Excavation
Minor (0.5m)

APPROVED PLAN:
RM170437

Friday, 16 March 2018

87



Alpine Lakes Drive

B

PROPOSED HOTEL SITE
5291m²

EW Level = 322.45

EW Level = 337.00

Proposed Apartment Site
2413m²

Frances Rees Place
(Road E)

Proposed Townhouse Site
1064m²

EW Level = 342.60

EW Level = 345.90

A'

For Client Review

Sheet 1

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

Earthworks Plan of Proposed Hotel on Proposed Hotel Sites

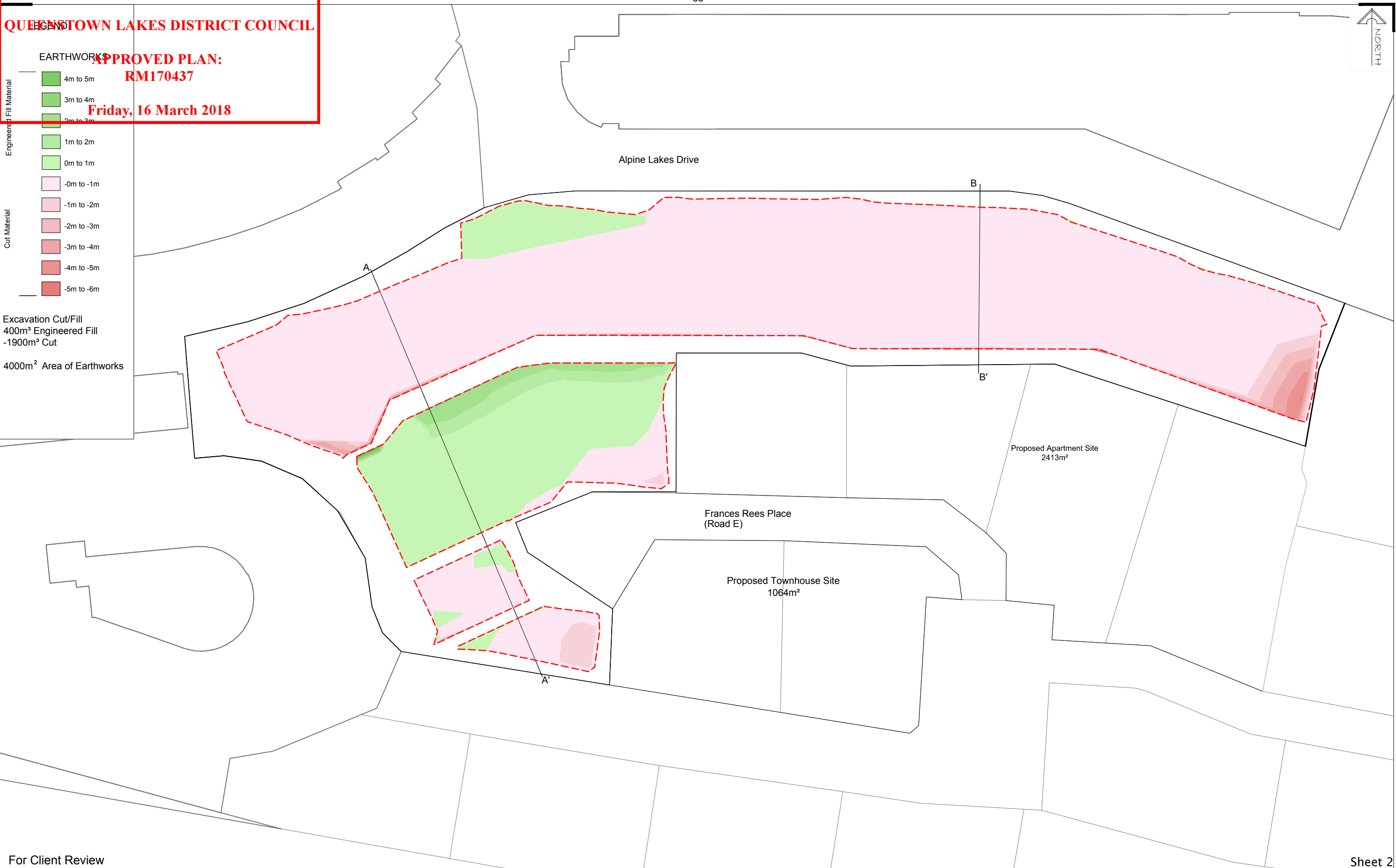
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Lake Edge Development	BR		16.02.17	11508	34
Drawn	EM	Signed	Date	Scale	1:250 @ A1 1:500 @ A3
Designed		Signed	Date	Datum & Level	Mt Nic 2000 & MSL
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RM170437
Friday, 16 March 2018

- EARTHWORKS**
- Engineered Fill Material
- 4m to 5m
 - 3m to 4m
 - 2m to 3m
 - 1m to 2m
 - 0m to 1m
- Cut Material
- 0m to -1m
 - 1m to -2m
 - 2m to -3m
 - 3m to -4m
 - 4m to -5m
 - 5m to -6m

Excavation Cut/Fill
400m³ Engineered Fill
-1900m³ Cut

4000m² Area of Earthworks





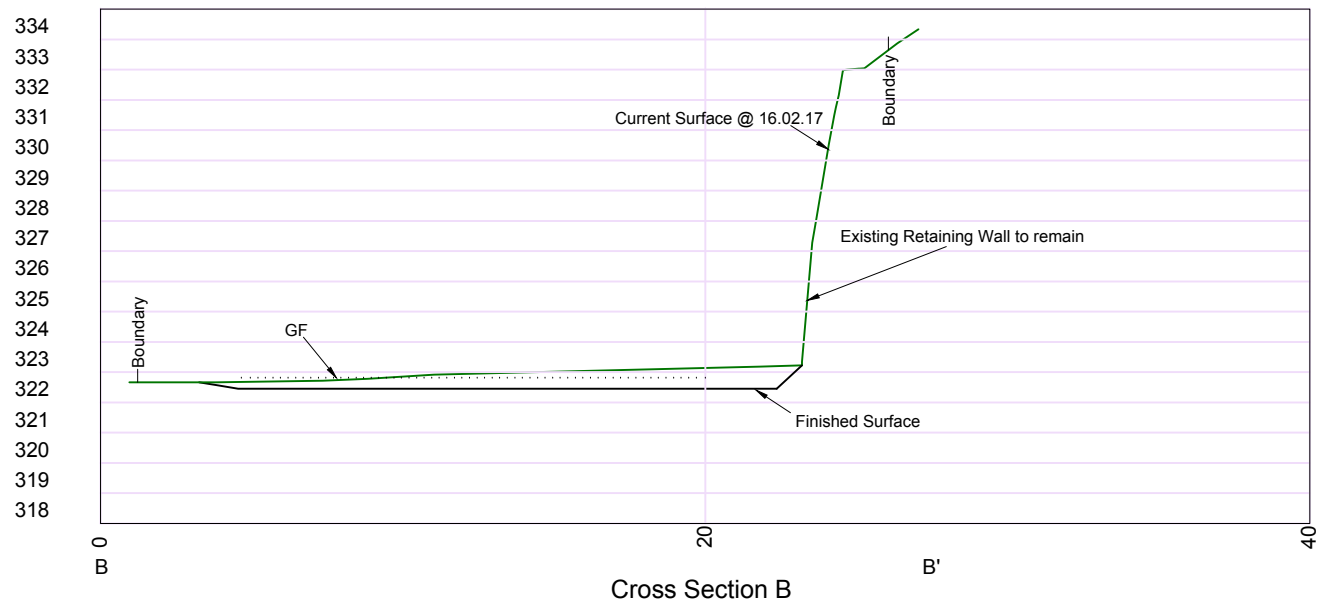
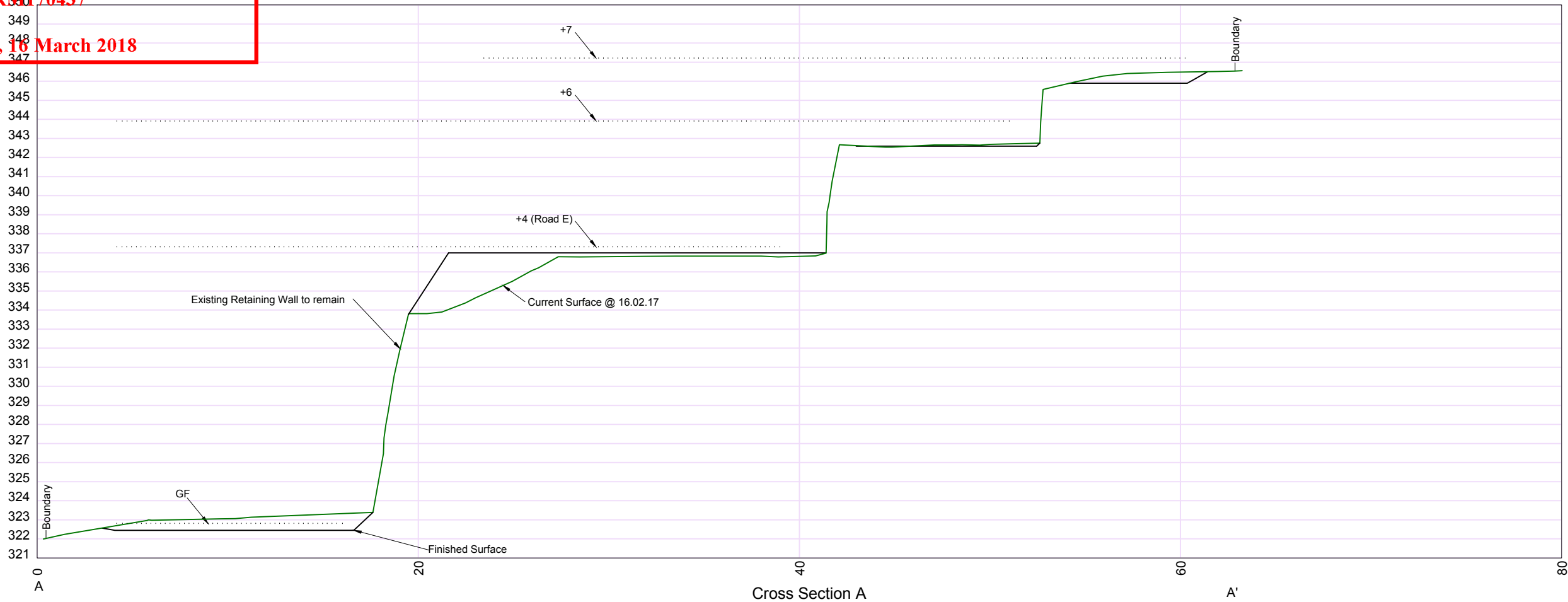
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Rev.	Date	Revision Details	By

Earthworks Plan of Proposed Hotel on Proposed Hotel Sites

Client	Surveyed	Signed	Date	Job No.	Drawing No.
Lake Edge Development	BR	Signed	16.02.17	11508	34
Notes: All dimensions shown are in meters unless shown otherwise. Any person using Clark Fortune McDonald drawings and other data accepts the risk of: - Using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions. - Ensuring the information is the most recent issue. - Copyright on this drawing is reserved.	Drawn	Signed	Date	Scale	1:250 @ A1 1:500 @ A3
	EM	Signed	21.4.17		
	Designed	Signed	Date	Datum & Level	Rev.
			x.x.17	Mt Nic 2000 & MSL	-



For Client Review

Sheet 3

Earthworks Plan of Proposed Hotel on Proposed Hotel Sites