



**DECISIONS OF THE QUEENSTOWN LAKES DISTRICT COUNCIL**  
**CHANGE/CANCELLATION OF CONSENT NOTICE CONDITIONS – SECTION 221**  
**NOTIFICATION UNDER s95A AND s95B AND DETERMINATION UNDER s104**  
**OF THE RESOURCE MANAGEMENT ACT 1991**

<b>Applicant:</b>	Orchard Road Holdings Limited
<b>RM reference:</b>	RM220897
<b>Application:</b>	<p>Application under Section 88 of the Resource Management Act 1991 (RMA) for subdivision consent to create 89 residential allotments in stages, with associated roading and infrastructure, one road to vest, two local purpose reserves, one access reserve and one drainage reserve; and land use consent for earthworks (as previously approved by RM200138) to 'reset' ground levels, and to breach distances from vehicle crossings to intersections; and</p> <p>Application under section 221 of the Resource Management Act 1991 (RMA) to cancel Consent Notice 11532870.3 in its entirety as it relates to the application site (Lot 2 DP 568764).</p>
<b>Location:</b>	193A Lakeview Terrace, Hāwea
<b>Legal Description:</b>	Lot 2 Deposited Plan 568764 held in Record of Title 1023391
<b>Zoning:</b>	<b>ODP:</b> Township <b>PDP:</b> Lower Density Suburban Residential
<b>Activity Status:</b>	<b>Discretionary</b>
<b>Decision Date</b>	<b>9 June 2023</b>

### **SUMMARY OF DECISIONS**

1. Pursuant to sections 95A-95F of the Resource Management Act 1991 (**RMA**) the application will be processed on a **non-notified** basis given the findings of Section 5 of the Section 95A and 95B report. This decision is made by Tim Anderson, Senior Planner, on 9 June 2023 under delegated authority pursuant to Section 34A of the RMA.
2. Pursuant to Section 104 of the RMA, subdivision consent is **GRANTED SUBJECT TO CONDITIONS** outlined in **Appendix 1** of the Section 104 decision imposed pursuant to Section 220 of the RMA. This consent can only be implemented if the conditions in Appendix 1 are complied with by the consent holder.
3. Pursuant to Section 104 of the RMA, land use consent is **GRANTED SUBJECT TO CONDITIONS** outlined in **Appendix 1** of the Section 104 decision imposed pursuant to Section 108 of the RMA. This consent can only be implemented if the conditions in Appendix 1 are complied with by the consent holder.
4. Pursuant to Section 221 of the RMA, consent is **GRANTED** to cancel Consent Notice 11532870.3 in its entirety as it relates to Lot 2 DP 568764, as outlined in **Section 7.3** of this decision. The consent only applies if the conditions outlined are met.
5. The decision to grant consent was considered (including the full and complete records available in Council's electronic file and responses to any queries) by Tim Anderson, Senior Planner, under delegated authority pursuant to Section 34A of the RMA.

## 1. SUMMARY OF PROPOSAL AND SITE DESCRIPTION

Consent is sought to subdivide Lot 2 DP 568764 to create 89 residential lots in stages, one road to vest, two local purpose reserves, one access reserve, and one drainage reserve.

Land use consent is sought to undertake earthworks associated with the subdivision works. The earthworks are already approved by RM200138 and are only included with this application in order to 'reset' ground levels for the purpose of determining maximum building heights for the residential allotments. The applicant has been granted resource consent from Otago Regional Council to undertake earthworks and for the discharge of sediment to land (RM22.100.01 and RM22.100.02). The earthworks have commenced onsite.

Land use consent is sought to breach distance from intersections from identified future vehicle crossings. Consent is also sought for a High Traffic Generating Activity whereby the daily vehicle movements would be 580 per day.

Consent is also sought under section 221 of the RMA to cancel Consent Notice 11532870.3 in its entirety as it relates to the application site. Consent Notice 11532870.3 relates to sealing the Right of Way for more than one dwelling on the site, maintenance and operation of a common privacy sanitary drain, and services and development contributions for the balance allotment. The proposed subdivision will upgrade access and services, and development contributions would apply as normal.

For completeness, it is noted that while Consent Notice 11532870.3 was included with the application, this has been cancelled from the title via resource consent RM

The applicant has provided a description of the proposal, the site and locality and the relevant site history in Sections 1-3 of the report entitled "*Assessment of effects on the environment, Koreke Rise Subdivision, October 2022*", prepared by Alison Devlin of Orchard Road Holdings Limited, and submitted as part of the application (hereon referred to as the applicant's AEE and attached as Appendix 2). This description is considered accurate and is adopted for the purpose of this report with the following additions:

The applicant subsequently:

- Sought consent to cancel Consent Notice 11532870.3 (as noted above).
- Confirmed that staging of the subdivision was sought.
- Obtained approval from QLDC Property & Infrastructure to design a stormwater collection and disposal system for the subdivision, and volunteered a condition in this regard that forms part of the application.
- Confirmed that the footpath within proposed Lot 101 (access lot) is proposed to be 2.0m wide with a maximum grade of 3% and a concrete finish.

For ease of reference, the subdivision layout is shown on Figure 1 below.

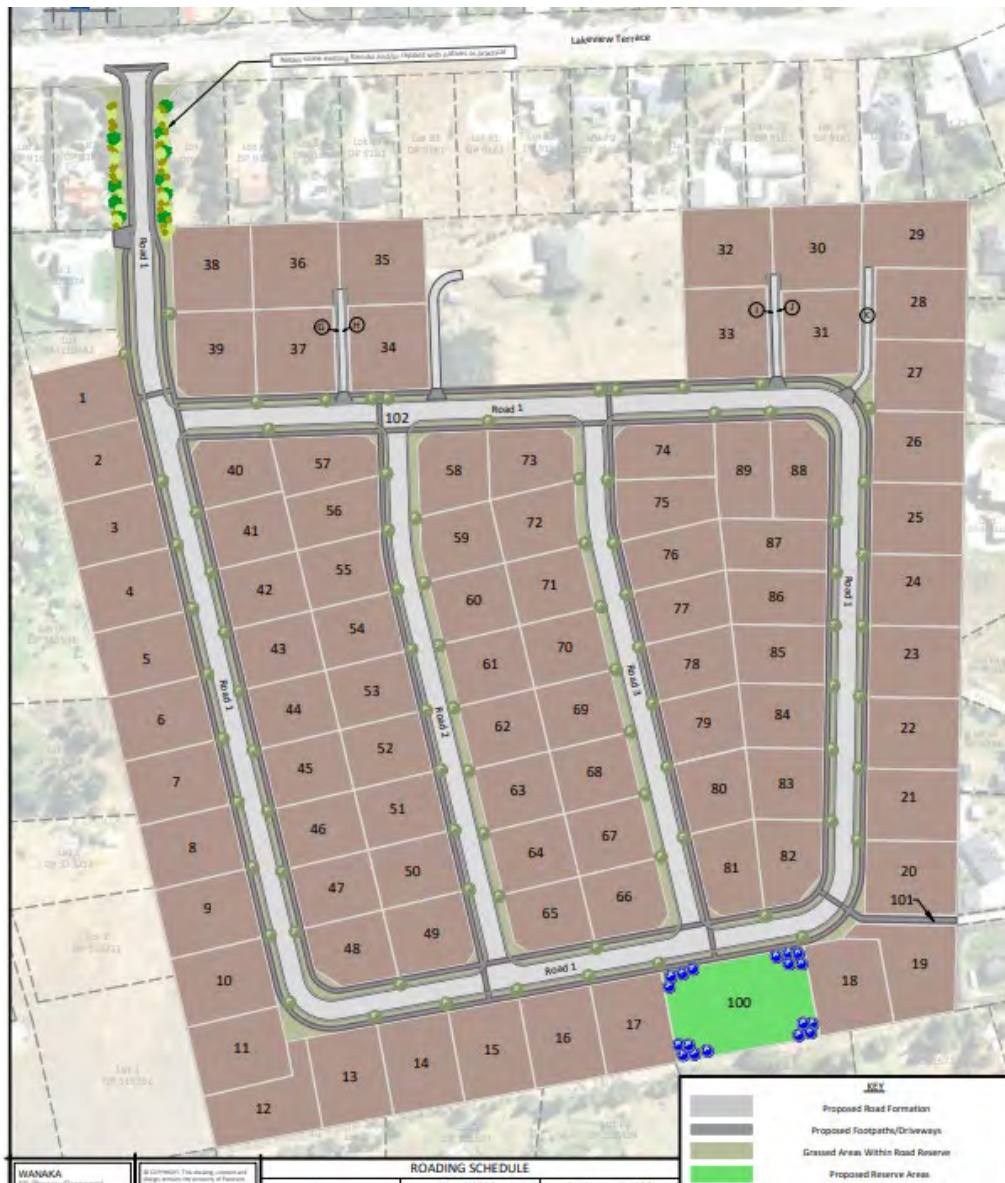


Figure 1 – proposed subdivision layout

## 2. ACTIVITY STATUS

QLDC currently has an Operative District Plan (ODP) and Proposed District Plan (PDP).

Council notified its decisions on Stage 1 of the PDP on 7 May 2018, notified its decisions on Stage 2 of the PDP on 21 March 2019, and notified its decisions on Stage 3 and 3b on 1 April 2021. There are a number of appeals on these decisions. Where there are rules in the PDP that are treated operative under s.86F of the RMA, corresponding rules in the ODP are treated as inoperative. Consent is required under Section 9(3) of the RMA, pursuant to the ODP and PDP rules which are listed below.

### 2.1 OPERATIVE DISTRICT PLAN

The subject site is zoned Township by the ODP.

The relevant rules under the PDP pertaining to this application are treated as operative pursuant to section 86F. Therefore, the relevant rules within Parts 9 (Townships), 14 (Transport), 15 (Subdivision, Development and Financial Contributions) and 22 (Earthworks) are treated as inoperative in respect to this application.

For completeness, it is noted that the ODP earthworks rules triggered by RM200138 are no longer operative and have not been applied this application.

## 2.2 PROPOSED DISTRICT PLAN

The subject site is zoned Lower Density Suburban Residential by the PDP and the proposed activity requires resource consent under the PDP for the following reasons:

*Rules that are treated as operative under s86F:*

### Chapter 25: Earthworks

- A **restricted discretionary** activity pursuant to Rule 25.5.3 related to the maximum volume of earthworks of 300m<sup>3</sup> for Lower Density Suburban Residential Zone. The proposed earthworks will amount to 53,000m<sup>3</sup>.
- A **restricted discretionary** activity pursuant to Rule 25.5.11 requires that earthworks over a contiguous area of land shall not exceed 10,000m<sup>2</sup> where the slope is less than 10°. The proposal is for earthworks over 61,000m<sup>2</sup>.
- A **restricted discretionary** activity pursuant to Rule 25.5.15 whereby the maximum height of any cut shall not be greater than 2.4m. The proposed cut would have a maximum height of 4.1m.
- A **restricted discretionary** activity pursuant to Rule 25.5.16 whereby the maximum height of any fill shall not be greater than 2m. The proposed fill would be to a maximum height of 2.4m.
- A **restricted discretionary** activity pursuant to Rule 25.5.18 whereby earthworks greater than 0.3m in height or depth shall be setback from site boundaries. In this instance the earthworks will extend up to the east and west boundaries in the northwest corner of the site.

For the aforementioned restricted discretionary earthworks rules, Council's discretion is restricted to:

- Soil erosion, generation and run-off of sediment.
- Landscape and visual amenity values.
- Effects on infrastructure, adjacent sites and public roads.
- Land stability.
- Effects on water bodies, ecosystem services and biodiversity.
- Cultural, heritage and archaeological sites.
- Nuisance effects.
- Natural Hazards.
- Functional aspects and positive effects.

### Chapter 27: Subdivision

- A **restricted discretionary** activity resource consent pursuant to Rule 27.5.7 for a subdivision within the Lower Density Suburban Residential Zone which complies with standards. Council's discretion is restricted to the following matters:
  - 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 water supply;

- g) water supply;
- h) stormwater design and disposal;
- i) sewage treatment and disposal;
- j) energy supply and telecommunications, including adverse effects on energy supply and telecommunication networks;
- k) open space and recreation;
- l) ecological and natural values;
- m) historic heritage;
- n) easements.

### Chapter 29: Transport

- A **restricted discretionary** activity pursuant to Rule 29.5.21 Minimum distances of Vehicle Crossings from Intersections, for an infringement of the minimum distances of vehicle crossings from intersections relative to proposed lots 2, 15, 16, 34, 35, 36, 49, 58, 65, 66, and Lot 1 DP 536086 will not comply with this rule, whereby a minimum distance of 25m is separation is not provided. Council's discretion is restricted to:
  - a. Effects on the efficiency of land-use, including positive effects;
  - b. Effects on the safety and efficiency of the transport network, including the pedestrian and cycling environment.
  - c. Urban design outcomes
  - d. The efficiency of the land-use or subdivision layout
  - e. Any positive effects on the efficient use of the site or efficiency of the overall subdivision layout
  - f. Any positive effects on achieving planned intensification and compact urban form.
- A **restricted discretionary** activity pursuant to Rule 29.4.11 High Traffic Generating Activities. The Traffic Assessment prepared to support the application identifies daily vehicles movements of 580 per day. The High Trip Generation threshold for subdivisions is greater than 400 vehicles trips per day from subdivision (Table 29.9). The proposal is considered a high trip generator. Council's discretion is restricted to effects on the transport network in relation to:
  - a. Integration with the existing transport network;
  - b. Measures to reduce traffic generation;
  - c. Measures to facilitate modal shift;
  - d. Any functional and operational needs of the activity to locate in that environment;
  - e. Any positive effects on the efficient use or amenity of the site or overall subdivision layout;
  - f. Any positive effects on the urban design quality of the land use or subdivision activity; and
  - g. Any recommendations from an Integrated Transport Assessment.

### **2.3 RESOURCE MANAGEMENT ACT 1991**

The proposed activity requires resource consent for the following reason:

- 1 A **discretionary** activity consent pursuant to 87B in accordance with Section 221 of the RMA which specifies a change to/cancellation of a consent notice shall be processed in accordance with Sections 88 to 121 and 127(4) to 132. It is proposed to cancel Consent Notice 11532870.3 in its entirety as it relates to Lot 2 DP 568764.

## 2.4 NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH 2011 (“NES”)

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

## 2.5 ACTIVITY STATUS SUMMARY

Overall, the application is considered to be:

- a **restricted discretionary** activity under the PDP; and
- a **discretionary** activity under the RMA.

Overall, the application is being considered and processed as a **discretionary** activity.

# NOTIFICATION DETERMINATION DECISION UNDER SECTIONS 95A AND 95B OF THE RESOURCE MANAGEMENT ACT

## 3. SECTION 95A – PUBLIC NOTIFICATION

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

### **3.1 Step 1 – Mandatory public notification**

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

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

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

Therefore, public notification is not required by Step 1.

### **3.2 Step 2 – Public notification precluded**

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

The proposal is not:

- a controlled activity; or
- a boundary activity as defined by section 87AAB that is restricted discretionary, discretionary or non-complying;

Therefore, public notification is not precluded (s95A(5)(b)).

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

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

A consent authority must publicly notify an application if notification is not precluded by Step 2 and the consent authority decides, in accordance with s95D, that the proposed activity will have or is likely to have adverse effects on the environment that are more than minor (s95A(8)(b)).

An assessment in this respect is therefore undertaken, and decision made in sections 3.3.1 - 3.3.4 below:

#### **3.3.1 Effects that must / may be disregarded (s95D(a)-(e))**

*Effects that must be disregarded:*

- *Effects on the owners or occupiers of land on which the activity will occur and on adjacent land (s95D(a)).*
- *Trade competition and the effects of trade competition (s95D(d)).*
- *The following persons have provided their **written approval** and as such adverse effects on these parties have been disregarded (s95D(e)).*



Person (owner/occupier)	Address (location in respect of subject site)
Peter and Tania Ryder	Lot 1 DP 300074 (193B Lakeview Terrace, Hāwea)

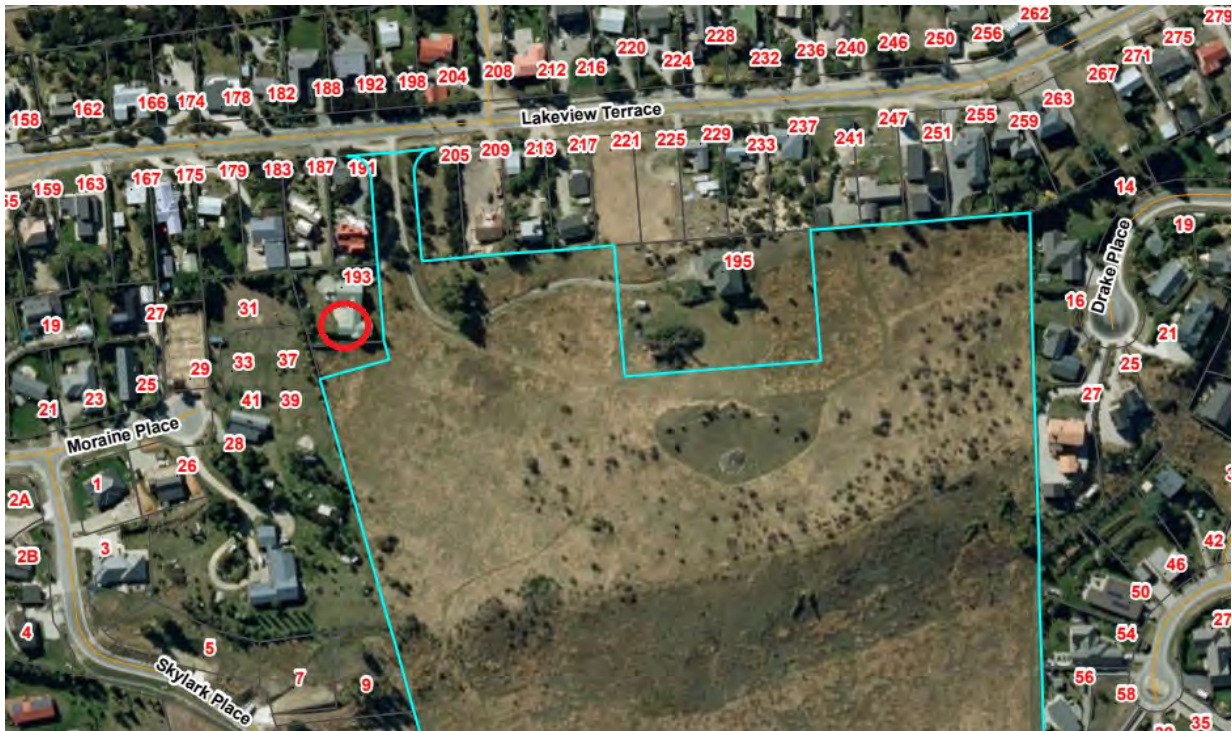


Figure 2 – location of written approval (red circle), application site outlined in blue

Effects that may be disregarded:

- An adverse effect of the activity if a rule or national environmental standard permits an activity with that effect (s95D(b) – referred to as the “permitted baseline”. The relevance of a permitted baseline to this application is provided in section 3.3.2 below.

### 3.3.2 Permitted Baseline (s95D(b))

The consent authority **may** disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect. In this case all subdivision requires resource consent. Therefore, the permitted baseline is considered to be of limited relevance to the below assessment.

In regard to earthworks, the following may be undertaken within the site, subject to compliance with any other relevant standard, including:

- 300m<sup>3</sup> of earthworks per site annually.
- Cut earthworks up to 2.4m in height.
- Fill earthworks up to 2m in height.
- Retained cut or fill up to 0.5m in height on a boundary.

As of right, one residential unit per 450m<sup>2</sup> net area can be constructed within the Lower Density Suburban Residential Zone, subject to compliance with all relevant standards, including:

- The construction of residential units up to 7m in height above original ground (*on flat sites this is also subject to compliance with recession plane rules*).
- The construction of residential units up to 2m from internal boundaries (*subject to compliance with recession plane rules where located within a flat site*).

- The construction of accessory buildings up to 7.5m in length on internal boundaries (subject to compliance with recession plane rules).
- Building coverage of up to 40%.

The site at 8.49ha could in theory yield approximately 113 residential units, allowing 30% for access and driveways, and without demonstrating spatially that complying net site areas of 450m<sup>2</sup> can be achieved. It is considered; however, that it would be unusual (and perhaps fanciful) for multiple standalone houses to be constructed prior to or without a subdivision, which requires resource consent. In addition, the earthworks permitted baseline would likely be exceeded given the topography of the site before many complying residential units and associated complying access could be constructed.

Given the above, it is considered there is no relevant permitted baseline to be applied.

### 3.3.3 Assessment: Effects On The Environment

Taking into account sections 3.3.1 and 3.3.2 above, the following assessment determines whether the proposed activity will have, or is likely to have, adverse effects on the environment that are more than minor that will require public notification (s95A(8)(b)).

The Assessment of Effects provided at section 7 of the Applicant's AEE is considered adequate and is therefore adopted for the most part, with the following additional assessment that notes any areas of difference and includes assessments by:

*Council's Senior Land Development Engineer, Mr Cam Jones (Appendix 3);  
Council's Consultant Parks & Reserves Planner, Ms Amanda Leith (Appendix 4); and  
Applicant's Urban Designer, Ms Paula Costello (Appendix 5).*

These expert assessments are adopted for the purposes of this report, and will not be repeated in full.

The additional assessment below addresses the relevant assessment matters contained in Sections 25.8, 27.9 and 29.7 of the PDP. Overall, the proposed subdivision and development is considered to raise actual or potential adverse effects on the environment relating to the following matters:

- i. Lot Sizes and Dimensions
- ii. Subdivision Design and Layout
- iii. Open Space and Recreation
- iv. Rooding and Access
- v. Servicing
- vi. Natural Hazards
- vii. Earthworks
- viii. Consent Notices

#### i. Lot sizes and Dimensions

The application site is zoned LDSR under the PDP which provides for a minimum lot size of 450m<sup>2</sup>. The subdivision layout is illustrated by **Figure 1** above and shows a range of suburban residential lot sizes along with a rooding network and reserves. The proposed lots range in size from 595m<sup>2</sup> – 920m<sup>2</sup> (net site area) and therefore exceed the minimum lot size for this zone. Further, each lot is capable of accommodating a 15m x 15m square dimension as required by the PDP. As such, the proposed lot sizes and dimensions are considered suitable for future residential use whereby there is ample room within these sites for a compliant residential unit to be built.

Overall, any adverse effects in respect to the lot sizes and dimensions are considered to be less than minor.

#### ii. Subdivision Design and Layout

Mr Jones has confirmed that the proposed road dimensions are appropriate, discussed further below.

One access reserve is proposed (Lot 101) to provide pedestrian and cycle access between the southeast corner of the proposed subdivision through to land owned by QLDC at 58 Charles Court (Lot 30 DP 327385) that provides a connection to Charles Court. Ms Leith considers that the width of this access reserve should be consistent with the width of the reserve at 58 Charles Court as it adjoins the boundary, noting that the applicant has proposed that the footpath will be 2m wide with a maximum grade of 3% and a concrete finish.

With regard to the design and layout, Ms Costello found:

- A regular grid pattern is adopted to divide the site into blocks, which allows that generally lots front the street with 'backs to backs'. Rear lots, while existing, are not predominant. Lot orientation allows suitable solar access.
- Connections out from the site have been considered and provided where possible. In particular footpath provision is extended to Lakeview Terrace and the available opportunity to link to the east at Charles Court has been provided for. Given the nature of surrounding land uses there are no other existing potential connection points.
- No specific local park space is provided within the subdivision however given proximity to existing open space (lakefront reserve land to the north, and existing local park to the east) along with the general open space amenity provided by Lot 100, this is considered appropriate.
- The design continues to provide vehicular access to existing lots (Lot 1 DP 536086 and Lot 1 DP 300074) as part of the subdivision and roading design.

Overall, it is considered that the proposed subdivision design and layout will not give rise to adverse effects on the environment that are more than minor.

### iii. Open Space and Recreation

Ms Costello considered that there are three existing local park type spaces in the vicinity (within 600m) of the subdivision; however, due to lack of connectivity through this part of Hāwea generally, the parks are further away than 'as the crow flies'. Ms Leith observes that no recreation reserves are proposed, and that the nearest reserves will require residents of the subdivision to walk or drive at least 1km for access, other than the lakefront, which is relatively accessible near the site entrance. 1km is at the upper end of accepted walkability metrics, particularly when the topography of the site and residents of potentially lower mobility are considered. It is acknowledged, however; that the site is reasonably landlocked with no further opportunities for connectivity beyond Lakeview Terrace and Charles Court. Since Ms Costello's report was prepared, the applicant has proposed that Lot 100 may include some amenity features such as trees, as indicated on the Landscape Plan. Ms Leith considers that while proposed Lot 100 is a drainage reserve, it may provide some amenity and value to the development if the drainage is designed to allow part of the site to function as a usable green space.

Ms Leith notes that street trees are proposed within the road (Lot 102) and within the drainage reserve (Lot 100). Ms Leith confirms that Council's Arborist, Mr Tim Errington, reviewed the Landscape Plan and supports the proposed tree species, and commends the use of NZ native species, which is particularly suitable given the presence of existing Kānuka growing nearby.

Overall, it is considered that the proposed subdivision will not give rise to adverse effects on the environment that are more than minor, in regard to open space and recreation.

### iv. Roading and Access

Mr Jones is satisfied that the roads and rights of way will comply with the requirements of Council's standards with respect to the maximum gradients, formed and legal widths. Mr Jones accepts the findings of the applicant's Transportation Assessment in regard to vehicle crossings near intersections and sight distances. Mr Jones is satisfied that forming vehicle crossings which comply with District Plan requirements regarding length, design, break over angles and the maximum number of crossings per site will be easily achieved.

Overall, it is considered that the proposed roading and access will not give rise to adverse effects on the environment that are more than minor.

v. Servicing

The applicant has provided letters from the service providers stating that appropriate power and telecommunications connections can be made to the subdivision. Mr Jones considers that:

- Evidence that the water supply infrastructure in Lake Hawea can supply the development in accordance with Council's standards has been provided, and that designing reticulation in accordance with Council's standards will be easily achieved.
- Fire hydrants can be installed to provide adequate firefighting water (FW2) for the development.
- Upgrades are currently planned to rectify existing issues with the capacity of the Hāwea wastewater treatment plant, and Council's Property & Infrastructure engineers (P&I) have confirmed that the connection of this subdivision to the plant is acceptable, as "*this development is already included in the numbers we are catering for at the treatment plant and its upgrade.*"
- P&I have accepted the proposed stormwater system for vesting, subject to a number of conditions.

Overall, it is considered that the proposed servicing will not give rise to adverse effects on the environment that are more than minor.

vi. Natural Hazards

Mr Jones accepts the applicant's Geotechnical Report as providing evidence that the development is not at undue risk due to natural hazards.

Overall, it is considered that the any adverse effects associated with natural hazards will be less than minor.

vii. Earthworks

Earthworks have been approved through RM200138. Consent is sought to include these earthworks as part of the subdivision consent in order to 'reset' the ground levels for the purpose of determining maximum building heights. By applying for the earthworks as part of the subdivision consent the finished ground level (upon completion of the subdivision) will be the level from which the height of buildings will be measured. The assessment and determination provided by RM200138 is adopted in full for the purposes of this report.

Overall, it is considered that the proposed earthworks will not give rise to adverse effects on the environment that are more than minor.

viii. Consent Notices

Mr Jones is satisfied that the proposal will comply with Consent Notice 11532870.3 requirements, and considers that the consent notice should be cancelled to tidy up the Records of Title created.

Overall, adverse effects associated with the consent notice cancellation are considered to be less than minor.

**3.3.4 Decision: Effects On The Environment (s95A(8))**

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

**3.4 Step 4 – Public Notification in Special Circumstances**

There are no special circumstances in relation to this application.

## **4. LIMITED NOTIFICATION (s95B)**

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

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

#### *Determination under s95B(2)*

The proposal does not affect protected customary rights groups, and does not affect a customary marine title group; therefore, limited notification is not required.

#### *Determination under s95B(3)*

Limited notification is not required under Step 1 as the proposal is not on or adjacent to, or may affect land subject to a statutory acknowledgement under Schedule 11, and the person to whom the statutory acknowledgement is made is not determined an affected person under section 95E (s95B(3)).

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

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

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

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

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

#### *Boundary activity*

The proposal is not a boundary activity where the owner of an infringed boundary has not provided their approval.

#### *Any other activity*

The proposal is not a boundary activity and therefore the proposed activity falls into the ‘*any other activity*’ category (s95B(8)), and the adverse effects of the proposed activity are to be assessed in accordance with section 95E.

#### **4.3.1 Considerations in assessing adverse effects on Persons (S95E(2)(a)-(c))**

- a) The consent authority **may** disregard an adverse effect of the activity on a person if a rule or national environmental standard permits an activity with that effect (a “permitted baseline”). Section 3.3.2 above sets out the relevance of the permitted baseline to this application.
- b) The consent authority **must** have regard to every relevant statutory acknowledgement specified in [Schedule 11](#).

#### **4.3.1 [ii] Persons who have provided written approval (s95E(3))**

The persons identified in Section 3.3.1 above have provided their **written approval** and as such adverse effects on these parties are disregarded for the purpose of s95E(3).

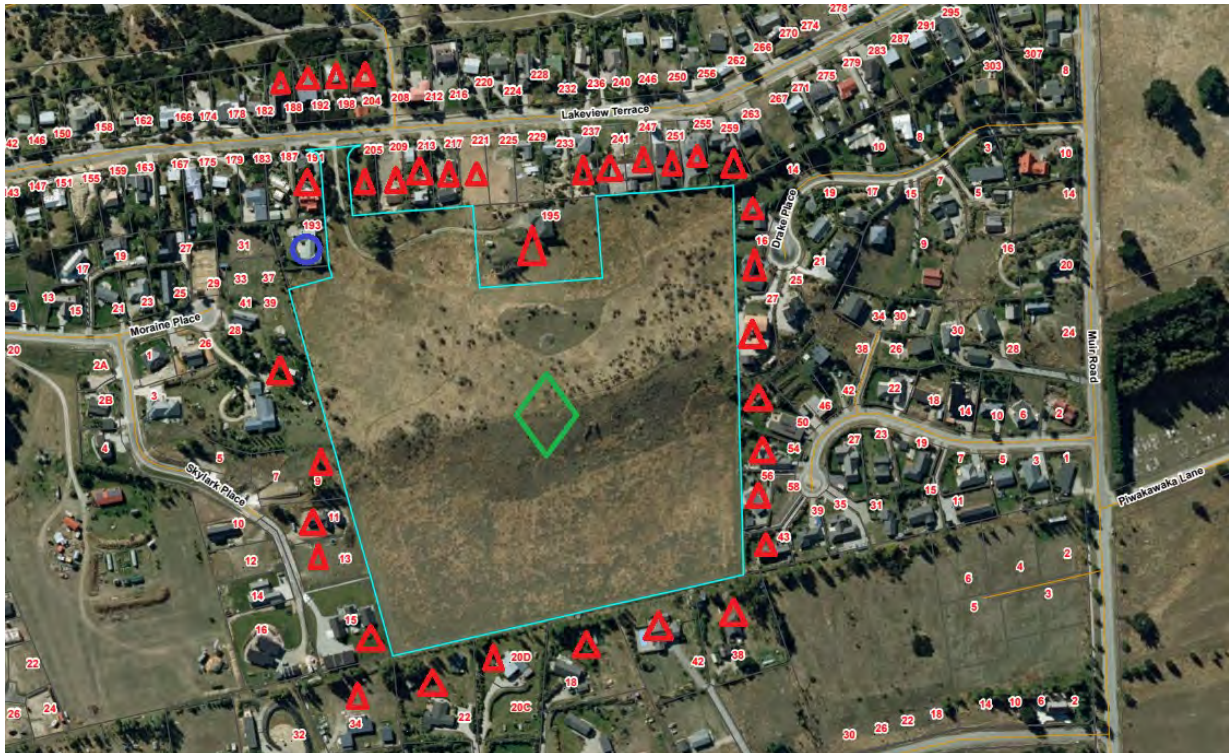


### 4.3.2 Assessment: Effects on Persons

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

As noted in sections 3.3.1 and 4.3.1 [ii] above, the owners of Lot 1 DP 300074 have given their written approval.

Properties surrounding the subject site are shown on **Figure 3** and listed below.



**Figure 3:** Application site (green diamond), written approval (blue circle), adjacent properties (red triangles).

#### Overview

The subdivision of land and the size of the new lots is anticipated by the PDP within the LDSR zone. Any adverse effects arising from transport infringements will be primarily internal to the site and will not affect neighbouring properties.

As assessed above, earthworks have been previously approved, and no additional adverse effects on persons will arise from this application.

Mr Jones raised no concerns with the applicant's Transportation Assessment, which considered that "Lakeview Terrace has sufficient capacity within its design to accommodate the generated traffic from the development with an appropriate intersection design." Given the lot sizes are complying, the subdivision is not expected to result in an increase of vehicle movements on Lakeview Terrace beyond what is anticipated within the zone.

As assessed above, Mr Jones is satisfied that the subdivision can be suitably accessed and serviced, the development is not at undue risk due to natural hazards.

#### 195 Lakeview Terrace

This property is located at the northern end of the site, and is surrounded on three sides by the subject site. This site is similarly zoned Lower Density Suburban Residential and is occupied by an existing

residential unit, which is accessed via a Right of Way easement over the application site. The easement also provides for services from Lakeview Terrace.

The proposed subdivision plans show these easements being surrendered, with proposed Road 1 (Lot 102) providing access, and service connections are shown on the plans. Alterations to the easement rights will be subject to private covenants 11532870.4, 11532870.5, 11532870.6, which contain details for redirecting, relocating, or removing the easement facilities. This matter is outside the resource consent process and will ensure that the owners/occupiers of 195 Lakeview Terrace will continue to be serviced and have legal and physical access.

The proposed subdivision and development will introduce new residential development next to this site, which is anticipated by the underlying zoning and will be compatible with the existing residential activities on this property. Therefore, it is considered that the proposal will not result in a loss of amenity from this property, or result in other potential adverse effects.

Overall, it is considered adverse effects on the owners and occupiers of 195 Lakeview Terrace, will be less than minor.

14, 16, and 27 Drake Place, 43, 50, 54, and 56 Charles Court (east);  
28, 31 Moraine Place, 9, 11, 13, and 15 Skylark Place (west); and  
191, 205, 209, 213, 217, 211, 233, 237, 241, 247, 251, 255, 259 Lakeview Terrace (north).

The properties are located to the east, west and north of the subject site, as noted above. These properties are similarly zoned Lower Density Suburban Residential and are occupied for the most part by existing residential units. The proposed subdivision and development will introduce new residential development along these sites' boundaries, and will generate additional pedestrian and cycle movements along proposed Lot 101 to Charles Court.

Given the assessment above, it is considered the proposed use of the subject site is anticipated by the underlying zoning and will be compatible with the existing residential activities on adjacent properties as listed above. Therefore, it is considered that the proposal will not result in a loss of amenity from these properties, or result in other potential adverse effects.

Overall, it is considered adverse effects on the owners and occupiers of 14, 16, and 27 Drake Place, 43, 50, 54, and 56 Charles Court, 28, 31 Moraine Place, 9, 11, 13, and 15 Skylark Place, and 191, 205, 209, 213, 217, 211, 233, 237, 241, 247, 251, 255, 259 Lakeview Terrace, will be less than minor.

18, 20D, 22, and 34 Sam John Place, 38 and 42 Lichen Lane

The properties are located to the south of the subject site, are zoned Large Lot Residential, and are occupied by residential units. The proposed subdivision and development will introduce new residential development along their northern boundaries. Given the assessment above, it is considered the proposed use of the subject site is anticipated by the PDP zoning, and will be compatible with the existing activities on these properties. Therefore, it is considered that the proposal will not result in a loss of amenity from these properties, or result in other potential adverse effects.

Overall, it is considered adverse effects on the owners and occupiers of 18, 20D, 22, and 34 Sam John Place, and 38 & 42 Lichen Lane, will be less than minor.

188, 192, 198, and 204 Lakeview Terrace

The properties are located to the north of the subject site opposite the access on Lakeview Terrace. These properties are zoned LDSR and are occupied by residential units. The proposed subdivision and development will introduce new residential development and associated traffic, pedestrian and cycle movements along Lakeview Terrace.

Given the assessment above, it is considered the proposed use of the subject site and associated activities on Lakeview Terrace are anticipated by the PDP zoning, and will be compatible with the existing activities on these properties. Therefore, it is considered that the proposal will not result in a loss of amenity from these properties, or result in other potential adverse effects.

Overall, it is considered adverse effects on the owners and occupiers of 188, 192, 198, and 204 Lakeview Terrace will be less than minor.

#### Consent Notice

Resource consent RM190225 (consent under which Consent Notice 11532870.3 was imposed) was processed on a non-notified basis and no written approvals were required. The conditions for sealing the Right of Way, common privacy sanitary drain, services and development contributions are addressed and superseded by this application, and Consent Notice 11532870.3 is therefore considered to be redundant. As such, no persons are considered to be adversely affected by the proposed cancellation of Consent Notice 11532870.3 from the application site.

#### Summary

Overall, adverse effects on the owners/occupiers of adjacent properties are considered to be less than minor. All other properties are sufficiently separated from the application site such that no adverse effects on persons would be experienced. No other persons are considered potentially adversely affected.

#### 4.3.3 Decision: Effects on Persons (s95E(1))

In terms of section 95E of the RMA, and on the basis of the above assessment, no person is considered to be adversely affected.

Therefore, limited notification is not required under Step 3.

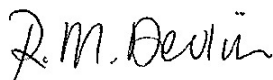
#### 4.4 Step 4 – Further Notification in Special Circumstances (s95B(10))

Special circumstances do not apply that require limited notification.

### **5. NOTIFICATION DETERMINATION**

For the reasons set out in sections 3 and 4 of this notification decision report, under s95A and s95B of the RMA, the application is to be processed on a non-notified basis.

Prepared by



Rosalind Devlin  
**CONSULTANT PLANNER**

Decision made by



Tim Anderson  
**SENIOR PLANNER**



## DECISION UNDER SECTION 104 OF THE RESOURCE MANAGEMENT ACT

### 6. S104 ASSESSMENT

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*
- (ab) *any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from 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.*

#### 6.1 EFFECTS ON THE ENVIRONMENT (s104(1)(a)&(ab))

Actual and potential effects on the environment have been outlined in the section 95 report. Conditions of consent can be imposed under s108 and s220 of the RMA as required to avoid, remedy or mitigate adverse effects (s104)(1)(a)).

Conditions are recommended relating to earthworks (duplicating RM200138) and subdivision matters.

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

##### Operative District Plan

The relevant operative objectives and policies are contained within Parts 4 (District Wide), 9 (Townships), 14 (Transport), 15 (Subdivision, Development & Financial Contributions) and 22 (Earthworks) of the ODP.

The applicant has provided an assessment of some the relevant objectives and policies of the Operative District Plan within Attachment 1 of the Applicant's AEE. The assessment against Part 22 is brief but is accepted in full for the purposes of this report. The assessment against Part 15 is accepted in part, with differences outlined below. The assessment against Part 9 is not accepted, with Part 9 considered below. An assessment against Part 14 is also provided below.

##### *Part 9 – Townships*

*Objective 1 Recognition and consolidation of the townships.*

*Recognition of the low density open space residential amenity of the townships. Recognition of the particular character, built environment and range of uses existing in the individual townships*

The application proposes to create residential allotments that mostly would be smaller than the minimum lot size and density of 800m<sup>2</sup> for the Township Zone. Creating allotments as small as 595m<sup>2</sup> for low density suburban residential living would be out of character with the open space values of the Township Zone, and would result in adverse amenity effects. It is therefore considered that the proposal is inconsistent with the objectives and policies contained within Part 9 of the ODP.

#### *Part 14 - Transport*

The objectives and policies of Part 14 seek to ensure the ongoing safe and efficient operation of the transportation network. Given the assessment above, it is considered that the proposal will retain the safe and efficient operations of the transport network. Therefore, the proposal is considered to be consistent with the objectives and policies of Part 14.

#### *Part 15 – Subdivision*

*Objective 1 – Servicing The provision of necessary services to subdivided lots and developments in anticipation of the likely effects of land use activities on those lots and within the developments.*

Given the assessment above and as assessed by the Applicant, the proposed subdivision can be suitably serviced and accessed, in accordance with Objective 1 and associated policies.

*Objective 5 - Amenity Protection The maintenance or enhancement of the amenities of the built environment through the subdivision and development process.*

The application proposes to create residential allotments smaller in size than the minimum lot size of 800m<sup>2</sup> for the Township Zone. As such, the lot sizes would not provide for efficient and pleasant functioning of their anticipated land uses, and would not reflect the levels of open space and density of built development anticipated in the Hāwea Township.

It is therefore considered that the proposal is partly consistent with, and partly inconsistent with, the objectives and policies contained within Part 15 of the ODP.

#### *Summary*

Overall, it is considered that the proposal is partly consistent with, and partly inconsistent with, the objectives and policies of the ODP.

#### Proposed District Plan

The relevant objectives and policies are contained within Chapter 3 (Strategic Direction), 4 (Urban Development), 7 (Lower Density Suburban Residential), 25 (Earthworks), 27 (Subdivision and Development), and 29 (Transport).

The applicant has provided an assessment of the relevant objectives and policies within Chapter 27 at Attachment 1 of the Applicant's AEE. The assessment is brief but is accepted for the purposes of this report. An assessment against other relevant provision is provided below.

#### *Chapters 3 & 4 – Strategic Direction and Urban Development*

Chapter 3 enables *the development of a prosperous, resilient and equitable economy in the District* (Objective 3.2.1) and seeks that *urban growth is managed in a strategic and integrated manner* (Objective 3.2.2). Chapter 4 sets out the objectives and policies for managing the spatial location and layout of urban development within the District.

The application site is appropriately contained within an Urban Growth Boundary, and the proposal will provide for development capacity within a compact and efficient urban form. The subdivision will provide housing opportunities that will be integrated with infrastructure. Therefore, the proposal is considered to be aligned with the objectives and policies of Chapters 3 and 4.

## *Chapter 7 – Lower Density Suburban Residential*

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

The subdivision is located in an area serviced by infrastructure, and has been designed to be consistent with the capacity of infrastructure networks. Whilst the lot sizes are reasonably generous (i.e. well over the minimum for the zone), the subdivision will generally result in efficient use of land that will relate well to the existing suburban residential environment and maintain amenity values. The proposal is considered to be consistent with the relevant objectives and policies of Chapter 7.

## *Chapter 25 – Earthworks*

*25.2.1 Objective – Earthworks are undertaken in a manner that minimises adverse effects on the environment, including through mitigation or remediation, and protects people and communities.*

As determined for RM200138, the earthworks can be appropriately undertaken to minimise erosion, land instability, and sediment generation and offsite discharge during construction activities associated with subdivision and development. The proposal is considered to be consistent with the relevant objectives and policies of Chapter 25.

## *Chapter 27 – Subdivision and Development*

*27.7.1 Objective - Subdivision that will enable quality environments to ensure the District is a desirable place to live, visit, work and play.*

*7.2.2 Objective - Subdivision design achieves benefits for the subdivider, future residents and the community.*

The proposed allotments are a suitable size and shape, and are able to be serviced and developed for the anticipated land use under the applicable zone provisions. Whilst the subdivision design has limited connectivity and open space, as assessed above and by the Applicant's Urban Design Report, the proposal is a simple but logical design, provides for residential lots with appropriate amenity, and responds to context. The proposal is considered to be aligned with the relevant objectives and policies of Chapter 27.

## *Chapter 29 – Transport*

*29.2.3 Objective - Roads that facilitate continued growth, are safe and efficient for all users and modes of transport and are compatible with the level of amenity anticipated in the adjoining zones.*

*29.2.4 Objective - An integrated approach to managing subdivision, land use, and the transport network in a manner that:*

- a. supports improvements to active and public transport networks;*
- b. promotes an increase in the use of active and public transport networks and shared transport;*
- c. reduces traffic generation; and*
- d. manages the effects of the transport network on adjoining land uses and the effects of adjoining land-uses on the transport network.*

As assessed above, it is considered that the roading layout and design associated with the subdivision will contribute to a safe and efficient transport network. Therefore, the proposal is considered to be consistent with the objectives and policies of Chapter 29.

## *Summary*

Overall, it is considered that the proposal is consistent with the objectives and policies of the PDP.

## Weighting between Operative District Plan and Proposed District Plan

In this case, the proposal has been found to be inconsistent with most the objectives and policies of the Operative District Plan, and consistent with those contained within the Proposed District Plan, and therefore a weighting exercise is required.

The proposal, specifically the subdivision layout under the ODP Township Zone, which proposes approximately ⅔ of the lot sizes being less than 800m<sup>2</sup>, would be inconsistent with the objectives and policies aiming to protect and maintain the open space amenity values of the Hāwea Township. In this instance, however, the site has been rezoned Lower Density Suburban Residential by the PDP, which recognises the need for low density living opportunities within defined Urban Growth Boundaries. The rezoning of the subject site is not subject to any appeal, nor are any relevant rules and standards within the applicable PDP chapters. It is therefore considered that greater weighting should be given to the Proposed District Plan, with which the proposal is aligned.

### **6.3 OTHER RELEVANT PROVISIONS (s104(1)(b)(i)-(v))**

#### Partially Operative Regional Policy Statement 2019

Otago's current Regional Policy Statement (RPS) became partially operative on 15 March 2021. Regional and District Plans must give effect to it.

*Objective 4.5 Urban growth and development is well designed, occurs in a strategic and coordinated way, and integrates effectively with adjoining urban and rural environments*

The proposal enables subdivision and development of urban zoned land and ensures efficient use of that land. The proposal can be adequately serviced, and natural hazards have been addressed. The proposal contributes to a resilient, safe and healthy community. Overall, the proposed subdivision and development is considered to be in accordance with the relevant objectives and policies within the RPS.

#### Proposed Otago Regional Policy Statement 2021

The Proposed Otago Regional Policy Statement 2021 (Proposed RPS 21) sets the direction for future management of Otago's natural and physical resources. The Proposed RPS 21 freshwater provisions were re-notified on 30 September 2022. The provisions notified on 25 June 2021 that relate to the urban environment include UFD-O1:

*UFD-O1 – Form and function of urban areas*

*The form and functioning of Otago's urban areas:*

- (1) reflects the diverse and changing needs and preferences of Otago's people and communities, now and in the future, and*
- (2) maintains or enhances the significant values and features identified in this RPS, and the character and resources of each urban area.*

The proposal contributes to well-functioning urban environment, and is served by existing infrastructure or upgrades can be provided. The proposal contributes to a consolidated urban form, provides housing opportunities, and delivers adequate urban design outcomes. Overall, the proposed subdivision and development is considered to be in accordance with the relevant objectives and policies within the Proposed RPS 21.

#### National Policy Statement on Urban Development

The National Policy Statement on Urban Development 2020 (NPS-UD) provides for well-functioning urban environments that enable a variety of homes.

*Objective 1: New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.*

The application site is appropriately located within the urban area of Hāwea where people can access jobs, services and amenities. The proposal will enable residential development in an area where people

want to live. Overall, the proposal is considered to be consistent with the NPS-UD and will contribute to a well-functioning urban environment.

#### **6.4 SECTION 106 FOR SUBDIVISIONS**

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 Mr Jones is satisfied that each allotment will have physical and legal access, and accepts the applicant's Geotechnical Report as providing evidence that the development is not at undue risk due to natural hazards.

#### **6.5 PART 2 OF THE RMA**

The purpose of the RMA is to promote the sustainable management of natural and physical resources. The proposal is considered to satisfy the sustainable management purpose of Part 2 of the RMA as the proposal will contribute to the wellbeing of the applicants by enabling a residential subdivision with associated works, whilst ensuring that any adverse effects are appropriately mitigated.

Section 6 of the Act sets out a number of matters of national importance, none of which are considered to be of relevance to the application.

Section 7 identifies a number of "other matters" to be given particular regard by Council. The proposed subdivision and development will maintain and enhance amenity values, and the quality of the surrounding residential environment.

Section 8 requires Council to take into account the principles of the Treaty of Waitangi. The proposal does not offend against the principles of the Treaty of Waitangi.

Overall, the proposal is considered to meet the purpose and principles of the RMA.

### **7.0 DECISION ON RESOURCE CONSENT PURSUANT TO SECTION 104 OF THE RMA**

#### **7.1 DECISION (A) ON RESOURCE CONSENT PURSUANT TO SECTION 104 OF THE RMA**

Consent is **granted** for a staged subdivision to create 89 residential allotments with associated roading and infrastructure, one road to vest, two local purpose reserves, one access reserve and one drainage reserve, subject to the conditions outlined in *Appendix 1* of this decision report imposed pursuant to Section 220 of the RMA.

#### **7.2 DECISION (B) ON RESOURCE CONSENT PURSUANT TO SECTION 104 OF THE RMA**

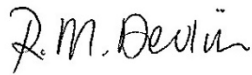
Consent is **granted** for land use for earthworks (as previously approved by RM200138) to 'reset' ground levels associated with an 89-lot residential subdivision, and for transport breaches associated with the subdivision, subject to the conditions outlined in *Appendix 1* of this decision report imposed pursuant to Section 108 of the RMA.

#### **7.3 DECISION ON APPLICATION PURSUANT TO SECTION 221 OF THE RMA**

Consent is **granted** for the application by Orchard Road Holdings Limited to cancel Consent Notice 11532870.3 in its entirety, as it relates to Lot 2 DP 568764, such that:

1. Consent Notice 11532870.3 is cancelled.
2. At the time consent is given effect to, the consent holder and Council shall execute all documentation associated with the cancellation of the consent notice. All costs shall be borne by the consent holder.

Prepared by



Rosalind Devlin  
**CONSULTANT PLANNER**

Decision made by



Tim Anderson  
**SENIOR PLANNER**

## **8.0 DEVELOPMENT CONTRIBUTIONS AND ADMINISTRATIVE MATTERS**

### *Local Government Act 2002: Development Contributions*

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

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

### *Administrative Matters*

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

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

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

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

If you have any enquiries, please contact us at [resourceconsent@qldc.govt.nz](mailto:resourceconsent@qldc.govt.nz).

## **9.0 APPENDICES LIST**

- APPENDIX 1** – Consent Conditions
- APPENDIX 2** – Applicant's AEE
- APPENDIX 3** – Engineering Report
- APPENDIX 4** – Parks Memo
- APPENDIX 5** – Applicant's Urban Design Assessment

## **APPENDIX 1 – CONSENT CONDITIONS**

### ***For Your Information***

#### ***Monitoring***

*The conditions in your decision will advise if monitoring is required. 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](mailto:RCMonitoring@qldc.govt.nz)*

#### ***Environmental Management Plan***

*Please be aware of your requirements to appropriately manage environmental effects associated with your activity. Site management means having adequate controls in place on your site. This will ensure compliance is achieved and harmful by-products of construction activities do not damage the environment or cause nuisance to neighbours. We’ve provided some [advice](#) to help you mitigate any possible adverse effects that may be generated on your site as a result of construction related activities.*

#### ***Engineering Acceptance***

*You may also have conditions that require you to apply for Engineering Acceptance. To apply, please complete the [Engineering Acceptance Application Form](#) and submit to [engineeringapprovals@qldc.govt.nz](mailto:engineeringapprovals@qldc.govt.nz). Further information regarding Engineering Acceptance can be found [here](#).*

#### ***Development Contribution***

*If this 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, this information is available [here](#).*

*If you wish to make a DC estimate calculation yourself, please use this [link](#). Full details on current and past policies can be found [here](#).*

## **DECISION A: SUBDIVISION**

### **General Conditions**

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

#### **Paterson Pitts Group:**

- ‘Scheme Plan Lots 1-89 & 100-102 Being A Subdivision Of Lot 2 RM 210842, DWG No. 003 Sheet 100 Rev 0’ dated 15/08/2022
- ‘Scheme Plan Lots 1-89 & 100-102 Being A Subdivision Of Lot 2 RM 210842, DWG No. 003 Sheet 101 Rev 0’ dated 15/08/2022
- ‘Scheme Plan Lots 1-89 & 100-102 Being A Subdivision Of Lot 2 RM 210842, DWG No. 003 Sheet 102 Rev 0’ dated 15/08/2022
- ‘Concept Design Rooding, DWG No. 008 Sheet 100 Rev B’ dated 29/10/2021
- ‘Concept Design Rooding – Sight Distances, DWG No. 008 Sheet 100a Rev B’ dated 29/10/2021
- ‘Concept Design Rooding – Intersection Offsets For Vehicle Crossings, DWG No. 008 Sheet 100b Rev B’ dated 29/10/2021
- ‘Concept Design Typical Road Cross Sections, DWG No. 008 Sheet 101 Rev A’ dated 26/05/2020
- ‘Concept Design Rooding Long Sections, DWG No. 008 Sheet 102 Rev A’ dated 26/05/2020
- ‘Concept Design Rooding Long Sections, DWG No. 008 Sheet 103 Rev A’ dated 26/05/2020
- ‘Concept Design Rooding Long Sections, DWG No. 008 Sheet 104 Rev A’ dated 26/05/2020
- ‘Concept Design Rooding Long Sections, DWG No. 008 Sheet 105 Rev A’ dated 26/05/2020
- ‘Concept Design Stormwater & Wastewater, DWG No. 008 Sheet 200 Rev A’ dated 26/05/2020

- 'Concept Design Stormwater & Wastewater Detailed, DWG No. 008 Sheet 200a Rev A' dated 08/08/2022
- 'Services Concept Design Stormwater Reserve, DWG No. 008 Sheet 201 Rev A' dated 26/04/2020
- 'Services Concept Design Water Supply, DWG No. 008 Sheet 300 Rev A' dated 04/06/2020
- 'Landscaping Plan DWG No.003 Sheet 700 Rev F' dated 10/08/2022

**stamped as approved on 9 June 2023**

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.

Engineering

**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 and standards, being QLDC's Land Development and Subdivision Code of Practice adopted on 8<sup>th</sup> October 2020 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:*  
<https://www.qldc.govt.nz>

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

5. The owner of the land being developed shall provide a letter to the Manager of Resource Management Engineering at Council advising who their representative is for the design and execution of the engineering works and construction works required in association with this development and shall confirm that these representatives will be responsible for all aspects of the works covered under Sections 1.7 & 1.8 of QLDC's Land Development and Subdivision Code of Practice, in relation to this development.
6. The consent holder shall obtain and implement a traffic management plan approved by Council prior to undertaking any works within or adjacent to Council's road reserve that affects the normal operating conditions of the road reserve through disruption, inconvenience or delay. The Traffic Management Plan shall be prepared by a certified Temporary Traffic Management Planner (TTMP) as validated on their CoPTTM ID certification. All contractors obligated to implement temporary traffic management plans shall employ a qualified Site Traffic Management Supervisor (STMS) to manage the site in accordance with the requirements of the NZTA's "*Traffic Control Devices Manual Part 8: Code of practice for temporary traffic management*". The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Manager of Resource Management Engineering at Council prior to works commencing.



7. Prior to commencing works on the site, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for development works to be undertaken and information requirements specified below. The application shall include all development items listed below unless a 'partial' review approach has been approved in writing by the Manager of Resource Management Engineering at Council. The 'Engineering Review and Acceptance' application(s) shall be submitted to the Manager of Resource Management Engineering at Council for review, prior to acceptance being issued. At Council's discretion, specific designs may be subject to a Peer Review, organised by the Council at the applicant's cost. The 'Engineering Review and Acceptance' application(s) shall include copies of all specifications, calculations, design plans and Schedule 1A design certificates as is considered by Council to be both necessary and adequate, in accordance with Condition (4), to detail the following requirements:
- a) The provision of a water supply to Lots 1 – 89, Lot 1 DP 300074 and Lot 1 DP 536086 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. This shall include:
    - (i) Capping any redundant laterals at the main within Lakeview Terrace.
    - (ii) The costs of the connections shall be borne by the consent holder.
  - b) Provision of irrigation to local purpose reserves.
  - c) The provision of a foul sewer connection from Lots 1 – 89, Lot 1 DP 300074 and Lot 1 DP 536086 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.
  - d) The provision of a stormwater collection and disposal system which shall provide both primary and secondary protection for future development within Lots 1 – 89, in accordance with Council's standards and connection policy. This shall include:
    - (i) A reticulated primary system to collect and dispose of stormwater from the catchment and all potential impervious areas within each lot, except Lots 11 - 19 to the soakage systems approved under Condition 7(d)(iv). This shall include details of treatment solutions to avoid adverse water quality effects on receiving waters. As a minimum there shall be provision for the interception of settle-able solids, hydrocarbons and floatable debris. The individual lateral connections shall be designed to provide gravity drainage for the entire area within each lot.
    - (ii) The provision of percolation testing results undertaken on each of Lots 11 – 19 following the completion of site earthworks to confirm the suitability of the lot for on-site soakage. The percolation testing shall be undertaken by a suitably qualified person and the method for soakage testing is to be agreed with the Manager of Resource Management Engineering at Council prior to testing. In the event that any of Lots 11 – 19 are found to be unsuitable for on-site soakage, a reticulated connection to the soakage systems approved under Condition 7(d)(iv) shall be provided for the relevant lot(s).
    - (iii) A secondary protection system consisting of secondary flow paths to the soakage systems approved under Condition 7(d)(iv) to cater for the 1% AEP storm event and/or setting of appropriate building floor levels to ensure that there is no inundation of any buildable areas within the lots, and no increase in run-off onto land beyond the site from the pre-development situation.
    - (iv) The provision of soakage systems within Lot 100 adequate to dispose of runoff from all contributing areas within the development and catchment area during the critical 1% AEP storm event, designed in general accordance with the Ground Consulting Limited

report provided with the application (*'Orchard Road Holdings Ltd. 195 Lakeview Terrace, Lake Hawea. Stormwater Assessment for Proposed Residential Subdivision: Lakeview Terrace.'* GCL ref R4968-1A, dated 19 July 2019).

The detailed design of the soakage system shall be accompanied by the results of percolation testing undertaken by a suitably qualified person undertaken within the soakage area, adequate to determine the bulk soakage characteristics of the soakage basin area. The method for soakage testing is to be agreed with the Manager of Resource Management Engineering at Council prior to testing. A copy of the test results shall be provided to the Manager of Resource Management Engineering at Council along with the design of the soakage system based on the percolation test results.

The final design and sizing of the soakage system shall be based on the individual percolation test results, shall account for the critical storm and shall drain within 24 hours.

- (v) In addition to the permanent solution, details shall be provided of a temporary stormwater and sediment management solution, which shall be adequate to service the site in the interim until the permanent stormwater management system is lived/activated. The temporary system shall perform the same functions outlined above as required for the permanent system.
- (vi) A predevelopment and post development contour plan shall be provided for the stormwater design.
- e) The provision of fire hydrants with adequate pressure and flow to service and maintain the subdivision with a Class FW2 fire risk in accordance with the NZ Fire Service Code of Practice for Firefighting Water Supplies 2008. Any lesser risk must be approved in writing by Fire & Emergency NZ, Queenstown Office. Evidence of adequate flow testing to hydrants shall be submitted to Council prior to subdivision completion.
- f) The provision of a sealed vehicle crossing that shall be constructed to Lot 1 DP 300074, Lot 1 DP 536086, Lots 11, 12, 18, 19, 27, 29, 30, 32, 35 & 36 to Council's standards.
- g) The formation of roads 1 – 3 and rights of way 'G' to 'K'. This shall include the following:
  - (i) The roading formations shall be in general accordance with Paterson Pitts Group's plan *'Orchard Road Holdings Limited. Koreke Rise. Lakeview Terrace, Lake Hawea. Concept Design, Typical Road Cross Sections'* (PPG job number W6000, dwg 008, sheet 101, Rev A), except where amendments are required by the recommendations made during the road safety audit process.
- h) 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.
- i) The formation of an intersection with Lakeview Terrace and all internal 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. All signage and marking shall be in accordance with MOTSAM and the TCD Manual. This shall include the relocation of the existing mailboxes and collection area to a safe location. This shall include the provision of pedestrian crossing points on both sides of Road 1 to allow pedestrians to cross Lakeview Terrace, and corresponding crossing points on the north side of Lakeview Terrace.
- j) The consent holder shall engage an independent and suitably qualified and experienced traffic engineer to carry out a detailed design safety audit in general accordance with the

NZTA Manual “Road Safety Audit Procedures For Projects” and section 3.2.7 of the Councils Code of Practice. This shall include confirmation that appropriate traffic signs and road marking have been provisioned in accordance with the New Zealand Transport Agency’s Manual of Traffic Signs and Markings (MOTSAM) and the Traffic control devices manual. The consent holder shall comply with any recommendations at their own cost. A copy of this report shall be submitted to Council for review and acceptance.

- k) The provision of Design Certificates for all engineering works associated with this subdivision submitted by a suitably qualified design professional (for clarification this shall include all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of the QLDC’s Land Development and Subdivision Code of Practice Schedule 1A Certificate.
8. Prior to commencing any work on the site the consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC’s Land Development and Subdivision Code of Practice to ensure that neighbouring sites remain unaffected from earthworks. These measures shall be implemented prior to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
  9. At least 7 days prior to commencing excavations, the consent holder shall provide the Manager of Resource Management Engineering at Council with the name of a suitably qualified geo-professional as defined in Section 1.7 of QLDC’s Land Development and Subdivision Code of Practice who is familiar with the Ground Consulting Limited report (*‘Willowridge Developments Limited. 195 Lake View Terrace, Hāwea. Geotechnical Assessment for Proposed Residential Subdivision: Lake View Terrace.’* GCL ref R5160-1A, dated 23 October 2019) and who shall supervise the earthworks procedure, in accordance with the report recommendations. Should the site conditions be found unsuitable for the proposed excavation/construction methods, then a suitably qualified and experienced engineer shall submit to the Manager of Resource Management Engineering at Council new designs/work methodologies for the works prior to further work being undertaken, with the exception of any necessary works required to stabilise the site in the interim.

#### Parks & Reserves

10. Prior to the commencement of any works under this consent on the site, the consent holder shall provide a detailed landscape plan (including design specifications) by a suitably qualified Landscape Architect to be certified by the Queenstown Lakes District Council’s Parks & Open Spaces Planning Manager. The final landscape plan shall achieve the following:
  - a) All works shall meet Part 7 – Landscape, of QLDC’s Land Development and Subdivision Code of Practice (dated 2020) and QLDC’s Parks and Open Spaces Strategy 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:*  
<https://www.qldc.govt.nz/media/3yyc4fzi/2020-qldc-land-development-and-subdivision-code-of-practice.pdf>
  - b) The landscape plan shall clearly illustrate all landscape works (including street trees and other landscape assets) within the reserves and roads that are to vest with Council;
  - c) Clearly identify all trees (including the location of each tree), the species, size and location;
  - d) Irrigation plan showing how trees, plants and/or grass are to be irrigated;
  - e) Tree pit details showing root ball treatment and staking;
  - f) Ensure that all batter slopes and mounds do not exceed a gradient of 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;
  - g) Path width, material and construction details so that all tracks achieve a minimum grade 2 standard as set out in standards <https://www.qldc.govt.nz/media/3yqf110p/cycle-trail-and-track-design-standards-specifications-2018.pdf>.

- h) Details and locations for any other proposed assets, such as park seats, irrigation and fencing;

*Note: All reserve improvements require prior agreement with the Parks and Open Spaces Planning Manager, and require a developer's agreement with Council.*

- i) Maintenance requirements; and  
j) A potable water supply point to be provided to the boundary of reserve lots.

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

*Advice Notes: Often the final landscape plan will deviate from the plan that has been stamped as approved by the resource consent due to detailed engineering design. If the plan to be utilised for this final landscape plan is the same as the resource consent stamped as approved plan, the consent holder shall inform Council of this. This plan will be utilised for the landscape street tree inspection prior to 224c signoff and will also be the plan detailed and referenced within the required Maintenance Agreement (see condition (16r)).*

*The consent holder is welcome to seek guidance from the Parks & Reserves Department when preparing the landscape plan. This may facilitate certification if any matters of concern are addressed. The Street Tree Planting Guidelines (Appendix I of the QLDC CoP 2020) can assist in providing guidance <https://www.qldc.govt.nz/media/3tlcmxj5/appendix-i-street-tree-planting-guidelines.pdf>*

*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 monitored throughout earthworks**

11. The earthworks and batter slopes shall be undertaken in accordance with the recommendations of the report by Ground Consulting Limited ('*Willowridge Developments Limited. 195 Lake View Terrace, Hāwea. Geotechnical Assessment for Proposed Residential Subdivision: Lake View Terrace.*' GCL ref R5160-1A, dated 23 October 2019).
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.
13. No earthworks that are not authorised by this consent, temporary or permanent, are to breach the boundaries of the site.

#### **Lot 1 DP 536086**

14. The consent holder shall ensure that access and services to Lot 1 DP 536086 are maintained at all times throughout earthworks and engineering works.

#### **To be completed before Council approval of the Survey Plan**

15. 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:
    - (i) Any Easements in Gross as required by Council for infrastructure to vest. Requirements for vested infrastructure and Easements in Gross shall be agreed with Council's Land Development Engineer prior to Council signing the Survey Plan and prior to obtaining 'Engineering Review and Acceptance' for design of infrastructure.

- (ii) The cancellation of the easements within areas 'A' to 'F' DP 568764.
- 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]*
- c) The consent holder shall obtain a Full Council decision confirming that all areas of reserve have been formally agreed to be vested.

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

16. 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 (7) above, with the possible exception of the stormwater connection to the permanent detention system. Timing of the connection to the detention system shall be agreed with Council's Property & Infrastructure engineers.
  - c) The provision of an access way to the residential unit on Lot 1 DP 536086 from the vehicle crossing Accepted under Condition (7f) that complies with the Council's standards.
  - d) An Elster PSM V100 or Sensus 620 water meter shall be installed on to the Acuflo manifold for Lots 1 – 89, Lot 1 DP 300074 and Lot 1 DP 536086 as per condition (7a) above, and evidence of supply shall be provided to Council's Subdivision Inspector.
  - e) Either:
    - (i) The provision of upgrades to the Cemetery Road wastewater pump station in accordance with the recommendations made in the Watershed memo '*Willow Ridge – 195 Lakeview Terrace – Lot 2 DP 536086 Hāwea Infrastructure Assessment (DIA) Wastewater*,' dated 15 November, including written confirmation from Council's Property & Infrastructure engineers that the designs are accepted. This shall include:
      - a. The provision of additional emergency at the pump station, such that at least 9 hours of storage is provided, in accordance with Council's standards.
      - b. Confirmation of the peak wet weather flow rate at the pump station. In the event that the pump station will have inadequate capacity for the peak wet weather flow following the completion of the subdivision, details of the upgrades required for the pump station to comply with Council's standards shall be provided.

**Advice note:**

*At the time of issue of the consent an application had been made to have the upgrades required under condition 16(e)(i) included and budgeted within Council's Ten-Year Plan. If these upgrades are budgeted for within the Ten-Year Plan, and the consent holder undertakes the upgrades, then subject to prior agreement with Council, a waste-water Development Contribution credit will be applied.*

OR:

- (ii) Written confirmation shall be provided from Council's Property & Infrastructure engineers that the Cemetery Road wastewater pump station has adequate capacity for the subdivision.
- f) The consent holder shall enter into a developer's agreement between the developer and Council in relation to the stormwater system. This agreement shall bind the developer to its requirements and confirm the following:
- (i) The timing of the disconnection of the temporary stormwater and sediment management solution and the livening/activation of the permanent solution.
  - (ii) The applicant takes responsibility for Operation & Maintenance of the areas initially for a 5-year period from issue of 224c.
  - (iii) 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.
  - (iv) 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.
  - (v) 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.
  - (vi) 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.
  - (vii) 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.*

- g) 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, Lot 1 DP 300074 and Lot 1 DP 536086 and that all the network supplier's requirements for making such means of supply available have been met.
- h) 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, Lot 1 DP 300074 and Lot 1 DP 536086 and that all the network supplier's requirements for making such means of supply available have been met.
- i) All earthworks, geotechnical investigations and fill certification shall be carried out under the guidance of suitably qualified and experienced geotechnical professional as described in Section 2 of the Queenstown Lakes District Council's Land Development and Subdivision Code of Practice. At the completion of onsite earthworks, the geo-professional shall incorporate the results of ground bearing test results for each residential allotment within the subdivision regardless of whether affected by development cut and fill earthworks and include the issue of a Geotechnical Completion Report and Schedule 2A certificate covering all lots within the subdivision.

The Schedule 2A certification shall include a statement under Clause 3(e) covering Section 106 of the Resource Management Act 1991. In the event the Schedule 2A includes limitations or remedial works against any lot(s) the Schedule 2A shall include a geotechnical summary table identifying requirements against each relevant lot in the subdivision for

reference by future lot owners. Any remedial works outlined on the Schedule 2A that requires works across lot boundaries shall be undertaken by the consent holder prior to 224(c) certification being issued.

- j) All vehicle access, manoeuvring and parking areas associated with the development shall be subject to a post construction safety audit by an independent traffic engineer in accordance with the NZTA Manual "Road Safety Audit Procedures For Projects" at the consent holders cost and the results shall be submitted to Council for review and certification. Should the review recommend any further works required to achieve a safe traffic environment, the consent holder shall have these works approved by Council and implemented prior to 224c certification.
- k) 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/development (for clarification this shall include all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of a Producer Statement, or the QLDC's Land Development and Subdivision Code of Practice Schedule 1B and 1C Certificate.
- l) All newly constructed gravity foul sewer and stormwater mains shall be subject to a closed circuit television (CCTV) inspection carried out in accordance with the New Zealand Pipe Inspection Manual. A pan tilt camera shall be used and lateral connections shall be inspected from inside the main. The CCTV shall be completed and reviewed by Council before any surface sealing.
- m) All signage shall be installed in accordance with Council's signage specifications and all necessary road markings completed on all public or private roads (if any), created by this subdivision.
- n) Road naming shall be carried out, and signs installed, in accordance with Council's road naming policy.
- o) All earth worked and/or exposed areas created as part of the subdivision shall be top-soiled and grassed, revegetated, or otherwise stabilised.
- p) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
- q) Hydrant testing shall be carried out to confirm that there are sufficient hydrants with adequate pressure and flow to service the development with a Class FW2 fire risk in accordance with the NZ Fire Service Code of Practice for Firefighting Water Supplies 2008. Any lesser risk must be approved in writing by Fire Service NZ, Dunedin Office. The testing shall be carried out by the New Zealand Fire Service under the supervision of Council's approved water maintenance contractor (Veolia Water), unless otherwise approved by Council. The testing shall be carried out over the peak period of an average day. The results shall be submitted to Council for inclusion in Council's water model and be confirmed in the model as meeting Class FW2 fire risk for the development. All related costs shall be borne by the consent holder.

#### Parks & Reserves

- r) The consent holder shall fully implement all road/street landscaping and planting as shown on the landscape plan approved by condition (10).
- s) The consent holder shall enter into a maintenance agreement under s207A of the Local Government Act 2002 Amendment Act (LGA) as per clause 7.4.11.2 of the QLDC LDSCoP 2020, with the QLDC Parks and Reserves Department, with the obligation being upon the consent holder to fulfil the requirements detailed in (a) to (d) below. The maintenance period shall be three (3) 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 three (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. Health and safety plans shall be provided for all non-QLDC approved contractors undertaking maintenance in the reserves or road reserves.
- iv. On completion of construction, as-builts for walkways (and grassed areas if any), which are to be vested with Council, to be provided as per Land Development and Subdivision Code of Practice (dated 2020).

*Advice Note: Asbuilt submission package, including asbuilt specs and guidelines, available on the QLDC LDSCoP 2020 website:*

<https://www.qldc.govt.nz/services/resource-consents/land-developments-and-subdivisions>

- t) All new reserve and road reserve asset information shall be submitted electronically with spatial attributes as outlined in Schedule 1D of the QLDC LDSC 2020.

### **Ongoing Conditions/Consent Notices**

- 17. 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) A consent notice condition pursuant to s.221 of the Resource Management Act 1991 shall be registered on the Records of Title for the relevant lots providing for the performance of any ongoing requirements for protection of secondary flow paths or minimum floor levels for buildings, where deemed necessary by Council to satisfy Condition 7(d)(iii) above. The final wording of the consent notice instrument shall be checked and approved by the Council's solicitors at the consent holder's expense prior to registration to ensure that all of the Council's interests and liabilities are adequately protected.
  - b) In the event that the Schedule 2A certificate and Geotechnical Completion Report issued under Condition (16i) contains limitations, such as specific foundation requirements for each lot that does not meet NZS3604 foundation conditions, or remedial works required on particular lots, then a consent notice shall be registered on the Records of Title for the affected lots detailing requirements for the lot owner(s).
  - c) At the time a residential unit is constructed the owner for the time being shall construct a sealed vehicle crossing to the site 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.
  - d) Any vehicle crossing that is constructed at the time of subdivision shall not be moved, realigned or widened.
  - e) 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.
- 18. In the event that the Engineering Acceptance issued under Condition (7) contains ongoing conditions or requirements associated with the installation, ownership, monitoring and/or maintenance of any infrastructure subject to Engineering Acceptance, then at Council's discretion, a consent notice (or other alternative legal instrument acceptable to Council) shall be registered on the relevant Records of Title detailing these requirements for the lot owner(s). The



final form and wording of the document shall be checked and approved by Council's solicitors at the consent holder's expense prior to registration to ensure that all of the Council's interests and liabilities are adequately protected. The applicant shall liaise with the Subdivision Planner and/or Manager of Resource Management Engineering at Council in respect of the above. All costs, including costs that relate to the checking of the legal instrument by Council's solicitors and registration of the document, shall be borne by the applicant.

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

### **Covenant**

19. The consent holder shall ensure that a fencing covenant, required under s6 of the Fencing Act 1978, is registered on all land adjacent to reserves, 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.

## DECISION B: LAND USE

### General Conditions

1. That the development must be undertaken/carried out in accordance with the plans:
  - 'Earthworks Plans Plan Index: Drawing 007, Sheet 100, Rev A', prepared by Paterson Pitts Group and dated 11/11/2019
  - 'Earthworks Plans Existing Contours: Drawing 007, Sheet 200, Rev A001', prepared by Paterson Pitts Group and dated 11/11/2019
  - 'Earthworks Plans Topsoil Area: Drawing 007, Sheet 201, Rev 001', prepared by Paterson Pitts Group and dated 11/11/2019
  - 'Earthworks Plans Proposed Design Contours: Drawing 007, Sheet 202, Rev 001', prepared by Paterson Pitts Group and dated 11/11/2019
  - 'Earthworks Plans Cut/Fill Plan: Drawing 007, Sheet 203, Rev 001', prepared by Paterson Pitts Group and dated 11/11/2019
  - 'Earthworks Plans Cut/Fill Plan: Drawing 007, Sheet 204, Rev 001', prepared by Paterson Pitts Group and dated 11/11/2019
  - 'Earthworks Plans Cut/Fill Plan: Drawing 007, Sheet 205, Rev 001', prepared by Paterson Pitts Group and dated 11/11/2019
  - 'Earthworks Plans Cross Sections: Drawing 007, Sheet 206, Rev 001', prepared by Paterson Pitts Group and dated 11/11/2019
  - 'Earthworks Plans Cross Sections: Drawing 007, Sheet 207, Rev 001', prepared by Paterson Pitts Group and dated 11/11/2019
  - 'Earthworks Plans SMP Earthworks Controls: Drawing 007, Sheet 208a, Rev 001', prepared by Paterson Pitts Group and dated 3/12/2019
  - 'Earthworks Plans SMP Earthworks Stages: Drawing 007, Sheet 208b, Rev 001', prepared by Paterson Pitts Group and dated 3/12/2019
  - 'Earthworks Plans SMP pond Catchments: Drawing 007, Sheet 208c, Rev 001', prepared by Paterson Pitts Group and dated 3/12/2019
  - 'Earthworks Plans SMP Post Construction Controls: Drawing 007, Sheet 208d, Rev 001', prepared by Paterson Pitts Group and dated 3/12/2019
  - 'Earthworks Plans Proposed Design Controls: Drawing 007, Sheet 208e, Rev 001', prepared by Paterson Pitts Group and dated 29/11/2019
  - 'Earthworks Plans SMP Pond Details: Drawing 007, Sheet 208f, Rev 001', prepared by Paterson Pitts Group and dated 3/12/2019

### **stamped as approved on 9 June 2023**

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

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

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

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

4. Prior to commencing ground-disturbing activities, the Consent Holder shall nominate an Environmental Representative for the works program in accordance with the requirements detailed on pages 9 and 10 of the *Queenstown Lakes District Council's Guidelines for Environmental Management Plans*.
5. Prior to commencing ground disturbing activities, the Consent Holder shall ensure that all staff (including all sub-contractors) involved in, or supervising, works onsite have attended an Environmental Site Induction in accordance with the requirements detailed on page 8 of the *Queenstown Lakes District Council's Guidelines for Environmental Management Plans*.
6. The EMP shall be accessible on site at all times during work under this consent.
7. In accordance with page 9 of the *Queenstown Lakes District Council's Guidelines for Environmental Management Plans*, where any Environmental Incident where the EMP has failed leading to any adverse environmental effects offsite occurs the Consent Holder shall report to QLDC details of any Environmental Incident within 12 hours of becoming aware of the incident.

### **General**

8. 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. Current version 1.1.

*Note: The current standards are available on Council's website via the following link:*  
<https://www.qldc.govt.nz/media/nqcf5wqy/qldc-land-development-and-subdivision-code-of-practice-2018-v1-1.pdf>

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

9. The consent holder shall implement the following traffic management measures during the excavation phase:
  - Suitable site warning signage shall be in place on the road in both directions from the site entrance.
  - Safe sight distances and passing provisions shall be maintained at all times.
  - Safe and unimpeded access is to be made available to the right of way users at all times.
10. At least 7 days prior to commencing excavations, the consent holder shall provide the Manager of Resource Management Engineering at Council with the name of a suitably qualified geo-professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice who is familiar with the Ground Consulting Limited report ('Willowridge Developments Limited, 195 Lake View Terrace, Hawea. Geotechnical Assessment for Proposed Residential Subdivision: Lake View Terrace.' GCL ref R5160-1A, dated 23 October 2019) and who shall supervise the earthworks procedure, in accordance with the report recommendations. Should the site conditions be found unsuitable for the proposed excavation/construction methods, then a suitably qualified and experienced engineer shall submit to the Manager of Resource Management Engineering at Council new designs/work methodologies for the works prior to further work being undertaken, with the exception of any necessary works required to stabilise the site in the interim.

### **To be monitored throughout earthworks**

#### Hours of Operation – Earthworks

11. Hours of operation for earthworks, shall be:

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

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

#### Accidental Discovery Protocol

12. If the consent holder:

- a) does not have an archaeological authority from Heritage New Zealand Pouhere Taonga and discovers koiwi tangata (human skeletal remains), waahi taoka (resources of importance), waahi tapu (places or features of special significance) or other Maori artefact material, the consent holder shall without delay:
- notify Council, Tangata whenua and Heritage New Zealand Pouhere Taonga and in the case of skeletal remains, the New Zealand Police.
  - stop work within the immediate vicinity of the discovery to allow a site inspection by the Heritage New Zealand Pouhere Taonga and the appropriate runanga and their advisors, who shall determine whether the discovery is likely to be extensive, if a thorough site investigation is required, and whether an Archaeological Authority is required.

Any koiwi tangata discovered shall be handled and removed by tribal elders responsible for the tikanga (custom) appropriate to its removal or preservation. Site work shall recommence following consultation with Council, the New Zealand Pouhere Taonga, Tangata whenua, and in the case of skeletal remains, the New Zealand Police, provided that any relevant statutory permissions have been obtained.

- b) discovers any feature or archaeological material that predates 1900, or heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder shall without delay:
- stop work within the immediate vicinity of the discovery or disturbance and;
  - advise Council, the Heritage New Zealand Pouhere Taonga and in the case of Maori features or materials, the Tangata whenua and if required, shall make an application for an Archaeological Authority pursuant to the New Zealand Pouhere Taonga Act 2014 and;
  - arrange for a suitably qualified archaeologist to undertake a survey of the site.

Site work may only recommence following consultation with Council.

13. The earthworks and batter slopes shall be undertaken in accordance with the recommendations of the report by Ground Consulting Limited ('Willowridge Developments Limited, 195 Lake View Terrace, Hawea. Geotechnical Assessment for Proposed Residential Subdivision: Lake View Terrace.' GCL ref R5160-1A, dated 23 October 2019).
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.
15. No earthworks, temporary or permanent, are to breach the boundaries of the site.
16. Stockpiles, proposed to be in place for a period of one (1) month or more, shall be limited to the locations shown on the approved plan entitled '*Earthworks Plans SMP Earthworks Stages*' and

shall not exceed a height of 3m above the 'Design Surface' level indicated at the relevant chainage on the cross section plan entitled: '*Earthworks Plans Cross Sections*'

### **On completion of earthworks**

17. Within 8 weeks of the completion of earthworks, the consent holder shall:
- a) The provision of an access way to the residential unit in Lot 1 DP 536086 that complies with the guidelines provided for in QLDC's Land Development and Subdivision Code of Practice.
  - b) Ensure that all earthworks, geotechnical investigations and fill certification shall be carried out under the guidance of a 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. Within 8 weeks of the completion of onsite earthworks the geo-professional shall incorporate the results of ground bearing test results regardless of whether affected by development cut and fill earthworks and include the issue of a Geotechnical Completion Report and Schedule 2A certificate on completion covering all land within the development, with the Schedule 2A certification including a statement under Clause 3(e) covering Section 106 of the Resource Management Act 1991. In the event the Schedule 2A includes limitations or remedial works against any lot(s) the Schedule 2A shall also include a geotechnical summary table identifying requirements against each relevant lot in the development for reference by future lot owners. The certificate and any supporting information shall be submitted to the Manager of Resource Management Engineering at Council. Any remedial works outlined on the Schedule 2A that requires works across lot boundaries shall be undertaken by the consent holder.
  - c) In the event that the Schedule 2A certificate issued under Condition (17b) contains limitations or remedial works required, then a s108 covenant shall be registered on the relevant Computer Freehold Registers detailing requirements for the lot owner(s).
  - d) All earthworked areas shall be top-soiled and revegetated or otherwise permanently stabilised.
  - e) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

### **Advice Note**

1. *The proposed works would not change the ground level for the site, as defined by the QLDC Operative District Plan. Any future application for subdivision or built form within the site would need to be assessed in terms of the ground level prior to these works occurring unless the ground level is re-set as part of a subdivision process.*
2. 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.
3. *Any works near power lines, including extraction, processing and stockpiling activities, and the use of haul roads by construction traffic, shall be undertaken in accordance with any requirements of Aurora Energy/Delta, the Electricity Act and the New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP 34:2001. The consent holder shall notify Delta prior to any gravel extraction or processing works commencing within the electricity easement or within 5m of power lines or power poles.*
4. *Working around the overhead power lines aligned along the eastern boundary within the site shall be addressed in the Health and Safety Management Plan as it is a requirement of the Health and Safety at Work Act 2015.*

5. *If at any time Council, or its elected representatives, receive justifiable complaints about or proof of effects from vibration sourced from the earthworks activities approved by this resource consent, the consent holder at the request of the Council shall cease all earthworks activities and shall engage a suitably qualified professional who shall prepare a report, which assesses vibration caused by earthworks associated with this consent and what adverse effect (if any) these works are having on any other land and buildings beyond this site. Depending on the outcome of this report a peer review may be required to be undertaken by another suitably qualified professional at the consent holder's expense. This report must take into consideration the standard BS 5228:1992 or a similar internationally accepted standard. Both the report and peer review (if required) shall be submitted to Council for acceptance and approval.*

**APPENDIX 2 – APPLICANT’S AEE**

# ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

## Koreke Rise Subdivision

October 2022





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## APPENDICES

- A: Certificate of Title and Instruments
- B: Scheme Plan
- C: Infrastructure Report
- D: Earthworks Details
- E: ORC Contaminated Land Confirmation
- F: Urban Design Report
- G: Neighbour APA

## 1.0 INTRODUCTION

- 1.1 This assessment of effects on the environment is prepared in accordance with section 88 and Schedule 4 of the Resource Management Act 1991 (the Act). It accompanies an application by Orchard Road Holdings Limited (ORHL) for consent to subdivide land and undertake bulk earthworks at the new subdivision to be known as Koreke Rise, Hawea.

## 2.0 SITE DESCRIPTION

- 2.1 The application site is an 8.54ha area of land legally described as Lot 2 DP 568764. A copy of the CoT and relevant consent notice and covenants are contained at **Appendix A**.
- 2.2 The site is located at Lakeview Terrace, Hawea. The site is surrounded by residential development with Skylar Place to the west, Drake Place and Charles Court to the east, Sam John Place to the south and Lakeview Terrace properties to the north.
- 2.3 The site is accessed from Lakeview Terrace and is generally flat to a midway point at which the site slopes south to a lower terrace area.
- 2.4 Consent has been obtained to undertake bulk earthworks on the site (RM200138). This application includes reconsenting the earthworks in order to 'reset' the ground levels for the purpose of determining maximum building heights.

## 3.0 DESCRIPTION OF ACTIVITY

- 3.1 The application proposes a subdivision to create 89 residential lots, one road to vest, two local purpose reserves, one access reserve and one drainage reserve. A scheme plan showing the subdivision is contained at **Appendix B**. The lots range in size from 595m<sup>2</sup> to 920m<sup>2</sup>.
- 3.2 This application also seeks to include the bulk earthworks for the site already approved through RM200138 and to breach a rule relating to access distance from intersections.

### **Roading and Infrastructure**

- 3.3 The following sections set out the proposed infrastructure and earthworks. Full details of infrastructure are contained in the Paterson Pitts Infrastructure Report contained at **Appendix C** and details of the earthworks area contained at **Appendix D**.

#### *Road Dimensions and Layout*

- 3.4 The road layout has been governed primarily by the location of access to the site from Lakeview Terrace and the topography of the site.
- 3.5 Road dimensions have been based initially on the minimum requirements outlined in Table 3.2 of the QLDC Land Development and Subdivision Code of Practice (LDSCOP) and then modified to suit the functional and aesthetic goals of the proposed development. The LDSCOP requirements have been modified in one area:
- Road legal width.
- 3.6 Road 1 is classified as an E12 Local Road which have a minimum legal width requirement of 15m. This has been increased slightly to a minimum of 15.30m to help provide additional space to fit in underground services and landscaping.
- 3.7 Roads 2 and 3 are classified as E11 lanes and have a minimum legal width requirement of 9m. This has been increased to a minimum of 14m as it is considered that 9m creates too narrow a road corridor that is not in keeping with the open space feeling that generally exists in Hawea. It is also considered that a 9m legal width makes it difficult to construct underground services in the corridors specified by the relevant authorities whilst still achieving the required road cross section parameters.

#### *Road 1*

- 3.8 This Road is the entry/exit to the proposed development from Lakeview Terrace and forms a loop around the entire development providing access to all internal Lots and Roads. Road 1 provides access to two Local Purpose Reserves, Lot 100 Stormwater Drainage Reserve and Lot 101 Pedestrian Access to Charles Court.

#### *Road 2*

- 3.9 This road will intersect with Road 1 at the northern and southern ends of the development and provide access to lots in the middle of the development.

#### *Road 3*

- 3.10 Road 3 will intersect at the northern and southern ends of the development and provides access to lots in the middle of the development.

#### *Right of Way (ROW) G and H*

- 3.11 Private right of way access is shown over areas G and H to provide access to Lots 35 and 36 from Road 1.

#### *ROW I and J*

- 3.12 Private ROW access is shown over areas I and J to provide access to Lots 30 and 32 from Road 1.

*ROW K*

- 3.13 Private ROW access is shown over area K to provide access to Lots 28 and 29 from Road 1.

*Place and Link Functions*

- 3.14 Section 3.2.4 of the QLDC LDSCOP states that “the two fundamental roles of a road are to provide a space for interaction between people for a range of purposes and access to land so that movement between places can occur”.

*Place Context*

- 3.15 Place context is defined for both the specific land use served and the broader area type in which it is located.
- 3.16 The land use characteristic is defined according to the description of predominant activities in individual areas. QLDC LDSCOP uses the descriptions ‘live, play, work and learn, in addition to activities associated with growing manufacturing and transporting of goods and products’.
- 3.17 Using Table 3.1 from NZS4404:2010, the development areas have been categorised as:
- Land use: live and play
  - Area type: suburban
- 3.18 The live and play land use is defined as ‘homes, home based businesses, and mixed use developments with residential uses, as well as parks and low impact recreation’. The proposed use of the development is for residential homes and local purpose and/or recreation reserves that is consistent with the live and play land use.
- 3.19 The suburban area type is defined as ‘low and moderate density housing up to 15 units per hectare in an area where housing is the exclusive or dominant use’. The proposed development site as a whole is approximately 8.5355ha and will contain approximately 89 houses once fully developed, thus yielding a dwelling unit density of 10.43 units per hectare. Residential housing will be the prominent land use allowing for the fact that there could possibly be a few home-based businesses established.
- 3.20 The ‘urban’ area type anticipates a much higher residential density (50 units per hectare) plus the inclusion of other land uses and is therefore not an appropriate category for the subject site. Similarly, the ‘rural’ area type is not appropriate because this is intended for a residential population outside of the urban limits.

- 3.21 Table 3.1 explains the transport context for the suburban area type is private vehicles as the dominant form of transport with public transport providing for peak flow on arterial connector/collector roads. It further explains that non-motorised trips are primarily recreational and occur on local roads. Whilst the public transport component is not currently applicable in the Hawea context and private vehicles will be the prominent form of transport for the next few years, it is anticipated that public transport will be in place at some time in the future. It would seem logical that a bus stop could be situated on Lakeview Terrace near the junction of Road 1 providing short walking distances from the proposed lots to a public transport point.

#### *Link Context*

- 3.22 Link context is classified by the extent of access and the degree of through movement intended to be served. This standard includes three levels of link context;
- Lane: a road that provides a very high local access and very limited through movement connectivity. Very low vehicle speeds with shared pedestrian and vehicle access predominate.
  - Local road: a road that provides very high local access and connectivity for a local area. Low vehicle speeds, pedestrian and local amenity values predominate;
- 3.23 The proposed road classification table contained within the Infrastructure Report (**Appendix C**) details the design traffic movements per day and which of the above two classification options has been assigned to each of the proposed roads.

#### *Connectivity*

- 3.24 Section 3.2.5 of LDSCOP states that well connected networks (roads and other links) are achieved with smaller block sizes and regular connections. Network connectivity shall be designed to achieve:
- Shorter travel distances;
  - An increased number of alternative routes for all types of users;
  - Increased opportunity for interaction;
  - Improved access to public transport, cycling and walking networks, and access to destinations.
- 3.25 The proposed development is limited by the single road access point to Lakeview Terrace but does enhance pedestrian access and cycling access from the existing development to the east with the link through Charles Court.

#### *Target Operating Speeds*

- 3.26 Section 3.3.5 of the LDSCOP states that traffic management shall be included in the road design to ensure that the target operating speed are achieved. Target operating speeds can be managed by physical and psychological devices such as narrowed movement lanes, reduced forward visibility, slow points, build outs, lengths, chicanes, planting and landscaping

and street furniture and art works. The two key geometric factors that contribute to achieving the target operating speed are carriageway width and forward visibility.

- 3.27 The proposed carriageway widths are consistent with the requirements of the QLDC LDSCOP in order to provide a suitable number of through lanes as well as making provision for car-parking and passing manoeuvres.

#### *LID Principles for Stormwater Run-Off from Roads*

- 3.28 It is proposed to direct all stormwater runoff from roads to the roadside kerb and channel which will in turn discharge into mudtanks and an underground piped network. Ultimately all stormwater runoff from the roads will be piped to the stormwater reserve located in Lot 100 along the southern boundary of the development site.
- 3.29 The design of the stormwater reserve is 'low impact' as all stormwater up to an including the 1% AEP design storm will be retained on site and discharged to ground via soakage.

#### *Cyclists*

- 3.30 Cyclists will share the movement lane.

#### *Car Parking*

- 3.31 It is intended that lots will form their vehicle crossings at the time of building and the parking will be located outside of these areas. There are sufficient areas within the roads to exceed the maximum 1 car park per residential unit/lot.
- 3.32 Roads 1, 2 and 3 allow for parking to be shared in the movement lane as per table 3.2 of the QLDC LDSCOP. A 7.4m movement lane width provides for the ability to park on one side of the road and two through lanes. Neither option will be delineated but rather this will be left for road users to decide.

#### *Vesting of Assets*

- 3.33 All proposed roads and services within them will vest in Council on completion of the subdivision.

#### **Stormwater**

- 3.34 A stormwater disposal assessment for the overall subdivision has been prepared by Ground Consulting Ltd and is contained at **Appendix C**. In terms of the proposal, all impervious areas within residential lots will be accommodated by a reticulated public stormwater piping network with private 100mm diameter lateral connections provided at a suitable location for each lot.

- 3.35 All impervious areas within the road reserve will drain to the kerb and channel and then into the reticulated public stormwater piping network via standard mudtanks.
- 3.36 The reticulated public stormwater piping network will discharge into a stormwater soakage system located on the proposed Lot 100. Discussions with QLDC's P & I team have concluded that a condition should be included in the consent requiring an assessment of effects from the Stormwater System on downstream properties as part of the engineering approval.

#### *Wastewater*

- 3.37 A wastewater modelling assessment is contained in the infrastructure report at **Appendix C**. This assessment concludes that there is sufficient capacity in the existing pipe network to receive the proposed development flows. It was also concluded that additional water storage would be required at the Cemetery Road Pumping Station and that the wet weather peak flow rates need to be confirmed.
- 3.38 Each lot will be provided with a 100mm diameter lateral that is connected to new reticulated mains within the road corridors. All wastewater will gravity flow to Council's existing wastewater network connection at existing manhole 101817 located within the existing local purpose reserve Lot 30 DP327385.

#### *Water Supply*

- 3.39 Hydraulic modelling has been undertaken by Watershed and is included in the Infrastructure Report at **Appendix C**. The modelling has concluded that the proposed development can be supplied through the proposed reticulation layout and meet the desired level of service required by QLDC.
- 3.40 There is an existing 150mm diameter water main on the northern side of Lakeview Terrace.
- 3.41 A 100mm diameter watermain is located on the northern side of Charles Court.
- 3.42 A 150mm diameter watermain will tee into the existing 150mm diameter watermain on Lakeview Terrace and run around Road 1 to form a looped main with a connection through the proposed walkway to the existing 100mm diameter watermain on Charles Court.
- 3.43 A series of 100mm diameter watermains and 50mm diameter ridermains will then tee into this 150mm diameter watermain and provide looped networks to service the remaining lots.
- 3.44 The individual lots will be serviced with lateral connections off a new network of 150mm diameter watermains, 100mm diameter watermains and 50mm diameter ridermains. Fire hydrants and valves will be incorporated into the design in accordance with the relevant standards.

#### *Electricity Supply*

- 3.45 Aurora have confirmed that electricity connections can be made available to all residential lots contained in the proposed subdivision. A letter from Aurora confirming this is contained in the Infrastructure Report at **Appendix C**.

*Telecommunications Supply*

- 3.46 A letter from Chorus confirming telecommunications connections can be made available to all residential lots is contained at **Appendix C**.

*Earthworks*

- 3.47 Earthworks have been consented through RM200138. Consent is sought to include these earthworks as part of the subdivision consent in order to 'reset' the ground levels for the purpose of determining maximum building heights.

- 3.48 The earthworks volumes can be summarised as follows:

Total cut volume	27,999m <sup>3</sup>
Total fill volume	22,729m <sup>3</sup>
Fill structural fill to roads and residential lots	53,000m <sup>3</sup>
Total area of earthworks	61,647m <sup>2</sup>
Maximum cut depth	4.1m
Maximum fill depth	2.2m

- 3.49 Earthworks plans are contained at **Appendix D**.

*Reserves*

- 3.50 Lot 100 is proposed to be vested as a local purpose drainage reserve. The area of Lot 100 is 1,610m<sup>2</sup>, which will comprise the subdivisions stormwater system.
- 3.51 Lot 101 is proposed to be vested as local purpose access reserve. The area of Lot 101 is 115m<sup>2</sup> which will comprise a walkway connection the proposed development to the existing local purpose reserve lot 30 DP 327385 accessed from Charles Court.
- 3.52 The Lake Hawea Esplanade Reserve is located approximately 100m from the entrance to the proposed subdivision and within 600m of the entire subdivision. It is considered that this reserve is of an appropriate size and purpose relative to the proposed development and therefore should be exempt from a reserve land contribution as is provided for in the current development contributions policy (2018/19).

*Landscaping*

- 3.53 Landscaping will be undertaken in accordance with the landscape plan at **Appendix B**.

## 4.0 ACTIVITY STATUS

*Proposed District Plan*



4.1 The site is zoned in the PDP as Low Density Suburban Residential Zone (LDSRZ). The appeals period for the rezoning of the site through the PDP closed on the 18<sup>th</sup> May and no appeals were received relating to the zoning of the application site. The PDP is therefore considered to be the relevant Plan.

4.2 The following rules and standards are relevant to the subdivision:

Rule	Proposal	Activity Status
27.5.7 Subdivision in the LDSRZ		Restricted Discretionary
27.6.5 Minimum Lot Areas LDSRZ 450m <sup>2</sup>	The minimum lot size of the proposed subdivision is 600m <sup>2</sup>	The proposed subdivision complies with this rule.
25.5.3 Maximum Volume of Earthworks LDSRZ 300m <sup>3</sup>	Total volume of earthworks is 103,728m <sup>3</sup>	The proposed earthworks do not comply with the minimum volume rule and are a Restricted Discretionary Activity pursuant to rule 25.4.2.
25.5.11 Earthworks over a contiguous area shall not exceed: 1. 2,500m <sup>2</sup> where the slope is 10 <sup>0</sup> or greater; 2. 10,000m <sup>2</sup> where the slope is less than 10 <sup>0</sup>	The total area of earthworks is 61,647m <sup>2</sup>	The proposed earthworks do not comply with this standard and are a Restricted Discretionary Activity.
25.5.12 Erosion and sediment control measures must be implemented and maintained during earthworks to minimise the amount of sediment exiting the site, entering water bodies and stormwater networks.	An erosion and sediment control plan will be produced and the measures contained therein implemented to minimise sediment exiting the site.	The proposal complies with this rule.
25.5.13 Dust from earthworks shall be managed through appropriate dust control measures so that dust does not cause nuisance effects beyond the boundaries of the site.	Dust will be managed through appropriate dust control measures detailed in an Environmental Management Plan.	The proposal complies with this rule.
25.5.15	The maximum cut depth is 4.1m.	The proposal does not comply with this

The maximum depth of any cut shall not exceed 2.4m		rule and is Restricted Discretionary Activity.
25.5.16 The maximum height of any fill shall not exceed 2m.	The maximum fill height is 2.2m.	The proposal does not comply with this rule and is Restricted Discretionary Activity.
25.5.18 Earthworks greater than 0.5m in height or depth shall be set back from the site boundary: 1. Earthworks not supported by retaining walls: a. At a distance at least equal to the max height of the fill as measured from the toe of the fill, with a max batter slope angle of 1:3; or b. 300mm plus a batter slope angle of a maximum of 1:3 as measured from the crest of the cut.	The earthworks comply with this standard	The proposal complies with this rule.
29.4.11 High Traffic Generating Activities Any new land-use or subdivision activity that exceeds the traffic generation standards or thresholds set out in Table 29.5	The Traffic Assessment prepared to support the application identifies daily vehicles movements of 580 per day. The High Trip Generation threshold for subdivisions is greater than 400 vehicles trips per day from subdivision. The proposal is considered a high trip generator.	Restricted Discretionary
29.5.22 Minimum distances of Vehicle Crossings from Intersections No part of any vehicle crossing shall be located closer to the intersection of any roads than the following minimum distances: Roads with a speed limit of less than 70km/hr: Local Road – distance from intersecting road 25m	lot 2, 15, 16, 34, 35, 36, 49, 58, 65, 66, and Lot 1 DP 536086 will not comply with this rule.	Restricted Discretionary

4.3 The overall status of the application is a **Restricted Discretionary Activity**.

## 5.0 SECTION 104(1)(b)

5.1 Section 104(1)(b) requires that in considering an application for a resource consent a consent authority must have regard to 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 propose plan.

5.2 There are no national policy statements or New Zealand coastal policy statements relevant to this application. The documents that are relevant are considered below.

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

5.3 The National Environmental Standard (NES) for Assessing and Managing Contaminants in Soil to Protect Human Health applies to land that is or has been used for a hazardous activity or industry. These activities are listed on the Hazardous Activities and Industries List (HAIL).

5.4 The site has previously been used as pastoral land and a review of Regional and District Council records and hazard maps has not identified the site as having been used for a Hail activity. ORC confirmation is contained at **Appendix E**.

*Policy Statements and Plans*

5.5 The following policy statements and plans are relevant to this application:

- The Partially Operative Regional Policy Statement;
- The Proposed Queenstown Lakes District Plan on which decisions were notified on the 7<sup>th</sup> May 2018.

5.6 An assessment of relevant objectives and policies is included at **Attachment 1**. Overall the proposal complies with the relevant objectives and policies.

## 6.0 PART 2

6.1 Clause 2(1)(f) of Schedule 4 of the Act requires an assessment against the matters set out in Part 2. Part 2 sets out the purpose and principles.

- 6.2 The purpose of the Act is to promote the sustainable management of natural and physical resources. Section 5 of the Act defines sustainable management as;

*managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables 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 effects of activities on the environment.*

- 6.3 The application proposes the creation of 89 residential lots. The development is on already-zoned land surrounding by existing residential development and can be serviced by existing infrastructure and reserves. The development is an efficient use of this land resource.
- 6.4 Section 6 sets out matters of national importance. None of the matters listed are of relevance to the application.
- 6.5 Section 7 sets out other matters. 7(b) is the efficient use and development of natural and physical resources. The proposed subdivision includes smaller lots which represent the efficient use of land particularly at a time when there is very high demand for residential sections in the area.

## **7.0 ASSESSMENT OF ACTUAL OR POTENTIAL EFFECTS**

- 7.1 The application seeks consent for a Restricted Discretionary subdivision and earthworks. Potential effects arising from the proposal relate to urban design and subdivision, earthworks and transportation effects.
- 7.2 Matters of discretion for subdivision in the LDSRZ are set out in rule 27.5.7 of the PDP:
- a. Subdivision design and any consequential effects on the layout of lots and on lot sizes and dimensions.*
- 7.3 An urban design report is included at **Appendix F**. The site is disadvantaged by the single access point. Layout options are constrained because of this. However, lots are all over the minimum lot size for the zone of 600m<sup>2</sup>. Each lot is a regular, buildable shape and the layout results in only 6 rear lots out of the total 89 lots. The subdivision layout is considered to be legible and efficient with lots orientated to maximise sunlight.

7.4 The site does not benefit from road linkages to established residential development to the west, south or east so is limited to a single access point to Lakeview Terrace. However, a pedestrian connection is provided through the Council reserve at Charles Court to the east.

*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.*

7.4 The application site is a remaining block of undeveloped land within Hawea Township that has existing residential development on all sides. Unfortunately, previous development has not provided for road connectivity with this site and a single access point from Lakeview Terrace is the only access available to the site.

7.5 The internal roading layout is comprehensive and provides for easy movement within the site with no cul-de-sacs.

*c. Property Access and Roading*

7.9 Proposed lots are accessed directly from one of the proposed roads with the exception of 6 lots, which are accessed via rights of way.

*d. Esplanade Provision*

7.10 There is no requirement for esplanade provision as a result of the proposed subdivision.

*e. The adequacy of measures to address natural hazards*

7.11 There are no natural hazards affecting the site.

*f. Fire fighting water supply*

7.12 Water modelling has confirmed that FW2 fire fighting requirements can be met.

*g. Water supply*

7.13 Water modelling has confirmed there is an adequate water supply available to service the site.

*h. Stormwater design and disposal*

7.14 Details of stormwater design and disposal are contained in the Infrastructure Report at **Appendix C**.

*i. Sewage treatment and disposal*

7.15 The proposed development can connect to the existing sewage reticulation and treatment system.

*j. Energy supply and telecommunications, including adverse effects on energy supply and telecommunications network*

- 7.15 Service providers have confirmed that there is an electricity and telecommunications supply available to the site. No concerns relating to adverse effects on energy supply and telecommunications networks have been raised by service providers.

*k. Open space and recreation*

- 7.16 The site is in close proximity to the existing Lake Hawea Esplanade reserve and Lake Hawea. The future residents will have ready access to this area large recreation area. Additional reserves on site are not required. In line with the current Development Contributions Policy, the subdivision is within 600m of an accessible reserve of an appropriate size and purpose so reserve land contributions are not required.

*l. Ecological and natural values*

- 7.17 There are no ecological or natural values associated with the site.

*m. Historic heritage*

- 7.18 The site has no known historic heritage.

*n. Easements*

- 7.19 Easements will provide access and drainage rights to Lot 1 DP536086 and Lot 1 DP 300074. These easements will not affect the buildability of the burdened lots.

**Earthworks**

- 7.20 The earthworks are a necessary part of the Koreke Rise subdivision in order to create roads and buildable sections.
- 7.21 There is no significant topographical features on the site other than a slope to a lower level at the mid-southern end of the site. The earthworks are sympathetic to the topography of the site. The earthworks will provide safe and stable building platforms with a suitable gradient as confirmed by the geotechnical report in **Appendix C**.
- 7.22 The earthworks will be completed in as efficient a timeframe as possible. An Environmental Management Plan will be produced for the earthworks and will set out management measures to ensure any adverse effects arising during the earthworks are either avoided or mitigated. Erosion and sediment control measures will include includes the use of diversion channels, retention ponds and silt fences.
- 7.23 Dust will be minimised and controlled through the suspension of works in high winds; the use of water carts; limiting the amount of exposed area to an area which can be effectively watered using K-line irrigation; application of hydro seed to bind the topsoil surface; scale back operations on windy days; and have a stand-by team available to control dust after hours. The parts of the site that will not be occupied by roads will be revegetated as part of the construction works.

- 7.24 In terms of noise, noise management practices shall comply with NZS6803:1999. All practical steps will be taken to minimise noise particularly when working adjacent to an existing residential area.
- 7.25 Hours of operation will be restricted to 7.30am – 6.00pm Monday to Saturday with no works taking place on Sundays or public holidays.
- 7.26 By implementing the appropriate environmental management controls, the effects of the earthworks will be no more than minor.

### ***Transportation***

- 7.24 The transportation assessment contained in **Appendix C** determines that the 89 units will each generate about 6.5 vehicle movements per day, although it is noted these will be variable with many of the properties likely being holiday homes and not permanently occupied. Therefore maximum Average Annual Daily Traffic of 580 vehicle movements per day (in and out) will be generated by the mature subdivision.
- 7.25 Current traffic movements on Lakeview Terrace are in the order of 576 vehicles per day. The additional traffic from Koreke Rise would typically be distributed about 80/20 with most traffic using the western end of Lakeview Terrace, hence the traffic volume to the west would increase to about 1050 vpd. The assessment concludes that Lakeview Terrace has sufficient capacity to easily absorb the additional traffic safely and efficiently.
- 7.25 In terms of the lots where access cannot meet the minimum distance from a junction requirements of the District Plan (rule 14.2.4.2vi, these lots are located opposite the Tee intersection so there is not likely to be any confusion associated with drivers turning at the intersection or the vehicle crossings. There will be good intervisibility between drivers at the vehicle crossing and at the Tee intersection which will reduce and potential for conflict. The vehicle crossings will access low volume residential properties and the roads themselves will also be low volume and low speed.
- 7.26 Overall traffic and transportation effects are considered to be no more than minor.

## **8.0 ASSESSMENT OF AFFECTED PERSONS**

- 8.1 There are not considered to be any parties adversely affected by the proposed subdivision. However, affected party approval has been obtained from the owners of Lot 1 DP30074. This is attached as **Appendix G**.

## **9.0 CONCLUSION**

- 9.1 The application proposes a subdivision to create 89 residential lots within the Low Density Residential Zone and seeks consent for earthworks and to breach a rule relating to the distance of access from intersections.
- 9.2 The subdivision will create housing land in land zoned for that purpose and will not result in any adverse effects on the environment that are more than minor.



## Attachment 1 Assessment of Relevant Objectives and Policies

### Partially Operative Otago Regional Policy Statement 2019

<p>Objective 4.5 Urban growth and development is well designed, occurs in a strategic and co-ordinated way, and integrates effectively with adjoining urban and rural environments.</p>	<p>The proposed subdivision effectively an infill development within the existing Hawea township. The development can be serviced by existing services and roading infrastructure and the existing reserve area.</p> <p>The proposed development is slightly higher in density than the surrounding properties, however, this density reflects the new District Plan zoning and is a more efficient use of the land resource.</p>
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### Queenstown Lakes District Council Operative District Plan

<p>Section 9 Objective 1 Recognition and consolidation of the townships. Recognition of the low density open space residential amenity of the townships. Recognition of the particular character, built environment and range of uses existing in the individual townships.</p> <p>Policy 1.1 To encourage consolidation of the townships within identified boundaries.</p>	<p>Although the proposed subdivision is at a higher density than the existing township it is an efficient use of a vacant, central site and will consolidate the township within the township boundaries.</p>
<p>Section 15 Objective 2 The cost of the provision of services to and within subdivisions and developments, or the upgrading of services made necessary by that subdivision and development, to the extent that any of those things are necessitated by the subdivision or development to be met by subdividers.</p>	<p>The applicant will meet the costs of provision of services through development contributions in accordance with the relevant development contributions policy.</p>
<p>Section 15 Objective 5 The maintenance or enhancement of the amenities of the built environment through the subdivision and development process.</p> <p>Policies 5.1 To ensure lot sizes and dimensions provide for the efficient and pleasant functioning of their anticipated land uses, and reflect the levels of open space and density of built development anticipated in each area.</p>	<p>The proposed lot sizes are an efficient use of land, however, they are at a higher density than existing surrounding development. While this may be inconsistent with policy 5.1 it reflects the anticipated outcome for the site in terms of the Proposed District Plan and is a more efficient use of such a valuable land resource located within the town boundaries.</p> <p>The proposed subdivision can be serviced via connections to existing reticulated systems. The access is limited to a single access point although this will be designed to Council standards.</p>

<p>5.5 To minimise the effects of subdivision and development on the safe and efficient functioning of services and roads.</p>	
<p>Section 22 Objective 1 Enable earthworks that are part of subdivision, development or access, provided that they are undertaken in a way that avoids, remedies or mitigates adverse effects on communities and the natural environment.</p> <p>Policies</p> <p>1.1 Promote earthworks designed to be sympathetic to natural topography where practicable and that provide safe and stable building sites and access with suitable gradients.</p> <p>1.2 Use environmental protection measures to avoid, remedy or mitigate adverse effects of earthworks.</p> <p>1.3 Require remedial works and re-vegetation to be implemented in a timely manner.</p>	<p>The proposed earthworks are sympathetic to the natural topography of the land and will ensure future roads and building platforms are practical.</p> <p>An appropriate site management plan will be in place to ensure there are no adverse effects on the environment from the earthworks.</p> <p>The earthworks will be complete as soon as practicable and re-vegetation will occur on completion.</p>

*Queenstown Lakes District Council Proposed District Plan*

<p>Objective 27.2.1 Subdivision will create quality environments that ensure the District is a desirable place to live, visit, work and play.</p> <p>Policy 27.2.1.1 Require subdivision infrastructure to be constructed and designed so that it is fit for purpose, while recognising opportunities for innovative design.</p> <p>Policy 27.2.1.2 Enable urban subdivision that is consistent with the QLDC Subdivision Design Guidelines 2015, recognising that good subdivision design responds to the neighbourhood context and the opportunities and constraints of the application site.</p> <p>Policy 27.2.1.3 Require that allotments are a suitable size and shape, and are able to be serviced and developed for the anticipated land use under the applicable zone provisions.</p>	<p>The proposed subdivision will create a quality environment consistent with the residential density anticipated by the Proposed District Plan for the Low Density Suburban Residential Zone (LDSRZ).</p> <p>The proposed sections will be serviced with infrastructure that is fit for purpose as described in the Infrastructure Report contained at <b>Appendix C</b>.</p>
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<p>27.2.1.4 Discourage non-compliance with minimum allotments sizes. However, where minimum allotment sizes are not achieved in urban areas, consideration will be given to whether any adverse effects are mitigated or compensated by providing:</p> <ul style="list-style-type: none"> <li>a. desirable urban design outcomes;</li> <li>b. greater efficiency in the development and use of the land resource;</li> <li>c. affordable or community housing.</li> </ul>	
<p>Objective 27.2.5 Infrastructure and services are provided to new subdivisions and developments.</p>	<p>The subdivision will be fully serviced.</p> <p>A safe and efficient road layout is proposed with pedestrian footpaths. A pedestrian linkages to the QLDC reserve at Charles Court is also provided.</p> <p>No specific reserve is provided on site given the proposed subdivision is within 100m of the Lake Esplanade Reserve.</p>

**APPENDIX 3 – ENGINEERING REPORT**



# ENGINEERING REPORT

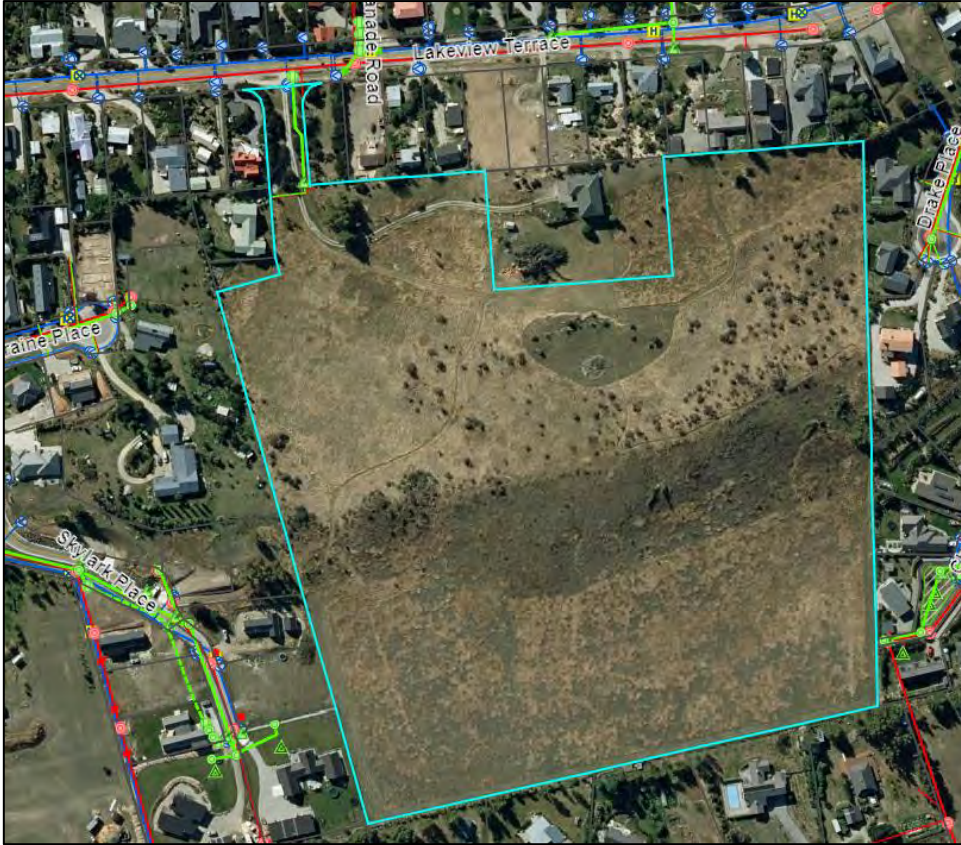
**TO:** Roz Devlin  
**FROM:** Cameron Jones  
**DATE:** 12/12/2022

APPLICATION DETAILS	
REFERENCE	RM220897
APPLICANT	Orchard Road Holdings Limited
APPLICATION TYPE & DESCRIPTION	Subdivision consent is sought to create 89 residential lots, one road to vest, and two local purpose reserves (one access reserve and one drainage reserve). Land use consent is sought to undertake bulk earthworks associated with the subdivision, along with for rule breaches relating to transport matters.
ADDRESS	193A Lakeview Terrace, Lake Hawea
ZONING	ODP: Township PDP: Lower Density Suburban Residential
LEGAL DESCRIPTION	Lot 2 DP 568764
SITE AREA	8.4954 ha
ACTIVITY STATUS	Restricted Discretionary

<b>Application</b>	<b>Reference Documents</b>	Documents provided with consent application.
	<b>Previous Relevant Consents</b>	RM190225 (underlying subdivision). RM200138 (consent to undertake bulk earthworks across the site). RM210842 (boundary adjustment subdivision). RM210448 (identical subdivision application; withdrawn).
	<b>Date of site visit</b>	02/03/2020

Comments	
<b>Existing Use</b>	Vacant residential allotment.
<b>Neighbours</b>	Surrounded by occupied residential allotments; access to Lakeview Terrace via a leg-in to the north.
<b>Topography/Aspect</b>	The site is naturally gently undulating, roughly bisected east-west by a low scarp. Following completion of the earthworks consented under RM200138, the site will generally be gently sloping down towards the south.

### Location Diagram



### Scheme Plan



ENGINEERING		COMMENTS	Condition
<b>TRANSPORT</b>	<b>Transport Assessment</b>	The applicant has provided a traffic assessment prepared by Avanzar Consulting Limited ( <i>'Transportation Assessment Report. Koreke Rise. Subdivision of Lot 2 DP536086, Lake Hawea.'</i> Dated July 2020), which is referred to throughout the following sections.	
	<b>Access</b>	<b>Means of Access</b>	<b>X</b>
		<p>Access to the subdivision is to be via the existing leg-in to Lakeview Terrace, which has a legal width of approximately 20m. This leg-in has been shown as Road 1, and will be extended to loop through the subdivision area. As the road will serve between 20 and 200 dwelling units, it is required to be formed in accordance with Figure E12 of QLDC's <i>'Land Development and Subdivision Code of Practice'</i> (COP). Figure E12 requires a formed width of 5.5 – 5.7m within a minimum legal width of 15m, with 1.5m-wide footpaths on both sides. The applicant proposes to deviate from this requirement by providing a 7.4m carriageway width, and I am satisfied that this is appropriate as it will provide more opportunities for on-street carparking.</p> <p>Roads 2 and 3 provide north-south links between the loop made by Road 1, and are both required to be formed in accordance with Figure E11 of the COP, which requires a 5.5 – 5.7m formed width within a minimum legal width of 9m, with the possibility of pedestrians sharing the vehicle movement lane. The applicant proposes a 7.4m formed width within a 14m legal width, with a 1.5m-wide footpath on one side. I am satisfied that the proposed deviations from Council's standards are appropriate in this instance, as they are an improvement on the minima.</p> <p>A number of rights of way are proposed to provide access to Lots 28/29, 30/32 and 35/36. As these provide access to two lots each, they are required to be formed in accordance with Proposed District Plan (PDP) Rule 29.5.13, which requires a formed width of 2.75 – 3.0m within a minimum legal width of 4.0m. The applicant proposes a formed width of 3.0m within a legal width of 5.0m, and I am therefore satisfied that the rights of way will comply with the District Plan.</p> <p>The applicant has provided long sections demonstrating that the roads and rights of way will comply with the requirements of Council's standards with respect to the maximum gradients.</p> <p>I recommend appropriate conditions regarding road naming, street lighting, and road safety auditing.</p> <p>I recommend a condition that the detailed designs of the roads and rights of way be provided to Council for Engineering Acceptance prior to the commencement of works. I recommend a condition that the roads and rights of way be formed and sealed in accordance with the Accepted plans prior to 224c certification.</p> <p>Condition 1) of consent notice 5012466.2 and condition 1) of consent notice 11532870.3 require that in the event that more than one residential dwelling is constructed on the site (including the land containing 195 Lakeview Terrace) then the leg-in to the site shall be sealed. As the leg-in is to be re-formed as a sealed road, I am satisfied that the proposal will comply with these requirements. In my opinion, these consent notices should be cancelled to tidy up the Records of Title created.</p>	

		<p><b>Vehicle Crossings</b></p>	<p>The application states that it is not intended to form any vehicle crossings as part of the subdivision works, though the plans show vehicle crossings to Lots 28/29, 30/32, 35/36, Lot 1 DP 300074 and Lot 1 DP 536086, and I recommend a condition that these crossings be formed as part of the subdivision works, as their locations are fixed by the subdivision design.</p> <p>Further, as the locations of the vehicle crossings to Lots 12 &amp; 19 are restricted due to their being accessed via leg-ins, I recommend that these crossings also be formed as part of the subdivision works. As the design of the vehicle crossings to Lots 11, 18 &amp; 27 will be dependent on the designs of the crossings to Lots 12, 19 &amp; 29, I recommend that those crossings also be formed as part of the subdivision works.</p> <p>The applicant has provided a plan showing potential vehicle crossing locations with regard to compliance with Rule 29.5.21 (which specifies minimum distances to be offset from intersections, respectively). In summary, the future vehicle crossings to Lots 2 &amp; 15 will be required to be located within 25m of the nearest intersections. I note that Rule 29.5.21.d requires that any such crossings be located as far as possible from the intersection, but I accept Avanzar's conclusion that <i>"they are located opposite the Tee intersection so there is not likely to be any confusion associated with drivers turning at the intersection or the vehicle crossings."</i> While there are compliant locations available, and part d. of Rule 29.5.21 allows an out when a lot's entire frontage is within 25m of an intersection, the applicant seeks consent for the vehicle crossings to Lots 2, 15, 16, 34, 35, 36, 49, 58, 65, 66 and Lot 1 DP 536086 to breach Rule 29.5.21. Given Avanzar's assessment above, I am satisfied that this is unlikely to result in unsafe or inefficient traffic outcomes.</p> <p>In terms of the sight distances available from the crossings, the plan referred to above also shows the locations where suitable sight distances are available for each lot. I note that these distances are not based on the requirements of Rule 29.5.17, which does not apply to roads with a 40 km/hr speed limit, but rather they are based on the requirements for the safe intersection sight distance specified in Austroads (a series of guides to traffic and transport engineering design). The plan shows that suitable sight distances will be available from the majority of the length of each lot's road frontage, given that the sightlines are restricted by either bends or intersections, which motorists will need to slow to negotiate. I accept the provided plan as evidence that suitable vehicle crossing locations will be available to each lot.</p> <p>I am satisfied that forming vehicle crossings which comply with District Plan requirements regarding length, design, break over angles and the maximum number of crossings per site will be easily achieved.</p> <p>I recommend a condition that the detailed design of the vehicle crossings discussed above be provided to Council for Engineering Acceptance prior to the commencement of works. I recommend a condition that the crossings be formed and sealed in accordance with Council's standards prior to 224c certification.</p>	<p>X</p>
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		<b>Vehicle crossings, cont.</b>	Condition 1) of consent notice 5012466.2 and condition 1) of consent notice 11532870.3 require that in the event that more than one residential dwelling is constructed on the site (including the land containing 195 Lakeview Terrace) then the vehicle crossing to the site shall be sealed. As the vehicle crossing is to be re-formed as a sealed intersection, I am satisfied that the proposal will comply with these requirements. In my opinion, these consent notices should be cancelled to tidy up the Records of Title created.	<b>X</b>
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ENGINEERING			COMMENTS	Condition
<b>EARTHWORKS</b>	<b>Extent</b>	<b>Description</b>	The applicant seeks to re-consent the earthworks approved under RM200138. I adopt my assessment for that consent in full, and I recommend the inclusion of the same earthworks conditions in this consent, including the requirements for a geotechnical completion report and schedule 2A certificate.	<b>X</b>

ENGINEERING		COMMENTS	Condition
<b>SERVICES</b>	<b>Existing Services</b>	<p>The site is currently unserviced, though water, power and telecommunications connections are provided through the leg-in to Lot 1 DP 300074 and Lot 1 DP 536086. Condition 3a) of consent notice 11532870.3 prevents the subject land from using these connections.</p> <p>The applicant has provided a report prepared by Paterson Pitts Group ('<i>Koreke Rise. Subdivision Infrastructure Report.</i>' PPG ref W6000, dated 15/06/2020), which outlines the infrastructure requirements and proposal for the subdivision. This report is supported by other expert reports regarding water supply, and wastewater and stormwater disposal, referenced in the relevant sections below.</p> <p>Lot 1 DP 300074 and Lot 1 DP 536086 currently have connections to Council's water and wastewater networks, via private easements over the site. New connections to the reticulation proposed in the roads will be required and I therefore recommend the inclusion of these lots in the conditions relating to water and wastewater connections.</p>	

<b>Water</b>	<b>Potable</b>	<p>The applicant has provided a modelling report prepared by Watershed (<i>Willow Ridge – 195 Lakeview Terrace – Lot 2 DP 536086 Hawea. Infrastructure Assessment (DIA) Water Supply</i> dated 29 October 2019), which concludes that <i>“the modelling results indicate the proposed new development can be supplied through the proposed reticulation layout and meet the desired levels of service indicted by Queenstown Lakes District Council.”</i> I accept this report as evidence that the water supply infrastructure in Lake Hawea can supply the development in accordance with Council's standards.</p> <p>No details of the internal reticulation have been provided, but I am satisfied that designing reticulation in accordance with Council's standards will be easily achieved.</p> <p>I recommend a condition that the detailed design of the reticulation proposed be provided to Council for Engineering Acceptance prior to the commencement of works. I recommend a condition that the reticulation be installed in accordance with the Accepted plans prior to 224c certification.</p>	<b>X</b>
	<b>Fire-fighting</b>	<p>The water supply modelling referred to above includes provision for firefighting water supply in accordance with the requirements of SNZ PAS 4509:2008, and I am therefore satisfied that fire hydrants can be installed to provide adequate firefighting water (FW2) for the development.</p> <p>I recommend a condition that the detailed design of the fire hydrants proposed be provided to Council for Engineering Acceptance prior to the commencement of works. I recommend a condition that the reticulation be installed in accordance with the Accepted plans prior to 224c certification.</p>	<b>X</b>
	<b>Effluent Disposal</b>	<p>A connection from each lot to Council's wastewater network is proposed, and the applicant has provided a modelling report prepared by Watershed in this regard (<i>Willow Ridge – 195 Lakeview Terrace – Lot 2 DP 536086 Hawea Infrastructure Assessment (DIA) Wastewater.</i> Dated 15 November 2019). Watershed concludes that <i>“the wastewater network has been reviewed for constraints relating to the proposed addition the Willow Ridge [sic] development under dry and wet weather flow conditions... The assessment concluded that additional storage would be required at the Cemetery Road Pumping Station. The station may also need to be upgraded to accommodate the additional wet weather peak flows, however the actual peak flow rate of the station needs to be confirmed.”</i></p> <p>While PPG states that <i>“wastewater development contributions payable for this development will mitigate any effect this development will have on Council's existing infrastructure.”</i> However, I understand that Development Contributions are only used to fund programmed works on Council's infrastructure, and P&amp;I has stated that <i>“from what I can see this is not a future project, because its requirement is a direct result of this development they will need to upgrade this piece of the network by adding the required storage.”</i> I recommend an appropriate condition in this regard.</p>	<b>X</b>

	<b>Effluent Disposal, cont.</b>	<p>I note that upgrades are currently planned to rectify existing issues with the capacity of the Hāwea wastewater treatment plant, and P&amp;I confirms that the connection of this subdivision to the plant is acceptable, as <i>“this development is already included in the numbers we are catering for at the treatment plant and its upgrade.”</i></p> <p>I recommend a condition that the detailed design of the reticulation proposed be provided to Council for Engineering Acceptance prior to the commencement of works. I recommend a condition that the reticulation be installed in accordance with the Accepted plans prior to 224c certification.</p>	<b>X</b>
	<b>Stormwater</b>	<p>The applicant proposes to reticulate stormwater run-off from the 5% AEP (primary) storm event to an underground soakage facility within Lot 100, which is to be vested in Council as Local Purpose Reserve. Stormwater run-off from the 1% AEP (secondary) storm event will be conveyed within the roads to the same area. The applicant has provided a design report prepared by Ground Consulting Limited (GCL) in support of the application (<i>‘Orchard Road Holdings Ltd. 195 Lakeview Terrace, Lake Hawea. Stormwater Assessment for Proposed Residential Subdivision: Lakeview Terrace.’</i> GCL ref R4968-1A, dated 19 July 2019). GCL has undertaken soakage testing in the area where soakage is proposed, and concludes that <i>“the area identified for soakage has sufficient capacity to accommodate soakage to ground type systems... Given soakage conditions vary across the stormwater disposal area, specific soakage tests should be undertaken within the formed soakage pits as part of the commissioning process.”</i></p> <p>Council’s Property &amp; Infrastructure engineers (P&amp;I) have accepted the system for vesting, subject to a number of conditions. I recommend the inclusion of similar conditions in the consent decision.</p> <p>I recommend a condition that the detailed design of the reticulation proposed be provided to Council for Engineering Acceptance prior to the commencement of works. I recommend a condition that the reticulation be installed in accordance with the Accepted plans prior to 224c certification.</p>	<b>X</b>
	<b>Power &amp; Telecoms</b>	<p>The applicant has provided letters from the service providers stating that appropriate power and telecommunications connections can be made to the subdivision. I recommend a condition that these connections be made prior to 224c certification.</p>	<b>X</b> <b>X</b>

ENGINEERING		COMMENTS	Condition
NATURAL HAZARDS	Hazards on or near the site	Council's GIS does not show that the site is susceptible to any natural hazards, aside from being within 'domain A,' as defined in recent reporting regarding liquefaction commissioned by the Otago Regional Council. Said report states that within domain A 'there is little or no likelihood of damaging liquefaction occurring'. This aligns with the conclusions of the Ground Consulting Limited report provided with the application ('Willowridge Developments Limited. 195 Lake View Terrace, Hawea. Geotechnical Assessment for Proposed Residential Subdivision: Lake View Terrace.' GCL ref R5160-1A, dated 23 October 2019), being that " <i>the site is not prone to liquefaction due to the nature of the relatively coarse deposits, their density, and the depressed groundwater level.</i> " I accept this as evidence that the development is not at undue risk due to natural hazards and I make no recommendations in this regard.	

ENGINEERING		COMMENTS	Condition
PROJECT INFORMATION	Staging	The project will be staged and the consent holder wants the ability to undertake these in any order. I am satisfied that this is appropriate as long as every lot is appropriately serviced with access and other services, and I recommend a related condition.	X
	Developers Engineering Representative	Required.	X
	Notice of commencement	Not required.	
	Traffic Management Plan	Required for works affecting the road reserve.	X
	Design Certificates	Required.	X
	Completion Certificates	Required.	X
	As built	Required.	X

ENGINEERING		COMMENTS	Condition
TITLE	Covenants/consent notices	Consent notice 11532870.3 is registered on the lot's title and contains conditions regarding the formation of the leg-in, and the requirement to service the subject lot and pay development contributions at the time of future development. I am satisfied that this consent notice will no longer be necessary following the completion of this subdivision.  I recommend new consent notice conditions regarding potential requirements which may arise as part of the Engineering Acceptance and Schedule 2A certification processes, and future vehicle crossings. There are discussed further in the relevant sections herein.	X
	Easements	A condition is recommended to ensure all necessary easements are granted or reserved.  The applicant proposes the cancellation of several right of way and servicing easements in favour of Lot 1 DP 300074 and Lot 1 DP 536086. I am satisfied that this is appropriate, as the easements will be replaced by legal road reserve corridors (on different alignments to the existing easements, and the conditions herein require the relocation of the relevant accesses and services.	X

<b>Road Names on Title Plan</b>	Required.	<b>X</b>
<b>Building Platforms</b>	Not applicable.	
<b>Amalgamation Condition</b>	Not required.	

## **RECOMMENDED CONDITIONS**

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

### ***Staging***

1. This subdivision may be staged. For the purposes of issuing approvals under sections 223 and 224(c) of the Resource Management Act 1991, the conditions of this consent shall be applied only to the extent that they are relevant to each particular stage proposed. This consent may be progressed in 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 8<sup>th</sup> October 2020 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:*  
<https://www.qldc.govt.nz>

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

3. The owner of the land being developed shall provide a letter to the Manager of Resource Management Engineering at Council advising who their representative is for the design and execution of the engineering works and construction works required in association with this development and shall confirm that these representatives will be responsible for all aspects of the works covered under Sections 1.7 & 1.8 of QLDC's Land Development and Subdivision Code of Practice, in relation to this development.
4. The consent holder shall obtain and implement a traffic management plan approved by Council prior to undertaking any works within or adjacent to Council's road reserve that affects the normal operating conditions of the road reserve through disruption, inconvenience or delay. The Traffic Management Plan shall be prepared by a certified Temporary Traffic Management Planner (TTMP) as validated on their CoPTTM ID certification. All contractors obligated to implement temporary traffic management plans shall employ a qualified Site Traffic Management Supervisor (STMS) to manage the site in accordance with the requirements of the NZTA's "*Traffic Control Devices Manual Part 8: Code of practice for temporary traffic management*". The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Manager of Resource Management Engineering at Council prior to works commencing.
5. Prior to commencing works on the site, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for development works to be undertaken and information requirements specified below. The application shall include all development items listed below unless a 'partial' review approach has been approved in writing by the Manager of Resource Management Engineering at Council. The 'Engineering Review and Acceptance' application(s) shall be submitted to the Manager of Resource Management Engineering at Council for review, prior to acceptance being issued. At Council's discretion, specific designs may be subject to a Peer Review, organised by the Council at the applicant's cost. The 'Engineering Review and Acceptance' application(s) shall include copies of all specifications, calculations, design plans and Schedule 1A design certificates as is considered

by Council to be both necessary and adequate, in accordance with Condition (2), to detail the following requirements:

- a) The provision of a water supply to Lots 1 – 89, Lot 1 DP 300074 and Lot 1 DP 536086 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. This shall include:
  - (i) Capping any redundant laterals at the main within Lakeview Terrace.
  - (ii) The costs of the connections shall be borne by the consent holder.
- b) Provision of irrigation to local purpose reserves.
- c) The provision of a foul sewer connection from Lots 1 – 89, Lot 1 DP 300074 and Lot 1 DP 536086 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.
- d) The provision of upgrades to the Cemetery Road wastewater pump station in accordance with the recommendations made in the Watershed memo '*Willow Ridge – 195 Lakeview Terrace – Lot 2 DP 536086 Hāwea Infrastructure Assessment (DIA) Wastewater*,' dated 15 November. This shall include:
  - (i) The provision of additional emergency at the pump station, such that at least 9 hours' of storage is provided, in accordance with Council's standards.
  - (ii) Confirmation of the peak wet weather flow rate at the pump station. In the event that the pump station will have inadequate capacity for the peak wet weather flow following the completion of the subdivision, details of the upgrades required for the pump station to comply with Council's standards shall be provided.
- e) The provision of a stormwater collection and disposal system which shall provide both primary and secondary protection for future development within Lots 1 – 89, in accordance with Council's standards and connection policy. This shall include:
  - (i) A reticulated primary system to collect and dispose of stormwater from the catchment and all potential impervious areas within each lot to the soakage systems approved under Condition 5(e)(iii). This shall include details of treatment solutions to avoid adverse water quality effects on receiving waters. As a minimum there shall be provision for the interception of settle-able solids, hydrocarbons and floatable debris. The individual lateral connections shall be designed to provide gravity drainage for the entire area within each lot.
  - (ii) A secondary protection system consisting of secondary flow paths to the soakage systems approved under Condition 5(e)(iii) to cater for the 1% AEP storm event and/or setting of appropriate building floor levels to ensure that there is no inundation of any buildable areas within the lots, and no increase in run-off onto land beyond the site from the pre-development situation.
  - (iii) The provision of soakage systems within Lot 100 adequate to dispose of runoff from all contributing areas within the development and catchment area during the critical 1% AEP storm event, designed in general accordance with the Ground Consulting Limited report provided with the application ('*Orchard Road Holdings Ltd. 195 Lakeview Terrace, Lake Hāwea. Stormwater Assessment for Proposed Residential Subdivision: Lakeview Terrace*.' GCL ref R4968-1A, dated 19 July 2019).

The detailed design of the soakage system shall be accompanied by the results of percolation testing undertaken by a suitably qualified person undertaken within the soakage area, adequate to determine the bulk soakage characteristics of the soakage basin area. The method for soakage testing is to be agreed with the Manager of Resource Management Engineering at Council prior to testing. A copy of the test results

shall be provided to the Manager of Resource Management Engineering at Council along with the design of the soakage system based on the percolation test results.

The final design and sizing of the soakage system shall be based on the individual percolation test results, shall account for the critical storm and shall drain within 24 hours.

- (iv) In addition to the permanent solution, details shall be provided of a temporary stormwater and sediment management solution, which shall be adequate to service the site in the interim until the permanent stormwater management system is lived/activated. The temporary system shall perform the same functions outlined above as required for the permanent system.
- (v) A predevelopment and post development contour plan shall be provided for the stormwater design.
- f) The provision of fire hydrants with adequate pressure and flow to service and maintain the subdivision with a Class FW2 fire risk in accordance with the NZ Fire Service Code of Practice for Firefighting Water Supplies 2008. Any lesser risk must be approved in writing by Fire & Emergency NZ, Queenstown Office. Evidence of adequate flow testing to hydrants shall be submitted to Council prior to subdivision completion.
- g) The provision of a sealed vehicle crossing that shall be constructed to Lot 1 DP 300074, Lot 1 DP 536086, Lots 11, 12, 18, 19, 27, 29, 30, 32, 35 & 36 to Council's standards.
- h) The formation of roads 1 – 3 and rights of way 'G' to 'K'. This shall include the following:
  - (i) The roading formations shall be in general accordance with Paterson Pitts Group's plan '*Orchard Road Holdings Limited. Koreke Rise. Lakeview Terrace, Lake Hawea. Concept Design, Typical Road Cross Sections*' (PPG job number W6000, dwg 008, sheet 101, Rev A), except where amendments are required by the recommendations made during the road safety audit process.
  - i) The provision of road lighting in accordance with Council's road lighting policies and standards, including the *Southern Light* lighting strategy. Any road lighting installed on private roads/rights of way/access lots shall be privately maintained and all operating costs shall be the responsibility of the lots serviced by such access roads. Any lights installed on private roads/rights of way/access lots shall be isolated from the Council's lighting network circuits.
  - j) The formation of an intersection with Lakeview Terrace and all internal 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. All signage and marking shall be in accordance with MOTSAM and the TCD Manual. This shall include the relocation of the existing mailboxes and collection area to a safe location. This shall include the provision of pedestrian crossing points on both sides of Road 1 to allow pedestrians to cross Lakeview Terrace, and corresponding crossing points on the north side of Lakeview Terrace.
  - k) The consent holder shall engage an independent and suitably qualified and experienced traffic engineer to carry out a detailed design safety audit in general accordance with the NZTA Manual "Road Safety Audit Procedures For Projects" and section 3.2.7 of the Councils Code of Practice. This shall include confirmation that appropriate traffic signs and road marking have been provisioned in accordance with the New Zealand Transport Agency's Manual of Traffic Signs and Markings (MOTSAM) and the Traffic control devices manual. The consent holder shall comply with any recommendations at their own cost. A copy of this report shall be submitted to Council for review and acceptance.
  - l) The provision of Design Certificates for all engineering works associated with this subdivision submitted by a suitably qualified design professional (for clarification this shall include all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of the QLDC's Land Development and Subdivision Code of Practice Schedule 1A Certificate.

6. Prior to commencing any work on the site the consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice to ensure that neighbouring sites remain unaffected from earthworks. These measures shall be implemented prior to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
7. At least 7 days prior to commencing excavations, the consent holder shall provide the Manager of Resource Management Engineering at Council with the name of a suitably qualified geo-professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice who is familiar with the Ground Consulting Limited report (*'Willowridge Developments Limited. 195 Lake View Terrace, Hāwea. Geotechnical Assessment for Proposed Residential Subdivision: Lake View Terrace.'* GCL ref R5160-1A, dated 23 October 2019) and who shall supervise the earthworks procedure, in accordance with the report recommendations. Should the site conditions be found unsuitable for the proposed excavation/construction methods, then a suitably qualified and experienced engineer shall submit to the Manager of Resource Management Engineering at Council new designs/work methodologies for the works prior to further work being undertaken, with the exception of any necessary works required to stabilise the site in the interim.

***To be monitored throughout earthworks***

8. The earthworks and batter slopes shall be undertaken in accordance with the recommendations of the report by Ground Consulting Limited (*'Willowridge Developments Limited. 195 Lake View Terrace, Hāwea. Geotechnical Assessment for Proposed Residential Subdivision: Lake View Terrace.'* GCL ref R5160-1A, dated 23 October 2019).
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 that are not authorised by this consent, 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:
    - (i) Any Easements in Gross as required by Council for infrastructure to vest. Requirements for vested infrastructure and Easements in Gross shall be agreed with Council's Land Development Engineer prior to Council signing the Survey Plan and prior to obtaining 'Engineering Review and Acceptance' for design of infrastructure.
    - (ii) The cancellation of the easements within areas 'A' to 'F' DP 568764.
  - 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***

12. 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, with the possible exception of the stormwater connection to the permanent detention system. Timing of the connection to the detention system shall be agreed with Council's Property & Infrastructure engineers.
- c) The provision of an access way to the residential unit on Lot 1 DP 536086 from the vehicle crossing Accepted under Condition (5g) that complies with the Council's standards.
- d) An Elster PSM V100 or Sensus 620 water meter shall be installed on to the Acuflo manifold for Lots 1 – 89, Lot 1 DP 300074 and Lot 1 DP 536086 as per condition (5a) above, and evidence of supply shall be provided to Council's Subdivision Inspector.
- e) The consent holder shall enter into a developer's agreement between the developer and Council in relation to the stormwater system. This agreement shall bind the developer to its requirements and confirm the following:
  - (i) The timing of the disconnection of the temporary stormwater and sediment management solution and the livening/activation of the permanent solution.
  - (ii) The applicant takes responsibility for Operation & Maintenance of the areas initially for a 5-year period from issue of 224c.
  - (iii) 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.
  - (iv) 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.
  - (v) 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.
  - (vi) 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.
  - (vii) 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.*
- f) 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, Lot 1 DP 300074 and Lot 1 DP 536086 and that all the network supplier's requirements for making such means of supply available have been met.
- g) 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, Lot 1 DP 300074 and Lot 1 DP 536086 and that all the network supplier's requirements for making such means of supply available have been met.
- h) All earthworks, geotechnical investigations and fill certification shall be carried out under the guidance of suitably qualified and experienced geotechnical professional as described in

Section 2 of the Queenstown Lakes District Council's Land Development and Subdivision Code of Practice. At the completion of onsite earthworks, the geo-professional shall incorporate the results of ground bearing test results for each residential allotment within the subdivision regardless of whether affected by development cut and fill earthworks and include the issue of a Geotechnical Completion Report and Schedule 2A certificate covering all lots within the subdivision.

The Schedule 2A certification shall include a statement under Clause 3(e) covering Section 106 of the Resource Management Act 1991. In the event the Schedule 2A includes limitations or remedial works against any lot(s) the Schedule 2A shall include a geotechnical summary table identifying requirements against each relevant lot in the subdivision for reference by future lot owners. Any remedial works outlined on the Schedule 2A that requires works across lot boundaries shall be undertaken by the consent holder prior to 224(c) certification being issued.

- i) All vehicle access, manoeuvring and parking areas associated with the development shall be subject to a post construction safety audit by an independent traffic engineer in accordance with the NZTA Manual "Road Safety Audit Procedures For Projects" at the consent holders cost and the results shall be submitted to Council for review and certification. Should the review recommend any further works required to achieve a safe traffic environment, the consent holder shall have these works approved by Council and implemented prior to 224c certification.
- j) 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/development (for clarification this shall include all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of a Producer Statement, or the QLDC's Land Development and Subdivision Code of Practice Schedule 1B and 1C Certificate.
- k) All newly constructed gravity foul sewer and stormwater mains shall be subject to a closed circuit television (CCTV) inspection carried out in accordance with the New Zealand Pipe Inspection Manual. A pan tilt camera shall be used and lateral connections shall be inspected from inside the main. The CCTV shall be completed and reviewed by Council before any surface sealing.
- l) All signage shall be installed in accordance with Council's signage specifications and all necessary road markings completed on all public or private roads (if any), created by this subdivision.
- m) Road naming shall be carried out, and signs installed, in accordance with Council's road naming policy.
- n) All earth worked and/or exposed areas created as part of the subdivision shall be top-soiled and grassed, revegetated, or otherwise stabilised.
- o) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
- p) Hydrant testing shall be carried out to confirm that there are sufficient hydrants with adequate pressure and flow to service the development with a Class FW2 fire risk in accordance with the NZ Fire Service Code of Practice for Firefighting Water Supplies 2008. Any lesser risk must be approved in writing by Fire Service NZ, Dunedin Office. The testing shall be carried out by the New Zealand Fire Service under the supervision of Council's approved water maintenance contractor (Veolia Water), unless otherwise approved by Council. The testing shall be carried out over the peak period of an average day. The results shall be submitted to Council for inclusion in Council's water model and be confirmed in the model as meeting Class FW2 fire risk for the development. All related costs shall be borne by the consent holder.

### Ongoing Conditions/Consent Notices

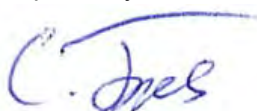
13. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notice pursuant to s.221 of the Act.
- a) A consent notice condition pursuant to s.221 of the Resource Management Act 1991 shall be registered on the Records of Title for the relevant lots providing for the performance of any ongoing requirements for protection of secondary flow paths or minimum floor levels for buildings, where deemed necessary by Council to satisfy Condition 5(e)(ii) above. The final wording of the consent notice instrument shall be checked and approved by the Council's solicitors at the consent holder's expense prior to registration to ensure that all of the Council's interests and liabilities are adequately protected.
  - b) In the event that the Schedule 2A certificate and Geotechnical Completion Report issued under Condition 12h contains limitations, such as specific foundation requirements for each lot that does not meet NZS3604 foundation conditions, or remedial works required on particular lots, then a consent notice shall be registered on the Records of Title for the affected lots detailing requirements for the lot owner(s).
  - c) At the time a residential unit is constructed the owner for the time being shall construct a sealed vehicle crossing to the site 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.
  - d) Any vehicle crossing that is constructed at the time of subdivision shall not be moved, realigned or widened.
14. In the event that the Engineering Acceptance issued under Condition 5 contains ongoing conditions or requirements associated with the installation, ownership, monitoring and/or maintenance of any infrastructure subject to Engineering Acceptance, then at Council's discretion, a consent notice (or other alternative legal instrument acceptable to Council) shall be registered on the relevant Records of Title detailing these requirements for the lot owner(s). The final form and wording of the document shall be checked and approved by Council's solicitors at the consent holder's expense prior to registration to ensure that all of the Council's interests and liabilities are adequately protected. The applicant shall liaise with the Subdivision Planner and/or Manager of Resource Management Engineering at Council in respect of the above. All costs, including costs that relate to the checking of the legal instrument by Council's solicitors and registration of the document, shall be borne by the applicant.

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

#### Advice Note:

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

Prepared by:



Cameron Jones  
SENIOR LAND DEVELOPMENT ENGINEER

Reviewed by:



Lyn Overton  
SENIOR LAND DEVELOPMENT ENGINEER

**APPENDIX 4 – PARKS MEMO**

## PARKS & RESERVES REPORT

TO: Roz Devlin  
 FROM: Amanda Leith  
 DATE: 17 November 2022

APPLICATION DETAILS	
REFERENCE	RM220897
APPLICANT	Orchard Road Holdings

Consent is sought for a subdivision to create 89 residential lots, one road to vest, two local purpose reserves, one access reserve and one drainage reserve as can be seen on the Scheme Plan below.



One access reserve is proposed (Lot 101). This provides pedestrian access between the southeast corner of the proposed subdivision through to land owned by QLDC at 58 Charles Court (Lot 30 DP 327385) that provides connection to Charles Court. The width of this access reserve is to be consistent with the width of the reserve at 58 Charles Court as it adjoins the boundary.

The footpath within Lot 101 is to be 2m wide and a minimum grade of 3% with a concrete finish. A condition of consent is recommended requiring design and formation to the Grade 2 standard.

No recreation reserves are proposed. The nearest reserves are 58 Charles Court which is considered to be a connection reserve which provides limited recreation opportunities, and Dingle Street reserve which will require residents of the subdivision to walk or drive 1km to access. This was raised within the assessment for the previous subdivision application for the site, however later assessments have identified that no additional recreation reserves are required in this area.

The proposed Lot 100 is a drainage reserve which may be able to provide amenity and value to the development if the drainage was designed to allow part of the site to function as a usable green space. Whilst not suitable as a recreation reserve due to its drainage function, consideration of this design is encouraged to provide an amenity for the subdivision.

Street trees are proposed within the road (Lot 102) and trees are also proposed within the drainage reserve (Lot 100). The Council's Arborist, Tim Errington has reviewed the Landscape Plan and supports the proposed tree species. In particular, he commends the use of NZ native species which is particularly suitable given the presence of existing Kanuka growing nearby. Conditions are recommended in relation to endorsement of the size, location and maintenance requirements.

It is necessary for all of the vested reserves (including those that might serve a Local Purpose associated with infrastructure) to have a s6 of the Fencing Act 1978 covenant on any adjoining land.

### Recommended Conditions

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

X. Prior to the commencement of any works under this consent on the site, the consent holder shall provide a detailed landscape plan (including design specifications) by a suitably qualified Landscape Architect to be certified by the Queenstown Lakes District Council's Parks & Open Spaces Planning Manager. The final landscape plan shall achieve the following:

- a) All works shall meet Part 7 – Landscape, of QLDC's Land Development and Subdivision Code of Practice (dated 2020) and QLDC's Parks and Open Spaces Strategy 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: <https://www.qldc.govt.nz/media/3yyc4fzi/2020-qldc-land-development-and-subdivision-code-of-practice.pdf>*

- b) The landscape plan shall clearly illustrate all landscape works (including street trees and other landscape assets) within the reserves and roads that are to vest with Council;
- c) Clearly identify all trees (including the location of each tree), the species, size and location;
- d) Irrigation plan showing how trees, plants and/or grass are to be irrigated;
- e) Tree pit details showing root ball treatment and staking;
- f) Ensure that all batter slopes and mounds do not exceed a gradient of 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;
- g) Path width, material and construction details so that all tracks achieve a minimum grade 2 standard as set out in standards <https://www.qldc.govt.nz/media/3yqf110p/cycle-trail-and-track-design-standards-specifications-2018.pdf>.
- h) Details and locations for any other proposed assets, such as park seats, irrigation and fencing;

*Note: All reserve improvements require prior agreement with the Parks and Open Spaces Planning Manager, and require a developer's agreement with Council.*

- i) Maintenance requirements; and
- j) A potable water supply point to be provided to the boundary of reserve lots.

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

*Advice Notes: Often the final landscape plan will deviate from the plan that has been stamped as approved by the resource consent due to detailed engineering design. If the plan to be*



utilised for this final landscape plan is the same as the resource consent stamped as approved plan, the consent holder shall inform Council of this. This plan will be utilised for the landscape street tree inspection prior to 224c signoff and will also be the plan detailed and referenced within the required Maintenance Agreement (see condition X).

The consent holder is welcome to seek guidance from the Parks & Reserves Department when preparing the landscape plan. This may facilitate certification if any matters of concern are addressed. The Street Tree Planting Guidelines (Appendix I of the QLDC CoP 2020) can assist in providing guidance <https://www.qldc.govt.nz/media/3tlcmxj5/appendix-i-street-tree-planting-guidelines.pdf>

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 s223 certificate**

- XI. The consent holder shall obtain a Full Council decision confirming that all areas of reserve have been formally agreed to be vested.

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

- XII. Prior to s224c certification, the consent holder shall fully implement all road/street landscaping and planting as shown on the landscape plan approved by condition X.
- XIII. The consent holder shall enter into a maintenance agreement under s207A of the Local Government Act 2002 Amendment Act (LGA) as per clause 7.4.11.2 of the QLDC LDSCoP 2020, with the QLDC Parks and Reserves Department, with the obligation being upon the consent holder to fulfil the requirements detailed in (a) to (d) below. The maintenance period shall be three (3) years from any issue of 224(c):
- a) All new assets, including irrigation and fencing, shall be kept in good working order and be free of defects or disrepair;
  - b) 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 three (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;
  - c) Health and safety plans shall be provided for all non-QLDC approved contractors undertaking maintenance in the reserves or road reserves.
  - d) On completion of construction, as-builts for walkways (and grassed areas if any), which are to be vested with Council, to be provided as per Land Development and Subdivision Code of Practice (dated 2020).

*Advice Note: Asbuilt submission package, including asbuilt specs and guidelines, available on the QLDC LDSCoP 2020 website: <https://www.qldc.govt.nz/services/resource-consents/land-developments-and-subdivisions>*

- XIV. Prior to s224c certification, all new reserve and road reserve asset information shall be submitted electronically with spatial attributes as outlined in Schedule 1D of the QLDC LDSC 2020.

XV. 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 s221 of the Resource Management Act 1991 (RMA).

- a) 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***

XVI. The consent holder shall ensure that a fencing covenant, required under s6 of the Fencing Act 1978, is registered on all land adjacent to reserves, 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:

Amanda Leith

**CONSULTANT PLANNER: PARKS & RESERVES**



**APPENDIX 5 – APPLICANT’S URBAN DESIGN ASSESSMENT**

AUGUST 7, 2021

82 **WILLIAMS & CO.**

PLANNING / URBAN DESIGN / DEVELOPMENT

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# URBAN DESIGN REPORT.

Koreke Rise, Hawea

## EXECUTIVE SUMMARY

Consent is sought for the residential subdivision of land located at 'Koreke Rise' being land accessed off Lakeview Terrace, Hawea. The reference documents assessed are the *Subdivision Scheme Plan* and *Roading Design Concept Plans* prepared by Patterson Pitts Partners and lodged under RM210448.

This report comprises an urban design review of the of the proposed subdivision, considered against the QLDC Subdivision Guidelines 2005 and urban design principles for subdivision.

The reporting concludes that the proposed subdivision design represents urban design in accordance with the guideline and is an appropriate response to the context, site and zoning.

## INTRODUCTION

### Site & Context

The site of the proposed subdivision is located south of Lakeview Terrace in Hawea and is a relatively large vacant site surrounded by existing residential subdivision. Vehicular access to the site is existing from Lakeview Terrace to the north. There are no other vehicle access points currently available given the site is located 'internally' from residential subdivision to the south, east and west. There is an existing pedestrian access link which extends to the site from Charles Court in the south-eastern corner.

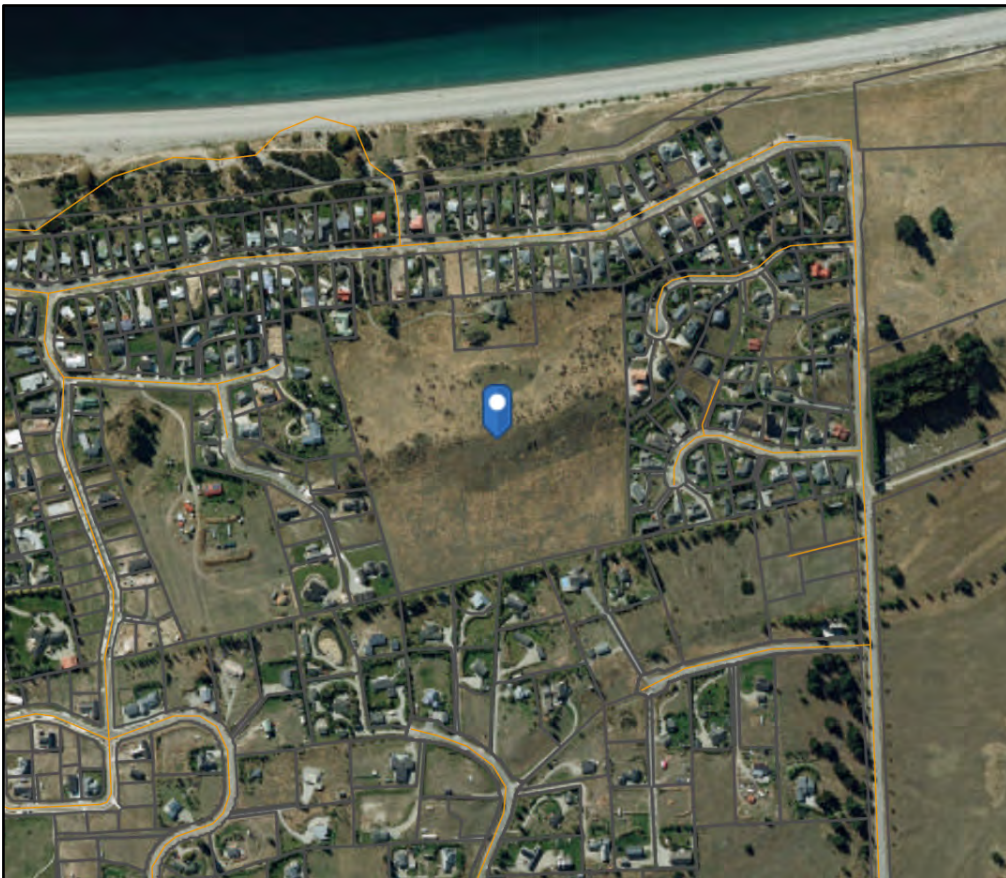


Figure 1: Site in Context (QLDC GIS)

The subject site is zoned Low Density Residential under the Proposed District Plan. As evident in Figure 2, the wider area is also generally zoned Lower Density Suburban Residential, with the exception of land to the south (Large Lot Residential A).

As can be seen in Figure 2, the subject site shares access to Lakeview Terrace with two existing residential lots (Lot 1 DP 536086 and Lot 1 DP 300074). The topography of the site is made up of a slope which bisects the site (east-west) through the middle, establishing two relatively flat areas to the north and south.



Figure 2: PDP Zoning (QLDC GIS)

## Proposal

Figure 3 illustrates the proposal, being the subdivision of the subject site to create 89 allotments for residential purposes, and an associated roading lot to vest in QLDC. In addition, there are two Local Purpose lots to vest, Lot 100 for Stormwater and Lot 101 for access.

Lot sizes (net) range from 600m<sup>2</sup> to up to 920m<sup>2</sup> (net), with the majority of the lots accessed directly from the road network. Lots 35,36,32,30,28 and 29 will be rear lots accessed via ROW/leg in.

Proposed Roads are identified as Roads 1,2 and 3. Road 1 commences with access from Lakeview Terrace and continues in a loop formation providing access around the site. This road will have a carriageway width of 7.4m with footpaths formed either side (and recessed parking bays as per cross sections). Roads 2 & 3 provide connections north-south through the centre of the site and link to Road 1 at both ends. These roads will have a footpath on one side, with a 7.4m carriageway width and 14m legal width.



Lot 100 is located on the southern boundary of the site in the eastern extent and is 1610m<sup>2</sup> in area intended for stormwater purposes. Lot 101 is a reserve for access purposes and will link from Road 1, between Lots 19 and 20 to meet with the pedestrian link existing off Charles Court.

It is understood that the earthworks associated with the subdivision have been subject to a separate application.

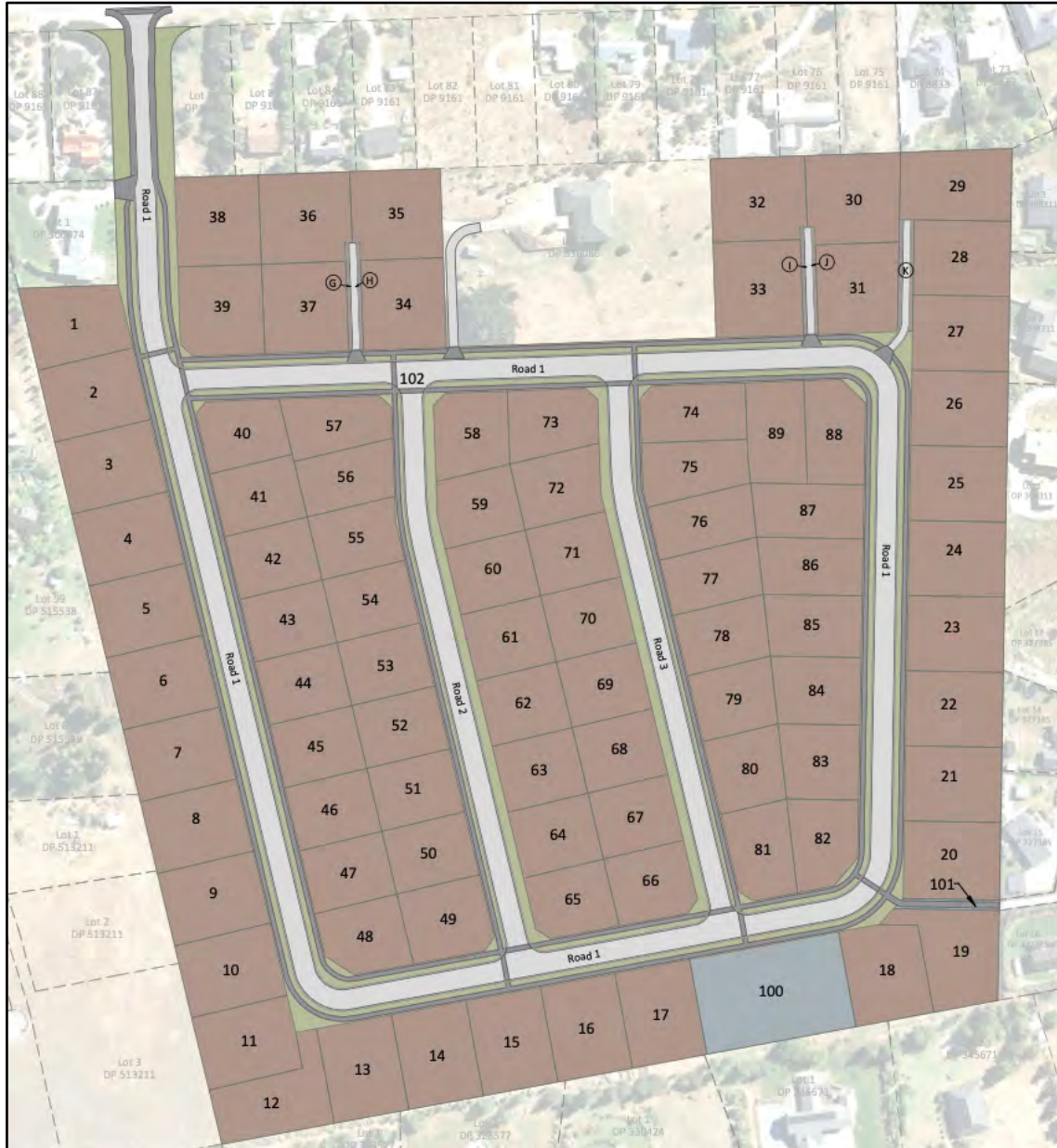


Figure 3: Subdivision Proposal (Paterson Pitts Partners)

**Considerations**

This report will address the proposed subdivision in terms of urban design principles generally, structured on the QLDC Subdivision Guideline 2015 and also consider the relevant planning framework.

## ASSESSMENT: URBAN DESIGN

### A] Assessment

Overall, the proposed subdivision design is considered to be appropriate in terms of urban design outcomes.

Specifically, the key features of the subdivision design which result in this are:

- A regular grid pattern is adopted to divide the site into blocks, which allows that generally lots front the street with 'backs to backs'. Rear lots, while existing, are not predominant. Lot orientation allows suitable solar access.
- Connections out from the site have been considered and provided where possible. In particular footpath provision is extended to Lakeview Terrace and the available opportunity to link to the east at Charles Court has been provided for. Given the nature of surrounding land uses there are no other existing potential connection points.
- No specific local park space is provided within the subdivision however given proximity to existing open space (lakefront reserve land to the north, and existing local park to the east) along with the general open space amenity provided by Lot 100, this is considered appropriate.
- The design continues to provide vehicular access to existing lots (Lot 1 DP 536086 and Lot 1 DP 300074) as part of the subdivision and roading design.

### B] QLDC Subdivision Guideline 2015

i The design guidelines firstly set out a set of **design principles**

In response to these:

- The design is fundamentally logical in terms of a response to the opportunities and constraints of the site. It is a basic grid pattern which establishes residential lots of a size and nature anticipated for the site.
- Integration is limited by the nature of existing residential development held in private titles, however the opportunities provided (to link to Charles Court) have been taken.
- The layout responds to the nature of the general area and provides a simple form which will not be out of character with development surrounding.
- There are no existing focal points in the immediate vicinity in terms of services or facilities. The lakefront at Hawea is a focal point for amenity and recreation. Provision of footpaths to

Lakeview Terrace will assist with connection to both the lakefront and generally into the township.

- There is a standard size of lots proposed within the subdivision, given lot sizes some infill housing development may be able to be achieved on some lots.
  - Connections are sufficiently provided for as described.
  - Open spaces are proposed in terms of a link to Charles Court and over the stormwater reserve area. Design controls can ensure treatment of the link reserve is appropriate.
  - Lots generally front roads and will contribute to safety in this respect, with design control over street fencing recommended. The provision of footpaths and the link reserve contributes to a limited extent.
- ii The site analysis has considered the site characteristics and opportunities and constraints leading to the subdivision design. In particular, given this is a parcel of LDSR zoning sitting within an existing residential context, connection points are limited to those existing.
- iii The design guideline then outlines desirable outcomes in terms of the following aspects:

*Transport and Connections*

- The roading networks proposed are directly connected to Lakeview Terrace, and connection is made to the existing pathway.
- The use of cul-de-sacs is minimised
- The roading environment is made up of an external loop with a series of connecting lengths between it and with lots which front the road. Standard conditions of consent in relation to lot frontages could assist with principles in terms of surveillance and public safety associated with the street environment.
- There are not considered to be built community facilities within 500m given the context of the site however links are available to reserve spaces at the lakefront to the north and to the reserve at Charles Court to the east.
- Connection is provided to Lakeview Terrace in particular which may provide for public transportation in the future.
- No bus stops are provided in the road design however may be able to be provided for in the future if required.

### *Street and Lot Orientation and Layout*

- Roads are oriented north/south with lots east west as directed by the guideline. There are very few south facing lots but those that exist have backyards which will receive good sunlight given the size of the lots. Rear lots have also been minimised.
- The length and size of the blocks is limited - while there are no pedestrian connections/breaks between the blocks (except between Lots 19 and 20) this is not considered critical given the relatively limited block length (200m approx.).
- Tree species are yet to be determined but a condition can ensure that they are selected to be appropriate in terms of Council's guidelines.
- Earthworks have been previously considered under an existing consent and are not considered to result in any adverse urban design outcomes including ground levels.

### *Open Spaces*

- No Park spaces in the form of local or community parks<sup>1</sup> will be provided in the design, however there are three existing local park type spaces in the vicinity (within 600m) of the subdivision. These are:
  - o The lakefront reserve at Hawea Esplanade Road to the north of the subdivision
  - o Park at Charles Court (693m<sup>2</sup>) to the east of the subdivision
  - o Park at Dingle Street (5,290m<sup>2</sup>) to the southwest of the subdivision
- The QLDC policy documents in respect to park provision do not appear to identify any of these existing spaces in their consideration of parks in this general area. It is not known why this is the case however in considering the principals outlined in these documents it is considered that the park spaces at the lakefront and at Charles Court are well within provision guidance and therefore can provide for easy safe access to a local park for subdivision residents. Given the existing connection context, the park at Dingle Street is in geographic proximity but not easily accessible.
- It is also noted that proposed Lot 100 (stormwater reserve) has the potential to provide for open space amenity within the subdivision. This integration is supported in the Subdivision Design Guideline. This space is located directly adjacent a road so has visibility and passive surveillance.
- The design connects with the link / reserve at Charles Court to assist with the extension of the network.

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<sup>1</sup> As defined within the QLDC Future Parks and Reserves Provision Plan 2021



### *Stormwater Management*

- Stormwater will be managed within the catchment to avoid problems.
- Predevelopment flows will be designed for.
- There will not be any swales or ponds designed within the subdivision, the reserve space at Lot 100 will provide some amenity value, in terms of being open space.

Overall, the above assessment illustrates that the proposal is a simple but logical design and provides for residential lots with appropriate amenity. The primary elements that the guideline seeks to avoid, being cul-de-sacs and rear lots have been minimised. The design responds to context and provides connections where possible (being restricted by existing context). The proposal is considered to be aligned with the outcomes sought by the guideline.

## CONCLUSIONS

The proposal has been considered in relation to the site and context and is considered an appropriate urban design response. The proposal meets the guidance provided by both the QLDC Subdivision Guideline 2015 and the planning framework and results in suitable urban design outcomes for this piece of land which is zoned to provide for LDR residential subdivision.

This reporting has referred to recommended conditions of consent to ensure good design outcomes are achieved as follows:

- A 1.2m height restriction on street boundary fencing and any fencing on a boundary with a reserve lot (Lots 17, 18, 19 & 20).
- Tree species to be selected as appropriate in accordance with Council's guidelines.



Paula Costello  
**BRS(HONS) MUDD**

7 August 2021