

**IN THE ENVIRONMENT COURT  
AT CHRISTCHURCH  
I TE KŌTI TAIAO O AOTEAROA  
KI ŌTAUTAHI**

**Decision No. [2024] NZEnvC 89**

IN THE MATTER

of the Resource Management Act 1991

AND

an appeal under s120 of the Act

BETWEEN

SHUNDI QUEENSTOWN  
LIMITED

(ENV-2020-CHC-85)

Appellant

AND

QUEENSTOWN LAKES DISTRICT  
COUNCIL

Respondent

Court: Environment Judge J J M Hassan  
Environment Commissioner J T Baines

Hearing: In Chambers on the papers

Last case event: 20 March 2024

Date of Decision: 23 April 2024

Date of Issue: 23 April 2024

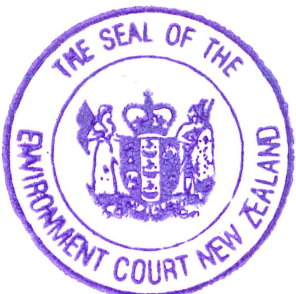
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**FINAL DECISION OF THE ENVIRONMENT COURT**

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A: The appeal is allowed insofar as the consent under appeal is granted, subject to the plan sets attached as Appendix 1 and the conditions of consent attached in Appendix 2.

SHUNDI v QLDC – FINAL DECISION



## REASONS

### Introduction

[1] This proceeding concerns a decision of QLDC<sup>1</sup> to decline Shundi Queenstown Limited's ('Shundi') application for land use consent for a hotel proposal at 53-65 Frankton Road, Queenstown ('Site').

[2] Following the conclusion of the hearing, parties filed a joint memorandum recording their agreement to the effect that consent could be granted to a modified hotel proposal ('Modified Proposal') subject to specified conditions. In our determination we found, on the evidence, that it would accord with the relevant RMA<sup>2</sup> requirements to grant consent to the Modified Proposal subject to conditions.<sup>3</sup>

[3] We found the final proposed conditions to be sound and appropriate. Subject to one matter, we also found the associated plan set suitable for consenting purposes, as referenced in various proposed conditions. That matter concerned a design detail where a pergola was still shown on the plans. As the Modified Proposal no longer included a pergola on the southern façade of the proposed building, we noted that the plans would need to be updated.

[4] Accordingly, Shundi was directed, in consultation with QLDC, to file a land use consent in QLDC's preferred format, including a clean set of conditions and a complete set of referenced plans to give effect to our findings.

### Evaluation

[5] Shundi's memorandum dated 20 March 2024 appended the final version of the consent and the referenced plans. Shundi confirmed that the Modified

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<sup>1</sup> Queenstown Lakes District Council.

<sup>2</sup> Resource Management Act 1991.

<sup>3</sup> *Shundi Queenstown Limited v Queenstown Lakes District Council* [2024] NZEnvC 25.

Proposal no longer proposes a pergola on the southern façade of the building and the plans have been updated to reflect this.

[6] The court is satisfied that the land use and subdivision consent conditions are appropriate and reflect the amendments confirmed by the court's preceding decisions.

### **Outcome**

[7] The appeal is allowed insofar as the consent under appeal is granted, subject to the plan sets attached as Appendix 1 and the conditions of consent attached in Appendix 2.

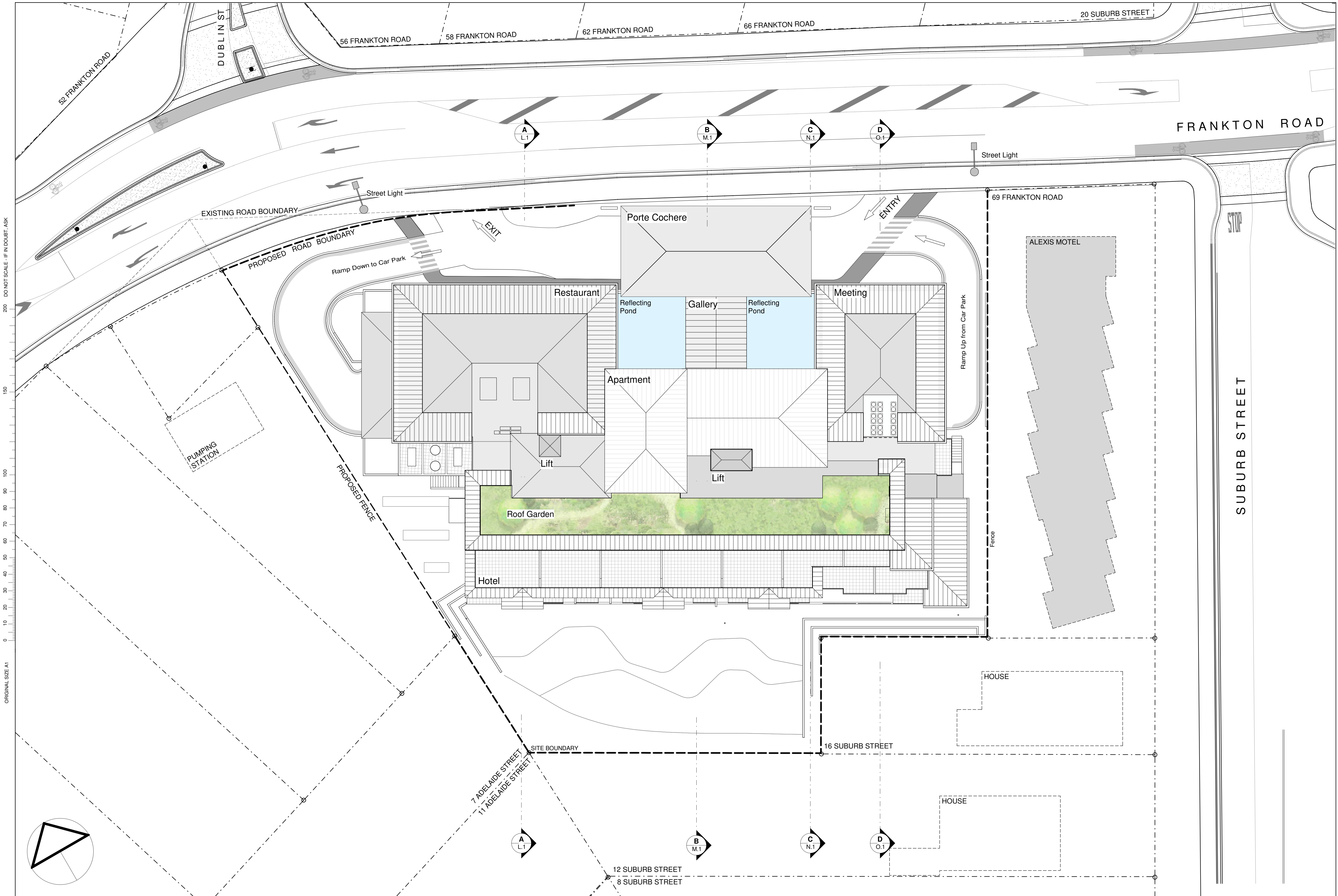
For the court



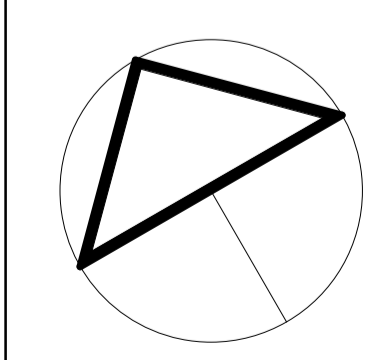
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**J J M Hassan**  
**Environment Judge**

**Appendix 1**  
**Plan Sets**



ORIGINAL SIZE A1  
DO NOT SCALE - IF IN DOUBT, ASK



**MASON & WALES ARCHITECTS**  
 46 YORK PLACE  
 P.O. BOX 5455  
 DUNEDIN  
 NEW ZEALAND  
 FAX: (03) 477 7675  
 TELEPHONE: (03) 477 1096

**HOTEL**  
**53 - 65 FRANKTON ROAD • QUEENSTOWN**

**THE DEVELOPED DESIGN**

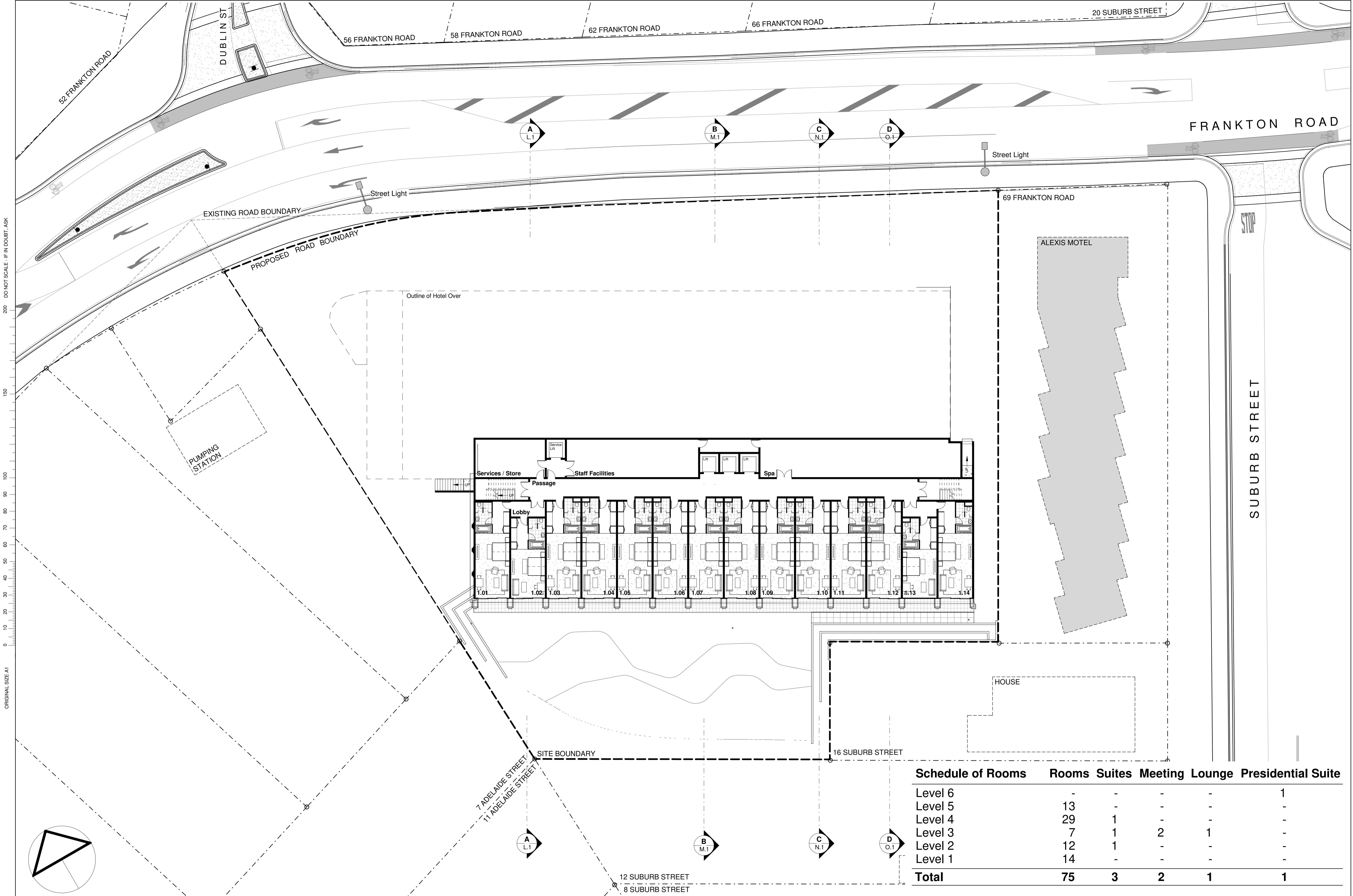
- South/Lakeside Edge of Roof - Lowered
- South/Lakeside Level 5 - Replanned
- West Pavilion Level 5 - Added

Site Plan showing the Proposed Road Layout and the Existing and Proposed Road Boundaries

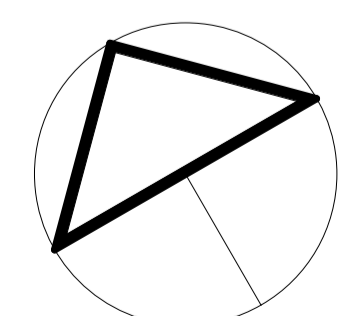
ALL DIMENSIONS SHALL BE CHECKED ON SITE BEFORE COMMENCING WORK

PROJECT No.	5920
SCALE	1:200 @ A1, 1:400 @ A3
DESIGN	MASON & WALES
DRAWN	MASON & WALES
ISSUE DATE	26.04.2022
PRINTED	26/04/2022 1:13:29 pm

E



ORIGINAL SIZE A1  
DO NOT SCALE - IF IN DOUBT, ASK



	Schedule of Rooms	Rooms	Suites	Meeting	Lounge	Presidential Suite
Level 6	-	-	-	-	-	1
Level 5	13	-	-	-	-	-
Level 4	29	1	-	-	-	-
Level 3	7	1	2	1	-	-
Level 2	12	1	-	-	-	-
Level 1	14	-	-	-	-	-
<b>Total</b>	<b>75</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>1</b>	

**MASON & WALES ARCHITECTS**  
 46 YORK PLACE  
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 NEW ZEALAND  
 FAX: (03) 477 7675  
 TELEPHONE: (03) 477 1096

**HOTEL**  
**53 - 65 FRANKTON ROAD • QUEENSTOWN**

**THE DEVELOPED DESIGN**

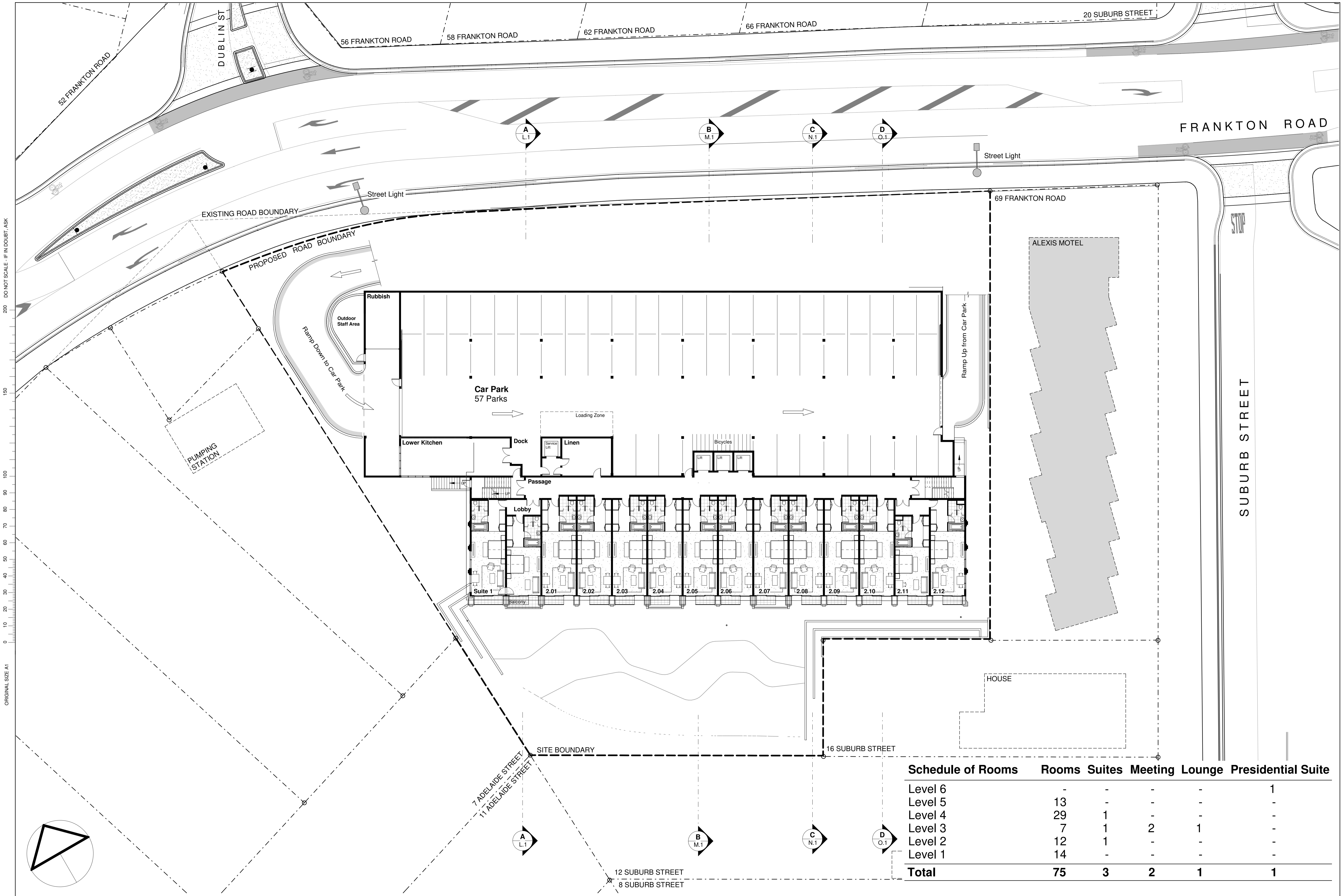
- South/Lakeside Edge of Roof - Lowered
- South/Lakeside Level 5 - Replanned
- West Pavilion Level 5 - Added

Floor Level 1 - FFL 341.600

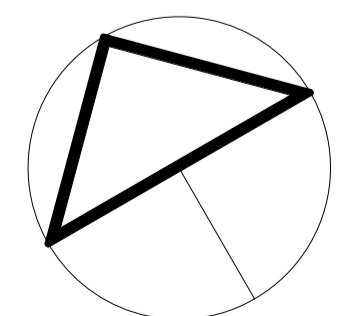
ALL DIMENSIONS  
 SHALL BE CHECKED  
 ON SITE BEFORE  
 COMMENCING WORK

PROJECT No. 5920  
 SCALE 1:200 @ A1, 1:400 @ A3  
 DESIGN MASON & WALES  
 DRAWN MASON & WALES  
 ISSUE DATE 26.04.2022  
 PRINTED 26/04/2022 1:13:32 pm

**F**



ORIGINAL SIZE A1  
DO NOT SCALE - IF IN DOUBT, ASK



	Schedule of Rooms	Rooms	Suites	Meeting Lounge	Presidential Suite
Level 6	-	-	-	-	1
Level 5	13	-	-	-	-
Level 4	29	1	-	-	-
Level 3	7	1	2	1	-
Level 2	12	1	-	-	-
Level 1	14	-	-	-	-
<b>Total</b>	<b>75</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>1</b>

**MASON & WALES ARCHITECTS**  
 46 YORK PLACE  
 P.O. BOX 5455  
 DUNEDIN  
 NEW ZEALAND  
 FAX: (03) 477 7675  
 TELEPHONE: (03) 477 1096

**HOTEL**  
**53 - 65 FRANKTON ROAD • QUEENSTOWN**

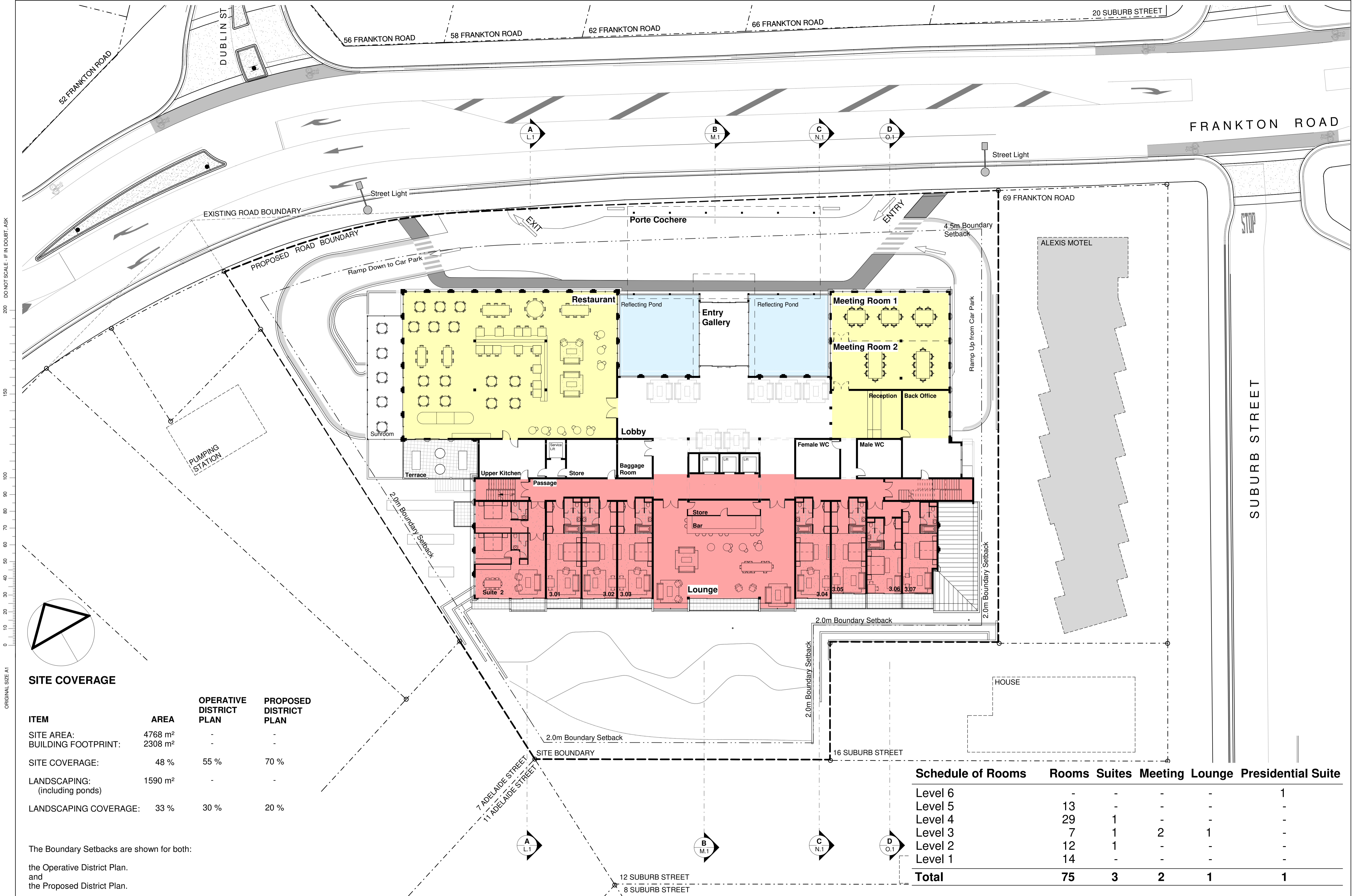
**THE DEVELOPED DESIGN**  
 • South/Lakeside Edge of Roof - Lowered  
 • South/Lakeside Level 5 - Replanned  
 • West Pavilion Level 5 - Added

Floor Level 2 - FFL 344.600

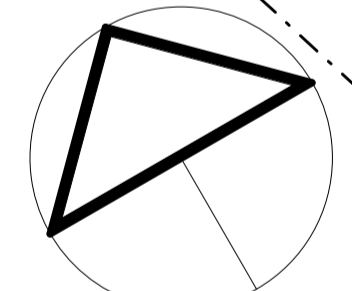
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 SHALL BE CHECKED  
 ON SITE BEFORE  
 COMMENCING WORK

PROJECT No. 5920  
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 DESIGN MASON & WALES  
 DRAWN MASON & WALES  
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**G**



ORIGINAL SIZE A1  
0 10 20 30 40 50 60 70 80 90 100 150 200 DO NOT SCALE - IF IN DOUBT, ASK



**SITE COVERAGE**

ITEM	AREA	OPERATIVE DISTRICT PLAN	PROPOSED DISTRICT PLAN
SITE AREA:	4768 m <sup>2</sup>	-	-
BUILDING FOOTPRINT:	2308 m <sup>2</sup>	-	-
SITE COVERAGE:	48 %	55 %	70 %
LANDSCAPING: (including ponds)	1590 m <sup>2</sup>	-	-
LANDSCAPING COVERAGE:	33 %	30 %	20 %

The Boundary Setbacks are shown for both:  
the Operative District Plan.  
and  
the Proposed District Plan.

	Schedule of Rooms	Rooms	Suites	Meeting	Lounge	Presidential Suite
Level 6	-	-	-	-	-	1
Level 5	13	-	-	-	-	-
Level 4	29	1	-	-	-	-
Level 3	7	1	2	1	-	-
Level 2	12	1	-	-	-	-
Level 1	14	-	-	-	-	-
<b>Total</b>	<b>75</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>

**MASON & WALES ARCHITECTS**  
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NEW ZEALAND  
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**HOTEL**  
**53 - 65 FRANKTON ROAD • QUEENSTOWN**

**THE DEVELOPED DESIGN**  
• South/Lakeside Edge of Roof - Lowered  
• South/Lakeside Level 5 - Replanned  
• West Pavilion Level 5 - Added

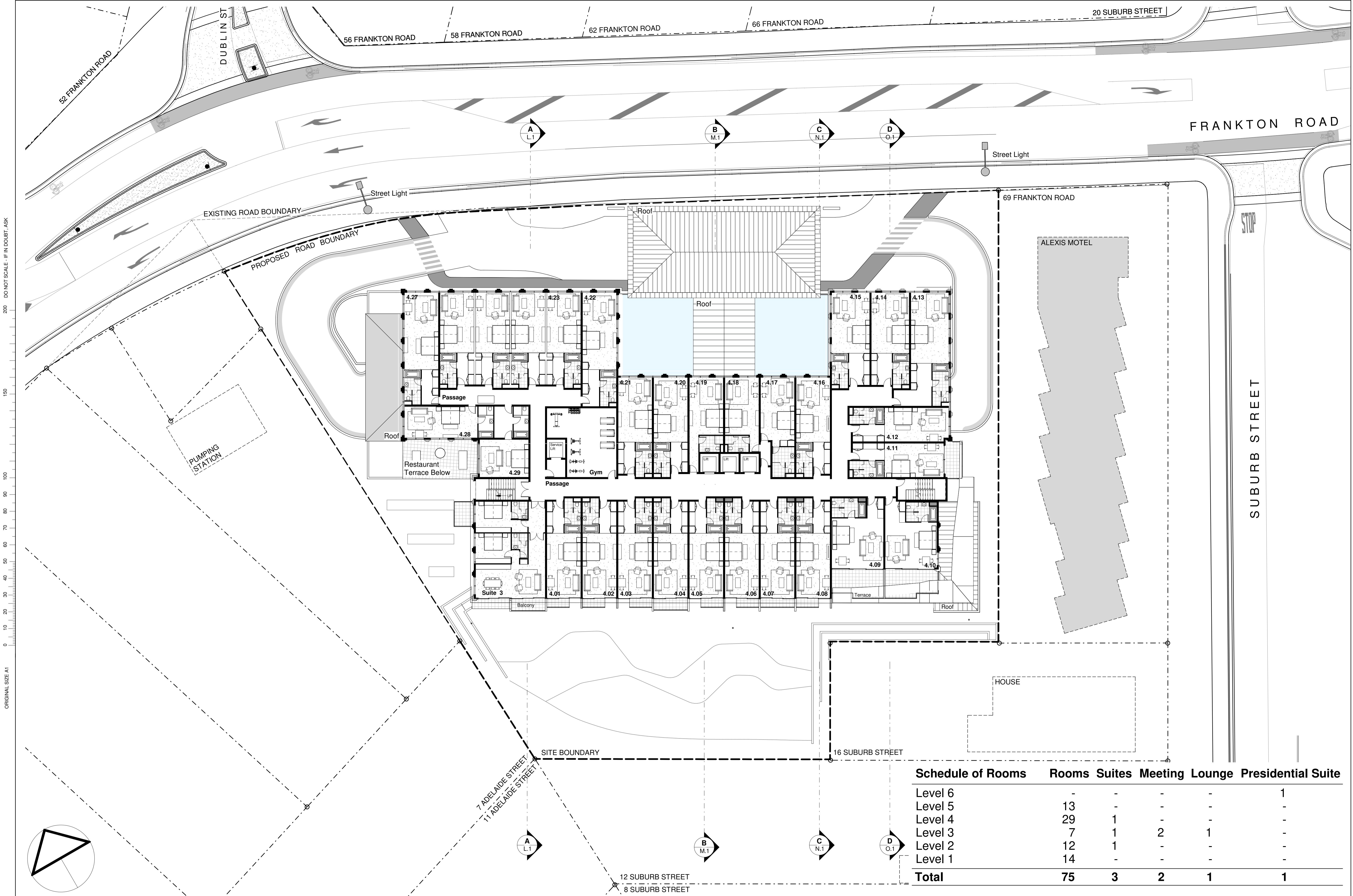
Floor Level 3 - FFL 348.100  
Entry Level

ALL DIMENSIONS  
SHALL BE CHECKED  
ON SITE BEFORE  
COMMENCING WORK

PROJECT No. 5920  
SCALE 1:200 @ A1, 1:400 @ A3  
DESIGN MASON & WALES  
DRAWN MASON & WALES  
ISSUE DATE 26.04.2022  
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**H**





	Schedule of Rooms	Rooms	Suites	Meeting	Lounge	Presidential Suite
Level 6	-	-	-	-	-	1
Level 5	13	-	-	-	-	-
Level 4	29	1	-	-	-	-
Level 3	7	1	2	1	-	-
Level 2	12	1	-	-	-	-
Level 1	14	-	-	-	-	-
<b>Total</b>	<b>75</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>1</b>	

**MASON & WALES ARCHITECTS**  
 46 YORK PLACE  
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 DUNEDIN  
 NEW ZEALAND  
 FAX: (03) 477 7675  
 TELEPHONE: (03) 477 1096

**HOTEL**  
**53 - 65 FRANKTON ROAD • QUEENSTOWN**

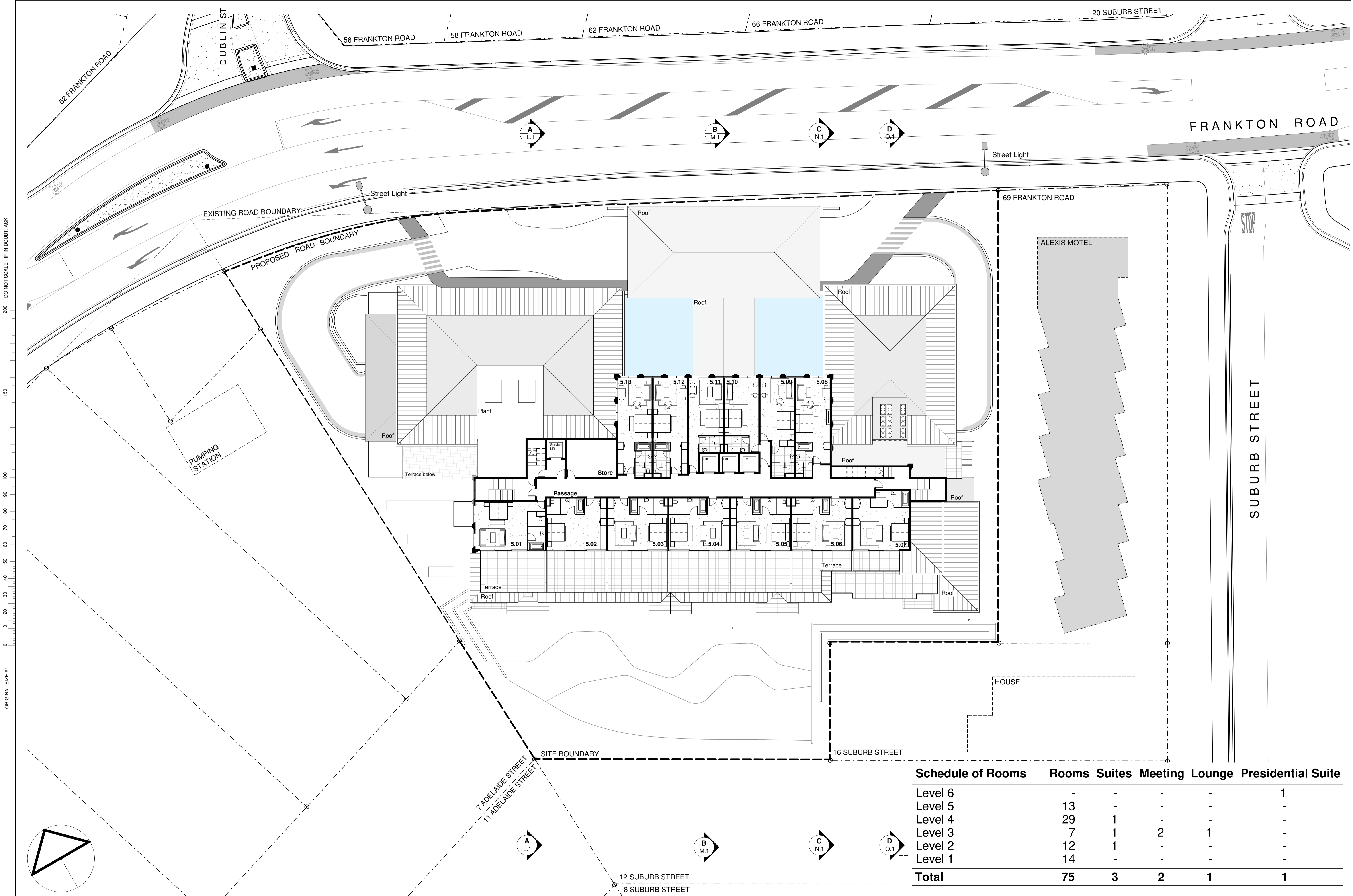
**THE DEVELOPED DESIGN**  
 • South/Lakeside Edge of Roof - Lowered  
 • South/Lakeside Level 5 - Replanned  
 • West Pavilion Level 5 - Added

Floor Level 4 - FFL 351.800

ALL DIMENSIONS  
 SHALL BE CHECKED  
 ON SITE BEFORE  
 COMMENCING WORK

PROJECT No. 5920  
 SCALE 1:200 @ A1, 1:400 @ A3  
 DESIGN MASON & WALES  
 DRAWN MASON & WALES  
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**I**



ORIGINAL SIZE A1  
0 10 20 30 40 50 60 70 80 90 100 150 200 DO NOT SCALE - IF IN DOUBT, ASK

	Schedule of Rooms	Rooms	Suites	Meeting	Lounge	Presidential Suite
Level 6		-	-	-	-	1
Level 5		13	-	-	-	-
Level 4		29	1	-	-	-
Level 3		7	1	2	1	-
Level 2		12	1	-	-	-
Level 1		14	-	-	-	-
<b>Total</b>		<b>75</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>1</b>

**MASON & WALES ARCHITECTS**  
 46 YORK PLACE  
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 DUNEDIN  
 NEW ZEALAND  
 FAX: (03) 477 7675  
 TELEPHONE: (03) 477 1096

**HOTEL**  
**53 - 65 FRANKTON ROAD • QUEENSTOWN**

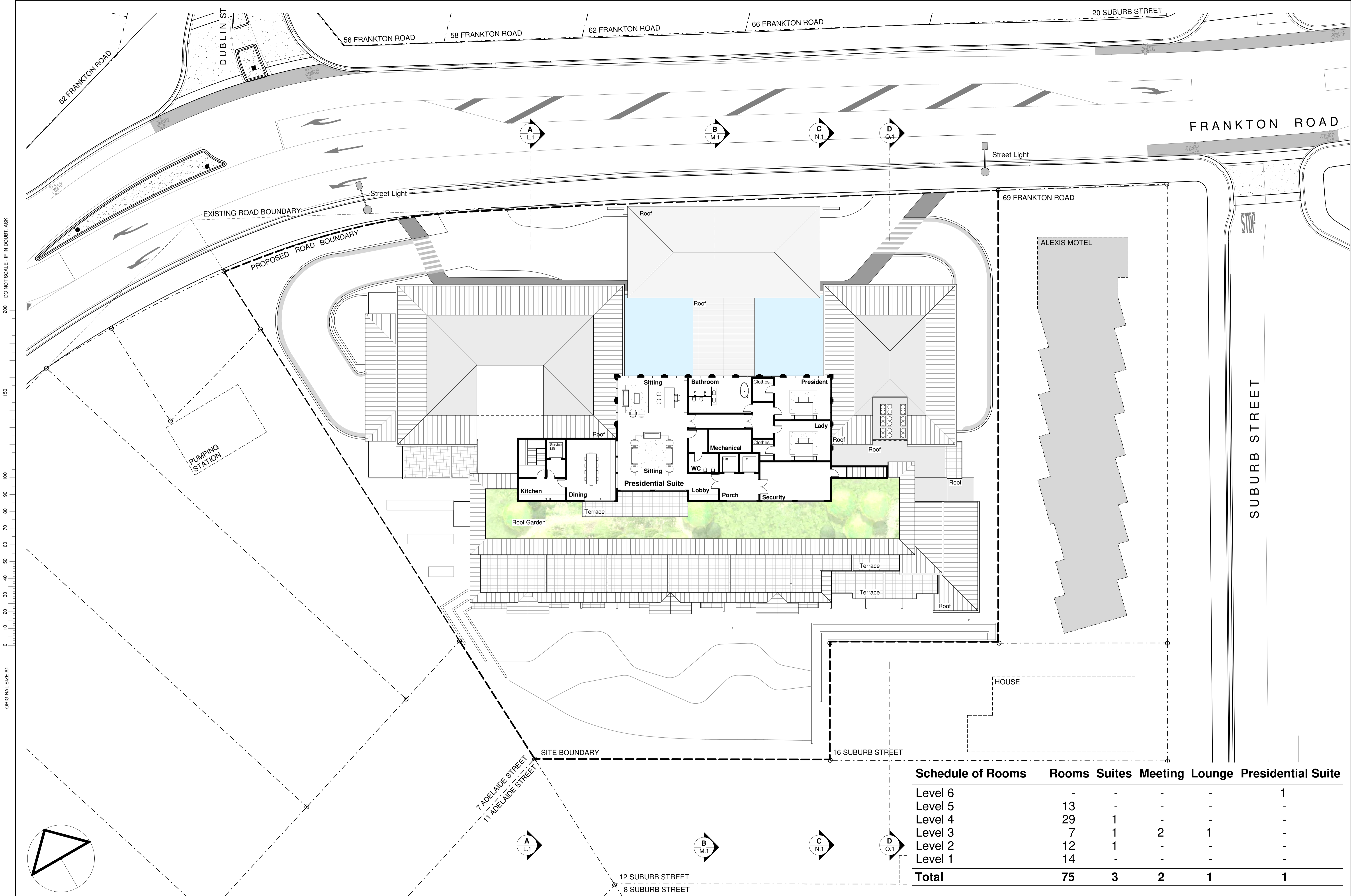
**THE DEVELOPED DESIGN**  
 • South/Lakeside Edge of Roof - Lowered  
 • South/Lakeside Level 5 - Replanned  
 • West Pavilion Level 5 - Added

**Floor Level 5 - FFL 354.800**

ALL DIMENSIONS  
 SHALL BE CHECKED  
 ON SITE BEFORE  
 COMMENCING WORK

PROJECT No. 5920  
 SCALE 1:200 @ A1, 1:400 @ A3  
 DESIGN MASON & WALES  
 DRAWN MASON & WALES  
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**J**



ORIGINAL SIZE A1  
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DO NOT SCALE - IF IN DOUBT, ASK

	Schedule of Rooms	Rooms	Suites	Meeting	Lounge	Presidential Suite
Level 6	-	-	-	-	-	1
Level 5	13	-	-	-	-	-
Level 4	29	1	-	-	-	-
Level 3	7	1	2	1	-	-
Level 2	12	1	-	-	-	-
Level 1	14	-	-	-	-	-
<b>Total</b>	<b>75</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>1</b>	

**MASON & WALES ARCHITECTS**  
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P.O. BOX 5455  
DUNEDIN  
NEW ZEALAND  
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TELEPHONE: (03) 477 1096

**HOTEL**  
**53 - 65 FRANKTON ROAD • QUEENSTOWN**

**THE DEVELOPED DESIGN**  
• South/Lakeside Edge of Roof - Lowered  
• South/Lakeside Level 5 - Replanned  
• West Pavilion Level 5 - Added

**Floor Level 6 - FFL 357.800**

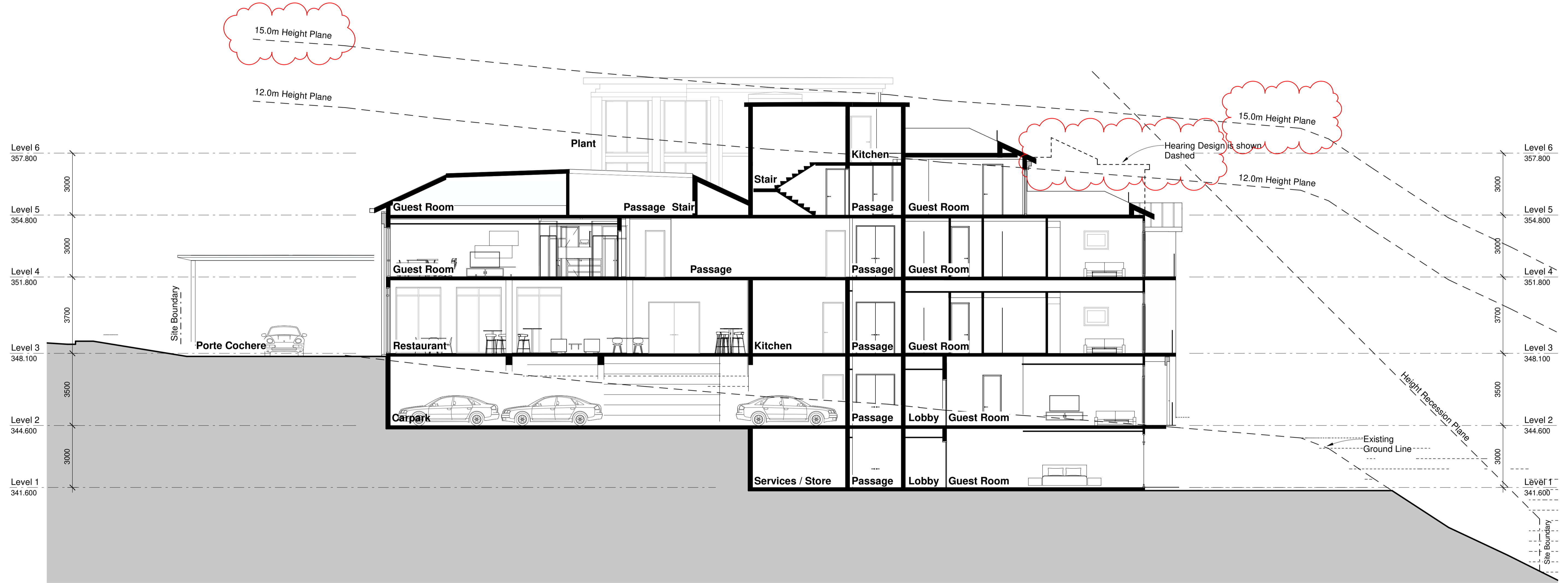
ALL DIMENSIONS  
SHALL BE CHECKED  
ON SITE BEFORE  
COMMENCING WORK

PROJECT No. 5920  
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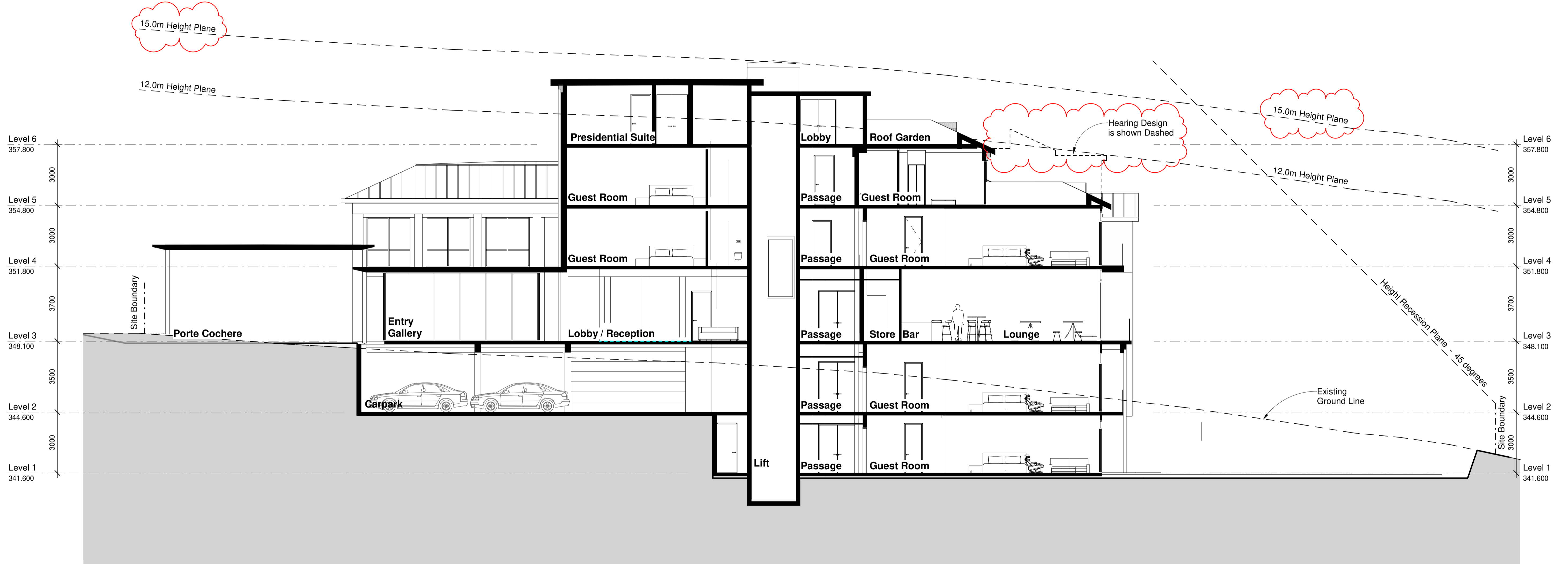
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ORIGINAL SIZE A1

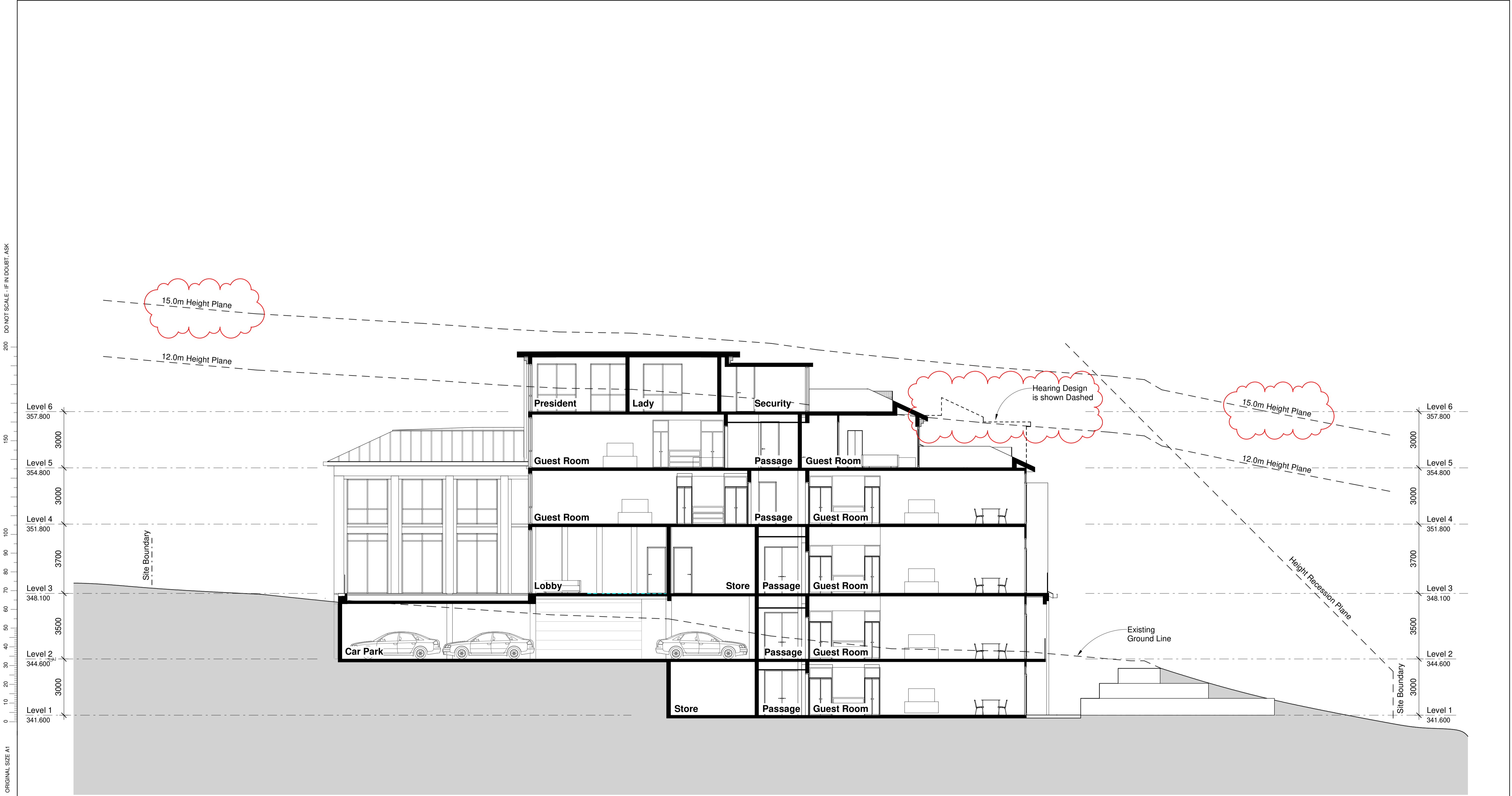
200 DO NOT SCALE - IF IN DOUBT, ASK



ORIGINAL SIZE A1  
DO NOT SCALE - IF IN DOUBT, ASK

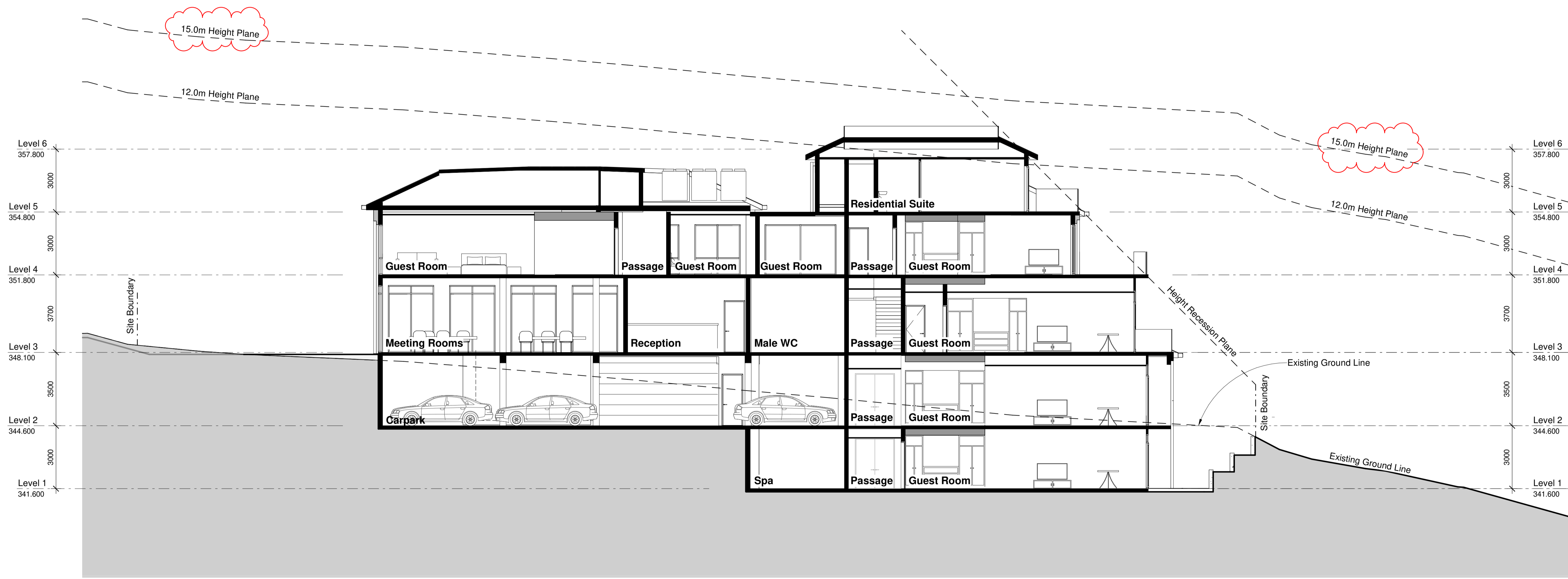


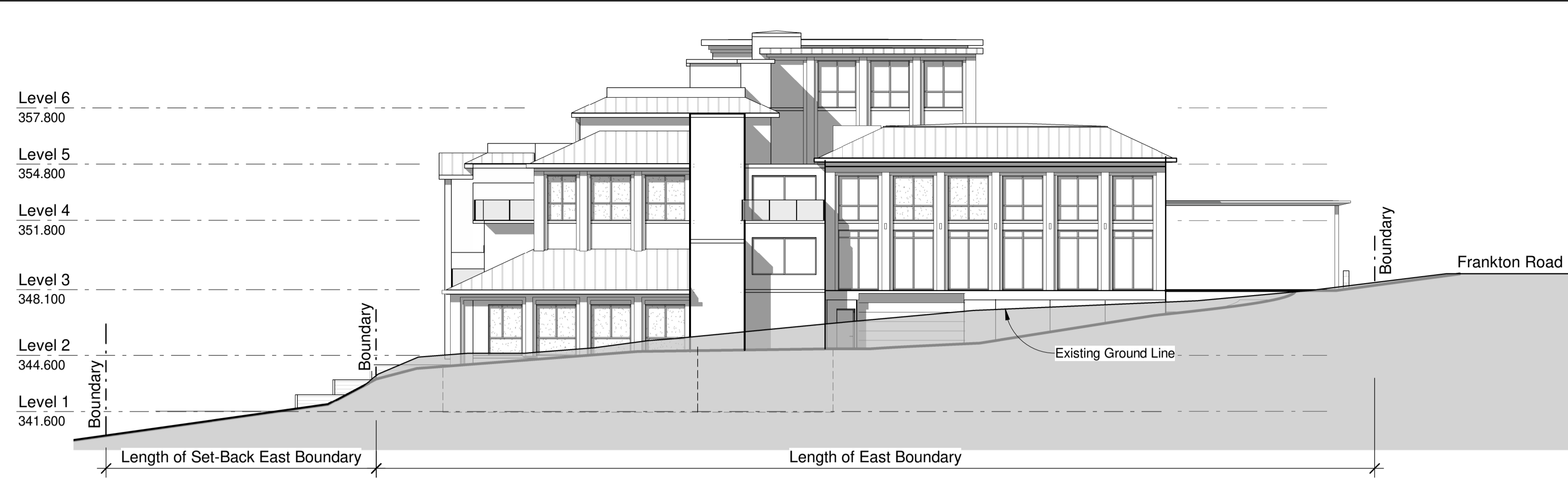
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DO NOT SCALE - IF IN DOUBT, ASK



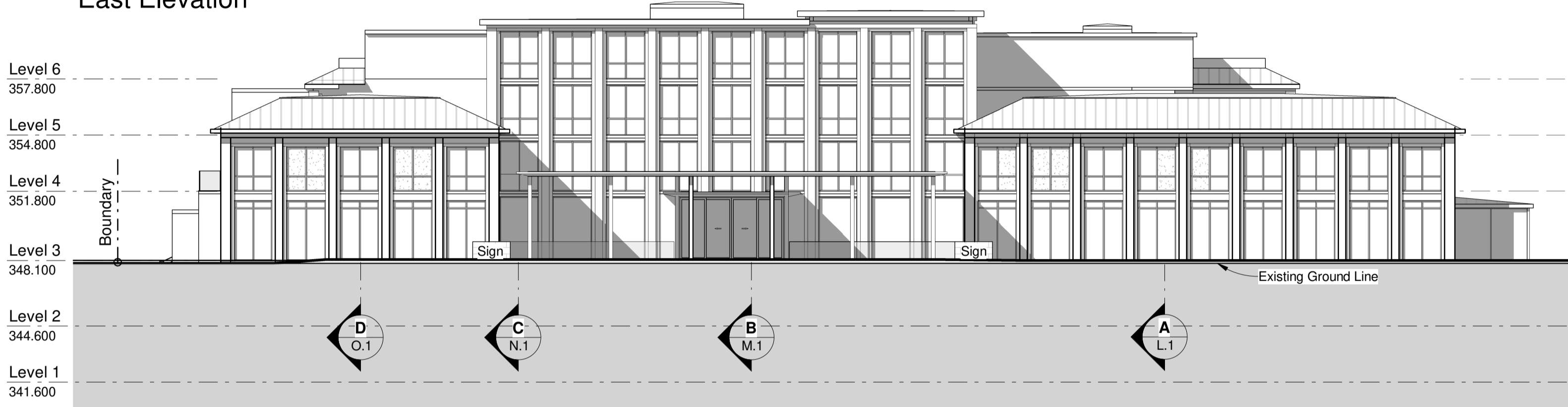
ORIGINAL SIZE A1

DO NOT SCALE - IF IN DOUBT, ASK

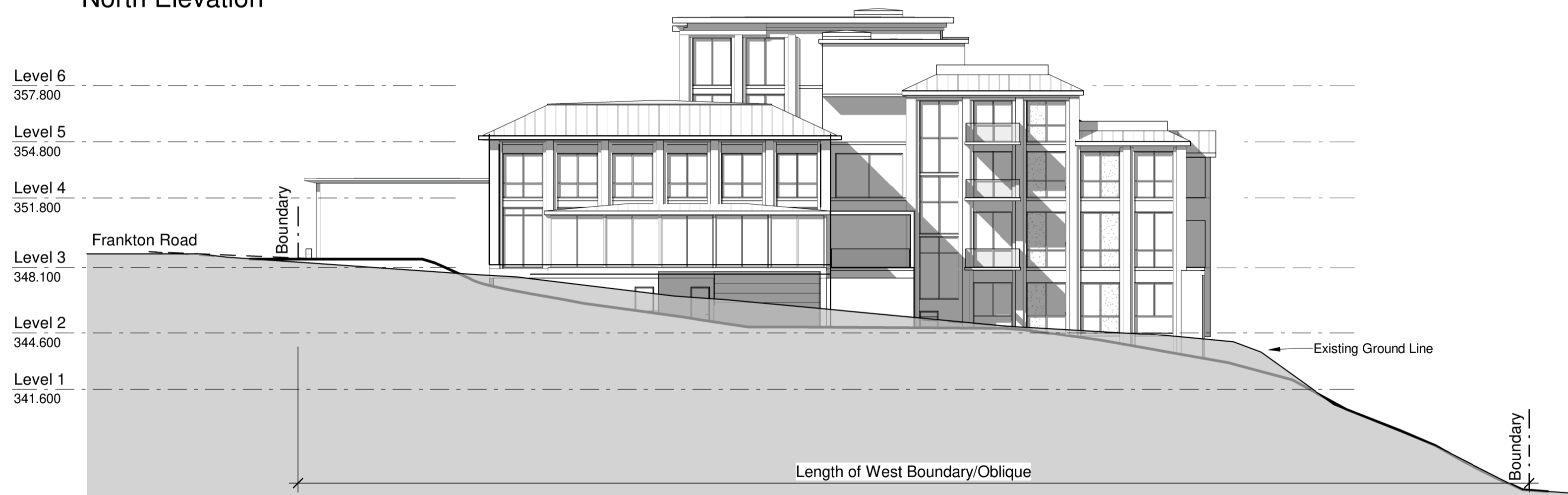




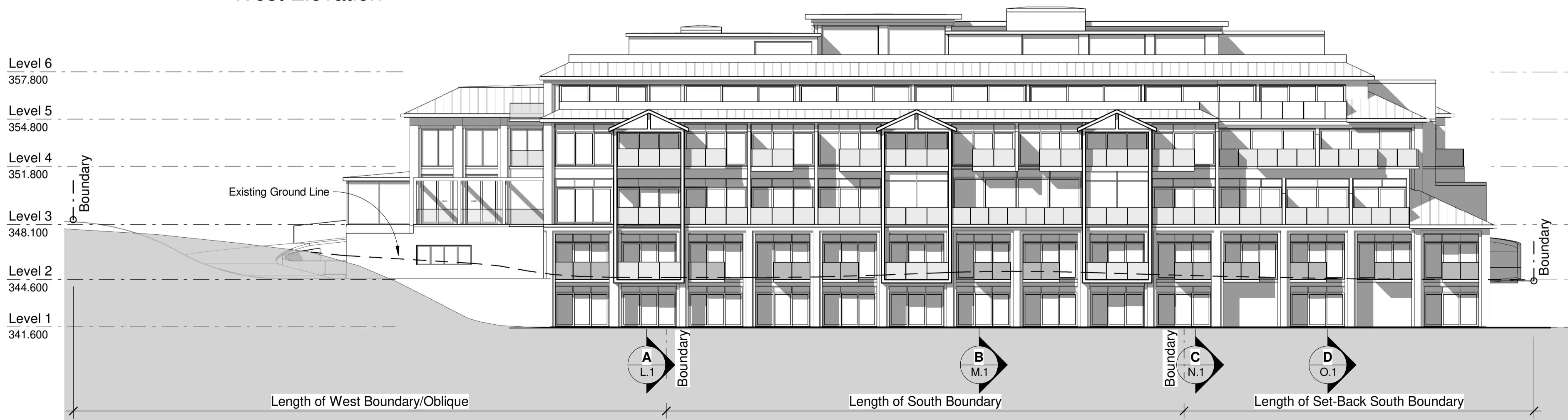
East Elevation



North Elevation



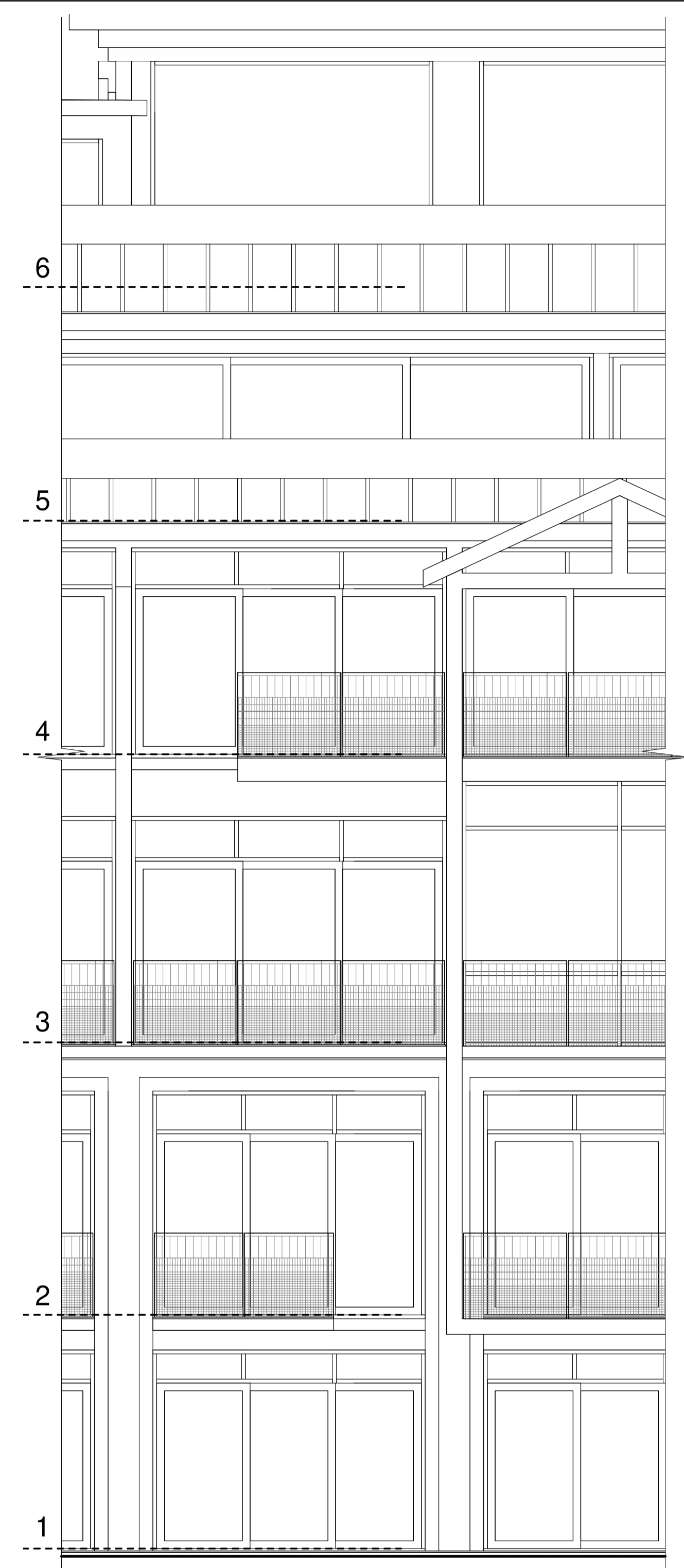
West Elevation



South Elevation

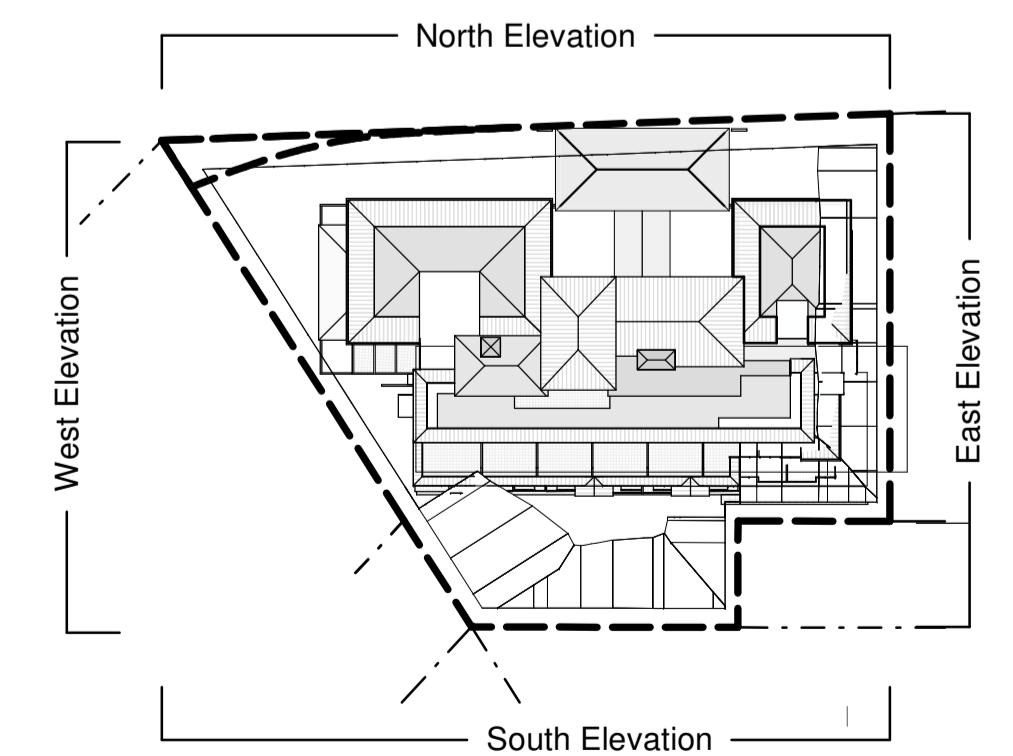


Perspective of South and West Elevation



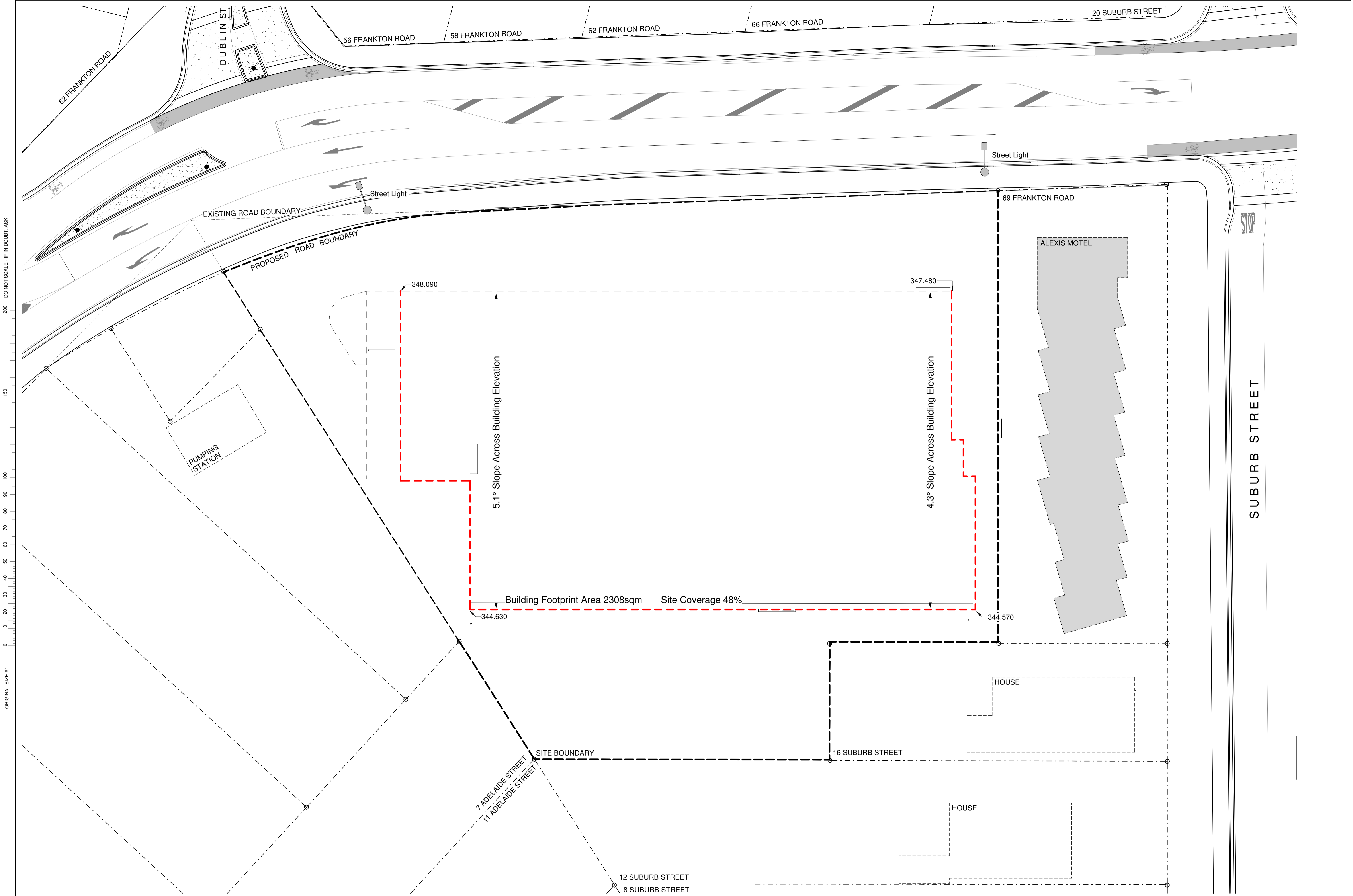
Part South Elevation Showing Changing Balcony and Balustrade Design at Guest Rooms

Key Plan



- South/Lakeside Edge of Roof - Lowered
- South/Lakeside Level 5 - Replanned
- West Pavilion Level 5 - Added





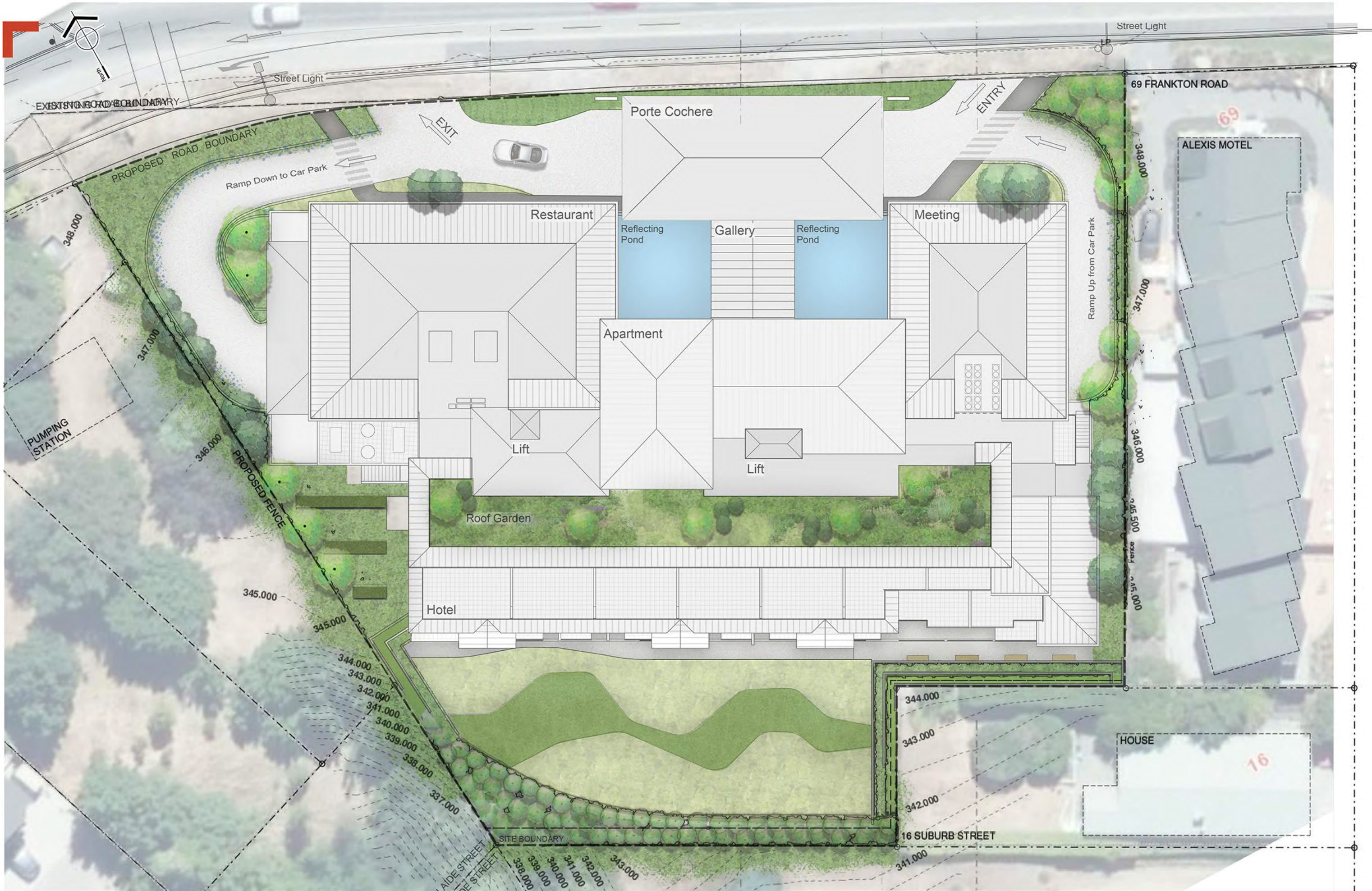
ORIGINAL SIZE A1  
DO NOT SCALE - IF IN DOUBT, ASK



# **+HOTEL - 53-65 FRANKTON ROAD**

**LANDSCAPE DRAWING SET - 7 MARCH 2024**

2711-SK37 - LANDSCAPE MASTERPLAN  
2711-SK38 - MATERIALS PLAN  
2711-SK39 - PLANTING PALETTE  
2711-SK40 - ELEVATIONS AND DETAIL SHEET





Evergreen ground cover (Town Hall Ivy)

Densely planted low shrubs: below 1m high  
Rosemary trails over edges of ramp walls

Cut Leafed Alders break building profile as viewed from the north

Ramp slopes down to carpark at 1:9 grade approx

Evergreen hedging to 1.5m: Native pittosporum

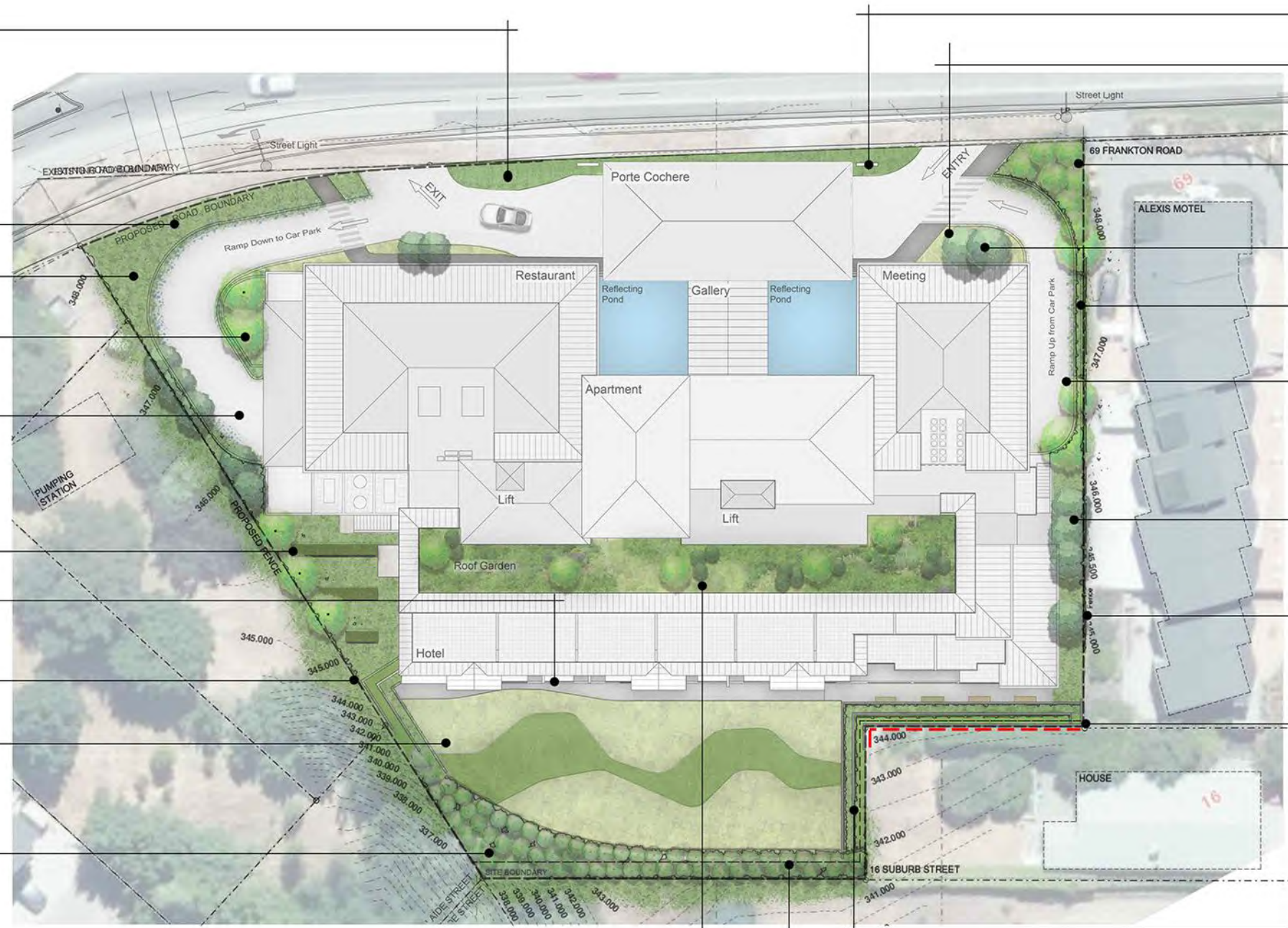
Outdoor patios: Patios have divider screens to 1.8m clothed with native clematis

Fence along boundary line

Massed plant shapes: Hebes and grasses  
All planting 400mm or lower to retain views to lake

Mass planting of Dwarf South Island Kowhai:

Roof garden with small trees in containers, grasses and wild flowers



Signage

Massed low shrubs to front of building - below 600mm

Group of small trees at entry (Dogwoods)

Small trees to front of building break building profile

Evergreen hedge to 1.8m with trailing rosemary to cascade down retaining wall

Ramps slopes down to carpark at approx 1:7.5 grade with concrete retaining to edge - refer Mason and Wales drawings for detail of ramp edge and side retaining wall

Mixture of native evergreen shrubs - (average 2m high) and trees between 4-6m

Boundary retained with concrete wall and wooden fencing to top of wall. (max 1.8m above G.L.)

Three tiered concrete retaining wall (smooth plastered) with Broadleaf hedge to top section, mixed perennials to lower section and wooden seating as indicated - refer Sheet 4 for seat and wall sketch. Red dashed line indicates extent of retaining wall

Ground slopes from end of retaining to southern boundary

Fence 1m in from boundary: planted each side





Hebe evanosa:  
PB8 @700mm centres



Lilyturf:  
Liriope muscari  
1ltr pot @250mm centres



Cut leaf Alder:  
Alnus cordata 'laciniata'  
80ltr x4



Hebe evanosa:  
PB8 @700mm centres



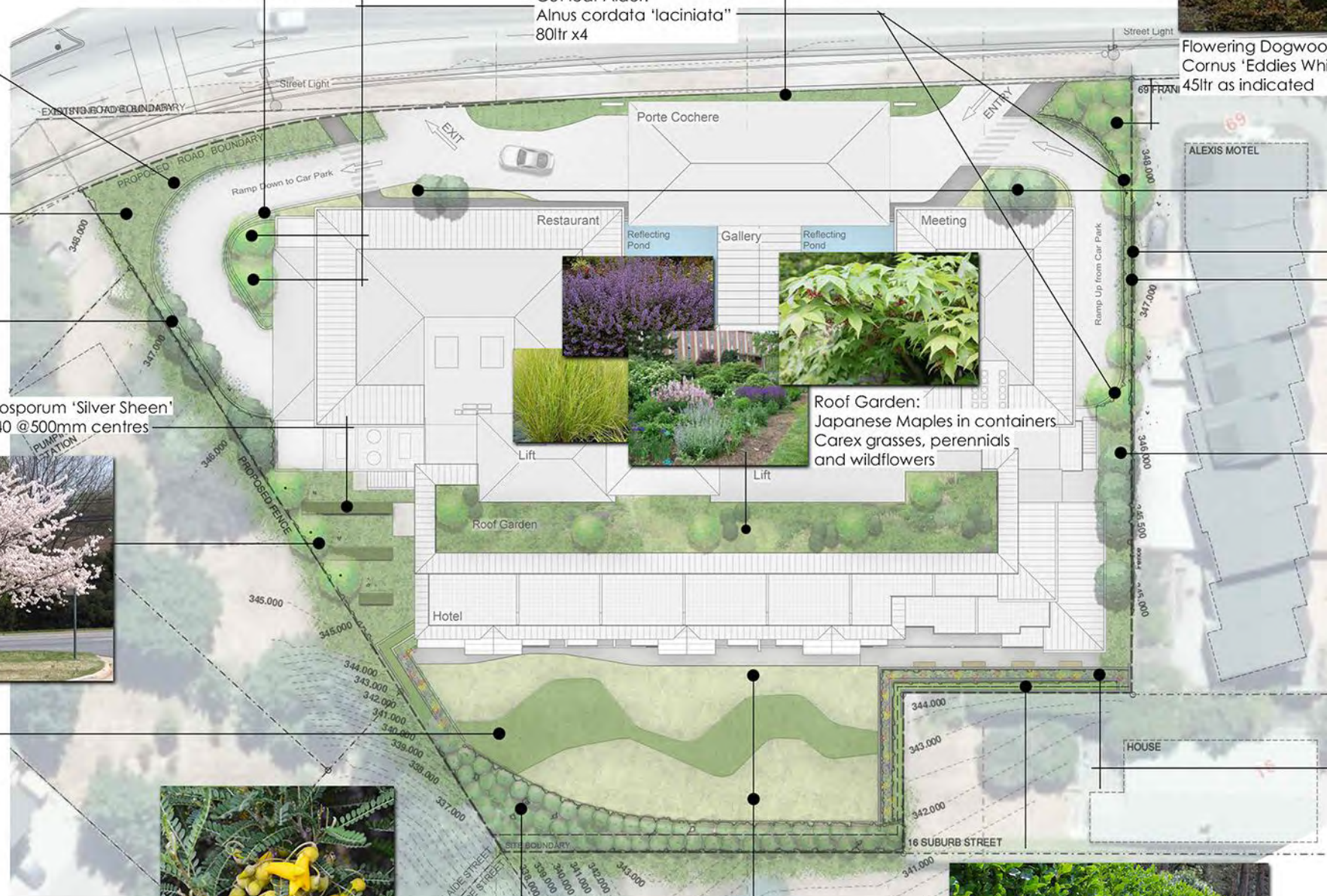
Flowering Dogwood:  
Cornus 'Eddies White Wonder'  
45ltr as indicated



Bechtels Crab:  
Malus ioensis 'plena'  
35ltr x 4



Trailing Rosemary:  
Rosmarinus prostratus  
PB2 @400mm centres



Broadleaf Hedge:  
Griselinia littoralis 'Broadway Mint'  
PB40 @500mm centres



Ribbonwood -  
Plagianthus regius  
25ltr x 5



Pittosporum 'Silver Sheen'  
PB40 @500mm centres



Trailing Rosemary:  
Rosmarinus prostratus  
PB2 @400mm centres



Flowering Cherry:  
Prunus yedoensis  
45ltr x 3



Lemonwood:  
Pittosporum eugenoides  
25 Ltr @ 1.6m centres



Ribbonwood -  
Plagianthus regius  
25ltr x 5



Hebe evanosa:  
PB8 @700mm centres



Dwarf South Island Kowhai:  
Sophora 'Dragons Gold'  
PB12 @ 900mm centres



Carex dipsacea:  
PB5 @ 600mm centres



Broadleaf Hedge:  
Griselinia littoralis 'Broadway Mint'  
PB40 @500mm centres



Mixed perennials to lower wall:  
Rudbeckia, Sedum, Catmint.  
1ltr pots at 300mm centres



East Elevation

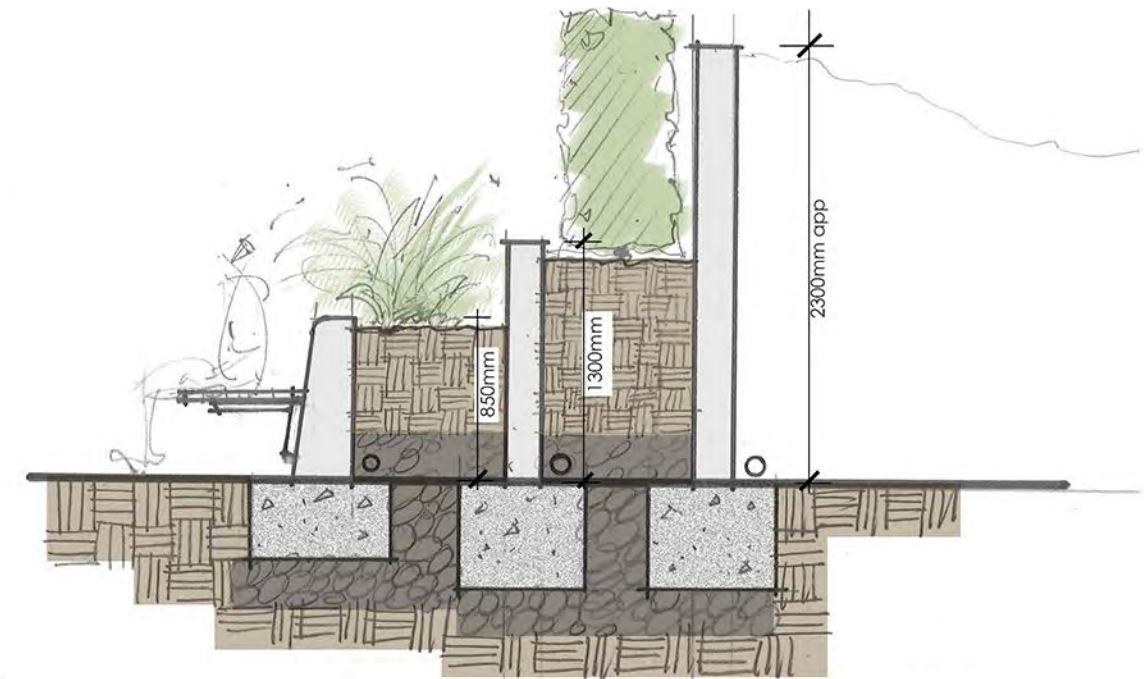


North Elevation



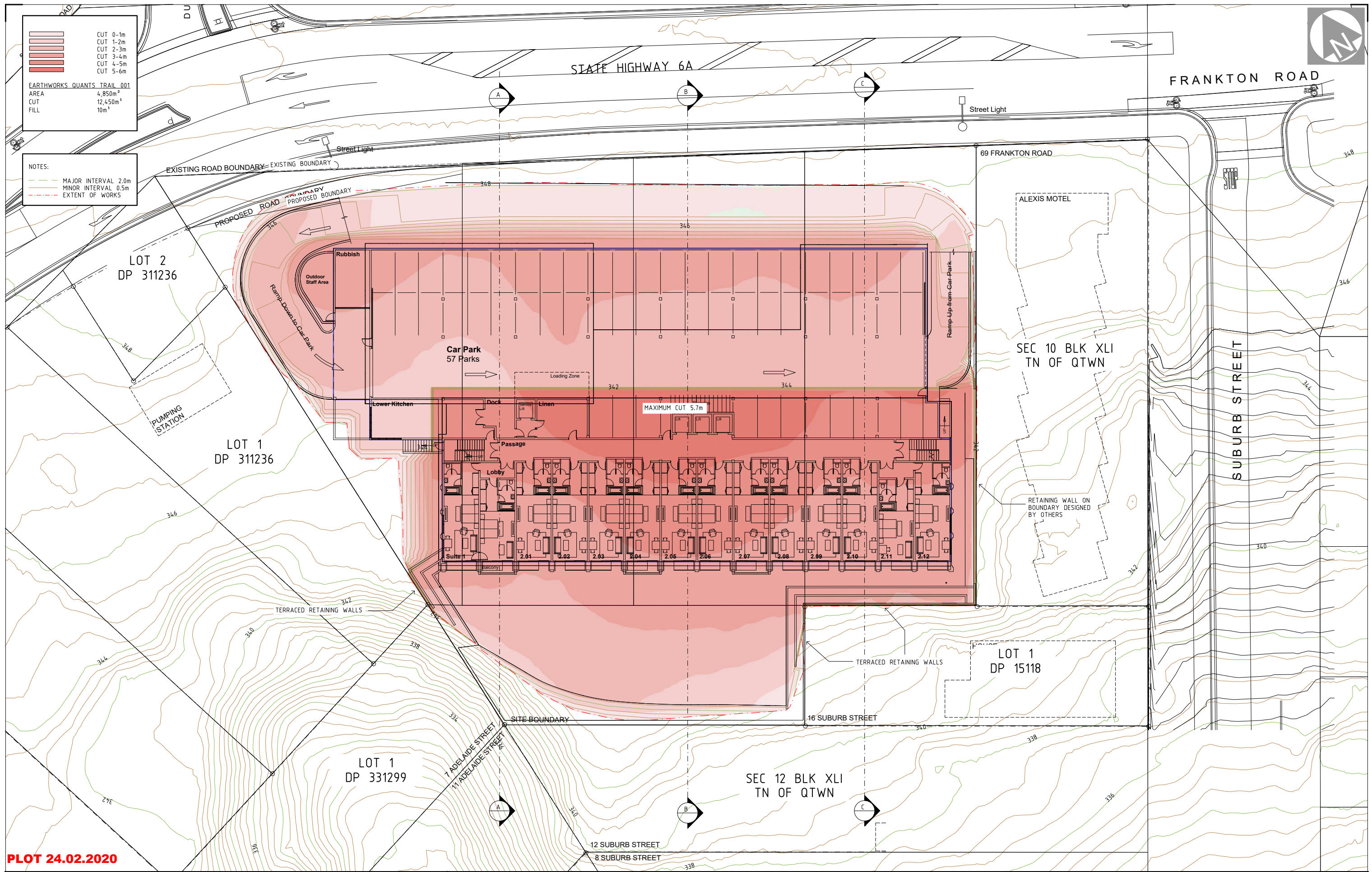
West Elevation

Elevation Scales - 1:400 @A3



Retaining Wall/Seat Section - 1:40 @A3  
Refer Sheet 2 for location





	CUT 0-1m
	CUT 1-2m
	CUT 2-3m
	CUT 3-4m
	CUT 4-5m
	CUT 5-6m
<b>EARTHWORKS QUANTS TRAIL 001</b>	
AREA	4,850m <sup>2</sup>
CUT	12,450m <sup>3</sup>
FILL	10m <sup>3</sup>

**NOTES:**

- MAJOR INTERVAL 2.0m
- MINOR INTERVAL 0.5m
- EXTENT OF WORKS

**PLOT 24.02.2020**

**Clark Fortune McDonald & Associates**  
 Licensed Cadastral Surveyors - Land Development - Planning Consultants  
 309 Lower Shotover Road, P.O. Box 553 Queenstown  
 Tel. (03)441-6044, Fax (03)442-1066, Email admin@cfma.co.nz  
 21 Reece Crescent, P.O. Box 550, Wanaka  
 Tel. (03)443-4448, Fax (03)443-4445, Email admin@cfma.co.nz  
 Unit 6B, Level 1, 480 Moray Place, P.O. Box 5960, Dunedin  
 Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz

Rev.	Date	Revision Details	By
A	17.08.17	ADD TERRACED RETAINING SOUTHERN SIDE	JHJ
B	21.09.17	PROPOSED ADJUSTMENT TO NW BOUNDARY	JHJ
C	06.12.17	AMEND BATTER WESTERN SIDE	JHJ
D	13.12.18	ALTERED BUILDING LAYOUT	JHJ
E	24.02.20	ALTER BUILDING LEVELS	JHJ
F	11.03.24	UPDATE TO ARCHITECT DRAWINGS	JHJ

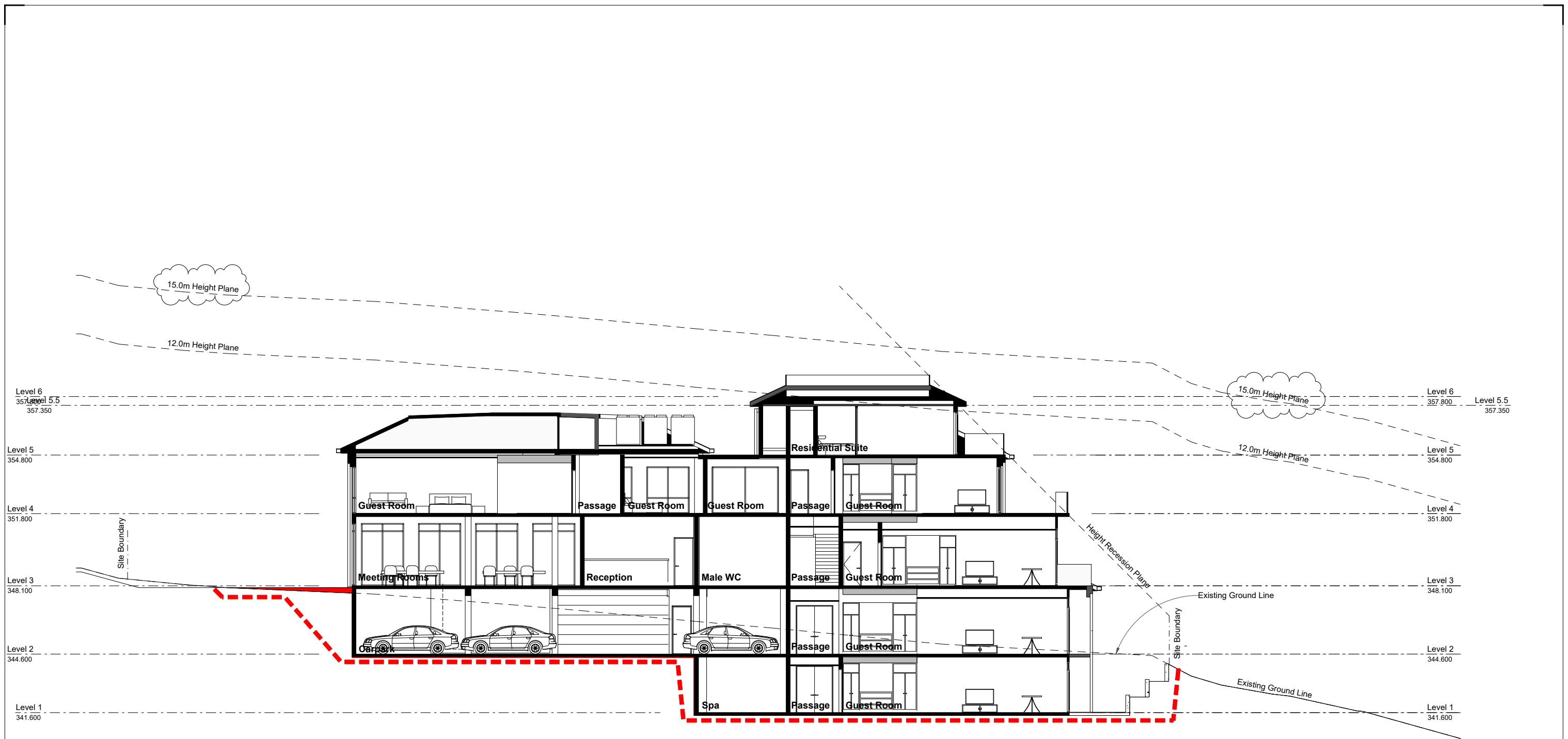
**PROPOSED EARTHWORKS SHUNDI HOTEL  
 SEC 6-9 BLK XLI TN OF QUEESNTOWN, LOT 2 DP 15118  
 PLAN VIEW**

Client	FEIBUSCH	Surveyed	Signed	Date	21.02.2020	Job No.	10347	Drawing No.	E001 SHEET 001
Scale	1:200 @ A1 1:400 @ A3	Drawn	Signed	Date	21.02.2020	Datum & Level	MSL	Rev.	F
Notes: All dimensions shown are in meters unless shown otherwise. Any person using Clark Fortune McDonald drawings and other data accepts the risk of: - Using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions. - Copywrite on this drawing is reserved.									









**PLOT 24.02.2020**

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Rev.	Date	Revision Details	By
A	17.08.17	ADD TERRACED RETAINING SOUTHERN SIDE	JHJ
B	21.09.17	PROPOSED ADJUSTMENT TO NW BOUNDARY	JHJ
C	06.12.17	AMEND BATTER WESTERN SIDE	JHJ
D	13.12.18	ALTERED BUILDING LAYOUT	JHJ
E	24.02.20	ALTER BUILDING LEVELS	JHJ
F	11.03.24	UPDATE TO ARCHITECT DRAWINGS	JHJ

**PROPOSED EARTHWORKS SHUNDI HOTEL**  
**SEC 6-9 BLK XLI TN OF QUEESNTOWN, LOT 2 DP 15118**  
**SECTION C-C'**

Client	FEIBUSCH	Surveyed	Signed	Date	21.02.2020	Job No.	10347	Drawing No.	E001 SHEET 004
Scale	1:100 @ A1 1:200 @ A3	Drawn	Signed	Date	21.02.2020	Datum & Level	MSL	Rev.	F
Notes:	All dimensions shown are in meters unless shown otherwise. Any person using Clark Fortune McDonald drawings and other data accepts the risk of: - Using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions. - Copywrite on this drawing is reserved.								

**Appendix 2**  
**Conditions**

### **General Conditions**

1. That the development must be undertaken/carried out in accordance with the plans:
  - Architectural Plans prepared by Mason & Wales Architects, titled 'Hotel, 53-65 Frankton Road, Queenstown', referenced:
    - Plan E, dated 26/04/2022
    - Plan F, dated 26/04/2022
    - Plan G, dated 26/04/2022
    - Plan H, dated 26/04/2022
    - Plan I, dated 26/04/2022
    - Plan J, dated 26/04/2022
    - Plan K, dated 26/04/2022
    - Plan L.1, dated 26/04/2022
    - Plan M.1, dated 26/04/2022
    - Plan N.1, dated 26/04/2022
    - Plan O.1, dated 26/04/2022
    - Plan P, dated 26/04/2022
    - Plan R, dated 26/04/2022
  - Landscape Plans prepared by Baxter Design, titled 'Hotel- 53 – 65 Frankton Road', referenced:
    - Sheet 1- Landscape Masterplan dated 7 March 2024
    - Sheet 2- Materials Plan dated 7 March 2024
    - Sheet 3- Planting Palette dated 7 March 2024
  - Earthworks Plans prepared by Clark Fortune McDonald & Associates, titled 'Proposed Earthworks- Plan View, Sec 6-9 BLK XLI TN of Queenstown and Lot 2 DP 15118, Frankton Road', referenced:
    - Drawing No. E001, Sheet No.001, Rev.F dated 11.03.2024
    - Drawing No. E001, Sheet No.002, Rev.F dated 11.03.2024
    - Drawing No. E001, Sheet No.003, Rev.F dated 11.03.2024
    - Drawing No. E001, Sheet No.004, Rev.F dated 11.03.2024

**stamped as approved on [date]**

and the application as amended through the resource consenting and subsequent mediation and Environment Court processes with the exception of the amendments required by the following conditions of consent.

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

### **Landscaping Conditions**

4. The landscaping shown on the landscape plan approved under Condition 1 of RM190113 shall be implemented within the first planting season following commencement of works, and the plants shall thereafter be maintained and irrigated in accordance with that plan. If any plant or tree should die or become diseased it shall be replaced within the next available planting season. The low shrubs between the Porte Cochere and State Highway 6, and low shrubs between the down ramp to car park and State Highway 6 must be maintained at no higher than the heights specified on the landscape plans (sheet 2 materials plan) approved under condition 1.

**Design Conditions**

5. All external paint finishes must be as detailed in the following table or, in the instance an alternative is required, an alternative with the near equivalent LRV.

<b>Schedule of Exterior Materials, Finishes and Colours</b>			
<b>Item</b>	<b>Material</b>	<b>Finish</b>	<b>Colour</b>
<b><i>The Pavilions</i></b>			
Columns	ACP Cladding	Matt	"Bark Crinkle" Resene "Scoria" BS Colour R36-049-033
Parapets	ACP Cladding	Matt	"Bark Crinkle" Resene "Scoria" BS Colour R36-049-033
Glass	Clear, Low-E Glass, Double Glazed Units with Argon Fill	Non- Reflective	Clear Glass
Roof	Colorcote/Colorsteel Standing Seam Roofing	Low Gloss	"Grey Friars" BS Colour 1 GR16
<b><i>Guest Wing</i></b>			
Exterior Walls (Floors 1 and 2): Columns	ACP Cladding	Matt	"Bark Crinkle" Resene "Half Haystack"/ BS Colour Y87-031-077
Exterior Walls (Floors 1 and 2): Slab Edges	Paint	Satin	"Bark Crinkle" Resene "Haystack" / BS Colour Y84-041-077
Exterior Walls (Upper Floors): Columns	ACP Cladding	Matt	"Lime Dune" Resene "Haystack" / BS Colour Y84-041-077
Exterior Walls (Upper Floors): Slab Edges	Paint	Satin	"Lime Dune" Resene "Half Haystack"/ BS Colour Y87-031-077
Columns	ACP Cladding	Matt	"Lime Dune" Resene "Haystack" / BS Colour Y84-041-077
Portico/South Wall	ACP Cladding	Matt	"Bark Crinkle" Resene "Scoria" BS Colour R36-049-033
Glass	Clear, Low-E Glass, Double Glazed Units with Argon Fill	Non- Reflective	Clear Glass
Roof	Colorcote/Colorsteel Standing Seam Roofing	Low Gloss	"Grey Friars" BS Colour 1 GR16

6. Balustrades along the southern façade of the building will be designed generally in accordance with the design principles described in the Architectural Statement dated 21 October 2020 and illustrated in Plan P including balustrade articulation where shown.
7. During construction, the consent holder shall ensure that the scaffolding on the southern side of the development will be screened similar to the Layher Protection System.

**Transport Condition Precedent**

8. Physical works shall not commence on site until confirmation has been provided by Waka Kotahi to the Council Monitoring and Enforcement Officer that physical works on the State Highway upgrades along Frankton Road in the immediate locality of the Site have commenced and a Waka Kotahi commissioned independent road safety audit (that considers the access, egress, and pedestrian crossings described in Condition 24(b) and (k) into the subject site) has been prepared. The design of the State Highway Upgrade must either be:

- a) that shown in the plan submitted, entitled 'NZTA F2Q Business Cases Queenstown Town Centre M+W Overlay Option 3' and 'Stage 1 Plan and Long Section MC02-CH 680.000m – 793.102' dated 31.07.2020; or
- b) an alternative plan that meets the following key characteristics of the plan in a) above:
  - i. the median must be flush, and long and wide enough to accommodate a coach in a safe position parallel with the direction of traffic; and
  - ii. the coach must be able to undertake a right hand turn movement from the flush median to access the site by a vehicle crossing that can accommodate the coach tracking swept path and access locations shown in the plan referred to in a) above.

Any alternative plan (meeting the key characteristics under b) above) must be submitted to Council's Monitoring and Enforcement Team and certified by a Council appointed traffic engineer.

### **Environmental Management Conditions**

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

- 9. At least 15 working days prior to any works commencing on site the consent holder shall submit an Environmental Management Plan (**EMP**) to Queenstown Lakes District Council's (**Council**) Monitoring and Enforcement Team for review and acceptance. This document must be prepared by a suitably qualified and experienced person. The EMP shall be in accordance with the principles and requirements of the *Queenstown Lakes District Council's Guidelines for Environmental Management Plans* and specifically shall address the following environmental elements as specified in the guidelines:
  - a) Administrative Requirements
    - (i) Weekly site inspections
    - (ii) Notification and management of environmental incidents
    - (iii) Records and registers
    - (iv) Environmental roles and responsibilities of personnel (including nomination of Principal Contractor)
    - (v) Site induction
  - b) Operational Requirements
    - (i) Erosion and sedimentation (including Erosion and Sediment Control Plan) (to be prepared by a suitably qualified and experienced person)
    - (ii) Water quality
    - (iii) Dust
    - (iv) Cultural heritage
    - (v) Noise (to be prepared by a suitably qualified and experienced person)
    - (vi) Vibration (to be prepared by a suitably qualified and experienced person)
    - (vii) Contaminated sites (to be prepared by a suitably qualified and experienced person)
    - (viii) Indigenous vegetation clearance
    - (ix) Chemical and fuel management
    - (x) Waste management

The EMP (and any sub-plans e.g. ESCP described below) shall also be consistent with any recommendations outlined in the Geotechnical Report (by GeoSolve Limited, Reference: 160853, dated January 2017) and the Detailed Site Investigation Report (by WSP Opus, Reference: 6-XZ421.00, dated February 2018) submitted with the application.

- 10. Prior to ground-disturbing activities on the initial stage of works or any subsequent new stage of works, the consent holder shall engage an Appropriately Qualified Person to prepare and submit an Erosion and Sediment Control Plan (**ESCP**) to Council's Monitoring and Enforcement Team

for review and acceptance. This plan shall be a sub-plan of the overarching EMP and must be prepared in accordance with the requirements outlined on pages 13 – 18 in *Queenstown Lakes District Council's Guidelines for Environmental Management Plans*. These plans must be updated when:

- a) The construction program moves from one Stage to another; or
  - b) Any significant changes have been made to the construction methodology since the original plan was accepted for that Stage; or
  - c) There has been an Environmental Incident and investigations have found that the management measures are inadequate.
11. 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*.
12. 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*.

***During construction:***

13. All works shall be undertaken in accordance with the most current version of the EMP as accepted as suitable by Council.
14. The EMP shall be accessible on site at all times during work under this consent.
15. The consent holder shall establish and implement document version control. Council shall be provided with an electronic copy of the most current and complete version of the EMP at all times.
16. The consent holder shall develop and document a process of periodically reviewing the EMP as outlined on page 6 of the *Queenstown Lakes District Council's Guidelines for Environmental Management Plans*. No ground disturbing activities shall commence in any subsequent stage of development until an EMP has been submitted and deemed suitable by Council's Monitoring and Enforcement Team.
17. The consent holder shall undertake and document weekly and Pre and Post-Rain Event site inspections as detailed on pages 10 and 11 of the *Queenstown Lakes District Council's Guidelines for Environmental Management Plans*.
18. In accordance with page 9 of the *Queenstown Lakes District Council's Guidelines for Environmental Management Plans*, if any Environmental Incident occurs where the EMP has failed leading to any adverse environmental effects offsite the consent holder shall:
- a) Report to the Council details of any Environmental Incident within 12 hours of becoming aware of the incident.
  - b) Provide an Environmental Incident Report to the Council within 10 working days of the incident occurring as per the requirements outlined on page 9 of *Queenstown Lakes District Council's Guidelines for Environmental Management Plans*.
19. Environmental records are to be collated onsite and shall be made available to the Council upon request; immediately if the request is made by a Council official onsite and within 24 hours if requested by a Council officer offsite. Records and registers to be managed onsite shall be in accordance with the requirements outlined on page 10 of the *Queenstown Lakes District Council's Guidelines for Environmental Management Plans*.

## **Engineering Conditions**

### **General:**

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

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

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

21. Prior to commencing works on site the consent holder shall obtain and implement Traffic Management Plan approved by the Waka Kotahi New Zealand Transport Agency (**NZTA**), or its network management consultant, prior to undertaking any works within or adjacent to the State Highway that affects the normal operating conditions of the road reserve through disruption, inconvenience or delay. The Traffic Management Plan shall be prepared by a Site Traffic Management Supervisor (**STMS**). All contractors obligated to implement temporary traffic management plans shall employ a qualified STMS to manage the site in accordance with the requirements of the NZTA's "*Traffic Control Devices Manual Part 8: Code of practice for temporary traffic management*". The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Manager of Resource Management Engineering at Council prior to works commencing.
22. The consent holder 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 the Council's Land Development and Subdivision Code of Practice, in relation to this development.
23. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site.
24. Prior to commencing works on the site, the consent holder shall obtain 'Engineering Review and Acceptance' from the Council for development works to be undertaken. The application for 'Engineering Review and Acceptance' 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 consent holder'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 20, to detail the following requirements:
- a) The provision of a detailed site management plan and construction methodology to be prepared in conjunction with the earthworks contractor. This plan shall include, but not be limited to:
- Temporary retaining details;
  - Procedures for ensuring debris is not deposited on surrounding roads or land;
  - Identification of any stockpile areas and management of those stockpiles both short term and long;
  - Temporary cut or fill slope parameters;
  - Hours of activity;
  - Communication with neighbouring land owners and a complaints procedure;
  - Monitoring strategy to ensure that management measures are fit for purpose and corrective action strategy for improvements;



- Detailed construction methodology;
- Site access for construction vehicles;
- Parking for contractors vehicles;
- Pedestrian safety;
- Temporary hoarding and fencing;
- Works outside the site boundaries;
- Cranage operation; and
- Procedures for identifying and protecting existing services.

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.

- b) A plan showing treatment of the pedestrian crossings within the site. Specifically, a plan shall be submitted showing a contrasting surface treatment for the pedestrian crossing across the up and down ramp to and from the basement car park to ensure that drivers are aware that it is a pedestrian crossing. The design must meet the design requirements for contrast suitable for persons of low vision.
- c) The provision of water supply to the development in compliance with Council standards. This shall include an approved valve and valve box with backflow prevention and provision for bulk flow water metering to be located at the road reserve boundary. The costs of the connection shall be borne by the consent holder.
- d) The provision of a foul sewer connection to the development. The costs of the connection shall be borne by the consent holder.
- e) The design of a stormwater system by a suitably qualified professional as described in section 1.7 of the Council's Land Development and Subdivision Code of Practice to dispose of water from all impervious areas within the site to an onsite attenuation system that attenuates the discharge to a rate (litres per second) no greater than would have occurred from the undeveloped catchment during a 60 minute 5 year storm and which subsequently connects to the Council reticulated stormwater disposal system. The designs shall include the provision of water quality treatment for the interception of settleable solids and floatable debris prior to discharging to the receiving water. The connection shall be designed to provide gravity drainage for the entire development site.
- f) Provision of a suitable firefighting water supply with adequate pressure and flow to service the development and an accompanying report from a suitably qualified professional demonstrating compliance with the NZ Fire Service Code of Practice for Firefighting Water Supplies 2008 (SNZ PAS 4509:2008). Any buildings on the lot shall either be fitted with a sprinkler system and/or be designed with an appropriate fire cell size to meet the requirements of SNZ PAS 4509 for the relevant water supply classification prior to the occupation of any buildings.
- g) The provision of a computed easement plan showing a stormwater easement in favour of the development site over the adjacent Recreation Reserve on Lot 1 DP 311236, and the registration of easements prior to hotel occupation, unless the Council confirms that an easement is not requirement.
- h) The provision of Design Certificates for all engineering works associated with this development submitted by a suitably qualified design professional (for clarification this shall include all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of the Council's Land Development and Subdivision Code of Practice Schedule 1A Certificate.
- i) The provision of a Design Certificate submitted by a suitably qualified design professional for the Wastewater Pump Stations required for the wastewater reticulation. The certificate

shall be in the format of IPENZ Producer Statement PS1 or the Council's Land Development and Subdivision Code of Practice Schedule 1A Certificate.

- j) The provision of a plan identifying air conditioning units and similar equipment and demonstrating that they are concealed from public view.
  - k) The provision of a plan that demonstrates the proposed signs in the locations on the plans approved under condition 1 does not impact sight lines for vehicles exiting the site. Should it be found that any sign does impact sight lines, then an alternative location must be provided to Council for certification by Council's engineer and urban designer, which demonstrates the signs do not impact sight lines, and are suitably located in terms of design.
25. At least 7 days prior to commencing excavations the consent holder shall provide the Manager of Resource Management Engineering at Council with the name of a suitably qualified professional, as defined in Section 1.7 of the Council's Land Development and Subdivision Code of Practice, who is familiar with the Geosolve Report 170331-Rev1 dated September 2017, and who shall supervise the excavation and filling procedure and retaining construction.

A bond shall be entered into, in a form to be determined by the Council's solicitors, to secure performance of the earthworks to be carried out as per the plans approved for this development. The cost of setting up the bond is to be borne by the applicant. Any guaranteed bond shall be guaranteed by a financial institution approved by Council's solicitors. The earthworks shall not begin until the applicant has provided evidence to the Council that the bond has been established. The bond shall be for a sufficient amount to cover the cost of stabilising the site should the works be abandoned for a period in excess of 30 days and is only intended to provide a method of recourse to potential land instability extending beyond the site boundaries as a result of incomplete works abandonment. The amount of such a bond shall be 1.5 times the value of stabilisation works as determined by an estimate made by a suitably qualified engineer experienced in such works, using as a basis for his/her calculations engineered plans and specifications provided by the applicant. Council may require that a second estimate be provided to confirm the proposed bond amount is appropriate. Such bond may be released upon the completion of the earthworks covered by this bond.

*Neighbour Communication Plan*

- 26. Not less than 10 working days prior to the commencement of works, the consent holder must provide the Monitoring and Enforcement Team at Council for certification a Neighbour Communication Plan (**NCP**) indicating for how communications will be undertaken as between the consent holder (including its contractors) and local residents during the construction of the development. The CCP must be in accordance with Condition 27.
- 27. The CCP must specify (but is not limited to) processes for communications as between the consent holder and local residents including:
  - a) communication by the consent holder about earthworks and construction activities, scheduling/timing of works and potential temporary nuisance effects (including changes in access);
  - b) communication by local residents of any enquiries or complaints about construction activities;
  - c) alternative (non-electronic) means of communicating key information to local residents (including mail drops);
  - d) the contact details for the lead contractor/project manager and a representative of the consent holder's management team; and
  - e) a complaints procedure for neighbours including procedures for responding to any complaints within 24 hours of the complaint being received.

28. The consent holder must comply with the NCP certified under Condition 26.

***To be monitored throughout the earthworks and hotel construction:***

29. The site management shall be undertaken in accordance with the recommendations of the site management plan and construction methodology reviewed and accepted in Condition 24 above.
30. All earthworks and geotechnical investigations shall be carried out under the guidance of suitably qualified and experienced geotechnical professional as described in Section 1.7.2 of the Council's Land Development and Subdivision Code of Practice.
31. The earthworks, batter slopes, temporary and permanent retaining shall be undertaken in accordance with the recommendations of the Geosolve Report (Reference: 160853, dated January 2017), and a subsequent detailed geotechnical assessment and slope stability assessment to be completed prior to works commencing.
32. A PS1 Producer Statement shall be obtained from a suitably qualified professional for any temporary or permanent retaining walls within the lot which exceed 1.5m in height or are subject to additional surcharge loads.
33. The Manager of Resource Management Engineering at Council shall be notified and work shall stop immediately if any cracking, movement, structural distress or damage to any existing buildings, structures, underground services, public roads, pathways and/or surrounding land occurs.
34. If at any time Council officers, or its elected representatives, receive justifiable complaints about, or proof of effects from, vibration sourced from the earthworks activities approved by this resource consent, the consent holder shall, at the request of the Council, cease all earthworks activities and shall engage a suitably qualified professional who shall prepare a report which assesses vibration caused by earthworks associated with this consent and what adverse effect (if any) these works are having on any other land and/or buildings beyond this site. Depending on the outcome of this report, a peer review may be required to be undertaken by another suitably qualified professional at the consent holder's expense. This report must take into consideration the standard BS 5228:1992 or a similar internationally accepted standard. Both the report and peer review (if required) shall be submitted to Council for review and acceptance. The Consent holder shall implement any measures proposed in the report that will mitigate any negative effects of the vibration.
35. No earthworks, temporary or permanent, are to breach the boundaries of the site including any rock anchors, with the exception of service connections and vehicle crossings authorised by this consent.
36. 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.

*Hours of Operation – Earthworks*

37. Hours of operation for earthworks, shall be:
- Monday to Friday(inclusive): 8.00am to 6.00pm.
  - Saturdays: 9.00am to midday.
  - Sundays and Public Holidays (this includes the adjacent weekend if the public holiday falls on a Monday or Friday): 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.

***Prior to the commercial operation or occupation of the hotel:***

38. Prior to the commercial operation or occupation of the Hotel, the consent holder shall complete the following:
- a) The submission of 'as-built' plans and information required to detail all engineering works completed in relation to or in association with this subdivision/development at the consent holder's cost. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Roads (including right of way and access lots), Water, Wastewater and Stormwater reticulation (including private laterals and toby positions), and all removed reticulated services.
  - b) The completion and implementation of all certified works detailed in Condition 24 above.
  - c) An Elster Helix 4000 or C4000 / 4200 or Sensus Meitwin; Meistream; WP water meter or water meter approved by the Manager of Resource Management Engineering at Council as having the equivalent performance of the Elster Helix 4000 or C4000/4200 or Sensus Meitwin; Meistream; WP water meters shall be installed as per Condition 24 above.
  - d) All vehicle access, manoeuvring and parking areas associated with the developments to the porte cochere area 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 to ensure compliance with the NZTA "Road Safety Audit Procedures for Projects" manual.
  - e) Any power supply and/or telecommunications connections to the building shall be underground from existing reticulation and in accordance with any requirements/standards of the network provider's requirements.
  - f) All signage and markings within the road reserve amended by this development shall be installed in full accordance with Council's signage specifications and the NZTA Manual of Traffic Signs and Markings, and the Traffic Control Devices Manual.
  - g) All exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised as soon as practicable and in a progressive manner as earthworks are completed.
  - h) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
  - i) The submission of Completion Certificates from both the Contractor and Approved Engineer for all infrastructure engineering works completed in relation to or in association with this development (for clarification this shall include all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of the Council's Land Development and Subdivision Code of Practice Schedule 1B and 1C Certificates and/or IPENZ Producer Statements PS3 and PS4.
  - j) The submission of Completion Certificates from both the Approved Contractor and Approved Certifier for the Wastewater Pump Station(s). The certificates shall be in the format of IPENZ Producer Statements, or the Council's Land Development and Subdivision Code of Practice Schedule 1B and 1C Certificate.

**Managing Soil Contaminants**

39. At least 10 working days prior to the disturbance of the site, the consent holder shall submit to the Consent Authority a Contaminated Soils Management Plan (**CSMP**). The CSMP shall contain sufficient detail to address the following matters:

- a. A brief summary of the works to be undertaken with references to other relevant documents.
  - b. A description of the known or suspected contamination present.
  - c. Relevant contact information of those onsite and managing the construction or earthwork activities.
  - d. Allocation of responsibilities, including who is responsible for implementing and monitoring the controls detailed within the CSMP.
  - e. A description of relevant regulatory requirements and conditions of consent.
  - f. Soil management procedures during the works, including siting and management of soil stockpiles, and erosion, sediment and dust control procedure.
  - g. Handling and disposal procedures for any contaminated material encountered during the activity including recommended personal protective equipment.
  - h. Soil, air quality, groundwater and/or surface water monitoring requirements.
  - i. Contingency measures to address any unexpected or accidental discoveries of contamination or discharges identified at the site.
40. All soil disturbance activities shall be undertaken in accordance with the CSMP provided in accordance with Condition 39.
41. Within two months of the completion of the soil disturbance works on site, the following shall be provided to the Consent Authority:
- a. The location and dimensions of the excavations carried out, including a relevant site plan.
  - b. Records of any unexpected contamination encountered during the works including soil validation results, if applicable.
  - c. Copies of the disposal dockets for the material removed from the site.
42. The duration of the earthworks and exposed areas of soil disturbance shall be no more than three (3) months. The consent holder shall confirm to the Council's Manager, Resource Consents the earthworks start date at least two (2) weeks prior to the work commencing. The duration of the earthworks component of the consent shall commence from the start date confirmed to the Council.
43. All cut material is to be retained and reused on site or, if taken off site, shall be taken to an approved landfill disposal site that is approved by Council. Prior to any soil being removed from the site, the consent holder shall submit the details of the receiving site and volumes disposed of to the Council's Manager, Resource Consents for consideration and certification.
44. Any growing of domestic food (vegetable garden) shall be established in areas where no soil disturbance occurs as identified in the approved cut/fill plan.

#### **Accidental Discovery Protocol**

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

Any koiwi tangata discovered shall be handled and removed by tribal elders responsible for the tikanga (custom) appropriate to its removal or preservation. Site work shall recommence following consultation with Council, the New Zealand Pouhere Taonga,

Tangata whenua, and in the case of skeletal remains, the New Zealand Police, provided that any relevant statutory permissions have been obtained.

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

Site work may only recommence following consultation with Council.

## **Noise and Vibration Conditions**

### ***Construction Noise and Vibration***

46. Prior to commencement of works onsite, and subject to the consent of landowners, the Consent Holder is to carry out a building condition survey of the immediately adjacent properties to the Site and provide these to the Monitoring Officer at Council on request. The purpose of this survey is to record any existing cracks, defects or subsidence in neighbouring buildings prior to any earthworks or construction occurring on application site.
47. Prior to the commencement of works on site, the consent holder shall submit to Council's monitoring team for certification a Construction Noise and Vibration Management Plan (**CNVMP**).

The objective of the CNVMP is to provide a framework for the development and implementation of measures to avoid, remedy or mitigate adverse construction noise and vibration effects, and to minimise any exceedance of the criteria set out in Conditions 50 and 51. The CNVMP must be prepared in general accordance with the NZ Transport Agency State highway construction and maintenance noise and vibration guide (version 1.0, 2013).

48. All works shall be carried out in accordance with a CNVMP required by Condition 47.
49. If measured or predicted noise and vibration from a construction activity exceeds the criteria in Conditions 50 or 51, a Schedule to the CNVMP for that activity must be prepared in accordance with the NZ Transport Agency State highway construction and maintenance noise and vibration guide (version 1.0, 2013). The Schedule must be provided to the Council at least five working days, where practicable, in advance of the activity proceeding. A schedule must establish the best practicable option for noise or vibration mitigation to be implemented for the construction activity.
50. Construction noise must be measured and assessed in accordance with NZS 6803:1999 Acoustics - Construction Noise. The construction noise criteria in Table CNV1 must be complied with, as far as practicable, however noting the breach of these provisions granted by this consent.

<b>Construction noise criteria</b>			
<b>Day</b>	<b>Time</b>	<b>L<sub>Aeq</sub>(15min)</b>	<b>L<sub>AFmax</sub></b>
Weekdays	0630h - 0730h	55 dB	75 dB
	0730h - 1800h	70 dB	85 dB
	1800h - 2000h	65 dB	80 dB
	2000h - 0630h	45 dB	75 dB
Saturdays	0630h - 0730h	45 dB	75 dB
	0730h - 1800h	70 dB	85 dB
	1800h - 2000h	45 dB	75 dB
	2000h - 0630h	45 dB	75 dB

Sundays and Public Holidays	0630h - 0730h	45 dB	75 dB
	0730h - 1800h	55 dB	85 dB
	1800h - 2000h	45 dB	75 dB
	2000h - 0630h	45 dB	75 dB

51. Construction vibration must be measured in accordance with ISO 4866:2010 *Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures*. The Category A construction vibration criteria in Table CNV2 must be complied with as far as practicable. If measured or predicted vibration from construction activities exceeds the Category A criteria, a suitably qualified person must assess and manage construction vibration during those activities. Vibration from construction activities shall not exceed the Category B criteria.

Construction Vibration criteria			
Receiver	Details	Category A	Category B
Occupied dwellings	Night-time 2000h - 0630h	0.3mm/s ppv	1mm/s ppv
	Daytime 0630h - 2000h	1mm/s ppv	5mm/s ppv
Other occupied Buildings (including visitor accommodation)	Daytime 0630h - 2000h	2mm/s ppv	5mm/s ppv
All other buildings	Vibration - transient	5mm/s ppv	BS 5228-2* Table B2
	Vibration - continuous		BS 5228-2* 50% of table B2 values

\*BS 5228-2:2009 'Code of practice for noise and vibration control on construction and open sites – Part 2: Vibration'

52. Prior to construction, a design report prepared by a person suitably qualified in acoustics must be submitted to Council, demonstrating how compliance with PDP Rule 9.5.12 will be achieved.

### **Operational Noise**

53. All operational activity must comply with the district plan noise limits, other than:
- People on the restaurant balcony subject to a noise limit of 60 dB LAeq(15 min) at the boundary of the Garden Court Suites & Apartments between 0800h and 2200h.
54. Prior to operation, a design report prepared by an acoustics specialist must be submitted to Council, demonstrating that all building services equipment will comply with the noise limits.
55. The restaurant balcony must be vacated and locked and windows and doors to the restaurant and bar shall be closed between 2200h and 0800h.
56. A fence or wall must be constructed or, if agreed with the owners of Alexis Motel, the existing boundary fence upgraded on the site boundary adjacent to the car park exit ramp. It must be 2 metres above the existing ground level of the Alexis Motel without holes or gaps.
57. All drainage, service covers or other discontinuities adjacent to the building and within wheel paths of the car park and ramps shall be flush with the surface and mechanically fixed in place. All other wheel paths of the car park and ramps must not have any drainage, service covers or other discontinuities.
58. Prior to operation of the hotel, an Operational Communication Liaison Plan (**OCLP**) must be submitted to the Council's monitoring team for certification. At a minimum, the OCLP must include the following:

- a) detail a training protocol regarding the implementation of the OCLP by hotel staff and the management and communication of noise and complaints;
- b) provide a mechanism for neighbours to make complaints relating to:
  - (i) compliance with District Plan noise limits as amended by Condition 50;
  - (ii) the vacation and locking of the restaurant terrace and lounge balcony between 2200h and 0800h in accordance with Condition 53; and
  - (iii) non-compliance with any other operational conditions detailed in these conditions of consent; and
- c) detail the procedure for responding to complaints in a timely manner.

59. The OCLP certified under Condition 58 shall be complied with in perpetuity.

### **Operational Conditions**

60. In Condition 60, Ongoing Transport Management Plan (**OTMP**) means a plan prepared by the consent holder to assist the control and management of transportation effects and that is in accordance with Condition 60:
- a. The OTMP must:
    - i. Ensure that unsafe conflicts with guest vehicles, service vehicles, accessible parks and coaches are avoided.
    - ii. Ensure the ongoing safe operation of the site and manage the site to avoid any unsafe impacts of the hotel operation on the wider transport network.
    - iii. Avoid operations in the porte cochere that result in queuing on State Highway 6A (Frankton Road).
    - iv. Minimise traffic generation and parking by staff on local roads through the provision and encouragement of alternative transportation options by staff including but not limited to bicycle parking.
    - v. Show the design of the proposed site entry and exit to Frankton Road (including swept paths) and demonstrate that it is in accordance with the plans stamped approved and referred to in Condition 1.
    - vi. Demonstrate the method of managing traffic (car and coach) entering and exiting the site to ensure it is in accordance with the plans stamped approved referred to in Condition 1 and the draft Ongoing Transport Management Plan dated 21 October 2020.
    - vii. Demonstrate that access and egress includes signage and appropriate directional arrows to be marked on the pavement surface to identify the direction of travel. The signage and marking shall be installed and maintained in accordance with the NZTA Manual of Traffic Signs and Marking (MOTSAM) and the Traffic Control Devices Manual.
    - viii. Demonstrate that methods are in place to require that no third party tour buses enter the site to pick up guests. These methods shall include a sign being located at the entry of the site advising third party tour buses of this.
    - ix. Tour coaches that pick up and drop off exclusively with guests of the hotel only will be allowed.
    - x. Provide that all rubbish once removed from inside the rooms and other internal areas shall be stored in bins within the Rubbish Storage Area on the western side of the basement. All rubbish collection shall be by a truck, no taller than 3.0m.
    - xi. Demonstrate the prevention of permanent overnight coach parking on-site through evidence of an offsite (and offstreet) parking arrangement.
    - xii. Include an induction protocol for staff and delivery drivers who are to be driving in using the basement. This induction must include warnings around height limits and entry and exit ramp manoeuvring.
    - xiii. Ensure that staff and management trained by a suitably qualified person and are kept up to date with the requirements of the OTMP and that staff are enforcing the OTMP.



- xiv. A register of all staff shall be kept recording briefing on OTMP requirements. This register shall be available to Council Officers at all times.
  - xv. Demonstrate the basement height is a minimum of 3.3m and meets the requirements of ASNZ2890.6 2009 in relation to ASNZ4121.2004.
- b. Prior to the hotel being occupied by guests the OTMP must be submitted to the Council's Manager Resource Consents and certified by that person to be in accordance with Condition 61; and
  - c. The consent holder must review, and amend as required to ensure the requirements in Condition 60 are being achieved, the certified OTMP on an annual basis and provide this OTMP to the Council's manager of resource consents for certification in relation to any amendments to ensure ongoing compliance with the objectives of this condition.
  - d. The Consent Holder must comply with the OTMP at all times.
61. The hotel on the Site shall not be occupied by guests until works on the State Highway upgrades at the intersection of Dublin St, Melbourne Street, Frankton Road in Condition 8 have achieved practical completion.

### **Covenants**

62. A covenant pursuant to Section 108(2)(d) of the Resource Management Act 1991 shall be registered on the Computer Freehold Register for Lot 2 DP 15118; and Section 6-8 Block XLI Town of Queenstown; and Section 9 Block XLI Town of Queenstown, providing for the performance of the following condition on an ongoing basis:
- a) The hotel basement carpark floor shall not be directly accessed by hotel patrons or guests, except when escorted through internal lifts to remove goods from vehicles, and shall be limited to hotel valet staff and delivery drivers who have been inducted in accordance with the OTMP only.
  - b) In the event that the Engineering Acceptance issued under Condition 24 contains ongoing conditions or requirements associated with the installation, ownership, monitoring and/or maintenance of any infrastructure subject to Engineering Acceptance, then at Council's discretion, a Covenant in Gross (or other alternative legal instrument acceptable to Council) shall be registered on the relevant Records of Title detailing these requirements for the lot owner(s). *[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].*
  - c) The final form and wording of all covenant document(s) 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.

### **Surveyor's Certificate**

63. In order to ensure that the proposed building is located exactly as proposed in the application and complies with the maximum height control of the Queenstown Lakes District Plan or the degree of infringement applied for, the consent holder shall employ an appropriately qualified surveyor at their expense who shall:
- a) Certify to Council in writing that the foundations have been set out in accordance with the approved consent in terms of levels and position; and

- b) Confirm to Council in writing upon completion of the building that it has been built in accordance with the approved plans and complies with the maximum height control/degree of infringement applied for.

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

### **Review**

- 64. Within six months of the date of this decision; and/or upon the receipt of information identifying non-compliance with the conditions of this consent, and/or within ten working days of each anniversary of the date of this decision, in accordance with Sections 128 and 129 of the Resource Management Act 1991, the Council may serve notice on the consent holder of its intention to review the conditions of this resource consent for any of the following purposes:
  - a) To deal with any adverse effects on the environment that may arise from the exercise of the consent which were not foreseen and assessed at the time the application was considered and which it is appropriate to deal with at a later stage.
  - b) To deal with any adverse effects on the environment which may arise from the exercise of the consent and which could not be properly assessed at the time the application was considered.
  - c) To avoid, remedy and mitigate any adverse effects on the environment which may arise from the exercise of the consent and which have been caused by a change in circumstances or which may be more appropriately addressed as a result of a change in circumstances, such that the conditions of this resource consent are no longer appropriate in terms of the purpose of the Resource Management Act 1991.
- 65. As part of the review clause stated in Condition 64 of this consent, the Council may have the construction noise and vibration management plan audited at the consent holder's expense.

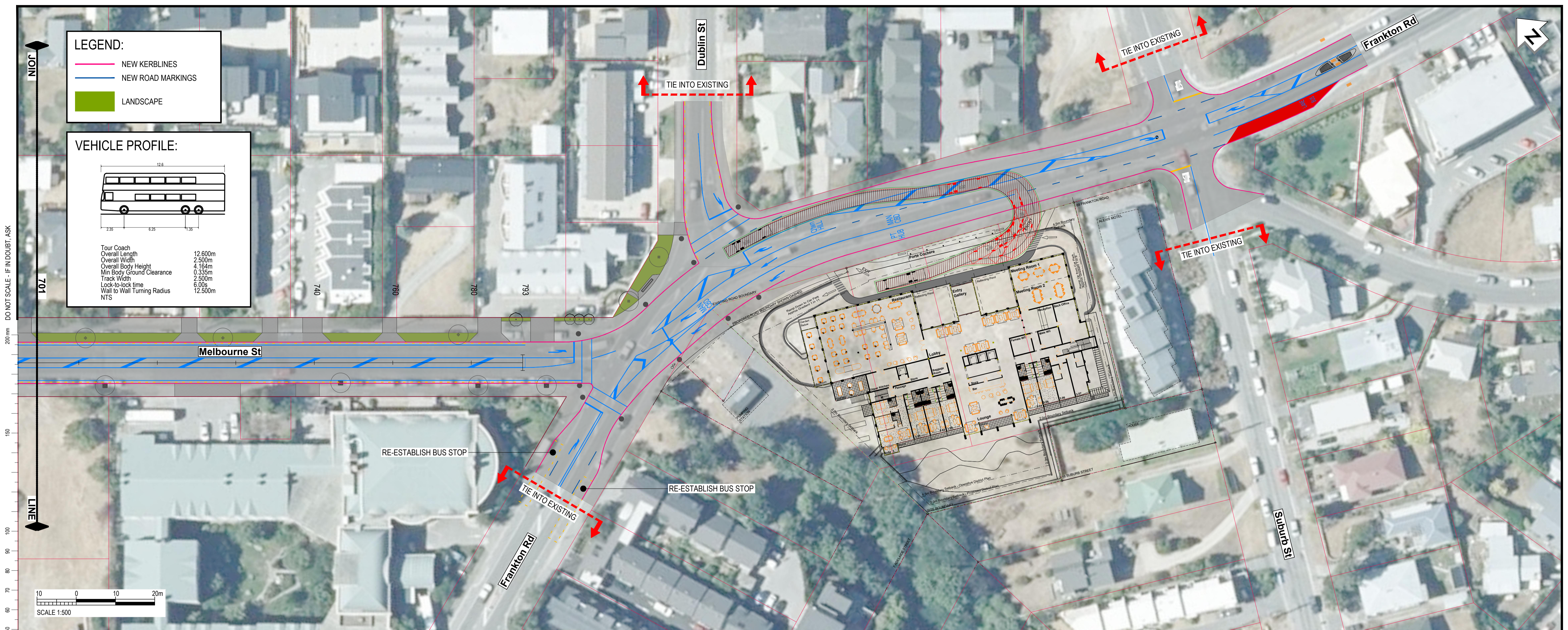
### **Recommended Advice Notes:**

- (i) 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 the Council.
- (ii) The consent holder is advised that any retaining walls proposed in this development which exceeds 1.5m in height or walls of any height bearing additional surcharge loads will require Building Consent, as they are not exempt under Schedule 1 of the Building Act 2004.
- (iii) 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.
- (iv) No further signs, such as window signs or sandwich boards, are permitted by this resource consent.
- (v) This site may contain archaeological material. Under the Heritage New Zealand Pouhere Taonga Act 2014, the permission of the Heritage New Zealand Pouhere Taonga must be sought prior to the modification, damage or destruction of any archaeological site, whether the site is unrecorded or has been previously recorded. An archaeological site is described in the Act as a place associated with pre-1900 human activity, which may provide evidence relating to the history of New Zealand. These provisions apply regardless of whether a resource consent or building consent has been granted by Council. Should archaeological material be discovered during site

works, any work affecting the material must cease and the Heritage New Zealand Pouhere Taonga must be contacted (Dunedin office phone 03 477 9871).

- (vi) The subject site is identified on the Council's interim hazard register as being within an area that has been notated as being subject to liquefaction, however that risk is 'probably low'. It is recommended that the consent holder consult an appropriately qualified engineer to confirm whether such a potential threat actually exists in relation to the proposed activity.

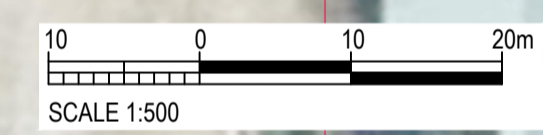
**Condition 8(a) - 'NZTA F2Q Business Cases Queenstown Town Centre M+W Overlay Option 3'  
and 'Stage 1 Plan and Long Section MC02-CH 680.000m – 793.102' dated 31.07.2020.**



DO NOT SCALE - IF IN DOUBT, ASK

ORIGINAL SIZE A1

Last modified: Jul 31, 2020 By alex.jagodzinski



CH: 644.398  
RL: 349.875

DATUM RL 342.00	
DESIGN LEVEL	349.824    349.717    349.660    349.519    349.319    349.119    348.919    348.719    348.519    348.386
EXISTING LEVEL	349.231    349.246    349.249    349.250    349.214    349.168    348.988    348.807    348.581    348.386
CUT/FILL	0.593    0.470    0.432    0.269    0.105    -0.049    -0.069    -0.088    -0.062    0.003
CHAINAGE	640.000    660.000    663.888    680.000    700.000    720.000    740.000    760.000    780.000    793.102
HORIZONTAL GEOMETRY	L=402.93
VERTICAL GEOMETRY	K=30 L=39    P=-1% L=129.2

MC02 - LONGITUDINAL SECTION  
SCALES - HZ 1:500  
VT 1:250



NOT FOR CONSTRUCTION

REV	DESCRIPTION	AKJ	AS	AN	07/20
DRN	CHK	APP	DATE		
A	PRELIMINARY ISSUE				

SURVEYED	Paterson Pitts Group	01.20
DESIGNED	Adam Sampara	31.07.20
DRAWN	Alex Jagodzinski	31.07.20
CAD REVIEW	Adam Sampara	31.07.20
DESIGN CHECK	Iain Banks	31.07.20
DESIGN REVIEW	Iain Banks	31.07.20
APPROVED	Alix Newman	31.07.20

Client

NZTA F2Q QTC BUSINESS CASES  
QUEENSTOWN TOWN CENTRE

STAGE 1 PLAN AND LONG SECTION  
MC02 - CH 680.000m - 793.102m

Status Stamp	<b>PRELIMINARY</b>
Date Stamp	<b>31.07.20</b>
Scales	
Drawing No.	
Rev.	