



DECISION OF THE QUEENSTOWN LAKES DISTRICT COUNCIL

RESOURCE MANAGEMENT ACT 1991

Applicant:	K and P Martin
RM reference:	RM130177
Location:	Aubrey Road, Wanaka
Proposal:	To establish a residential building platform and to construct a building and accessory buildings within the building platform, together with associated landscaping and earthworks; and to cancel Conditions 7(b) and 9 of RM130092.
Type of Consent:	Land use
Legal Description:	Lot 6 Deposited Plan 302002 held in Computer Freehold Register OT/8050.
Valuation Number:	2906301200
Zoning:	Rural General
Activity Status:	Discretionary
Notification:	Publicly notified
Commissioners:	Commissioners D J Taylor and L Overton
Date:	30 January 2014
Decision:	GRANTED SUBJECT TO CONDITIONS

BEFORE QUEENSTOWN LAKES DISTRICT COUNCIL

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of an application by K & P
Martin for consent to
establish a residential
building platform, erect a
building and accessory
buildings, together with
associated earthworks and
landscaping at Aubrey
Road, Wanaka

Council file: RM130177

**DECISION OF COMMISSIONERS APPOINTED BY QUEENSTOWN LAKES
DISTRICT COUNCIL**

30 January 2014

Hearing Panel:

D Jane Taylor (Queenstown)
Leigh Overton (Wanaka)

Introduction

1. We have been given delegated authority to hear and determine this application by Queenstown Lakes District Council ("Council") under the Resource Management Act 1991 ("the Act") and, if granted, to impose conditions of consent.
2. The application (Reference RM130177) has been made by K and P Martin ("the Applicants") for land use consent to identify a residential building platform and to construct a building and accessory buildings within the building platform at a site located at Aubrey Road, Wanaka ("Little Mt Iron"). Consent is also sought for associated earthworks. A variation is sought to Resource Consent RM130092 pursuant to s.127 of the Act to cancel conditions 7(b) and 9, which relate to the amalgamation of the subject site with an adjoining proposed Lot 3.
3. A full description of the application and the consenting history is contained in sections 2 and 3 of the Section 42A report and also in sections 1, 2 and 3 of the assessment of environmental effects on the environment ("AEE") prepared for the Applicants by Vivian & Espie (at pages 4 - 13). The legal description of the property is Lot 6, Deposited Plan 302002 held in Computer Freehold Register OT/8050, comprising 28.5332 hectares.
4. The proposed activity requires resource consent for the following reasons under the Operative Queenstown Lakes District Plan:
 - (a) A **discretionary** activity resource consent pursuant to Rule 5.3.3.3(a)(i) to construct the proposed buildings and any physical activity associated with any building such as roading, landscaping and earthworks. This rule applies as there is currently no identified building platform on the Rural General zoned portion of the site.
 - (b) A **discretionary** activity resource consent pursuant to Rule 5.3.3.3(i)(b) relating to the identification of a building platform of not less than 70 m² in area and not greater than 1000 m² in area. The exact area of the proposed building platform is not known but will generally represent the footprint of buildings proposed in this application.
 - (c) A **restricted discretionary** resource consent pursuant to Rule 5.3.3(xi) as the proposed earthworks to be undertaken on site will not comply with Site Standards 5.3.5.1(viii)(1)(a), 5.3.5.1(viii)(1)(b), 5.3.5.1(viii)(2)(a), 5.3.5.1(viii)(2)(b), and 5.3.5.1(viii)(2)(c). The site standards are described in detail at section 6.1 of the Section 42A report.
 - (d) A **discretionary** activity consent pursuant to s.127(3)(a) of the Act, which deems any application to change or cancel consent conditions to be a discretionary activity. Conditions 7(b) and 9 of Resource Consent RM130092 require Lot 4 to be held in the same Computer Freehold Register as Lot 3. The cancellation of these conditions would allow approved Lot 4 to be held within a separate title.
5. The effects of the matters requiring consent are connected and overlapping, such that it is appropriate to bundle the activities together for assessment. Overall, the application falls to be considered as a **discretionary** activity.

Relevant Statutory Provisions

6. The provisions of the Resource Management Act 1991 relevant to the assessment of this application as a discretionary activity are ss.104, 104B, 108 and Part 2 of the Act.

Relevant Plan Provisions

7. The relevant planning documents considered were:
- (a) The Operative Queenstown Lakes District Plan (the “District Plan”) and, in particular, the following parts:
 - Part 4 – *District Wide Issues*
 - Part 5 – *Rural Areas*
8. Under the District Plan, the site is split-zoned Rural General and Rural Residential. The definition of “site” in the District Plan requires that portions of land with different zonings held in one Certificate of Title be considered as separate sites. The proposed activity is located on the Rural General portion of the site.

Application Information

9. The following information has been received and considered by the Commission in reaching its decision:
- (a) A report dated 14 October 2013 prepared under s.42A of the Act by Mr Richard Kemp, the Reporting Planner for the Council (the “Section 42A report”);
 - (b) The appendices to the Section 42A report, which include a landscape assessment report dated 28 June 2013 prepared by Mr Stephen Skelton, Landscape Architect, together with a further comment prepared by Mr Richard Denny, Landscape Architect; and an engineering memorandum dated 18 July 2013 prepared by Mr Steve Hewland, Engineer.
10. The following documents contained in the agenda accompanying the Section 42A report have also been considered in determining this application:
- The application and assessment of effects on the environment prepared by Vivian & Espie on behalf of the Applicants dated 28 March 2013.
 - An architectural design statement prepared by Eliska Lewis Architects Limited.
 - Site, elevation and floor plans (including earthworks and landscaping) prepared by Eliska Lewis Architects Limited.
 - A plan of the proposed building platform prepared by Eliska Lewis Architects Limited.
 - A landscape and visual effects assessment report prepared by Mr Ben Espie of Vivian & Espie dated 27 March 2013.

- An engineering report on wastewater treatment and disposal, and storm water disposal, prepared by Batchelar McDougall Consulting, Structural and Civil Engineers, dated 8 March 2013.
 - An engineering report on storm water soak pit design prepared by Batchelar McDougall Consulting, Structural and Civil Engineers, dated 31 August 2009.
 - Telecommunications and electricity confirmation letters received from Chorus (22 January 2013) and Aurora Energy Limited (19 December 2012).
 - Contaminated sites and natural hazards information supplied by the Otago Regional Council on 21 December 2012.
 - Correspondence between Lakes Environmental Limited and Vivian & Espie in relation to further information required, both pre and post-public notification.
 - A report titled Rock Fall Assessment: Little Mt Iron, Wanaka, prepared by Geoconsulting Limited of Queenstown dated 25 June 2013.
11. The Section 42A report recommended that resource consent be refused pursuant to s.104 of the Act for the following reasons:
- (a) It was considered that the adverse effects of the activity would be more than minor as the site is located in an Outstanding Natural Feature (“ONF”). In particular:
 - Due to the presence of a public walking track on adjacent conservation land, the proposal would represent a significant reduction to the openness of the landscape, would fail the test of being reasonably difficult to see and would adversely impact on the visual amenity of track users;
 - The proposal would introduce domestic elements into the southern side of Little Mt Iron Ridge. Such elements would be inconsistent with the landscape values and character of the site and immediate surrounding landscape; and
 - The location of the building platform/dwelling would reduce the recreational amenity of a user of the Hidden Hills Track to below that of an acceptable level and represent an inappropriate land use. There is Rural Residential-zoned land within the application site upon which the Applicant could undertake residential activity.
 - (b) The proposed development is not in accordance with a number of relevant objectives and policies of the District Plan which seek to avoid, remedy or mitigate an appropriate land use within the district; and
 - (c) In terms of Part 2 of the Act, while aspects of the proposal are consistent with the purpose of the Act, in its current form the proposal would be at odds with the primary purpose of the RMA.

Notification and Submissions

12. The application was publicly notified on 9 May 2013 and the period for lodging submissions closed on 7 June 2013. A total of five submissions were received within the statutory timeframe. The submission lodged by Mr L Cleugh was subsequently withdrawn on 8 July 2013.
13. Otago Regional Council ("ORC") submitted that consent should be refused unless Council is satisfied that the proposed development is adequately secure from the impacts of rock fall and landslide hazards. ORC suggested that further information be requested to understand and, if necessary, address these risks. This request was actioned by the Council as set out in the Reporting Planner's Section 42A report. ORC did not appear at the hearing.
14. The other three submissions were from owners/occupiers of neighbouring properties who considered that consent should be refused unless conditions can be imposed in relation to water supply, fire-fighting water storage and to ensure that any damage to road and water supply infrastructure during construction be repaired immediately. One of the submitters also requested that consultation be undertaken in relation to alternatives for the domestic electricity connection.

The Hearing

15. A hearing was held on 24 October 2013 at the Lake Wanaka Centre, Ardmore Street, Wanaka. In attendance were:
 - (a) One of the Applicants, Mrs Kate Martin, represented by Mr Russell Ibbotson, a Partner at Preston Russell Law;
 - (b) Council Officers, including Mr Richard Kemp, Reporting Planner; Ms Paula Costello, Planning Team Leader; Dr Marion Read, Consultant Landscape Architect; and Ms Lyn Overton, Council Engineer;
 - (c) Mr and Mrs A & R Corbett and Mr S Popperwell, submitters.
16. Mr Ibbotson called evidence from the following expert witnesses on behalf of the Applicants:
 - (a) Mr Ben Espie, Landscape Architect;
 - (b) Mr John McCartney, Consulting Civil Engineer with Hadley Consultants Limited;
 - (c) Ms Eliska Lewis, of Eliska Lewis Architects Limited; and
 - (d) Mr Carey Vivian, a Consultant Planner and Director of Vivian & Espie Limited.
17. Immediately prior to the hearing we conducted a site visit to the property, accompanied by Mr Kemp. Following the hearing, we returned to the site to walk the portion of the Hidden Hills track from which the proposed dwelling may be visible. We are satisfied that we gained a good appreciation of the site and the receiving environment.

Summary of the Evidence Heard

18. The following is a brief outline of the submissions and evidence presented on behalf of the Applicants and by submitters. We have not attempted to cover everything that was advanced as, where relevant, detailed material is included in our discussion of the principal issues and effects in the assessment section of this decision.
19. **Mr Russell Ibbotson** presented submissions in writing, describing the location of the site and the consenting history. He then focused on Mr Kemp's Section 42A report and submitted that the recommendation for consent to be refused was based on a "single and repetitive focus": the presence of a public walking track on adjacent conservation land (the Hidden Hills Track). In Mr Ibbotson's submission, the assessment of the proposal has *"unwittingly or otherwise been skewed by an unrelenting consideration of views and an assumed perception of viewers from portions of the nearby Hidden Hills Walking Track"*. Mr Ibbotson also made submissions on the definition of the term "public place", which excludes any trail.
20. Mr Ibbotson made a number of submissions on the relevant provisions of the District Plan and addressed the issues raised by Mr Kemp in his Section 42A report. The services (including the concerns of submitters) were then addressed. Mr Ibbotson commented on natural hazards and the positive effects of the application, emphasising the volunteered covenant to preclude any future subdivision or any further development of the land and the proposed Ecological Management Plan. Finally, Mr Ibbotson addressed the classification of Little Mt Iron as an ONF, drawing our attention to the absence of any "lines drawn on a plan". He submitted that it was generally accepted that the flanks of Little Mt Iron do include areas zoned Rural Residential and other development, and our assessment must accordingly give due regard to such modification. However, he accepted that notwithstanding this residential development, the land remains an important and iconic ONF and, accordingly, the volunteered covenants, the sympathetic design and the location of the dwelling are all very relevant considerations.
21. **Mr Ben Espie** addressed the landscape and visual effects of the proposal, and responded to the issues raised by Mr Kemp in his Section 42A report. He considered that:
 - The proposed dwelling and its associated activities are most visible from a particular section of the Hidden Hills Track and part of the Loop Track that lies south of the subject site. Mr Espie considered the visible portions of the proposed dwelling to be well recessed into the landscape and that future built form would have a low degree of visibility from the range of viewpoints.
 - When viewed from the Loop Track and other parts of the Department of Conservation land, the proposed dwelling and its associated activities would be reasonably difficult to see.
 - Domestic and vehicular noise resulting from the proposed activity would only exacerbate the existing situation to a slight degree.
 - The visibility of the proposed earth-mounding is minimal and would be appropriately integrated into the natural contours of the subject site.
 - While the site is sensitive in landscape and amenity terms, the proposal would add to the existing development of the vicinity in a way that would have a relatively minor

impact, while protecting and enhancing the broader site which takes the form of a prominent landscape feature.

- The structural landscape planting plan, together with proposed conditions of consent, would ensure that the large areas of proposed vegetation designed to mitigate the visibility of the proposed dwelling and its associated activities can be relied on.
22. Mr Espie considered the proposed application to be appropriately set into its surrounding context and that any potential effects that may arise in respect of landscape or visibility would be of a low degree. The positive effects of the preservation and ecological enhancement of Little Mt Iron would, conversely, be wide-ranging.
23. **Ms Eliska Lewis** gave evidence in relation to the architectural design of the residential dwelling and the associated resource management issues. Her evidence covered the proposed platform and house design overview, the roof and facade treatment, lighting, climate and sustainability, earthworks and services, calculations for earthworks and height planes. She concluded that the house was designed in such a way as to eliminate negative environmental impacts and to ensure true sustainability. She commented that the construction methods proposed are “expensive” but that the Applicants understand the long-term benefits and are dedicated to the principles of sustainability.
24. **Mr John McCartney**’s evidence addressed the concerns of submitters in relation to engineering issues as follows:
- Water supply – potable water and fire-fighting water for the proposed dwelling.
 - The issues in relation to the shallow water pipe in the existing driveway, which is susceptible to damage by heavy vehicles.
 - Damage to the driveway caused by construction vehicles.
 - The issues in relation to an existing cut batter, which is in close proximity to the driveway.
 - A request for signage to ensure that work vehicles do not enter the wrong property during dwelling construction.
25. Mr McCartney advised that the Applicants had volunteered to install (at their cost) a new water supply pipe in the driveway verge in the same trench as the new water supply pipe to their property. Connections to neighbouring properties would be made available, with any new individual connections being at each of the respective landowners’ expense.
26. **Mr Carey Vivian**’s evidence covered the amendments to the proposal (since the AEE was lodged), public notification and submissions, the status of the activity, engineering issues, and addressed the issues raised in Mr Kemp’s Section 42A report. Mr Vivian also supplied a set of suggested conditions of consent, which incorporated those recommended by the Council officers.
27. **Mr and Mrs Corbett** presented oral submissions and elaborated on their concerns in relation to the water supply pipeline and the provisions for the supply of power. They also raised the issue of fire and the limitations of the existing driveway for fire service vehicles.

28. **Mr Popperwell** addressed the concerns raised in his submissions, which included the use of the existing driveway by heavy construction vehicles and the need for conditions to address the repair of any subsequent damage. The difficulties associated with kanuka planted in close proximity to residential dwellings in the event of fire were canvassed.
29. We gratefully acknowledge the contributions and assistance received from counsel, Ms Martin, witnesses, submitters and Council officers. In particular, we thank all parties for the manner in which they conducted themselves during and after the hearing.

The Principal Issues in Contention

30. It was common ground that the application falls to be considered as a **discretionary activity**. A wide range of matters were traversed in the application, submissions, Section 42A report and supporting material, and during the hearing.
31. The principal issues in contention arising from the application, the Section 42A report and the contents of submissions, including matters raised during the hearing are:
 - (a) *Landscape and visual amenity effects*: the effects of the proposed development on the openness of the landscape and the visibility of development from the Hidden Hills track in view of the landscape category of Outstanding Natural Feature;
 - (b) *Positive effects*: the extent to which the proposed ecological management and pest management plan, together with the proposed covenant preventing any further subdivision or development, will compensate for any adverse effects on the landscape that may result from the proposal.
 - (c) *Effects on recreational amenity*: the extent to which the proposed development will result in adverse effects on the recreational amenity of persons using the Hidden Hills walking track;
 - (d) *Natural hazards*: the extent to which the risk of fire and corresponding safety issues during construction and on completion of the proposed can be satisfactorily mitigated;
 - (e) *Services*: the extent to which services can be provided to the site without compromising the services/infrastructure currently provided to the neighbouring properties; and
 - (f) *Objectives and policies*: whether the proposal is consistent with the relevant objectives and policies of the District Plan; in particular, those objectives and policies contained in Part 4.1 – *Natural Environment*, 4.2 – *Landscape and Visual Amenity*, 4.4 – *Open Space and Recreation*, 4.8 – *Natural Hazards*, 4.10 – *Earthworks*, and Section 5 – *Rural Areas*.

Assessment

The permitted baseline, existing environment and receiving environment

32. We concur with the Reporting Planner that the permitted baseline for this rurally-zoned site offers little assistance in the assessment of this application.

33. The **existing environment** includes the proposed four-lot subdivision of the application site (RM130092). This subdivision created three lots in the Rural Residential-zoned part of the site, with the balance Lot 4 (the site of this application) amalgamated to Lot 3 as there was no building platform identified.
34. We consider the **receiving environment** to be highly relevant to our assessment of this proposal. The land to the north and north-west of the site (the lower slopes of Little Mt Iron) and to the east of the site has been zoned for rural residential land use. Many of the rural residential sites have existing dwellings; however, there are a significant number of lots in the newer Hidden Hills subdivision on which buildings are yet to be constructed. Both Mr Espie and Mr Vivian referred to the proximity of the proposed dwelling to the existing residential development to the north – a distance of approximately 150 metres. We concur with Mr Vivian that the rural residential area to the north and east, although located on an ONF, has a peri-urban character as a result of the permitted residential activity in this area.
35. We noted on our second site visit that there are several properties within the Hidden Hills development that have yet to contain any built form. Several of the eventual residences will be plainly visible within the visual catchment of the Hidden Hills Track area (which includes the proposed dwelling).

Landscape classification

36. We accept the evidence of the Council's Landscape Architects and Mr Espie that the proposed development is located within an Outstanding Natural Feature (Little Mt Iron). Mr Espie noted that Mt Iron's landform is relatively unmodified and free of buildings, structures and obvious human elements. He considered that the exception to this is its northern extreme, which has been zoned Rural Residential and is being incrementally developed in accordance with the provisions of that zoning.
37. In terms of vegetation, Mt Iron is predominantly covered in native vegetation, notwithstanding that this is re-colonising vegetation following burning and clearance. Mr Espie considered that the degree of naturalness of Mt Iron is *"at least as high as that of Slope Hill, Morven Hill and Queenstown Hill, if not higher"*.

Actual and potential effects on the environment

38. As the application site is located within an Outstanding Natural Feature, the assessment matters relevant to the consideration of the landscape effects of activities are found in Part 5.4.2.1(i) of the District Plan. We concur with Mr Espie that these assessment matters are a comprehensive suite and take into account all matters that are relevant to the assessment of the effects of this proposal on the landscape. They also cover all matters raised by the relevant landscape objectives and policies, and we do not consider there to be any ambiguity between the relevant objectives and policies and the relevant assessment criteria in this case.
39. Both Mr Espie and the Council's landscape architect, Mr Skelton, assessed the application in accordance with the relevant assessment matters. Although there was a considerable degree of concurrence, the Council officers (including Mr Kemp) concluded that due largely to the presence of a public walking track on adjacent conservation land, the proposal would represent a significant reduction in the openness of the landscape (5.4.2.2(1)(a)), would fail the test of being reasonably difficult to see (5.4.2.2(1)(b)), and would adversely impact on the visual and recreational amenity of track users. We address each of these issues in turn.

Openness of the landscape

40. Mr Kemp concluded that the proposal would result in a significant reduction to the openness of the landscape, *“however only when viewed from the walking track and [as a result of] experiencing the result of domestic activity closer to the building platform”*. Mr Espie, however, considered that the proposal would maintain and enhance the majority of the site in its current state. The proposed dwelling is located on the lower south-western slopes of Little Mt Iron within the saddle that runs east to west between Little Mt Iron and Mt Iron. This proposed location, unlike the majority of the subject site, is not broadly visible from public places and is contained by topography to a significant degree.
41. We concur with Mr Espie that the degree to which the proposed residential dwelling will potentially affect the appreciation of openness is largely a function of the visibility of the dwelling and its associated activities. The proposed dwelling has been specifically designed in a sustainable manner to minimise its impact on the environment: it will be built over three levels and recessed into the hillside. Colours and design features, such as the proposed grass roofs, will assist to minimise visibility and to integrate the building into the site. All proposed exterior cladding materials and colours are natural and appropriately recessive. The new dwelling is to be located within an identified building platform that closely follows the building footprint of the dwelling; correspondingly, any proposed extensions at a future date will require a new resource consent application.
42. Accordingly, we are satisfied that the proposed dwelling and its associated activities, which will only be visible from a specific and limited visual catchment, are unlikely to impact on the openness of the landscape in a significant way. The vast majority of the site will retain its current character, and its present ecological and vegetated state will be enhanced. The proposed ecological management plan (which will form a condition of consent) will ensure that Little Mt Iron’s appearance is both preserved and enhanced in the future. It should be noted that the existing vegetation cover of the site means that it is not visually open – it is vegetated, and we agree with Mr Espie that this situation will be enhanced as a result of the proposal.
43. In view of the above, we have concluded that the proposed dwelling will not significantly reduce the openness of the landscape. The effects of the dwelling and residential occupation on openness are contained and minimised by the careful and comprehensive design and there is only a relatively small visual catchment from which the potential effects will be perceivable. The dwelling is well integrated within a currently vegetated area near the existing boundary with the Hidden Hills residential subdivision, and the proposed planting will further reduce any impact on the immediate surrounds.

Visibility of development

44. The assessment criteria require that the proposed development be reasonably difficult to see when viewed from public roads and other public places, and that the proposed development will not be visually prominent such that it dominates or detracts from public or private views otherwise characterised by natural landscapes. Although Mr Kemp concluded that the proposed dwelling will have an appropriate external appearance and be supplemented by several mitigation measures, he considered that the building would be visible to a significant degree from areas of the Hidden Hills Walking Track and would detract from the high landscape values of the site. In his view, such adverse effects located within an ONF are not appropriate in the context of the assessment criteria. Mr Kemp’s conclusion is largely based

on the degree of visibility from locations on the Hidden Hills Walking Track and, to a lesser degree, the Mt Iron Loop Track.

45. We concur with Mr Espie (following our second site visit during which we walked the Hidden Hills Track) that the dwelling and associated activities will be reasonably difficult to see from most of the Hidden Hills track given the existing topography, vegetation and proposed landscaping. However, it is apparent that from several distinct viewpoints on the Hidden Hills Track the dwelling will not be reasonably difficult to see, although we accept that its visibility will be of a low degree when considered, as Mr Espie has put it, "in its context". We consider the context in this regard to be critical to our evaluation: the context in which the proposed dwelling will be visible is in views that also include existing residential development, such as the Corbett residence (which in these views sits above the proposed dwelling), together with as yet unconstructed dwellings in the Hidden Hills subdivision.
46. We note that the Council officers are primarily concerned with the visibility from what is an elevated link trail (in which the wider Wanaka urban environment can also be seen) and concur with Mr Vivian that this is, on the contrary, indicative of the site's ability to absorb the proposed development.
47. We agree with the Council Officers that the proposal will introduce domestic elements, however we do not consider that these will adversely affect the appreciation of the landscape values of Little Mt Iron or the wider landscape.
48. In summary, we concur with Mr Espie that the proposed dwelling and associated activities will be very well hidden. From a few particular vantage points within the Department of Conservation managed land of Mt Iron, parts of the dwelling may not meet the test of being reasonably difficult to see; however, we accept that the dwelling will be peripheral in these views and not visually prominent. It is significant, in our assessment, that the larger and more elevated parts of the site that are widely visually appreciated will be protected from development by way of a covenant and will be enhanced in terms of natural character through the proposed ecological management plan. In particular, the removal of weed species including wildings and broom will have significant positive benefits.

Positive effects

49. The assessment matters require consideration of the positive effects of the proposal, which include an evaluation of whether the proposed activity will protect, maintain or enhance any of the ecosystems that have been compromised by past subdivision and/or development; whether the proposed activity provides for the retention and/or re-establishment of native vegetation and its appropriate management, particularly where native vegetation has been cleared or otherwise compromised as a result of past subdivision and/or development, and whether the proposed development provides an opportunity to protect open space from further development that is inconsistent with preserving a natural open landscape. In addition to consideration of positive effects, the assessment matters also require us to consider the use of restrictive covenants, easements, consent notices or other legal instruments otherwise necessary to realise the positive effects outlined above, and to ensure that the potential for future effects, particularly cumulative effects, are avoided.
50. The Applicants have volunteered a condition of consent that a covenant be entered into to protect Lot 4 from any future subdivision and/or development.

51. The volunteered conditions also include a comprehensive ecological management plan, which is to be submitted to Council for approval within 6 months of the date of issue of this consent. The purpose of the plan is to implement ecological restoration, ensure a reduction in fire safety hazard, and to implement wilding pine control and pest management strategies to enhance the natural character and amenity of the property. To ensure that the ecological management plan is implemented and in response to concerns about enforceability raised by this Commission, the Applicants have volunteered to kill or remove existing wilding pine and broom from the site (to the satisfaction of Council) prior to the construction of the proposed dwelling. A ten year lapse period has been requested to allow sufficient time for this programme of work to be completed.
52. Mr Kemp concluded that positive effects resulting from the proposal would enhance the ecological values of the site from its present state. However, he regarded the issue as *“not limited to the subject site and the volunteered measures will only seek to protect a sensitive landscape once residential activity has been introduced”*. He therefore concluded that while positive effects would result from the volunteered conditions of consent, these effects would be minor when balanced against the adverse landscape effects of the proposed development.
53. With respect, we disagree with the weight that Mr Kemp has ascribed to the positive effects of the application. In our assessment, the volunteered conditions will preserve the widely appreciated feature of Little Mt Iron in a state that is free of any obvious development and will protect and enhance its natural character and visual and ecological interest. In particular, the removal of weed species, particularly broom (which is becoming well established within the site), will have significant benefits, both ecologically and in terms of visual amenity. In addition, the covenant against future subdivision and development will maintain the naturalness of Little Mt Iron and avoid any cumulative effects of development in this vicinity. Accordingly, the vast majority of the 28.5 hectare site comprising ONF will be protected from inappropriate future development.
54. We concur with Espie that due to the specific design of the proposed dwelling, which allows the built form to be recessed into the existing topography and which includes earth-worked and vegetated roofs to enable the dwelling to be particularly well hidden, the design features will minimise potential visual prominence when viewed from public places and will not further compromise the natural character of the landscape compared to the existing situation. On the contrary, the proposal allows the restoration, enhancement and protection of the natural character of the ONF and prevents further development from occurring, while locating a specific instance of a well-designed and integrated development in a “hidden” part of the site that is in close proximity to existing residential development.

Impact on recreational amenity

55. Mr Kemp concluded that the adverse effect of the proposal on recreational amenity is a substantial adverse effect and one that would reduce the level of recreational amenity experienced by users of the Hidden Hills Track below that of an acceptable level.
56. We have previously discussed the visibility of the development from vantage points along the Hidden Hills Track and concluded that, from the few vantage points that are available, the dwelling will be viewed in conjunction with other residential development and built form such that it will not be prominent in the landscape.

57. We concur with Mr Vivian that the Hidden Hills Trail is “*not a highly valued wilderness or backcountry trail*”. Rather, it is a peri-urban trail developed to a rough standard that links to a more significant and high-use trail, the Mt Iron Loop Trail. We further agree that glimpses of built form do not necessarily equate to an adverse experience for track users. In the context of the Hidden Hills subdivision and the area of the track from which the proposed development will be visible, views and glimpses of buildings are to be expected and, in our opinion, are more likely to add interest to the experience of a user than to detract from it. There is force in Mr Vivian’s conclusion that the proposed dwelling, with its extremely sensitive architectural design, will become a feature of the journey a user will experience while walking on the lower portion of the Hidden Hills Trail. As previously discussed, it is the context of the wider receiving environment that has influenced our conclusion in this regard.

Natural hazards

58. Council’s engineer, Mr Hewland, advised that a landslide hazard (rock fall) on the eastern slopes of the proposed lot has been identified on the Council’s hazard register maps. As a result, and in view of the submissions of ORC, a geotechnical report prepared by Geoconsulting Limited was submitted to Council. The report concluded that there are very few rocks located on the slopes surrounding the building platform and that there is a very low risk of a rolling boulder taking an oblique path towards the house. The report recommended that affected rocks be cable-lashed into the slope as a simple mitigation measure. The Applicants have confirmed their acceptance of this recommendation and have volunteered an appropriate condition of consent.
59. At the hearing, the issue of fire safety was raised by the Commission and by the submitters. In the past there have been instances of uncontrolled fires moving very rapidly towards the residential area on Mt Iron and discussion focussed on potential mitigation measures that could be incorporated into the development to ensure that human lives were not put at risk should an uncontrolled fire eventuate in future.
60. Following the hearing, the Applicant commissioned a Fire Safety Report from Mr P T Murphy of Fire Safety Advisory Services, Dunedin dated 28 November 2013. The report identified potential safety issues in relation to access, vegetation near the proposed dwelling and fire fighting water supplies. A number of recommendations to mitigate the major concerns were made, which included an internal sprinkler system, a dedicated water tank for the sprinkler operation, and the storage of storm water in an underground tank fitted with a dual purpose pump to be positioned near the proposed dwelling. As a result, the Applicant has offered conditions to give effect to the recommendations, including revisions to the landscape plan to ensure native plant species of low flammability that also meet the criteria for visual mitigation are established in Area “A”.
61. Having reviewed the Fire Safety Report, while we accept that the risk of a serious fire in this vicinity cannot be avoided, we are satisfied that the conditions volunteered by the Applicants will mitigate the risk associated with fire safety to an acceptable level. In particular, the serious risk posed by flammable vegetation near the proposed dwelling has been significantly reduced by the introduction of more fire resistant species.

Services

62. Council’s engineers are satisfied that the proposed dwelling can be adequately serviced. Following submissions made by the neighbouring submitters, the Applicants have volunteered

to relocate the water supply pipe to the side of the access way to avoid any future damage and corresponding issues. The submitters who attended the hearing viewed this offer positively.

63. We are satisfied that the conditions include appropriate measures to guard against construction effects and to provide for the repair of the existing driveway in the event that damage occurs. Accordingly, we consider that any adverse effect of the activity on services is negligible.

Conclusion

64. Having considered all of the evidence before us, we have concluded that any adverse effects on the environment as a result of the proposed activity have been suitably remedied or mitigated to an acceptable level. To the extent that this conclusion may be finely balanced, we find that the positive effects of the application in relation to the proposed no development or subdivision covenant, together with the ecological management and enhancement plan, add significant value to the overall proposal such that any of the more material adverse effects are adequately compensated. We acknowledge that this is an extremely sensitive area of ONF, however the development is appropriately located close to existing residential development, and the comprehensive design of the dwelling is suitable for the site. The significant benefit to the community that will be obtained as a result of the prevention of any further development on this site, together with the ecological enhancement of the ONF and the natural feature of Little Mt Iron as a result of the stewardship that has been offered by the Applicants, is overwhelmingly positive.

Objectives and Policies of the District Plan

65. As previously discussed, our evaluation of the assessment matters takes into account all matters raised by the relevant objectives and policies set out in Part 4.2 – *Landscape and Visual Amenity* of the District Plan. For the reasons previously given, we find the proposal to be consistent with these important objectives and policies.
66. For the reasons explained above, we are also of the view that the proposal is consistent with the objectives and policies in relation to open space and recreation found at Part 4.4 of the District Plan. Although the residential dwelling is proposed to be located approximately 50 metres from a public walking track, the context of the environment is peri-urban and we do not consider that the current experience of this lower portion of the track will result in any significant reduction of recreational values or detract from the amenity of users.
67. In relation to Part 5 – *Rural Areas*, it is plain that although the site was once farmed, it has not been utilised for this purpose for many years. As the site is surrounded by urban development and comprises largely regenerating native kanuka and weed species, it does not have any significant value for productive rural activities. We concur with Mr Ibbotson's submission that the outcome that this application seeks to achieve for the property (which has no prospect of continuing to be capable of any farming purpose) is one "*that is worthy of recognition and of consent*". In particular, the proposal provides certainty in relation to the retention of this iconic feature in a natural state for the foreseeable future. The provision of a home for the Applicants will promote and encourage the necessary stewardship over the balance land, which will in turn ensure that the openness of Little Mt Iron remains protected and enhanced. Although there will be some impact on views from the Hidden Hills Track, the much wider views and the naturalness that will be protected by this application is, in our opinion, of

considerably greater benefit and, accordingly, we have concluded the proposal is consistent with the Part 5 relevant objectives and policies.

Part 2

68. Mr Kemp concluded that sustainable management would not be achieved due to the adverse effects on the users of the Hidden Hills Trail. Mr Vivian disagreed with Mr Kemp's conclusion, and was of the view that sustainable management includes balancing the factors offered by the entire proposal, which includes an ecological restoration plan and a covenant preventing future development. In his opinion, Mr Kemp's consideration of sustainable management is short sighted, focusing only on the visibility of the dwelling from one trail, and fails to adequately consider the long-term management of the property. Mr Vivian made the point that residential development which has only a minor effect on landscape values when viewed from outside the site, linked to an ecological restoration of the wider area (which includes a substantial part of the ONF), together with a covenant preventing further development, is appropriate and, in his opinion, is exactly what s.6(b) of the Act seeks to achieve.
69. Similarly, Mr Vivian considered that Mr Kemp failed to take account of the proposed ecological restoration plan, which represents kaitiakitanga (the ethic of stewardship) in accordance with the requirements of s.7 of the Act. In Mr Vivian's opinion, the proposed dwelling has not been balanced fairly against the other significant advantages that the application offers.
70. Having considered the evidence before us, we have concluded that the proposal does represent sustainable management of this unique and special property. Although the proposed dwelling will introduce a domestic element to this area of land (albeit that it is in reasonably close proximity to existing residential development), when considered in conjunction with the protection of the high landscape values of the remainder of the land by way of the proposed covenant and the ecological restoration plan, the application meets the objectives of Part 2 of the Act and in our view represents sustainable management of this area.

Conclusion

71. Pursuant to ss.104 and 104B of the Resource Management Act 1991, this application is granted subject to the following conditions of consent.
72. Pursuant to s.113 of the Act, the reasons for this decision are:
 - (a) In terms of s.104(1)(i) of the Act, the actual and potential effects of the proposal on the environment are, on balance, acceptable. All potential adverse effects, particularly in relation to landscape and visual amenity effects, will be adequately mitigated by the design measures proposed by the Applicant and by the conditions that have been offered and/or imposed. To the extent that this judgement is finely balanced, the positive effects arising from the proposal, which include the volunteered covenant preventing future subdivision and development and the ecological management and enhancement plan, have considerable compensatory value, particularly in the context of the Outstanding Natural Feature of Little Mt Iron.
 - (b) In terms of s.104(1)(b) of the Act, we consider the proposal to be consistent with the relevant objectives and policies of the District Plan, including those in Part 4 and

Part 5. The proposal is consistent with the relevant assessment criteria relating to Outstanding Natural Features and with the associated objectives and policies.

- (c) We are satisfied that potential natural hazards have been adequately addressed and that appropriate measures have been provided to ensure that any danger to persons from rock fall or fire are adequately remedied, mitigated or avoided.
- (d) In terms of s.104(1)(c) of the Act, other relevant matters, including monitoring and conditions, have been considered in our determination of the application.
- (e) The proposal is consistent with Part 2 of the Act. The proposed dwelling will provide for the economic and social benefit of the Applicants while retaining and enhancing the naturalness of the remainder of the site for future generations. Overall, the application is considered to promote the purpose of the Act, which is the sustainable management of natural and physical resources.

Conditions

- 73. At the conclusion of the hearing, we suggested that the Applicants' representatives and the Council officers meet to discuss amendments to the conditions following the hearing and which resulted in a draft set of conditions as largely agreed between Council and the Applicants. We are grateful for the effort that was put into this process.
- 74. Pursuant to s.108 of the Act, this consent is subject to the following conditions:

Decision – Land Use

Consent is GRANTED pursuant to Section 104 of the Act, subject to the following conditions imposed pursuant to Section 108 of the Act:

General Conditions

- 1. That the development must be undertaken/carried out in accordance with the plans:
 - Eliska Lewis Architect dwelling and earthworks plans A000 RC1 Revision RC1 dated 20/2/13, A100 RC1 Revision RC1 dated 25/03/13, A101 RC1 Revision RC1 dated 25/03/13, A200 RC1 Revision RC1 dated 5/03/13, A201 RC1 Revision RC1 dated 5/03/13, A202 RC1 Revision RC1 dated 5/03/13, A203 RC1 Revision RC1 dated 5/03/13, A204 RC1 Revision RC1 dated 5/03/13, A205 RC1 Revision RC1 dated 5/03/13, A206 RC1 Revision RC1 dated 5/03/13, A207 RC1 Revision RC1 dated 5/03/13, A300 RC1 Revision RC1 dated 5/03/13, A301 RC1 Revision RC1 dated 5/03/13, C100 RC1 Revision RC1 dated 20/2/13, C101 RC1 Revision RC1 dated 20/2/13, C102 RC1 Revision RC1 dated 20/2/13, and C103 RC1 Revision RC1 dated 20/2/13.
 - Residential Building Platform plans drawn overtop of Eliska Lewis Architect plan A101 RC1 Revision RC1 dated 5/03/13 as attached as Appendix E to the application; and Revised Landscape Plan A101:RC1 dated 27/11/13.

stamped as approved on **20 January 2014** 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 and shall pay to Council an initial fee of \$240. This initial fee has been set under section 36(1) of the Act.
4. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being New Zealand Standard 4404:2004 with the amendments to that standard adopted on 5 October 2005, except where specified otherwise.

Landscape and Ecology Conditions

5. The consent holder shall immediately after the commencement of this consent register a covenant on the Computer Freehold Register to prohibit any further subdivision or buildings from being established on Lot 4. A copy of this covenant shall be submitted to the Council for their information.
6. No exterior lighting shall result in greater than a 3.0 lux spill (horizontal or vertical) of light onto any other site measured at any point inside the boundary of the other site.
7. All elements of domestic curtilage (such as car parking areas, lawns, domestic landscape planting, outdoor storage areas and clotheslines) for the dwelling shall be contained within an area no further than 25 metres to the north and north-west of the dwelling. No curtilage activities shall be permitted to the east or south of the dwelling.
8. All of the site outside the permitted curtilage area shall be managed as ecological restoration or pastoral land to be maintained by way of grazing. No exotic planting shall be permitted within the curtilage area and on this pastoral land.
9. Fencing shall be limited to traditional post and wire fencing only. Fencing may include pest control measures in accordance with the Ecological Management Plan approved under Condition 10.
10. An Ecological Management Plan for the on-going maintenance of the site shall be submitted to Council for approval within six months of the issue date of this resource consent. The purpose of the Ecological Management Plan shall be to implement ecological restoration, ensure reduction in fire safety hazard, implement wilding pine control and pest management strategies to enhance the natural character and amenity values of the site. All works approved within the Ecological Management Plan shall be implemented within timeframes specified therein, with the intention that work shall commence within one year or less from the completion of the construction of the dwelling approved by this resource consent (except where specified in condition 10a). The Ecological Management Plan shall set out methods and timeframes of work in order to:
 - Remove or kill all wilding exotic trees and broom from the site and prevent any future infestation.
 - Foster the continued growth of native vegetation within the site such that the area of the site currently covered in this vegetation (as shown on Appendix 3 of the Landscape and Visual Effects Assessment Report prepared by Vivian+Espie and dated 29 March 2013) incrementally increases in density, biodiversity and self-sustainability of native species over time. This shall include the on-going management of plant and animal pests.
 - Maintain the area of the site currently covered in exotic grass (as shown on Appendix 3 of the Landscape and Visual Effects Assessment Report prepared by Vivian+Espie and dated 29 March 2013) either in its current state with no further invasion by exotic species, or in a state that incrementally converts it to a native vegetation cover over time.
 - Plant the areas shown as "proposed vegetation" on the Local Site Plan and Landscape/Section Key and Earthworks Plan prepared by Eliska Lewis Architects Ltd and

dated 27/11/2013 so as to create areas of dense, self-sustaining kanuka-dominated native bush. The only exception to this is the areas marked 'A' adjoining the dwelling planted which shall be planted in native species of low flammability. All planting shall be completed within one year or less from the completion of the construction of the dwelling approved by this resource consent.

As a minimum, the submitted Ecological Management Plan shall include details of the following:

- Methods proposed to remove or kill existing wilding exotic trees and broom from the site and to exclude these from the site on a year to year basis.
- Methods to exclude and/or suitably manage pests within the site in order to foster growth of native vegetation within the site.
- A programme or list of maintenance work to be carried out on a year to year basis on order to bring about the goals set out above.
- Details of species and plant densities to be planted in the areas of "proposed vegetation".

- 10a. The consent holder shall remove or kill existing wilding exotic trees and broom from on the site, in accordance with the approved methods contained in the Ecological Management Plan approved under condition 10, prior to the construction of the dwelling to the satisfaction of the Council's Parks & Reserves Officer (Forestry).

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

11. Prior to the commencement of any works on the site the consent holder shall provide to the Principal Resource Management Engineer at Council for review and certification, copies of specifications, calculations and design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (4), to detail the provision of a minimum supply of 2,100 litres per day of potable water to the dwelling from Councils reticulation. This shall include a pressure booster pump and an Acuflo CM2000 as the toby valve. The costs of the connection shall be borne by the consent holder.
12. At least 7 days prior to commencing excavations, the consent holder shall provide the Principal Resource Management Engineer at Council with the name of a suitably qualified professional as defined in Section 1.4 of NZS 4404:2004 who shall supervise the excavation procedure and retaining wall construction. This engineer shall continually assess the condition of the excavation and shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability. This engineer may also need to supervise fill compaction for certification in accordance with condition (20) below.
13. Prior to commencing works a 'Condition Survey' is to be conducted on the right of way that services the consent holder's site. This shall be provided to the Principal Resource Management Engineer at Council. The survey shall highlight any existing defects to enable assessment to be made on completion of the works that effects from these earthworks have not caused further deterioration to the carriageway.
14. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur in accordance with the QLDC "A Guide to Earthworks in the Queenstown Lakes District" brochure. These measures shall be implemented prior to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
15. The consent holder shall place a small directional sign to direct traffic to the Martin property at the driveway junction adjoining 703 Aubrey Road.
16. To prevent traffic causing damage to the berm the consent holder shall place a small bollard in front of the batter slope adjoining 703 Aubrey Road and shall ensure that the bollard is maintained for the duration of the construction period.

To be monitored throughout works

17. 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.
18. No earthworks, temporary or permanent, are to breach the boundaries of the site.
19. No goods, materials, vehicles or machinery shall be permanently stored on the right of way.

On completion of earthworks

20. On completion of earthworks within the building footprint and prior to the construction of the dwelling, a suitably qualified engineer experienced in soils investigations shall either:
 - (a) Provide certification to the Principal Resource Management Engineer at Council, in accordance with NZS 4431:1989, for all areas of fill within the site on which buildings are to be founded (if any), this will require inspections by a chartered professional engineer; or
 - (b) The foundations of the dwelling shall be designed by a suitably qualified engineer, taking into consideration any areas of uncertified fill on-site. A producer statement shall be submitted to the Principal Resource Management Engineer at Council for the design of the dwelling foundations.
21. On completion of earthworks, all earthworked/exposed areas shall be top-soiled and grassed/revegetated in accordance with Eliska Lewis Plan A101 RC1 Revision RC1 Dated 25/03/13 or otherwise permanently stabilised.

Prior to occupation of dwelling

22. On completion of the earthworks and prior to the occupation of the dwelling, the consent holder shall submit the following information to the Principal Resource Management Engineer at Council for review and certification:
 - (a) An engineer's PS4 Producer Statement shall be submitted for any permanent retaining walls within the lot which exceed 1.5m in height or are subject to additional surcharge loads; or
 - (b) The consent holder shall provide a copy of a Code of Compliance Certificate obtained under a Building Consent for any permanent retaining walls within the lot which exceed 1.5m in height or are subject to additional surcharge loads.
23. Prior to the occupation of the dwelling, the consent holder shall complete the following:
 - (a) Installation of the potable water supply certified in Condition (11) above.
 - (b) The submission of 'as-built' plans and information required to detail the water supply in association with this development at the consent holder's cost. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all water, wastewater and stormwater reticulation (including private laterals and toby positions).
 - (c) Construction of an access way with provision for drainage in accordance with Councils standards and the drawing "Site Plan, A201, Revision F" submitted with the application.
 - (d) Removal of the rock fall hazard by either; cable lashing of the rocky outcrop as recommend by Geoconsulting Ltd in their report titled "Rock Fall Assessment: Little Mt Iron, Wanaka", dated 25 June 2013, or by other means as certified. Certification that

the rock fall hazard has been mitigated shall be submitted to the Principal Resource Management Engineer at Council in the form of a producer statement from an appropriately experienced and qualified geoprofessional.

- (e) Installation of an onsite waste effluent disposal system in accordance with the recommendations contained within the report prepared by Batchelar McDougal Consulting Ltd "Engineering report on wastewater treatment & disposal and stormwater disposal for the proposed Martin residence", reference 0907-790, submitted with the resource consent application. This shall include the installation of standard water reduction plumbing fixtures within the dwelling. The contractor and certifying engineer shall provide Completion Certificates to the Principal Resource Management Engineer at Council confirming that the system has been installed in accordance with the approved design. The Completions Certificates shall be in the format of a Producer Statement, or the NZS4404 Schedule 1B and 1C Certificate. The Completion Certificates shall cover the installation of standard water saving fixtures as recommended in the design report and full details of these installed fixtures shall be provided for review and certification.
- (f) [Deleted.]
- (g) The submission of Completion Certificates from both the Contractor and a professional Engineer for all infrastructure works completed in relation to or in association with this development (for clarification this shall include all Roads, Water, Wastewater and Stormwater infrastructure). The certificates shall be in the format of a Producer Statement, or the NZS4404 Schedule 1B and 1C Certificate.
- (h) Any power supply and telecommunications to the dwelling shall be underground from existing reticulation and in accordance with any requirements/standards of the network providers.
- (i) Remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
- (j) Prior to the occupation of the dwelling fire fighting storage is to be provided. A minimum of 20,000 litres shall be maintained at all times as a static fire fighting reserve. A fire fighting connection in accordance with Appendix B - SNZ PAS 4509:2008 is to be located not more than 90 metres, but no closer than 6 metres, from any proposed building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source – see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family dwellings. In the event that the proposed dwellings provide for more than single family occupation then the consent holder should consult with the NZFS as larger capacities and flow rates may be required. The Fire Service connection point/coupling must be located so that it is not compromised in the event of a fire. The connection point/coupling shall have a hardstand area adjacent to it (within 5m) that is suitable for parking a fire service appliance. The hardstand area shall be located in the centre of a clear working space with a minimum width of 4.5 metres. Pavements or roadways providing access to the hardstand area must have a minimum formed width as required by QLDC's standards for rural roads (as per NZS 4404:2004 with amendments adopted by QLDC in 2005). The roadway shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Access shall be maintained at all times to the hardstand area.

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

- (k) The consent holder shall engage a suitably qualified and experienced engineer with expertise in indoor and outdoor sprinkler systems to establish the requirements for an internal automatic sprinkler system within the dwelling, including exterior sprinkler heads above all windows, and to establish the water supplies required for the system to work effectively.
- (l) The external sprinkler heads above all windows shall have a manual control so that they can be operated independently of the internal sprinkler system in the event of a vegetation fire.
- (m) All stormwater collected is to be stored in an underground tank positioned near the dwelling and fitted with a dual powered pump with a connected hose, so that it can be utilised if required for fire fighting purposes.

New Building Platform to be registered prior to occupation of dwelling

- 24. On completion of works detailed in Condition 23 and prior to the occupation of the dwelling, the consent holder shall provide a "Land Transfer Covenant Plan" showing the location of the approved building platform (as per the Eliska Lewis Architects Ltd plan Project 08:03, Sheet No. A101, Revision No. RC1, Plot Date 05/03/13). The consent holder shall register this "Land Transfer Covenant Plan" on Computer Freehold Register for Lot 6 DP 302002 and shall execute all documentation required to register this plan. The costs of doing so are to be borne by the consent holder.

On-going Conditions/Covenants

- 25. At the time that the building platform is registered on the Computer Freehold Register for the site, the consent holder shall register the following conditions as a covenant pursuant to Section 108(2)(d) of the Resource Management Act 1991:
 - (a) All buildings shall be contained within the Building Platform as shown as Covenant Area X on Land Transfer Plan XXXXX

Review

- 26. Within 10 working days of each anniversary of the approval date of this resource consent or upon receipt of information identifying non-compliance with the conditions of this consent, the Council may, in accordance with Sections 128 and 129 of the RM Act 1991, serve notice on the consent holder of its intention to review consent conditions of this resource consent for any of the following purposes:
 - (a) There is or is likely to be an adverse environmental effect as a result of the exercise of this consent, which was unforeseen when the consent was granted.
 - (b) Monitoring of the exercise of the consent has revealed that there or is likely to be an adverse effect on the environment.
 - (c) There has been a change in circumstances such that the conditions of consent are no longer appropriate in terms of the purpose of the above Act.

Lapsing of Consent

- 27. This consent shall expire in 10 years from the date of this decision.

Decision – Variation to RM130092

- (1) That the application by K and P Martin to cancel conditions 7(b) and (9) of RM130092 be granted pursuant to section 127 of the Resource Management Act 1991.

Dated at Queenstown on the 30th day of January 2014

A handwritten signature in black ink, appearing to be 'Jane Taylor', written in a cursive style.

Jane Taylor

INDEPENDENT HEARINGS COMMISSIONER

Resource Consent



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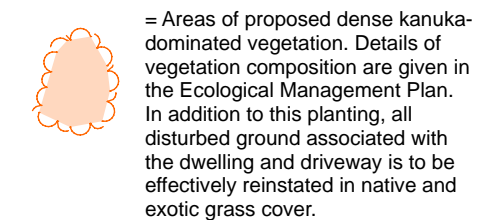
Monday, 20 January 2014

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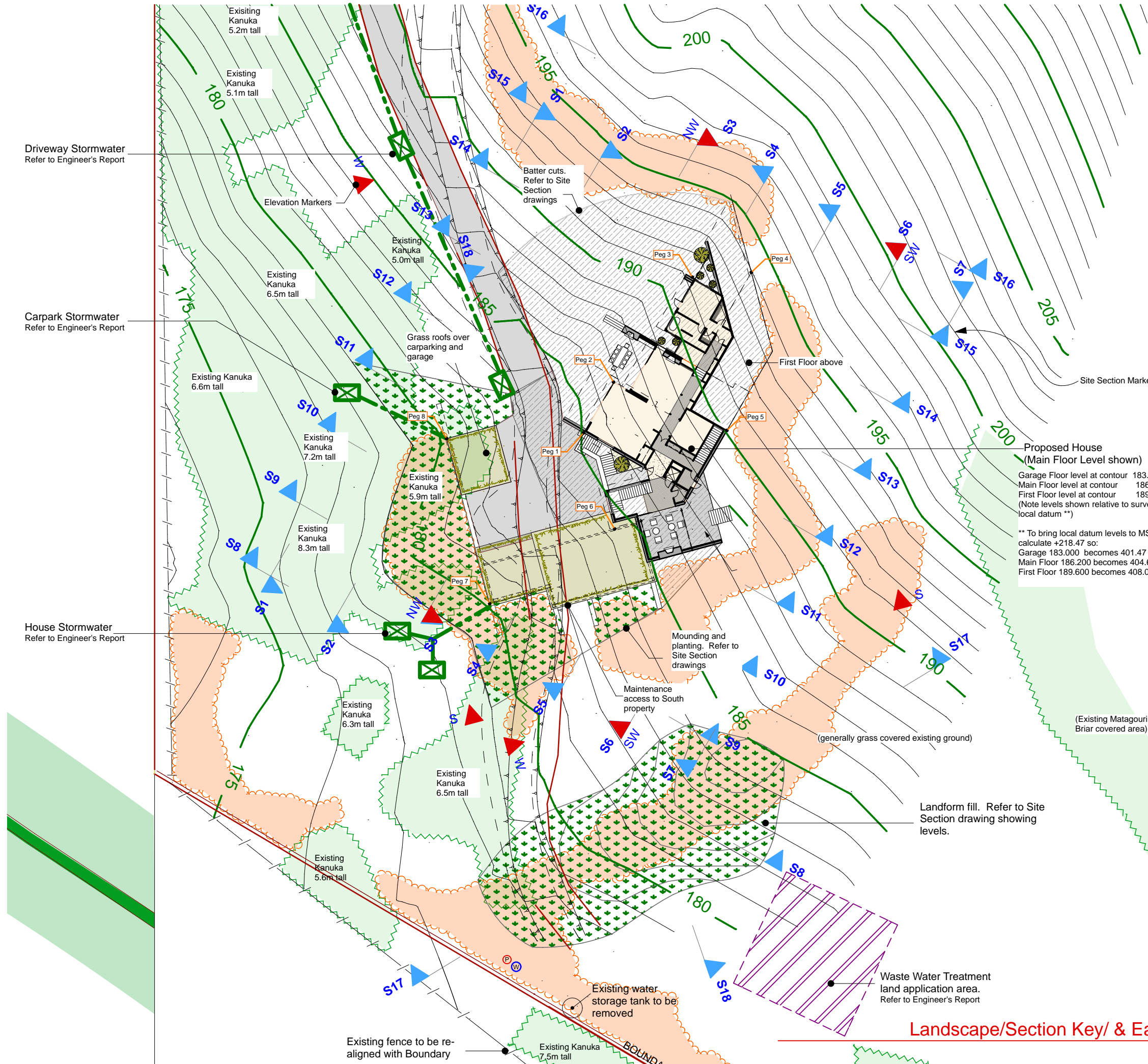
RC1

Resource Consent



Monday, 20 January 2014

(Scale 1:1000 @ A3 or 1:500 @ A1)



Driveway Stormwater
Refer to Engineer's Report

Carpark Stormwater
Refer to Engineer's Report

House Stormwater
Refer to Engineer's Report



LANDSCAPE KEY

- = Existing vegetation surveyed 2012
- = Proposed cut area. See calculations below
- = Proposed fill area. See calculations below
- = Areas of proposed dense kanuka-dominated vegetation. Details of vegetation composition are given in the Ecological Management Plan. In addition to this planting, all disturbed ground associated with the dwelling and driveway is to be effectively reinstated in native and exotic grass cover.

EARTHWORKS - Determinations of Cut and Fill volumes and Exposed Surface Area

Cut
Including House and Garage platforms, car turning area, South Courtyard, and level area to North of house as shown in Site Section drawings

Total = 2,757 m³ **

Fill
Including mounding at retaining walls to West and South as shown in Site Section drawings

Subtotal = 507 m³
+ Landform Fill = 729 m³
Total = 1,236 m³ **

Exposed Surface Area
Including House and Garage platforms, car turning area, South Courtyard, and level area to North of house as shown in Site Section drawings

House and surround fill = 2,090 sq m
+ Landform Fill = 674 sq m
Total = 2,764 sq m

** Data retrieved from Architect computer generated site and house 3D model based on surveyed contour information

Refer also to Resource Consent documentation.

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM130177

Monday, 20 January 2014

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Drawing Set:

Resource Consent

REVISIONS

No.	Description	Date
RC1	Resource Consent	20/2/13

PROJECT

Little Mt. Iron House

Little Mt. Iron, Wanaka

CLIENT:
Peter and Kate Martin

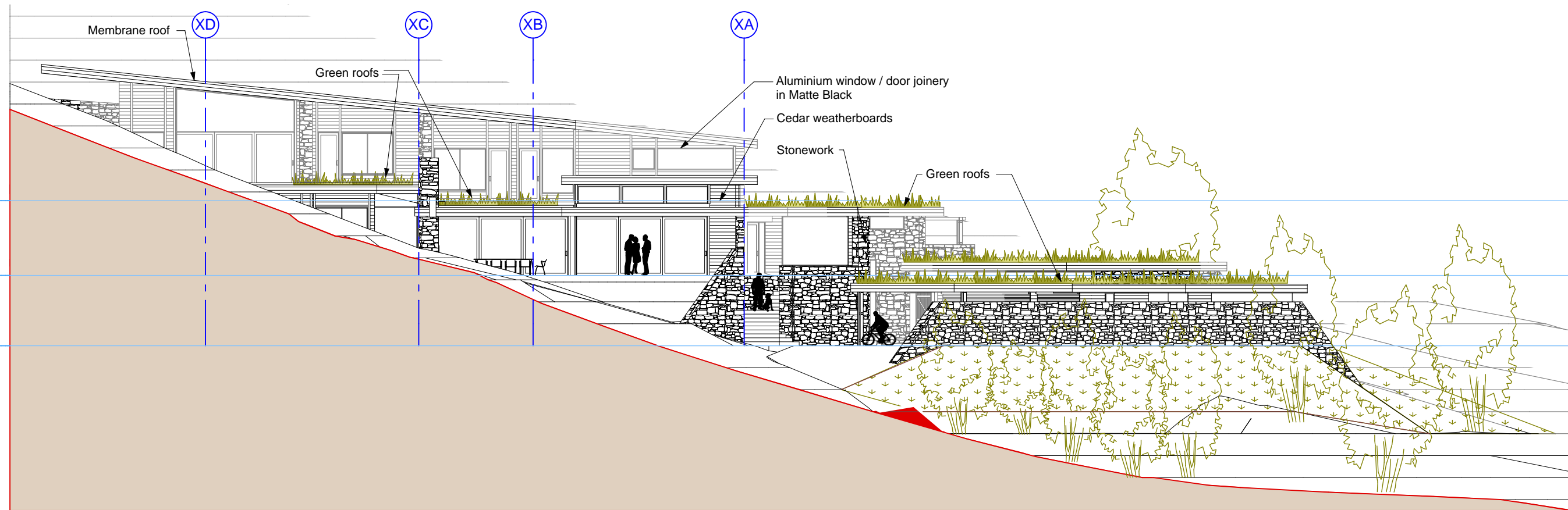
SHEET TITLE
Landscape/Section Key & Earthworks

FULL SCALE @ A3

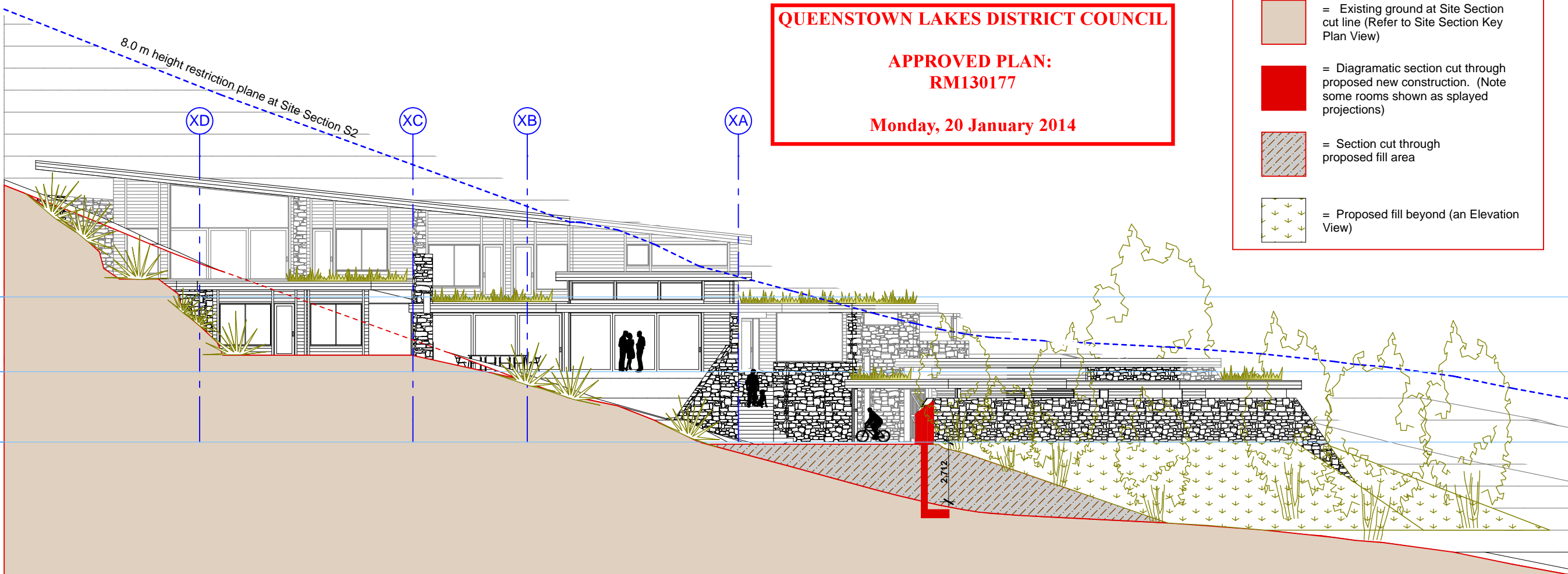
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Architect	Eliska Lewis
MILESTONE ISSUES	
Concept Plans:	
Resource Consent: 20 FEB 2013	
Quantity Survey	
Building Consent:	
PLOT DATE	25/03/13
PROJECT	08:03
SHEET No.	REV.No
A101	RC1



Site Section S1 1:200







Site Section S2 1:200

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM130177

Monday, 20 January 2014

Fill Key

-  = Existing ground at Site Section cut line (Refer to Site Section Key Plan View)
-  = Diagrammatic section cut through proposed new construction. (Note some rooms shown as splayed projections)
-  = Section cut through proposed fill area
-  = Proposed fill beyond (an Elevation View)

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Drawing Set:

Resource Consent

+189,600
3 First Floor Level

+186,200
2 Main Level

+183,000
1 Garage Level

RC1	Resource Consent	20/2/13
No.	Description	Date

PROJECT

Little Mt. Iron House

Little Mt. Iron, Wanaka

CLIENT:
Peter and Kate Martin

SHEET TITLE

Site Sections 1 & 2

FULL SCALE @ A3

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3 First Floor Level

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2 Main Level

+183,000
1 Garage Level

MILESTONE ISSUES

Concept Plans:

Resource Consent: 20 FEB 2013

Quantity Survey

Building Consent:

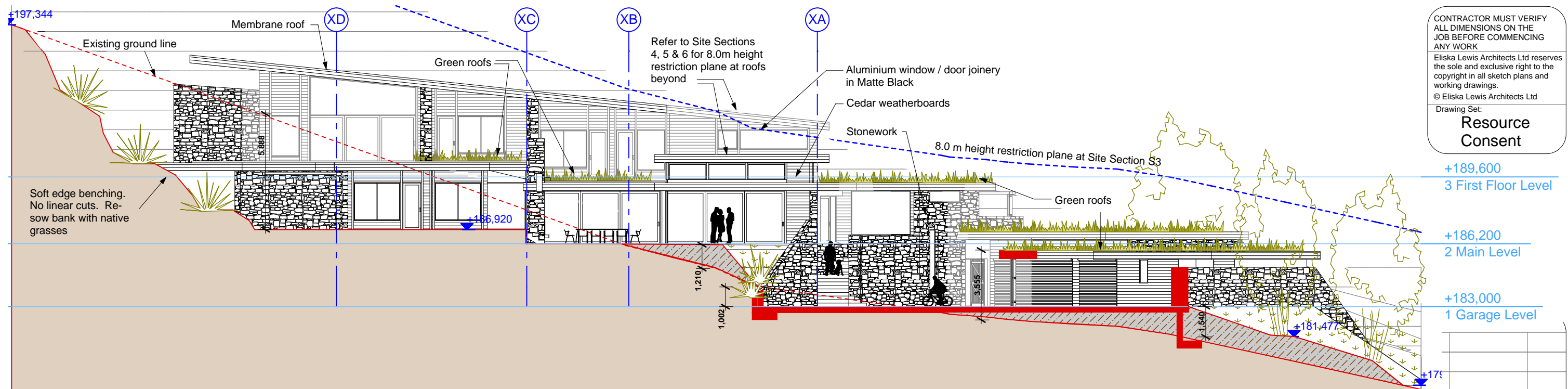
PLOT DATE 5/03/13

PROJECT 08:03

SHEET No.	REV.No
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A200

RC1



Site Section S3 1:200

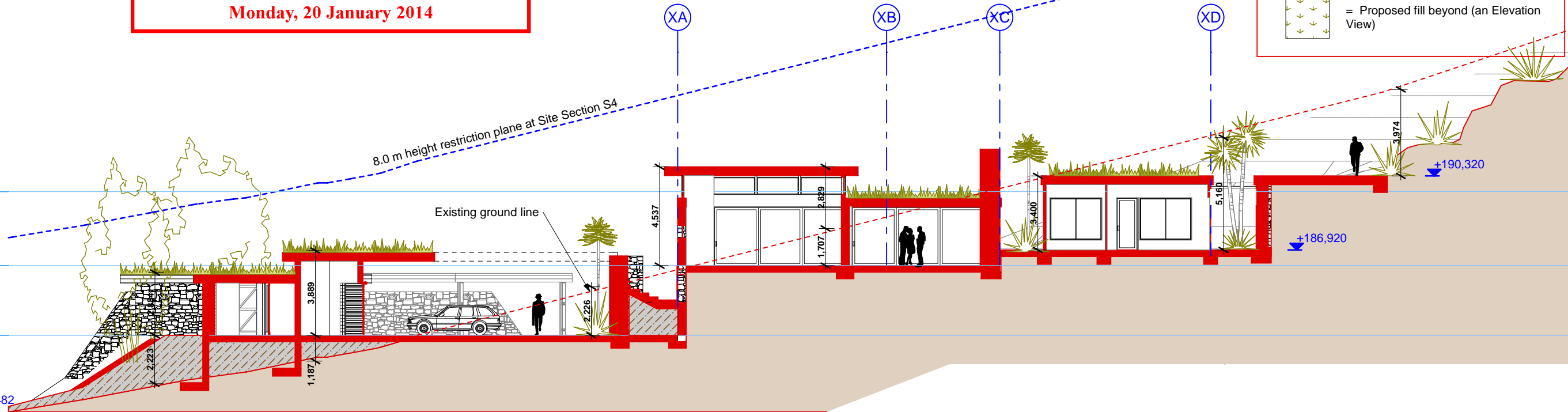
QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM130177

Monday, 20 January 2014

Fill Key

- = Existing ground at Site Section cut line (Refer to Site Section Key Plan View)
- = Diagrammatic section cut through proposed new construction. (Note some rooms shown as splayed projections)
- = Section cut through proposed fill area
- = Proposed fill beyond (an Elevation View)



Site Section S4 1:200

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Drawing Set:

Resource Consent

+189,600
3 First Floor Level

+186,200
2 Main Level

+183,000
1 Garage Level

RC1	Resource Consent	20/2/13
No.	Description	Date

PROJECT

Little Mt. Iron House

Little Mt. Iron, Wanaka

CLIENT:
Peter and Kate Martin

SHEET TITLE

Site Sections 3 & 4

FULL SCALE @ A3

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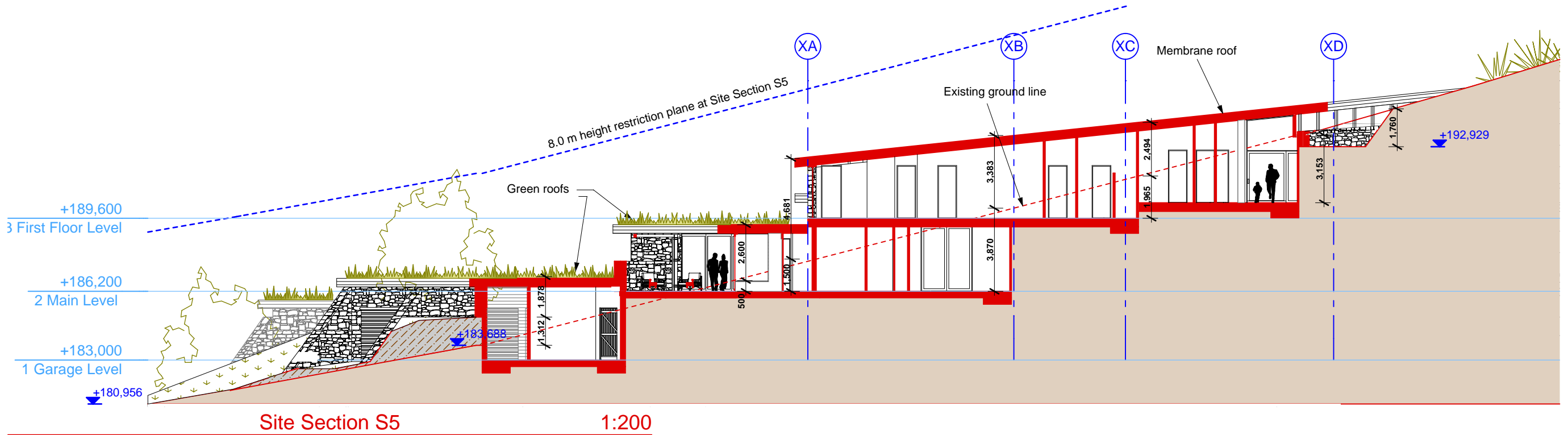
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3 First Floor Level

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2 Main Level

+183,000
1 Garage Level

MILESTONE ISSUES	
Concept Plans:	
Resource Consent: 20 FEB 2013	
Quantity Survey	
Building Consent:	
PLOT DATE	5/03/13
PROJECT	08:03
SHEET No.	REV.No
A201	RC1







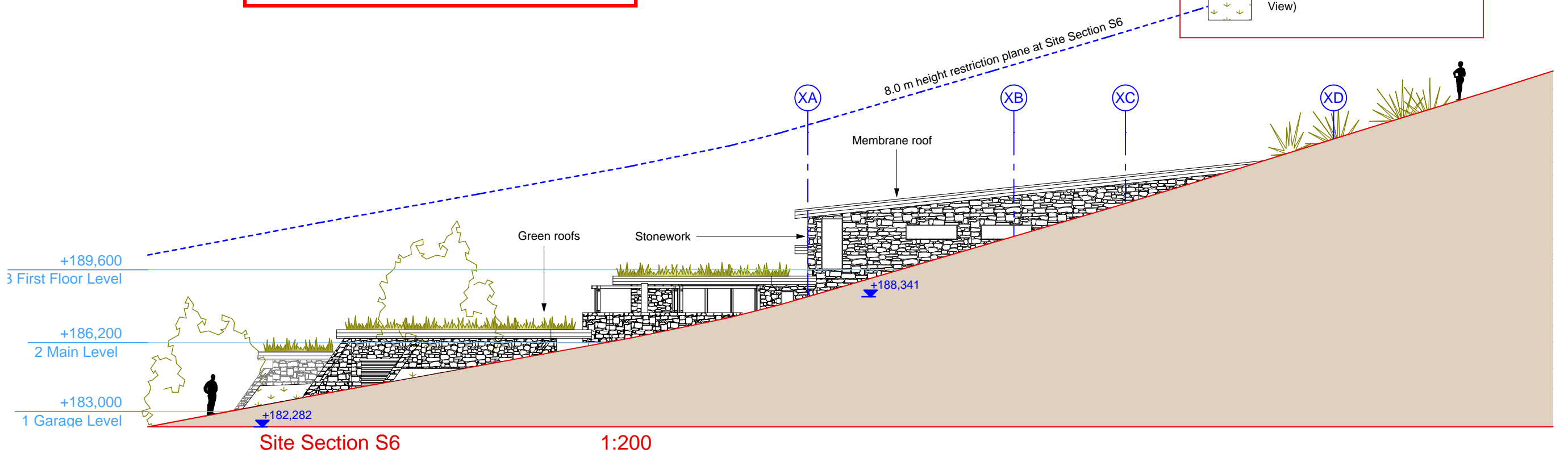
QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM130177

Monday, 20 January 2014

Fill Key

-  = Existing ground at Site Section cut line (Refer to Site Section Key Plan View)
-  = Diagrammatic section cut through proposed new construction. (Note some rooms shown as splayed projections)
-  = Section cut through proposed fill area
-  = Proposed fill beyond (an Elevation View)



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Drawing Set:

Resource Consent

REVISIONS

No.	Description	Date

RC1 Resource Consent 20/2/13

No. Description Date

PROJECT

Little Mt. Iron House

Little Mt. Iron, Wanaka

CLIENT:
Peter and Kate Martin

SHEET TITLE

Site Sections 5 & 6

FULL SCALE @ A3

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Architect Eliska Lewis

MILESTONE ISSUES
Concept Plans:
Resource Consent: 20 FEB 2013
Quantity Survey
Building Consent:

PLOT DATE 5/03/13

PROJECT 08:03

SHEET No. REV.No

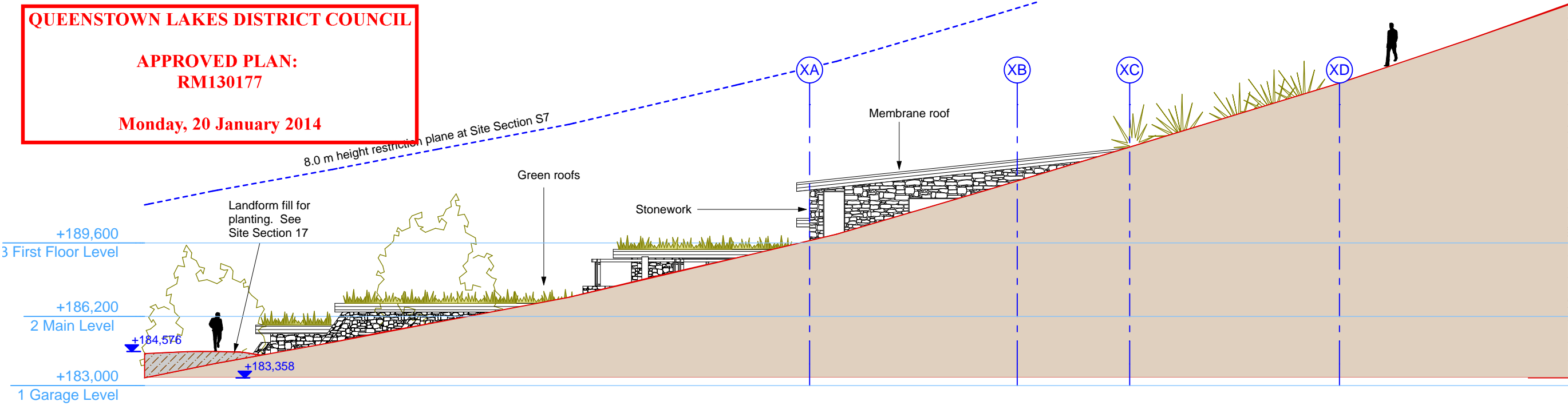
A202

RC1

QUEENSTOWN LAKES DISTRICT COUNCIL





APPROVED PLAN:
RM130177

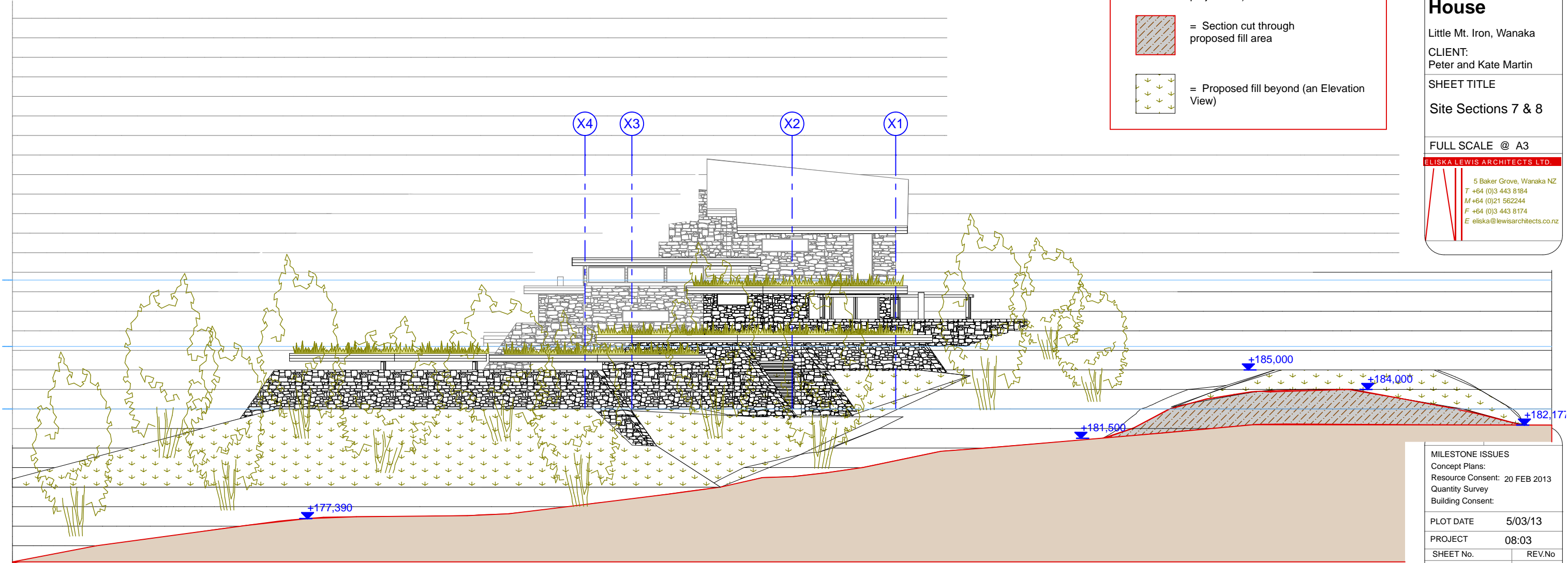
Monday, 20 January 2014



Site Section S7 1:200

Fill Key

-  = Existing ground at Site Section cut line (Refer to Site Section Key Plan View)
-  = Diagrammatic section cut through proposed new construction. (Note some rooms shown as splayed projections)
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-  = Proposed fill beyond (an Elevation View)



Site Section S8 1:200

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Drawing Set:
Resource Consent

REVISIONS

No.	Description	Date
RC1	Resource Consent	20/2/13

PROJECT
Little Mt. Iron House
Little Mt. Iron, Wanaka
CLIENT:
Peter and Kate Martin
SHEET TITLE
Site Sections 7 & 8
FULL SCALE @ A3

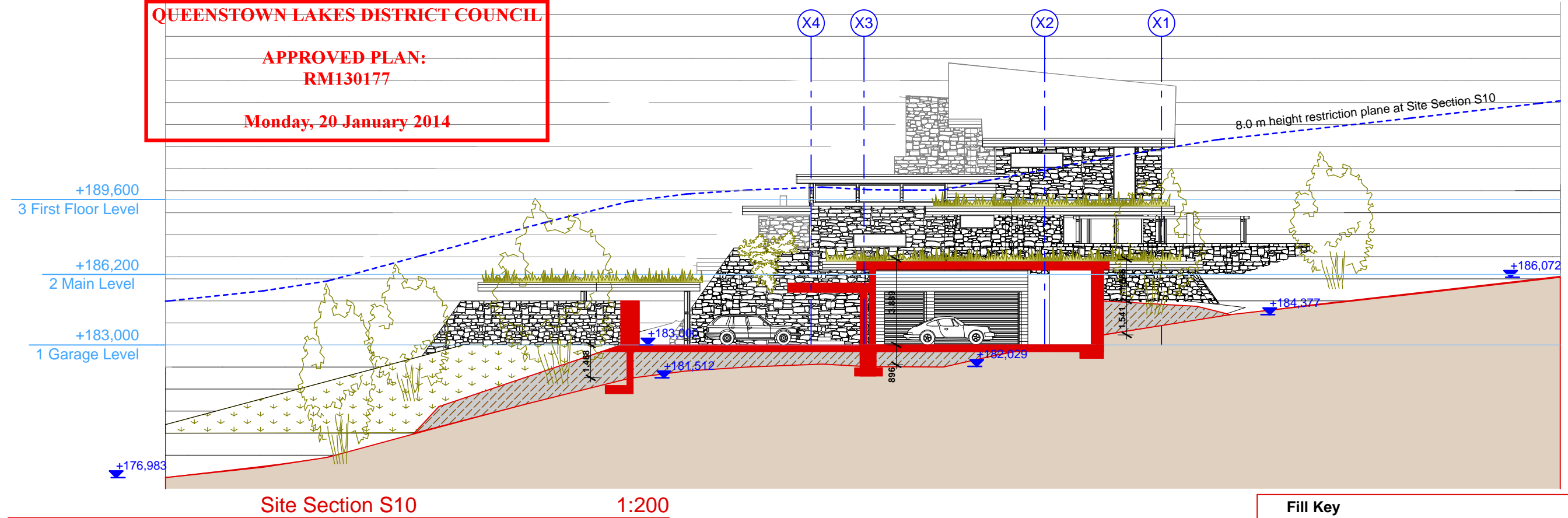
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MILESTONE ISSUES	
Concept Plans:	
Resource Consent: 20 FEB 2013	
Quantity Survey	
Building Consent:	
PLOT DATE	5/03/13
PROJECT	08:03
SHEET No.	REV.No
A203	RC1

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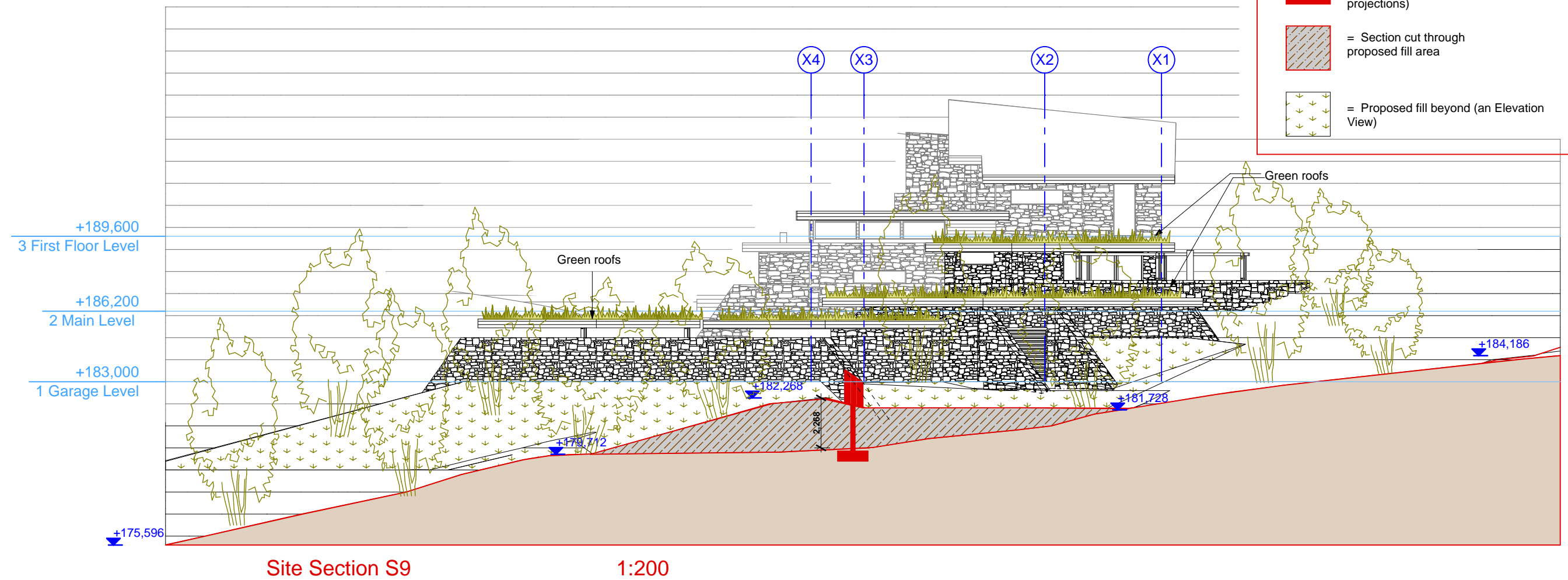
APPROVED PLAN:
RM130177

Monday, 20 January 2014



Fill Key

- = Existing ground at Site Section cut line (Refer to Site Section Key Plan View)
- = Diagrammatic section cut through proposed new construction. (Note some rooms shown as splayed projections)
- = Section cut through proposed fill area
- = Proposed fill beyond (an Elevation View)



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REVISIONS		
RC1	Resource Consent	20/2/13
No.	Description	Date
PROJECT		
Little Mt. Iron House		
Little Mt. Iron, Wanaka		
CLIENT: Peter and Kate Martin		
SHEET TITLE		
Site Sections 9 & 10		
FULL SCALE @ A3		
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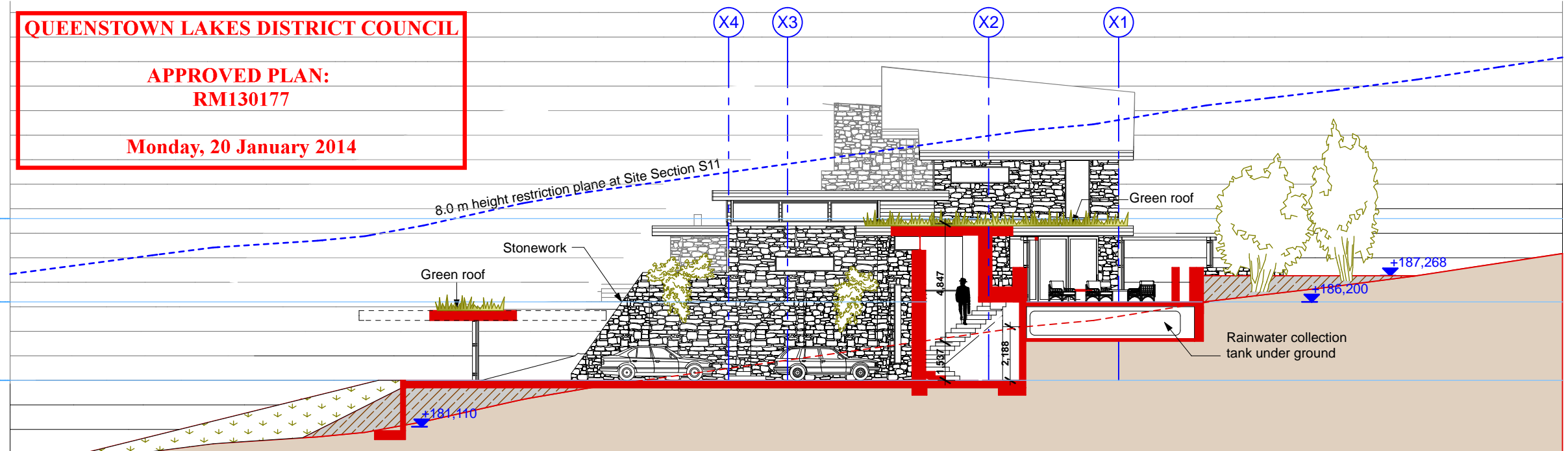
Architect	Eliska Lewis
MILESTONE ISSUES	
Concept Plans:	
Resource Consent: 20 FEB 2013	
Quantity Survey	
Building Consent:	
PLOT DATE	5/03/13
PROJECT	08:03
SHEET No.	REV.No
A204	RC1

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM130177

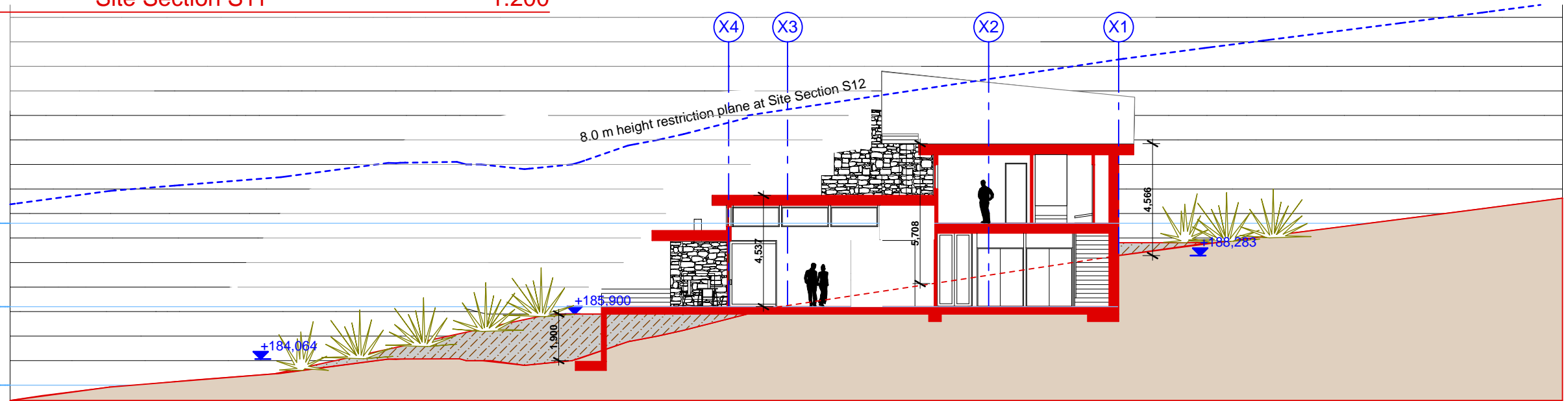
Monday, 20 January 2014

+189,600
3 First Floor Level
+186,200
2 Main Level
+183,000
1 Garage Level



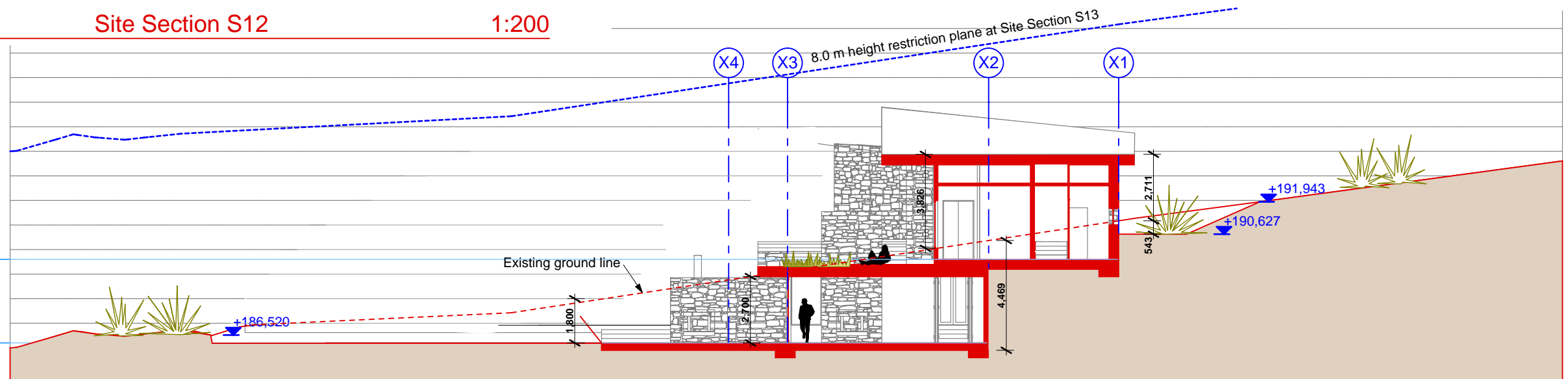
Site Section S11 1:200

+189,600
3 First Floor Level
+186,200
2 Main Level
+183,000
1 Garage Level



Site Section S12 1:200

+189,600
3 First Floor Level
+186,200
2 Main Level
+183,000
1 Garage Level



Site Section S13 1:200

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Drawing Set:

Resource
Consent

REVISIONS

No.	Description	Date
RC1	Resource Consent	20/2/13

PROJECT

Little Mt. Iron House

Little Mt. Iron, Wanaka

CLIENT:
Peter and Kate Martin

SHEET TITLE
Site Sections 11, 12 &
13

FULL SCALE @ A3

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Architect Eliska Lewis

MILESTONE ISSUES

Concept Plans:
Resource Consent: 20 FEB 2013
Quantity Survey
Building Consent:

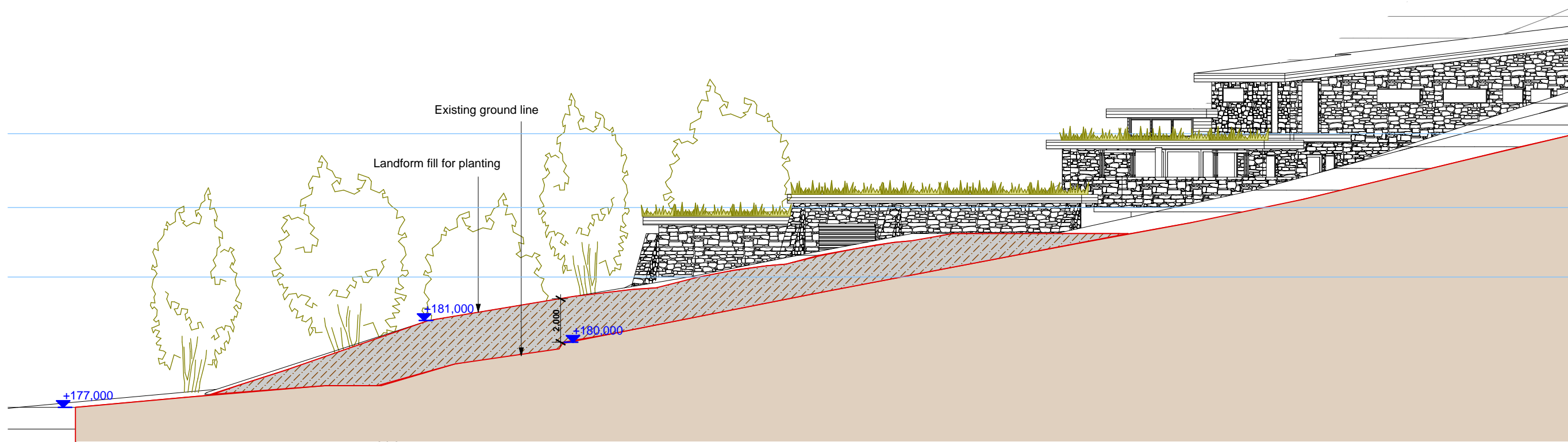
PLOT DATE 5/03/13

PROJECT 08:03

SHEET No. REV.No

A205

RC1



Site Section S17





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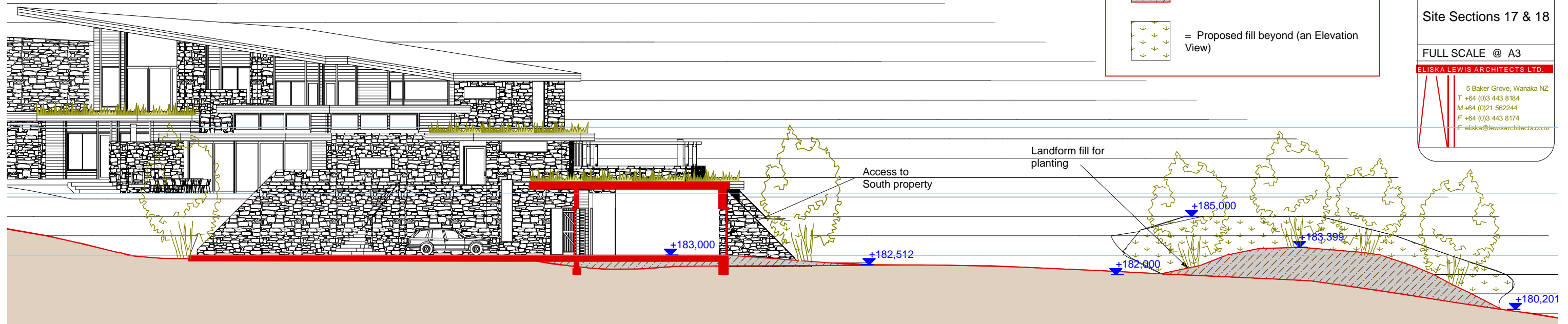
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APPROVED PLAN:
RM130177

Monday, 20 January 2014

Fill Key

-  = Existing ground at Site Section cut line (Refer to Site Section Key Plan View)
-  = Diagrammatic section cut through proposed new construction. (Note some rooms shown as splayed projections)
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-  = Proposed fill beyond (an Elevation View)



Site Section S18

1:200

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Drawing Set:

Resource
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REVISIONS

No.	Description	Date
RC1	Resource Consent	20/2/13

PROJECT

Little Mt. Iron House

Little Mt. Iron, Wanaka

CLIENT:
Peter and Kate Martin

SHEET TITLE

Site Sections 17 & 18

FULL SCALE @ A3

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Architect Eliska Lewis

MILESTONE ISSUES

Concept Plans:
Resource Consent: 20 FEB 2013
Quantity Survey
Building Consent:

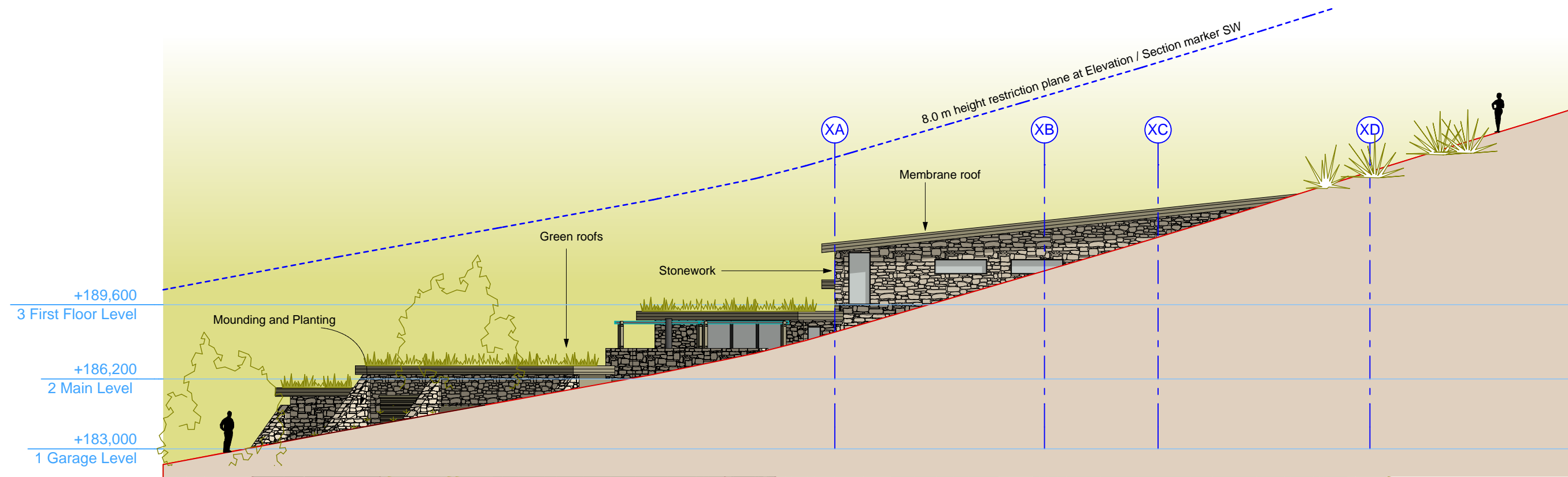
PLOT DATE 5/03/13

PROJECT 08:03

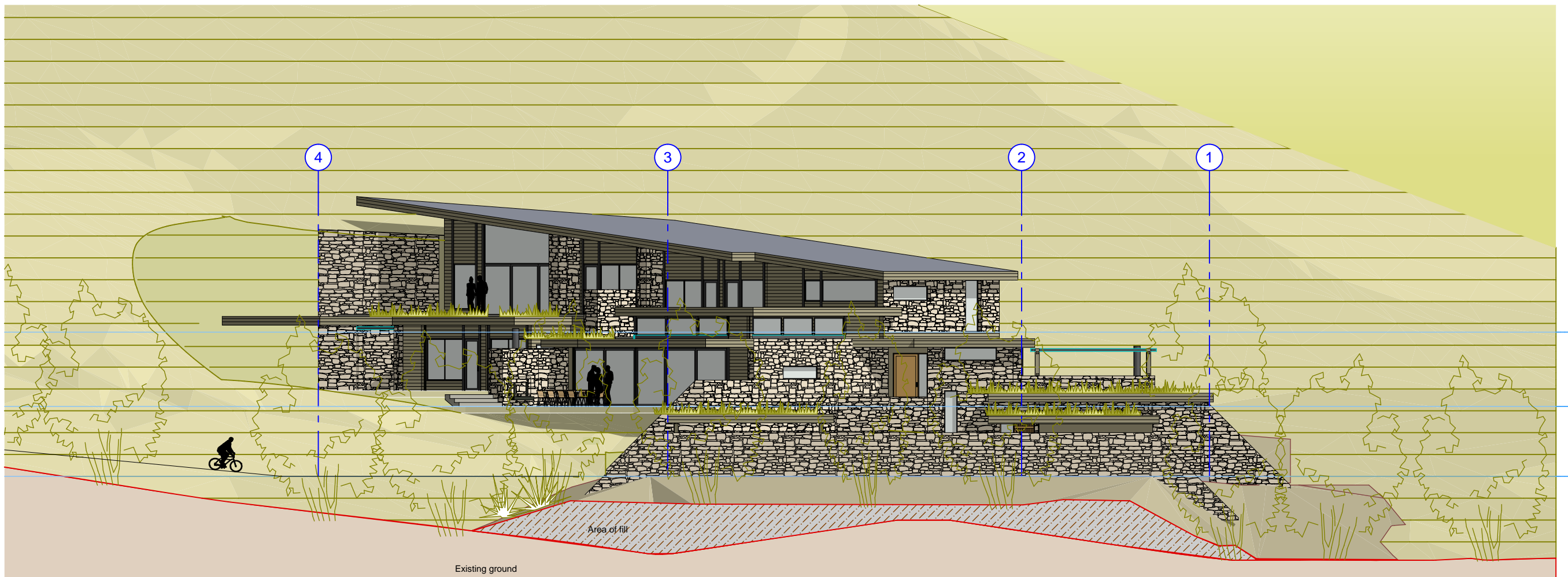
SHEET No. REV.No

A207

RC1



SW South West Elevation 1:200



W West Elevation 1:200

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APPROVED PLAN:
RM130177

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Drawing Set:
**Resource
Consent**

REVISIONS

No.	Description	Date
RC1	Resource Consent	20/2/13

PROJECT

**Little Mt. Iron
House**

Little Mt. Iron, Wanaka

CLIENT:
Peter and Kate Martin

SHEET TITLE

Elevations

FULL SCALE @ A3

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3 First Floor Level

+186,200
2 Main Level

+183,000
1 Garage Level

Architect Eliska Lewis

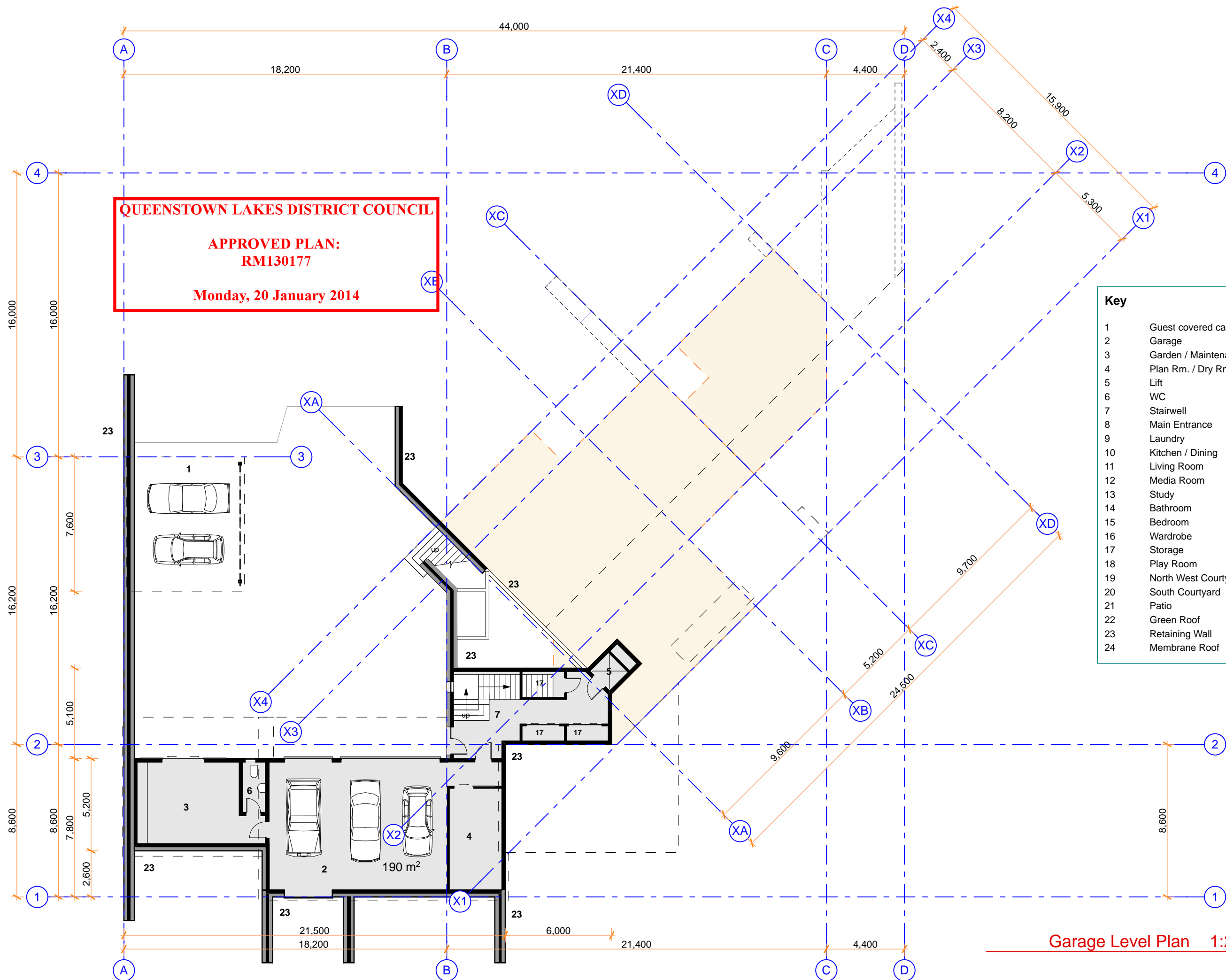
MILESTONE ISSUES
Concept Plans:
Resource Consent: 20 FEB 2013
Quantity Survey
Building Consent:

PLOT DATE 5/03/13

PROJECT 08:03

SHEET No. REV.No

A301 **RC1**



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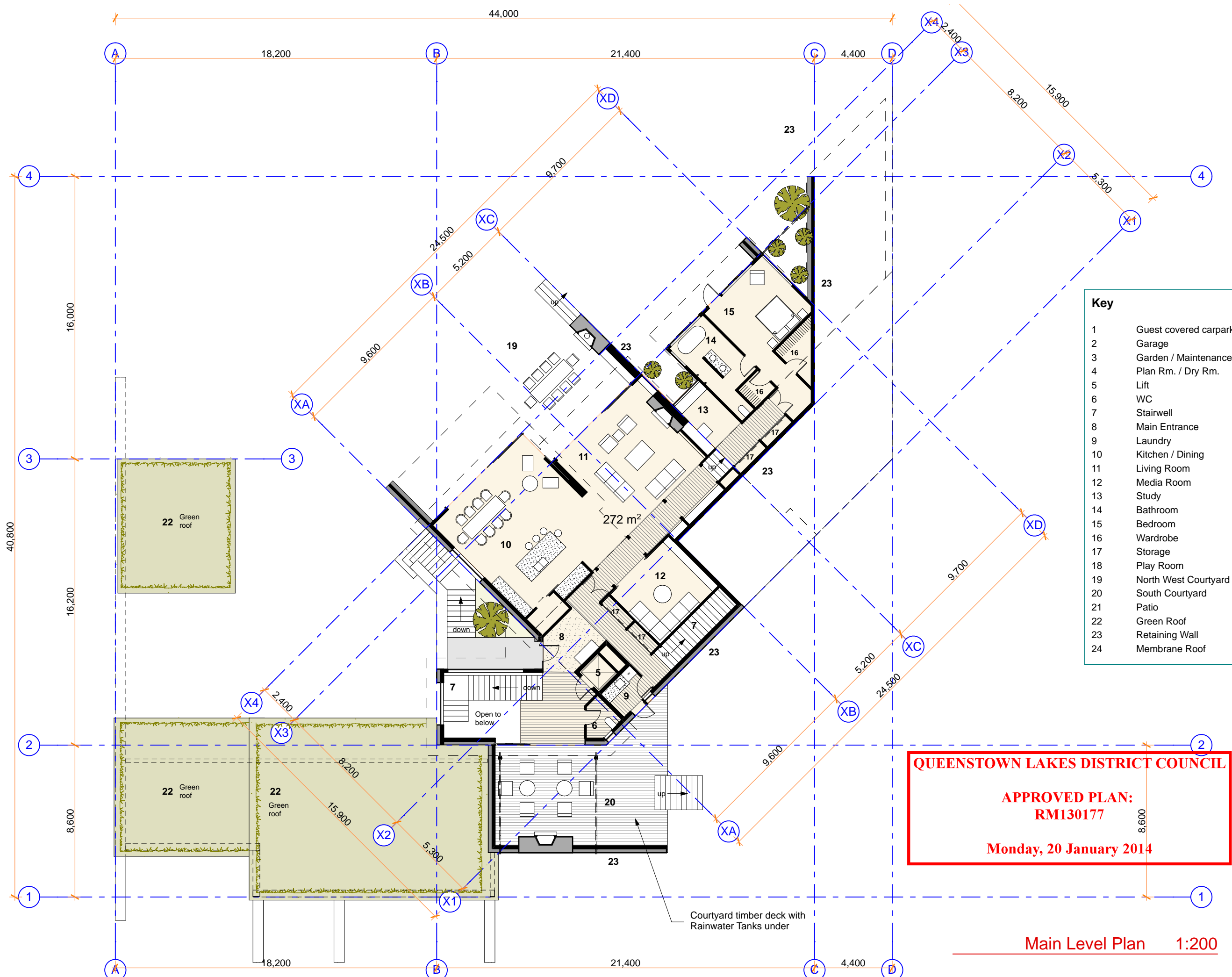
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Drawing Set:

Resource Consent

REVISIONS		
RC1	Resource Consent	20/2/13
No.	Description	Date
PROJECT		
Little Mt. Iron House		
Little Mt. Iron, Wanaka		
CLIENT: Peter and Kate Martin		
SHEET TITLE		
Garage Level Plan		
FULL SCALE @ A3		
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F +64 (0)3 443 8174		
E eliska@lewisarchitects.co.nz		

Architect	Eliska Lewis
MILESTONE ISSUES	
Concept Plans:	
Resource Consent: 20 FEB 2013	
Quantity Survey	
Building Consent:	
PLOT DATE	20/02/13
PROJECT	08:03
SHEET No.	REV.No
C100	RC1



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Resource Consent

REVISIONS

No.	Description	Date
RC1	Resource Consent	20/2/13

PROJECT

Little Mt. Iron House

Little Mt. Iron, Wanaka

CLIENT:

Peter and Kate Martin

SHEET TITLE

Main Level Plan

FULL SCALE @ A3

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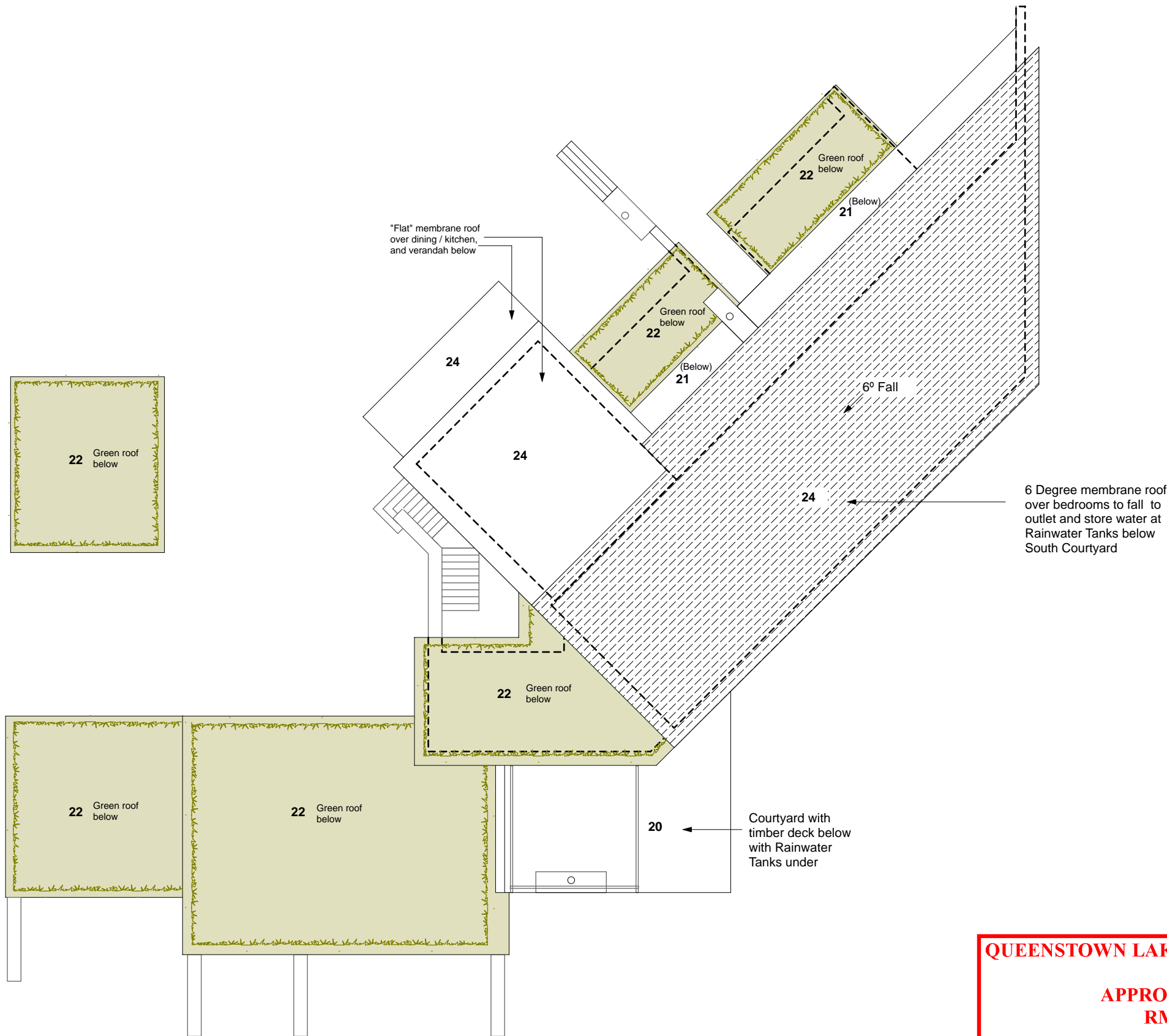
QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM130177

Monday, 20 January 2014

Main Level Plan 1:200

Architect	Eliska Lewis
MILESTONE ISSUES	
Concept Plans:	
Resource Consent: 20 FEB 2013	
Quantity Survey	
Building Consent:	
PLOT DATE	20/02/13
PROJECT	08:03
SHEET No.	REV.No
C101	RC1



- Key**
- 1 Guest covered carpark
 - 2 Garage
 - 3 Garden / Maintenance
 - 4 Plan Rm. / Dry Rm.
 - 5 Lift
 - 6 WC
 - 7 Stairwell
 - 8 Main Entrance
 - 9 Laundry
 - 10 Kitchen / Dining
 - 11 Living Room
 - 12 Media Room
 - 13 Study
 - 14 Bathroom
 - 15 Bedroom
 - 16 Wardrobe
 - 17 Storage
 - 18 Play Room
 - 19 North West Courtyard
 - 20 South Courtyard
 - 21 Patio
 - 22 Green Roof
 - 23 Retaining Wall
 - 24 Membrane Roof

Roof Level 1:200

QUEENSTOWN LAKES DISTRICT COUNCIL

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Drawing Set:
Resource Consent

REVISIONS

No.	Description	Date
RC1	Resource Consent	20/2/13

PROJECT
Little Mt. Iron House
Little Mt. Iron, Wanaka
CLIENT:
Peter and Kate Martin

SHEET TITLE
Roof Plan

FULL SCALE @ A3

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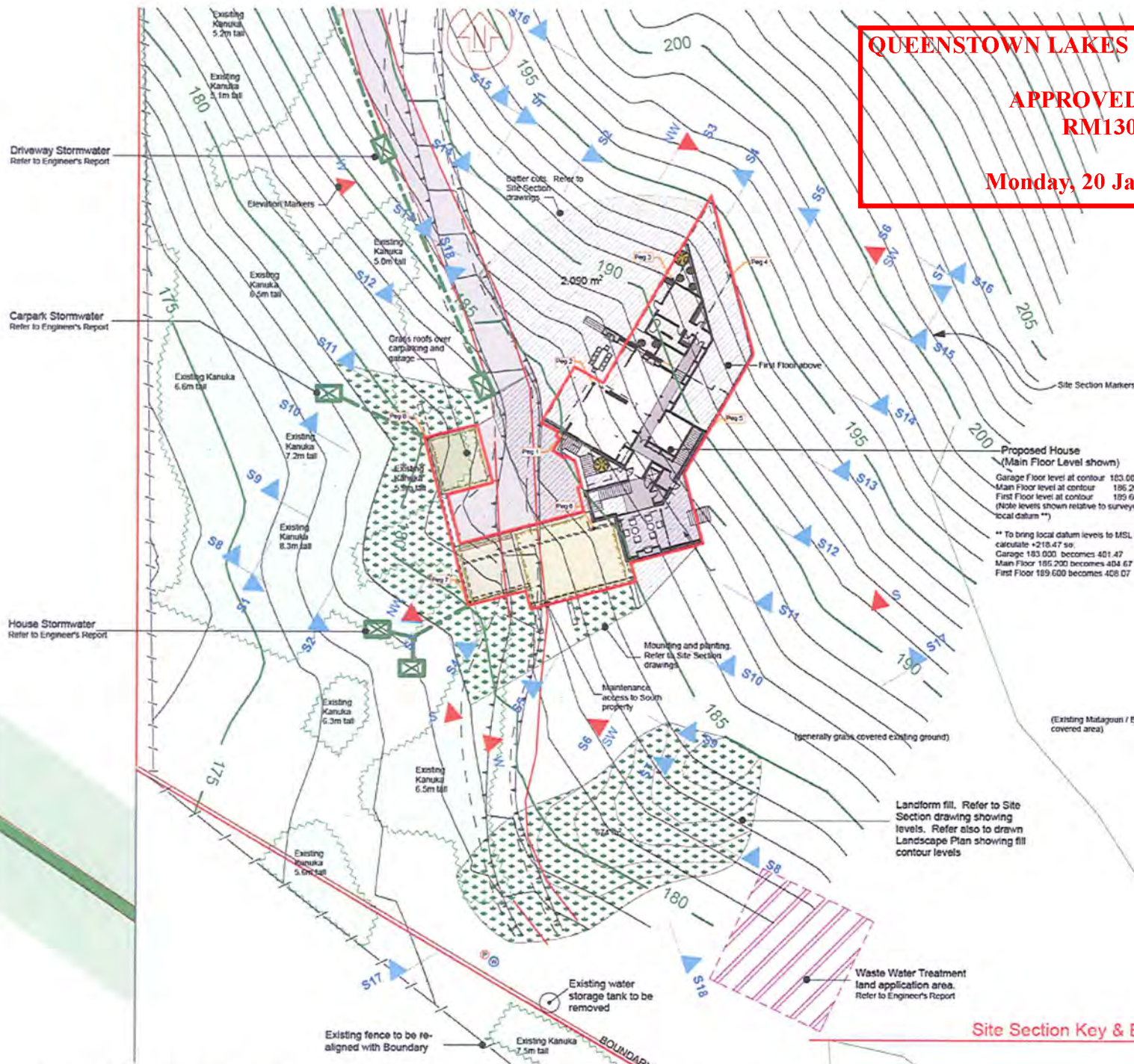
Architect	Eliska Lewis
MILESTONE ISSUES	
Concept Plans:	
Resource Consent: 20 FEB 2013	
Quantity Survey	
Building Consent:	
PLOT DATE	20/02/13
PROJECT	08:03
SHEET No.	REV.No
C103	RC1

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Earthworks - Determinations of Cut and Fill volumes and Exposed Surface Area

Cut
Including House and Garage platforms, car
turning area, South Courtyard, and level area
to North of house as shown in Site Section
drawings

Total = 2,757 m³ **

Fill
Including mounding at retaining walls to West
and South as shown in Site Section drawings

Subtotal = 507 m³
Landform Fill = 779 m³
Total = 1,236 m³ **

Exposed Surface Area
Including House and Garage platforms, car
turning area, South Courtyard, and level area
to North of house as shown in Site Section
drawings

House and surround fill = 2,090 sq m
Landform Fill = 674 sq m
Total = 2,764 sq m

** Data retrieved from Architect computer
generated site and house 3D model based
on surveyed contour information

Refer also to Resource Consent
documentation

Detailed Earthworks Design & Site
Management Plan to be part of a specialist
report.

Existing vegetation
surveyed 2012. Refer
to Site Section Plan
showing surveyed
heights of trees

REFER ALSO TO SEPARATE
LANDSCAPE PLAN SHOWING
PROPOSED NEW PLANTING

REVISIONS

RC1 Resource Consent 20/2/13
No. Description Date

PROJECT Little Mt. Iron House

Little Mt. Iron, Wanaka
CLIENT:
Peter and Kate Martin

SHEET TITLE
Site Section Key &
Earthworks

FULL SCALE @ A3

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M +64 (0)21 102014
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E info@eliskalewisarchitects.co.nz

Architect Eliska Lewis

MILESTONE ISSUES
Concept Plans:
Resource Consent: 20 FEB 2013
Quantity Survey
Building Consent:

PLOT DATE: 5/03/13

PROJECT: 08.03

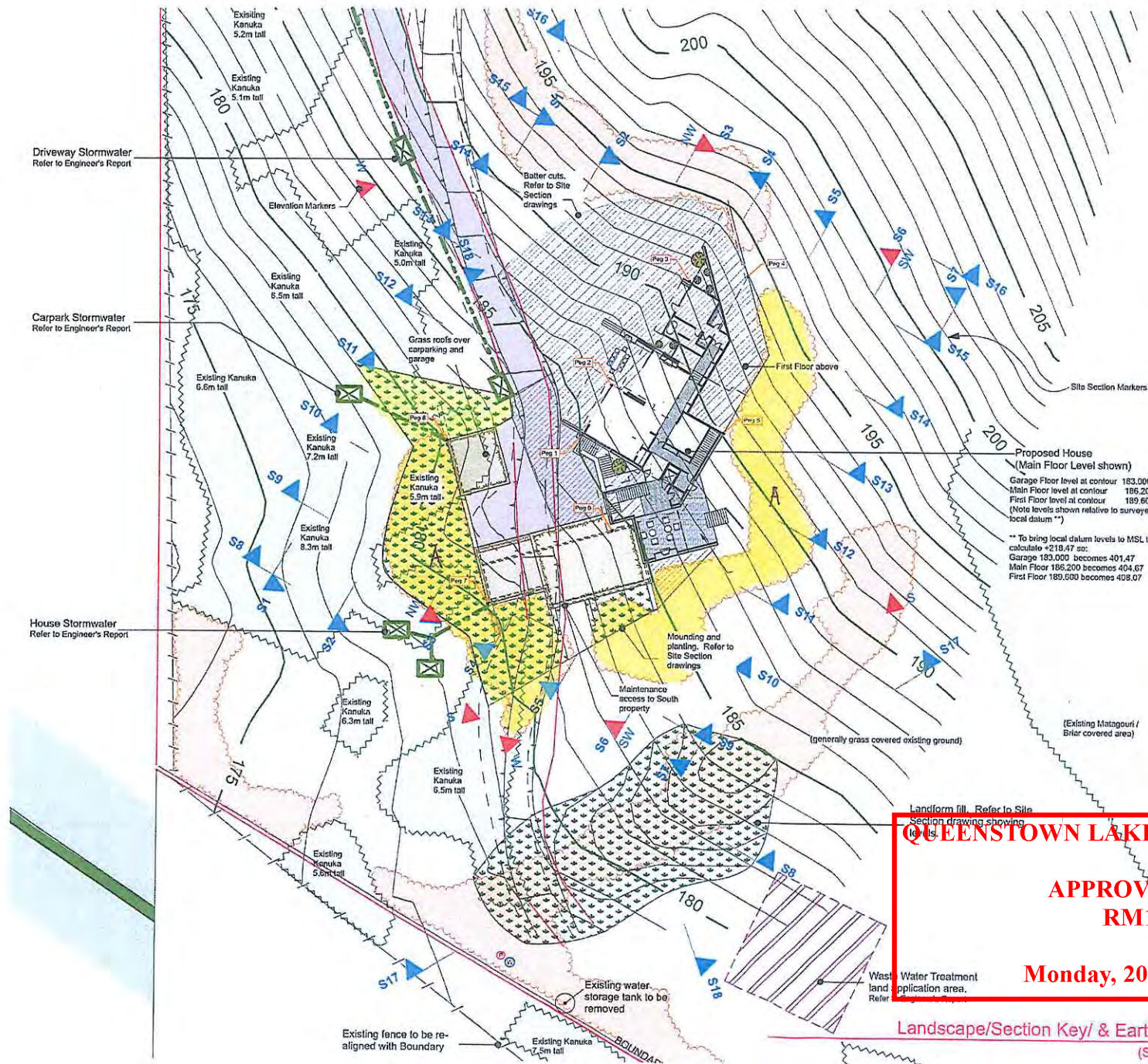
SHEET No. REV No.

A101 RC1

PROPOSED BUILDING PLATFORM FOR LOT 6, DP 302002: PROPOSED BUILDING PLATFORM IS OUTLINED IN RED
The proposed building platform has been drawn on this "Site section key and earthworks plan" by vivian+espie.

Site Section Key & Earthworks

1:500



LANDSCAPE KEY

- = Existing vegetation surveyed 2012
- = Proposed cut area. See calculations below
- = Proposed fill area. See calculations below
- = Areas of proposed dense kanuka-dominated vegetation. Details of vegetation composition are given in the Ecological Management Plan. In addition to this planting, all disturbed ground associated with the dwelling and driveway is to be effectively reinstated in native and exotic grass cover.

EARTHWORKS - Determinations of Cut and Fill volumes and Exposed Surface Area

Cut
Including House and Garage platforms, car turning area, South Courtyard, and level area to North of house as shown in Site Section drawings

Total = 2,757 m³ **

Fill
Including mounding at retaining walls to West and South as shown in Site Section drawings

Subtotal = 507 m³
+ Landform Fill = 729 m³
Total = 1,236 m³ **

Exposed Surface Area
Including House and Garage platforms, car turning area, South Courtyard, and level area to North of house as shown in Site Section drawings

House and surround fill = 2,090 sq m
+ Landform Fill = 874 sq m
Total = 2,964 sq m

** Data retrieved from Architect computer generated site and house 3D model based on surveyed contour information

Refer also to Resource Consent documentation

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REVISIONS

Rev	Description	Date

PROJECT

Little Mt. Iron House

Little Mt. Iron, Wanaka

CLIENT:
Peter and Kate Marlin

SHEET TITLE
Landscape/Section Key & Earthworks

FULL SCALE @ A3

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**APPROVED PLAN:
RM130177**

Monday, 20 January 2014

Landscape/Section Key/ & Earthworks

1:500

(Scale 1:500 @ A3 or 1:250 @ A1)

Architect	Eliska Lewis
MILESTONE ISSUES	
Concept Plans	
Resource Consent	20 FEB 2013
Quantity Survey	
Building Consent	23 JAN 13
PLOT DATE	26/01/13
PROJECT	08:03
SHEET No.	REV No
A101	RC1