

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

Decision No. [2023] NZEnvC 193

IN THE MATTER of the Resource Management Act 1991

AND an appeal under s120 of the Act

BETWEEN MICHAEL CAMERON BRIAL
AND EMILY JANE O'NEIL BRIAL

(ENV-2019-CHC-114)

Appellants

AND QUEENSTOWN LAKES DISTRICT
COUNCIL

Respondent

AND S AND S BLACKLER, B AND K
BLACKLER AND TRUSTEES BFT
LIMITED

Applicants

Court: Environment Judge J J M Hassan
Environment Commissioner M C G Mabin

Hearing: On the papers

Appearances: J M G Leckie for the appellants
Z Burton for the respondent
V Robb and P Walker for the applicants

Last case event: 31 May 2023

Date of Decision: 8 September 2023

Date of Issue: 8 September 2023



DECISION OF THE ENVIRONMENT COURT

A: The appeal is allowed in part insofar as the consent under appeal is granted, subject to the conditions attached in Appendix 1.

REASONS

[1] This proceeding concerns a decision of QLDC¹ to grant resource consent for a two-lot subdivision and associated activities² at a site on Slopehill Road, Wakatipu Basin, in rural Queenstown.³ The consent applicants ('Blacklers')⁴ own the Site. The appellants ('Brials')⁵ are adjoining neighbours and seek that consent be declined.⁶

[2] In the first interim decision⁷ the court found the proposal satisfied the requirements of the Resource Management Act 1991 ('RMA'). That decision related only to part of the proposal. The second decision cancelled the consent notice condition.⁸ Given that the proposal as a whole satisfied all relevant RMA requirements for the consent to be granted, the decision declined the appeal except insofar as necessary for the court to modify the consent conditions in the manner proposed by the applicants. That decision also directed QLDC file a final version

¹ Queenstown Lakes District Council.

² Creation of two allotments with associated access, the identification of residential building platforms on each lot with associated access, landscaping and earthworks, and the cancellation of consent notice 936464.2.

³ The Site is legally described as Part Lot 2 Deposited Plan 26174 held in Record of Title OT180/61. The consent application is numbered RM181560 in the Council's registry of consent applications.

⁴ S and S Blackler, B and K Blackler and Trustees BFT Limited.

⁵ Michael Cameron Brial and Emily Jane O'Neil Brial.

⁶ Graeme Morris Todd, Jane Ellen Todd and John William Troon as trustees of the Graeme Todd Family Trust also initially appealed but subsequently withdrew their appeal on 1 June 2021.

⁷ *Todd v Queenstown Lakes District Council* [2020] NZEnvC 205.

⁸ *Brial v Queenstown Lakes District Council* [2023] NZEnvC 57.

of the consent with updated conditions to be endorsed by the court.

Evaluation

[3] The parties' joint memorandum dated 17 April 2023 appended the final version of the consent. 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

[4] The consent under appeal is granted subject to the conditions attached in Appendix 1.

For the court



J J M Hassan
Environment Judge



APPENDIX 1

Consent Conditions

CONSENT CONDITIONS

DECISION A – SUBDIVISION CONSENT CONDITIONS:

General Conditions

1. That the development must be undertaken/carried out in accordance with the plans:
 - *'Proposed Subdivision of Lot 2 Part DP 26174 Slope Hill Road Proposed Subdivision Plan'*, prepared by Clark Fortune McDonald & Associates. Drawing No. 02, Sheet 001. Job No. 12830. Dated 02.11.18 Rev C.
 - *'Proposed Subdivision of Lot 2 Part DP 26174 Slope Hill Road Proposed Subdivision Plan'*, prepared by Clark Fortune McDonald & Associates. Drawing No. 02, Sheet 002. Job No. 12830. Dated 02.11.18 Rev C.
 - *'Proposed Subdivision of Lot 2 Part DP 26174 Slope Hill Road Proposed Earthworks Plan (Resource Consent)'*, prepared by Clark Fortune McDonald & Associates. Drawing No. 02, Sheet 003. Job No. 12830. Dated 02.11.18. Rev C.
 - *'Landscape Masterplan'*, prepared by Patch. Reference: PA18204ISO10. Dated 17 May 2019.
 - *'Tree Planting Plan'*, prepared by Patch. Reference: PA18204ISO10. Dated 30 April 2019.
 - *'Ecological Management Plan'*, prepared by Patch. Reference: PA18204ISO5. Dated 17 May 2019.
 - *'Shrub Planting Plan'*, prepared by Patch. Reference: PA18204ISO20. Dated 17 May 2019.
 - *'Proposed earthworks'*, prepared by Patch. Reference: PA18204ISO10. Dated 17 May 2019.
 - *'Cross Section of RBP2'*, prepared by Patch. Reference: PA18204ISO10. Dated 17 May 2019.

stamped as approved on 19 June 2019

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

General

3. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being QLDC's Land Development and Subdivision Code of Practice adopted on 3rd 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

4. The owner of the land being developed shall provide a letter to the Manager of Resource Management Engineering at Council advising who their representative is for the design and execution of the engineering works and construction works required in association with this development and shall confirm that these representatives will be responsible for all aspects of the works covered under Sections 1.7 & 1.8 of QLDC's Land Development and Subdivision Code of Practice, in relation to this development.
5. Prior to commencing works on site, the consent holder shall submit a traffic management plan to the Road Corridor Engineer at Council for approval. The Traffic Management Plan shall be prepared by a Site Traffic Management Supervisor. All contractors obligated to implement temporary traffic management plans shall employ a qualified STMS on site. The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Manager of Resource Management Engineering at Council prior to works commencing.
6. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and 'A Guide to Earthworks in the Queenstown Lakes District' brochure, prepared by the Queenstown Lakes District Council to ensure that neighbouring sites remain unaffected from earthworks. These measures shall be implemented prior to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
7. At least 7 days prior to commencing excavations, the consent holder shall provide the Manager of Resource Management Engineering at Council with the name of a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice who is familiar with the Insight Engineering report titled "*Geotechnical Assessment for Proposed Two Lot Subdivision at Pt Lot 2 DP26174, Slopehill Road, Lake Hayes*", reference: 18031_2 and dated 24 October 2018, and who shall supervise the excavation and filling procedure and ensure compliance with the recommendations of this report. This engineer shall continually assess the condition of the excavation and shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability.
8. Prior to commencing 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 (3), to detail the following requirements:

- a) The provision of a water supply to each building platform from Council reticulation. 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 July 2017, with connections to be located at the road reserve boundary on Slopehill Road. The costs of the connections shall be borne by the consent holder.
- b) A secondary protection system consisting of secondary flow paths 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.
- c) The provision of a vehicle crossing to the site from Slopehill Road to be in terms of Diagram 2, Appendix 7 and Rule 14.2.4.2 of the District Plan. This shall be sealed for the first 10m, be trafficable in all weathers, and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Provision shall be made to continue any roadside drainage.
- d) The provision of a road access to approximately the edge of the curtilage area shown for each lot on the landscaping masterplan plan dated 17 May 2019 and stamped as approved as.. This unsealed access shall be designed and constructed in accordance with Road Type E1 and shall meet the following requirements:
 - i) The gradient of the access way shall not exceed 1:5.
 - ii) The carriageway shall have a minimum cross-fall of 4% to prevent stormwater ponding on the carriageway surface.
 - iii) Drainage swales shall be provided for stormwater disposal from the carriageway. The invert of the water channel shall be at least 200mm below the lowest portion of the sub-grade.
 - iv) The minimum standard for carriageway formation shall be either a single granular layer consisting of a minimum compacted depth of (150mm if metal carriageway) /(100 mm if sealed carriageway) AP40 metal, or an alternative formation consisting of one or more layers where:
 - The depth of any granular layer shall be no less than 2.5 times the maximum particle size (i.e. if AP40 material is used the maximum particle size is 40mm the minimum layer thickness shall be 100mm); and
 - Minimum total granular carriageway shall not be less than (150mm if metal carriageway) /(100 mm if sealed carriageway).
 - v) A minimum of two passing bays/road widening shall be provided at a minimum of 50m intervals to avoid possible vehicle conflicts.
- e) The provision of Design Certificates for all engineering works associated with this development submitted by a suitably qualified design professional (for clarification this shall include all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of the QLDC's Land Development and Subdivision Code of Practice Schedule 1A Certificate.

To be monitored throughout earthworks

9. No permanent batter slope within the site shall be formed at a gradient that exceeds 1(V):2(H).
10. 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.
11. No earthworks, temporary or permanent, are to breach the boundaries of the site, with the exception of the access upgrade on Slopehill Road.

To be completed before Council approval of the Survey Plan

12. 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.

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

13. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:
 - a) 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, 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 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.
 - b) The consent holder shall provide 'as-built' plans and information required to detail all engineering works completed in relation to or in association with this subdivision/development to the Subdivision Planner at Council. 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).

- c) A digital plan showing the location of all building platforms as shown on the survey plan / Land Transfer Plan shall be submitted to the Subdivision Planner at Council. This plan shall be in terms of New Zealand Transverse Mercator 2000 coordinate system (NZTM2000), NZGDM 2000 datum.
- d) The completion and implementation of all certified works detailed in Condition (8) above.
- e) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the building platforms of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
- f) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the building platforms of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
- g) The submission of Completion Certificates from the Contractor and the Engineer advised in Condition (4) 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.
- 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) All earthworked areas shall be top-soiled and revegetated or otherwise permanently stabilised.
- j) All landscaping shown on the approved structural landscaping plans (approved by condition one of this consent) including planting within the ecological gully area shall be completed. This shall include fencing of the ecological gully area. There shall be no planting of the *Cordyline australis* (Cabbage tree) within the gully area directly west from the residential unit located at 122 Slopehill Road.

Ongoing Conditions/Consent Notices

14. In the event that the Engineering Acceptance issued under Condition (8) 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 Computer Freehold Registers 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].

15. In the event that the Schedule 2A certificate and Geotechnical Completion Report issued under Condition 13(a) contains limitations or remedial works required, then a consent notice shall be registered on the relevant Computer Freehold Registers detailing requirements for the lot owner(s).
16. A consent notice condition pursuant to s.221 of the Resource Management Act 1991 shall be registered on the Record 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 8(b) 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.
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.

General

- a) All buildings and structures shall be contained within the Building Platform as shown as Covenant Areas X and XX as shown on Land Transfer Plan XXXXX.
- b) The maximum height for all buildings on Lot 1 DP XXXXX is to be 6m above RL 407m.
- c) The maximum height for all buildings on Lot 2 DP XXXXX is to be 6m above RL 416m.
- d) The maximum building coverage within each approved platform shall be 450m².
- e) The external materials and colours of buildings within the approved building platform, including but not limited to walls, , spouting, joinery, doors etc., and water tanks shall be of a light reflectance value of not greater than 30% and be coloured in the range of browns, greens or greys, with the exception of pre-painted steel and all roofs which shall have a light reflectance value of not greater than 20%.
- f) All water tanks are to be wholly or partially buried. Partially buried water tanks are to be in a dark recessive colour and/or visually screened so as to not be visible from beyond the subject site. If a tank is partially buried, it shall be located within the domestic curtilage area.

Landscaping

- g) All fencing is to be limited to post and rail, post and wire or post and mesh fences.

- h) Any entranceway structures shall be to a height of no more than 1.2m and shall be constructed of natural materials such as timber, steel or stone and to be consistent with traditional rural elements.
- i) Access to the allotments is to be of gravel formation with swale edge as necessary. Concrete kerb and channel is not permitted.
- j) All landscaping as shown on the plans stamped as approved by condition one (1) of RM181560 shall be maintained by the Lot owner in perpetuity, this shall include the Ecological Management Area as shown on the approved plans which is required to be fully fenced with rural style fencing. Should and plant become diseased and/or die, it shall be replaced within the first available planting season. Notwithstanding this, there shall be biennial pest and weed maintenance undertaken by the Lot owners within the Gully area.

Curtilage

- k) All domestic landscaping and structures including but not limited to clothes lines, outdoor seating areas, external lighting, swimming pools, tennis courts, play structures, vehicle parking, pergolas and ornamental or amenity gardens and lawns are to be confined to the domestic curtilage area as identified on the subdivision plan.
- l) There shall be no activities take place within the ecological gully area; this includes any domestic activities and any grazing of animals.

Lighting

- m) All external lighting shall be down lighting only and shall not be used to highlight buildings or landscape features visible from beyond the property boundary.
- n) All external lighting not fixed to the external walls of a building shall be no higher than 1.2m above ground level.

Engineering

- o) At the time a residential unit is erected on the lot, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design an onsite effluent disposal system in compliance with AS/NZS 1547:2012. The design shall take into account the site and soils investigation report and recommendations by Civilised Limited in their Infrastructure feasibility report, reference QS026 and dated 16/11/2018. The proposed wastewater system shall be subject to Council review and acceptance prior to implementation and shall be installed prior to occupation of the residential unit.

The wastewater disposal field shall be blocked off to vehicular traffic and stock. This shall be achieved through use of a physical barrier, such as fencing or other suitable measures that will prevent vehicles and stock from passing over the disposal area.

- p) At the time a residential unit is erected on Lots 1-2, domestic water and firefighting storage is to be provided. A minimum of 20,000 litres shall be maintained at all times as a static firefighting reserve, and 10,000 litres maintained as potable water buffer storage. Alternatively for firefighting a 7,000 litre reserve is to be provided for each residential unit in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any proposed building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family residential units. In the event that the proposed residential units provide for more than single family occupation then the consent holder should consult with Fire and Emergency New Zealand (FENZ) as larger capacities and flow rates may be required.

The FENZ connection point/coupling must be located so that it is not compromised in the event of a fire.

The connection point/coupling shall have a hardstand area adjacent to it (within 5m) that is suitable for parking a fire service appliance. The hardstand area shall be located in the centre of a clear working space with a minimum width of 4.5 metres. Pavements or roadways providing access to the hardstand area must have a minimum formed width as required by Council's standards for rural roads (as per Council's Land Development and Subdivision Code of Practice). The roadway shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Access shall be maintained at all times to the hardstand area.

Underground tanks or tanks that are partially buried (provided the top of the tank is no more than 1 metre above ground) may be accessed by an opening in the top of the tank whereby couplings are not required. A hardstand area adjacent to the tank is required in order to allow a FENZ appliance to park on it and access to the hardstand area must be provided as above. The FENZ connection point/coupling/fire hydrant/tank must be located so that it is clearly visible and/or provided with appropriate signage to enable connection of a fire appliance. Firefighting water supply may be provided by means other than the above if the written approval of the Fire and Emergency New Zealand Fire Risk Management Officer is obtained for the proposed method. The firefighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

Advice Note: Fire and Emergency New Zealand considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new residential unit. Given that the proposed residential unit is approximately 10km from the nearest FENZ Fire Station the response times of the New Zealand **Volunteer** Fire Brigade in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in the new residential unit.

DECISION B – LAND USE CONSENT CONDITIONS:

General Conditions

1. That the development must be undertaken/carried out in accordance with the plan:
 - *'Proposed Subdivision of Lot 2 Part DP 26174 Slope Hill Road Proposed Earthworks Plan (Resource Consent)', prepared by Clark Fortune McDonald & Associates. Drawing No. 02, Sheet 003. Job No. 12830. Dated 02.11.18. Rev C.*

stamped as approved on 19 June 2019

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

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

Exercise of Consent

4. This consent is only able to be exercised concurrently with Decision A (Subdivision) of RM181560

Engineering

General

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

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

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

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

7. Prior to commencing works on site, the consent holder shall submit a traffic management plan to the Road Corridor Engineer at Council for approval. The Traffic Management Plan shall be prepared by a Site Traffic Management Supervisor. All contractors obligated to implement temporary traffic management plans shall employ a qualified STMS on site. The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Manager of Resource Management Engineering at Council prior to works commencing.
8. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and 'A Guide to Earthworks in the Queenstown Lakes District' brochure, prepared by the Queenstown Lakes District Council 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 professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice who is familiar with the Insight Engineering report titled "Geotechnical Assessment for Proposed Two Lot Subdivision at Pt Lot 2 DP26174, Slopehill Road, Lake Hayes", reference: 18031_2 and dated 24 October 2018, and who shall supervise the excavation and filling procedure and ensure compliance with the recommendations of this report. This engineer shall continually assess the condition of the excavation and shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability.

To be monitored throughout earthworks

10. No permanent batter slope within the site shall be formed at a gradient that exceeds 1(V):2(H).
11. 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.
12. No earthworks, temporary or permanent, are to breach the boundaries of the site, with the exception of the access upgrade on Slopehill Road.

Upon completion of earthworks

13. The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
14. All earthworked areas shall be top-soiled and revegetated or otherwise permanently stabilised.

Advice Note:

- Granting of this consent does not predetermine any future consent for residential dwellings on these sites. Under the current planning framework a restricted discretionary resource

consent is required for any dwelling meaning that the Council has discretion to decline consent.

For Your Information

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

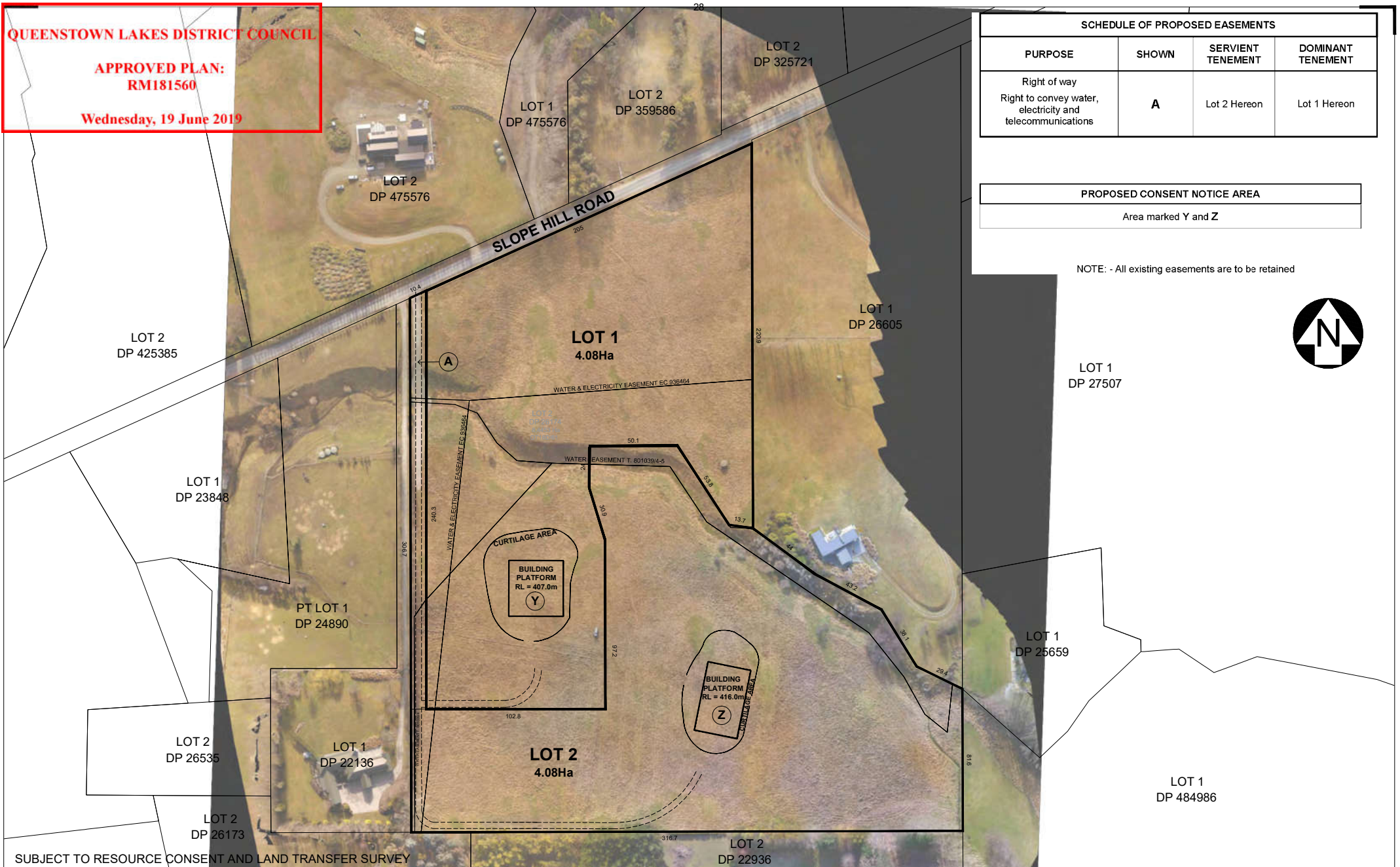
You may also have conditions that require you to apply for Engineering Acceptance. To apply for Engineering Acceptance, please complete the [Engineering Acceptance Application form](#) and submit this completed form and an electronic set of documents to engineeringacceptance@qldc.govt.nz with our monitoring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

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

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM181560

Wednesday, 19 June 2019



SCHEDULE OF PROPOSED EASEMENTS

PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
Right of way Right to convey water, electricity and telecommunications	A	Lot 2 Hereon	Lot 1 Hereon

PROPOSED CONSENT NOTICE AREA

Area marked Y and Z

NOTE: - All existing easements are to be retained



SUBJECT TO RESOURCE CONSENT AND LAND TRANSFER SURVEY

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

Rev.	Date	Revision Details	By
A	16.04.19	DEPTH SHADING KEY AMENDED ON SH004	HK
B	16.05.19	CURTILAGE AREAS AMENDED	HK
C	20.05.19	CURTILAGE AREAS AMENDED	HK

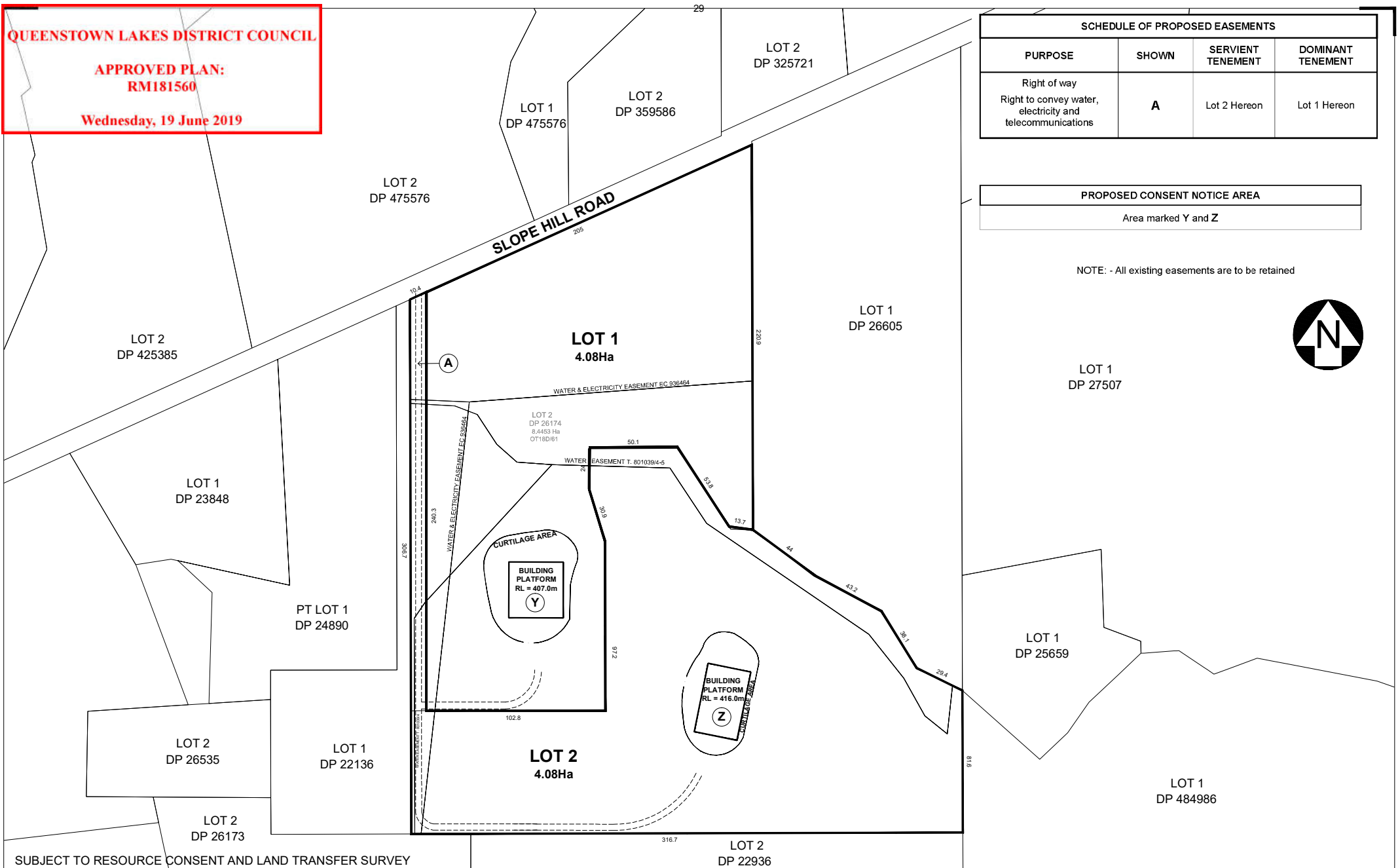
**PROPOSED SUBDIVISION OF PART LOT 2 DP 26174
SLOPE HILL ROAD
PROPOSED SUBDIVISION PLAN**

Client	BLACKLER	Surveyed	-	Signed	-	Date	-	Job No.	12830	Drawing No.	02
		Drawn	HK	Signed	-	Date	02.11.18	Scale	1:1000 @ A1 1:2000 @ A3	Sheet	001
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		Designed	SS	Signed	-	Date	10.18	Drawn & Level	NZGD2000 / MSL	Rev	C

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM181560

Wednesday, 19 June 2019



SUBJECT TO RESOURCE CONSENT AND LAND TRANSFER SURVEY

Shooter Design Limited trading as
Clark Fortune McDonald & Associates
Licensed Cadastral Surveyors - Land Development - Planning Consultants
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Tel. (03)441-6044, Fax (03)442-1066, Email admin@cfma.co.nz
Shop 2, Otago House, 475 Moray Place, P.O. Box 5960
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Rev.	Date	Revision Details	By
A	16.04.19	DEPTH SHADING KEY AMENDED ON SH004	HK
B	16.05.19	CURTILAGE AREAS AMENDED	HK
C	20.05.19	CURTILAGE AREAS AMENDED	HK

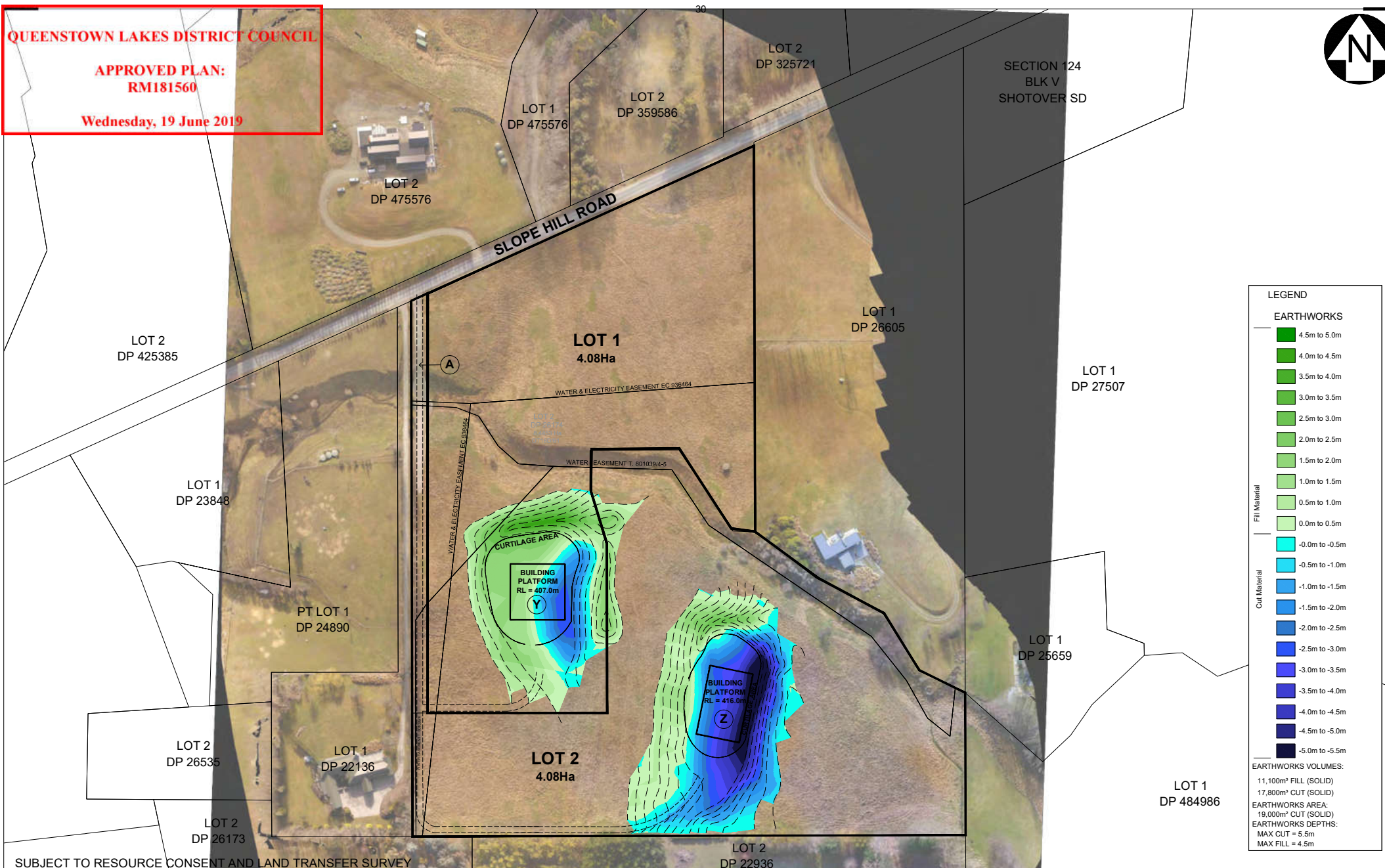
**PROPOSED SUBDIVISION OF LOT PART 2 DP 26174
SLOPE HILL ROAD
PROPOSED SUBDIVISION PLAN**

Client	BLACKLER	Surveyed	-	Signed	-	Date	-	Job No.	12830	Drawing No.	02
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QUEENSTOWN LAKES DISTRICT COUNCIL

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Wednesday, 19 June 2019



LEGEND	
EARTHWORKS	
Fill Material	4.5m to 5.0m
	4.0m to 4.5m
	3.5m to 4.0m
	3.0m to 3.5m
	2.5m to 3.0m
	2.0m to 2.5m
	1.5m to 2.0m
	1.0m to 1.5m
	0.5m to 1.0m
	0.0m to 0.5m
Cut Material	-0.0m to -0.5m
	-0.5m to -1.0m
	-1.0m to -1.5m
	-1.5m to -2.0m
	-2.0m to -2.5m
	-2.5m to -3.0m
	-3.0m to -3.5m
	-3.5m to -4.0m
	-4.0m to -4.5m
	-4.5m to -5.0m
	-5.0m to -5.5m
EARTHWORKS VOLUMES:	
11,100m³ FILL (SOLID)	
17,800m³ CUT (SOLID)	
EARTHWORKS AREA:	
19,000m² CUT (SOLID)	
EARTHWORKS DEPTHS:	
MAX CUT = 5.5m	
MAX FILL = 4.5m	

SUBJECT TO RESOURCE CONSENT AND LAND TRANSFER SURVEY

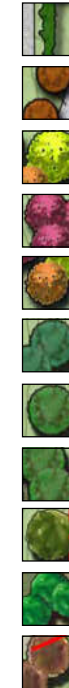
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PROPOSED SUBDIVISION OF PART LOT 2 DP 26174
SLOPE HILL ROAD
PROPOSED EARTHWORKS PLAN (RESOURCE CONSENT)

Client	BLACKLER	Surveyed	Signed	Date	Job No.	Drawing No.
					12830	02
Notes:		Drawn	Signed	Date	Scale	Sheet
All dimensions shown are in meters unless shown otherwise.		HK		02.11.18	1:1000 @ A1	003
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	Common name	Botanical name	Spacing
Ca. b	Hornbeam hedging	Carpinus betulus	0.5m ctrs
Qu. p	Pin oak avenue	Quercus palustris	8m ctrs
Fr. e	Golden ash	Fraxinus excelsior 'Aurea'	
Pr. a	Flowering cherry	Prunus accolade	8m ctrs
Qu. r	Red oak	Quercus rubra	
Ce.d	Himalayan cedar	Cedrus deodara	8m ctrs
Cu. t	Himalayan cypress	Cupressus torulosa	8m ctrs
Cu. l	Leyland cypress	Cupressus x leylandii	8m ctrs
		'Haggerston Grey'	
Th. p	Western red cedar	Thuja plicata	8m ctrs
Be. u	Himalayan birch	Betula utilis 'Jacquemontii'	8m ctrs
Fa.s	Copper beech	Fagus sylvatica 'Riversii'	8m ctrs



Gully to be subject to the same landscape management plan across both lots with an objective to revegetate the gully with indigenous plants, enhancing the natural values of this landscape feature. This will include spot planting of appropriate natives, in groups, and the ongoing clearing of hawthorne, exotic broom and other woody weeds.

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Ecological gully area

Initial eradication of all exotic woody weed species prior to planting (note some exotic weeds may act as nursery plants for indigenous revegetation activity).

Groups of 30 plants shall be planted in patches every 15-20m along the gully area or, where possible, within areas where existing indigenous vegetation is present.

Gully area will be fenced off from grazing and plants to be protected with coverguards. Area will be subject to biennial pest and weed control.

Total ecological enhancement area is approximately 8100m².

Native planting to include the following species composition:

Common name	Botanical name	Percentage	Spacing
Rush	<i>Juncus gregiflorus</i>	20	0.6m
Pukio	<i>Carex secta</i>	20	0.6m
Rhizomatous sedge	<i>Carex geminata</i>	20	0.6m
Korimiko	<i>Hebe salicifolia</i>	15	1.5m
Toi toi	<i>Cordarteria richardii</i>	10	1.5m
Harakeke	<i>Phormium tenax</i>	10	1.5m
Cabbage tree	<i>Cordyline australis</i>	5	1.5m



Proposed native planting to mitigate effects of earthworked areas and to link with gully vegetation (see shrub planting plan). Planted areas to be fenced off with rabbit-proof fencing, mulched to a depth of 100mm and plants to be protected with cover guards.



Land to be kept as rough or mown pasture grass.



All domesticated activities to be contained within the residential curtilage area.



	Common name	Botanical name	Spacing
1	Red tussock	Chionochloa rubra	1.0m ctrs
2	Boxwood	Hebe odora	1.0m ctrs
3	Wind grass	Anemone thele lessoniana	1.5m ctrs
	Needle-leaved coprosma	Coprosma rugosa	1.5m ctrs
	Korokio	Corokia cotoneaster	1.5m ctrs
	Mountain flax	Phormium cookianum	1.5m ctrs
	Toetoe	Cortaderia richardii	1.5m ctrs
4	Harakeke	Phormium tenax	2.0m ctrs
	Black matipo	Pittosporum tenuifolium	2.0m ctrs
	Toetoe	Cortaderia richardii	2.0m ctrs
5	Harakeke	Phormium tenax	2.0m ctrs
	Toetoe	Cortaderia richardii	2.0m ctrs
	Whipcord hebe	Hebe cupressoides	1.5m ctrs

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LOT1 4.3557ha

Domestic
Curtilage Area

RBP1
RL407

Domestic
Curtilage Area

RBP2
RL416

LOT2 4.0886ha

1.5m setback of proposed earthworks from neighbour's shelterbelt



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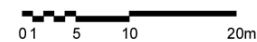


Section a - a'

- Existing ground level
- - - Proposed ground level



Landscape — Reference: PA18204 ISO10
Scale — 1:500 A3



Blackler — Slope Hill Road
Cross Section of RBP2 — 17 May 2019