



DECISION OF THE QUEENSTOWN LAKES DISTRICT COUNCIL

UNDER s104 RESOURCE MANAGEMENT ACT 1991

Applicant:	Alpine Estate Limited
RM reference:	RM170065
Application:	To undertake as 94 Lot subdivision
Location:	Mountain View Drive / Cardrona Valley Road Wanaka
Legal Description:	Lot 2 DP 498936
Operative District Plan Zoning:	Rural General
Proposed District Plan (Stage 1 – Decisions Version 2018) Zoning:	Lower Density Residential
Proposed District Plan (Stage 2) Zoning:	N/A
Activity Status:	Discretionary
Notification Decision:	Publicly Notified
Delegated Authority:	Quinn McIntyre, Resource Consent Manager
Final Decision:	GRANTED SUBJECT TO CONDITIONS
Date Decisions Issued:	19 September 2018

SUMMARY OF DECISIONS

1. Pursuant to Sections 104 and 221 of the RMA, consent is **GRANTED SUBJECT TO CONDITIONS** outlined in **Appendix 1** of this decision imposed pursuant to Section 108/220 of the RMA for subdivision, landuse and cancellation of consent notice. The consents only applies if the conditions outlined are met. To reach the decisions to grant consent the application was considered (including the full and complete records available in Council's files referenced RM170065 and responses to any queries) by Quinn McIntyre, Resource Consent Manager, as delegate for the Council.

1. PROPOSAL AND SITE DESCRIPTION

The Section 42A (S42A) report prepared for Council (attached as Appendix 2) provides a full description of the proposal, the site and surrounds and the consenting history.

2. NOTIFICATION, SUBMISSIONS AND OBLIGATION TO HOLD A HEARING

The application was publicly notified on 12 April 2018.

No submitters have indicated they wish to be heard if a hearing is held and the consent authority does not consider a hearing is necessary.

A decision under section 100 of the Act to not hold a hearing was made by Quinn McIntyre, Resource Consent Manager on 18 September 2018.

3. THE PLANNING FRAMEWORK

This application must be considered in terms of Section 104 of the Resource Management Act 1991. The S42A report outlines S104 of the Act in more detail.

The application must also be assessed with respect to Part 2 of the Act which is to promote the sustainable management of natural and physical resources. The S42A report outlines Part 2 of the Act.

The relevant planning provisions are set out in the attached S42A report. The application stands to be considered as a discretionary activity.

4. SUMMARY OF EVIDENCE HEARD

This is not applicable in this case as there has not been a hearing.

5. PRINCIPAL ISSUES IN CONTENTION

The principal issues arising from the application, section 42A report and content of submissions are:

- The allotment sizes of under 700m². The rezoning to Lower Density Suburban residential allows for a minimum allotment size of 450m², however this is subject to an appeal seeking a 700m² minimum allotment size. In this case the development of a large subdivision with smaller allotments will result in a significantly increased density. Given the positive effects that will result in terms of accommodating a substantially increased number of households, and the assessment that adverse effects on character, amenity, services and roading are avoided, the increased density

The findings relating to these principal issues of contention are outlined in the attached S42A report.

6. ASSESSMENT

6.1 Actual and Potential Effects (s104(1)(a))

Actual and potential effects on the environment have been addressed in the S42A report prepared for Council and provides a full assessment of the application. Where relevant conditions of consent can be imposed under section 108 and 220 of the RMA as required to avoid, remedy or mitigate adverse effects. In summary the S42A report concludes that the adverse effects are no more than minor and that there are significant positive effects associated with the proposal.

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

As outlined in detail in the S42A report, overall the proposed development is in accordance with the relevant policies and objectives of the District Plan.

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

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

With respect to the second threshold test under Section 104D it is concluded that the application can pass through the second gateway test given that the proposal is not considered to contrary to the relevant policies and objectives of the District Plan. On this basis discretion exists to grant consent for this non-complying activity.

6.4 PART 2 OF THE RMA

In terms of Part 2 of the RMA, the proposal is considered to be in accordance with the purpose of the Resource Management Act 1991 as outlined in further detail the S42A report.

7. DECISION ON SUBDIVISION CONSENT PURSUANT TO SECTION 104

Pursuant to section 104 of the RMA this consent is **granted** for a 94 allotment residential subdivision subject to the conditions stated in Appendix 1 of this decision imposed pursuant to Section 108 and 220 of the RMA.

8. DECISION ON LAND USE CONSENT PURSUANT TO SECTION 104

Pursuant to section 104 of the RMA consent is **granted** for the driveway locations on Lots 1, 25, 31, 34, 46, 66 & 83 and Lots 18, 19, 45, 51, 52, 53, 54, 55, 59, 60, 61, 63, 65, 80 & 96 subject to the conditions stated in Appendix 1 of this decision imposed pursuant to Section 108 and 220 of the RMA.

9. DECISION ON CANCELLATION OF CONSENT NOTICE PURSUANT TO SECTION 221

Pursuant to section 221 of the RMA consent is **granted** to cancel Consent Notice 5143982.11 subject to the conditions set out in Appendix 1 of this decision.

10. OTHER MATTERS

Local Government Act 2002: Development Contributions

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

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

Administrative Matters

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

You are responsible for ensuring compliance with the conditions of this resource consent found in Appendix 1. The Council will contact you in due course to arrange the required monitoring. It is suggested that you contact the Council if you intend to delay implementation of this consent or reschedule its completion.

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

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

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

If you have any enquiries please contact Wendy Baker on phone (021) 184 33 09 or email wendy.baker@qldc.govt.nz.

Report prepared by

Decision made by



Wendy Baker
CONSULTANT PLANNER



Quinn McIntyre
RESOURCE CONSENT MANAGER

APPENDIX 1 – Consent Conditions
APPENDIX 2 – Section 42A Report

APPENDIX 1

Consent Conditions

APPENDIX 1

A - SUBDIVISION

General Conditions

1. That the development must be undertaken/carried out in accordance with the plans:
 - WH5082-02H Alpine Estates Scheme Plans being Sheets 100, 101, 200, 201, 301, 302, 303, 304, 305 and 306

stamped as approved on 14 September 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.

Staging

3. This subdivision may be staged. For the purposes of issuing approvals under sections 223 and 224(c) of the Resource Management Act 1991, the conditions of this consent shall be applied only to the extent that they are relevant to each particular stage proposed. This consent may be progressed in any order and all stages may be combined, providing all necessary subdivision works (such as servicing, provision of formed legal access and other works required to satisfy conditions of this consent), are completed for each stage, prior to certification being issued as necessary under sections 223 and 224(c) of the Resource Management Act 1991. Any balance lots created shall either be serviced to Council's standards or held together in one title with a serviced lot.

General

4. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies, being QLDC's Land Development and Subdivision Code of Practice adopted on 3rd May 2018 and subsequent amendments to that document up to the date of issue of any resource consent.
5. All works in relation to Lot 101 shall be in accordance with Part 7: Landscape of QLDC's Land Development and Subdivision Code of Practice adopted on 3rd May 2018 and subsequent amendments to that document up to the date of issue of any resource consent.

Note: The current standards are available on Council's website via the following link:

<http://www.qldc.govt.nz>

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

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

7. At least 7 days prior to commencing excavations, the consent holder shall provide the Manager of Resource Management Engineering at Council with the name of a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice who is familiar with the Mt Iron Geodrill report (dated 23 May 2016, Job Ref: G17026 and 26 February 2017, Job Ref: G17105) and who shall supervise the excavation and fill procedure and ensure compliance with the recommendations of this report. This engineer shall continually assess the condition of the excavation and shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability.
8. Prior to commencing any work on the site the consent holder shall install a construction vehicle crossing, which all construction traffic shall use to enter and exit the site. The minimum standard for this crossing shall be a minimum compacted depth of 150mm AP40 metal that extends 10m into the site. Wooden planks or similar shall be provided to protect the footpath and kerb from damage caused by construction traffic movements, in accordance with '*A Guide to Earthworks in the Queenstown Lakes District*' brochure, prepared by the Queenstown Lakes District Council.
9. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and '*A Guide to Earthworks in the Queenstown Lakes District*' brochure, prepared by the Queenstown Lakes District Council to ensure that neighbouring sites remain unaffected from earthworks. These measures shall be implemented **prior** to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
10. Prior to commencing any works on the site, the consent holder shall obtain 'Engineering Review and Certification' from the Queenstown Lakes District Council for all development works and information requirements specified below. An 'Engineering Review and Acceptance' application 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 revised Site Management Plan that shall include but not be limited to:
 - i) Erosion and sedimentation controls and on-going management techniques including necessary calculations and documentation to demonstrate adequate storage and ensure removal of sediment, contaminants or debris prior to discharge. An Erosion and Sediment Control Plan shall detail site contours, overland flows, all erosion and sediment control devices and controlled discharge points onsite;
 - ii) Dust suppression techniques;
 - iii) Procedures during and after either high rainfall or high wind events;
 - iv) Procedures for ensuring debris is not deposited on surrounding roads or land;
 - v) Identification of any stockpile areas and management of those stockpiles both short term and long;
 - vi) Topsoiling, regrassing or alternative stabilisation of earth-worked areas;
 - vii) Construction methodology.
 - b) The provision of a water supply to Lots 1 to 36, 38 to 42, 44 to 96, 101 and 102 in terms of Council's standards and connection policy. This shall include an Acuflo GM900 as the toby valve and an approved water meter as detailed in QLDC Water Meter Policy (Appendix A), dated June 2017. The costs of the connections shall be borne by the consent holder.

- c) The provision of a foul sewer connection from Lots 1 to 36, 38 to 42, 44 to 96, 101 and 102 to Council's reticulated sewerage system in accordance with Council's standards and connection policy, which shall be able to drain the buildable area within each lot. The costs of the connections shall be borne by the consent holder. This shall include:
- i) Either upgrading the Gordon Road sewer pump station in accordance with Council standards and to meet the increased reticulation loads resultant from the full potential development of the Alpine Estate site; or
 - ii) Diverting wastewater via Frederick Street to cater for the increased reticulation loads resultant from the full potential development of the Alpine Estate site;
 - iii) Or an alternative solution agreed by Council.
- d) The provision of fire hydrants with adequate pressure and flow to service the development with a minimum Class FW2 fire fighting water supply in accordance with the NZ Fire Service Code of Practice for Firefighting Water Supplies SNZ PAS 4509:2008(or superseding standard). Any alternative solution must be approved in writing by the Area Manager for the Central North Otago branch of the New Zealand Fire Service.
- e) The provision of a sealed vehicle crossing that shall be constructed to Lots 1, 10, 18, 19, 25, 31, 34, 35, 39, 45, 46, 51-55, 59-61, 63, 65, 66, 68, 69, 78, 80, 83, 93 and 96 to Council's standards unless it is demonstrated that a complying vehicle crossing can be constructed that does not rely on the landuse consent RM170065 for a breach of required distance to intersection and or sight distances.
- f) The provision of road lighting in accordance with Council's road lighting policies and standards, including the Southern Light lighting strategy. Any road lighting installed on private roads/rights of way/access lots shall be privately maintained and all operating costs shall be the responsibility of the lots serviced by such access roads. Any lights installed on private roads/rights of way/access lots shall be isolated from the Council's lighting network circuits.
- g) The sealed formation of roads 1 to 5 and right of way 'A', in accordance with Council's standards. This shall include:
- i) 'Road 1' shall be formed to a minimum standard as defined by Figure E13 of Council's standards and shall be extended to the eastern boundary of the site through and within Lot 103.
 - ii) 'Roads 2, 3 and 5' shall be formed to a minimum standard as defined by Figure E12 of Council's standards.
 - iii) 'Road 4' shall be formed to a minimum standard as defined by Figure E11 of Council's standard
 - iv) Right of Way 'A' shall be formed to a minimum standard as defined by Figure E9 of Council Standards.
 - v) All permanent road batters shall be formed with ease of maintenance as a primary design consideration.
 - vi) All road signs and markings shall be provided in accordance with the New Zealand Transport Authority, 'Manual of Traffic Signs and Markings' (MOTSAM) and the 'Traffic Control Devices' (TCD) Manual.
 - vii) Trees and vegetation are to be set back from intersections and species which have foliage between 0.5m and 2.0m above the carriageway surface should be avoided as the could reduce visibility sight distances from vehicle crossings.
 - viii) Provision for stormwater disposal; and shall include:
 - Percolation testing shall be undertaken at the individual soak pit locations to confirm soakage. A copy of the test results shall be provided to Council and shall be in general accordance with the "Acceptable Solutions and Verification Methods for New Zealand Building Code Clause: E1 Surface Water".
 - The final design and sizing of each soak pit shall be based on the individual percolation test results and provided to Council for acceptance prior to installation of the individual soak pit infrastructure

- h) The formation of all intersections in accordance with the latest Austroads intersection design guides. The internal road intersection designs shall include the provision of minimum sight distance requirements based on assessed operating speeds and, where required, priority intersection controls. These designs shall be subject to review and acceptance by Council with any associated costs met by the consent holder.
 - i) The provision of Design Certificates for all engineering works associated with this subdivision submitted by a suitably qualified design professional (for clarification this shall include all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of the QLDC's Land Development and Subdivision Code of Practice Schedule 1A Certificate.
11. Prior to the commencement of any works under this consent on the reserve site (Lot 101), the consent holder shall first provide detailed landscape plans and design specifications by a suitably qualified Landscape Architect to be certified by the Queenstown Lakes District Council's Parks & Reserves Planning Manager, in accordance with Condition (5) achieving the following:
- a) Ensure that areas of reserve exclude any areas of road.
 - b) Details of landscape trees and plants that includes the species, size and location.
 - c) Irrigation plan showing how trees are to be irrigated
 - d) Tree pit details showing root ball treatment and staking
 - e) Ensure that all batter slopes and mounds are to a gradient not exceeding 1:5 when measured across any point to ensure that all slopes are mowable. This will require that plans clearly demonstrate that this gradient will not be exceeded.
 - f) Path width, material and construction details so that all tracks achieve a grade 2 standard as set out in standards <http://www.qldc.govt.nz/assets/Uploads/Council-Documents/Parks-Planning-Documents/QLDC-Cycle-Trail-Track-Design-Standard-2016.pdf>
 - g) Detail of any stormwater soak pits/detention areas, including planting, maintenance and confirmation that the surrounding areas can be easily mown.
 - h) Details and locations for any other proposed assets, such as park seats, irrigation and fencing.
 - i) Maintenance requirements
 - j) A potable water supply point to be provided to the boundary of reserve lot.

Advice Note: The Consent Holder is welcome to seek guidance from the Parks & Reserves Planning Manager when preparing the landscape plan. This may facilitate certification if any matters of concern are addressed. Street Tree Planting Guidelines are available on request from the QLDC Arborist.

To be monitored throughout earthworks

- 12. No permanent batter slope within the site shall be formed at a gradient that exceeds 1(V):2(H).
- 13. The earthworks and batter slopes shall be undertaken in accordance with the recommendations of the report by Mt Iron Geodrill (dated 23 May 2016, Job Ref: G17026 and 26 February 2017, Job Ref: G17105).

14. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at his/her expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.

On completion of earthworks

15. On completion of the earthworks, the consent holder shall complete the following:
 - a) All earthworked areas shall be top-soiled and revegetated or otherwise permanently stabilised.
 - b) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

To be completed before Council approval of the Survey Plan

16. Prior to the Council signing the Survey Plan pursuant to Section 223 of the Resource Management Act 1991, the consent holder shall complete the following:
 - a) All necessary easements shall be shown in the Memorandum of Easements attached to the Survey Plan and shall be duly granted or reserved. This shall include any Easements in Gross as required by Council for infrastructure to vest. Requirements for vested infrastructure and Easements in Gross shall be agreed with Council prior to Engineering Acceptance.
 - b) The names of all roads, private roads & private ways which require naming in accordance with Council's road naming policy shall be shown on the survey plan.

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

Amalgamation Condition

17. The following shall be registered with Land Information New Zealand (CRM:0306346):
"That Lot 102 hereon be held as a joint owned access lot in six undivided shares with Lot 88-93."

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

18. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:
 - a) The submission of 'as-built' plans and information required to detail all engineering works completed in relation to or in association with this subdivision at the consent holder's cost. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Roads (including right of ways and access lots), Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).
 - b) The completion and implementation of all works detailed in Conditions (10) and (15) above.
 - c) Provide certification in accordance with NZS 4431:1989, for all areas of fill within the site/allotments. *Note this will require supervision of the fill compaction by a chartered professional engineer.*
 - d) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the boundary of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.

- e) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the boundary of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
- f) The submission of Completion Certificates from the Contractor and the Engineer advised in Condition (6) for all engineering works completed in relation to or in association with this subdivision (for clarification this shall include all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of a Producer Statement, or the QLDC's Land Development and Subdivision Code of Practice Schedule 1B and 1C Certificate.
- g) All newly constructed foul sewer and stormwater mains shall be subject to a closed circuit television (CCTV) inspection carried out in accordance with the New Zealand Pipe Inspection Manual. A pan tilt camera shall be used and lateral connections shall be inspected from inside the main. The CCTV shall be completed and reviewed by Council before any surface sealing.
- h) All signage shall be installed in accordance with Council's signage specifications and all necessary road markings completed on all public or private roads created by this subdivision.
- i) Road naming shall be carried out, and signs installed, in accordance with Council's road naming policy.
- j) The consent holder shall establish a suitable management organisation which shall be responsible for implementing and maintaining the on-going maintenance of all internal roading, service infrastructure and facilities associated with Lot 102 DP XXXXX.

The legal documents that are used to set up or that are used to engage the management company are to be checked and approved by the Council's solicitors at the consent holder's expense to ensure that all of the Council's interests and liabilities are adequately protected.

- k) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
- l) The completion and implementation of the landscaping and requirements detailed in Condition (11).
- m) The Consent Holder shall enter into a maintenance agreement under S207A of the Local Government Act 2002 Amendment Act, with the QLDC (Parks and Reserves), with the obligation being upon the Consent Holder to fulfil the requirements detailed in (i) to (iv) below. The maintenance period shall be three years from any issue of 224(c):
 - i) All new assets, including irrigation and fencing, shall be kept in good working order and be free of defects or disrepair.
 - ii) Trees and vegetation shall be irrigated and maintained to an acceptable standard as specified by QLDC Parks and Reserves Planning team. It shall be the responsibility of the consent holder to ensure that any new plantings, as shown on the approved landscape plans, that die or decline at any time over the 3-year maintenance period following the initial planting shall be replaced. The replacement plants shall be of the same species, grade and size as the original specimens and planted no later than the following planting season or as instructed by QLDC.
 - iii) The vested Recreation Reserve shall be kept in a tidy condition and shall be free of litter and refuse.
 - iv) Health and safety plans shall be provided for all non-QLDC approved contractors undertaking maintenance in the reserves or road reserves.

Ongoing Conditions/Consent Notices

19. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notice pursuant to s.221 of the Act. The purpose of this condition is to ensure that Lot 102 DP XXXXX shall be owned and managed in conjunction with Lots 88 - 93 DP XXXXX and shall be for providing access and recreational amenities and facilities.
 - a) All lot owners are required to be part of the management entity as required by Condition (18j) of subdivision RM170065. This management entity shall be established and maintained at all times and ensure implementation and maintenance of all internal roading, service infrastructure and facilities associated with the development.
 - b) In the absence of a management company, or in the event that the management entity established is unable to undertake, or fails to undertake, its obligations and responsibilities stated above, then the lot owners shall be responsible for establishing a replacement management entity and, in the interim, the lot owners shall be responsible for undertaking all necessary functions.
20. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notice pursuant to s.221 of the Act.
 - a) At the time a building is erected on the lot, the owner for the time being shall engage a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice to design a stormwater disposal system that is to provide stormwater disposal from all impervious areas within the site. The proposed stormwater system shall be subject to the review of the Manager of Resource Management Engineering at Council prior to implementation and shall be installed prior to occupation of the residential unit. This shall include:
 - i) Percolation testing shall be undertaken at the individual soak pit locations to confirm soakage. A copy of the test results shall be provided to Council and shall be in general accordance with the "Acceptable Solutions and Verification Methods for New Zealand Building Code Clause: E1 Surface Water".
 - ii) The final design and sizing of each soak pit shall be based on the individual percolation test results and provided to Council for acceptance prior to installation of the individual soak pit infrastructure
 - b) At the time a residential unit is constructed the owner for the time being shall construct a sealed vehicle crossing to the site where one was not provided at the time of the underlying subdivision to Council's standards. The design of the vehicle crossing shall be subject to approval by Council under a 'Connection to Council Service Application'. The approval should be obtained and construction of the crossing approved by a Council Inspector prior to occupation of the residential unit.
21. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Title, by way of Consent Notice pursuant to s.221 of the Act.
 - i) All boundary fences along or adjoining any areas of reserve shall be no greater than 1.2 metres in height and shall be no less than 50% visually permeable.

Covenant

22. The Consent Holder shall ensure that a fencing Covenant, required under s6 of the Fencing Act 1978, is registered on all land to ensure that any reserves to vest in QLDC are protected and that Council has no liability to contribute towards any work on a fence between a public reserve vested in or administered by the Council and any adjoining land.

Advice Note

- Prior approval via a Connection to Council Services for a Temporary Water Take is required if Council's water supply is to be utilised for dust suppression during earthworks. This shall include the use of a backflow prevention device to prevent contamination of Council's potable water supply.

For Your Information

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

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

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

B - LAND USE

1. That the development must be undertaken/carried out in accordance with the plans:
 - WH5082-02H Alpine Estates Scheme Plans being Sheets 100, 101, 200, 201, 301, 302, 303, 304, 305 and 306

stamped as approved on 14 September 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.

C - CANCELLATION OF CONSENT NOTICE 5143982.11

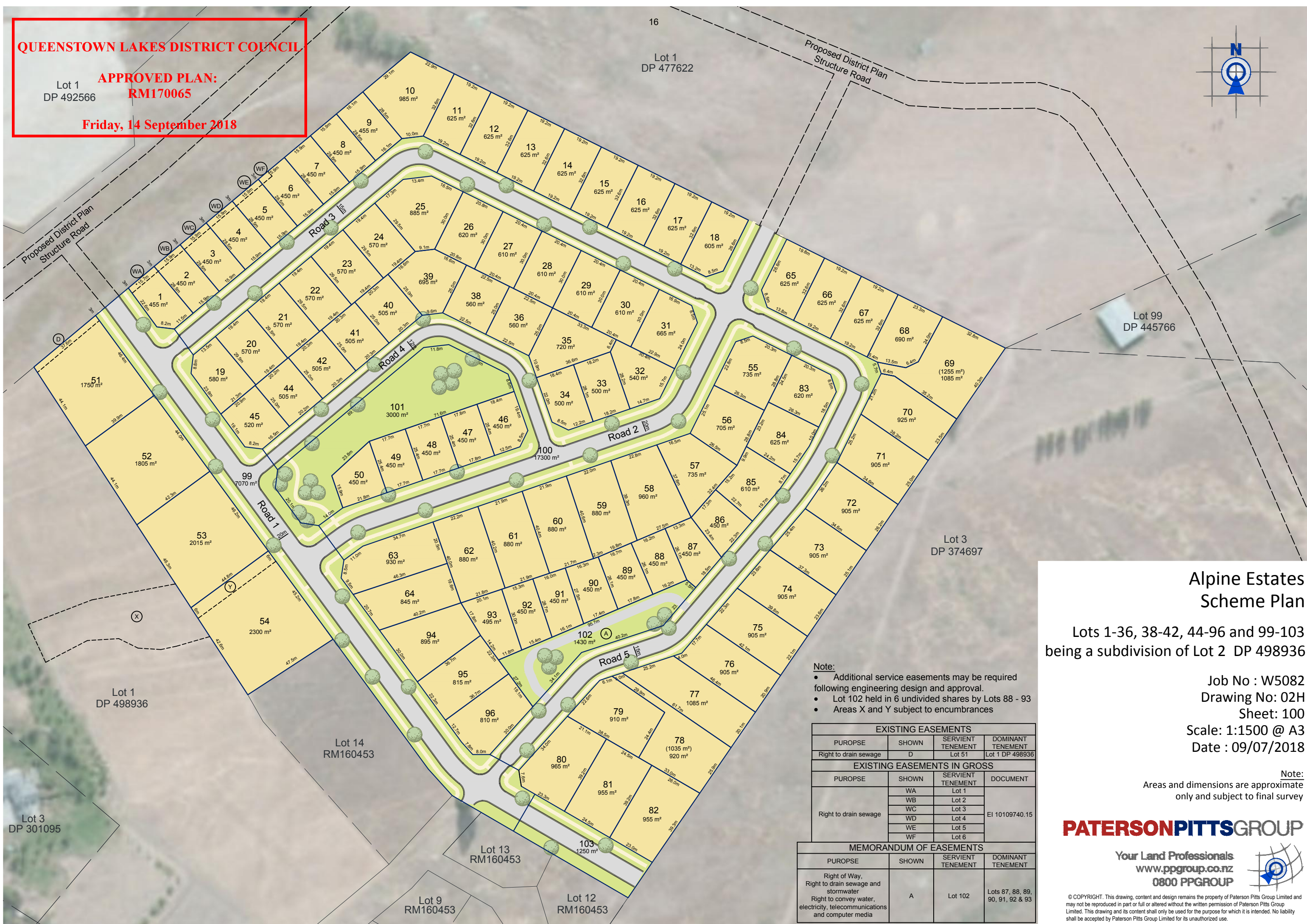
1. This consent notice may be cancelled at the same time or after Section 224 certification has been obtained for the subdivision consented by RM170065.
2. All costs of cancelling the consent notice are to be borne by the consent holder.

QUEENSTOWN LAKES DISTRICT COUNCIL

Lot 1
DP 492566

APPROVED PLAN:
RM170065

Friday, 14 September 2018



Alpine Estates Scheme Plan

Lots 1-36, 38-42, 44-96 and 99-103
being a subdivision of Lot 2 DP 498936

Job No : W5082
Drawing No: 02H
Sheet: 100
Scale: 1:1500 @ A3
Date : 09/07/2018

Note:
Areas and dimensions are approximate
only and subject to final survey

- Note:
- Additional service easements may be required following engineering design and approval.
 - Lot 102 held in 6 undivided shares by Lots 88 - 93
 - Areas X and Y subject to encumbrances

EXISTING EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
Right to drain sewage	D	Lot 51	Lot 1 DP 498936

EXISTING EASEMENTS IN GROSS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOCUMENT
Right to drain sewage	WA	Lot 1	EI 10109740.15
	WB	Lot 2	
	WC	Lot 3	
	WD	Lot 4	
	WE	Lot 5	
	WF	Lot 6	

MEMORANDUM OF EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
Right of Way, Right to drain sewage and stormwater Right to convey water, electricity, telecommunications and computer media	A	Lot 102	Lots 87, 88, 89, 90, 91, 92 & 93

PATERSONPITTSGROUP
Your Land Professionals
www.ppgroup.co.nz
0800 PPGROUP



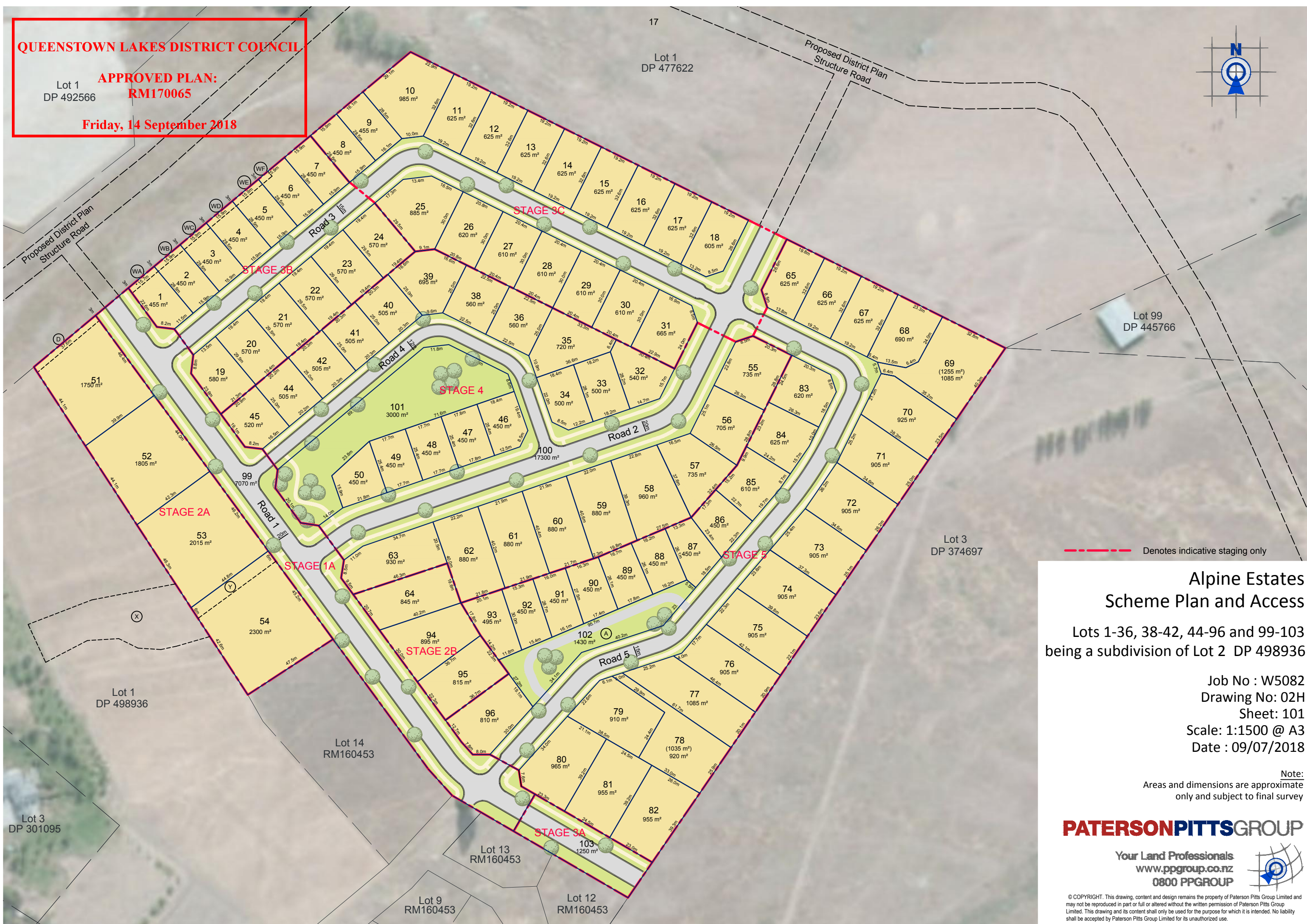
© COPYRIGHT. This drawing, content and design remains the property of Paterson Pitts Group Limited and may not be reproduced in part or full or altered without the written permission of Paterson Pitts Group Limited. This drawing and its content shall only be used for the purpose for which it is intended. No liability shall be accepted by Paterson Pitts Group Limited for its unauthorized use.

QUEENSTOWN LAKES DISTRICT COUNCIL

Lot 1
DP 492566

APPROVED PLAN:
RM170065

Friday, 14 September 2018



Alpine Estates Scheme Plan and Access

Lots 1-36, 38-42, 44-96 and 99-103
being a subdivision of Lot 2 DP 498936

Job No : W5082

Drawing No: 02H

Sheet: 101

Scale: 1:1500 @ A3

Date : 09/07/2018

Note:
Areas and dimensions are approximate
only and subject to final survey

PATERSONPITTSGROUP

Your Land Professionals
www.ppgroup.co.nz
0800 PPGROUP



© COPYRIGHT. This drawing, content and design remains the property of Paterson Pitts Group Limited and may not be reproduced in part or full or altered without the written permission of Paterson Pitts Group Limited. This drawing and its content shall only be used for the purpose for which it is intended. No liability shall be accepted by Paterson Pitts Group Limited for its unauthorized use.

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM170065

Friday, 14 September 2018

NOTES

1. The contractor shall be responsible for locating all existing services prior to commencement of works. The contractor shall make good at their own expense any damage to existing services
2. Levels are in terms of Dunedin Vertical Datum 1958
3. All works are to be installed as per NZS 4404:2004 and QLDC amendments to those standards. Standard drawings are available from the Engineer
4. Contours at 0.5m interval
— Contours (at 1.0m intervals)
— Contours (at 0.5m intervals)

PATERSONPITTSGROUP

Surveying • Planning • Engineering

Your Land Professionals
www.ppgroup.co.nz
0800 PPGROUP



WANAKA
19 Reece Crescent
or P.O. Box 283
Wanaka 9343
T 03 443 0110
E wanaka@ppgroup.co.nz

© COPYRIGHT. This drawing, content and design remains the property of Paterson Pitts Limited Partnership and may not be reproduced in part or full or altered without the written permission of Paterson Pitts Limited Partnership. This drawing and its content shall only be used for the purpose for which it is intended. No liability shall be accepted by Paterson Pitts Limited Partnership for its unauthorized use.

Client & Location:

Alpine Estate Ltd
Wanaka

Purpose & Drawing Title:

Engineering Drawings
Earthworks
Design Contours

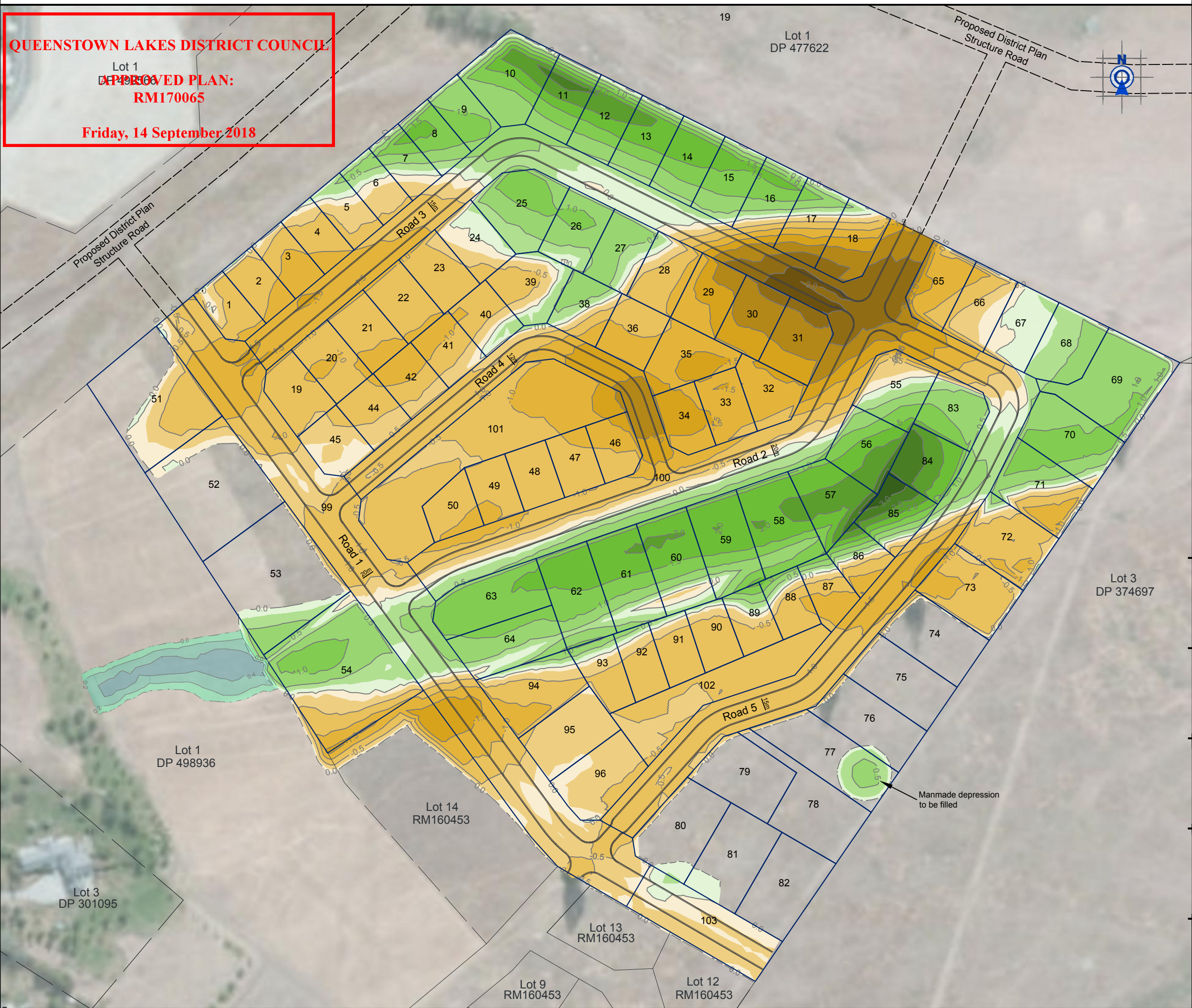
Surveyed by:	-	Original Size:	Scale:
Designed by:	KMG	A3	1:1500 @ A3
Drawn by:	KMG		
Checked by:	KMG		
Approved by:	AGT		
Job No:	W5082	Sheet No:	200
Revision No:	02	Revision No:	H
Date Created:	09/07/2018	Date Created:	09/07/2018

QUEENSTOWN LAKES DISTRICT COUNCIL

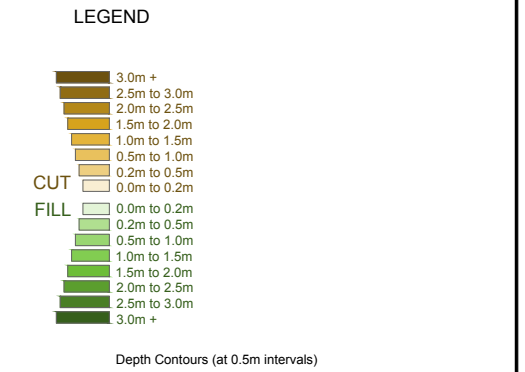
Lot 1
DP 498936

**APPROVED PLAN:
RM170065**

Friday, 14 September 2018



- NOTES
1. The contractor shall be responsible for locating all existing services prior to commencement of works. The contractor shall make good at their own expense any damage to existing services
 2. Levels are in terms of Dunedin Vertical Datum 1958
 3. All works are to be installed as per NZS 4404:2004 and QLDC amendments to those standards. Standard drawings are available from the Engineer
 4. Contours at 0.5m interval



PATERSONPITTSGROUP
Surveying • Planning • Engineering
Your Land Professionals
www.pggroup.co.nz
0800 PPGROUP

WANAKA
19 Reece Crescent
or P.O. Box 283
Wanaka 9343
T 03 443 0110
E wanaka@pggroup.co.nz

© COPYRIGHT. This drawing, content and design remains the property of Paterson Pitts Limited Partnership and may not be reproduced in part or full or altered without the written permission of Paterson Pitts Limited Partnership. This drawing and its content shall only be used for the purpose for which it is intended. No liability shall be accepted by Paterson Pitts Limited Partnership for its unauthorized use.

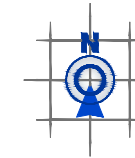
Client & Location:

**Alpine Estate Ltd
Wanaka**

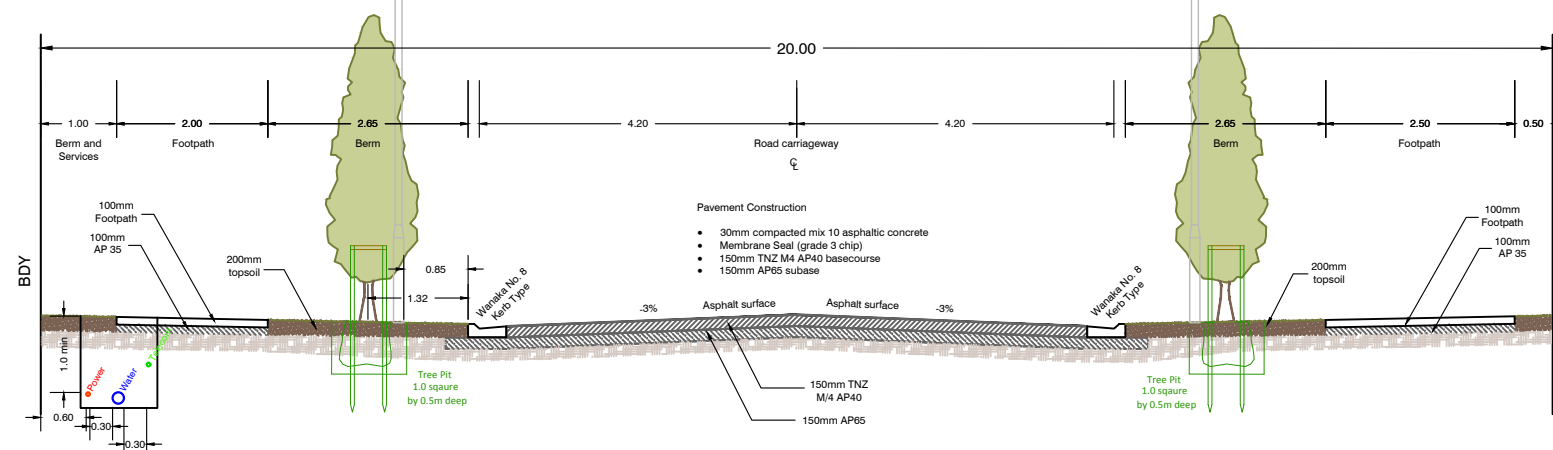
Purpose & Drawing Title:

**Engineering Drawings
Earthworks
Cut Fill Values**

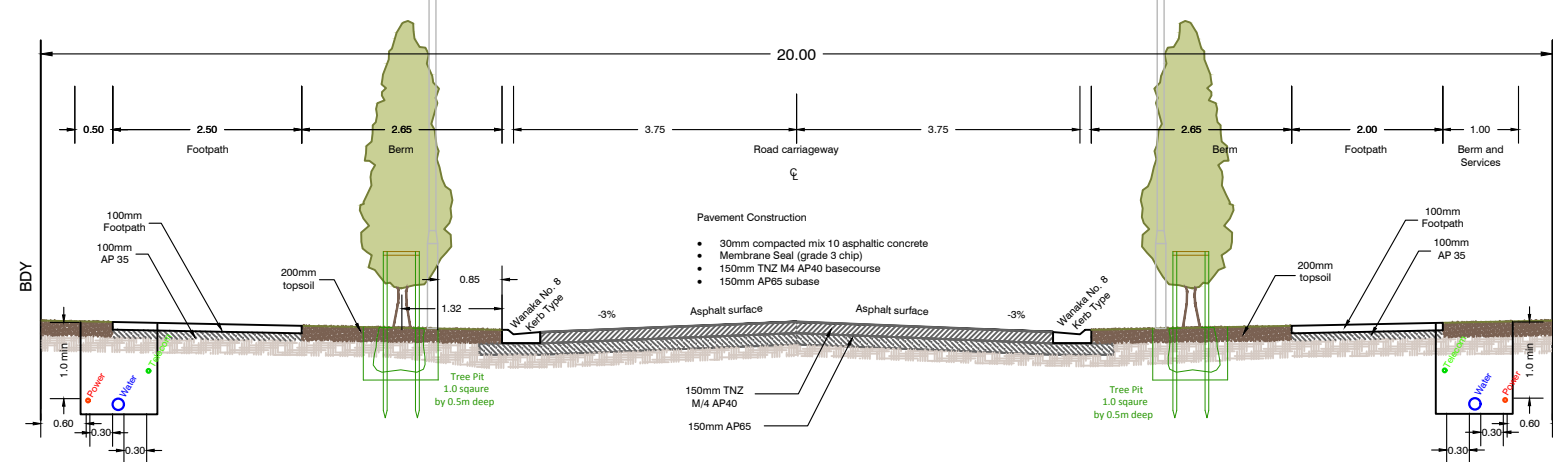
Surveyed by:	-	Original Size: A3	Scale:	
Designed by:	KMG		1:1500 @ A3	
Drawn by:	KMG			
Checked by:	KMG			
Approved by:	AGT		DO NOT SCALE	
Job No: W5082	Drawing No: 02	Sheet No: 201	Revision No: H	Date Created: 09/07/2018



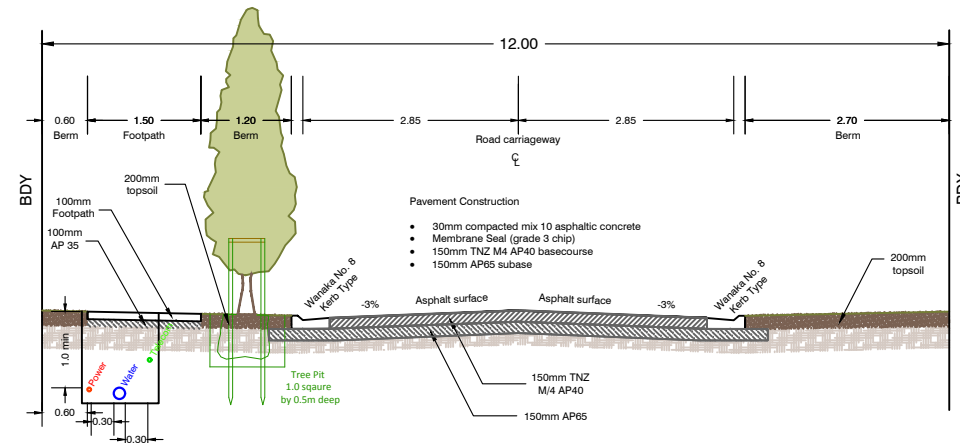
Typical Cross Section - Alpine Estate
8.4m carriageway, 20.0m legal width. Road 1



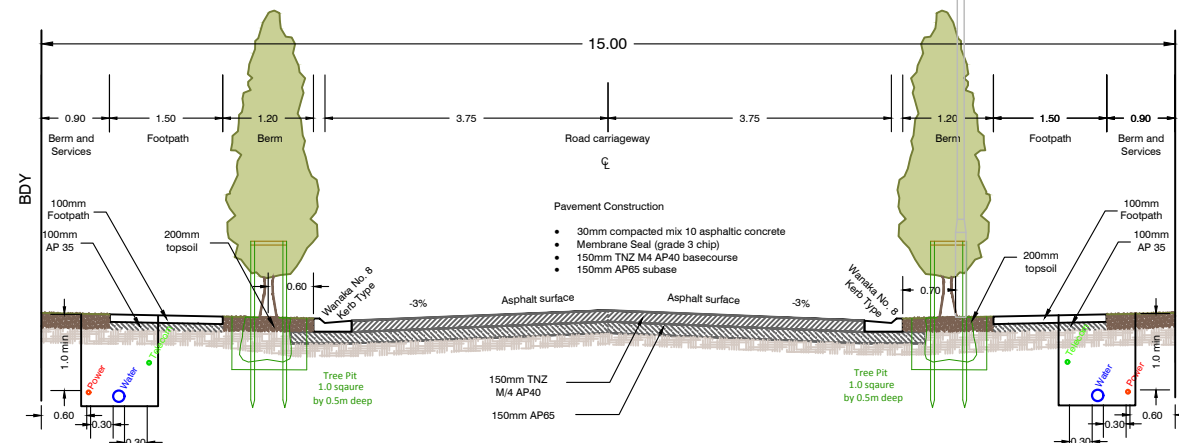
Typical Cross Section - Alpine Estate
7.5m carriageway, 20.0m legal width. Road 2.



Typical Cross Section - Alpine Estate
5.7m carriageway, 12.0m legal width. Road 4.



Typical Cross Section - Alpine Estate
7.5m carriageway, 15.0m legal width. Roads 3 and 5.



NOTES

1. The contractor shall be responsible for locating all existing services prior to commencement of works. The contractor shall make good at their own expense any damage to existing services
2. Levels are in terms of Dunedin Vertical Datum 1958
3. All works are to be installed as per NZS 4404:2004 and QLDC amendments to those standards. Standard drawings are available from the Engineer

PATERSONPITTSGROUP

Surveying • Planning • Engineering

Your Land Professionals
www.ppgroup.co.nz
0800 PPGROUP



WANAKA
19 Reece Crescent
or P.O. Box 283
Wanaka 9343
T 03 443 0110
E wanaka@ppgroup.co.nz

© COPYRIGHT. This drawing, content and design remains the property of Paterson Pitts Limited Partnership and may not be reproduced in part or full or altered without the written permission of Paterson Pitts Limited Partnership. This drawing and its content shall only be used for the purpose for which it is intended. No liability shall be accepted by Paterson Pitts Limited Partnership for its unauthorized use.

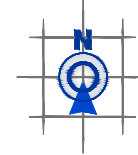
Client & Location:

Alpine Estate Ltd
Wanaka

Purpose & Drawing Title:

Engineering Drawings
Typical Cross Sections

Surveyed by:	-	Original Size:	Scale:
Designed by:	KMG	A3	1:100 @ A3
Drawn by:	KMG		
Checked by:	KMG		
Approved by:	AGT		DO NOT SCALE
Job No:	W5082	Sheet No:	301
Drawing No:	02	Revision No:	H
		Date Created:	09/07/2018



Horiz Curve Data
Vertical Geometry Grade (%)
Vertical Geometry Grade (1 in)
Vertical Grade Length
Vertical Curve Length
Vertical Curve Radius
DATUM R.L.311.00

EXISTING GROUND CENTRELINE LEVEL	327.51	328.68	330.45	331.01	331.04	331.06	331.06	331.00	330.99	331.04	331.15	331.19	331.21	331.18	331.16	331.20	331.27	331.19	330.91	330.69	330.53	330.64	330.64	330.59	330.56	330.48	330.48
+ FILL DEPTH - CUT DEPTH	0.46	-0.22	-1.48	-1.54	-1.12	-1.09	-0.66	-0.28	-0.15	-0.12	-0.14	-0.17	-0.19	-0.19	-0.19	-0.31	-0.43	-0.40	-0.22	-0.10	-0.04	-0.25	-0.35	-0.39	-0.46	-0.49	-0.51
FINISHED LEVEL AT CENTRELINE	327.97	328.47	328.97	329.47	329.92	329.97	330.40	330.72	330.84	330.92	331.01	331.02	331.02	330.99	330.97	330.89	330.85	330.79	330.69	330.59	330.49	330.39	330.29	330.19	330.09	329.99	329.98
CHAINAGE	180.00	190.00	200.00	210.00	218.99	220.00	230.00	240.00	245.39	250.00	260.00	262.99	264.35	270.00	271.79	280.00	284.35	290.00	300.00	310.00	320.00	330.00	340.00	350.00	360.00	370.00	371.46

Hz Scale 1:1000 @ A3
Vert Scale 1:500 @ A3

Alpine Estate Road 1 Longsection

Horiz Curve Data
Vertical Geometry Grade (%)
Vertical Geometry Grade (1 in)
Vertical Grade Length
Vertical Curve Length
Vertical Curve Radius
DATUM R.L.309.00

EXISTING GROUND CENTRELINE LEVEL	326.17	326.38	327.14	327.63	328.62	329.27	329.26	329.49	329.30	329.09	329.01	329.07	328.90	328.19	328.02	328.11	328.12	328.20	328.10	327.45	327.28	326.97	326.96	326.61	326.58	327.02	327.15	327.51	328.68
+ FILL DEPTH - CUT DEPTH	-0.20	-0.24	-0.50	-0.43	-0.98	-1.31	-1.31	-1.31	-1.01	-0.79	-0.73	-0.87	-0.74	-0.18	-0.17	-0.40	-0.56	-0.79	-0.85	-0.34	-0.21	0.05	0.07	0.48	0.56	0.45	0.44	0.46	-0.22
FINISHED LEVEL AT CENTRELINE	325.97	326.14	326.64	327.20	327.64	327.97	327.97	328.19	328.29	328.30	328.28	328.20	328.16	328.01	327.86	327.71	327.56	327.41	327.26	327.11	327.07	327.02	327.02	327.09	327.14	327.48	327.60	327.97	328.47
CHAINAGE	-10.00	-7.54	0.00	10.00	20.00	29.86	30.00	40.00	50.00	54.06	60.00	67.26	70.00	80.00	90.00	100.00	110.00	120.00	130.00	140.00	142.56	149.48	150.00	157.56	160.00	170.00	172.56	180.00	190.00

Hz Scale 1:1000 @ A3
Vert Scale 1:500 @ A3

Alpine Estate Road 1 Longsection

NOTES

1. The contractor shall be responsible for locating all existing services prior to commencement of works. The contractor shall make good at their own expense any damage to existing services
2. Levels are in terms of Dunedin Vertical Datum 1958
3. All works are to be installed as per NZS 4404:2004 and QLDC amendments to those standards. Standard drawings are available from the Engineer

PATERSONPITTSGROUP
Surveying • Planning • Engineering
Your Land Professionals
www.pggroup.co.nz
0800 PPGROUP

WANAKA
19 Reece Crescent
or P.O. Box 283
Wanaka 9343
T 03 443 0110
E wanaka@pggroup.co.nz

© COPYRIGHT. This drawing, content and design remains the property of Paterson Pitts Limited Partnership and may not be reproduced in part or full or altered without the written permission of Paterson Pitts Limited Partnership. This drawing and its content shall only be used for the purpose for which it is intended. No liability shall be accepted by Paterson Pitts Limited Partnership for its unauthorized use.

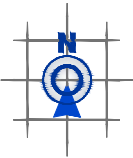
Client & Location:

Alpine Estate Ltd
Wanaka

Purpose & Drawing Title:

Engineering Drawings
Road 1
Longsection

Surveyed by:	-	Original Size:	Scale:
Designed by:	KMG	A3	1:100 @ A3
Drawn by:	KMG		
Checked by:	KMG		
Approved by:	AGT		DO NOT SCALE
Job No:	W5082	Sheet No:	302
Revision No:	02	Revision No:	H
Date Created:	09/07/2018		



Horiz Curve Data
Vertical Geometry Grade (%)
Vertical Geometry Grade (1 in)
Vertical Grade Length
Vertical Curve Length
Vertical Curve Radius
DATUM R.L.306.00

EXISTING GROUND CENTRELINE LEVEL	325.63	325.83	326.15	326.32	326.77	327.18	327.57	327.71	327.75	327.77	327.72	327.26	326.81	326.65	325.20	323.72	323.64	323.14
+ FILL DEPTH - CUT DEPTH	0.05	-0.23	-0.61	-0.81	-1.34	-1.83	-2.31	-2.53	-2.66	-2.72	-2.72	-2.47	-2.23	-2.17	-1.15	-0.18	-0.14	0.12
FINISHED LEVEL AT CENTRELINE	325.68	325.60	325.54	325.51	325.43	325.35	325.26	325.18	325.09	325.05	325.00	324.80	324.58	324.48	324.05	323.54	323.50	323.26
CHAINAGE	180.00	190.00	197.18	200.00	210.00	220.00	230.00	240.00	250.00	255.10	260.00	270.00	277.25	280.00	290.00	299.40	300.00	304.01

Hz Scale 1:1000 @ A3
Vert Scale 1:500 @ A3

Alpine Estate Road 2 Longsection

Horiz Curve Data
Vertical Geometry Grade (%)
Vertical Geometry Grade (1 in)
Vertical Grade Length
Vertical Curve Length
Vertical Curve Radius
DATUM R.L.309.00

EXISTING GROUND CENTRELINE LEVEL	326.86	326.80	326.79	326.80	326.85	326.84	326.84	326.92	326.90	326.90	326.84	326.77	326.75	326.80	326.63	326.49	326.42	326.38	326.36	326.33	326.28	326.15	325.98	325.82	325.68	325.63	325.83	326.15	326.32
+ FILL DEPTH - CUT DEPTH	0.16	0.07	-0.04	-0.05	-0.16	-0.17	-0.18	-0.31	-0.31	-0.34	-0.33	-0.31	-0.34	-0.24	-0.21	-0.22	-0.21	-0.22	-0.23	-0.22	-0.26	-0.21	-0.13	-0.06	0.02	0.05	-0.23	-0.61	-0.81
FINISHED LEVEL AT CENTRELINE	327.02	326.86	326.75	326.74	326.69	326.66	326.66	326.62	326.59	326.57	326.51	326.46	326.41	326.37	326.32	326.26	326.21	326.16	326.13	326.10	326.02	325.93	325.85	325.77	325.71	325.68	325.60	325.54	325.51
CHAINAGE	0.00	5.36	10.00	10.36	15.36	20.00	20.95	30.00	35.95	40.00	50.00	60.00	70.00	80.00	90.00	100.00	110.00	120.00	126.18	130.00	140.00	150.00	160.00	170.00	177.18	180.00	190.00	197.18	200.00

Hz Scale 1:1000 @ A3
Vert Scale 1:500 @ A3

Alpine Estate Road 2 Longsection

NOTES

1. The contractor shall be responsible for locating all existing services prior to commencement of works. The contractor shall make good at their own expense any damage to existing services
2. Levels are in terms of Dunedin Vertical Datum 1958
3. All works are to be installed as per NZS 4404:2004 and QLDC amendments to those standards. Standard drawings are available from the Engineer

PATERSONPITTSGROUP

Surveying • Planning • Engineering

Your Land Professionals
www.pggroup.co.nz
0800 PPGROUP



WANAKA
19 Reece Crescent
or P.O. Box 283
Wanaka 9343
T 03 443 0110
E wanaka@pggroup.co.nz

© COPYRIGHT. This drawing, content and design remains the property of Paterson Pitts Limited Partnership and may not be reproduced in part or full or altered without the written permission of Paterson Pitts Limited Partnership. This drawing and its content shall only be used for the purpose for which it is intended. No liability shall be accepted by Paterson Pitts Limited Partnership for its unauthorized use.

Client & Location:

**Alpine Estate Ltd
Wanaka**

Purpose & Drawing Title:

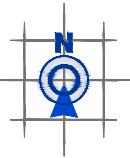
**Engineering Drawings
Road 2
Longsection**

Surveyed by:	-	Original Size: A3	Scale: 1:100 @ A3	
Designed by:	KMG			
Drawn by:	KMG			
Checked by:	KMG		DO NOT SCALE	
Approved by:	AGT			
Job No: W5082	Drawing No: 02	Sheet No: 303	Revision No: H	Date Created: 09/07/2018

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM170065

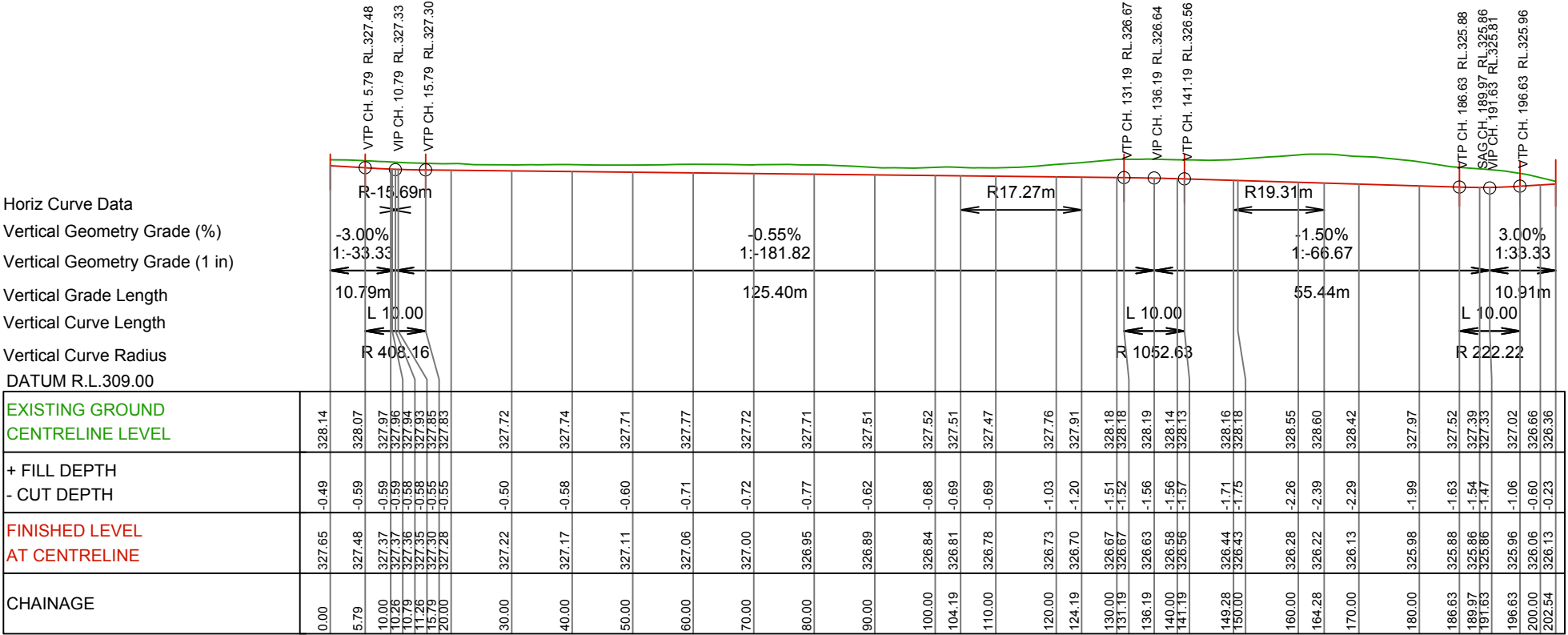
Friday, 14 September 2018



NOTES

- 1. The contractor shall be responsible for locating all existing services prior to commencement of works. The contractor shall make good at their own expense any damage to existing services
- 2. Levels are in terms of Dunedin Vertical Datum 1958
- 3. All works are to be installed as per NZS 4404:2004 and QLDC amendments to those standards. Standard drawings are available from the Engineer

Horiz Curve Data
Vertical Geometry Grade (%)
Vertical Geometry Grade (1 in)
Vertical Grade Length
Vertical Curve Length
Vertical Curve Radius
DATUM R.L.309.00



Hz Scale 1:1000 @ A3
Vert Scale 1:500 @ A3

Alpine Estate Road 4 Longsection

PATERSONPITTSGROUP
Surveying • Planning • Engineering
Your Land Professionals
www.ppgroup.co.nz
0800 PPGROUP

WANAKA
19 Reece Crescent
or P.O. Box 283
Wanaka 9343
T 03 443 0110
E wanaka@ppgroup.co.nz

© COPYRIGHT. This drawing, content and design remains the property of Paterson Pitts Limited Partnership and may not be reproduced in part or full or altered without the written permission of Paterson Pitts Limited Partnership. This drawing and its content shall only be used for the purpose for which it is intended. No liability shall be accepted by Paterson Pitts Limited Partnership for its unauthorized use.

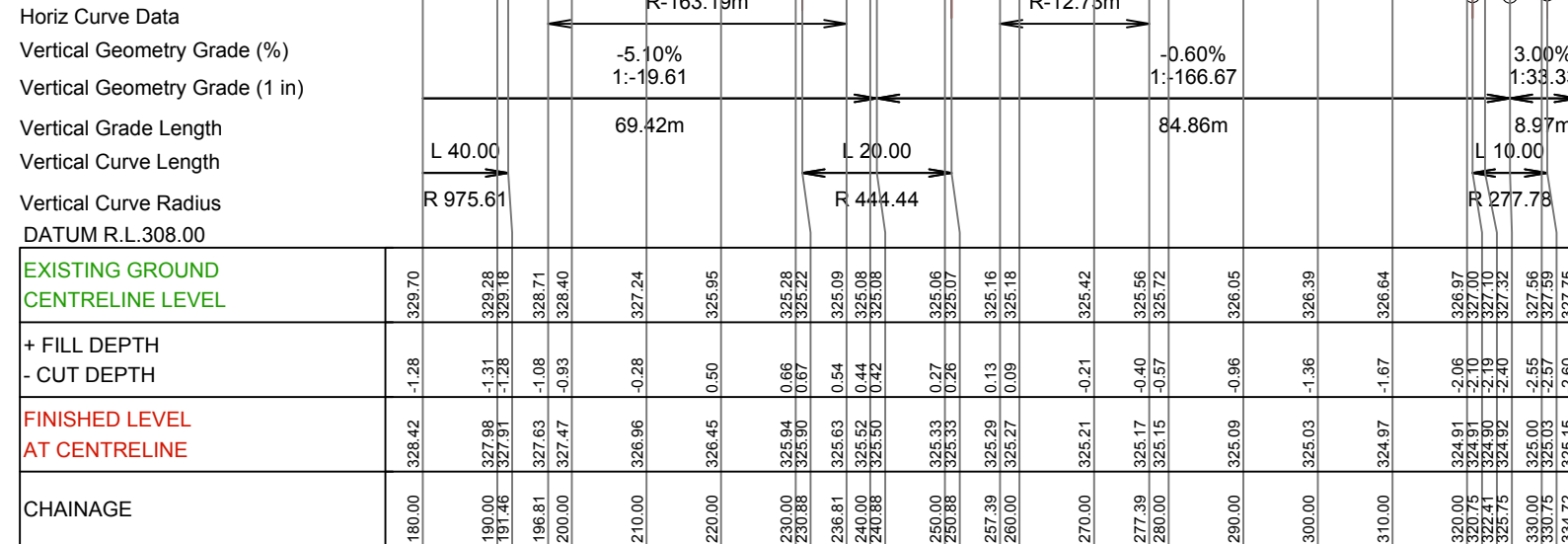
Client & Location:
**Alpine Estate Ltd
Wanaka**

Purpose & Drawing Title:
**Engineering Drawings
Road 4
Longsection**

Surveyed by:	-	Original Size: A3	Scale:	
Designed by:	KMG		1:100 @ A3	
Drawn by:	KMG			
Checked by:	KMG			
Approved by:	AGT		DO NOT SCALE	
Job No:	Drawing No:	Sheet No:	Revision No:	Date Created:
W5082	02	305	H	09/07/2018

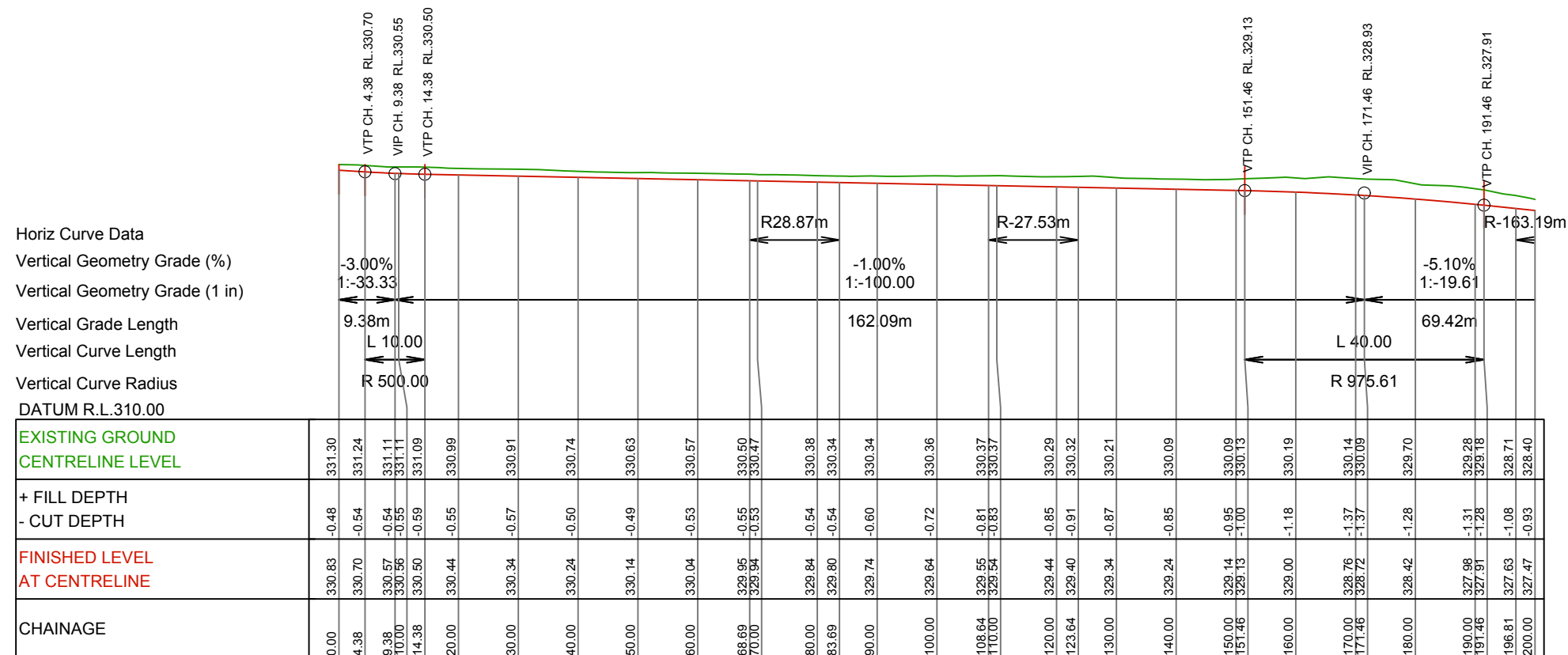
**APPROVED PLAN:
RM170065**

Friday, 14 September 2018



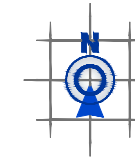
Hz Scale 1:1000 @ A3
Vert Scale 1:500 @ A3

Alpine Estate Road 5 Longsection



Hz Scale 1:1000 @ A3
Vert Scale 1:500 @ A3

Alpine Estate Road 5 Longsection



NOTES

1. The contractor shall be responsible for locating all existing services prior to commencement of works. The contractor shall make good at their own expense any damage to existing services
2. Levels are in terms of Dunedin Vertical Datum 1958
3. All works are to be installed as per NZS 4404:2004 and QLDC amendments to those standards. Standard drawings are available from the Engineer

PATERSONPITTSGROUP
Surveying • Planning • Engineering
Your Land Professionals
www.ppgroup.co.nz
0800 PPGROUP



WANAKA
19 Reece Crescent
or P.O. Box 283
Wanaka 9343
T 03 443 0110
E wanaka@ppgroup.co.nz

Client & Location:

Alpine Estate Ltd
Wanaka

Purpose & Drawing Title:

Engineering Drawings
Road 5
Longsection

Surveyed by:	-	Original Size:	Scale:
Designed by:	KMG		
Drawn by:	KMG		
Checked by:	KMG		
Approved by:	AGT		
		A3	1:100 @ A3
		DO NOT SCALE	
Job No:	Drawing No:	Sheet No:	Revision No:
W5082	02	306	H
			Date Created:
			09/07/2018

APPENDIX 2

Section 42A Report

FILE REF: RM170065

TO Quinn McIntyre, Manager Resource Consents

FROM Wendy Baker, Consultant Planner

SUBJECT Report on a Publicly Notified Consent Application.

SUMMARY

Applicant: Alpine Estate Limited

Location: Cardrona Valley Road, Wanaka

Proposal: Subdivision consent for a 94-lot subdivision
Land use consent for access to allotments
Cancellation of Consent Notice 5143982.11

Legal Description: Lot 2 DP 498936

Operative Plan Zoning: Rural General Zone

Proposed Plan Zoning: Lower Density Suburban Residential (Stage 1 decisions)

Public Notification Date: 12 April 2018

Closing Date for Submissions: 11 May 2018

Submissions: 1 in opposition to the application, which has since been withdrawn

RECOMMENDATION

(ii) That subject to new or additional evidence being presented at the Hearing, the application for subdivision, land use and cancellation of consent notice be GRANTED pursuant to Section 104 of the Resource Management Act 1991 (the RMA) for the following reasons:

1. It is considered that the adverse effects of the activity will be minor for the following reasons:

The proposed subdivision will have positive effects in terms of providing suitable residential allotments for future residents.

Any adverse effects in terms of the allotment size are adequately avoided, remedied or mitigated.

The proposal will be appropriately serviced and accessed.

The temporary effects of subdivision works will be managed to avoid adverse effects beyond the site boundaries.

The proposed earthworks will not result in groundlevel changes that will adversely affect any neighbouring allotments.

2. The proposal is consistent with the relevant objectives and policies of the District Plan for the following reasons:

The proposal is consistent with the residential outcomes sought in the Lower Density Suburban Residential zone.

The proposal achieves all the outcomes sought for a residential subdivision in terms of managing and providing for servicing, hazards, temporary effects and amenity.

3. The proposal promotes the overall purpose of the RMA.

1. INTRODUCTION

My name is Wendy Baker. I am an Independent Resource Management Consultant and certified Independent RMA Hearings Commissioner based in Arrowtown. I am a Full Member of the New Zealand Planning Institute.

I have worked in the resource management field in New Zealand for around 13 years and prior to that in policy planning in The Netherlands for some 5 years. I hold the qualification of a Masters of Science from the Vrije Universiteit in Amsterdam, The Netherlands.

Between 2004 and 2013, I was employed by Civic Corporation Limited (CivicCorp) and its successor Lakes Environmental Limited (Lakes) in roles of Policy Planner, Resource Consents Planner and Resource Consents Team Leader. CivicCorp and Lakes were at that time charged with performing regulatory functions under the Resource Management Act, including processing resource consents, on behalf of Queenstown Lakes District Council.

From 2013 until January 2017 I held the position of Resource Consents Team Leader at Christchurch City Council.

I confirm I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Consolidated Practice Note 2014 and agree to comply with it. In that regard I confirm that this evidence is written within my area of expertise, except where otherwise stated, and that I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

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

2. PROPOSAL AND SITE DESCRIPTION

A copy of the application and accompanying assessment of effects and supporting reports can be found in the 'Application' section of the Agenda.

I refer the Commission to the report entitled, '*Application for resource consent 94-lot subdivision, Lot 2 DP 498936, Alpine Estate Limited*', prepared jointly by Paterson Pitts and Property Group Limited contained in the application as notified, and hereon referred to as the applicant's AEE.

In summary, the applicant is seeking to undertake a 94 Lot residential subdivision, with one reserve to vest (Lot 101), one access reserve (Lot 102), six roads to vest (Roads 1-5 and Lot 103) and associated earthworks.

The applicant has provided a detailed description of the proposal in Section 3 of the applicant's AEE. This description is adopted for the purpose of this report with the following additions:

- Approval has been granted for the formation of Road 1 (Stage 1 in this application) under RM170329 which is attached as Appendix 10 to this report.
- The decisions on Stage 1 of the Proposed District Plan have been notified and the appeal period has closed. As a consequence the subject site is rezoned to Lower Density Suburban Residential and this rezoning is beyond appeal. For this reason the Applicant is no longer seeking the landuse component of this application for the construction as per the email of 11 September 2018 appended to this report as Appendix 6. I note that landuse consent is still required for breach distance from intersections and the sight distances from some driveways.
- Amendments have been made to the earthworks and stormwater details. Of relevance approval from the neighbouring landowner (Jim Ledgerwood has been submitted in conjunction with this amendment. And the submitter (Orchard Road Holdings Limited) has provided an email confirming that this change is acceptable to them. These are appended to this report as Appendices 7 and 8.
- The Wanaka Community Board resolved to vest Lot 102 on 1 March 2018 (Appendix 9).

- The cancellation of Consent Notice 5143982.11 which is currently registered on the Computer Freehold register has been added to the application as a consequential effect of the subdivision. The Applicant has requested this in an email of 12 September 2018 which is appended as Appendix 5.

The subject site is located on the fringes of Wanaka and is currently vacant and sown in pasture. It is hummocky in topography with some channels and a general slope to the north.

3. CONSULTATION AND WRITTEN APPROVALS

The following persons have provided their written approval and as such adverse effects on these parties have been disregarded.

Person (owner/occupier)	Address (location in respect of subject site)
Jim Ledgerwood	Lot 1 DP 498936 and Lot 3 DP 301095

4. PLANNING FRAMEWORK

4.1 THE DISTRICT PLAN

At the time the application was lodged (January 2017), the subject site was zoned Rural General and in accordance with Section 88A the application continues to be processed, considered and decided as an application for the type of activity that it was on the day it was first lodged. In this case the applicable rules and zoning have changed considerably. The rules as they applied at lodgement are set out in the AEE in Section 4.1. This is in respect of the proposal including land use consent for dwelling construction. I have set out below the rules as they would have applied to the proposal as it is now to be determined both at the time of lodgement and the rules as they would apply if the application were lodged today.

As set out below the proposal is to be considered as a **non-complying** activity.

4.1.1 RULES AT LODGEMENT

The subject site is zoned Rural General and resource consent is required for the following reasons.

Operative District Plan (ODP)

Subdivision

- A **discretionary** activity resource consent pursuant to Rule 15.2.3.3vi for the proposed subdivision. Noting that earthworks associated with subdivision are exempt from the Rules in chapter 22.
- A **non-complying** activity resource consent pursuant to Rule 15.2.3.4 as the proposal breaches zone standard 15.2.6.3 iii(b) as building platforms are not being identified on the proposed allotments

Land use

- A **restricted discretionary** activity resource consent pursuant to Rule 14.2.2.3ii as the proposal breaches site standards 14.2.4.2vi and iv. for the construction of site access driveways in respect of setback distances from intersections and sight distances respectively for Lots 1, 25, 31, 34, 46, 66 & 83 and Lots 18, 19, 45, 51, 52, 53, 54, 55, 59, 60, 61, 63, 65, 80 & 96. Council's discretion is restricted to these matters.

Proposed District Plan (PDP)

No relevant rules in the PDP had legal effect at this time.

Resource Management Act 1991

Cancellation of CN

- A **discretionary** activity consent pursuant to 87B in accordance with Section 221 of the RMA which specifies a cancellation of a consent notice shall be processed in accordance with Sections 88 to 121 and 127(4) to 132

4.1.2 RULES CURRENT

The subject site is zoned Rural General in the ODP and Lower Density Residential in the PDP. Resource consent is required for the following reasons.

Operative District Plan (ODP)

Subdivision

- A **discretionary** activity resource consent pursuant to Rule 15.2.3.3vi for the proposed subdivision. Noting that earthworks associated with subdivision are exempt from the Rules in chapter 22.
- A **non-complying** activity resource consent pursuant to Rule 15.2.3.4 as the proposal breaches zone standard 15.2.6.3 iii(b) as building platforms are not being identified on the proposed allotments

Land use

- A **restricted discretionary** activity resource consent pursuant to Rule 14.2.2.3ii as the proposal breaches site standards 14.2.4.2vi and iv. for the construction of access driveways in respect of setback distances from intersections and sight distances respectively for Lots 1, 25, 31, 34, 46, 66 & 83 and Lots 18, 19, 45, 51, 52, 53, 54, 55, 59, 60, 61, 63, 65, 80 & 96. Council's discretion is restricted to these matters.

Proposed District Plan (PDP)

Subdivision

- A **restricted discretionary** activity resource consent pursuant to Rule 27.5.7 for all subdivision in the Lower Density Residential zone with discretion restricted to
 - a. subdivision design and any consequential effects on the layout of lots and on lot sizes and dimensions;
 - b. Internal roading design and provision relating to access to and service easements for future subdivision on adjoining land, and any consequential effects on the layout of lots, and on lot sizes and dimensions;
 - c. property access and roading;
 - d. esplanade provision;
 - e. the adequacy of on site measures to address the risk of natural and other hazards on land within the subdivision;
 - f. fire fighting watersupply;
 - g. water supply;
 - h. stormwater design and disposal;
 - i. sewage treatment and disposal;
 - j. energy supply and telecommunications, including adverse effects on energy supply and telecommunication networks;
 - k. open space and recreation;
 - l. ecological and natural values;
 - m. historic heritage;
 - n. easements

Scope of appeals: This rule is subject to appeals seeking to amend activity status to Controlled

Appeal ENV-2018-CHC-115 relating to Rule 27.5.19 and Standard 27.6.1 is also of relevance in terms of the scope of change that may occur to the Decisions version of the PDP. The Standard relates to minimum allotment size. The decision sets this at 450m²; the appeal seeks that this be amended to a minimum of 700m² in the Lower Density Suburban Residential zone. This appeal is relevant to the weighting given to the various provisions and the appeal is attached as Appendix 11. The appeal does not extend to the provisions of Chapter 7 which include a minimum built density of one dwelling per 450m² and therefore those provision which relate to land use are considered to have legal effect. I note that the annotated appeals version produced by Council lists some parts of Section 7 as consequentially affected by the appeal as below. This is not considered correct as there is no scope within the appeal to extend beyond the minimum allotment size to the density provisions. I have discussed this with Senior Policy Planner Craig Barr and he concurs with my assessment.

Rule 27.6.1 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Rule 27.6.1 to provide for a minimum lot size of 700m ² in the Lower Density Suburban Residential Zone.	Willowridge Developments Limited ENV-2018-CHC-115	Rule 27.7.14, Section 7.1, Policy 7.2.3.1, Rule 7.4.3, Rule 7.4.7

Cancellation of CN

- A **discretionary** activity consent pursuant to 87B in accordance with Section 221 of the RMA which specifies a cancellation of a consent notice shall be processed in accordance with Sections 88 to 121 and 127(4) to 132

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

Based on the Preliminary Site Investigation prepared on behalf of the applicant the piece of land to which this application relates is not a HAIL site, and therefore the NES does not apply.

5. STATUTORY CONSIDERATIONS

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

Subject to Part 2 of the RMA, 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 standards;*
 - (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.*

In addition, Section 104D (Particular Restrictions on non-complying activity) states that:

- (1) *Despite any decision made for the purpose of section 95A(2)(a) in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either –*

- (a) *the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or*
- (b) *the application is for an activity that will not be contrary to the objectives and policies of-*
 - (i) *the relevant plan, if there is a plan but no proposed plan in respect of the activity; or*
 - (ii) *the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or*
 - (iii) *both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.*

Section 106 is relevant to all subdivision applications and reads:

- (1) *A consent authority may refuse to grant a subdivision consent, or may grant a subdivision consent subject to conditions, if it considers that—*
 - (a) *there is a significant risk from natural hazards; or*
 - (b) *[Repealed]*
 - (c) *sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision.*
- (1A) *For the purpose of subsection (1)(a), an assessment of the risk from natural hazards requires a combined assessment of—*
 - (a) *the likelihood of natural hazards occurring (whether individually or in combination); and*
 - (b) *the material damage to land in respect of which the consent is sought, other land, or structures that would result from natural hazards; and*
 - (c) *any likely subsequent use of the land in respect of which the consent is sought that would accelerate, worsen, or result in material damage of the kind referred to in paragraph (b).*
- (2) *Conditions under subsection (1) must be—*
 - (a) *for the purposes of avoiding, remedying, or mitigating the effects referred to in subsection (1); and*
 - (b) *of a type that could be imposed under section 108*

The application must also be assessed with respect to the purpose of the RMA which is to promote the sustainable management of natural and physical resources.

Section 108 and 220 empower the Consent Authority to impose conditions on a resource consent.

6. INTERNAL REPORTS

The following reports have been prepared on behalf of QLDC and are attached as Appendices 3 and 4.

- Reserves – Aaron Burt, Senior Parks & Reserves Planner
- Engineering – Lyn Overton, Senior Land Development Engineer

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

7. ASSESSMENT

7.1 CONTEXT

In this case the subject site is irrevocably rezoned to Lower Density Suburban Residential – i.e. there is no scope within the appeals to the Stage 1 decisions for this zoning to change or revert to Rural General. For that reason I consider that it is appropriate to assess this proposal in the context of the purpose of the Lower Density Suburban Residential zone which is set out in paragraph 7.1 and copied below. Noting that that purpose is subject to the earlier mentioned appeal in relation to the minimum allotment size of 450m² versus 700m².

The Lower Density Suburban Residential Zone is the largest residential zone in the District. The District Plan includes such zoning that is within the urban growth boundaries, and includes land that has already been developed - as well as areas that will continue to be developed over time.

Fundamentally the zone provides for both traditional and modern suburban densities and housing forms. Houses will typically be one to two storeys in height, detached and set on sites between 450 and 1000 square metres in area. In addition, and to help meet the needs of the community, the zone also enables increased density by allowing sites down to 300 square metres in area and larger comprehensively designed developments. In addition, non-subdividable residential flats that can be occupied by an independent household are enabled. The overall range of net household densities (including residential flats) could be as high as 1 unit per 150 square metres or as low as 1 unit per 1,000 square metres (or even less). The zone will help to provide a more diverse and affordable housing stock within the District.

Community activities are anticipated in the zone provided adverse effects can be suitably addressed, as these activities are often best located within the residential communities they serve. Home occupations are also provided for.

Commercial activities are generally not anticipated other than those that are residential-compatible and small-scale, however may be accommodated where necessary to address a demonstrated local need provided residential amenity is not compromised.

In this context, the matters usually traversed for a subdivision of this scale in the Rural General zone of the ODP are not relevant and for that reason have not been included in this assessment.

7.2 EFFECTS ON THE ENVIRONMENT

7.2.1 The Permitted Baseline

Any subdivision or dwelling requires a resource consent. Therefore I consider that there is no relevant permitted baseline.

7.2.2 Actual and Potential Effects on the Environment

Given the limited scope of the relevant appeals I consider that only the following matters are relevant, although I note that Council's discretion is unrestricted as this is an application for a non-complying activity.

- a. subdivision design and any consequential effects on the layout of lots and on lot sizes and dimensions;
- b. Internal roading design and provision relating to access to and service easements for future subdivision on adjoining land, and any consequential effects on the layout of lots, and on lot sizes and dimensions;
- c. property access and roading;
- d. esplanade provision;
- e. the adequacy of on site measures to address the risk of natural and other hazards on land within the subdivision;
- f. fire fighting watersupply;
- g. water supply;
- h. stormwater design and disposal;
- i. sewage treatment and disposal;
- j. energy supply and telecommunications, including adverse effects on energy supply and telecommunication networks;
- k. open space and recreation;
- l. ecological and natural values;
- m. historic heritage;
- n. easements

- o. effects resulting from reduced setback distances from intersections for Lots 1, 25, 31, 34, 46, 66 & 83
- p. effects resulting from reduced sight distances for Lots 18, 19, 45, 51, 52, 53, 54, 55, 59, 60, 61, 63, 65, 80 & 96
- q. earthworks
- r. positive effects

I assess each of the above matters in turn below:

a. Subdivision design and any consequential effects on the layout of lots and on lot sizes and dimensions

The subdivision design allows for all allotments to have a buildable area of 15m x 15m. All allotments have a minimum net area of 450m² which in combination with the mildly sloping topography will allow for future dwellings to be oriented for good solar gain, and also allows sufficient space for gardens, outdoor living, parking and storage on site.

Of relevance here is that the appeal to the PDP seeks a larger minimum allotment size of 700m². This would result in a more spacious residential environment with consequentially likely larger dwellings and more planting and landscaping. The effects of the decreased size will be most noticeable within the subdivision but also on the perimeters. The allotments adjoining the neighbouring site to the southeast being Lot 3 DP 37497 which is owned by Orchard Road Holdings Limited (submission that was withdrawn) are all over 900m². Equally the allotments adjoining the land to the southwest, Lot 1 DP 498936 owned by Jim Ledgerwood, are all well over 900m². I consider that the reduced allotment size will therefore not affect the amenity of the current or future users of those pieces of land. There are smaller (under 750m²) allotments to the northwest and northeast (Lot 1 DP 477622). The owner of this site is seeking consents for similar levels of development and the proposals are considered to complement each other. The owner was also served notice of this application and did not submit on the proposal. For these reasons the proposal is not considered to have any adverse effects on the current or future users of Lot 1 DP 477622.

The proposed earthworks across the site are of relevance in terms of the subdivision design, however they are addressed under q. below.

I consider the lot sizes and dimensions are appropriate for the site and for the future intended uses and do not significantly adversely affect any surrounding property.

b. Internal roading design and provision relating to access to and service easements for future subdivision on adjoining land, and any consequential effects on the layout of lots, and on lot sizes and dimensions and c. Property access and roading

All allotments are provided direct road access except for lots 88-93. Lots 88-93 will access via Lot 102 which is a private right of way adjacent Road 5 and is similar in terms of effects and streetscape to direct access. Lot 102 will be held in joint ownership by the owners of Lots 88-93. A management company will be required to ensure the road is adequately maintained and a condition is recommended to ensure this occurs.

Connections have been provided to neighbouring allotments which are likely to be developed in the future. This is considered to appropriately provide for future linkages and alternative routes. The Applicant submitted a traffic assessment and further comments by Barlett Consulting which have been peer reviewed by Council's Consultant Traffic Engineers Stantec. Stantec have confirmed that they concur with the findings. Council's Land Development Engineer Lyn Overton has adopted the report and is satisfied that the roading layout is appropriate subject to the conditions set out in the Bartlett report. She recommends that these conditions are included in any consent issues. I have included them in the recommended conditions in Appendix 1 and I accept Ms Overton's expert advice that the internal roading design and access is appropriate.

As a consequence of the lot design and road layout a number of allotments will not be able to locate access onto their properties such that it complies with the provisions of Part 14 (Transport) of the ODP in terms of either setback from intersections or sight distances. These matters are considered separately later on in this assessment. Aside from those matters, I consider that the proposed internal roading layout and access arrangements will not result in any adverse effects.

d. Esplanade provision

There are no waterbodies of sufficient size to warrant any esplanades being provided.

e. The adequacy of on site measures to address the risk of natural and other hazards on land within the subdivision

The subject site is located within the LIC1 liquefaction hazard area identified on the QLDC Hazard Register Maps showing a risk of nil to low. Ms Overton has advised that standard foundations as will be required at the time of building consent for any dwellings will adequately address this risk. I adopt her advice and rely on it for the purposes of this report and on that basis I conclude that this hazard will not be exacerbated or affected in any way by the proposal.

There is also a large overland flow path located centrally across the site. The subdivision has been designed to accommodate this flow path and it has been assessed by Mt Iron Geodril for the applicant. This assessment has been reviewed by Ms Overton and she accepts that there is no flooding risk associated with the proposal.

No further hazards have been identified and I conclude that natural hazards will be appropriately managed within the site.

f. Fire fighting watersupply; g. Water supply; h. Stormwater design and disposal; i. Sewage treatment and disposal; and j. Energy supply and telecommunications, including adverse effects on energy supply and telecommunication networks.

Ms Overton has assessed all servicing proposed and considers it is adequate. She has proposed conditions to ensure connections are provided for water, sewage, electricity and telecom for all residential allotments. Stormwater is to be disposed of to land and a consent notice is recommended to advise any future lot owners of this requirement. Ms Overton recommends a condition to ensure fire hydrants with a minimum FW2 classification are installed within the roads.

In terms of effluent disposal the applicant has proposed two options, one of which will require an upgrade to the Gordon Road pump station. Council is planning this upgrade in the next 5 years and therefore Ms Overton has recommended conditions to ensure that any connections made prior to the upgrade do not rely on the use of the pump station.

I accept and adopt Ms Overton's expert opinion and have included her recommended conditions within my proposed conditions.

k. Open space and recreation

Lot 101 is proposed as a recreation reserve. This will provide a communal small park like area within the immediate subdivision and is considered to provide adequate open space and recreation area for all the future residents. The Wanaka Community Board resolved to accept this reserve as vested to Council and Mr Burt, Senior Parks and Reserves Planner has recommended some conditions to ensure the reserve meets the requirements for a public space of this type. These conditions are included in the recommended conditions.

In the wider Wanaka area there is ample open space and recreation opportunity to meet all the needs of future residents. I consider that there will be no adverse effects in terms of open space and recreation.

l. Ecological and natural values

There are no particular ecological or natural values associated with this site. The proposed subdivision will further diminish any remaining values. Given the zoning of the site in the PDP, this is anticipated and I consider that the adverse effects are nil.

m. Historic heritage:

There is no known historic heritage associated with this site.

n. Easements

Easements and easements in gross are intended to be provided for to ensure that all lots can be serviced and accessed appropriately. A condition of consent is recommended to ensure this occurs

o. Effects resulting from reduced setback distances from intersections for Lots 1, 25, 31, 34, 46, 66 & 83 and p. Effects resulting from reduced sight distances for Lots 18, 19, 45, 51, 52, 53, 54, 55, 59, 60, 61, 63, 65, 80 & 96

Ms Overton has assessed the possible locations that access can be created onto all lots a complying access is not possible. She is of the opinion that the accesses that can be created will not compromise either vehicle or pedestrian safety, nor will they affect the efficient functioning of the roading network. Bartlett Consulting has recommended that subject to a further assessment of sightlines at the time of detailed engineering design, any allotments where a complying access cannot be achieved, access is required to be constructed at the time of subdivision. A condition of consent is included in this regard and I consider that this will adequately manage the adverse effects associated with the non-complying accesses.

q. Earthworks

Ms Overton has assessed the proposed earthworks of 70,000m³. She has recommended conditions to ensure the temporary effects of the works being dust, erosion, sedimentation, tracking and stability as well as the stability of the final landform are managed. I accept this recommendation and have included her conditions in Appendix 1. (I note that Ms Overton's report refers to them as part of a landuse consent, however they are included in the subdivision consent as the structure of both the ODP and PDP rules require that they are considered as part of a subdivision consent.) A condition of consent has also been imposed that requires a Site Management Plan be prepared and accepted by Council prior to works commencing.

The earthworks will essentially flatten out the site preparing it for residential development, facilitate the construction of roads and infrastructure and ensure stormwater flowpaths are retained or diverted. Of relevance any earthworks will change the groundlevel as it relates to maximum building heights. Increases in groundlevel can result in higher buildings which may dominate and shade adjoining allotments. In this case all fill is simply levelling out undulations and hollows. There are no large areas of increased groundlevel heights.

In my opinion the final contours will be consistent with expectations in the Lower Density Suburban Residential zone and I consider that with the inclusions of Ms Overton's conditions the adverse effects will be no more than minor.

r. Positive effects

I consider that there are significant positive effects associated with this proposal as it will provide residential accommodation options for 94 households within close proximity to the amenities and facilities of Wanaka and within the servicing boundaries of Wanaka.

7.2.3 SUMMARY OF EFFECTS

On balance this proposal manages to mitigate all adverse effects to an extent that in my opinion the positive effects outweigh them.

7.3 THE DISTRICT PLAN –OBJECTIVES AND POLICIES

Again, I consider that the relevant Objectives and Policies are those set out for the Lower Density Suburban Residential (PDP) zone in Chapter 7. Although technically those objectives and policies applicable to the Rural can be applied, the weighting that should be given them is nil as there is no scope for the zone to revert to Rural General. For this reason I do not provide any assessment of them.

Objective 7.2.1 seeks that the development provides for a mix of compatible suburban densities and a high amenity low density living environment for residents as well as users of public spaces within the zone. Allotment sizes of 450m² to over 2300m² will ensure that there is a mix of designs and densities. Associated Policy 7.2.1.1 seeks that development is located in places well serviced by public infrastructure and consistent with the capacity of infrastructure. With the exception of the sewage infrastructure this is the case. The capacity of the Gordon Road waste water pumping station is limited until it is upgraded which will occur within the next five years. Until that time, there are options to connect allotments via gravity mains which will ensure this policy is achieved. Management of this matter is achieved by the recommended conditions. Policy 7.2.1.2 encourages an intensity of development that maximises the efficient use of land. The proposal is for a fairly intensive design within the interior of the subdivision ensuring that the effects of the density do not affect the amenity of the neighbouring property owners which is the outcome sought by Policy 7.2.1.3. I consider the proposal to be consistent with this objective and its associated policies. I note for completeness that no part of this objective is subject to appeal.

Objective 7.2.3 seeks to encourage higher density development where it responds sensitively to the context and character of the locality and is designed to maintain local amenity values. In this case the minimum allotment size is below that sought by the relevant appeal of 700m² although the supporting policies refer to one unit per 450m². The proposal does not include any allotments of less than 450m² net area and therefore will not as a permitted activity result in a density of more than one unit per 450m². Crucial here is that the appeal ENV-2018-CHC-115, referenced earlier relates only to allotment size and not to density. Whilst this policy is listed in Council's appeal version as a 'consequentially affected provision' to the appeal, for the reasons set out in paragraph 5.1.2 this is considered incorrect and this policy is considered to be beyond appeal. Therefore I consider that the proposal is consistent with this objective and the supporting policies.

For the avoidance of doubt, I confirm that I have also reviewed the District Wide and Strategic Objectives Policies in both the ODP and the PDP. They generally seek to maintain character and amenity values appropriate to the zone. The proposal assists in achieving all the general objectives and policies as the subdivision is consistent with the outcomes anticipated in the Low Density Suburban Residential zone.

The objectives and policies set out in Section 14 of the ODP relate to transport effects and seek of relevance the safe and efficient functioning of the roading network. The proposal will achieve this via the inclusion of appropriate conditions of consent and is considered consistent with the outcomes sought.

Section 15 of the ODP and Section 27 of the PDP relate to subdivisions. The objectives and policies seek again that amenity and character are protected as appropriate for the zoning. They also seek the servicing is adequate and that hazards are managed. In this case as set out in the assessment of effects all these matters have been considered and none result in unacceptable effects. The proposal is consistent with the outcomes sought for subdivision activities.

7.3.1 SUMMARY OBJECTIVES AND POLICIES

The proposal achieves the outcomes sought for residential development in the Lower Density Residential zone. It also achieves the relevant objectives and policies for subdivision and transport. I consider the proposal is consistent with the relevant objectives and policies in both the PDP and the ODP.

7.4 OTHER MATTERS UNDER SECTION 104(1)(b))

National Policy Statement on Urban Development Capacity 2016 (NPSUD)

This National Policy Statement is about recognising the national significance of:

- a) urban environments and the need to enable such environments to develop and change; and
- b) providing sufficient development capacity to meet the needs of people and communities and future generations in urban environments.

From 1 December 2016, objectives and some policies apply to all decisions on plans/resource consents that affect an “urban environment”. Currently the Queenstown Lakes District is considered a “high growth urban area”.

It is considered that the nature of the development proposed, which does represent increased density in this location close to an urban centre and within existing infrastructure boundaries means that the proposal is consistent with the and gives effect to the purpose of the NPSUD.

Regional Policy Statement (RPS)

The PDP gives effect to the Proposed Regional Policy Statement and the ODP gives effect to the Operative Regional Policy Statement. As the proposal has been found to be consistent with the objectives and policies of both the ODP and the PDP, I consider there is no reason to further consider the RPS. The proposal is consistent with the outcomes sought in the RPS.

8. DETERMINATION

8.1 LEGISLATIVE REQUIREMENTS

8.1.1 SECTION 104D

With respect to the assessment above, the first gateway test for a non-complying activity required under section 104D(1)(a) has been met in that the application will not have an adverse effect on the environment which is more than minor.

With respect to the second gateway test under section 104D(1)(b), the application is not contrary to the relevant policies and objectives of the Operative District Plan or the Proposed District Plan (Stage 1 Decisions Version 2018 and Stage 2 Notified Version).

Accordingly, as the application has passed both of the gateway tests in s104D, consent can be granted for this non-complying activity.

8.1.1 SECTION 106

The proposal does not involve land that is or is likely to be subject to, or is likely to accelerate material damage from natural hazards, or where sufficient provision for legal and physical access to each allotment has not been made. Therefore there is no reason to decline consent pursuant to Section 106.

9. PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

Part 2 of the RMA details the purpose of the RMA in promoting the sustainable management of the natural and physical resources. Sustainable management is defined as:

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

- (a) *Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*

- (b) *Safeguarding the life-supporting capacity of air, water, soil and ecosystems: and*
 (c) *Avoiding, remedying, or mitigating any adverse effect of activities on the environment.*

Following the direction of the Court of Appeal decision on Davidson, Part 2 is a relevant consideration unless the various plans clearly give effect to it. In this case the proposal aligns with the outcomes sought in the ODP, PDP and the RPS and for this reason the proposal is considered to achieve the purpose of the RMA as set out in Part 2.

Overall, I consider the proposal promotes sustainable management.

10. RECOMMENDATION

Pursuant to Sections 104, 104B, 108, 220 and 221, I recommend the following consents are granted

- A. Subdivision consent for a 94 allotment residential subdivision
- B. Landuse consent for the driveway location on Lots 1, 25, 31, 34, 46, 66 & 83 and Lots 18, 19, 45, 51, 52, 53, 54, 55, 59, 60, 61, 63, 65, 80 & 96
- C. Cancellation of Consent Notice 5143982.11

subject to the recommended conditions set out in Appendix 1 as the proposal:

- Is consistent with the outcomes anticipated in the Lower Density Residential Suburban zone;
- Achieves the Objectives and Policies of the Lower Density Residential Suburban zone; and
- Represents sustainable management in accordance with the purpose of the Resource Management Act 1991.

Report prepared by



Wendy Baker

CONSULTANT PLANNER

Attachments:	Appendix 1	Proposed Conditions
	Appendix 2	AEE
	Appendix 3	Parks & Reserves Report
	Appendix 4	Engineering Report
	Appendix 5	Request to Cancel Consent Notice
	Appendix 6	Request to Withdraw Landuse Component
	Appendix 7	Approval Ledgerwood
	Appendix 8	Orchard Road Holdings post submission
	Appendix 9	Vesting Resolution Reserve
	Appendix 10	Decision RM170329
	Appendix 11	Appeal ENV-2018-CHC-115

Report Dated: 19 September 2018

APPENDIX 1 - PROPOSED CONDITIONS

A - SUBDIVISION

General Conditions

1. That the development must be undertaken/carried out in accordance with the plans:
 - WH5082-02H Alpine Estates Scheme Plans being Sheets 100, 101, 200, 201, 301, 302, 303, 304, 305 and 306

stamped as approved on 14 September 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.

Staging

3. This subdivision may be staged. For the purposes of issuing approvals under sections 223 and 224(c) of the Resource Management Act 1991, the conditions of this consent shall be applied only to the extent that they are relevant to each particular stage proposed. This consent may be progressed in any order and all stages may be combined, providing all necessary subdivision works (such as servicing, provision of formed legal access and other works required to satisfy conditions of this consent), are completed for each stage, prior to certification being issued as necessary under sections 223 and 224(c) of the Resource Management Act 1991. Any balance lots created shall either be serviced to Council's standards or held together in one title with a serviced lot.

General

4. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies, being QLDC's Land Development and Subdivision Code of Practice adopted on 3rd May 2018 and subsequent amendments to that document up to the date of issue of any resource consent.
5. All works in relation to Lot 101 shall be in accordance with Part 7: Landscape of QLDC's Land Development and Subdivision Code of Practice adopted on 3rd May 2018 and subsequent amendments to that document up to the date of issue of any resource consent.

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

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

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

7. At least 7 days prior to commencing excavations, the consent holder shall provide the Manager of Resource Management Engineering at Council with the name of a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice who is familiar with the Mt Iron Geodrill report (dated 23 May 2016, Job Ref: G17026 and 26 February 2017, Job Ref: G17105) and who shall supervise the excavation and fill procedure and ensure compliance with the recommendations of this report. This engineer shall continually assess the condition of the excavation and shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability.
8. Prior to commencing any work on the site the consent holder shall install a construction vehicle crossing, which all construction traffic shall use to enter and exit the site. The minimum standard for this crossing shall be a minimum compacted depth of 150mm AP40 metal that extends 10m into the site. Wooden planks or similar shall be provided to protect the footpath and kerb from damage caused by construction traffic movements, in accordance with '*A Guide to Earthworks in the Queenstown Lakes District*' brochure, prepared by the Queenstown Lakes District Council.
9. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and '*A Guide to Earthworks in the Queenstown Lakes District*' brochure, prepared by the Queenstown Lakes District Council to ensure that neighbouring sites remain unaffected from earthworks. These measures shall be implemented **prior** to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
10. Prior to commencing any works on the site, the consent holder shall obtain 'Engineering Review and Certification' from the Queenstown Lakes District Council for all development works and information requirements specified below. An 'Engineering Review and Acceptance' application 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 revised Site Management Plan that shall include but not be limited to:
 - i) Erosion and sedimentation controls and on-going management techniques including necessary calculations and documentation to demonstrate adequate storage and ensure removal of sediment, contaminants or debris prior to discharge. An Erosion and Sediment Control Plan shall detail site contours, overland flows, all erosion and sediment control devices and controlled discharge points onsite;
 - ii) Dust suppression techniques;
 - iii) Procedures during and after either high rainfall or high wind events;
 - iv) Procedures for ensuring debris is not deposited on surrounding roads or land;
 - v) Identification of any stockpile areas and management of those stockpiles both short term and long;
 - vi) Topsoiling, regrassing or alternative stabilisation of earth-worked areas;
 - vii) Construction methodology.
 - b) The provision of a water supply to Lots 1 to 36, 38 to 42, 44 to 96, 101 and 102 in terms of Council's standards and connection policy. This shall include an Acuflo GM900 as the toby valve and an approved water meter as detailed in QLDC Water Meter Policy (Appendix A), dated June 2017. The costs of the connections shall be borne by the consent holder.

- c) The provision of a foul sewer connection from Lots 1 to 36, 38 to 42, 44 to 96, 101 and 102 to Council's reticulated sewerage system in accordance with Council's standards and connection policy, which shall be able to drain the buildable area within each lot. The costs of the connections shall be borne by the consent holder. This shall include:
- i) Either upgrading the Gordon Road sewer pump station in accordance with Council standards and to meet the increased reticulation loads resultant from the full potential development of the Alpine Estate site; or
 - ii) Diverting wastewater via Frederick Street to cater for the increased reticulation loads resultant from the full potential development of the Alpine Estate site;
 - iii) Or an alternative solution agreed by Council.
- d) The provision of fire hydrants with adequate pressure and flow to service the development with a minimum Class FW2 fire fighting water supply in accordance with the NZ Fire Service Code of Practice for Firefighting Water Supplies SNZ PAS 4509:2008(or superseding standard). Any alternative solution must be approved in writing by the Area Manager for the Central North Otago branch of the New Zealand Fire Service.
- e) The provision of a sealed vehicle crossing that shall be constructed to Lots 1, 10, 18, 19, 25, 31, 34, 35, 39, 45, 46, 51-55, 59-61, 63, 65, 66, 68, 69, 78, 80, 83, 93 and 96 to Council's standards unless it is demonstrated that a complying vehicle crossing can be constructed that does not rely on the landuse consent RM170065 for a breach of required distance to intersection and or sight distances.
- f) The provision of road lighting in accordance with Council's road lighting policies and standards, including the Southern Light lighting strategy. Any road lighting installed on private roads/rights of way/access lots shall be privately maintained and all operating costs shall be the responsibility of the lots serviced by such access roads. Any lights installed on private roads/rights of way/access lots shall be isolated from the Council's lighting network circuits.
- g) The sealed formation of roads 1 to 5 and right of way 'A', in accordance with Council's standards. This shall include:
- i) 'Road 1' shall be formed to a minimum standard as defined by Figure E13 of Council's standards and shall be extended to the eastern boundary of the site through and within Lot 103.
 - ii) 'Roads 2, 3 and 5' shall be formed to a minimum standard as defined by Figure E12 of Council's standards.
 - iii) 'Road 4' shall be formed to a minimum standard as defined by Figure E11 of Council's standard
 - iv) Right of Way 'A' shall be formed to a minimum standard as defined by Figure E9 of Council Standards.
 - v) All permanent road batters shall be formed with ease of maintenance as a primary design consideration.
 - vi) All road signs and markings shall be provided in accordance with the New Zealand Transport Authority, 'Manual of Traffic Signs and Markings' (MOTSAM) and the 'Traffic Control Devices' (TCD) Manual.
 - vii) Trees and vegetation are to be set back from intersections and species which have foliage between 0.5m and 2.0m above the carriageway surface should be avoided as the could reduce visibility sight distances from vehicle crossings.
 - viii) Provision for stormwater disposal; and shall include:
 - Percolation testing shall be undertaken at the individual soak pit locations to confirm soakage. A copy of the test results shall be provided to Council and shall be in general accordance with the "Acceptable Solutions and Verification Methods for New Zealand Building Code Clause: E1 Surface Water".
 - The final design and sizing of each soak pit shall be based on the individual percolation test results and provided to Council for acceptance prior to installation of the individual soak pit infrastructure

- h) The formation of all intersections in accordance with the latest Austroads intersection design guides. The internal road intersection designs shall include the provision of minimum sight distance requirements based on assessed operating speeds and, where required, priority intersection controls. These designs shall be subject to review and acceptance by Council with any associated costs met by the consent holder.
 - i) The provision of Design Certificates for all engineering works associated with this subdivision submitted by a suitably qualified design professional (for clarification this shall include all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of the QLDC's Land Development and Subdivision Code of Practice Schedule 1A Certificate.
11. Prior to the commencement of any works under this consent on the reserve site (Lot 101), the consent holder shall first provide detailed landscape plans and design specifications by a suitably qualified Landscape Architect to be certified by the Queenstown Lakes District Council's Parks & Reserves Planning Manager, in accordance with Condition (5) achieving the following:
- a) Ensure that areas of reserve exclude any areas of road.
 - b) Details of landscape trees and plants that includes the species, size and location.
 - c) Irrigation plan showing how trees are to be irrigated
 - d) Tree pit details showing root ball treatment and staking
 - e) Ensure that all batter slopes and mounds are to a gradient not exceeding 1:5 when measured across any point to ensure that all slopes are mowable. This will require that plans clearly demonstrate that this gradient will not be exceeded.
 - f) Path width, material and construction details so that all tracks achieve a grade 2 standard as set out in standards <http://www.qldc.govt.nz/assets/Uploads/Council-Documents/Parks-Planning-Documents/QLDC-Cycle-Trail-Track-Design-Standard-2016.pdf>
 - g) Detail of any stormwater soak pits/detention areas, including planting, maintenance and confirmation that the surrounding areas can be easily mown.
 - h) Details and locations for any other proposed assets, such as park seats, irrigation and fencing.
 - i) Maintenance requirements
 - j) A potable water supply point to be provided to the boundary of reserve lot.

***Advice Note:** The Consent Holder is welcome to seek guidance from the Parks & Reserves Planning Manager when preparing the landscape plan. This may facilitate certification if any matters of concern are addressed. Street Tree Planting Guidelines are available on request from the QLDC Arborist.*

To be monitored throughout earthworks

- 12. No permanent batter slope within the site shall be formed at a gradient that exceeds 1(V):2(H).
- 13. The earthworks and batter slopes shall be undertaken in accordance with the recommendations of the report by Mt Iron Geodrill (dated 23 May 2016, Job Ref: G17026 and 26 February 2017, Job Ref: G17105).

14. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at his/her expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.

On completion of earthworks

15. On completion of the earthworks, the consent holder shall complete the following:
 - a) All earthworked areas shall be top-soiled and revegetated or otherwise permanently stabilised.
 - b) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

To be completed before Council approval of the Survey Plan

16. Prior to the Council signing the Survey Plan pursuant to Section 223 of the Resource Management Act 1991, the consent holder shall complete the following:
 - a) All necessary easements shall be shown in the Memorandum of Easements attached to the Survey Plan and shall be duly granted or reserved. This shall include any Easements in Gross as required by Council for infrastructure to vest. Requirements for vested infrastructure and Easements in Gross shall be agreed with Council prior to Engineering Acceptance.
 - b) The names of all roads, private roads & private ways which require naming in accordance with Council's road naming policy shall be shown on the survey plan.

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

Amalgamation Condition

17. The following shall be registered with Land Information New Zealand (CRM:0306346):
"That Lot 102 hereon be held as a joint owned access lot in six undivided shares with Lot 88-93."

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

18. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:
 - a) The submission of 'as-built' plans and information required to detail all engineering works completed in relation to or in association with this subdivision at the consent holder's cost. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Roads (including right of ways and access lots), Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).
 - b) The completion and implementation of all works detailed in Conditions (10) and (15) above.
 - c) Provide certification in accordance with NZS 4431:1989, for all areas of fill within the site/allotments. *Note this will require supervision of the fill compaction by a chartered professional engineer.*
 - d) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the boundary of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.

- e) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the boundary of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
- f) The submission of Completion Certificates from the Contractor and the Engineer advised in Condition (6) for all engineering works completed in relation to or in association with this subdivision (for clarification this shall include all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of a Producer Statement, or the QLDC's Land Development and Subdivision Code of Practice Schedule 1B and 1C Certificate.
- g) All newly constructed foul sewer and stormwater mains shall be subject to a closed circuit television (CCTV) inspection carried out in accordance with the New Zealand Pipe Inspection Manual. A pan tilt camera shall be used and lateral connections shall be inspected from inside the main. The CCTV shall be completed and reviewed by Council before any surface sealing.
- h) All signage shall be installed in accordance with Council's signage specifications and all necessary road markings completed on all public or private roads created by this subdivision.
- i) Road naming shall be carried out, and signs installed, in accordance with Council's road naming policy.
- j) The consent holder shall establish a suitable management organisation which shall be responsible for implementing and maintaining the on-going maintenance of all internal roading, service infrastructure and facilities associated with Lot 102 DP XXXXX.

The legal documents that are used to set up or that are used to engage the management company are to be checked and approved by the Council's solicitors at the consent holder's expense to ensure that all of the Council's interests and liabilities are adequately protected.

- k) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
- l) The completion and implementation of the landscaping and requirements detailed in Condition (11).
- m) The Consent Holder shall enter into a maintenance agreement under S207A of the Local Government Act 2002 Amendment Act, with the QLDC (Parks and Reserves), with the obligation being upon the Consent Holder to fulfil the requirements detailed in (i) to (iv) below. The maintenance period shall be three years from any issue of 224(c):
 - i) All new assets, including irrigation and fencing, shall be kept in good working order and be free of defects or disrepair.
 - ii) Trees and vegetation shall be irrigated and maintained to an acceptable standard as specified by QLDC Parks and Reserves Planning team. It shall be the responsibility of the consent holder to ensure that any new plantings, as shown on the approved landscape plans, that die or decline at any time over the 3-year maintenance period following the initial planting shall be replaced. The replacement plants shall be of the same species, grade and size as the original specimens and planted no later than the following planting season or as instructed by QLDC.
 - iii) The vested Recreation Reserve shall be kept in a tidy condition and shall be free of litter and refuse.
 - iv) Health and safety plans shall be provided for all non-QLDC approved contractors undertaking maintenance in the reserves or road reserves.

Ongoing Conditions/Consent Notices

19. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notice pursuant to s.221 of the Act. The purpose of this condition is to ensure that Lot 102 DP XXXXX shall be owned and managed in conjunction with Lots 88 - 93 DP XXXXX and shall be for providing access and recreational amenities and facilities.
 - a) All lot owners are required to be part of the management entity as required by Condition (18j) of subdivision RM170065. This management entity shall be established and maintained at all times and ensure implementation and maintenance of all internal roading, service infrastructure and facilities associated with the development.
 - b) In the absence of a management company, or in the event that the management entity established is unable to undertake, or fails to undertake, its obligations and responsibilities stated above, then the lot owners shall be responsible for establishing a replacement management entity and, in the interim, the lot owners shall be responsible for undertaking all necessary functions.
20. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notice pursuant to s.221 of the Act.
 - a) At the time a building is erected on the lot, the owner for the time being shall engage a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice to design a stormwater disposal system that is to provide stormwater disposal from all impervious areas within the site. The proposed stormwater system shall be subject to the review of the Manager of Resource Management Engineering at Council prior to implementation and shall be installed prior to occupation of the residential unit. This shall include:
 - i) Percolation testing shall be undertaken at the individual soak pit locations to confirm soakage. A copy of the test results shall be provided to Council and shall be in general accordance with the "Acceptable Solutions and Verification Methods for New Zealand Building Code Clause: E1 Surface Water".
 - ii) The final design and sizing of each soak pit shall be based on the individual percolation test results and provided to Council for acceptance prior to installation of the individual soak pit infrastructure
 - b) At the time a residential unit is constructed the owner for the time being shall construct a sealed vehicle crossing to the site where one was not provided at the time of the underlying subdivision to Council's standards. The design of the vehicle crossing shall be subject to approval by Council under a 'Connection to Council Service Application'. The approval should be obtained and construction of the crossing approved by a Council Inspector prior to occupation of the residential unit.
21. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Title, by way of Consent Notice pursuant to s.221 of the Act.
 - i) All boundary fences along or adjoining any areas of reserve shall be no greater than 1.2 metres in height and shall be no less than 50% visually permeable.

Covenant

22. The Consent Holder shall ensure that a fencing Covenant, required under s6 of the Fencing Act 1978, is registered on all land to ensure that any reserves to vest in QLDC are protected and that Council has no liability to contribute towards any work on a fence between a public reserve vested in or administered by the Council and any adjoining land.

Advice Note

- Prior approval via a Connection to Council Services for a Temporary Water Take is required if Council's water supply is to be utilised for dust suppression during earthworks. This shall include the use of a backflow prevention device to prevent contamination of Council's potable water supply.

For Your Information

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

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

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

B - LAND USE

1. That the development must be undertaken/carried out in accordance with the plans:
 - WH5082-02H Alpine Estates Scheme Plans being Sheets 100, 101, 200, 201, 301, 302, 303, 304, 305 and 306

stamped as approved on 14 September 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.

C - CANCELLATION OF CONSENT NOTICE 5143982.11

1. This consent notice may be cancelled at the same time or after Section 224 certification has been obtained for the subdivision consented by RM170065.
2. All costs of cancelling the consent notice are to be borne by the consent holder.

APPENDIX 2 - AEE



The Property Group Limited

Level 15, 34 Shortland Street
Auckland 1010
PO Box 104, Shortland Street
Auckland 1140, New Zealand
Phone: 64-9-309 8526
Facsimile: 64-9-309 8902

26 January 2017

Queenstown Lakes District Council
Private Bay 50072
QUEENSTOWN 9348

By Email: resourceconsent@qldc.govt.nz

**RESOURCE (SUBDIVISION AND LAND USE) CONSENT APPLICATION FOR 94-LOT
SUBDIVISION AT LOT 2 DP 498936**

Dear Sir/Madam,

Please find enclosed an application for resource consent for a 94-lot subdivision of Lot 2 DP 498936.

This application includes a Form 9, a detailed description of the activity along with an assessment of environmental effects. **The applicant requests public notification of the application.**

The application is submitted electronically. A deposit fee of **\$8,350.00**, for a notified resource consent application has been deposited.

This document was prepared in a partnership between the Property Group Limited and Paterson Pitts Wanaka. Paterson Pitts are the agent for this application and should be the contact for any correspondence or telephone discussions.

Please feel free to contact myself should you have any questions with regard the application.

Yours sincerely

Robin Patterson
Robin.Patterson@ppgroup.co.nz
03 443 0110

FORM 9

Application for Resource Consent
Section 88, Resource Management Act 1991

To: Queenstown Lakes District Council

Applicant: Alpine Estate Limited

Agent: Robin Patterson
Tel: 03 443 0110
Email: Robin.Patterson@ppgroup.co.nz

Matthew Paetz
Tel: 021 191 5884
Email: mpaetz@propertygroup.co.nz

Address for Service: Paterson Pitts Limited Partnership
19 Reece Crescent
Wanaka 9305

Site Address: Cardrona valley Road, Wanaka

Legal Description: Lot 2 DP 498936
(Computer Freehold Register is attached in Appendix 1)

Owner of Site: Alpine Estate Limited

Consent For: Subdivision and Land use Resource Consent
No other resource consents are required for this proposal

Description: 94-lot subdivision and establishment of future buildings on the sites

Enclosed: Application and AEE
Appendices 1 – 8
QLDC Application Form
Application deposit fee of \$8,350.00

Date: 26 January 2017

APPLICATION FOR RESOURCE CONSENT
94-Lot Subdivision

Lot 2 DP 498936

Alpine Estate Limited

January 2017



PATERSONPITTSGROUP

Your Land Professionals
www.ppgroup.co.nz
0800 PPGROUP



TABLE OF CONTENTS

1. INTRODUCTION	6
2. SITE DESCRIPTION AND LOCALITY	6
2.1 Legal Description	6
2.2 Site and Locality Description	6
2.3 Existing Environment.....	7
2.4 Site History.....	7
3. PROPOSED RESIDENTIAL SUBDIVISION	7
4. DISTRICT PLAN	11
4.1 Operative Queenstown Lakes District Plan	11
5. ASSESSMENT OF ENVIRONMENTAL EFFECTS.....	15
5.1 Proposed Queenstown Lakes District Plan and Plan Weighting	15
5.2 Permitted Baseline	15
5.3 Rural Landscape, Character and Amenity	15
5.4 Subdivision Layout.....	16
5.5 Earthworks.....	17
5.6 Site Servicing.....	17
5.7 Access and Traffic Generation.....	17
5.8 Cumulative Effects.....	18
5.9 Non-Statutory Assessment.....	18
5.10 Positive Effects.....	18
6. ASSESSMENT OF OBJECTIVES AND POLICIES.....	18
6.1 Operative Queenstown Lakes District Plan	18
6.2 Proposed Queenstown Lakes District Plan.....	20
7. STATUTORY ASSESSMENT	21
7.1 NES for Assessing and Managing Contaminants in Soil to Protect Human Health. 21	
7.2 Resource Management Act 1991 – Part II Assessment.....	21
7.3 Section 88	22

7.4	Section 104 Matters for Consideration	22
7.5	Resource Management Act 1991 - Section 104D.....	23
8.	NOTIFICATION.....	24
9.	CONCLUSION	24

APPENDICES

Appendix 1	Computer Freehold Register
Appendix 2	Scheme Plan
Appendix 3	Infrastructure Report
Appendix 4	Geotechnical Report
Appendix 5	Earthworks Design
Appendix 6	Traffic Impact Assessment
Appendix 7	Landscape Report and Plan
Appendix 8	Objectives and Policy Reference

1. INTRODUCTION

Alpine Estate Limited hereby applies for resource consent from Queenstown Lakes District Council to undertake a 94-lot subdivision of Lot 2 DP 498936.

The subdivision requires resource consent for the reasons outlined in Section 4 of this Report. The application includes a scheme plan of the layout which is included in Appendix 2.

The Applicant requests public notification of the application.

2. SITE DESCRIPTION AND LOCALITY

2.1 Legal Description

The site is located to the east of Cardrona Valley Road, Wanaka and comprises an area of 11.9ha. It is legally described as Lot 2 DP 498936. The proposed subdivision occupies 9.9ha of this (less the area subdivided as Stage 1 under RM160453). A copy of the computer freehold register and interests are attached as Appendix 1.

There are no design controls registered on the parent title.

There are a number of registered easements over adjoining properties to the south and north providing servicing for the subject site.

2.2 Site and Locality Description

The site is located on the southern fringe of Wanaka, east of Cardrona Valley Road.



Figure 1: Queenstown Lakes District Council GIS Viewer of Site

2.3 Existing Environment

The site is zoned Rural General in the terms of the QLDC Operative District Plan. It is proposed to become Low Density Residential in the Proposed District Plan. The site is within the Inner Growth Boundary signalled by the Wanaka Structure Plan 2007.

The subject site is located in an area which is rapidly becoming the outskirts of Wanaka. The site and its immediate area, whilst previously having rural characteristics, are undergoing substantial transformation to a residential environment. Located to the south west, Stage 1 of the Grandview subdivision has already been executed, whilst Stage 2 sits between Stage 1 and Alpine Estate's Stage 1 subdivision, and is yet to be built. The operative Low Density Residential zone to the east of the Alpine site was rezoned from Rural General zone through Plan Change 46 to the Operative District Plan. Whilst this land is currently vacant, the residential development anticipated.

To the north west of the site the Wanaka Medical Centre is located, and to the north the Aspiring Retirement Village is located. The Ballantyne Road Industrial Zone is located approximately 275m away to the northeast and east of the proposed subdivision. To the south of the subject site the land is zoned Low Density Residential as a consequence of Plan Change 46.

The subject site is hummocky in topography. There is a series of roughly parallel terraces with intervening melt water channels running north west to south east across the site. Overall the site declines to the north. It is entirely vegetated with mown pasture grasses.

2.4 Site History

A boundary adjustment has been approved on the site under RM160335 which adjusted the size of this land to be 11.8ha.

The site has recently received resource consent approval to subdivide an area of 2.2ha in the south western corner from the larger lot and to subdivide this area into fourteen residential lots (RM160453), issued in January 2017.

3. PROPOSED RESIDENTIAL SUBDIVISION

It is proposed to subdivide the balance of Lot 2 DP 498936 into a 94 residential lots and establish a building platform on each lot. The subdivision will also create one recreation reserve, one access lot, and five roads to be vested as Council. Earthworks will be required as part of the subdivision.

Land use consent is also sought to establish residential development in each proposed lot.

Subdivision/Residential Layout and Design

The proposal provides for 94 residential allotments ranging in area between 400m² and 2,040m² across the site. The subdivision layout is provided in Appendix 2.

Some increased density could be supported to provide more diverse and affordable housing options.

Staging

The development is anticipated to be undertaken in four stages as follows:

- Stage 1 – Formation of Road 1;
- Stage 2 – Lots 1 – 31 and Lots 51-54, and formation of Road 3;
- Stage 3 – Lots 32 – 50 and Lots 55-64, and formation of Roads 2 and 4;
- Stage 4 – Lots 65 – 96, and formation of Road 5

To allow for the landowner to develop and release the allotments in any logical manner, the standard staging condition is proposed:

In order to allow for the development and release of allotments in a controlled and logical manner the subdivision may be staged in any order that the consent holder sees fit provided that all residential allotments within each stage are adequately serviced and accessed in accordance with the conditions of this consent.

A separate application will be prepared and submitted to Council for Lot 99 (Road 1) to allow this lot and construction of the road to be processed separately. The formation and vesting of this road is a condition of consent for RM160453 and so the applicant wishes to allow for it to be processed in advance of the 94-lot subdivision.

Building Platforms

Building platforms are identified on each of the proposed residential allotments. Building platforms have the same dimensions of the allotment boundaries.

Future Buildings

Land use consent is also sought for future residential buildings to be located within each building platform of each of the proposed residential allotments.

Residential Building Design Controls

The site and zone standards from the Low Density Residential zone form the land use part of this application, for establishment of residential buildings on the proposed lots.

Site and zone standards of the Low Density Residential zone by way of consent notice condition (discussed below) are to be adopted for residential development on the sites.

It is expected that any infringements of Low Density Residential standards would require a separate land use consent by the future landowner.

Site Servicing

An Infrastructure Report is contained in Appendix 3 detailing wastewater, stormwater and water supply requirements.

It is proposed to connect to the existing Council reticulation for services for water supply and wastewater.

There is no stormwater reticulation. Runoff from hardstand areas and roofs will be to ground. The Geotechnical Report in Appendix 4 has confirmed the site is suitable for onsite stormwater disposal.

Electricity and telecommunications connections are available to the Heritage Village/Grandview Subdivision and will be extended to serve the proposed subdivision or it may be further reticulation from Cardrona Valley Road as part of the construction of the new collector road. Appendix E to the Infrastructure Report (Appendix 3) contain letters from Aurora and Chorus confirming that power and telecommunications can be provided for this subdivision.

Access

This subdivision will have road linkages west to the Gordon land (Lot 1 DP 492566) to a major collector road which will come from Cardrona Valley Road, north to the Bright Sky land which will join with the continuation of the same collector road.

The development to create this road is subject to a separate resource consent. The expectation is that there will be a condition on this resource consent that this proposed development will not be granted 224 certification until the road on Lot 1 DP 492566 is consented and built.

This collector road will then carry on to Ballantyne Road as shown on the concept plans of Plan Change 46 and east to the Orchard Road Holdings land. Spring Blossom Drive to the south of this development and which at present provides legal access to this land by way of a right of way will terminate at the southern boundary and will only supply pedestrian access through to Orchard Road. Appendix C to the Infrastructure Report (Appendix 3) demonstrates an indicative roading layout of adjoining blocks.

The two main through roads in the development will have a legal width of 20m and a carriageway width of 8.4m and the other roads will have a 15m legal width with a 5.7m carriageway. These roads are as specified in the QLDC Land Development Code of Practice.

The proposed subdivision will provide for cycle/pedestrian links to future development in adjoining land. Appendix C to the Infrastructure Report (Appendix 3) contains concept plans for the cycle/pedestrian network, as developed by two separate developers.

Traffic

The Traffic Assessment has been prepared by Bartlett Consulting, contained in Appendix 6.

Easements

The proposed subdivision will require the registration of appropriate easements for right of way access and servicing. Additional easements will be provided as required.

Reserve Area

One 2,500m² reserve area, Lot 101, is proposed to be vested to Council as part of this development. Correspondence with Stephen Quin regarding this reserve area is attached as Appendix F to the Infrastructure Report (Appendix 3).

Geotechnical Investigation

A geotechnical assessment was prepared for the southern portion of the site. A more comprehensive assessment has been commissioned to assess suitability of the site for onsite stormwater disposal, construction and potential geo-hazards. This assessment will be forwarded to Council as an addendum to this report. The initial geotechnical assessment is included as Appendix 4.

Hazards

Council's Hazards register confirms that there are no natural hazards on the site.

Contamination

A Preliminary Site Investigation has been undertaken on the subject site for RM160453 which confirmed that the site is not subject to contamination.

Earthworks

Given the relatively flat/gentle topography of the site, minimal earthworks are required for the formation of the roading corridors and creating high amenity allotments. Appendix 5 contains plans demonstrating the levels of cut and fill and proposed finished contours.

The total earthworks quantities are estimated to be 70,000m³, with 40,000m³ of cut and 30,000m³ of fill and the maximum height of cut and fill being 2.5m. Excess material will be used either in the increased compaction factor of certified fill or removed from site.

Landscaping

A Landscape Report has been prepared by Read Landscapes and is attached at Appendix 7. The Report provides a detailed landscape and visual assessment of the site context.

Overall, the proposed subdivision is considered to be consistent with the existing landscape character of the adjoining area and consistent with the Low Density Residential zoning anticipated through the District Plan review.

Proposed Consent Notice Conditions:

To allow for low density residential development to occur on the site, the following conditions is proposed to be registered on the computer freehold registers to each lot created as part of this subdivision by way of Consent Notice pursuant to section 221 of the Act.

All residential units and ancillary buildings constructed on each of the residential lots shall comply with the Low Density Site and Zone Standards of the current Queenstown Lakes District Plan, with the exception of lots with an area of 500m² or less (Lots 1-9, 33-34, 40-44, 46-50, and 86-93) which may reduce the 2m side yard setbacks to 1.5m.

At the time that this site is rezoned from Rural General to a residential zoning then this consent notice condition shall be deemed to have expired and may be removed from the Computer Freehold Registers.

Amalgamation Condition

The following shall be registered with Land Information New Zealand (CSN XXXXX):

"That Lot 102 hereon be held as a joint owned access lot in seven undivided shares with Lot 87-93"

4. DISTRICT PLAN

4.1 Operative Queenstown Lakes District Plan

Zoning

The site is zoned Rural General under the Operative Queenstown Lakes District Plan.

Under the Proposed Queenstown Lakes District Plan the site is zoned Low Density Residential.

Consent Requirements

Subdivision

- Pursuant to Rule 15.2.3.3(vi), for a 94 lot subdivision in the Rural General zone that creates building platforms on each lots – **Discretionary Activity**

Earthworks

- Pursuant to Rule 22.3.2.3, proposed volume of earthworks to be 70,000m³, infringing the standard contained in Rule 22.3.3(i) in Rural General Zone of 1,000m³ – **Restricted Discretionary Activity**.
- Pursuant to Rule 22.3.2.3, proposed maximum height of fill to be 2.5m, infringing the standard contained in Rule 22.3.3(ii)(a)(iii) of 2m – **Restricted Discretionary Activity**.

Land Use

- Pursuant to Rule 5.3.3.3(i)(a)(i), for the construction of a building within each proposed lot – **Discretionary Activity**
- Pursuant to Rule 5.3.3.3(b), for the identification of a building platform within each proposed lot – **Discretionary Activity**
- Pursuant to Rule 5.3.3.3, for future buildings on the proposed building platforms to infringe internal setback distances contained in Rule 5.3.5.1(vi) – **Restricted Discretionary Activity**
- Pursuant to Rule 5.3.3.4 (vi), for future buildings on the proposed building platforms to infringe road setback distances contained in Rule 5.3.5.2(ii) – **Non-complying Activity**

Overall, the proposed development is a **Non-Complying Activity**.

Rules

The following table assesses the proposal against the relevant standards under the Operative Queenstown Lakes District Plan.

Table 1: Standards Summary

Rule	Description	Proposal / Compliance
Chapter 5 Rural General		
Rule 5.3.3.3	i. Buildings or Building Platforms (a) The addition, alteration or construction of: i. Any building	The proposal allows for the construction of a building within the identified building area – Discretionary Activity.
Rule 5.3.5.1 Site Standards	i. Setback from Neighbours of Buildings Housing Animals	

	<ul style="list-style-type: none"> ii. Access iii. Scale and Nature of Activities iv. Retail Sales v. Significant Indigenous Vegetation vi. Minimum Setback from Internal Boundaries vii. Forestry and Shelterbelt Planting viii. Earthworks ix. Commercial Recreation Activities x. Indigenous Vegetation xi. Farm Building xii. Alpine Environments xiii. Planting of tree species with wilding potential 	<p>Proposed future dwellings will not meet the Rural General Site Standards contained in Rule 5.3.5.1(vi) Minimum Setback from Internal Boundaries – Restricted Discretionary Activity</p> <p>Specific Low Density Residential Site Standards have been proposed.</p>
Rule 5.3.5.2 Zone Standards	<ul style="list-style-type: none"> i. Building Height ii. Setback from Roads iii. Retail Sales iv. Surface of Lakes and Rivers v. Noise vi. Lighting vii. Airport Noise Queenstown viii. Screening ix. Airport Noise Wanaka x. Residential Density xi. Building Coverage xii. Building Line Restriction 	<p>Proposed future dwellings will not meet the Rural General Zone Standards contained in Rule 5.3.5.2(ii) Setback from Roads – Non-complying Activity</p> <p>Specific Low Density Residential Zone Standards have been proposed.</p>
Chapter 14 Transport		
Rule 14.2.4.1 Parking and Loading	<ul style="list-style-type: none"> i. Minimum parking Space Numbers ii. Parking Requirements iii. Parking Requirements iv. Location and Availability of Parking Spaces v. Size of Parking Spaces vi. Parking Area and Access Design vii. Gradient of Car Parks viii. Spaces for People with Disabilities ix. Reverse Manoeuvring x. Residential Parking Spaces xi. Queuing xii. Set Down Areas xiii. Loading Areas xiv. Surface of Parking and Loading Areas xv. Landscaping xvi. Illumination 	<p>Proposed site areas enable onsite parking and onsite manoeuvring to be provided to each lot – Complies.</p>
Rule 14.2.4.2 Access	<ul style="list-style-type: none"> i. Length of Vehicle Crossings ii. Design of Vehicle Crossings iii. Maximum Gradient for Vehicle Access iv. Minimum Sight Distances from Vehicle Access v. Maximum Number of Vehicle Crossings 	<p>Proposal enables appropriate vehicle access to be provided to each lot – Complies.</p>

	<ul style="list-style-type: none"> vi. Distances of Vehicle Crossings from Intersections vii. Service Stations viii. Vehicle Crossings onto State Highways 	
Chapter 15 Subdivision, Development and Financial Contributions		
Rule 15.2.3.3 Discretionary Subdivision Activities	vi. In the Rural General Zone all subdivision and location of residential building platforms shall be Discretionary Activity.	Discretionary Activity
Rule 15.2.6.2 Site Subdivision Standards – Lot Sizes and Dimensions	<ul style="list-style-type: none"> i. Lot Sizes ii. Lot Dimensions iii. Certification of Allotments iv. Lot Averages v. Boundary Planting – Not Applicable vi. Shotover Country Special Zone – Not Applicable 	None Applicable
Rule 15.2.6.3 Zone Subdivision Standards – Lot Sizes and Dimensions	<ul style="list-style-type: none"> i. Lot Sizes – No minimum. ii. Lot Averages – Not Applicable iii. Building Platform Every allotment created shall have one Residential Building Platform approved at the time of the subdivision of not less than 70m² in area and not greater than 1000m² in area. iv. Development Areas – Not Applicable v. Building Platforms – Not Applicable vi. Ferry Hill – Not Applicable vii. Three Parks Zone – Not Applicable viii. Industrial B Zone – Not Applicable ix. Industrial B Zone – Not Applicable x. Connell Terrace Precinct – Not Applicable xi. Northlake Special Zone – Not Applicable 	<p>The proposal nominates building platforms for the subdivision.</p> <p>Complies</p>
Chapter 22 Earthworks		
Rule 22.3.3 Site Standards	<ul style="list-style-type: none"> i. Volume of Earthworks ii. Height of cut and fill and slope iii. Fill iv. Environmental Protection Measures 	Proposed earthworks will not meet the volume of earthworks and height of fill standards contained in Rule 22.3.3 (i) and (ii) – Restricted Discretionary Activity

5. ASSESSMENT OF ENVIRONMENTAL EFFECTS

Despite elements of the application being a Non-Complying Activity, the application has been assessed against relevant assessment matters contained in Chapter 5, 15 and 22 of the District Plan as outlined below. Positive effects are also considered.

5.1 Proposed Queenstown Lakes District Plan and Plan Weighting

Under the Proposed District Plan the site is zoned Low Density Residential. Of note is that the only submission that relates to the land subject to the proposed rezoning in the Proposed District Plan to Low Density Residential zone is from the land owner and applicant, Alpine Estate. Their submission sought the potential for greater density in the Proposed District Plan. There were no other submissions on the land's proposed rezoning by any other parties, and certainly no submissions specifically seeking that the land remains zoned Rural. As the Council will be making its decision in 2017 on the *submissions* on the Proposed District Plan, it is effectively a foregone conclusion that the subject site will be rezoned to residential.

The Proposed District Plans accrue greater weight and decision making relevance as they advance through the process, a nuanced case by case assessment is always required. However, as no parties at the hearings on the Proposed District Plan will be appearing to contest the zoning of the site, at least equal weight should be given to the Proposed District Plan as the Operative District Plan.

5.2 Permitted Baseline

When considering actual and potential effects a consent authority may disregard an adverse effect of an activity on the environment if a plan permits an activity with that effect. In the Rural General zone, permitted activities include farming activities, landscaping, minor earthworks and the erection of fences, walls and minor structures. Subdivision is not provided for as of right however is provided for as a Discretionary Activity.

5.3 Rural Landscape, Character and Amenity

The site has a relatively flat topography and is located within a transitional rural area between existing low density residential development and rural pastoral land.

As discussed in the decision for RM160453, the subject site is within an area in transition as, despite being zoned Rural General, it is surrounded by residential development or land that has been approved for residential development which belies the present rural appearance of the land. Much of the rural character from the surrounding area will be lost with the development of Plan Change 46 and the rezoning proposed by the Proposed District Plan. The site is no longer within a rural environment, and the evolution of the site to a residential area is largely unchallenged.

The Rural General zoned site does not fall within any outstanding natural landscape or features that would elevate the rural character and amenity of the site.

There is minimal vegetation on the site. The 94-lot development will flow on from the adjoining residential lots to the south (Grandview). Given the location of the proposed subdivision, it will not

have adverse effects on any natural features or ecological systems of land uses. There is no Mana Whenua or historical features on or near the site that would be adversely affected by the proposal.

The proposed development is set back from Cardrona Valley Road being the predominant view point as it does not adjoin any main public road, and views will be over pastoral land that is interspersed with residential sites/dwellings. The site is well separated from public roads, and this together with the area's relatively flat topography and the presence of adjacent development means that the development's location will ensure low visibility from public locations.

The site is not currently used for grazing or farming activities, and as such it is not considered that the proposed subdivision would result in significant loss of pastoral land. Particularly given the proposed residential zoning of the site, it can reasonable be anticipated that the site would eventually be developed consistent with its zoning.

As assessed below, the proposal is not contrary to the objectives and policies of the Rural General zone, and further consistent with the objectives and policies of the (proposed) Low Density zoning under the Proposed District Plan.

Overall, such a land use transition as proposed is consistent with Council's intention for low density development in the area, in response to the proposed Low Density Residential zoning under the Proposed District Plan. The area, on the fringe of Wanaka provides suitable flat to gentle rolling topography to create low-level, low density residential allotments where they do not impinge on the natural rural landscape.

5.4 Subdivision Layout

The proposed subdivision layout is consistent and complementary to the adjoining development to the south and that of Spring Blossom Drive and Parkview Street (off Orchard Road). The variation in lot sizes and densities blend in with the low density scale of development in the immediate locality.

Building platforms have been identified as part of this application as well as low density residential design standards. The proposed subdivision of varying lot sizes continues to be sympathetic to the adjoining environment and evolving pastoral character to the south east and east of the site.

As demonstrated in the Engineering Reports, the sites can be adequately serviced via Council's reticulated connections of stormwater, wastewater and water supply. Appropriate easements will be registered for the new lots. Similarly, easements will be registered for connections to telecommunication and electricity from connections in Cardrona Valley Road.

The subject site is not located within any natural hazards, and the proposed development is of a scale that would not exacerbate any natural hazard situation.

Overall it is considered that the layout of subdivision complements the visual amenity of the existing environment.

5.5 Earthworks

The proposed subdivision located on relatively flat topography and clear of any natural hazards will not have adverse effects on natural hazards or exacerbate a natural hazard situation. Any proposed earthworks will be of a relatively small scale involving minor scrapping for formation of internal roading and building platforms. Standard erosion and sediment control measures and conditions of consent can be applied to ensure potential effects are managed.

5.6 Site Servicing

The proposed subdivision can be adequately serviced to Council standards. It is proposed to connect to the existing Council reticulation for water supply and wastewater. Runoff from hardstand areas and roofs will be to ground. The Geotechnical Report in Appendix 4 has confirmed the site is suitable for onsite stormwater disposal.

Electricity and telecommunications connections are available to the Heritage Village/Grandview Subdivision and will be extended to serve the proposed subdivision or it may be further reticulation from Cardrona Valley Road as part of the construction of the new collector road.

An Infrastructure Report is contained in Appendix 3 detailing wastewater, stormwater and water supply requirements.

Servicing easements including telecommunications and power will be provided to the individual lots.

The proposed subdivision can be effectively serviced by public infrastructure and accordingly, it is not expected there would be any adverse environmental effects.

5.7 Access and Traffic Generation

This subdivision will have road linkages west to the Gordon land (Lot 1 DP 492566) to a major collector road which will come from Cardrona Valley Road, north to the Bright Sky land which will join with the continuation of the same collector road.

This collector road will then carry on to Ballantyne Road as shown on the concept plans of Plan Change 46 and east to the Orchard Road Holdings land. Spring Blossom Drive to the south of this development and which at present provides legal access to this land by way of a right of way will terminate at the southern boundary and will only supply pedestrian access through to Orchard Road. Appendix C to the Infrastructure Report (Appendix 3) demonstrates an indicative roading layout of adjoining blocks.

The two main through roads in the development will have a legal width of 20m and a carriageway width of 8.4m and the other roads will have a 15m legal width with a 5.7m carriageway.

A Traffic Assessment has been prepared by Bartlett Consulting, contained in Appendix 6.

It is not anticipated that the additional traffic generation from the 94-lots would generate significant traffic movements to result in adverse traffic effects.

5.8 Cumulative Effects

The character and amenity of the proposed subdivision appears as an extension of the existing residential development of Grandview and Alpine Estate (Stage 1) and Plan Change 46 that adjoins the sites southern and eastern boundary. The proposal does not contribute to adverse cumulative effects as the development is sympathetic to an area in transition from rural to residential.

Further, the proposal is consistent with the future intended zoning of the site and area to Low Density Residential, where the scale and character of the proposed subdivision would be anticipated.

Overall, the proposal will have a less than minor adverse effects and no persons will be adversely affected.

5.9 Non-Statutory Assessment

Wanaka 2020

The site is located within the Wanaka Structure Plan's Inner Growth Boundary. Therefore, the land has been signalled for residential zoning and development, and this has been carried through formally into the Proposed District Plan.

5.10 Positive Effects

The proposed subdivision enables the rural zoned site that is in transition to low density residential, within an identified growth area, be more efficiently used whilst being complementary to the existing character and amenity of the rural-residential environment. The proposal provides additional residential opportunity that are consistent to an area in transition from rural to residential.

The proposal therefore has a positive effect on wider social and economic community while either avoiding or mitigating any potential for adverse effects.

6. ASSESSMENT OF OBJECTIVES AND POLICIES

The relevant objectives and policies of both the operative and proposed plans have been included in Appendix 8 for reference and specifically referred to/assessed below. An assessment against them in accordance with Section 104(1)(a) of the RMA is provided as follows.

6.1 Operative Queenstown Lakes District Plan

District Wide Chapter

The objectives and policies in Section 4.9.3 (Urban Growth) provide critical strategic direction in terms of growth management. The key thrust of these provisions is to provide a basis for sound growth management, so that the key landscape and environmental attributes of the district are managed

appropriately. Central to many of these provisions are Outstanding Natural Landscapes and Natural Resources. The proposed subdivision affects neither.

Objective 3 and associated policies in this section address Residential Growth. Whilst the proposed development is not located within an existing residential zone of the Operative District Plan, in broad terms it represents consolidated growth, as it is contiguous with the Proposed District Plan, existing and future residential development, and is within the Inner Growth Boundary signalled by the Wanaka Structure Plan 2007.

Objective 7 and associated policies are regarding Sustainable Management of Development. A key element of these provisions is the promotion of Urban Growth Boundaries as a planning method. Whilst the Operative District Plan does not apply Urban Growth Boundaries in Wanaka, it anticipates them. The proposed development is within the Urban Growth Boundary of the Proposed District Plan, which is based on the Inner Growth Boundary of the Wanaka Structure Plan.

One of the key focusses of the objectives and policies under Section 4.9 of the Operative District Plan is the protection of landscape values, especially Outstanding Natural Landscapes and Features. This leads to the objectives and policies under Section 4.2.5, many of which concern landscape values. Of central relevance are the Policies under sub-section 4 of 4.2.5, relating to Visual Amenity Landscapes:

- (a) To avoid, remedy or mitigate the adverse effects of subdivision and development on the visual amenity landscapes which are:*
 - *highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan); and*
 - *visible from public roads.*
- (b) To mitigate loss of or enhance natural character by appropriate planting and landscaping.*
- (c) To discourage linear tree planting along roads as a method of achieving (a) or (b) above.*

The proposed development is not highly visible from public places, nor particularly visible from public roads – especially when the ‘existing environment’ context is considered. Overall, it is considered that the proposed development is not contrary to the relevant objectives and policies contained within Chapter 4 District Wide matters, and is consistent with many of them.

Rural Chapter

The subject site is zoned Rural, but its surrounding environment has clearly changed from a typical rural environment, and will make the final transition away from a rural environment to an urban one through the Proposed District Plan.

Objective 1 and associated policies concerns Character and Landscape Value. The area is in the middle of an evolution to an urban area, and now demonstrates little of the characteristics of a rural setting, apart from some remnants of open pastoral land. Productive farming is not occurring on or next to the subject site, and urban development exists or is zoned adjacent to the site. The same arguments apply in relation to Objective 3 Rural Amenity.

Similarly with regard to Objective 2 Life Supporting Capacity of Soils, the site and surround is transitioning to an urban environment, and this was signalled in the Wanaka Structure Plan and carried through to the Proposed District Plan.

Subdivision Chapter

Objectives 1 through to 2 concern servicing and contributions. The subdivision can be adequately serviced, and reserve contributions will be paid. Objective 4 concerns Outstanding Natural Landscapes and features which are not relevant to the application.

With regards to Objective 5 concerned with amenity protection, the proposal is not inconsistent with these provisions when the evolving context of this rural area are considered.

In an assessment of the proposal against the objectives and policies of the Operative Plan, the focus should not be on individual provisions, but rather on the overall thrust of the provisions.

Overall, the proposed subdivision is not contrary to the objectives and policies of the Operative District Plan as the development is a complementary activity and its scale and intensity is consistent with the existing transitional environment.

The proposed subdivision can be adequately serviced through Council's reticulated network. Access to the new lots will be via a new collector road from Cardrona Valley Road and the additional 94 lots will not have adverse effects on the efficient use of the local roading network.

The proposed Low Density zoning of the site is achieved through the proposed subdivision. The sites and area are adequately serviced by Council's reticulated network and will be adequately accessed. The scale of the development of generously sized lots ensures that the amenity vales are maintained. Future development of the individual lots will be subject to the site and performance standards of the zone which would ensure complementary development for its zoning.

For the reasons discussed above the proposed subdivision is not considered to be contrary to the relevant objectives and policies of the Queenstown Lakes District Plan and is consistent with the Proposed District Plan.

6.2 Proposed Queenstown Lakes District Plan

As outlined above, the site is zoned Low Density Residential in the Proposed District Plan and it is noted that no submitter has submitted in opposition to a change of zoning from Rural to Residential. Accordingly, it is considered that reasonable weight and consideration can be given to the proposed up zoning of the site.

In particular, Chapters 3 (Strategic Direction) and 4 (Urban Development) of the Proposed District Plan are relevant to this application. They set out Urban Growth Boundaries as a central resource management tool for the district, and Chapter 4 shows boundaries for Wanaka within which the proposed site and development sits. The site no longer sits in a rural environment, and is a long way

through an evolution to an urban area (and has been signalled for 10 years through the Wanaka Structure Plan).

With regards to the proposed low density residential zoning, the Plan intends to provide for traditional suburban densities and housing forms on sections between 400m² and 2,040m², which is consistent with the proposed subdivision layout. Increased density could also be supported in this zoning. In particular, the zone provides for subtle and low impact change ensuring the protection of amenity values in terms of privacy, access to sunlight and building dominance which area managed through imposition of the zone design standards. The proposed development is consistent with the intentions of the Wanaka Structure Plan and considered to be an efficient utilisation of existing/proposed infrastructure and minimises impacts on infrastructure and roading networks as this growth is already planned for the area.

Overall, it is considered that the proposed subdivision for low density residential is consistent with the objectives and policies of the Proposed Plan.

7. STATUTORY ASSESSMENT

7.1 NES for Assessing and Managing Contaminants in Soil to Protect Human Health.

The National Environmental Standard (NES) for Assessing and Managing Contaminants in Soil to Protect Human Health set standards for certain activities:

- Removing or replacing all, or part of, a fuel storage system
- Sampling the soil
- Disturbing the soil
- Subdividing the land
- Changing the land use

A Preliminary Site Investigation has been undertaken on the subject site for RM160453 which confirmed that the site is not subject to contamination and therefore consent not required under the NES.

7.2 Resource Management Act 1991 – Part II Assessment

The proposal is consistent with the purposes and principles of the RMA, as expressed in Part II (Sections 5 – 8).

With regard to Section 5 (“purpose”), the proposal represents the use, development and protection of natural and physical resources in a way that enables people and communities to provide for their social and economic well-being. In particular, the proposed subdivision enables an efficient use of the site that may be anticipated by the current zoning (and consistent with the proposed zoning) and consistent to its environment will have less than minor environmental effects. Accordingly, the proposal satisfies Section 5(2)(ab), (b) and (c).

With regard to Section 6 (“matters of national importance”) there are no matters relevant to the site or the proposed subdivision.

With regard to Section 7 (“other matters”) the subdivision represents efficient use of a natural and physical resource (the site). The development is compatible with the surrounding environment and will not inappropriately undermine the amenity values of the site and surrounding area. The proposed subdivision of the site will not materially degrade amenity values, nor will it unduly affect the quality of the rural-residential environment.

With regard to Section 8 (“Treaty of Waitangi”) there are no aspects of the subdivision which are inconsistent with the principles of the Treaty of Waitangi.

Overall, the proposal satisfies the purpose of the Act. As part of an overall planning approach, it contributes to the wellbeing of the Wanaka community in terms of the provision of housing and the building of community. It forms part of the overall development sector, which is one of the key generators of employment and economic wellbeing in Wanaka. It will generate some minor impacts on the wellbeing of nearby residents but not to the extent to override the overall considerations – and these impacts can be mitigated. The proposal is consistent with the Wanaka Structure Plan which involved extensive community consultation and is well accepted by the community.

Overall, the proposed subdivision meets the purpose and principles of sustainable management set out in Part 2 of the RMA.

7.3 Section 88

An application for resource consent is being made under Section 88 of the Resource Management Act 1991. The subdivision component of the application is for a Discretionary Activity and land use infringements are a Non Complying Activity. A description of the activity can be found in Section 3 of this report, a statement specifying consents required in Section 4, and an assessment of any environmental effects in Section 5.

7.4 Section 104 Matters for Consideration

Section 104(1) of the Resource Management Act 1991 (“RMA”) specifies certain matters that consent authorities must consider when processing an application for resource consent. It reads as follows:

Section 104

In considering an application for land use consent, the consent authority must have regard to Part II (Purposes and Principles) of the RMA, and to the matters to be considered as set out in section 104(1). Section 104(1) states that, subject to the provisions of Part II, a consent authority must have regard to:

- (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 matter the consent authority considers relevant and reasonably necessary to determine the application.*

In respect of Section 104(1)(a), an assessment of any actual or potential effects is included in Section 5 of this report. Section 104 (1)(a) allows for Council to consider positive as well as adverse effects. The housing affordability issue in Wanaka is widely recognised. One of the key issues identified with the Operative District Plan was the lack of competition in the land development market. This proposal, together with the applicant's wider development plans, will help increase competition in the Wanaka market. Increased competition should help address affordability.

In respect of Section 104(1)(b), the documents that provide the relevant statutory context are the Queenstown Lakes District Plan and the Proposed Queenstown District Plan, as assessed in Section 6 above.

Section 104(1)(c) of the Act requires that the consent authority must have regard to 'any other matter' the consent authority considers relevant and reasonably necessary to determine the application. The Wanaka Structure Plan is relevant to the consideration of this application. It has been in place for 10 years, and has long signalled that the subject site will become part of the Wanaka Urban Area. This Structure Plan underpinned the zoning regime of the Proposed District Plan, and as noted earlier no submissions opposing rezoning from Rural to Residential were lodged.

7.5 Resource Management Act 1991 - Section 104D

As a Non-Complying Activity the application has been assessed against Section 104D of the Resource Management Act 1991. In order for consent to be granted Council must be satisfied that either the adverse effects of the activity on the environment will be minor, or that the application is for an activity that will not be contrary to the objectives and policies of the District Plan.

As Section 5 of this assessment concludes, the environmental effects of the proposed subdivision and land use infringements will be less than minor. Therefore the application satisfies the Section 104D(a) test for the granting of a resource consent for a Non-Complying Activity.

The application has been assessed against the relevant objectives and policies of the Operative and Proposed District Plan as outlined in Section 6. This assessment demonstrates that the proposed development complies with, supports, meets, or is not contrary to the relevant objectives and policies. This assessment concludes that the proposal satisfies the test contained in Section 104D(b) of the Resource Management Act 1991 for the granting of a resource consent for a Non-Complying Activity on the basis that the proposal will not be contrary to the objectives and policies of the District Plan.

It is therefore considered that the application satisfies both limbs of the Section 104D tests.

8. NOTIFICATION

Pursuant to Section 95A(2)(b) the Applicant request public notification of the application.

9. CONCLUSION

This application is being made under Section 88 of the Resource Management Act 1991 (RMA) for a 94-lot subdivision including building platforms to be established at Lot 2 DP 498936. Earthworks will be required as part of the subdivision. Land use consent is also sought to establish residential development in each proposed lot.

Section 3 detailed the description of the subdivision application. Section 4 outlined the key planning considerations for this assessment. Section 5 detailed an assessment of the effects based on any relevant matters included in Queenstown Lakes Operative and Proposed District Plans.

The proposed subdivision (and land use) is an extension of the existing low density residential development adjoining the southwest and immediately surrounding transitional urban area. The development maintains a rural backdrop to the east. The proposal is consistent with the future low density zoning of the site and the existing zoning of the land to the east (Plan Change 46).

Overall, it is considered appropriate for Council to recommend granting consent to this application. Such a decision is supported by the policy framework of the Operative and Proposed District Plans, the minor effects generated by the proposal, and would be in line with previous decision making for neighbouring development.

APPENDIX 3 - PARKS & RESERVES REPORT

PARKS & RESERVES REPORT

TO: Wendy Baker

FROM: Aaron Burt

DATE: 12 September 2018

APPLICATION DETAILS	
REFERENCE	RM170065
APPLICANT	Alpine Estates Limited

Council (full) endorsed the vesting of the proposed Recreation Reserve Lot 101 (comprising 3000m²), on 23 March 2018.

The endorsement to vest was subject to the following criteria, and works to be undertaken at the developer's expense:

- i. Consent being granted (as necessary) for any subdivision required to formally create the reserve and to level out undulations (as agreed necessary by the Parks Planning Manager);
- ii. Presentation of the reserve in accordance with Council's standards for reserves;
- iii. The submission to Council by the developer, certification as appropriate by Council, and subsequent implementation of a landscape and planting plan for the reserve.
- iv. The formation of any sealed pathways to a minimum 2 metre wide width;
- v. A potable water supply point to be provided at the boundary of the reserve lot;
- vi. The registration of a fencing covenant under s6 of the Fencing Act 1978 on the reserve to vest in QLDC to protect the Council from liability to contribute towards any work on a fence between a public reserve vested in or administered by the Council and any adjoining land;
- vii. The registration of a Consent Notice on any land adjoining the reserve to ensure any fences on land adjoining the reserve are no more than 1.2 metres in height and have a visual permeability of no less than 50%;
- viii. A three year maintenance period by the current landowner commencing from vesting of the reserve;
- ix. Vesting of reserve to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy.

Having regard to the above, it is appropriate that conditions to be imposed upon any grant of consent ensure the following.

Recommended Conditions

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

- 1) Prior to the commencement of any works under this consent on the site, the consent holder shall first provide detailed landscape plans and design specifications by a suitably qualified Landscape Architect to be certified by the Queenstown Lakes District Council's Parks & Reserves Planning Manager as achieving the following:
 - a) All works shall meet Part 7: Landscape of 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>*

- b) Ensure that areas of reserve exclude any areas of road.
- c) Details of landscape trees and plants that includes the species, size and location.
- d) Irrigation plan showing how trees are to be irrigated
- e) Tree pit details showing root ball treatment and staking
- g) Ensure that all batter slopes and mounds are to a gradient not exceeding 1:5 when measured across any point to ensure that all slopes are mowable. This will require that plans clearly demonstrate that this gradient will not be exceeded.
- h) Path width, material and construction details so that all tracks achieve a grade 2 standard as set out in standards <http://www.qldc.govt.nz/assets/Uploads/Council-Documents/Parks-Planning-Documents/QLDC-Cycle-Trail-Track-Design-Standard-2016.pdf>
- i) Detail of any stormwater soak pits/detention areas, including planting, maintenance and confirmation that the surrounding areas can be easily mown.
- j) Details and locations for any other proposed assets, such as park seats, irrigation and fencing.
- k) Maintenance requirements
- l) A potable water supply point to be provided to the boundary of reserve lot.

No works may be undertaken upon the site until the plan has been certified.

Advice Note: The Consent Holder is welcome to seek guidance from the Parks & Reserves Planning Manager when preparing the landscape plan. This may facilitate certification if any matters of concern are addressed. Street Tree Planting Guidelines are available on request from the QLDC Arborist.

The Consent Holder should also be aware that the certification or acceptance of any landscape plan does not remove the requirement to ensure Council approval for vesting of reserve areas.

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

- x. The Consent Holder shall obtain a Full Council decision confirming that all area of reserve has been formally agreed to be vested. For reference, the vesting was considered by Council on 23 March 2018.
- x. The completion and implementation of the landscaping and requirements detailed in Condition X above.
- x. The Consent Holder shall enter into a maintenance agreement under S207A of the Local Government Act 2002 Amendment Act, with the QLDC (Parks and Reserves), with the obligation being upon the Consent Holder to fulfil the requirements detailed in (i) to (iv) below. The maintenance period shall be three years from any issue of 224(c):
 - (i) All new assets, including irrigation and fencing, shall be kept in good working order and be free of defects or disrepair.
 - (ii) Trees and vegetation shall be irrigated and maintained to an acceptable standard as specified by QLDC Parks and Reserves Planning team. It shall be the responsibility of the consent holder to ensure that any new plantings, as shown on the approved landscape plans, that die or decline at any time over the 3-year maintenance period following the initial planting shall be replaced. The replacement plants shall be of the same species, grade and size as the original specimens and planted no later than the following planting season or as instructed by QLDC.

(iii) The vested Recreation Reserve shall be kept in a tidy condition and shall be free of litter and refuse.

(iv) Health and safety plans shall be provided for all non-QLDC approved contractors undertaking maintenance in the reserves or road reserves.

Ongoing Conditions/Consent Notices

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

(i) All boundary fences along or adjoining any areas of reserve shall be no greater than 1.2 metres in height and shall be no less than 50% visually permeable.

Covenant

x. The Consent Holder shall ensure that a fencing Covenant, required under s6 of the Fencing Act 1978, is registered on all land to ensure that any reserves to vest in QLDC are protected and that Council has no liability to contribute towards any work on a fence between a public reserve vested in or administered by the Council and any adjoining land.

Prepared by:



Aaron Burt
SENIOR PLANNER: PARKS & RESERVES

APPENDIX 4 - ENGINEERING REPORT

ENGINEERING REPORT

TO: Wendy Baker

FROM: Lyn Overton

DATE: 31/08/2018

APPLICATION DETAILS	
REFERENCE	RM170065
APPLICANT	Alpine Estate Ltd
APPLICATION TYPE & DESCRIPTION	Subdivision consent is sought to undertake a 94 lot subdivision.
ADDRESS	Mountain View Drive/Cardrona Valley Road, Wanaka
ZONING	Rural General ODP, Low Density Residential PDP
LEGAL DESCRIPTION	Lot 2 DP 498936
SITE AREA	11.8863ha (9.9ha for this proposal)
ACTIVITY STATUS	Discretionary

Application	Reference Documents	Consent Application.
	Previous Relevant Consents	RM160453 – Underlying subdivision to create 14 residential lots and 1 bulk lot – Still in construction. RM170329 – Underlying subdivision to create a bulk lot subdivision and access from land to the northwest.
	Date of site visit	13/02/2018

Location Diagram



Comments		
	Existing Use	Vacant rural block formerly used for grazing stock.
	Neighbours	Residential development to the northwest and southwest.
	Topography/Aspect	The site undulates with overland flow paths located centrally through the site.
	Water Bodies	There is no water body located within this site.

ENGINEERING			COMMENTS	Condition
TRANSPORT	Access	Means of Access	<p><u>Access</u></p> <p>The legal access to this site is from Mountain View Drive. However, for the purposes of this subdivision the access will be from two roads being created to the northwest approved under RM170094 and RM170329. The access currently being formed under RM170094 is from Cardrona Valley Road and construction has almost been completed at the time of writing this report. The road being constructed under RM170329 is indicated as 'Road 1' on the subdivision scheme plan for this subdivision.</p> <p>Engineering acceptance was provided for the formation of the road up to the intersection with the 15 lot subdivision completed under RM160453. This road is being formed in accordance with Figure E13 of QLDC Land Development and Subdivision Code of Practice. This road is under construction at the time of writing this report.</p> <p>Five roads (including Road 1) and one right of way are proposed for this subdivision. A traffic assessment was submitted by Bartlett Consulting titled '<i>Alpine Estate, Stage 2 – Wanaka, Transport Assessment</i>' (dated 22 December 2016) The report confirms that the proposed roads comply with Council's standards in respect to gradients and recommends that the roads are formed in accordance with QLDC Land Development and Subdivision Code of Practice The following recommendations were made:</p> <p><i>Prior to any on-site construction:</i></p> <ul style="list-style-type: none"> • <i>That a design for the primary access and internal access roads serving between 20 and 200 residential dwelling equivalents is provided for approval. The design of this road should comply with the minimum requirements of NZS4404:2010 Figure E12.</i> • <i>That a design for the internal access lanes serving less than 20 residential dwellings is provided for approval. The design of this road should comply with the minimum requirements of NZS4404:2010 Figure E11 with an assessed operating speed of less than 30km/hr. These road will require separate footpaths where they provide pedestrian or cycle access to community reserves or residential dwellings beyond the site such as Stage 1 and Spring Blossom Drive.</i> • <i>That a design for the private way serving up to 6 residential dwellings (townhouses) is provided for approval. The design of this road should comply with the minimum requirements of NZS4404:2010 Figure E9. The design should include widening to a minimum carriageway width of 5.5m at the intersection with the internal access road to manage any queuing.</i> 	

		<p>Means of Access continued</p>	<ul style="list-style-type: none"> • <i>That internal road intersection designs are to be provided for approval. The designs should include the provision of minimum sight distance requirements based on assessed operating speeds and, where required, priority intersection controls.</i> • <i>That if deemed necessary a street lighting design is to be provided for approval. The street lighting designs for the internal road network and pedestrian/cycle paths should be developed to meet the requirements of the QLDC lighting strategy, Southern Light.</i> <p>The Paterson Pitts cross sections submitted indicate that the roads can meet the minimum requirements as specified in the Bartlett report.</p> <p>Cyclists will be required to share the movement lanes in all roads being created.</p> <p>No provision has been made for public transport at this stage. However, in the event that public transport does become available within Wanaka I am satisfied that the proposed road widths could accommodate public transport.</p> <p><u>Roads</u></p> <p>Council's traffic consultants Stantec conducted a peer review of the roading design and raised concerns around the traffic modelling for the internal and external roads and linkages into neighbouring site especially the proposed Special Housing Area (SHA) to the north and plan Change 46 site to the east. The Stantec review also raised concerns that Section 14 of the District Plan and relevant breaches in respect to intersection set back and sight line availability had not been addressed.</p> <p>Subsequently Bartlett Consulting has provided a report titled '<i>Alpine Estate, Stage 2 to 5 – Wanaka, Peer Review Response</i>' (dated 23 August 2018). This report addresses each concern raised by Stantec. The report confirms that consideration was made for traffic numbers from the proposed neighbouring developments but as no development plans had been provided it was difficult to undertake full traffic modelling. The proposed roads have been designed to cater for the proposed densities of the neighbouring sites.</p> <p>The report confirms that 'Road 1' (primary access) should be constructed in accordance with figure E13 of the QLDC land Development and Subdivision Code of practice (COP) and include indented parking. All other roads shall be constructed as originally advised in the report dated 22 December 2016.</p> <p>The report confirms:</p> <p><i>"All intersection sight distances, including access to the private way, will need to be confirmed at the detailed engineering stage (Engineering Approvals) when a detailed assessment of horizontal alignment, vertical alignment and landscaping can be modelled together. This assessment may affect the position or type of street trees to be located within the road reserve. It is noted that the final alignment of the private way access is flexible and can be changed to meet the minimum site distances"</i></p>	
--	--	---	--	--

		<p>Means of Access continued</p>	<p>The report also confirmed:</p> <p><i>“An assessment of roadside vegetation can be considered with visibility sight distance at the detailed engineering stage (Engineering Approvals) when a detailed assessment of horizontal alignment, vertical alignment and landscaping can be modelled together. This assessment may affect the position and/or type of street trees to be located within the road reserve. This assessment will consider pedestrian/cyclist crossings as well as intersections and accesses.</i></p> <p><i>I recommend that trees near to intersections are set back from the edge of the carriageway so that these do not affect safe intersection sight distance. Mid-block street trees and vegetation adjacent to the carriageway add to drivers’ perception of roadside activity and lowers their vehicle speed. In these locations I recommended that the selection of trees and vegetation avoids any species which have foliage between 0.5m and 2.0m above the carriageway surface which would reduce visibility sight distances from vehicle crossings.”</i></p> <p>Stantec has reviewed the report and confirmed in an email (dated 30/08/2018) that all concerns have been addressed’</p> <p>I accept the reports and I am satisfied that the proposed roading layout includes provision for connections to surrounding land, and the proposed designs are appropriate and in accordance with the recommendations made in the Bartlett Consulting reports. Appropriate conditions are recommended in respect to the formation of the roads, lighting, markings and signage.</p>	<p>X</p>
		<p>Vehicle crossing</p>	<p><u>Vehicle crossings</u></p> <p>The submitted scheme plan indicates that Lots 10, 35, 39, 68, 69, 78 and 93 will have road boundaries less than 11m in width. Therefore, Council requires the vehicle crossings to be constructed prior to section 224c certification.</p> <p>The Bartlett consulting report dated 23/08/2018 confirms that lots 1, 34 & 46 should also have vehicles crossing constructed as there is limited area to construct a crossing without breaching the intersection setback rules. An appropriate condition is recommended in respect to the construction of vehicle crossings.</p> <p>Lots 52, 53, 54, 59 and 60 will breach District Plan rule 14.2.4.2.vi in respect to setback distances from the intersections. I am satisfied that the breach is technical only and will not result in any adverse effects on pedestrian or traffic safety. In respect to Lots 59 and 60 clear sight lines can be obtained in both directions along ‘Road 2’ and into ‘Road 4’. In respect to Lots 53 and 54 clear sight lines can be obtained in both directions along ‘Road 1’ and into ‘Roads 2 and 4’.</p> <p>The Bartlett report (dated 23/08/2018) has undertaken an assessment in respect to sight distances and has identified four breaches of District Plan rule 14.2.4.2.iv. The breaches identified were for Lots 25, 31, 66 and 83. As stated above the traffic report states that a full assessment of sightlines will need to be undertaken at the time of Engineering review when vertical and horizontal alignments and landscaping will be assessed.</p>	<p>X</p>

		<p>Vehicle crossing continued.</p> <p>The report makes the following recommendation:</p> <p><i>“That vehicle crossings are to be formed as part of development where the recommended location will breach sight standards. This shall include vehicle crossings to Lots 1, 25, 31, 34, 46, 66 & 83. In addition, for lots where a vehicle crossing position could breach site standards (Lots 18, 19, 45, 51, 52, 53, 54, 55, 59, 60, 61, 63, 65, 80 & 96) a recommended compliant vehicle crossing position shall be shown on the detailed design drawings and clearly identified to future lot owners.”</i></p> <p>An appropriate condition is recommended to ensure that vehicle crossings are provided where there are constraints.</p> <p>I recommend a consent notice condition to ensure that where crossing are provided access shall only be via these crossing and that where a crossing is not provided one will need to be approved and formed prior to occupation of a residential unit.</p>	<p>X X X</p>
--	--	--	----------------------

ENGINEERING		COMMENTS	Condition
EARTHWORKS	Extent	Description	Earthworks are required to remove high spots within the site and fill in low spots.
		Cut /Fill Volume (m ³)	40,000m ³ cut and 30,000m ³ of fill
		Total Volume (m ³)	70,000m ³
		Area Exposed (m ²)	Entire site.
		Max Height Cut/Fill (m)	The maximum height of cut/fill is 2.5m.
		Prox. to Boundary	The plans indicate that the earthworks will be undertaken up to the northwest and southeast boundaries of the site with earthworks being extended into the neighbouring lots to the northeast and southwest. While this will breach District Plan rule 22.3.3(ii)(b)(iii) in regards to the distance of the top to toe of the cut/fill areas in relation to the boundary, I am satisfied that there will be no adverse effects on the neighbouring property as a result. All cut/fill areas will meet the existing ground levels at the boundaries of the site. The earthworks required across the northeast boundary will be in the location of a future road, and the earthworks required across the southwest boundary is to fill in what remains of an old overland flow path and low spot.
		Prox. to Water	There are no water bodies within or near the site.
	Stability	Geotech assessment by	Mt Iron Geodrill
		Report reference	‘Geotechnical Assessment Report, Alpine Geotech, Orchard Road, Wanaka’ (dated 23 May 2016, Job Ref: G17026 and 26 February 2017, Job Ref: G17105).
		Report Comment	The reports provide recommendation in respect to site preparation, excavation conditions and suitability of soils as fill. I accept the reports and recommend that the earthworks are undertaken in accordance with the recommendations made in the reports.
		Rock breaking	Not expected.
		Rock blasting	Not expected.
		Preconstruction survey	Not required due to proximity of neighbouring residential units.

		Retaining	No retaining is proposed.	
		Recommendations on cut/batter slopes	As per Mt Iron Geodrill report.	
		Fill certification/specific foundation design required	The plans submitted with the application indicate that there will be areas of fill placed within the buildable areas within Lots 5 to17, 24 to 28, 38 to 41, 55 to 64, 67 to72 and 74 to 89. The applicants will need to ensure that all fill is placed in accordance with NZS 4431:1989. An appropriate condition is recommended in respect to providing fill certification.	X
		Engineers supervision	The fill processes will need to be supervised by a suitably qualified engineer if certification is required. An appropriate condition is recommended.	X
		Uncertified fill covenant	Not required as all fill will need to be certified.	
		Schedule 2a Certificate	Not required.	
		Clean fill only	Not required.	
	Site Management	Report reference	A 'Site Management Plan' (SMP) was submitted by consultants Paterson Pitts Group (PPG) that provides mitigation measures for erosion and sediment control, dust control, traffic and noise and vibration nuisance effects. Appropriate conditions are recommended to ensure that the site management is undertaken in accordance with the PPG SMP and 'Guide to Earthworks in the Queenstown Lakes District' brochure.	X
		Specific sedimentation management	As above	
		Specific stormwater management	As above	
		Neighbours	I am satisfied that the earthworks are feasible and no adverse effects will result on neighbouring sites.	
		Traffic management	I am satisfied that traffic management will not be necessary.	
		Construction crossing	An appropriate condition is recommended to ensure that a construction crossing is in place prior to works commencing.	X
		Revegetation	An appropriate condition is recommended to ensure all exposed areas are stabilised or re-vegetated at the completion of earthworks.	X

SERVICES	Existing Services	There is a Council sewer main within the site and a 150mm water main was approved via Engineering Acceptance for the subdivision being completed under RM170329. Consultants Paterson Pitts Group (PPG) has provided a 'Infrastructure Report, 94 lot Subdivision of Lot 2 DP 302568, Orchard Road, Wanaka for Alpine Estate Ltd' (dated March 2017).	
-----------------	--------------------------	---	--

	Water	Potable	<p>The PPG report confirms:</p> <p><i>"If the need is simply to supply this subdivision we have 150mm supply at the south end coming from Cardrona Valley Road or a 200 mm supply at the head of Frederick Street. However we are working with Nichola Greave, Council's three Waters engineer on the most appropriate way to service this subdivision and they are completing water modelling to assess how the development of this area could contribute to the whole Council network (see Appendix D). A 300mm Water main has been reticulated through the 3 Parks Development which will end up increasing the flow and pressures from the main Beacon Point Reservoir through to Ballantyne Road. Council wants to continue this flow and pressure through to Cardrona Valley Road and that can either come through this subdivision or more probably follow the connector road from opposite Frederick Street to Cardona Valley Road"</i></p> <p>Council has confirmed that they are proposing upgrades to the water reticulation within this area of Wanaka. Improvements to the water reticulation were made with the installation of a 300mm water main through The Three Parks Development site and further improvements are in the planning stages along Golf Course Road. I am satisfied that the proposed upgrades to Council's water reticulation network within this area will ensure that there is capacity to service the site. Appropriate conditions are recommended to ensure that all lots being created are provided an independent water connection.</p>	X
		Fire-fighting	<p>An appropriate condition is recommended to ensure that fire hydrants with a minimum classification of FW2 are installed within the roads being created.</p>	X
		Effluent Disposal	<p>A report undertaken by engineering consultants Becca has confirmed that there are capacity issues with the Gordon Road pump station. The PPG report confirms:</p> <p><i>"The proposed subdivision will either connect to Council's existing 150mm reticulated wastewater infrastructure which runs through the property connecting to the sewer main which runs between Cardrona Valley Road Ballantyne Road. We will also investigate the ability to reticulate out through Frederick Street to Ballantyne Road as per the plans and emails sent through by Nichola Greaves, Council's Three Waters Engineer (Appendix D). Diversion through Frederick Street may avoid the need for upgrading the Gordon Road pump station. This will be investigated and discussed with Council as part of the detailed engineering design for this subdivision."</i></p> <p>Recent water modelling undertaken on the pump station in Gordon Road indicated that the pump is at capacity. While Council does have the upgrade to the pump station entered into the 5 year plan the reality is that the upgrades are most likely not going to happen for 2+ years.</p> <p>An appropriate condition is recommended to ensure that all lots are provided a gravity sewer connection and to ensure that either the pump station is upgraded or that wastewater is diverted out through Fredrick Street as confirmed in the PPG report.</p>	X

	Effluent Disposal continued	CCTV of reticulation required is required for all new mains being constructed. An appropriate condition is recommended in this respect.	X
	Stormwater	<p>There is no Council stormwater reticulation available to the site. The PPG report states:</p> <p><i>"There is no existing storm water reticulation in this area and runoff from hardstand areas rooves and roads will be to ground. This area has proven to be very amenable to stormwater disposal using this methodology and a geotechnical assessment has been commissioned to confirm this. Appendix 4 to the AEE includes a geotech report from part of this site which confirms the ability to dispose of excess stormwater in this way however we have commissioned a more comprehensive geotech report for the whole area which we will forward once it is received."</i></p> <p>The Mt Iron Geodrill report confirms that there is permeability within the underlying soils in the geotechnical report. While some of the lots being created will have up to 2m of certified fill located within them the type of underlying soils (mainly sandy gravels and sandy silts) and suitability of the fill material should allow for some permeability as confirmed via letter dated 22 March 2018 from Mt iron Geodrill. Permeability tests will need to be undertaken prior to the construction of any on-site soakage system. An appropriate consent notice condition is recommended in respect to on-site stormwater disposal.</p>	X
	Power & Telecoms	Correspondence has been received from utility providers Aurora and Chorus confirming electricity and telecommunications connection can be provided to the lots. Appropriate conditions are recommended to ensure that all lots are provided a connection.	X X
	Management Company	I recommend that a management company is created to manage the maintenance of reserve area and access within the 'Access Lot' (Lot 102).	X
	O&M Manuals	Not required.	
NATURAL HAZARDS	Hazards on or near the site	<p>The QLDC Hazard Register Maps show the falls within the LIC1 liquefaction hazard category, with an assessed liquefaction risk being "Nil to Low". Based on this hazard category and lack of any obvious site factors which suggest otherwise, I am satisfied that future buildings are unlikely to be at risk of liquefaction in a seismic event and that standard foundations as required under NZS 3604:2011 for timber framed buildings are sufficient. Foundation requirements for the buildings will be addressed under the related building consent.</p> <p>There is a large overland flow path located centrally within the site.</p>	
	Hazard assessment by	Mt Iron Geodrill	
	Report reference	'Geotechnical Assessment Report, Alpine Geotech, Orchard Road, Wanaka' (dated 23 May 2016, Job Ref: G17026 and 26 February 2017, Job Ref: G17105).	
	Report on Hazards	The reports confirms that there is no risk from flooding. I accept the report and do not recommend any conditions in respect to natural hazards.	

	ORC	Not required.	
	Proposed Mitigation	None required.	
	Supervision of works	Not required.	
	Certification of mitigation	Not required.	

PROJECT INFORMATION	Developers Engineering Representative	There are significant engineering works required to install service connections to all lots and to construct the access. An appropriate condition is recommended to ensure that the name of the supervising engineering is provided prior to works commencing.	X
	Notice of commencement	Not required.	
	Traffic Management Plan	Not required.	
	Design Certificates	Design certificates are required as infrastructure and roading will be vested.	X
	Completion Certificates	Completion certificates are required for the infrastructure and roading to be vested.	X
	As built	A condition is recommended to ensure that an asbuilt for all services constructed as part of this subdivision are submitted prior to s224 certification.	X

TITLES	Consent Notices	Conditions registered on consent notice 5143982.11 are no longer relevant to this site. I recommend that this consent notice be cancelled on completion of the subdivision to ensure that it is not applied to the new titles.	
	Easements	A condition is recommended to ensure all necessary easements are granted or reserved.	X
	Road Names on title plan	A total of five roads and one 'Access Lot' will be created. An appropriate condition is recommended to ensure that all new roads being created are named. This will include naming the 'Access Lot' that will serve proposed Lots 88 to 93.	X
	Building platforms	Not required.	
	Amalgamation Condition	The 'Access Lot' being created within Lot 102 will be amalgamated as six equal shares with Lots 88 to 93. An appropriate condition is recommended in this respect.	X

RECOMMENDED CONDITIONS

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

LAND USE CONDITIONS FOR EARTHWORKS

General

1. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being QLDC's Land Development and Subdivision Code of Practice adopted on 3rd May 2018 and subsequent amendments to that document up to the date of issue of any resource consent.

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

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

2. Prior to commencing any work on the site the consent holder shall install a construction vehicle crossing, which all construction traffic shall use to enter and exit the site. The minimum standard for this crossing shall be a minimum compacted depth of 150mm AP40 metal that extends 10m into the site. Wooden planks or similar shall be provided to protect the footpath and kerb from damage caused by construction traffic movements, in accordance with 'A Guide to Earthworks in the Queenstown Lakes District' brochure, prepared by the Queenstown Lakes District Council.
3. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and 'A Guide to Earthworks in the Queenstown Lakes District' brochure, prepared by the Queenstown Lakes District Council and in accordance with the site management plan submitted with the consent application by Paterson Pitts Group to ensure that neighbouring sites remain unaffected from earthworks. These measures shall be implemented **prior** to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
4. 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 Mt Iron Geodrill report (dated 23 May 2016, Job Ref: G17026 and 26 February 2017, Job Ref: G17105) and who shall supervise the excavation and fill procedure and ensure compliance with the recommendations of this report. This engineer shall continually assess the condition of the excavation and shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability.

To be monitored throughout earthworks

5. No permanent batter slope within the site shall be formed at a gradient that exceeds 1(V):2(H).
6. The earthworks and batter slopes shall be undertaken in accordance with the recommendations of the report by Mt Iron Geodrill (dated 23 May 2016, Job Ref: G17026 and 26 February 2017, Job Ref: G17105).
7. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at his/her expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.

On completion of earthworks

8. On completion of earthworks the consent holder shall provide certification in accordance with NZS 4431:1989, for all areas of fill within the site. Note this will require supervision of the fill compaction by a chartered professional engineer.
9. On completion of the earthworks, the consent holder shall complete the following:
 - a) All earthworked areas shall be top-soiled and revegetated or otherwise permanently stabilised.
 - b) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

Advice Note

1. Prior approval via a Connection to Council Services for a Temporary Water Take is required if Council's water supply is to be utilised for dust suppression during earthworks. This shall include the use of a backflow prevention device to prevent contamination of Council's potable water supply.

SUBDIVISION CONDITIONS

Staging

1. This subdivision may be staged. For the purposes of issuing approvals under sections 223 and 224(c) of the Resource Management Act 1991, the conditions of this consent shall be applied only to the extent that they are relevant to each particular stage proposed. This consent may be progressed in any order and all stages may be combined, providing all necessary subdivision works (such as servicing, provision of formed legal access and other works required to satisfy conditions of this consent), are completed for each stage, prior to certification being issued as necessary under sections 223 and 224(c) of the Resource Management Act 1991. Any balance lots created shall either be serviced to Council's standards or held together in one title with a serviced lot.

General

2. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being QLDC's Land Development and Subdivision Code of Practice adopted on 3rd May 2018 and subsequent amendments to that document up to the date of issue of any resource consent.

Note: The current standards are available on Council's website via the following link:

<http://www.qldc.govt.nz>

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

3. The owner of the land being developed shall provide a letter to the Manager of Resource Management Engineering at Council advising who their representative is for the design and execution of the engineering works and construction works required in association with this development and shall confirm that these representatives will be responsible for all aspects of the works covered under Sections 1.7 & 1.8 of QLDC's Land Development and Subdivision Code of Practice, in relation to this development.
4. 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 Mt Iron Geodril report (dated 23 May 2016, Job Ref: G17026 and 26 February 2017, Job Ref: G17105) and who shall supervise the excavation and fill procedure and ensure compliance with the recommendations of this report. This engineer shall continually assess the condition of the excavation and shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability.
5. Prior to commencing any works on the site, the consent holder shall obtain 'Engineering Review and Certification' from the Queenstown Lakes District Council for all development works and information requirements specified below. An 'Engineering Review and Acceptance' application 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 (2), to detail the following requirements:
 - a) The provision of a water supply to Lots 1 to 36, 38 to 42, 44 to 96, 101 and 102 in terms of Council's standards and connection policy. This shall include an Acuflo GM900 as the toby valve and an approved water meter as detailed in QLDC Water Meter Policy (Appendix A), dated June 2017. The costs of the connections shall be borne by the consent holder.
 - b) The provision of a foul sewer connection from Lots 1 to 36, 38 to 42, 44 to 96, 101 and 102 to Council's reticulated sewerage system in accordance with Council's standards and connection policy, which shall be able to drain the buildable area within each lot. The costs of the connections shall be borne by the consent holder. This shall include:
 - i) Either upgrading the Gordon Road sewer pump station in accordance with Council standards and to meet the increased reticulation loads resultant from the full potential development of the Alpine Estate site; or

- ii) Diverting wastewater via Frederick Street to cater for the increased reticulation loads resultant from the full potential development of the Alpine Estate site;
 - iii) Or an alternative solution agreed by Council.
- c) The provision of fire hydrants with adequate pressure and flow to service the development with a minimum Class FW2 fire fighting water supply in accordance with the NZ Fire Service Code of Practice for Firefighting Water Supplies SNZ PAS 4509:2008(or superseding standard). Any alternative solution must be approved in writing by the Area Manager for the Central North Otago branch of the New Zealand Fire Service.
- d) The provision of a sealed vehicle crossing that shall be constructed to Lots 1, 10, 18, 19, 25, 31, 34, 35, 39, 45, 46, 51-55, 59-61, 63, 65, 66, 68, 69, 78, 80, 83, 93 and 96 to Council's standards.
- e) The provision of road lighting in accordance with Council's road lighting policies and standards, including the Southern Light lighting strategy. Any road lighting installed on private roads/rights of way/access lots shall be privately maintained and all operating costs shall be the responsibility of the lots serviced by such access roads. Any lights installed on private roads/rights of way/access lots shall be isolated from the Council's lighting network circuits.
- f) The sealed formation of roads 1 to 5 and right of way 'A', in accordance with Council's standards. This shall include:
 - i) 'Road 1' shall be formed to a minimum standard as defined by Figure E13 of Council's standards and shall be extended to the eastern boundary of the site through and within Lot 103.
 - ii) 'Roads 2, 3 and 5' shall be formed to a minimum standard as defined by Figure E12 of Council's standards.
 - iii) 'Road 4' shall be formed to a minimum standard as defined by Figure E11 of Council's standard
 - iv) Right of Way 'A' shall be formed to a minimum standard as defined by Figure E9 of Council Standards.
 - v) All permanent road batters shall be formed with ease of maintenance as a primary design consideration.
 - vi) All road signs and markings shall be provided in accordance with the New Zealand Transport Authority, 'Manual of Traffic Signs and Markings' (MOTSAM) and the 'Traffic Control Devices' (TCD) Manual.
 - vii) Trees and vegetation are to be set back from intersections and species which have foliage between 0.5m and 2.0m above the carriageway surface should be avoided as the could reduce visibility sight distances from vehicle crossings.
 - viii) Provision for stormwater disposal; and shall include:
 - Percolation testing shall be undertaken at the individual soak pit locations to confirm soakage. A copy of the test results shall be provided to Council and shall be in general accordance with the "Acceptable Solutions and Verification Methods for New Zealand Building Code Clause: E1 Surface Water".
 - The final design and sizing of each soak pit shall be based on the individual percolation test results and provided to Council for acceptance prior to installation of the individual soak pit infrastructure
- g) The formation of all intersections in accordance with the latest Austroads intersection design guides. The internal road intersection designs shall include the provision of minimum sight distance requirements based on assessed operating speeds and, where required, priority intersection controls. These designs shall be subject to review and acceptance by Council with any associated costs met by the consent holder.
- h) The provision of Design Certificates for all engineering works associated with this subdivision submitted by a suitably qualified design professional (for clarification this shall include all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of the QLDC's Land Development and Subdivision Code of Practice Schedule 1A Certificate.

To be completed before Council approval of the Survey Plan

6. Prior to the Council signing the Survey Plan pursuant to Section 223 of the Resource Management Act 1991, the consent holder shall complete the following:
 - a) All necessary easements shall be shown in the Memorandum of Easements attached to the Survey Plan and shall be duly granted or reserved. This shall include any Easements in Gross as required by Council for infrastructure to vest. Requirements for vested infrastructure and Easements in Gross shall be agreed with Council prior to Engineering Acceptance.
 - b) The names of all roads, private roads & private ways which require naming in accordance with Council's road naming policy shall be shown on the survey plan.

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

Amalgamation Condition

7. The following shall be registered with Land Information New Zealand (CSN XXXXX):
 - *"That Lot 102 (legal access) to be held in six undivided one-sixth shares by the owners of Lots 88 to 93 hereon as tenants in common in the said shares and that individual Computer Freehold Registers be issued in accordance therewith."*

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

8. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:
 - a) The submission of 'as-built' plans and information required to detail all engineering works completed in relation to or in association with this subdivision at the consent holder's cost. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Roads (including right of ways and access lots), Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).
 - b) The completion and implementation of all works detailed in Condition (5) above.
 - c) Provide certification in accordance with NZS 4431:1989, for all areas of fill within the site/allotments. Note this will require supervision of the fill compaction by a chartered professional engineer.
 - d) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the boundary of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
 - e) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the boundary of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
 - f) The submission of Completion Certificates from the Contractor and the Engineer advised in Condition (3) for all engineering works completed in relation to or in association with this subdivision (for clarification this shall include all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of a Producer Statement, or the QLDC's Land Development and Subdivision Code of Practice Schedule 1B and 1C Certificate.
 - g) All newly constructed foul sewer and stormwater mains shall be subject to a closed circuit television (CCTV) inspection carried out in accordance with the New Zealand Pipe Inspection Manual. A pan tilt camera shall be used and lateral connections shall be inspected from inside the main. The CCTV shall be completed and reviewed by Council before any surface sealing.
 - h) All signage shall be installed in accordance with Council's signage specifications and all necessary road markings completed on all public or private roads (if any), created by this subdivision.

- i) Road naming shall be carried out, and signs installed, in accordance with Council's road naming policy.
- j) The consent holder shall establish a suitable management organisation which shall be responsible for implementing and maintaining the on-going maintenance of all internal roading, service infrastructure and facilities associated with Lot 102 DP XXXXX.

The legal documents that are used to set up or that are used to engage the management company are to be checked and approved by the Council's solicitors at the consent holder's expense to ensure that all of the Council's interests and liabilities are adequately protected. make sure this is added after either condition above

- k) Any earthworks required for the provision of access and services associated with this subdivision shall be carried out in accordance with the conditions of the Land Use Consent: Earthworks, as outlined above.
- l) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

Ongoing Conditions/Consent Notices

9. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notice pursuant to s.221 of the Act. The purpose of this condition is to ensure that Lot 102 DP XXXXX shall be owned and managed in conjunction with Lots 88 - 93 DP XXXXX and shall be for providing access and recreational amenities and facilities.
 - a) All lot owners are required to be part of the management entity as required by Condition 8j) of RM170065. This management entity shall be established and maintained at all times and ensure implementation and maintenance of all internal roading, service infrastructure and facilities associated with the development.
 - b) In the absence of a management company, or in the event that the management entity established is unable to undertake, or fails to undertake, its obligations and responsibilities stated above, then the lot owners shall be responsible for establishing a replacement management entity and, in the interim, the lot owners shall be responsible for undertaking all necessary functions.
10. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notice pursuant to s.221 of the Act.
 - a) At the time a building is erected on the lot, the owner for the time being shall engage a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice to design a stormwater disposal system that is to provide stormwater disposal from all impervious areas within the site. The proposed stormwater system shall be subject to the review of the Manager of Resource Management Engineering at Council prior to implementation and shall be installed prior to occupation of the residential unit. This shall include:
 - i) Percolation testing shall be undertaken at the individual soak pit locations to confirm soakage. A copy of the test results shall be provided to Council and shall be in general accordance with the "Acceptable Solutions and Verification Methods for New Zealand Building Code Clause: E1 Surface Water".
 - ii) The final design and sizing of each soak pit shall be based on the individual percolation test results and provided to Council for acceptance prior to installation of the individual soak pit infrastructure
 - b) At the time a residential unit is constructed the owner for the time being shall construct a sealed vehicle crossing to the site where one was not provided at the time of the underlying subdivision to Council's standards. The design of the vehicle crossing shall be subject to approval by Council under a 'Connection to Council Service Application'. The approval should be obtained and construction of the crossing approved by a Council Inspector prior to occupation of the residential unit.

Advice Note:

1. This consent triggers a requirement for Development Contributions, please see the attached information sheet for more details on when a development contribution is triggered and when it is payable. For further information please contact the DCN Officer at QLDC.

Prepared by:



Lyn Overton
**SENIOR LAND DEVELOPMENT
ENGINEER**

Reviewed by:



Michael Wardill
**TEAM LEADER - RESOURCE
MANAGEMENT ENGINEERING**

APPENDIX 5 - REQUEST TO CANCEL CONSENT NOTICE

From: Kerran Greave <Kerran.Graeve@ppgroup.co.nz>
Sent: Wednesday, 12 September 2018 3:52 PM
To: Wendy Baker - External
Subject: RE: Cancel consent notice 5143982.11 as part of this application?
Attachments: CONO 5143982.11.tif

Hi Wendy,

Yes please cancel Consent Notice 5143982.11.

Much appreciated

Kerran Greave

Licensed Cadastral Surveyor

T 03 443 0110

M 021 045 6787

PATERSONPITTSGROUP

From: Wendy Baker - External [mailto:wendy.baker@qldc.govt.nz]
Sent: Wednesday, 12 September 2018 3:43 p.m.
To: Kerran Greave
Subject: Cancel consent notice 5143982.11 as part of this application?

Hi Kerran,

Do you want to cancel consent notice 5143982.11 pursuant to S221?

Kind Regards

Wendy

Wendy Baker | Consultant Planner
Planning and Development
Queenstown Lakes District Council
Mobile 021 184 3309
wendy.baker@qldc.govt.nz



 **QUEENSTOWN
LAKES DISTRICT
COUNCIL**
www.qldc.govt.nz

APPENDIX 6 - REQUEST TO WITHDRAW LANDUSE COMPONENT

From: Kerran Graeve <Kerran.Graeve@ppgroup.co.nz>
Sent: Tuesday, 11 September 2018 1:18 PM
To: Wendy Baker - External
Subject: W5082 RM170065 Alpine Estate

Hi Wendy,

Thank you for your call earlier. As discussed I have talked this over with Duncan and we agree to have the land use components removed from RM 170065.

Regards

Kerran Graeve

Licensed Cadastral Surveyor

M 021 045 6787

E Kerran.graeve@ppgroup.co.nz

PATERSONPITTSGROUP

Surveying • Planning • Engineering

Your Land Professionals

19 Reece Crescent, Wanaka 9305

or P.O. Box 283, Wanaka 9343, New Zealand

T 03 443 0110

W www.ppgroup.co.nz

Notice of Confidential Information

The information contained in this email message is CONFIDENTIAL INFORMATION and may also be LEGALLY PRIVILEGED intended only for the individual or entity named above. If you are not the intended recipient you must not read or do anything else with this message. If you have received this message in error please notify us immediately by return email or telephone (Phone 0800 774 768) and then destroy the original message. Thank you.

You must scan this email and any attached files for viruses. PATERSON PITTS GROUP accepts no liability for any loss or damage however caused, whether directly or indirectly arising from this message or the attachments.

APPENDIX 7 - APPROVAL LEDGERWOOD



AFFECTED PERSON'S APPROVAL

FORM 8A



Resource Management Act 1991 Section 95



RESOURCE CONSENT APPLICANT'S NAME AND/OR RM

Alpine Estates Limited, RM170065



AFFECTED PERSON'S DETAILS

~~I/We~~ James Albert Ledgerwood

Are the owners/occupiers of
Lot 1 DP 498936 and Lot 3 DP 301095



DETAILS OF PROPOSAL

I/We hereby give written approval for the proposal to:

Undertake earthworks over Lots 1 and 2 DP 498936 as shown on sheets 200 and 201 of attached plans.

To set aside an area for the purpose of stormwater storage and disposal as shown on sheets 100 and 201 of attached plans. This area is to be protected by a consent notice shown as area X and drainage easement Y. Stormwater and consent notice areas to stop short of existing fence line located to the west.

at the following subject site(s):

Lots 1 and 2 DP 498936



I/We understand that by signing this form Council, when considering this application, will not consider any effects of the proposal upon me/us.



I/We understand that if the consent authority determines the activity is a deemed permitted boundary activity under section 87B of the Act, written approval cannot be withdrawn if this process is followed instead.



WHAT INFORMATION/PLANS HAVE YOU SIGHTED



I/We have sighted and initialled ALL plans dated and approve them.

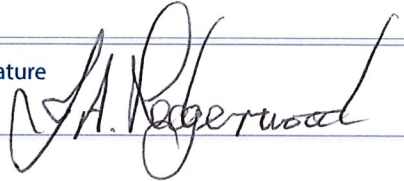
W5082-02H Rev03 Sheets 100-301 dated 09/07/2018



APPROVAL OF AFFECTED PERSON(S)

103

The written consent of all owners / occupiers who are affected. If the site that is affected is jointly owned, the written consent of all co-owners (names detailed on the title for the site) are required.

A	Name (PRINT)	
	James Albert Ledgerwood	
	Contact Phone / Email address	
	Signature	Date
		13-7-2018

B	Name (PRINT)	
	Contact Phone / Email address	
	Signature	Date

C	Name (PRINT)	
	Contact Phone / Email address	
	Signature	Date

D	Name (PRINT)	
	Contact Phone / Email address	
	Signature	Date

Note to person signing written approval

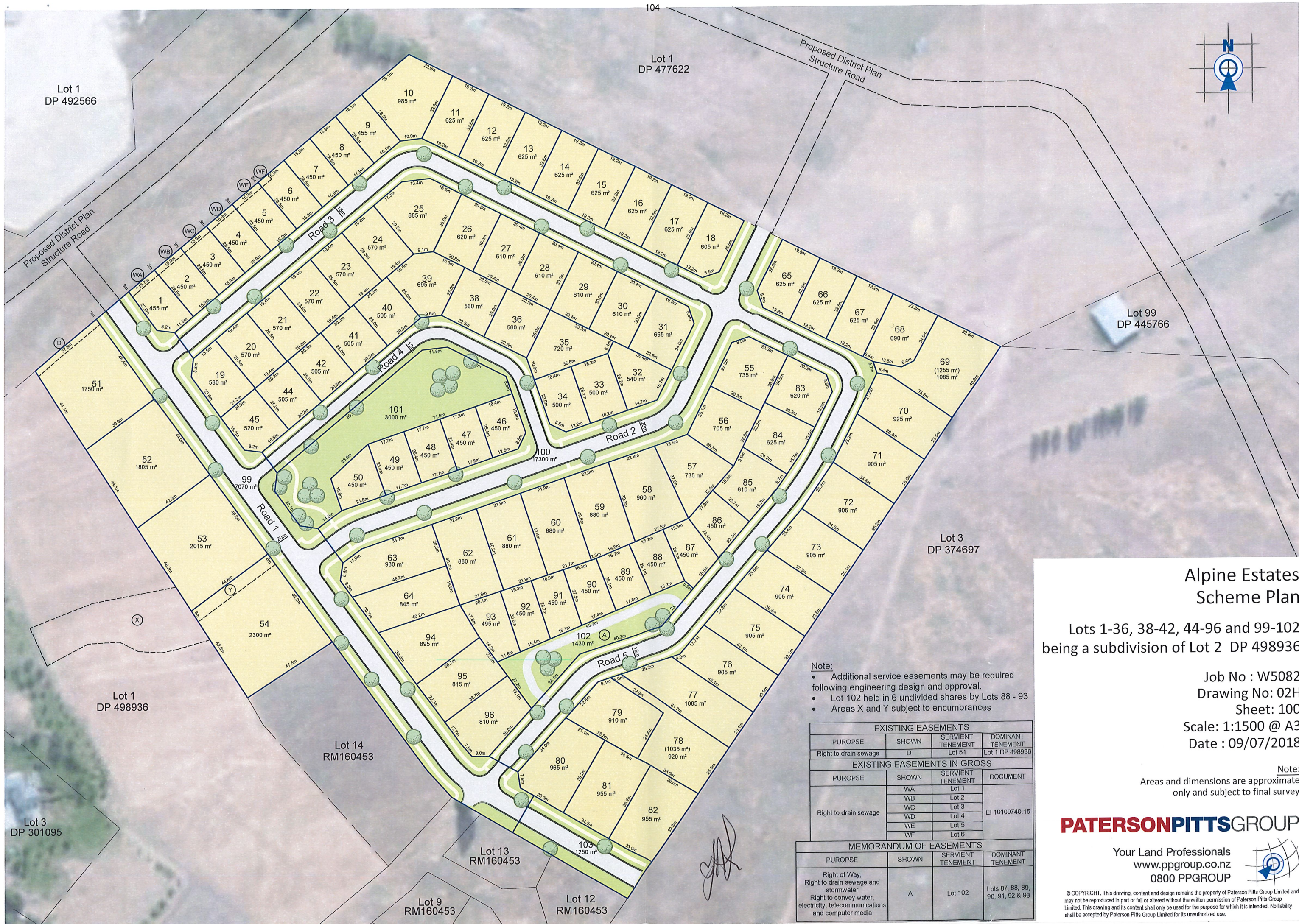
Conditional written approvals cannot be accepted.

There is no obligation to sign this form, and no reasons need to be given.

If this form is not signed, the application may be notified with an opportunity for submissions.

If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.





Alpine Estates
Scheme Plan

Lots 1-36, 38-42, 44-96 and 99-102
being a subdivision of Lot 2 DP 498936

Job No : W5082

Drawing No: 02H

Sheet: 100

Scale: 1:1500 @ A3

Date : 09/07/2018

Note:

- Additional service easements may be required following engineering design and approval.
- Lot 102 held in 6 undivided shares by Lots 88 - 93
- Areas X and Y subject to encumbrances

EXISTING EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
Right to drain sewage	D	Lot 51	Lot 1 DP 498936

EXISTING EASEMENTS IN GROSS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOCUMENT
Right to drain sewage	WA	Lot 1	EI 10109740, 15
	WB	Lot 2	
	WC	Lot 3	
	WD	Lot 4	
	WE	Lot 5	
	WF	Lot 6	

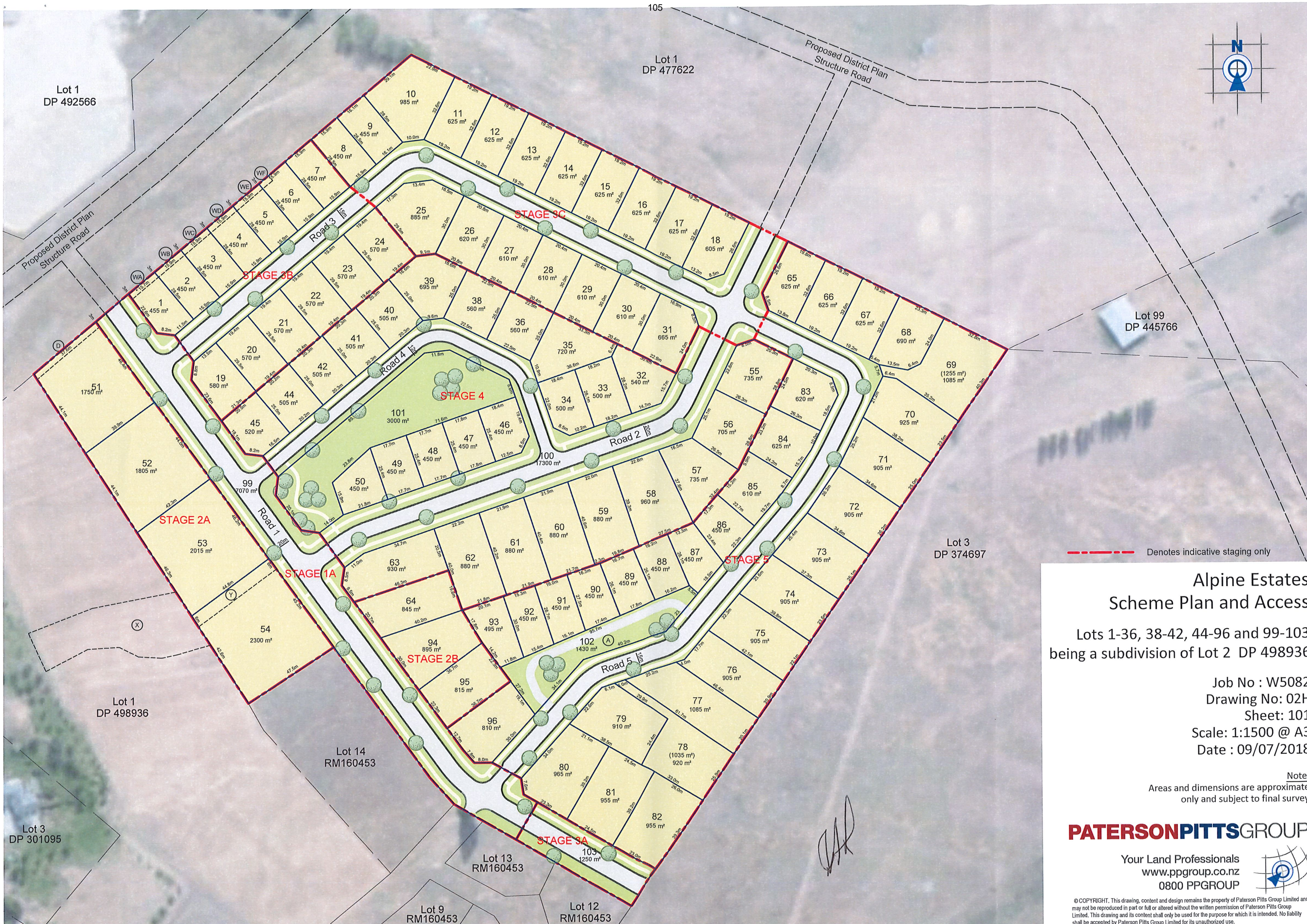
MEMORANDUM OF EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
Right of Way, Right to drain sewage and stormwater Right to convey water, electricity, telecommunications and computer media	A	Lot 102	Lots 87, 88, 89, 90, 91, 92 & 93

Note:
Areas and dimensions are approximate
only and subject to final survey

PATERSONPITTSGROUP

Your Land Professionals
www.ppgroup.co.nz
0800 PPGROUP

© COPYRIGHT, This drawing, content and design remains the property of Paterson Pitts Group Limited and may not be reproduced in part or full or altered without the written permission of Paterson Pitts Group Limited. This drawing and its content shall only be used for the purpose for which it is intended. No liability shall be accepted by Paterson Pitts Group Limited for its unauthorized use.



Alpine Estates Scheme Plan and Access

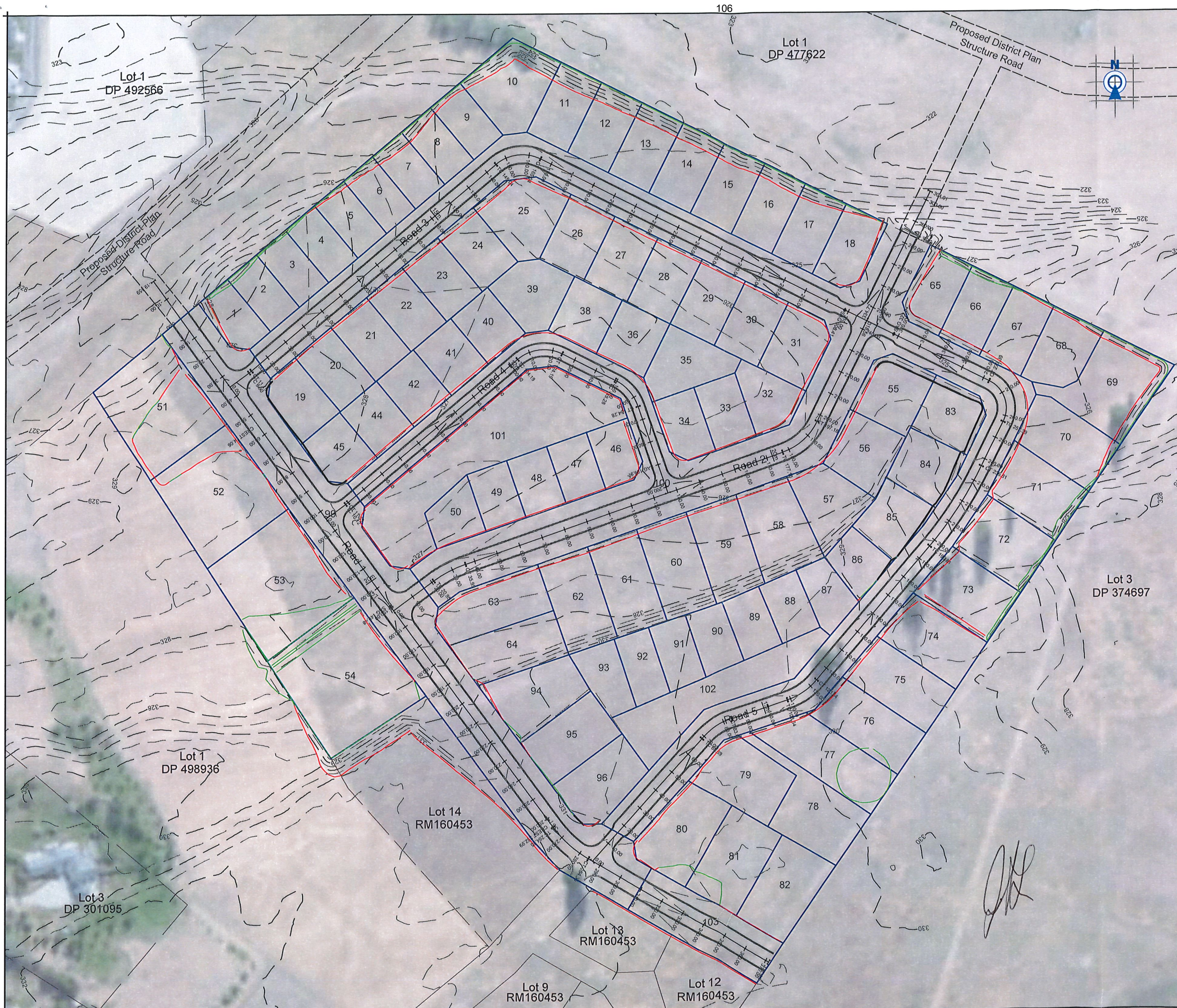
Lots 1-36, 38-42, 44-96 and 99-103
being a subdivision of Lot 2 DP 498936

Job No : W5082
Drawing No: 02H
Sheet: 101
Scale: 1:1500 @ A3
Date : 09/07/2018

Note:
Areas and dimensions are approximate
only and subject to final survey

PATERSONPITTSGROUP
Your Land Professionals
www.ppgroup.co.nz
0800 PPGROUP

© COPYRIGHT. This drawing, content and design remains the property of Paterson Pitts Group Limited and may not be reproduced in part or full or altered without the written permission of Paterson Pitts Group Limited. This drawing and its content shall only be used for the purpose for which it is intended. No liability shall be accepted by Paterson Pitts Group Limited for its unauthorized use.



- NOTES**
1. The contractor shall be responsible for locating all existing services prior to commencement of works. The contractor shall make good at their own expense any damage to existing services
 2. Levels are in terms of Dunedin Vertical Datum 1958
 3. All works are to be installed as per NZS 4404:2004 and QLDC amendments to those standards. Standard drawings are available from the Engineer
 4. Contours at 0.5m interval
— Contours (at 1.0m intervals)
— Contours (at 0.5m intervals)

PATERSONPITTSGROUP
Surveying • Planning • Engineering
Your Land Professionals
www.ppgroup.co.nz
0800 PPGROUP

WANAKA
19 Reece Crescent
or P.O. Box 283
Wanaka 9343
T 03 443 0110
E wanaka@ppgroup.co.nz

© COPYRIGHT. This drawing, content and design remains the property of Paterson Pitts Limited Partnership and may not be reproduced in part or full or altered without the written permission of Paterson Pitts Limited Partnership. This drawing and its content shall only be used for the purpose for which it is intended. No liability shall be accepted by Paterson Pitts Limited Partnership for its unauthorized use.

Client & Location:

**Alpine Estate Ltd
Wanaka**

Purpose & Drawing Title:

**Engineering Drawings
Earthworks
Design Contours**

Surveyed by:	-	Original Size: A3	Scale: 1:1500 @ A3	
Designed by:	KMG			
Drawn by:	KMG			
Checked by:	KMG			
Approved by:	AGT	DO NOT SCALE		
Job No:	Drawing No:	Sheet No:	Revision No:	Date Created:
W5082	02	200	H	09/07/2018



- NOTES**
1. The contractor shall be responsible for locating all existing services prior to commencement of works. The contractor shall make good at their own expense any damage to existing services
 2. Levels are in terms of Dunedin Vertical Datum 1958
 3. All works are to be installed as per NZS 4404:2004 and QLDC amendments to those standards. Standard drawings are available from the Engineer
 4. Contours at 0.5m interval

LEGEND

CUT

- 3.0m +
- 2.5m to 3.0m
- 2.0m to 2.5m
- 1.5m to 2.0m
- 1.0m to 1.5m
- 0.5m to 1.0m
- 0.2m to 0.5m
- 0.0m to 0.2m

FILL

- 0.0m to 0.2m
- 0.2m to 0.5m
- 0.5m to 1.0m
- 1.0m to 1.5m
- 1.5m to 2.0m
- 2.0m to 2.5m
- 2.5m to 3.0m
- 3.0m +

Depth Contours (at 0.5m intervals)

PATERSONPITTSGROUP
Surveying • Planning • Engineering
Your Land Professionals
www.ppgroup.co.nz
0800 PPGROUP

WANAKA
19 Reece Crescent
or P.O. Box 283
Wanaka 9343
T 03 443 0110
E wanaka@ppgroup.co.nz

© COPYRIGHT. This drawing, content and design remains the property of Paterson Pitts Limited Partnership and may not be reproduced in part or full or altered without the written permission of Paterson Pitts Limited Partnership. This drawing and its content shall only be used for the purpose for which it is intended. No liability shall be accepted by Paterson Pitts Limited Partnership for its unauthorized use.

Client & Location:

Alpine Estate Ltd
Wanaka

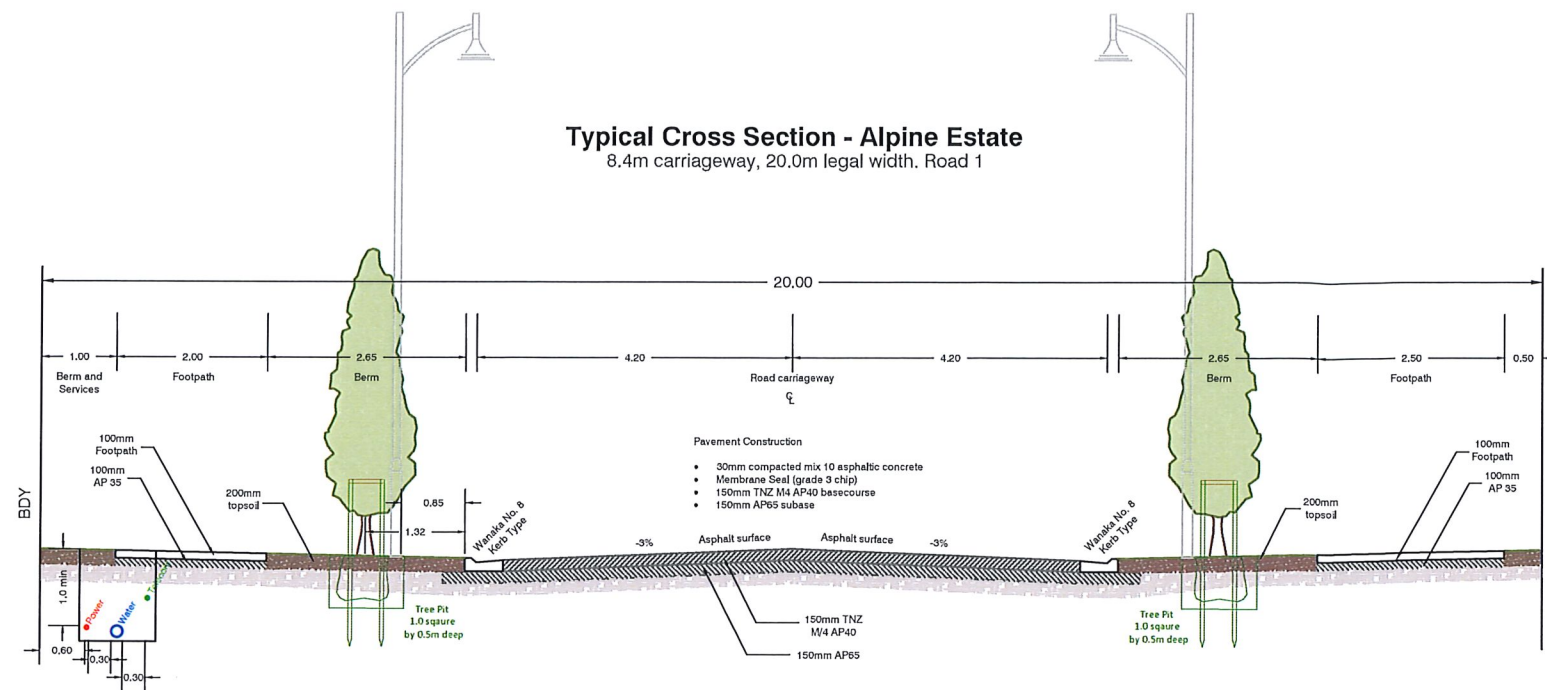
Purpose & Drawing Title:

Engineering Drawings
Earthworks
Cut Fill Values

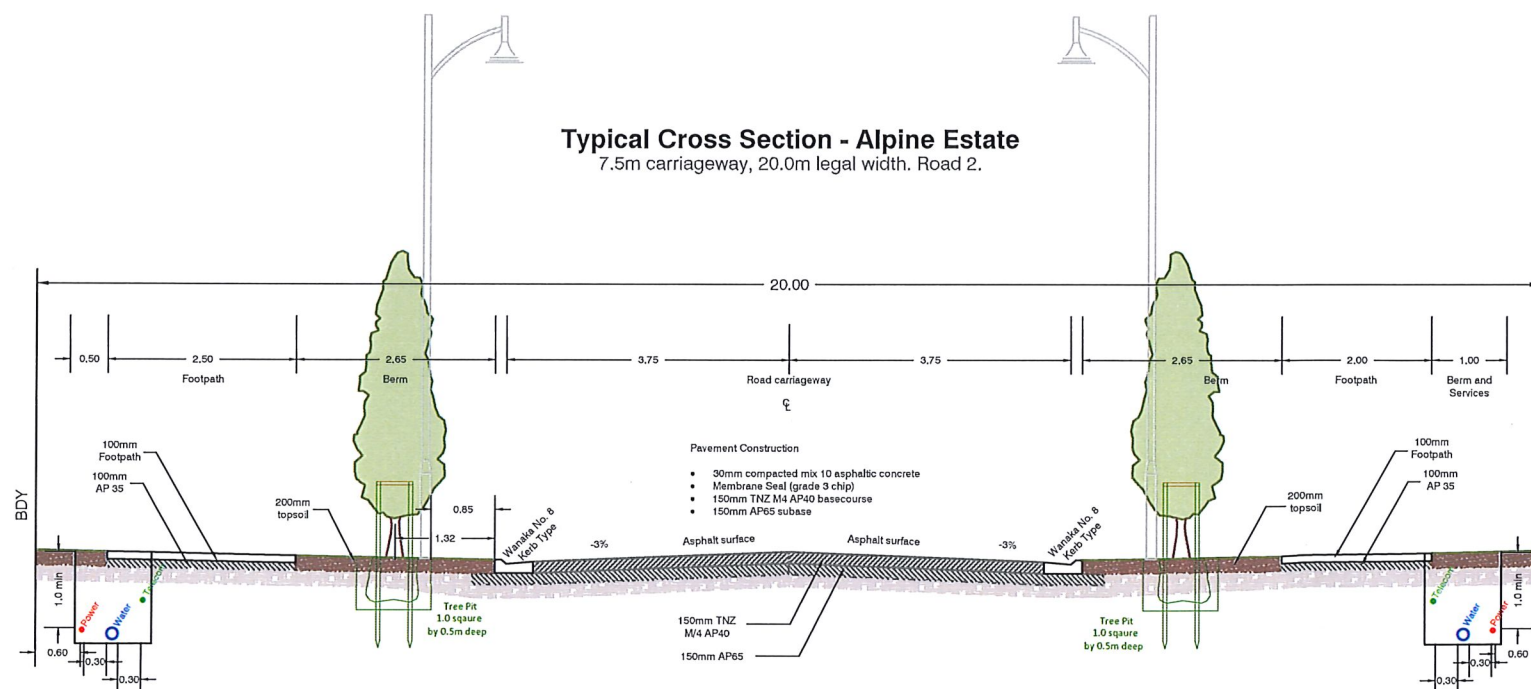
Surveyed by:	-	Original Size: A3	Scale: 1:1500 @ A3	
Designed by:	KMG			
Drawn by:	KMG			
Checked by:	KMG			
Approved by:	AGT	DO NOT SCALE		
Job No:	Drawing No:	Sheet No:	Revision No:	Date Created:
W5082	02	201	H	09/07/2018



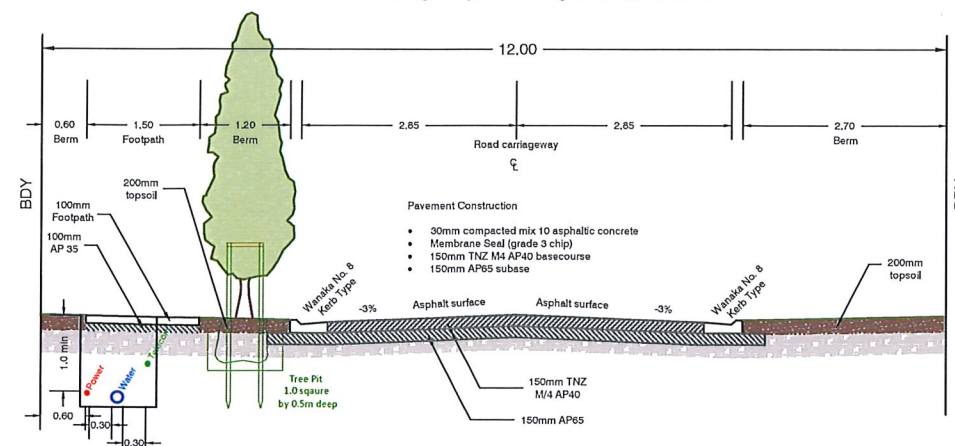
Typical Cross Section - Alpine Estate
8.4m carriageway, 20.0m legal width. Road 1



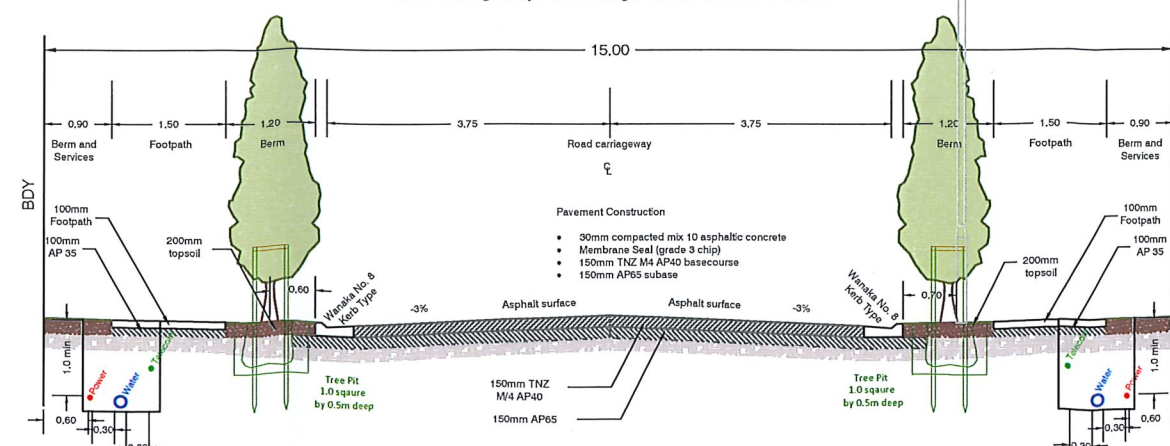
Typical Cross Section - Alpine Estate
7.5m carriageway, 20.0m legal width. Road 2.



Typical Cross Section - Alpine Estate
5.7m carriageway, 12.0m legal width. Road 4.



Typical Cross Section - Alpine Estate
7.5m carriageway, 15.0m legal width. Roads 3 and 5.



NOTES

1. The contractor shall be responsible for locating all existing services prior to commencement of works. The contractor shall make good at their own expense any damage to existing services
2. Levels are in terms of Dunedin Vertical Datum 1958
3. All works are to be installed as per NZS 4404:2004 and QLDC amendments to those standards. Standard drawings are available from the Engineer

PATERSONPITTS GROUP

Surveying • Planning • Engineering

Your Land Professionals
www.ppgroup.co.nz
0800 PPGROUP



WANAKA
19 Reece Crescent
or P.O. Box 283
Wanaka 9343
T 03 443 0110
E wanaka@ppgroup.co.nz

© COPYRIGHT. This drawing, content and design remains the property of Paterson Pitts Limited Partnership and may not be reproduced in part or full or altered without the written permission of Paterson Pitts Limited Partnership. This drawing and its content shall only be used for the purpose for which it is intended. No liability shall be accepted by Paterson Pitts Limited Partnership for its unauthorized use.

Client & Location:

Alpine Estate Ltd
Wanaka

Purpose & Drawing Title:

Engineering Drawings
Typical Cross Sections

Surveyed by:	-	Original Size:	A3	Scale:	1:100 @ A3
Designed by:	KMG				
Drawn by:	KMG				
Checked by:	KMG				
Approved by:	AGT				DO NOT SCALE
Job No:	W5082	Drawing No:	02	Sheet No:	301
		Revision No:	H	Date Created:	09/07/2018

APPENDIX 8 - ORCHARD ROAD HOLDINGS POST SUBMISSION

From: Alison Devlin <alison@WILLOWRIDGE.CO.NZ>
Sent: Wednesday, 11 July 2018 12:31 PM
To: Wendy Baker - External
Cc: David@3plus.co.nz; Allan Dippie
Subject: Fwd: W5082 Alpine Estate Cut Fill Plan
Attachments: W5082-02H SHT 201 Earthworks Plan.pdf; ATT00001.htm; 20180710144846514.pdf; ATT00002.htm

Hi Wendy,

We have been sent the attached revised earthworks plan by Alpine Estates. We confirm that ORHL is happy with this revised earthworks proposal.

Kind regards,

Alison.

Sent from my iPhone

Begin forwarded message:

From: "David Reid" <David@3plus.co.nz>
To: "Alison Devlin" <alison@WILLOWRIDGE.CO.NZ>
Cc: "Allan Dippie" <allan@NICHOLSGROUP.CO.NZ>
Subject: W5082 Alpine Estate Cut Fill Plan

Hi Alison

I note I had a bounce back from Allan's email advising he is away in the States.

I sent the below email with the new earthworks layout to Allan for him to acknowledge the new cut and fill schedule fulfils our agreement. I have also attached the agreement we signed on the 29/6/18 to enable you to refer to the condition 2(c). You will note we agreed to not raise levels on Lots 72, 75, 76, 77 & 82.

As this is a change from our submitted RC application the council have asked ORHL (as the only submitter prior to the submission being withdrawn) to acknowledge the change in the earthworks plan attached.

The new earthworks plan above not only adheres to our agreement it also ensures adjacent lots, - 74, 78, 79, 80, & 81 are also not raised, and Lots 71, 72 & 73 are actually lowered.

In Allan's absence can I please get you to sign the earthworks plan and scan it back to me so we can proceed?

Thanks

Regards,

David Reid

m 021 2883244

Ardmore House

80 Ardmore Street, Wanaka

e david@3plus.co.nz

w www.3plus.co.nz

From: David Reid

Sent: Monday, 9 July 2018 5:15 p.m.

To: Allan Dippie <allan@NICHOLSGROUP.CO.NZ>

Cc: Mark Tutty <Mark@3plus.co.nz>

Subject: W5082 Alpine Estate Cut Fill Plan

Hi Allan

As per our agreement regarding not raising the site levels on Lots 72, 75, 76, 77 and 82 I have attached our new cut and fill plan.

It is obvious that if we do not raise these sites then we also will not raise the sites alongside them hence Lots 74 right through to 82 have been left absolutely as is. Lots 71 – 73 actually will be lowered, with the very low spot 69/70 being raised to where we have cut 71-73 too.

The council noting we have now put through a variation to our RC are requesting that you as the prior submitter acknowledge the attached plan. Can you please sign in the red box on the right hand side of the plan and scan back to me please?

Regards,

David Reid

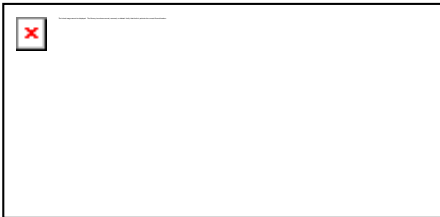
m 021 2883244

Ardmore House

80 Ardmore Street, Wanaka

e david@3plus.co.nz

w www.3plus.co.nz



From: Alison Devlin <alison@WILLOWRIDGE.CO.NZ>
Sent: Thursday, 5 July 2018 4:31 PM
To: Wendy Baker - External
Cc: janice@aspiringlaw.co.nz; Rebecca Karamaena
Subject: RM170065 - Alpine Estates

Hi Wendy,

Are you still the processing planner for RM170065?

Orchard Road Holdings Limited has reached a private agreement with the applicant and consequently wishes to withdraw their submission on RM170065.

Kind regards,

Alison.

Alison Devlin (BA(Hons), MSc, MRTPI)
General Manager – Property & Planning
03 474 9911 ext 4 / 021 969 152
www.willowridge.co.nz | www.threeparks.co.nz

WILLOWRIDGE
DEVELOPMENTS LTD

Nichols
PROPERTY GROUP LTD

HOME CENTRE
PROPERTIES LTD

LONDON
REALTY LTD

APPENDIX 9 - VESTING RESOLUTION RESERVE

**Wanaka Community Board
1 March 2018**

Report for Agenda Item 1

Department: Community Services

Proposal to Vest Land in Wanaka as Reserve and to Offset Reserve Land and Reserve Improvements Contributions as per the Development Contributions Policy

Purpose

To consider recommending to Council the approval for a proposed reserve identified within the Alpine Estate subdivision development, and to offset reserve land and reserve improvement development contributions for the reserve.

Recommendation

That the Wanaka Community Board:

1. **Recommend to Council** the vesting of the identified proposed reserve be approved;

- a. Lot 101 (3,000m²), Alpine Estate, Cardrona Valley Road.

subject to the following works being undertaken at the applicant's expense:

- i. Consent being granted (as necessary) for any subdivision required to formally create the reserve and to level out undulations (as agreed necessary by the Parks Planning Manager);
- ii. Presentation of the reserve in accordance with Council's standards for reserves;
- iii. The submission to Council by the developer, certification as appropriate by Council, and subsequent implementation of a landscape and planting plan for the reserve.
- iv. The formation of any sealed pathways to a minimum 2 metre wide width;
- v. A potable water supply point to be provided at the boundary of the reserve lot;
- vi. The registration of a fencing covenant under s6 of the Fencing Act 1978 on the reserve to vest in QLDC to protect the Council from liability to contribute towards any work on a fence between a public reserve vested in or administered by the Council and any adjoining land;

- vii. The registration of a Consent Notice on any land adjoining the reserve to ensure any fences on land adjoining the reserve are no more than 1.2 metres in height and have a visual permeability of no less than 50%;
 - viii. A three year maintenance period by the current landowner commencing from vesting of the reserve;
 - ix. Vesting of reserve to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy.
2. **Recommend to Council** that reserve land contributions are offset in accordance with the Development Contributions Policy current at the time of contributions payment, subject to recommendation three above.
3. **Recommend to Council** that reserve improvement contributions are offset against those payable in accordance with the Development Contributions Policy current at the time of contributions payment, subject to:
- a. Detailed design plans for the reserves to be submitted and the approval of these to be delegated to the Parks and Reserves Planning Manager.
 - b. Final approval of reserve improvement costs to be delegated to the Parks and Reserves Planning Manager and is subject to the applicant demonstrating the actual costs of the improvements.
 - c. If the cost of work to construct the approved plans exceeds the contributions available to be credited, the additional cost shall be at the applicant's expense.

Prepared by:



Aaron Burt
Senior Planner:
Parks & Reserves
14 February 2018

Reviewed and Authorised by:



Stephen Quin
Parks Planning Manager
15 February 2018



Thunes Cloete
GM Community Services
15 February 2018

Background

- 1 A recreation reserve is proposed to be created under a subdivision development by Alpine Estate Limited.
- 2 The subdivision proposes the creation of 96 residential lots, areas of legal road, balance land, and a recreation reserve. The development is located to the east of Cardrona Valley Road, and north of Mountain View Drive/Orchard Road.
- 3 The recreation reserve is described as Lot 101 (3,000m²), and is illustrated in Attachment A.
- 4 The location of the development is illustrated in Attachment B.
- 5 The proposed reserve has been previously identified to Council Officers and its inclusion in the development is the result of discussions concerning its suitability.

Comment

- 6 The proposed reserve is consistent with the definition of a 'Local Park' as identified in the Parks and Open Space Strategy (2017). Such parks require a minimum of 0.3ha of open space in greenfield developments and should be of a configuration that provides a transition/buffer space from adjacent roads. Such parks should also accommodate a flat kick-around space of approximately 30x30m and be accessible to a residential catchment.
- 7 The land associated with proposed Lot 101 is gently undulating, and will further be levelled to a degree by the developer. The proposed reserve affords views of the mountains and will provide a pleasant space for community use and informal recreation.
- 8 Reserve land and reserve improvement contributions will be offset in accordance with the Development Contributions Policy current at the time of contributions payment. The recommended option ensures that reserve improvement contributions will only be offset against improvements agreed by the Parks and Reserves Planning Manager, that the offsets will reflect the actual cost of the works and that Council will not meet any costs of work that exceed the value of contributions required.

Options

- 9 This report identifies and assesses the following reasonably practicable options for assessing the matter as required by section 77 of the Local Government Act 2002:
- 10 Option 1 Accept the proposal for the vesting of the reserve and to offset reserve land and reserve improvement contributions as per the Development Contributions Policy.

Advantages:

11 The land is proposed to be vested in Council at no cost.

Disadvantages:

12 Council will have to maintain or manage the reserve at a cost to the ratepayer after three years.

13 Option 2 Reject or modify the proposal for the vesting of the reserve and to offset reserve land and reserve improvement contributions as per the Development Contributions Policy.

Advantages:

14 Council will not have to maintain/manage the reserves at a cost to the ratepayer.

Disadvantages:

15 Council will refuse areas of land being offered at no cost.

16 This report recommends Option 1 for addressing the matter.

Significance and Engagement

17 This matter is of low significance, as determined by reference to the Council's Significance and Engagement Policy because there will be little impact on Council's function if the recommended option is taken.

Risk

18 This matter related to the operational risk OR002 and OR010b. OR002 relates to an Increase in Expenditure and OR010b relates to Damage or loss to third party asset or property as documented in the Council's risk register. The risks are classed as moderate.

19 This matter relates to this risk because accepting the land will increase Council's expenditure on maintenance after the initial land owner maintenance period. The recommended option ensures conditions are required to be met in terms of reserve specifications prior to handover to Council which should ensure expenditure on maintenance is at anticipated levels. The vesting is also in accordance with the Parks and Open Space Strategy 2017 further reducing risk of judicial review of any decision to accept the land.

Financial Implications

- 20 The applicants will be required to maintain the reserves for the first three years. Following this point provision will need to be made available within Council's maintenance budgets dependent on the facilities in the reserves and the level of service they will be maintained to.

Council Policies, Strategies and Bylaws

- 21 The following Council policies were considered:

- Significance and Engagement Policy
- Parks and Open Space Strategy 2017
- Development Contributions Policy
- Vesting of Roads and Reserves Policy

Local Government Act 2002 Purpose Provisions

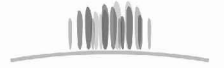
- 22 In relation to section 10(1)(b) of the Local Government Act 2002 the proposed activity involves meeting the current and future needs of the Queenstown community for good quality local public services in a way that is most cost effective for households and businesses.

Consultation: Community Views and Preferences

- 23 The persons who are affected by or interested in this matter are residents/ratepayers of the Queenstown Lakes District community.
- 24 No specific media statement or public communication is considered necessary.

Attachments

- A Alpine Estate: Lot 101 Reserve
- B Site Location



ALPINE ESTATE

~ WANAKA ~

Heritage Estate Subdivision

14

4400m²

Alpine Estate Subdivision

14

625m²



Alpine Estate Subdivision Concept

Job No : W5082

Drawing No: 01X

Sheet: 01

Not to Scale

Date : 13/11/2017

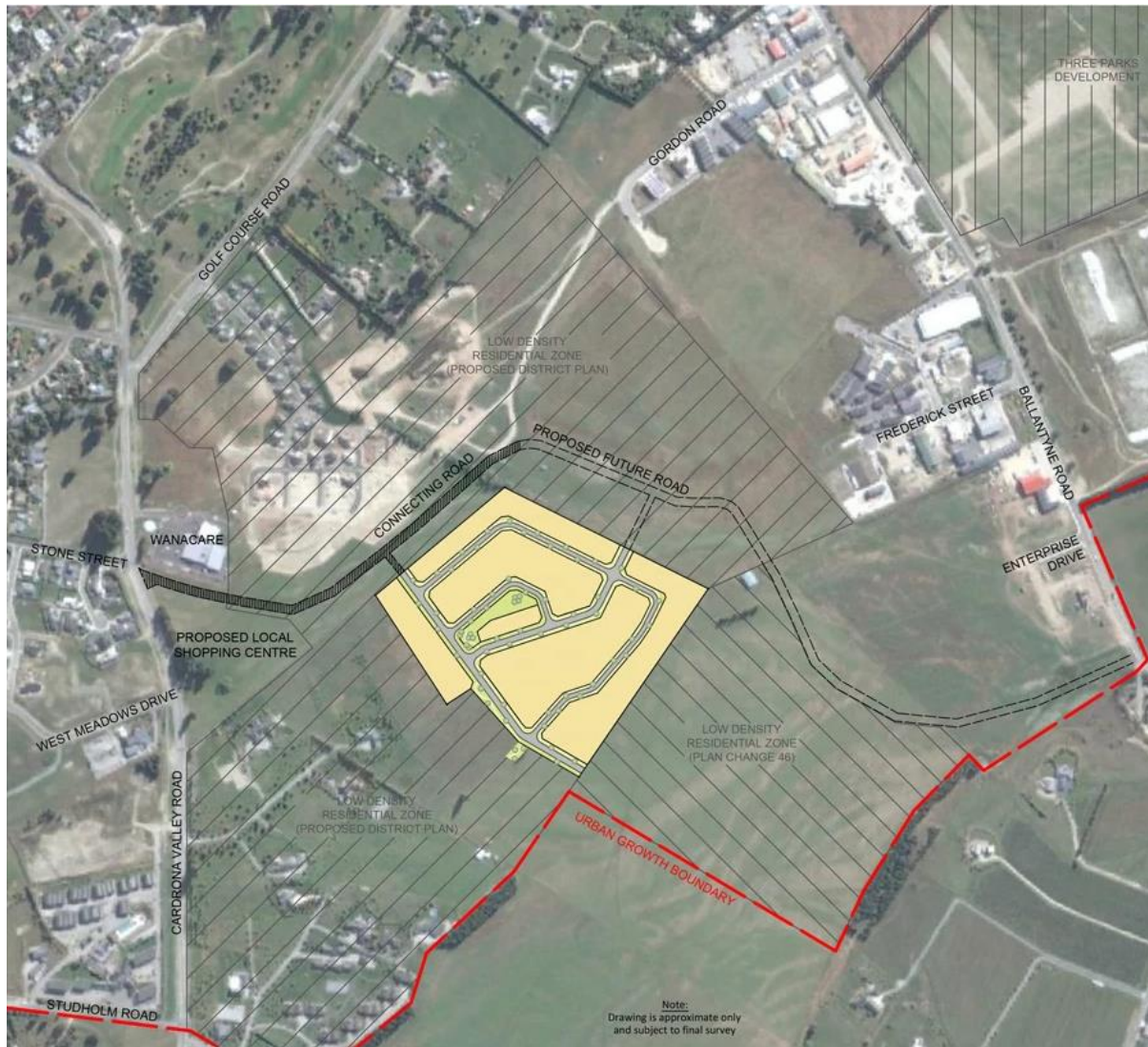
Note:

Areas and dimensions are approximate
only and subject to final survey

PATERSONPITTSGROUP

Your Land Professionals
www.ppgroup.co.nz
0800 PPGROUP





APPENDIX 10 - DECISION RM170329



DECISIONS OF THE QUEENSTOWN LAKES DISTRICT COUNCIL
NOTIFICATION UNDER s95A AND S95B AND DETERMINATION UNDER s104
RESOURCE MANAGEMENT ACT 1991

Applicant:	Alpine Estate Limited
RM reference:	RM170329
Application:	Undertake a two lot subdivision and construct a road to vest
Location:	Cardrona Valley Road, Wanaka
Legal Description:	Balance Lot 15 of RM160453, currently held in Lot 2 DP 498936 contained in Computer Freehold Register 741010
Operative Zoning:	Rural General
Proposed Zoning:	Low Density Residential
Activity Status:	Non-complying
Date	14 December 2017

SUMMARY OF DECISIONS

1. Pursuant to sections 95A-95F of the RMA the application will be processed on a **non-notified** basis given the findings of Section 3 of this report. This decision is made by Sarah Gathercole, Senior Planner, on 12 December 2017 under delegated authority pursuant to Section 34A of the RMA.
2. Pursuant to Section 104 of the RMA, consent is **GRANTED SUBJECT TO CONDITIONS** outlined in **Appendix 1** of this decision imposed pursuant to Section 108 of the RMA. The consent only applies if the conditions outlined are met. To reach the decision to grant consent the application was considered (including the full and complete records available in Council's electronic file and responses to any queries) by Sarah Gathercole, Senior Planner as delegate for the Council.

1. PROPOSAL AND SITE DESCRIPTION

Consent is sought to undertake a two lot subdivision to create a road corridor to vest and a balance allotment. Consent is also sought to construct a road within the corridor. The road in the first instance will serve the 14-lot residential subdivision granted under reference RM160453 on 24 January 2017 (and re-issued on 15 February 2017). A copy of RM160453 is attached to this application as Appendix 3. It is intended that further subdivision of the balance allotments will see around 96 further lots accessing the site using this road, however that will be subject of future consents.

Of relevance the original application sought consent for a six lot subdivision being a road corridor, four residential allotments and a balance lot and also for landuse consent to construct four dwellings. However, this was amended on 29 November 2017.

The applicant has provided a detailed description of the original six lot proposal, the site and locality and the relevant site history in Sections 2.0 and 3.0 of the report entitled Alpine Estate Limited, Resource Consent Application for Subdivision and Land Use Lot 2 DP 498936 dated 05 April 2017, referenced W5082 and submitted as part of the application (hereon referred to as the applicant's AEE and attached as Appendix 2). This description including the earthworks is considered accurate in so far as it refers to forming the road, and the subdivision to create the roading corridor and is adopted for the purpose of this report with the following exception:

In paragraph 2.1 and at various other points in the report reference is made to residential development being anticipated in this location. This is based on the proposed zoning of Low Density Residential. Given that no decision has been made on this proposed zoning, it is considered that residential development cannot unilaterally be considered anticipated from a statutory point of view at this moment. In any case, the residential component has been removed from this application.

The graphic below shows the amended subdivision layout; proposed Lots 900 and 901 will be amalgamated.



2. ACTIVITY STATUS

2.1 THE DISTRICT PLAN

OPERATIVE DISTRICT PLAN

The subject site is zoned Rural General and the proposed activity requires resource consent for the following reasons:

- A **discretionary** activity resource consent pursuant to Rule 15.2.3.3 vi for any subdivision in the Rural General zone.
- A **restricted discretionary** resource consent pursuant to Rule as the proposal breaches Site Standard 22.3.3 i in respect of the volume of earthworks, being 6800m³.
- A **restricted discretionary** resource consent pursuant to Rule as the proposal breaches Site Standard 22.3.3 ii in respect of cuts. The maximum cut will be just under 2m.
- A **non-complying** activity pursuant to Rule 15.2.3.4 i as the proposal breaches zone standard 15.2.6.3 iii(b) which requires that every lot created (other than utility and access lots) shall have one residential building platform (RBP) approved at the time of subdivision. No RBP is proposed on the balance allotment.

PROPOSED DISTRICT PLAN

Council notified the Proposed District Plan on 26 August 2015; no rules with legal effect are relevant to this proposal.

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

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

Overall, the application is considered to be a non-complying activity.

3. SECTION 95A NOTIFICATION

Step 1 – Mandatory public notification

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

Public Notification is not required in terms of refusal to provide further information or refusal of the commissioning of a report under section 92(2)(b) of the Act (s95A(3)(b)).

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

Step 2 – Public notification precluded

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

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

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

Therefore, public notification is not precluded by Step 2.

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

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

A consent authority must publicly notify an application if it decides under s95D(8)(b) that the activity will have or is likely to have adverse effects on the environment that are more than minor (s95A(2)(a)). An assessment in this respect is therefore made in section 3.1 below:

3.1 ASSESSMENT OF EFFECTS ON THE ENVIRONMENT (s95D)

3.1.1 MANDATORY EXCLUSIONS FROM ASSESSMENT (s95D)

A: Effects on the owners or occupiers of land on which the activity will occur and on adjacent land (s95D(a)).

3.1.2 PERMITTED BASELINE (s95D(b))

The consent authority **may** disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect. In this case all subdivision requires a resource consent. In addition any road serving over 12 residential dwellings would require resource consent if it were not to be vested in Council. Therefore there is no relevant permitted baseline to consider.

3.1.3 ASSESSMENT: EFFECTS ON THE ENVIRONMENT

Taking into account sections 3.1.1 and 3.1.2 above, the following assessment determines whether the activity will have, or is likely to have, adverse effects on the environment that are more than minor.

It is of relevance that resource consent RM160453 granted consent to a 14 lot subdivision with a precedent condition that stipulates that the consent not be exercised until such time that provision for permanent physical and legal access to Lots 1-15 from Cardrona Valley Road has been consented. This appears to refer to the access across the Gordon land which has now been consented by way of resource consent RM170094 (attached as Appendix 4). Until such time as the access is constructed and vested in Council there is no certainty that the 14 lots are able to use it as the sites are not in the same ownership. However, the precedent condition does not require access to be available, simply consented.

Given that consent has been granted for the 14 allotment subdivision and it can now be exercised, the existing situation is a subdivision that is to be accessed via the Gordon land to the south, so this has created an expectation of a road linking the subdivision to this access. The proposed route is the most direct available one. Verbal comment was sought from Consultant Landscape Architect Richard Denney who provided landscape advice on RM160453. His opinion is that from a landscape point of view, the location and details of the connection are not relevant.

On this basis, it is concluded that when compared to the expected environment, the proposed road will have no adverse effects on the character or visual amenity of the subject site.

As there are no further allotments being created, there will be no adverse effects as a result of no residential building platforms being created.

Council Resource Management Engineer, Lyn Overton, has reviewed the proposal and considers that the road design is appropriate and will cater adequately for the currently consented uses, and also for any future demand which may be generated if the site is rezoned for residential development in the future. Ms Overton has reviewed the proposed earthworks necessary for forming the road and is satisfied that they can be carried out without adverse effects. Ms Overton has identified that with standard engineering conditions which she proposes, any adverse effects associated with engineering will be adequately mitigated or avoided. She also recommends conditions in respect of future street lighting and stormwater disposal.

The Applicant has agreed to the conditions proposed and they are therefore considered to form part of the application for the purposes of determining adverse effects.

3.2 DECISION: EFFECTS ON THE ENVIRONMENT (s95A(2))

Overall the proposed activity is not likely to have adverse effects on the environment that are more than minor. Therefore, public notification is not required under Step 3.

3.3 STEP 4 – PUBLIC NOTIFICATION IN SPECIAL CIRCUMSTANCES

There are no special circumstances in relation to this application.

4.0 EFFECTS ON PERSONS

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

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

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

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

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

Limited notification is not precluded under Step 2 as the proposal is not a controlled activity nor is it a prescribed activity.

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

Limited notification is not required under Step 3 as the proposal is not a boundary activity, and it is not a prescribed activity.

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

4.1 ASSESSMENT OF EFFECTS ON PERSONS (s95E)

4.1.1 ASSESSMENT: EFFECTS ON PERSONS

Taking into account sections 3.1.1 (Mandatory Exclusions) and 3.1.2 (Permitted Baseline) above, the following outlines an assessment as to whether the activity will have or is likely to have adverse effects on persons that are minor or more than minor:

The Applicant submitted written approvals from owners of the neighbouring sites shown below. However neither of these is deemed valid for the purposes of this application in its current form as they relate to alternate versions including residential allotments. For the avoidance of doubt it is recorded here that the adverse effects on the below parties have been considered.

Person (owner/occupier)	Address (location in respect of subject site)
Peter Gordon and HGW Trustees Limited	Owners of Lot 1 DP 477622 through which the proposed road will link to Cardrona Valley Road.
James Ledgerwood	Owner & Occupier of Lot 1 DP 498936 and Lot 3 DP 301095



As the 14 lot subdivision has been consented with access over the Gordon land, it is anticipated that a road will be constructed to connect with this and that the traffic from the subdivision will pass across the land on which the road is proposed. No additional lots are proposed through this application. Therefore it is considered that there will be no adverse effects in terms of traffic generation, noise, nuisance, earthworks, visual effects, privacy or dominance on any party.

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

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

4.3 STEP 4 – LIMITED NOTIFICATION IN SPECIAL CIRCUMSTANCES

Step 4: Further limited notification in special circumstances

Special circumstances do not apply that require limited notification.

5.0 OVERALL NOTIFICATION DETERMINATION

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

6.0 S104 ASSESSMENT

6.1 EFFECTS (s104(1)(a))

Actual and potential effects on the environment have been outlined in section 3 of this report and are considered to be insignificant. Conditions of consent can be imposed under sections 108 and 220 of the RMA as required to avoid, remedy or mitigate adverse effects.

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

Operative District Plan

The relevant objectives and policies are contained within Parts 4, 5, 14 and 15 of the District Plan. Those in Parts 4 and 5 focus substantially on maintaining rural landscape character and visual amenity. As in this case a formed access is anticipated, it is considered that the adverse effects are minimal and therefore the proposal achieves the outcomes sought by the objectives and policies. Parts 14 and 15 of relevance seek to ensure that any transport infrastructure is fit for purpose. Ms Overton has confirmed that the road design and earthworks are appropriate. The proposal will not be contrary to the objectives and policies of the Operative District Plan.

Proposed District Plan

Council notified the Proposed District Plan on 26 August 2015 (Stage1) and 23 November 2017 (Stage 2) which contain objectives and policies with immediate legal effect, pursuant to section 86A(2) of the RMA. In this case, the objectives and policies contained in

Part 3, Chapter 7 Low Density Residential
 Part 5, Chapter 25, Earthworks;
 Part 5, Chapter 27 Subdivision and Development; and
 Part 5, Chapter 29 Transport

are relevant. It is considered given the minimal extent to which the Proposed District Plan has been exposed to testing and independent decision-making, minimal weight will be given to these provisions at this stage. Notwithstanding, it is considered the proposal would be in accordance with and not contrary to these objectives and policies.

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

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

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

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

6.4 OTHER MATTERS – SUBDIVISION (s106)

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

6.5 PART 2 OF THE RMA

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

6.6 DECISION ON RESOURCE CONSENT PURSUANT TO SECTION 104 OF THE RMA

Consent is **granted** to undertake a two lot subdivision to create a roading corridor to vest subject to the conditions outlined in *Appendix 1* of this decision report imposed pursuant to Sections 108 and Section 220 of the RMA.

7.0 OTHER MATTERS

Local Government Act 2002: Development Contributions

In granting this resource consent, pursuant to the Local Government Act 2002 and the Council's Policy on Development Contributions the Council has identified that no Development Contribution is required.

Administrative Matters

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

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

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

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

If you have any enquiries please contact Wendy Baker on phone (021) 1843309 or email wendy.baker@qldc.govt.nz.

Report prepared by

Decision made by



Wendy Baker
CONSULTANT PLANNER



Sarah Gathercole
SENIOR PLANNER

- APPENDIX 1** – Consent Conditions
- APPENDIX 2** – Applicant's AEE
- APPENDIX 3** – Copy of RM160453
- APPENDIX 4** – Copy of RM170094

APPENDIX 1 – CONSENT CONDITIONS

General Conditions

1. That the development must be undertaken/carried out in accordance with the plans:
 - Scheme Plan RM170329, Lots 99, 900 and 901 being a Subdivision of Lot 15 RM160453, Job no W4980, Drawing no. 03, Sheet No. 01, Revision No. E, dated 29/11/2017.
 - Engineering Drawings Earthworks Cut and Fill Depths, Job no W5082-004, Drawing no. 03, Sheet No. 201, Revision No. A, dated 13/03/2017 in respect of earthworks
 - Engineering Drawings Earthworks Design Contours, Job no W5082-004, Drawing no. 03, Sheet No. 200, Revision No. A, dated 13/03/2017 in respect of earthworks

stamped as approved on 12 December 2017

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

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

General

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

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

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

4. The owner of the land being developed shall provide a letter to the Manager of Resource Management Engineering at Council advising who their representative is for the design and execution of the engineering works and construction works required in association with this development and shall confirm that these representatives will be responsible for all aspects of the works covered under Sections 1.7 & 1.8 of QLDC's Land Development and Subdivision Code of Practice, in relation to this development.
5. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and 'A Guide to Earthworks in the Queenstown Lakes District' brochure, prepared by the Queenstown Lakes District Council to ensure that neighbouring sites remain unaffected from earthworks. These measures shall be implemented **prior** to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.

6. Prior to commencing any works on the site, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for all development works and information requirements specified below. An 'Engineering Review and Acceptance' application 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 (3), to detail the following requirements:
 - a) The formation of the road in Lot 99, in accordance with figure E 13 of the QLDC Land Development and Subdivision Code of Practice. This shall include the provision for stormwater disposal.
 - b) The provision of Design Certificates for all engineering works associated with this subdivision/development submitted by a suitably qualified design professional (for clarification this shall include all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of the QLDC's Land Development and Subdivision Code of Practice Schedule 1A Certificate.

To be monitored throughout earthworks

7. No permanent batter slope within the road reserve shall be formed at a gradient that exceeds 1(V):5(H).
8. The earthworks, batter slopes, retaining and site management shall be undertaken in accordance with the recommendations of appendices F and G to the application where they relate to the roading corridor area only.
9. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at his/her expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.
10. No earthworks, temporary or permanent, are to breach the boundaries of the site

To be completed before Council approval of the Survey Plan

11. Prior to the Council signing the Survey Plan pursuant to Section 223 of the Resource Management Act 1991, the consent holder shall complete the following:
 - a) All necessary easements shall be shown in the Memorandum of Easements attached to the Survey Plan and shall be duly granted or reserved. This shall include any Easements in Gross as required by Council for infrastructure to vest. Requirements for vested infrastructure and Easements in Gross shall be agreed with Council prior to Engineering Acceptance.
 - b) The names of all roads, private roads & private ways which require naming in accordance with Council's road naming policy shall be shown on the survey plan.

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

Amalgamation Condition

12. The following shall be registered with Land Information New Zealand (CSN XXXXX):
 - *"That Lots 900 & 901 hereon be held in the same Computer Freehold Register"*

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

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

- a) The submission of 'as-built' plans and information required to detail all engineering works completed in relation to or in association with this subdivision at the consent holder's cost. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Roads (including right of ways and access lots), Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).
- b) The completion and implementation of all works detailed in Condition (6) above.
- c) The consent holder shall enter into a developer's agreement between the developer and Council in relation to the stormwater disposal system for the carriageway. This agreement shall bind the developer to its requirements and confirm the following:
 - i) The applicant takes responsibility for Operation & Maintenance of the areas initially for a 5 year period from issue of 224c.
 - ii) The applicant shall meet the Key Performance Indicators (KPIs) for successful operation and management of the system that are established and agreed with Council through detailed design process prior to engineering acceptance by QLDC.
 - iii) The consent holder shall provide Council annually (31st March) with copies of all ongoing performance monitoring data and reporting a showing compliance with the agreed KPIs and O&M manual.
 - iv) If the system is not shown to be working effectively during or at the end of the 5 year maintenance period, any remedial works required ensuring the effective and efficient operation of the stormwater disposal system in compliance with the O & M manual and associated KPIs shall be completed by the consent holder.
 - v) In the event of the system not performing effectively during or at the end of the 5 year maintenance period, the maintenance period may be extended by a further 2 years to allow the applicant to demonstrate the effective and efficient operation of the stormwater disposal system prior to handover to Council.
 - vi) A bond provided by the consent holder/developer in relation to maintenance of the system for the maintenance period.

Advice Note: A pro forma Developers Agreement addressing the above can be provided on request to Council.

- d) The submission of Completion Certificates from the Contractor and the Engineer advised in Condition (4) for all engineering works completed in relation to or in association with this subdivision (for clarification this shall include all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of a Producer Statement, or the QLDC's Land Development and Subdivision Code of Practice Schedule 1B and 1C Certificate.
- e) All signage shall be installed in accordance with Council's signage specifications and all necessary road markings completed on all public or private roads (if any), created by this subdivision.
- f) Road naming shall be carried out, and signs installed, in accordance with Council's road naming policy.
- g) All earthworked/exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised.
- h) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

Ongoing Conditions/Consent Notices

14. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notice pursuant to s.221 of the Act.
- a) Lots 900 and 901 are balance allotments intended for further development and has not been serviced in accordance with Council's standards and no development contributions have been paid. At the time of any future development of Lots 900 and 901, all necessary services shall be provided to the lots (and any additional lots) in accordance with Council's standards and connection policy as they apply at the time of the future development. For the purposes of this condition the term "necessary services" includes wastewater disposal, water supply, stormwater disposal, telecommunications and electricity supply. The costs of providing services and making any connections shall be borne by the owner of the lot for the time being and they shall also pay to the Queenstown Lakes District Council any applicable development contributions at that time.
 - b) At the time Lots 900 and 901 are further subdivided street lighting shall be provided along 'Road 1' (formed under RM170329) in accordance with Council's road lighting policies and standards, including the Southern Light lighting strategy. Any road lighting installed on private roads/rights of way/access lots shall be privately maintained and all operating costs shall be the responsibility of the lots serviced by such access roads. Any lights installed on private roads/rights of way/access lots shall be isolated from the Council's lighting network circuits.
 - c) In the event that all necessary services are provided to Lots 900 and 901 and development contributions are paid as per Condition 14(a) above, and the street lighting is provided as per condition 14(b) above, these consent notice conditions shall be deemed to have expired and may be removed from the Computer Freehold Register for Lots 900 and 901

For Your Information

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

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

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

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM170329

Tuesday, 12 December 2017



Amalgamation Condition:
That Lot 900 and Lot 901 be amalgamated and that one computer register be issued to include both parcels

EXISTING EASEMENTS			
PUROPSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
Right to drain sewage	D	Lot 901	Lot 1 DP 498936

EXISTING EASEMENTS IN GROSS			
PUROPSE	SHOWN	SERVIENT TENEMENT	DOCUMENT
Right to drain sewage	W	Lot 900	EI 10109740.15

Note:
For more detail about Lot 301 RM170094 please refer to their respective Resource Consent and Engineering Acceptance Applications

Additional service easements may be required following engineering design and approval

PATERSONPITTSGROUP

Your Land Professionals
www.ppgroup.co.nz
0800 PPGROUP



WANAKA BRANCH
19 Reece Crescent
or P.O. Box 283
Wanaka 9343
T 03 443 0110
E wanaka@ppgroup.co.nz

Client & Location:

Stage 1a
Alpine Estate
Wanaka

Purpose & Drawing Title:

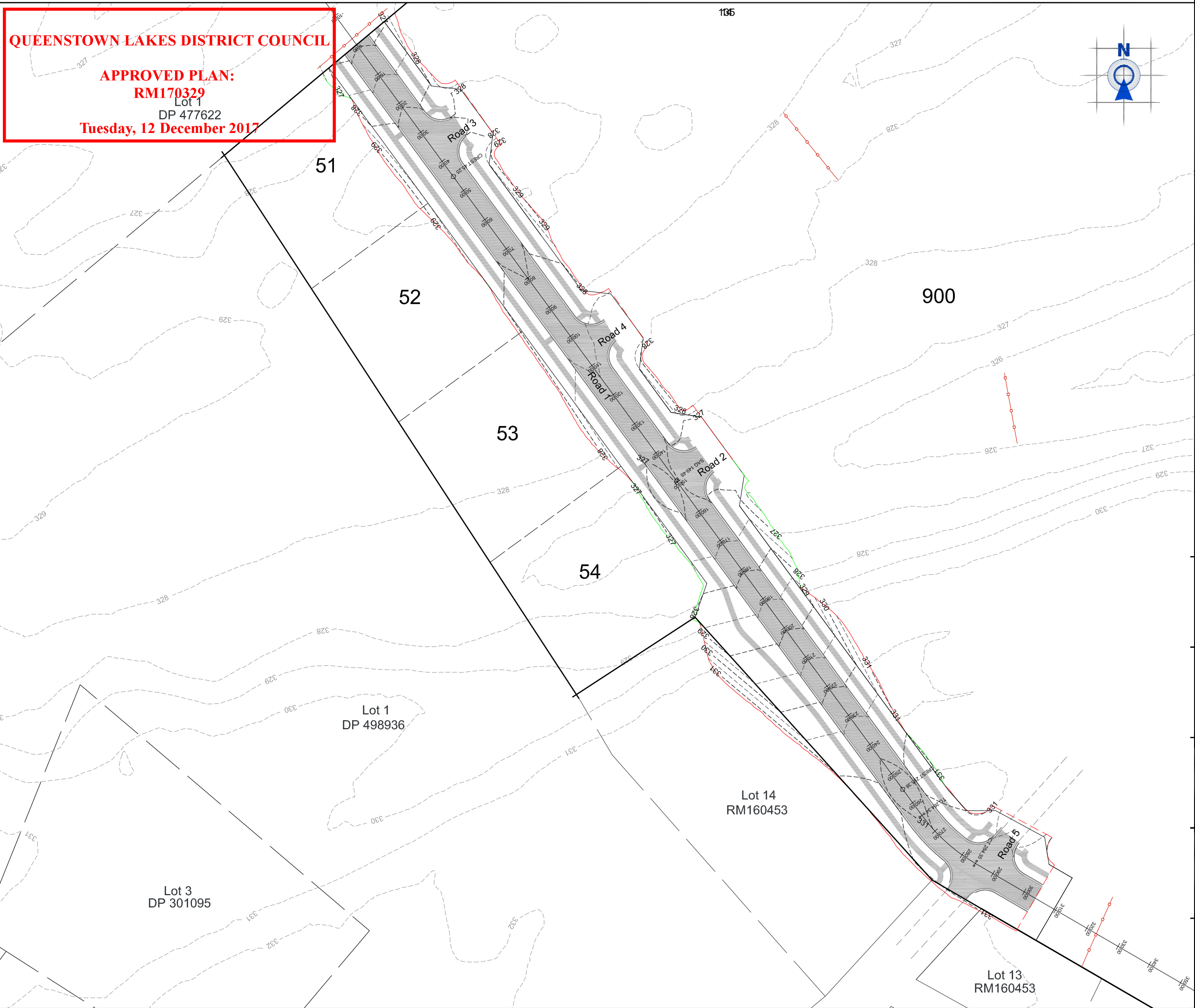
Scheme Plan RM170329
Lots 99, 900 and 901 being a Subdivision
of Lot 15 RM160453

© COPYRIGHT. This drawing, content and design remains the property of Paterson Pitts Group Limited and may not be reproduced in part or full or altered without the written permission of Paterson Pitts Group Limited. This drawing and its content shall only be used for the purpose for which it is intended. No liability shall be accepted by Paterson Pitts Group Limited for its unauthorized use.

Surveyed by:	KMG	Original Size:	Scale:	
Designed by:		A3	1:1000 @ A3	
Drawn by:	KMG			
Checked by:	RLP			
Approved by:	RLP		DO NOT SCALE	
Job No:	Drawing No:	Sheet No:	Revision No:	Date Created:
W5082	03	01	E	29/11/2017

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM170329
Lot 1
DP 477622
Tuesday, 12 December 2017



- NOTES
1. The contractor shall be responsible for locating all existing services prior to commencement of works. The contractor shall make good at their own expense any damage to existing services
 2. Levels are in terms of Dunedin Vertical Datum 1958
 3. All works are to be installed as per the QLDC Land Development and Subdivision Code of Practice. Standard drawings are available from the Engineer
 4. Contours at 1.0m interval

- EARTHWORKS KEY
- Kerb No 8
 - Kerb No 15a
 - Lot Boundaries
 - Extent of Fill
 - Extent of Cut
 - Major Contour (0,5m Interval)
 - Minor Contour (1m interval)
 - Natural Contour (1m interval)
 - Straw Bale / Silt fence Sediment Control

For Approval

PATERSONPITTSGROUP
Surveying • Planning • Engineering
Your Land Professionals
www.ppgroup.co.nz
0800 PPGROUP

WANAKA
19 Reece Crescent
or P.O. Box 283
Wanaka 9343
T 03 443 0110
E wanaka@ppgroup.co.nz

© COPYRIGHT. This drawing, content and design remains the property of Paterson Pitts Group Limited and may not be reproduced in part or full or altered without the written permission of Paterson Pitts Group Limited. This drawing and its content shall only be used for the purpose for which it is intended. No liability shall be accepted by Paterson Pitts Group Limited for its unauthorized use.

Client & Location:

**Alpine Estate
Wanaka**

Purpose & Drawing Title:

**Engineering Drawings
Earthworks
Design Contours**

Surveyed by:	-	Original Size:	Scale:
Designed by:	KMG	A3	1:1000 @ A3
Drawn by:	KMG		DO NOT SCALE
Checked by:	RP		
Approved by:	RP		
Job No:	W5082-004	Sheet No:	200
		Revision No:	A
		Date Created:	13/03/2017

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM170329
Lot 1
DP 477622
Tuesday, 12 December 2017

51

52

53

54

Lot 1
DP 498936

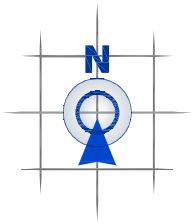
Lot 3
DP 301095

Lot 14
RM160453

Lot 13
RM160453

136

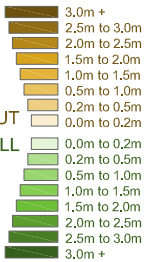
900



NOTES

1. The contractor shall be responsible for locating all existing services prior to commencement of works. The contractor shall make good at their own expense any damage to existing services
2. Levels are in terms of Dunedin Vertical Datum 1958
3. All works are to be installed as per the QLDC Land Development and Subdivision Code of Practice. Standard drawings are available from the Engineer

LEGEND



CUT

FILL

Depth Contours (at 0.5m intervals)

For Approval

PATERSONPITTSGROUP

Surveying • Planning • Engineering

Your Land Professionals
www.ppgroup.co.nz
0800 PPGROUP



WANAKA
19 Reece Crescent
or P.O. Box 283
Wanaka 9343
T 03 443 0110
E wanaka@ppgroup.co.nz

© COPYRIGHT. This drawing, content and design remains the property of Paterson Pitts Group Limited and may not be reproduced in part or full or altered without the written permission of Paterson Pitts Group Limited. This drawing and its content shall only be used for the purpose for which it is intended. No liability shall be accepted by Paterson Pitts Group Limited for its unauthorized use.

Client & Location:

**Alpine Estate
Wanaka**

Purpose & Drawing Title:

**Engineering Drawings
Earthworks
Cut and Fill Depths**

Surveyed by:	-	Original Size:	Scale:
Designed by:	KMG	A3	1:1000 @ A3
Drawn by:	KMG		DO NOT SCALE
Checked by:	RP		
Approved by:	RP		
Job No:	W5082-004	Sheet No:	201
		Revision No:	A
		Date Created:	13/03/2017

APPENDIX 2 – APPLICANT’S AEE



Our Ref: W5082
05 April 2017

Alpine Estate Limited

**Resource Consent Application
for
Subdivision and Land Use
Lot 2 DP 498936**

Cardrona Valley Road, Wanaka

DUNEDIN:

P.O. Box 5933,
Dunedin 9058.

T 03 477 3245

CHRISTCHURCH:

P.O. Box 160094,
Christchurch 8441.

T 03 928 1533

ALEXANDRA:

P.O. Box 103,
Alexandra 9340.

T 03 448 8775

CROMWELL:

P.O. Box 84,
Cromwell 9342.

T 03 445 1826

QUEENSTOWN:

P.O. Box 2645,
Queenstown 9349.

T 03 441 4715

WANAKA:

P.O. Box 283,
Wanaka 9305.

T 03 443 0110

Table of Contents

1.0 APPLICATION DETAILS	3
2.0 DESCRIPTION OF PROPOSAL	3
2.1 THE SITE.....	3
2.2 CONSENT HISTORY	4
3.0 PROPOSAL	4
4.0 ASSESSMENT AGAINST OPERATIVE DISTRICT PLAN.....	7
4.1 OPERATIVE DISTRICT PLAN ZONING	7
4.2 ASSESSMENT AGAINST SUBDIVISION STANDARDS.....	7
4.3 ASSESSMENT AGAINST EARTHWORKS STANDARDS.....	9
4.4 ASSESSMENT AGAINST RURAL GENERAL STANDARDS	10
4.5 ASSESSMENT AGAINST RELEVANT OBJECTIVES AND POLICIES	15
5.0 ASSESSMENT AGAINST PROPOSED DISTRICT PLAN	17
6.0 RMA SECTION 104 MATTERS.....	18
7.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS	19
8.0 RESOURCE MANAGEMENT ACT 1991 - SECTION 104D CONCLUSION.....	22
9.0 AFFECTED PARTIES, CONSULTATION AND NOTIFICATION	23
9.1 AFFECTED PARTIES.....	23
9.2 NOTIFICATION.....	23
10.0 PART 2 OF THE RESOURCE MANAGEMENT ACT 1991.....	23
11.0 CONCLUSION	23
APPENDIX A - COMPUTER FREEHOLD REGISTER.....	A
APPENDIX B - INFRASTRUCTURE REPORT	B
APPENDIX C - SCHEME PLAN	C
APPENDIX D - ENGINEERING PLANS.....	D
APPENDIX E - LANDSCAPE ASSESSMENT	E
APPENDIX F - GEOTECHNICAL REPORT	F
APPENDIX G - SITE MANAGEMENT PLAN	G

1.0 APPLICATION DETAILS

Applicant:	Alpine Estates Limited
Site Location:	Cardrona Valley Road, Wanaka
Legal Description:	Lot 2 DP 498936
CFR Reference:	741011
Area:	11.89ha (Lot 2 DP 498936)
Zoning:	Rural General (operative District Plan) Low Density Residential (Proposed District Plan)

2.0 DESCRIPTION OF PROPOSAL

2.1 THE SITE

The site is held in CFR 741011 which comprises Lot 2 DP 498936. A copy of the CFR is contained in Appendix A. It is located to the east of Cardrona Valley Road, on the southern fringe of Wanaka and comprises an area of 11.9ha.

The site is zoned Rural General under the Operative District Plan. It is proposed to become Low Density Residential in the Proposed District Plan. The site is within the Urban Growth Boundary signalled by the Proposed District Plan.

The subject site is located in an area which is rapidly becoming the outskirts of Wanaka. The site and its immediate area, whilst previously having rural characteristics, are undergoing substantial transformation to a residential environment. The Grandview subdivision is located to the southwest with Stage 1 completed, and the land to the east was rezoned in 2016 through Plan Change 46 to Low Density Residential from Rural General. Whilst this land is currently vacant, residential development is anticipated. The Wanaka Medical Centre and the Aspiring Retirement Village are located to the northwest and north of the site, and the Ballantyne Road Industrial Zone is located approximately 275m to the northeast and east.

The subject site is hummocky in topography. There is a series of roughly parallel terraces with intervening melt water channels running north west to south east across the site. Overall the site declines to the north. It is entirely vegetated with mown pasture grasses.

Legal access to the site is currently from Spring Blossom Drive via a right of way. In the future, the site will be accessed via Lot 1 DP 477622 (Gordon land) through the approval of RM170094. This application was notified with submissions closing on 30 March 2017. This proposed road will become a future collector road linking Cardrona Valley Road to Ballantyne Road and east to the Orchard Road Holdings land, as shown on the concept plans of Plan Change 46. This road has been an anticipated roading connection in the region since 2002, and is referenced/illustrated in the Wanaka 2020 Report 2002, Wanaka Structure Plan 2007, Wanaka Transport Strategy 2008, and in Plan Change 46 which became

operative in 2016. Spring Blossom Drive to the south of this development, at present provides legal access to the subject site, will only supply pedestrian access through to Orchard Road. The Infrastructure Report in Appendix B demonstrates an indicative roading layout of adjoining blocks.

2.2 CONSENT HISTORY

A boundary adjustment was approved on the site under RM160335 which adjusted the size of the site to be 11.8ha.

The site received resource consent approval in January 2017 through RM160453 to subdivide a 2.2ha area of the south western corner of the site into fourteen residential lots.

A resource consent application was submitted to develop the site as a 94-Lot subdivision in February 2017 (RM170065), which has been put on hold until access over Lot 1 DP 477622 is confirmed.

3.0 PROPOSAL

Subdivision consent is sought for a six lot fee simple subdivision of Lot 2 DP 498936. The subdivision scheme plan is attached as Appendix C. Land use consent for future residential development on the four residential lots to be created by this subdivision is also sought.

A condition of consent is volunteered for 224 certification to not be granted for this application until the road on Lot 1 DP 492566 is consented and built.

3.1.1 Subdivision

It is proposed to subdivide the subject site into six lots - four residential lots, one road to be vested in Council, and one balance lot. Details of the proposed lots include:

Residential Lots:

The four proposed residential lots (Lots 51 to 54) are located on the southwest portion of the subject site, on the southwest side of proposed road to be vested. The lots range in size from 1,740m² to 2,040m². Residential building platforms are not proposed.

Road to be Vested:

Proposed Lot 99 is a 7,070m² parcel that will be vested in Council as legal road. The formation and vesting of this road is a condition of consent for RM160453.

The road will have a legal width of 20m and a carriageway width of 8.4m. The road will be built to the specifications of the QLDC Land Development Code of Practice.

This road will link west to Lot 1 DP 477622 (the Gordon land), as discussed above.

Engineering approval for this road is requested through this application, discussed below. Engineering Plans are contained in Appendix D.

Balance Lot:

The balance lot, Lot 900, is an 8.216ha parcel located on the northeast side of the proposed road to be vested. The balance lot is generally the location of the 94-lot consent submitted for the property under RM170065, that is on hold.

3.1.2 Land Use

Land use consent is also sought for future non-specific residential units (Dwelling, Residential Unit, Residential Flat) and accessory buildings to be located within Lots 51 to 54.

Future development on these lots will be subject to the proposed bulk, location and design control conditions of consent generally replicating the bulk and location provisions of the Low Density Residential Zone. Design controls are detailed in the following table, it is anticipated that they will be included as conditions of the land use component of this consent.

Maximum Building Height	7m above existing ground
Maximum Building Coverage	40%
Road Boundary Setbacks	The minimum setback from road boundaries of any building, other than garages = 4.5m
Internal Boundary Setbacks	The minimum setback from internal boundaries/neighbours for any building shall be: Front Site One setback of 4.5m and all other setbacks 2m. Rear Sites Two setbacks of 4.5m and all remaining setbacks to be 2m. Exceptions to this rule can be found under Rule 7.5.5.2(iv)(B).
Recession Planes	Northern Boundary: 2.5m and 55 degrees. Western, and Eastern Boundaries: 2.5m and 45 degrees. Southern Boundary: 2.5m and 35 degrees. Gable end roofs may penetrate the building recession plane by no more than one third of the gable height. Recession planes do not apply to site boundaries fronting a road, or a park or reserve.
Continuous Building Length	The continuous length of any building facade above one storey shall not exceed 16m.

3.1.3 Earthworks

Earthworks will be required to provide for road construction on Lot 99 in order to form it in accordance with Council roading standards to vest as road.

Rule 22.3.2.1(e)(i) of the earthworks chapter in the Operative District Plan provides that earthworks associated with a subdivision consented under Rule 15.2.21 are exempt from the rules in Section 22 of the District Plan.

The total earthworks quantities include:

Cut: 6,800m³

Fill: 500m³

Total earthworks: 7,300m³
Balance: 6,300m³
Maximum height of cut: 2m
Maximum height of fill: 1m

Excess material will be stockpiled on site for future use. The stockpile will be topsoiled and regrassed.

Earthworks Plans and Engineering Design are contained in Appendix D.

3.1.4 Landscaping

The landscape assessment completed for the ultimate development of the subject site (RM170065). The Landscape Assessment is contained in Appendix E. The discussions and findings of this report can be considered relevant for this subdivision.

The landscape report concludes that *“the location of the site, however, in an area surrounded by industrial development, rural residential development and anticipated Low Density Residential development is unusual. The subdivision and development of this site, essentially as a low density residential suburb, would not be unexpected and would not adversely affect the quality of the wider, rural landscape”* (Section 7.4, p 11).

3.1.5 Services

An Infrastructure Report was produced for the 94-lot subdivision detailing the wastewater, stormwater and water supply requirements for the area (Appendix B). This Infrastructure Report is also considered relevant for this application.

The sites can be adequately serviced via Council’s reticulated connections of wastewater and water supply. Appropriate easements will be registered for the new lots.

There is no stormwater reticulation. Runoff from hardstand areas and roofs will be to ground. A geotechnical report completed for the subject site has confirmed the site is suitable for onsite stormwater disposal (Appendix F).

Electricity and telecommunications connections are available to the Heritage Village/Grandview Subdivision and will be extended to serve the proposed subdivision or supply may be available from Cardrona Valley Road as part of the construction of the new collector road. The Infrastructure Report contains letters from Aurora and Chorus confirming that power and telecommunications can be provided for this subdivision.

In the near future the proposed balance lot (Lot 900) is to be developed as a residential subdivision. It is proposed that the services be laid to this lot to enable any future development to connect to the proposed infrastructure.

3.1.6 Access

Legal access to the site is currently from Spring Blossom Drive via right of way. Future access the site will be via Lot 1 DP 477622 (Gordon land) through the approval of RM170094.

A condition of consent is volunteered for 224 certification to not be granted for this application until the road on Lot 1 DP 492566 is consented and built.

4.0 ASSESSMENT AGAINST OPERATIVE DISTRICT PLAN

4.1 OPERATIVE DISTRICT PLAN ZONING

While in an area proposed to have a Low Density Residential Zoning by the Proposed District Plan, the application relates to an area that is currently zoned Rural General. The subdivision application has therefore been assessed against the rules, site and zone standards and assessment matters for the Subdivision, Rural General and Earthworks chapters as documented below.

The application is discussed in two parts:

Subdivision

- **Discretionary Activity** under Rule 15.2.3.3(vi) for a subdivision within the Rural General Zone.
- **Non-complying Activity** under Rule 15.2.3.4(i) as the proposed subdivision does not comply with Subdivision Zone Standard 15.2.6.3(iii)(b) which requires that every lot created in the Rural General Zone shall have one residential building platform approved at the time of subdivision.

Land Use

- **Discretionary Activity** under Rule 5.3.3.3(i)(a), for the construction of a building within each proposed lot outside of an approved residential building platform
- **Restricted Discretionary Activity** under to Rule 5.3.3.3(xi), for future dwellings on the proposed sites to infringe internal setback distances of 15m contained in Rule 5.3.5.1(vi)
- **Non-complying Activity** under to Rule 5.3.3.4(vi), for future buildings on the proposed sites to infringe road setback distances of 20m contained in Rule 5.3.5.2(ii).

Overall, the proposed development is a **Non-Complying Activity**.

4.2 ASSESSMENT AGAINST SUBDIVISION STANDARDS

4.2.1 Site Subdivision Standards

Rule 15.2.6.2 Site Subdivision Standards – Lot Sizes and Dimensions

Site Subdivision Standard	Comments
(i) Lot Sizes	N/A for Lots 51-54 and Lot 900 Lot 99 will be vested as road and therefore exempt under Rule 15.2.6.3(i)(d)
(ii) Lot Dimensions	N/A - Not specified for Rural General
(iii) Certification of Allotments	N/A
(iv) Lot Averages	N/A - No average for Rural General

(v) Boundary Planting	N/A
(vi) Shotover Country Special Zone	N/A

The application therefore complies with all the Site Subdivision Standards.

4.2.2 Zone Subdivision Standards

Rule 15.2.6.3 Zone Subdivision Standards – Lot Sizes and Dimensions

Zone Subdivision Standard	Comments
(i) Lot Sizes – min net area 4,000m ²	No minimum for Rural General
(ii) Lot Averages	N/A
(iii) Building platforms	Infringes, the proposal does not nominate building platforms for the subdivision. Land use consent is sought instead, this will be subject to proposed bulk, location, and design controls as condition of consent as discussed above in Section 3.1.2.
(iv) Development Areas and Undomesticated Areas within the Rural Residential sub-zone at Bob's Cove	N/A
(v) Building platforms – Quail Rise Zone R2	N/A
(vi) The Ferry Hill Rural Residential Sub-Zone	N/A

The application therefore infringes Zone Standard 15.2.6.3(iii) as building platforms are not specified for the subdivision. The application complies with all other Zone Subdivision Standards.

The activity status of the subdivision component of the application would be lowered to Discretionary Activity were building platform to be identified on each lots.

4.2.3 Subdivision Assessment Matters

The application has been assessed as a Non-Complying Activity and therefore Council's discretion is not restricted to the assessment matters. However, the application has been guided by the Subdivision Assessment Matters contained in Rules 15.2.6 – 15.2.19.

As discussed in the decision for RM160453 (14-lot subdivision on the western portion of the subject site), the proposed subdivision is not consistent with the assessment matters for residential development within the Rural General zone, but as noted by Council *"given the existing and future context of the site this divergence is acceptable"*.

The proposed six lot subdivision will include four large rural-residential type lots of between 1,740m² – 2,040m², one access lot to be vested as road which will be part of a larger road network in the area as signalled in the Wanaka Structure Plan and carried through to the Proposed District Plan, and one balance lot that is marked for future residential development through RM170065.

The proposed residential lots (Lots 51- 54) will be of a slope that is suitable for residential use and of a size and pattern that is compatible with the pattern and use of adjacent sites. The balance lot is considered to effectively provide for future residential use consistent and compatible with the style and development, similar to adjacent parts of Wanaka.

The proposed lots will be serviced in accordance with Council's standards. Provision will be made for connections to the wastewater systems. All lots will be provided with a water supply from Council's reticulated water supply system. Stormwater from all lots is proposed to be disposed of to ground. The site is suitable for onsite stormwater disposal. All lots will be provided with power and telecommunication connections. At the time of 224c, all lots will have suitable legal and physical access in accordance with Council standards.

The site does not adjoin a waterbody or esplanade reserve and so does not require the vesting of esplanade reserve and will not affect public access to and along lakes and rivers.

A geotech report for the site is contained in Appendix F.

4.3 ASSESSMENT AGAINST EARTHWORKS STANDARDS

Earthworks are proposed within proposed Lot 99 to ensure the road meets Council standards for a road to be vested. The Earthworks plan showing cut and fill depths and finished contours is included as Appendix D.

As discussed above, per Rule 22.3.2.1(e)(i), earthworks associated with a subdivision consented under Rule 15.2.21 are exempt from the rules in Section 22 of the District Plan. Council reserves control in respect to the matters listed in Rule 22.3.2.2(a)(i)-(ix) in Section 22, as discussed below.

The earthworks are to provide for a road of a suitable gradient as well as stormwater and wastewater drainage and the avoidance of flooding. These works are consistent with earthworks undertaken on nearby developments.

Earthworks will be undertaken in accordance with Council's guidance on earthworks, with standard environmental protection measures including sediment, erosion and dust control and the standard noise and hours of operation conditions. A Site Management Plan is contained in Appendix G which details mitigation measures implemented during earthworks.

No remedial works are required as part of this subdivision. Revegetation will be limited to regrassing the worked areas at the conclusion of works. The balance material stockpiles will be regressed.

Development is underway or proposed on most adjoining sites and the proposed works will be designed to ensure a uniform roading network in the area.

The topography in this area is relatively flat and zoned for residential development so there will be very limited effect on landscape and visual amenity values. The works will not affect views or access to sunlight of adjacent sites.

The works are well separated from water bodies and so will not result in any effects on surface or ground water bodies. The geotech report notes that groundwater was not observed in any of the boreholes/test pits (Appendix F).

The site does not contain any known cultural or archaeological sites, however the usual accidental discovery conditions of consent would be appropriate should any such areas be uncovered as part of these works.

4.4 ASSESSMENT AGAINST RURAL GENERAL STANDARDS

The following table assesses the proposal against the relevant standards under the Operative Queenstown Lakes District Plan.

4.4.1 Rule 5.3.5.1 - Site Standards

Ref	Title	Standard	Comment
i	<i>Setback from Neighbours of Buildings Housing Animals</i>	<i>30m from internal boundary</i>	N/A, no buildings housing animals proposed.
ii	<i>Access</i>	<i>Each residential unit shall have legal access to a formed road</i>	As discussed, legal access to the site is currently from Spring Blossom Drive via right of way. Legal access in future will be via Lot 1 DP 477622 (Gordon land) through the approval of RM170094. A condition of consent is volunteered for 224 certification to not be granted for this application until the road on Lot 1 DP 492566 is consented and built.
iii	<i>Scale and Nature of Activities</i>	<i>Applies to all activities except farming, forestry and residential: a) Max GFA of all buildings on site 100m² b) No goods, materials or equipment stored outside c) All manufacturing etc shall be carried out within a building.</i>	N/A, all activities associated with this application are residential.
iv	<i>Retail Sales</i>	<i>Buildings >25m² GFA to be used for retail sales shall be setback from road boundaries by 30m.</i>	N/A, no retail sales.
v	<i>Significant Indigenous Vegetation</i>	<i>In areas identified on DP maps and included in App 5: a) no earthworks shall exceed 1000m³ (volume) and/or 50m² (area) in any one hectare in any continuous period of 5 years; or be located on slopes with an angle >20°. b) No clearance of indigenous vegetation shall exceed 100m² in area in any one hectare in any continuous period of 5 years. c) There shall be no exotic tree or shrub planting. d) No building shall be erected.</i>	N/A, the site does not contain Significant Indigenous Vegetation as identified in the Operative District Plan.
vi	<i>Minimum setback from internal boundaries</i>	<i>15m (except Closeburn Station).</i>	Infringes, future dwellings on the proposed Lots 51-54 will infringe internal setback distances of 15m

Resource Consent Application – Alpine Estates Ltd

vii	Forestry and Shelterbelt Planting	<p>a) No forestry activity shall be undertaken within 20m of the boundary.</p> <p>b) No forestry or shelterbelt planting greater than 1070m ASL.</p>	N/A, as no forestry activities are proposed.
viii	Earthworks	Replaced by PC 49 (Section 22 – Earthworks).	Earthworks discussed above
ix	Commercial Recreation	No commercial recreation shall be undertaken except where the recreation is outdoors, the scale recreation is limited to five people in any one group.	N/A as no commercial recreation proposed.
x	Indigenous Vegetation	<p>There shall be no clearance of indigenous vegetation except for:</p> <p>a) The clearance of indigenous vegetation that is:</p> <ul style="list-style-type: none"> i) Totally surrounded by pasture and other exotic species; and ii) less than 0.5 hectares in area and more than 200m from any other indigenous vegetation which is greater than 0.5 hectares in area and iii) less than 1070m ASL, and iv) more than 20m from a water body; and v) not listed in App 9 as a threatened species. <p>b) The clearance of indigenous vegetation for the operation and maintenance of existing roads, tracks, drains, utilities structures and fencelines, excluding their expansion.</p> <p>c) The clearance of indigenous vegetation for the construction of public walkways up to 1.5m in width provided that is not listed as a threatened species in App 9.</p> <p>d) The clearance of dangerous windthrown or dead standing trees as a result of natural causes.</p>	No areas of indigenous vegetation has been identified on the subject site.
	Farm Buildings	<p>a) No farm buildings shall be replaced, extended or constructed:</p> <ul style="list-style-type: none"> i) on any holding <100ha in area; or ii) at a density of more than one farm buildings per 50 ha; or iii) On any land above 600m ASL; or iv) Within the ONL – WB or an ONF within the WB; or v) On an ONF outside WB if: 	No farm buildings are proposed.

Resource Consent Application – Alpine Estates Ltd

		<ul style="list-style-type: none"> • there is already a farm building within that holding or if there is land within that holding that is not on an ONF; or • the site containing all or part of the ONF was not contained in a separate CT prior to 10 June 2005. <p>b) The existence of a farm building approved under Rule 5.3.3.2(i)(d) shall not be considered the permitted baseline for development within the Rural General zone.</p>	
xii	Alpine Environments	Only any land >1070m ASL, there shall be no exotic tree or shrub planting and no clearance of indigenous vegetation.	N/A as site is below 1070 masl.
xiii	Planting of Species with Wilding Potential	No planting of listed species.	No planting of species with wilding potential is proposed as part of this application.

Site Standard Summary

Proposed residential development (future dwellings) on Lots 51-54 will infringe the internal boundary setback standard. The development complies with all other applicable Rural General Site Standards.

4.4.2 Rule 5.3.5.2 - Zone Standards

Ref	Title	Standard	Comments
i	Building Height	<p>a) No part of any building, other than non-residential building ancillary to viticultural or farming activities shall exceed 8m AGL.</p> <p>b) No part of any non-residential building ancillary to viticultural or farming activities shall exceed 10m AGL.</p>	Complies, a consent notice condition is proposed restricting the height of future buildings on proposed Lots 51-54 to 7m.
ii	Setback from Roads	Minimum set back from roads – 20m	Infringes, future buildings on the proposed Lots 51-54 will infringe road setback distances of 20m
iii	Retail Sales	No retail sales from sites by way of access to any State Highway	No retail sales proposed.
iv	Surface of Lakes and Rivers	Surface of lakes and rivers only	N/A
v	Noise	<p>Non-residential activities shall be conducted such that the following noise levels are not exceeded, neither at, nor within, the notional boundary of any residential unit, other than residential units on the same site as the activity:</p> <p>(a) during daytime (0800 to 2000 hrs) L10 50dBA.</p>	N/A, proposed activities are residential.

Resource Consent Application – Alpine Estates Ltd

		<p>(b) during night time (2000 to 0800 hrs) L10 40dBA and Lmax 70dBA.</p> <p>except:</p> <p>(i) When associated with farming and forestry activities, this standard shall only apply to noise from stationary motors and stationary equipment.</p> <p>(ii) Noise from aircraft operations at Queenstown Airport is exempt from the above standards. Construction noise shall comply with and be measured and assessed in accordance with the relevant New Zealand Standard.</p>	
vi	Lighting	All fixed exterior lighting shall be directed away from adjacent sites and roads	Exterior lighting will be directed away from adjacent sites and roads.
vii	Airport Noise	Queenstown airport only	N/A
viii	Wanaka Airport Building Line	No building shall be erected, constructed or relocated within the area defined by a line 150m on the western side of the centre line of the Wanaka Airport main runway, the Airport Purposes Designation boundary at either end of the main runway, and a line 200m on the on the eastern side of the centre line of the Wanaka Airport main runway.	N/A as application is outside the building line area.
ix	Screening	Storage areas for waste materials, outdoor display areas and parking associated with commercial activities, wineries and other productive activities shall be generally be positioned and managed to minimize any adverse visual effect.	N/A
x	Airport Noise – Wanaka Airport	<p>(a) On any site within the Outer Control Boundary as indicated on the District Plan Maps, any buildings or part of a building to be used for residential activities, visitor accommodation or community activities shall be insulated from aircraft noise so as to meet an indoor design sound level of 40 dBA Ldn, except for non-critical listening environments where no special insulation is required.</p> <p>(b) This control shall be met in either of the following two ways: EITHER:</p> <p>(i) By providing a certificate from a recognised acoustic engineer stating that the proposed construction will achieve the internal design noise level. OR</p> <p>(ii) The building shall be constructed and finished in accordance with the provisions of Table 1 in part 5.3.5.2.</p>	N/A as site is outside the Outer Control Boundary.
xi	Residential Density	Closeburn Station only	N/A

xii	Building Coverage	Tucker Beach Road only	N/A
xiii	Building Line Restriction		N/A

Zone Standard Summary

Proposed residential development (future dwellings) on Lots 51-54 will infringe the road boundary setback standard. The development complies with all other applicable Rural General Zone Standards.

4.4.3 Rural General Assessment Matters

As above, the application has been assessed as a Non-Complying Activity and therefore Council's discretion is not restricted to the assessment matters. However, assessment matters in the Rural General Zone have been used to guide this assessment.

The site has been assessed as being within a Visual Amenity Landscape, however, as discussed, the site and its surrounding environment has clearly changed from a typical rural environment, and will make the final transition to an urban zoning through the Proposed District Plan.

The landscape assessment prepared for the ultimate development of the subject site contains a comprehensive assessment of the overall proposal (Appendix E). Discussions and findings from this report can be used for this application. The report contains an assessment against the landscape assessment criteria found in Part 5.4.2.2(3) of the District Plan which concludes: *"the proposal entails an extensive low density residential subdivision in an area zoned Rural General. As such it offends against the assessment matters for residential development in that zone. This is unsurprising. It is the case, however, that the subject site is isolated from its broader landscape context by land which, while currently undeveloped and pastoral in character, is zoned for industrial and low density residential development. Consequently the magnitude and extent of the adverse effects in terms of the QLDC Rural General zone are small, overall, in this location and context and the proposed development remains consistent with that on the adjacent properties"* (Section 6.4).

The landscape report goes on to summarise the application (Section 7.0):

The proposed subdivision would extend an area of domesticated landscape character into an area of pastoral character. The extent to which this would have an adverse effect is limited by the surrounding existing and anticipated development. Further, it is anticipated that the site and those surrounding it will be zoned Low Density Residential following the adoption of the Proposed District Plan.

The proposed development will alter, rather than degrade, some of the views available of the subject site. In other cases it will simply extend, or be screened by, anticipated residential development.

The proposed subdivision is not consistent with the assessment matters for residential development within the Rural General zone. The location of the site, however, in an area surrounded by industrial development, rural residential development and anticipated Low Density Residential development is unusual. The subdivision and development of this site, essentially as a low density residential suburb, would not be unexpected and would not adversely affect the quality of the wider, rural landscape.

In addition to the assessment against the assessment criteria of Rule 5.4.2.2(3), the land use application has been assessed against the other relevant Rural General assessment criteria contained in Rule 5.4.2.3 as summarised below.

The size of the residential lots and design controls proposed will ensure that the nature, bulk, scale, colour and location of future buildings will be appropriate and consistent with the surrounding development. Future dwellings would not break the line of any skyline or ridge or appear on any prominent hill or slope. Buildings will comply with the Low Density Residential zone requirements for setbacks and recession planes which will assist in reducing their effect on neighbouring properties.

The lots can be serviced to Council standards.

The proposed development will not adversely affect indigenous ecosystems. The earthworks proposed will not modify the line and form of the landscape.

The proposal would not compromise the ability to undertake agricultural activities on the adjoining land, should any be undertaken. There is no irrigation infrastructure on the site.

4.5 ASSESSMENT AGAINST RELEVANT OBJECTIVES AND POLICIES

The application has been assessed against the relevant objectives and policies of the Operative District Plan. The relevant objectives and policies are those that relate to Part 4 – District Wide Issues, Part 15 – Subdivision, and Part 5 - Rural General.

District Wide Issues

The objectives and policies in Section 4.9.3 (Urban Growth) provide critical strategic direction in terms of growth management. The intent of these provisions is to provide a basis for growth management, so that landscape and environmental attributes of the district are managed appropriately.

Objective 3 and associated policies in this section address Residential Growth. Whilst the proposed development is not located within an existing residential zone of the Operative District Plan, it is consistent with the Proposed District Plan, within the Urban Growth Boundary, and existing development in the area.

Objective 7 and associated policies are regarding Sustainable Management of Development. A key element of these provisions is the promotion of Urban Growth Boundaries as a planning method. Whilst the Operative District Plan does not apply Urban Growth Boundaries in Wanaka, it anticipates them. The proposed development is within the Urban Growth Boundary of the Proposed District Plan, which is based on the Inner Growth Boundary of the Wanaka Structure Plan.

One of the key focusses of the objectives and policies under Section 4.9 of the Operative District Plan is the protection of landscape values, especially Outstanding Natural Landscapes and Features. This leads to the objectives and policies under Section 4.2.5, many of which concern landscape values. Of central relevance are the Policies under sub-section 4 of 4.2.5, relating to Visual Amenity Landscapes:

- (a) *To avoid, remedy or mitigate the adverse effects of subdivision and development on the visual amenity landscapes which are:*
 - *highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan); and*
 - *visible from public roads.*
- (b) *To mitigate loss of or enhance natural character by appropriate planting and landscaping.*
- (c) *To discourage linear tree planting along roads as a method of achieving (a) or (b) above.*

The proposed development is not highly visible from public places, nor particularly visible from public roads – especially when the existing environment context is considered. Overall, it is considered that the proposed development is consistent with and not contrary to the relevant objectives and policies contained within Chapter 4 District Wide matters.

Subdivision

Objectives 1 and 2 concern servicing and contributions. The subdivision can be adequately serviced through Council's reticulated network and reserve contributions will be paid. Objective 4 concerns Outstanding Natural Landscapes and features which are not relevant to the application.

With regards to Objective 5 concerned with amenity protection, the proposal is not inconsistent with these provisions when the evolving context of this rural area are considered.

Overall, the proposed subdivision is not contrary to the objectives and policies of the Operative District Plan as the development is a complementary activity and its scale and intensity is consistent with the existing transitional environment.

As discussed, legal access to the site will be via Lot 1 DP 477622 (Gordon land) through the approval of RM170094. This proposed road will become a future collector road linking Cardrona Valley Road to Ballantyne Road and east to the Orchard Road Holdings land, as shown on the concept plans of Plan Change 46.

Residential development of Lots 51-54 and future development of Lot 900 through RM170065 will be subject to consent conditions of the standards of the zone which would ensure complementary development for its zoning.

Rural Chapter

As discussed, the subject site is zoned Rural but has clearly changed from a typical rural environment.

Objective 1 and associated policies concern Character and Landscape Value. The area is in the middle of an transition to an urban area, and now demonstrates little of the characteristics of a rural setting, apart from some remnants of open pastoral land. Productive farming is not occurring on or adjacent to the subject site, and urban development exists or is zoned adjacent to the site. The same discussion applies in relation to Objective 3 Rural Amenity.

Similarly with regard to Objective 2 Life Supporting Capacity of Soils, the site and surround is transitioning to an urban environment, and this was signalled in the Wanaka Structure Plan and carried through to the Proposed District Plan.

Summary

The proposed subdivision is therefore not considered to be contrary to the relevant objectives and policies of the Operative District Plan.

5.0 ASSESSMENT AGAINST PROPOSED DISTRICT PLAN

The first stage of the Proposed Queenstown Lakes District Plan 2015 was notified on 24 August 2015. The submission and further submissions periods have closed. The hearings on submissions are currently underway, but no decisions have yet been released.

As outlined above, the site is zoned Low Density Residential in the Proposed District Plan and it is noted that no submitter has submitted in opposition to a change of zoning from Rural to Residential. Accordingly, it is considered that reasonable weight and consideration can be given to the proposed residential zoning of the site.

Chapters 3 (Strategic Direction) and 4 (Urban Development) of the Proposed District Plan are relevant to this application. They set out Urban Growth Boundaries as a central resource management tool for the district, and Chapter 4 shows boundaries for Wanaka within which the proposed site and development sits. The site no longer sits in a rural environment, and is a long way through an evolution to an urban area (and has been signalled for 10 years through the Wanaka Structure Plan).

With regards to the proposed Low Density Residential zone (Chapter 7), the Plan provides for traditional suburban densities and housing forms and subtle and low impact change to ensure the protection of amenity values in terms of privacy, access to sunlight and building dominance which area managed through imposition of the zone design standards. The proposed development is consistent with the intentions of the zone and considered to be an efficient utilisation of existing/proposed infrastructure and minimises impacts on infrastructure and roading networks as this growth is already planned for the area.

Objectives and policies in Chapter 27 Subdivision and Development have also been considered for this development.

Proposed residential lot sizes are consistent with the minimum lot size and dimensions in the Low Density Residential zone, and are of sufficient size for residential uses, and achieve the level of amenity expected in the Low Density Residential zone. The subdivision is considered to not adversely affect landscape, visual or amenity values.

Each proposed lot will be serviced in accordance with Council standards. There is no stormwater reticulation available. Runoff from hardstands areas and roofs will be to ground. The Geotechnical Report completed for the site confirms the site is suitable for onsite stormwater disposal (Appendix F). Easements will be created as required.

The proposed road will integrate with the surrounding road network and designed for expected traffic volumes, while also providing for safe walking with a footpath on one side of the proposed road as is seen in the surrounding roads.

Overall, it is considered that the proposed subdivision and future intention for the balance lot is consistent with the relevant objectives and policies of the Proposed Plan.

6.0 RMA SECTION 104 MATTERS

The application has been assessed against the relevant provisions of the documents referred to in RMA section 104(1)(b) as detailed below. The application has also been assessed against the relevant provisions of the Queenstown Lakes District Plan as detailed in previous sections.

(i) National Environmental Standards

The following National Environmental Standards are not relevant to the current application:

- Air Quality 2004
- Sources of Human Drinking Water 2008
- Telecommunications Facilities 2008
- Electricity Transmission 2010

A Preliminary Site Investigation has been undertaken on the subject site for RM160453 which confirmed that the site is not subject to contamination and therefore consent not required under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011.

(ii) Other Regulations

No other regulations are relevant to this application.

(iii) National Policy Statements

The following National Policy Statements are not relevant to the current application:

- Freshwater Management 2014
- Renewable Electricity Generation 2011
- Electricity Transmission 2008

(iv) New Zealand Coastal Policy Statement

The New Zealand Coastal Policy Statement 2010 is not relevant to this application as the site is not in a coastal area.

(v) Otago Regional Policy Statement and Proposed Policy Statement

The Regional Policy Statement and Proposed Policy Statement are given effect to by the regional plans and the District Plan. The objectives and policies of the land and natural hazard section of the Regional Policy Statement are primarily given effect to by the District Plan and the Regional Plan: Water. An assessment of the application against the provisions of the District Plan is contained in previous sections, while an assessment against the Regional Plan: Water is provided below.

(vi) Regional Plan: Water

The discharge of stormwater to ground is permitted by 12.B.1.8 and 12.B.1.9 of the Regional Plan: Water and so does not require consent.

7.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

The environmental effects of the proposed subdivision have been assessed under the following headings:

Neighbourhood/Community

Effect	Effects on the Environment	Other Comments
Character and amenity	Less than minor	As discussed in the decision for RM160453, the subject site is within an area in transition. Despite its rural zoning, it is surrounded by residential development or land that has been approved for residential development which. Much of the rural character from the surrounding area will be lost with the development of Plan Change 46 and the rezoning proposed by the Proposed District Plan. The residential component of the proposed subdivision layout is consistent and complementary to the adjoining development to the south and that of Spring Blossom Drive and Parkview Street (off Orchard Road) and therefore effects on character and amenity and considered to be less than minor.
Over-domestication	Nil	Over domestication is not considered to be relevant to the site as the development is in transition from rural to residential. Further, the proposal is consistent with the future intended zoning of the site and area to Low Density Residential, where the scale and character of the proposed subdivision would be anticipated.
Cumulative effects	Nil	As above, the proposal is not considered to contribute to adverse cumulative effects.
Precedent effect	Nil	
Reverse sensitivity	Nil	

Locality and Landscape/Visual

Effect	Effects on the Environment	Other Comments
Visibility	Less than minor	The site has minimal visibility from existing public roads and due to the relatively flat topography and the presence of adjacent development, the development is considered to have a less than minor effect.
Views and outlook	Less than Minor	As above
Landform	Less than Minor	Works will not adversely affect the visual quality and amenity values of the landscape, the natural landform of any ridgeline or visually prominent area, or the visual amenity values of surrounding sites. The location and alignment of the proposed road will follow the existing pattern of development. The finished earthworks will be sympathetic to natural topography.
Aesthetic values	Nil	

Ecosystems

Effect	Effects on the Environment	Other Comments
Vegetation	Nil	There is minimal vegetation on the site. The site is not currently used for grazing or farming activities, and as such it is not considered that the proposed subdivision would result in significant loss of pastoral land.
Wildlife	Nil	
Waterbodies	Nil	
Groundwater	Nil	
Contamination	Nil	A Preliminary Site Investigation has been undertaken on the subject site for RM160453 which confirmed that the site is not subject to contamination.

Natural and Physical Resources

Effect	Effects on the Environment	Other Comments
Recreational values	Nil	
Scientific values	Nil	
Sites of Heritage Significance	Nil	No known historical features are present on or near the subject site.
Sites of Cultural Significance	Nil	As above
Protected Customary Rights	Nil	
Other values	Nil	

Discharge of Contaminants

Effect	Effects on the Environment	Other Comments
Odour	Nil	
Noise	Nil	
Hours of Operation	Nil	
Lighting	Nil	
Dust	Nil	
Air Discharges	Nil	
Vibration	Nil	
Onsite wastewater disposal		

Hazards

Effect	Effects on the Environment	Other Comments
Flooding	Nil	
Seismic Hazards	Less than minor	Seismic hazards were assessed in the Geotechnical Report (Appendix F).
Erosion	Nil	
Falling Debris	Nil	
Subsidence	Nil	
Slippage	Nil	
Hazardous Substances	Nil	

Infrastructure

Effect	Effects on the Environment	Other Comments
Water supply	Less than minor	The proposed development will be adequately serviced in terms of domestic and firefighting water supplies from Council infrastructure (Appendix B).
Effluent disposal	Less than minor	The proposed subdivision can be effectively serviced by public infrastructure.
Stormwater control	Less than minor	There is no stormwater reticulation. Runoff from hardstand areas and roofs will be to ground. A Geotechnical Report confirms that the site is suitable for onsite stormwater disposal (Appendix F).
Energy supply	Less than minor	Connections will be provided to the proposed subdivision (Appendix B).
Telecommunication	Less than minor	As above
Pollution	Nil	

Traffic Generation and Vehicle Movements

Effect	Effects on the Environment	Other Comments
On-Site Parking	Nil	
On-Street Parking	Nil	
Vehicle Safety	Nil	It is anticipated that the additional traffic generation from four residential lots

		would not generate significant traffic movements to result in adverse effects on vehicle safety.
Pedestrian Safety	Nil	As above
Cyclist Safety	Nil	As above
Traffic generation	Less than minor	As above
Roading capacity	Nil	As above
Noise	Nil	
Vehicle movements	Nil	As above

Scale of Environmental Effects

Nil Effects	No effects at all.
Less than Minor Adverse Effects	Adverse effects that are discernible day-to-day effects, but too small to adversely affect other persons.
Minor Adverse Effects	Adverse effects that are noticeable but that will not cause any significant adverse impacts.
More than Minor Adverse Effects	Adverse effects that are noticeable that may cause an adverse impact but could be potentially mitigated or remedied.
Significant Adverse Effects that Could Be Remedied or Mitigated.	An effect that is noticeable and will have a serious adverse impact on the environment but could potentially be mitigated or remedied.
Unacceptable Adverse Effects	Extensive adverse effects that cannot be avoided, remedied or mitigated.

Environmental Effects Conclusion

As described above, the effects of the proposed six lot subdivision are considered to be less than minor.

8.0 RESOURCE MANAGEMENT ACT 1991 - SECTION 104D CONCLUSION

As a Non-Complying Activity the application has been assessed against Section 104D of the Resource Management Act 1991. In order for consent to be granted Council must be satisfied that either the adverse effects of the activity on the environment will be minor, or that the application is for an activity that will not be contrary to the objectives and policies of the District Plan.

As Section 7 of this assessment concludes, the environmental effects of the proposed subdivision and land use infringements will be less than minor. Therefore the application satisfies the Section 104D(a) test for the granting of a resource consent for a Non-Complying Activity.

The application has been assessed against the relevant objectives and policies of the Operative and Proposed District Plan as outlined in Section 3 and 4. This assessment demonstrates that the proposed development complies with, supports, meets, or is not contrary to the relevant objectives and policies. This assessment concludes that the proposal satisfies Section 104D(b) of the Resource Management Act 1991 for the granting of a resource consent for a Non-Complying Activity on the basis that the proposal will not be contrary to the objectives and policies of the District Plan.

It is therefore considered that the application satisfies both limbs of the Section 104D.

9.0 AFFECTED PARTIES, CONSULTATION AND NOTIFICATION

9.1 AFFECTED PARTIES

As discussed in previous sections, the subdivision is considered to have environmental effects that will be less than minor, and thus less than the notification threshold set in RMA s95A(2)(a). The site and surrounding land is transitioning to an urban environment and the scale and intensity of proposed development consistent with this transition.

As the effects of the application are considered to be less than minor and no parties are considered to be adversely affected it is considered that the application could be processed on a non-notified basis.

The application will create no effects to any other parties. Future development of the balance lot (Lot 900) are considered through a separate application (RM160919).

It is therefore considered that no parties will be affected by this application.

9.2 NOTIFICATION

The applicant has not requested that the application be publicly notified, there is no national environmental standard that requires the application to be publicly notified and there are no circumstances sufficiently special to warrant notification, it is considered that the application could be processed on a non-notified basis.

10.0 PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

The Operative District Plan is considered a valid, complete and certain planning document. It has already given substance to the principles in Part 2 of the RMA and therefore no further assessment against Part 2 matters are required for this application (*Environmental Defence Society Incorporated v New Zealand King Salmon* [2014] NZSC 38, [2014] 1 NZLR 593).

Regardless, the proposed development is considered to recognise and provide for the relevant matters of Sections 6 and 7 and to represent a sustainable management of the land resource and achieve the purpose of the Resource Management Act 1991.

11.0 CONCLUSION

This application is being made under Section 88 for a six lot subdivision to be established at Lot 2 DP 498936. The six lot subdivision will include four residential lots, one access lot to be vested as road, and one balance lot that is marked for future residential development through RM170065. Land use consent is also sought for a future residential development of Lots 51 to 54 which will be subject to bulk, location and design controls.

The proposed subdivision and land use is an extension of the existing low density residential development adjoining the southwest and immediately surrounding transitional urban area. The

development maintains a rural backdrop to the east. The proposal is consistent with the future low density zoning of the site.

The adverse effects of this proposed development are no more than minor and can be appropriately avoided, remedied or mitigated.

Overall, it is considered appropriate for Council to recommend granting consent to this application. Such a decision is supported by the policy framework of the Operative and Proposed District Plans, the minor effects generated by the proposal, and would be in line with previous decisions on neighbouring development.

Hilary Boyes

Planner

Paterson Pitts Limited Partnership

APPENDIX 3 – COPY OF RM160453



DECISION OF THE QUEENSTOWN LAKES DISTRICT COUNCIL

RESOURCE MANAGEMENT ACT 1991

Applicant:	ALPINE ESTATE LTD
RM reference:	RM160453
Location:	Cardrona Valley Road, Wanaka.
Proposal:	Consent is sought to under Section 88 of the Resource Management Act 1991 (RMA) for subdivision of Lot 2 DP 498936 (being Lot 2 of RM160026, as varied by RM160335) being a rural site to create 14 residential style allotments with areas between 901m ² and 4402m ² , a balance lot and an access lot. No building platforms are proposed. In addition, land use consent is sought for a future residential unit (dwelling and garage) to be constructed within Lots 1 to 14, subject to bulk, location and design controls. Earthworks associated with the subdivision include a volume of 7000m ³ , being 3500m ³ of cut and 3500m ³ of fill, over an area of 8000m ² .
Legal Description:	Lot 2 DP 498936 contained in Computer Freehold Register 741010
Zoning:	Rural General
Activity Status:	Discretionary Activity.
Notification:	11 August 2016
Closing Date of Submissions	8 October 2016
Commissioners:	Commissioners A Henderson and L Overton
Date:	24 January 2017
Decision:	Consent is granted subject to conditions
Decision Re-Issue:	15 February 2017

Pursuant to section 133A of the RMA this consent is being re-issued due to condition 3 incorrectly referring to Condition 13(a) instead of the correct reference of Condition 14(a). This is considered a minor mistake or defect and therefore the consent can be re-issued pursuant to section 133A of the RMA. The decision was made and the re-issue authorised by Andrew Henderson, as delegate for Council on 14 February 2017. This re-issue is made (14) days after the grant of the consent.

UNDER THE RESOURCE MANAGEMENT ACT 1991

IN THE MATTER OF an application by Alpine Estate Ltd to the Queenstown Lakes District Council to subdivide a rural site to create 14 residential style allotments with areas between 901m² and 4402m², associated earthworks, and land use for consent future residential units (dwelling and garage) on each Lot.

Council File: RM160453

DECISION OF QUEENSTOWN LAKES DISTRICT COUNCIL HEARINGS

PANEL COMPRISED OF A. HENDERSON AND L. OVERTON,

HEARINGS COMMISSIONERS APPOINTED PURSUANT TO

SECTION 34A OF THE ACT

The Proposal

- 1 We have been given delegated authority to hear and determine this application by the Queenstown Lakes District Council ("Council" under section 34 of the Resource Management Act 1991 ("the Act") and, if granted, to impose conditions of consent.
- 2 The application (RM1604563) has been made by Alpine Estate Ltd (the Applicant).
- 3 Consent is sought to subdivide Lot 2 DP 498936 (being Lot 2 of RM160026, as varied by RM160335) to create 14 residential style allotments with areas between 901m² and 4402m², a balance lot and an access lot. No building platforms are proposed. Land use consent is also sought for a future residential unit (dwelling and garage) to be constructed within each of Lots 1 to 14, subject to bulk, location and design controls. Earthworks associated with the subdivision include a volume of 7000m³, being 3500m³ of cut and 3500m³ of fill, over an area of 8000m².

Site Description

- 4 A full description of the environment within which the application sits can be found in section 2 of the Assessment of Environmental Effects (AEE) prepared for the Applicant by The Property Group Ltd. None of the descriptions of the site were disputed by any party and we are therefore content to rely upon them, noting that the descriptions accord with our impressions from our site visit.
- 5 The property is legally described as Lot 2 DP 498936, being a subdivision of Lot 2 DP 302568 (approved under RM160335).

Notification and Submissions

- 6 Public notification of the application on 11 August 2016 attracted 28 submissions within the statutory submission period. Of these, 23 opposed the application and 5 supported it. In addition, one late submission in support of the application was received five working days after the close of the submission period. The submissions were summarised in the section 42A report as follows.

Submissions in Opposition (23 submissions)

- Capacity and effects associated with additional users on Spring Blossom Drive (private ROW) including; speed of traffic, effect on park like setting of the Grandview Development, potential for future roading connections that would have further effects, safety with no footpaths meaning the ROW is frequented by pedestrians, ability of the current formation to support additional traffic (no kerbs)
- No provision in the application for letterboxes and rubbish. Rubbish collection at the entrance has potential to cause visual impact and traffic hazard
- Ad hoc arrangement in terms of access that pre-empt strategic future routes within the wider area
- Residential development should not occur prior to the Proposed District Plan (PDP) re-zoning.

Submissions in Support (6 submissions)

- Ideal location for residential development being close to town and facilities.

- 7 We have considered these matters and the specific points raised where they are relevant to the assessment of the proposal as set out later in this decision.

- 8 The submission of S Mathias was received 5 working days late. The submission supported the application whilst raising issues in terms of speed and pedestrian safety, as well as raising concerns around effects arising from the construction of the adjacent Grandview development. We are not able to address the latter concerns. However, the main points raised in the submission are in keeping with the other submissions received. We do not consider any party to be directly affected by an extension of time, and noting that the Applicant had no objection to the late submission being received, we accept the late submission pursuant to section 37 of the Act.

9. At the hearing, we were advised that a number of submissions had been withdrawn, as follows:

Submission Number	Name	Support/Oppose
#3	P & M McKenzie	Oppose
#6	R & J MacDonald	Oppose
#8	Z & L Gemmell	Oppose
#15	Duke Family Trust	Oppose
#20	J Herbert	Oppose
#24	R & N Cowie	Support
#25	J Walker	Oppose
#28	Grandview Developments Ltd	Oppose

#29	L & N Lindsay	Oppose
#30	R Deaton	Support

10. The submissions were withdrawn based on the Applicant's undertaking to terminate the Right of Way over Spring Blossom Drive. While the reasons for the withdrawal are not a matter that we can take into account, we note that the Applicant has amended the application such that there will be no access over Spring Blossom Drive.

The Hearing

11. A hearing to consider the application was convened on 16 November 2016 in Wanaka. In attendance were:
- (a) The Applicant, Alpine Estate Ltd, represented by Ms Vicki Toan (Glaister Ennor);
 - (b) Council Officers, being Ms Sarah Picard (Reporting Planner), Ms Lyn Overton (Council Engineer), and Mr Richard Denney (Consultant Landscape Architect);
 - (c) Submitters, being Mr J Ledgerwood, Mr M McKenzie and Mr S Edgar (for DPB Partnership).
12. Ms Toan called evidence from the following parties and expert witnesses in support of the Applicant's case:
- (a) Dr Marion Read (Landscape Architect);
 - (b) Mr Jason Barlett (Transportation Engineer); and
 - (c) Mr Matthew Paetz (Planner).

Summary of Evidence Heard

13. The following is a brief outline of the submissions and evidence presented on behalf of the Applicant and submitters. This summary does not detail all of the material that was advanced at the hearing, but captures the key elements of what we were told. Where relevant, we address specific issues in our assessment.
14. **Ms Toan** introduced the application. She noted that access to the proposed lots was initially to be over an existing Right of Way easement from Orchard Road. The Right of Way is known as Spring Blossom Drive or Mountain View Drive. The Applicant's longer term plan was to surrender the Right of Way once access from a new road of Cardrona Valley Road was created. The temporary nature of this access was indicated on the plans provided with the application.
15. Ms Toan confirmed that the Applicant had since decided to amend the Application given the concerns regarding the access raised in the submissions. She outlined the changes to the application as follows:
- Access to Lots 1 – 15 shall not be over Spring Blossom Drive;
 - Access shall be provided from a new public road off Cardrona Valley Road. This road will serve the Applicant's subdivision as well as development on undeveloped land to the north of the site.

- The new road does not form part of this application. The Applicant accordingly proposes a condition that requires the new road to be constructed prior to the issue of Titles for Lots 1 – 15. Such a condition is known as an *Augier* condition, which enables an applicant to offer something which could not be imposed by a consent authority.
16. Ms Toan submitted that the amendment to the application did not give rise to any issues of scope. The access proposal did not increase the scale or intensity of the development, and would require a separate resource consent process. The risk is entirely that of the Applicant.
17. **Dr Read** confirmed in her pre circulated evidence that she stood by the recommendations in her assessment that formed part of the application. These were:
- The proposed subdivision will extend an area of domesticated landscape character into an area of pastoral character. The degree to which this could be considered an adverse effect is limited by the extension of the Low Density residential development in the vicinity by Plan Change 46 and by the proposed District Plan.
 - The effects on visual amenity would be small from most perspectives.
 - The proposed subdivision is not consistent with the assessment matters for residential development within the Rural General zone, but given the existing and future context of the site this divergence is acceptable.
18. Dr Read concluded that in her view, Mr Denney's landscape assessment did not give adequate weight to the effects of Plan Change 46, and did not give weight to the absence of any submissions on the proposed Low Density residential zoning of the subject site and its northern environs. She considered that together these would eliminate the rural context of the development and incorporate it into the urban fabric of Wanaka.
19. Mr Bartlett's pre-circulated evidence addressed the original access proposal for the subdivision, which was over Spring Blossom Drive. Given that has been removed from the application, Mr Bartlett spoke at a high level about the proposed new access arrangement. He indicated that construction access for the subdivision will be from Gordon Road, and that the new access to Cardrona Valley Road will be in the form of a T intersection between Stone Street and West meadows. The new road will comply with the appropriate AustRoads standards. Mr Bartlett confirmed that the risks associated with the access is entirely with the Applicant.
20. **Mr Paetz** provided planning evidence for the Applicant. Overall he considered that the adverse effects of the proposal would be minor, and that it was not contrary to the provisions of the Operative or proposed District Plans. In reaching this view Mr Paetz considered that significant weight should be attributed to the proposed District Plan given that the rezoning of the site from Rural General to Low Density Residential was not opposed. He also considered that inadequate consideration had been given to the receiving environment, which included the residential zone created as part of Plan Change 46 to the north east of the subject site.

Submitters

21. **Mr Edgar** provided evidence on behalf of the DBP Partnership. Their concerns related to effects on character and amenity, and the bulk and location controls proposed for the future dwellings. He confirmed that the conditions proposed by Applicant addressed these matters, with the exception of a 5.5 metre height restriction on Lot 1, which adjoined the submitters' site. Subject to the changes provided for in the conditions, Mr Edgar considered that the proposal satisfied both threshold tests in section 104D. He noted that should we consider the conditions to be inappropriate, or the changes out of scope, then his view as expressed in his pre-circulated evidence would stand.

22. **Mr McKenzie** is a permanent resident of Heritage Village, and spoke on behalf of the Heritage Village Body Corporate, whose members include a number of absentee owners within Heritage Village. He noted that the withdrawal of the Right of Way addressed the concerns in the submission and confirmed that there is now no opposition to the proposal subject to the amendments proposed by the Applicant.
23. **Mr J Ledgerwood** spoke in support of the proposal, and noted that the current proposal and future stages will be the best use of the land.

Officers

24. Following the Applicant's case and the submitters' evidence, we received comments from the Council officers. Firstly, **Ms Overton** noted that she would prefer any roads created to be vested in Council as it made maintenance and access for services easier. Use of low level bollards for lighting was supported. She also supported the use of Spring Blossom Drive for pedestrian and cycle access only.
25. **Mr Denney** requested that birches be removed from the landscape plan as use of this species is contrary to Council policy. He noted that the interface between the site and the Plan Change 46 land was a 'soft' boundary, so the hedge proposed on the plan was appropriate.
26. **Ms Picard** noted that she appreciated the approach proposed by the Applicant in terms of access, but considered that there were challenges around timing and the reliance upon access over another site. She questioned whether there would be a scope issue in relation to relying on land not subject to the present application. Under section 106, the Council has to be satisfied that there is appropriate access to a site.
27. Ms Picard also noted that the proposed District Plan is still in an uncertain state given that hearings have yet to be completed. She noted that there were no submissions on the proposed zoning of the site, but there were submissions in relation to rules that may have an impact on future development. Overall, Ms Picard did not resile from her view that consent should be refused.

Applicant's Right of Reply

28. Ms Toan responded to the matters raised throughout the hearing as follows.
- The proposal is a non-complying activity so all matters can be considered.
 - Less weight can be given to a proposed Plan when it is likely to change. In this case, there are no submissions opposing the zoning of the site. While there are submissions on the details of the rules, these are immaterial. The rules have no legal effect and compliance with them is not relevant given the non-complying activity status.
 - Any concerns over piecemeal development of this and subsequent stages will be overcome by the future new road. This application may appear 'out of order' but that is not a reason to decline consent. It is not unusual for the development world to be ahead of Council policy and plan processes.
 - The Applicant has a solid agreement for acquiring and constructing the new road over the adjacent land. The risks associated with this road are entirely with the applicant. If a future consent is declined, the *Augier* conditions is such that this subdivision cannot be given effect to.

- The Applicant is happy with a condition such that section 223 and 224 certification cannot be issued until such time as the new road is consented, constructed and vested in Council.
- The Applicant's position is that a 5.8 metre height restriction and the 4.5 metre setback is sufficient to ensure there will be no adverse effects on the DBP Partnership site.
- Right of Way B – D will be vested in the Council and will connect to the new road. Sufficient turning heads will be provided and details provided at engineering approval stage.
- There are no scope issues. The Application noted that the access would be temporary. There are no other parties that would have submitted.

District Plan Provisions

29. The site is located within the Rural General Zone in the Operative District Plan, the purpose of which is stated as being to

manage activities so they can be carried out in a way that:

- *protects and enhances natural conservation and landscape values;*
- *sustains the life supporting capacity of the soil and vegetation;*
- *maintains acceptable living and working conditions and amenity for residents of and visitors to the Zone; and*
- *ensures a wide range of outdoor recreational opportunities remain viable within the Zone.*

30. The section 42A report identified that the relevant Objectives and Policies are located in Parts 4 (District Wide Issues), 5 (Rural Areas), 14 (Transportation) and 15 (Subdivision and Development).

31. The resource consents required for the proposal are addressed in evidence of both planning experts. We note that they were agreed on all of the consent requirements, and confirm that it is our view that the proposal requires the following consents:

Subdivision

- A **controlled** activity resource consent pursuant Rule 15.2.3.2(b) for subdivision that meets site and zone standards relating to
 - 15.2.7.1 Subdivision design
 - 15.2.10.1 Natural and other Hazards
 - 15.2.11.1 Water Supply
 - 15.2.21.1 earthworks
- A **discretionary** activity resource consent pursuant to Rule 15.2.3.3(vi) for a rural subdivision.
- A **non-complying** activity resource consent pursuant to Rule 15.2.3.4(i) as the proposal breaches Zone Standard 15.2.6.3(iii)(b) as a building platform is not being created within each lot.

Land Use

- A **restricted discretionary** resource consent pursuant to Rule 5.7.3.3 as the proposal breaches:
 - Site standard 5.7.5.1(iii) where setbacks of 4.5 and 2 metres are proposed where a minimum of 6 metres setback from internal boundaries is required. Council's discretion is restricted to this matter.
- A **restricted discretionary** resource consent pursuant to Rule 14.2.2.3 as the proposal breaches:
 - Site standard 14.2.4.1(vi) where the proposed ROW access would serve 14 lots where no more than 12 lots are to be serviced by a private right of way. Council's discretion is restricted to this matter.
- A **restricted discretionary** activity in terms of Rule 22.3.2.3 as the proposal breaches:
 - Site Standard 22.3.3(i) for volume of earthworks as 70,000m³ are proposed where a total of 1000m³ (Tier 7) is provided for within the Rural General zone.
 - Site Standard 22.3.3(ii)(a)(iii) for height of fill to be a maximum of 2.7 metres where a maximum of 2 metres is provided for.
 Council's discretion is in regards to these matters
- A **discretionary** activity resource consent pursuant to Rule 5.3.3.3(i) for a proposed dwelling and garage to be established within each of the lots.

32. Overall, we agree that the application requires consideration as a **non-complying** activity.

Relevant Statutory Provisions

33. The provisions of the Act that are relevant to the consideration of this application as a non-complying activity are sections 104, 104B, 108 and Part 2.
34. Subject to Part 2 of the Act, section 104(1) sets out those matters to be considered when considering a resource consent application. Subject to Part 2 of the RMA, 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 standards;*

(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.*

35. In relation to non-complying activities, Section 104D (Particular Restrictions on non-complying activity) states that:

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

36. Following assessment under Section 104, the application must be considered under Section 104B of the RMA. 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.*

37. Section 106 of the Act is also relevant to the subdivision proposal and states:

- (1) *A consent authority may refuse to grant a subdivision consent, or may grant a subdivision consent subject to conditions, if it considers that -*

- (a) *the land in respect of which a consent is sought, or any structure on the land, is or is likely to be subject to material damage by erosion, falling debris, subsidence, slippage, or inundation from any source; or*
- (b) *any subsequent use that is likely to be made of the land is likely to accelerate, worsen, or result in material damage to the land, other land, or structure by erosion, falling debris, subsidence, slippage, or inundation from any source; or*
- (c) *sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision.*

- (2) *Condition under subsection (1) must be –*

- (a) *for the purposes of avoiding, remedying, or mitigating the effects referred to in subsection (1); and*
- (b) *of a type that could be imposed under section 108.*

38. The application must overall be assessed with respect to the purpose of the RMA which is to promote the sustainable management of natural and physical resources. Sections 108 and 220 empower us to impose conditions on land use and subdivision consents respectively.

39. The purpose of the Act is to promote the sustainable management of the natural and physical resources. The definition of sustainable management, as expressed in section 5, is:
- “managing the use, development and protection of natural and physical resources in a way or at a rate which enables people and communities to provide for their social, economic and cultural well being and for their health and safety while:*
- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations: and*
 - (b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems: and*
 - (c) Avoiding, remedying, or mitigating any adverse effect of activities on the environment.*
40. Section 6(b) of the Act considers the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development to be a Matter of National Importance. We note that all parties are agreed that the site is located within a visual amenity landscape and accordingly agree that section 6(b) is not relevant to this application.
41. Section 7 is also relevant, requiring us to have particular regard to the following:
- (b) The efficient use and development of natural and physical resources*
 - (ba) the efficiency of end use of energy*
 - (c) the maintenance and enhancement of amenity values*
 - (f) the maintenance and enhancement of the quality of the environment*
 - (g) any finite characteristics of natural or physical resources.*
42. There are no Treaty of Waitangi issues or other section 8 matters that are relevant to this application. We note that Te Runanga o Ngai Tahu has not made a submission in this respect.
43. Section 104(3)(b) requires that we have no regard to effects on people who have given written approval to the application. No written approvals were provided as part of the application.
44. In reaching our decision we note that we have taken into account all of the information provided with the application, the section 42A report and appended assessments, and the evidence presented at the hearing. We have also considered the provisions of the relevant plans, and Part 2 of the Act.

Permitted baseline, existing environment and receiving environment

45. Ms Picard identified that the permitted baseline includes a range of activities that can be undertaken as of right in the Rural General zone. We accept that this includes farming activities, landscaping, horticultural plantings (such as orchards), and productive uses. We agree that all subdivision and buildings in the Rural General Zone (as well as any physical activity associated with any building such as roading or landscaping) require resource consent under the District Plan, and accordingly do not consider the permitted baseline to be of any real assistance in this application.

46. There was some disagreement between the experts as to how much weight should be given the proposed District Plan in considering the receiving environment. We acknowledge the Low Density Residential zone created adjacent to the site by Plan Change 46, and we also note the Low Density Zone created by the proposed District Plan. We further note that the site is within the 'Inner Growth Boundary' in the Wanaka Structure Plan (2007). It is clear to us that the site is within an area in transition, as despite being zoned Rural General it is surrounded by residential development or land that has been approved for residential development which belies the present rural appearance of the land. We also note that the Low Density has not been challenged in the submissions to the proposed District Plan, although the relevant standards have. In that respect, we consider that some weight can be given to the proposed Plan. In any event, as we discuss later in this decision, our view is that the proposal does not give rise to landscape or visual effects that are more than minor, and given the application passes at least one of the threshold tests, we do not consider that the weighting to be attributed to the proposed plan is a matter upon which this application turns.

Assessment of Effects

47. We agree with the section 42A report that the relevant assessment matters in terms of 5.4.2.2(3) Visual Amenity Landscape direct that regard to be given to any effects on natural and pastoral character, the visibility, form and density of development, any cumulative effects on the natural or arcadian pastoral character of the surrounding landscape, and rural amenities.
48. We also agree that in terms of Assessment Matter 5.4.2.3(iv) buildings, we are required to give regard to the location of buildings and associated earthworks, access and landscaping and whether these break the line and form of the landscape with special regard to skylines, ridges, hills and prominent slopes and whether the external appearance of buildings is appropriate within the rural context.
49. We agree with the planning experts that the following matters require assessment, including the visual amenity landscape Assessment Matters, and address them in turn in the following sections in the order in which they appeared in the section 42A report:
- Traffic and roading
 - Landscape and visual amenity
 - Built form
 - Cumulative effects
 - Reverse sensitivity
 - Subdivision design
 - Earthworks
 - Services
 - Hazards
 - Culture

Traffic and Roothing

50. No physical access to the proposed subdivision is now proposed as part of this application, with the Applicant promoting the provision of access to the subdivision by way of a future road that is as yet unconsented and not constructed. The Applicant has an agreement with the adjoining landowner, Mr Gordon, to provide access over the adjoining land (which is in his ownership).
51. The Applicant has volunteered an *Augier* condition such that the Alpine Estate Ltd subdivision cannot proceed until such time as this future access is consented, constructed and vested in the Council. In the Applicant's view, such an approach transfers any risk to the Applicant, as if access cannot be provided for any reason (such as the future consent not being granted) then the subdivision cannot be effected.

52. Having considered Ms Toan's legal submissions on this matter and having sought our own advice from Council's legal advisors, we are satisfied that in this case, although somewhat unusual, the condition as proposed by the Applicant is an acceptable solution to the roading access needs of the development. We agree that the risk is held by the Applicant and that there is no risk to the Council. Should a future consent for the new road be declined, then the subdivision cannot be given effect to. In order to provide the appropriate degree of specificity to this, we consider it appropriate to include a condition of consent to the effect that the section 223 and 224 approvals for the subdivision cannot be approved until such time as permanent physical and legal access to the subdivision is consented, constructed and vested in the Council. We are satisfied that this provides the appropriate degree of protection to the Council.
53. Based on Ms Overton's assessment, we are satisfied that the internal Rights of Way can be formed in accordance with the Council's standards, and as discussed at the hearing these are to be vested in the Council as road. Accordingly, they will be appropriately designed through the engineering approval stage. We also note that construction traffic is to be taken from Gordon Road until such time as access from Cardrona Valley Road is enabled.

Landscape and visual amenity

54. We consider that the area does not exhibit a purely pastoral character and that the nature and scale of surrounding development to the west and south (also within the Rural General zone) is more typical of much higher density living. We also note the approval of Plan Change 46, which has enabled the Low Density Residential zoning to the east of the site.
55. We note that Ms Picard relied on Mr Denney's assessment of the effects of the development on this site. In his Landscape Report, appended to the section 42A report, Mr Denney concluded that the site is *'on the fringe but within an open expanse of a pastoral landscape that is relatively devoid of built form, and forms part of a pleasant rural landscape'*. He also considered that
- '...the proposed development would go further in terms of density that is urban and within a landscape setting that has very limited ability to absorb such development. The large setback from public roads provides the only contribution towards avoidance of adverse effects on the rural landscape as viewed from these roads but is not absolute.'*
56. Mr Denney also considered that adjacent neighbours with a rural outlook would experience significant adverse effects from the density and proximity of built form and resulting domestication of the rural landscape. Ultimately, Mr Denney's assessment concluded that the existing pastoral landscape does not have the ability to absorb and urban development of this nature.
57. Dr Read's assessment, on the other hand, was that Mr Denney's assessment did not adequately consider the effects of plan Change 46, noting that the north western corner of PC 46 is contiguous with the Alpine Estate subdivision. To the south, the site adjoins the Grandview subdivision and Heritage Park. She considered that much of the rural character form the surrounding area will be lost with the development of Plan Change 46 and the rezoning proposed by the proposed District Plan.

58. Having considered the evidence of both landscape architects, we prefer that of Dr Read in this instance. Taking into account the change that Plan Change 46 will introduce in to the landscape, and noting that the proposed District Plan's zoning of the area to Low density residential is unchallenged, we consider that the site is able to absorb the level of development proposed given that it will be similar in character to approved development in the area. We also note that the rezoning of the area for residential purposes has been included within the Wanaka Structure plan for some time, so the proposal is not inconsistent with this this policy direction.
59. In summary, we note that the proposed development is similar in character and scale as the existing Heritage Park and consented Grandview development. Although the site has some pastoral characteristics, we do not consider the development will give rise to any visual effect or effects on the landscape that are more than minor. We consider that the site is visually contained and separated from the broader open pastoral landscape to the east and north, noting that the land to the east has been rezoned as part of Plan Change 46.

Built Form

60. We agree with Ms Picard's overall assessment that the adverse effects of built form within the subdivision will be minor. To the extent that built form will be visible from public places, including Cardrona valley Road and Orchard Road, it will be in the context of the consented Grandview subdivision, and the Low Density residential development approved as part of Plan Change 46. For completeness we note that the building platforms are be located away from public roads, and the topography of the area is flat and built form will not break the skyline. We are satisfied that with respect to the existing character of the area, the landscaping will not introduce arbitrary lines and patterns but rather will be consistent with the park like setting of the existing developments to the south.
61. The Applicant has provided an amended set of bulk and location controls that will be applied to future buildings on the site. We note that with the exception of those imposed over Lot 1, the proposed controls were not opposed by any party. Having viewed the site and considered the proximity of adjoining developments in the Grandview subdivision, we do not consider that reducing the height on Lot 1 from 5.8 to 5.5 metres will achieve anything in a resource management sense. We are satisfies that the setback and the separation between developments on both lots is sufficient to ensure that there will be no more than minor adverse effects.

Cumulative Effects

62. The section 42A report defers to Mr Denney's view that while the development will result in cumulative effects. We consider that the site is visually contained due to the existing built form and approved development in the vicinity, including the Grandview subdivision, Plan Change 46 land and Heritage Park. While the proposal will increase population and traffic within the immediate are, we do not consider this is significant within the context of approved development in the area. We do not consider that the cumulative effects of the proposed development on the landscape will be more than minor.

Reverse Sensitivity

63. We agree with Ms Picard's assessment that the surrounding land has limited rural uses given its proximity to the existing urban development of Wanaka. We also consider that the approved developments around the site further limit any potential rural uses of the area. We accept the views of both Dr Read and Mr Denney who identify that the extent that the proposal could result in reverse sensitivity would be limited due to the location of the surrounding rural activities adjacent to existing urban development. We are satisfied that any adverse effects associated with reverse sensitivity will be less than minor.

Subdivision Design

64. Ms Picard noted that were the subdivision located within an urban context, she would consider that the proposed subdivision design would have minor effects. Given the rural nature of the area, however, she concluded that the adverse effects of the subdivision design would be more than minor on the basis that the lot sizes were not appropriate within the rural setting.
65. Although the site and surrounding area have rural character, we do not consider that this character reflects the nature of approved developments in the area. We note in particular that Plan change 46 has been approved, and the development of the industrial and residential properties in that zone will alter the rural character of the adjoining area. The subdivision design is similar to that in the Grandview and Heritage Park developments, and on the basis that we do not consider the rural character of the site and much of the surrounding area to be a true reflection of anticipated development in the area, we are satisfied that the design of the proposed subdivision will not give rise to any more than minor effects.

Earthworks

66. The site is generally flat, and we consider that the earthworks generally will be limited to the formation of internal roads and provision of services. The proposed earthworks will have limited effects on the landform of the site, particularly given the limited visibility of the site from public places. Ms Overton is satisfied that the proposed earthworks will not result in instability beyond the boundary of the site and any typical effects can be mitigated through specific consent conditions. We agree.

Services

67. Ms Overton's advice was that the development can be provided with sufficient infrastructure, and we accept this advice. We agree that subject to the imposition of the conditions she proposed, any adverse effects associated with the provision of water, waste water, storm water, power and telecommunication services will be less than minor.

Hazards

68. As identified by Ms Picard, Ms Overton's assessment has confirmed that there are no known hazards affecting the site. We agree that there are no adverse effects in terms of hazards that would be anticipated as a result of the proposal.

Culture

69. Ms Picard's section 42A report records that correspondence has been received from Te Rūnanga o Ngāi Tahu (TRoNT) suggesting that an accidental discovery protocol be applied. We consider that such a condition is considered appropriate and is good practice. We agree with Ms Picard that this condition would be suitably avoid any potential adverse effects in terms of culture.

Summary of Effects

70. Overall we are satisfied that the adverse effects of the proposed activity will not be significant, and that conditions of consent can ensure that any effects are appropriately managed. Having also considered the proposal in light of the Assessment Matters relating to developments in visual amenity landscapes, we are satisfied that the landscape can absorb the development proposed, particularly given our earlier view that the site is within an area in transition. Despite the pastoral appearance of the site and adjoining land, the nature of approved developments in the vicinity is such that the receiving environment is characterised by an increasing residential nature. We are satisfied that the conditions attached to this decision are sufficient to avoid, remedy or mitigate any adverse effects of the proposal.

Objectives and Policies of the Operative and Proposed District Plans

71. We have considered the detailed assessments of the objectives and policies of the Plan as set out in the Application, the section 42A report and the evidence of the planning experts.
72. The plan provisions in Parts 4 (District Wide) and Rural (Part 5) are primarily concerned with the protection of amenity and landscape values of the rural area and the visual amenity landscape within which the site is located. Part 14 (Transportation) are concerned that appropriate access and parking is provided. Section 15 is concerned generally with the design and layout of the subdivision and associated matters.
73. We have earlier found that the adverse effects of the proposal are not more than minor and can appropriately be managed through conditions of consent. All necessary services can be provided.
74. Ms Picard's assessment of the relevant Objectives and Policies relied to some extent on Mr Denney's landscape assessment that determined the landscape effects would be more than minor. We have earlier expressed the view that we prefer the landscape evidence of Dr Read, and it follows that we prefer Mr Paetz's planning opinion on the provisions of the Operative and proposed District Plans given his reliance on her assessment. We agree that the assessment should be cognisant of the changing character of the area, due in part to consented development and the change wrought by Plan Change 46, and we also note in this regard, as does Mr Paetz, that the rezoning of this area has been signalled in the Wanaka Structure Plan for over a decade.
75. We agree with Mr Paetz's opinion in relation to the Operative District Plan, and without setting it out in full, we highlight key matters below:
- Part 4.9 addresses Urban Growth from a District Wide perspective. Objective 3 addresses residential growth, and while the site is not residentially zoned, we agree with Mr Paetz that it represents consolidated growth in a broad sense, being contiguous with existing and future residential development, and is within the Wanaka Structure Plan's inner growth boundary.
 - Objective 7 addresses Sustainable Management, and promotes urban growth boundaries. We acknowledge there is no urban growth boundary in the Operative District Plan, but note that the proposed development is within the Urban Growth Boundary of the proposed District Plan, and that this reflects the Inner Growth Boundary of the Wanaka Structure Plan.
 - Part 4.2.5 addresses landscape matters. We agree that the site is not highly visible from public places or particularly visible from public roads, and agree with Mr Paetz that the proposal is not contrary overall to the provisions of part 4 of the Plan.

- The proposal is not contrary to the objectives and policies of the Rural Zone. We agree with Mr Paetz that the site is within an area that is 'in the middle of an evolution to an urban area'.

76. Mr Paetz also addressed the provisions of the Proposed District Plan, and considered it should be given at least equal weighting as the Operative District Plan. We have addressed this matter earlier. Overall we agree with Mr Paetz's view. We agree that Chapters 3 and 4 of the Proposed District Plan are relevant. They set out Urban Growth Boundaries, and show the subject site as being within this. We agree that this supports the view that the site is no longer within a rural environment, and that the evolution of the site to a residential area is largely unchallenged, given that there are no submissions to the proposed Plan opposing the change in zoning.
77. Overall, we are satisfied that the proposal is not contrary to the provisions of the Proposed District Plan.

Part 2 Matters

78. Section 5 states that the purpose of the Resource Management Act is "to promote the sustainable management of natural and physical resources". "Sustainable management" means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while —
- (a) *Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) *Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
 - (c) *Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*
79. Section 7 requires that we have particular regard to a range of matters. We are satisfied that the evidence presented on behalf of the Applicant has demonstrated that these matters are appropriately addressed.
80. There are no particular Treaty of Waitangi issues (Section 8) that need to be taken into account in relation to this application.
81. For the reasons set out in this decision, we consider the application to be consistent with relevant matters in Part 2 of the Act.

Determination

82. Consent is sought to subdivide Lot 2 DP 498936 (being Lot 2 of RM160026, as varied by RM160335) to create 14 residential style allotments with areas between 901m² and 4402m², a balance lot and an access lot. No building platforms are proposed. Land use consent is also sought for a future residential unit (dwelling and garage) to be constructed within each of Lots 1 to 14, subject to bulk, location and design controls. Earthworks associated with the subdivision include a volume of 7000m³, being 3500m³ of cut and 3500m³ of fill, over an area of 8000m².
83. Overall, the activity was assessed as a non-complying activity under sections 104, 104D and 104B of the Act.
84. The Act seeks to avoid, remedy and mitigate adverse effects associated with developments. We consider that the adverse effects of this application are no more than minor and can be appropriately avoided, remedied or mitigated. We are satisfied that the proposal passes the first gateway of section 104D.

85. We further find that the proposal is not contrary to the relevant objectives and policies of the Operative and proposed District Plans, thereby satisfying the second gateway test in section 104D.
- 86 On the basis that the proposal passes the gateway test in section 104D of the Act, we have the ability to grant or refuse consent under section 104B. Having reached the view that the adverse effects are no more than minor, and that the proposal is not contrary to the provisions of the relevant Plans, we determine that consent be **GRANTED** pursuant to section 104B of the Act subject to the attached conditions which are imposed under sections 108 and 220 of the Act.

Dated at Queenstown this 24th day of January 2017



Andrew Henderson

Hearings Commissioner (on behalf of the Commission).

Re-Issue decision prepared by

Decision made by



Sarah Picard
SENIOR PLANNER



Andrew Henderson
HEARINGS COMMISSIONER (ON BEHALF OF THE COMMISSION)

APPENDIX 1 – RM160453: ALPINE ESTATE LTD

Schedule A: Subdivision Consent (including associated earthworks) - General Conditions

1. That the development must be undertaken/carried out in accordance with the following plans:
 - Heritage Estate, Orchard Road, Wanaka, W4680-003, Engineering drawings – Earthworks Plans, Sheet 201 Rev 1 prepared by Patterson Pitts Group, dated 08-09-2016

stamped as approved on 24 January 2017 and the application as submitted, with the exception of the amendments required by the following conditions of consent; provided that the updated Master Plan required by Condition 3(a) below will become the Approved Scheme Plan for the subdivision once certified by the Council.

Prior to commencement of the consent

2. This consent shall not be exercised and no work or activity associated with it may be commenced or continued until:
 - a) All charges fixed in accordance with section 36(1) of the Resource Management Act 1991 ("Act") and any finalised, additional charges under section 36(3) of the Act are paid in full; and
 - b) All resource consent(s) required under the Resource Management Act and approvals required under section 348 of the Act that are required to satisfy condition 13(a) and (b) below in relation to providing access to the site off Cardrona Valley Road have been granted.

Advice Note: Condition 2(b) has been proposed and imposed at the consent holder's request on the basis that no works shall commence until provision for permanent physical and legal access to Lots 1-15 from Cardrona Valley Road has been consented, such that works required under this consent can be carried out at the same time as any works required to create the new public road required by condition 13(a).

3. Prior to the commencement of any activities or associated works authorised by this consent, the consent holder shall, to the Council's satisfaction:
 - a) Provide an updated Scheme Plan for certification. The updated plan shall be in general accordance with Scheme Plan 'Lots 1-14 (sic) being a subdivision of Lot 2 RM160335, Stage 1 Alpine Estate Wanaka, prepared by Paterson Pitts Group Job W4980 Sheet 01 Rev A dated 03-10-2016' with amendments as follows:
 - i) Correctly titled as 'Lots 1-15'
 - ii) ROW A is shown as the limited ROW for pedestrian/cycle access in favour of Council,
 - iii) Access and roading connections to the roading as required by Condition 14(a)
 - iv) Vesting of all internal roads (i.e. removal of ROW B-D)

Advice Note: The updated Scheme Plan will only be accepted if all additional and necessary consents have been approved and no new breaches with the District Plan or inconsistency with Council's CoP would result from the updated plan.

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

Streetscape Landscaping

5. Prior to the commencement of any works on the site, the consent holder shall first provide detailed landscape plans and design specifications by a suitably qualified Landscape Architect to be certified (if appropriate), by the Queenstown Lakes District Council's Parks Planning Manager, to demonstrate the following:
 - a) Detail of the landscape trees and plants that includes the species, size and location.
 - b) Ensure that any land to be vested in Council is at a gradient not exceeding 1:5 when measured across any points. This will require that plans clearly demonstrate that this gradient will not be exceeded.
 - c) Ensure that no Common Ash (*Fraxinus excelsior*) are proposed on any land that might be vested in Council. Appropriate replacement species include: *Liriodendron tulipifera* 'Fastigiatum', *Quercus robur* 'Fastigiata', *Tilia tomentosa* 'Orbicularis', *Quercus*.
 - d) Detail of any street tree location in relation to infrastructure
 - e) Irrigation plan showing how trees are to be irrigated
 - f) Tree pit details showing root ball treatment and staking
 - g) Path width, material and construction details.
 - h) Details and locations for any other proposed assets, such as park seats, irrigation and fencing.
 - i) Maintenance requirements

No works may be undertaken upon the site until the plan has been certified.

Advice Note: *The Consent Holder is welcome to seek guidance from the Parks Planning Manager when preparing the landscape plan. This may facilitate certification if any matters of concern are addressed. Street Tree Planting Guidelines are available on request from the QLDC Arborist.*

Engineering

6. The owner of the land being developed shall provide a letter to the Principal Resource Management Engineer at Council advising who their representative is for the design and execution of the engineering works and construction works required in association with this development, and shall confirm that these representatives will be responsible for all aspects of the works covered under Sections 1.7 & 1.8 of QLDC's Land Development and Subdivision Code of Practice in relation to this development.

7. Prior to the commencement of any works on the land being developed the consent holder shall provide to the Queenstown Lakes District Council for review and approval, copies of design certificates in the form of Schedule 1A of QLDC's Land Development and Subdivision Code of Practice, specifications, calculations and design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (4), to detail the following engineering works required:
 - a) The provision of a water supply to Lots 1 to 14 in terms of Council's standards and connection policy. This shall include an Acuflo GM900 as the toby valve and an approved water meter as detailed in QLDC Water Meter Policy (Appendix A), dated August 2015. The costs of the connections shall be borne by the consent holder.
 - b) The provision of a foul sewer connection from Lots 1 to 14 to Council's reticulated sewerage system in accordance with Council's standards and connection policy, which shall be able to drain the buildable area within each lot. The costs of the connections shall be borne by the consent holder.
 - c) The provision of fire hydrants with adequate pressure and flow to service the development with a minimum Class FW2 firefighting water supply in accordance with the NZ Fire Service Code of Practice for Firefighting Water Supplies SNZ PAS 4509:2008(or superseding standard). Any alternative solution must be approved in writing by the Area Manager for the Central North Otago branch of the New Zealand Fire Service.
 - d) The provision of road lighting in accordance with Council's road lighting policies and standards, including the Southern Light lighting strategy. Any road lighting installed on private roads/rights of way/access lots shall be privately maintained and all operating costs shall be the responsibility of the lots serviced by such access roads. Any lights installed on private roads/rights of way/access lots shall be isolated from the Council's lighting network circuits.
 - e) The provision of a sealed vehicle crossing that shall be constructed to Lots 1 to 13 to Council's standards.
 - f) The formation of all roads, in accordance with Council's standards. This shall include:
 - a. The provision for stormwater disposal.
 - b. The provision of turning areas to cater for refuge vehicles; or
 - c. The provision of areas for refuge collection.
 - g) The formation of intersections in accordance with the latest Austroads intersection design guides. These designs shall be subject to review and acceptance by Council with any associated costs met by the consent holder.
 - h) The provision of Design Certificates for all engineering works associated with this subdivision submitted by a suitably qualified design professional (for clarification this shall include all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of the QLDC's Land Development and Subdivision Code of Practice Schedule 1A Certificate.
 - i) The formation of ROW A to provide pedestrian and cycle access only from Spring Blossom Drive through to the road to vest.
8. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and 'A Guide to Earthworks in the Queenstown Lakes District' brochure, prepared by the Queenstown Lakes District Council. These measures shall be implemented **prior** to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.

9. At least 7 days prior to commencing excavations, the consent holder shall provide the Principal Resource Management Engineer at Council with the name of a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice who is familiar with the Mt Iron Geodril report (dated 23 May 2016, Job ref: G17026), and who shall supervise the excavation procedure and ensure compliance with the recommendations of this report. This engineer shall continually assess the condition of the excavation and shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability.
10. Prior to commencing any work on the site the consent holder shall install a construction vehicle crossing, which all construction traffic shall use to enter and exit the site. The minimum standard for this crossing shall be a minimum compacted depth of 150mm AP40 metal that extends 10m into the site. Until such time as the road identified in Condition 13(a) is constructed, all construction access shall enter the site and exit via Gordon Road.

To be monitored throughout earthworks

11. The earthworks and batter slopes shall be undertaken in accordance with the recommendations of the report by Mt Iron Geodril report (dated 23 May 2016, Job ref: G17026).
12. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at his/her expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.

Accidental Discovery Protocol

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

Any koiwi tangata discovered shall be handled and removed by tribal elders responsible for the tikanga (custom) appropriate to its removal or preservation. Site work shall recommence following consultation with Council, Heritage New Zealand Pouhere Taonga, Tangata whenua, and in the case of skeletal remains, the New Zealand Police, provided that any relevant statutory permissions have been obtained.

- b) discovers any feature or archaeological material that predates 1900, or heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder shall without delay:
 - (i) stop work within the immediate vicinity of the discovery or disturbance and;
 - (ii) advise Council, Heritage New Zealand Pouhere Taonga and in the case of Maori features or materials, the Tangata whenua and if required, shall make an application

for an Archaeological Authority pursuant to the Heritage New Zealand Pouhere Taonga Act 2014 and;

- (iii) arrange for a suitably qualified archaeologist to undertake a survey of the site.

Site work may only recommence following consultation with Council.

To be completed before Council approval of the Survey Plan

14. Prior to the Council signing the Survey Plan pursuant to Section 223 of the Resource Management Act 1991, the consent holder shall complete the following:

- a) Provide permanent physical and legal access to Lots 1-15 from Cardrona Valley Road via new public road to be formed over Lot 1 DP 477622 and vested in the Council as road;

Advice Note: The legal and physical access requires additional resource consents and would be subject to Council approval for vesting as road. This consent in no way pre-empts the outcome of the necessary approvals that would enable the road to be formed and vested. Resource consent is also likely required for the internal roading connection (across proposed Lot 15), in particular for earthworks and any breaches that may occur in terms of transport standards.

- b) Relinquish any rights of way over Spring Blossom Drive/Mountain View Drive by surrendering the right of way in Transfer 5143982.13; and

Advice Note: The cancellation of the Right of Way easement will be subject to confirmation by the Territorial Authority under s243(e) of the RMA.

Advice Note: This condition has been proposed and imposed at the consent holder's request on the basis that no section 223 or 224(c) certificate or titles under this consent may issue until this condition has been complied with.

15. All necessary easements shall be shown in the Memorandum of Easements attached to the Survey Plan and shall be duly granted or reserved including an easement in favour of Council for a limited right of way (pedestrian and cycle access only) over ROW A as shown in the updated scheme plan certified under condition 3(a); and
16. The names of all roads, private roads & private ways which require naming in accordance with Council's road naming policy shall be shown on the survey plan.

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

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

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

- a) The submission of 'as-built' plans and information required to detail all engineering works completed in relation to or in association with this subdivision/development at the consent holder's cost. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Roads (including right of ways and access lots), Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).
- b) The completion and implementation of all works detailed in Condition (7) above.

- c) Provide certification in accordance with NZS 4431:1989, for all areas of fill within the site. Note this will require supervision of the fill compaction by a chartered professional engineer.
- d) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the net area of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
- e) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the net area of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
- f) The submission of Completion Certificates from the Contractor and the Engineer advised in Condition 6 for all engineering works completed in relation to or in association with this subdivision (for clarification this shall include all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of a Producer Statement, or the QLDC's Land Development and Subdivision Code of Practice Schedule 1B and 1C Certificate.
- g) All newly constructed foul sewer shall be subject to a closed circuit television (CCTV) inspection carried out in accordance with the New Zealand Pipe Inspection Manual. A pan tilt camera shall be used and lateral connections shall be inspected from inside the main. The CCTV shall be completed and reviewed by Council before any surface sealing.
- h) All signage shall be installed in accordance with Council's signage specifications and all necessary road markings completed on all public or private roads (if any), created by this subdivision.
- i) Road naming shall be carried out, and signs installed, in accordance with Council's road naming policy.
- j) All earthworked/exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised.
- k) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
- l) The consent holder shall plant a *Cedrus deodara* shelterbelt with trees planted at 2.5m centres along the south-eastern boundaries Lots 4, 5 and 11 as shown on the plan prepared by Common Ground "Lot Plan", RC-3, 7 Apr 2016 to be consistent with the planted shelterbelt on the neighbouring Grandview subdivision.

Streetscape Landscaping

- m) The completion and implementation of the landscaping and requirements detailed condition 5 above.
- n) The Consent Holder shall enter into a maintenance agreement with the QLDC (Parks and Reserves), with the obligation being upon the Consent Holder to fulfil the requirements detailed in (i) to (iv) below. The maintenance period shall be 3 years from the issue of 224(c):
 - (i) All new assets, including irrigation and fencing, shall be kept in good working order and be free of defects or disrepair.
 - (ii) Trees and vegetation shall be irrigated and maintained to an acceptable standard as specified by QLDC Parks and Reserves Planning team. It shall be the responsibility of the consent holder to ensure that any new plantings, as shown on the approved landscape plans, that die or decline at any time over the 3 year maintenance period following the initial planting shall be replaced. The replacement plants shall be of the

same species, grade and size as the original specimens and planted no later than the following planting season or as instructed by QLDC.

- (iii) The road reserves shall be kept in a tidy condition and shall be free of litter and refuse.
- (iv) Health and safety plans shall be provided for all non-QLDC approved contractors undertaking maintenance in the reserves or road reserves.
- q) If the Consent Holder does not elect to undertake the maintenance and agreement specified in condition 16(n), then a fee for undertaking the maintenance will be required prior to s224(c). The fee will be determined and based on market rates for maintaining the areas for the three year duration, and to a standard as determined by QLDC Parks and Reserves Planning Manager.
- r) At practical completion and prior to section 224(c), all new assets in the road reserves shall be provided on an asset register and as-built plans as per the approved Council templates. All information shall be accurately recorded by GPS. Information on assets shall include, but not necessarily be limited to, the following:
 - Turf, revegetation and garden areas
 - Specimen trees, including species and size at time of planting
 - Trail, tracks and paths/walkways including alignment, width and construction type
 - Irrigation including pipes, connections, valves, controller boxes, and sprinklers
 - Built assets including, toilets, seats, picnic tables, barbeques, bollards, fences, barriers, gates, signs, bins, playground equipment and surfacing, car park surfacing, kerbing, drainage etc. The type, make and supplier (where relevant) of each asset shall be identified.

Ongoing Conditions/Consent Notices

14. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notice pursuant to s.221 of the Act.
- a) The Lawson cypress hedge required by condition 16(l) shall be maintained by the owner(s) of Lot(s) 4, 5 and 11 and shall be kept at a height greater than 5m;
 - b) There shall be no further subdivision of Lots 1-3, 6-10 or 13;
 - c) There shall be no more than one residential and one garage per lot on Lots 1-14;
 - d) The consent holder shall be responsible for the maintenance of all streetscape landscaping carried out for a period of no less than 3 years from the time of planting. Any plants that become diseased or die shall be replaced as soon as practicable.
 - e) At the time a dwelling is erected on the lot, the owner for the time being shall engage a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice to design a stormwater disposal system that is to provide stormwater disposal from all impervious areas within the site. The proposed stormwater system shall be subject to the review of Council prior to implementation and shall be installed prior to occupation of the dwelling.

Advice Note: For the avoidance of doubt, this consent does not limit the ability of the owners of Lots 4, 5, 11, 12 and 14 to apply for resource consent to subdivide those lots in the future or for those applications to be granted, subject to proper assessment and determination under the RMA.

Advice Note:

1. This consent triggers a requirement for Development Contributions. Please see the attached information sheet for more details on when a development contribution is triggered and when it is payable. For further information please contact the DCN Officer at QLDC.

Schedule B - Land Use Consents

1. Prior to commencing works on any residential dwellings the RM160453 Subdivision Consent shall be fully exercised.
2. Development on Lots 1 to 14 shall be in accordance with the following provisions:

Maximum building height	For Lots 1, 2, 3, 6, 7, 8, 9, 10, 13 and 14: 5.8m above existing ground level
	For Lots 4, 5, 11 and 12: 7.0m above existing ground level
Site density	1 residential unit and 1 garage per lot
Maximum building coverage	40%
Minimum boundary setbacks	From roads: 4.5m
	From all other boundaries: one yard of 2m and all other yards of 4.5m except that the rear yards of Lots 1-4 (the setback along the southern boundaries of Lots 1-4) must be a minimum of 4.5m
Continuous building length	Where the aggregate length along one elevation of any building(s), measured parallel to any internal boundary exceeds 16m, either: <ul style="list-style-type: none"> • The entire building(s) shall be set back an additional 0.5m for every 6m of additional length or part thereof from the minimum yard setback (continuous façades) at the same distances from the boundary; or • That part of the building(s) which exceeds the maximum building length shall be progressively set back 0.5m for every 6m of additional length or part thereof from the minimum yard setback (varied façades) with stepped setbacks from the boundary
Minimum outdoor living space	Accessible from a living area, contained in one area with a minimum dimension of 4.5m at ground level
Exterior building colours	All exterior materials shall be in the range of browns, greens or greys with a colour light reflectivity value (LRV) of less than 36%.

3. If the consent holder:

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

Any koiwi tangata discovered shall be handled and removed by tribal elders responsible for the tikanga (custom) appropriate to its removal or preservation. Site work shall recommence following consultation with Council, Heritage New Zealand Pouhere Taonga, Tangata whenua, and in the case of skeletal remains, the New Zealand Police, provided that any relevant statutory permissions have been obtained.

- b) discovers any feature or archaeological material that predates 1900, or heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder shall without delay:
 - (i) stop work within the immediate vicinity of the discovery or disturbance and;
 - (ii) advise Council, Heritage New Zealand Pouhere Taonga and in the case of Maori features or materials, the Tangata whenua and if required, shall make an application for an Archaeological Authority pursuant to the Heritage New Zealand Pouhere Taonga Act 2014 and;
 - (iii) arrange for a suitably qualified archaeologist to undertake a survey of the site.

Site work may only recommence following consultation with Council.

4. This consent shall lapse 5 years from the date of this decision.

Advice Notes

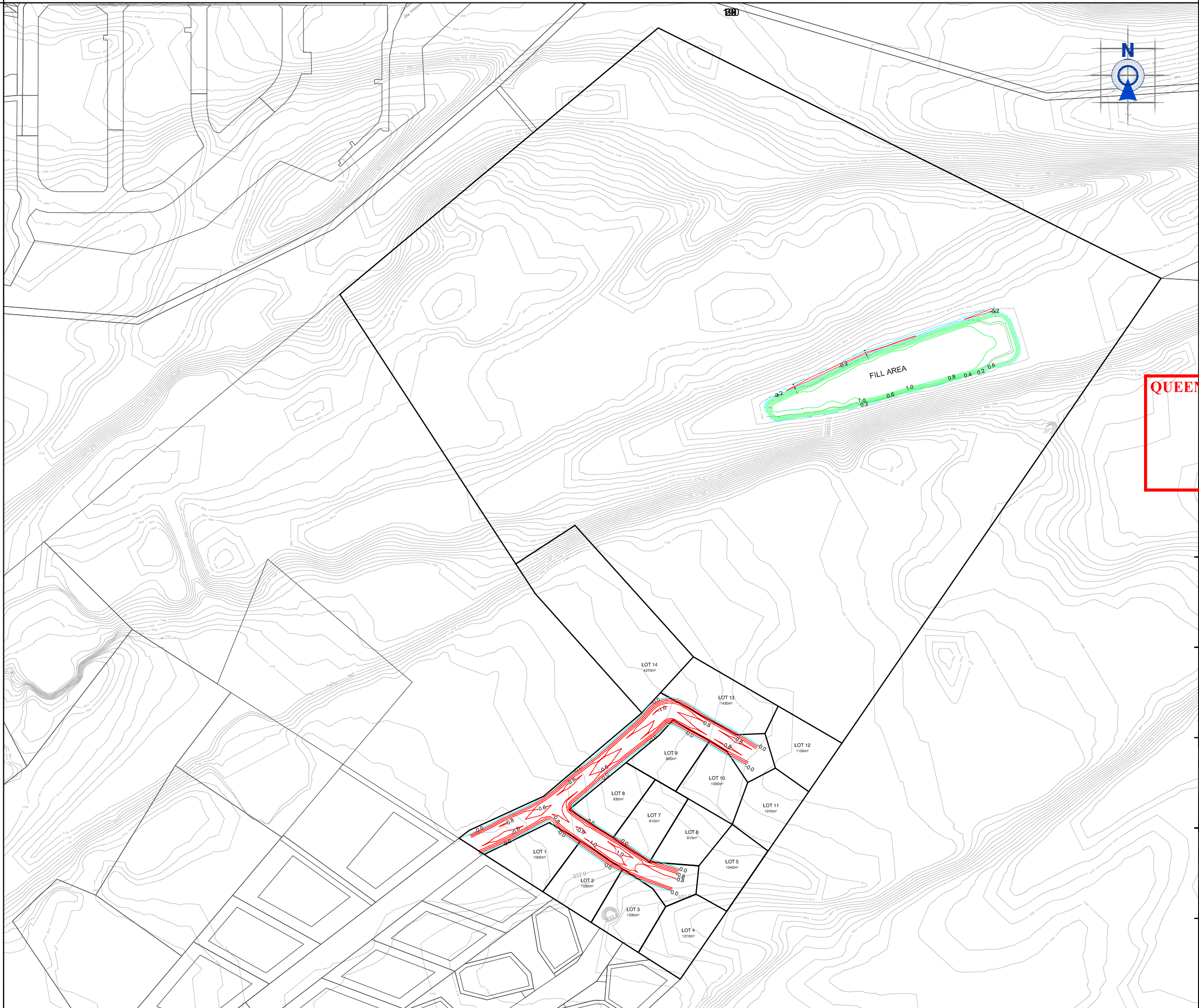
- 1. *As each of Lots 1 to 14 has its own land use consent, if the consent for a particular lot is not given effect to within 5 years, the consent for that lot will lapse.*

For Your Information

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

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

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



- NOTES
1. The contractor shall be responsible for locating all existing services prior to commencement of works. The contractor shall make good at their own expense any damage to existing services
 2. Levels are in terms of Dunedin Vertical Datum 1958
 3. All works are to be installed as per NZS 4404:2004 and QLDC amendments to those standards. Standard drawings are available from the Engineer
 4. Contours at 0.2m interval

LEGEND

- Natural Surface Contours (at 0.2m intervals)
- Lot Boundaries
- Cut Contours (at 0.2m intervals)
- Zero Contours
- Fill Contours

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM160453

Tuesday, 24 January 2017

PATERSONPITTSGROUP
Surveying • Planning • Engineering
Your Land Professionals
www.ppgroup.co.nz
0800 PPGROUP

WANAKA
19 Reece Crescent
or P.O. Box 283
Wanaka 9343
T 03 443 0110
E wanaka@ppgroup.co.nz

© COPYRIGHT. This drawing, content and design remains the property of Paterson Pitts Group Limited and may not be reproduced in part or full or altered without the written permission of Paterson Pitts Group Limited. This drawing and its content shall only be used for the purpose for which it is intended. No liability shall be accepted by Paterson Pitts Group Limited for its unauthorized use.

Client & Location:

Heritage Estate
Orchard Road, Wanaka

Purpose & Drawing Title:

Engineering Drawings
Earthworks Plans

Surveyed by:	LIDAR	Original Size:	Scale:
Designed by:	TMM	A1	1:2000 @ A3
Drawn by:	TMM		DO NOT SCALE
Checked by:	RLP		
Approved by:	RLP		
Job No:	W4680 - 003	Sheet No:	201
		Revision No:	1
		Date Created:	08/09/2016

APPENDIX 4 – COPY OF RM170094

DECISION OF QUEENSTOWN LAKES DISTRICT COUNCIL

RESOURCE MANAGEMENT ACT 1991

Applicant:	P Gordon & HGW Trustees Ltd
RM Reference:	RM 170094
Location:	70 Golf Course Road, Wanaka
Proposal:	Subdivide rural land into 23 residential lots, 3 balance lots and 3 lots to vest as Road and to undertake associated earthworks; land use consent to construct a residential unit on each residential lot.
Type of Consent:	Subdivision and land use consent.
Legal Description:	Lot 1 DP 477622 held in CFR 664870
Valuation Number:	2906103247
Zoning:	Rural General
Activity Status:	Non-Complying Activity
Public Notification:	2 March 2017
Commissioners:	W D Whitney & L Beattie
Date of Decision:	5 July 2017
Decision:	GRANTED SUBJECT TO CONDITIONS

A. INTRODUCTION

A.1 Background

1. P Gordon & HGW Trustees Limited have applied to the Queenstown Lakes District Council for subdivision consent to subdivide a site into 23 residential lots, 3 balance lots and 3 lots to vest as Road and to undertake associated earthworks; and for land use consent to construct a residential unit on each of the residential lots. The subject site is located at 70 Golf Course Road, Wanaka and has frontage to Cardrona Valley Road, Gordon Road and Frederick Street. The subject site has an area of 22.3283 hectares more less and is described as Lot 1 DP 477622 as contained in Computer Freehold Register Identifier 664870 in the Otago Land Registration District.
2. The site is irregular in shape and is located predominantly in the Rural General Zone. The site contains an existing residential building platform that was consented under subdivision consent RM 010011 which was granted on 29 May 2001.
3. The western portion of the site, which has frontage to Cardrona Valley Road, is generally rectangular in shape. This tapers to a relatively narrow strip of land that is situated between the Aspiring Lifestyle Retirement Village (to the north-west) and land owned by Alpine Estate Limited being Lot 2 DP 302568 (to the south-east). Beyond the narrow strip the site opens out to the north and east. Short frontages exist to Golf Course Road and Gordon Road (generally to the north) and to Frederick Street (generally to the west). A shallow channel runs south-west to north-east through the narrow strip with the land rising gently to the north-west and south-east. The site is vegetated in pasture grasses and the applicant advises that the site is grazed. A row of willows passes through the central portion of the site.
4. As noted above land to the north-west of the site contains the Aspiring Lifestyle Retirement Village which has been developed in recent years. Also to the north-west is the Wanaka Lakes Health Centre which has frontage to Cardrona Valley Road.
5. Land generally to the east of Cardrona Valley Road and to the south of the site has been subdivided into smaller lots for residential purposes including the Grandview, Heritage Park and Heritage Village subdivisions. A subdivision consent RM 160453 has authorised the creation of 14 residential allotments on the Alpine Estate property; such consent being dated 24 January 2017 (and reissued on 15 February 2017). It is

also noted that two further applications have been made to subdivide the Alpine Estate Limited property adjacent to the subject site. These applications being RM 170065 (for 94 residential allotments) and RM 170329 (for 6 residential allotments) have been rejected as incomplete and put on hold at the applicants request, respectively. These two applications simply indicate interest in further subdivision for residential purposes in this locality.

6. Land to the north of the site (which is accessed from Golf Course Road) includes Rural Residential subdivision and development. Land generally to the west forms part of the Ballantyne Road industrial area with industrial subdivisions being served by both Gordon Road and Frederick Street. Land to the south-east of the site has been zoned for residential and industrial purposes via Plan Change 46 (operative 25 August 2016).
7. The site can be aptly described as a remnant of pastoral land with urban style development at various densities either established, consented or anticipated by zoning within the surrounding area.

A.2 The Proposal

8. Subdivision consent is sought to subdivide the site to create 23 residential allotments which are generally located within the narrow strip between the Aspiring Lifestyle Retirement Village and the land owned by Alpine Estate Limited. These residential allotments being Lots 1 to 23 range in area from 665m² to 1351m² and are located on either side of Road 1 which comprises Lot 300 and Lot 301. Lots 300 and 301 have areas of 5033m² and 8349m², respectively, and are to vest in the Council as Road.
9. Access to the subdivision is to be achieved via Road 1 from Cardrona Valley Road. The intersection with Cardrona Valley Road is to be an offset T intersection (the offset being 20 metres from the Stone Street T intersection). The first portion of Road 1 (being Lot 300) has a width of 23 metres, and Lot 301, which also forms part of Road 1, has a width of 20 metres.
10. Connectivity to the consented and potential future subdivision of the Alpine Estate Limited land to the south is to be achieved by vesting Lot 302, which has an area of 513m², as Road. Lot 302 is described in the application as being Road 2.

11. Three balance lots are proposed being Lot 100 (2.4007 ha), Lot 101 (5.2215 ha) and Lot 102 (11.334 ha). Lot 100 has frontage to Cardrona Valley Road and comprises the balance of the triangular area immediately to the south of Road 1. Lot 100 is proposed to be rezoned Local Shopping Centre Zone in the Proposed Queenstown Lakes District Plan (Proposed District Plan).
12. Lot 101 consists of land comprising the northern portion of the site and has legal frontage to Gordon Road and Golf Course Road. Lot 102 comprises much of the eastern portion of the site and includes the residential building platform consented under RM 010011. Lot 102 has legal frontage to Frederick Street. The applicant anticipates that the future subdivision and development of Lot 100, Lot 101 and Lot 102 will be determined by the outcome of the Proposed District Plan process.
13. A 5 metre wide landscaped buffer strip is proposed along the boundary that Lots 1-5 and Lots 19-23 share with the Aspiring Lifestyle Retirement Village. This landscape buffer strip is to provide screening and separation between the villas in the retirement village and built development on the proposed residential allotments. Landscaping with native plantings within the buffer strip is to be maintained such that a minimum height of 2 metres is achieved in perpetuity.
14. Land use consent is sought for residential units on Lots 1-23. The definition of "Residential Unit" in the Operative Queenstown Lakes District Plan (Operative District Plan) includes accessory buildings (such as garages and carports) and the applicant seeks consent for such land use activity. Rather than identifying residential building platforms on Lots 1-23 a range of development controls are proposed which generally replicate the bulk and location provisions of the Low Density Residential Zone in the Proposed District Plan.
15. In the application documentation and prior to and at the hearing the applicant has volunteered a range of conditions to mitigate effects. These conditions are consistent with those presented in Appendix 4 to the section 42A report prepared by Ms Picard with additional amendments to the effect that an Advice Note be included with respect to cost sharing (in the context of water and wastewater services for the subdivision);

and with explicit reference to be made to residential units and to recession plane controls in the conditions of land use consent.

16. The applicant also offers a condition with respect to the design of the internal roads to ensure that such design provides for anticipated changes (including kerb side parking) which may be necessary to accommodate ultimate traffic volumes on Road 1. Such changes are discussed further in Section B.5.3 of this decision.
17. The Commission confirms that it has assessed the proposal on the basis of the application as lodged and as amended in terms of the conditions offered by the applicant prior to and at the hearing.

A.3 Zoning

18. The site is predominantly zoned Rural General with small portions of the site zoned Rural Residential and Industrial B as shown on Maps 21 and 23 of the Operative District Plan.
19. The Proposed District Plan was publicly notified on 26 August 2015. Much of the site is proposed to be zoned Low Density Residential Zone with parts to be zoned Local Shopping Centre, Industrial B Zone (Operative), Rural General (Operative) and Rural Residential (Operative) in the Proposed District Plan.
20. Section 86B(1) of the Resource Management Act 1991 (the Act) confirms that a rule in a Proposed District Plan has legal effect only once a decision on submissions relating to the rule is made and publicly notified. As no decision has been made and publicly notified with respect to the relevant rules of the Proposed District Plan those rules do not have legal effect albeit that the objectives and policies of the Proposed District Plan are relevant to the consideration of this application. The status of the current proposal must therefore be determined by reference to the rules of the Operative District Plan.
21. Zone Subdivision Standard 15.2.6.3iii(b) stipulates that every allotment created in the Rural General Zone shall have one residential building platform approved at the time of subdivision of not less than 70m² in area and not greater than 1000m² in area. A

breach of the Zone Subdivision Standard is a non-complying activity in terms of Rule 15.2.3.4(i).

22. It is noted that the subdivision would otherwise have status as a discretionary activity in the Rural General Zone pursuant to Rule 15.2.3.3(vi).

23. As previously noted small portions of the site are zoned Rural Residential and Industrial B. The definition of 'Site' in the Operative District Plan confirms that if any site is crossed by a zone boundary then the site is deemed to be divided into two or more sites by that zone boundary. As the 'sites' in the Rural Residential Zone and the Industrial B Zone are not bisected by proposed allotment boundaries the subdivisional rules which apply in the Rural Residential Zone and the Industrial B Zone are not triggered in this instance.

24. The construction of any building outside of an approved residential building platform in the Rural General Zone is a discretionary activity pursuant to Rule 5.3.3.3i(a).

25. Site Standard 5.3.5.1vi(a) requires a minimum setback from internal boundaries for buildings of 15 metres. A breach of Site Standard 5.3.5.1vi(a) is a restricted discretionary activity in terms of Rule 5.3.3.3xi.

26. Zone Standard 5.3.5.2ii requires a minimum setback from road boundaries for buildings of 20 metres. A breach of Zone Standard 5.3.5.2ii is a non-complying activity in terms of Rule 5.3.3.4vi.

27. Having regard to the above the Commission has considered the proposal as an application for subdivision consent and land use consent to a non-complying activity.

A.4 Submissions

28. The application was publicly notified and a total of 8 submissions were received within the statutory submission period which closed on 30 March 2017.

29. In an email dated 2 June 2017 Mr Mike O'Neill of O'Neill Devereux confirmed that four submitters being Roy James Macdonald, Keith Malcolm Macdonald, James Albert Ledgerwood and the DJ Moore Trust (that had lodged opposing submissions) now

wish to record their support for the creation of the road as part of the application; and that except for recording this consent, those four objections are withdrawn. It is also noted that Chris Leith (also an opposing submitter) provided a letter dated 31 May 2017 which was attached to an email from Thomas Hutchison of Van Aart Sycamore Lawyers Limited dated 1 June 2017; and that Mr Leith expressed support for the application and the proposed road and has otherwise withdrawn his opposing submission.

30. The remaining opposing submission is from Orchard Road Holdings Limited; and the submissions by Aspiring Lifestyle Retirement Village and Tony Sycamore support the application.

31. The Commission has given consideration to the contents of all of the submissions received in response to the application except for those portions of submissions which have now been withdrawn.

A.5 Reports and Hearing

32. The Commission has had the benefit of a planning report dated 26 May 2017 prepared by Ms Sarah Picard, a Senior Planner with the Queenstown Lakes District Council; a landscape report dated 15 May 2017 prepared by Mr Richard Denney a Landscape Architect of Denney Landscape Architecture; an engineering report dated 25 May 2017 prepared by Ms Lyn Overton a Resource Management Engineer with the Queenstown Lakes District Council; and an internal report being an email dated 24 May 2017 from Mr Tim Errington, Arboricultural Officer at the Queenstown Lakes District Council. At the hearing on Tuesday 20 June 2017 the Commission was assisted by Ms Picard, Mr Denney and Ms Overton. Ms Charlotte Evans, a Committee Secretary with the Queenstown Lakes District Council, provided administrative support at the hearing.

33. Prior to the hearing the Commission had the opportunity to consider the application and supporting material; the submissions; the section 42A planning report and appendices thereto; and the pre-circulated evidence prepared by Mr Edgar, Ms Gilchrist and Mr Bartlett for the applicant. The Commission made a site inspection with Ms Picard prior to the hearing on 20 June 2017.

34. At the hearing the applicant was represented by Mr Tony Sycamore, Solicitor, of Van Aart Sycamore Lawyers Limited; Mr Jason Bartlett, Traffic Engineer, of Bartlett Consulting; Ms Erica Gilchrist, Landscape Architect and Director of Gilchrist Design Limited; and Mr Scott Edgar, a Resource Management Planner of Southern Land Limited. It is noted that Ms Gilchrist and Mr Edgar presented short statements which summarised their evidence, such summaries being dated 19 June 2017 and 20 June 2017, respectively.

35. Mr Allan Dippie, a Director of Orchard Road Holdings Limited, represented that submitter at the hearing.

36. The planning, landscape, engineering and arboricultural reports were taken as read and Ms Overton, Mr Denney and Ms Picard were invited to comment following the presentation of the evidence. Following Mr Sycamore's reply the hearing was adjourned.

A.6 Principal Issues in Contention

37. The principal issues in contention are the effects on the environment of allowing the proposed subdivision and residential activity to proceed on the subject site.

B. EFFECTS ON ENVIRONMENT

B.1 Permitted & Consented Baseline

38. Section 104(2) of the Resource Management Act 1991 (the Act) states that when forming an opinion for the purposes of section 104(1)(a), a consent authority may disregard an adverse effect of an activity on the environment if the plan permits an activity with that effect.

39. There is no permitted baseline in terms of the Operative District Plan that is relevant to this application. Any subdivision within the Rural General Zone requires resource consent and is therefore not a permitted activity. All buildings or alterations to buildings in the Rural General Zone (as well as any physical activity associated with any buildings such as earthworks) also requires resource consent and is therefore not a permitted activity.

40. The permitted baseline is not relevant in the context of the Proposed District Plan as the rules of the Proposed District Plan have no legal effect at this time.

41. The consented baseline includes the existing residential building platform shown as X on DP 477622. As previously noted this residential building platform, which was consented by RM 010011, is located on Lot 102 of the proposed subdivision.

B.2 Receiving Environment

42. The receiving environment is described in Section A.1 of this decision. Of particular note is the Aspiring Lifestyle Retirement Village which is located immediately to the north-west of the site. This village is in part located in the Rural General Zone and includes a substantial number of villas, including several that are located immediately adjacent to the boundary with the subject site.

43. Subdivisions for residential purposes have been consented in the Rural General Zone generally to the south of the subject site (including the Alpine Estate subdivision RM 160453 and the Grandview, Heritage Park and Heritage Village subdivisions). The Commission accepts that the consented Alpine Estate subdivision RM 160453 forms part of the receiving environment notwithstanding that access issues may arise in the event that consent is not granted to the current subdivision as the Alpine Estate consent anticipates that access will be provided to the Alpine Estate subdivision via Road 1 and Road 2 in the proposed subdivision.

B.3 Affected Persons Approvals

44. No affected persons approvals have been provided.

B.4 Assessment Matters

45. The Operative District Plan became fully operative on 10 December 2009. The Operative District Plan contains assessment matters in Parts 5, 14 and 15 that are relevant to subdivision and development in the Rural General Zone.

46. The Officer's reports and the evidence presented to us have assessed the effects of the activity in terms of the relevant assessment matters. In our view this approach is appropriate and we have assessed the actual and potential effects of the proposed

activity having regard to the relevant assessment matters presented, particularly those presented in Part 5 of the Operative District Plan.

B.5 Part 5

47. Clause 5.4.2.1 advises that there are three steps in applying the assessment criteria. These include Step 1 – Analysis of the Site and Surrounding Landscape, Step 2 – Determination of Landscape Category and Step 3 – Application of the Assessment Matters.

48. Ms Gilchrist and Mr Denney have conducted an analysis of the site and surrounding landscape. Initially Ms Gilchrist considered the site to be appropriately classified as a Visual Amenity Landscape (VAL). Mr Denney considered that the pastoral land remnant to the north of the Alpine Estate's consented subdivision RM 160453 is too small and compromised by surrounding urban development to be considered as a landscape unit on its own and that the site therefore defaults to be in an Other Rural Landscape (ORL). Ms Gilchrist, having considered proposed built development as part of visual characterisation, is able to accept Mr Denney's opinion that the site is located in an ORL.

49. The Commission finds that the site as located is in an ORL.

50. Clause 5.4.2.2(iv) of the Operative District Plan contains assessment matters that apply to development in the Rural General Zone on land characterised as ORL. Mr Denney was of the opinion that the rural assessment matters do not adequately address the urban nature of the proposed development or its context. The Commission therefore does not propose to recite each of the relevant assessment matters but simply records that it has had regard to them and notes that they are presented or specifically referred to in the reports and evidence before us.

51. Ms Picard's section 42A report addressed the actual and potential effects on the environment under various headings; and Mr Edgar's evidence discussed the actual and potential effects utilising the same headings. The Commission has adopted these headings for the purposes of assessing the various actual and potential effects on the environment of the proposal.

B.5.1 Character and Landscape

52. The site is a remnant of pastoral land with urban style development of various densities either established or anticipated within the surrounding area. This includes the medium density housing provided in the Aspiring Lifestyle Retirement Village to the north-west of the proposed residential allotments and the various subdivisions which have occurred generally to the south of the site. The Commission acknowledges Mr Denney's observation that the pastoral landscape of this vicinity is shrinking from all sides and this will continue to occur as facilitated by Plan Change 46 and the zoning provided for in the Proposed District Plan.

53. The Commission concurs with Ms Picard that the subject sites location adjacent to urban style development will reduce the extent of any adverse effects upon the naturalness and rural quality of the landscape. The Commission also acknowledges that the balance lots have substantial areas and will provide for some ongoing rural amenity until such time as that land is developed as provided for in terms of the Proposed District Plan.

54. The proposal will create an urban style development that will further extend urban character given that Lots 1-23 are generally located within the narrow strip of land directly adjacent to the Aspiring Lifestyle Retirement Village.

55. While the development will be highly visible from the retirement village mitigation is proposed in terms of the 5 metre wide landscape buffer strip. The Commission also notes in this context that the owner of the Aspiring Lifestyle Retirement Village has submitted in support of the application albeit that no submissions (or affected persons approvals) were received directly from any residents of the village.

56. Having regard to the receiving environment the Commission is satisfied that any adverse effects, in terms of character and landscape, will be no more than minor.

B.5.2 Built Form

57. Residential units are proposed on Lots 1-23. While no building plans have been submitted with the application a suite of design controls are proposed in relation to building height, coverage, setbacks and recession planes; and the applicant has

agreed to additional controls with respect to the provision of outdoor living areas and continuous building length.

58. The Commission also notes that the applicant has agreed to Mr Denney's suggestion that a condition be applied with respect to the colours and reflectivity (less than 36%) of exterior materials. Ms Picard advises that such control is consistent with that applied to other developments in this vicinity in the Rural General Zone (including the Aspiring Lifestyle Retirement Village).

59. The Commission is satisfied that any adverse effects associated with the proposed built form on Lots 1-23, subject to the imposition of appropriate conditions of land use consent, will be less than minor. The Commission considers that the built form proposed is appropriate having regard to the receiving environment.

B.5.3 Rooding and Access

60. The proposal will result in the establishment of an urban residential style road within the subdivision (being Road 1) and a road which will connect to the Alpine Estate land to the south (being Road 2).

61. While it is clear that Road 1 is to be constructed to a sufficient standard to serve the proposed subdivision issues were raised during the course of the hearing with respect to the role that this road will have in the future rooding network of Wanaka. Mr Dippie considered that if the proposal is to be considered in advance of the Proposed District Plan it should be part of a comprehensive master plan for the area to ensure that the proposal does not result in adverse urban design, amenity and road safety effects.

62. Mr Dippie emphasised the importance of an east-west road connection between Ballantyne Road and Cardrona Valley Road. He tabled plans which illustrated a potential road network which included roads serving Three Parks (to the east of Ballantyne Road) and rooding to the west of Cardrona Valley Road. This plan showed a road link that would connect through the site to Cardrona Valley Road opposite the West Meadow Drive intersection. Mr Dippie also provided a plan which related to land subject to Plan Change 46 and which showed the initial section of road ("Road 4") off Ballantyne Road to the south-east of the subject site.

63. The submission by Orchard Road Holdings Limited raises wider issues which cannot readily be addressed in the context of a specific application for resource consent. Mr Dippie advised that he has raised issues with respect to the roading network in the context of the Proposed District Plan hearings process; and the Commission considers that to be the better forum for such issues to be addressed.
64. The Commission is satisfied, however, that the proposed subdivision does not preclude the creation of an east-west road link. The plan of subdivision anticipates that a road connection will be provided generally to the east which could ultimately link to Mr Dippie's Road 4 off Ballantyne Road. The potential also exists for a road link to be established through Lot 101 to Gordon Road in future.
65. Mr Bartlett advised that the 8.4 metre wide carriageway currently proposed for Road 1 is over designed for the purposes of the subdivision, as it is designed to serve land in the vicinity including the balance lots. Mr Bartlett considered that the road design is "future proof"; and he confirmed that the 8.4 metre wide carriageway would be sufficient to provide for the east-west link which will ultimately be needed to serve the full urban development of this locality. Mr Bartlett advised that while an 8.4 metre wide carriageway would be sufficient to carry this traffic additional provision may be needed for recessed or indented kerbside parking in future (discussed further below).
66. While the T intersection proposed off Cardrona Valley Road is not in the position suggested by Mr Dippie; it is consistent with the position nominated in previous planning exercises including the Wanaka Structure Plan (2007) which was derived from the Wanaka 2020 Community Planning exercise. It is also noted that a road link in about the position proposed by the applicant was shown on plans in the Commissioners' decision on Plan Change 46.
67. Mr Bartlett confirmed that sufficient land is available at the intersection of Road 1 and the Cardrona Valley Road to upgrade the proposed T intersection to a roundabout in future.
68. Indicative road reserve cross sections for Road 1 were shown on Figure Four as prepared by Ms Gilchrist. That design shows a shared asphalt path for pedestrians

and cyclists within a minimum 5 metre wide greenway to the north of the road carriageway and a grassed berm with no footpath on the south side.

69. Ms Overton noted that footpaths will be required on both sides of Road 1 consistent with the Council's Land Development and Subdivision Code of Practice Table 3.2 Figure E13 and Figure E18. As noted above such footpath on the south side of the road is not currently shown on the indicative road reserve cross sections.

70. The position of the road carriageway and landscape treatment may also be affected by the need to provide for future increased traffic movements; noting Mr Bartlett's observation that recessed or indented parking may be required at the kerb side. This may affect the position of the asphalt path for pedestrians and cyclists.

71. The Commission also considers it appropriate that verge planting be limited to trees and grass rather than a combination of trees and shrubs as shown on the indicative road cross sections. Removal of the shrubs would have benefits in terms of the visibility of pedestrians and cyclists to those utilising entrances into the residential allotments; and dispensing with such shrubbery is also consistent with Crime Prevention Through Environmental Design (CPTED) principles. It is also noted that Mr Errington has made specific recommendations with respect to the choice of streetscape trees and with respect to tree planting specifications.

72. In all the circumstances it is anticipated that the final road reserve cross section design including the streetscape landscaping will be significantly different to that shown on the indicative road reserve cross sections prepared by Ms Gilchrist.

73. The Commission has concluded that, subject to adherence to appropriate conditions, that any adverse effects associated with roading and access will be less than minor.

B.5.4 Cumulative Effects

74. The proposal will introduce additional urban style development within the rural area. As noted above this is to occur along the edge of existing urban style development at the Aspiring Lifestyle Retirement Village. Given that the subject site and surrounds already appears to be an area that could be reasonably anticipated to contain further urban style development the Commission concurs with Ms Picard that any cumulative

effects of the additional residential subdivision and development, at the scale and density proposed, will be no more than minor.

B.5.5 Reverse Sensitivity

75. The introduction of residential development into rural areas has the potential to create reverse sensitivity effects. In this instance the surrounding area has limited opportunity for rural activities given the proximity of land which is zoned or developed for urban style purposes. Given the limited extent of existing rural activities in this locality it is considered that the proposal will have less than minor adverse effects associated with reverse sensitivity.

B.5.6 Subdivision Design

76. While the subdivision is to occur in the Rural General Zone it is located directly adjacent to existing urban style development which is also, in part, located in the Rural General Zone. Given that the subdivision design would appear consistent with this existing development any adverse effects of the subdivision occurring in a rural context will be less than minor.

77. The creation of Lots 1-23 and the granting of land use consent will enable residential units to establish at a scale typical of low density residential development albeit that the lot sizes of Lots 12-14 are slightly below the 700m² minimum lot area required in terms of the Wanaka Low Density Residential Zone in terms of the Operative District Plan. It is noted in this context that the Proposed District Plan anticipates a minimum lot area of 450m² and a density of one residential unit per 300m² in the Low Density Residential Zone. The layout of Lots 1-23 is appropriate for the intended residential use. All lots will have adequate access and the size and shape of allotments will provide for development which will have a northerly aspect and adequate sunlight and open space.

78. Lots 100-102 will retain some limited rural character until such time as that land is put to its ultimate use as provided for in the Proposed District Plan.

B.5.7 Earthworks

79. Earthworks are proposed as part of the application for the construction of roads, services, stormwater disposal and to regrade the site to provide gently sloping building

sites facing north and to allow for a secondary flow paths. The applicant has advised that the earthworks will have a volume of 24,700m³ and will be undertaken over an area of 52,200m². The Commission considers that the proposed earthworks are appropriate for the intended land use and will not have an adverse effect which is greater than minor having regard to the receiving environment.

80. Ms Picard has suggested that a condition of land use consent provide for earthworks on Lots 1-23 which are at a scale consistent with Low Density Residential Zone earthworks. The applicant has accepted such a condition which is presented in Appendix 4 to Ms Picard's section 42A report.

81. Ms Overton has also recommended conditions with respect to site management and revegetation. These conditions will ensure that any adverse effects associated with earthworks undertaken as part of the subdivision will be no more than minor.

B.5.8 Services

82. An Infrastructure Report prepared by Mr Luc Waite of Southern Land Limited was attached at Appendix F to the application. It is anticipated that water supply will be achieved by providing a new 150mm waterline from existing reticulation in Cardrona Valley Road and that wastewater connections will be provided to an existing wastewater line which runs through the site to a pump station at Gordon Road. Ms Overton has recommended conditions which provide for further modelling and/or consultation with the Council with respect to the provision of these services to identify any upgrading which may be required. The possibility of cost sharing with the Council can be acknowledged via an Advice Note as promoted by the applicant.

83. Low Impact Design (LID) for stormwater (as proposed) is considered to be feasible with stormwater to be disposed of on site. Correspondence from Aurora (dated 25 November 2016) and Chorus (dated 14 December 2016) is attached to Mr Waite's Infrastructure Report, and this confirms that such services can be provided to the subdivision.

84. In all the circumstances the Commission is satisfied that any adverse effects in terms of the provision of services can be avoided or mitigated by adherence to appropriate conditions of consent.

B.5.9 Natural Hazards

85. A Geotechnical Assessment Report dated 10 May 2017 prepared by Mt Iron Geodrill has been provided by the applicant. Ms Overton has accepted the contents of this report and has noted that the site has a LIC 1 Liquefaction Hazard category. Ms Overton is satisfied that no conditions are necessary in relation to hazard mitigation.

86. The Commission is therefore satisfied that any potential adverse effects in terms of natural hazards are less than minor.

B.5.10 Positive Effects

87. The proposal will have a positive effect by providing for future housing to be developed at Wanaka in a locality where urban style development already exists. The proposal will therefore have a positive effect by contributing to the availability of housing stock within the District, albeit to a limited degree.

B.6 Summary : Effects and Assessment Matters

88. The Commission finds that the proposal will not have adverse effects which are greater than minor in this instance. The Commission also acknowledges that the proposal will have positive effects in terms of contributing to the availability of housing stock within the District.

C. OBJECTIVES & POLICIES

89. Section 104(1)(b)(vi) of the Act requires that the consent authority have regard to any relevant provisions of a plan or proposed plan. The application and Ms Picard's section 42A report assesses the proposal in terms of the objectives and policies of the Operative District Plan and the Proposed District Plan. To a large degree the objectives and policies of the Operative District Plan and the Proposed District Plan relate to matters discussed in Section B of this decision. It is neither desirable or necessary, therefore, to undertake a line by line analysis of every objective and policy as this would involve a significant amount of repetition without materially advancing the Commission's analysis of this application.

C.1 Operative District Plan

90. Parts 4, 5, 14, 15 and 22 of the Operative District Plan contain objectives and policies for the whole District, for the Rural General Zone, for Transport, for Subdivision, Development and Financial Contributions and for Earthworks.

Part 4

91. Clause 4.2.4(4) confirms that the Other Rural Landscapes (ORL) are those landscapes with lesser landscape values (but not necessarily insignificant ones) which do not qualify as Outstanding Natural Landscapes or Visual Amenity Landscapes.

92. Section 4.2 relates to Landscape and Visual Amenity. Objective 4.2.5 is:

“Objective:

Subdivision, use and development being undertaken in the District in a manner which avoids, remedies or mitigates adverse effects on landscape and visual amenity values.”

93. Objective 4.2.5 is supported by a number of policies. Policies of relevance include Policy 1 Future Development which relates to the effects of development; Policy 6 Urban Development; Policy 7 Urban Edges; Policy 8 that relates to Avoiding Cumulative Degradation; Policy 9 that relates to Structures; and Policy 17 that relates to Land Use.

94. Policy 1 – Future Development – is to avoid, remedy or mitigate the effects of development and/or subdivision in those areas of the District where the landscape and visual amenity values are vulnerable to degradation; to encourage development and/or subdivision to occur in areas of the District that have a greater potential to absorb change without detracting from landscape and visual amenity values; and to ensure that subdivision and/or development harmonises with local topography and ecological systems and other nature conservation values as far as possible.

95. The Commission is satisfied that this policy is satisfied in this instance. The development is to occur in an area that has potential to absorb change without detracting from landscape and amenity values.

96. Policy 6 – Urban Development – seeks to discourage and avoid urban development in Outstanding Natural Landscapes (and Features) or Visual Amenity Landscapes. The Commission concurs with Ms Picard that as the proposal is within an ORL it does not result in urban style development in the more sensitive landscape areas and is therefore consistent with the intent of this policy.
97. In terms of Policy 7 – Urban Edges the Commission notes that in this instance urban style development has occurred already in the Rural General Zone in this locality being the Aspiring Lifestyle Retirement Village. A clearly defined urban edge is therefore not apparent in this instance and the Commission finds that the proposal is not contrary to Policy 7.
98. In terms of Policy 8 – Avoiding Cumulative Degradation – the Commission concurs with Ms Picard that the proposal would result in limited cumulative degradation in this landscape. The proposal does not provide a comprehensive style development and would not have a rural character; but again the Commission finds that the proposal is consistent with the character of the receiving environment.
99. Policy 9 – Structures refers specifically to all rural landscapes. In this instance the structures will be located generally on a narrow strip of land adjacent to existing urban style development. Having regard to the receiving environment the Commission is satisfied that the proposal, including the setbacks proposed, is consistent with Policy 9.
100. Policy 17 – Land Use – encourages land use in a manner which minimises adverse effects on the open character and visual coherence of the landscape. It is again acknowledged in this context that the development is to occur on a remnant of pastoral land adjacent to existing urban style development. The proposal is therefore consistent with Policy 17.
101. The Commission has concluded that the proposal will not be contrary to Objective 4.2.5 and its supporting policies.
102. Ms Picard's report also assessed the proposal in terms of the objectives and policies in Section 4.5 – Energy. She observed that Section 4.9 – Urban Growth is applicable to those areas which have residential zoning and for this reason she has not

considered Section 4.9 in the context of the current proposal. Notwithstanding this the Commission finds that the proposal is generally consistent with the objectives and policies in Section 4.9 – Urban Growth; and the Commission concurs with Ms Picard that the proposal is not contrary to the relevant objective and policies under Section 4.5 – Energy.

Part 5

103. Part 5 of the Operative District Plan contains objectives and policies that specifically relate to rural areas. These objectives and policies seek to allow the establishment of a range of activities that are managed in such a way as to protect the character and landscape values of the rural area. Objective 1 is to protect the character and landscape value of the rural area by promoting sustainable management of natural and physical resources and the control of adverse effects caused through inappropriate activities.
104. Policy 1.1 requires us to consider fully the district wide landscape objectives and policies when considering use and development in the Rural General Zone. The Commission's conclusion is that the proposal will not offend the District Wide Landscape and Visual Amenity objectives and policies that are addressed above.
105. Policy 1.6 is to avoid, remedy or mitigate adverse effects of development on the landscape values of the District. Again it is appropriate to acknowledge in this context the receiving environment which features urban style development adjacent to the site and that the site itself is a remnant pastoral area. In essence the landscape values in this instance are limited and accordingly the Commission does not consider that the proposal is contrary to this policy.
106. Policy 1.7 is to preserve the visual coherence of the landscape by ensuring that all structures are to be located in areas with the potential to absorb change. The Commission is satisfied that the residential units on Lots 1-23 will be in an area which has the potential to absorb the change proposed.
107. Objective 3 and its associated policies relate to avoiding, remedying or mitigating adverse effects on rural amenity. In this instance the site is a remnant of pastoral land and the residential allotments are immediately adjacent to existing urban style

development. In all of the circumstances the Commission finds that Objective 3 has limited relevance in this instance.

108. The Commission concurs with Ms Picard that given the urban character of the proposal it is inconsistent with, but not contrary to, the relevant objectives and policies set out in Part 5 of the Operative District Plan.

Part 14

109. The relevant objectives and policies in Part 14 are concerned with the maintenance and improvement of access, and the ease and safety of pedestrian and vehicle movement. In this instance the roading has been overdesigned for this subdivision but provides for future growth in the immediate locality and does not preclude the establishment of an east-west roading link. The width of Road 1 is sufficient to accommodate pedestrians and cyclists albeit that the design requires further refinement as noted in Section B.5.3 of this decision. The Commission's conclusion is that the proposal is consistent with the objectives and policies stated in Part 14.

Part 15

110. The relevant objectives and policies in Part 15 relate to the provision of services and to the demand and cost of infrastructure, ensuring each proposed allotment is suitable for its intended use, and maintaining or enhancing the amenity and character of the surrounds. Objective 1 requires the provision of necessary services to subdivided lots and developments in anticipation of the likely effects of land use activities on those lots and within the developments. In this instance the applicant has provided sufficient evidence to demonstrate that the proposed allotments can be adequately serviced.
111. Objective 5 provides for the maintenance and enhancement of the amenities of the built environment through the subdivision and development process; and the associated policies seek to maintain and enhance the amenities of the built environment through the subdivision and development process. Policies relate specifically to ensuring lot sizes and dimensions provide for the efficient and pleasant functioning of anticipated land uses, and reflect the levels of open space and density of built development anticipated in each area; ensuring that subdivision patterns and location, size and dimensions of lots in rural areas will not lead to a pattern of land uses which will adversely affect landscape, visual, cultural and other amenity values;

encouraging innovative subdivision design, consistent with the maintenance of amenity values, safe, efficient operation of the subdivision and its services; and encouraging the protection of significant trees or areas of vegetation, upon the subdivision of land.

112. In this instance the subdivision will not adversely affect landscape, visual, cultural and other amenity values; and the design of the subdivision is consistent with existing subdivision and development in this locality, including the retirement village on the land immediately to the north-west of the subject site. The Commission finds that the proposal is not contrary to the objectives and policies in Part 15.

Part 22

113. Objective 1 seeks to enable earthworks as part of a subdivision in a way that avoids, remedies or mitigates adverse effects on communities and the natural environment; and Objective 2 is to avoid, remedy or mitigate the adverse effects of earthworks on rural landscapes and visual amenity areas. In this instance earthworks are proposed as part of the subdivision to provide for residential sites. While such earthworks may not be sympathetic to existing topography they are appropriate given the nature of the subdivision and the receiving environment. The Commission concurs with Ms Picard that, subject to the imposition of conditions relating to site management and revegetation, that any potential adverse effects associated with earthworks will be consistent with the relevant objectives and policies contained in Part 22.

C.2 Proposed District Plan

114. The objectives and policies from the Proposed District Plan are presented in the application; and objectives from the Proposed District Plan are listed at Appendix 5 to Ms Picard's section 42A report.

115. Ms Picard and Mr Edgar have confirmed that no submissions have been lodged which seek to challenge the application of the Low Density Residential Zone to much of the subject site as provided for in the Proposed District Plan. While several submissions have been received in relation to proposed site and zone standards; the proposed subdivision falls within the range of outcomes sought by submitters with respect to minimum lot size in the proposed Low Density Residential Zone. The Commission accepts a Low Density Residential Zone for the subject site is a *fait accompli*; and that

as a consequence significant weighting should be applied to the objectives and policies relevant to the proposed Low Density Residential Zone of the Proposed District Plan in the consideration of this application

116. The Commission has given consideration to the objectives and policies presented in Part 3 – Strategic Direction, Part 4.2 – Urban Development, Part 7 – Low Density Residential Zone and Part 27 – Subdivision as presented in the Proposed District Plan. The subdivision and development proposed is consistent with that which can be expected in the proposed Low Density Residential Zone and as a consequence the Commission is satisfied that the proposal is entirely consistent with the objectives and policies of the Proposed District Plan. The Commission’s overall conclusion is that the proposal is not contrary to the objectives and policies of the Proposed District Plan which can be given significant weight in this instance.

C.3 Summary : Objectives and Policies

117. Following the above analysis, the Commission finds that the proposal is generally consistent with those objectives and policies of the Operative District Plan that are relevant to the application; and that the proposal is entirely consistent with the objectives and policies stated in the Proposed District Plan that are relevant to the proposed Low Density Residential Zone which is to include that part of the site where Lots 1-23 are proposed.

D. REGIONAL POLICY STATEMENT

118. Ms Picard’s report assessed the proposal in terms of the objectives and policies contained in the Regional Policy Statement for Otago which became operative on 1 October 1998; and in terms of the Proposed Regional Policy Statement for Otago, decisions with respect to which were released on 1 October 2016.

119. The Commission concurs with Ms Picard that the proposal is generally consistent with, and not contrary to, the objectives and policies of the Operative and Proposed Regional Policy Statements.

E. OTHER MATTERS

120. Section 104(1)(c) of the Act requires the consent authority to have regard to any other matter the consent authority considers relevant and reasonably necessary to determine the application.

E.1 Precedent

121. Precedent is a relevant consideration as consent is sought for a non-complying activity. The receiving environment is relevant in the context of precedent. The site is a remnant of pastoral land with urban style development established on land adjacent to the proposed residential lots. The Commission is satisfied that the site can be distinguished from others elsewhere in the Rural General Zone on the basis of the existing and consented subdivision and development and the zoning which now exists in the immediate vicinity of the site.

122. It is also appropriate to acknowledge the Proposed District Plan in the context of precedent. The Commission has been advised that there are no submissions opposing the rezoning of much of the subject site to Low Density Residential; and accepts that such zoning for land comprising Lots 1-23 is a *fait accompli*.

123. In all the circumstances the Commission is satisfied that the proposal will not establish a significant precedent for residential subdivision and development in the Rural General Zone.

E.2 Matters Raised by Submitters

124. The Commission confirms again that it has given consideration to the matters raised in all submissions. As noted above the Commission is satisfied that significant weight should be given to the objectives and policies of the Proposed District Plan as they relate to the site. This is particularly relevant to the concerns expressed by Orchard Road Holdings Limited which has opposed the application being considered in advance of decisions on the Proposed District Plan.

125. The creation of Lot 100 which includes land in the proposed Local Shopping Centre Zone, is appropriate. If this zone were to be reduced in area as a consequence of Proposed District Plan decision making this simply may alter the extent to which Lot 100 can be used for this purpose. The Commission again acknowledges in this

context the applicant's intention that the use of the balance lots (including Lot 100) will be guided by the outcome of the Proposed District Plan process.

126. The roading proposed as part of this subdivision will not preclude the creation of an east-west road link which is a key concern of Orchard Road Holdings Limited as articulated by Mr Dippie at the hearing. For the avoidance of doubt the Commission considers that it would be unreasonable for decision making on this application to be deferred pending the development of a comprehensive master plan as proposed by the submitter.

127. The Commission acknowledges that all other submitters now support the proposal in whole or in part.

E.3 Wanaka Structure Plan 2007

128. Ms Picard noted that the site is within the inner growth boundary identified as part of the Wanaka Structure Plan 2007. The Commission acknowledges that the Wanaka Structure Plan 2007 is a non-statutory document albeit that it appears to have informed the preparation of the Proposed District Plan.

E.4 Otago Southland Regional Land Transport Plan 2015 - 2021

129. Ms Picard drew our attention to this document. The Transport Plan seeks to encourage multiple modes of transport. In this instance the proposal includes opportunities for pedestrian and cycle traffic, in addition to private car use. Again the Commission notes in this context that the proposal does not preclude the opportunity to ultimately establish an east-west traffic link. The Commission accepts Ms Picard's opinion that the proposal is consistent with the Transport Plan.

E.5 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

130. The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES) came into effect on 1 January 2012. As the proposal involves the subdivision of land and associated earthworks the applicant has complied with the provisions of the NES by undertaking an assessment of the most up to date information about the site and surrounding area that the Queenstown Lakes District Council and the Otago Regional Council hold.

131. A statement from the Otago Regional Council dated 26 January 2017 (Appendix J to the application) confirms that the site does not appear on that Council's database of properties where information is held regarding current or past land uses that have the potential to contaminate land. The applicant has also confirmed that the Queenstown Lakes District Council's property file does not include any information that suggests that an activity on the Hazardous Activities and Industries List (HAIL) is being, has been, or is more likely than not to have been, undertaken on the subject site.

132. Based on the review conducted in terms of Regulation 6(2) of the NES the Commission is satisfied that the proposal is a permitted activity under the NES.

E.6 Section 106 of the Act

133. Ms Picard noted that a consent authority may refuse to grant a subdivision consent, or may grant a subdivision consent subject to conditions, if it considers that the land is or is likely to be subject to, or is likely to accelerate material damage from, natural hazards; or where sufficient provision for legal and physical access to each allotment has not been made. The Commission concurs with Ms Picard that there is no reason under section 106 to refuse consent.

E.7 Other Matters

134. No other matters appear to have any particular relevance in this instance in terms of section 104(1)(c).

F. SECTION 104D

135. Section 104D(1) of the Act confirms that a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either-

- The adverse effects of the activity on the environment will be minor; or
- The application is for an activity that will not be contrary to the objectives and policies of the relevant plan and the relevant proposed plan.

136. In this instance the Commission has concluded that any adverse effects of the activity on the environment will be no greater than minor; and that the proposal will not be contrary to the objectives and policies of the Operative District Plan and the Proposed

District Plan. Accordingly the Commission is satisfied that the application passes through both gateways provided for in terms of section 104D of the Act.

G. PART 2 OF THE ACT

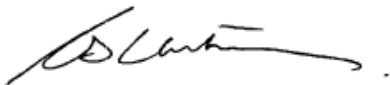
137. Part 2 of the Resource Management Act contains sections 5 to 8. These are referred to in reverse order.
138. Section 8 requires the Commission, in exercising its functions on this application, to take into account the principles of the Treaty of Waitangi. No issues were raised in reports or evidence in relation to section 8.
139. Section 7 directs that in achieving the purpose of the Act particular regard is to be had to certain matters which include, of relevance here, the efficient use and development of natural and physical resources; the maintenance and enhancement of amenity values; and the maintenance and enhancement of the quality of the environment. The proposal will serve to achieve efficient use and development of natural and physical resources; and will maintain and enhance amenity values and the quality of the environment. There are no other matters stated in section 7 which are of any particular relevance to the current application.
140. There are no matters of national importance stated in section 6 which are of any particular relevance to the application.
141. Section 5 sets out the purpose of the Act – to promote the sustainable management of natural and physical resources. Taking into account the definition of sustainable management contained in section 5(2), the Commission is satisfied that the application will achieve the purpose of the Act.
142. Sustainable management means managing the use, development and protection of natural and physical resources within certain parameters. The physical resources of this site will be developed in such a way that the social and economic wellbeing of the applicant and the wider community (in terms of increasing housing stock) is provided for, while the potential of natural and physical resources will be sustained to meet the reasonably foreseeable needs of future generations. The life-supporting

capacity of ecosystems will not be compromised and any adverse effects of the activity can be avoided, remedied or mitigated by adherence to appropriate conditions of consent.

H. OUTCOME

143. Section 104 of the Act directs that when considering an application for resource consent and any submission received in response to it, the Commission must, subject to Part 2, have regard to the actual and potential effects on the environment of allowing the activity together with the relevant provisions of the Operative District Plan and of the Proposed District Plan. In the course of considering the application and the submissions and in reaching this decision the Commission has followed this process. Under section 104B the Commission has discretion to grant consent to the application and the Commission hereby does so subject to the imposition of conditions of subdivision and land use consent as attached in a Schedule to this decision.

This decision on RM 170094 is dated 5 July 2017.



W D Whitney
COMMISSIONER

For the Commission being WD Whitney and L Beattie

APPENDIX 1 – Consent Conditions

APPENDIX 1 – CONSENT CONDITIONS

PART A : SUBDIVISION CONSENT CONDITIONS

General Conditions

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

Scheme Plan

- Lots 1-23, 100-102 and 300-302 Being a Proposed Subdivision of Lot 1 DP 477622-T4102_S1 Sheet 1 Rev F dated 22-02-2017 prepared by Southern Land

General

- Lots 1-23, 100-102 and 300-302 Being a Proposed Subdivision of Lot 1 DP 477622-T4102_S1 Sheet 2 Rev F dated 22-02-2017 prepared by Southern Land
- Lots 1-23, 100-102 and 300-302 Being a Proposed Subdivision of Lot 1 DP 477622-T4102_S1 Sheet 3 Rev F dated 22-02-2017 prepared by Southern Land
- Lots 1-23, 100-102 and 300-302 Being a Proposed Subdivision of Lot 1 DP 477622 – T4102_S1 Sheet 4 Rev F dated 22-02-2017 prepared by Southern Land

Earthworks

- 'Proposed Subdivision Earthworks' T4102_E1 Rev A dated 26-01-2017 prepared by Southern Land
- 'Earthworks Cross Sections' T4102_E1 Rev A dated 26-01-2017 prepared by Southern Land

stamped as approved on 5 July 2017

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

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

Staging

3. In order to allow for the development and release of allotments in a controlled and logical manner the subdivision may be staged in any order that the consent holder sees fit provided that all residential allotments within each stage are adequately serviced and accessed in accordance with the conditions of this consent.

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 3 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. The owner of the land being developed shall provide a letter to the Manager of Resource Management Engineering at Council advising who their representative is for the design and execution of the engineering works and construction works required in association with this development and shall confirm that these representatives will be responsible for all aspects of the works covered under Sections 1.7 & 1.8 of QLDC's Land Development and Subdivision Code of Practice, in relation to this development.
6. 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 Mt Iron Geodril report (dated 10 May 2017, Job ref: G17149) and who shall supervise the excavation and fill procedure and ensure compliance with the recommendations of this report. This engineer shall continually assess the condition of the excavation and shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability.
7. At least 5 working days prior to commencing work on site the consent holder shall advise the Manager of Resource Management Engineering at Council of the scheduled start date of physical works. Compliance with the prior to commencement of works conditions detailed in Conditions 11 and 12 below shall be demonstrated.
8. A minimum of 2 working days prior to commencing work on site the consent holder shall arrange an onsite meeting with a Resource Management Engineer at Council and the contractors responsible for the works to ensure that all parties involved are aware of what is required of them during the construction process. All prior to commencement of works conditions detailed in Conditions 11 and 12 below shall be demonstrated to be met.
9. Prior to commencing works within Council's road reserve, the consent holder shall submit a traffic management plan to the Road Corridor Engineer at Council for approval. The Traffic Management Plan shall be prepared by a Site Traffic Management Supervisor (STMS). All contractors obligated to implement temporary traffic management plans shall employ a qualified STMS on site. The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Manager of Resource Management Engineering at Council prior to works commencing.
10. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and '*A Guide to Earthworks in the Queenstown Lakes District*' brochure, prepared by the Queenstown Lakes District Council. 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.
11. Prior to commencing any works on the site, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for all development works and information requirements specified below. An 'Engineering Review and Acceptance' application 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 Lots 1 to 23 in terms of Council's standards and connection policy. This shall include an Acuflo GM900 as the toby valve and an approved water meter as detailed in QLDC Water Meter Policy (Appendix A), dated August 2015; and shall include:

- a. The final sizing of the water main shall be subject to discussion with Council's Chief Engineer.
 - b. The costs of the connections shall be borne by the consent holder.
- b) The provision of a foul sewer connection from Lots 1 to 23 to Council's reticulated sewerage system in accordance with Council's standards and connection policy, which shall be able to drain the buildable area within each lot. This shall include:
- a. The provision of a sewer modelling report to confirm capacity within Council's wastewater reticulation in this area. In the event that the report confirms the main and pump station is at capacity the applicant shall either;
 - Upgrade the existing wastewater reticulation and wastewater pump station in Gordon Road; or
 - Divert wastewater from the proposed subdivision via Frederick Street.
 - b. The costs of the connections shall be borne by the consent holder.
- c) The provision of secondary flow paths to contain overland flows in a 1 in 100 year event so that there is no inundation of any buildable areas on Lots 1 to 23, and no increase in run-off onto land beyond the site from the pre-development situation.
- d) The provision of fire hydrants with adequate pressure and flow to service the development with a minimum Class FW2 fire fighting water supply in accordance with the NZ Fire Service Code of Practice for Firefighting Water Supplies SNZ PAS 4509:2008 (or superseding standard). Any alternative solution must be approved in writing by the Area Manager for the Central North Otago branch of the New Zealand Fire Service (now Fire and Emergency New Zealand).
- e) The provision of a sealed vehicle crossing that shall be constructed to Council standards, to all residential lots where such crossings are required to traverse a stormwater swale or where sight lines are restricted or the available road frontage is less than 11m, subject to the following:
- a. All vehicle crossings shall be constructed in accordance with Council's R02 design.
 - b. In the event that a vehicle crossing is not necessary at this stage a consent notice shall be registered on the property Computer Freehold Register requiring the lot owner to install an approved crossing at the time a dwelling is constructed.
 - c. Provision shall be made for refuse/recycle collection at each vehicle crossing where that vehicle crossing traverses a stormwater swale.
- f) The provision of road lighting in accordance with Council's road lighting policies and standards, including the Southern Light lighting strategy. Any road lighting installed on private roads/rights of way/access lots shall be privately maintained and all operating costs shall be the responsibility of the lots serviced by such access roads. Any lights installed on private roads/rights of way/access lots shall be isolated from the Council's lighting network circuits.
- g) The formation of roads within Lots 300, 301 and 302, in accordance with Council's standards. This shall include:
- a. 'Road 1' located within Lot 300 to be in general accordance with QLDC land Development and Subdivision Code of practice Table 3.2 Figure E18.
 - b. 'Road 1' located within Lot 301 to be general accordance with QLDC land Development and Subdivision Code of practice Table 3.2 Figure E13.
 - c. The secondary road located within Lot 302 to be general accordance with QLDC land Development and Subdivision Code of practice Table 3.2 Figure E12.
 - d. Any landscape trees planted at intersections shall be placed so as not to obstruct sight lines.
 - e. The provision of stormwater reticulation disposal.

- f. An Operation and Maintenance (O&M) manual for any stormwater soakage/attenuation devices within public road areas and which outlines adequate maintenance instructions and frequencies.
- h) The formation of the intersection with Cardrona Valley Road, in accordance with the latest Austroads intersection design guides. The access intersection shall include a right turn bay and priority intersection controls, and the design of these shall be compliant with the NZTA Manual of Traffic Signs and Marking (MOTSAM) and the Traffic Control Devices (TCD) Manual. This design shall be in general accordance with the recommendations made in the Bartlett Consulting report (dated 1 February 2017) and shall be subject to review and acceptance by Council with any associated costs met by the consent holder.
- i) The formation of the internal intersection shall be in accordance with the latest Austroads intersection design guides. This shall include the provision of minimum sight distance requirements based on assessed operating speeds and priority intersection controls.
- j) The provision of Design Certificates for all engineering works associated with this subdivision submitted by a suitably qualified design professional (for clarification this shall include all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of the QLDC's Land Development and Subdivision Code of Practice Schedule 1A Certificate.

Advice Note: Should discussion with the Council's Chief Engineer (in terms of Condition 11a.) a.) or modelling and/or upgrading (in terms of Condition 11 b)a.) result in oversizing of services to ultimately serve other land then a cost sharing arrangement with the Council may be entered into.

Streetscape Landscaping

12. Prior to the commencement of any works on the site, the consent holder shall first provide detailed landscape plans and design specifications by a suitably qualified Landscape Architect to be certified (if appropriate), by the Queenstown Lakes District Council's Parks Planning Manager, to demonstrate the following:
 - a) Detail of the landscape trees and plants that includes the species, size and location.
 - b) Ensure that any land to be vested in Council is at a gradient not exceeding 1:5 when measured across any points. This will require that plans clearly demonstrate that this gradient will not be exceeded.
 - c) Detail of any street tree location in relation to infrastructure
 - d) Irrigation plan showing how trees are to be irrigated
 - e) Tree pit details showing root ball treatment and staking
 - f) Path width, material and construction details.
 - g) Details and locations for any other proposed assets, such as park seats, irrigation and fencing.
 - h) Maintenance requirements.

- i) For the avoidance of doubt the detailed landscape plans and design specifications required in terms of this condition will depart from the proposals shown on the 'Subdivision Landscape Masterplan' Figure Three and the 'Indicative Road Reserve Cross Sections' Figure Four, both plans being dated 02.06.17 and prepared by Gilchrist Design Company (being the plans as tabled by Ms Gilchrist at the hearing of RM 170094). In particular provision is to be made for footpaths on both sides of the road carriageway, for the footpath on the north side (which is to be shared by pedestrians and cyclists) to be located such that provision is made for future recessed or indented parking to accommodate increased traffic on Road 1 and for vegetation in the verge to comprise trees and grass only, with no shrubs.

No works may be undertaken upon the site until the plan has been certified.

Advice Note: The Consent Holder is welcome to seek guidance from the Parks Planning Manager when preparing the detailed landscape plans and design specifications. This may facilitate certification if any matters of concern are addressed. Street Tree Planting Guidelines are available on request from the QLDC Arborist.

To be monitored throughout earthworks

13. The earthworks, batter slopes and site management shall be undertaken in accordance with the recommendations of the report by Mt Iron Geodrill (dated 10 May 2017, Job ref: G17149).
14. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at his/her expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.

Earthworks

15. a) No earthworks, temporary or permanent, are to breach the boundaries of the site, except for the works required for the formation of the intersection within Cardrona Valley Road.
- b) Hours of operation for earthworks, shall be:
 - Monday to Saturday (inclusive): 8.00am to 6.00pm.
 - Sundays and Public Holidays: No Activity

In addition for Monday to Saturday inclusive, no heavy vehicles are to enter or exit the site, and no machinery shall start up or operate, earlier than 8.00am; and all activity on the site is to cease by 6.00pm

Accidental Discovery Protocol

16. If the consent holder:
 - a) discovers koiwi tangata (human skeletal remains), waahi taoka (resources of importance), waahi tapu (places or features of special significance) or other Maori artefact material, the consent holder shall without delay:
 - (i) notify Council, Tangata whenua and Heritage New Zealand Pouhere Taonga and in the case of skeletal remains, the New Zealand Police.

- (ii) stop work within the immediate vicinity of the discovery to allow a site inspection by the Heritage New Zealand Pouhere Taonga and the appropriate runanga and their advisors, who shall determine whether the discovery is likely to be extensive, if a thorough site investigation is required, and whether an Archaeological Authority is required.

Any koiwi tangata discovered shall be handled and removed by tribal elders responsible for the tikanga (custom) appropriate to its removal or preservation. Site work shall recommence following consultation with Council, Heritage New Zealand Pouhere Taonga, Tangata whenua, and in the case of skeletal remains, the New Zealand Police, provided that any relevant statutory permissions have been obtained.

- b) discovers any feature or archaeological material that predates 1900, or heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder shall without delay:
 - (i) stop work within the immediate vicinity of the discovery or disturbance and;
 - (ii) advise Council, Heritage New Zealand Pouhere Taonga and in the case of Maori features or materials, the Tangata whenua and if required, shall make an application for an Archaeological Authority pursuant to the Heritage New Zealand Pouhere Taonga Act 2014 and;
 - (iii) arrange for a suitably qualified archaeologist to undertake a survey of the site.

Site work may only recommence following consultation with Council.

To be completed before Council approval of the Survey Plan

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

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

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

- 18. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:
 - a) The submission of 'as-built' plans and information required to detail all engineering works completed in relation to or in association with this subdivision at the consent holder's cost. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Roads (including right of ways and access lots), Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).
 - b) The completion and implementation of all works detailed in Condition 11 above.

- c) All earthworks and fill certification shall be carried out under the guidance of suitably qualified and experienced geotechnical professional as described in Section 2 of the Queenstown Lakes District Council's Land Development and Subdivision Code of Practice. This shall include the issue of a Completion Report and Schedule 2A certificate, with the Schedule 2A certification including a statement under Clause 3(e) covering section 106 of the Resource Management Act 1991. Any remedial works outlined on the Schedule 2A that requires works across lot boundaries shall be undertaken by the consent holder prior to section 224(c) certification being issued.
- d) In the event that the Schedule 2A certificate issued under Condition 18c) contains limitations or remedial works required, then a consent notice shall be registered on the relevant Computer Freehold Registers. The consent notice condition shall read; *"Prior to any construction work (other than work associated with geotechnical investigation), the owner for the time being shall submit to Council for certification, plans prepared by a suitably qualified engineer detailing the proposed foundation design, earthworks and/or other required works in accordance with the Schedule 2A certificate attached. All such measures shall be implemented prior to occupation of any building. Any Schedule 2A certificate recommendations for ongoing works, monitoring or maintenance requirements to be completed by the landowner on an ongoing basis shall be adhered to at all times."*
- e) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the boundary of Lots 1-23 and that all the network supplier's requirements for making such means of supply available have been met.
- f) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the boundary of Lots 1-23 and that all the network supplier's requirements for making such means of supply available have been met.
- g) The submission of Completion Certificates from the Contractor and the Engineer advised in Condition 5 for all engineering works completed in relation to or in association with this subdivision (for clarification this shall include all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of a Producer Statement, or the QLDC's Land Development and Subdivision Code of Practice Schedule 1B and 1C Certificate.
- h) All newly constructed foul sewer and stormwater mains shall be subject to a closed circuit television (CCTV) inspection carried out in accordance with the New Zealand Pipe Inspection Manual. A pan tilt camera shall be used and lateral connections shall be inspected from inside the main. The CCTV shall be completed and reviewed by Council before any surface sealing.
- i) All signage shall be installed in accordance with Council's signage specifications and all necessary road markings completed on all public or private roads (if any), created by this subdivision.
- j) Road naming shall be carried out, and signs installed, in accordance with Council's road naming policy.
- k) All earthworked/exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised.
- l) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

Streetscape Landscaping

- m) The completion and implementation of the streetscape landscaping and requirements detailed in Condition 12 above.
- n) The Consent Holder shall enter into a maintenance agreement with the QLDC (Parks and Reserves), with the obligation being upon the Consent Holder to fulfil the requirements detailed in (i) to (iv) below. The maintenance period shall be 3 years from the issue of section 224(c) certification:
 - (i) All new assets, including irrigation and fencing, shall be kept in good working order and be free of defects or disrepair.
 - (ii) Trees and vegetation shall be irrigated and maintained to an acceptable standard as specified by QLDC Parks and Reserves Planning team. It shall be the responsibility of the consent holder to ensure that any new plantings, as shown on the approved landscape plans, that die or decline at any time over the 3 year maintenance period following the initial planting shall be replaced. The replacement plants shall be of the same species, grade and size as the original specimens and planted no later than the following planting season or as instructed by QLDC.
 - (iii) The road reserves shall be kept in a tidy condition and shall be free of litter and refuse.
 - (iv) Health and safety plans shall be provided for all non-QLDC approved contractors undertaking maintenance in the reserves or road reserves.
- o) If the Consent Holder does not elect to undertake the maintenance and agreement specified in Condition 18n), then a fee for undertaking the maintenance will be required prior to section 224(c) certification. The fee will be determined and based on market rates for maintaining the areas for the three year duration, and to a standard as determined by QLDC Parks and Reserves Planning Manager.
- p) At practical completion and prior to section 224(c) certification, all new assets in the road reserves shall be provided on an asset register and as-built plans as per the approved Council templates. All information shall be accurately recorded by GPS. Information on assets shall include, but not necessarily be limited to, the following:
 - Turf, revegetation and garden areas
 - Specimen trees, including species and size at time of planting
 - Trail, tracks and paths/walkways including alignment, width and construction type
 - Irrigation including pipes, connections, valves, controller boxes, and sprinklers
 - Built assets including, toilets, seats, picnic tables, barbeques, bollards, fences, barriers, gates, signs, bins, playground equipment and surfacing, car park surfacing, kerbing, drainage etc. The type, make and supplier (where relevant) of each asset shall be identified.

Landscape Buffer Zone

- q) The consent holder shall plant the 5 metre wide Landscape Buffer strip located within Lots 1 to 5 and 19 to 23 in native species.

Ongoing Conditions/Consent Notices

19. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Computer Freehold Register Identifiers by way of Consent Notice pursuant to section 221 of the Act.
 - a) Lots 100 to 102 are balance allotments intended for further development and have not been serviced in accordance with Council's standards and no development contributions have been paid. At the time of any future development of Lots 100 to 102, all necessary access and services shall be provided to the lots (and any additional lots) in accordance with Council's standards and connection policy as they apply at the time of the future development. For the purposes of this condition the term "necessary services" includes wastewater disposal, water supply, stormwater disposal, telecommunications and electricity supply. The costs of providing services and making any connections shall be borne by the owner of the lot for the time being and they shall also pay to the Queenstown Lakes District Council any applicable development contributions at that time.
 - b) In the event that all necessary services are provided to Lots 100 to 102 and development contributions are paid as per Condition 19a) above, this consent notice condition shall be deemed to have expired and may be removed from the Computer Freehold Register for Lots 100 to 102.
 - c) All plantings of native species within the 5 metre wide Landscape Buffer strip on Lots 1 to 5 and Lots 19 to 23 shall be maintained in perpetuity such that the hedge of native species shall have a minimum height of 2m. If any plant becomes diseased or dies it shall be replaced in the first available planting season by the consent holder or successor.
 - d) No building shall be constructed within the Landscape Buffer strip on Lots 1 to 5 and Lots 19 to 23.

Advice Note:

1. *This consent triggers a requirement for Development Contributions, please see the attached information sheet for more details on when a development contribution is triggered and when it is payable. For further information please contact the DCN Officer at QLDC.*

PART B : LAND USE CONSENT CONDITIONS

1.
 - a) Prior to commencing works on any residential unit the subdivision authorised by Subdivision Consent RM 170094 shall be completed.
 - b) For the avoidance of doubt the conditions specified in Part B Land Use Consent Conditions are deemed to constitute a separate set of land use consent conditions for each of Lots 1-23 RM 170094.
2. Development on Lots 1 to 23 shall be in accordance with the following controls:

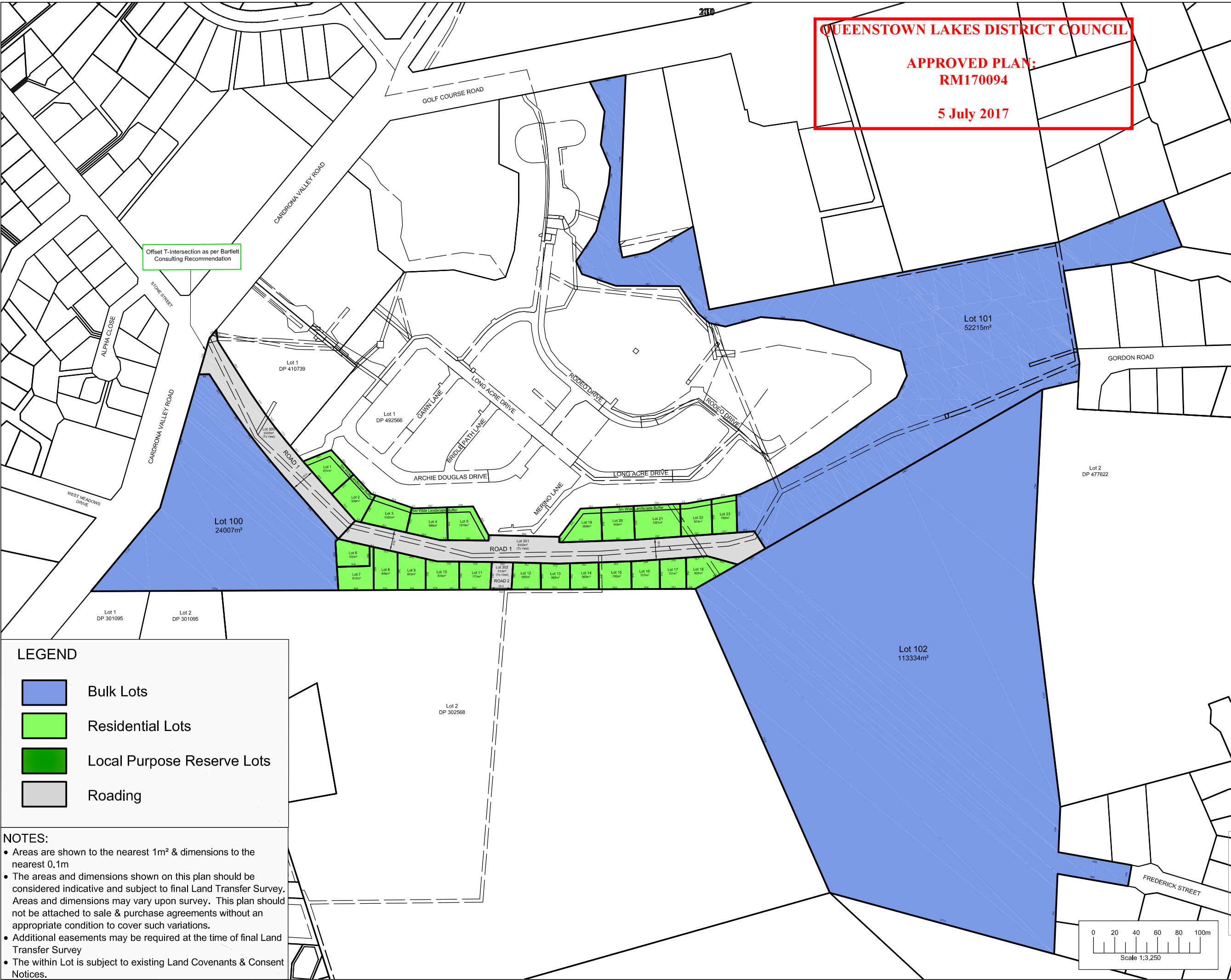
Maximum building height	7 metres above existing ground level
Site density	1 residential unit per lot
Maximum building coverage	40%
Minimum boundary setbacks	From roads: 4.5m
	From internal boundaries: 2m
Recession Planes	<p>North Boundaries – 2.5m and 55°</p> <p>East & West Boundaries – 2.5m and 45°</p> <p>South Boundary – 2.5m and 35°</p> <p>Road Boundary – no recession plane.</p>
Minimum outdoor living space	Accessible from a living area, contained in one area with a minimum dimension of 4.5m at ground level
Exterior building colours	All exterior materials shall be in the range of browns, greens or greys with a colour light reflectivity value (LRV) of less than 36%.
Continuous building length	<p>Where the aggregate length along one elevation of buildings measured parallel to any internal boundary or internal boundaries exceeds 16m; either:</p> <p style="padding-left: 40px;">(a) The entire building(s) shall be set back an additional 0.5m for every 6m of additional length or part thereof from the minimum yard setback (continuous façades) at the same distances from the boundary;</p> <p style="text-align: center;">or</p> <p style="padding-left: 40px;">(b) That part of the building(s) which exceeds the maximum building length shall be progressively set back 0.5m for every 6m of additional length or part thereof from the minimum yard setback</p>

	(varied façade(s) with stepped setbacks from the boundary).
Earthworks	<p>The volume of earthworks shall be less than 300m³</p> <p>In relation to height of cut and fill and slope:</p> <ul style="list-style-type: none"> (i) The maximum height of any cut shall not exceed 2.4 metres. (ii) The maximum height of any fill shall not exceed 2 metres. (iii) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see Interpretative Diagram 6), except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5 metre in height.

3. At the time a residential unit is erected on Lots 1 to 23, the owner for the time being shall engage a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice to design a stormwater disposal system that is to provide stormwater disposal from all impervious areas within the site. The design shall cater for a 5% AEP event. The proposed stormwater system shall be subject to the review of the Manager of Resource Management Engineering at Council prior to implementation and shall be installed prior to occupation of the dwelling.
4. At the time a residential unit is constructed on Lots 1 to 23 the owner for the time being shall construct a sealed vehicle crossing to the site in accordance with R02 design of Council's standards. The design of the vehicle crossing shall be subject to approval by Council under a 'Connection to Council Service Application'. The approval should be obtained and construction of the crossing approved by a Council Inspector prior to occupation of the dwelling.
5. Prior to any construction work (other than work associated with geotechnical investigation) on Lots 1 to 23, the owner for the time being shall submit to Council for certification, plans prepared by a suitably qualified engineer detailing the proposed foundation design, earthworks and/or other required works in accordance with the Schedule 2A certificate attached. All such measures shall be implemented prior to occupation of any building. Any Schedule 2A certificate recommendations for ongoing works, monitoring or maintenance requirements to be completed by the landowner on an ongoing basis shall be adhered to at all times.
6. This consent shall lapse 5 years from the date of commencement of this consent.

Advice Notes

1. *As each of Lots 1 to 23 has its own land use consent, if the consent for a particular lot is not given effect to within 5 years, the consent for that lot will lapse.*
2. *A residential unit means a residential activity which consists of a single self-contained household unit, whether of one or more persons, and includes accessory buildings (which includes a garage or carport). The term 'residential unit' as used in these conditions of land use consent is consistent with the definition of that term in the Operative Queenstown Lakes District Plan.*




LEGEND

-  Bulk Lots
-  Residential Lots
-  Local Purpose Reserve Lots
-  Rooding

NOTES:

- Areas are shown to the nearest 1m² & dimensions to the nearest 0.1m
- The areas and dimensions shown on this plan should be considered indicative and subject to final Land Transfer Survey. Areas and dimensions may vary upon survey. This plan should not be attached to sale & purchase agreements without an appropriate condition to cover such variations.
- Additional easements may be required at the time of final Land Transfer Survey
- The within Lot is subject to existing Land Covenants & Consent Notices.




COPYRIGHT©
This drawing and parts thereof are copyright to Southern Land Ltd. and shall not be reused, copied or reproduced without the written permission of Southern Land Ltd.

Warning
This Plan has been prepared for the purpose of a resource consent application only. It is not a precise survey plan. As areas and dimensions are likely to vary upon survey it should not be attached to sale & purchase agreements without an appropriate condition to cover such variations.

Any person using Southern Land 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 or with Southern Land directly;
- ensuring the Information is the most recent Issue.

CAD and Production by



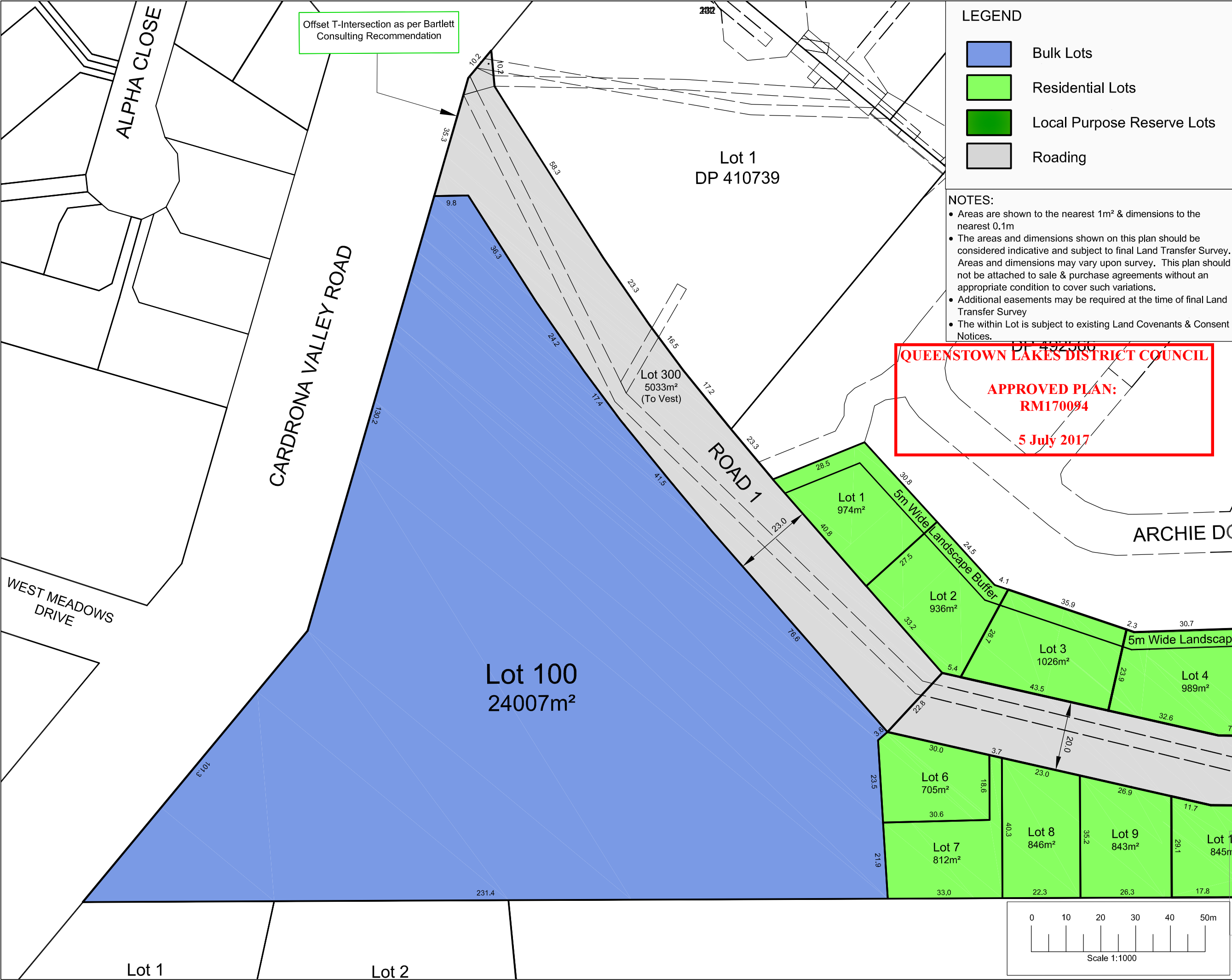
SOUTHERN LAND
SURVEYING | PLANNING | LAND DEVELOPMENT

Level 2 Brownston House, 21 Brownston St., Wanaka
Ph: (03) 443 5577, Email: contact@southernland.co.nz
www.southernland.co.nz



CSNZ | THE CONSULTING SURVEYORS OF NEW ZEALAND
A DIVISION OF THE NEW ZEALAND INSTITUTE OF SURVEYORS

APPLICANT			
P D Gordon Family Trust			
COMPRISED IN			
CFR 664870			
TERRITORIAL AUTHORITY			
Queenstown Lakes District Council			
LAND DISTRICT			
Otago			
TOTAL AREA	DATE		
22.3283 ha	01/02/17		
Drawing Title			
Lots 1 - 23, 100 - 102 and 300 - 302 Being a Proposed Subdivision of Lot 1 DP 477622.			
Prepared for			
Concept.			
Plan Revisions			
REV.	DESCRIPTION	DATE	
A	ORIGINAL ISSUE	01/09/16	
B	BALANCE LOT ADDED	09/12/16	
C	BALANCE LOTS AMENDED	14/12/16	
D	ROAD 3 POSITION AMENDED	15/12/16	
E	LOTS 5, 19, 11 - 15 AND 301 - 302 AMENDED	01/02/17	
F	DIMENSIONS ADDED	22/02/17	
RM170094			
SCALE			
1:3,250 @ A3			
DATUM			
Lindis Peak 2000			
REVISION	DRAWING REFERENCE	Sheet	
F	T4102_S1	01 OF 03	
SURVEYED	DATE	CHECKED	DATE
X.X.	XX/XX/XX	S.E.	01/02/17
DRAWN	DATE	APPROVED	DATE
A.F.	01/02/17	S.E.	01/02/17



LEGEND

- Bulk Lots
- Residential Lots
- Local Purpose Reserve Lots
- Roading

NOTES:

- Areas are shown to the nearest 1m² & dimensions to the nearest 0.1m
- The areas and dimensions shown on this plan should be considered indicative and subject to final Land Transfer Survey. Areas and dimensions may vary upon survey. This plan should not be attached to sale & purchase agreements without an appropriate condition to cover such variations.
- Additional easements may be required at the time of final Land Transfer Survey
- The within Lot is subject to existing Land Covenants & Consent Notices.

COPYRIGHT©

This drawing and parts thereof are copyright to Southern Land Ltd. and shall not be reused, copied or reproduced without the written permission of Southern Land Ltd.

Notes

Warning

This Plan has been prepared for the purpose of a resource consent application only. It is not a precise survey plan. As areas and dimensions are likely to vary upon survey It should not be attached to sale & purchase agreements without an appropriate condition to cover such variations.

Any person using Southern Land 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 or with Southern Land directly;
- ensuring the Information is the most recent Issue.

CAD and Production by

SOUTHERN LAND

SURVEYING | PLANNING | LAND DEVELOPMENT

Level 2 Brownston House, 21 Brownston St., Wanaka
Ph: (03) 443 5577, Email: contact@southernland.co.nz
www.southernland.co.nz

CSNZ | THE CONSULTING SURVEYORS OF NEW ZEALAND
A DIVISION OF THE NEW ZEALAND INSTITUTE OF SURVEYORS

APPLICANT	
P D Gordon Family Trust	
COMPRISED IN	
CFR 664870	
TERRITORIAL AUTHORITY	
Queenstown Lakes District Council	
LAND DISTRICT	
Otago	
TOTAL AREA	DATE
22.3283 ha	01/02/17

Drawing Title

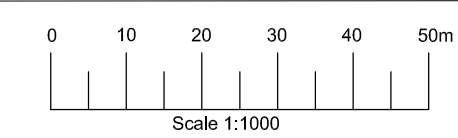
Lots 1 - 23, 100 - 102 and 300 - 302 Being a Proposed Subdivision of Lot 1 DP 477622.

Prepared for

Concept.

Plan Revisions		
REV.	DESCRIPTION	DATE
A	ORIGINAL ISSUE	01/09/16
B	BALANCE LOT ADDED	09/12/16
C	BALANCE LOTS AMENDED	14/12/16
D	ROAD 3 POSITION AMENDED	15/12/16
E	LOTS 5, 19, 11 - 15 AND 301 - 302 AMENDED	01/02/17
F	DIMENSIONS ADDED	22/02/17

SCALE	
1:1,000 @ A3	
DATUM	
Lindis Peak 2000	
REVISION	DRAWING REFERENCE
F	T4102_S1
Sheet 02 OF 03	
SURVEYED	DATE
X.X.	XX/XX/XX
DRAWN	DATE
A.F.	01/02/17
CHECKED	DATE
L.W.	01/02/17
APPROVED	DATE
L.W.	01/02/17



LEGEND

Bulk Lots

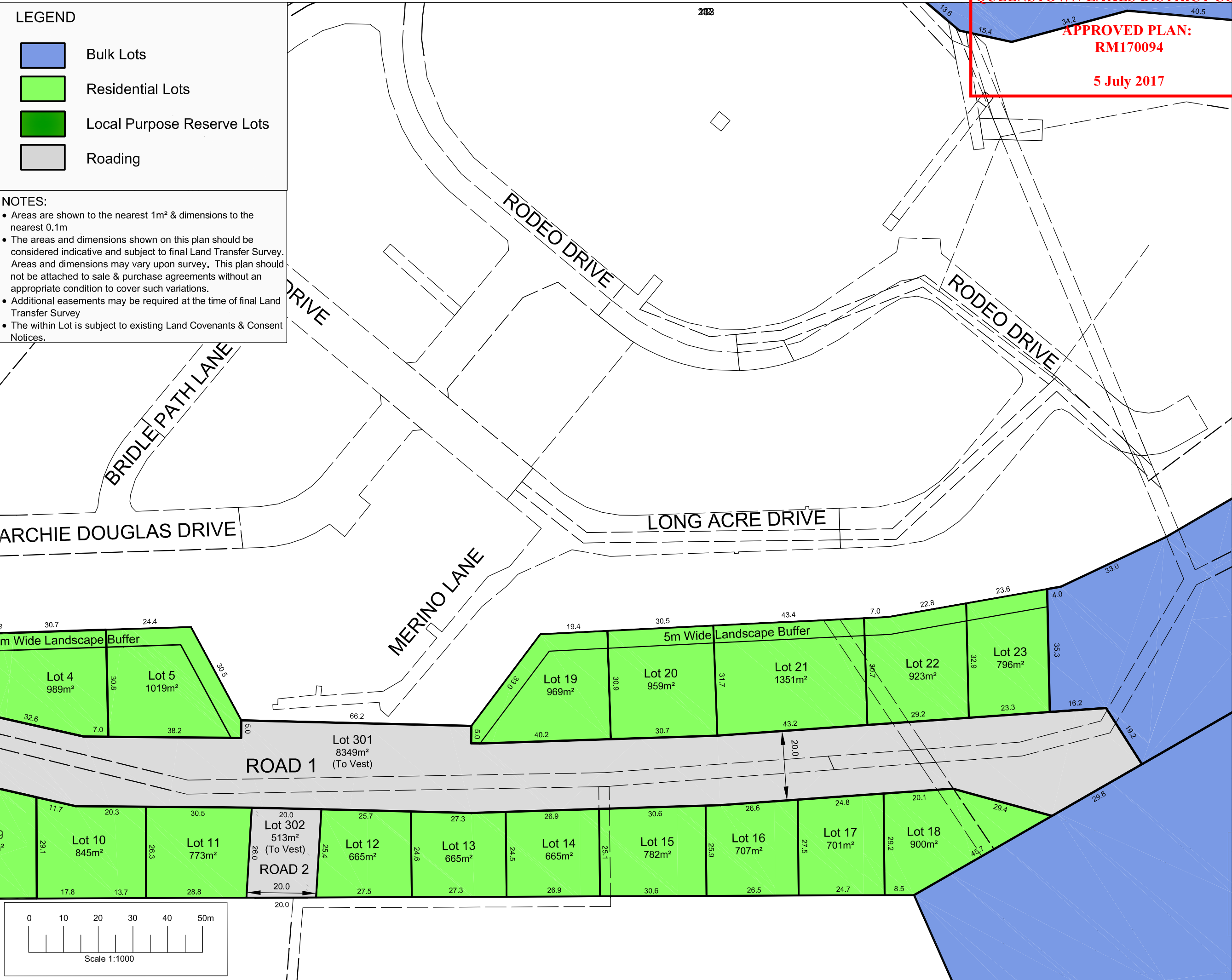
Residential Lots

Local Purpose Reserve Lots

Roading

NOTES:

- Areas are shown to the nearest 1m² & dimensions to the nearest 0.1m
- The areas and dimensions shown on this plan should be considered indicative and subject to final Land Transfer Survey. Areas and dimensions may vary upon survey. This plan should not be attached to sale & purchase agreements without an appropriate condition to cover such variations.
- Additional easements may be required at the time of final Land Transfer Survey
- The within Lot is subject to existing Land Covenants & Consent Notices.



QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM170094

5 July 2017

COPYRIGHT©

These drawings and hereof are copyright to Southern Land Ltd. and shall not be reused, copied or reproduced without the written permission of Southern Land Ltd.

Notes

Warning

This Plan has been prepared for the purpose of a resource consent application only. It is not a precise survey plan. As areas and dimensions are likely to vary upon survey it should not be attached to sale & purchase agreements without an appropriate condition to cover such variations.

Any person using Southern Land 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 or with Southern Land directly;
- ensuring the information is the most recent issue.

CAD and Production by



SOUTHERN LAND
SURVEYING | PLANNING | LAND DEVELOPMENT

Level 2 Brownston House, 21 Brownston St., Wanaka
Ph: (03) 443 5577, Email: contact@southernland.co.nz
www.southernland.co.nz



THE CONSULTING SURVEYORS OF NEW ZEALAND
A DIVISION OF THE NEW ZEALAND INSTITUTE OF SURVEYORS

APPLICANT	P D Gordon Family Trust	
COMPRISED IN	CFR 664870	
TERRITORIAL AUTHORITY	Queenstown Lakes District Council	
LAND DISTRICT	Otago	
TOTAL AREA	22.3283 ha	DATE 01/02/17

Drawing Title

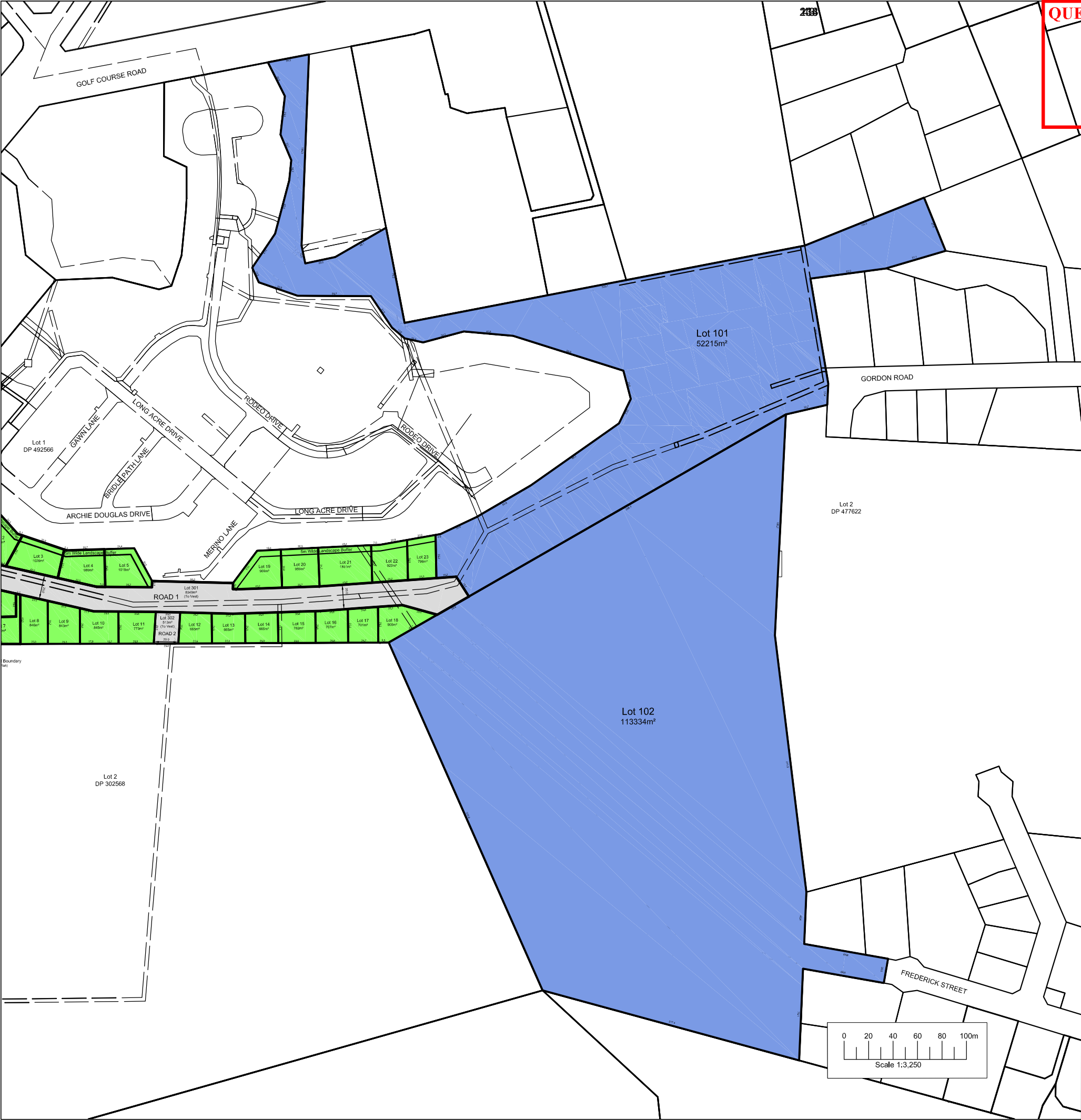
Lots 1 - 23, 100 - 102 and 300 - 302 Being a Proposed Subdivision of Lot 1 DP 477622.

Prepared for

Concept.

REV.	DESCRIPTION	DATE
A	ORIGINAL ISSUE	01/09/16
B	BALANCE LOT ADDED	09/12/16
C	BALANCE LOTS AMENDED	14/12/16
D	ROAD 3 POSITION AMENDED	15/12/16
E	LOTS 5, 19, 11 - 15 AND 301 - 302 AMENDED	01/02/17
F	DIMENSIONS ADDED	22/02/17

RM170094			
SCALE			
1:1 000 @ A3			
DATUM			
Lindis Peak 2000			
REVISION	DRAWING REFERENCE	Sheet	
F	T4102_S1	03 OF 03	
SURVEYED	DATE	CHECKED	DATE
X.X.	XX/XX/XX	L.W.	01/02/17
DRAWN	DATE	APPROVED	DATE
A.F.	01/02/17	L.W.	01/02/17



QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM170094

5 July 2017



COPYRIGHT©

This drawing and parts thereof are copyright to Southern Land Ltd. and shall not be reused, copied or reproduced without the written permission of Southern Land Ltd.

Notes

Warning

This Plan has been prepared for the purpose of a resource consent application only. It is not a precise survey plan. As areas and dimensions are likely to vary upon survey it should not be attached to sale & purchase agreements without an appropriate condition to cover such variations.

Any person using Southern Land 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 or with Southern Land directly;
- ensuring the information is the most recent issue.

CAD and Production by



Level 2 Brownston House, 21 Brownston St., Wanaka
Ph: (03) 443 5577, Email: contact@southernland.co.nz
www.southernland.co.nz



APPLICANT	P D Gordon Family Trust	
COMPRISED IN	CFR 664870	
TERRITORIAL AUTHORITY	Queenstown Lakes District Council	
LAND DISTRICT	Otago	
TOTAL AREA	22.3283 ha	DATE 01/02/17

Drawing Title

Lots 1 - 23, 100 - 102 and 300 - 302 Being a Proposed Subdivision of Lot 1 DP 477622.

Prepared for

Concept.

Plan Revisions

REV	DESCRIPTION	DATE
A	ORIGINAL ISSUE	01/09/16
B	BALANCE LOT ADDED	09/12/16
C	BALANCE LOTS AMENDED	14/12/16
D	ROAD 3 POSITION AMENDED	15/12/16
E	LOTS 5, 19, 11 - 15 AND 301 - 302 AMENDED	01/02/17
F	DIMENSIONS ADDED	22/02/17

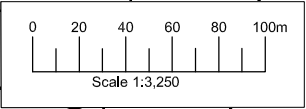
RM170094		
SCALE 1:1,000 @ A3		
DATUM Lindis Peak 2000		
REVISION F	DRAWING REFERENCE T4102_S1	Sheet 04 OF 04
SURVEYED X.X.	DATE XX/XX/XX	CHECKED L.W.
DRAWN A.F.	DATE 01/02/17	DATE 01/02/17

NOTES:

- Areas are shown to the nearest 1m² & dimensions to the nearest 0.1m
- The areas and dimensions shown on this plan should be considered indicative and subject to final Land Transfer Survey. Areas and dimensions may vary upon survey. This plan should not be attached to sale & purchase agreements without an appropriate condition to cover such variations.
- Additional easements may be required at the time of final Land Transfer Survey
- The within Lot is subject to existing Land Covenants & Consent Notices.

LEGEND

- Bulk Lots
- Residential Lots
- Local Purpose Reserve Lots
- Roothing



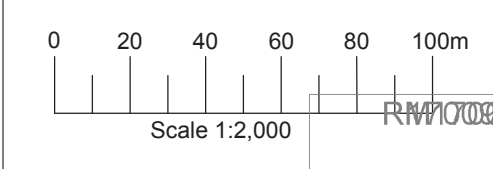
DRAFT

Earthworks Summary						
Note: Volumes in Red & Green areas are calculated between the existing and finished surface.						
Location	Area (m²)	Volume Cut (m³)	Volume Fill (m³)	Balance (m³)	Max Cut (m)	Max Fill (m)
Site	52200	13100	11600	1500	1.5	1.0

LEGEND	
	> 2.0m cut
	1.0m - 2.0m cut
	0.75m - 1.0m cut
	0.5m - 0.75m cut
	0.25m - 0.5m cut
	0.0m - 0.25m cut
	0.0m - 0.25m fill
	0.25m - 0.5m fill
	0.5m - 0.75m fill
	0.75m - 1.0 fill
	> 1.0m fill

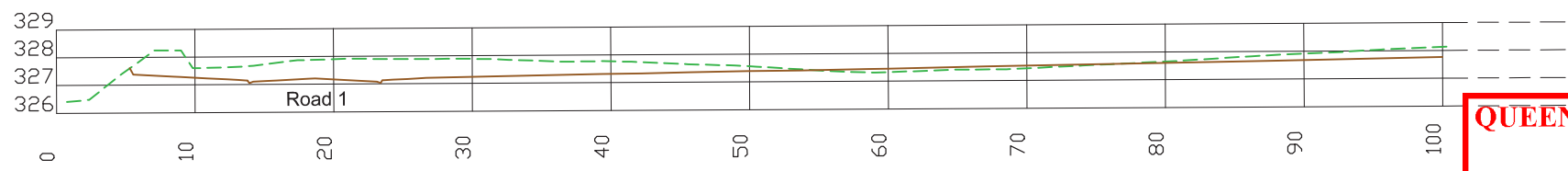
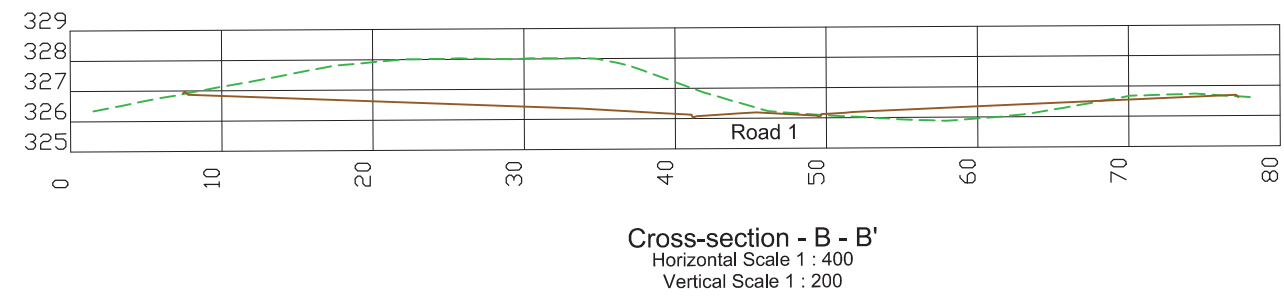
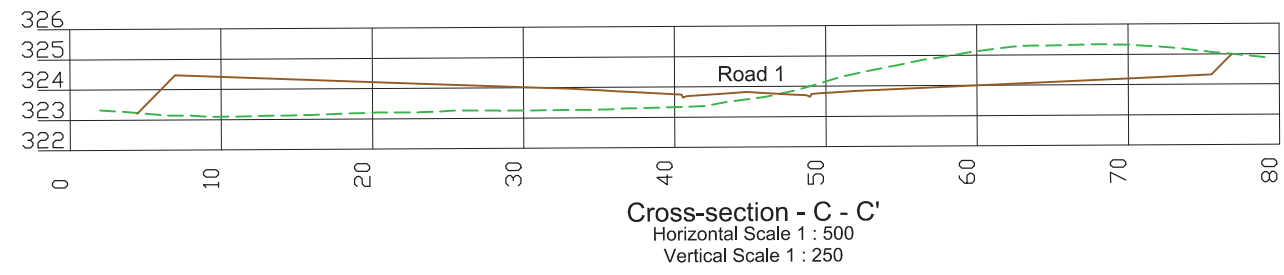


QUEENSTOWN LAKES DISTRICT COUNCIL
APPROVED PLAN:
RM170094
5 July 2017



NOT FOR CONSTRUCTION

DRAFT



QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM170094

5 July 2017

APPENDIX 11 - APPEAL ENV-2018-CHC-115

**BEFORE THE ENVIRONMENT COURT
IN CHRISTCHURCH**

IN THE MATTER

of the Resource Management
Act 1991

AND

IN THE MATTER

of an appeal pursuant to Clause
14 of Schedule 1 of the Act

BETWEEN

**WILLOWRIDGE
DEVELOPMENTS LIMITED**

Appellant

AND

**QUEENSTOWN LAKES
DISTRICT COUNCIL**

Respondent

NOTICE OF APPEAL

Dated: 19 June 2018

TODD & WALKER law
LAWYERS | NOTARY PUBLIC

Solicitors:

G M Todd/B B Gresson
PO Box 124
Queenstown 9348
P 03 441 2743
F 03 441 2976
graeme@toddandwalker.com;
ben@toddandwalker.com

To: The Registrar
Environment Court
Christchurch

1. Willowridge Developments Limited ("**the Appellant**") appeals against a decision of the Queenstown Lakes District Council ("**Council**") on the Queenstown Lakes Proposed District Plan ("**Plan**").
2. The Appellant made a submission on the Plan.
3. The Appellant is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.
4. The Appellant received notice of the decision on 4 May 2018.
5. The decisions the Appellant is appealing are:
 - a. The rejection of the Appellant's submission seeking a rezoning of its property at Ballantyne Road, Wanaka, legally described as Lot 3 Deposited Plan 17123.
 - b. The rejection of the Appellant's submission seeking its property at Ballantyne Road be included within the Urban Growth Boundary for Wanaka.
 - c. The rejection of the Appellant's submission seeking a maximum building coverage in the Low Density Residential Zone of 50% for lots between 450m² and 700m².
 - d. The rejection of the Appellant's submission seeking subdivision in the residential zones be a controlled activity.
 - e. The rejection of the Appellant's submission seeking the minimum lot size for low density residential development be 700m².
 - f. The rejection of the Appellant's submission seeking its land to the east of Luggate Township be rezoned as Low Density Residential and Rural Residential as per Attachment 4 of the Appellant's submission.
 - g. The rejection of the Appellant's submission seeking the amendment of Policy 6.3.1.3.
 - h. The rejection of the Appellant's submission seeking the deletion of Assessment Matter 21.7.1.1.
6. The reasons for the appeal are as follows:
 - a. The decisions are not in accordance with sound resource management principles.

- b. The decisions are contrary to section 5 of the Resource Management Act 1991.
- c. The decisions are not in accordance with the relevant Objectives and Policies of the Plan.
- d. The decisions will result in inefficient use of land.
- e. The decision referred to in 5(a) ignores the consents granted for the use of the land for industrial purposes.
 - i. It was not open for the Council to reject the submission which led to the decision on 5(a) on the basis that industrial zoning was deferred to a later stage of the Plan. The Appellant was entitled to seek that zoning.
 - ii. No resource management reason was given for rejecting the industrial zoning of the land.
- f. No justifiable resource management reason has been given for the decision noted in 5(c).
 - i. An increase in building coverage in the Low Density Residential Zone to 50% for lots between 450m² and 700m² would result in greater efficiency in terms of land use and would not be contrary to the relevant Objectives and Policies of the Plan.
 - ii. Given the lot sizes that it is proposed the increased coverage would relate to, such would not lead to development with more urban characteristics than is intended to be managed by the Medium and High Density Residential Zones.
- g. Given the consented land use and the surrounding zoning it is more appropriate that the Appellant's land on Ballantyne Road be included within the Urban Growth Boundary.
- h. In regards to the decision noted in 5(d) there is no sound resource management reason for determining that once land is zoned for a particular purpose, subdivision for that purpose should be anything other than a controlled activity provided it complied with the specific site and zone standards.
 - i. Requiring applications for subdivision as a discretionary activity results in additional costs which are unwarranted. Requiring such applications is inefficient and will result in uncertainty for landowners, and in many cases will result in the need to notify such applications.
- i. In regards to the Council's decision to have a minimum lot size of 450m² in the Low Density Residential Zone, the Operative District Plan has a minimum lot size in the Low Density Residential Zone in Wanaka of 700m² which the Appellant supports.

- i. The Appellant is of the view that if the minimum lot size is reduced to 450m² in Wanaka in the Low Density Residential Zone then this will have an adverse effect on the character of the Wanaka Township.
 - j. The decision of the Council refusing to rezone the Appellant's land noted in 5(f) is illogical and not in accordance with sound resource management planning principles given the land use consents held for such land, and the manner in which it has already been developed.
 - i. The decision of the Council will result in inefficient land use and additional costs incurred in having to seek consents for activities consistent with the land use but which would not be provided for if the zoning proposed was to remain.
 - ii. The evidence presented to Council did not support the decision to reject the rezoning.
 - k. The Council's decision is wrong in law to the extent in part it rejected the submission on the basis no "*expert evidence was presented to support the submission*". The Resource Management Act 1991 and its related processes are not and should not be the sole realm of "experts". The evidence put before the Council on behalf of the Appellant was put by persons highly experienced in resource management planning and developments in the Queenstown Lakes District.
 - l. The Policies and Assessment matters referred to in 5(g) and (h) create too strong a presumption against subdivision or development and would likely pre-emptively determine a refusal of applications for subdivision and development in Outstanding Natural Landscapes or Features.
 - m. The decisions are contrary to the Strategic Direction provisions in the Plan.
7. The Appellant seeks the following relief:
- a. That the decisions of the Council be overturned, and the Appellant's submissions be accepted.
8. The following documents are attached to this notice:
- a. A copy of the Appellant's submission;
 - b. A copy of the decision; and
 - c. A list of names and addresses to be served with a copy of this notice.

Dated this 19th day of June 2018



Signed for the Appellant
By its solicitor and duly authorised agent
Graeme Morris Todd/Benjamin Brett Gresson

Address for Service for the Appellant:

Todd and Walker Law
PO Box 124
Queenstown 9348
Phone: 03 441 2743
Facsimile 03 441 2976
Email: graeme@toddandwalker.com; ben@toddandwalker.com