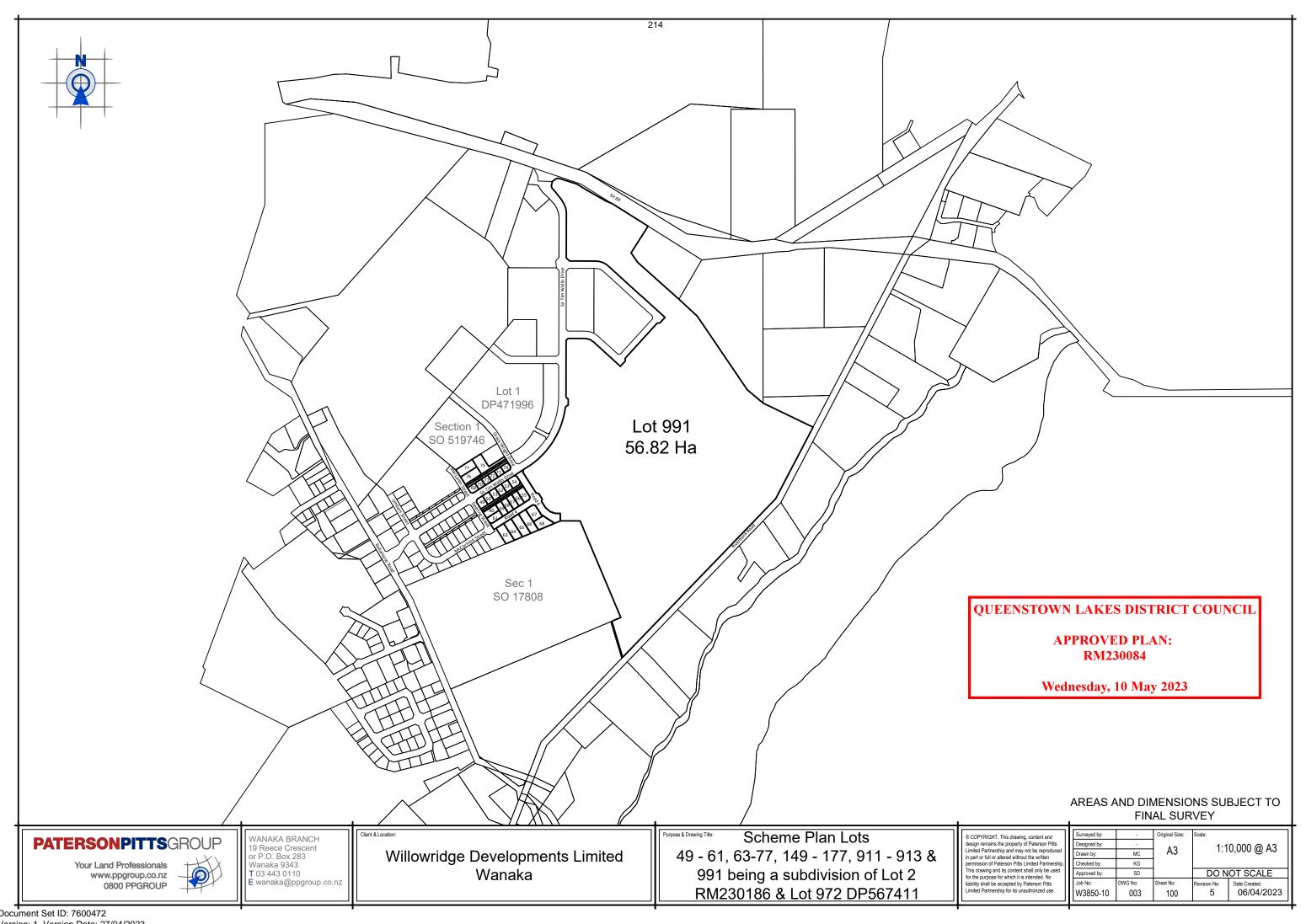


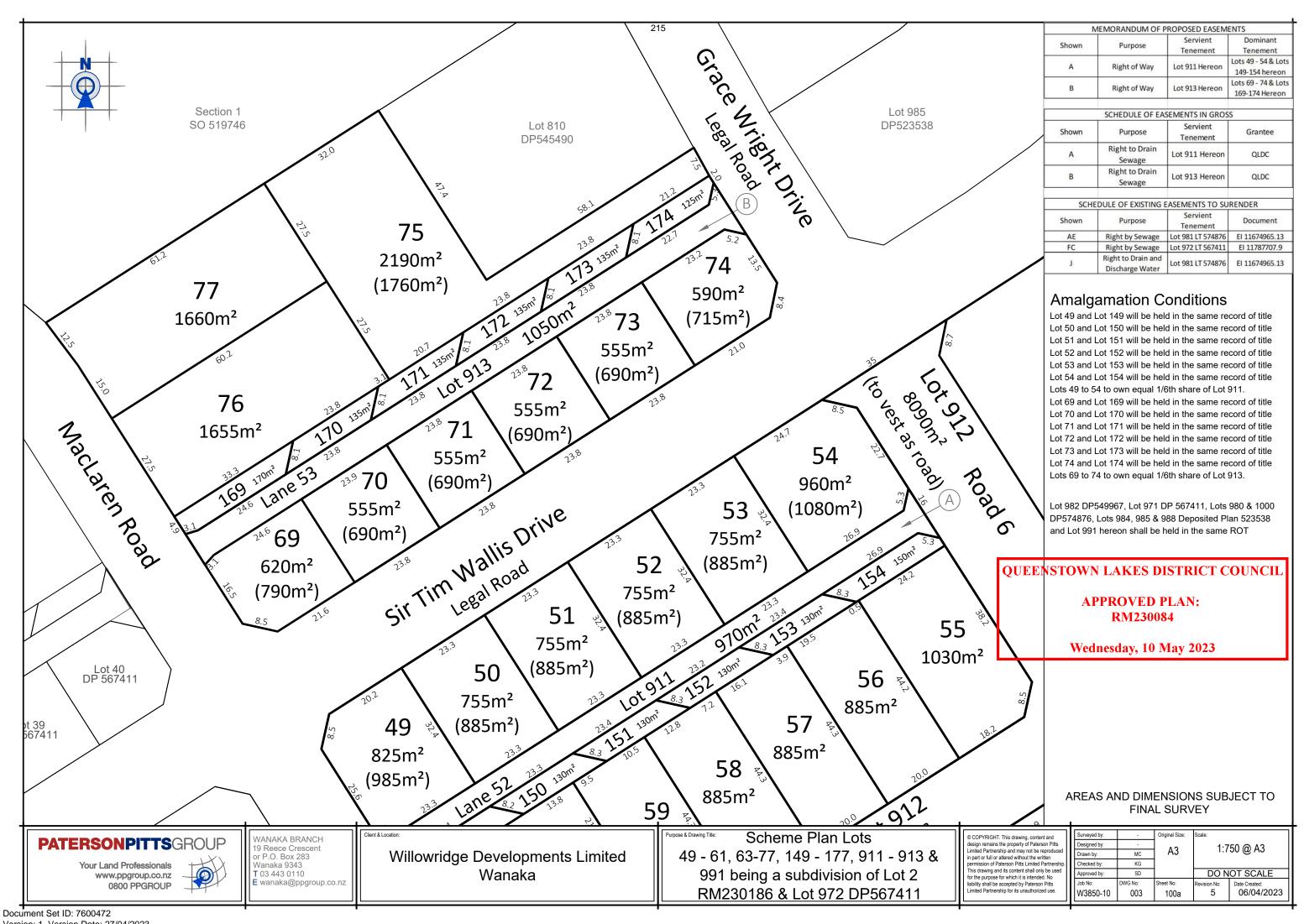
Relevant Decisions

This attachment includes the following relevant resource consent decisions, and their QLDC references:

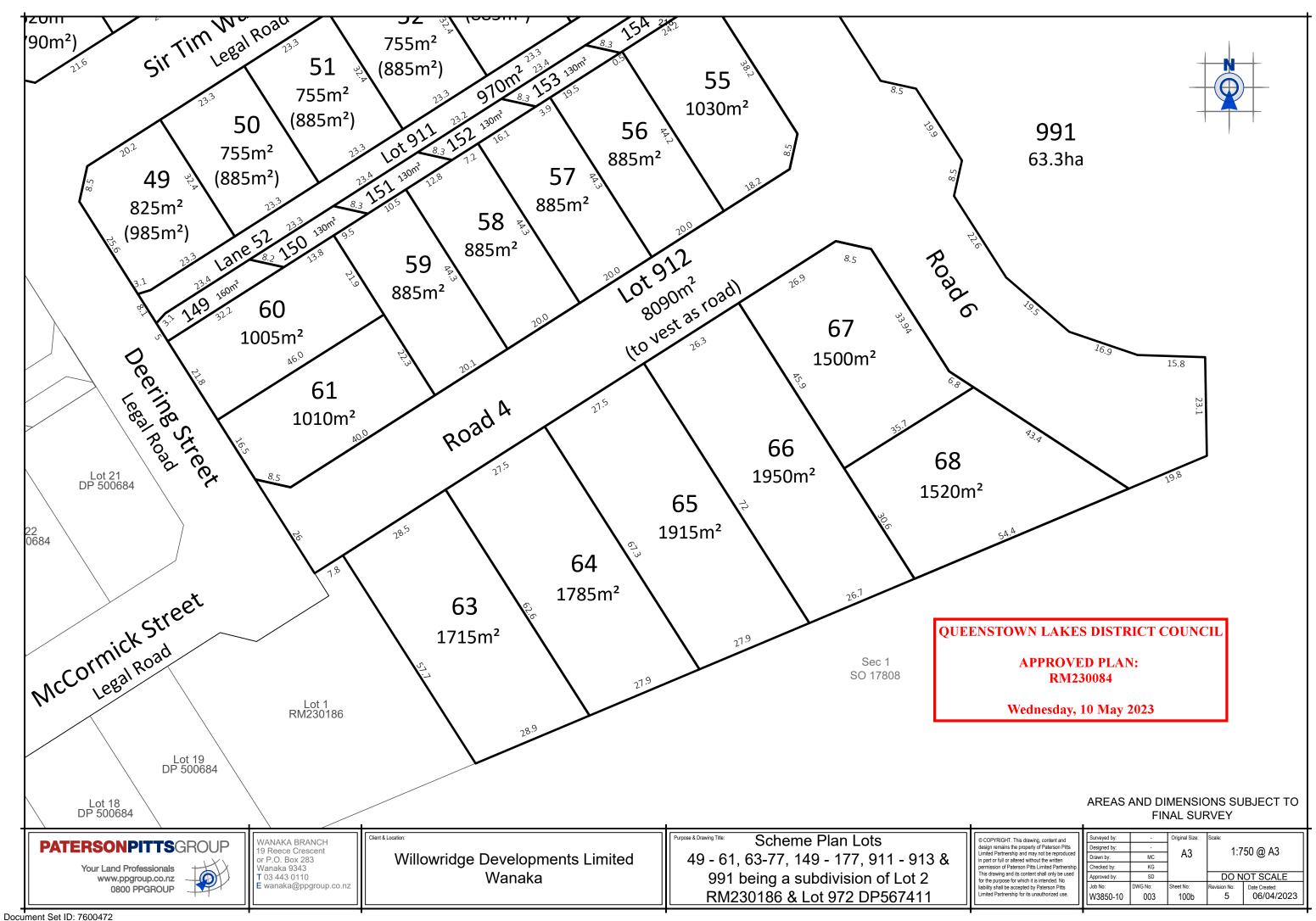
- Approved Scheme Plan (RM230084)
- Aspiring House Decision (RM230893)
- Mount Iron Resort Decision (RM220141).



Document Set ID: 7600472 Version: 1, Version Date: 27/04/2023



Version: 1, Version Date: 27/04/2023



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DECISIONS OF THE QUEENSTOWN LAKES DISTRICT COUNCIL NOTIFICATION UNDER \$95A AND \$95B AND DETERMINATION UNDER \$104 OF THE RESOURCE MANAGEMENT ACT 1991

Applicant: Southern Lakes Property Trust Limited

RM reference: RM230893

Application: Application under Section 88 of the Resource Management Act 1991

(RMA) to construct a four-storey commercial building on Lot 48 DP

567411.

Location: 20 Sir Tim Wallis Drive, Three Parks, Wanaka

Legal Description: Lot 48 DP 567411

Zoning: ODP: Three Parks Zone

PDP: Business Mixed Use

Activity Status: Non-complying

Decision Date 8 April 2024

SUMMARY OF DECISIONS

- Pursuant to sections 95A-95F of the Resource Management Act 1991 (RMA) the application will be processed on a non-notified basis given the findings of Section 5 of the Section 95A and 95B report. This decision is made by Neil Harkin, Senior Planner, Resource Consents, on 4 April 2024 under delegated authority pursuant to Section 34A of the RMA.
- 2. Pursuant to Section 104 of the RMA, consent is **GRANTED SUBJECT TO CONDITIONS** outlined in **Appendix 1** of the Section 104 decision imposed pursuant to Section 108 of the RMA. This consent can only be implemented if the conditions in Appendix 1 are complied with by the consent holder. The decision to grant consent was considered (including the full and complete records available in Council's electronic file and responses to any queries) by Neil Harkin, Senior Planner, under delegated authority pursuant to Section 34A of the RMA.

1. SUMMARY OF PROPOSAL AND SITE DESCRIPTION

Consent is sought to construct a four-level commercial building, for the purpose of providing ground floor retail and office spaces within the upper floors.

The proposed building will be located at 20 Sir Tim Wallis Drive, Three Parks, Wanaka. The finished height of the building will be 19.35m above ground level.

The applicant has provided a detailed description of the proposal, the site and locality and the relevant site history in Section(s) 3 – 5 of the report entitled "Assessment of Environmental Effects – Four-level building providing office and retail use", prepared by Aspiring House by ROA, and submitted as part of the application (hereon referred to as the applicant's AEE and attached as Appendix 2). This description is considered accurate and is adopted for the purpose of this report.

2. ACTIVITY STATUS

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

Council notified its decisions on Stage 1 of the PDP on 7 May 2018, notified its decisions on Stage 2 of the PDP on 21 March 2019 and notified its decisions on Stages 3 and 3B of the PDP on 1 April 2021. There are a number of appeals on these decisions.

Where there are rules in the PDP that are treated operative under s.86F of the RMA, corresponding rules in the ODP are treated as inoperative. Consent is required under Section 9(3) of the RMA, pursuant to the ODP and PDP rules which are listed below.

2.1 OPERATIVE DISTRICT PLAN

There are no relevant rules under the ODP as the relevant rules of the Three Parks Special Zone are treated as inoperative given the relevant rules under the PDP are treated as operative pursuant to section 86F.

2.2. PROPOSED DISTRICT PLAN

The subject site is zoned Business Mixed Use Zone (BMUZ) under the Proposed District Plan (PDP). The proposed activity requires resource consent for the following reason/s:

- A **restricted discretionary** activity resource consent pursuant to Rule 16.4.4 for buildings in the BMUZ. Council's discretion is limited to those particular relevant matters specified under *Rule* 16.4.4 being:
 - a) Building materials
 - b) Glazing treatment
 - c) Symmetry
 - d) Vertical and horizontal emphasis
 - e) Location of storage
 - f) Signage platforms
 - g) Landscaping
 - Where residential units are proposed as part of a development, provision made for open space on site whether private or communal.
 - Where applicable, integration of the development with Horne Creek, including site layout and landscaping.
 - j) Where a site is subject to any natural hazard and the proposal results in an increase in gross floor area:
 - The nature and degree of risk the hazard(s) pose to people and property;
 - Whether the proposal will alter the risk to any site;
 - The extent to which such risk can be avoided or sufficiently mitigated.
 - k) Where Electricity Sub-transmission infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the

adjacent road and any proposed building is located within 9.5m of that road boundary, any adverse effects on that infrastructure.

Assessment matters relating to buildings:

- a) The impact of the building on the streetscape including whether it contributes positively to the visual quality, vitality, safety and interest of streets and public places by providing active and articulated street frontages and avoids large expanses of blank walls fronting public spaces.
- b) Whether the design of the building blends well with and contributes to an integrated built form and is sympathetic to the surrounding natural environment.
- A **discretionary** activity resource consent pursuant to Rule 16.5.4 for exceeding the permitted 75% building coverage standard.
- A non-complying activity resource consent pursuant to Rule 16.5.9.1 for exceeding the
 permitted 12m height limit as the proposed development is anticipated to have a maximum
 building height of 19.35m.
- A **non-complying** activity resource consent pursuant to Rule 16.5.9.2 in regard to any fourth storey and above which shall be set back at least 3m from the building frontage. The proposed building is four storeys, and the fourth story is not set back at least 3m.
- A **restricted discretionary** activity resource consent is required pursuant to Rule 29.7. The application complies with the number of mobility parking spaces required under Rule 29.5.4, however the design of the spaces is angled as opposed to 90 degrees and thus consent is sought to enable such design. Additionally, the parking spaces are 0.1m narrower than permitted width, but are compliant with the NZ Standard 4121.

2.3 NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH 2011 ("NES")

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

2.5 ACTIVITY STATUS SUMMARY

Overall, the application is considered to be:

a non-complying activity under the PDP;

Overall, the application is being considered and processed as a **non-complying** activity.

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

3. SECTION 95A – PUBLIC NOTIFICATION

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

3.1 Step 1 – Mandatory public notification

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

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

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

Therefore, public notification is not required by Step 1.

3.2 Step 2 – Public notification precluded.

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

The proposal is not:

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

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

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

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

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

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

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

Effects that must be disregarded:

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

Person (owner/occupier)	Address (location in respect of subject site)
Cadep Holdings Limited	17 Sir Tim Wallis Drive, Three Parks, Wanaka
Nicholas Calder	
Lynne Calder	
Fossil Investments Limited	18 Sir Tim Wallis Drive, Three Parks, Wanaka
 Arne Gawn 	
 Shane Gibson 	
Phillip Smith	
Cornering Limited	19 Sir Tim Wallis Drive, Three Parks, Wanaka
 Kelly Good 	
 Duncan Good 	
 Mark Harry 	
 Michael Plimmer 	
Willowridge Developments Limited	Lot 981 DP 587232 and Lot 972 DP 567411, Sir Tim Wallis Drive, Three
 Mark Pittaway 	Parks, Wanaka



Figure 1: Adjacent Neighbours - Those who provided affected party approval are indicated with a red circle.

Effects that <u>may</u> be disregarded:

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

3.3.2 Permitted Baseline (s95D(b))

The consent authority **may** disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect. In this case, the permitted baseline is not relevant because all buildings in the BMUZ require resource consent. It is noted however, that the development of sites in the BMUZ is anticipated within the following permitted baseline:

- 500m3 of earthworks
- Mobility car parking spaces:
 - Commercial activity (retail): 2 spaces per 251 2,500m2 GFA
 - Office activity: 2 spaces per 501 5,000m2 GFA

Any effect over that listed above should be considered within the assessment of effects presented below.

3.3.3 Assessment: Effects On The Environment

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

The relevant assessment matters are found in Chapter 16 (Business Mixed Use Zone) and Chapter 29 (Transportation) of the Proposed District Plan and the Business Mixed-use Design Guide 2021 (BMDG) and have been considered in the assessment below.

Council's Land Development Engineer, Ms. Lyn Overton has undertaken an assessment of the proposal in terms of the proposed access, servicing, access and hazards. Relevant matters raised by Ms. Overton have been incorporated into the assessment below.

Mr. David Compton-Moen of DCM Urban Design Limited, urban designer has undertaken an assessment of the urban design components proposal. Relevant matters raised by Mr. Compton-Moen have been incorporated into the assessment below.

With respect to the proposed building, the matters of discretion that Council are restricted to is laid out under Rule 16.4.4. In regard to this application, the non-complying activity status removes any restrictions that Council has in their assessment of effects, however, the matters laid out under Rule 16.4.4 have been used as a structure for the following assessment.

Amenity

Building Façade Treatment:

An urban design peer review completed by Mr. Compton-Moen (contained in **Appendix 3**) concluded that the incorporation of various design elements that offer high levels of visual interest and articulation contribute to an aesthetically pleasing and well-articulated building. The building utilises various materials at the ground level, such as brick and natural materials, along with incorporation of plantings, to establish a strong connection between the built environment and nature. It is considered the proposed development aligns with the BMDG.

Building Height and Roof Form:

While the proposed building exceeds the maximum height of the BMUZ by 7.5m, the BMDG does allow for *flexibility in building height where design and visual interest can be created without resulting in any adverse effects*. The building has been designed to mitigate adverse effects associated with this breach of height standards. Variations in the materials and form of each level are utilised to mitigate any bulk and dominance effects by breaking up the building into smaller visual elements, both on the horizontal and vertical scales. The urban design report prepared by Mr. Compton-Moen commends the design of the building, stating that the prioritisation of human scale, environmental connection, and the blend of horizontal and visual elements, align the development with visual interest guidelines and does not present any adverse effects.

Mr. Compton-Moen acknowledges the flexibility within design guidelines regarding building height when the proposal has the ability to enhance design and visual interest without producing adverse effects. The additional height of the proposed development located within a corner site is considered by Mr. Compton-Moen to serve as a prominent landmark, which enhances navigation and legibility of the area. Locating taller buildings on street corners is provided for in the BMDG, where it states "... additional height should also be considered for corner sites that have the opportunity to create landmark buildings, to emphasise intersections as important nodes, without adverse effects on adjoining properties" (page 14).

Conclusions drawn by Mr. Compton-Moen have been adopted for this purposes of this assessment and therefore determine that any adverse effects of the building on visual amenity have been adequately mitigated through building design and can be deemed **no more than minor**.

Landscaping:

The proposed development includes several specimen trees and external plantings that have been strategically placed around the terrace and building exterior at the first-floor level. The inclusion and placement of this landscaping is considered to contribute to a visually appealing and inviting environment that is consistent with the guideline's emphasis on human-scale design. The proposal also includes the integration of a planter/balustrade at the first-floor level which supports and contributes to aesthetic qualities of the design, while also contributing to a low maintenance design.

The interior of the building will incorporate a green wall which will further enhance the developments connection to the natural environment.

It is considered effects of landscaping will be less than minor.

View Obstruction

Mr. Compton-Moen's urban design report identifies that no loss of views will be experienced by neighbouring properties, as they are all orientated towards the street. Additionally, the proposed building offers 360-degree views of the mountains. This conclusion is accepted and it is concluded that effects on view obstruction resulting from this proposal will be **no more than minor**.

Impact on Streetscape:

Mr. Compton-Moen found that any adverse effects of streetscape from the proposed building have been provided for through the variety of form and materials utilised in the design. The building design also offers an active frontage through the provision of glazing around the northern, eastern and southern facades, intended to allow visibility of the street and laneway from all levels. Mr. Compton-Moen states that a combination of the landscaping and design elements contribute to and help foster a positive streetscape effect. Additionally, the retail space on the ground floor of the building, when assessed against the design guidelines, would seem ideal to create street activation. This is specified in the BMDG which states "ensure an active street frontage that contributes to an area's vitality and diversity. Allow for retail, hospitality and commercial uses to be located on ground floor areas that front the street" (page 11).

The conclusions of Mr. Compton-Moen's urban design report have been accepted for the purposes of this assessment.

Adverse effects on streetscape due to the visibility of rubbish and recycling have been mitigated by the provision of a screened storage area that is located at the rear of the building. This assessment on the provision of waste and services area that present minimal adverse effects is based on the conclusions of Mr. Compton-Moen's urban design assessment. It is concluded that the provision of a screened storage area will adequately mitigate any adverse effects on streetscape and can therefore be determined as **less than minor**.

Shading:

In terms of adverse shading effects, it is considered that there may be some shading on the street. The design guidelines states that "... Wanaka BMU developments may typically be 2 storeys but have the potential to be 3 storeys" (page 7), the application states that the shading on the street will be minimal when compared to the typical three-level building design that is largely anticipated in the zone. Any adverse effects related to shading have been determined by Mr. Compton-Moen to be mitigated by the buildings design and variations in height.

Adopting the conclusions drawn in Mr. Compton-Moen urban design assessment, it is concluded that any adverse effects on shading are adequately mitigated by the building design and are therefore considered to be **no more than minor**.

Location and Design of Mobility Parking Spaces:

Consent is sought for the angled design and size of the proposed mobility parking spaces. The angled design of the parking spaces is not provided for in the PDP, however, is consistent with the NZ Standard 4121:2001. Additionally, the mobility car parking spaces will be 3.5m in width which fall short of the permitted requirements of the PDP by 0.1m. An engineering memo prepared by Ms. Overton has determined the size and design of the mobility parking spaces as appropriate for mobility users, therefore any adverse effects arising from the design of the mobility parking spaces are deemed no more than minor.

Additionally, Ms. Overton commented on the location of the mobility parking spaces on the opposite side of the service lane to the proposed building. This placement means that users will be required to cross the service lane to access the building. Ms. Overton determined that the surrounding signage and speed limit will mitigate any adverse effects resulting from the location of the mobility parking spaces. Thus, determining any adverse effects related to the location of mobility parking spaces to be **no more than minor**.

Effects on Servicing/Infrastructure:

The site has previously been subject to an approved resource consent RM230684 for the construction of a two-storey building. Although this development has not been given effect to and the current proposal offers variations to this consented design, Ms. Overton applies the original commentary on services to this application. Stating that the site is serviced with connections to water, wastewater, stormwater, telecommunications and electricity, providing adequate servicing and infrastructure connections to the proposed building.

In regard to FW4 firefighting category, Ms. Overton states that an FW4 firefighting category is currently available, however, Council's Property and Infrastructure engineers have confirmed that they cannot guarantee firefighting category above FW3. To mitigate any adverse effects associated with the firefighting category FW3, an advice note has been recommended.

Overall, adverse effects in relation to servicing and infrastructure are considered to be **no more than minor**.

Transportation and Traffic Effects:

The proposal includes the provision of several secure bicycle parking spaces, along with shower facilities to encourage the realistic utilisation of active modes of transport to the building. The provisions and encouragement to utilise active and public modes of transport contribute to the mitigation of any adverse effects on transportation and traffic.

The proposal does not provide any on-site parking, however, on-street parking located across from the site integrates the proposed development with the existing parking facilities. These spaces will be dedicated to the proposed building. The lack of provisions for on-site parking intends to emphasise the prioritisation of pedestrian connections, and the use of active and public transportation modes.

Ms. Overton has comments on the proposed site access via the adjacent service lane (Lane 52) known as Liberty Lane. The lane has a one-way entrance from McCormick Street and exists onto Deering Street. Ms. Overton has concluded that compliant queuing distances can be achieved due to the positioning of the corner site and private access lane. Adopting Ms. Overton's comments it is concluded that adverse effects on transportation and traffic resulting from the proposal will be **less than minor.**

Ms. Overton has recommended a condition of consent be adopted which requires the consent holder to remedy any damage to all existing road surfaces and berms resulting from work carried out in association with this proposal. It is concluded that any effects that may arise as a result of damage to existing roads and berms will be adequately mitigated as a result of this consent condition.

Natural Hazards:

Council's GIS identified the site as being at low to nil risk of liquefaction. The application recognises this low to nil risk and states that any risk to liquefaction will be adequately mitigated through foundation design at the building consent stage.

Adverse effects in relation to natural hazards are considered to be less than minor.

Earthworks:

Ms. Overton has reviewed the proposal in relation to earthworks and notes that the comments made on the recently approved resource consent RM230684 are to be applied to the present proposal. The consensus is that earthworks may be required to strip topsoil from the site. However, the subject site is approximately 848m² and therefore stripping 200mm of topsoil will result in approximately 170m³ of earthworks. These expected volumes will be captured by the permitted activity standards of Chapter 25 of the PDP.

Adverse effects in relation to earthworks are considered to be less than minor.

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

It is concluded based on the assessment laid out above that the proposed activity will result in adverse effects on the environment that are **less than minor**.

Therefore, public notification is not required under Step 3.

3.4 Step 4 – Public Notification in Special Circumstances

There are no special circumstances in relation to this application.

4. LIMITED NOTIFICATION (s95B)

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

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

Determination under s95B(2)

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

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

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

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

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

Therefore, limited notification is not precluded.

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

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

Boundary Activity

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

Any other activity

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

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

- a) The consent authority **may** disregard an adverse effect of the activity on a person if a rule or national environmental standard permits an activity with that effect (a "permitted baseline"). Section 3.3.2 above sets out the relevance of the permitted baseline to this application.
- b) The consent authority **must** disregard an adverse effect of the activity on the person if the effect does not relate to a matter for which a rule or a national environmental standard reserves control or restricts discretion; and
- c) The consent authority **must** have regard to every relevant statutory acknowledgement specified in Schedule 11.

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

The persons have provided written approval for the proposed activity are listed in 3.3.1 above and therefore are not an affected person.

4.3.2 Assessment: Effects on Persons

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

Figure 2 identifies the subject site and owners/occupiers of the neighbouring properties that have been considered in the following assessment. For completeness and clarity, all other properties are considered to be sufficiently separated from the site to experience any potential or actual adverse effects from the proposal. The neighbouring properties considered in this assessment are identified by the yellow stars, whereas the red dots indicate those owners/occupiers who provided written approval and are therefore excluded from the following assessment.



Figure 2: Identification of owners/occupiers of neighbouring sites (yellow star) and those owners/occupiers who provided written approval (red dot).

The properties located at 15 and 17 McCormick Street offer a mixed-use development of a wash station facility and individually tenanted warehouse office spaces. The offices have a solid concrete wall facing the site, with no openings or windows located along this façade. Therefore, any effects on shading and view obstruction from the proposed development on the owners/occupiers of 15 and 17 McCormick Lane are deemed less than minor.

Further to this, Mr. Compton-Moen has concluded that no neighbouring properties will experience a loss of views from the proposed developments additional height. This assessment is accepted, therefore concluding that any effects on persons will be less than minor.

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

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

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

Special circumstances do not apply that require limited notification.

5. NOTIFICATION DETERMINATION

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

Prepared by Decision made by

Mary McConnell

My Mark

PLANNER

Neil Harkin SENIOR PLANNER

DECISION UNDER SECTION 104 OF THE RESOURCE MANAGEMENT ACT

6. S104 ASSESSMENT

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

Subject to Part 2 of the RMA, Section 104 sets out those matters to be considered by the consent authority when considering a resource consent application. Considerations of relevance to this application are:

- (a) any actual and potential effects on the environment of allowing the activity; and
- (ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and
- (b) any relevant provisions of:
 - (i) A national environmental standard;
 - (ii) other regulations;
 - (iii) a national policy statement;
 - (iv) a New Zealand coastal policy statement;
 - (v) a regional policy statement or proposed regional policy statement;
 - (vi) a plan or proposed plan; and
- (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.

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

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

Conditions are imposed in regard to engineering works, mobility parking, damage to road surfaces and berms which are considered to mitigate any adverse effects resulting from the proposal. Additionally, an advice note is also recommended in regards to firefighting flows, acting as an additional tool for mitigating adverse effects resulting from the proposal on firefighting.

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

Operative District Plan

The relevant operative objectives and policies are contained within 12 - Special Zone - Three Parks.

Objective 6 A Commercial Core which, over time, will evolve into a high quality mixed use urban centre with a main street character and a strong sense of place.

- 6.4 To avoid or minimise adverse effects arising from the incompatibility of some commercial and residential uses through the appropriate location of activities and controls.
- 6.5 To encourage a built form at the centre of the Commercial Core and along the mainstreet which contributes to a sense of arrival and departure through being notably higher, relative to the rest of the Commercial Core and the surrounding subzones.
- 6.6 To accept that, in the early stages of development, the Commercial Core is unlikely to deliver as high a quality urban character as in later stages (as it will initially be predominantly large format retail), on the

basis that finer grain retail will occur in later stages which will 'sleeve' the larger buildings and deliver a street-focused environment.

The building has been designed with intent to act as an anchor building of the zone and will provide for appropriate business activities, as envisioned by the zone. It is considered the design of the proposed building is consistent with the objective and policy framework of the Special Zone – Three Parks chapter of the ODP. The proposal is considered not-contrary to the relevant objectives and policies of the ODP.

Proposed District Plan

The relevant objectives and policies of the PDP are contained within Chapter 3 *Strategic Direction*, 16 *BMUZ* and 29 *Transport*. The applicant has provided an assessment against the relevant objectives and policies at Section 7.6 of the AEE. This assessment is considered adequate and is adopted for the purposes of this report, with the following additions and alterations.

Chapter 4 – Urban development

Objective 4.2.1 states that Urban Growth Boundaries are to be used as a tool to manage the growth of urban areas within distinct and defendable urban edges. The proposal site falls within an identified growth boundary and therefore generally fits the purpose of the zone, to provide commercial use of a building along Sir Tim Wallis Drive. The surrounding environment presents an existing and consistently developing commercial area and therefore the proposal is considered consistent with the purpose and direction of the zone.

Chapter 16 - Business Mixed Use Zone

Policy 16.2.1.4 ensures that for sites adjoining Gorge Road in Queenstown and Sir Tim Wallis Drive in Three Parks Wanaka, the establishment of high density residential and visitor accommodation activities at ground floor level is discouraged, except where commercial and/or business activities continue to have primacy at the interface with the street. The proposal does not intend to construct a building for residential or visitor accommodation purposes, rather is provides commercial use which is anticipated in the zone.

The applicant has heavily referred to the relevant design elements identified in the BMDG in Section 7.2 of the AEE. This is considered adequate and is adopted for the purposes of this report. The design of the building is considered to contribute to a desirable urban environment.

Chapter 29 - Transport

The proposal is considered consistent with Policy 29.2.4.3 where the commercial development seeks to promote the uptake of public and active transport options by providing bicycle parking and shower facilities.

Overall, the proposal is considered consistent with the objectives and policies of Chapter 29 as it seeks to provide cycle parking for users of the site.

The proposal is considered consistent with and not contrary to the relevant objectives and policies of the PDP.

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

Partially Operative Regional Policy Statement 2019

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

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

The proposal provides for a high standard of urban design, offering development and growth in the Business Mixed Use Zone. The land can be adequately serviced, with associated earthworks, to ensure functionality of the proposal. The proposal is considered, based on input from an urban design expert Mr. Compton-Moen, to be acceptable and integrated with the surrounding environment. Overall, the proposal is considered to be consistent with the relevant objectives of the Partially Operative Regional Policy Statement (2019).

Proposed Otago Regional Policy Statement 2021

The Proposed Otago Regional Policy Statement 2021 (Proposed RPS 21) sets the direction for future management of Otago's natural and physical resources.

UFD-01 - Form and function of urban areas

The form and functioning of Otago's urban areas:

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

The proposal contributes to establishing or maintaining the qualities of a well-functioning urban environment, is served by existing infrastructure or upgrades can be provided. The proposed building is considered to be in accordance with the relevant objectives and policies within the Proposed Otago Regional Policy Statement (2021).

The National Policy Statement for Urban Development (NPS-UD) 2020

The NPS-UD sets out the objectives and policies for planning a well-functioning urban environment, allowing and providing for the diverse and evolving needs of people, communities and future generations. The current proposal is considered to align with the objectives and policies of the NPS-UD as it contributes to a well-functioning urban environment, fit for the purpose of the zone. The proposal is considered to be consistent with the NPS-UD.

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

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

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

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

6.5 PART 2 OF THE RMA

The purpose of the RMA is to promote the sustainable management of natural and physical resources. The proposal is considered to satisfy the sustainable management principles of the RMA as it will provide for the social and economic well-being of the applicants and the wider community that the commercial building will serve, whilst appropriately mitigating adverse effects on the environment.

The sustainable focus in the buildings design contributes to both sustaining resources for future generations and safeguarding the life-supporting capacity of air, water, soil, and ecosystems.

The proposal is also considered consistent with matters laid out in Section 7, in particular sections 7(c) and 7(f) as they pertain to the maintenance and enhancement of: amenity values and the quality of the environment respectively. The proposal is considered to be keeping with the purpose and character of the BMUZ, while also actively aligning with the design characteristics laid out in the BMDG.

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

7.0 <u>DECISION</u> ON RESOURCE CONSENT PURSUANT TO SECTION 104 OF THE RMA

Consent is **granted** to construct a commercial building subject to the conditions outlined in *Appendix 1* of this decision report imposed pursuant to Section 108 of the RMA.

Prepared by Decision made by

Mary McConnell **PLANNER**

Neil Harkin **SENIOR PLANNER**

8.0 DEVELOPMENT CONTRIBUTIONS AND ADMINISTRATIVE MATTERS

Administrative Matters

May thene

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

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

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

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

If you have any enquiries please contact us at resourceconsent@qldc.govt.nz.

9.0 APPENDICIES LIST

APPENDIX 1 – Consent Conditions **APPENDIX 2** – Applicant's AEE

APPENDIX 1 – CONSENT CONDITIONS

For Your Information

Monitoring

The conditions in your decision will advise if monitoring is required. To assist with compliance of your resource consent, and to avoid your monitoring deposit being used before your development starts, please complete the "Notice of Works Starting Form" and email to the Monitoring Planner at RCMonitoring@qldc.govt.nz

Environmental Management Plan

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

Engineering Acceptance

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

Development Contribution

If this decision requires a development contribution (DC) charge, we will be sending a notice in due course. To answer questions such as what is a DC charge, when a DC charge is triggered and timing of payments, this information is available here.

If you wish to make a DC estimate calculation yourself, please use this <u>link</u>. Full details on current and past policies can be found <u>here</u>.

General Conditions

- 1. That the development must be undertaken/carried out in accordance with the plans:
 - 20 Sir Tim Wallis Drive, Lot 48, Project No. 10022, Warren and Mahoney Architectural Plans, pp 1-26, Revision E, Date 31.10.2023

stamped as approved on 4 April 2024

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

 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 8th October 2020 and subsequent amendments to that document up to the date of issue of any resource consent.

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

3. 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.

4. The consent holder is liable for costs associated with the monitoring of this resource consent under Section 35 of the Resource Management Act 1991.

To be completed when works finish and before occupation of building

- 5. Prior to the occupation of the building, the consent holder shall complete the following:
 - a) The existing parking area located within Lot 148 DP 567411 shall be remarked as 4 mobility parks as per the Warren & Mahoney "Site Plan Laneway Parking" submitted with the application. This shall include the provision of signage and markings in compliance with the NZTA Manual of Traffic Signs and Markings and the TCD Manual.
 - b) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
- 6. A detailed landscaping plan shall be prepared and submitted to Council for certification demonstrating how the proposed landscaping will be implemented. This shall be in general accordance with the Queenstown lakes District Council Tree Policy 2023.

The detailed plan shall to include:

- a) Irrigation plan showing how trees, plants and/or grass are to be irrigated
- b) Maintenance requirements.

Review

- 7. 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, serve notice on the consent holder of its intention to review the conditions of this resource consent for any of the following purposes:
 - a) To deal with any adverse effects on the environment that may arise from the exercise of the consent which were not foreseen at the time the application was considered and which it is appropriate to deal with at a later stage.
 - b) To deal with any adverse effects on the environment which 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.

Advice Notes

- a) No further signs, such as window signs or sandwich boards, are permitted by this resource consent.
- b) Please be advised that firefighting flows available from the Council reticulation/hydrants are not guaranteed above the FW3 level as specified in SNZ PAS 4509 and therefore any commercial building constructed on the lot may require a sprinkler system to comply with the requirements of the Fire and Emergency New Zealand.

APPENDIX 2 – APPLICANT'S AEE

ASPIRING HOUSE

BY



ASSESSMENT OF ENVIRONMENTAL EFFECTS

Four-level building providing office and retail use.

20 Sir Tim Wallis Drive, Three Parks, Wanaka.

November 2023.

Aspiring House, by ROA

CONTENTS

1 Ex	ecutive Summary	4
2 Ap	oplicant and Site details	4
3 Sit	te Description	4
3.1	Legal Description	5
3.	.1.1 Definition of 'Site'	6
3.2	Surrounding Environment	7
4 Cc	onsenting Background	8
5 Pr	oposal	9
5.1	Sustainability	9
5.2	Building	9
5.3	Activity	10
6 Di	strict Plan Provisions	10
6.1	Operative District Plan	10
6.2	Proposed District Plan	11
6.3	Overall Activity Status	12
7 Se	ection 104 Assessment	12
7.1	Actual and Potential Effects on the Environment	12
7.	.1.1 Receiving Environment	12
7.	.1.2 Permitted Baseline	12
7.	.1.3 Effects on Amenity	13
7.	.1.4 Effects on Neighbours	13
7.	.1.5 Noise Effects	15
7.	.1.6 Transportation and Traffic Effects	15
7.	.1.7 Effects on Servicing/Infrastructure	16
7.	.1.8 Natural Hazards	16
7.	.1.9 Positive Effects	16
7.	.1.10 Overall Effects Conclusion	16
7.2	Business Mixed Use Zone Design Guidelines 2021	17
7.3	Relevant Provisions of National Environmental Standards (NES)	18
7.4	Relevant Provisions of National Policy Statements (NPS)	18
7.5	Relevant Provisions of Regional Policy Statements	22
7.	.5.1 Partially Operative Otago Regional Policy Statement 2019	22

7	.5.2 Proposed Otago Regional Policy Statement 2021	22		
7.6	Relevant Provisions of a Plan or Proposed Plan	22		
7.7	Any Other Matters	26		
8 Se	Section 104D2			
9 Pa	9 Part 2 Matters2			
10	Notification	28		
10.1	1 Public Notification	28		
10.2	2 Limited Notification	28		
11	Conclusion	29		

APPENDICES

Appendix	Title	Author
Appendix A	Record of Title	-
Appendix A1	Consent Notice 11674965.12	-
Appendix A2	Consent Notice 12599490.5	-
Appendix B	Architectural Plans	Warren & Mahoney
Appendix C	Carbon Services Report	Warren & Mahoney
Appendix D1	APA- Fossil Investments Limited	-
Appendix D2	APA- Willowridge	-

1 EXECUTIVE SUMMARY

The application seeks to construct a sustainably designed four-level building, providing for ground floor retail and upper floor office space, at 20 Sir Tim Wallis Drive, Three Parks, Wanaka.

The site is Business Mixed Use Zone in the Proposed District Plan, and the application status is a non-complying activity overall.

2 APPLICANT AND SITE DETAILS

Applicant: Southern Lakes Property Trust Limited

Address for Service: PO Box 582, Wanaka, 9343

Application Site: 20 Sir Tim Wallis Drive, Three Parks, Wanaka

Legal Description: Lot 48, 148 DP 567411

Site Area: 843m²

District Plan: Propose District Plan

District Plan Zoning: Business Mixed Use Zone (BMUZ)

Natural Hazards: LIC 1 Liquefaction Susceptibility (nil to low risk)

3 SITE DESCRIPTION

The application site ('site') is located on the corner of Sir Tim Wallis Drive, Deering Street and Liberty Lane, Three Parks, Wanaka. The site is vacant, with grass cover, with services provided to the boundary through the underlying subdivision. The site is flat, due to earthworks undertaken through previous subdivisions. The lot forms part of Stage B2 of the Three Parks development and was approved through subdivision consent RM181624.

Sir Tim Wallis Drive is the main vehicular and pedestrian corridor through the Three Parks development, connecting from Ballantyne Road at the west, to State Highway 6 at the north. The BMUZ spans either side of this central spine road through Three Parks.

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4



Figure 1: Site and Surrounds Aerial Photograph.

Source: QLDC Map Navigator October 2023

3.1 Legal Description

The legal description of the site is Lot 48, and Lot 148 DP 567411, with a 1/8th share of the laneway (Liberty Lane) behind, being Lot 974 DP 567411.

Lot 48 is the body of the site on the corner of Sir Tim Wallis Drive, Deering Street and Liberty Lane. Lot 148 is the car parking area for the site on the south-eastern side of Liberty Lane, as shown in Figure 1 above.

The Record of Title is attached as **Appendix A**.

The site is owned by the applicant, and the following instruments are listed on the title, and attached as **Appendix A1**, and **A2** respectively:

• Consent notice 11674965.12- The conditions on this consent notice require the lots to be serviced upon subdivision. This servicing has been approved through RM181624, and therefore the relevant conditions met.

• Consent notice 12599490.5- The conditions on this consent notice require the lots to be serviced upon subdivision. This servicing has been approved through RM181624, and therefore the relevant conditions met.

3.1.1 Definition of 'Site'

The PDP defines 'site' as:

Means:

Any area of land which meets one of the descriptions set out below:

- a. An area of land which is:
 - i. Comprised of one allotment in one certificate of title, or two or more contiguous allotments held together in one certificate of title, in such a way that the allotments cannot be dealt with separately without the prior consent of the council; or
 - ii. Contained in a single lot on an approved survey plan of subdivision for which a separate certificate of title could be issued without any further consent of the council;

Being in any case the smaller area of clauses i. or ii. above; or

- b. An area of land which is composed of two or more contiguous lots held in two or more certificates of title where such titles are:
 - i. Subject to a condition imposed under section 75 of the Building Act 2004; or
 - ii. Held together in such a way that they cannot be dealt with separately without the prior consent of the council; or
- c. An area of land which is:
 - i. Partly made up of land which complies with clauses (a) or (b) above; and
 - ii. Partly made up of an interest in any airspace above or subsoil below a road where (a) and (b) are adjoining and are held together in such a way that they cannot be dealt with separately without the prior approval of the council;

Except in relation to each description that in the case of land subdivided under the Unit Titles Act 1972 and 2010, the cross lease system or stratum subdivision, 'site' must be deemed to be the whole of the land subject to the unit development, cross lease or stratum subdivision.

Lot 48 and Lot 148 DP 567411 are one 'site', as they are two contiguous allotments held together in one certificate of title (Identifier 1062793), in such a way that the allotments cannot be dealt with separately without the prior consent of the Council.

3.2 Surrounding Environment

The Three Parks environment has been slowly establishing since Plan Change 16 of the ODP was made operative in 2011. Since then, a number of subdivisions have progressed, in a staged approach. More recently, the construction of buildings have commenced throughout Three Parks, particularly at the western end subject to this application.

The surrounding environment consists of similar sized lots to the site, along the same side of Sir Tim Wallis Drive to the west, all accessed from the rear laneway- Liberty Lane. Across the road and to the west are smaller lots (550m² on average), fronting Sir Tim Wallis Drive, and all accessed off Lister Lane to the rear. Some of these sites have completed buildings, and some remain vacant.

In the vicinity to the site are 17 Sir Tim Wallis Drive to the north-west, a vacant lot with an approved resource consent¹ enabling a three-level commercial building. This has yet to begin construction. Across the road from the site at 19 Sir Tim Wallis Drive is a recently constructed two-level office building. Directly adjoining the western boundary of the site at 18 Sir Tim Wallis Drive, is a vacant site with no building or resource consent applications lodged with the Council. To the rear of the site at 15-17 McCormick Street is an established two-level mixed-use development consisting of a wash station, and individually tenanted warehouse/office space.

The north and east adjacent sites are currently large balance lots (Lots 972 and 981) in the ownership of Willowridge Developments Limited, however these two lots are in the process of being subdivided into smaller commercial lots and associated roading²- Lots 49 – 77, as shown in Figure 2. The applicant has a signed sale and purchase agreement on Lot 49 of approved RM230084 to take over ownership upon completion of the title.

In the wider Three Parks surrounding environment, are a mix of commercial, industrial, service buildings and activities, retail and big box retail, a school and community facilities. A recent resource consent decision³ has approved a resort within the northern area of Three Parks, involving a hotel, backpackers, townhouses, apartments, winery, retail units. The maximum height of the buildings approved in the BMUZ for this development is 19.5m.

¹ QLDC Reference: RM221074 ² QLDC Reference: RM230084

³ QLDC Reference: RM220141

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7



Figure 2: Snip of Scheme Plan approved under RM230084

4 CONSENTING BACKGROUND

Three Parks has a long list of consents to establish lots and activities. The relevant consents to this application are:

RM140354	Land use consent granted in December 2015 for an Outline Development Plan. The site was identified as being within the Business (Main Street) Subzone.
RM171167	Land use consent granted in June 2018 for an amended Outline Development Plan. The site was identified as being within the Business (Main Street) Subzone.
RM181624	Subdivision consent granted in July 2019 for 16 business lots, 16 accessory car parking lots, 2 service lanes, one lot to vest

as road and two balance lots. The subdivision has been

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completed and titles issued November 2022. The site was formed as part of this subdivision.

RM220141

Consent granted in October 2023 for a mixed-use development in the northern part of Three Parks, including a hotel within the BMUZ at a maximum height of 19.5m. The consent has yet to be given effect to.

5 PROPOSAL

The proposal seeks to construct a four-level building, designed by Warren & Mahoney architects, with ground floor retail, and office use within the upper floors. The building is designed to achieve an international standard of Zero Carbon Certification by International Future Living Institute. The Architectural Plans are attached as **Appendix B**.

5.1 Sustainability

The project is globally benchmarked using the only global certification for net zero carbon buildings, being the International Future Living Institute Zero Carbon Certification. This certification is the first worldwide third party certified standard for measuring emissions, launched in 2018. The standard requires a project to have net zero emissions from both operational and embodied carbon. Aspiring House will be the first project to achieve this high standard in the Southern Hemisphere.

The sustainability aspect of the project has been incorporated from the beginning of design, through early sustainability workshops to identify project specific strategies to set up the project for different options to achieve the certification standards. This has been a focus through the development of the project design to ensure the low carbon ambitions can be delivered, and includes the whole building, including tenancy fit out.

Details of the certification and the measures used to achieve the standard, are presented in the Carbon Services Report, attached at **Appendix C**.

5.2 Building

The building provides a four-level commercial building, with a total gross floor area ('GFA') of 2,655m², being 680m² GFA of retail, and 1,975m² GFA of office space.

The building height is maximised at 19.35m, where the roof articulation extends around the corner of the building, from Sir Wallis Drive and around Deering Street. The main bulk of the building is at a height of 17m.

The primary cladding is a neutrally toned brick base, and side and rear façade. Above the brick base is a level created to provide a light-weight appearance, created through the use of timber and glass.

Solar photovoltaic (PV) panels will be installed on the north and eastern sides of the building, and the roof, which provide a two-fold benefit. Firstly, the PV panels help to achieve the Zero Carbon target for operational use. Secondly, they are used as a cladding, which also visually demonstrates the sustainable commitment of the project. Depending on the size of the panels (known at detailed design), these may extend over the boundary of Sir Tim Wallis Drive and Deering Street, as shown on page 16 of the Architectural Plans. A licence to occupy air space will be applied for to enable this.

Planting will be in the form of two specimen trees- one just outside the boundary at the corner of the site, and one within the boundary at the south-eastern corner. The tree outside the boundary will be maintained by the owners of the site in perpetuity, ensured by way of condition. At first floor level, an integrated planter/balustrade around the periphery of the building and terrace is proposed.

Car parking is provided for four mobility spaces within the rear laneway.

Bike parking is provided for 23 bikes (5 for customer/visitor, and 18 for private long term (ie. staff) at the rear of the building, within the back entrance, and beneath the rear specimen tree.

5.3 Activity

The activity throughout the building is considered a 'commercial activity' in the PDP.

The ground floor gross floor area is 680m², providing for 370m² of retail space, a lobby, plant room and utility areas.

The first-floor gross floor area is 645m², including office space, boardroom, uncovered terrace, bathrooms, and utilities.

Second and third floors have a gross floor area of 665m² each, including office space, boardroom, a small, covered terrace, bathrooms, and utility spaces.

6 DISTRICT PLAN PROVISIONS

6.1 Operative District Plan

In 2015, QLDC began the District Plan review on the 'ODP', undertaken in stages with the creation of the PDP. To date, stages 1, 2 and 3, and some variations of the PDP have been notified and decisions made on those stages. Certain provisions and mapping details across all three stages of the PDP are still subject to appeal. Where any rule in the PDP is under appeal, in accordance with s86F of the RMA, the corresponding ODP rule shall require consent. In this case, the site is zoned Three Parks Special zone- Business (Main Street) in the ODP and rezoned as Business Mixed Use in Stage 3 of the District Plan Review. There are no rules requiring consent in the PDP that are under appeal, and therefore no corresponding rules in the ODP require consent for this application.

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10

6.2 Proposed District Plan

In the PDP, the site is zoned Business Mixed Use Zone ('BMUZ'). The following consents are required.

Chapter 16 - BMUZ:

- Rule 16.4.4- **Buildings-** Restricted discretionary activity required for the building. Discretion is restricted to:
 - a) building materials;
 - b) glazing treatment;
 - c) symmetry;
 - d) vertical and horizontal emphasis;
 - e) location of storage;
 - f) signage platforms;
 - g) landscaping;
 - h) where residential units are proposed as part of a development, provision made for open space on site whether private or communal;
 - i) where applicable, integration of the development with Horne Creek, including site layout and landscaping; and
 - j) where a site is subject to any natural hazard and the proposal results in an increase in gross floor area:
 - (i) the nature and degree of risk the hazard(s) pose to people and property;
 - (ii) whether the proposal will alter the risk to any site; and iii. the extent to which such risk can be avoided or sufficiently mitigated.
 - k) Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road and any proposed building is located within 9.5m of that road boundary, any adverse effects on that infrastructure.
- Rule 16.5.4- **Building Coverage** Discretionary activity consent required for exceeding the permitted 75% building coverage, being 632.25m². 680m² of building coverage is proposed, which is 47.75m² over that permitted.
- Rule 16.5.9.1 and 16.5.9.2- **Maximum Building Height** Non-complying activity consent required for exceeding the permitted 12m height. The proposal seeks a maximum height of 19.35m to the apex of the roof form, however the main bulk of the building is at a height of 17m. The upper floors are set back from the Deering Street/Sir Tim Wallis Drive corner; however, the fourth floor is not proposed to be set back from the Sir Tim Wallis Drive frontage, or the Deering Street frontage.

Chapter 29- Transport

• Rule 29.7- **Mobility Parking Spaces-** Restricted discretionary activity consent required. Sufficient spaces are provided; however the spaces are angled, rather than 90 degrees. This is not specifically provided for in Table 29.7, therefore consent is sought to enable angled mobility spaces. Additionally, the mobility spaces are 3.5m in width- 0.1m narrower than the permitted width, but compliant with NZ Standard 4121.

The activity is below the threshold of high traffic generating activities, being less than 2,000m² GFA office space (Rule 29.9.5), and 1,000m² GFA of retail space (Rule 29.9.6), therefore consent is not required for Rule 29.4.11. It should be noted that no car parking is required, or provided (other than mobility spaces), therefore the only traffic generated is that from mobility spaces within the laneway.

6.3 Overall Activity Status

The overall activity status is non-complying.

7 SECTION 104 ASSESSMENT

7.1 Actual and Potential Effects on the Environment

7.1.1 Receiving Environment

As assessed in detail in section 3.2 above, the site is surrounded by vacant, and established buildings and businesses, consisting of a mix of commercial, industrial and service activities. This forms the environment within which the proposed development must be assessed.

7.1.2 Permitted Baseline

Section 104(2) of the RMA requires that when considering the actual and potential effects of an application for resource consent, an adverse effect of an activity that is permitted by the plan may be disregarded- the permitted baseline. In this case, the permitted baseline is not relevant, as all buildings in the BMUZ require resource consent. It is noted however the development of sites in the BMUZ is anticipated, within the following permitted baseline:

- Building coverage of 75%
- Building height of 12m
- 500m³ of earthworks
- Mobility car parking spaces:
 - o Commercial activity (retail): 2 spaces per 251 2,500m² GFA
 - o Office activity: 2 spaces per 501 5,000m² GFA

Any effect over that listed above should be considered in the assessment of effects.

7.1.3 Effects on Amenity

The building is uniquely designed to respond to the corner of Sir Tim Willis Drive and Deering Street- a prominent corner in Three Parks. The building has been designed to provide for human scale, to enable a sense of connection between people and their environment. This is undertaken through a variety of height and form on the façade. Internally, the sense of wellbeing, and a desirable workspace will be created through maximising access to daylight and views, providing good indoor air quality, creating spaciousness, and generous ceiling heights. The use of brick and natural materials at ground level, and planting of specimen trees creates the link of the built environment to nature.

The building will positively respond to the streetscape, through variety of form and materials, providing both a horizontal and vertical emphasis. An active frontage is provided through glazing around the northern, eastern and southern facades, allowing visibility of the street and laneway from all levels.

Whilst the building exceeds the permitted height and coverage, the effect is not an adverse one, due to the careful design of the building, and the location of the site. Bulk and dominance effects are mitigated through the variation of form and materials on each level, breaking up the building into smaller elements- both horizontally and vertically. The glazing above ground floor level lightens the effect of the built form and reduces potential dominance effects on the street scene. Being a corner site, a building that is higher than the permitted height can be accommodated, and the context of this site provides an appropriate environment to support such a development, such that the building will have a positive effect on the street scene. Once the remainder of the area is developed, the building will fit more into the street scene, whilst providing a suitable anchor to the corner.

A screened storage area for rubbish and recycling is provided at the rear of the building, ensuring utilities are tucked away from public view.

Landscaping is provided through specifically located specimen trees, and external planters around the terrace and building exterior at first floor level. Internally a green wall is likely to be designed into the interior, to bring the natural environment into the building.

7.1.4 Effects on Neighbours

The adjacent neighbours to the north, east and southwest have provided their written approval, attached at **Appendix D1 and D2**, and indicated with an on Figure 3 below. The effects on these neighbours have been disregarded for this assessment.



Figure 3- Adjacent Neighbours. Those provided affected party approval indicated with a

The neighbouring property at the rear - 15 – 17 McCormick Street is a mixed-use development of a wash station facility, and individually tenanted warehouse office space adjoining the boundary of Liberty Lane. The offices have a solid concrete wall facing the site, with no openings on this façade. As such, there is no visibility of the development from this neighbouring site, and therefore no adverse effects.

17 Sir Tim Wallis Drive has a three-level office development approved where there are windows facing Sir Tim Wallis Drive. The proposed building will be visible from these offices, however the occupants will not be looking directly into the site given the orientation of the sites. Further, the distance provided by Sir Tim Wallis Drive will also provide a substantial separation distance, so any adverse effects are less than minor.

19 Sir Tim Wallis Drive, on the opposite corner, has a recently completed two-storey commercial building, with Ray White as their key tenants. On-going discussions are being had with the owners of this site, to address any concerns that may arise. The tenants of these offices will have visibility into the site and building, considering the orientation of both buildings. Whether a permitted 12m building or the proposed building were constructed on this site, this would occur. There is potential for the bulk of the building to affect this neighbouring property considering the additional height and building coverage. Considering the design of the build, incorporating strong horizontal and vertical elements, with setbacks along the façades, varying roof modulation, variety in materials across the building, the building bulk is adequately mitigated. Additionally, the distance between the buildings afforded by Sir Tim Wallis Drive (23m from boundary to boundary) provides an adequate buffer to minimise effects on this neighbour.

Overall it is considered the effect of the proposal would have less than minor effects on these neighbours.

No other neighbouring properties are considered affected by the proposal.

7.1.5 Noise Effects

Considering the use of the development, being retail and office use, any noise emitted from this use, is anticipated to comply with the permitted noise levels set out in Chapter 36.

7.1.6 Transportation and Traffic Effects

Minimal vehicle parking is provided on site, whereby only mobility spaces are provided within the laneway. This aligns with the PDP requirements for vehicle parking, and the NPS-UD, which encourages development to rely less upon private vehicles, and more upon active and public transportation methods. Active transportation is enabled through eastern and western trails alongside the nearby State Highway, and cycle and pedestrian prioritisation through Sir Tim Wallis Drive. Whilst public transport is not yet a priority within Wanaka, there are strategies by QLDC and ORC to move forward on the planning of public transport improvement under the Way To Go umbrella, starting with a Network Optimisation Business Case, which is underway.

Secure bicycle parking spaces and shower facilities are provided within the site, consistent with the requirements in the PDP, encouraging the realistic use of active modes of transport to the building.

Loading will be provided for within Liberty Lane, which aligns with the intended use of the laneways, as provided for in RM181624.

With regards to mobility parking spaces, consent is sought for angled mobility spaces. Whilst not specifically provided for within the PDP, this is consistent with the NZ Standard 4121. The mobility spaces are 0.1m narrower than the permitted width of the PDP,

however the widths are consistent with the NZ Standard 4121, which is referenced in the Building Code. It is noted the angled spaces are marked within Lot 148, which will be required to be altered to reflect the mobility design. As such, no adverse effects are anticipated to arise from the mobility space design.

Overall, the proposal aligns with the PDP, relevant NZ Standard, and the policy direction of the NPS-UD with regards to car parking and transport.

7.1.7 Effects on Servicing/Infrastructure

The site has been provided connections to the QLDC's reticulated wastewater and water systems through RM181624. Stormwater will be reticulated to the stormwater disposal area within the laneway, as approved through RM181624. A fire hydrant is located on the corner of Deering Street and Sir Tim Wallis Drive- 28m from the site boundary.

Electricity and telecommunication connections are available to connect into at the boundary of the site.

Overall, no adverse effects will arise in relation to servicing, and the development will be able to be fully serviced to Council's standards.

7.1.8 Natural Hazards

The only known natural hazard within the QLDC hazard register is that the site has nil to low risk of liquefaction susceptibility (LIC 1), which will be adequately mitigated through foundation design at building consent stage.

7.1.9 Positive Effects

The proposal provides for a GFA of 680m² of ground floor retail space, and 1,975m² of much needed office space, within a fully serviced, and urbanised environment. The building is designed to achieve a global benchmark of carbon zero certification, providing for the first building within the southern hemisphere to achieve such a high sustainable outcome. The building, although over the permitted height and coverage, through form and articulation will provide for a premium building on the prominent corner of Three Parks, appropriately 'bookending' development along the block.

Overall, there are significant positive effects resulting from the development.

7.1.10 Overall Effects Conclusion

Overall, it is considered the actual and potential adverse effects would be less than minor, and positive effects through providing much needed office space, within a highly urbanised, serviced environment, and the achievement of a globally recognised carbon zero certification.

Aspiring House, by ROA

16

7.2 Business Mixed Use Zone Design Guidelines 2021

The development is designed to both address the site, the street, the sun and the surrounding developing nature of the area. Such a design on the prominent corner will contribute and enhance the locality. The proposal is consistent with the recommendations of the Business Mixed Use Design Guide 2021 in the following ways:

- CPTED is considered, and the development will enable an accessible, safe and convenient place of employment
- Vertical and horizontal modulation
- Articulated facades
- Diversity in roof form
- Accessibility and active travel is provided for through pedestrian connectivity, shower facilities, mobility parking and bathrooms, cycle parking, and elevators
- Variation in material use
- Environmental sustainability through PV louvres, choice of building materials, orientation and design
- Landscape planting is specifically designed to enhance the corner of the site, to create a high amenity, human scale space
- The entrances are clearly defined
- Signage will be subtle but clear (within the permitted allowances)
- The street frontages will be active, and a positive contribution will be made to the public realm and neighbouring sites.

The Design Guide seeks to 'allow for flexibility in building height where design and visual interest can be created without resulting in adverse effects'⁴. Further, the Guide states: 'Additional height should also be considered for corner sites that have the opportunity to create landmark buildings, to emphasise intersections as important nodes, without adverse effects on adjoining properties. With larger developments consider the height and massing of buildings carefully to create buildings that have high articulation and visual interest with diversity in vertical mixed-use activity'.

The proposal seeks to enable this additional building height on this corner site, to result in this outcome for the intersection. This opportunity of a corner site is an important one to maximise, and through the design of the building, in the increased height of cladding around the intersection frontage, and the lower height of the building bulk behind, with high articulation around the façade, the proposal is consistent with the Guide, and this additional height should be facilitated in this location. In accordance with this Guide, the greater height provided in this location will result in a positive design outcome, which would not be achieved if strict adherence to the maximum height limit was enforced.

Through this assessment it is clear the development aligns with the Design Guide and its intended outcomes.

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⁴ Section 3 (pg 14) of the BMUZ Design Guide 2021

7.3 Relevant Provisions of National Environmental Standards (NES)

The only relevant NES to this project is the NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2011.

The NESCS applies if the activity is included in Section 5(2)-(6), on a piece of land that a HAIL activity is being, or has been undertaken on it, or is more likely than not to have been undertaken on the land. Using the method set out in Section 6 of the NESCS, the applicant has reviewed information held by the territorial authority, and the regional Council with regards to any HAIL activity being known to be undertaken on the site.

The QLDC records show in the wider Three Parks area, which before subdivision, included this piece of land, a HAIL site occurred, being Lot 981 DP574876. This piece of land is further north of the site and is not subject to this application. There is no other record of any HAIL activity in this piece of land subject to this application, and therefore the NESCS does not apply.

7.4 Relevant Provisions of National Policy Statements (NPS)

The only relevant NPS to this project is the NPS on Urban Development 2020.

The NPS-UD came into effect in July 2020, and is applicable in the Queenstown Lakes District, being a tier 2 local authority. The NPS-UD requires the Council to provide at least sufficient development capacity to meet expected demand for housing and for business land over the short, medium and long terms, with particular focus on plan-enabled, infrastructure ready, and suitable land for business land. The relevant objectives and policies are assessed as below.

Provision #	Provision Wording	Assessment
Objective 1	New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.	The proposal achieves this objective through the provision of office and retail for the community, providing for future social and economic wellbeing.
Objective 3	Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply: (a) the area is in or near a centre zone or other area with many employment opportunities	The project is located in an urbanised locality, where there is a high demand for housing and for business land in the area, relative to other areas within the urban environment.

	(le) the control of t	
Objective 4	 (b) the area is well-serviced by existing or planned public transport (c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment. New Zealand's urban environments, 	The project responds to
	including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.	Wanaka's changing urban environment by providing business opportunities outside of the Wanaka town centre, enabling a lower intensity to remain in the town centre, and more intensive development at Three Parks.
Objective 6	Local authority decisions on urban development that affect urban environments are: (a) integrated with infrastructure planning and funding decisions; and (b) strategic over the medium term and long term; and (c) responsive, particularly in relation to proposals that would supply significant development capacity.	The project provides a medium to long term provision for commercial development in Three Parks, on land that is 'infrastructure ready', ensuring the location of the development is strategically located.
Objective 6	New Zealand's urban environments: (a) support reductions in greenhouse gas emissions; and (b) are resilient to the current and future effects of climate change.	As explained in section 5.1 above, and in Appendix C, the development has been designed to a high global carbon certification, to support the reduction in greenhouse gas emissions, and create a development resilient to climate change effects.
Policy 1	Planning decisions contribute to well- functioning urban environments, which are urban environments that, as a minimum: (a) have or enable a variety of homes that:	The project will enable the site to provide for business sectors, in a prime, urbanised area. As above, the design will support the reduction in greenhouse gas emissions

	 (i) meet the needs, in terms of type, price, and location, of different households; and (ii) enable Māori to express their cultural traditions and norms; and (b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and (c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and (d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and (e) support reductions in greenhouse gas emissions; and (f) are resilient to the likely current and future effects of climate change. 	
Policy 5	Regional policy statements and district plans applying to tier 2 and 3 urban environments enable heights and density of urban form commensurate with the greater of: (a) the level of accessibility by existing or planned active or public transport to a range of commercial activities and community services; or (b) relative demand for housing and business use in that location.	The height of the building exceeds that permitted, and being a tier 2 urban environment, the greater height should be enabled considering the high demand of business use in this location. Accessibility of active transport is high, however public transport is currently low, however being near two main transport routes into Wanaka (Ballantyne Road and State Highway 6), once public transport opportunities are developed, the site will have a high level of accessibility.
Policy 6	When making planning decisions that affect urban environments, decision-	The QLDC's Urban Intensification Variation recognises the changes

makers have particular regard to the following matters:

- (a) the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement
- (b) that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:
 - (i) may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and
 - (ii) are not, of themselves, an adverse effect
- (c) the benefits of urban development that are consistent with wellfunctioning urban environments (as described in Policy 1)
- (d) any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity
- (e) the likely current and future effects of climate change.

occurring in the Wanaka area, through enabling greater heights in the BMUZ, which will in turn bring further changes to the locale. With a higher height of buildings enabled, this in itself is not necessarily an adverse effect. This is reinforced through the design development, of ensuring amenity values will not be adversely affected through the development of this property as proposed. The provision of additional commercial space enabled by greater heights will be a relevant contribution meeting the requirements of the NPS-UD.

The QLDC have prepared a variation to the PDP to enable the NPS-UD. The Urban Intensification Variation enables increased heights and densities in some residential and commercial zones, and some areas of rezoned land in the urban environment of Wanaka, to enable intensification of development. Within this variation, the BMUZ height in Wanaka is proposed by the QLDC to be increased to 16.5m, which would enable a four-level commercial building. Although this greater height enablement is not currently operative considering the early stage in the variation process, it provides confirmation of the level of development anticipated by the QLDC, in infrastructure-ready, urbanised, mixed-use environments.

With the provision of the four-level commercial building, achieving the Zero Carbon certification within the urban heart of Wanaka on a site that is fully serviced by

infrastructure and roading, the proposal is consistent with this variation, and the overall principle and policy direction of the NPS-UD.

7.5 Relevant Provisions of Regional Policy Statements

7.5.1 Partially Operative Otago Regional Policy Statement 2019 (POORPS2019)

The POORPS2019 became partially operative on 15 March 2021. The most relevant chapters are Part B Chapters 1- 5. Objective 1.1 and related policies seek that Otago's resources are used sustainably to promote economic, social and cultural wellbeing for its people. Objective 1.2 seeks to provide for the integrated management of natural and physical resources to support the wellbeing of people and communities. Objective 4.4 and its associated policies seek to provide for sustainable renewable electricity generation and providing a transition to a lower-carbon future. With the provision of solar panel cladding around the northern corner of the building, and the zero-carbon certification, the proposal will promote this. Objective 4.5 and related policies seek that urban growth and development is well designed, occurs in a strategic and coordinated way, integrates effectively with adjoining urban and rural environments, and ensures the efficient use of land. The proposed activity is anticipated on the site, would line up with existing infrastructure networks, and through the additional height, would enable an efficient use of the land in this location.

Overall, it is considered that the proposal is consistent with the relevant objectives and policies of the POORPS2019.

7.5.2 Proposed Otago Regional Policy Statement 2021 (Proposed RPS 21)

The most relevant provisions can be found in Part 3 – Domains and Topics under the Topic: Urban Form and Development. Objectives address the form and function of urban areas, the development of urban areas, strategic planning, natural features and landscapes, and urban development and climate change. The objectives and policies would support the proposal as it would maintain the quality of a well-functioning urban environment, would be well served by existing infrastructure, provide for the non-residential needs of the community, result in the sustainable and efficient use of the land.

Overall, it is considered that the proposed activity would be consistent with the relevant objectives and policies of the Proposed RPS 21.

7.6 Relevant Provisions of a Plan or Proposed Plan

Relevant plan is PDP, and the relevant chapters are Chapter 3 – Strategic Development, Chapter 16 – BMUZ, and Chapter 29 - Transport. The following table sets out the relevant objectives and policies of the PDP, and an assessment of each.

Provision #	Provision Wording	Assessment
1104131011 11	Trovision wording	ASSESSITION

Aspiring House, by ROA

Chapter 3 - Str	ategic Direction	
Objective 3.2.1.6	Diversification of the District's economic base and creation of employment opportunities through the development of innovative and sustainable enterprises.	The proposal seeks to construct an innovative and sustainable commercial building, providing employment opportunities and contributing to the districts economic base.
Objective 3.2.2.1	Urban development occurs in a logical manner so as to: a. promote a compact, well designed and integrated urban form; b. build on historical urban settlement patterns; c. achieve a built environment that provides desirable, healthy and safe places to live, work and play; d. minimise the natural hazard risk, taking into account the predicted effects of climate change; e. protect the District's rural landscapes from sporadic and sprawling urban development; f. ensure a mix of housing opportunities including access to housing that is more affordable for residents to live in; g. contain a high quality network of open spaces and community facilities; and h. be integrated with existing, and proposed infrastructure and	The proposal seeks to promote a compact, well designed and integrated urban form through a four-level building on an urbanised, and well-serviced site in the heart of Wanaka's developing commercial district, limiting urban sprawl. The workplace will be of very high quality both visually, and through a sustainable design, to become a desirable place to be. The low risk of liquefaction susceptibility will be adequately mitigated through foundation design. The site and development will be serviced by existing reticulated infrastructure, ensuring effects are adequately managed.
Objective	appropriately manage effects on that infrastructure.	
Objective 3.2.3	A quality built environment taking into account the character of individual communities.	The character of the developing area is a mix of 2 – 3 level commercial buildings.
Objective 3.2.3.2	Built form integrates well with its surrounding urban environment.	The proposed development will ensure quality of design and build will be incorporated into the character of the surrounding urban business community through the

Objective 3.3.12	Provide for a wide variety of activities and sufficient capacity within commercially zoned land to accommodate business growth and diversification.	compact, 4 - level commercial building. The development will enable retail and office use, providing diversity of use in the vicinity, but consistency for the established and establishing commercial buildings along Sir Tim Wallis Drive. The size of the building, and the
		carbon zero design provides for future business growth.
Chapter 16 – B	usiness Mixed Use Zone	
Objective 16.2.1	An area comprising a high intensity mix of compatible residential and non-residential activities is enabled.	The proposal will enable non-residential activity on a prominent site in an urbanised environment, where the use will be compatible with future residential, and other non-residential uses in the vicinity.
Policy 16.2.1.1	Accommodate a variety of activities while managing the adverse effects that may occur and potential reverse sensitivity.	The proposal will enable non-residential activity on a prominent site in an urbanised environment, where the use will be compatible with future residential, and other non-residential uses in the vicinity.
Policy 16.2.1.2	Enable a range and mix of compatible business, residential and other complementary activities to achieve an urban environment that is desirable to work and live in.	The use will be (is) compatible to the existing and future uses in the locality, ensuring the area is one that is desirable to work in.
Policy 16.2.1.3	Avoid activities that have noxious, offensive, or undesirable qualities from locating within the business mixed use Zone to ensure that a high quality urban environment is maintained.	The proposal involves retail and office space, where no noxious, offensive or undesirable qualities will be involved.
Objective 16.2.2	New development achieves high quality building and urban design outcomes that minimises adverse eÏ ects on adjoining residential areas and public spaces.	The building design, materials and layout will achieve a high-quality building and urban design outcomes, as assessed above.

Policy 16.2.2.1	Require the design of buildings to contribute positively to the visual quality, vitality, safety and interest of streets and public spaces by providing active and articulated building frontages, and avoid large expanses of blank walls fronting public spaces.	The building will positively contribute to the street, laneway, and other public spaces, and nearby / neighbouring private spaces through activation, materials, orientation, and modulation of the building façade.
Policy 16.2.2.3	Require a high standard of amenity, and manage compatibility issues of activities within and between developments through site layout, landscaping and design measures.	The proposal achieves a high standard of amenity and will ensure no compatibility issues between activities considering the retail and office use.
Policy 16.2.2.5	Incorporate design treatments to the form, colour or texture of buildings to add variety, moderate their scale and provide visual interest from a range of distances.	The building provides variety of the design through texture, colour, materials, façade and roof modulation, ensuring visual interest from a range of distances.
Policy 16.2.2.7	Allow buildings between 12m and 20m heights in the Queenstown (Gorge Road) and Frankton North business mixed use Zone in situations when: a. the outcome is of high quality design; b. the additional height would not result in shading that would adversely impact on adjoining Residential zoned land and/or public space; and c. the increase in height would facilitate the provision of residential activity.	Whilst this is applicable to Queenstown only, the proposal aligns with this policy in that the height of the building is 17m – 19.35m in height, and is of very high-quality design, on a prominent corner in the heart of the commercial district of Three Parks. There is no adjoining residential zoned land, and whilst some shading will occur on the nearby streets, when compared with the permitted baseline of a three-level building, this is anticipated to be minimal, if any. The increase in height would facilitate the provision of additional office space for the time being, however, this could be repurposed in the future if residential activity was desired.

Policy 16.2.2.8 Policy 16.2.2.10	Apply consideration of the operational and functional requirements of non-residential activities as part of achieving high quality building and urban design outcomes. Require consideration of the relevant design elements identified in the	The retail and office spaces have been specifically designed as such, to consider the operational requirements of such a space. As assessed above, the design of the development aligns
Chapter 29 - Tr	Business Mixed Use Design Guide 2019.	with the Design Guide.
Objective 29.2.1	An integrated, safe, and el cient transport network that: a. provides for all transport modes and the transportation of freight; b. provides for future growth needs and facilitates continued economic development; c. reduces dependency on private motor vehicles and promotes the use of shared, public, and active transport; d. contributes towards addressing the eï ects on climate change; e. reduces the dominance and congestion of vehicles, particularly in the Town Centre zones; and f. Enables the signiJ cant beneJ ts arising from public walking and cycling trails.	establish a development which provides for future growth needs, reduces dependency on private motor vehicles, and promotes the use of public (when available), and active transport. The design and sustainable approach of the building, and minimal vehicle parking, will

Overall, the proposal is not contrary to the relevant objectives and policies of the PDP.

7.7 Any Other Matters

Section 104(1)(c) requires Council to have regard to any other matter that it considers relevant and reasonably necessary to determine an application.

There are no other matters that are relevant to this application.

8 SECTION 104D

The 'threshold test' of s104D requires that for a non-complying activity, either:

a) The adverse effects of the activity on the environment will be minor; or

b) The application is for an activity that will not be contrary to the objectives and policies of the relevant plan, or relevant proposed plan, or both the relevant and relevant proposed plan.

As assessed in section 7.1 above, the effects of the activity on the environment will be less than minor.

As assessed in section 7.5, the application will not be contrary to the objectives and policies of the relevant proposed plan (PDP).

Therefore, the application passes the threshold test of s104D, and consent can be granted.

9 PART 2 MATTERS

Part 2 of the RMA sets out the purpose and principles of the Act. Of relevance to this application are:

5 Purpose

- (1) The purpose of this Act is to promote the sustainable management of natural and physical resources.
- (2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while
 - (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations;
 and
 - (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
 - (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

The proposal will sufficiently sustain the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations. This is done so through the design of the building, the carbon zero achievement, and the provision of ample office and retail space within an urbanised environment for employees of today, and the future generations. The proposal will not affect the life-supporting capacity of air, water, soil and ecosystems, considering its location and activity (s5(2)(b)). Adverse effects of the activity on the environment are avoided, or mitigated, as assessed in Section 7 of this AEE (s5(2)(c)). It is therefore considered that the proposed development represents the sustainable management of the district's natural and physical resources, as set out in Section 5 of the RMA.

Section 6 sets out matters of national importance. There are no matters of national importance of relevance to this application.

Section 7 lists other matters to have regard to. The proposal will encourage the efficient use and development of natural and physical resources (s7(b)), the efficient end use of energy (s7(ba)), the maintenance and enhancement of amenity values (s7(c)), and the quality of the environment (s7(f)), and the effects of climate change are adequately addressed and mitigated (s7(i)).

Regarding Section 8, there are no known values of cultural importance for this site and development, and the principles of Te Tiriti o Waitangi are taken into account through the relevant sections of the PDP, and NPS.

It is therefore considered that the proposed development achieves the purpose of the RMA.

10 NOTIFICATION

10.1 Public Notification

Section 95A of the RMA sets out a 'step by step' process that Council must follow when determining whether to publicly notify an application.

Under Step 1, the application is not required to be publicly notified:

- the application is not requested to be publicly notified;
- public notification is not required under s95C;
- the application is not made jointly with an application to exchange recreation reserve land.

Under Step 2, the activities are not subject to a rule or NES that precludes public notification.

Under Step 3, the application is not required to be publicly notified:

- the activities are not subject to a rule or NES that requires public notification;
- in accordance with s95D, as assessed in section 7 above, the activity is not likely to have adverse effects on the environment that are more than minor.

Under Step 4, there are no special circumstances that warrant the application being publicly notified.

Consequentially, the application should not be publicly notified.

10.2 Limited Notification

Section 95B sets out the process for limited notification of an application:

Under Step 1, the application is not required to be notified to certain affected groups:

Aspiring House, by ROA

28

- there are no affected protected customary rights groups;
- there are no affected customary marine title groups;
- the activity is not on or adjacent to, or may affect land subjected to a statutory acknowledgment.

Under Step 2, the activities are not subject to a rule or NES that precludes limited notification.

Under Step 3, the application is not required to be limited notified:

- the application is not a boundary activity;
- in accordance with s95E, as assessed in section 7 above, there are no affected persons.

Under Step 4, there are no special circumstances that warrant the application being limited notified.

Consequentially, the application should not be limited notified, and should progress through a non-notified process.

11 CONCLUSION

Resource consent is sought for a four-level commercial building at 20 Sir Tim Wallis Drive, Three Parks, Wanaka. The building will be the first in the Southern Hemisphere to achieve the only global sustainability certification for net zero carbon buildings.

The application is a non-complying activity in the Proposed District Plan.

Adverse effects on neighbours and the environment are less than minor, overall positive, and therefore can be processed on a non-notified basis, pursuant to Section 95A and 95B of the RMA.

The project is consistent with and not contrary to the local, regional and national policy framework, and the threshold test of Section 104D of the RMA is passed.

Therefore, pursuant to Section 104B of the RMA, resource consent can be granted for the proposed development.

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29

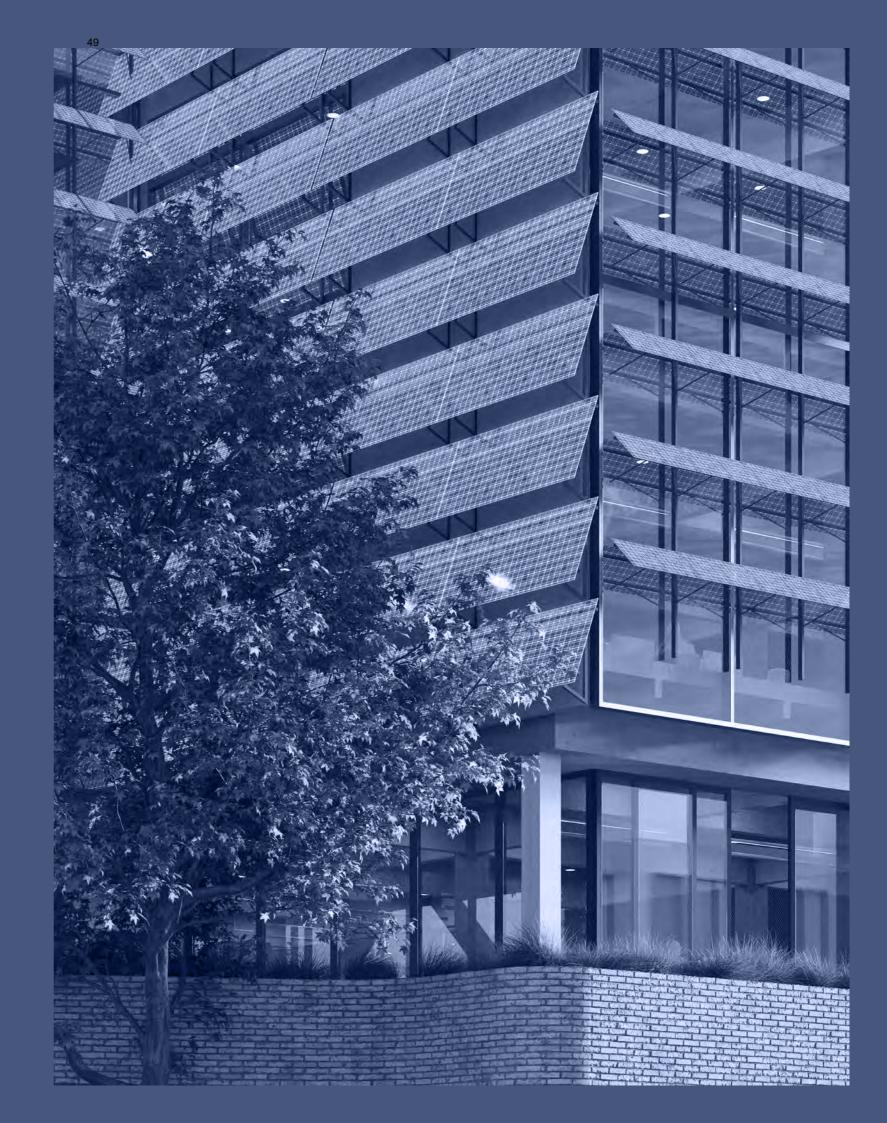
APPROVED PLAN RM230893

Thursday, 04 April 2024

20 Sir Tim Wallis Drive Project Number 10022

Wānaka Lot 48





APPROVED PLAN: RM230893

Thursday, 04 April 2024

Prepared For

Roa

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Disclaimer

While Warren and Mahoney has endeavored to summarise the concept design process in this document and appendices, the report format cannot represent the broad range and depth of information captured on the preliminary design Drawings, Specifications and Schedules. Approval of the specific issues contained in this report does not discharge the obligation of the client team to review the drawings and specifications in their entirety.

QUEENSTOWN LAKES DISTRICT COUNCIL APPROVED PLAN: Contemps of the contemps of the council process of the council

Key Design Drivers	
Site Plan	
Building Form	
General Arrangement Plans	1
Building Overhang	1
Laneway Parking	1
Building Sections	1
Building Elevations	2
Materials	2
Appendices: Outline Specifications	2
Appendices: Services Report	3



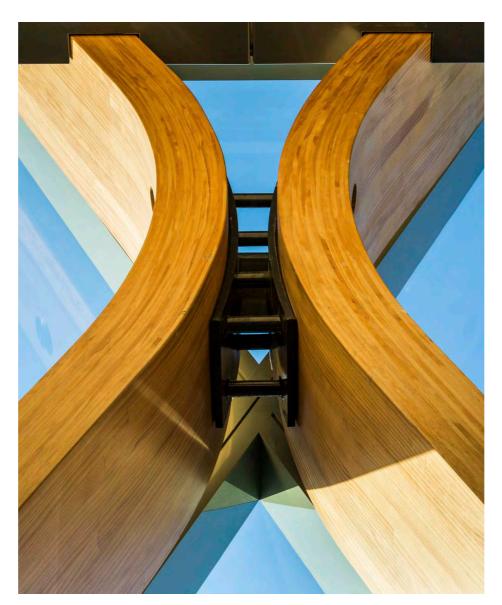
QUEENSTOWN LAKES DISTRICT COUNCIL **APPROVED PLAN:**

RM230893 Key Design Drivers Thursday, 04 April 2024

A New Typology

Three Parks development represents a new type of large scale development for Wanaka. It will be vital in meeting current demand for retail, commercial, and residential space and will be key in defining the future of the Wanaka township.

The design of the mixed use buildings, in particular, offers a unique opportunity to create a new building typology that celebrates Wanaka's unique landscape, community, and history, and sets a sustainable benchmark for future development.



Low Carbon Future

Reducing the carbon intensity of our buildings is vital if New Zealand is to meet our carbon reduction commitments to ensure the prosperity of future generations. To create a meaningful positive impact our environment, is becoming increasingly vital to landscape and surrounding wilderness have created a unique community that is align sustainable design with tenant expectations and commitments.

We have utilised the latest technology to test different design strategies and their impacts on embodied carbon and building energy use. This process has driven choice of timber primary structure, window sizing and orientation, along with selected The design for Aspiring House needs to sit comfortably within this context and not building materials to ensure the carbon footprint is minimised.



Unique to Wānaka

Wānaka has a unique, spectacular natural setting with distinctly beautiful seasons that make it a highly desirable location to visit and live. This dramatic alpine defined by love of the nature and sense of adventure. This is reflected in the built environment which is vibrant and contemporary, but also steeped in its rural past and respectful to its natural beauty.

only maintain but enhance the unique character of Wānaka.

APPROVED PLAN: RM230893

Thursday, 04 April 2024





Designing a building with a focus on well-being involves creating spaces that promote physical and mental health, enhance productivity, and foster a sense of comfort and connection.

This is achieved by maximising access to daylight and views, providing good indoor air quality, and reducing materials that contain harmful chemicals such and VOCs. The use of natural materials, along with spaciousness and generous ceiling heights, helps to create spaces that are uplifting and desirable work in.



Community

The proximity to outdoor and retail amenities is key in creating a desirable workplace. Being able to develop the design of Aspiring House 'hand-in-hand' with the adjacent Laneways allows for the creation of the right mix of commercial and retail tenants while also enabling the inclusion of meaningful urban spaces such as laneways and outdoor breakout spaces.

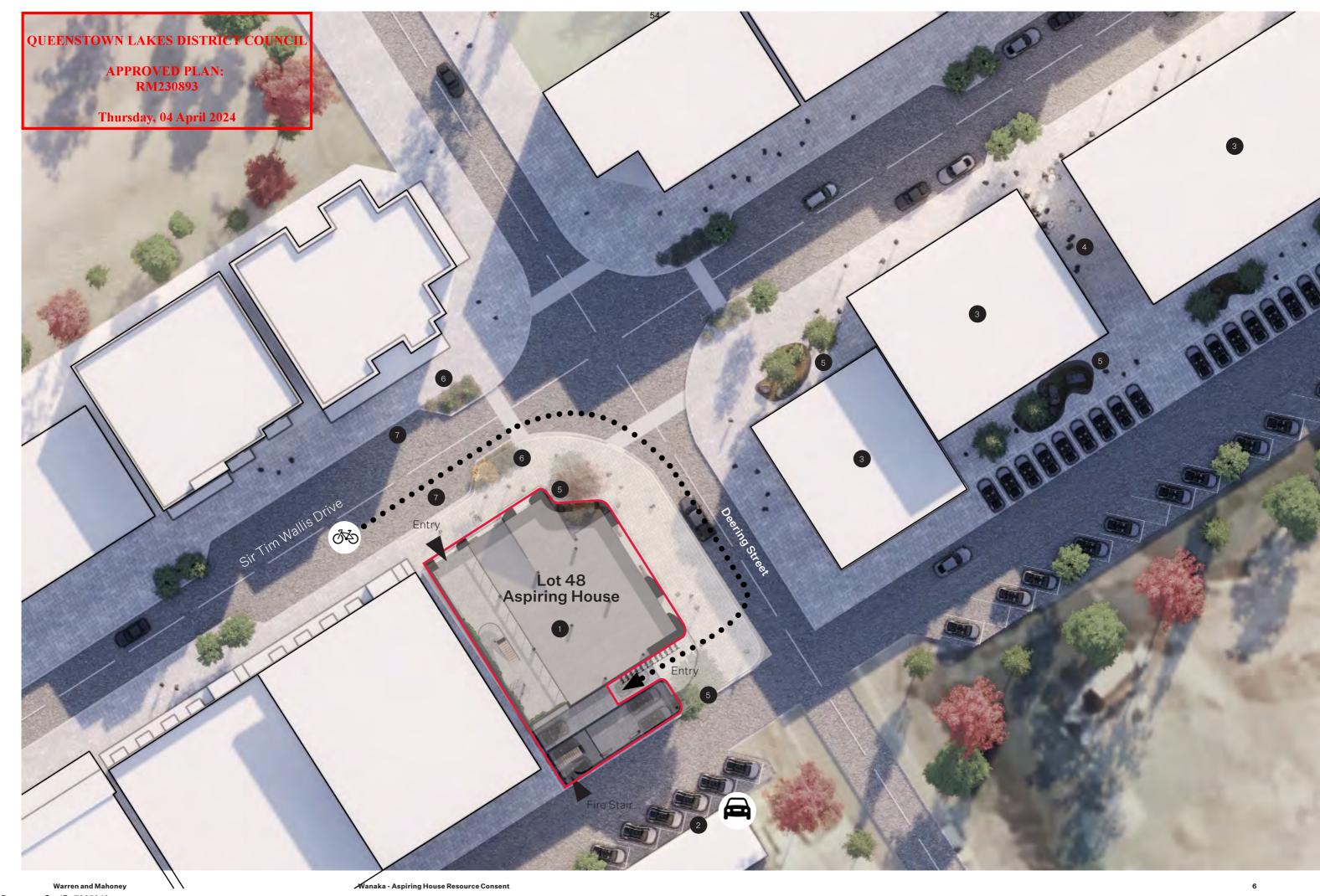
Creating pedestrian and cycle friendly urban spaces amongst the new buildings maximises the foot traffic potential and creates a vibrant, people-friendly environment.



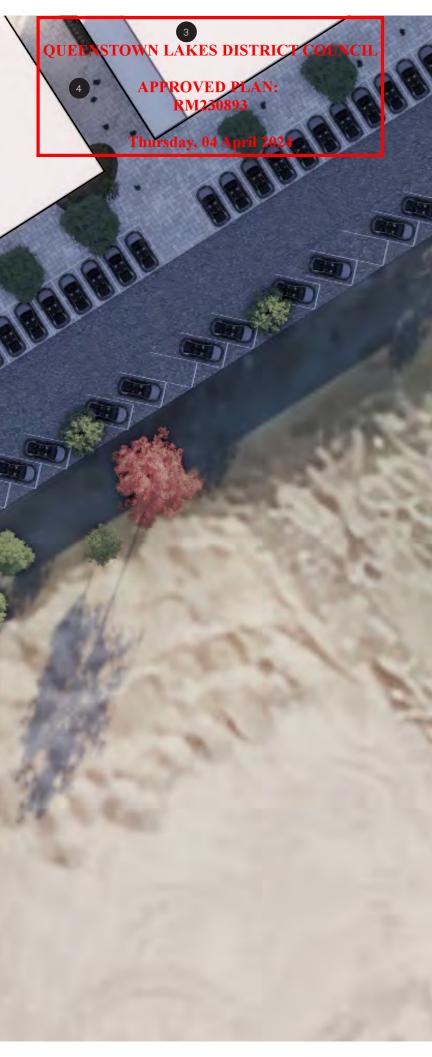
Enduring

Designing a building within new large scale development can be challenging. When multiple buildings are being designed concurrently it an be difficult to maintain consistency in architectural style.

Focusing on timeless design moves such as quality natural finishes, timeless proportions, and a balance of glazing and solid facade can help to create a calmer and more enduring urban environment.



Document Set ID: 7835848 Version: 1, Version Date: 23/11/2023



Site Plan

KEY

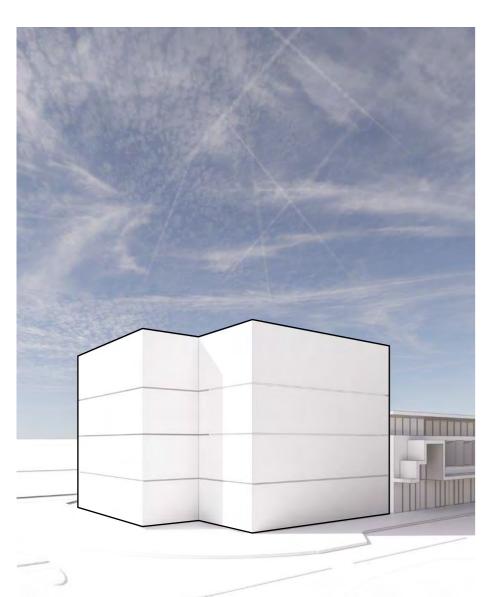
Aspiring House	1
Parking Off Rear Laneway	2
Future Development	3
Future Access	4
Proposed New Planting	5
Existing Planting	6
Existing On Street Parking	7

QUEENSTOWN LAKES DISTRICT COUNCIL APPROVED PLAN: Building Form Conceptus tay, 04 April 2024

FORM.

The proposed four storey height of the building gives prominence and pressence to the corner site. The increase in occupancy can enhance the surrounding precinct and help to activate and support local retail businesses.

When designing a building concurrently with the neighboring sites it is key to ensure the building form is articulated to generate a scale that is appropriate to the envisioned urban grain as defined in the Lakes District Council's design guidelines.



TACTILE BASE.

The love of the great outdoors is a defining character of the Wānaka community. The introduction of terraces, balconies, and opening windows create links between the internal workplaces and the external realm. They add a layer of vibrancy and connectivity to both the workplaces and surrounding urban spaces.

Including brick and natural materials at ground level, and planting in the landscape and in the architecture, further enhances links to nature and increases the sense of wellbeing of building users and the public.



ARTICULATION.

Human-scale buildings foster a sense of connection between individuals and their environment. When buildings are proportionate to human scale, they create a more intimate and relatable setting and will feel more appropriate within the Wānaka setting. Creating variety in the height and form of the facade enhances this sense of human scale and provides a richer urban environment.



APPROVED PLAN: RM230893

Thursday, 04 April 2024

DEMONSTRABLY SUSTAINABLE.

Introducing solar panels to the facade helps to achieve Zero Carbon target for operation use. Used as cladding, the solar panel are also a visual expression of the buildings sustainable credentials and create a strong brand for the building and its occupants.

Reflections of the sky in the cladding celebrates the sweeping vistas and 'big sky' of the Central Otago landscape. The thin edge of the panels and light weight cladding to the upper levels creates a contrast to the brick base and aligns with the aspirations set out in the Lakes District design guidance.





APPROVED PLAN RM230893

Thursday, 04 April 2024

General Arrangement Plans

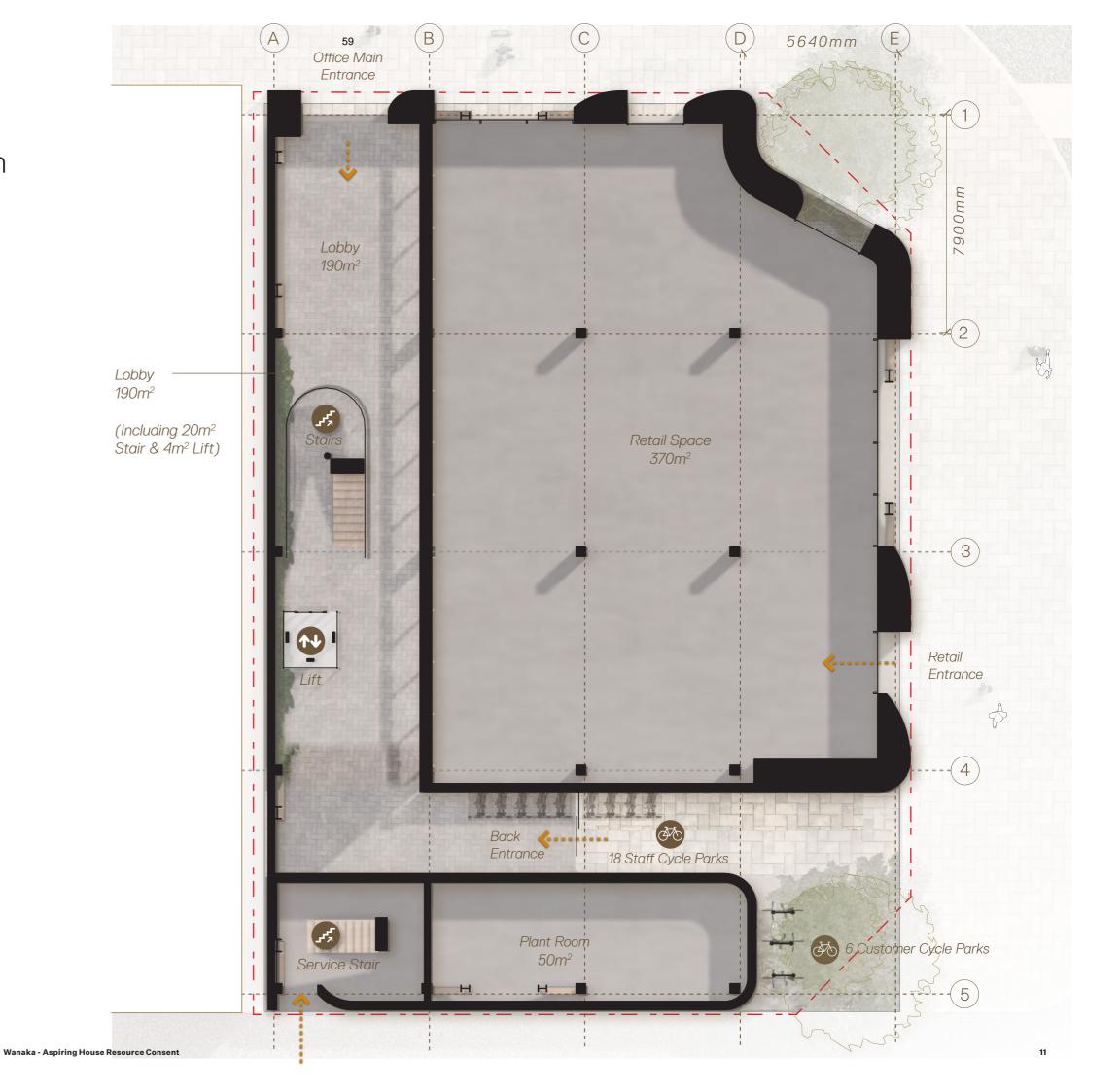
 (M^2)

LEVEL 0 - NLA
(Excluding wall thickness, fire stair, riser plant & lift)

LEVEL 0 - GFA
(Outside face of building envelope)

535m²
680m²

Note area totals are approximate. Further refinement of areas will occur during Preliminary Design phase



APPROVED PLAN: Level 1 Poffice

General Arrangement Plan

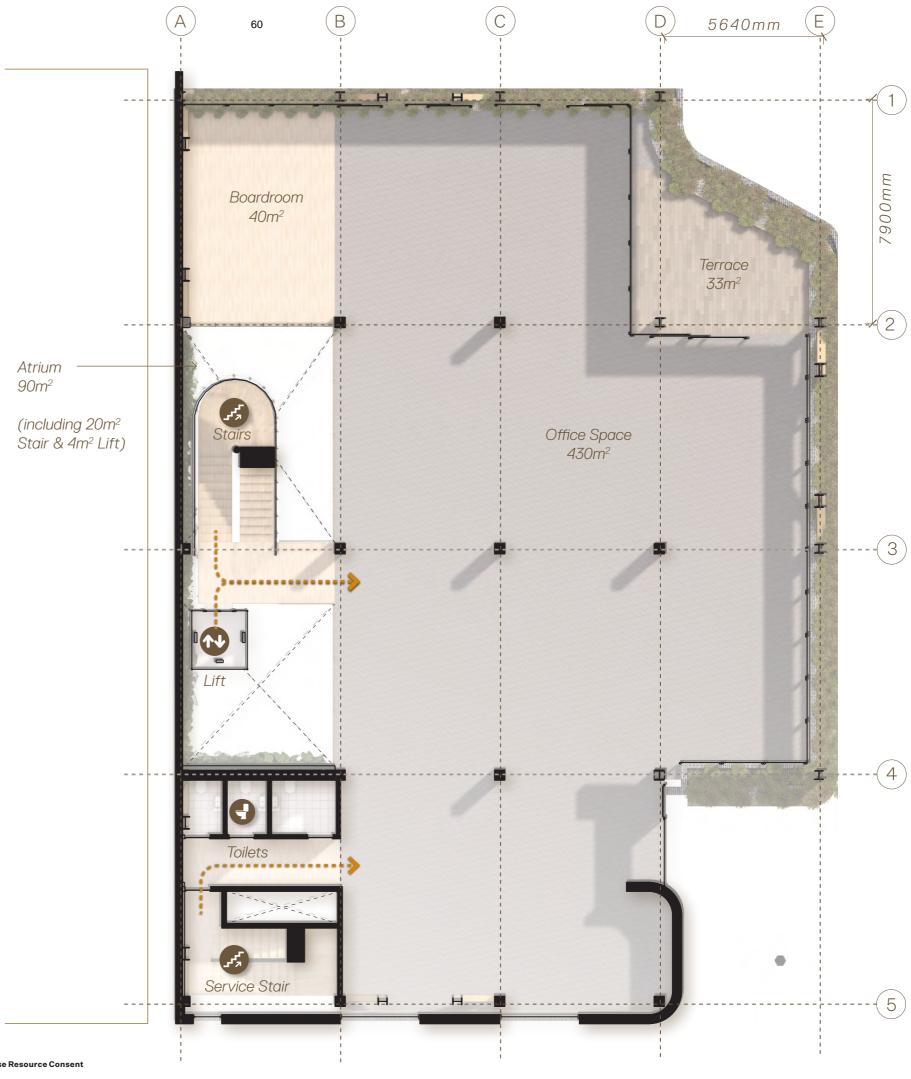
 (M^2)

LEVEL 1 - NLA
(Excluding wall thickness, fire stair, riser & lift) (including Atrium stair, toilets & terrace)

LEVEL 1 - GFA
(Outside face of building envelope)

645m²

Note area totals are approximate. Further refinement of areas will occur during Preliminary Design phase



APPROVED PLAN: Level 2 Moffice

General Arrarigement Plan

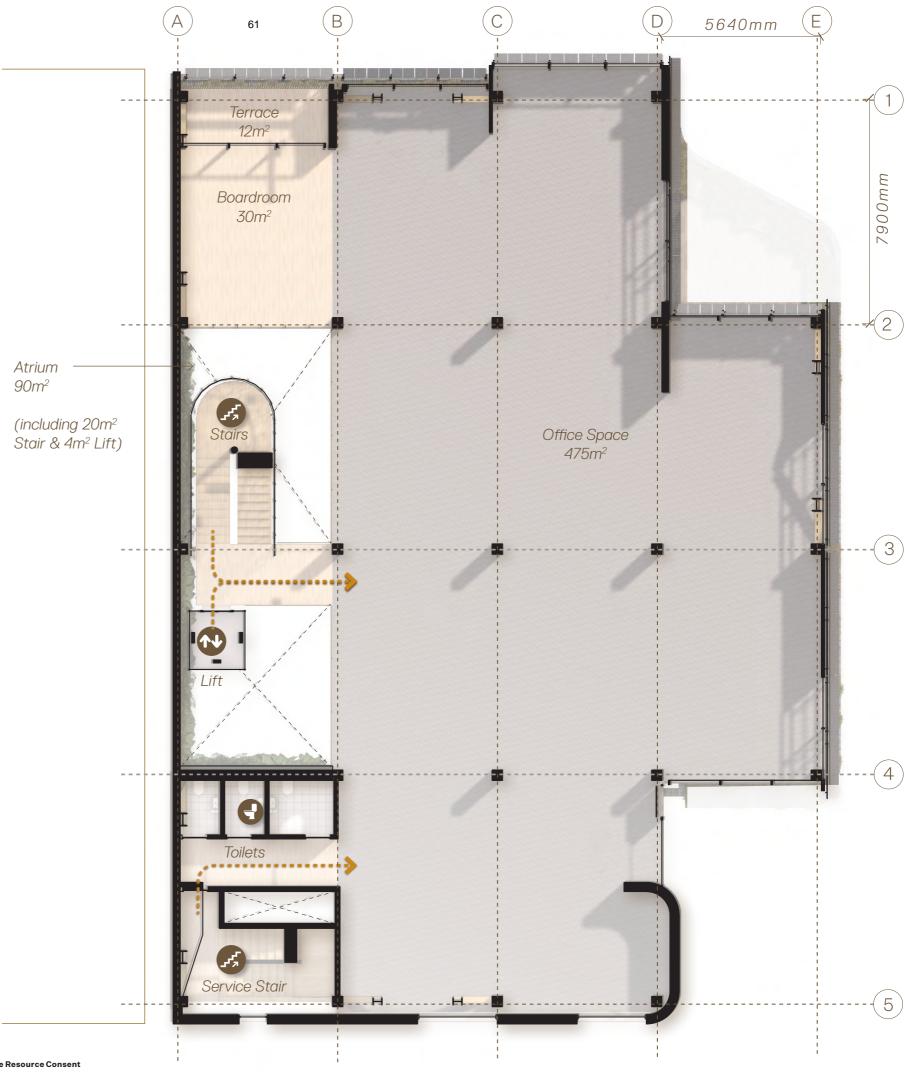
 (M^2)

LEVEL 2 - NLA
(Excluding wall thickness, fire stair, riser & lift) (including Atrium stair, toilets & terrace)

LEVEL 2 - GFA
(Outside face of building envelope)

650m²

Note area totals are approximate. Further refinement of areas will occur during Preliminary Design phase

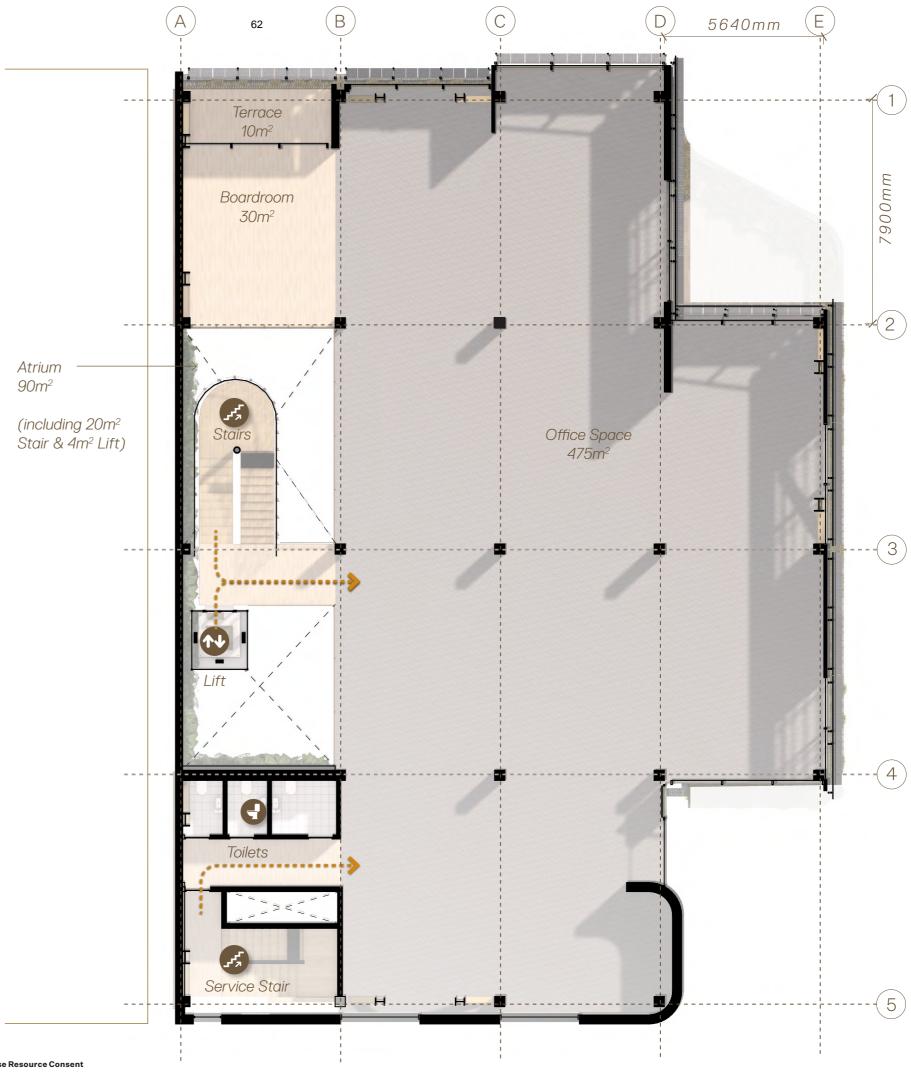


APPROVED PLAN:
Level 3 Moffice
Genemala Pranigament Plan

(M²)

LEVEL 3 - NLA (Excluding wall thickness, fire stair, riser & lift)	650m²
LEVEL 3 - GFA (Outside face of building envelope)	665m ²

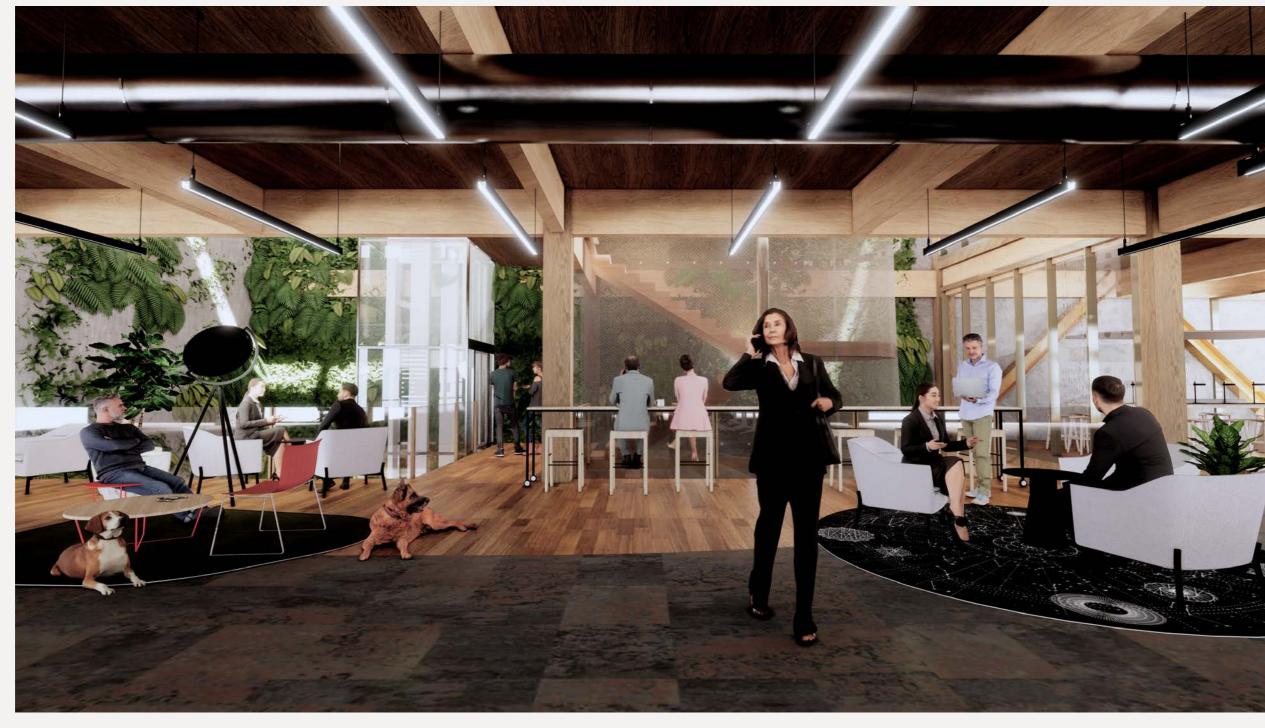
Note area totals are approximate. Further refinement of areas will occur during Preliminary Design phase



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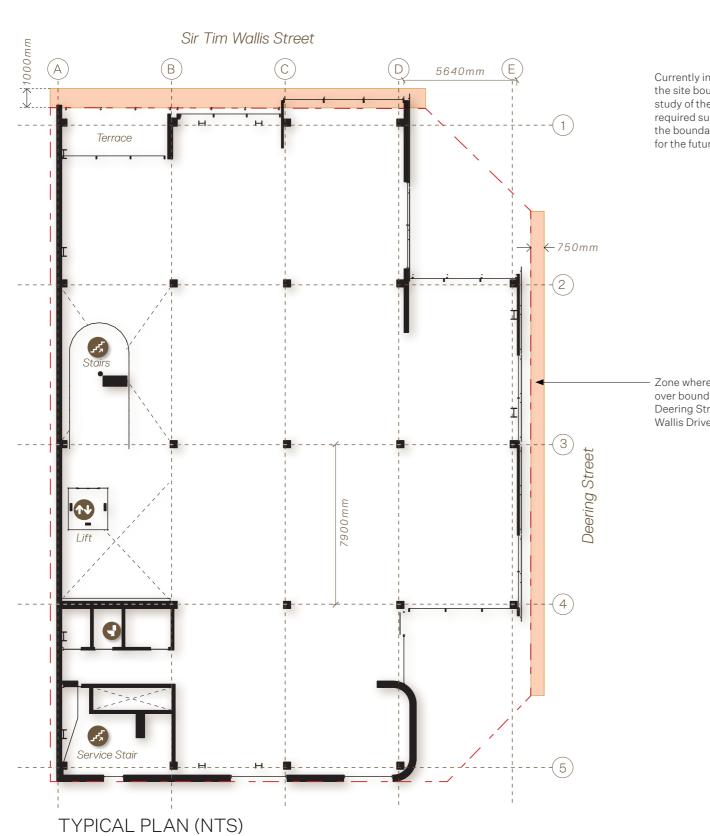
APPROVED PLAN: RM230893

Thursday, 04 April 2024



Solar Pariers

Overhang to Botindaries



Currently indicated solar panels sit within the site boundary. However, a more detailed — study of the optimal solar panel angle and the required support frame may push this over the boundary. An allowance should be made for the future design development.

 Zone where solar panels may overhang over boundary. 750mm overhang on Deering Street and 1000mm on Sir Tim Wallis Drive.



SECTION THROUGH DEERING STREET FACADE (NTS)

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:

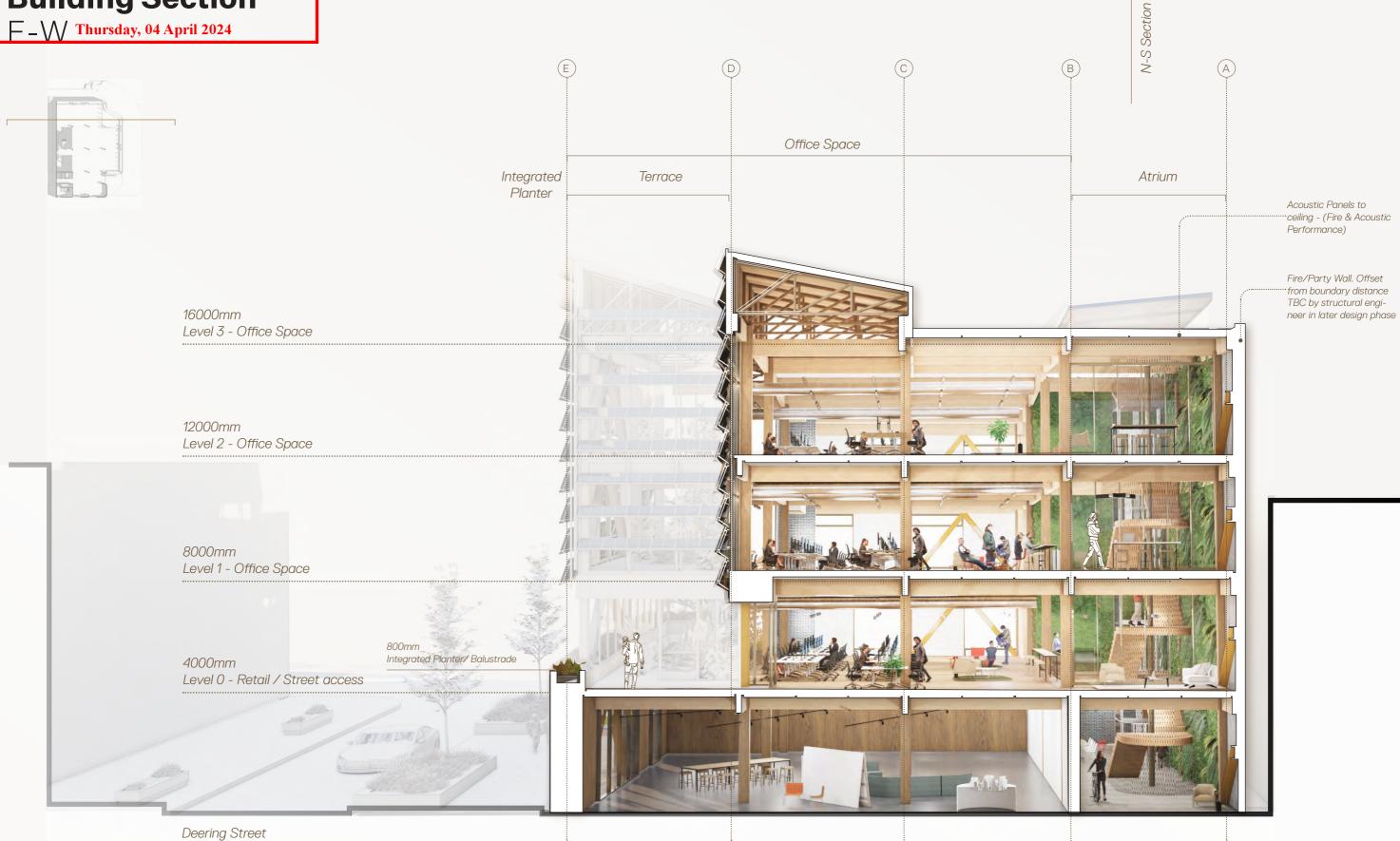
Site Plan 230893

Lane Wayy, Planking



Wanaka - Aspiring House Resource Consent





APPROVED PLAN: RM230893

Thursday, 04 April 2024



APPROVED PLAN: Building Section

N-S Thursday, 04 April 2024



This design approach focuses on integrating nature into the building's environment, known as biophilic design. The lower part of the building's exterior, which is at pedestrian level, aims to replicate natural and organic shapes to enhance the interaction with pedestrians. To bring nature indoors, a green wall is planned for the atrium, and there's a proposal for an integrated planter within the facade of the first level.



Solar photovoltaic (PV) panels will be installed on the roof, as well as on the north and east sides of the building to generate renewable energy onsite. The energy consumption will be measured through metering.



Efforts will be made to control solar exposure and allow filtered light into the building. The PV panel arrangement serves a dual purpose: it acts as a shading mechanism and generates energy.



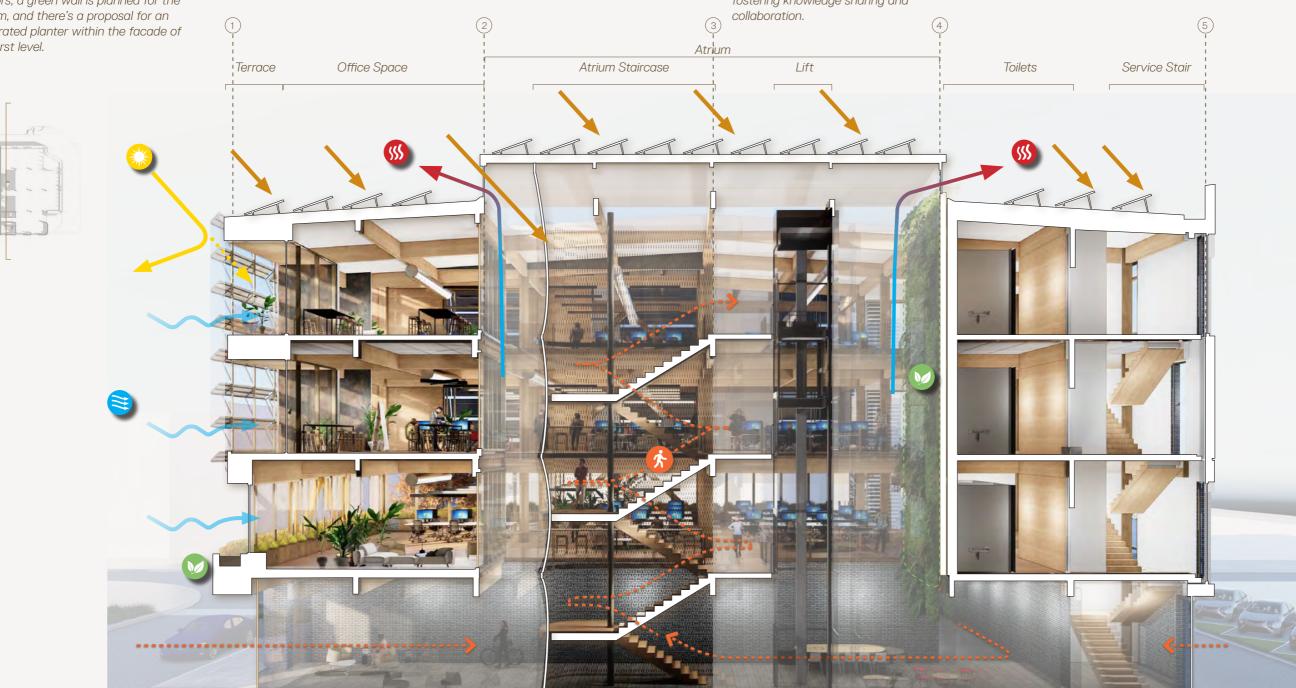
The building design focuses on human scale and encourages walking by featuring a centrally located staircase. To ensure accessibility for everyone, a prominent lift will be positioned alongside the staircase. The central atrium is designed to serve as a gathering space for occupants, fostering knowledge sharing and



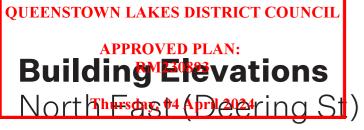
The atrium will utilise the stack effect to enhance natural ventilation. Additionally, a pop-up roof structure will help disperse exhaust efficiently.

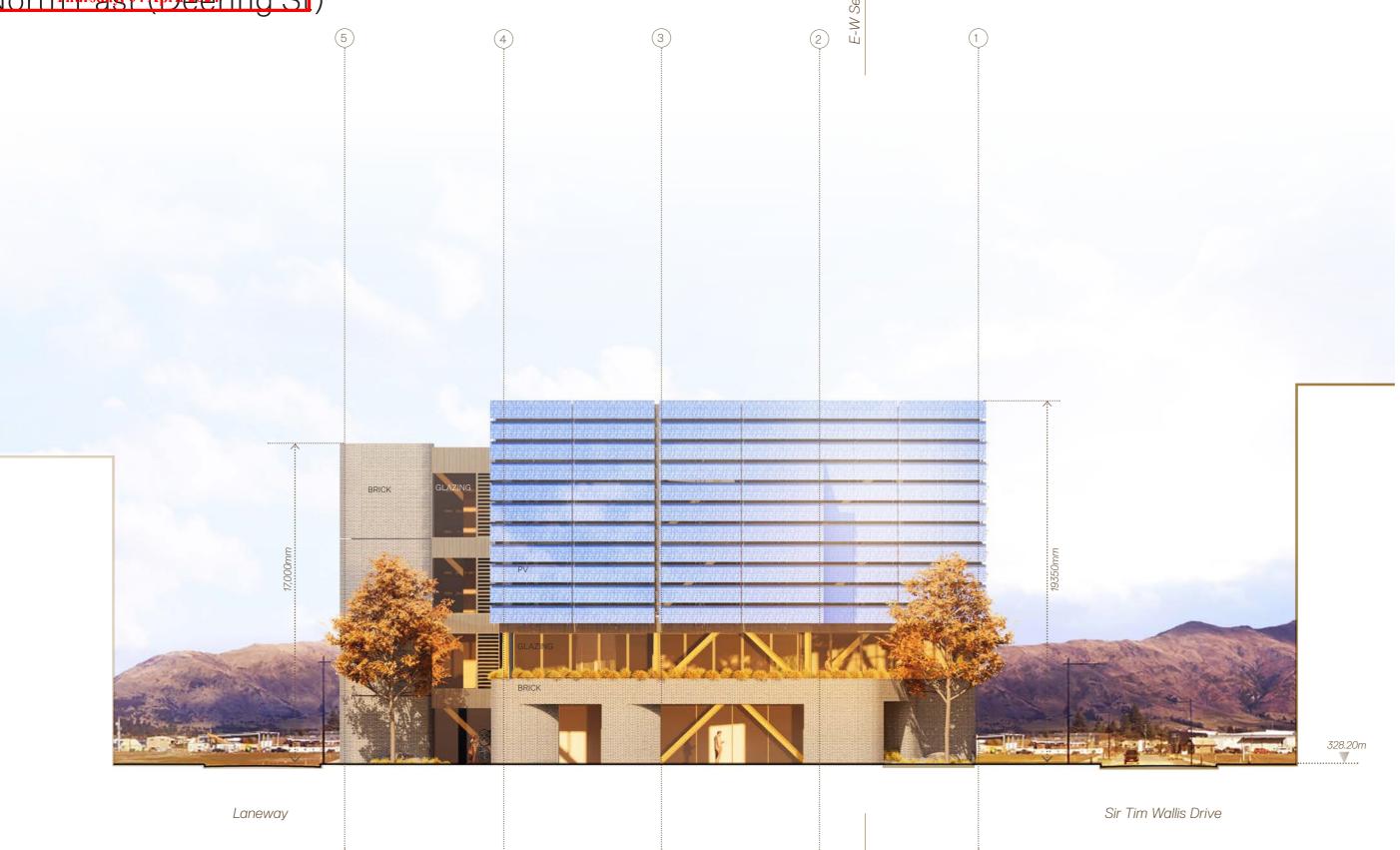


Natural cross ventilation strategies will be employed to promote fresh air circulation throughout the building and work to compliment the stack effect created in the Atrium.

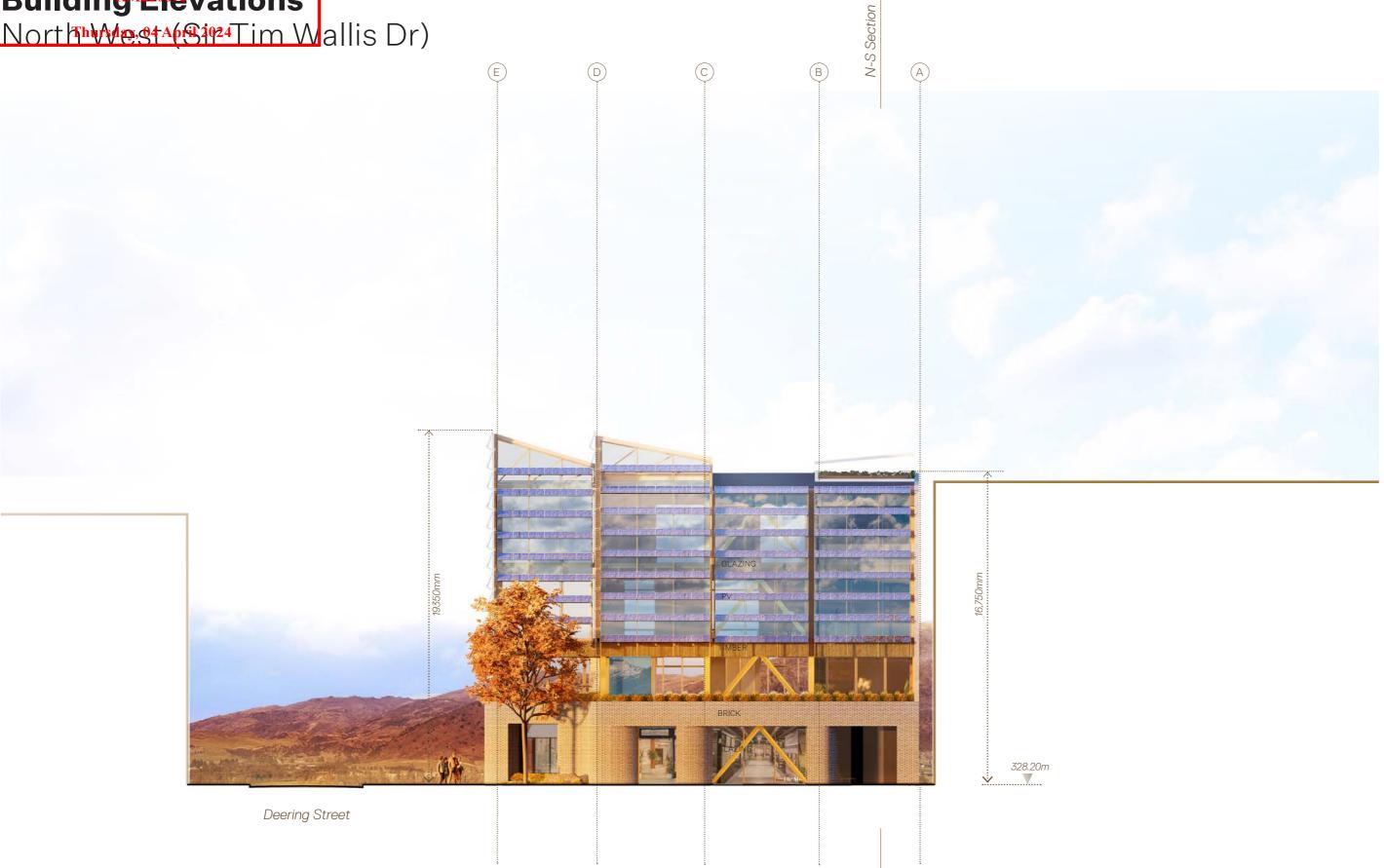


Sir Tim Wallis Drive





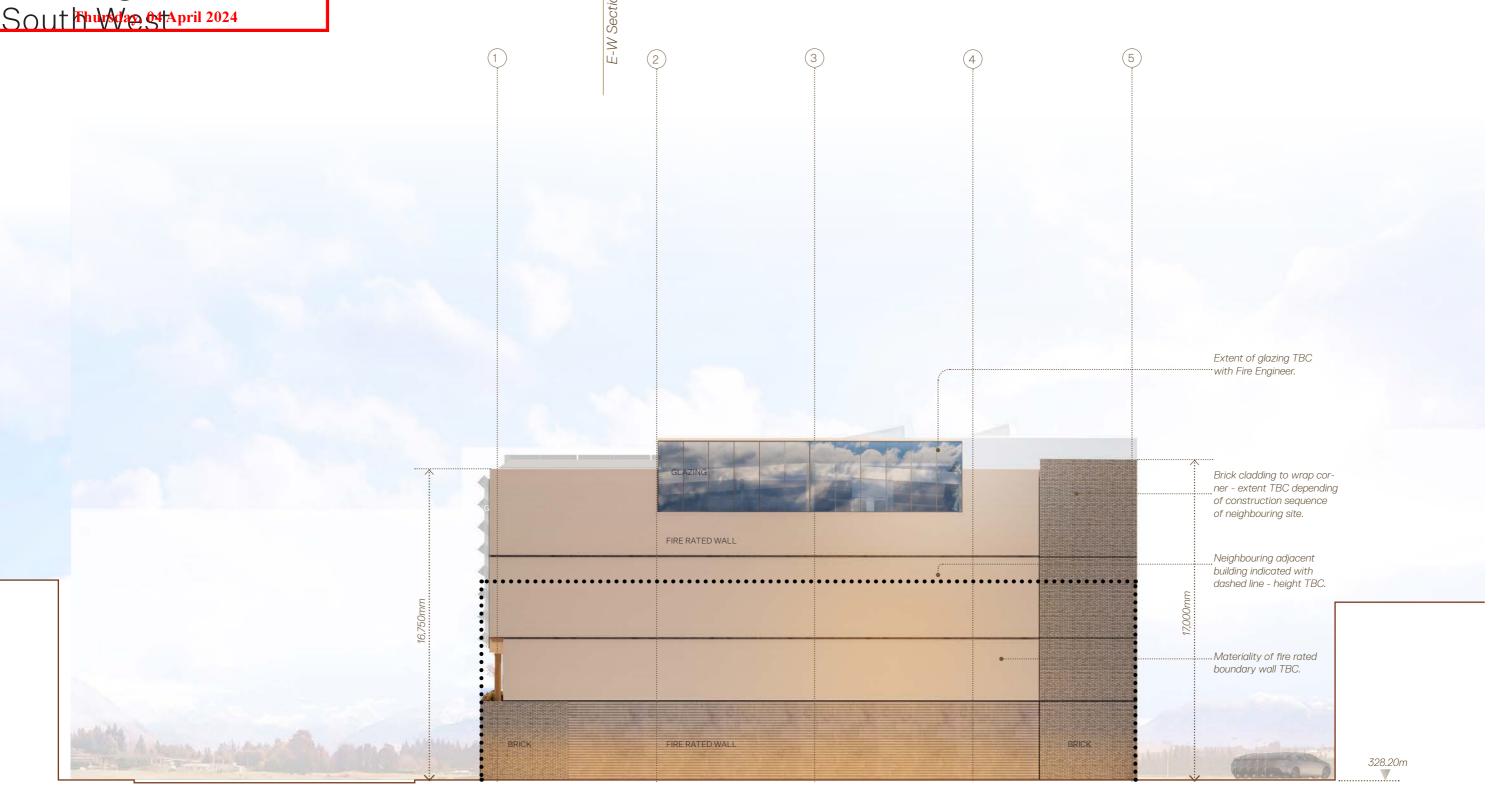
APPROVED PLAN: Building Erevations North Office of Approved Plan: North Office of Approved







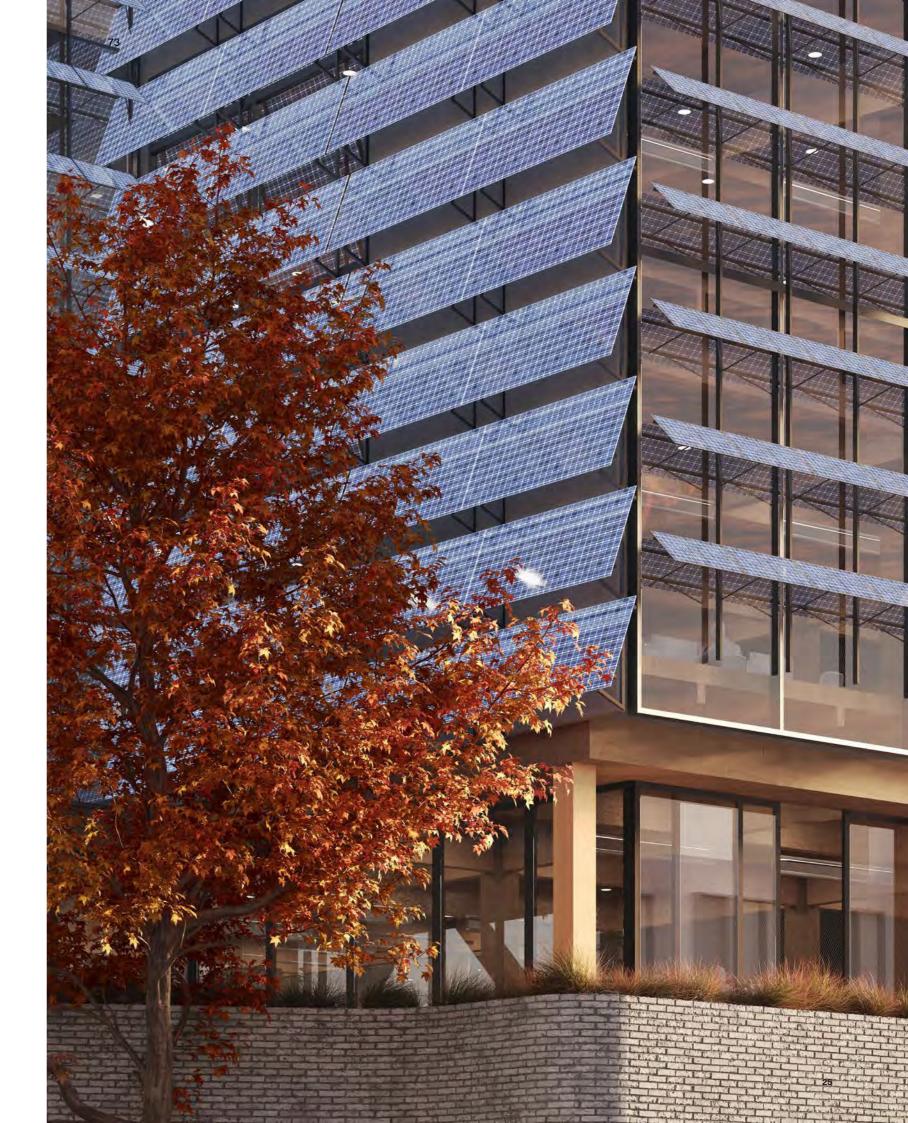
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Sir Tim Wallis Drive Laneway

APPROVED PLAN: RM230893

Thursday, 04 April 2024



APPROVED PLAN: Materia 130 893



Vertical large format porcelain panels.



PV Panels

On Custom Aluminium Bracket system



Timber Cladding

Vertical boards - timber finsh TBC





TS-01 Timber Structure

CLT columns. CLT & Potius



Steel Structure

Exposed Perimeter Columns at Level 1



BC-01 Brick

Grey brick from local supplier. Roman brick module.



Polished Concrete floor Retail Space



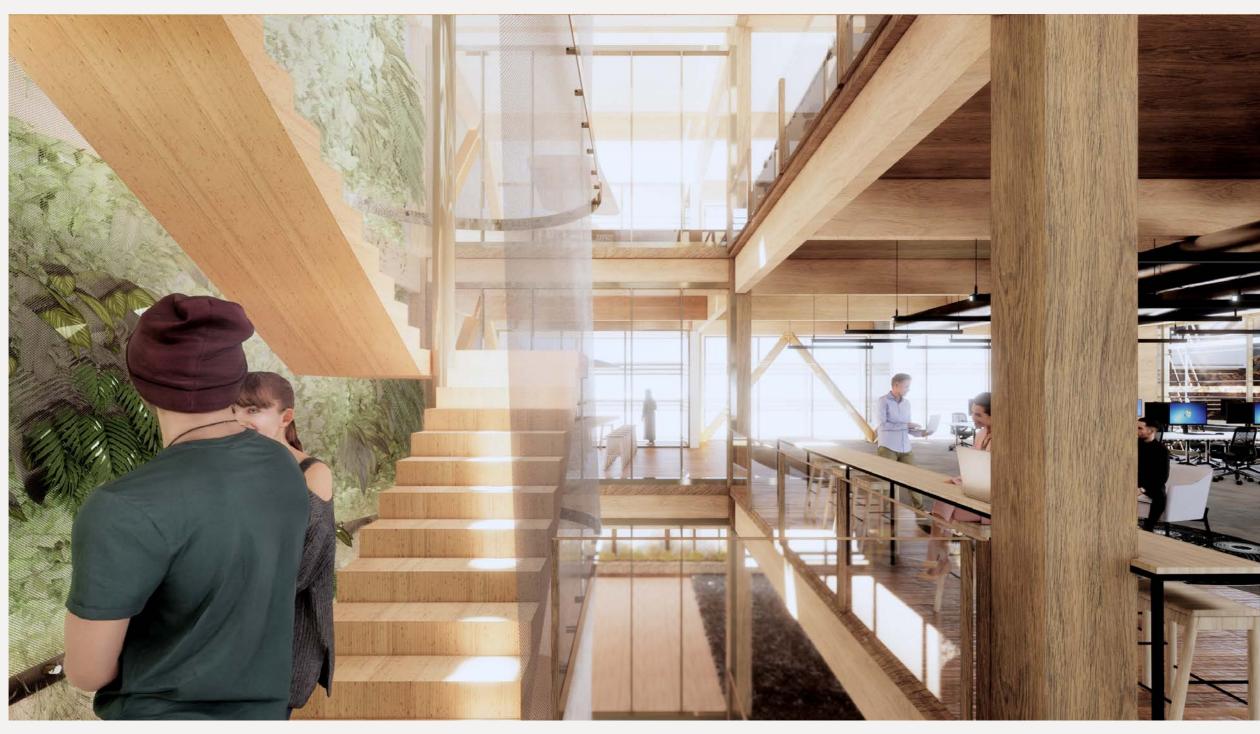
APPROVED PLAN: Indicta^{RM230893} nterior View

Thursday, 04 April 2024



APPROVED PLAN: Indicati RM230893 erior

Thursday, 04 April 2024



APPROVED PLAN RM230893

Thursday, 04 April 2024

Christchurch

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Our offices span across New Zealand and Australia, yet we operate as one.

AUCKLAND
TAURANGA
WELLINGTON
CHRISTCHURCH
QUEENSTOWN
SYDNEY

APPROVED PLAN RM230893

Thursday, 04 April 2024

Appendices

0.3 Services Report

Warren and Mahoney Wanaka - Aspiring House Resource Consent



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Aspiring House ESD, Mechanical, Electrical & Hydraulic Services

Concept Design Report 31st August 2023



Aspiring House
Mechanical, Electrical, Hydraulic Services & ESD
QUEENSTO WINDAKES DISTRICT COUNCIL

APPROVED PLAN: RM230893

Thursday, 04 April 2024

Rev No.	Date	Revision Details	Compiler	Authors	Verified	Approved
CD1	31/08/2023	Concept Design	AV	AV, MK, CF, MH, DF	DF	AV

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Aspiring House QUEENSTOWN LUAKES DISTRICTS COUNCIL

1.0 APPROVED PLAN:

This report was compiled for the proposed building services at the concept design stage of the proposed office building Asbiring Touse, at 1 of 48 Sir Tim Wallis Drive, Wanaka, for Southern Lakes Property Trust.

It describes the Environmentally Sustainable Design (ESD) considerations for this project, as well as the Mechanical, Electrical and Hydraulic Services.



2.0 ENVIRONMENTALLY SUSTAINABLE DESIGN (ESD)

THE NEED FOR A MORE SUSTAINABLE LOW CARBON FUTURE - A NEW 2.1 BUSINESS AS USUAL.

What does 'leadership' in 'environmental sustainability' really mean in the era of accelerated climate change? It is said that we only have 10 years left to make a meaningful change in carbon emissions to avoid catastrophic climate change and associated economic effects.

Buildings in New Zealand contribute 20% of our Greenhouse gas emissions with approximately half due the materials manufacture, construction, replacement, and disposal (embodied carbon) and the other half from emissions due to energy and water use (operational carbon).

Building Owners need to respond to this imperative quickly and effectively as part of their commitment to our collective future.

The first official report from the Climate Change Commission released on 31 January 2021 has found the government needs to further reduce emissions to meet its obligations under the Paris Agreement. ESD is becoming very much Business as Usual (BAU) and needs to be factored into any costings accordingly.

The bar has already been raised by the Government with updated and significantly higher H1 Energy Efficiency Building Code requirements.

The Ministry of Business Innovation & Employment has also engaged in a consultation process in July 2020 on its Building for Climate Change (BfCC) programme intending to transform the building and construction sector.

The Building for Climate Change Program will deliver settings to drive transformation, provide the tools the Sector needs to meet the new challenges, and establish a system that will deliver lasting change. This will not be a few quick fixes but a 'once in a generation' system change to help deliver the climate change outcomes New Zealand is asking for. To make this change the environment the Sector operates in needs to shift.

We need to change the attitudes and beliefs of those who are making the day- to- day decisions as well as those of the consumers who drive the Sector's responses.'

It was announced on the 10th of February 2021 that the Resource Management Act is to be repealed and replaced by three new acts: Natural and Built Environment Act, Strategic Planning Act and Climate Change Adaptation Act. Whilst it will not be applicable to this development, this illustrates another regulation shift.

ESD and Low Carbon Design are therefore very much Business as Usual in the new environment we find ourselves in, with the confluence of both top- down regulation by the Government and bottom-up aspirations of Industry bodies, clients and consumers driving much needed change.

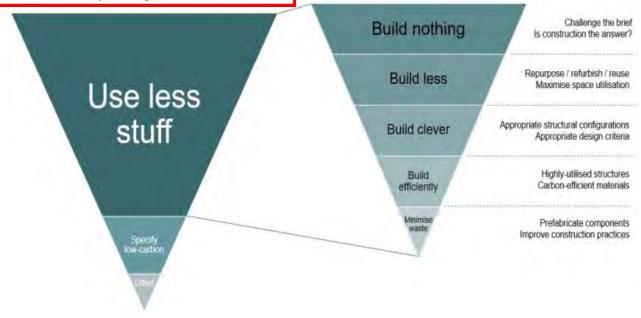




Aspiring House Mechanical, Electrical, Hydraulic Services & ESD QUEENSTOWNIBAKES DISTRICT COUNCIL

2.2 APPROVEDNOTANNG, BUILD LESS, BUILD CLEVER, BUILD EFFICIENTLY AND IRMANOSP3WASTF

Thursday, 04 April 2024



2.3 PROPOSED STRATEGY FOR A LOW/ZERO CARBON BUILDING

As part of the Concept Design proposals, we are proposing the following main initiatives for reducing energy use and associate carbon emissions.

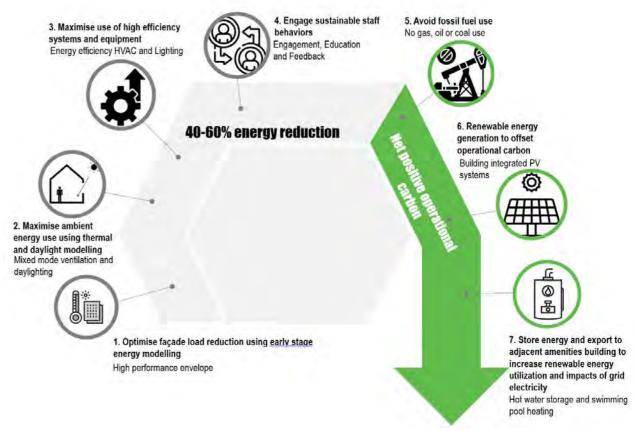
- maximising the energy efficiency of the building and its systems/equipment,
- maximising the contribution of passive renewable energy resources and
- providing an optimally sized PV array for building which will avoid excessive export to the grid.
- A high level of engagement with facilities management staff, and general staff using metering and dashboards as smart infographics.
- The use of fossil fuels will be avoided.

The primary response in terms of an energy and carbon strategy for the building will be to develop a 10-Point Plan for the project to reduce both operational and embodied carbon. 7 points relate to operational carbon reduction and 3 points to embodied carbon reduction.

2.4 7-POINT PLAN REDUCING OPERATIONAL CARBON

The architect has indicated a desire to develop a zero-carbon building solution in terms of both operational and embodied carbon (potential for one-off carbon offset)

The seven-point operational carbon reduction strategy for the building, noting the inherent limitations in terms of available roof area for energy generation. Our aim being to get to low/zero carbon use.



OPTIMISING THE FACADE

In terms of load reduction and developing a high-performance façade. Window to wall ratio, glass type and thermal insulation levels.

2 MAXIMISING AMBIENT ENERGY USE

By using mixed mode natural and heat recovery mechanical ventilation and daylighting. Window openings and dispositions. These first two elements of the strategy would be optimised and maximised using a combination of thermal, daylight and energy modelling with early prototyping in an 'Engineering without Engines' approach.

3 MAXIMISE HIGH EFFICIENCY EQUIPMENT AND SYSTEMS

This element of the strategy will be achieved by using best in class systems and equipment including.

- An energy efficient façade is proposed. Use of efficient glazing with double glazed low e IGUs with selective coatings for control of heat loss and heat gain together with highly insulated curtain wall panels roof and suspended floor. The building fabric will provide a high standard of airtightness and avoid thermal bridging wherever possible.
- Use of energy efficient 4-pipe fan coil units with heating, cooling and ventilation including a heat recovery tempered air system.
- High efficiency Heat Pump Chiller
- Electric domestic hot water supply offset by solar PV panels or Central CO2 Hot water heat pump.
- High efficiency variable speed fans and
- All spaces predominantly daylit during daytime hours.



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- Approxycliphting Anti-include 100% use of LED lighting and a semi- automated/manual lighting control system M230893
- A building management system will be provided with main and sub-electrical metering for energy **Thursdame04aApprib**2024with an energy and water overlay such as Quasar, Coppertree or Optergy.

4 ENGAGE SUSTAINABLE USER BEHAVIOURS IN CONJUNCTION WITH FACILITIES MANAGEMENT AND OPERATIONAL STAFF

This element of the strategy will be achieved by a strong level of engagement including.

- First year fine tuning and energy targeting/monitoring
- Use of energy metering, infographics and building dashboards to communicate building performance and achievement of targets to staff.

5 AVOID FOSSIL FUEL USE

The use of gas will be avoided entirely.

6 REDUCING PEAK DEMAND AND OVERNIGHT ENERGY USE

Noting that the NZ grid electricity is currently around 80% and that the 2025 target is to increase to 90%. The remaining use of fossil fuels(gas) is largely related to periods of peak demand primarily in winter. We will therefore also look at ways to reduce the peak winter demand and the evening and overnight parasitic losses. Measures to do this include:

- Minimising the peak heating demand by using low e double glazing, high levels of thermal insulation, reducing air leakage and using heat recovery mechanical ventilation.
- Using hot water storage heating systems for energy storage.
- Load shedding via the BMS (Building Management System)

7 ON SITE RENEWABLE ENERGY USE

The building will be designed with a photovoltaic solar electric panel (PV) to reduce operational energy use as much as possible over the course of the year.

2.5 3-POINT PLAN FOR REDUCING EMBODIED CARBON.

The 3- point plan for reducing operation carbon will be to:

1 LOCALLY SOURCED TIMBER

 Use an Australasian sourced predominantly timber structure and prefabrication to minimise waste as a carbon sink.

2 MATERIAL SELECTION

Careful selection of materials with due consideration to durability and life cycle analysis.

3 FNFRGY GENERATION

 Use any excess energy generated by the PV arrays to offset embodied carbon of the building over its life -50-year period.



 Use predominantly timber and Australasian sourced structure and prefabrication to minimize waste

Utilize carbon sinks / low emission materials

Radical embodied carbon reduction



2. Careful selection of materials with due consideration of durability for a high use public building.

Integrate Life Cycle Assessment (LCA Quick, eTool) with design and development models (i.e., Revit) to inform decisions throughout the process

Zero embodied carbon



Use PV array to offset embodied energy of building over a 50-60 year period.

Offset embodied energy through avoided burden approach



Aspiring House

Mechanical, Electrical, Hydraulic Services & ESD

QUEENSTOWMORAKES DISTRICT COUNCIL

2.6 APPROVEDNELANVELOPE ASSESSMENT AND RECOMMENDATIONS

2.6.1 Engineering Without Engines – Passive First

Thursday, 04 April 2024
'Engineering without engines' or 'Passive First' describes an alternative starting point for building design. Rather than just blindly providing mechanical and electrical services it considers the urban design, building forms and building fabric first. It is essentially a passive design approach to building design that uses the capabilities of thermal, daylight and energy modelling to make buildings naturally comfortable and as independent as possible of artificial heating, cooling, and lighting over the course of a typical weather year.

Adopting a passive first design approach can be incorporated as a key part of the building's sustainability agenda and forms the first step of our 7-Point Plan for Reducing Operational Carbon. By carrying out this analysis at an early stage we maximise the influence a façade analysis can have in reducing loads and increasing energy efficiency with a passive first approach.

This is an iterative process in which we can look at tracking performance against H1 and against an optimised solution. The report is not intended to recommend a particular design solution at this stage but rather it acts as reference to what how high a level of performance could theoretically be achieved.

2.6.2 Initial Modelling

The energy and daylight modelling has been completed based on early sketches and layouts as shown in Figure 3.

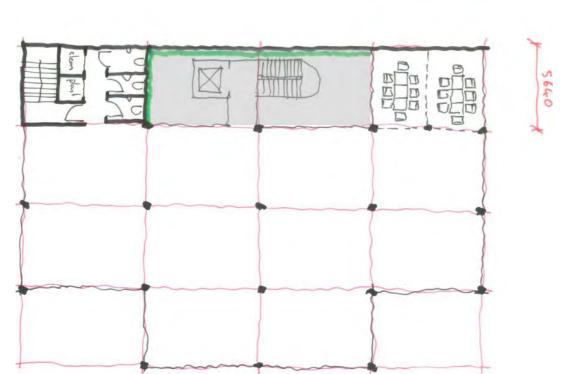


Figure 3 Early concept floor plan (upper floors)

From the initial modelling we can conclude the following for the current building form:

- The heating load is the dominant load on the building.
- Skylight increases natural light and daylight harvesting and has a negligible impact on thermal comfort.
- Ground floor insulation found to significantly impact thermal load requirements for ground floor.¹
- A targeted approach to reducing solar transmittance through the façade can be effective without compromising natural daylight access.

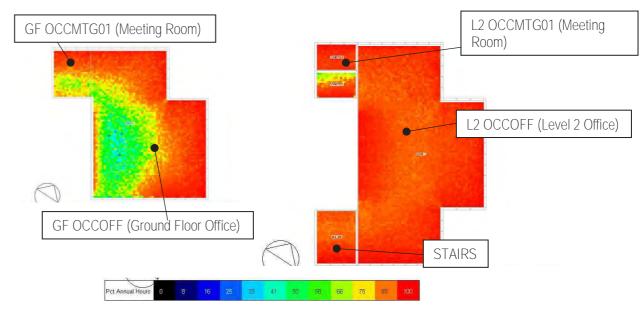


Figure 1 Daylight performance (atrium not illustrated)

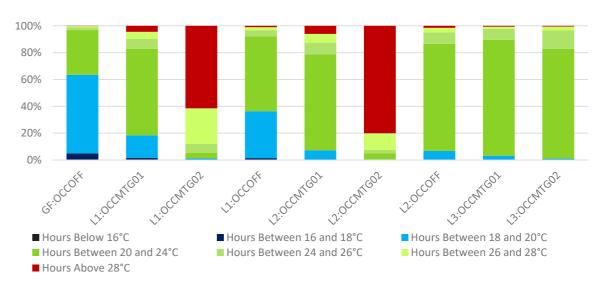


Figure 2 Thermal comfort with skylight

¹ Assumed 140mm slab with 1.2 wide strip of R2.4 underslab insulation along the slab perimeter, where the external walls have masonry veneer cladding



Warren and Mahoney

Aspırıng House Mechanical, Electrical, Hydraulic Services & ESD **QUEENSTO WINDBAKES: DISTRICT COUNCIL**

APPROVED PLAN:

2.6.3 Recommendations

Thursday, 04 April 2024

Based on the initial thermal and daylighting simulation results, we make the following recommendations for the building.

- Design for a 40 50% window to wall ratio
- Skylight should ideally allow for natural ventilation and night purging.
- Skylight design should include south facing glass that would allow an option for north facing PV.
- Higher than code level R-values (particularly for the ground floor slab.)
- Design open plan spaces along the perimeter to minimize solar heat concentration.
- Place cellular offices and meeting rooms towards the interior
- Local shading to windows where possible.
- Avoid shading on south facing glazing.
- Constant discussion between the architect and ESD engineer as the façade is developed throughout the different design stages.
- Investigate the potential effects of buildings in the nearby area.

2.6.4 Potential Operational Carbon Benefits

- Sensible use of passive renewables before active renewables by a 'Passive- First' approach
- Reduction in heating and cooling demand energy use and carbon emissions
- A less extensive and complex HVAC system.

2.6.5 Potential Embodied Carbon Benefits

- Reduction in high embodied carbon glass/ glazing areas
- Potential reduction in initial and recurrent high embodied carbon mechanical systems
- Target glasses with EPDs



Version: 1, Version Date: 23/11/2023

APPROVED PLAN: RM230893

3.0 THIRDIQ, VOLTAIC (24V) RENEWABLE ENERGY GENERATION POTENTIAL

The area of roof available for PV provides an opportunity to generate 100% renewable electricity.

This scenario would produce a peak output kWp: 627 x 200W = 125kW (30° inclination, 340° north).

This array would be capable of generating around 150,000 kWh annually.

Based on early energy demand modelling for the site, a roof only array would likely not achieve a net zero operational carbon, and would likely require substitution from the gird throughout summer and winter.

To improve in this situation, additional panels could be added to the façade or shading systems.

Figure 5 and Figure 4 illustrate the differences in solar incident between seasons for the façade. This modelling can be used applied in the design process to optimise placement of additional PV systems.

PV specification for the site should optimised using a Life Cycle Assessment (LCA) (considering the embodied impacts, avoided burden, exported energy benefits).

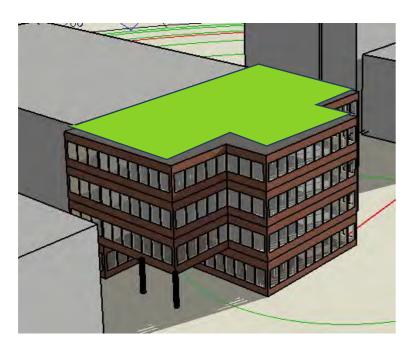


Figure 6 PV solar scenario illustration (roof area modelled)

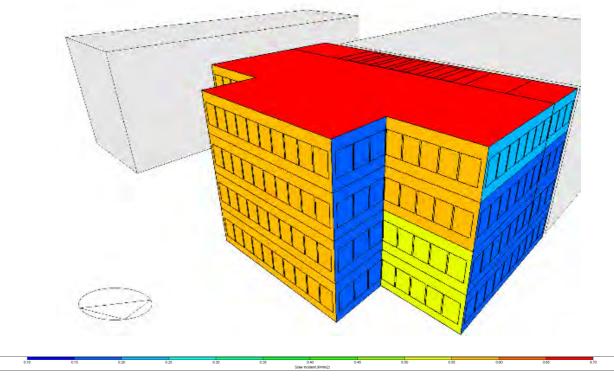


Figure 4 Jul 15th 11pm Solar Incident

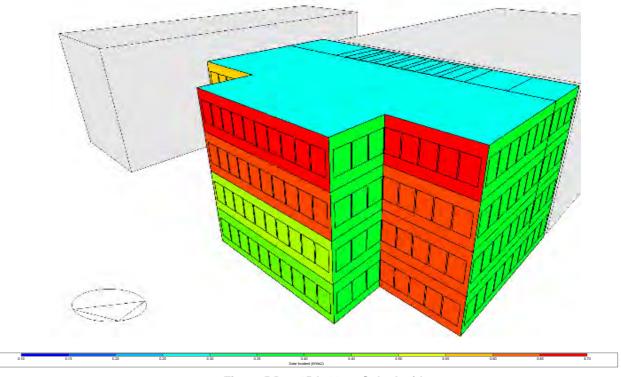


Figure 5 Dec 15th 11pm Solar Incident



APPROVED PLAN: RM230893

Thursday, 04 April 2024

Warren and Mahoney Wanaka - Aspiring House Resource Consent

DECISION OF THE QUEENSTOWN LAKES DISTRICT COUNCIL

UNDER s104 RESOURCE MANAGEMENT ACT 1991

Applicant: Willowridge Developments Limited

RM reference: RM220141

Application: Application under Section 88 of the Resource Management Act 1991

(RMA) to develop a 'resort' complex comprising a hotel, backpackers, townhouses, apartments, winery, retail units, associated car parking,

signage, earthworks, and landscaping

Location: Sir Tim Wallis Drive/Sir Cliff Skeggs Drive, Three Parks, Wānaka

Legal Description: Lot 984 -985, 988, 990 Deposited Plan 523538 and Lot 986 Deposited

Plan 545490 and Lot 981-982 Deposited Plan 549967 held in Record of

Title 947345

Operative Zoning: Three Parks Zone -Tourism and Community Facilities Subzone

Proposed Zoning; Business Mixed Use and High Density Residential

Activity Status: Non Complying

Notification Decision: Publicly Notified

Delegated Authority: Fiona Blight – Manager, Resource Consents

Final Decision: GRANTED SUBJECT TO CONDITIONS

Date Decisions Issued: 4 October 2023

SUMMARY OF DECISIONS

 Pursuant to Section 104 of the RMA, consent is GRANTED SUBJECT TO CONDITIONS outlined in Appendix 1 of this decision imposed pursuant to Section 108 of the RMA. The consent only applies if the conditions outlined are met. To reach the decision to grant consent the application was considered (including the full and complete records available in Council's document management system and responses to any queries), the submissions received, the Councils section 42A report, and a site visit undertaken, by Fiona Blight, Manager Resource Consents, as delegate for the Council.

1. PROPOSAL AND SITE DESCRIPTION

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

2. NOTIFICATION, SUBMISSIONS AND OBLIGATION TO HOLD A HEARING

The application was publicly notified on 2 June 2023.

Section 3 of the Council section 42A report contains commentary regarding the submissions received. Three submissions were received. At the time of the section 42A report being finalised no submitters wished to heard and one submission had been withdrawn.

A decision under section 100 of the Act to not hold a hearing was made by Fiona Blight (Manager Resource Consents) on 27 September 2023.

3. THE STATUTORY FRAMEWORK

This application must be considered in terms of Section 104 of the Resource Management Act 1991. Section 6 of the Council section 42A report outlines S104 of the Act in more detail.

The application must also be assessed with respect to Part 2 of the Act which is to promote the sustainable management of natural and physical resources. Section 8 of the S42A report outlines Part 2 of the Act.

3.1 RELEVANT PLAN CONSIDERATIONS

The site is zoned Business Mixed Use, and High Density Residential and the proposed activity requires resource consent for the following reasons:

High Density Residential Zone

A **restricted discretionary** activity pursuant to Rule 9.4.5 in regard to: Residential Unit Comprising 4 or more per site. It is proposed to locate 25 apartments on the site and 25 and one-third townhouses) Discretion is restricted to:

- a. Location, external appearance, site layout and design of buildings and fences and how the development addresses its context to contribute positively to the character of the area
- b. Building dominance and sunlight access relative to neighbouring properties and public spaces including roads
- c. How the design advances housing diversity and promote sustainability either through construction methods, design or function
- d. Privacy for occupants of the subject site and neighbouring sites
- e. Street activation
- f. Parking and access layout: safety and efficiency and impacts on the on-street parking and neighbours
- g. Design and integration of landscaping
- h. Where a site is subject to any natural hazard and the proposal results in an increase in gross floor area:
 - i. The nature and degree of risk the hazard poses to people and property
 - ii. whether the proposal will alter the risk to any site, and
 - iii. the extent to which such risk can be avoided or sufficiently mitigated
- i. The location, size, access, design and screening of wate and recycling storage space
- j. Consistency with the Residential Zone Design Guide 2021
- A **restricted discretionary** activity pursuant to Rule 9.4.6 in regard to: Visitor Accommodation including licensed premises within a visitor accommodation development. It is proposed to

undertake visitor accommodation from the hotel, 25 and one-third townhouses, 25 apartments and part of a backpackers for up to 365 days per year. Council's discretion is restricted to:

- The location, nature and scale of activities
- b. Parking and access
- c. Landscaping
- d. Noise
- e. Hours of Operation, including in respect of ancillary activities, and
- f. The external appearance of buildings
- A **restricted discretionary** activity pursuant to Rule 9.5.8 in regard to: Building Length. The maximum building length of any building façade above the ground level is 30 metres. The façade of the main building of the hotel within the HDR part of the site is 34 metres (total 75m), the apartment fronting Sir Cliff Skeggs Drive is 38.6m within the HDR part of the site. Two sections of townhouses also breach this rule at 64.1m and 56.8m. Council's discretion is restricted to:
 - a. External appearance, location and visual dominance of the building as viewed from the street and adjacent properties

It is noted that the consent is also sought for the breach of building length of the backpacker building, which has a total façade length of 55.9m along Sir Cliff Skeggs Drive, however the portion within the HDR zone part of the site appears to be less than 30m.

- A **restricted discretionary** activity pursuant to Rule 9.5.9 in regard to: Minimum Boundary setbacks. It is proposed locate the hotel, one townhouse, and backpacker building such that it traverses the boundary to the Business Mixed Use Zone. Council's discretion is restricted to:
 - a. External appearance, location and visual dominance of the building as viewed from the street and adjacent properties
 - b. Streetscape character and amenity
 - c. Any sunlight, shading o or privacy effects created by the proposal on adjacent sites and/or their occupants
 - d. Effects on any significant public views (based on an assessment of public views undertaken at the time of the proposal, in addition to any specified significant public views identified within the District Plan)
- A discretionary activity pursuant to Rule 9.5.2.3 in regard to: Maximum Building Height. The
 maximum building height in Three Parks is 12 metres. The maximum height of the hotel within the
 High Density Residential portion of the site is proposed to be 19.5 metres, the 4-level apartments
 14m, and the backpacker building is proposed to be 13.25m in height.
- A **non-complying** activity resource consent pursuant to Rule 9.4.11 in regard to: Commercial Activities not otherwise identified. In this case, it is proposed to locate three retail units on the ground floor of the building.
- A **non-complying** activity resource consent pursuant to Rule 9.5.6 in regard to: Recession Plane which requires the recession plane be applied to all boundaries. In this case the hotel, townhouses, and backpacker building cross the Zone boundary which bisects internally across the site, and therefore it does not comply with this standard.

Business Mixed Use Zone

- A controlled activity resource consent pursuant to Rule 16.4.3 in regard to: Visitor
 Accommodation. It is proposed to undertake visitor accommodation from the proposed hotel, the
 backpackers, and from one of the townhouses that is partially located within the Business Mixed
 Use Zone. Council's control is with respect to:
 - a. The location, provision, and screening of access and parking and traffic generation
 - b. Landscaping

- c. The location, nature and scale of visitor accommodation and ancillary activities relative to one another within the site and relative to neighbouring uses
- d. The location and screening of bus and car parking from public places, and
- e. Where the site adjoins a residential zone:
 - i. noise generation and methods of mitigation, and
 - ii. hours of operation, in respect of ancillary activities
- A **restricted discretionary** activity pursuant to Rule 16.4.4 in regard to: Buildings. It is proposed to establish the following buildings on the site within the Business Mixed Use Zone: Hospitality/wine bar, hotel, restaurant and conference centre, two-thirds of a townhouse, part of a backpackers/retail/restaurant. Council's discretion is restricted to:
 - a. Building materials
 - b. Glazing treatment
 - c. Symmetry
 - d. Vertical and horizontal emphasis
 - e. Location of storage
 - f. Signage platforms
 - g. Landscaping
 - h. Where residential units are proposed as part of a development, provision made for open space on the site whether private or communal
 - i. Where applicable, integration of the development with Horne Creek, including site layout and landscaping, and
 - j. Where a site is subjected to any natural hazard(s) and the proposal results in an increase in gross floor area:
 - i. the nature and degree of risk the hazards pose to people and property
 - ii. whether the proposal will alter the risk to any site
 - iii. the extent to which such can be avoided or sufficiently mitigated
- A restricted discretionary activity resource consent pursuant to Rule 16.4.5 in regard to: Licensed Premises, which means:

Premises licensed for the consumption of alcohol on the premises between the hours of 11pm and 8am, provided that this rule shall not apply to the sale of liquor: This rule shall not apply to the sale and supply of alcohol: a. to any person who is residing on the premises; and/or b. to any person who is present on the premises for the purpose of dining up until 12am.

It is proposed to establish a licenced premises from the hospitality/wine bar, the hotel, two-thirds of a townhouse, part of the backpackers building including restaurant/bar. Discretion is restricted to:

- a. The scale of the activity
- b. Car parking and traffic generation
- c. Effects on amenity (adjoining residential zone)
- d. The configuration of activities within the building and site (e.g. outdoor seating, entrances)
- e. Noise issues, and
- f. Hours of operation
- A restricted discretionary activity pursuant to Rule 16.5.1 in regard to: Setbacks and Sunlight
 Access. It is proposed to locate the hotel, a townhouse, and the backpackers such that it crosses
 into the High Density Residential Zone. Council's discretion is restricted to:
 - The visual effects of the height, scale, location and appearance of the building, in terms of visual dominance and loss of residential privacy on adjoining properties and any resultant shading effects

- A discretionary activity resource consent pursuant to Rule 16.5.6 which requires that a solid fence
 of 1.8m in height be erected on a boundary of any residential zone. Owing to the development of
 the site across the two zones, no fence has been erected along the boundary.
- A **non-complying** activity resource consent pursuant to Rule 16.5.9 in regard to: Maximum Building Height. The maximum building height in the Business Mixed Use Zone in Three Parks is 12 metres. The proposed building height of the hotel is 19.5 metres, and the backpacker building 13.25m.
- A **non-complying** activity resource consent pursuant to Rule 16.5.9.2 in regard to any fourth storey and above which shall be set back at least 3m from the building frontage. The proposed hotel building is five storeys and the top two storeys are not set back at least 3m.

Transport

- A restricted discretionary activity pursuant to Rule 29.4.11 in regard to: High Traffic Generating
 Activities. Any new land-use or subdivision activity, including changes in use that exceeds the traffic
 generation standards or thresholds set out in Table 29.5. Discretion is restricted to:
 - The effects on the transport network
- A restricted discretionary activity resource consent pursuant to Rule 29.5.6(g)(i) Reverse
 Manoeuvring which requires that a B99 vehicle shall be able to manoeuvre out of a parking space
 with one reverse manoeuvre where the parking space is in the immediate vicinity of access
 driveways, ramps and circulation roadways. In this case, in the winery/hospitality car park would
 require that B99 vehicles will require more manoeuvres to turn around in the hospitality/winery
 carpark, or may need to back into the internal lane.
- A **restricted discretionary** activity pursuant to Rule 29.5.1 as the proposed activity does not comply with Rule 29.8.3 in regard to: Minimum Parking Requirements.

According to Table 29.4 where over 50 guest rooms are proposed, one coach park is required per 50 guest rooms. 134 guest rooms are proposed, therefore three coach parking spaces are required, noting that coach parks may overlay car parking spaces or may be located off-site, provided that where located off-site in accordance with Rule 29.5.2, a loading area shall be provided on the site containing the visitor accommodation.

In this case, it is proposed to locate two bus loading areas on the site. Council's discretion is restricted to:

- a. The long-term availability of parking spaces for staff and visitors
- b. The location of parking spaces and manoeuvring areas within a site
- The proportion of spaces proposed off-site in zones other than the High Density, Medium Density or Business Mixed Use zones.
- d. The location, accessibility and legal agreements proposed.
- A **restricted discretionary** activity resource consent pursuant to Rule 29.5.9(b)(ii) Loading Spaces, where a loading space of 9m in length, 3.5m width and 4.5m height is required. It is proposed to provide a loading bay of 6m in length and 2.8m in width, within the hospitality/wine bar space with no height restriction. Discretion is restricted to:
 - The location, size, and design of the loading space and associated manoeuvring
 - b. Effects on safety, efficiency, and amenity of the site and of the transport network, including the pedestrian and cycling environment.
- A restricted discretionary activity pursuant to Rule 29.5.13 in regard to: Access and Road Design.
 Standards require that:

- All vehicular access be in accordance with the QLDC Land Development and Subdivision Code of Practice 2018
- b. All shared vehicle accesses serving residential units and/or visitor accommodation units in the High Density Residential Zone shall comply with the following standards: Where 7-12 units are proposed, the formed width of the road shall be 5.5m - 5.7m and the legal width 6.7 metres. The formed width of the road generally has a proposed width of 6m.
- c. No private way or private vehicle access or shared access in any zone shall serve sites with a potential to accommodate more than 12 units on the site and adjoining sites. The road will service 26 residential units (townhouses), and is not proposed to be vested in Council.
- d. Private shared vehicle accesses shall have legally enforceable arrangements for maintenance put in place at the time they are created. A legally enforceable arrangement for maintenance is proposed.
- e. All vehicle access design shall comply with Schedule 29.2

Discretion is restricted to:

- Effects on safety, efficiency, and amenity of the site and transport network, including the pedestrian and cycling environment
- b. The design of the access, including the width of the formed and legal width
- c. The on-going management of the access
- d. Urban Design outcomes
- e. The vesting of access in Council

Earthworks

- A **restricted discretionary** activity pursuant to Rule 25.4.2 in regard to: Earthworks (Volume). The earthworks proposed do not comply with the standards for the maximum total volume in Table 25.5.3 and 25.5.5 which allows 300m³ and 500m³ in the High Density Residential Zone and Business Mixed Use Zone respectively. It is proposed to undertake 3900m³ of cut, and fill of 10,900m³ totalling 15,800m³. Council's discretion is restricted to:
 - Soil erosion, generation and run-off of sediment;
 - Landscape and visual amenity;
 - Effects on infrastructure, adjacent sites and public roads;
 - Land stability;
 - Effects on water bodies, ecosystem services and biodiversity;
 - Cultural, heritage and archaeological sites;
 - Nuisance effects;
 - Natural hazards: and
 - Functional aspects and positive effects
- A restricted discretionary activity pursuant to Rule 25.5.21 in regard to the transportation of cleanfill onto the site. It is proposed to transport 7000m³ of cleanfill to the site, where the maximum permitted volume is 300m³. Council's discretion is restricted to:
 - Effects on infrastructure, adjacent sites and public roads;
 - Nuisance effects;
 - Functional aspects and positive effects

Signage

A discretionary activity pursuant to Rule 31.6.10 in regard to: Signage in The Business Mixed Use
Zone for signage that does is not listed in Table 31.4 or Rules 31.6.1 – 31.6.9. It is proposed to
locate traffic and direction signs, speed limit signs, parking restriction signs and public information
boards and associated directional signs.

- A **discretionary** activity pursuant to Rule 31.7.3.1 in regard to: Signage. In terms of static signage platforms within the ground floor façade of a building, each tenancy shall not display signs that exceed a). a maximum area of 5m² per tenancy, or b). 15% of the ground floor façade that that tenancy occupies, whichever is the lesser. In this case, the signage on the western elevation of the ground floor of the hotel does not comply with the 5m² area. See Table 1 below for details.
- A **discretionary** activity pursuant to Rule 31.7.3.1 in regard to: Signage Above Ground Floor. The above ground floor signage platforms are not to cumulatively exceed 3m² in area per building, or 1m² per tenancy, up to a maximum of 3m² per floor. In this case, the above ground floor signage for the hotel exceeds 3m². See Table 1 below for details.
- A **discretionary** activity pursuant to Rule 31.8.4 in regard to: Signage in the High Density Residential Zone which is not listed in Table 31.4 or Rules 31.8.1 31.8.3. It is proposed to locate traffic and direction signs, speed limit signs, parking restriction signs and public information boards and associated directional signs. See Table 1 below for details.

Table 1: Location and Size of Proposed Signage

Building	Location	Dimensions (m)	Area (m²)	
		` '		
Hospitality/Bar	West Elevation (GF)	3.8 x 0.6	2.28m ²	
	South Elevation (GF)	3.8 x 0.6	2.28m ²	
Hotel	West Elevation	9.7 x 0.6	5.82m ²	
	(Restaurant GF)	3.8 x 0.2	2.28m ²	
	West Elevation	0.785 x 1.54	1.21m ²	
	(Restaurant GF Entrance)			
	West Elevation	Two 4.5 x 3.5	15.75m ²	
	(pylon GF)		(double-sided so x 2) 31.5m ²	
	West Elevation (Hotel	12.3 x 0.82	10m ²	
	Above GF)	12.3 x 0.82	10m ²	
	North Elevation (Hotel Above GF)	8.9 x 0.8	7.12m ²	
	East Elevation (Hotel GF)	3.805 x 0.6	2.28m ²	
Backpackers	West Elevation (Entrance GF)	3.8 x .6	2.28m ²	
	West Elevation	1.5 x 0.5	0.75	
	(under veranda - GF)		(double-sided so 2) 1.5m ²	
	South Elevation (Above GF)	5.0 x 0.6	3m ²	
	South Elevation	Four signs of	0.75 (x 4)	
	(retail GF)	1.5 x 0.5	3m ² (total)	
Total GF			54.68m ²	
Total Above Ground Floor			30.12m ²	

Note: The total signage differs to that in the Applicant's AEE, but was confirmed in an email dated 17 May 2023.

Noise

• A non-complying activity resource consent pursuant to Rule 26.5.2 for breaching the maximum nighttime noise limits (2000h to 0800h - 40 dB LAeq(15 min)) of sound received in the High Density Residential Zone which can be measured from any point within the zone. In this case, noise from cars using the hospitality/winery carpark within the Business Mixed Use Zone will breach the nighttime noise limit when measured at the high density residential zone boundary. The westernmost townhouse straddles this boundary.

Overall, the application is considered to be a **non-complying** activity under District Plan provisions.

3.2 OTHER RELEVANT PLANS

- National Policy Statement on Urban Development 2020;
- Partially Operative Regional Policy Statement 2019;
- Proposed Otago Regional Policy Statement 2021: and
- Kāi Tahu ki Otago Natural Resource Management Plan 2005

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

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

4. SUMMARY OF EVIDENCE HEARD

This is not applicable in this case as there has not been a hearing. However, it is noted that the decision maker has reviewed the full application (including further information provided by the applicant post lodgement), the submissions received and the further correspondence relating to these, the Councils section 42A report, and has undertaken a site visit.

5. PRINCIPAL ISSUES IN CONTENTION

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

- The height of the proposed buildings, particularly the hotel at 19.5m.
- The effect of construction including but not limited to traffic movements, noise and dust, and vibration.
- The cumulative effect of traffic safety especially in relation to tamariki who travel to Te Kura o Take Kārara from SH84 to Sir Tim Wallis Drive, whether on foot or by bike.
- Effects on cultural landscape values.
- Effects of stormwater and potential for it to enter Lake Wanaka. Request that best practice environmental design solutions are adopted to address runoff.
- The potential to disturb unrecorded archaeological sites.

The findings relating to these principal issues of contention are outlined in Section 8 of the attached Council section 42A report.

6. ASSESSMENT

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

Actual and potential effects on the environment have been addressed in Section 8 of the Council section 42A report which provides a full assessment of the application. That assessment is agreed with. Where relevant conditions of consent can be imposed under section 108 of the RMA as required to avoid, remedy or mitigate adverse effects such that they are no more than minor. A summary of conclusions of the section 42A report are outlined below:

- The proposed land use activities are anticipated on the site.
- Through the location of buildings and high quality urban design, the proposal adequately reduces building dominance, shading, and view obstruction, and will be appropriately integrated into Three Parks.
- Iwi are the only persons who can provide commentary on cultural effects, and submit that there are potential impacts on views to cultural landscapes. The assessment concludes that adverse effects of views to surrounding landscapes will be no more than minor.
- The site can be appropriately serviced and accessed.

- Adverse transport related effects including parking can be sufficiently managed, and avoided, remedied or mitigated.
- Construction related effects, including from construction traffic, can be appropriately managed to be avoided, remedied or mitigated.
- Adverse noise related effects can be managed, and avoided, remedied or mitigated.
- The proposal promotes the overall purpose of the RMA as it avoids, remedies or mitigates adverse effects on the environment, and protects the nearby ONF as a result of its development.

6.2 RELEVANT DISTRICT PLAN AND OTHER RELEVANT PLAN PROVISIONS (s104(1)(b))

As outlined in detail in Section 8.3 of the section 42A report, overall the proposed development is not contrary to the relevant policies and objectives of the District Plan.

As outlined in detail in Section 8.4 of the section 42A report, overall the proposed development is not contrary to the relevant policies and objectives of the National Policy Statement on Urban Development 2020, Partially Operative Regional Policy Statement 2019, Proposed Otago Regional Policy Statement 2021, and Kāi Tahu ki Otago Natural Resource Management Plan 2005.

The assessments included in the section 42A report are agreed with.

6.3 ANY OTHER MATTERS (S104(1)(C))

The Council section 42A report includes an assessment of the other relevant matters for this application. That assessment is agreed with.

The applicant has requested a longer lapse period in which to give effect to the consent being ten years. The section 42A report at page 38 contains an assessment of whether such a lapse period is appropriate or not. That concludes that it is appropriate for a ten year lapse period to be imposed on this consent. That assessment and conclusion is agreed with.

6.4 PART 2 OF THE RMA

In terms of Part 2 of the RMA, the proposal is considered to be in accordance with the purpose of the Resource Management Act 1991 as outlined in further detail in Section 8.5 of the S42A report. That assessment is agreed with.

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

Section 104D of the RMA states that a consent authority may grant a resource consent for a noncomplying activity only if it is satisfied that either:

- 104(1)(a) the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; **or**
- 104(1)(b) the application is for an activity that will not be contrary to the objectives and policies
 of:
 - (i) the relevant plan, if there is a plan but no proposed plan in respect of the activity; or
 - (ii) the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or
 - (iii) both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity

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

While that alone technically allows the application to be granted, it is noted that the second gateway test under section 104D(1)(b) is also deemed to have been met as the application is not contrary to the relevant policies and objectives of the Operative District Plan and Proposed District Plan. On this basis the ability exists to grant consent for this non-complying activity.

7. DECISION ON LAND USE CONSENT PURSUANT TO SECTION 104 OF THE RMA

Pursuant to section 104 of the RMA this consent is **granted** subject to the conditions stated in *Appendix* 1 of this decision imposed pursuant to Section 108 of the RMA.

8. OTHER MATTERS

Local Government Act 2002: Development Contributions

In granting this resource consent, pursuant to the Local Government Act 2002 and the Council's Policy on Development Contributions the Council has identified that a Development Contribution is required. Payment will be due prior to commencement of the consent, except where a Building Consent is required when payment shall be due prior to the issue of the code of compliance certificate.

Administrative Matters

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

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

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

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

Decision made by

Fiona Blight

MANAGER RESOURCE CONSENTS

ATTACHMENT 1 – Consent Conditions (Appendix 8)

ATTACHMENT 2 - Section 42A Report

APPENDIX 1 – CONSENT CONDITIONS

APPENDIX 8 - RM220141 CONDITIONS OF CONSENT

For Your Information

Monitoring

The conditions in your decision will advise if monitoring is required. To assist with compliance of your resource consent, and to avoid your monitoring deposit being used before your development starts, please complete the "Notice of Works Starting Form" and email to the Monitoring Planner at RCMonitoring@qldc.govt.nz

Environmental Management Plan

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

Engineering Acceptance

You may also have conditions that require you to apply for Engineering Acceptance. To apply, please complete the <u>Engineering Acceptance Application Form</u> and submit to <u>engineeringapprovals@qldc.govt.nz</u>. Further information regarding Engineering Acceptance can be found <u>here</u>.

Development Contribution

If this decision requires a development contribution (DC) charge, we will be sending a notice in due course. To answer questions such as what is a DC charge, when a DC charge is triggered and timing of payments, this information is available here.

If you wish to make a DC estimate calculation yourself, please use this <u>link</u>. Full details on current and past policies can be found <u>here</u>.

General Conditions

- 1. That the development must be undertaken/carried out in accordance with the plans:
 - 'Site Plan Coverage' by Kirk Roberts Consulting Drawing No. A2.0 Rev B dated 11/05/2022
 - 'Site Plan Roof' by Kirk Roberts Consulting Drawing No. A2.1 Rev B dated 11/05/2022
 - 'Site Elevations' by Kirk Roberts Consulting Drawing No. A2.3 Rev B dated 11/05/2022
 - 'Site Elevations' by Kirk Roberts Consulting Drawing No. A2.4 Rev B dated 11/05/2022
 - 'Site Elevations' by Kirk Roberts Consulting Drawing No. A2.5 Rev A dated 26/01/2022

Townhouses

 'Floor Plans – Townhouse Type 1 1-2 Bedroom 2 Storey' by Kirk Roberts Consulting Drawing No. A3.0 Rev A dated 26/01/2022

- 'Elevations Townhouse Type 1 1-2 Bedroom 2 Storey' by Kirk Roberts Consulting Drawing No. A3.1 Rev A dated 26/01/2022
- 'Floor Plans Townhouse Type 2 2-3 Bedroom 2 Storey' by Kirk Roberts Consulting Drawing No. A3.2 Rev A dated 26/01/2022
- 'Elevations Townhouse Type 2 2-3 Bedroom 2 Storey' by Kirk Roberts Consulting Drawing No. A3.3 Rev A dated 26/01/2022
- 'Floor Plans Townhouse Type 3 3 Bedroom 3 Storey' by Kirk Roberts Consulting Drawing No. A3.4 Rev A dated 26/01/2022
- 'Elevations Townhouse Type 3 3 Bedroom 3 Storey' by Kirk Roberts Consulting Drawing No. A3.5 Rev A dated 26/01/2022

Apartments

- 'Floor Plans Apartments' by Kirk Roberts Consulting Drawing No. A4.0 Rev A dated 26/01/2022
- 'Floor Plans 3-Storey Apartment Blocks' by Kirk Roberts Consulting Drawing No. A4.1 Rev B dated 11/05/2022
- 'Floor Plans 4-Storey Apartment Block' by Kirk Roberts Consulting Drawing No. A4.2 Rev A dated 26/01/2022
- 'Elevations 3-Storey Apartment' by Kirk Roberts Consulting Drawing No. A4.3 Rev B dated 11/05/2022
- 'Elevations 4-Storey Apartment' by Kirk Roberts Consulting Drawing No. A4.4 Rev A dated 26/01/2022

Hospitality/Bar

- 'Floor Plans Hospitality/Bar' by Kirk Roberts Consulting Drawing No. A5.0 Rev A dated 26/01/2022
- 'Floor Plans Hospitality/Bar' by Kirk Roberts Consulting Drawing No. A5.1 Rev A dated 26/01/2022
- 'Elevations' by Kirk Roberts Consulting Drawing No. A5.1 Rev A dated 26/01/2022

Hotel

- 'Floor Plans Hotel' by Kirk Roberts Consulting Drawing No. A6.0 Rev A dated 26/01/2022
- 'Floor Plans Hotel' by Kirk Roberts Consulting Drawing No. A6.1 Rev A dated 26/01/2022
- 'Elevations Hotel West' by Kirk Roberts Consulting Drawing No. A6.2 Rev A dated 26/01/2022
- 'Elevations Hotel East' by Kirk Roberts Consulting Drawing No. A6.3 Rev A dated 26/01/2022
- 'Elevations Hotel East' by Kirk Roberts Consulting Drawing No. A6.4 Rev A dated 26/01/2022
- 'Elevation North & South' by Kirk Roberts Consulting Drawing No. A6.5 Rev A dated 26/01/2022

Backpackers

- 'Floor Plan Backpackers' by Kirk Roberts Consulting Drawing No. A7.0 Rev A dated 26/01/2022
- 'Floor Plan Backpackers' by Kirk Roberts Consulting Drawing No. A7.1 Rev A dated 26/01/2022
- 'Elevations Backpackers' by Kirk Roberts Consulting Drawing No. A7.2 Rev A dated 26/01/2022

Transport Plans

- 'Site Plan Parking and Access' Drawing A.2.2 Rev D by Kirk Roberts Consulting dated 18/11//22
- 'Accessibility Plans' Drawing A2.2a Rev A by Kirk Roberts Consulting no date

- 'Carpark Plan 3 Storey' Drawing A4.5 Rev A by Kirk Roberts Consulting dated 18/11//22
- 'Carpark Plan 4-storey Drawing A4.6 by Kirk Roberts Consulting

Landscape Plans

- 'Landscape Concept Plan' by DCM Urban Design Limited Page 1 Rev E dated 02/06/2022
- 'Landscape Tree Plan' by DCM Urban Design Limited Page 2 Rev E dated 02/06/2022
- 'Landscape Tree Plan' by DCM Urban Design Limited Page 3 Rev E dated 02/06/2022
- 'Landscape Tree Plan' by DCM Urban Design Limited Page 4 Rev E dated 02/06/2022
- 'Landscape Tree Plan' by DCM Urban Design Limited Page 5 Rev E dated 02/06/2022

stamped as approved on 4 October 2023

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

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

Staging

- 4. This development may be staged in accordance with the staging plan providing all necessary development works (such as servicing, provision of formed access and other works required to satisfy conditions of this consent) are completed for each stage. For the purposes of achieving consent condition compliance, this condition shall be applied only to the extent that it is relevant to each particular stage proposed. The Staging plan can be described as follows:
 - Stage 1: Bulk Earthworks across entire site.
 - Stage 2: The following Stages can occur in any order:
 - Construction of the spine road between Sir Tim Wallis Drive and Sir Cliff Skeggs Drive
 - 2. Construction of the townhouses, and associated landscaping and footpath links to the east of the spine road
 - 3. Construction of the 3 level apartments
 - 4. Construction of the 4 level apartments and access from Sir Cliff Skeggs Drive
 - 5. Construction of hotel, main hotel entry and car park from Sir Cliff Skeggs Drive, landscaping and footpaths to the east of the spine road
 - Construction of the commercial building on the southwestern corner (backpackers) and access of Sir Cliff Skeggs Drive and car park area comprising two rows of car parks immediately to the north of the building (in the event this building precedes the hotel).

Landscaping

5. The approved landscaping plan shall be implemented within the first planting season following the physical construction completion of the buildings and roadways. Where the development is undertaken in stages, landscaping should be planted for each stage (in the first planting season following the physical construction completion of the buildings and roadways) unless Councils monitoring and enforcement team agree that this is impractical because it will need to be removed or significantly altered in order to facilitate the construction of another stage. All planting 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.

Engineering

6. All engineering works, including the construction of retaining walls, 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 8th October 2020 and subsequent amendments to that document up to the date of issue of any resource consent.

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

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

Construction Management Plan

7. The consent holder must prepare and submit a Construction Management Plan (CMP) to be approved by Councils monitoring and enforcement team. The CMP shall be provided to Council at least ten (10) working days prior to beginning any construction works.

The Construction Management Plan (CMP) must include the following information:

- A detailed description of the construction staging and sequencing from commencement of works to the completion of the buildings.
- b. A Dust and Sediment Control Plan that outlines the controls to be implemented to supress and minimise dust nuisance and avoid the tracking of sediment off the site.
- c. The contact details of the person managing construction.
- d. The times and days to which construction activities will be limited.
- All measures to be implemented to ensure compliance with NZS 6803:1999 (Construction noise and vibration).
- f. A process for receiving, addressing, and recording complaints.
- g. A Traffic Management Plan (construction) (TMP) that outlines how truck movements, traffic/cycle lane relocation and closures, and pedestrian routes will be managed to ensure the safe and efficient operation of the road network.

To be clear, the TMP is to cover the undertaking of any works within or adjacent to Council's Road reserve that affects the normal operating conditions of the road reserve through disruption, inconvenience or delay. The Traffic Management Plan shall be prepared by a certified Temporary Traffic Management Planner (TTMP) as validated on their CoPTTM ID certification. All contractors obligated to implement temporary traffic management plans shall employ a qualified Site Traffic Management Supervisor (STMS) to manage the site in accordance with the requirements of the NZTA's "Traffic Control Devices Manual Part 8: Code of practice for temporary traffic management". The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Manager of Resource Management Engineering at Council prior to works commencing.

h. The TMP to be developed under g. above shall include specific details on how construction traffic shall be managed so that a safe travel route along Sir Tim Wallace Drive is maintained for school children travelling to and from the school located in 3 Parks, as well as for other school children travelling to and from schools and the Wanaka Rec Centre (noting Sir Tim Wallace Drive is a key schools to pools route).

Should the development be undertaken in stages the CMP provided for the initial stage can be updated and resubmitted to Council for approval. It shall be submitted to Council at least ten (10) working days before construction of that stage starts. Any updated CMP needs to also include (if required) an updated TMP.

Earthworks and Environmental Management

8. Prior to any works commencing on site the Consent Holder shall complete the Short Form Environmental Management Plan:

https://www.qldc.govt.nz/services/resource-consents/practice-notes-and-guidance#emp_notes

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

- 9. 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.
- 10. 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.*
- 11. The EMP shall be accessible on site at all times during work under this consent.
- 12. In accordance with page 9 of the *Queenstown Lakes District Council's Guidelines for Environmental Management Plans*, where any Environmental Incident where the EMP has failed leading to any adverse environmental effects offsite occurs the Consent Holder shall report to QLDC details of any Environmental Incident within 12 hours of becoming aware of the incident.
- 13. Prior to commencing any work on the site, the consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice to ensure that neighbouring sites remain unaffected from earthworks. These measures shall be implemented <u>prior</u> 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.

Engineering

- 14. 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.
- 15. At least 7 days prior to commencing earthworks the consent holder shall provide the Manager of Resource Management Engineering at Council with the name of a suitably qualified geoprofessional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice who shall supervise the earthworks and undertake inspection and assessment as necessary to provide a Schedule 2A certificate and geotechnical completion report as required under Condition (22).
- 16. Prior to commencing works on the site, with the exception of earthworks with controls approved through the Environmental Management Plan (EMP) process within this consent, 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 (6), to detail the following requirements:

- a) The provision of a 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.
- b) The provision of a foul sewer connection to the development. The costs of the connection shall be borne by the consent holder.
- c) The provision of stormwater disposal and management systems, these shall include;
 - The provision of a system that is to provide stormwater disposal from all impervious areas within the site during the critical 5% AEP storm event. The proposed stormwater system shall be designed by a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice. This shall include:
 - a) Percolation testing shall be undertaken at the individual soak pit locations to confirm soakage. A copy of the test results shall be provided and shall be in general accordance with the "Acceptable Solutions and Verification Methods for New Zealand Building Code Clause: E1 Surface Water".
 - b) The final design and sizing of each soak pit shall be based on the individual percolation test results prior to installation of the individual soak pit infrastructure
 - c) The lot owner for the time being shall be responsible for the ongoing monitoring and maintenance of the stormwater disposal system to ensure the soak pits continue to provide adequate soakage and do not become blocked or damaged.
 - ii. The provision of 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. Details shall be included that demonstrate CoP service standards regarding maximum flood depth will be maintained on Sir Tim Wallis Drive. Details shall also clarify differences in design flow rates between the Kirk Roberts Consulting Ltd report submitted with the application and the Ground Consulting Ltd flow rates used for the overland flow path design that the subject site connects to.
 - iii. An independent peer review of the stormwater designs shall be submitted.
 - d) 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.
 - 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.
 - f) The provision of transportation design including but not be limited to the following:

- i. The removal and reinstatement of the existing vehicle crossing to the site.
- ii. The provision of four new sealed vehicle crossings as per application plans. Limit lines and give-way markings shall be installed on the vehicle crossing in advance of the shared path on Sir Tim Wallis Drive.
- iii. Removal and reinstatement of kerb lines on Sir Cliff Skeggs Drive to ensure retention of at least seven on-street parking spaces along the site frontage.
- iv. The provision of a new internal road in accordance with the application plans, generally described as a hybrid of Road Types E11 and E12, with a 1.5m wide footpath on one side. This shall include traffic calming features designed to achieve a target operating speed of 20km/hr and include raised platform pedestrian crossings.
- v. Sealed car parks in accordance with the application plans and stalls that are designed for Class 2 users. A minimum of 6 mobility parking spaces shall be provided as shown on application plans. Turning provision shall be provided in all car parks that share an entry/exit as a minimum 2.9m wide area that is permanently marked as a no parking area. Plans shall demonstrate via tracking curves that vehicle movements through the onsite parking areas wholly comply with Councils standards.
- vi. Coach parks as shown on the application plans. This shall include permanent markings on the adjacent footpath to show pedestrians they need to stay behind the line to stay out of the way of the front of a coach as it turns in.
- vii. Provision for stormwater disposal from all impermeable areas including appropriate stormwater treatment prior to discharge hall be included.
- viii. Details of the provision of height restriction barriers where required, and details that demonstrate an unobstructed vertical clearance of 2.5m is available along the basement car park access for wheelchair users.
- ix. The provision of sealed surfacing of all access and manoeuvring areas.
- x. The provision of a minimum of two loading spaces, as shown on application plans.
- xi. The provision of a minimum of 8 short term and 4 long term cycle parks with a minimum of 4 lockers to be provided for cyclists. All cycle parks shall be designed to give appropriate access that is not blocked by car parks and that is consistent with the QLDC Cycle Facilities Guidelines (May 2009),
- xii. Details of onsite signage and markings in compliance with the NZTA Manual of Traffic Signs and Markings and the TCD Manual, for the following:
 - a. The permanent marking of all onsite parking spaces and cycle areas,
 - b. Give-way control at the eastern car parking area of the hotel where it adjoins the access,
 - c. Any vertical height restrictions signage at the covered car park entrances,
 - d. Pedestrian facilities,
 - e. All onsite parking spaces including disabled spaces, loading areas, coach drop off and collection areas,
 - f. Directional signage and markings,
 - g. The management of traffic direction, entry and exit movements, through signage and markings.
- xiii. A car park and road lighting plan shall be prepared by a suitably qualified lighting specialist in accordance with Council's Road Lighting Policies and Standards, including the Southern Light Strategy and shall be submitted to Council for approval. The lighting plan submitted shall be supported by appropriate calculations and shall include confirmation of column and lantern type. All lighting installed on private roads/rights of way/access lots shall be privately maintained and isolated from the Council's lighting network circuits.

- xiv. The provision of a Hotel Traffic Management Plan that details operational procedures for the management of the coach parking and drop-off areas so that the overarching purposes, objectives and specific requirements for the management of coach vehicles within the site are well-understood by staff. So that the plan can be monitored by Council at the proposed review intervals every operational procedure in the plan shall set out measures for assessing the effectiveness of the procedure. The objectives shall include but not be limited to:
 - ensure the on-site coach parking and drop-off/pick-up facilities operate safely and efficiently,
 - ensure all hotel staff are aware of their duties
 - this shall include but not be limited to details on operational procedures to manage the coach parking
 - management and review of the plan at regular intervals.
- xv. The consent holder shall engage an independent and suitably qualified and experienced traffic engineer to carry out a detailed design safety audit in general accordance with the NZTA Manual "Safe System Audit Guidelines" and section 3.2.7 of the Councils Code of Practice. This shall include confirmation that appropriate traffic signs and road marking have been provisioned in accordance with the New Zealand Transport Agency's Manual of Traffic Signs and Markings (MOTSAM) and the Traffic control devices manual. The consent holder shall comply with any recommendations at their own cost.
- g) A Computed Easement Plan and draft easement instrument shall be provided to Council showing details of all necessary easements for the water main and fire hydrants within the new internal road. Once approved by Council, the easement(s) shall then be registered on the Computer Freehold Register for the site, prior to commercial activity on the subject site.
- h) A methodology that demonstrates the overland flow path contained within easement 'L' DP 574876 is always maintained to ensure that it is available to convey the design flows in the event of a flood.
- 17. The Hotel Management Plan required under condition 16(xiv), including any revisions, shall be implemented by the Hotel Operator (when the Hotel activity is operating) 24 hours seven days a week.

To be monitored throughout earthworks

- 18. No permanent batter slope within the site shall be formed at a gradient that exceeds 1(V):2(H).
- 19. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at his/her expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.
- 20. No earthworks that are not authorised by this consent, temporary or permanent, are to breach the boundaries of the site.

Hours of Operation - Earthworks

- 21. Hours of operation for earthworks, shall be:
 - Monday to Saturday (inclusive): 8.00am to 6.00pm.
 - Sundays and Public Holidays: No Activity

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

To be completed following earthworks and prior to the construction of any buildings within the development

- 22. The consent holder shall provide to the Manager of Resource Management Engineering at Council a geotechnical completion report and a Schedule 2A "Statement of professional opinion as to suitability of land for building construction" in accordance with Section 2.6.1 of QLDC's Land Development and Subdivision Code of Practice that has been prepared by a suitably qualified geotechnical professional as defined in Section 1.2.2 and demonstrates to Council that the site is suitable for building development. In the event that the conditions within the site are only found to be suitable for building construction subject to certain mitigation measures and/or remedial works being carried out, then a suitably qualified and experienced professional shall submit to the Council for review and certification full details of such works. The consent holder shall be responsible for implementing all necessary mitigation measures and/or remedial works required to prepare the land for building construction. Where any buildings are to be founded on fill that has not been certified in accordance with NZS 4431:2022, the foundations of the building shall be designed by a suitably qualified engineer and a corresponding producer statement shall be submitted to the Manager of Resource Management Engineering at Council.
- 23. On completion of earthworks within the building footprint and prior to the construction of the building, the consent holder shall ensure that either:
 - Certification from a suitably qualified geo-professional experienced in soils investigations is provided to the Manager of Resource Management Engineering at Council, in accordance with NZS 4431:2022, for all areas of fill within the site on which buildings are to be founded (if any). Note this will require supervision of the fill compaction by a suitably qualified geoprofessional;
 - b) The foundations of the residential unit shall be designed by a suitably qualified engineer taking into consideration any areas of uncertified fill on-site.

Prior to the commercial operation of each stage

- 24. Prior to the commercial operation of each stage 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 rights of way and access lots), Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).
 - b) The completion and implementation of all reviewed and accepted works detailed in Condition (16) above, as relevant for the stage.
 - c) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
 - d) Any power supply and/or telecommunications connections to the development shall be underground from existing reticulation and in accordance with any requirements/standards of the network provider's requirements.
 - e) The submission of Completion Certificates from both the Contractor and Accepted 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 Infrastructure)., as relevant for the stage. The certificates shall be in the format of the QLDC's Land Development and Subdivision Code of Practice Schedule 1B and 1C Certificate.
 - f) The redundant vehicle crossing to the site shall be removed and the Council berm reinstated in grass.
 - g) All earthworked areas shall be top-soiled and revegetated or otherwise permanently stabilised.
 - h) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

Accidental Discovery Protocol

25. If the consent holder:

- 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) does not have an archaeological authority from Heritage New Zealand Pouhere Taonga and discovers any feature or archaeological material that predates 1900, or heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder shall without delay:
 - (i) stop work within the immediate vicinity of the discovery or disturbance and;
 - (ii) advise Council, 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.

Waste Management

26. A private waste management company will be engaged for the whole development. The consent holder must submit details of a private collection service to Council for certification prior to such a service being utilised. Details shall include but not necessarily be limited to, the location of rubbish and recycling areas on site, collection method and day of collection.

<u>Noise</u>

Hospitality/Bar (Wine Bar)

- 27. A Noise Management Plan shall be prepared for the Hospitality Wine Bar including opening hours, and all other managerial mitigation required to comply with the criteria including, but not limited to:
 - Amplified music is to be played at background levels only within in the bar/hospitality building, at all times.
 - There shall be no outdoor speakers.
 - East facing windows on the bar/hospitality building are to be non-operable.

- All windows/door of the venue should be closed from 10pm, and amplified music limited to background levels of no more than 80 dB LAeqwith a bass limiter.
- The deck of the bar/hospitality shall be closed from 10:00pm.
- Deliveries and pickups from the loading dock should be restricted to daytime hours of 8:00am to 8:00pm only, delayed until after 9:00am on weekend mornings.
- Empty bottles and waste should not be placed outside after 8:00pm.
- Complaints Procedures.

Bar/Retail

- 28. A Noise Management Plan shall be prepared for the Bar/Retail including opening hours, and all other managerial mitigation required to comply with the criteria including, but not limited to:
 - Amplified music is to be played at background levels only within in the Bar/Retail building, at all times.
 - There shall be no outdoor speakers.
 - North facing windows on the Bar/Retail building are to be non-operable.
 - The deck and balcony of the bar/retail building should be designed so that the day-time criteria of 60 dB LAeg is met at the edge of the hotel landscaping.
 - All windows/doors, and outdoor areas of the Bar/Retail area should be closed from 11pm, and amplified music limited to background levels of no more than 80 dB LAeqwith a bass limiter.
 - Deliveries and pickups from the loading dock should be restricted to daytime hours of 8:00am to 10:00pm only, delayed until after 9:00am on weekend mornings.
 - Empty bottles and waste should not be placed outside after 10:00pm.

<u>Visitor Accommodation – Townhouses and Apartments</u>

29. Any visitor accommodation associated with the Townhouses and Apartments authorised under this consent for more than 90 days per calendar year must be managed by the Hotel as per the application assessed. The consent holder shall provide a visitor accommodation management plan (VAMP), and ensure that the visitor accommodation activity us undertaken in accordance with it and the following conditions (30-35):

Advice Note: The management plan may be updated from time to time, which shall be certified by Council's monitoring and enforcement team prior to implementation and shall demonstrate the management techniques that will be used to ensure conditions (29–35) are met, and shall include the contact details of the property manager available for any complaints.

- 30. Each property shall be rented to a maximum of one (1) group at any one time.
- 31. The maximum number of persons in association with the visitor accommodation use shall be restricted to two people per room at any one time.
- 32. Use of outdoor space:
 - a) When being used for visitor accommodation, three (3) signs (minimum A4 size) shall be erected on the site to remind guests that they are in a residential area, and that congregating in the outdoor areas is prohibited between the hours of 10.00pm to 7.00am.

One sign shall be installed in the kitchen of each unit and weatherproof signs (e.g. laminated) shall be installed within each outdoor area.

b) Upon installation, and prior to the use of the residential unit for residential visitor accommodation, the consent holder shall submit photographs of these signs to the Council Monitoring Department for monitoring purposes. The signs shall be retained on site as long as the residential visitor accommodation is undertaken.

- 33. The residential unit may be used for visitor accommodation for 365 nights per calendar year where the visitor accommodation is managed by the Hotel.
- 34. The Hotel operator in managing the visitor accommodation shall maintain a record of all tenancies in the form of a register containing the number of occupants and the number of days/nights of occupancy. Details of all tenancies for at least the preceding 5 years shall be continually maintained. This register shall be made available for inspection by the Council at all times.
- 35. The Hotel operator in managing the visitor accommodation shall maintain a record of all complaints received during the operation of the residential visitor accommodation activity in the form of a register containing the complaint details and any remedial actions undertaken. Details of all complaints (including any remedial actions taken) shall be kept for at least the preceding 5 years and any complaints received shall be forwarded to the Council monitoring and enforcement team for monitoring purposes within 48 hours of the complaint being received. The complaint register shall be made available for inspection by the Council at all times.

Acoustic

For buildings located within 90m of a State Highway or next to the Hospitality/Bar (winery)

37. Habitable spaces of townhouses that are within 90 metres of the State Highway and have north and northwest facing façades, and the first two townhouses adjacent to the hospitality/wine bar shall have mechanical ventilation installed.

Mechanical Plant

38. A noise report shall be provided at building consent stage confirming compliance of any mechanical plant with the criteria and relevant District Plan noise limits is achieved.

Signs

- 39. All signs to be erected on the building shall be located within the identified sign platforms illustrated on the approved plans.
- 40. Prior to erection of new signs, each tenant shall submit plans and specifications of proposed signs to Council Resource Consent Monitoring department for approval.
- 41. All signs must use indirect lighting with no self-illuminated signs.

Review

- 42. 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, the Council may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this resource consent for any of the following purposes:
 - a) To deal with any adverse effects on the environment that may arise from the exercise of the consent which were not foreseen at the time the application was considered and which it is appropriate to deal with at a later stage.
 - b) To deal with any adverse effects on the environment which 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.

- d) The purpose of this review is in relation to effects on any person in relation to nuisance (including but not limited to noise and rubbish/recycling).
- 43. As part of the review clause stated in Condition 42 of this consent, the Council may have the construction/traffic/noise management plans audited at the consent holder's expense.

Covenants

44. In the event that the Engineering Acceptance issued under Condition (16) 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). 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 Officer 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].

- 45. A covenant pursuant to Section 108(2)(d) of the Resource Management Act 1991 shall be registered on the Computer Freehold Register for the subject site, providing for the performance of the following condition on an ongoing basis:
 - a) Easements created pursuant to Conditions (16(g) above shall not be cancelled or varied without prior written approval from Council.
 - b) 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.
- 46. A covenant pursuant to Section 108(2)(d) of the Resource Management Act 1991 shall be registered on the Record of Title of the subject site 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 16(c)(ii) above. The final wording of the 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.

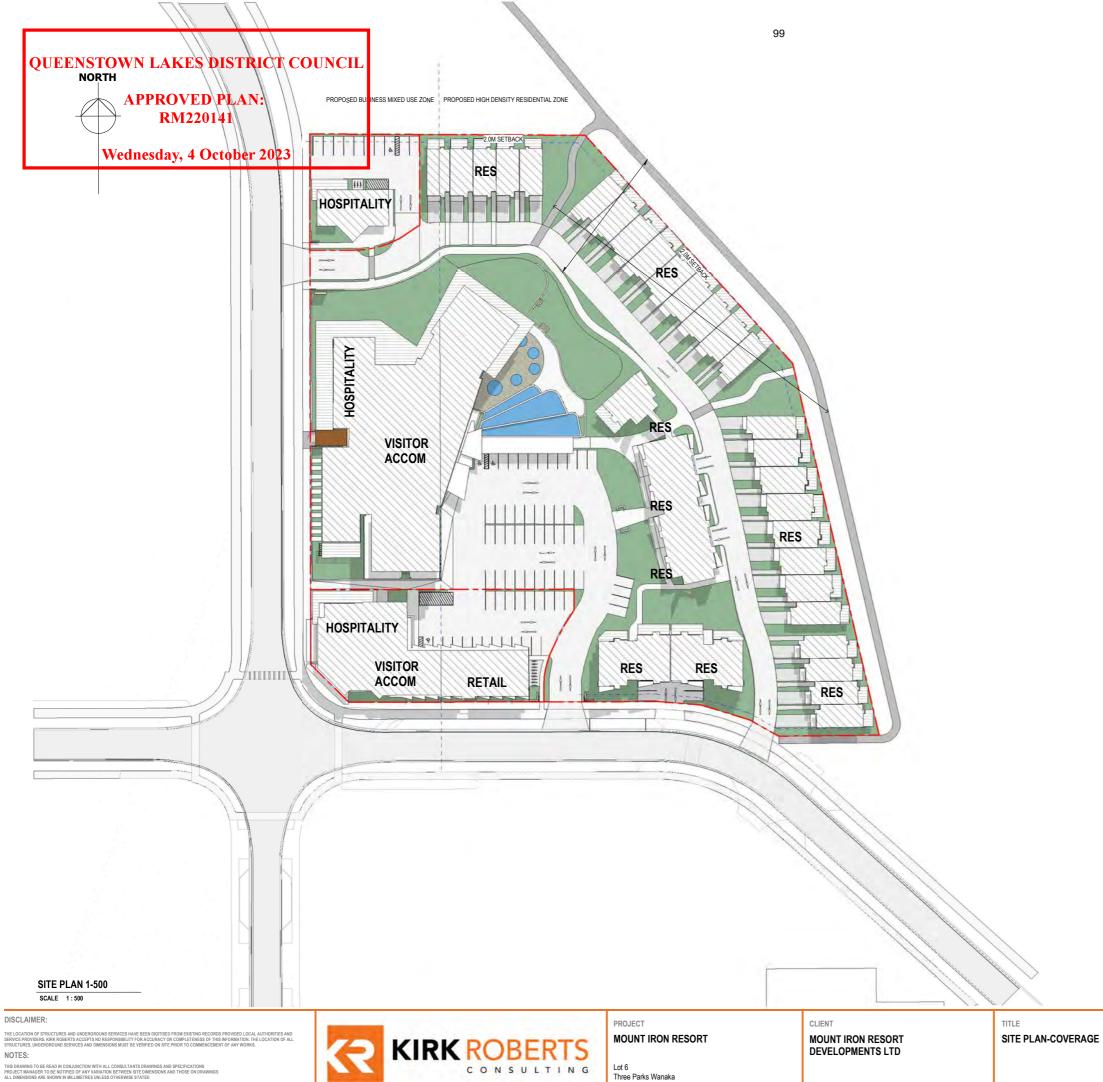
Lapse Date

47. This consent shall lapse 10 years after the date of the decision unless it has been given effect to or an application made before the 10 years is up to extend the lapse period.

Advice Notes

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

- 2. 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.
- 3. 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.
- 4. The consent holder is advised that if it is proposed to subdivide the units in future, then all services should be installed to the units in accordance with QLDC's Land Development and Subdivision Code of Practice adopted on 8th October 2020 and subsequent amendments to that document up to the date of issue of any subdivision consent. It is recommended that Council's Engineers are contacted prior to installation of services to arrange for all necessary inspections to be carried out so that services can be checked for compliance with the Council's Code of Subdivision prior to backfilling. Otherwise, services may require excavation and inspection at time of subdivision and CCTV footage may be required to demonstrate compliance with QLDC's Land Development and Subdivision Code of Practice adopted on 8th October 2020 and subsequent amendments to that document up to the date of issue of any subdivision consent.
- 5. The consent holder is advised that any facility that produces wine will require a separate Trade Waste Consent for its wastewater discharge.
- 6. Please be advised that firefighting flows available from the Council reticulation/hydrants are not guaranteed above the FW3 level as specified in SNZ PAS 4509 and therefore any commercial building constructed on the lot may require a sprinkler system to comply with the requirements of the Fire and Emergency New Zealand.



SITE ADDRESS:

CORNER SIR TIM WALLS DIRVE AND SIR CLIFF SKEGGS ROAD

THREE PARKS WANAKA

LOT 981 DP 649967

CLIMATE ZONE:

VERY HIGH WIND ZONE:

SEISMIC ZONE: **EXPOSURE ZONE:**

SITE AREA: 18652m²

ZONE COVERAGE

BUSINESS MIXED USE: 5102m² FOOTPRINT: 2491m² COVERAGE: 48.8%

HIGH DENSITY RES: 13550m² FOOTPRINT: 3899m² COVERAGE: 28.7%

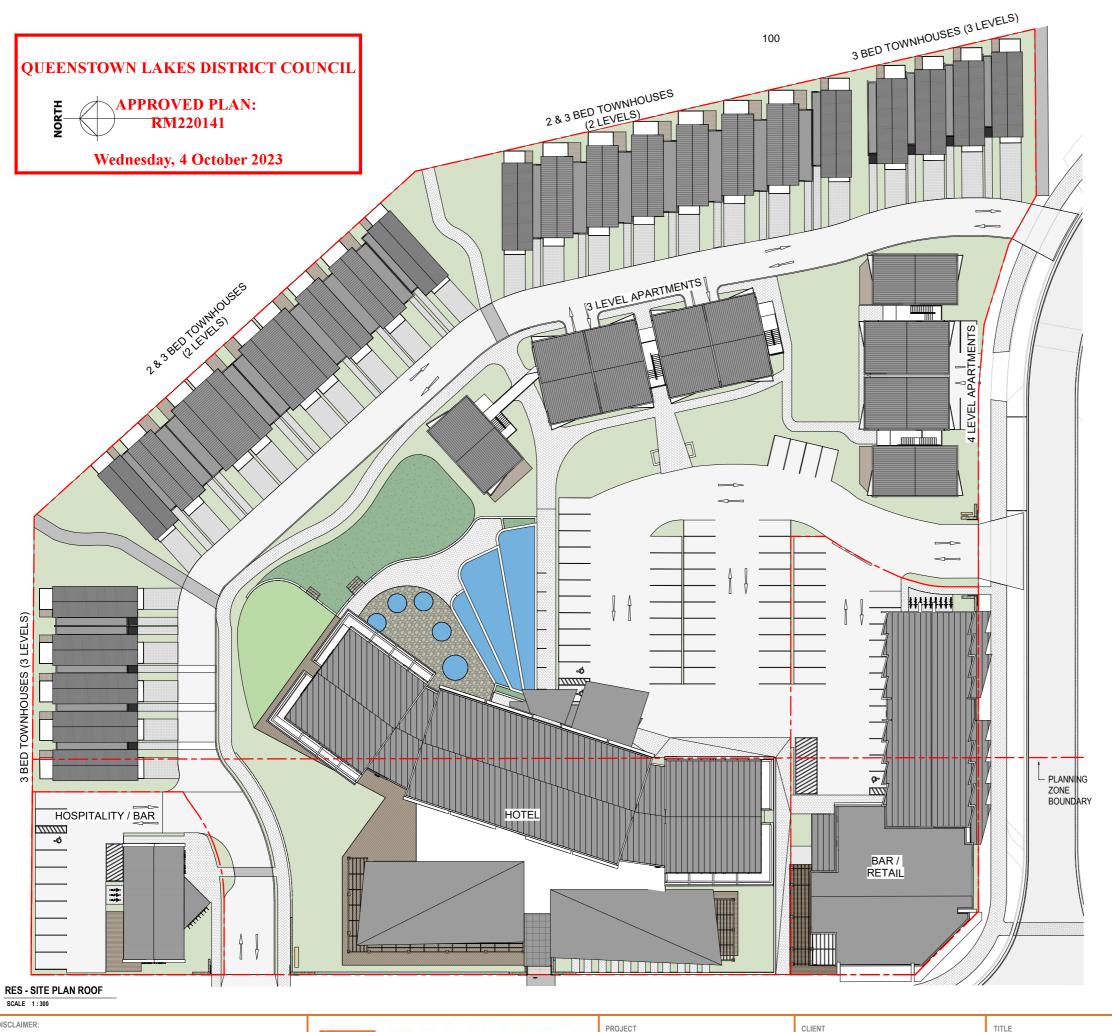
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No. Date Revision

DISCLAIMER:

Document Set ID: 7260457 ORIGINAL SHEET SIZE A1 (841X594) Version: Of Stray of

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SITE ADDRESS:

CORNER SIR TIM WALLS DIRVE AND SIR CLIFF SKEGGS ROAD

THREE PARKS WANAKA

DP 649967 LOT 981

CLIMATE ZONE:

VERY HIGH WIND ZONE:

SEISMIC ZONE: **EXPOSURE ZONE:**

SITE AREA: 18652m²

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DISCLAIMER:

NOTES:

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MOUNT IRON RESORT

Three Parks Wanaka

MOUNT IRON RESORT **DEVELOPMENTS LTD**

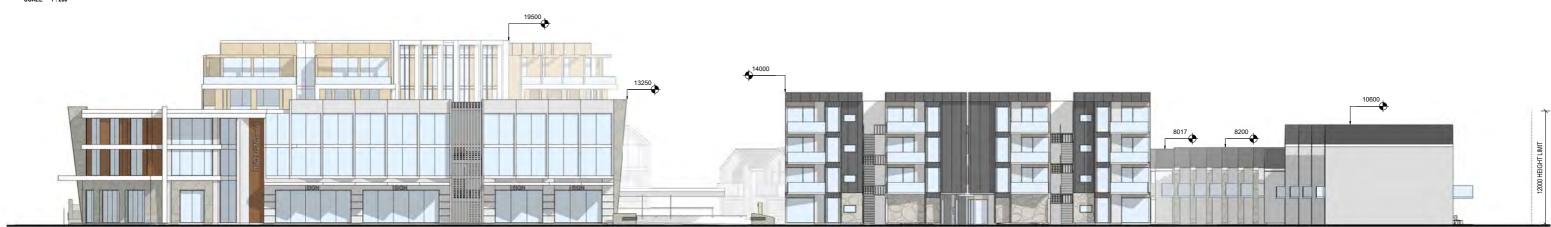
SITE PLAN - ROOF

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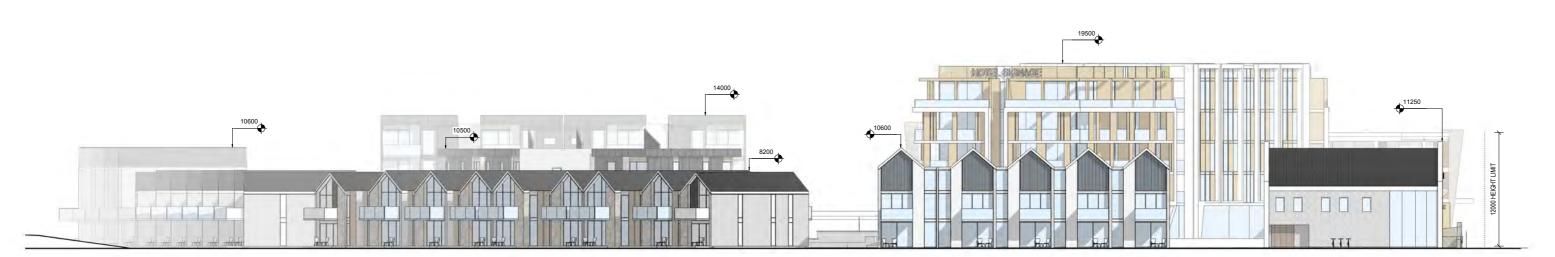
SITE ELEVATION - WEST

SCALE 1:200



SITE ELEVATION - SOUTH

SCALE 1:200



SITE ELEVATION - NORTH

SCALE 1:200

DISCLAIMER:

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PROJECT
MOUNT IRON RESORT

MOUNT IRON RESORT DEVELOPMENTS LTD

CLIENT

SITE ELEVATIONS

DRAWING NO. REV.

A 2.3 B

B 11/05/2022 RC AMENDMENT KR
A 26/01/2022 RC KR
No. Date Revision By

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N G Lot 6 Three Parks Wanaka



SITE ELEVATION - EAST

SCALE 1:200



SITE ELEVATION - NORTH EAST

SCALE 1:200

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PROJECT

MOUNT IRON RESORT

MOUNT IRON RESORT DEVELOPMENTS LTD

SITE ELEVATIONS

SCALE 1:200@A1 JOB NO. 2010092 REV. В A 2.4

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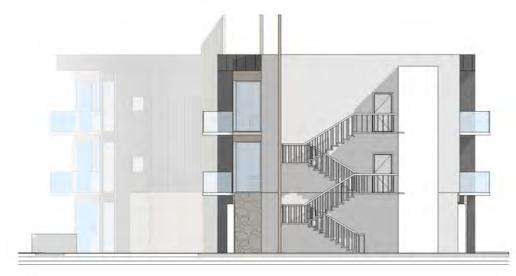
3-STOREY WALK-UP APARTMENT BLOCK - WEST ELEVATION

SCALE 1:1



3-STOREY WALK-UP APARTMENT BLOCK - NORTHELEVATION

SCALE 1:100



3-STOREY WALK-UP APARTMENT BLOCK SOUTH ELEVATION

SCALE 1:10



3-STOREY WALK-UP APARTMENT BLOCK - EAST ELEVATION

SCALE 1:100

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ELEVATIONS - 3 STOREY APARTMENT SCALE 1:100@A1 JOB NO. 2010092

DRAWING NO. REV.

A 4.3 B

A 26/01/2022 RC RO. Date Revision E

FINISHES SCHEDULE

PRECAST CONCRETE PANEL SMOOTH FINISH

200mm INTERNAL PRECAST CONCRETE WALL AS PER STRUCTURAL ENGINEER

TIMBER FINS WITH GAPS BETWEEN OVER STEEL FRAME

HORIZONTAL CEDAR SHIPLAP WEATHERBOARDS OVER 20mm CAVITY SYSTEM

METAL TRAY COLOURSTEEL CLADDDING SYSTEM

00mm SCHIST STONE CLADDING SYSTEM TBC

RAMELESS GLAZED BALUSTRADE SYSTEM

DOUBLE GLAZING

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4614.1 4220.1 4270.1 4-STOREY APARTMENT BLOCK - EAST ELEVATION

FINISHES SCHEDULE PRECAST CONCRETE PANEL SMOOTH FINISH RECAST CONCRETE PANEL PATTERNED FINISH VERTICAL CEDAR SHIPLAP WEATHERBOARDS OVER 20mm CAVITY SYSTEM HORIZONTAL CEDAR SHIPLAP WEATHERBOARDS OVER 20mm CAVITY SYSTEM METAL TRAY COLOURSTEEL CLADDDING SYSTEM 00mm SCHIST STONE CLADDING SYSTEM TBC DOUBLE GLAZING RAMELESS GLAZED BALUSTRADE SYSTEM

4-STOREY APARTMENT BLOCK - NORTH ELEVATION

SCALE 1:100





DISCLAIMER:

SCALE 1:100

NOTES:

PROJECT

MOUNT IRON RESORT

Lot 6 Three Parks Wanaka

MOUNT IRON RESORT **DEVELOPMENTS LTD**

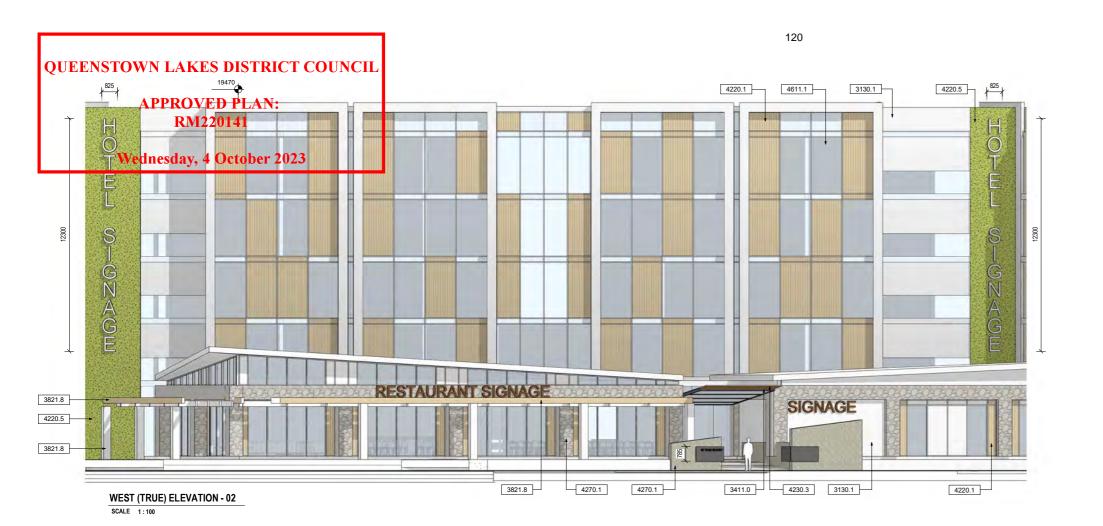
SCALE 1:100

ELEVATIONS - 4 STOREY APARTMENT

SCALE 1:100@A1 2010092 JOB NO. REV. A 4.4 Α

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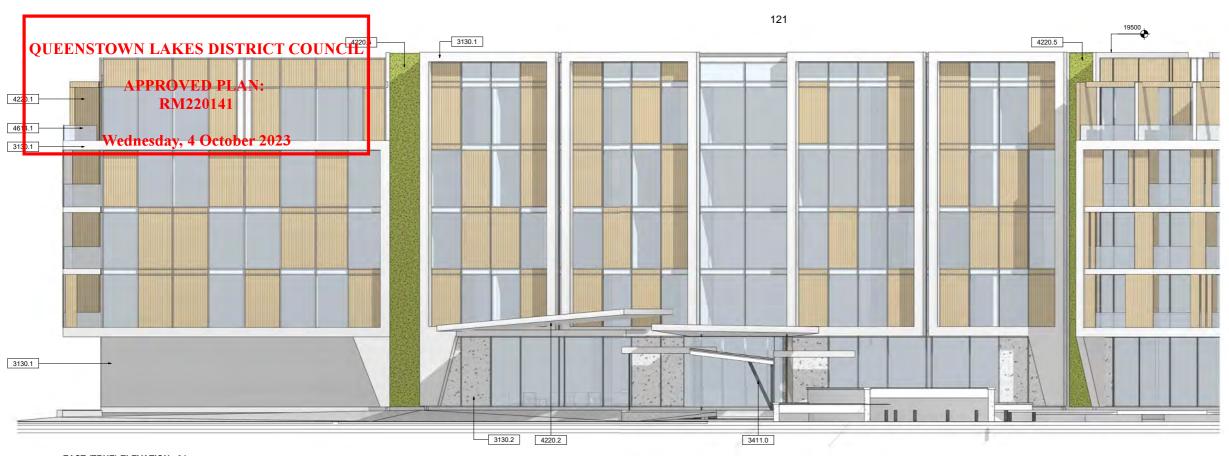
MOUNT IRON RESORT **DEVELOPMENTS LTD**

ELEVATIONS - HOTEL WEST

2010092 SCALE 1:100@A1 JOB NO. REV. A 6.2 Α

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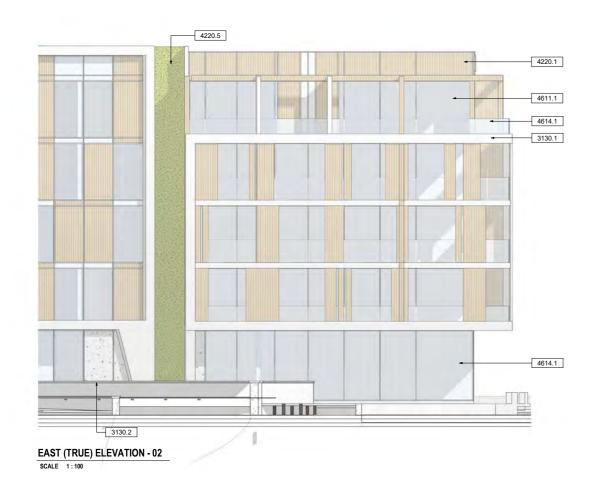
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EAST (TRUE) ELEVATION - 01

SCALE 1:100



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ELEVATIONS - HOTEL EAST

DRAWING NO. REV.

A 6.3

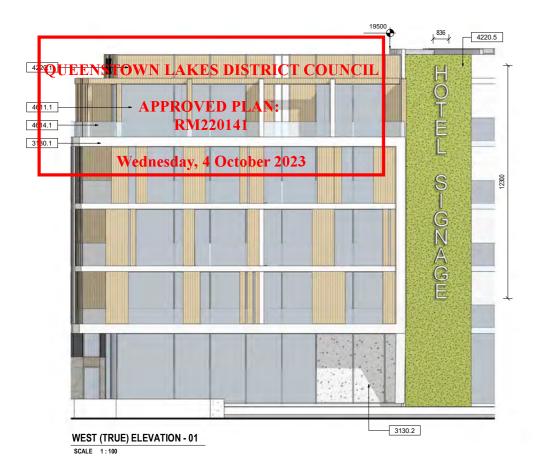
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4220.5 3130.1 4614.1 4220.1 3130.1 3130.2 4611.1 3411.0 EAST ELEVATION SCALE 1:100

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Lot 6 Three Parks Wanaka

MOUNT IRON RESORT

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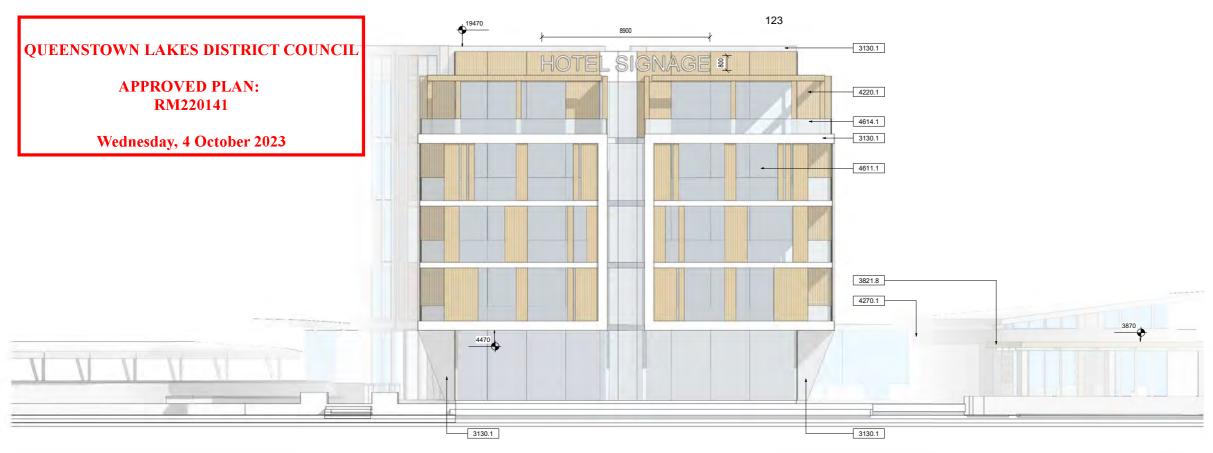
ELEVATIONS - HOTEL EAST

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NORTH ELEVATION SCALE 1:100

4220.1 3130.1 3821.8 4614.1

SOUTH ELEVATION

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PROJECT MOUNT IRON RESORT

Lot 6 Three Parks Wanaka

MOUNT IRON RESORT **DEVELOPMENTS LTD**

ELEVATION - HOTEL NORTH & SOUTH

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