

APPLICATION AS NOTIFIED

D Stretch & C Flemmer

(RM240819)

FORM 12

File Number RM240819

QUEENSTOWN LAKES DISTRICT COUNCIL

PUBLIC NOTIFICATION

Notification of an application for a Resource Consent under Section 95A of the Resource Management Act 1991.

The Queenstown Lakes District Council has received an application for a resource consent from:

D Stretch and C Flemmer (RM240819)

What is proposed:

To undertake a two-lot subdivision and to establish a residential building platform and curtilage area incorporating an existing shed and residential unit at 298 Crown Range Road to create a 3.07ha and a 41.64ha site. Consent is also sought to vary condition 6(a) of a consent notice (6587109.3) on the Title preventing future subdivision, and to vary a resource consent (RM110721) to cancel a covenant condition preventing future subdivision.

The location in respect of which this application relates is situated at:

298 Crown Range Road, Arrow Junction

The application includes an assessment of environmental effects. This file can also be viewed at our public computers at these Council offices during normal office hours (8:30am to 5:00pm):

- 10 Gorge Road, Queenstown; and
- 47 Ardmore Street, Wanaka.

Alternatively, you can view them online when the submission period commences, by the following methods:

- On our website:
<https://www.qldc.govt.nz/services/resource-consents/notified-resource-consents#public-rc>
- Or via our eDocs website using RM240819 as the reference:
<https://edocs.qldc.govt.nz/Account/Login>

The Council planner processing this application on behalf of the Council is Ian Bayliss, who may be contacted by phone at +64 3 450 0539 or email at ian.bayliss@qldc.govt.nz.

Any person may make a submission on the application, but a person who is a trade competitor of the applicant may do so only if that person is directly affected by an effect of the activity to which the application relates that –

- a) adversely affects the environment; and
- b) does not relate to trade competition or the effects of trade competition.

If you wish to make a submission on this application, you may do so by sending a written submission to the consent authority no later than:

Thursday 6th March 2025

The submission must be dated, signed by you and must include the following information:

- a) Your name and postal address and phone number/fax number.
- b) Details of the application in respect of which you are making the submission including location.
- c) Whether you support or oppose the application.
- d) Your submission, with reasons.
- e) The decision you wish the consent authority to make.
- f) Whether you wish to be heard in support of your submission.

You may make a submission by sending a written or electronic submission to Council (details below). The submission should be in the format of Form 13. Copies of this form are available Council website:

https://www.qldc.govt.nz/services/resource-consents/application-forms-and-fees#other_forms

You must serve a copy of your submission to the applicant (D Stretch and C Flemmer) as soon as reasonably practicable after serving your submission to Council:

C/- Ruth Mackay (Southern Planning Group)
ruth@southernplanning.co.nz
Southern Planning Group
15 Old Saleyard Road, Cromwell 9310
PO Box 1081, Queenstown

QUEENSTOWN LAKES DISTRICT COUNCIL



(signed by Paula Costello, Independent Commissioner pursuant to a delegation given under Section 34A of the Resource Management Act 1991)

Date of Notification: Thursday 6th February 2025

Address for Service for Consent Authority:

**Queenstown Lakes District Council
Private Bag 50072, Queenstown 9348
Gorge Road, Queenstown 9300**

**Phone
Email
Website**

**03 441 0499
rcsubmission@qldc.govt.nz
www.qldc.govt.nz**

TechnologyOne ECM Document Summary

Printed On 30-Jan-2025

Class	Description	Doc Set Id / Note Id	Version	Date
PUB_ACC	Form 9	8321629	1	04-Oct-2024
PUB_ACC	Assessment of Environmental Effects	8321630	1	04-Oct-2024
PUB_ACC	Appendix A - Record of Title - 608061	8321628	1	04-Oct-2024
PUB_ACC	Appendix B - Consent Notice - 6587109.3	8321627	1	04-Oct-2024
PUB_ACC	Appendix B - Consent Notice - 9320443.5	8321626	1	04-Oct-2024
PUB_ACC	Appendix B - Covenant 8860303.2	8321625	1	04-Oct-2024
PUB_ACC	Appendix B - Covenant 9490097.1	8321624	1	04-Oct-2024
PUB_ACC	Appendix B - Land Covenant in Deed - 784603	8321640	1	04-Oct-2024
PUB_ACC	Appendix B - Land Covenant in Easement Instrument - 6587109.9	8321639	1	04-Oct-2024
PUB_ACC	Appendix B - Variation of Consent Notice - 9483330.1	8321638	1	04-Oct-2024
PUB_ACC	Appendix C - Subdivision Scheme Plan	8321637	1	04-Oct-2024
PUB_ACC	Appendix D - Structural Landscape Plan	8321636	1	04-Oct-2024
PUB_ACC	Appendix E - Landscape & Visual Effects Assessment	8321635	1	04-Oct-2024
PUB_ACC	Appendix F - Infrastructure Memo	8321634	1	04-Oct-2024

PUB_ACC	Appendix G - APA	8321633	1	04-Oct-2024
PUB_ACC	Appendix G - APA - Hereaway Trustee Limited	8321632	1	04-Oct-2024
PUB_ACC	Appendix H - Decision of the Environment Court	8321631	1	04-Oct-2024
PUB_ACC	APA - 18 & 44 Jeffery Road (1 of 3)	8349117	1	25-Oct-2024
PUB_ACC	APA - 18 & 44 Jeffery Road (2 of 3)	8349118	1	25-Oct-2024
PUB_ACC	APA - 18 & 44 Jeffery Road (3 of 3)	8349119	1	25-Oct-2024
PUB_ACC	APA - Lot 2 DP 461855	8452770	1	27-Jan-2025



APPLICATION FOR RESOURCE CONSENT OR
FAST TRACK RESOURCE CONSENT

FORM 9: GENERAL APPLICATION



Under Section 87AAC, 88 & 145 of the Resource Management Act 1991 (Form 9)

PLEASE COMPLETE ALL MANDATORY FIELDS* OF THIS FORM.

This form provides contact information and details of your application. If your form does not provide the required information it will be returned to you to complete. Until we receive a completed form and payment of the initial fee, your application may not be accepted for processing.



APPLICANT //

- Must be a person or legal entity (limited liability company or trust).
- Full names of all trustees required.
- The applicant name(s) will be the consent holder(s) responsible for the consent and any associated costs.

*Applicant's Full Name / Company / Trust: **David Stretch & Colleen Flemmer**

(Name Decision is to be issued in)

All trustee names (if applicable): **N/A**

*Contact name for company or trust: **David Stretch**

*Postal Address: **298 Crown Range Road**

*Post code:

9371

*Contact details supplied must be for the applicant and not for an agent acting on their behalf and must include a valid postal address

*Email Address: **david@global-element.com**

*Phone Numbers: Day **027 211 1197**

Mobile:

*The Applicant is:



Owner



Prospective Purchaser (of the site to which the application relates)



Occupier



Lessee

Other - Please Specify:



Our preferred methods of corresponding with you are by **email** and **phone**.

The decision will be sent to the Correspondence Details by **email** unless requested otherwise.



CORRESPONDENCE DETAILS //

If you are acting on behalf of the applicant e.g. agent, consultant or architect please fill in your details in this section.

*Name & Company: **Ruth Mackay (Southern Planning Group)**

*Phone Numbers: Day **0210 898 7017**

Mobile:

*Email Address: **ruth@southernplanning.co.nz**

*Postal Address: **PO Box 1081
Queenstown**

*Postcode:

9348



INVOICING DETAILS //

Invoices will be made out to the applicant but can be sent to another party if paying on the applicant's behalf. For more information regarding payment please refer to the Fees Information section of this form.

*Please select a preference for who should receive any invoices and how they would like to receive them.

Applicant:



Agent:



Other - Please specify:

Email:



Post:



*Attention: **David Stretch**

*Postal Address: **298 Crown Range Road**

*Post code:

9371

*Please provide an email AND full postal address.

*Email: **david@global-element.com**



OWNER DETAILS // Please supply owner details for the subject site/property if not already indicated above

Owner Name:

Owner Address:

Owner Email:

If the property has recently changed ownership please indicate on what date (approximately) AND the names of the previous owners:

Date:

Names:



DEVELOPMENT CONTRIBUTIONS INVOICING DETAILS //

If it is assessed that your consent requires development contributions any invoices and correspondence relating to these will be sent via email. Invoices will be sent to the email address provided above unless an alternative address is provided below. Invoices will be made out to the applicant/owner but can be sent to another party if paying on the applicant's behalf.

*Please select a preference for who should receive any invoices.

Details are the same as for invoicing



Applicant:

Landowner:

Other, please specify:

*Attention:

*Email:

[Click here for further information and our estimate request form](#)



DETAILS OF SITE // Legal description field must list legal descriptions for all sites pertaining to the application. Any fields stating 'refer AEE' will result in return of the form to be fully completed.

*Address / Location to which this application relates:

298 Crown Range Road

*Legal Description: Can be found on the Computer Freehold Register or Rates Notice – e.g Lot x DPxxx (or valuation number)

Lot 1 Deposited Plan 461855 and Section 9, 15 Survey Office Plan 423850 and Part Lot 3, 5 Deposited Plan 344221, held in Record of Title 608061

District Plan Zone(s): Wakatipu Basin Rural Amenity Zone (LCU #20) & Rural Zone (ONL)



SITE VISIT REQUIREMENTS // Should a Council officer need to undertake a site visit please answer the questions below

Is there a gate or security system restricting access by council?

YES NO

Is there a dog on the property?

YES NO

Are there any other hazards or entry restrictions that council staff need to be aware of?

YES NO

If 'yes' please provide information below

Please contact Agent prior to site visit.



PRE-APPLICATION MEETING OR URBAN DESIGN PANEL

Have you had a pre-application meeting with QLDC or attended the urban design panel regarding this proposal?

Yes

No

Copy of minutes attached

If 'yes', provide the reference number and/or name of staff member involved:

Andrew Woodford



CONSENT(S) APPLIED FOR // * Identify all consents sought // ALSO FILL IN OTHER CONSENTS SECTION BELOW

Land use consent

Subdivision consent

Change/cancellation of consent or consent notice conditions

Certificate of compliance

Extension of lapse period of consent (time extension) s125

Existing use certificate

Land use consent includes Earthworks



QUALIFIED FAST-TRACK APPLICATION UNDER SECTION 87AAC

Controlled Activity

Deemed Permitted Boundary Activity

If your consent qualifies as a fast-track application under section 87AAC, tick here to opt out of the fast track process



BRIEF DESCRIPTION OF THE PROPOSAL //

* Please complete this section, any form stating 'refer AEE' will be returned to be completed with a description of the proposal

*Consent is sought to:

Undertake a two-lot subdivision of 298 Crown Range Road.
Resource consent is also sought to vary condition 6(a) of Consent Notice 6587109.3 and condition 2.1(b) of Covenant 9490097.1 relating to restrictions on future subdivisions.



APPLICATION NOTIFICATION

Are you requesting public notification for the application?

Yes

No

Please note there is an additional fee payable for notification. Please refer to Fees schedule



OTHER CONSENTS

Is consent required under a National Environmental Standard (NES)?

- NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2012

An applicant is required to address the NES in regard to past use of the land which could contaminate soil to a level that poses a risk to human health. Information regarding the NES is available on the website

<https://environment.govt.nz/publications/national-environmental-standard-for-assessing-and-managing-contaminants-in-soil-to-protect-human-health-information-for-landowners-and-developers/>

You can address the NES in your application AEE OR by selecting ONE of the following:

This application does not involve subdivision (excluding production land), change of use or removal of (part of) a fuel storage system. Any earthworks will meet section 8(3) of the NES (including volume not exceeding 25m³ per 500m²). Therefore the NES does not apply.

I have undertaken a comprehensive review of District and Regional Council records and I have found no record suggesting an activity on the HAIL has taken place on the piece of land which is subject to this application.

NOTE: depending on the scale and nature of your proposal you may be required to provide details of the records reviewed and the details found.



OTHER CONSENTS // CONTINUED

I have included a Preliminary Site Investigation undertaken by a suitably qualified person.

An activity listed on the HAIL has more likely than not taken place on the piece of land which is subject to this application. I have addressed the NES requirements in the Assessment of Environmental Effects.

Any other National Environmental Standard

Yes

N/A

Do you need any consent(s) from Otago Regional Council?

Yes

N/A

If Yes have you applied for it?

Yes

No

If Yes supply ORC Consent Reference(s)

If ORC Earthworks Consent is required would you like a joint site visit ?

Yes

No



INFORMATION REQUIRED TO BE SUBMITTED //

Attach to this form any information required (see below & appendices 1-2).

To be accepted for processing, your application should include the following:

Computer Freehold Register for the property (no more than 3 months old) and copies of any consent notices and covenants (Can be obtained from Land Information NZ at <https://www.linz.govt.nz>).

A plan or map showing the locality of the site, topographical features, buildings etc.

A site plan at a convenient scale.

Written approval of every person who may be adversely affected by the granting of consent (s95E).

An Assessment of Effects (AEE).
An AEE is a written document outlining how the potential effects of the activity have been considered along with any other relevant matters, for example if a consent notice is proposed to be changed. Address the relevant provisions of the District Plan and affected parties including who has or has not provided written approval. See [Appendix 1](#) for more detail.



We prefer to receive applications electronically – please see Appendix 5 – [Naming of Documents Guide](#) for how documents should be named. Please ensure documents are scanned at a minimum resolution of 300 dpi. Each document should be no greater than 10mb



PRIVACY INFORMATION

The information you have provided on this form is required so that your application can be processed under the Resource Management Act 1991 and may also be used in statistics collected and provided to the Ministry for the Environment and Queenstown Lakes District Council. The information will be stored on a public register and may be made available to the public on request or on the company's or the Council's websites.



FEES INFORMATION

Section 36 of the Resource Management Act 1991 deals with administrative charges and allows a local authority to levy charges that relate to, but are not limited to, carrying out its functions in relation to receiving, processing and granting of resource consents (including certificates of compliance and existing use certificates).

Invoiced sums are payable by the 20th of the month after the work was undertaken. If unpaid, the processing of an application, provision of a service, or performance of a function will be suspended until the sum is paid. You may also be required to make an additional payment, or bring the account up to date, prior to milestones such as notification, setting a hearing date or releasing the decision. In particular, all charges related to processing of a resource consent application are payable prior to issuing of the decision. Payment is due on the 20th of the month or prior to the issue date – whichever is earlier.



FEES INFORMATION // CONTINUED

If your application is notified or requires a hearing you will be requested to pay a notification deposit and/or a hearing deposit. An applicant may not offset any invoiced processing charges against such payments.

Section 357B of the Resource Management Act provides a right of objection in respect of additional charges. An objection must be in writing and must be lodged within 15 working days of notification of the decision.

LIABILITY FOR PAYMENT – Please note that by signing and lodging this application form you are acknowledging that the details in the invoicing section are responsible for payment of invoices and in addition will be liable to pay all costs and expenses of debt recovery and/or legal costs incurred by QLDC related to the enforcement of any debt.

MONITORING FEES – Please also note that the fee paid at lodgement includes an initial monitoring fee of \$287 for land use resource consent applications and designation related applications, as once Resource Consent is approved you will be required to meet the costs of monitoring any conditions applying to the consent, pursuant to Section 35 of the Resource Management Act 1991.

DEVELOPMENT CONTRIBUTIONS – Your development, if granted, may also incur development contributions under the Local Government Act 2002. You will be liable for payment of any such contributions.

A list of Consent Charges is available on the on the Resource Consent Application Forms section of the QLDC website. If you are unsure of the amount to pay, [please call 03 441 0499](tel:034410499) and ask to speak to our duty planner.

Please ensure to [reference any banking payments correctly](#). Incorrectly referenced payments may cause delays to the processing of your application whilst payment is identified.

If the initial fee charged is insufficient to cover the actual and reasonable costs of work undertaken on the application you will be required to pay any additional amounts and will be invoiced monthly as work on the application continues. Please note that if the Applicant has outstanding fees owing to Council in respect of other applications, Council may choose to apply the initial fee to any outstanding balances in which case the initial fee for processing this application may be deemed not to have been paid.



PAYMENT // An initial fee must be paid prior to or at the time of the application and proof of payment submitted. Unless you have requested an invoice.

Please reference your payments as follows:

Applications yet to be submitted: RM followed by first 5 letters of applicant name e.g RMJONES

Applications already submitted: Please use the RM# reference that has been assigned to your application, this will have been emailed to yourself or your agent and included on the invoice.

Please note processing will not begin until payment is received (or identified if incorrectly referenced).

I confirm payment by:

Bank transfer to account 02 0948 0002000 00 (If paying from overseas swiftcode is – BKNZ222)

Invoice for initial fee requested and payment to follow

Manual Payment (can only be accepted once application has been lodged and acknowledgement email received with your unique RM reference number)

Reference

Amount Paid: Land Use and Subdivision Resource Consent fees - please select from drop down list below

\$3881 - Other subdivision (e.g. Rural Residential, Rural Lifestyle)

(For required initial fees refer to website for Resource Consent Charges or speak to the Duty Planner by phoning 03 441 0499)

Date of Payment

APPLICATION & DECLARATION

The Council relies on the information contained in this application being complete and accurate. The Applicant must take all reasonable steps to ensure that it is complete and accurate and accepts responsibility for information in this application being so.



If lodging this application as **the Applicant:**

I/we hereby represent and warrant that I am/we are aware of all of my/our obligations arising under this application including, in particular but without limitation, my/our obligation to pay all fees and administrative charges (including debt recovery and legal expenses) payable under this application as referred to within the Fees Information section.

OR:



If lodging this application as **agent of the Applicant:**

I/we hereby represent and warrant that I am/we are authorised to act as agent of the Applicant in respect of the completion and lodging of this application and that the Applicant / Agent whose details are in the invoicing section is aware of all of his/her/its obligations arising under this application including, in particular but without limitation, his/her/its obligation to pay all fees and administrative charges (including debt recovery and legal expenses) payable under this application as referred to within the Fees Information section.



PLEASE TICK

I hereby apply for the resource consent(s) for the Proposal described above and I certify that, to the best of my knowledge and belief, the information given in this application is complete and accurate.

Signed (by or as authorised agent of the Applicant) **

Full name of person lodging this form **Ruth Mackay**

Firm/Company **Southern Planning Group**

Dated **04/10/2024**

**If this form is being completed on-line you will not be able, or required, to sign this form and the on-line lodgement will be treated as confirmation of your acknowledgement and acceptance of the above responsibilities and liabilities and that you have made the above representations, warranties and certification.



Section 2 of the District Plan provides additional information on the information that should be submitted with a land use or subdivision consent.

The RMA (Fourth Schedule to the Act) requires the following:

1 INFORMATION MUST BE SPECIFIED IN SUFFICIENT DETAIL

- Any information required by this schedule, including an assessment under clause 2(1)(f) or (g), must be specified in sufficient detail to satisfy the purpose for which it is required.

2 INFORMATION REQUIRED IN ALL APPLICATIONS

- (1) An application for a resource consent for an activity (the activity) must include the following:

- (a) a description of the activity;
- (b) a description of the site at which the activity is to occur;
- (c) the full name and address of each owner or occupier of the site;
- (d) a description of any other activities that are part of the proposal to which the application relates;
- (e) a description of any other resource consents required for the proposal to which the application relates;
- (f) an assessment of the activity against the matters set out in Part 2;
- (g) an assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b).

(2) The assessment under subclause (1)(g) must include an assessment of the activity against—

- (a) any relevant objectives, policies, or rules in a document; and
- (b) any relevant requirements, conditions, or permissions in any rules in a document; and
- (c) any other relevant requirements in a document (for example, in a national environmental standard or other regulations).

(3) An application must also include an assessment of the activity's effects on the environment that—

- (a) includes the information required by clause 6; and
- (b) addresses the matters specified in clause 7; and
- (c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

Information provided within the Form above

Include in an attached Assessment of Effects (see Clauses 6 & 7 below)

ADDITIONAL INFORMATION REQUIRED IN SOME APPLICATIONS

- An application must also include any of the following that apply:
 - (a) if any permitted activity is part of the proposal to which the application relates, a description of the permitted activity that demonstrates that it complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1));
 - (b) if the application is affected by section 124 or 165ZH(1)(c) (which relate to existing resource consents), an assessment of the value of the investment of the existing consent holder (for the purposes of section 104(2A));



ASSESSMENT OF ENVIRONMENTAL EFFECTS

Clause 6: Information required in assessment of environmental effects

- (1) An assessment of the activity's effects on the environment must include the following information:
 - (a) if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity;
 - (b) an assessment of the actual or potential effect on the environment of the activity;
 - (c) if the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment that are likely to arise from such use;
 - (d) if the activity includes the discharge of any contaminant, a description of—
 - (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and
 - (ii) any possible alternative methods of discharge, including discharge into any other receiving environment;
 - (e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect;
 - (f) identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted;
 - (g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved;
 - (h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).

(2) A requirement to include information in the assessment of environmental effects is subject to the provisions of any policy statement or plan.

(3) To avoid doubt, subclause (1)(f) obliges an applicant to report as to the persons identified as being affected by the proposal, but does not—

- (a) oblige the applicant to consult any person; or
- (b) create any ground for expecting that the applicant will consult any person.

CLAUSE 7: MATTERS THAT MUST BE ADDRESSED BY ASSESSMENT OF ENVIRONMENTAL EFFECTS

- (1) An assessment of the activity's effects on the environment must address the following matters:
 - (a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects;
 - (b) any physical effect on the locality, including any landscape and visual effects;
 - (c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity;
 - (d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations;
 - (e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants;
 - (f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.

(2) The requirement to address a matter in the assessment of environmental effects is subject to the provisions of any policy statement or plan.



UNDER THE FOURTH SCHEDULE TO THE ACT:

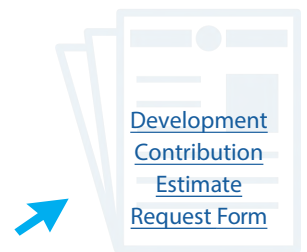
- An application for a subdivision consent must also include information that adequately defines the following:
 - (a) the position of all new boundaries:
 - (b) the areas of all new allotments, unless the subdivision involves a cross lease, company lease, or unit plan:
 - (c) the locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips:
 - (d) the locations and areas of any existing esplanade reserves, esplanade strips, and access strips:
 - (e) the locations and areas of any part of the bed of a river or lake to be vested in a territorial authority under section 237A:
 - (f) the locations and areas of any land within the coastal marine area (which is to become part of the common marine and coastal area under section 237A):
 - (g) the locations and areas of land to be set aside as new roads.

Will your resource consent result in a Development Contribution and what is it?

- A Development Contribution can be triggered by the granting of a resource consent and is a financial charge levied on new developments. It is assessed and collected under the Local Government Act 2002. It is intended to ensure that any party, who creates additional demand on Council infrastructure, contributes to the extra cost that they impose on the community. These contributions are related to the provision of the following council services:
 - Water supply
 - Wastewater supply
 - Stormwater supply
 - Reserves, Reserve Improvements and Community Facilities
 - Transportation (also known as Roothing)

[Click here for more information on development contributions and their charges](#)

OR Submit an Estimate request *please note administration charges will apply



Please note that some land use consents can be dealt with as fast track land use consent. This term applies to resource consents where they require a controlled activity and no other activity. A 10 day processing time applies to a fast track consent.

If the consent authority determines that the activity is a deemed permitted boundary activity under section 87BA of the Act, written approval cannot be withdrawn if this process is followed instead.

A fast-track application may cease to be a fast-track application under section 87AAC(2) of the Act.

While it is not essential that your documents are named the following, it would be helpful if you could title your documents for us. You may have documents that do not fit these names; therefore below is a guide of some of the documents we receive for resource consents. Please use a generic name indicating the type of document.

Application Form 9

Assessment of Environmental Effects (AEE)

Computer Register (CFR)

Covenants & Consent Notice

Affected Party Approval/s

Landscape Report

Ecological Report

Engineering Report

Geotechnical Report

Wastewater Assessment

Traffic Report

Waste Event Form

Urban Design Report



Assessment of Environmental Effects

**Resource Consent Application to
Undertake a Two-Lot Subdivision &
to Vary Conditions of Consent
Notice 6587109.3 & Covenant
9490097.1 Relating to Restrictions on
Future Subdivision**

David Stretch & Colleen Flemmer

298 Crown Range Road

October 2024



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1 The Applicant and Property Details

To:	Queenstown Lakes District Council
Applicant:	David Stretch & Colleen Flemmer
Site Address:	298 Crown Range Road
Address for Service:	David Stretch & Colleen Flemmer C/- Southern Planning Group PO Box 1081 Queenstown, 9348 ruth@southernplanning.co.nz Attention: Ruth Mackay
Legal Description:	Lot 1 Deposited Plan 461855 and Section 9, 15 Survey Office Plan 423850 and Part Lot 3, 5 Deposited Plan 344221, held in Record of Title 608061
Site Area:	51.8771 hectares (more or less)
Operative District Plan Zone:	Rural General Zone
Proposed District Plan Zone:	<i>Split Zoned:</i> Rural Zone; & Wakatipu Basin Rural Amenity Zone
Brief Description of Proposal:	Resource consent is sought to undertake a two-lot subdivision. Resource consent is sought to vary condition 6(a) of Consent Notice 6587109.3 and condition 2.1(b) of Covenant 9490097.1 relating to restrictions on future subdivisions.

Appendices

- Appendix [A]** Record of Title
- Appendix [B]** Legal Instruments
- Appendix [C]** Subdivision Scheme Plan
- Appendix [D]** Structural Landscape Plan
- Appendix [E]** Landscape & Visual Effects Assessment
- Appendix [F]** Infrastructure Memo
- Appendix [G]** Affected Party Approvals
- Appendix [H]** Decision of the Environment Court (ENV-2019-CHC-065)

R. Mackay

.....

Ruth Mackay

4 October 2024

2 Executive Summary

The applicant applies for subdivision consent to undertake a two-lot subdivision, inclusive of the establishment of one building platform of the site located at 298 Crown Range Road.

Resource consent is sought to vary condition 6(a) of Consent Notice 6587109.3 and condition 2.1(b) of Covenant 9490097.1 relating to restrictions on future subdivisions.

The site is contained in the Rural General Zone under the Operative District Plan (ODP) and within the Rural Zone and Wakatipu Basin Rural Amenity Zone under the Proposed District Plan (PDP).

Overall, the status of the application is that of a **non-complying** activity.

This Assessment of Effects has been prepared in accordance with the requirements of Section 88 and Schedule 4 of the Resource Management Act 1991 (the Act) and is intended to provide the information necessary for a full understanding of the activity for which consent is sought, and any actual or potential effects of the proposal may have on the environment.

The Assessment of Effects considers the effects of the proposal and determines that the proposal will have less than minor adverse effects on the environment, nor are any persons considered to be adversely affected by the proposal. Notwithstanding this, public notification of the application is however requested.

The proposal is consistent with, and therefore not contrary to, the objectives and policies of the ODP and PDP. Overall, the proposal is consistent with the purpose and principles of the Act and accords with the definition of sustainable management under Part 2 of the Act.

3 Site Description and Receiving Environment

3.1 Site Description

The subject site is located at 298 Crown Range Road and is legally described as Lot 1 Deposited Plan 461855 and Section 9, 15 Survey Office Plan 423850 and Part Lot 3, 5 Deposited Plan 344221, held in Record of Title 608061. A copy of the Record of Title is attached as **Appendix [A]**.

The landform of the site is undulating away from the edge of the Crown Terrace escarpment. The site is located in a shallow basin which declines to the east towards Royal Burn.

The site contains an existing residential unit located within the building platform, and an existing farm building with an associated self-contained residential building. The site also contains mature landscape plantings.

Figure 1 below provides an aerial image of the subject site and the immediate surrounding area.

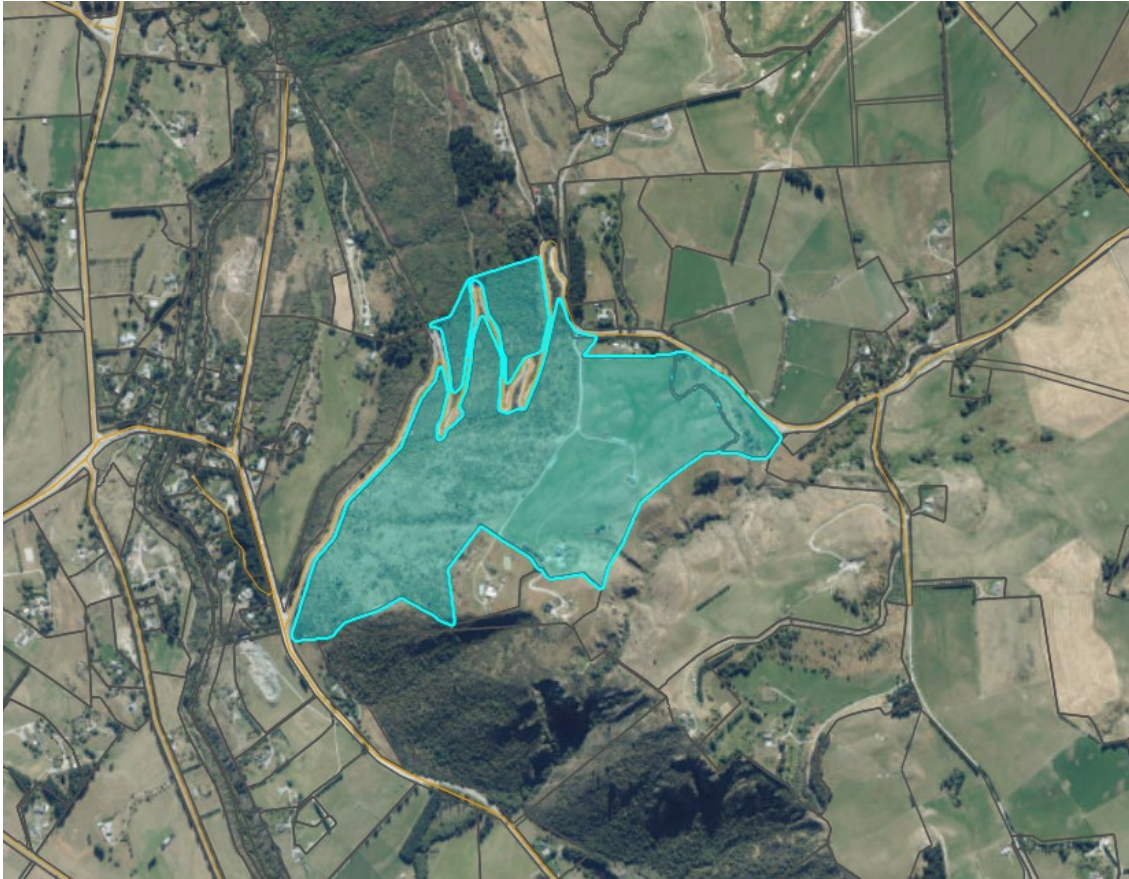


Figure 1: Subject site (outlined in blue). Source: QLDC GIS

3.2 Legal Documents

A number of legal encumbrances are registered against the subject Record of Title, with such documents being contained within **Appendix [B]**. The legal encumbrances are addressed below:

Land Covenant in Deed 784603

This document relates to a private agreement between parties, that does not include the Council.

6587109.3 Consent Notice

Consent Notice 6587109.3 relates to potable water, firefighting water and wastewater requirements to be adhered to at the time a dwelling is established. In addition, the Consent Notice contains a range of building and landscape design controls.

Of particular relevance to this application is condition 6(a) which states “No further subdivision of the land contained in Certificates of Title 181565, 181566 and 181567 (excluding any boundary adjustment which does not result in creation of any addition title and/or any additional building platform) shall be permitted.” This application proposes to vary this condition to allow for the subdivision, noting that the condition relating to future subdivisions will be reimposed on the resultant titles.

Land Covenant in Easement Instrument 6587109.9

This document relates to a private agreement between parties, that does not include the Council.

8860303.2 Covenant pursuant to Section 108(2)(d) Resource Management Act 1991

Covenant 8860303.2 was created pursuant to Section 108(2)(d) of the Resource Management Act 1991 and pursuant to resource consent RM100526. This document relates to the water reticulation easement; the requirement for as-built plans; the requirement for landscaping to screen the development in the form of earth berms; and the timing and ongoing maintenance of landscape plantings.

9320443.5 Consent Notice

Consent Notice 9320443.5 relates to management controls of the land and fencing controls.

9483330.1 Variation of Consent Notice 6587109.3

9483330.1 is a variation to condition 4(c) – page 2; condition 5(f) – page 3; condition 6(c) – page 3; condition 7 – page 3; and condition 1 – page 4 of Consent Notice 6587109.3 relating to buildings within building platforms, maximum height of buildings, landscape plans and fencing controls.

9490097.1 Covenant pursuant to Section 108(2)(d) Resource Management Act 1991

Covenant 9490097.1 was created pursuant to Section 108(2)(d) of the Resource Management Act 1991. This document relates to restrictions on residential flats and a restriction on subdivision.

Of particular relevance to this application is condition 2.1(b) of this Covenant which states: “The Land may not be subdivided in such a way that the Building Platform and Residential Unit are contained in separate Computer Freehold Registers”. This application proposes to cancel this condition.

3.3 Receiving Environment

The site is split zoned Rural Zone and Wakatipu Basin Rural Amenity Zone. A portion of the site (Rural zoned area) is located within an Outstanding Natural Landscape overlay (Eastern Wakatipu Basin Priority Area). The remaining portion of the site (Wakatipu Basin zoned area) is located within Landscape Character Unit #20 – Crown Terrace.

The surrounding area contains rural production land with rural residential development loosely grouped throughout the terrace and orientated to take advantage of the panoramic views over the wider Wakatipu Basin. There is built development within the receiving environment, with surrounding properties containing established residential units and associated accessory buildings.

4 Resource Management Planning Background

A number of resource consents provide background information to the proposal contained within this application. Such resource consents are detailed below.

4.1 RM010700

RM010700 relates to a boundary adjustment subdivision between three existing titles and to establish a residential building platform on each.

RM010700 imposed Consent Notice 6587109.3 on the Record of Title, which this application now seeks to amend by cancelling a condition of Consent Notice.

4.2 RM080945

RM080945 relates to a boundary adjustment subdivision between Lots 2 and 4 DP 344221. Additionally, RM080945 relates to the relocation of an approved building platform by varying conditions 4(c) and 5(f) of Consent Notice 6587109.3

4.3 RM100526

RM100526 relates to a variation to conditions 1, 6, 7, 13 and 14 of RM080945 and the inclusion of a new condition relating to servicing, construction of a berm and landscaping for the property.

4.4 RM110694

RM110694 relates to a boundary adjustment subdivision between Lots 1 and 2 DP 436273, increasing Lot 1 by approximately 2.4 hectares.

4.5 RM110721

RM110721 relates to land use to construct a farm shed and residential unit outside of an approved building platform and undertake associated earthworks. RM110721 also varied conditions of Consent Notice 6587109.3 as they related to the site, including buildings for residential purposes being required to be located within approved residential building platforms, landscaping, and land management.

RM110721 imposed Covenant 9490097.1 on the Record of Title, which this application now seeks to amend by cancelling a condition of Covenant.

4.6 RM120747

RM120747 relates to the construction a dwelling which extends outside of an approved building platform, construct a greenhouse outside the platform and undertake associated earthworks. Consent is also sought to vary Condition 1 of resource consent RM080945 and vary a consent notice relating to the construction of the buildings outside of the platform, and amendments to landscaping and an earth berm.

4.7 RM230710

RM230710 sought resource consent to cancel condition 6(a) of Consent Notice 6587109.3 and condition 2.1(b) of Covenant 9490097.1 relating to restrictions on future subdivisions.

This application was withdrawn on 15th March 2024.

5 Description of the Proposal

5.1 Subdivision Consent

Resource consent is sought to undertake a two-lot subdivision, inclusive of the establishment of one building platform of the site located at 298 Crown Range Road.

A number of land parcels are held within the Record of Title (608061), as follows:

- Lot 1 DP 461855, with an area of 44.7065ha
- Section 9 SO 423850, with an area of 0.0732ha
- Section 15 SO423850, with an area of 0.0249ha
- Part Lot 3 DP 344221, with an area of 4.4495ha
- Part Lot 5 DP 344221, with an area of 2.6230ha

This application seeks to subdivide Lot 1 DP 461855 into two separate allotments as follows:

Lot 1

- Lot 1 is to be 3.07ha, and this lot will contain the existing residential unit and greenhouse which extends beyond the consented building platform.
- Existing services supply the established residential activity in terms of potable water, stormwater, wastewater, electricity and telecommunication services.
- Access to Lot 1 will be via a right of way easement over the existing driveway and vehicle crossing off Crown Range Road.
- The Lot will include areas within both the Wakatipu Basin Rural Amenity Zone and the Rural Zone (with ONL overlay).
- No physical changes or additional development is proposed for the site.

Lot 2

- Lot 2 is to be 41.64ha, and this lot will contain the existing shed with associated residential activity.
- The existing building is 220m².
- A new building platform with an area of 220m² is proposed, with an associated curtilage area.
- Lot 2 is proposed to be amalgamated with Section 9, 15 Survey Office Plan 423850 and Part Lot 3, 5 Deposited Plan 344221.
- Existing services supply the established residential activity in terms of potable water, stormwater, wastewater, electricity and telecommunication services.
- Access to Lot 2 will be over the existing driveway and vehicle crossing off Crown Range Road.
- Other than the establishment of the building platform, no physical changes or additional development is proposed for the site.

It is noted that no physical works are required, nor are any physical changes proposed to the existing built form on the subject site. While the proposal seeks to establish a new building platform on proposed Lot 2, no new built form is proposed as part of the application, and any changes to the existing building will be subject to at least a controlled activity resource consent, as is the case for Lot 1.

5.2 Subdivision Plan

Clarke Fortune McDonald Associates (CFMA) have compiled the Subdivision Plan that illustrates the proposed subdivision. The Subdivision Plan is contained within **Appendix [C]**.

5.3 Landscape Assessment

A Structural Landscape Plan that illustrates the existing landscaping to be retained and an associated Landscape Memo has been prepared by Vivian + Espie. The Structural Landscape Plan and Landscape Assessment are contained within **Appendix [D]** and **Appendix [E]** respectively.

5.4 Infrastructure & Servicing

Clarke Fortune McDonald Associates has compiled an Infrastructure Memo that addresses the servicing aspects of the proposal. The Infrastructure Memo is contained within **Appendix [F]**.

5.5 Changes to Legal Instruments

Consent Notice 6587109.3

In addition to the subdivision proposed, resource consent is sought to vary condition 6(a) of Consent Notice 6587109.3 relating to restrictions on future subdivisions, which currently reads as follows:

No further subdivision of the land contained in Certificates of Title 181565, 181566 and 181567 (excluding any boundary adjustment which does not result in creation of any addition title and/or any additional building platform) shall be permitted.

This application proposes to vary this condition to allow for the subdivision, noting that the condition relating to future subdivisions will be reimposed on the resultant titles.

All other conditions of Consent Notice 6587109.3 remain unchanged and shall continue to apply.

Land Covenant 9490097.1

Resource consent is also sought to cancel condition 2.1(b) of Covenant 9490097.1 relating to restrictions on future subdivisions specifically separating the building platform and residential unit (identified in **bold** text), which currently reads as follows:

2. COVENANT

2.1 The Owner covenants that:

- a. No Residential Flat will be constructed within the Building Platform; and
- b. The Land may not be subdivided in such a way that the Building Platform and Residential Unit are contained in separate Computer Freehold Registers.**

2.2 This Land Covenant binds the Owner's successors in title so that contemporaneously with the acquisition of any interest in the Land all such successors in title shall become bound to comply with this Land Covenant to the intent that this Land Covenant shall bind and run with the Land in accordance with Section 109 of the Resource Management Act 1991 and that the Council may enforce the observance of this Land Covenant against the owner for the time being of the Land.

All other conditions of Covenant 9490097.1 remain unchanged and shall continue to apply. For the purposes of clarity, condition 1 of the Covenant relates to interpretation and definitions, such that there are no other changes proposed.

5.6 Affected Party Approvals

The following persons have provided their affected persons approval to the proposal:

REF:	LANDOWNERS	ADDRESS
1.	Hereaway Trustee Limited	300 Crown Range Road & 1289 Gibbston Highway Road
2.	Glen Russell & Deveron Trustees Limited	310 & 314 Crown Range Road



Figure 2: Aerial of subject site (outlined in blue) and APA sites (marked by corresponding numbers).

The affected persons approvals are contained within **Appendix [G]**.

Consultation is underway with other neighbouring landowners, and should their written approval be obtained, it will be provided to QLDC for consideration as part of the application processing.

6 Statutory Considerations

6.1 Operative District Plan

Under the ODP, the site is contained within the Rural General Zone.

It is understood that the subject PDP provisions that are relevant to this application are beyond appeal. As such, the relevant provisions are treated as operative, with the standards and provisions relating to the ODP no longer considered to be applicable.

6.2 Proposed District Plan

In terms of the PDP the site is split zoned, Rural Zone & Wakatipu Basin Rural Amenity Zone. The proposal requires the following resource consents under the PDP.

6.2.1 Chapter 27 – Subdivision

- A **discretionary** activity resource consent pursuant to Rule 27.5.12 for subdivision in the Rural Zone.
- A **non-complying** activity resource consent pursuant to Rule 27.5.22 for subdivision that does not comply with the minimum lot areas specified in Part 27.6. In this instance, Part 27.6 requires a minimum lot area of 80ha in the Wakatipu Basin Rural Amenity Zone.
- A **non-complying** activity resource consent, pursuant to Rule 27.5.28 which requires subdivisions to comply with standards relating to servicing and infrastructure under Rule 27.7.33. Rule 27.3.33.6 stipulates that telecommunication reticulation must be provided to all allotments in new subdivisions in the Wakatipu Basin zone (noting the Rural zone is exempt from this rule). In this instance, no reticulated telecommunication services are proposed to be installed, as the existing copper connection is not fit for purpose and no longer supported by the service provided.

6.3 Section 127 of the Act

The proposal required resource consent for the following reason:

- A **discretionary** activity consent pursuant to Section 127(3)(a) of the RMA, which deems any application to change or cancel consent conditions to be a discretionary activity. In this instance, it is proposed to cancel conditions imposed by RM110721, which are now registered to the Record of Title as a Covenant, pursuant to Section 108(2)(d) of the RMA. In accordance with s.108(7) of the RMA, it is proposed to cancel condition 2.1(b), as imposed by Covenant 9490097.1 (identified in bold text), which currently reads as follows:

2. COVENANT

2.1 The Owner covenants that:

- a. No Residential Flat will be constructed within the Building Platform; and
- b. The Land may not be subdivided in such a way that the Building Platform and Residential Unit are contained in separate Computer Freehold Registers.**

2.2 This Land Covenant binds the Owner's successors in title so that contemporaneously with the acquisition of any interest in the Land all such successors in title shall become bound to comply with this Land Covenant to the intent that this Land Covenant shall bind and run with the Land in accordance with Section 109 of the Resource Management Act 1991 and that the Council may enforce the observance of this Land Covenant against the owner for the time being of the Land.

6.4 Section 221 of the Act

The proposal required resource consent for the following reason:

- A **discretionary** activity consent pursuant to 87B in accordance with Section 221 of the RMA which specifies a change or cancellation of a Consent Notice condition shall be processed in accordance with Sections 88 to 121 and 127(4) to 132. In this instance, it is proposed to vary condition 6(a) of Consent Notice 6587109.3 as follows (added text in **bold underline**):

*No further subdivision of the land contained in Certificates of Title 181565, 181566 and 181567 (excluding any boundary adjustment which does not result in creation of any addition title and/or any additional building platform) shall be permitted, **with the exception of the subdivision approved by RM24XXXX.***

6.5 NES Contaminated Soils

A review of the District and Regional Council's records for the subject site does not indicate the existence of HAIL activities on the site or having been undertaken from the subject site.

As such, it is considered that the regulations in the NES do not apply.

6.6 Overall Status

The overall status of the proposal is that of a **non-complying** activity.

7 Assessment of Effects

In accordance with Section 88 and Schedule 4 of the Act an assessment is made of any actual and potential effects on the environment that may arise from the proposal is required with any details of how any adverse effects may be avoided, remedied or mitigated. Accordingly, below is an assessment of effects relative to the scale and significance of the proposed activity.

The assessment of effects has addressed the following categories:

- Permitted Baseline
- Subdivision Design & Density
- Proposed Amalgamation
- Location of Building Platforms
- Landscape & Visual Amenity Effects
- Infrastructure, Servicing & Access
- Easements
- Natural Hazards
- Variations to Legal Instruments

7.1 Permitted Baseline

Sections 95D(b), 95E(2)(a) and 104(2) of the Act provide discretion to Council (for the purposes of forming an opinion as to the actual or potential effects) to disregard any adverse effects of the proposal on the environment (or on a person) if a District Plan or National Environmental Standard permits an activity with that effect.

In this case, all subdivision activities require resource consent, and therefore there is no permitted baseline relevant to the proposal.

Additionally, any changes to, or cancellation of, conditions imposed by Consent Notices and Covenants requires resource consent, and therefore there is no permitted baseline relevant to the proposal.

7.2 Alternative locations or methods

The proposed activity will not result in any significant adverse effects on the environment. Alternative locations are therefore not considered necessary.

7.3 Assessment of the actual and potential effects

The following areas of consideration apply in terms of assessing the actual and potential effects on the environment.

7.3.1 Subdivision Design & Density

The site is located within the Wakatipu Basin Rural Amenity Zone and the Rural Zone. Under the PDP, there are no minimum allotment sizes associated with the Rural Zone, however the PDP stipulates a minimum allotment size of 80ha for sites located within the Wakatipu Basin Rural Amenity Zone. In this instance, the resultant lots are proposed to have the following areas:

- Lot 1: 3.07ha
- Lot 2: 48.8ha (inclusive of the amalgamated parcels)

While the proposed lots do not meet the minimum allotment sizes specified in the PDP, no additional development is proposed, nor is it anticipated, as a result of this application beyond what is already existing and consented on the site. Lot 1 already contains a consented building platform and associated buildings, and Lot 2 already contains a building and associated curtilage area. This proposal seeks to establish a building platform around the building on proposed Lot 2 to limit the size and ensure that there is no increase to domestication in this area. As such, the proposed subdivision will be directly comparable to the existing and consented activities already undertaken on the site, such that effects in this regard will be negligible.

No new access or vehicle crossings are proposed, and there will be no change to landform, such that there will be no adverse effects in this regard. In a similar respect, the site already contains two established residential activities, such that the proposal will not result in any increase to traffic generation, beyond what is already existing.

It is reasonable to anticipate that new boundary fencing will be installed to demarcate the resultant allotments. The applicant volunteers a condition, to be imposed by way of Consent Notice, that all fencing shall be post and wire only to ensure it retains the values associated with the surrounding rural environment, and effects in this regard are less than minor.

There are a number of smaller rural living allotments in proximity to the subject site on either side of Crown Range Road. A few examples are listed below:

- Lot 2 DP 461855: 3.94ha
- Lot 1 and Lot 2 DP 22393: 1.08ha
- Lot 1 of RM240463: 4.97ha (noting that this has recently been approved via a boundary adjustment, ref: RM240463)
- Pt Lot 1 DP 409021 & Sec 17-18, 22 SO 423850: 4.58ha
- Lot 2 DP 480390: 4.29ha

Proposed Lot 1 will be located adjacent to two similar sized rural living allotments, such that it will be appropriate and consistent with the context of the surrounding environment. The built form is already established on site, and the location of the existing and proposed building platforms will ensure that the level of domestication does not expand across the site, beyond the level of domestication already existing and consented for the site.

Lot 2 will be the balance lot and will encompass the vast majority of the Rural and ONL land, such that the productive capacity of the land remains unchanged. All building platforms, access and servicing are fully contained within the WBRAZ portion of the site. Due to this, there is no physical development proposed, or anticipated, within the Rural and ONL areas proposed by way of this consent. As no physical works are to be undertaken effects on the rural portion of the site and ONL will be less than minor.

The site is located within Landscape Character Unit #20, which is identified as having a very low capacity to absorb additional development. While the proposal seeks to undertake a two-lot subdivision, no additional development is proposed, such that the subdivision will maintain the existing level of development on the site.

Additionally, consultation has been undertaken with QLDC's Property & Infrastructure department and there is potential to grant rights of access in favour of QLDC, if required. This has the potential to result in positive effects as there would be the option for QLDC to widen the 'zig-zag' area of Crown Range Road in the future to improve the roading network, and/or to create a cycle path which would be of benefit to cyclist safety. Consultation is ongoing in this regard and will be provided to the Planning team when more information is known.

7.3.2 Proposed Amalgamation

The proposal will also require approval from Land Information New Zealand (LINZ), as the following amalgamation condition is proposed:

"That Lot 2 heron, Section 9 SO 423850, Section 15 SO 423580, Part Lot 3 DP 344221 and Part Lot 5 DP 344221 be held in the same Record of Title – See CSN Request XXXXX."

Assuming LINZ confirm that the proposal amalgamation is practicable, any potential effects associated with this will be negligible.

7.3.3 Location of Building Platforms

Lot 1:

As detailed above, Lot 1 currently contains an existing residential unit and accessory building (greenhouse) which extends beyond the consented building platform. This built form was approved by resource consent, RM120747. This application makes no changes to this consented building platform, or the established buildings.

Lot 2:

A new building platform with an area of 220m² is proposed, with an associated curtilage area is proposed for Lot 2. The building platform will be around the existing shed and associated residential unit. The built form was approved by resource

consent, RM110721. The building platform and associated curtilage area will restrict the sprawl of domestication and will ensure that effects as a result of establishing a building platform remain comparable to the existing consented development on site. The application makes no changes to this consented building platform, or the established buildings.

7.3.4 Landscape & Visual Amenity Effects

A Landscape and Visual Effects Assessment has been prepared by Jessica McKenzie of Vivian + Espie, and is contained within **Appendix [E]**. The findings in this report are accepted and relied upon for the purposes of this application. The below provides a short summary of the report's findings.

Ms McKenzie finds the following:

“With regard to effects on views and visual amenity, views from the Crown Range Road towards the site are intermittent and limited due to distance, topography, and vegetation, with the existing shed being well-integrated into the broader landscape. As such, any changes to built form within the proposed platform to be placed around the shed building would be very difficult to perceive and are not anticipated to result in any adverse effects on visual amenity from the Crown Range Road. Similarly, there are not anticipated to be any adverse effects on views and visual amenity from neighbouring properties who have not given affected party approval as any change in views will be negligible.

With regard to landscape character, the rural character, existing residential activity, and the overall sense of openness and naturalness of the site will remain very largely unchanged. The degree of adverse effects on landscape character will be of a very low degree at most.

Overall, the landscape character and visual amenity of both the WBRAZ (LCU 20) and the RZ ONL (Eastern Whakatipu Basin PA) will be maintained.”

Section 16 of the Landscape Assessment includes a number of recommendations. These are accepted and the applicant volunteers the following conditions of consent, to be imposed by way of Consent Notice, to capture these elements:

1. Any fencing to be erected on site shall be post and wire only.
2. The maximum height of any future buildings within the building platform on Lot 2 shall be 4.6m.
3. The maximum building coverage for any future buildings within the building platform on Lot 2 shall be 220m².
4. All fixed external lighting shall be down lighting only and shall be directly away from adjacent roads and sites to ensure the lighting does not create lightspill beyond the property. External lighting shall not be used to accentuate or highlight built form or vegetation as viewed from beyond the property.
5. Water storage tanks shall be partially buried and/or landscaped to reduce visibility.

6. All domestic landscaping and structures including, but not limited to, clotheslines, play equipment, outdoor seating areas, pergolas, external lighting and garden sheds, shall be confined to the domestic curtilage area as shown on the Landscape Structure Plans approved by RM110721 and RM24XXXX.
7. At the time any future development is proposed within the building platforms, the consent holder shall submit to Council for approval an individual and specific Landscape Structure Plan, identifying plantings to assist in softening the visibility of the development. The approved Landscape Plan shall be implemented within the first planting season post construction of the built form, and the plants shall thereafter be maintained and irrigated in accordance with that plan. If any plant or tree should die or become deceased, it shall be replanted within the next available planting season.

Overall, it is considered that, the proposal is appropriate and the landscape character and visual amenity of both the WBRAZ (LCU #20) and the Rural Zone ONL (Eastern Wakatipu Basin Priority Area) will be maintained. The volunteered conditions will provide an additional safeguard to ensure that landscape character and visual amenity values are protected, such that effects in this regard will be less than minor.

7.3.5 Infrastructure, Servicing & Access

An Infrastructure Memo has been prepared by Chris Hansen of Clarke Fortune McDonald & Associates, and is contained within **Appendix [F]**. The findings in this report are accepted and relied upon for the purposes of this application. The below provides a short summary of the proposed service arrangements.

Access:

The proposed subdivision will utilise the existing vehicle crossing and access via Crown Range Road. The accessway installation was approved as part of the s.224(c) process associated with RM010700, such that the access complies with the relevant QLDC standards for rural access.

Potable Water:

Potable water supply is provided via an existing bore, consented by the ORC, ref: RM20.288.01, and is contained within the Infrastructure Memo. The bore is permitted to take 25,000 litres per day and will adequately service both allotments. A recent pump test demonstrated 18.1l/min over an 18-hr run. 3 l/ min is required to meet the 2100 l/ day for 2 lots. The Infrastructure Memo also includes details of bore water test results confirming that the water meets the requirements of the New Zealand Drinking Water Standards and Taumata Arowai standards. Overall, both lots will have sufficient water supply, both potable water and irrigation water.

Firefighting Water Supply:

Firefighting water storage has been installed as part of the residential activities established on site. The residential unit on proposed Lot 1 contains two 20,000 litre

tanks, and the shed and associated residential activity on proposed Lot 2 contains one 30,000 litre tank.

It is noted that the current standards for firefighting water supply requires a minimum of 45,000 litres to be reserved for firefighting at all times, associated with residential activity. As such, the applicant volunteers a condition, that prior to s.224(c) certification, that the firefighting tanks are upgraded to achieve compliance with current standards.

Wastewater:

The established residential activities already dispose of wastewater to ground via septic tanks and associated disposal fields. These systems have been installed and approved via the building consent process, BC130090 for the residential unit contained within proposed Lot 1 and BC120742 for the residential unit contained within proposed Lot 2. Both lots therefore demonstrate compliance with the relevant standards and confirm that the existing wastewater disposal systems are appropriate.

Stormwater:

The established residential activities already dispose of stormwater to ground via soakpits. Similar to the above, the stormwater systems have been installed and approved via BC130090 and BC120742. Both lots therefore demonstrate compliance with the relevant standards and confirm that the existing stormwater systems are appropriate.

Utilities (power / telecoms):

Aurora Energy Limited has provided confirmation that a point of supply has been made available to each proposed lot. This letter is contained within the Infrastructure Memo.

No reticulated telecommunications are proposed as the existing copper connection is not fit for purpose and no longer supported by service provider (Chorus). The proposed Lots will continue to be serviced by LightSpeed radio transmitted services. LightSpeed has provided confirmation that telecommunication services can be made available to each proposed lot. This letter is contained within the Infrastructure Memo.

Existing Residential Activities:

For the purposes of clarity, the existing residential units are already fully serviced, and other than the upgrades required for firefighting water reserve, this application makes no changes to the existing serving arrangements.

Assessment Summary:

As has been demonstrated by the Infrastructure Memo, the subdivision can be appropriately serviced, such that effects relating to infrastructure, services and access are considered to have less than minor adverse effects on the wider environment.

7.3.6 Easements

All existing easements are to be retained and Council's standard condition requiring that all necessary easements are shown on the scheme plan and shall be duly surrendered, granted or reserved is anticipated.

As identified on the proposed subdivision scheme plan, new easements are also proposed for the following purposes:

- Right of way
- Right to convey water, telecommunications and electricity
- Right to convey telecommunications
- Right to convey electricity
- Right to transform electricity
- Right to pump water

All easements will be confirmed at the time of survey. A condition is invited requiring that all necessary easements are shown on the Survey Plan, and shall be duly granted or reserved.

7.3.7 Natural Hazards

A review of the QLDC hazard mapping database identifies that a portion of the site is subject to a dormant schist debris landslide area overlay. The GIS maps confirm that this relates to slides in schist bedrock, with no known activity in historical times (last 150 years). No obvious geomorphological evidence of activity under static conditions.

The natural hazard overlay is located to the east of the subject site, located within the Rural Zone. The subdivision does not propose any changes to this area, and no development is proposed, nor is it anticipated within this area, such that the subdivision will not exacerbate the natural hazard risk to the site.

7.3.8 Variations to Legal Instruments

The effects of the proposed subdivision have been assessed above and confirmed to have less than minor adverse effects. Based on the assessment provided above, inclusive of the relevant expert reports, the proposal variation and cancellation to the underlying Consent Notice condition and Land Covenant condition restricting future subdivision is considered appropriate, and will not result in any adverse effects that are minor or more than minor.

For clarity, the restriction on future subdivision and restriction on residential flats is to be reimposed onto the resultant titles, to ensure that the nature and scale of the existing land use activities on the site remains comparable to the existing situation.

7.4 Hazardous substances

The proposed activity does not involve the use of hazardous substances and installations.

7.5 Discharge of contaminants

The proposal involves the discharge of treated wastewater onto the site. As addressed above, the discharge of treated wastewater can be undertaken without adverse effects occurring on the site.

7.6 Mitigation measures

Aside from the imposition of standard conditions of consent, it is considered that no further mitigation measures are required for the proposal.

7.7 Identification of interested or affected persons

In considering the adverse effects on persons via Section 95E(2), the following outlines an assessment as to whether the activity will have or is likely to have adverse effects on persons that are minor or more than minor.

As detailed in Section 5.6 above, a number of written approvals have been obtained from the surrounding neighbouring landowners, and the written approvals are contained within **Appendix [G]**. As such, the effects on these parties are to be disregarded in accordance with s.95D(e) of the RMA.

No other persons are considered effected for the following reasons:

The proposal will not result in any physical works and no discernible physical changes are proposed as a result of the application. In addition, the proposal will not alter the number of residential buildings contained in each proposed lot and will not alter the existing buildings.

Any future development within either of the lots will be subject to a separate resource consent application and will be subject to the relevant bulk and location requirements of the PDP, as well as the relevant Legal Instruments, including the landscaping design controls volunteered as part of this application, such that any adverse effects on potential future development will be less than minor, and comparable to the existing situation.

No changes are proposed to access or servicing provisions, such that there will be no impact on the existing servicing arrangements of existing easements. The site already

contains two established residential activities, such that the proposal will not result in any increase to traffic generation, beyond what is already existing.

The proposal retains the productive capacity of the site and will not result in any adverse effects in relation to reverse sensitivity associated with permitted rural activities.

The proposal is supported by a Landscape Assessment which finds that the proposal will not result in any adverse effects on the views or visual amenity from neighbouring properties.

Overall, given the nature, scale and location of the proposal, it is determined that potential adverse effects on the owners and occupiers of the adjacent sites, and all other persons, are considered to be less than minor, and there are no persons considered adversely effected by the proposal.

7.8 Monitoring

No monitoring is required other than standard conditions of consent.

7.9 Customary rights

The proposed activity will have no effect on any customary rights.

8 Notification

Public and limited notification matters of consideration are detailed below.

8.1 Section 95A: Public Notification

In terms of Section 95A(1), a consent authority must follow the steps set out in Section 95A, in the order given, to determine whether to publicly notify an application for a resource consent. The four steps within Section 95A(1) are addressed below.

Step 1: Mandatory public notification in certain circumstances

The following matters are noted:

- The applicant is requesting public notification of the proposal (Section 94A(3)(a)).

Based on the above, public notification of the application is requested.

9 Statutory Assessment

Clause 2(1)(g) of Schedule 4 of the Resource Management Act 1991 requires an assessment against any relevant planning documents that are referred to in Section 104(1)(b) of this legislation. Such documents include:

- A national environmental standard
- Other regulations
- A national policy statement
- A New Zealand coastal policy statement
- A regional policy statement or proposed regional policy statement
- A plan or proposed plan

9.1 Operative District Plan

The relevant provisions of the PDP are now treated as operative and therefore the proposal no longer requires consent under the provisions of the ODP, such that the objectives and policies of the ODP hold little weight. However, for the purposes of the s.104D assessment, a brief assessment of the relevant objectives and policies of Section 4 (District-wide Issues), Section 5 (Rural Areas) and Section 15 (Subdivision, Development & Financial Contributions) is provided below.

The relevant objectives and policies contained within Section 4 (District-wide Issues) and Section 5 (Rural Areas) are generally aligned in that they seek to ensure land use and development is undertaken in a manner which avoids, remedies, or mitigates adverse effects on landscape and visual amenity values. As demonstrated in the assessment above, the proposal is considered appropriate and will not undermine landscape and visual amenity values, and is considered to be consistent with, and therefore not contrary to, the relevant objectives and policies of Sections 4 and 5.

The relevant objectives and policies contained within Section 15 (Subdivision, Development & Financial Contributions). The relevant objectives and policies seek to ensure that all lots are appropriately serviced, and the costs of such servicing are borne by the applicant. As has been demonstrated above, both lots are already fully serviced such that there are no changes to the servicing arrangements, the costs of which have been met by the applicant. The objectives and policies also seek to recognise and protect ONL overlays and maintain amenity values. As assessed above, no development is proposed, nor anticipated in the ONL such that the values of this area are effectively retained, and visual amenity effects are maintained. The proposal is therefore consistent with, and therefore not contrary to the relevant objectives and policies of Section 15.

9.2 Proposed District Plan

Relevant Objectives and Policies from the PDP are contained in the following Chapters of the PDP:

- Chapter 3 – Strategic Direction
- Chapter 6 – Landscapes - Rural Character
- Chapter 21 – Rural Zone
- Chapter 24 – Wakatipu Basin Rural Amenity Zone
- Chapter 27 – Subdivision

These Chapters are addressed below:

9.2.1 Chapter 3 – Strategic Direction

Chapter 3 sets out the over-arching strategic direction for the management of growth, land use and development in a manner that ensures sustainable management of the District's special qualities. The principal role of Chapter 3 (and Chapters 4-6) is to provide direction for the more detailed provisions related to zones and specific topics contained elsewhere in the District Plan.

The proposal is consistent with, and therefore not contrary to, the relevant landscape based objectives and policies of Chapter 3, with specific regard to protecting landscape values and maintaining the open landscape character in areas located within an ONL overlay.

9.2.2 Chapter 6 – Landscapes - Rural Character

Policy 6.3.1.4 provides for a separate regulatory regime for the Wakatipu Basin Rural Amenity Zone, and the Chapter 6 does not directly apply to the WBRAZ, as follows:

"6.3.1.4 Provide a separate regulatory regime for the Wakatipu Basin Rural Amenity Zone, within which the Outstanding Natural Feature, Outstanding Natural Landscape and Rural Character Landscape categories and the policies of this Chapter related to those categories do not apply."

Policy

6.3.4.9 *In the Wakatipu Basin, avoid planting and screening, particularly along roads and boundaries that would degrade openness where such openness is an important part of its landscape character.*

The proposed subdivision is not considered to detract from the landscape and visual amenity values of the surrounding landscape given the appropriate location of building platforms, the existing environment and the characteristics of the site and surrounds.

The proposed landscape plan retains plantings on the site. The plantings are located entirely within the confines of the site and will not degrade the openness of the landscape character, the LCU or the Basin as a whole. The proposal is therefore considered to be consistent with this policy.

9.2.3 Chapter 21 – Rural Zone

21.2.1 **Objective – A range of land uses, including farming and established activities, are enabled while protecting, maintaining and enhancing landscape, ecosystem services, nature conservation and rural amenity values.**

This objective and its associated policies seek to ensure that a range of farming activities are provided for and encouraged on rural sites. Other ancillary activities are also provided for. In this instance, no activities are proposed on the rural portion of the sites that is contained within Lot 2. Domestication elements will be restricted to the proposed platform and associated curtilage area.

It is considered that this objective and its associated policies are not particularly relevant. Notwithstanding this, the proposal will not have adverse effects on nature conservation or amenity values. As such, it is assessed that the proposal is consistent with this objective and associated policies.

Although part of the site is zoned as Rural, there are no building platforms within the Rural portion of the zone. The use of the rural land will remain unchanged.

Overall, it is assessed that the proposal is consistent with this objective and its associated policies.

21.2.2 **Objective – The life supporting capacity of soils is sustained**

Policies

21.2.2.1 *Allow for the establishment of a range of activities that utilise the soil resource in a sustainable manner.*

21.2.2.2 *Maintain the productive potential and soil resource of Rural Zoned land and encourage land management practices and activities that benefit soil and vegetation cover.*

21.2.2.3 *Protect the soil resource by controlling activities including earthworks, indigenous vegetation clearance and prohibit the planting and establishment of identified wilding exotic trees with the potential to spread and naturalise.*

The proposal does not result in the fragmentation of the Rural zoned land, beyond that already existing by way of the split zoning. Proposed Lot 2 will encompass the vast majority of the Rural and ONL land, such that the productive capacity of the land

remains unchanged. As such, it is assessed that no productive rural soils will be unduly compromised by the proposal. The proposal does not include any earthworks or indigenous vegetation clearance.

Overall, it is assessed that the proposal is consistent with, and therefore not contrary to, the objective and its associated policies.

21.2.4 Objective – Situations where sensitive activities conflict with existing and anticipated activities are managed to minimise conflict between incompatible land uses

Policies

21.2.4.1 *New activities must recognise that permitted and established activities in the Rural Zone may result in effects such as odour, noise, dust and traffic generation that are reasonably expected to occur and will be noticeable to residents and visitors in rural areas.*

21.2.4.2 *Control the location and type of non-farming activities in the Rural Zone, so as to minimise conflict between permitted and established activities and those that may not be compatible with such activities*

This majority of the Rural land area will be held together with Lot 2. As mentioned, no platforms or development is proposed within the rural zoned land. As there is no residential activity proposed in the Rural zone, no potential conflict is anticipated.

As such, it is assessed that the proposal is consistent with, and therefore not contrary to, this objective and its associated policies.

9.2.4 Chapter 24 – Wakatipu Basin Rural Amenity Zone

24.2.1 Objective – Landscape character and visual amenity values in the Wakatipu Basin Rural Amenity Zone are maintained or enhanced.

Based on the assessment above (and consideration of the policies below), it is considered that the proposal will maintain the landscape character and visual amenity values of the Wakatipu Basin.

Policies

24.2.1.2 *Subdivision or residential development in all areas outside of the Precinct that are identified in Schedule 24.8 to have Very Low, Low, or Moderate-Low capacity must be of a scale, nature and design that:*

- a) *Is not inconsistent with any of the policies that serve to assist to achieve objective 24.2.1; and*
- b) *Ensures that the landscape character and visual amenity values identified for each relevant Landscape Character Unit in Schedule*

24.8 and the landscape character of the Wakatipu Basin as a whole are maintained or enhanced by ensuring that the landscape capacity is not exceeded.

While the LCU has a very low capacity to absorb additional development, no additional development is proposed, such that the subdivision will maintain the existing level of development already established and consented for the site. Ms McKenzie's Landscape Assessment confirms that landscape character and visual amenity of the LCU will be maintained, such that the proposal is consistent with this policy direction.

24.2.1.6 Ensure subdivision and development is designed (including accessways, services, utilities and building platforms) to minimise inappropriate modification to the natural landform.

The site is already fully serviced in terms of infrastructure and access, with established buildings, such that the proposed will not make any changes that would adversely alter or modify the landform of the application site, and will be consistent with this policy.

24.2.1.7 Ensure that subdivision and development maintains or enhances the landscape character and visual amenity values identified in Schedule 24.8 - Landscape Character Units.

The site is within LCU #20 Crown Terrace. For the reasons detailed throughout this AEE, and as assessed by Ms McKenzie, the proposal is considered to maintain the landscape character and visual amenity values of LCU #20, and the proposal is consistent with this policy.

24.2.1.8 Maintain or enhance the landscape character and visual amenity values associated with the Rural Amenity Zone including the Precinct and surrounding landscape context by:

- a. controlling the colour, scale, form, coverage, location (including setbacks from boundaries) and height of buildings and associated infrastructure, vegetation and landscape elements;*
- b. setting development back from Escarpment, Ridgeline and River Cliff Features shown on the planning maps*

The buildings on site have been approved by resource consent, such that the recessive colours, form, coverage and location has been assessed and identified as appropriate in the context of the site and wider environment. No changes are proposed to the existing built form, and should any redevelopment be proposed in the future, this will be subject to the bulk, location and design controls of the PDP. Overall, the proposal continues to maintain the landscape character and visual amenity values in the LCU and wider Wakatipu Basin. The proposal is consistent with this policy direction.

24.2.1.9 *Require all buildings to be located and designed so that they do not compromise the landscape and amenity values and the natural character of Outstanding Natural Features and Outstanding Natural Landscapes that are either adjacent to the building or where the building is in the foreground of views from a public road or reserve of the Outstanding Natural Landscape or Outstanding Natural Feature*

The Rural zoned portion of the site is located within an ONL overlay. As assessed above, no development or works are proposed, nor anticipated, in the ONL such that the values of this area are effectively retained, and visual amenity effects are maintained. Ms McKenzie also confirms that the landscape character and visual amenity of the ONL and Eastern Wakatipu Basin Priority Area will be maintained, such that the proposal is consistent with this policy.

24.2.1.13 *Control earthworks and vegetation clearance to minimise adverse effects on landscape character and visual amenity values.*

No earthworks or vegetation clearance is proposed, nor is it anticipated, as a result of this proposal. The buildings are already located on site, with infrastructure and access already provided. As such, there will be no adverse effects in relation to landscape character and/or visual amenity effects in this regard, and the proposal is not contrary to this policy.

24.2.1.14 *Enable residential activity within approved and registered building platforms subject to achieving appropriate standards.*

The proposal will not alter the building platform and associated residential activity on proposed Lot 1. The proposal includes the identification of a building platform around the existing residential building on proposed Lot 2 with an associated curtilage area. This will ensure that any minor domestic structure will be limited to the curtilage area (including clotheslines, play equipment, shade sails etc), to reduce the sprawl of domestication. The proposal is therefore appropriate and consistent with this policy.

24.2.1.15 *Provide for activities that maintain a sense of spaciousness in which buildings are subservient to natural landscape elements.*

LCU #20 identifies that there is generally a high degree of naturalness as a consequence of its predominantly open and pastoral character combined with its proximity to the vastly scaled and relatively undeveloped Crown Range landscape to the east. Ms McKenzie's assessment finds that the proposal includes varied allotment sizes which will maintain an open rural landscape character, such that the proposal will be consistent with this policy.

24.2.1.16 *Manage lighting so that it does not cause adverse glare to other properties, roads, public places or degrade views of the night sky.*

Any future lighting is not anticipated to cause any adverse glare on to other properties and roads by virtue of the separation distances and topography and will not degrade

views of the night sky. The volunteered conditions requiring that any exterior lighting shall be fixed and directed away from roads and adjacent sites, will further mitigate this, such that the proposal is consistent with this policy.

- 24.2.1.19 Require buildings, or building platforms identified through subdivision, to maintain views from roads to Outstanding Natural Features and the surrounding mountain Outstanding Natural Landscape context, where such views exist; including by:
- a. implementing road setback standards; and
 - b. ensuring that earthworks and mounding, and vegetation planting within any road setback, particularly where these are for building mitigation and/or privacy, do not detract from views to Outstanding Natural Features or Outstanding Natural Landscapes; while
 - c. recognising that for some sites, compliance with a prescribed road setback standard is not practicable due to the site size and dimensions, or the application of other setback requirements to the site.

The Rural zoned portion of the site is located within an ONL overlay. No development or works are proposed, nor anticipated, in the ONL such that the values of this area are effectively retained, and visual amenity effects are maintained. Ms McKenzie also confirms that the landscape character and visual amenity of the ONL and Eastern Wakatipu Basin Priority Area will be maintained, such that the proposal is consistent with this policy.

24.2.4 Objective – Subdivision and development, and use of land, maintains or enhances water quality, ecological quality, and recreation values while ensuring the efficient provision of infrastructure

Policies

- 24.2.4.4 *Provide adequate firefighting water and emergency vehicle access to ensure an efficient and effective emergency response.*

As demonstrated in Section 7.3 above, an adequate firefighting water supply solution is proposed in accordance with current standards, such that the proposal is consistent with this policy. Volunteered conditions of consent will ensure that the existing water supply meeting the current standards, being a 45,000 litre reserve.

- 24.2.4.5 *Ensure development has regard to servicing and infrastructure costs that are not met by the developer.*

The costs associated with the provision of infrastructure will be borne by the applicant, such that the proposal is consistent with this policy.

- 24.2.4.9 *Encourage the planting, retention and enhancement of indigenous vegetation that is appropriate to the area and planted at a scale, density, pattern and composition that contributes to native habitat*

restoration, particularly in locations such as gullies and riparian areas, or to provide stability.

The site is already well landscaped. No additional landscape plantings are proposed, such that the site will retain the existing level of vegetation, which is appropriate for the site, and is therefore consistent with this policy. The landscape plantings proposed to be retained have been recommended by Ms McKenzie, and are considered appropriate for the area, such that the proposal is consistent with this policy.

9.2.5 Chapter 27 – Subdivision

27.2 Objectives and Policies

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

Policies

- 27.2.1.1 *Require subdivision infrastructure to be constructed and designed so that it is fit for purpose, while recognising opportunities for innovative design.*
- 27.2.1.2 *Enable urban subdivision that is consistent with the QLDC Subdivision Design Guidelines 2015, recognising that good subdivision design responds to the neighbourhood context and the opportunities and constraints of the application site.*
- 27.2.1.3 *Require that allotments are a suitable size and shape, and are able to be serviced and developed for the anticipated land use under the applicable zone provisions.*
- 27.2.1.4 *Discourage non-compliance with minimum allotment sizes. However, where minimum allotment sizes are not achieved in urban areas, consideration will be given to whether any adverse effects are mitigated or compensated by providing:

 - a. *desirable urban design outcomes;*
 - b. *greater efficiency in the development and use of the land resource;*
 - c. *affordable or community housing.**
- 27.2.1.5 *Recognise that there is an expectation by future landowners that the key effects of and resources required by anticipated land uses will have been resolved through the subdivision approval process.*
- 27.2.1.6 *Ensure the requirements of other relevant agencies are fully integrated into the subdivision development process.*

27.2.1.7 *Recognise there will be certain subdivision activities, such as boundary adjustments, that will not require the provision of services.*

This objective and its associated policies seek to ensure that subdivisions are appropriately designed and can be developed for the anticipated land use. In this instance, the site is already developed with existing and consented built form and there is no change proposed to the land uses associated with the development, such that the proposal is appropriate for the anticipated land use.

This objective and its associated policies seek to discourage non-compliance with minimum allotment sizes. The site is located in both the Wakatipu Basin Rural Amenity Zone and Rural Zone. There are no minimum allotment sizes in the Rural Zone, and while the proposal does not comply with the 80 ha minimum allotment size of the WBRAZ, no additional development is proposed, nor is it anticipated, as a result of this application beyond what is already existing and consented on the site. For the reasons discussed throughout this application, the proposed subdivision will be directly comparable to the existing and consented activities already undertaken on the site, such that the proposal is not inconsistent with this policy.

Overall, it is assessed that the proposal not contrary to this objective and its associated policies.

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

Policies

27.2.2.1 *Ensure subdivision design in urban areas provides a high level of amenity for future residents by aligning roads and allotments to maximise sunlight access.*

27.2.2.2 *Ensure subdivision design maximises the opportunity for buildings in urban areas to front the road.*

27.2.2.3 *Locate open spaces and reserves in appropriate locations having regard to topography, accessibility, use and ease of maintenance, while ensuring these areas are a practicable size for their intended use.*

27.2.2.4 *Urban subdivision shall seek to provide for good and integrated connections and accessibility to:*

- a. *existing and planned areas of employment;*
- b. *community facilities;*
- c. *services;*
- d. *trails;*

- e. *public transport; and*
 - f. *existing and planned adjoining neighbourhoods, both within and adjoining the subdivision area.*
- 27.2.2.5 *Urban subdivision design will integrate neighbourhoods by creating and utilising connections that are easy and safe to use for pedestrians and cyclists and that reduce vehicle dependence within the subdivision.*
- 27.2.2.6 *Encourage innovative subdivision design that responds to the local context, climate, landforms and opportunities for views or shelter.*
- 27.2.2.7 *Promote informal surveillance for safety in urban areas through overlooking of open spaces and transport corridors from adjacent sites and dwellings and by effective lighting.*

This objective and its associated policies largely focus on urban subdivisions and is not of particular relevance to this proposal. The proposal not inconsistent with this objective and its associated policies.

27.2.5 Objective - Infrastructure and services are provided to new subdivisions and developments.

Policies

Transport, Access and Roads

- 27.2.5.1 *Integrate subdivision roading with the existing road networks in a safe and efficient manner that reflects expected traffic levels and the provision for safe and convenient walking and cycling. For the purposes of this policy, reference to 'expected traffic levels' refers to those traffic levels anticipated as a result of the zoning of the area in the District Plan.*
- 27.2.5.2 *Ensure safe and efficient pedestrian, cycle and vehicular access is provided to all lots created by subdivision and to all developments.*
- 27.2.5.3 *Provide linkages to public transport networks, and to trail, walking and cycling networks, where useful linkages can be developed.*
- 27.2.5.4 *Ensure the physical and visual effects of subdivision and roading are minimised by utilising existing topographical features.*
- 27.2.5.5 *Ensure appropriate design and amenity associated with roading, vehicle access ways, trails and trail connections, walkways and cycle ways are provided for within subdivisions by having regard to:*
- a. *the location, alignment, gradients and pattern of roading, vehicle parking, service lanes, access to lots, trails, walkways and cycle ways, and their safety and efficiency;*

- b. *the number, location, provision and gradients of access ways and crossings from roads to lots for vehicles, cycles and pedestrians, and their safety and efficiency;*
- c. *the standard of construction and formation of roads, private access ways, vehicle crossings, service lanes, walkways, cycle ways and trails;*
- d. *the provision and vesting of corner splays or rounding at road intersections;*
- e. *the provision for and standard of street lighting, having particular regard to siting and location, the provision for public safety and the avoidance of upward light spill adversely affecting views of the night sky;*
- f. *the provision of appropriate tree planting within roads in urban areas;*
- g. *any requirements for widening, formation or upgrading of existing roads;*
- h. *any provisions relating to access for future subdivision on adjoining land;*
- i. *the provision and location of public transport routes and bus shelters in urban areas.*

Water supply, stormwater, wastewater

- 27.2.5.6 *All new lots shall be provided with connections to a reticulated water supply, stormwater disposal and/or sewage treatment and disposal system, where such systems are available or should be provided for. Water*
- 27.2.5.7 *Ensure water supplies are of a sufficient capacity, including fire fighting requirements, and of a potable standard, for the anticipated land uses on each lot or development.*
- 27.2.5.8 *Encourage the efficient and sustainable use of potable water by acknowledging that the Council's reticulated potable water supply may be restricted to provide primarily for households' living and sanitation needs and that water supply for activities such as irrigation and gardening may be expected to be obtained from other sources.*
- 27.2.5.9 *Encourage initiatives to reduce water demand and water use, such as roof rain water capture and use and greywater recycling.*
- 27.2.5.10 *Ensure appropriate water supply, design and installation by having regard to:*

- a. *the availability, quantity, quality and security of the supply of water to the lots being created;*
- b. *water supplies for fire fighting purposes;*
- c. *the standard of water supply systems installed in subdivisions, and the adequacy of existing supply systems outside the subdivision;*
- d. *any initiatives proposed to reduce water demand and water use.*

27.2.5.11 *Ensure appropriate stormwater design and management by having regard to:*

- a. *any viable alternative designs for stormwater management that minimise run-off and recognises stormwater as a resource through re-use in open space and landscape areas;*
- b. *the capacity of existing and proposed stormwater systems;*
- c. *the method, design and construction of the stormwater collection, reticulation and disposal systems, including connections to public reticulated stormwater systems;*
- d. *the location, scale and construction of stormwater infrastructure;*
- e. *the effectiveness of any methods proposed for the collection, reticulation and disposal of stormwater run-off, including opportunities to maintain and enhance water quality through the control of water-borne contaminants, litter and sediments, and the control of peak flow.*

27.2.5.12 *Encourage subdivision design that includes the joint use of stormwater and flood management networks with open spaces and pedestrian/cycling transport corridors and recreational opportunities where these opportunities arise and will maintain the natural character and ecological values of wetlands and waterways.*

27.2.5.13 *Treat and dispose of sewage in a manner that:*

- a. *maintain public health;*
- b. *avoids adverse effects on the environment in the first instance; and*
- c. *where adverse effects on the environment cannot be reasonably avoided, mitigates those effects to the extent practicable.*

27.2.5.14 *Ensure appropriate sewage treatment and disposal by having regard to:*

- a. *the method of sewage treatment and disposal;*

- b. *the capacity of, and impacts on, the existing reticulated sewage treatment and disposal system;*
- c. *the location, capacity, construction and environmental effects of the proposed sewage treatment and disposal system.*

27.2.5.15 *Ensure that the design and provision of any necessary infrastructure at the time of subdivision takes into account the requirements of future development on land in the vicinity.*

Energy Supply and Telecommunications

27.2.5.16 *Ensure adequate provision is made for the supply and installation of reticulated energy, including street lighting, and communication facilities for the anticipated land uses while:*

- a. *providing flexibility to cater for advances in telecommunication and computer media technology, particularly in remote locations;*
- b. *ensure the method of reticulation is appropriate for the visual amenity and landscape values of the area by generally requiring services are underground, and in the context of rural environments where this may not be practicable, infrastructure is sited in a manner that minimises visual effects on the receiving environment;*
- c. *generally require connections to electricity supply and telecommunications systems to the boundary of the net area of the lot, other than lots for access, roads, utilities and reserves.*

Easements

27.2.5.17 *Ensure that services, shared access and public access is identified and managed by the appropriate easement provisions.*

27.2.5.18 *Ensure that easements are of an appropriate size, location and length for the intended use of both the land and easement.*

Policies 27.2.5.1 – 27.2.5.5 deal with transport, access and roads. In this instance, the resultant lots will be accessed via the existing vehicle crossing off Crown Range Road and the associated driveway. The accessway installation was approved as part of the s.224(c) process associated with RM010700, such that the access complies with the relevant QLDC standards for rural access. No changes are proposed to the existing access arrangements, such that the proposal will have no impact on the current situation.

Policies 27.2.5.6 – 27.2.5.15 deal with three waters. In this instance, the resultant lots area already appropriately serviced, as demonstrated in the Infrastructure Memo provided in support of the application.

Policy 27.2.5.16 deals with energy supply and telecommunications. In this instance, electricity is already provided to the resultant lots and telecommunication infrastructure will continue to be via LightSpeed radio transmitted services. The existing copper connection is not fit for purpose and no longer supported by the service provider (Chorus) and as such the proposed telecommunication services are appropriate for the site, and is not inconsistent with this policy.

Policies 27.2.5.17 – 27.2.5.18 deal with easements. All existing easements are to be retained and any new easements will be shown on the memorandum at s.223 stage.

Overall, it is assessed that the proposal is consistent with, and therefore not contrary to, this objective and its associated policies.

9.3 National Policy Statement for Highly Productive Land (NPS-HPL)

The site is identified as highly productive land, as determined by the National Policy Statement on Highly Productive Land 2022 (NPS-HPL) and comprises two separate Land Use Capability (LUC) classes as depicted in Figure 2 below, being LUC 3 (green) and LUC 7 (orange).

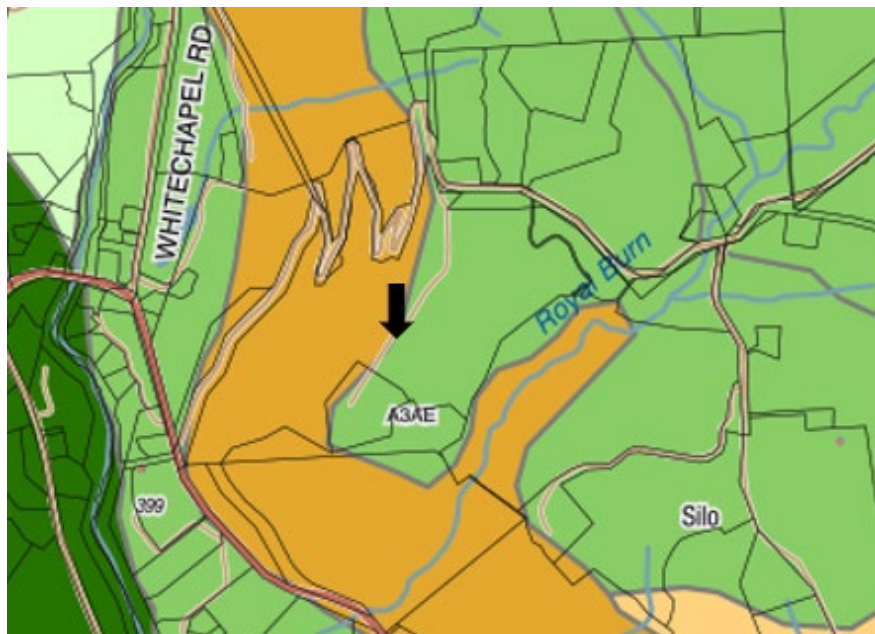


Figure 2: Land Use Capability Map.

Protecting Highly Productive Land from Inappropriate Use and Development

The NPS-HPL only applies to land that is zoned 'general rural' or 'rural production' land and contains LUC 1, 2 or 3 soils. The NPS-HPL does not apply to land classified as LUC 4 -7.

In this instance, the majority of LUC 3 soils are located within land zoned Wakatipu Basin Rural Amenity Zone. In accordance with the recent Environment Court decision, ENV-2019-CHC-065, contained within **Appendix [H]**, it has been determined that the Wakatipu Basin Rural Amenity Zone is not 'general rural' or 'rural production' land and as such an assessment under the NPS-HPL is not required for the LUC 4-7 soils, or the LUC soils located within the WBRAZ.

There is however a small portion of the site within the Rural Zone that is identified as LUC 3 such that the NPS-HPL would be applicable to this small area. This area is located to the north-east of the building platform proposed Lot 1.

Part 3, subsection 3.8 directs territorial authorities to avoid the subdivision of highly productive land unless it can be demonstrated that the proposed lots will retain the overall productive capacity of the subject land over the long term and that territorial authorities take measures to avoid, or otherwise mitigates the cumulative loss of the availability and any actual or potential reverse sensitivity effects on surrounding land-based primary production activities.

The area of LUC 3 land that is located within the Rural Zone is already separated by way of the split zoning of the site. The proposed subdivision does not result in any further development rights over the LUC area, as the building platforms do not extend into the LUC land. For these reasons, the proposed lots will retain the overall productive capacity of this land and will not result in any cumulative loss of productive capacity or reverse sensitivity effects. As such, the proposal is considered to be consistent with the relevant provisions of the NPS-HPL.

Objective and Policies

The objective, and associated policies of Part 2 seek to ensure that highly productive land is protected for use in land-based primary production, both now and for future generations, and to protect highly productive land from inappropriate use and development. As demonstrated above, the proposed development is appropriate for the land and will not result in loss to productive soils in this area, such that the proposal is consistent with the objective and associated policies of the NPS-HPL.

Summary

Overall, the proposal is considered to meet the purpose of the NPS-HPL and is consistent with the objective, policies and implementation of this policy statement.

10 Section 104D – Non-Complying Activities

Section 104D of the Act requires that a consent authority may grant a resource consent for a non-complying activity only if it satisfied that 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 District Plan.

The assessment contained within this application confirms that the adverse effects on the environment will be no more than minor, and that the proposal will not be contrary to the relevant objectives and policies of the District Plan.

The application satisfies both limbs of Section 104D of the Act and can be considered under the overall discretion available within Section 104 of the Act.

11 Section 104 of the Act

Section 104 of the Act states when considering an application, the consent authority must, subject to Part 2 of the Act, have regard to:

- Any actual and potential effects on the environment of allowing the activity;
- Any relevant provisions of a plan or proposed plan;
- Any other matters the consent authority considers relevant and reasonably necessary to determine the application.

As outlined in the application, the proposed activity will not result in any adverse effects on the environment that are more than minor, any potential effects have been avoided, remedied or mitigated to an extent that such are less than minor. Further, the proposed activity is not contrary to the relevant objectives and policies of the District Plan, and finally, there are no other matters relevant to the assessment of the application.

12 Section 106 of the Act

Pursuant to Section 106 of the RMA, a consent authority may refuse to grant a subdivision consent, or may grant a subdivision consent subject to conditions, if it considers that there is a significant risk from natural hazards; or sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision.

In this instance, both lots will be accessed via the existing vehicle crossing off Crown Range Road. Right of Way easements will be put in place to ensure legal and physical access to both lots is maintained.

In this instance, the lots will maintain their physical and legal access. A review of the QLDC hazard mapping database indicates that the western portion of the site is subject to a Dormant Schist Debris Landslides overlay. The GIS confirms that there has

been no known activity in historical times (last 150 years) and that there is no obvious geomorphological evidence of activity under static conditions. The subdivision proposed by this application is not considered to exacerbate the natural hazard.

For these reasons, and pursuant to Section 106, it is considered that there is no reason for the consent authority to refuse consent.

13 Purpose and Principles of the Act

The purpose of Act is to promote the sustainable management of natural and physical resources. Sections 6, 7 and 8 also require consideration.

Section 6 of the Act relates to matters of national importance. The matters of relevance to this application are considered to be:

(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:

While the Rural Zoned portions of the site are located within an area identified as Outstanding Natural Landscape, the proposal does not result in any physical changes, such that the proposal will not adversely affect or undermine the landscape character and values attributed to the site and surrounding areas. There are no other matters of national importance that need to be recognised and provided for in terms of the proposed activity. The proposal is therefore consistent with Section 6.

Section 7 of the Act states that achieving the purpose of the Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources. The matters of relevance to this application are considered to be:

(b) the efficient use and development of natural and physical resources:

(c) the maintenance and enhancement of amenity values:

(f) maintenance and enhancement of the quality of the environment:

The proposed activity accords with the relevant matters that particular regard shall be given to in terms of Section 7 of the Act.

There are no matters under Section 8 of the Act that require consideration with respect to the proposed activity.

For the reasons outlined in the application, the proposed activity is consistent with the purpose and principles of the Act and the associated matters under Part 2 of the Act.

The proposed activity involves an efficient use of natural and physical resources and such will be undertaken in a manner which avoids, remedies and mitigates potential adverse effects on the environment. Overall, it is considered that the proposal is consistent with the purpose and principles of the Act and therefore accords with the definition of sustainable management.



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD**

**Guaranteed Search Copy issued under Section 60 of the Land
Transfer Act 2017**




R.W. Muir
Registrar-General
of Land

Identifier 608061
Land Registration District Otago
Date Issued 10 July 2013

Prior References
573547

Estate Fee Simple
Area 51.8771 hectares more or less
Legal Description Lot 1 Deposited Plan 461855 and Section
9, 15 Survey Office Plan 423850 and Part
Lot 3, 5 Deposited Plan 344221

Registered Owners
David John Stretch and Colleen Mary Flemmer

Interests

Subject to Section 8 Mining Act 1971 (affects Lot 1 DP 461855 formerly Lot 2 DP 20074)

Subject to Section 59 Land Act 1948 (affects Lot 1 DP 461855 formerly Part Sections 123 Block VIII Shotover Survey District and Part Lot 5 DP 344221 formerly Part Section 129 Block VIII Shotover Survey District)

Subject to Section 5 Coal Mines Act 1979 (affects Lot 1 DP 461855 formerly Lot 2 DP 20074)

Appurtenant to Lot 1 DP 461855 formerly Lot 2 DP 436273, Lot 3B DP 20796 and Lot 4 DP 344221 and to Part Lot 5 DP 344221 are rights to convey water and communications, store water and install pumps and well specified in Easement Certificate 780431 - 4.6.1991 at 9:01 am

Land Covenant in Deed 784603 - 30.7.1991 at 10.43 am (Affects Lot 1 DP 461855 and Part Lot 3 DP 344221)

6587109.3 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 27.9.2005 at 9:00 am (Affects Parts Lot 3 and Lot 5 DP 344221 and Lot 1 DP 461855 formerly Lot 4 DP 344221)

Subject to rights of way (in gross) for pedestrian access and mountain biking track over part Lot 1 marked J and for parapente and hang glider take off point over part Lot 1 marked K on DP 461855 in favour of the Queenstown Lakes District Council created by Easement Instrument 6587109.5 - 27.9.2005 at 9:00 am

Some of the easements created by Easement Instrument 6587109.5 are subject to Section 243 (a) Resource Management Act 1991 (See DP 344221)

Subject to a right (in gross) to convey telecommunications over part Lot 1 marked A, B, CC, D, E, L and M on DP 461855 in favour of Telecom New Zealand Limited created by Easement Instrument 6587109.6 - 27.9.2005 at 9:00 am

The easements created by Easement Instrument 6587109.6 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right (in gross) to convey electricity over part Lot 1 marked A, B, CC, D, E, H, L and M and a right (in gross) to establish and maintain electricity transformer and ancilliary equipment over part Lot 1 marked H and L on DP 461855 in favour of Aurora Energy Limited created by Easement Instrument 6587109.8 - 27.9.2005 at 9:00 am

The easements created by Easement Instrument 6587109.8 are subject to Section 243 (a) Resource Management Act 1991

Land Covenant in Easement Instrument 6587109.9 - 27.9.2005 at 9:00 am (Affects Lot 1 DP 461855 formerly Section 2 SO 432971 and Part Lot 3 DP 344221)

Subject to a right of way over part Lot 1 marked I and Z and rights to store pump and convey water over part Lot 1 marked L and a right to convey water over part Lot 1 marked A, M, B, CC, D and E on DP 461855 created by Easement Instrument 6587109.11 - 27.9.2005 at 9:00 am

Appurtenant to Lot 1 DP 461855 formerly Lot 2 DP 436273 is a right of way and appurtenant to Lot 1 DP 461855 formerly Lot 1 DP 436273 and Parts Lot 3 and Lot 5 DP 344221 are rights to store, pump and convey water created by Easement Instrument 6587109.11 - 27.9.2005 at 9:00 am

The easements created by Easement Instrument 6587109.11 are subject to Section 243 (a) Resource Management Act 1991 Appurtenant to Lot 1 DP 461855 formerly Section 2 SO 432971 and Part Lot 3 DP 344221 is a right to convey water created by Easement Instrument 6587109.12 - 27.9.2005 at 9:00 am

The easements created by Easement Instrument 6587109.12 are subject to Section 243 (a) Resource Management Act 1991 8860303.2 Covenant pursuant to Section 108(2)(d) Resource Management Act 1991 - 19.9.2011 at 11:26 am (Affects Lot 1 DP 461855 formerly Lot 1 DP 436273)

Subject to a right of way over part Lot 1 marked I and Z on DP 461855 created by Easement Instrument 8860303.3 - 19.9.2011 at 11:26 am

Appurtenant to Lot 1 DP 461855 formerly Lot 2 DP 436273 is a right of way created by Easement Instrument 8860303.3 - 19.9.2011 at 11:26 am

The easements created by Easement Instrument 8860303.3 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right (in gross) to convey telecommunications and computer media over part Lot 1 marked F on DP 461855 in favour of Telecom New Zealand Limited created by Easement Instrument 8860303.4 - 19.9.2011 at 11:26 am

Some of the easements created by Easement Instrument 8860303.4 are subject to Section 243 (a) Resource Management Act 1991 (see DP 436273)

Subject to a right (in gross) to convey electricity over part Lot 1 marked F on DP 461855 in favour of Aurora Energy Limited created by Easement Instrument 8860303.5 - 19.9.2011 at 11:26 am

The easements created by Easement Instrument 8860303.5 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right to convey water over part Lot 1 marked F on DP 461855 created by Easement Instrument 8860303.6 - 19.9.2011 at 11:26 am

Appurtenant to Lot 1 DP 461855 formerly Lot 1 DP 436273 is a right to convey water created by Easement Instrument 8860303.6 - 19.9.2011 at 11:26 am

The easements created by Easement Instrument 8860303.6 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right to convey water over part Lot 1 marked A and G on DP 461855 created by Easement Instrument 8860303.7 - 19.9.2011 at 11:26 am

Appurtenant to Lot 1 DP 461855 is a right to convey water created by Easement Instrument 8860303.7 - 19.9.2011 at 11:26 am

The easements created by Easement Instrument 8860303.7 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right to convey electricity over part Lot 1 marked G on DP 461855 created by Easement Instrument 8860303.8 - 19.9.2011 at 11:26 am

Appurtenant to Lot 1 DP 461855 formerly Lot 1 DP 436273 is a right to convey electricity created by Easement Instrument 8860303.8 - 19.9.2011 at 11:26 am

The easements created by Easement Instrument 8860303.8 are subject to Section 243 (a) Resource Management Act 1991

8872226.1 Certificate pursuant to Section 348 Local Government Act 1974 - 23.9.2011 at 3:28 pm

Subject to a right of way over part Section 9 marked A on SO 423850 created by Easement Instrument 8872226.2 - 23.9.2011 at 3:28 pm

Appurtenant to Lot 1 DP 461855 formerly Lots 1 & 2 DP 436273 and Part Lot 5 DP 344221 is a right of way created by Easement Instrument 8872226.2 - 23.9.2011 at 3:28 pm

Subject to a right of way over part Section 9 marked A on SO 423850 created by Easement Instrument 8872226.3 - 23.9.2011 at 3:28 pm

Subject to a right to convey water over part Lot 1 marked A, M and H and a right to store, pump and convey water over part Lot 1 marked L and a right of way over part Lot 1 marked I and a right to convey telecommunications and computer media over part Lot 1 marked H on DP 461855 created by Easement Instrument 9014910.2 - 29.3.2012 at 8:47 am

Some of the easements created by Easement Instrument 9014910.2 are subject to Section 243 (a) Resource Management Act 1991 (See DP 447148)

Subject to Section 241(2) Resource Management Act 1991 (affects DP 461855)

9320443.5 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 10.7.2013 at 1:06 pm (Affects Lot 1 DP 461855)

9320443.6 Mortgage to ANZ Bank New Zealand Limited - 10.7.2013 at 1:06 pm

9483330.1 Variation of Consent Notice 6587109.3 pursuant to Section 221(5) Resource Management Act 1991 - 12.8.2013 at 11:10 am (affects Lot 1 DP 461855)

9490097.1 Covenant pursuant to Section 108(2)(d) Resource Management Act 1991 - 19.8.2013 at 9:46 am (affects Lot 1 DP 461855)

Subject to a right of way, right to transform and convey electricity, telecommunications and computer media over part Lot 1 DP 461855 marked H on DP 461855 created by Transfer 9637814.1 - 27.2.2014 at 5:34 pm

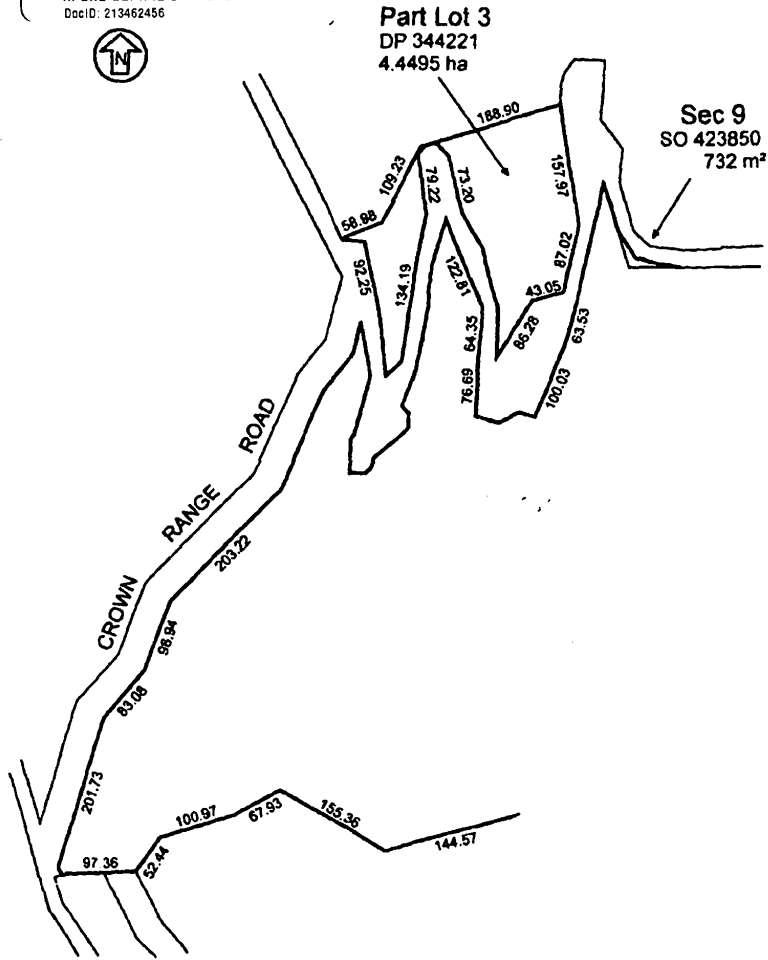
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Title Diagram CT 608061

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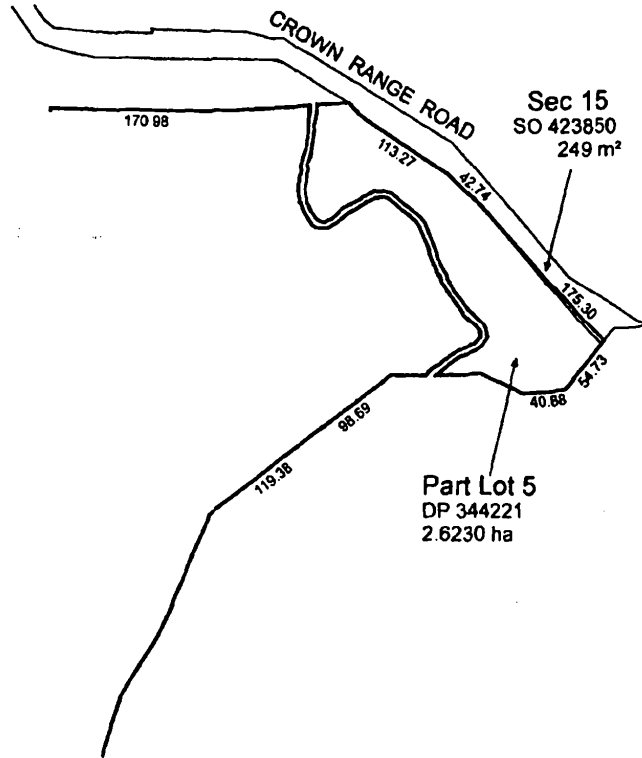


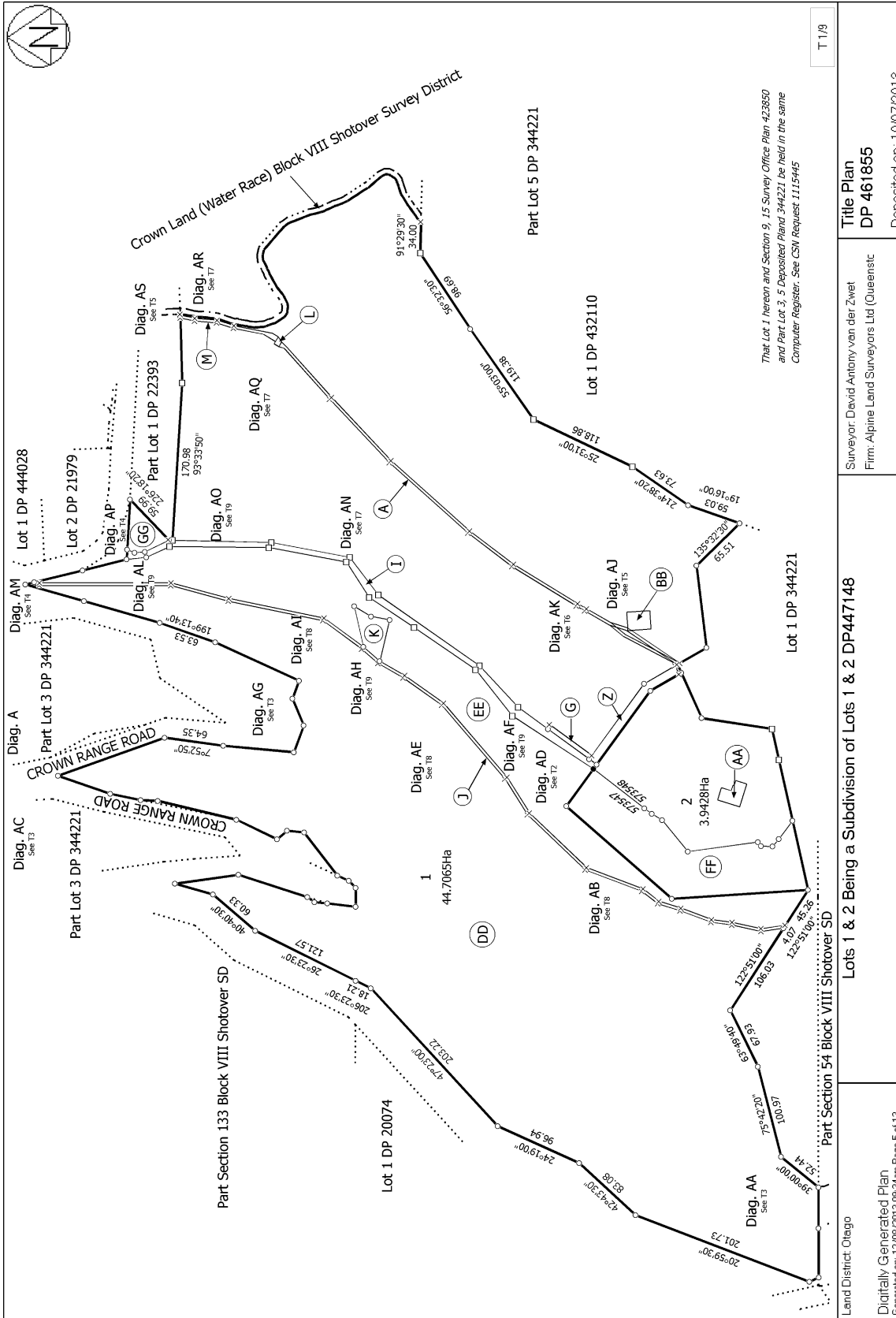
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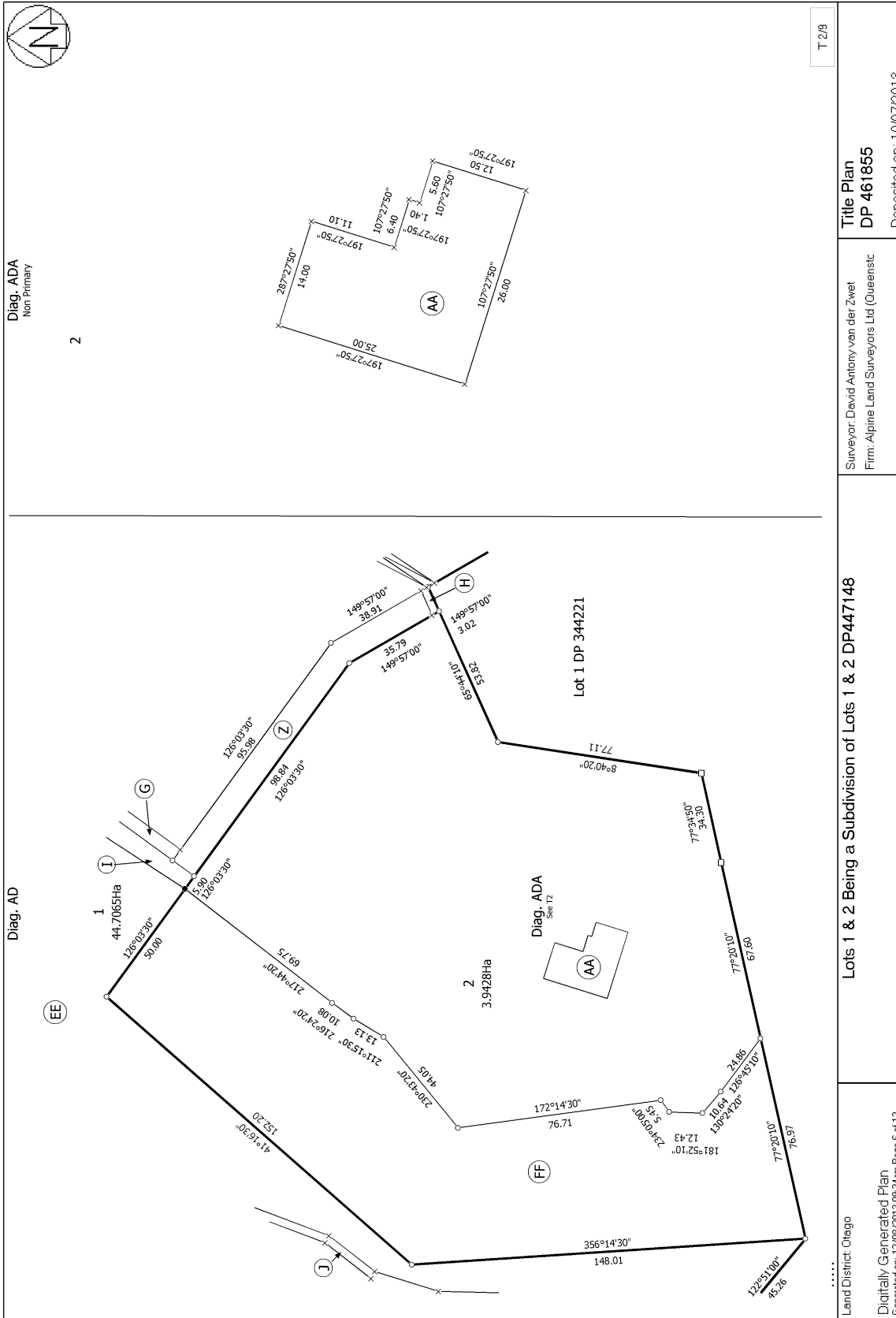
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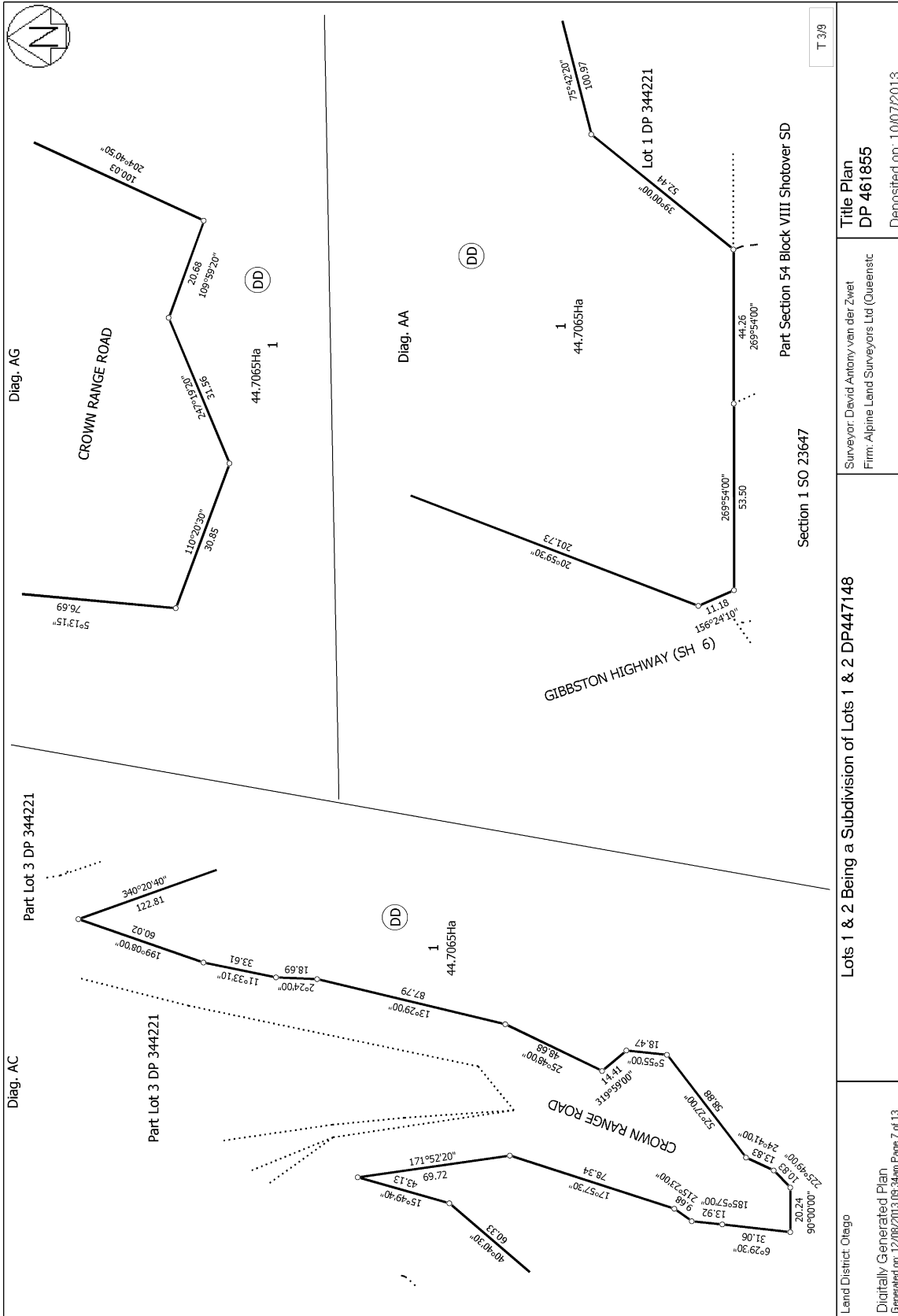
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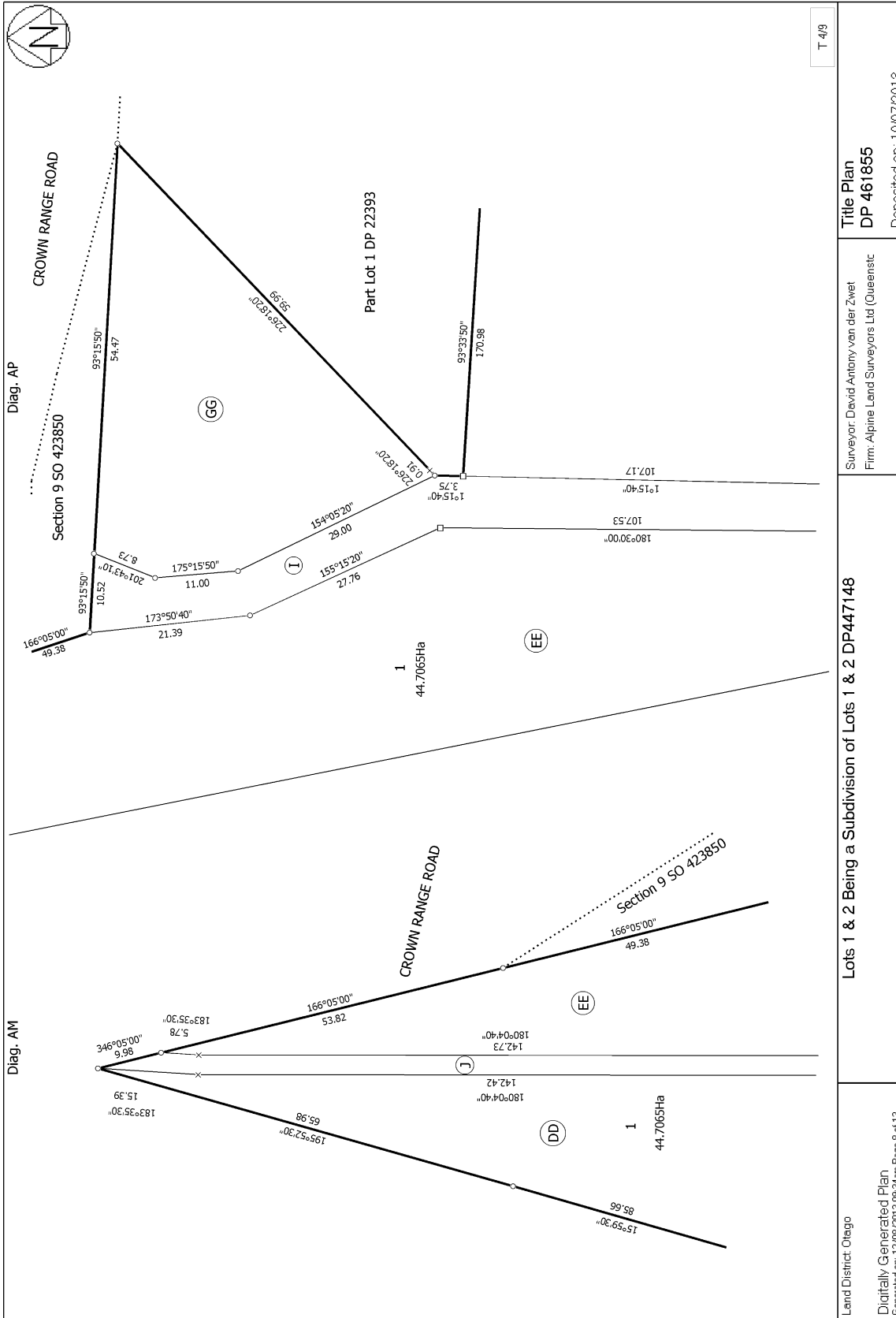
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DP 461855

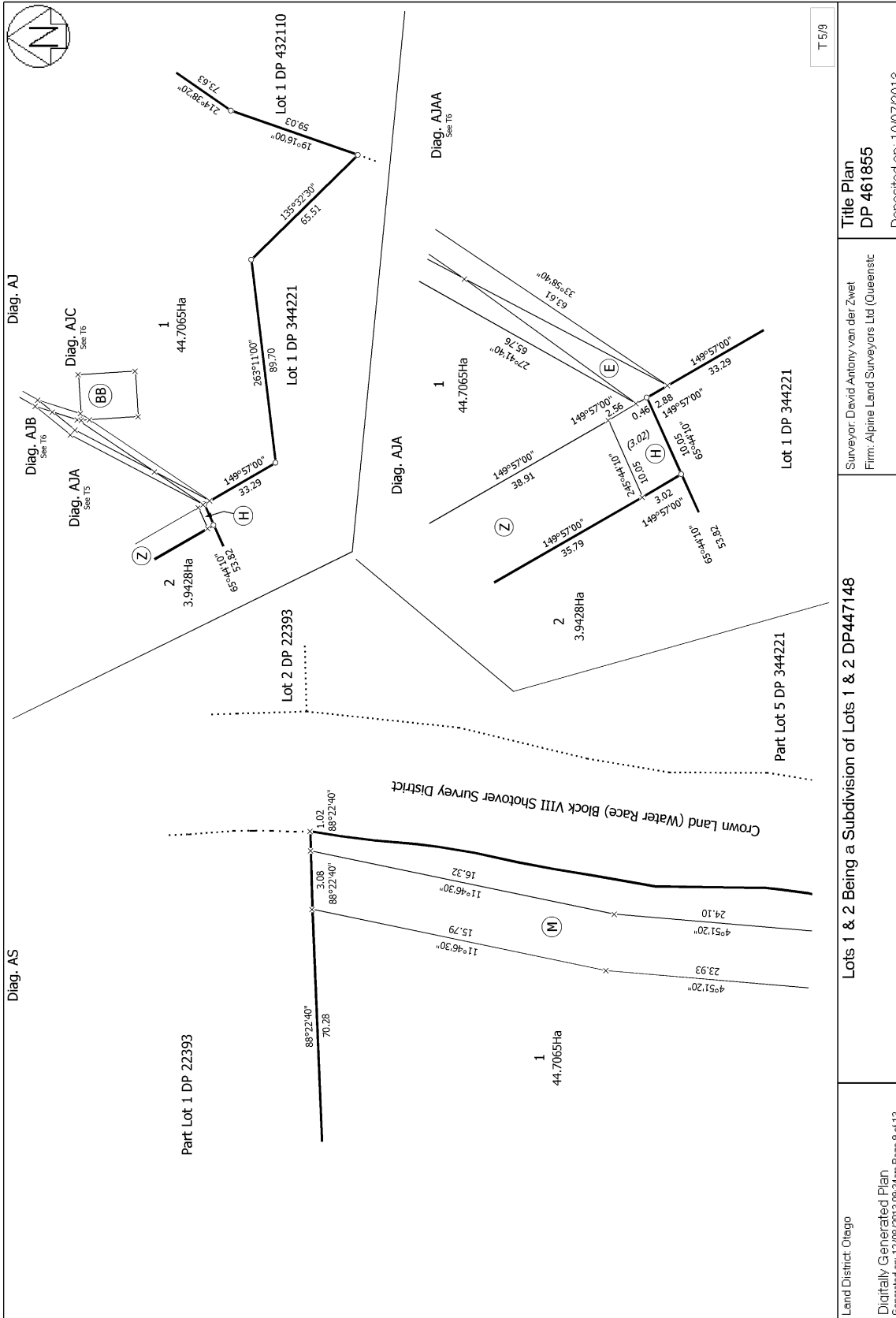
Surveyor: David Antony van der Zwiert
Firm: Alpine Land Surveyors Ltd (Queensic
Deposited on: 10/07/2013

Lots 1 & 2 Being a Subdivision of Lots 1 & 2 DP447148

Land District: Otago
Digitally Generated Plan
Generated on: 12/08/2013 09:34am Page 6 of 13







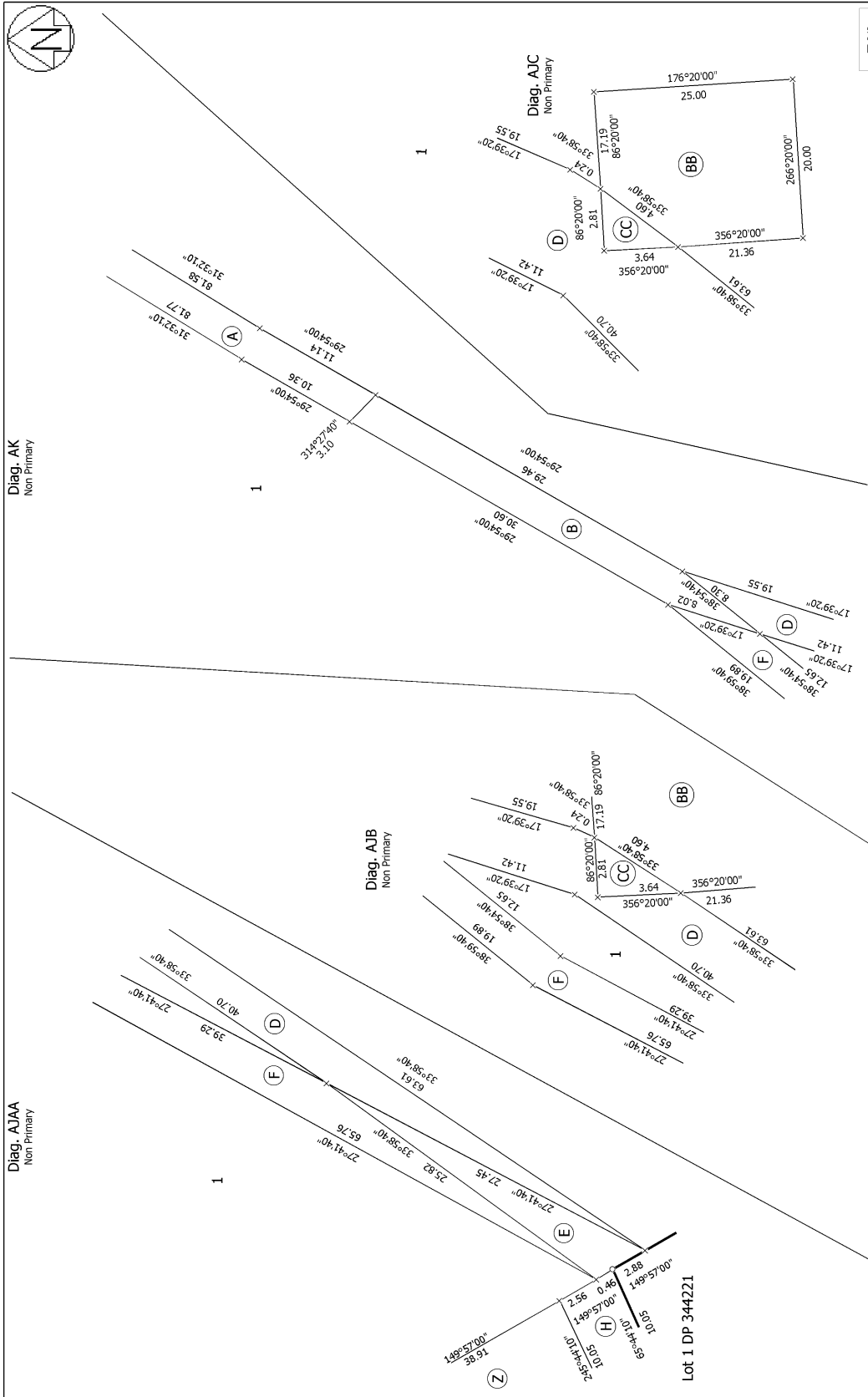
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 Generated on: 12/08/2013 09:34am Page 5 of 13

Lots 1 & 2 Being a Subdivision of Lots 1 & 2 DP447148

Surveyor: David Antony van der Zwiert
 Firm: Alpine Land Surveyors Ltd (Queensic)

Title Plan
 DP 461855

Deposited on: 10/07/2013



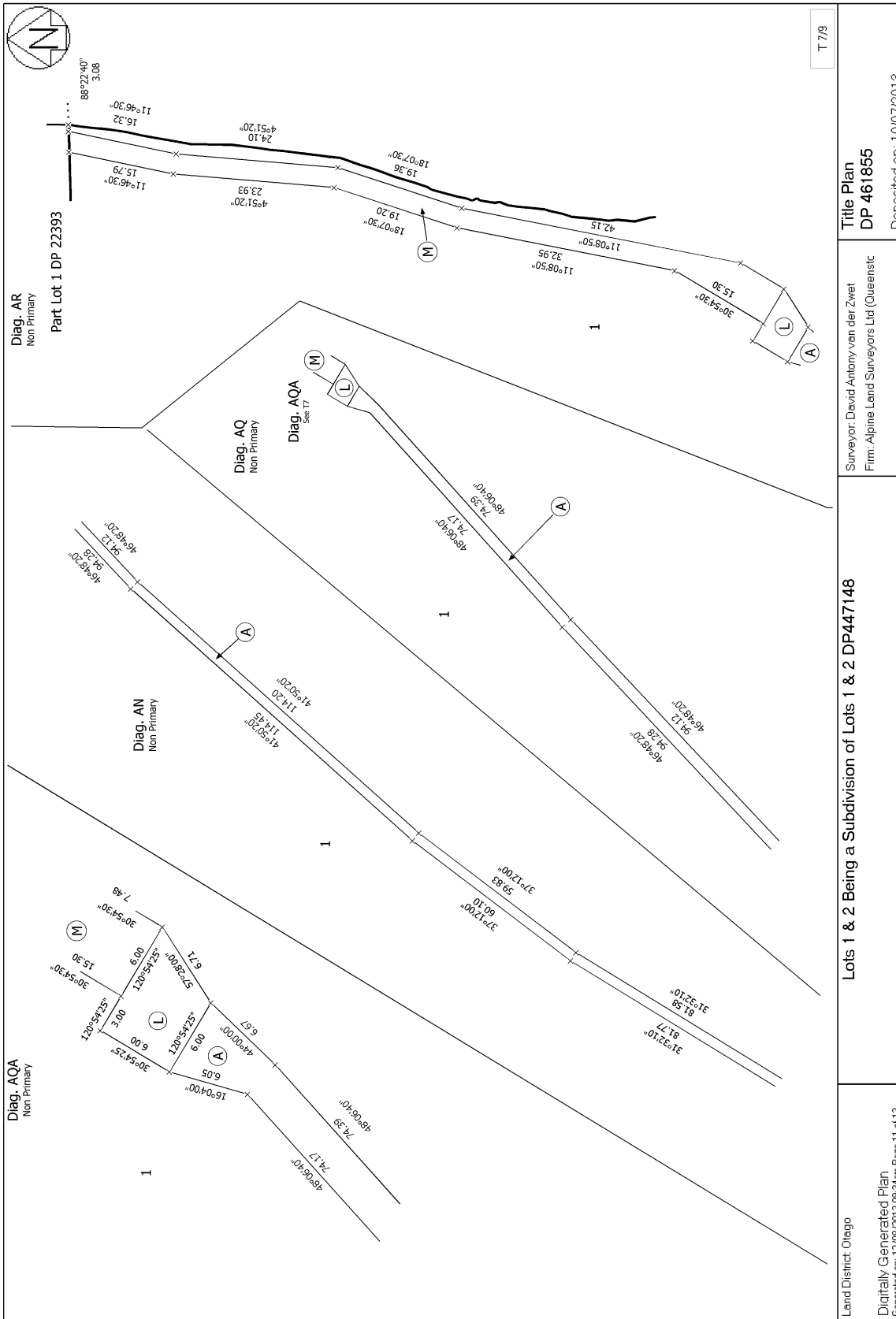
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 Generated on: 12/08/2013 09:34am Page 10 of 13

Lots 1 & 2 Being a Subdivision of Lots 1 & 2 DP447148

Surveyor: David Antony van der Zwiert
 Firm: Alpine Land Surveyors Ltd (Queensic)

**Title Plan
 DP 461855**

Deposited on: 10/07/2013

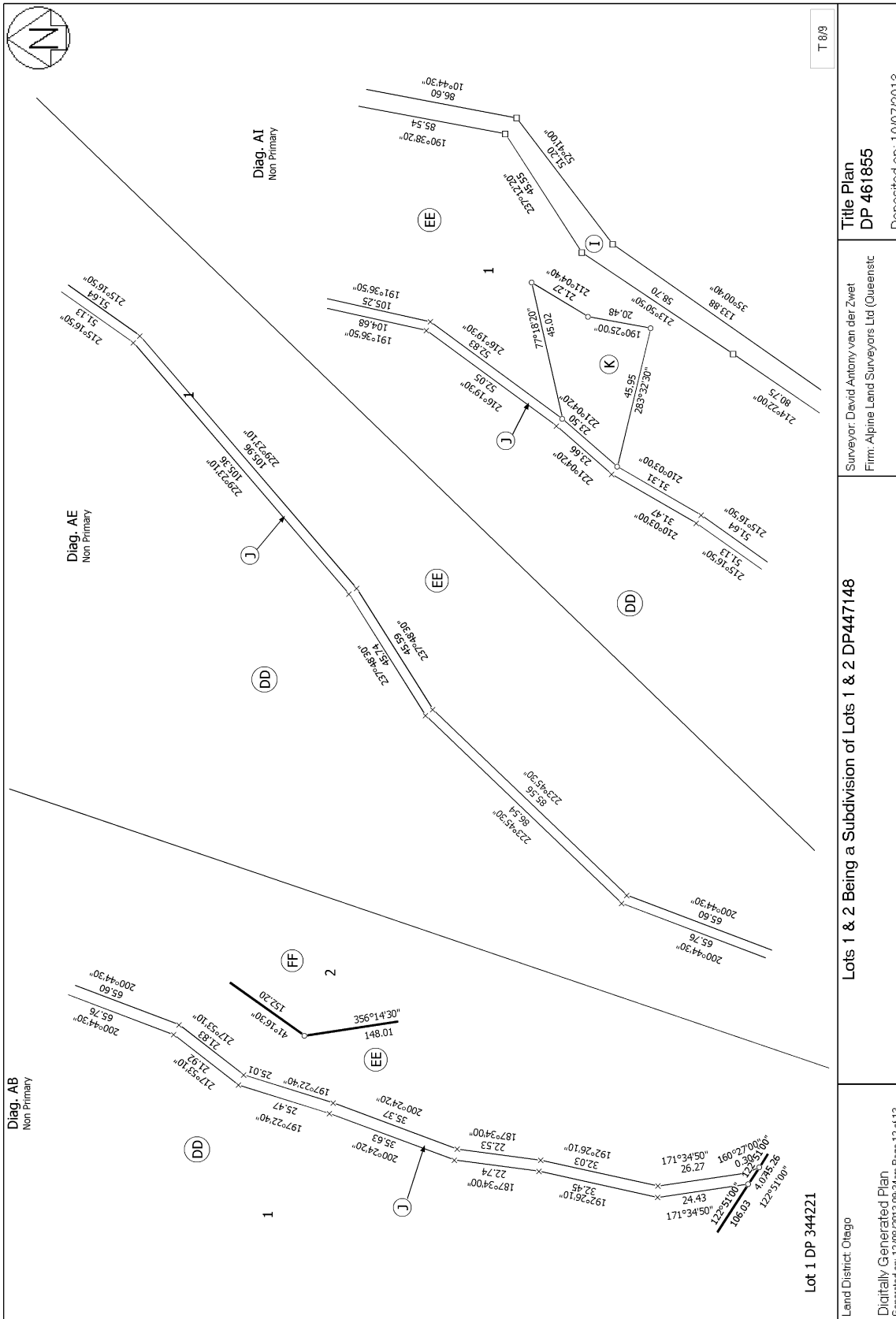


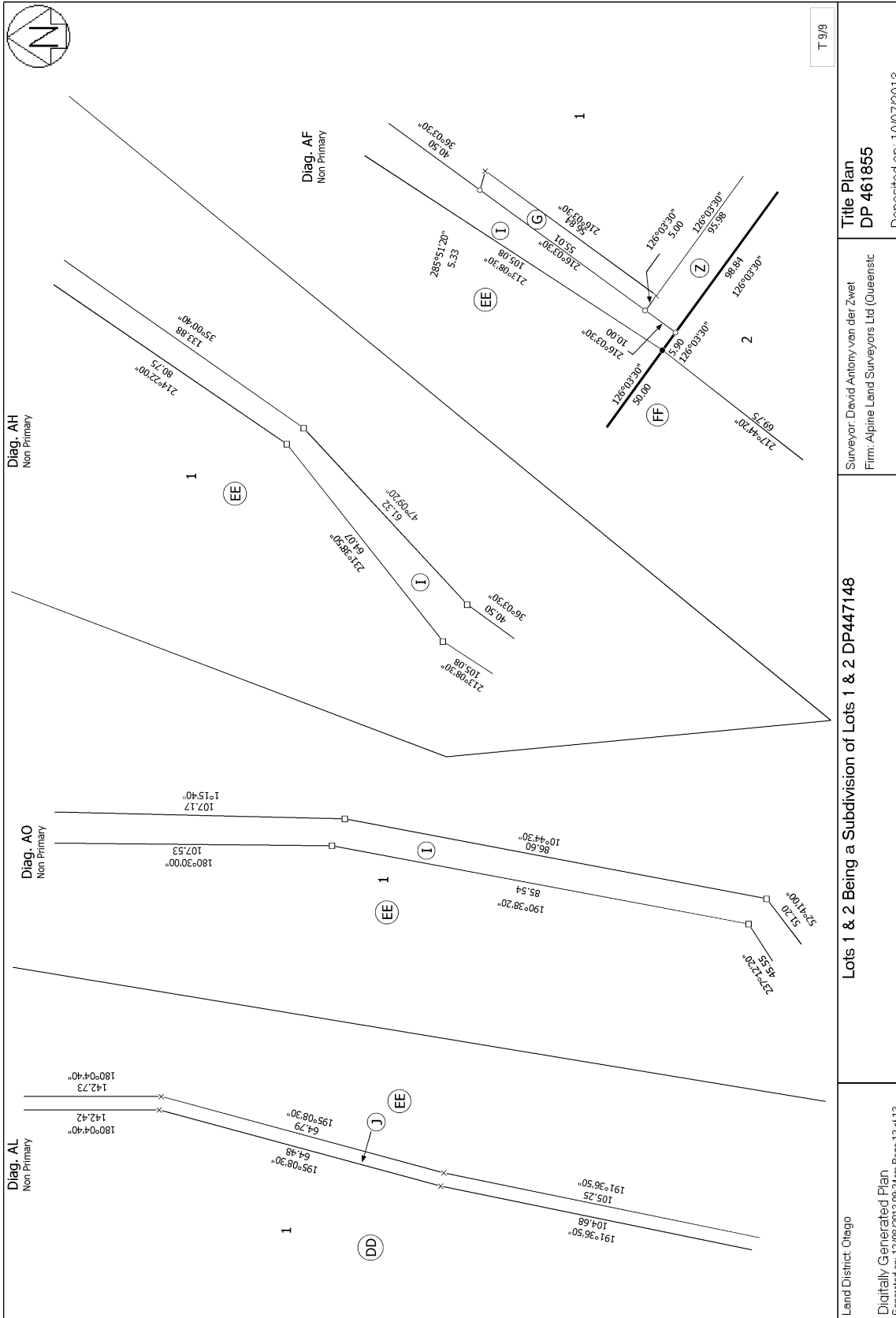
Title Plan
DP 461855

Surveyor: David Antony van der Zwiert
Firm: Alpine Land Surveyors Ltd (Queensic
Deposited on: 10/07/2013

Lots 1 & 2 Being a Subdivision of Lots 1 & 2 DP447148

Land District: Otago
Digitally Generated Plan
Generated on: 12/08/2013 09:34am Page 11 of 13





QUEENSTOWN LAKES DISTRICT COUNCIL

CONSENT NOTICE PURSUANT TO SECTION 221
RESOURCE MANAGEMENT ACT 1991



IN THE MATTER of Deposited Plan 341569 (Otago Land Registry)

AND

IN THE MATTER of Subdivision Consent pursuant to Sections 105, 108, 220 and 221 of the Resource Management Act 1991

Pursuant to Section 220 of the Resource Management Act 1991 the Environment Court of New Zealand imposed the following conditions on the boundary adjustment subdivision of:

1. Lot 3 Deposited Plan 21460 and Part Section 54 Block VIII Shotover Survey District, (Certificate of Title OT13B/196) and
2. Part Section 123, Block VIII Shotover Survey District, Lot 2 Deposited Plan 20074 and Lots 1 and 2 Deposited Plan 21460 (Certificate of Title OT13B/197) and
3. Part Lot 3A and Part Lot 3B Deposited Plan 20796 (Certificate of Title OT14A/780)

as shown on Deposited Plan 344221:

The following condition is to be registered on the Certificate of Title for Pt Section 54 Block VIII, Shotover Survey District, (Certificate of title 181565, Otago Registry):

1. Transit Crossing Place 82 (as shown on Plan Number LA/13/006/978/A/01-09, a copy of which is available for inspection at Transit New Zealand's Regional Office at Dunedin), is to be used for low use farming activities only.

The following conditions are to be registered on the Certificates of Title for 181565, 181566 and 181567 (all Otago Registry).

1. At the time a dwelling is erected on Lot 1 DP344221, Lot 2 DP344221 and Lot 4 DP344221, domestic water and fire fighting storage is to be provided by a standard 23,000 litre tank. Of this total capacity, a minimum of 14,000 litres shall be maintained at all times as a static fire fighting reserve. A fire fighting connection is to be located within 90 metres of any proposed building on the site. In order to ensure that connections are compatible with Fire Service equipment the fittings are to comply with the following standard. Either:
 - a. 70 mm Instantaneous Couplings (Female) NZS 4505, or
 - b. 100 mm and 140 mm Suction Coupling (Female) NZS 4505 (hose tail is to be the same diameter as the threaded coupling, e.g. 140 mm coupling has 140 mm hose tail).

The connection shall have hardstand area adjacent to it to allow a fire service appliance to park on it. Access shall be maintained at all times to that hardstand area.

2. At the time that a dwelling is erected on each of Lot 1 DP344221, Lot 2 DP344221, and Lot 4 DP344221, the owner for the time being of each lot shall treat the domestic water supply by filtration and disinfection so that it complies with the Drinking Water Standards for New Zealand 2000.
3. At the time that a dwelling is proposed on Lot 1 DP344221, Lot 2 DP344221 and Lot 4 DP344221, the owner for the time being shall engage a suitably qualified engineer to design an effluent disposal system in terms of AS/NZS 1547:2000 that will provide sufficient treatment/renovation to effluent from on-site disposal, prior to discharge to land. To maintain high effluent quality such a system would require the following:
 - a. Specific design by a suitably qualified professional engineer; and
 - b. A requirement that each lot must include systems that achieve the levels of treatment determined by the specific design; and
 - c. Regular maintenance in accordance with the recommendations of the system designer and a commitment by the owner of each system to undertake the maintenance; and
 - d. Intermittent effluent quality checks to ensure compliance with the system designer's specification; and
 - e. Disposal areas shall be located such that maximum separation (in all instances greater than 50 metres) is obtained from any watercourse or water supply bore.
4.
 - a. Any dwelling houses on proposed Lot 1 DP 344221 shall be located within the residential building platform shown as "Z" on DP 344221.
 - b. Any dwelling houses on proposed Lot 2 DP 344221 shall be located within the residential building platform shown as "X" on DP 344221.
 - c. Any dwelling houses on proposed Lot 4 DP 344221 shall be located within the residential building platform shown as "Y" on DP 344221.
5. The final design of any building to be constructed within the residential building platform on Lot 1 DP344221, Lot 2 DP344221, and Lot 4 DP344221 shall be undertaken in accordance with the following requirements:
 - a. Roof claddings are to be steel (corrugated or tray), cedar shingles, or slate, or similar;
 - b. Roof colours to be natural, of low reflectivity (cedar shingles, slate, galvan, or other similar steel finish (not including plain galvanized steel or zincalume), or dark color steel colours (karaka and charcoal);
 - c. Wall claddings to be timber, earth coloured bricks, smooth plaster or stone (local schist);
 - d. Wall colours to be natural and recessive (in materials as stated above) or in a range of browns, tussock, greys or natural greens;

- e. Joinery shall be in timber, steel or aluminium. Joinery colours, excepting aluminium, shall match roofing, gutter and spouting colours;
 - f. The maximum building height for any dwelling shall not exceed:
 - i. 4.5 metres above the lowest existing point of the residential building platforms being:
 - Lot 1 DP344221 – Datum Level – RL 635.41m above mean sea level.
 - Lot 2 DP344221- Datum Level – RL 622.51m above mean sea level.
 - ii. 5.5 metres above the lowest existing point of the residential building platform for Lot 4 DP344221 (the area marked "Y" on DP 344221), being Datum Level RL 622.53 m above mean sea level.
- 6.
- a. No further subdivision of the land contained in Certificates of Title 181565, 181566 and 181567 (excluding any boundary adjustment which does not result in creation of any additional title and/or any additional building platform) shall be permitted, and
 - b. No development on the Escarpment face (excluding development relating to the proposed walking track and parapente takeoff area) shall be permitted, and
 - c. No erection of any buildings for residential purposes outside the 3 approved residential building platforms, referred to in condition 4 of this consent notice is permitted.
7. Prior to any development being carried out on any of Lot 1 DP344221, Lot 2 DP344221, or Lot 4 DP344221, the owner of that lot shall submit for the approval of the Principal: Resource Management (Civic Corporation Limited) a Planting Plan that:
- a. Details the species and stages of the proposed landscaping in the proximity of the residential building platforms on the lot owned by that owner.
 - b. Specifies a long-term maintenance plan for the planting.
- The purpose of the Planting Plan shall be to achieve the Landscaping Plan attached marked "B".
- 8.
- a. Prior to any development being carried out on Lot 1 DP344221, Lot 2 DP344221, and Lot 4 DP344221, the lot owner shall remove the existing row of fir trees running along the upper edge of the Escarpment along the western side of the proposed common accessway and any other conifers on those parts of Lot 1 DP344221 and Lot 2 DP344221 which form part of the Crown Terrace Escarpment.
 - b. The registered proprietors for the time being of Lot 1 DP34421 and Lot 2 DP344221 respectively shall each maintain that part of the Crown Terrace

Escarpment face situated on their lot free of all pines or conifers and shall remove any existing pines or conifers and any new pines or conifers immediately they commence growing on the Crown Terrace Escarpment face.


The following condition shall be registered against Certificate of Title 181567:

1. The balance land of Lot 4 DP344221 outside the building platform area (marked "Y" on DP344221) and excluding the area in the Landscaping Plan shall be subject to the following controls:
 - a. The land shall be maintained in open pasture or cropping except for planting of amenity (not forestry) trees of species typical of the Crown Terrace (excluding pines and firs of any nature) in accordance with a landscape plan to be first approved by the Council and intended to generally maintain the pastoral appearance of the land similar to the surrounding and adjoining lands.
 - b. Fencing shall be limited to post and wire fencing only.

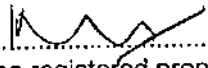
The following condition shall be registered against the Certificate of Title 181566:

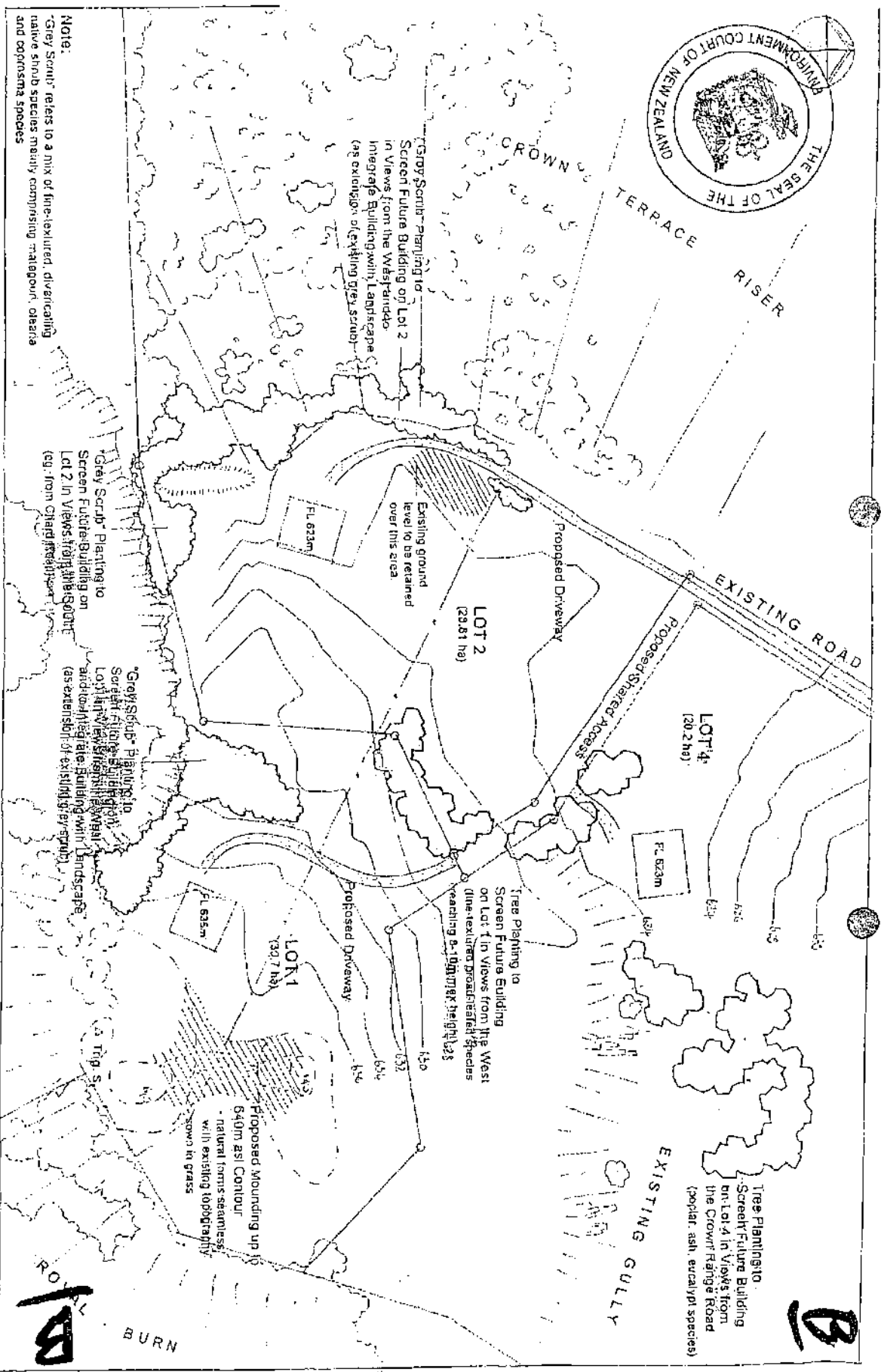
2. The existing earth mound situated on the western side of the Lot 2 DP344221 building platform (marked "X" on DP344221) and the Crown Terrace escarpment, shall be maintained in its present form and not lowered below its current height. The location of the mound is as shown on the attached Landscaping Plan marked as "B".

DATED at Queenstown this 9 day of December 2004


.....
Authorised Officer for Queenstown Lakes
District Council

Certified correct for the purposes of the Land Transfer
Act 1952


.....
Solicitor for the registered proprietor



<p>Project Name: Crown Terrace Wairarapa Basin</p> <p>Client: Crown of New Zealand</p> <p>Scale: 1:1500 (approx), A3 size</p> <p>Date: 19.12.02</p>	<p>REVISIONS</p> <p>3/03/03 consultation / standing / removed added.</p>	<p>PLAN No: 091.01</p> <p>SCALE: 1:1500 (approx), A3 size</p> <p>DATE: 19.12.02</p> <p>LANDSCAPE PLAN: Proposed Stretch Subdivision Crown Terrace Wairarapa Basin</p>
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NOTE:
 Grey Scrub refers to a mix of fire-tolerant, diversifying native shrub species mainly comprising mānuka, olive and coprosma species

Grey Scrub Planting to Screen Future Building on Lot 2 in Views from the South (eg. from Crown Terrace Road)

Grey Scrub Planting to Screen Future Building on Lot 2 in Views from the West (as extension of existing grey scrub)

Tree Planting to Screen Future Building on Lot 4 in Views from the West (tree-textured broad-leaved species reaching a 10m height by the year 2025)

Proposed Mounding up to 640m ASL Contour - natural forms seamless with existing topography shown in grass

Tree Planting to Screen Future Building on Lot 5 in Views from the Crown Terrace Road (poplar, ash, eucalypt species)

B

B

Handwritten signature

View Instrument Details



Instrument No 9320443.5
Status Registered
Date & Time Lodged 10 July 2013 13:06
Lodged By Bendikson, Heidi Elise
Instrument Type Consent Notice under s221(4)(a) Resource Management Act 1991



Affected Computer Registers **Land District**

608061 Otago

608062 Otago

Annexure Schedule: Contains 2 Pages.

Signature

Signed by Kerry Amanda O'Donnell as Territorial Authority Representative on 30/05/2013 03:42 PM

*** End of Report ***

**CONSENT NOTICE PURSUANT TO SECTION 221
RESOURCE MANAGEMENT ACT 1991**

IN THE MATTER of Section 221 of the
Resource
Management Act 1991

A N D

IN THE MATTER of subdivision consent
RM120286

BACKGROUND

- A. Application was made to the Queenstown Lakes District Council ("Council") pursuant to provisions of the Resource Management Act 1991 for Council consent to subdivide land comprised and described in Certificates of Title 573547 and 573548 (Otago Registry) ("the land").
- B. Council has granted consent (RM120286) to the proposed subdivision subject to certain conditions which are required to be complied with on a continuing basis by the owner of the land, being those conditions specified in the Operative Part below.

OPERATIVE PART

The following condition pertaining to this Consent Notice is to be registered against the titles of the following allotments.

Lot 1 DP 461855 ("Lot 1")

Lot 2 DP 461855 ("Lot 2")

- 1. The land area marked FF ("Area FF") on title plan DP 461855 ("Plan") shall be managed, in perpetuity, contiguously with those areas marked DD and EE on the Plan so that no boundary is perceptible when viewed from any public place to the west or north of Area FF.
- 2. There shall be no fencing constructed on the western and north-western boundary of Area FF (marked as "no fencing permitted" on the stamped approved plan attached to RM120286). Fencing is permitted along the remaining eastern, north-eastern and south-eastern boundaries of Area FF (marked "Fencing Permitted" on the stamped approved plan attached to RM120286) only for the purpose of farm management of Lot 1 DP 461855 and may only be post and wire or post and netting (for the control of sheep, rabbit, or some combination thereof).

SIGNED for and on behalf
Of the **QUEENSTOWN LAKES**
DISTRICT COUNCIL by its
Authorised Officer

} 

DATED the 11th day of March 2013

View Instrument Details



Instrument No 8860303.2
Status Registered
Date & Time Lodged 19 September 2011 11:26
Lodged By Marshall, Doreen Faye
Instrument Type Covenant (All types except Land covenants)



Affected Computer Registers	Land District
535086	Otago

Annexure Schedule: Contains 9 Pages.

Signature

Signed by Karl Haswell Wood as Grantor/Grantee Representative on 05/10/2011 03:10 PM

*** End of Report ***

DATED 8 December 2010

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Resource Consent 100526

Covenant under Section 108 (2) (d) Resource Management Act 1991

**DEED OF COVENANT
UNDER SECTION 108 (2) (D) OF THE RESOURCE MANAGEMENT ACT 1991**

Correct for the purposes of the Land Transfer Act 1952

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Resource Consent **100526**

Covenant under Section 108 (2) (d) Resource Management Act 1991

DATED 18 December 2010

PARTIES

1. **DAVID JOHN STRETCH, ALISON STRETCH and CHRISTINE ANN GIBB** (hereinafter referred to as "the Covenantor")

and

2. **QUEENSTOWN LAKES DISTRICT COUNCIL** (hereinafter referred to as "the Council")

BACKGROUND

- A. The Covenantor is the registered proprietor of 2.4174 hectares being Lot 1 Deposited Plan **DP 436273** (the land).
- B. The Council is the local authority in whose district the land is located.
- C. The Council has granted a Resource Consent under **RM100526** to the Covenantor. **RM100526** is a variation of **RM080946**. The land use and subdivision consent grants to the Covenantor the right to undertake earthworks and a boundary adjustment at 296 Crown Range Road, Crown Terrace.
- D. Condition 16 of **RM100526** requires that the Covenantor enter into a covenant to be registered against the land to provide for the performance of condition 16 of the same consent.
- E. The Covenantor has agreed to enter into this covenant in respect of that condition.

COVENANTS

The Covenantor hereby covenants in favour of the council that:

- i. At the time a dwelling is proposed on the building platform of Lot 2, it shall be determined whether any part of that building structure will encroach into the easement area C on the attached plan and that there is sufficient clearance between the structure and the service as set out in the **NZS 4404-204** Council Standards.

;) If encroachment occurs the owner shall:

(i.i) Provide to Queenstown Lakes District Council for review and approval, copies of specifications, calculation and design plans as considered by Council to be both necessary and adequate in accordance with condition (4) to detail the following engineering works required:

- Relocate the existing water reticulation from easement area C to easement area F on the attached plan, in accordance with Council Standards.

(i.ii) Relocate the existing power supply and telecommunications reticulation easement area C to easement area F on the attached plan, and shall be in accordance with any requirements/standards of Aurora Energy/Delta and Telecom. The reticulation shall be underground.

(i.iii) Create the easement area F and register it on the Title of Lot 2.

(i.iv) Cancel the easement area C from the Title.

2. The submission of as-built plans in accordance with Councils as built standard and information required to detail all engineering works completed in relation to or in association with this subdivision
3. An earth berm shall be formed on the eastern side of the building platform and shall be formed to meet the natural contours of the surrounding landform. The purpose of this berm is, once planted in accordance with the approved landscape plan, that it shall obscure views of a dwelling on the approved platform from the Crown Range Road. The eastern face of the berm shall be formed at an angle no greater than 1:3. The earth berm shall be constructed in parallel with the construction of the building platform and shall be planted prior to the construction of any building on that building platform (see 4).
4. The approved landscape plan shall be implemented prior to construction of any building within the building platform. Approved planting shall thereafter be maintained and irrigated in accordance with the approved plan. If any tree or plant shall die, or become diseased it shall be replaced within the next available planting season.

SIGNED by

Alison Stretch

ALISON STRETCH
In the presence of

} A. Stretch

Witness's Signature

Colleen

Full Name

COLLEEN MARY FEMMER

Occupation

GRAPHIC DESIGNER

Address

276 CROWN RINGWATER
QUEENSTOWN

SIGNED by

}

CHRISTINE ANN GIBB
In the presence of

} Christine Ann Gibb

Witness's Signature

[Signature]

Full Name

JAMES ROSE HATHORN

Occupation

STUDENT

Address

PO Box 19, OTAHUHA, 9041

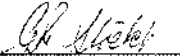
EXECUTED as an Agreement

SIGNED by

) 

DAVID JOHN STRETCH
in the presence of

Witness's Signature



Full Name

GORDON ROBERT STRETCH

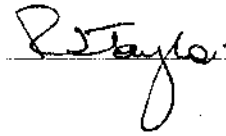
Occupation

Retired

Address

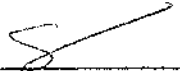
19 Stone Brook Dr
Wanaka

SIGNED by

) 

QUEENSTOWN LAKES DISTRICT COUNCIL
in the presence of

Witness's Signature



Full Name

Shelley Marie Dowson

Occupation

Support Administrator

Address

c/o 10 Gorge Road
Queenstown

ANNEXURE SCHEDULE - CONSENT FORM¹

Land Transfer Act 1952 section 238(2)



Person giving consent <i>Systems must be underlined</i>	Capacity and Interest of Person giving consent <i>(eg. Mortgagee under Mortgage no.)</i>
ANZ NATIONAL BANK LIMITED	Mortgagee under mortgage 7268278.2

Consent
*Delete words in {} if inconsistent with the consent
State full details of the matter for which consent is required*

[Without prejudice to the rights and powers existing under the Interest of the person giving consent.]

the Person giving consent hereby consents to:
the registration of the attached Deed of Covenant

Dated this _____ day of January 20 11

Attestation	Signed in my presence by the Person giving consent
<p>ANZ NATIONAL BANK LIMITED</p> 	<p></p> <p>Signature of Witness</p> <p>Witness to complete in BLOCK letters (unless legibly printed)</p> <p>Witness name</p> <p>Occupation</p> <p>Address</p> <p>WITNESS: HEATHER BLACKLAWS OCCUPATION: BANK OFFICER ADDRESS: AUCKLAND</p>
<p>Signature (Common seal) of Person giving consent</p>	

¹ An Annexure Schedule in this form may be attached to the relevant instrument, where consent is required to enable registration under the Land Transfer Act 1952, or other enactments, under which no form is prescribed.

**CERTIFICATE OF NON-REVOCATION OF POWER OF
ATTORNEY**

I, **Anil Suresh Chandra** of **Auckland, New Zealand, Manager,
Lending Services Centre** of ANZ National Bank Limited, certify –

1. That by deed dated **28 June 1996**, ANZ National Bank Limited of Wellington, New Zealand appointed me its attorney.
2. That I have not received notice of any event revoking the power of attorney.



Signed at **Auckland** this day of 2 February 2011

Land Information New Zealand, Dealing Numbers:

Auckland	as No.	D.016180	Hokitika	as No.	105147
Bienheim	as No.	186002	Invercargill	as No.	242542.1
Christchurch	as No.	A.256503.1	Napier	as No.	644654.1
Dunedin	as No.	9.1369	Nelson	as No.	359781
Gisborne	as No.	G.210991	New Plymouth	as No.	433509
Hamilton	as No.	B.355185	Wellington	as No.	B.530013.1

ANNEXURE SCHEDULE - CONSENT FORM¹



Land Transfer Act 1952 section 238(2)

Person giving consent <i>Signature must be underlined</i>	Capacity and Interest of Person giving consent <i>(eg. Mortgagee under Mortgage rule)</i>
ANZ NATIONAL BANK LIMITED	Mortgagee under mortgage number 8339701.2

Consent
Delete words in [] if inconsistent with the consent
State full details of the matter for which consent is required

[Without prejudice to the rights and powers existing under the interest of the person giving consent]
the Person giving consent hereby consents to:
the registration of the attached Deed of Covenant

Dated this 02 FEB 2011 day of January 20 11

Attestation	
<p>ANZ NATIONAL BANK LIMITED</p> 	<p>Signed in my presence by the Person giving consent</p>  <p>Signature of Witness</p> <p>Witness to complete in BLOCK letters (unless legibly printed).</p> <p>Witness name</p> <p>Occupation WITNESS: HEATHER BLACKLAWES</p> <p>Address OCCUPATION: BANK OFFICER ADDRESS: AUCKLAND</p>
<p>Signature [Common seal] of Person giving consent</p>	

¹ An Annexure Schedule in this form may be attached to the relevant instrument, where consent is required to enable registration under the Land Transfer Act 1952 or other enactments, under which no form is prescribed.

**CERTIFICATE OF NON-REVOCATION OF POWER OF
ATTORNEY**

I, **Anil Suresh Chandra** of **Auckland, New Zealand, Manager,
Lending Services Centre** of ANZ National Bank Limited, certify -

1. That by deed dated **28 June 1996**, ANZ National Bank Limited of Wellington, New Zealand appointed me its attorney.
2. That I have not received notice of any event revoking the power of attorney.



Signed at **Auckland** this day of 2 February 2011

Land Information New Zealand, Dealing Numbers:

Auckland	as No.	D 016180	Hokitika	as No.	102147
Blenheim	as No.	186002	Invercargill	as No.	242542.1
Christchurch	as No.	A.256503.1	Napier	as No.	644654.1
Dunedin	as No.	911369	Nelson	as No.	359781
Gisborne	as No.	G.210991	New Plymouth	as No.	433509
Hamilton	as No.	B 355185	Wellington	as No.	B.530013.1

View Instrument Details



Instrument No 9490097.1
Status Registered
Date & Time Lodged 19 August 2013 09:46
Lodged By Bendikson, Heidi Elise
Instrument Type Covenant (All types except Land covenants)



Affected Computer Registers	Land District
608061	Otago

Annexure Schedule: Contains 2 Pages.

Signature

Signed by Kerry Amanda O'Donnell as Grantor/Grantee Representative on 19/08/2013 09:41 AM

*** End of Report ***

LAND COVENANT

(Section 108(2)(d) and 109 of the Resource Management Act 1991)

PARTIES

1. **DAVID JOHN STRETCH and COLLEEN MARY FLEMMER** (Owner)
2. **QUEENSTOWN LAKES DISTRICT COUNCIL** (Council)

BACKGROUND

- A. The Owner is the registered proprietor of the Land and has obtained the Consent for the Land.
- B. The Owner's objection to certain conditions in the Consent was upheld by Council subject to the Owner covenanting to perform certain obligations in favour of the Council, as set out in this Land Covenant.
- C. The Owner intends that this Land Covenant shall be and remain registered against the title to the Land to give effect to the Covenants so that owners or occupiers for the time being of the Land shall be bound by the provisions of this Land Covenant.

OPERATIVE PART

1. **Interpretation**

in this Land Covenant unless the context otherwise requires:

"Building Platform"	means the approved building platform (as that term is defined in the District Plan) for the Land marked "BB" and "CC" on DP 461855.
"Consent"	means resource consent decision RM110721.
"Council"	means the Queenstown Lakes District Council (in its capacity as local authority).
"District Plan"	means the Queenstown Lakes District Plan (and any like or successor plan from time to time).
"Land"	means the land legally described as Lot 1 Deposited Plan 461855 and contained in Certificate of Title 608061.
"Land Covenant"	means this instrument.
"Owner"	means (initially) David John Stretch and Colleen Mary Flemmer and their successors in title who are the registered proprietors of the Land from time to time.
"Residential Flat"	has the same meaning as set out in the District Plan.
"Residential Unit"	means the Residential Unit (as that term is defined in the District Plan) approved pursuant to the Consent.

2. COVENANT

2.1 The Owner covenants that:

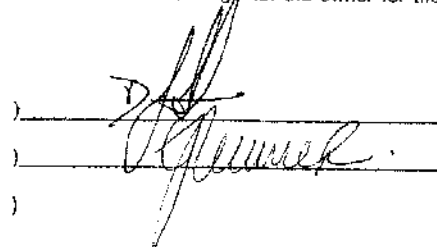
- a. No Residential Flat will be constructed within the Building Platform; and
- b. The Land may not be subdivided in such a way that the Building Platform and Residential Unit are contained in separate Computer Freehold Registers.

2.2 This Land Covenant binds the Owner's successors in title so that contemporaneously with the acquisition of any interest in the Land, all such successors in title shall become bound to comply with this Land Covenant to the intent that this Land Covenant shall bind and run with the Land in accordance with section 109 of the Resource Management Act 1991 and that the Council may enforce the observance of this Land Covenant against the owner for the time being of the Land.

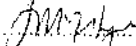
SIGNED by DAVID JOHN STRETCH)

and COLLEEN MARY FLEMMER)

in the presence of:)



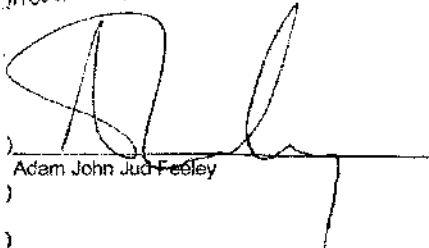
Witness

Signature: 

Full name: Terry Ann McIntyre

Address: 17 Kent Street, ~~Que~~ Arrowtown

Occupation: Retail



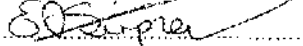
SIGNED for and on behalf of the)

QUEENSTOWN LAKES DISTRICT COUNCIL)

By its Chief Executive Officer)

in the presence of.)

Witness

Signature: 

Full name: Liz Simpson

Address: Queenstown

Occupation: Senior Technical Officer

784603 Y

DEED OF COVENANT
WATER SUPPLY SCHEME

D A T E D the 27th day of May 1991

PARTIES:

- I. ARROW FARMS LIMITED a duly incorporated Company having its registered office at Oamaru ("the Covenantor")
- II. TOUCHBASE PROPERTIES LIMITED a duly incorporated Company having its registered office at Kerikeri ("the First Covenantee")
- III. SWIFTBURN FARMS LIMITED a duly incorporated Company having its registered office at Queenstown ("the Second Covenantee")
- IV. ROBINA MARY BODLE of Queenstown Femme Sole ("the Third Covenantee")
- V. HUGH AARON RADFORD and STACEY ANDREW RADFORD of Queenstown Farmers and WALTER JOHN RUTHERFORD of Queenstown Solicitor ("the Fourth Covenantee")
- VI. MICHAEL LEWIS HASLETT of Queenstown Restaurateur and GLENN JAMES McDEAN of Queenstown Interior Decorator ("the Fifth Covenantee")
- VII. ROBINA MARY BODLE of Queenstown Femme Sole ("the registered Covenantee")

INTERPRETATION:

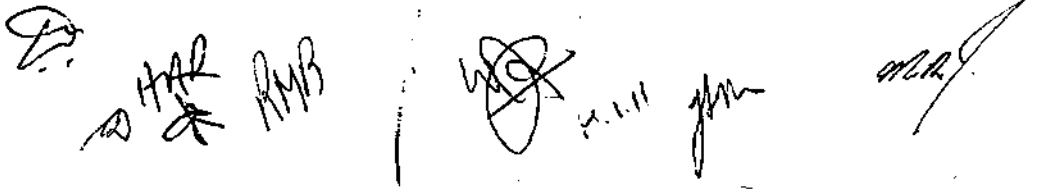
In this Deed the term "the Covenantor" includes all persons executing this Deed as Covenantor and jointly and severally if more than one and their executors administrators assigns and successors in title the successive owners of the pieces of land described in Schedule A their tenants, licensees and invitees.

In this Deed the term "the First Covenantee" includes all persons executing this Deed as First Covenantee and jointly and severally if more than one and their executors administrators assigns and successors in title the successive owners of each piece of land described in Schedule B their tenants licensees and invitees.

In this Deed the term "the Second Covenantee" includes all persons executing this Deed as Second Covenantee and jointly and severally if more than one and their executors administrators assigns and successors in title the successive owners of each piece of land described in Schedule C their tenants licensees and invitees.

In this Deed the term "the Third Covenantee" includes all persons executing this Deed as Third Covenantee and jointly and severally if more than one and their executors administrators assigns and successors in title the successive owners of each piece of land described in Schedule D their tenants licensees and invitees.

In this Deed the term "the Fourth Covenantee" includes all persons executing this Deed as Fourth Covenantee and jointly and severally if more than one and

Handwritten signatures of the parties involved in the deed, including H.A.R., R.M.B., W.J.R., G.J.M., and M.C.D.

their executors administrators assigns and successors in title the successive owners of each piece of land described in Schedule E their tenants licensees and invitees.

In this Deed the term "the Fifth Covenantee" includes all persons executing this Deed as Fifth Covenantee and jointly and severally if more than one and their executors administrators assigns and successors in title the successive owners of each piece of land described in Schedule F their tenants licensees and invitees.

In this Deed "the registered Covenantee" includes all persons executing this Deed as registered Covenantee and jointly and severally if more than one and their executors administrators assigns and successors in title the successive owners of each piece of land described in Schedule G their tenants licensees and invitees.

In this Deed the terms "the First Covenantee" and the "Second Covenantee" and the "Third Covenantee" and "the Fourth Covenantee" and "the Fifth Covenantee" and the registered Covenantee" are collectively referred to as "the Covenantees". Their obligations however remain several.

BACKGROUND:

- A. THE Covenantor is or has been the registered proprietor of the land described in Schedule A.
- B. As a result of a number of plans of subdivision that have been completed or that are still in the course of preparation as at the date of this Deed the lands described in Schedule A are intended to or have been subdivided into those pieces of land described in Schedule B, Schedule C, Schedule D, Schedule E and Schedule F, and Schedule G.
- C. The First Covenantee is or will be the registered proprietor of the land described in Schedule B.
- E. The Second Covenantee is or will be the registered proprietor of the land described in Schedule C.
- F. The Third Covenantee is or will be the registered proprietor of the land described in Schedule D.
- G. The Fourth Covenantee is or will be the registered proprietor of the land described in Schedule E.
- H. The Fifth Covenantee is or will be the registered proprietor of the land described in Schedule F.
- I. The registered Covenantee is registered proprietor of the land described in Schedule G.
- I. The Covenantor will install a water supply scheme for the benefit of the lands described in Schedules A, B, C, D, E, F and G. The water supply scheme will comprise a well, treatment plant, pumps, storage tanks and a

[Handwritten signatures and initials]
HAR
RMB
M.C.H.
J.M.
M.A.F.

water supply network comprising pipelines and water supply easements installed and created or to be installed and created as more particularly detailed below.

- J. The Covenantor and Covenantees have agreed to enter into this Deed of Covenant to create and record the rights and obligations of the registered proprietors of the lands intended to be served by and to obtain the benefit of the water supply scheme.
- K. It is intended that the Covenantees be connected to and have the benefit of the water supply scheme. The Covenantees have agreed to execute this Deed of Covenant and be bound by the rights and obligations set out herein.
- L. It is intended that the water supply scheme be for the benefit of all of the lands described in Schedules A, B, C, D, E, F and G on the terms and conditions detailed below and that the covenants contained herein be mutually enforceable inter se by the registered proprietors of the lands described in Schedules A, B, C, D, E, F and G from time to time.

THIS DEED WITNESSETH:

- 1. THE Covenantor HEREBY COVENANTS with the Covenantees to henceforth and for all time comply with the obligations of the Covenantor set out in this Deed and to henceforth and for all time permit the exercise of the rights of the Covenantees set out in this Deed AND HEREBY GRANTS to the Covenantees the right to require the Covenantor to do any thing necessary to carry out the Covenantor's obligations as set out in this Deed and to refrain from doing any thing which may prevent the Covenantees from exercising the Covenantees' rights as set out in this Deed.
- 2. The Covenantees jointly and severally HEREBY COVENANT with the Covenantor and with each other to henceforth and for all time comply with the obligations of the Covenantees set out in this Deed and to henceforth and for all time permit the exercise of the rights of the Covenantor set out in this Deed AND HEREBY GRANTS to the Covenantor and to each other the right to require the Covenantees jointly and severally to do any thing necessary to carry out the Covenantees's obligations as set out in this Deed and to refrain from doing any thing which may prevent the Covenantor or eqch other from exercising the Covenantor's and each other's rights as set out in this Deed.

INSTALLATION OF WATER SUPPLY SCHEME:

- 3. THE Covenantor has or will forthwith complete installation of a water supply scheme hereinafter referred to as "the water supply scheme" which comprises the following:

Water Supply:

A well situated on Lot 4 D.P. 21340 to be supplied with water piped from the Royal Burn.

[Handwritten signatures and initials]
HAR
AMB
M.C.H.
J.M.
M.A.S.

Water Treatment:

Water to be aerated settled and filtered then sterilised by UV light. Water to be pumped by a Grundfos JP6 pump from the well and sprayed on to an aeration chamber mounted on a 1000 gallon tank approximately 17 metres above the well. Water is drawn out of this settling tank by gravity back to a sand filter at the well prior to passing through UV steriliser and into a 1000 gallon storage tank. A second pump a Grundfos CR290 will pump the treated water from this tank to the main storage tank (5000 gallon) situated on Lot 4 55 metres above the well. The pumps sand filter and UV unit will be housed in a shed at the well. The plumbing is to be arranged so that the sand filter is backwashed with treated water by gravity flow from the main storage tank controlled by a timer. The pumps will be controlled by level relays from probes in the well, the settling and storage tanks.

Reticulation:

Gravity reticulation to the blocks from the main storage tank.

Scheme Capacity:

The Scheme shall have a pumping filtration and sterilisation capacity up to a maximum of 1500 litres per hour

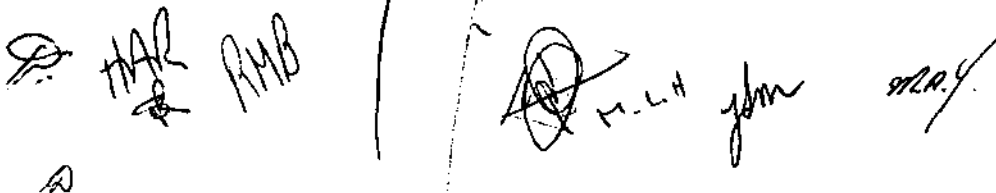
Maintenance: (whenever required or)

- Replacement of UV bulbs (annually)
- Replacement of filter media (annually)
- Replacement of pump seals (annually)
- Draining of sediment trap (quarterly)

Pipeline System:

Water Supply System along the water supply easements marked in green on the attached Plan.

4. The water scheme shall serve the nine separate pieces of land detailed in Schedule H.
5. The registered proprietor of each piece of land detailed in Schedule H shall only be entitled to draw water for that purpose or purposes described in Schedule H as pertaining to that piece of land.
6. The registered proprietor of each piece of land detailed in Schedule H shall only be entitled to draw water from the water supply scheme in an amount not exceeding the maximum supply described in Schedule H as pertaining to that piece of land.
7. The Covenantor as the current or former registered proprietor of the lands described in Schedule A acknowledges that it is the Covenantor's responsibility to install the water supply scheme.


A series of handwritten signatures and initials are present at the bottom of the page. From left to right, they include: a small circular mark, 'HAR', 'RMB', a large scribble, 'M.L.H', 'John', and 'S.A.R.'.

RIGHTS OF THE PARTIES:

8. The registered proprietors of the lands subject to this Deed shall have the following rights:
- (a) The right to draw water from the said water supply scheme as described and as limited pursuant to clauses 5 and 6 and Schedule H.
 - (b) The right to service and maintain the said water supply scheme.
 - (c) The full free uninterrupted and unrestricted right liberty and privilege for themselves their tenants servants agents and workmen with any tools implements machinery vehicles or equipment of whatsoever nature necessary for the purpose to enter upon the Covenantor's or the Covenantees' land and to remain there for any reasonable time for the purpose of maintaining servicing and/or renewing the supply to the well, the well, the treatment plant, the pumps, the storage tanks and the water supply network or any part thereof and of the opening up the soil of that land to such extent as may be necessary and reasonable in that regard subject to the condition that as little disturbance as possible is caused to the surface of the land of the Covenantor or Covenantees and that the surface is restored as nearly as possible to its original condition and any other damage done by reason of the aforesaid operations is repaired.
9. The parties acknowledge that such easements to convey water plus ancillary pipeline installation and maintenance rights as are necessary for the purposes of the water supply scheme have been created or shall be created pursuant to Easement Certificates and Memoranda of Transfer separate and distinct from this Deed.

OBLIGATIONS OF THE PARTIES:

10. The registered proprietors of the land subject to this Deed shall:
- (a) Restrict the amount of water drawn from the water supply scheme for the benefit of each separate piece of land detailed in Schedule H within the maximum permitted water supply limits detailed in Clause 6 and Schedule H, and for that purpose shall install and/or maintain the necessary restrictor valves and related equipment necessary to ensure that such restrictions are maintained at all times.
 - (b) Service and maintain the water supply scheme in accordance with the provisions of clause 11.
 - (c) Pay upon demand a proportionate share of the costs of servicing, maintaining and operating the water supply scheme in accordance with the provisions of clauses 11, 12 and 15.
 - (d) Where any damage to the water supply scheme or any part of the scheme is caused by neglect or default of one of the parties

[Handwritten signatures and initials]
HAR
RMB
M.I.H
J.M.
M.A.

hereto their agents invitees assignees that party or those parties shall bear the costs of remedy thereof.

MAINTENANCE OF WATER SUPPLY:

11. Subject to clauses 10 (d) 13 and 14 the registered proprietor of each piece of land detailed in Schedule H shall be equally responsible for maintaining and servicing and for paying the costs of maintaining and servicing the water supply scheme. For the purposes of this clause joint registered proprietors of one piece of land shall be deemed to be one registered proprietor.

OPERATING COSTS OF WATER SUPPLY SCHEME:

12. Subject to clauses 13 and 14 the cost of electricity or any other means used to operate or fuel the operation of the pump or other mechanism serving the water supply scheme plus any other operating costs shall be divided equally amongst the registered proprietors of the pieces of land detailed in Schedule H. For the purposes of this clause joint registered proprietors of one piece of land shall be deemed to be one registered proprietor i.e. an equal share of the operating costs of the water supply scheme shall be charged to each piece of land detailed in Schedule H.

NO LIABILITY UNTIL CONNECTED:

13. A registered proprietor shall only be liable pursuant to this Deed for any liabilities and/or costs arising during such period as the land owned by that registered proprietor is connected to and using the water supply scheme. For the purposes of this clause if a residence or other building is erected on any piece of land detailed in Schedule H and such residence or other building is connected to the water supply scheme then that piece of land shall be deemed to be connected to and using the water supply scheme.

STOCK WATER SUPPLY USER INCURS ADDITIONAL SHARE OF COSTS:

14. Any party hereto having a domestic water supply and a stock water supply shall pay a proportionate share of servicing maintenance and running costs (pursuant to clauses 11 and 12) 400% greater than the proportionate share paid by the registered proprietor of any other piece of land detailed in Schedule H PROVIDED THAT this clause shall only apply when the said stock water supply is connected to the water supply scheme.

COVENANTOR RESPONSIBLE FOR OPERATION:

15. (a) In order to ensure the efficient and orderly operation and maintenance of the water supply scheme the Covenantor as former or current registered proprietor of the land described in Schedule A shall:

(i) Carry out all necessary maintenance of and repairs to the water supply scheme including well, treatment plant, the pumps and the water supply network and be responsible for

The bottom of the page contains several handwritten signatures and initials. From left to right, there is a small circular mark, the initials 'MAR', another set of initials, a large stylized signature, the initials 'M.L.H.', another signature, and a final signature on the right.

ensuring the continual proper operation of the water supply scheme from the well to the boundaries of the land described in Schedules ~~A~~B, C, D, E, F and G. *and H*

- (ii) Arrange for receipt and payment of all electricity charges and other payments necessary to ensure the continual pumping of water from the artesian bore to the said storage tank.
 - (iii) Maintain a separate bank account for all receipts and payments relating to the operation and maintenance of the water supply scheme.
 - (iv) Regularly invoice all registered proprietors liable pursuant to clauses 11 and 12 to contribute to the operating and maintenance costs of the water supply scheme for their proportionate share of such costs incurred.
- (b) For the purposes of this clause the Covenantor may require all those registered proprietors referred to in clauses 11 and 12 to pay by bank automatic payment or otherwise into the said bank account a regular payment on account of maintenance and operating costs to be incurred by those proprietors pursuant to clauses 11 and 12 all such moneys to be applied in payment of such costs. Any such requirement made pursuant to this subclause shall be an obligation of such registered proprietors for the purposes of this Deed.
- (c) The Covenantor may charge a fee for carrying out the Covenantor's duties pursuant to this clause such fee to be based upon time spent at a reasonable hourly rate and to be charged to reimburse the Covenantor for such time spent. Such fee shall be deemed to be an operating costs pursuant to clause 12.

DEFAULT:

16. No power is implied in respect of any covenant contained herein for any party to determine the covenant for any breach of any provision in this Deed (whether expressed or implied) or for any other cause it being the intention of the parties that the provisions of this Deed of Covenant shall subsist for all time until surrendered.
17. If any part ("the defaulting party") neglects or refuses to perform or join with any other party in performing any obligation pursuant to this Deed the following provisions shall apply:
- (a) Any other party ("the affected party") may serve upon the defaulting party a written notice ("default notice") requiring the defaulting party to perform or to join in performing such obligation and stating that after the expiry of not less than seven days from service of the default notice the provisions of this default clause shall apply.

[Handwritten signatures and initials]

- (b) If at the expiry of the period stated in the default notice the defaulting party still neglects or refuses to perform or join in performing the obligation the affected party may do any or all of the following:
- (i) Perform such obligation.
 - (ii) Take such reasonable steps as may be necessary to disconnect the land owned by the defaulting party from the water supply scheme.
 - (iii) Enter onto the land owned by the defaulting party or any other land subject to this Deed and carry out any work required to perform such obligation and/or disconnect the land owned by the defaulting party from the water supply scheme.
- (c) The defaulting party shall be liable to pay to the affected party:
- (i) All costs of and incidental to the preparation and service of the default notice.
 - (ii) All costs of and incidental to any such disconnection.
 - (iii) The proportion of all costs incurred in performing such obligation as is properly payable by the defaulting party pursuant to this Deed.
- (d) The affected party may recover from the defaulting party as a liquidated debt any moneys payable pursuant to this clause.
- (e) If the water supply to the land owned by the defaulting party is disconnected pursuant to this clause the defaulting party may not reconnect or have reconnected such water supply until the defaulting party has performed all outstanding obligations and has paid in full any moneys payable pursuant to this clause.

NO INTERFERENCE:

18. No party shall do any act which impedes interferes with or restricts the rights of any other party or other authorised persons in relation to this Deed.

THIS DEED SHALL ENURE FOR ALL TIME:

19. The covenants rights and obligations contained in this deed shall enure for all time for the benefit and burden as appropriate of all the lands owned by the parties to this Deed and every part thereof.

SALE BY COVENANTOR:

20. (a) The Covenantor reserves the right to sell lease or otherwise dispose of any part of the lands described in Schedule A either subject to or free from all or any of the stipulations provisions obligations or restrictions imposed herein PROVIDED THAT any piece

A series of handwritten signatures and initials at the bottom of the page. From left to right: a small scribble, 'HAR', 'RMB', a large scribble, 'H.L.H.', 'JSM', and 'M.A.'.

of land thus sold shall not be entitled to connect to or use the water supply scheme unless the purchaser of same shall have first entered into a Deed of Covenant pursuant to clause 21.

(b) In the event the Covenantor sells leases or otherwise disposes of the lands described in Schedule A the registered Covenantees shall form a management committee, an incorporated Society or a private Company to undertake the obligations and role of the Covenantor hereunder on such terms as the Covenantees may from time to time agree.

21. The Covenantor reserves the right to sell lease or otherwise dispose of any part of the lands described in Schedule A and to permit such land to be connected to and be served by the water supply scheme PROVIDED THAT:

(a) Any purchaser of such land shall first enter into a Deed of Covenant (which shall be registered against such land) binding that purchaser to the rights and obligations of this Deed as if that purchaser were a party to this Deed in respect of that land.

(b) The effect of such extra user served by the water supply scheme shall not reduce the water supply to any of the separate pieces of land detailed in Schedule H below a minimum amount of 1000 litres per day in respect of each of the first eight pieces of land detailed in Schedule G and 4000 litres per day in respect of the ninth piece of land detailed in Schedule H.

LIABILITY ONLY INCURRED BY REGISTERED PROPRIETOR:

22. (a) A registered proprietor shall only be liable pursuant to this Deed for liabilities and/or costs arising pursuant to this Deed prior to the date that such registered proprietor ceases to be registered as proprietor of the land in respect of which the liabilities and/or costs arise.

(b) The registration of a transfer of a registered proprietor's interest in any land subject to this Deed shall not operate to relieve the transferor from any liability arising pursuant to this Deed prior to the date of registration of such transfer.

23. See margin.

THE COMMON SEAL of ARROW FARMS LIMITED as Covenantor was hereunto affixed in the presence of:



[Handwritten signature]
Covenantor (Mr. [Name])
Secretary

THE COMMON SEAL of TOUCHBASE PROPERTIES LIMITED as First Covenantee was hereunto affixed in the presence of:



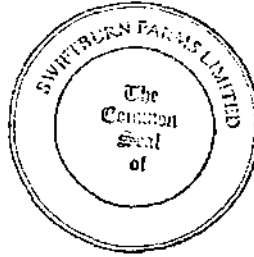
[Handwritten signature]
Director

[Handwritten signature]
Director

23. Walter John Rutherford and Stacey Andrew Radford executed this Deed in their capacity as trustees in the Walter John Rutherford and Stacey Aaron Radford Family Trust. The liability hereunder is not personal to Walter John Rutherford and Stacey Andrew Radford but is limited to the assets of the said Aaron Radford Family Trust for the time being under their control.

[Handwritten initials: HAR, AMB]

[Handwritten signatures: M. J. H., John, M.A.]



THE COMMON SEAL OF SWIFTBURN FARMS LIMITED as Second Covenantee was hereunto affixed in the presence of:

M.H. Jackson

[Signature]
Munton.

SIGNED by the said ROBINA MARY BODLE as Third Covenantee in the presence of:

RMBodle

SIGNED by the said HUGH AARON RADFORD and STACEY ANDREW RADFORD as Fourth Covenantee in the presence of:

Hugh Aaron Radford
Stacey Andrew Radford

[Signature]
Legal Executive to
Anderson & Co. Solicitors
Aberdeen

SIGNED by the said WALTER JOHN RUTHERFORD as Fourth Covenantee in the presence of:

Walter John Rutherford

[Signature]
Legal Executive to
Anderson & Co. Solicitors
Aberdeen

SIGNED by the said MICHAEL LEWIS HASLETT and GLENN JAMES McDEAN as Fifth Covenantee in the presence of:

Michael Haslett
Glenn James McDean

SIGNED by the said ROBINA MARY BODLE as registered Covenantee in the presence of:

RMBodle


RMB

[Signature]

SCHEDULE A
(Arrow Farms Land)

1. Lot 1 D.P. 21979 13^c/1010
2. Lot 2 D.P. 21979 13^c/1011
3. Lot 3 D.P. 21979 13^c/1012
4. Lot 1 D.P. 21460 and part Section 123 Block VIII Shotover Survey District and being part of the land in Certificate of Title 13B/197
5. Part Section 40 Block VIII 12^c/98
6. Lot 4 D.P. 21340 13A/1010
7. Lot 1 D.P. 21549 still in 192/223, 12^c/101 & 102
8. Lot 3B D.P. 20796 pt 12^c/97
9. Lot 5 D.P. 20773 12^c/100

SCHEDULE B
(Touch Base Properties Limited)

 Lot 1 D.P. 21460 and part Section 123 Block VIII Shotover Survey District and being part of the land in Certificate of Title 13B/197

SCHEDULE C
(Swiftburn Farms Limited)

Part Section 40 Block VIII 12^c/98

SCHEDULE D
(Robina Mary Bodle)

Lot 4 D.P. 21340 13A/1010

SCHEDULE E
(Radford Trust)

Lot 1 D.P. 21549

still in 192/223, 12^c/101 & 102

SCHEDULE F
(Haslett and McDean)

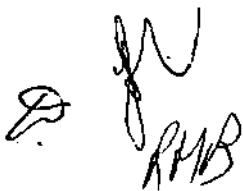
Lot 3B D.P. 20796

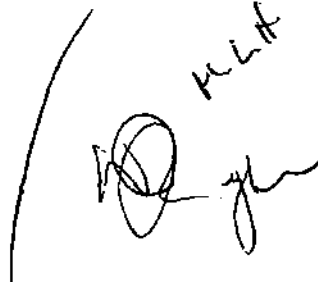
pt 12^c/97

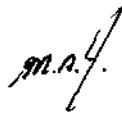
SCHEDULE G
(Robina Mary Bodle)

Lot 5 D.P. 20773

12^c/100



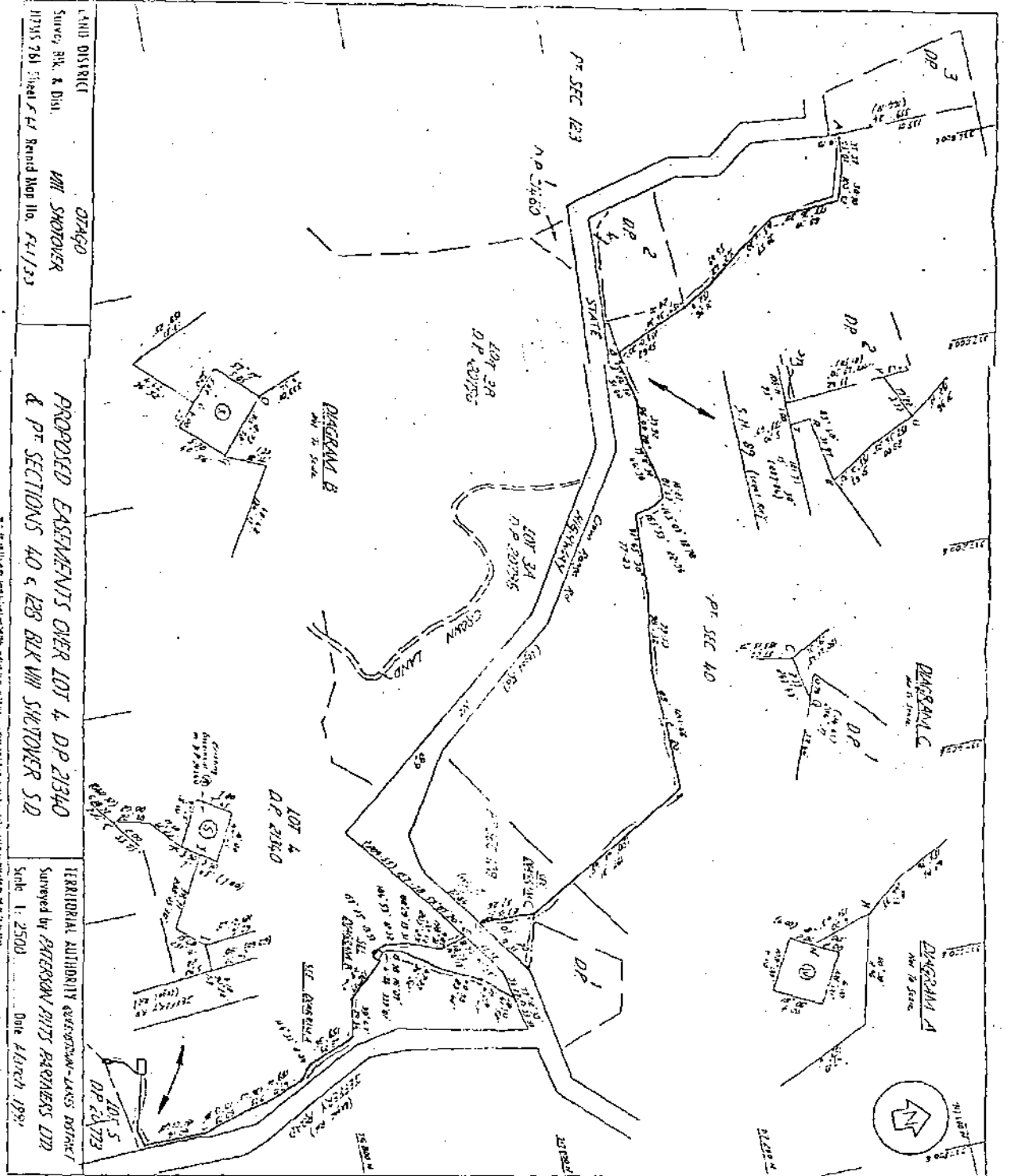




SCHEDULE H
Separate and Proposed Separate Pieces of Land
Purpose of Water Supply - Maximum Water Supply

Land	Purpose of Water Supply	Maximum Permitted Water Supply in Litres per day
1. Lot 1 D.P. 21979	Domestic Water Supply	1000 Litres
2. Lot 2 D.P. 21979	Domestic Water Supply	1000 Litres
3. Lot 3 D.P. 21979	Domestic Water Supply	1000 Litres
4. Lot 1 D.P. 21460 and part Section 123 Block VIII Shotover Survey District and being part of the land in Certificate of Title 13B/197	Domestic Water Supply	1000 Litres
5. Part Section 40 Block VIII	Domestic Water Supply	1000 Litres
6. Lot 4 D.P. 21340	Domestic Water Supply	1000 Litres
7. Lot 1 D.P. 21549	Domestic Water Supply	1000 Litres
8. Lot 38 D.P. 20796	Domestic Water Supply	1000 Litres
9. Lot 5 D.P. 20773	Stock Water Supply PLUS Domestic Water Supply	4000 Litres

John P.C.F.
RMB / *[Signature]* *9/2/04*



LAND DISTRICT
 SURVEY, BLDG. & DIS.
 CHICAGO
 WILL SHOTOWER
 11745 761 Street 47 Record Map No. 110, P41/33

PROPOSED EASEMENTS OVER LOT 4, DP 21340
 & PT SECTIONS 40 & 128 BLDG WILL SHOTOWER S2

TERRITORIAL AUTHORITY QUESTION-AKERS DISTRICT
 Surveyed by PATTERSON PIETS PARTNERS LLP
 Scale 1: 2500 Date March 1991

Station	Remarks	Distance	Bearing	Angle	Area
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Tool Area
 (compiled in CT 80/1252, 12/1/93)
 James Martin, Partner of Cannon
 Approved at 1a Survey
 Departed 11/11/91
 Date: 12/1/91

780243

DATED

1991

BETWEEN ARROW FARMS LIMITED

the Covenantor

TOUCHBASE PROPERTIES LIMITED

the First Covenantee

SWIFTBURN PROPERTIES LIMITED

the Second Covenantee

ROBINA MARY BODLE

the Third Covenantee

HUGH AARON RADFORD
STACEY ANDREW RADFORD
WALTER JOHN RUTHERFORD

the Fourth Covenantee

MICHAEL LEWIS HASLETT
and GLEN JAMES McDEAN

the Fifth Covenantee

AND

ROBINA MARY BODLE

the registered
Covenantee

DEED OF COVENANT WATER SUPPLY SCHEM

*Registered in
Deeds Office
784603 ⊕*

30.7.1991 10.45 AM



ALBERT ALLOO & SONS
SOLICITORS
DUNEDIN.

*C.T. 139/1010 X 139/1010
130/1012 X 135/197
126/198 X 134/1010
192/223, 120/101 X 102
122/199 X 126/100
149/136
151/135
151/136*

*130/175
130/145-149 inc
180*

Approved by Registrar-General of Land under No. 2002/6055

Easement instrument to grant easement or *profit à prendre*, or create land covenant
Sections 90A and 90F, Land Transfer Act 1952



EI 6587109.9 Easement I

Copy - 01/01, Pgs - 004, 26/09/05, 15:56



DocID: 110670554

Land registration district

OTAGO

Grantor

Surname(s) *ml.*

David John STRETCH

Grantee

Surname(s) must be underlined or in CAPITALS.

Glen Leslie RUSSELL and DEVERON TRUSTEES LIMITED

Grant* of easement or *profit à prendre* or creation or covenant

The Grantor, being the registered proprietor of the servient tenement(s) set out in Schedule A, grants to the Grantee (and, if so stated, in gross) the easement(s) or *profit(s) à prendre* set out in Schedule A, or creates the covenant(s) set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s).

Dated this 8th day of July 2005

Attestation

David John STRETCH by his
Attorney Alison STRETCH

A. Stretch

Signature [common seal] of Grantor

Signed in my presence by the Grantor

Signature of witness

Witness to complete in BLOCK letters (unless legibly printed)
Witness name

Occupation

Kerry Amanda O'Donnell

Address

Solicitor
Queenstown

[Handwritten signature]

Signature [common seal] of Grantee

Signed in my presence by the Grantee

Signature of witness

Witness to complete in BLOCK letters (unless legibly printed)
Witness name

Occupation MICHAEL G. NIDD

SOLICITOR
DUNEDIN

Address

Certified correct for the purposes of the Land Transfer Act 1952.

[Handwritten signature]

[Solicitor for] the Grantee

*If the consent of any person is required for the grant, the specified consent form must be used.

Annexure Schedule 1



Easement instrument Dated 8-7-2005 Page 1 of 2 pages

Schedule A (Continue in additional Annexure Schedule if required.)

Purpose (nature and extent) of easement, profit, or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Land Covenant	V on DP344221	OT13B/197 181566 Kw	OT14A/779

Easements or profits à prendre rights and powers (including terms, covenants, and conditions)

Delete phrases in [] and insert memorandum number as required.
Continue in additional Annexure Schedule if required.

Unless otherwise provided below, the rights and powers implied in specific classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or the Ninth Schedule of the Property Law Act 1952.
The implied rights and powers are ~~varied~~ ~~negated~~ ~~added to~~ or ~~substituted~~ by:
~~[Memorandum number _____, registered under section 155A of the Land Transfer Act 1952]~~
~~[the provisions set out in Annexure Schedule 2].~~

Covenant provisions

Delete phrases in [] and insert memorandum number as required.
Continue in additional Annexure Schedule if required.

The provisions applying to the specified covenants are those set out in:
~~[Memorandum number _____, registered under section 155A of the Land Transfer Act 1952]~~
~~[Annexure Schedule 2].~~

All signing parties and either their witnesses or solicitors must sign or initial in this box

Annexure Schedule



Insert type of instrument
 "Mortgage", "Transfer", "Lease" etc

Easement

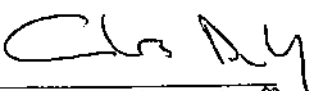
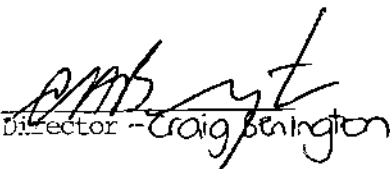
Dated 8-7-05

Page 2 of 2 Pages

(Continue in additional Annexure Schedule, if required.)

1. The Grantor covenants for the benefit of the Grantee that it will not:
 - a. erect or place nor permit to be erected or placed any building or structure (not including any fencing or boundary structures for the control of stock) without the prior written approval of the Grantee, nor
 - b. plant any tree or vegetation, or allow any tree or vegetation to grow, where in either case, the height of that tree or vegetation exceeds 2 metres above the natural ground level of the highest point of the servient tenement as at the date of this instrument,

on the area marked "V" on DP 344221.
2. The Grantor and the Grantee agree that if the Grantor breaches either of the covenants set out in clause 1 above, then the Grantee may:
 - a. Serve written notice to the Grantor's solicitors, required the Grantor to rectify the breach ("Breach"), within 2 weeks of the date of that notice, and,
 - b. If the Grantor fails to rectify the Breach, the Grantee may enter onto the servient land for the purpose of rectifying the Breach, and
 - c. The Grantor shall be liable to reimburse the Grantee for all costs incurred by the Grantee in rectifying the Breach under clause 2(b).
3. For the purposes of clause 2(a) of this instrument, the Grantor's solicitors are Anderson Lloyd Caudwell, 17 Marine Parade, Queenstown, or such other solicitors as may be nominated by the Grantor from time to time, and advised to the Grantee.

 Director - Chris Duffy	Signed in my presence by the Grantee DEVERON TRUSTEES LIMITED Signature of Witness
 Director - Craig Penington	Witness to complete in BLOCK letters (unless typewritten or legibly stamped) Witness name: Occupation: Address:
Signature of Grantor	

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.

Declaration of Non-Revocation of Power of Attorney

I, Alison Stretch

solemnly and sincerely declare that:

1. That by Enduring Power of Attorney dated the 24 September 1998, David John Stretch of Invercargill appointed me attorney on the terms and subject to the conditions, if any, set out in that Enduring Power of Attorney (Registered number 5896200.2).
2. At the date of this declaration I have not received any notice or information of the revocation of that appointment by the death of David John Stretch or otherwise.
2. That at the date hereof I have not received any notice or information of the revocation of that appointment by the death of the said David John Stretch or otherwise.
3. The Enduring Power of Attorney is in all respects in force at the date of this declaration by virtue of its terms and the provisions of Part IX of the Protection of Personal and Property Rights Act 1988.
4. I am authorised by the Enduring Power of Attorney to execute the annexed instrument.
5. The annexed instrument complies with all conditions and restrictions set out in the Enduring Power of Attorney, if any.

AND I MAKE this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

DECLARED at *Queenstown*)
this *8th* day of *July*)
2005 before me:)

A Stretch

Kerry Amanda O'Donnell

**Kerry Amanda O'Donnell
Solicitor
Queenstown**

A Solicitor of the High Court of New Zealand



View Instrument Details

Instrument No 9483330.1
Status Registered
Date & Time Lodged 12 August 2013 11:10
Lodged By Bendikson, Heidi Elise
Instrument Type Variation of Consent Notice Condition under s221(5) Resource Management Act 1991



Affected Computer Registers	Land District
608061	Otago

Affected Instrument	Consent Notice under s221(4)(a) Resource Management Act 1991 6587109.3
----------------------------	--

Annexure Schedule: Contains 3 Pages.

Signature

Signed by Kerry Amanda O'Donnell as Territorial Authority Representative on 12/08/2013 10:15 AM

*** End of Report ***

IN THE MATTER of Section 221 of the
Resource Management
Act 1991

AND

IN THE MATTER Resource Consent
Decision RM110721
and RM080945

VARIATION OF CONSENT NOTICE

BACKGROUND:

- A. Application was made to the Queenstown Lakes District Council pursuant to provisions of the Resource Management Act 1991 for its consent to a boundary adjustment and the creation of three building platforms on land (then) contained in Certificates of Title OT13B/196, OT13B/197 and OT14A/780 ("the Land").
- B. Resource Consent was granted by the Environment Court (ENV C9/2004) subject to certain conditions which were contained in Consent Notice 6587109.3 ("Consent Notice").
- C. Resource Consent decisions RM 080945 and RM110721 varied the building platforms and associated conditions noted in the Consent Notice, as set out in this Variation.

OPERATIVE PART

The Variation of Consent Notice 6587109.3 ("Consent Notice") is to be registered against the title of the following allotments:

Lot 1 DP 461855

CONDITIONS:

1. Condition 4(c) on Page 2 of the Consent Notice is deleted and replaced with the following:

4.

...

c. Any dwelling houses on Lot 1 DP 461855 shall be located within the residential building platform being area BB and CC on DP 461855 ("Building Platform"), with the exception of the development approved under Decision 1 of resource consent RM110721.

2. Condition 5(f) on page 3 of the Consent Notice is deleted and replaced with the following:

5.

...

f. The maximum building height for any dwelling shall not exceed:

(i.) 4.5 metres above the lowest existing point of the residential building platforms being:

Lot 1 DP 344221 – Datum Level – RL 635.41m above mean sea level.

Lot 2 DP 344221 Datum Level – RL 622.51m above mean sea level.

(iv) 4.5 metres above the north western corner of the residential building platform for Lot 1 DP 461855, being datum level RL 625.72m above mean sea level.

3. Condition 6(c) on Page 3 of the Consent Notice is deleted and replaced with the following:

6.

...

c. No erection of any buildings for residential purposes outside the 3 approved residential building platforms, referred to in condition 4 of this consent notice is permitted, with the exception of the development approved under Decision 1 of resource consent RM110721.

4. Condition 7 on Page 3 of the Consent Notice is deleted and replaced with the following:

7. Prior to any development being carried out on any of Lot 1 DP 344221, Lot 2 DP 344221 or within the Building Platform on Lot 1 DP 461855, the owner of the lot shall submit for the approval of the Lakes Environmental (or Queenstown Lakes District Council) a Planting Plan that:

a. Details the species and stages of the proposed landscaping in the proximity of the residential building platforms on the lot owned by that owner.

b. Specifies a long-term maintenance plan for the planting.

The purpose of the Planting Plan shall be to achieve the Landscaping Plan attached to the Consent Notice marked 'B'.

Condition 1 on Page 4 of the Consent Notice is deleted and replaced with the following:

1. The balance of the land previously contained in Lot 4 DP 344221 and outside the Building Platform area (excluding the area in the Landscaping Plan) shall be subject to the following controls:

a. With the exception of the development approved under Decision 1 of resource consent RM110721, the land shall be maintained in open pasture or cropping except for planting of amenity (not forestry) trees of species typical of the Crown Terrace (excluding pine and firs of any nature) in accordance with a landscape plan to be first approved by the Council and intended to generally maintain the pastoral appearance of the land similar to the surrounding and adjoining land.

b. Fencing shall be limited to post and wire fencing only.

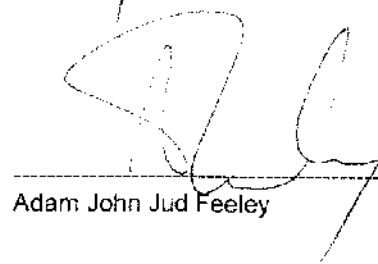
Dated this

15th day of

July

2013

SIGNED for and on behalf
Of the **QUEENSTOWN LAKES**
DISTRICT COUNCIL by its
Chief Executive Officer


Adam John Jud Feeley

Schedule of Existing Easements to remain			
Purpose	Burdened Land	Shown	Creating Document
Right to Convey Water	Lot 1	AB, B, CC, D, E	E.I. 6587109.11
	Lot 2	AA, M	
Right to Store, Pump and Convey Water	Lot 2	L	E.I. 8860303.6
	Lot 1	F	
Right to Convey Water	Lot 1	AB, G	E.I. 8860303.7
	Lot 2	AA	
Right to Convey Electricity	Lot 1	G	E.I. 8860303.8
Right of Way	Section 9 SO 423850	R	E.18872226.2, E.18872226.3
	Lot 1	AB	
Right to Convey Water	Lot 2	AA, AC, M, WB	E.I. 9014910.2
	Lot 2	H	
Right to Store, Pump and Convey Water	Lot 2	L	E.I. 9320443.6
Right to Convey Telecommunications	Lot 2	H	
Right of Way, Right to Transform and Convey Electricity, Right to Convey Telecommunications	Lot 2	H	E.I. 6587109.11 E.I. 8860303.3 E.I. 9014910.2
Right of Way	Lot 2	I, Z	
	Lot 2	I	

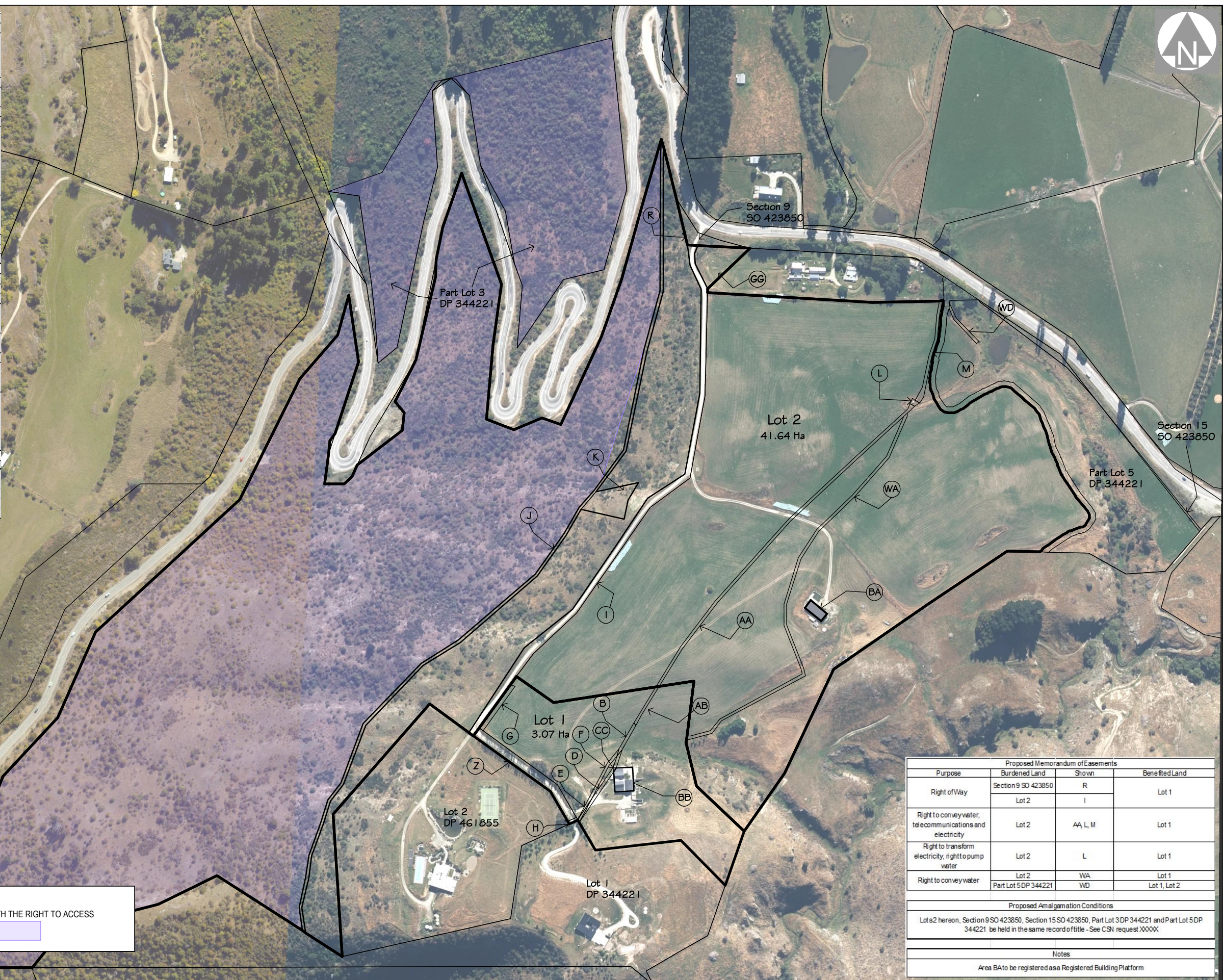
Schedule of Existing Easements in Gross			
Purpose	Burdened Land	Shown	Creating Document
Right to Convey Electricity	Lot 1	F	E.I. 8860303.5
	Lot 1	AB, B, CC, D, E	
	Lot 2	AA, L, M	
Right to Establish an Electricity Transformer	Lot 2	H	E.I. 6587109.8
	Lot 2	L	
Right to Convey Telecommunications	Lot 1	F	E.I. 8860303.4
	Lot 1	AB, B, CC, D, E, L, M	
Right to Convey Telecommunications	Lot 2	M	E.I. 6587109.6
	Lot 2	AA, L, M	
Right of Way (Pedestrian Access and Mountain Biking Access)	Lot 2	J	E.I. 6587109.5
Right of Way (Parapente and Hand Glider Take off Point)	Lot 2	K	

Existing Covenants and Consent Notices	
Area shown as CC & BB are subject to Consent Notice 6587109.3 (also affects Part Lots 3 and 5 DP	
Area AA is subject to Covenant 8860303.2	
Area GG is subject to Land Covenant in E.I. 6587109.9	
Lots 1 are subject to an existing Water Supply Scheme Covenant in Deed 784603	

NOTES

HIGHLIGHTED AREA INDICATED BY PURPLE HATCH TO BE EITHER EASEMENTS WITH THE RIGHT TO ACCESS IN FAVOUR OF QLDC OR TO VEST WITH QLDC (TO BE CONFIRMED)

FOR DISCUSSION - 06.09.24



Proposed Memorandum of Easements			
Purpose	Burdened Land	Shown	Benefited Land
Right of Way	Section 9 SO 423850	R	Lot 1
	Lot 2	I	
Right to convey water, telecommunications and electricity	Lot 2	AA, L, M	Lot 1
Right to transform electricity, right to pump water	Lot 2	L	Lot 1
Right to convey water	Lot 2	WA	Lot 1, Lot 2
	Part Lot 5 DP 344221	WD	

Proposed Amalgamation Conditions	
Lots 2 hereon, Section 9 SO 423850, Section 15 SO 423850, Part Lot 3 DP 344221 and Part Lot 5 DP 344221 be held in the same record of title - See CSN request XXXXX	

Notes	
Area BA to be registered as a Registered Building Platform	

CLARK FORTUNE McDONALD
LAND SURVEYORS - LAND DEVELOPMENT - PLANNING CONSULTANTS
QUEENSTOWN | DUNEDIN | CHRISTCHURCH | GORE

Tel. (03)441-6044, Email admin@cfma.co.nz, www.cfma.co.nz 309 Lower Shotover Road, P.O. Box 553 Queenstown

Rev.	Date	Revision Details	By
A	16.05.24	Boundary updates and easements added	LM
B	24.05.24	Boundary and easement updates	LM
C	07.06.24	BP and amendments to Lot 1	LM
E	06.09.24	Right to access easements added	LM

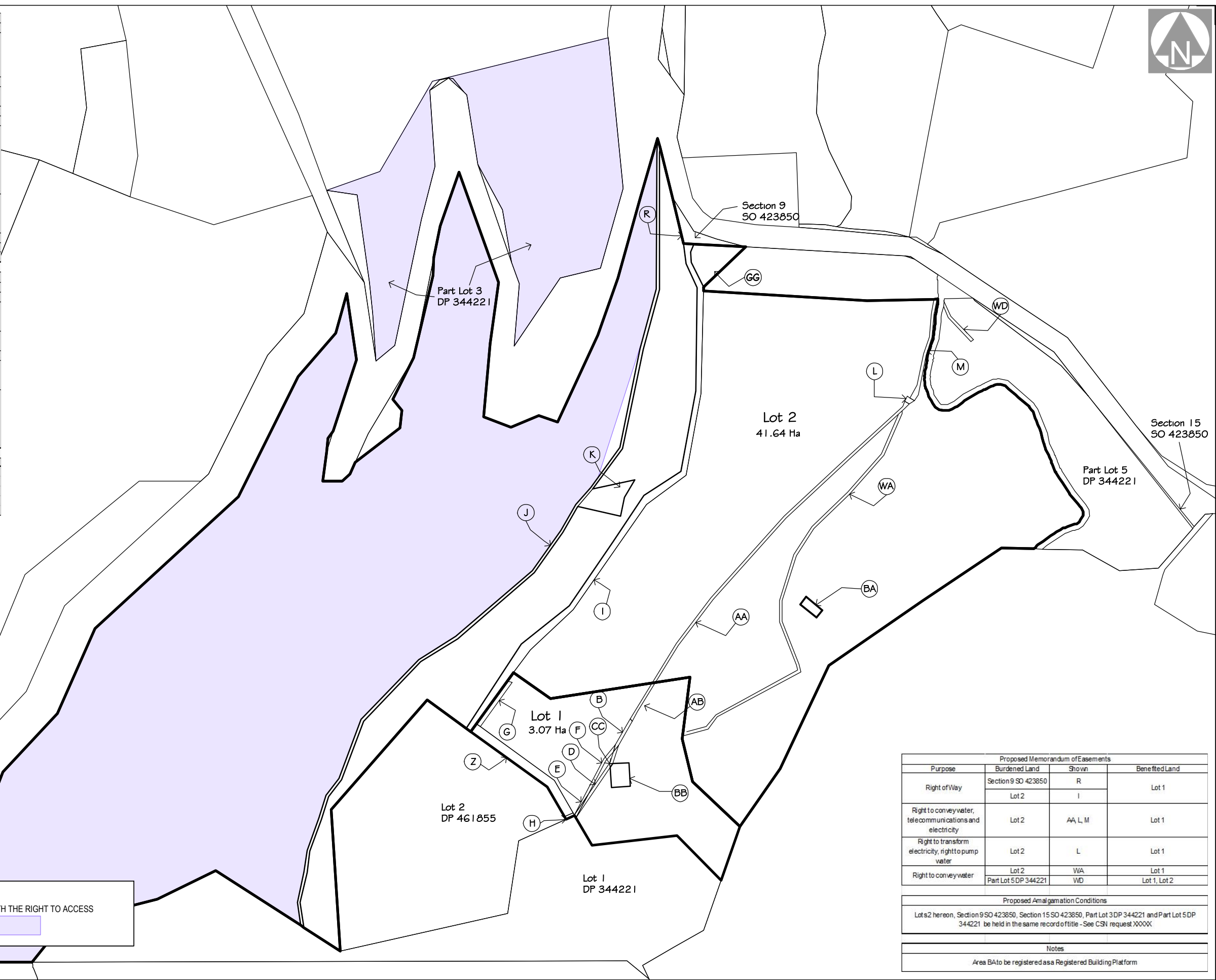
**298 CROWN RANGE ROAD SUBDIVISION
LOTS 1 & 2 BEING A SUBDIVISION OF LOT 1 DP 461855**

Client	D. Stretch	SURVEYED		Job No.	16540	Drawing No.	01
NOTES:	ALL DIMENSIONS SHOWN ARE IN METERS UNLESS SHOWN OTHERWISE. ANY PERSON USING CLARK FORTUNE McDONALD DRAWINGS AND OTHER DATA ACCEPTS THE RISK OF: - USING THE DRAWINGS AND OTHER DATA IN ELECTRONIC FORM WITHOUT REQUESTING AND CHECKING THEM FOR ACCURACY AGAINST THE ORIGINAL HARD COPY VERSIONS. - COPYRIGHT ON THIS DRAWING IS RESERVED.	DESIGNED		Scale	1:2000 @ A1 1:4000 @ A3		SHEET 001
		DRAWN	LM	Date	23.04.24	Datum & Level	
		CHECKED					
		APPROVED					Rev: E

Schedule of Existing Easements to remain			
Purpose	Burdened Land	Shown	Creating Document
Right to Convey Water	Lot 1	AB, B, CC, D, E	E.I. 6587109.11
	Lot 2	AA, M	
Right to Store, Pump and Convey Water	Lot 2	L	E.I. 8860303.6
	Lot 1	F	
Right to Convey Water	Lot 1	AB, G	E.I. 8860303.7
	Lot 2	AA	
Right to Convey Electricity	Lot 1	G	E.I. 8860303.8
Right of Way	Section 9 SO 423850	R	E.18872226.2, E.18872226.3
	Lot 1	AB	
Right to Convey Water	Lot 2	AA, AC, M, WB	E.I. 9014910.2
	Lot 2	H	
Right to Store, Pump and Convey Water	Lot 2	L	E.I. 9014910.2
Right to Convey Telecommunications	Lot 2	H	E.I. 9320443.6
Right of Way, Right to Transform and Convey Electricity, Right to Convey Telecommunications	Lot 2	H	E.I. 6587109.11
	Lot 2	I, Z	
Right of Way	Lot 2	I, Z	E.I. 6587109.11
	Lot 2	I	

Schedule of Existing Easements in Gross			
Purpose	Burdened Land	Shown	Creating Document
Right to Convey Electricity	Lot 1	F	E.I. 8860303.5
	Lot 1	AB, B, CC, D, E	
	Lot 2	AA, L, M	
Right to Establish an Electricity Transformer	Lot 2	H	E.I. 6587109.8
	Lot 2	L	
Right to Convey Telecommunications	Lot 1	AB, B, CC, D, E, L	E.I. 6587109.6
	Lot 2	M	
Right of Way (Pedestrian Access and Mountain Biking Access)	Lot 2	J	E.I. 6587109.5
	Lot 2	K	

Existing Covenants and Consent Notices	
Area shown as CC & BB are subject to Consent Notice 6587109.3 (also affects Part Lots 3 and 5 DP	
Area AA is subject to Covenant 8860303.2	
Area GG is subject to Land Covenant in E.I. 6587109.9	
Lots 1 are subject to an existing Water Supply Scheme Covenant in Deed 784603	



NOTES
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FOR DISCUSSION - 06.09.24

Proposed Memorandum of Easements			
Purpose	Burdened Land	Shown	Benefited Land
Right of Way	Section 9 SO 423850	R	Lot 1
	Lot 2	I	
Right to convey water, telecommunications and electricity	Lot 2	AA, L, M	Lot 1
Right to transform electricity, right to pump water	Lot 2	L	Lot 1
Right to convey water	Lot 2	WA	Lot 1
	Part Lot 5 DP 344221	WD	

Proposed Amalgamation Conditions	
Lots 2 hereon, Section 9 SO 423850, Section 15 SO 423850, Part Lot 3 DP 344221 and Part Lot 5 DP 344221 be held in the same record of title - See CSN request XXXXX	

Notes	
Area BA to be registered as a Registered Building Platform	

Rev.	Date	Revision Details	By
A	16.05.24	Boundary updates and easements added	LM
B	24.05.24	Boundary and easement updates	LM
C	07.06.24	BP and amendments to Lot 1	LM
E	06.09.24	Right to access easements added	LM

298 CROWN RANGE ROAD SUBDIVISION LOTS 1 & 2 BEING A SUBDIVISION OF LOT 1 DP 461855

Client	D. Stretch	SURVEYED		Job No.	16540	Drawing No.	01
		DESIGNED		Scale	1:2000 @ A1		SHEET 002
		DRAWN	LM	Date	23.04.24		1:4000 @ A3
		CHECKED		Datum & Level			
		APPROVED					

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FOR DISCUSSION - 06.09.24

Rev.	Date	Revision Details	By
C	07.06.24	Sheet added	LM

298 CROWN RANGE ROAD SUBDIVISION
LOTS 1 & 2 BEING A SUBDIVISION OF LOT 1 DP 461855

Client	D. Stretch	SURVEYED		Job No.	16540	Drawing No.	01
DESIGNED				Scale	1:500 @ A1		SHEET 003
DRAWN	LM	23.04.24			1:1000 @ A3		
CHECKED				Datum & Level	MT NIC 2000	Rev.	E
APPROVED							



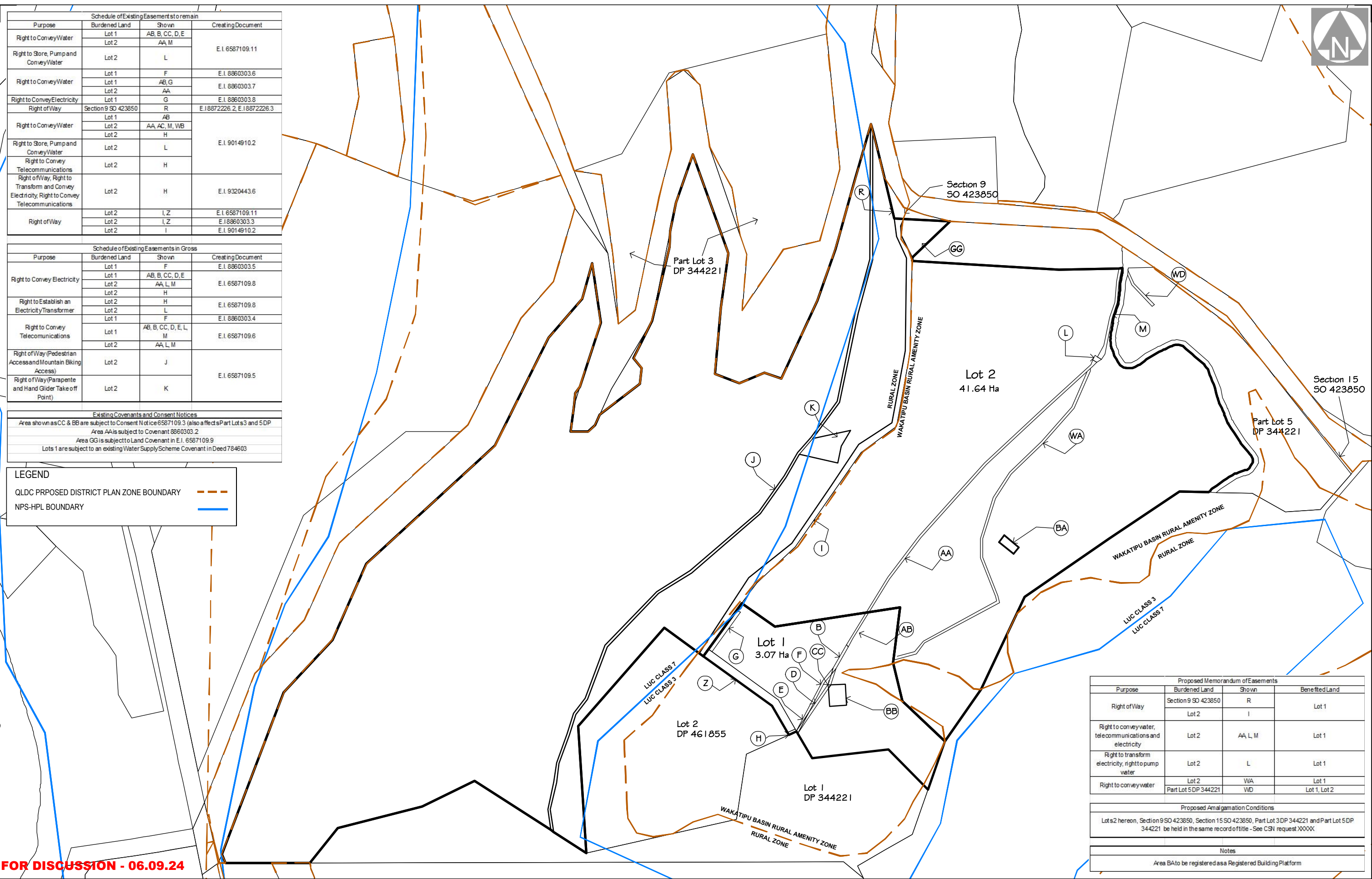
Schedule of Existing Easements to remain			
Purpose	Burdened Land	Shown	Creating Document
Right to Convey Water	Lot 1	AB, B, CC, D, E	E.I. 6587109.11
	Lot 2	AA, M	
Right to Store, Pump and Convey Water	Lot 2	L	E.I. 8860303.6
	Lot 1	F	
Right to Convey Water	Lot 1	AB, G	E.I. 8860303.7
	Lot 2	AA	
Right to Convey Electricity	Lot 1	G	E.I. 8860303.8
Right of Way	Section 9 SO 423850	R	E.18872226.2, E.18872226.3
	Lot 1	AB	
Right to Convey Water	Lot 2	AA, AC, M, WB	E.I. 9014910.2
	Lot 2	H	
Right to Store, Pump and Convey Water	Lot 2	L	E.I. 9014910.2
Right to Convey Telecommunications	Lot 2	H	E.I. 9320443.6
	Lot 2	H	
Right of Way, Right to Transform and Convey Electricity, Right to Convey Telecommunications	Lot 2	H	E.I. 9320443.6
	Lot 2	H	
Right of Way	Lot 2	I, Z	E.I. 6587109.11
	Lot 2	I, Z	E.18860303.3
	Lot 2	I	E.I. 9014910.2

Schedule of Existing Easements in Gross			
Purpose	Burdened Land	Shown	Creating Document
Right to Convey Electricity	Lot 1	F	E.I. 8860303.5
	Lot 1	AB, B, CC, D, E	E.I. 6587109.8
	Lot 2	AA, L, M	
Right to Establish an Electricity Transformer	Lot 2	H	E.I. 6587109.8
	Lot 2	L	E.I. 6587109.8
Right to Convey Telecommunications	Lot 1	F	E.I. 8860303.4
	Lot 1	AB, B, CC, D, E, L, M	E.I. 6587109.6
Right of Way (Pedestrian Access and Mountain Biking Access)	Lot 2	J	E.I. 6587109.5
	Lot 2	J	
Right of Way (Parapente and Hand Glider Take off Point)	Lot 2	K	E.I. 6587109.5

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 Area AA is subject to Covenant 8860303.2
 Area GG is subject to Land Covenant in E.I. 6587109.9
 Lots 1 are subject to an existing Water Supply Scheme Covenant in Deed 784603

LEGEND

QLDC PROPOSED DISTRICT PLAN ZONE BOUNDARY	- - - - -
NPS-HPL BOUNDARY	—————



FOR DISCUSSION - 06.09.24

Proposed Memorandum of Easements			
Purpose	Burdened Land	Shown	Benefited Land
Right of Way	Section 9 SO 423850	R	Lot 1
	Lot 2	I	
Right to convey water, telecommunications and electricity	Lot 2	AA, L, M	Lot 1
Right to transform electricity, right to pump water	Lot 2	L	Lot 1
	Lot 2	L	
Right to convey water	Lot 2	WA	Lot 1
	Part Lot 5 DP 344221	WD	

Proposed Amalgamation Conditions
 Lots 2 hereon, Section 9 SO 423850, Section 15 SO 423850, Part Lot 3 DP 344221 and Part Lot 5 DP 344221 be held in the same record of title - See CSN request XXXXX

Notes
 Area BA to be registered as a Registered Building Platform

Rev.	Date	Revision Details	By
A	16.05.24	Boundary updates and easements added	LM
B	24.05.24	Boundary and easement updates	LM
C	07.06.24	BP and amendments to Lot 1	LM
D	01.07.24	QLDC zones and LUC classes added	LM

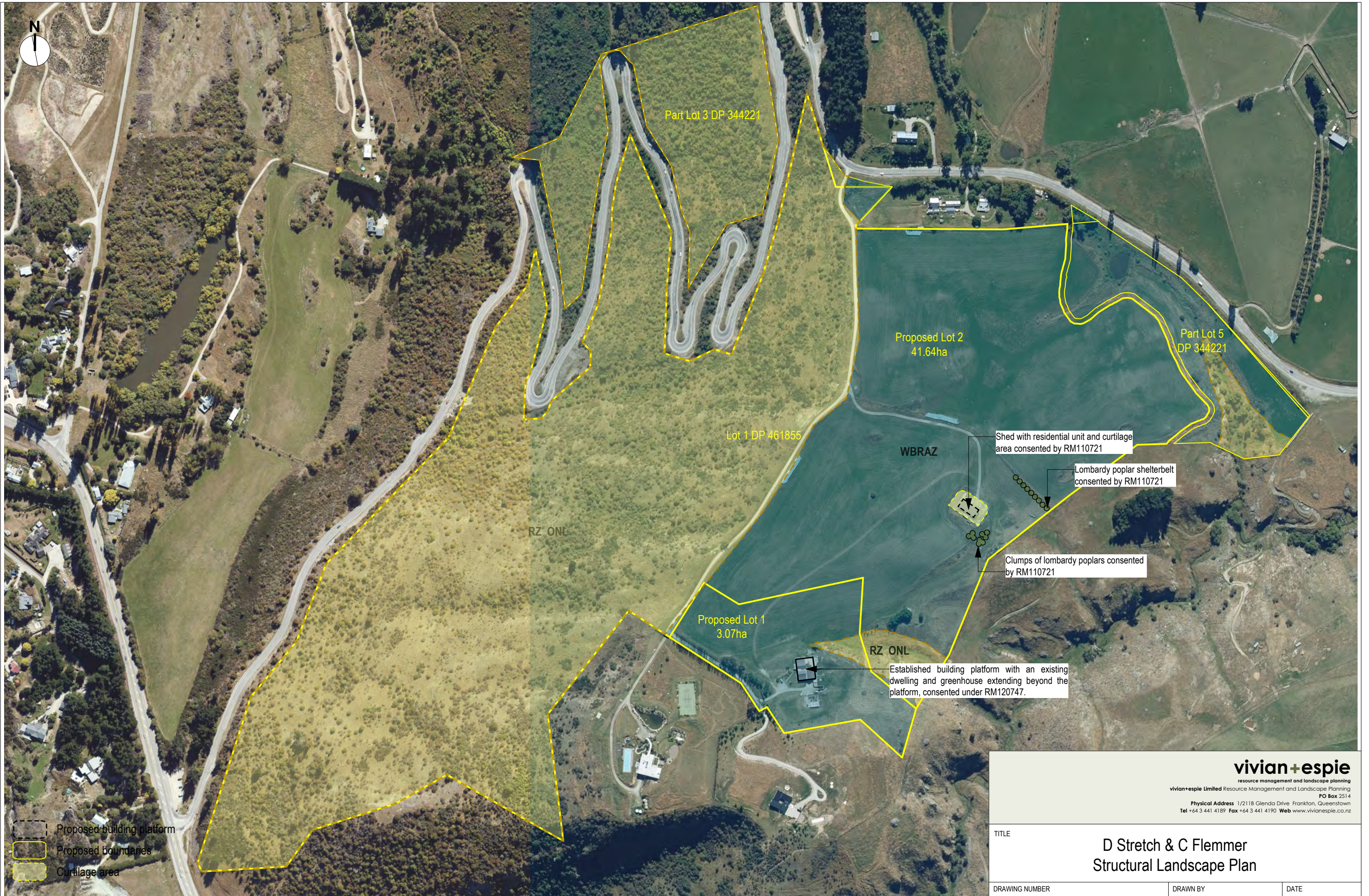
**298 CROWN RANGE ROAD SUBDIVISION
 LOTS 1 & 2 BEING A SUBDIVISION OF LOT 1 DP 461855
 QLDC ZONES AND LUC CLASSIFICATIONS**

Client	D. Stretch	SURVEYED		Job No.	16540	Drawing No.	01
		DESIGNED		Scale	1:2000 @ A1		SHEET 004
		DRAWN	LM	Date	23.04.24		1:4000 @ A3
		CHECKED		Datum & Level			
		APPROVED					

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Rev: **MT NIC 2000** E





D STRETCH & C FLEMMER - LANDSCAPE REPORT - MCKENZIE - APPENDIX 2: STRUCTURAL LANDSCAPE PLAN

vivian+espie
 resource management and landscape planning
 vivian+espie Limited Resource Management and Landscape Planning
 PO Box 2514
 Physical Address: 1/2118 Glenda Drive, Frankton, Queenstown
 Tel: +64 3 441 4189 Fax: +64 3 441 4190 Web: www.vivianespie.co.nz

TITLE
**D Stretch & C Flemmer
 Structural Landscape Plan**

DRAWING NUMBER 2367.01	DRAWN BY JM	DATE 25/09/2024
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SCALE 1:4000	FILE NAME 2367.01 Stretch.vwx
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LANDSCAPE AND VISUAL EFFECTS ASSESSMENT

TO UNDERTAKE A TWO LOT SUBDIVISION AND
ESTABLISH A BUILDING PLATFORM AROUND AN
ESTABLISHED BUILDING AT 298 CROWN RANGE
ROAD, QUEENSTOWN.

INTRODUCTION

- 1 This report has been prepared to accompany a Resource Consent Application on behalf of David Stretch & Colleen Flemmer that seeks to subdivide Lot 1 Deposited Plan 461855 and Section 9, 15 Survey Office Plan 423850 and Part Lot 3, 5 Deposited Plan 344221 (**the site**) into two allotments and create one residential building platform around an established shed. Pursuant to the Proposed District Plan (**the PDP**) the site is located within the Wakatipu Basin, comprising the parts of the Crown Escarpment and the Crown Terrace and accessed via Crown Range Road. The site is 51.9 hectares in size.
- 2 The site is located partially within the Wakatipu Basin Rural Amenity Zone (**WBRAZ**), and partially within the Rural Zone (**RZ**) and Outstanding Natural Landscape (**ONL**) pursuant to the PDP. This report identifies and quantifies the landscape and visual effects likely to arise from the proposal.

METHODOLOGY

- 3 The methodology for this assessment has been guided by:
 - i. The Te Tangi A Te Manu, Aotearoa New Zealand Landscape Assessment Guidelines¹.
 - ii. The landscape-related provisions of the Proposed District Plan.
- 4 When describing effects, we will use the hierarchy of adjectives given in the bottom row of the table below. The top rows show how the adjectives that we use can be related to specific wording within the RMA².

						SIGNIFICANT	
LESS THAN MINOR		MINOR		MORE THAN MINOR			
VERY LOW	LOW	LOW-MOD	MODERATE	MOD-HIGH	HIGH	VERY HIGH	

EXISTING LANDSCAPE CHARACTER

- 5 The site has a unique, irregular shape, bordered by Crown Range Road to the north, the vegetated slope of the Crown Terrace, and open pasture. It adjoins four rural living sites and spans both the

¹ 'Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines'. Tuia Pita Ora New Zealand Institute of Landscape Architects, July 2022.

² 'Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines'. Tuia Pita Ora New Zealand Institute of Landscape Architects, July 2022.

WBRAZ and the RZ ONL zones. The RZ ONL encompasses the Crown Escarpment to the west, while the majority of the eastern portion of the site on the Crown Terrace falls within the WBRAZ. Two smaller areas in an incised gully to the east of the site are also zoned RZ ONL. In total 20.0ha of the site is zoned WBRAZ and 31.9ha of the site is zoned RZ ONL. The location and zoning of the site are shown in the Context and Viewpoint Plan in Appendix 3.

- 6 The PDP describes the Wakatipu Basin by way of 24 individual Landscape Character Units (**LCUs**). The WBRAZ part of the site sits within the Crown Terrace (**LCU 20**). LCU 20 takes in the much of the land on the Crown Terrace. The PDP also identifies Priority Areas within the RZ and the part of the site that is zoned RZ ONL is located within the Eastern Whakatipu Basin PA.
- 7 We have summarised the landscape values of the LCU 20 as described in Schedule 24.8 of the PDP and the landscape values of the Eastern Whakatipu Basin PA as described in Schedule 21.22.16 below.

Physical

Crown Terrace

- 8 The Crown Terrace is an elevated glacial terrace, featuring a landscape of plateaus and rolling hummocky hills. It includes the lower slopes of the Crown Range and is drained by a complex network of streams flowing westward towards the Arrow River. Vegetation is dominated by exotic pasture grasses, with scattered shelterbelts, hedgerows, shade trees, and patches of scrub in gullies. The area is largely rural, with agricultural land use and spacious rural residential development, numerous consented but unbuilt platforms are also present.

Eastern Whakatipu Basin

- 9 The eastern Whakatipu Basin is characterised by a combination of mountainous terrain, glacial landforms, and varied topography. The schistose mountains, including Crown Peak and Mount Beetham, form a rugged frame around the area, with steep, foliated slopes and secondary ridgelines extending towards the Crown Terrace Escarpment. Glacial till deposits, alluvial fans, and distinctive landforms such as the Judge and Jury rocks further enhance the geological diversity. Hydrologically, numerous streams, including the Royal Burn and Swift Burn, drain from the eastern ranges towards the Arrow River. The ecological landscape is diverse, with dense shrubland below 800 metres, expansive tussock grassland above 1,000 metres, and a variety of native and exotic vegetation, which supports indigenous wildlife, including native birds and

reptiles. Human development is relatively sparse, with settlements mainly clustered around Glencoe Station and along the Crown Terrace. Overall, the PA is considered to have high physical values relating to landforms, vegetation, habitats, species, hydrological features and mana whenua.

Associative

Crown Terrace

- 10 The Crown Terrace holds significance as a scenic route, with Crown Range Road providing a key link between Queenstown, Cardrona, and Wanaka, as well as formal lookouts offering expansive views. The rural character of the area and proximity to the Crown Range contribute to its identity as both a working landscape and a threshold between developed and wild environments. The history of the terrace is reflected in three heritage buildings. It holds potential for riparian restoration and recreational development such as walkways and cycleways. Its openness and visual prominence make it highly sensitive to landscape change.

Eastern Whakatipu Basin

- 11 The Whakatipu Basin holds deep mana whenua significance for Kāi Tahu, with ancestral connections to the land and waterways that inform their kaitiaki responsibilities. Historic associations include the pastoral use of the Crown Terrace and its gold mining past, evidenced by remnants such as water races and sluiced faces. Glencoe Station's historic homestead and transport infrastructure like Tobins Track further highlight the history. Shared and recognised values centre on the dramatic vistas from the Crown Range Road and the Zig Zag lookout, which are celebrated in tourism publications. Recreationally, Tobins Track, the Crown Peak Track, and other walking routes attract locals and visitors alike, enhancing the area's identity as a space for scenic enjoyment and outdoor activity. Overall, the PA is considered to have high associative values relating to mana whenua, shared and recognised values, recreational attributes and scenic values.

Perceptual

Crown Terrace

- 12 The terrace offers dramatic views across the Wakatipu Basin and to the surrounding mountain ranges, with its relatively flat topography making the western edges visible from the basin. The

openness of the landscape is accentuated by the surrounding Crown Range to the east, which provides a sense of enclosure. The pastoral character of the land, combined with limited development and the presence of rural buildings, creates a sense of coherence and naturalness. The terrace also acts as a transition between the inhabited Wakatipu Basin and the more untamed Crown Range.

Eastern Whakatipu Basin

- 13 The natural landforms of the eastern Whakatipu Basin are highly legible and expressive of the glacial origins, with rocky escarpments and indigenous vegetation reinforcing its rugged character. The dramatic and panoramic views from elevated points like the Crown Peak Track and the Zig Zag lookout, as well as the long-range vistas from Arrowtown, offer an attractive view of the broader mountain landscape. Despite human interventions, the overwhelming scale of the natural landscape elements maintains a strong sense of naturalness and wildness. The visual appeal of the area, combined with its cultural and recreational importance, contributes to its memorability, offering a sense of grandeur and connection to the natural history. Overall, the PA is considered to have high perceptible values relating to legibility and expressiveness of landforms, aesthetic and memorability values, naturalness and a sense of remoteness and wilderness.

The Site

- 14 The site is a large rural property that includes a substantial portion of the steep, densely vegetated Crown Escarpment. This area is highly visible from various viewpoints across the Wakatipu Basin and exhibits a high level of naturalness due to its rugged topography, lack of human modification, and vegetated character. However, the adjacent Crown Zig Zag, a recognisable man-made feature, somewhat detracts from this sense of naturalness, and much of the vegetation consists of exotic species, many of which are recognised as pests or wildings.
- 15 The upper, eastern part of the site is situated on the Crown Terrace, where the landform is gentler and more undulating, predominantly consisting of open pasture. The two established dwellings are located within this part of the site. The main dwelling is located partially outside a consented building platform consented by RM120747 and the second residential unit is located within a shed building consented by RM110721.

DESCRIPTION OF THE PROPOSAL

16 The details and layout of the proposed activities are set out in the resource consent application. Some aspects of the proposed activities are to be enforced by way of proposed conditions of consent, as set out in the application. The Structural Landscape Plan attached as Appendix 2 to this report are also of assistance. By way of summary:

- The proposed subdivision will result in two rural allotments each containing an established residence.
- Proposed Lot 1 is to be 3.078ha and contain the established dwelling.
- Proposed Lot 2 is to be 41.64ha and contain the majority of the rural land and the established shed which contains a residential unit. A 220m² building platform has been proposed.
- Proposed Lot 2 is to be amalgamated with Section 9, 15 Survey Office Plan 423850 and Part Lot 3, 5 Deposited Plan 344221. Total area 48.8ha.
- A curtilage area identified around the shed by RM110721 is to remain unchanged.
- The maximum height of any future buildings with the proposed platform is to be 4.6m (the height of the established shed) has been proposed.
- A condition requiring any exterior lighting to be fixed and directed away from roads and adjacent sites has been proposed.
- A condition restricting fencing to post and wire only.
- A condition requiring that any water tanks are partially buried and/or appropriately landscaped to soften visibility.
- A condition requirement for a specific landscape plan to be provided to Council for approval, if any future development is proposed.
- With the exception of the no further subdivision condition, the existing conditions imposed via Consent Notice & Land Covenants will be drawn down onto the new Titles. This condition will be reimposed on the new Titles, but will be varied as part of this application to allow for the subdivision.

GUIDANCE FROM THE DISTRICT PLAN

- 17 The relevant Objectives and Policies that apply to this are of WBRAZ include:
- 24.2.1 *Objective - Landscape character and visual amenity values in the Wakatipu Basin are maintained or enhanced.*
- 24.2.1.2 *Subdivision or residential development in all areas outside of the Precinct that are identified in Schedule 24.8 to have Very Low, Low or Moderate-Low capacity must be of a scale, nature and design that:*
- a. is not inconsistent with any of the policies that serve to assist to achieve objective 24.2.1; and*
- b. ensures that the landscape character and visual amenity values identified for each relevant Landscape Character Unit in Schedule 24.8 and the landscape character of the Wakatipu Basin as a whole are maintained or enhanced by ensuring that the landscape capacity is not exceeded.*
- 24.2.1.6 *Ensure subdivision and development is designed (including accessways, services, utilities and building platforms) to minimise inappropriate modification to the natural landform.*
- 24.2.1.7 *Ensure that subdivision and development maintains or enhances the landscape character and visual amenity values identified in Schedule 24.8 - Landscape Character Units.*
- 18 Schedule 24.8 places the site within Landscape Character Unit 20: Crown Terrace (**LCU 20**) and rates the capability of LCU 20 to absorb additional development as very low.
- 19 The site also sits within the RZ ONL. The relevant Objectives and Policies for the ONL include the following.

STRATEGIC OBJECTIVES

- 3.2.5.1 *The District's Outstanding Natural Features and Outstanding Natural Landscapes and their landscape values and related landscape capacity are identified.*
- 3.2.5.2 *Within the Rural Zone, new subdivision, use and development is inappropriate on Outstanding Natural Features or in Outstanding Natural Landscapes unless:*
- a. where the landscape values of Priority Areas of Outstanding Natural Features and Outstanding Natural Landscapes are specified in Schedule 21.22, those values are protected; or*
- b. where the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes are not specified in Schedule 21.22, the values identified according to SP 3.3.45 are protected.*
- 6.3.3.1 *Recognise that subdivision and development is inappropriate on Outstanding Natural Features or in Outstanding Natural Landscapes unless:*

- a. *landscape values are protected; and*
- b. *in the case of any subdivision or development, all buildings and other structures and all changes to landform or other physical changes to the appearance of land will be reasonably difficult to see from beyond the boundary of the site in question.*

6.3.3.5 *Maintain the open landscape character of Outstanding Natural Features and Outstanding Natural Landscapes where it is open at present.*

20 Schedule 21.22.16 places RZ ONL part of the site within the Eastern Whakatipu Basin PA. Landscape schedules setting out the values of each PA (as summarised above) are included in the PDP but subject to an appeal period.

21 The landscape capacity of the PA is described in Schedule 21.22.16 as

- *Farm buildings – in those areas of the ONL with pastoral land uses, very limited landscape capacity for modestly scaled buildings that reinforce existing rural character and*
- *Rural living – very limited landscape capacity for rural living in the base of localised valleys, gullies and folds in the landscape and that have a small scale and low-key rural character; integrates landscape restoration and enhancement; and enhances public access.*

22 We note that no additional development is proposed within the part of the site that is zoned RZ ONL or within the Eastern Whakatipu Basin PA.

23 We understand that the overall activity status of the proposal is non-complying. The activity status of breaches of the PDP standards are outlined below:

- *A non-complying activity consent pursuant to Rule 27.5.22 for subdivision within the Wakatipu Basin Rural Amenity Zone.*
- *A discretionary consent pursuant to Rule 27.5.12 for subdivision within Rural Zone.*
- *A discretionary consent pursuant to s.221 & s.127 of the RMA to vary a Consent Notice condition and Land Covenant.*

VIEWS AND VISUAL AMENITY

24 Visual effects are:

“effects on landscape values as experienced in views. ...a proposal that is in keeping with the landscape values may have no adverse visual effects even if it is a large change to the view. Conversely, a proposal

*that is completely out of place with landscape values may have adverse effects even if only occupying a small portion of the view*³.

- 25 The current proposal will create two rural allotments on a site where two dwellings are already established. There will be no physical alterations to the site as part of the proposal. However, changes in views may arise from the identification of a building platform around the existing shed and residential unit, which currently resembles a rural shed. Replacing this structure with a more recognisable residential building could slightly alter the perception of the site. Albeit that the configuration of the platform and height restriction limited the size and form of any future building to the current scale and form. Observers within the surrounding area that potentially have views towards the site include:
- The Crown Range Road
 - Adjacent private land

The Crown Range Road

- 26 No changes are proposed to the established dwelling or shed and the proposed boundary will be defined by an indistinguishable rural fence line creating paddocks in a rural landscape. The changes to views as a result of this proposal primarily relate to the establishment of a building platform surrounding the existing shed and residential unit. The current structure is designed as a shed, with minimal resemblance to a traditional residential building. The proposed building platform will allow for potential future changes to the built form within the platform area. We understand that any such future changes would be considered a controlled activity within the platform. As such, the built form will remain of the same scale as the existing shed. Council retains control over aspects such as the bulk and external appearance of buildings, landform modifications, exterior lighting, and both existing and proposed landscaping and planting. Therefore, any future modifications to the built form will be subject to further assessment when resource consent is applied for, ensuring any potential effects on views and visual amenity landscape character are appropriately managed. A curtilage area around the shed confines the spread of domestic elements to a small part of the site surrounding the established building.
- 27 Views toward the established shed and residential flat, and the proposed building platform, are fleetingly available from short sections of the Crown Range Road, at a distance of over 1.7 km as

³ 'Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines', Tuia Pito Ora New Zealand Institute of Landscape Architects, July 2022 paragraphs 6.25 and 6.27.

is illustrated by the photos of Appendix 4. Due to the undulating topography and existing vegetation, these views are limited. The broader views from this stretch of road encompass panoramic vistas of the Crown Terrace, Wakatipu Basin and the lake and mountainous backdrop in the distance. The Crown Terrace sits in the fore and mid ground dominated by undulating paddocks, shelter belts, amenity planting, and sporadic farm buildings and dwellings, which are generally well-integrated into the landscape by topography and vegetation.

- 28 The site itself occupies a very small portion of these extensive panoramic views. The established shed, with its recessive colouring and position within a small gully, is difficult to discern from this distance. Furthermore, the complexity and transient nature of the views mean that the shed is integrated into the wider landscape. Given the fleeting nature of the views, the transitory nature of road users as the viewing audience, and the fact that any future changes to buildings on the platform will be of the same scale and in the same location and subject to a resource consent, it is considered that the proposal will not result in any adverse effects on the views or visual amenity experienced by users of the Crown Range Road.

Adjacent private land

- 29 Consultation is underway with neighbouring properties and should Affected Party Approval (**APA**) be obtained from neighbouring properties any adverse effects on views and visual amenity from these properties can be disregarded.
- 30 From properties where APAs have not been obtained, the potential change in views relates to future modifications to the established shed building. Generally the surrounding land is open rural land not frequented by people. There is potential visibility toward the proposed platform from the dwelling on 412-464 Crown Range Road, from a distance of approximately 1.5km, and 44 Jeffery Road, from a distance of approximately 650m. Views from the shed site towards these properties are illustrated in Photographs 1 and 2 of Appendix 4 attached. While the building form may change, the overall scale will remain the same, and any changes will be subject to the design controls in the PDP. Small changes may also occur due to the establishment of amenity planting and curtilage activities around the shed. However, these activities will be confined to a small area surrounding the existing structure and are permitted by in any event. Overall, it is considered that the proposal will not result in any adverse effects on the views or visual amenity from neighbouring properties.

LANDSCAPE EFFECTS

- 31 *“A landscape effect is a consequence of changes in a landscape’s physical attributes on that landscape’s values. Change is not an effect: landscapes change constantly. It is the implications of change on landscape values that is relevant. To assess effects, it is therefore necessary to first identify the landscape’s ‘values’ – and the attributes on which such values depend”⁴.*
- 32 The proposal involves creating two lots: Lot 1 (3.07ha) in the southern corner of the site, and Lot 2 (41.6ha) making up the rest of the property. Both lots include areas within the WBRAZ and RZ ONL.
- 33 Lot 1 contains an existing dwelling with associated structural landscaping, amenity planting and domestic curtilage activities, none of which is proposed to change, while Lot 2 is primarily pastoral paddocks and natural land on the Crown Escarpment, with an established shed that is used for residential purposes.
- 34 The proposal identifies a building platform around the shed, allowing changes to the built form subject to a controlled activity resource consent. While there may be minor changes to the buildings and a small increase in domestic curtilage activities, no additional residential elements or structures are introduced by this proposal. The proposal also will create a smaller rural living lot. This change will only be noticeable if a future boundary fence is added, which would be a typical post-and-wire fence commonly seen in rural areas.
- 35 Overall, the rural character, established residential activity, and sense of openness and naturalness of the site will very largely remain unchanged, and the degree of adverse effects on landscape character will be of a very low degree at most.

CONCLUSIONS

- 36 A two-lot subdivision is proposed of a site that comprise WBRAZ that is located within LCU 20, and RZ ONL that is located within the Eastern Whakatipu Basin PA.
- 37 The proposal will create two rural lots on a site where two dwellings are already established, with additional rural living activity or built form will be enabled by the application. Potential changes to views may result from future modifications to the existing shed through the establishment of a

⁴ Ibid, paragraphs 6.1 and 6.2.

building platform. However, these changes would be subject to a controlled activity resource consent, ensuring that the scale and design are consistent with the surrounding landscape.

- 38 With regard to effects on views and visual amenity, views from the Crown Range Road towards the site are intermittent and limited due to distance, topography, and vegetation, with the existing shed being well-integrated into the broader landscape. As such, any changes to built form within the proposed platform to be placed around the shed building would be very difficult to perceive and are not anticipated to result in any adverse effects on visual amenity from the Crown Range Road. Similarly, there are not anticipated to be any adverse effects on views and visual amenity from neighbouring properties who have not given affected party approval as any change in views will be negligible.
- 39 With regard to landscape character, the rural character, existing residential activity, and the overall sense of openness and naturalness of the site will remain very largely unchanged. The degree of adverse effects on landscape character will be of a very low degree at most.
- 40 Overall, the landscape character and visual amenity of both the WBRAZ (LCU 20) and the RZ ONL (Eastern Whakatipu Basin PA) will be maintained.

vivian+espie

Quality Assurance

Report prepared by Vivian and Espie for D Stretch & C Flemmer			
Reviewed and Approved By	Jess McKenzie	Landscape Architect	2 October 2024

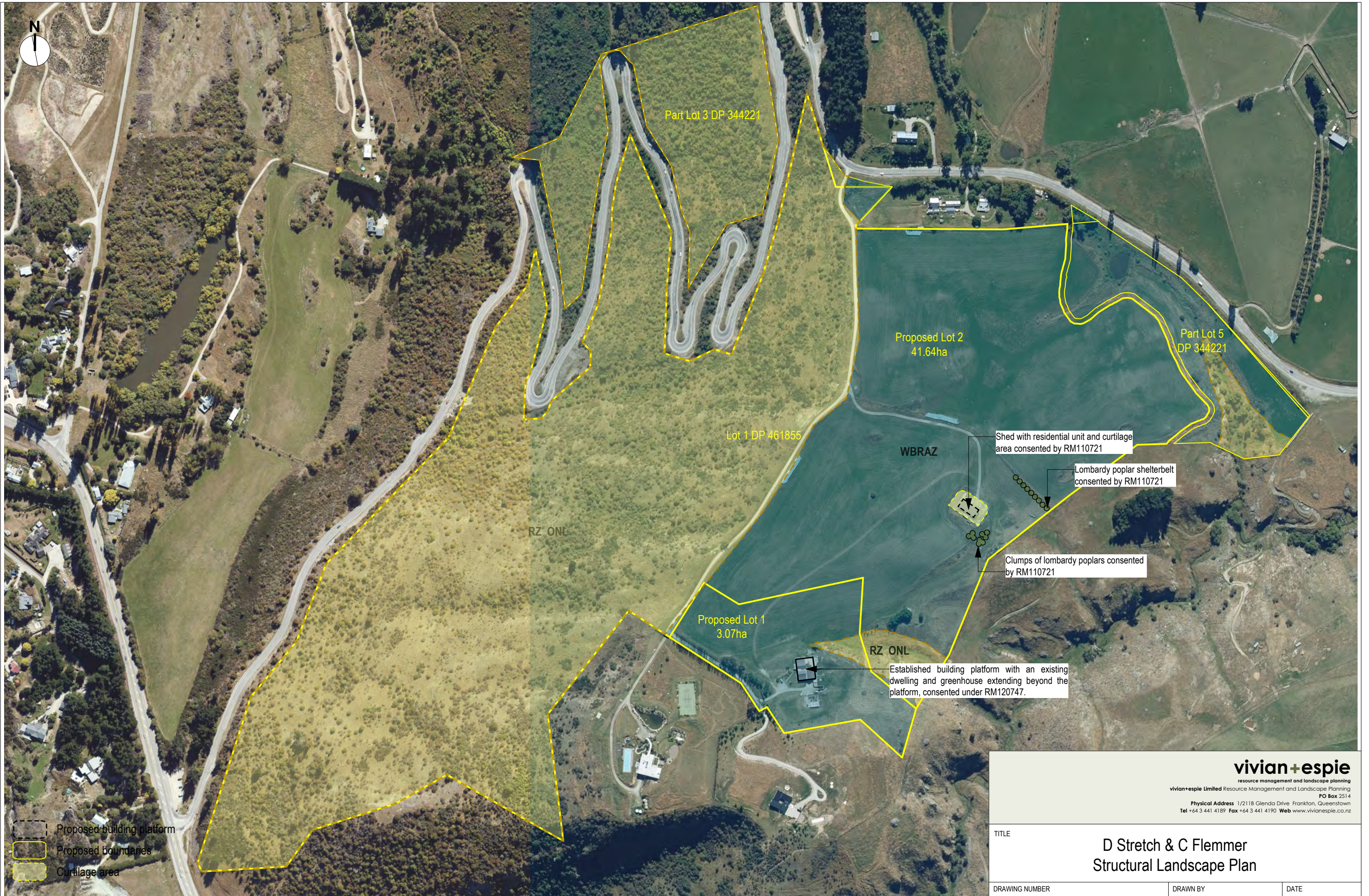
APPENDIX 1: QUEENSTOWN LAKES PROPOSED DISTRICT PLAN ASSESSMENT MATTERS RELATING TO SUBDIVISION IN THE WAKATIPU BASIN RURAL AMENITY ZONE AND THE WAKATIPU BASIN LIFESTYLE PRECINCT

HEADING	ASSESSMENT MATTER		ASSESSED EFFECTS
27.9.3.3 Subdivision Design and Landscape	a. The maintenance of the Basin’s landscape character and visual amenity values including reference to the identified elements set out in Schedule 24.8 – Landscape Character Units, and the following assessment matters:	i. the retention of existing vegetation and landform patterns	No changes are proposed to the landform or vegetation patterns.
		ii. the alignment of lot boundaries in relation to landform and vegetation features and neighbouring development	The proposed boundary alignment is somewhat informed by the topography of the site, but is essentially to take the form of a stock fence between paddocks.
		iii. earth mounding, and framework planting to integrate buildings and vehicle access;	No mounding or framework planting is proposed beyond that established on the site.
		iv. planting of appropriate species that are suited to the general area, including riparian restoration planting;	No planting is proposed beyond that established on the site.
		v. the retirement of steep slopes over 15° and restoration planting to promote slope stabilisation and indigenous vegetation enhancement	No slopes are to be retired. Within the ONL part of the site, the steep Crown Escarpment is virtually retired.

	<p>vi. the integration of controls for future development that address building height, building colours and materials, building coverage, earthworks, retaining, fencing, gates, vehicle access (including paving materials), external lighting, and domestic infrastructure (including water tanks);</p>	<p>No additional controls for future development are proposed, aside from limiting the scale of any future buildings within the proposed platform to not exceed the scale of the existing structure and adhering to the design controls in the PDP.</p>
	<p>vii. the integration of existing and provision for new public walkways and cycleways/bridlepaths;</p>	<p>No new public walkways and cycleways/bridlepaths are proposed.</p>
	<p>viii. whether the use of varied allotment sizes maintains a sense of spaciousness, or successfully integrates development with existing landform, vegetation or settlement patterns;</p>	<p>Varied allotment sizes are proposed to maintained an open rural landscape character.</p>
	<p>b. The extent to which existing covenants or consent notice conditions need to be retained or are otherwise integrated into the conditions governing the proposed development</p>	<p>We understand that existing covenants and consent notice conditions are to be retained with the exception of the proposal to the removal of a consent notice condition restricting further subdivision on the site.</p>
	<p>c. Where the site adjoins an ONF or ONL, the extent to which the development affects the values of that ONF or ONL.</p>	<p>This part of the WBRAZ adjoins the Eastern Whakatipu Basin ONL. The development will not introduce additional buildings or land uses beyond that established on the site. The proposal may result in a future change to the design of the established shed/residential building leading to a slight change in values form rural to residential character. From no point will the proposed platform be visible in the foreground to the ONL. The change will be of a very small scale in comparison to the wider ONL and the adverse effects on the values of the ONL will be negligible.</p>

	<p>d. The extent to which development affects Escarpment, Ridgeline and River Cliff Features shown on the District Plan web mapping application, and in particular whether a building platform, access or associated earthworks would be visually prominent on escarpments, river cliff features and ridgelines, as viewed from any public place, including roads.</p>	<p>The proposal will not affect any escarpment, ridgeline or river cliff features shown on the district plan web mapping.</p>
	<p>e. Where building platforms are proposed to be located within the road setback, the extent to which future development (including landscaping and mounding) will maintain views to Outstanding Natural Features and the surrounding Outstanding Natural Landscape mountain context when viewed from the road.</p>	<p>No building platforms are located within the road setback.</p>
	<p>f. Where the site size and dimensions are such that compliance with the setback from roads, or the setback from any Escarpment, Ridgeline or River Cliff Feature is not practicable, the extent to which any adverse effects arising from the visibility of future buildings or access is mitigated or remedied, acknowledging the constraints of the site.</p>	<p>The site is not of a size or dimensions where setbacks are not practicable.</p>
	<p>g. Whether mitigation elements such as a landscape management plan or proposed plantings should be subject to bonds or consent notices.</p>	<p>No mitigation elements are proposed beyond that associated with established development within the site.</p>
	<p>h. Whether the layout of reserves and accessways provides for adequate public access and use.</p>	<p>No reserve or accessways for public access are proposed.</p>
	<p>i. Whether the proposed subdivision provides an opportunity to maintain landscape character and visual amenity through the registration of covenants or consent notices requiring open space to be maintained.</p>	<p>No covenants or consent notices requiring open space to be maintained have been proposed. However, a curtilage area limits the spread of domestic elements.</p>
<p>Nature Conservation and Cultural values</p>		

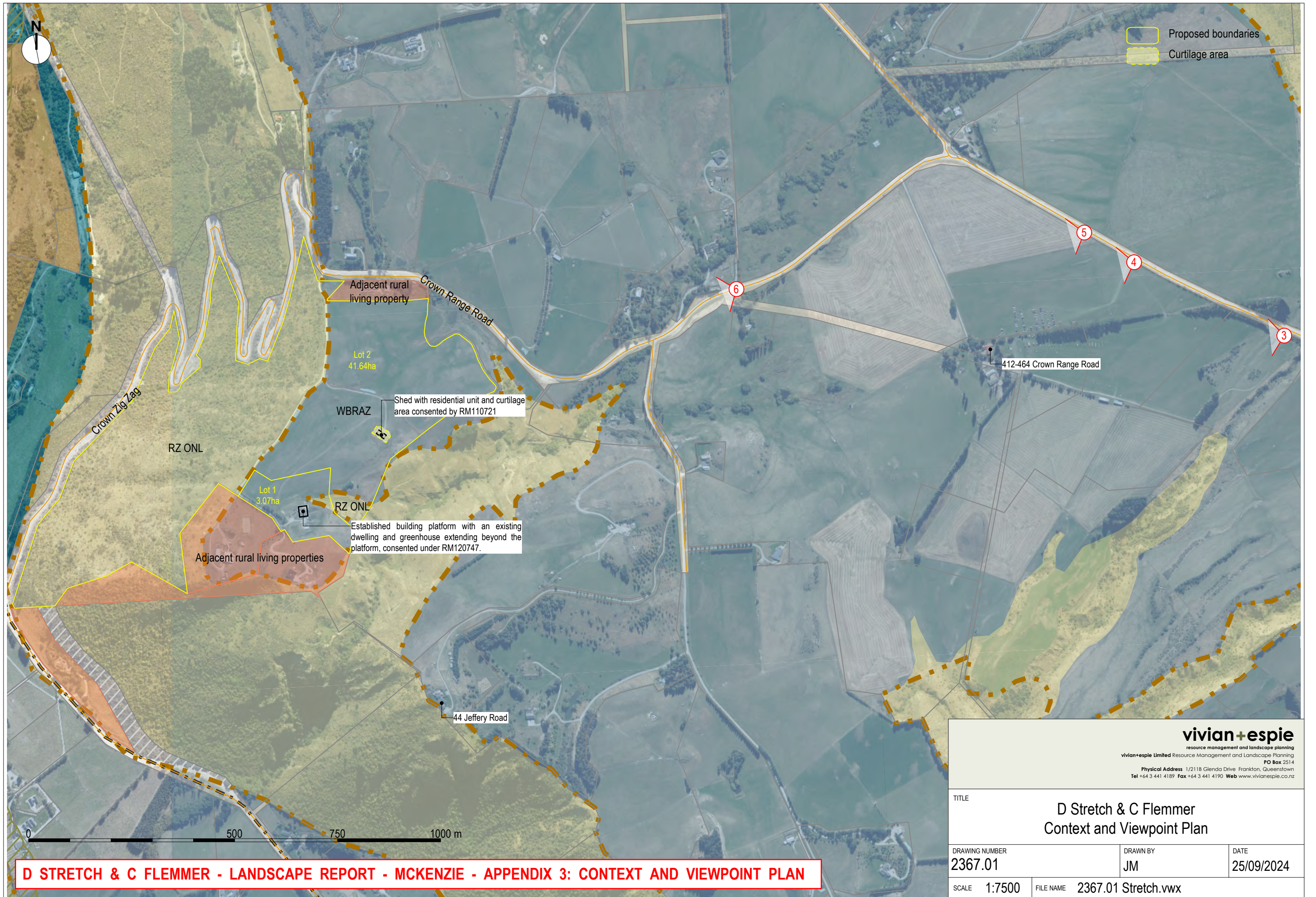
	<p>y. Considering the extent to which the subdivision provides for ecological restoration and enhancement. Ecological enhancement may include enhancement of existing vegetation, replanting and weed and pest control.</p>	<p>No ecological enhancement is proposed beyond the native planting already established on the site.</p>
	<p>z. Assessing the extent to which the subdivision design and layout preserves or enhances areas of archaeological, cultural or spiritual significance.</p>	<p>We are unaware of any areas of archaeological, cultural or spiritual significance.</p>
	<p>aa. Considering the benefits of the removal of identified wilding exotic trees.</p>	<p>No removal of wilding exotic trees is proposed or considered beneficial.</p>
	<p>bb. Where the subdivision land includes waterbodies, considering the extent to which remediation measures and methodologies can be employed to avoid, remedy or mitigate any adverse effects on human health, water quality, and to the downstream receiving environment.</p>	<p>The subdivision land does not include waterbodies.</p>



D STRETCH & C FLEMMER - LANDSCAPE REPORT - MCKENZIE - APPENDIX 2: STRUCTURAL LANDSCAPE PLAN

vivian+espie
 resource management and landscape planning
 vivian+espie Limited Resource Management and Landscape Planning
 PO Box 2514
 Physical Address: 1/2118 Glenda Drive, Frankton, Queenstown
 Tel +64 3 441 4189 Fax +64 3 441 4190 Web www.vivianespie.co.nz

TITLE		
D Stretch & C Flemmer Structural Landscape Plan		
DRAWING NUMBER	DRAWN BY	DATE
2367.01	JM	25/09/2024
SCALE	FILE NAME	
1:4000	2367.01 Stretch.vwx	



D STRETCH & C FLEMMER - LANDSCAPE REPORT - MCKENZIE - APPENDIX 3: CONTEXT AND VIEWPOINT PLAN

Proposed boundaries
Curtilage area

vivian+espie
resource management and landscape planning

vivian+espie Limited Resource Management and Landscape Planning
PO Box 2514
Physical Address: 1/2118 Glenda Drive Frankton, Queenstown
Tel +64 3 441 4189 Fax +64 3 441 4190 Web www.vivianespie.co.nz

TITLE		
D Stretch & C Flemmer Context and Viewpoint Plan		
DRAWING NUMBER	DRAWN BY	DATE
2367.01	JM	25/09/2024
SCALE	FILE NAME	
1:7500	2367.01 Stretch.vwx	



Viewpoint 1: Looking east from the shed site towards Crown Range Road. The line of poplars required by RM110721 can be seen along the fence line. The dwelling on 412-464 Crown Range Road can be seen in these views.



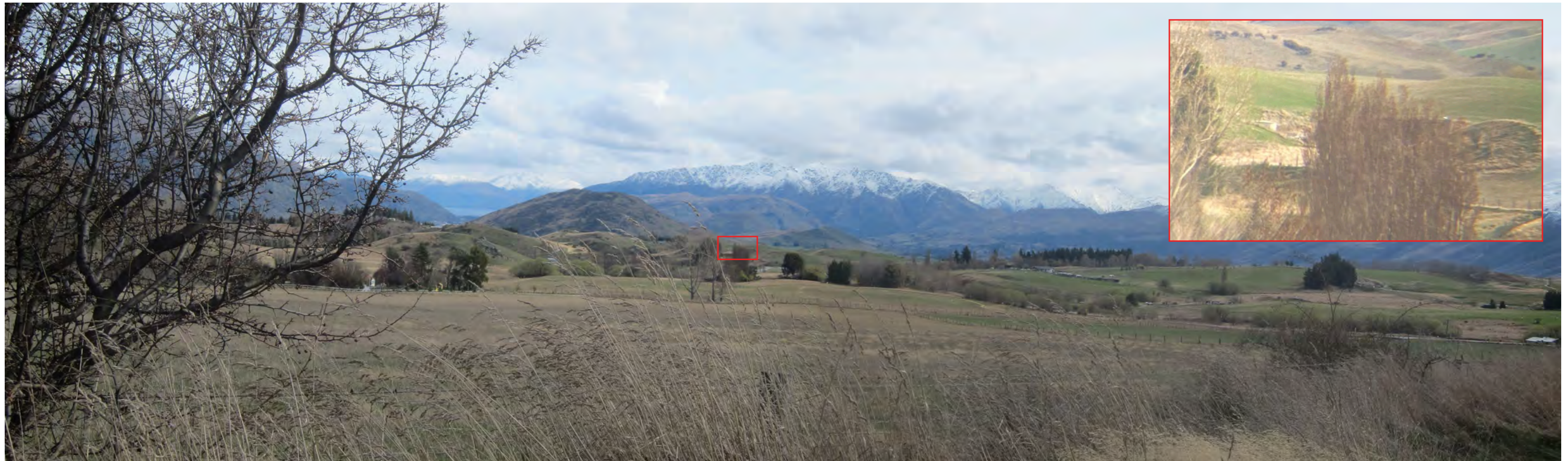
Viewpoint 2: Looking southeast from the shed site. The cluster of poplars required by RM110721 can be seen behind the tank. The dwelling on 44 Jeffery Road can be seen in these views.

STRETCH – MCKENZIE – APPENDIX 4: PHOTOGRAPHS

Photographs were taken with a fixed focal length of 50mm. Photographs are intended to illustrate points made in this report. If this sheet is printed at A3 size, the photographs are not at full size so as to replicate the full-scale field of view as taken in by the human eye.



Viewpoint 3: Looking towards the site from Crown Range Road. The established shed can be seen from a distance of over 2km.



Viewpoint 4: Looking towards the site from Crown Range Road. The established shed is fully screened by intervening vegetation outside the subject site.

STRETCH – MCKENZIE – APPENDIX 4: PHOTOGRAPHS

Photographs were taken with a fixed focal length of 50mm. Photographs are intended to illustrate points made in this report. If this sheet is printed at A3 size, the photographs are not at full size so as to replicate the full-scale field of view as taken in by the human eye.



Viewpoint 5: Looking towards the site from Crown Range Road. The established shed can be seen from a distance of over 1.7km with intervening vegetation outside the site providing partial screening.



Viewpoint 6: Looking towards the site from Crown Range Road. The established shed is fully screened by topography. The tank adjacent to the shed is visible.

STRETCH – MCKENZIE – APPENDIX 4: PHOTOGRAPHS

Photographs were taken with a fixed focal length of 50mm. Photographs are intended to illustrate points made in this report. If this sheet is printed at A3 size, the photographs are not at full size so as to replicate the full-scale field of view as taken in by the human eye.

MEMORANDUM

TO: David Stretch
FROM: Chris Hansen
Clark Fortune McDonald & Associates
DATE: 30th August 2024
SUBJECT: 298 Crown Range Road.

Background

Clark Fortune McDonald & Associates (CFM) have been engaged by D.J. Stretch & C.M. Flemmer to confirm the the current status of services for the above-named property.

Confirmation of services is required to confirm adequacy of servicing to support an application for consent to subdivide the property into 2 lots.

The lot was originally serviced in accordance with the conditions of consent in the Environment court Decision C145/2004. Completion and satisfaction of consent conditions was confirmed through the 224C approval.

Subsequently, resource consent RM110721 enabled the construction of a residential unit within a shed on the property. The conditions of that consent required the installation of all services for a residential dwelling.

Therefore, the property contains a house and separate shed with independent services installed.

This memo verifies that each of the proposed allotments contains a residential unit and is serviced in accordance with the resource consent conditions.

The proposed subdivision is depicted on scheme plan 16540_01_Crown Range Subdivision_Scheme Plan_REVD. The subdivision activity does not alter the land-use activity already lawfully established on site and does not impact on the integrity of the existing services.

Existing Services.

The existing servicing on site that service the existing residential activities, and the proposed allotments are summarised in the table below.



Services	DESCRIPTION
ROW access	Easement areas I and Z provide a right of way to each proposed lot. The access way installation was approved with the 224C sign off under RM 010700. The ROW remains in the compliant condition. The access is formed to 3.5m width AP40, equivalent to Figure E1 of the QLDC CoP 2020. Attached is a photograph of the existing formation. The intersection with the Crown Range Road was upgraded in accordance with RM010700 and has been functioning safely since.
Power	The attached letter from Aurora verifies that power is available for each proposed lot.
Communications	Each lot is serviced by Light speed radio transmitted service. There is not fibre service on the Crown Terrace. The existing copper connection is not fit for purpose and no longer supported by Chorus
Water	Water is supplied from a bore on easement WD. Easements provide an easement path to both lots. The bore consent reference number is RM20.288.01 (ORC) Attached. A recent pump test demonstrated 18.1l/min over an 18-hr run. 3 l/ min is required to meet the 2100 l/ day for 2 lots.
Water Quality	Bore water test results are attached to show the water is compliant to NZDWS guidelines for bacteria and chemical properties and Taumata Arowai standards
Sewer	The main house system was installed and approved with the house building consent BC 130090 CCC dated 8 Dec 2016 The shed was installed and approved with BC120742, CCC dated 4 March 2015
Storm water	Storm water system was installed and approved under the same Building consents as sewer noted above
Fire water	Fire water storage was installed and approved under the same consents as sewer noted above. There are 2 x 20,000litre tanks for the main dwelling and a single 30,000 litre tank for the shed as per Photos attached.

Summary

We have inspected the subject property and confirm that the existing services are functioning satisfactorily and in accordance with the conditions imposed at the time they were established.

The proposed subdivision does not alter the existing land-uses occurring on site. Each proposed lot contains an existing residential unit that was lawfully established and serviced to the standard required at the time they were established.

30 August 2024







AURORA ENERGY LIMITED

PO Box 5140, Dunedin 9058

PH 0800 22 00 05

WEB www.auroraenergy.co.nz



9 July 2024

David Stretch
Global Element Ltd

Sent via email only: david@global-element.com

Dear David,

ELECTRICITY SUPPLY CONFIRMATION FOR CFR- N/A. TWO EXISTING CONNECTIONS FOR NEW SUBDIVISION. 298 CROWN RANGE ROAD, QUEENSTOWN. LOT 1 DP 461855 AND SECTION 9, 15 SO PLAN 423850 AND PART LOT 3, 5 DP 344221.

This letter confirms that Points of Supply¹ (PoS) have been made available to property associated with the above development. The PoS is located at, or within, the development property boundaries, in accordance with Aurora Energy's Network Connection Standard (available from www.auroraenergy.co.nz).

This letter may be used, by the developer, to support an application for a certificate of approval that complies with section 224(c) of the Resource Management Act 1991.

Disclaimer

This letter **does not** certify that all matters relating to the provision of the PoS have been concluded by Aurora Energy. Matters that may be outstanding at the date of this letter typically include, but are not necessarily limited to, registration of easements and minor defects or omissions for which the network contractor has reasonable grounds for not promptly correcting, and which do not prevent consumer connection(s) to the PoS.

Yours sincerely

A handwritten signature in black ink, appearing to read "Niel Frear".

Niel Frear

CUSTOMER INITIATED WORKS MANAGER

¹ Point of Supply is defined in section 2(3) of the Electricity Act 1993.



Lightspeed Technology Group
12/183 Glenda Drive
Frankton 9300

9th July 2024

David Stretch
298 Crown Range Road
Arrowtown

298 Crown Range Road Subdivision

LightSpeed are the largest independent ISP in the Wakatipu and have 20 years experience operating in the Wakatipu basin. LightSpeed serves residential and business broadband to customers all over the the New Zealand.

LightSpeed prides itself in being able to deliver services where other ISPs can not. We deliver tightly integrated and bespoke broadband solutions to rural customers to quickly and economically seize new market opportunities with installations within 14 days.

LightSpeed will be able to provide a speed of 100/100mbps symmetrical download & upload speed to the proposed dwellings at Lot 2 298 Crown Range Road. Lightspeed currently service the proposed Lot 1 on the subdivision and in the past have also serviced Lot 2

We currently offer wireless to the Arrowtown area. We have approximately 500 customers in that area using the LightSpeed network these being residential & commercial connections.

We are on the register of Chorus' non-retail users threw the Commerce Commission.

LightSpeed can also supply VoIP phone solutions over our network for clients who require a phone line.

Best Regards

A handwritten signature in black ink, appearing to read "Liam", written over a horizontal line.

Liam Martin
Managing Director

PO Box 83 Queenstown 9300 NZ
Phone: +64 3 4412134

Lightspeed
Overview Map

Schedule of Existing Documents to be Deleted			
Purpose	Document/Lot	Block	Creation/Document
Right to Convey Water	Lot 1	A6, B, C, D, E	AA, M
Right to Convey Water	Lot 2	AA, M	01 4587109 11
Right to Convey Water	Lot 1	L	01 5893302 6
Right to Convey Water	Lot 2	AA, M	01 5893302 7
Right to Convey Water	Lot 1	AA, M	01 5893302 8
Right to Convey Water	Section 9 90 423650	M	01 5893302 9
Right to Convey Water	Lot 1	AA, M	01 5893302 10
Right to Convey Water	Lot 2	AA, M	01 5893302 11
Right to Convey Water	Lot 1	AA, M	01 5893302 12
Right to Convey Water	Lot 2	AA, M	01 5893302 13
Right to Convey Water	Lot 1	AA, M	01 5893302 14
Right to Convey Water	Lot 2	AA, M	01 5893302 15
Right to Convey Water	Lot 1	AA, M	01 5893302 16
Right to Convey Water	Lot 2	AA, M	01 5893302 17
Right to Convey Water	Lot 1	AA, M	01 5893302 18
Right to Convey Water	Lot 2	AA, M	01 5893302 19
Right to Convey Water	Lot 1	AA, M	01 5893302 20
Right to Convey Water	Lot 2	AA, M	01 5893302 21

Schedule of Existing Documents to be Deleted			
Purpose	Document/Lot	Block	Creation/Document
Right to Convey Electricity	Lot 1	AA, M	01 4587109 6
Right to Convey Electricity	Lot 2	AA, M	01 4587109 7
Right to Convey Electricity	Lot 1	AA, M	01 4587109 8
Right to Convey Electricity	Lot 2	AA, M	01 4587109 9
Right to Convey Electricity	Lot 1	AA, M	01 4587109 10
Right to Convey Electricity	Lot 2	AA, M	01 4587109 11
Right to Convey Electricity	Lot 1	AA, M	01 4587109 12
Right to Convey Electricity	Lot 2	AA, M	01 4587109 13
Right to Convey Electricity	Lot 1	AA, M	01 4587109 14
Right to Convey Electricity	Lot 2	AA, M	01 4587109 15

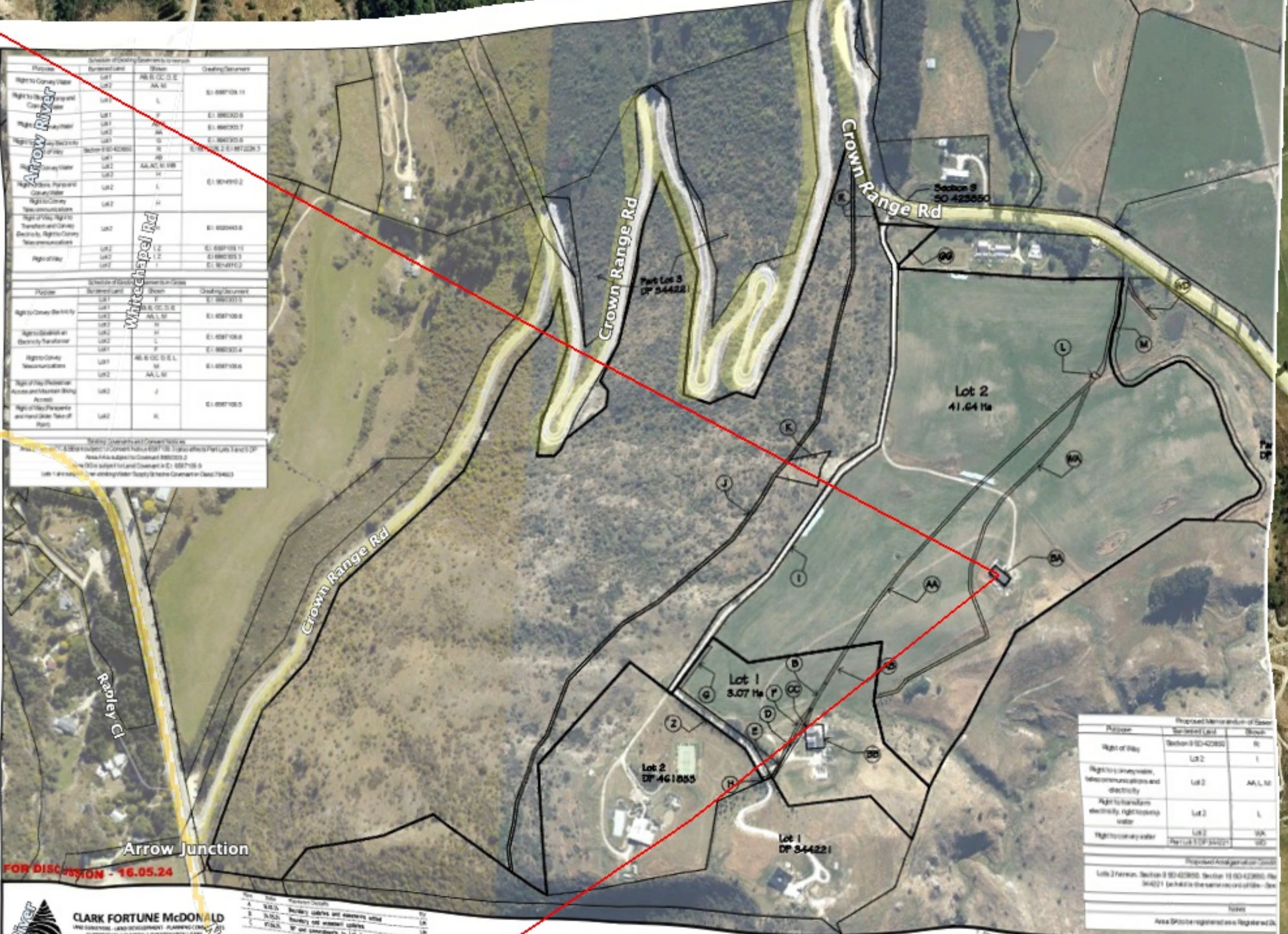
FOR DISCUSSION - 16.05.24

CLARK FORTUNE McDONALD
LAND SURVEYORS - LAND DEVELOPMENT - PLANNING CONSULTANTS
SUITE 101/102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

298 CROWN RANGE ROAD SUBDIVISION
LOTS 1 & 2 BEING A SUBDIVISION OF LOT 1 DP 461855

Date	Drawn	Checked	Approved
16.05.24	CLM		

Proposed Memorandum of Consent		
Purpose	Document/Lot	Block
Right of Way	Section 9 90 423650	M
Right to Convey Water, Telecommunications and electricity	Lot 2	AA, L, M
Right to transmit electricity, right to supply water	Lot 2	L
Right to convey water	Lot 1 DP 461855	AA, M



Lightspeed Site 1



Coronet Peak

Arrowtown

WHAREHUANUI

DALEFIELD

Speargrass Flat

Arrow Junction

LAKE HAYES ESTATE

QUEENSTOWN HILL

Lake Hayes

LOWER SHOTOVER

Kawarau River

FRANKTON

Gibbston



Lightspeed

Site 2



Coronet Peak

Arrowtown

WHAREHUANUI

DALEFIELD

Speargrass Flat

Arrow Junction

LAKE HAYES ESTATE

QUEENSTOWN HILL

Lake Hayes

LOWER SHOTOVER

Kawarau River

FRANKTON

Gibbston



ORC NOTIFICATION RECOMMENDATION REPORT

Document ID: A1387132
 Objective File No: RM20.288
 Consent No: RM20.288.01
 Prepared for: Staff Consents Panel
 Prepared by: Sam Ammon, Consents Officer
 Date: 7/09/2020

Subject: Land Use Consent Application RM20.288 by David John Stretch and Colleen Mary Flemmer to retrospectively construct a bore, Roxburgh.

1. Purpose

To report and make recommendations under sections 95A-G and sections 104 and 104A of the Resource Management Act 1991 (the Act) on notification and the substantive decision of the above application.

2. Application Details

Applicant/s full name/s	David John Stretch and Colleen Mary Flemmer
Location of bore/s	Queenstown. approximately 550 metres (m) west of the intersection of Crown Range Road and Jeffery Road.
No of proposed bores:	1 (retrospective)
Map reference of location/s (NZTM 2000)	E 1274234 N 5011335
Proposed depth of bore/s	5m
Proposed rate of take and daily volume	25,000 litres per day at a rate of 0.3 litre per second
Intended use of water	Domestic, 2 dwellings.
Proposal meets permitted activity rule: 12.2.2.1	Yes, because the specified take meets the permitted activity rule.
Name of aquifer	Unnamed Aquifer
Status of the application	Controlled activity (Rule 14.1.1.1 of the Regional Plan: Water for Otago (RPW))

3. Notification and Written Approvals

The applicant did not request the application be publicly notified and public notification is not required by Section 95C of the Act. Public notification is precluded as the activity is a controlled activity, and no special circumstances exist.

There are no protected customary right groups or customary marine title groups associated with the site and no statutory acknowledgements apply. Limited notification is not precluded.

There were not considered to be any affected parties to the application. The bore is located on the applicant's land, therefore there will be no access issues.

Special circumstances do not exist in relation to the application that warrant notification of the application to any other persons not already determined to be eligible for limited notification.

Council was not required to publicly notify or limited notify the application and the application was processed on a non-notified basis.

4. Assessment of Effects on the Environment

Effects due to construction of the bore	Any effects associated with constructing the bore have already occurred. The applicant has noted that bore has been constructed and is maintained in a manner to avoid ingress of surface water and all other foreign matter/potential contaminants.
Could this bore have a significant adverse effect on any existing water takes from a bore within 100 metres of the proposed bore/s?	There are no other bores within 100 m of the location of the proposed bore, see figure 1 below. Therefore, there will be no effect on any other existing bores nearby to the applicant's bore.
What is the name of and how far is the nearest surface water body from the bore?	An unnamed tributary of the Arrow River, approximately 350 m south-east of the applicant's bore site. See figure 1 below.
Will the proposed abstraction have any significant adverse effect on the surface water body?	No, as the water take will have no more than minor affects due to the take being a permitted activity amount.
Are there any known septic tank/on-site wastewater discharges within 50 m of the site of the proposed bore?	No.
Are there any consented wastewater discharges within 500 m of the site of the proposed bore?	No, the nearest consented wastewater discharge is located approximately 670 m east of the applicant's bore, see figure 1 below.
Are there any known potentially contaminated sites within a 1 kilometre radius of the proposed bore site?	No.

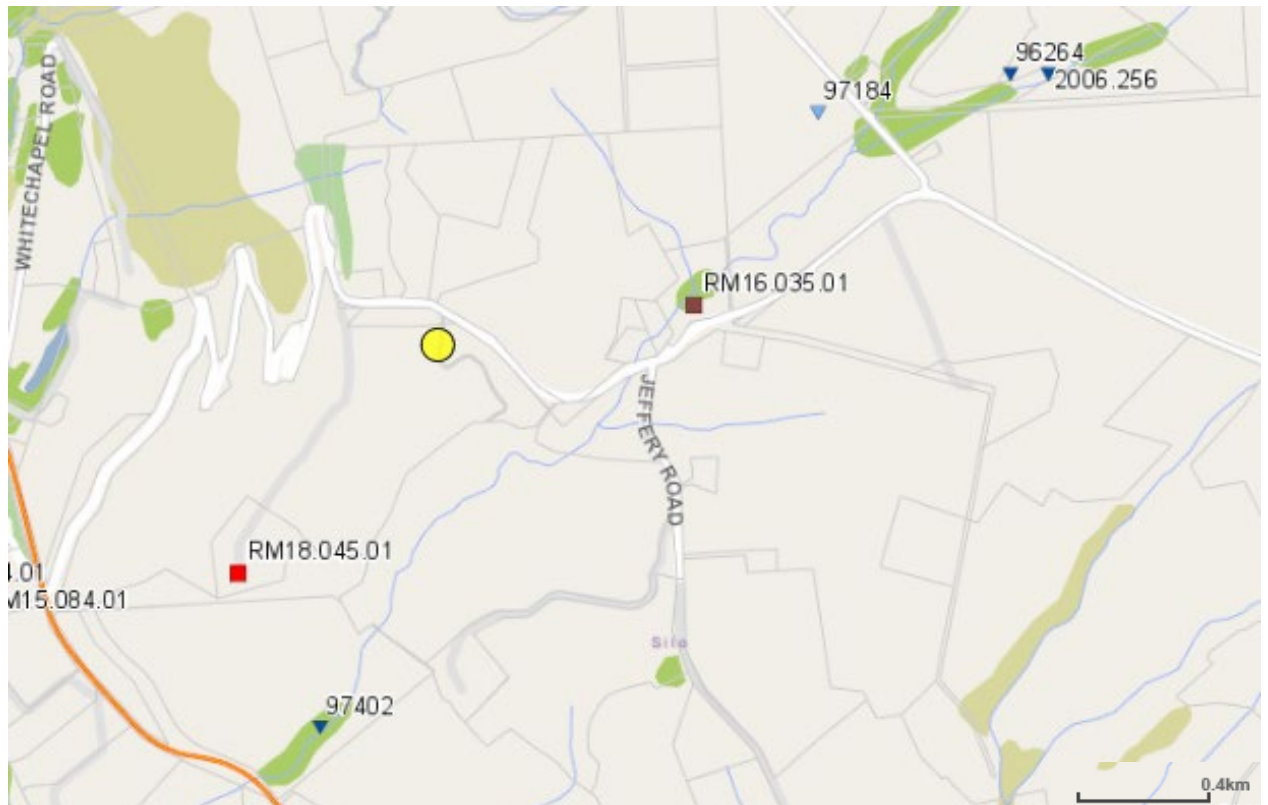


Figure 1. Location of existing bore (yellow dot) in relation to surface waterways, and nearby consented activities including, wastewater discharges, water takes and bore construction consents. (Source: Otago Map)

NOTIFICATION RECOMMENDATION:

In accordance with the notification steps set out above, it is recommended that the application proceed on a non-notified basis.

Name: Sam Ammon
Title: Consent Officer
Date: 9 September 2020

Decision on notification

Sections 95A to 95G of the Resource Management Act 1991

Date: 11 September 2020

Application No: RM20.288

Subject: *Decision on notification of resource consent application under delegated authority*

Summary of Decision

The Otago Regional Council decides that the application is to be processed on a **non-notified** basis in accordance with sections 95A to 95G of the Resource Management Act 1991.

The above decision adopts the recommendations and reasons outlined in the Notification Report prepared by Sam Ammon on 9 September 2020 in relation to this application.



Joanna Gilroy
Manager Consents

OTAGO REGIONAL COUNCIL SECTION 42A REPORT
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5. Section 104 Evaluation

Section 104 of the Act sets out the matters to be considered when assessing an application for a resource consent. These matters are subject to Part 2, the purpose and principles, which are set out in Sections 5 to 8 of the Act.

In considering this application, as it is a controlled activity, under section 104A of the Act, the Council may only consider those matters over which it has control in its plan, under Rule 14.1.1.1. The Council must grant the consent. However, the Council may only impose conditions under section 108 for those matters over which it has control in its plan.

5.1 Relevant Statutory Considerations

Is granting the consent consistent with Sections 5, 6, 7 and 8 of the Act?	Yes, due to the minor nature of the activity.
Is granting the consent consistent with Policy 5.5.5 and Objective 6.4.2 of the Regional Policy Statement and the relevant policies of the proposed Regional Policy Statement and the partially operative Regional Policy Statement (Policies 1.1.1, 1.1.2, 3.1.1)?	Yes, the application is consistent with these policies, specifically the use of the groundwater resource for the enhancement of the needs of Otago's communities.
Is granting the consent consistent with Policies 6.4.10AC, 6.4.10C and 9.4.14 of the Regional Plan: Water for Otago (RPW)?	Yes, the application is consistent with these policies, specifically avoiding aquifer contamination as the bore has been constructed and is maintained in a manner to avoid potential contamination of groundwater.

There are no other relevant matters in respect to this application.

6. Section 108 of the Act

Recommended conditions of consent will ensure that any adverse effects are avoided, remedied or mitigated. The following conditions are recommended in accordance with Section 108 of the Act, in addition to those adopted by the applicant:

- Sealing and backfilling of the bore when it is no longer being used.
- Facility for groundwater quality testing.

7. Recommendation

That the Otago Regional Council grants to David John Stretch and Colleen Mary Flemmer Land Use Consent RM20.288.01, subject to the terms and conditions set out in the consent because:

- (a) The effects of the activity are expected to be minor;
- (b) The activity is consistent with the relevant statutory requirements; and
- (c) The activity is consistent with Part 2 of the Act.

8. Term

The consent term for a land use consent is unlimited. The Council typically imposes a two-year lapse period for the construction of the bore. This is not required in this instance, as the bore has already been constructed.

Sam Ammon
Consents Officer

Decision on Resource Consent Application

Section 113 of the Resource Management Act 1991

Date: 11 September 2020

Application No: RM20.288

Subject: *Decision on non-notified resource consent application under delegated authority*

Decision on non-notified resource consent application decided under delegated authority

Decision and Reasons for Decision

Pursuant to section 104A of the Resource Management Act 1991 ("the RMA"), the Otago Regional Council ("the Council") hereby grants resource consent subject to the conditions appended RM20.288.01 to David John Stretch and Colleen Mary Flemmer.

I have considered the information provided, reasons and recommendation in the above report. I agree with those reasons and adopt them.

Conditions (section 108)

Pursuant to sections 108 and 108AA of the RMA, this consent is issued subject to the attached conditions.

Decision under delegated authority

Under delegated authority, this resource consent application is granted by the Otago Regional Council by:



Joanna Gilroy
Manager Consents

Food & Water Testing

ANALYTICAL REPORT

REPORT CODE **AR-24-NC-021385-02#** REPORT DATE **15/07/2024**

This amended report supersedes Analytical Report number AR-24-NC-021385-01, dated 12/07/2024.

Attention Cardrona Valley WTP Ltd
 Dave Stretch
 2130 Cardrona Valley Rd
 Cardrona
 NEW ZEALAND

Phone 0064272111197

Email david@global-element.com

Contact for your orders: James Thornton **Order code:** EUNZCH-00183372
Contract: Dave Stretch
Submission Reference: Bore Supply Line
Comments: sample reference amended

SAMPLE CODE **817-2024-00078251**

Sample Reference 298 Crown Range Rd - Bore Supply Line

Reception Date & Time: 03/07/2024 11:59

Analysis Started on: 03/07/2024

Analysis Ending Date: 12/07/2024

Sampler(s) Customer Sampled

Sampled Date & Time 02/07/2024 17:00

	RESULTS	LOQ	SPECIFICATIONS
②NW007 Chloride Chloride (Cl)	6.75 mg/l	0.02	
②NW023 Conductivity Conductivity	24.7 mS/m	0.1	
*ZM2L7 Enumeration (MPN) of Escherichia coli using Colilert-18 51-Well Quanti-Tray Escherichia coli	<1 MPN/100 ml	1	MAV of <1.0 MPN/100 ml ✓ National Guideline
*ZM2L9 Enumeration (MPN) of Total Coliforms using Colilert-18 51-Well Quanti-Tray Total Coliforms	<1 MPN/100 ml	1	
②NW006 Fluoride Fluoride	0.20 mg/l	0.02	MAV of 1.5 mg/l ✓ National Guideline
②NW010 Nitrate-N Nitrate-N	2.05 mg/l	0.01	MAV of 11.3 mg/l ✓ National Guideline
②NW195 pH (Tested beyond 15 minute APHA holding time) pH	6.8	0.1	
②NW011 Sulphate Sulphate	8.87 mg/l	0.02	
②NW003 Total Alkalinity Alkalinity total	96 mg CaCO3/l	1	
②NW147 Total Aluminium Aluminium	<0.005 mg/l	0.005	Mav of 1 mg/l ✓ National Guideline
②NW149 Total Arsenic Arsenic (As)	<0.002 mg/l	0.002	MAV of 0.01 mg/l ✓ National Guideline
②NW153 Total Boron Boron (B)	<0.05 mg/l	0.05	MAV of 2.4 mg/l ✓ National Guideline
②NW156 Total Calcium Calcium (Ca)	26.3 mg/l	0.1	
②NW159 Total Copper			

Food & Water Testing

	RESULTS	LOQ	SPECIFICATIONS
②NW159 Total Copper Copper (Cu)	<0.002	mg/l	0.002
			MAV of 2 mg/l ✓ National Guideline
③NW207 Total Dissolved Solids Total dissolved Solids	136	mg/l	1
②NW030 Total Hardness Hardness	94	mg CaCO3/l	1
②NW160 Total Iron Iron (Fe)	<0.1	mg/l	0.1
②NW161 Total Lead Lead (Pb)	<0.001	mg/l	0.001
			MAV of 0.01 mg/l ✓ National Guideline
②NW163 Total Magnesium Magnesium (Mg)	6.9	mg/l	0.1
②NW164 Total Manganese Manganese (Mn)	<0.001	mg/l	0.001
			MAV of 0.4 mg/l ✓ National Guideline
②NW168 Total Potassium Potassium (K)	0.7	mg/l	0.1
②NW171 Total Sodium Sodium (Na)	7.6	mg/l	0.1
②NW177 Total Zinc Zinc (Zn)	<0.005	mg/l	0.005
②NW212 Turbidity Turbidity	0.16	NTU	0.01

REPORT INFORMATION

Tests with Maximum Allowable Value (MAV) assigned are measured against the Drinking Water Standards for New Zealand.

Results are considered unsatisfactory(✖) when they do not comply with the specified MAV or Aesthetic Value indicating the water may not be safe to drink.

Results are considered satisfactory(✓) when they comply with the specified MAV or Aesthetic Value.

LIST OF METHODS

NW003 Total Alkalinity: APHA Online Edition 2320 B	NW006 Fluoride: APHA Online Edition 4110 B
NW007 Chloride: APHA Online Edition 4110 B	NW010 Nitrate-N: APHA Online Edition 4110 B
NW011 Sulphate: APHA Online Edition 4110 B	NW023 Conductivity: APHA 24th Edition 2510 B
NW030 Total Hardness: APHA Online Edition 2340 B	NW147 Total Aluminium: APHA Online Edition 3125 B mod.
NW149 Total Arsenic: APHA Online Edition 3125 B mod.	NW153 Total Boron: APHA Online Edition 3125 B mod.
NW156 Total Calcium: APHA Online Edition 3125 B mod.	NW159 Total Copper: APHA Online Edition 3125 B mod.
NW160 Total Iron: APHA Online Edition 3125 B mod.	NW161 Total Lead: APHA Online Edition 3125 B mod.
NW163 Total Magnesium: APHA Online Edition 3125 B mod.	NW164 Total Manganese: APHA Online Edition 3125 B mod.
NW168 Total Potassium: APHA Online Edition 3125 B mod.	NW171 Total Sodium: APHA Online Edition 3125 B mod.
NW177 Total Zinc: APHA Online Edition 3125 B mod.	NW195 pH (Tested beyond 15 minute APHA holding time): APHA 24th Edition 4500-H B
NW207 Total Dissolved Solids: Internal Method, Calculation	NW212 Turbidity: APHA 24th Edition 2130 B
ZM2L7 Escherichia coli E (Water) [NZ] <1 >201 /100 ml (0) Colilert-18-Q: SMEWW 9223B; APHA 24th Edition	ZM2L9 Total Coliforms E (Water) [NZ] <1 >201 /100 ml (0) Colilert-18-Q: SMEWW 9223B; APHA 24th Edition

Signature

Food & Water Testing



David Hoekendijk Team Lead KTP

EXPLANATORY NOTE

- ① Test is not accredited
- ② Test is subcontracted within Eurofins group and is accredited
- ③ Test is subcontracted within Eurofins group and is not accredited
- ④ Test is subcontracted outside Eurofins group and is accredited
- ⑤ Test is subcontracted outside Eurofins group and is not accredited
- ⑥ Test result is provided by the customer and is not accredited
- ⑦ Tested at the sampling point by Eurofins and is not accredited
- ⑧ Tested at the sampling point by Eurofins and is accredited
- ⑨ Test is RLP accredited
- ⑩ Test is subcontracted within Eurofins group and is RLP accredited

*Test was performed at Eurofins ELS Limited, Unit 1/74 Glenda Drive, Frankton, Queenstown

N/A means Not Applicable

Not Detected means not detected at or above the Limit of Quantification (LOQ)

LOQ means Limit of Quantification and the unit of LOQ is the same as the result unit

✘ (Unsatisfactory) means does not meet the specification

✔ (Satisfactory) means meets the specification

The Customer acknowledges and accepts that: (a) where Eurofins is not responsible for sampling, the test result(s) in this report apply only to the sample as received. Customer is solely responsible for the sampling process and warrants that the sample provided to Eurofins is representative of the lot / batch from which the samples were drawn; and (b) Eurofins expresses no opinion and accepts no liability in respect of the Customer's production process or homogeneity of the product. This document can only be reproduced in full.

The tests are identified by a five-digit code, their description is available on request.

Accreditation does not apply to comments or graphical representations.

Unless otherwise stated, all tests in this analytical report (except for subcontracted tests) are performed at 43 Detroit Drive, Rolleston, Christchurch, NEW ZEALAND.

The laboratory is not responsible for the information provided by the customer which can affect the validity of the results, for example: sampling information such as date/time, field data etc.

Eurofins may subcontract the performance of part or all of the Services to a third party and the Customer authorises the release of all information necessary to the third party for the provision of the Services.

All samples become the property of Eurofins to the extent necessary for the performance of the Services.

Eurofins will not be required to store samples and may destroy or otherwise dispose of the samples or return the samples to the Customer (at the Customer's cost in all respects) immediately following analysis of the samples.

If the Customer pays for storage of the samples Eurofins will take commercially reasonable steps to store the samples for the agreed period in terms of industry practice.

The Eurofins water sampling service follows methodology based on AS/NZS 5667 and / or best practice to collect and transport samples that are fit for the purpose of analytical testing. The laboratory is not responsible for sampling activities unless explicitly indicated by the statement "Sampled by Eurofins" on the report for water samples.

The Customer acknowledges that the Services are provided using the current state of technology and methods developed and generally applied by Eurofins and involve analysis, interpretations, consulting work and conclusions. Eurofins shall use commercially reasonable degree of care in providing the Services.

This report is produced and issued on the basis of information, documents and/or samples provided by, or on behalf of, the Customer and solely for the benefit of the Customer who is responsible for acting as it sees fit on the basis of this report. Neither Eurofins nor any of its officers, employees, agents or subcontractors shall be liable to the Customer nor any third party for any actions taken or not taken on the basis of this report nor for any incorrect results arising from unclear, erroneous, incomplete, misleading or false information provided to Eurofins.

Eurofins shall have no liability for any indirect or consequential loss including, without limitation, loss of production, loss of contracts, loss of profits, loss of business or costs incurred from business interruption, loss of opportunity, loss of goodwill or damage to reputation and cost of product recall (including any losses suffered as a result of distribution of the Customer's products subject of the Services prior to the report being released by Eurofins). It shall further have no liability for any loss, damage or expenses arising from the claims of any third party (including, without limitation, product liability claims) that may be incurred by the Customer.

Eurofins General Terms and Conditions apply.

END OF REPORT

AFFECTED PERSON'S APPROVAL

FORM 8A

Resource Management Act 1991 Section 95

#

RESOURCE CONSENT APPLICANT'S NAME AND/OR RM

David Stretch & Colleen Flemmer



AFFECTED PERSON'S DETAILS

I/We Glen Russell & Deveron Trustees Limited

Are the owners/occupiers of

310 & 314 Crown Range Road



DETAILS OF PROPOSAL

I/We hereby give written approval for the proposal to:

Undertake a two lot subdivision of 298 Crown Range Road, as per the attached plans.

The proposal also includes variations to conditions of Consent Notice 6587109.3 & Covenant 9490097.1 to vary the conditions relating to future subdivisions, as they relate to the subject site. For the purpose of clarity, the variation only relates to this proposed subdivision, and conditions restricting future subdivision on the resultant lots will be reimposed.

at the following subject site(s):

298 Crown Range Road



PLEASE TICK

I/We understand that by signing this form Council, when considering this application, will not consider any effects of the proposal upon me/us.



PLEASE TICK

I/We understand that if the consent authority determines the activity is a deemed permitted boundary activity under section 87BA of the Act, written approval cannot be withdrawn if this process is followed instead.



WHAT INFORMATION/PLANS HAVE YOU SIGHTED



PLEASE TICK

I/We have sighted and initialled ALL plans dated and approve them.

See attached



APPROVAL OF AFFECTED PERSON(S)

The written consent of all owners / occupiers who are affected. If the site that is affected is jointly owned, the written consent of all co-owners (names detailed on the title for the site) are required.

A	Name (PRINT)	
	Glen Russell	
	Contact Phone / Email address	
Signature		Date
		27-9-2024
		G.A.R.E @ Gmail . COM

B	Name (PRINT)	
	Deveron Trustees Limited	
	Contact Phone / Email address	
Signature		Date
		27.9.2024
		021 556 969

C	Name (PRINT)	
	Contact Phone / Email address	
	Signature	
		Date

D	Name (PRINT)	
	Contact Phone / Email address	
	Signature	
		Date

Note to person signing written approval

Conditional written approvals cannot be accepted.

There is no obligation to sign this form, and no reasons need to be given.

If this form is not signed, the application may be notified with an opportunity for submissions.

If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.



Schedule of Existing Easements to remain			
Purpose	Burdened Land	Shown	Creating Document
Right to Convey Water	Lot 1	AB, B, CC, D, E	E 1 6587109.11
	Lot 2	AA, M	
Right to Store, Pump and Convey Water	Lot 2	L	E 1 8960303.6
	Lot 1	F	
Right to Convey Water	Lot 1	AB, G	E 1 8960303.7
	Lot 2	AA	
Right to Convey Electricity	Lot 1	G	E 1 8960303.8
Right of Way	Section 9 SO 423850	R	E 18872226.2, E 18872226.3
Right to Convey Water	Lot 1	AB	E 1 9014910.2
	Lot 2	AA, AC, M, VB	
	Lot 2	H	
Right to Store, Pump and Convey Water	Lot 2	L	E 1 9320443.6
Right to Convey Telecommunications	Lot 2	H	
Right of Way, Right to Transform and Convey Electricity, Right to Convey Telecommunications	Lot 2	H	E 1 6587109.11 E 18860303.3 E 1 9014910.2
Right of Way	Lot 2	L, Z	
	Lot 2	I	

Schedule of Existing Easements in Gross			
Purpose	Burdened Land	Shown	Creating Document
Right to Convey Electricity	Lot 1	F	E 1 8960303.5
	Lot 1	AB, B, CC, D, E	
	Lot 2	AA, L, M	
Right to Establish an Electricity Transformer	Lot 2	H	E 1 6587109.8
	Lot 1	F	
Right to Convey Telecommunications	Lot 1	AB, B, CC, D, E, L, M	E 1 6587109.6
	Lot 2	AA, L, M	
Right of Way (Pedestrian Access and Mountain Biking Access)	Lot 2	J	E 1 6587109.5
Right of Way (Parapente and Hand Glider Take off Point)	Lot 2	K	

Existing Covenants and Consent Notices

Area shown as CC & BB are subject to Consent Notice 6587109.3 (also affects Part Lots 3 and 5 DP 344221)

Area AA is subject to Covenant 8860303.2

Area GG is subject to Land Covenant in E 1 6587109.9

Lots 1 are subject to an existing Water Supply Scheme Covenant in Deed 784603



NOTES

HIGHLIGHTED AREA INDICATED BY PURPLE HATCH TO BE EITHER EASEMENTS WITH THE RIGHT TO ACCESS IN FAVOUR OF QLDC OR TO VEST WITH QLDC (TO BE CONFIRMED)

FOR DISCUSSION - 06.09.24

Proposed Memorandum of Easements			
Purpose	Burdened Land	Shown	Benefited Land
Right of way	Section 9 SO 423850	R	Lot 1
	Lot 2	I	Lot 1
Right to convey water, telecommunications and electricity	Lot 2	AA, L, M	Lot 1
Right to transform electricity, right to pump water	Lot 2	L	Lot 1
Right to convey water	Lot 2	VIA	Lot 1
	Part Lot 5 DP 344221	WD	Lot 1, Lot 2

Proposed Amalgamation Conditions

Lots 2 hereon, Section 9 SO 423850, Section 15 SO 423850, Part Lot 3 DP 344221 and Part Lot 5 DP 344221 be held in the same record of title - See CS1 request XXXXX

Notes

Area BA to be registered as a Registered Building Platform

Rev	Date	Revision Details	By
A	16.05.24	Boundary updates and easements added	LM
B	24.05.24	Boundary and easement updates	LM
C	07.06.24	BP and amendments to Lot 1	LM
E	06.09.24	Right to access easements added	LM



298 CROWN RANGE ROAD SUBDIVISION

LOTS 1 & 2 BEING A SUBDIVISION OF LOT 1 DP 461855

Client	D. Stretch		Job No	16540	Drawing No	01
	SURVEYED	-	Scale	1:2000 @ A1		
	DESIGNED	-	Drawn & Level	1:4000 @ A3		
	DRAWN	LM	23.04.24			
	CHECKED	-				
	APPROVED	-				
						Rev
						MT NIC 2000
						E

Schedule of Existing Easements to remain			
Purpose	Burdened Land	Shown	Creating Document
Right to Convey Water	Lot 1	AB, B, CC, D, E	E.I. 6587109.11
	Lot 2	AA, M	
Right to Store, Pump and Convey Water	Lot 2	L	E.I. 8860303.6
	Lot 1	F	
Right to Convey Water	Lot 1	AB, G	E.I. 8860303.7
	Lot 2	AA	
Right to Convey Electricity	Lot 1	G	E.I. 8860303.8
Right of Way	Section 9 SO 423850	R	E.I. 18872226.2, E.I. 18872226.3
Right to Convey Water	Lot 1	AB	E.I. 9014910.2
	Lot 2	AA, AC, M, VB	
Right to Store, Pump and Convey Water	Lot 2	L	E.I. 9320443.6
Right to Convey Telecommunications	Lot 2	H	
Right of Way, Right to Transform and Convey Electricity, Right to Convey Telecommunications	Lot 2	H	E.I. 6587109.11
Right of Way	Lot 2	I, Z	
	Lot 2	I, Z	
Right of Way	Lot 2	I	E.I. 18860303.3
	Lot 2	I	E.I. 9014910.2

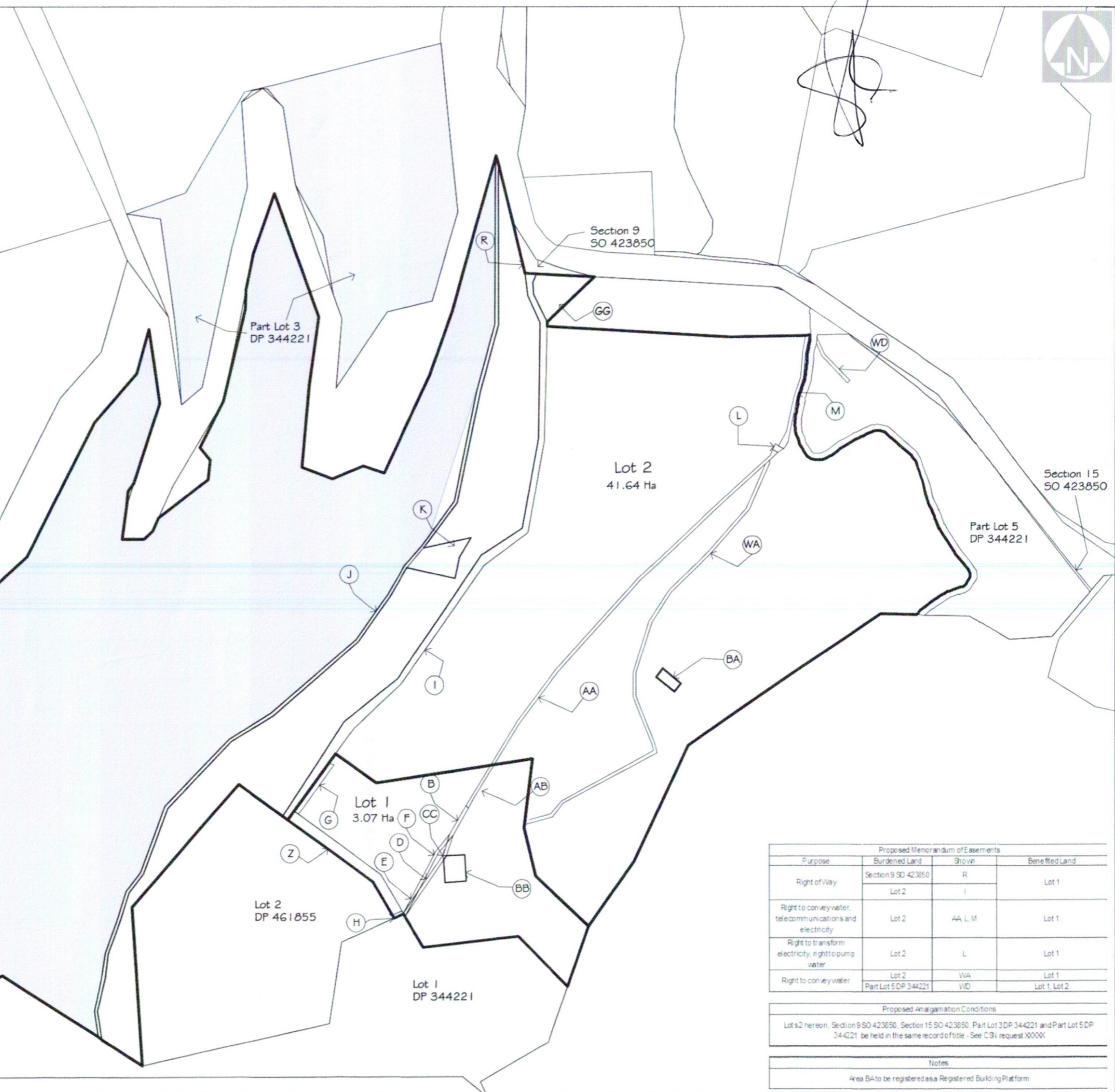
Schedule of Existing Easements in Gross			
Purpose	Burdened Land	Shown	Creating Document
Right to Convey Electricity	Lot 1	F	E.I. 8860303.5
	Lot 2	AA, L, M	
Right to Establish an Electricity Transformer	Lot 2	H	E.I. 6587109.8
	Lot 2	L	
Right to Convey Telecommunications	Lot 1	F	E.I. 8860303.4
	Lot 2	AA, L, M	
Right of Way (Pedestrian Access and Mountain Biking Access)	Lot 1	AB, B, CC, D, E, L	E.I. 6587109.6
	Lot 2	M	
Right of Way (Parapente and Hand Glider Take off Point)	Lot 1	AA, L, M	E.I. 6587109.5
	Lot 2	J	
Right of Way (Parapente and Hand Glider Take off Point)	Lot 2	K	E.I. 6587109.5
	Lot 2	K	

Existing Covenants and Consent Notices
 Area shown as CC & BB are subject to Consent Notice 6587109.3 (also affects Part Lots 3 and 5 DP
 Area AA is subject to Covenant 8860303.2
 Area GG is subject to Land Covenant in E.I. 6587109.9
 Lots 1 are subject to an existing Water Supply Scheme Covenant in Deed 784603

NOTES
 HIGHLIGHTED AREA INDICATED BY PURPLE HATCH TO BE EITHER EASEMENTS WITH THE RIGHT TO ACCESS IN FAVOUR OF QLDC OR TO VEST WITH QLDC (TO BE CONFIRMED)

FOR DISCUSSION - 06.09.24

Rev.	Date	Revision Details	By
A	16.05.24	Boundary updates and easements added	LM
B	24.05.24	Boundary and easement updates	LM
C	07.06.24	BP and amendments to Lot 1	LM
E	06.09.24	Right to access easements added	LM



Proposed Memorandum of Easements			
Purpose	Burdened Land	Shown	Benefited Land
Right of Way	Section 9 SO 423850	R	Lot 1
	Lot 2	I	
Right to convey water, telecommunications and electricity	Lot 2	AA, L, M	Lot 1
Right to transform electricity, right to pump water	Lot 2	L	Lot 1
Right to convey water	Lot 2	WA	Lot 1
	Part Lot 5 DP 344221	WD	Lot 1, Lot 2

Proposed Amalgamation Conditions	
Lots 2 hereon, Section 9 SO 423850, Section 15 SO 423850, Part Lot 3 DP 344221 and Part Lot 5 DP 344221 be held in the same record of title - See C31 request X0000	

Notes	
Area BA to be registered as a Registered Building Platform	



**298 CROWN RANGE ROAD SUBDIVISION
 LOTS 1 & 2 BEING A SUBDIVISION OF LOT 1 DP 461855**

Client	D. Stretch	SURVEYED	-	Job No.	16540	Drawing No.	01
		DESIGNED	-	Scale	1:2000 @ A1		SHEET 002
		DRAWN	LM	23.04.24	1:4000 @ A3		
		CHECKED	-	Datum & Level			
		APPROVED	-	Rev	MT NIC 2000		E



Handwritten signature or initials in the top right corner of the drawing.



AREA BA BEING A PROPOSED BUILDING PLATFORM

FOR DISCUSSION - 06.09.24



CLARK FORTUNE McDONALD
LAND SURVEYORS - LAND DEVELOPMENT - PLANNING CONSULTANTS
QUEENSTOWN | DUNEDIN | CHRISTCHURCH | GORE

Rev	Date	Revision Details	By
C	07.06.24	Sheet added	LM

298 CROWN RANGE ROAD SUBDIVISION LOTS 1 & 2 BEING A SUBDIVISION OF LOT 1 DP 461855

Client	D. Stretch	Job No.	16540	Drawing No.	01
SURVEYED	-	Scale	1:500 @ A1	1:1000 @ A3	SHEET 003
DESIGNED	-	DATE	23.04.24	Datum & Level	MT NIC 2000
DRAWN	LM	Rev	E		
CHECKED	-				
APPROVED	-				

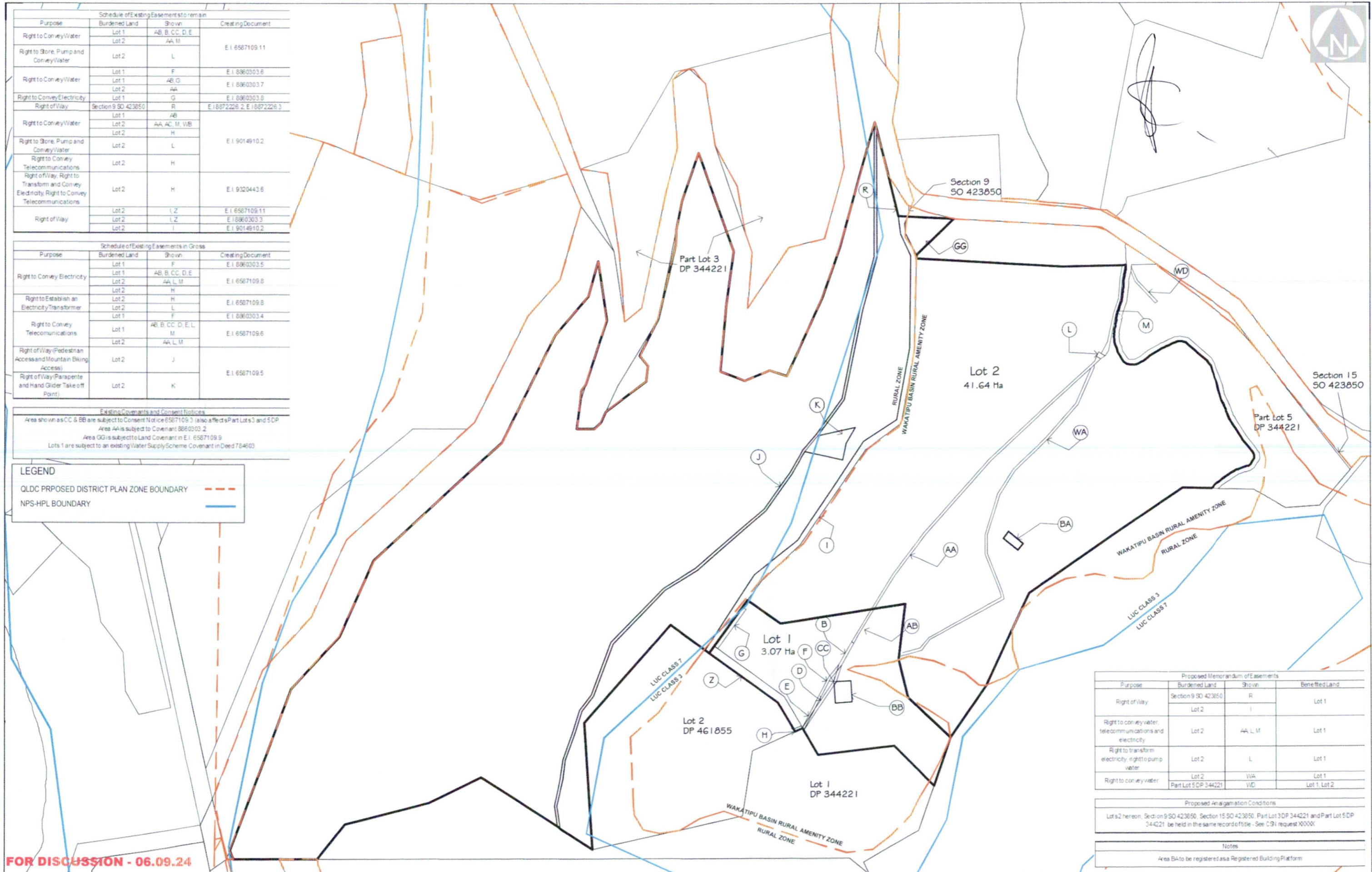
Schedule of Existing Easements to remain			
Purpose	Burdened Land	Shown	Creating Document
Right to Convey Water	Lot 1	AB, B, CC, D, E	E.I. 6587109.11
	Lot 2	AA, M	
Right to Store, Pump and Convey Water	Lot 2	L	E.I. 8860303.6
Right to Convey Water	Lot 1	F	E.I. 8860303.7
	Lot 2	AA	E.I. 8860303.8
Right to Convey Electricity	Lot 1	G	E.I. 8860303.8
Right of Way	Section 9 SO 423850	R	E.I. 8872228.2, E.I. 8872228.3
Right to Convey Water	Lot 1	AB	E.I. 9014910.2
	Lot 2	AA, AC, M, WB	
Right to Store, Pump and Convey Water	Lot 2	L	E.I. 9014910.2
Right to Convey Telecommunications	Lot 2	H	E.I. 9320443.6
Right of Way, Right to Transform and Convey Electricity, Right to Convey Telecommunications	Lot 2	H	E.I. 9320443.6
Right of Way	Lot 2	L, Z	E.I. 6587109.11
	Lot 2	L, Z	E.I. 8860303.3
	Lot 2	I	E.I. 9014910.2

Schedule of Existing Easements in Gross			
Purpose	Burdened Land	Shown	Creating Document
Right to Convey Electricity	Lot 1	F	E.I. 8860303.5
	Lot 1	AB, B, CC, D, E	E.I. 6587109.8
	Lot 2	AA, L, M	
Right to Establish an Electricity Transformer	Lot 2	H	E.I. 6587109.8
	Lot 2	L	E.I. 8860303.4
Right to Convey Telecommunications	Lot 1	AB, B, CC, D, E, L, M	E.I. 6587109.6
	Lot 2	AA, L, M	E.I. 6587109.5
Right of Way (Pedestrian Access and Mountain Biking Access)	Lot 2	J	E.I. 6587109.5
Right of Way (Parapente and Hand Glider Take off Point)	Lot 2	K	E.I. 6587109.5

Existing Covenants and Consent Notices
 Area shown as CC & BB are subject to Consent Notice 6587109.3 (also affects Part Lots 3 and 5 DP
 Area AA is subject to Covenant 8860303.2
 Area GG is subject to Land Covenant in E.I. 6587109.9
 Lots 1 are subject to an existing Water Supply Scheme Covenant in Deed 784603

LEGEND	
QLDC PROPOSED DISTRICT PLAN ZONE BOUNDARY	---
NPS-HPL BOUNDARY	---

FOR DISCUSSION - 06.09.24



Proposed Memorandum of Easements			
Purpose	Burdened Land	Shown	Benefited Land
Right of Way	Section 9 SO 423850	R	Lot 1
Right to convey water, telecommunications and electricity	Lot 2	I	Lot 1
Right to transform electricity, right to pump water	Lot 2	AA, L, M	Lot 1
Right to convey water	Lot 2	L	Lot 1
	Part Lot 5 DP 344221	WA, WD	Lot 1, Lot 2

Proposed Amalgamation Conditions	
Lots 2 hereon, Section 9 SO 423850, Section 15 SO 423850, Part Lot 3 DP 344221 and Part Lot 5 DP 344221 be held in the same record of title - See CSN request XXXXX	

Notes	
Area BA to be registered as a Registered Building Platform	

CLARK FORTUNE McDONALD
 LAND SURVEYORS - LAND DEVELOPMENT - PLANNING CONSULTANTS
 QUEENSTOWN | DUNEDIN | CHRISTCHURCH | GORE

Rev	Date	Revision Details	By
A	16.05.24	Boundary updates and easements added	LM
B	24.05.24	Boundary and easement updates	LM
C	07.06.24	BP and amendments to Lot 1	LM
D	01.07.24	QLDC zones and LUC classes added	LM

298 CROWN RANGE ROAD SUBDIVISION

LOTS 1 & 2 BEING A SUBDIVISION OF LOT 1 DP 461855

QLDC ZONES AND LUC CLASSIFICATIONS

Client D. Stretch	SURVEYED	-	-	Job No. 16540	Drawing No. 01
	DESIGNED	-	-	Scale 1:2000 @ A1 1:4000 @ A3	SHEET 004
	DRAWN	LM	23.04.24	Datum & Level	Rev E
	CHECKED	-	-	MT NIC 2000	
APPROVED	-	-			

NOTES:
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 COPYRIGHT ON THIS DRAWING IS RESERVED.

AFFECTED PERSON'S APPROVAL

FORM 8A

Resource Management Act 1991 Section 95

#

RESOURCE CONSENT APPLICANT'S NAME AND/OR RM #

David Stretch & Colleen Flemmer



AFFECTED PERSON'S DETAILS

I/We Dean Sharpe, on behalf of Hereaway Trustee Limited

Are the owners/occupiers of
300 Crown Range Road & 1289 Gibbston Highway Road



DETAILS OF PROPOSAL

I/We hereby give written approval for the proposal to:

Undertake a two lot subdivision of 298 Crown Range Road, as per the attached plans.

The proposal also includes variations to conditions of Consent Notice 6587109.3 & Covenant 9490097.1 to vary the conditions relating to future subdivisions, as they relate to the subject site. For the purpose of clarity, the variation only relates to this proposed subdivision, and conditions restricting future subdivision on the resultant lots will be reimposed.

at the following subject site(s):

298 Crown Range Road



PLEASE TICK

I/We understand that by signing this form Council, when considering this application, will not consider any effects of the proposal upon me/us.



PLEASE TICK

I/We understand that if the consent authority determines the activity is a deemed permitted boundary activity under section 87BA of the Act, written approval cannot be withdrawn if this process is followed instead.



WHAT INFORMATION/PLANS HAVE YOU SIGHTED



PLEASE TICK

I/We have sighted and initialled ALL plans dated and approve them.

See attached



APPROVAL OF AFFECTED PERSON(S)

The written consent of all owners / occupiers who are affected. If the site that is affected is jointly owned, the written consent of all co-owners (names detailed on the title for the site) are required.

A	Name (PRINT) Dean Sharpe, on behalf of Hereaway Trustee Limited	
	Contact Phone / Email address 0279 396970 DEAN@ARCHISTAY.COM	
	Signature 	Date 27/09/24

B	Name (PRINT) BENTLEY DE BEYER	
	Contact Phone / Email address 0273500868	
	Signature 	Date 27/09/24

C	Name (PRINT)	
	Contact Phone / Email address	
	Signature	Date

D	Name (PRINT)	
	Contact Phone / Email address	
	Signature	Date

Note to person signing written approval

Conditional written approvals cannot be accepted.
 There is no obligation to sign this form, and no reasons need to be given.
 If this form is not signed, the application may be notified with an opportunity for submissions.
 If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.





Schedule of Existing Easements to remain			
Purpose	Burdened Land	Shown	Creating Document
Right to Convey Water	Lot 1	AB, B, CC, D, E	E1 6567109.11
	Lot 2	AA, M	
Right to Store, Pump and Convey Water	Lot 2	L	E1 6567109.11
	Lot 1	F	
Right to Convey Water	Lot 1	AB, G	E1 6860303.6
	Lot 2	AA	E1 6860303.7
Right to Convey Electricity	Lot 1	C	F1 6860303.8
	Section 9 SO 423850	R	E1 6867226.2, E1 6867226.3
Right to Convey Water	Lot 1	AB	E1 6567109.11
	Lot 2	AA, AC, M, VB	
Right to Store, Pump and Convey Water	Lot 2	L	E1 6567109.11
	Lot 2	H	
Right to Convey Telecommunications	Lot 2	H	E1 6567109.11
	Lot 2	H	
Right to Transform and Convey Electricity, Right to Convey Telecommunications	Lot 2	L, Z	E1 6567109.11
	Lot 2	L, Z	E1 6860303.3
Right of Way	Lot 2	I	E1 6567109.11
	Lot 2	I	E1 6567109.11

Schedule of Existing Easements in Gross			
Purpose	Burdened Land	Shown	Creating Document
Right to Convey Electricity	Lot 1	F	E1 6860303.5
	Lot 1	AB, B, CC, D, E	E1 6567109.8
Lot 2	AA, L, M		
Right to Establish an Electricity Transformer	Lot 2	H	E1 6567109.8
	Lot 2	L	
Right to Convey Telecommunications	Lot 1	F	E1 6860303.4
	Lot 1	AB, B, CC, D, E, L, M	E1 6567109.6
Lot 2	AA, L, M		
Right of Way (Pedestrian Access and Mountain Biking Access)	Lot 2	J	E1 6567109.5
	Lot 2	K	

Existing Covenants and Consent Notices
 Area shown as CC & BB are subject to Consent Notice 6567109.3 (also affects Part Lots 3 and 5 DP
 Area AA is subject to Covenant 6567030.2
 Area DD is subject to Land Covenant in E1 6567109.9
 Lots 1 are subject to an existing Water Supply Scheme Covenant in Deed 764603

NOTES
 HIGHLIGHTED AREA INDICATED BY PURPLE HATCH TO BE EITHER EASEMENTS WITH THE RIGHT TO ACCESS IN FAVOUR OF QLDC OR TO VEST WITH QLDC (TO BE CONFIRMED)

Proposed Memorandum of Easements			
Purpose	Burdened Land	Shown	Benefited Land
Right of Way	Section 9 SO 423850	R	Lot 1
	Lot 2	I	Lot 1
Right to convey water, telecommunications and electricity	Lot 2	AA, L, M	Lot 1
	Lot 2	L	Lot 1
Right to transform electricity, right to pump water	Lot 2	WA	Lot 1
	Lot 2	WD	Lot 1, Lot 2

Proposed Amalgamation Conditions	
Lot 2 hereon, Section 9 SO 423850, Section 15 SO 423850, Part Lot 3 DP 344221 and Part Lot 5 DP 344221 be held in the same record of title - See C39 request XXXXX	

Rev	Date	Revision Details	By
A	16.05.24	Boundary updates and easements added	LH
B	24.05.24	Boundary and easement updates	LH
C	07.06.24	DP and amendments to Lot 1	LH
E	06.09.24	Right to access easements added	LH

298 CROWN RANGE ROAD SUBDIVISION
LOTS 1 & 2 BEING A SUBDIVISION OF LOT 1 DP 461855

Client	D. Stretch	DATE	16540	SHEET	01
DESIGNED		DATE		SCALE	1:2000 @ A1 1:4000 @ A3
DRAWN	LH	DATE	23.04.24	DATE	MT NIC 2000
CHECKED		DATE		BY	E
APPROVED		DATE			

Bulk 29/09/24

Schedule of Existing Easements to remain			
Purpose	Burdened Land	Shown	Creating Document
Right to Convey Water	Lot 1	AB, B, CC, D, E	E 16587109.11
	Lot 2	AA, M	
Right to Store, Pump and Convey Water	Lot 2	L	E 16952063.6
	Lot 1	F	
Right to Convey Water	Lot 1	AB, G	E 16862037
	Lot 2	AA	
Right to Convey Electricity	Lot 1	C	E 16862037.8
	Section 9 SO 423850	R	
Right of Way	Lot 1	AB	E 16872226.2, E 16872226.3
	Lot 2	AA, AC, M, VB	
Right to Convey Water	Lot 2	H	E 19014910.2
	Lot 2	L	
Right to Store, Pump and Convey Water	Lot 2	L	E 19320443.6
	Lot 2	H	
Right to Convey Telecommunications	Lot 2	H	E 16587106.11
	Lot 2	L, Z	
Right of Way	Lot 2	L, Z	E 19014919.2
	Lot 2	L	

Schedule of Existing Easements in Gross			
Purpose	Burdened Land	Shown	Creating Document
Right to Convey Electricity	Lot 1	F	E 16862037.5
	Lot 1	AB, B, CC, D, E	
Right to Establish an Electricity Transformer	Lot 2	AA, L, M	E 16587109.9
	Lot 2	H	
Right to Convey Telecommunications	Lot 1	F	E 16862037.4
	Lot 1	AB, B, CC, D, E, L	
Right of Way (Pedestrian Access and Mountain Biking Access)	Lot 1	M	E 16587109.6
	Lot 2	AA, L, M	
Right of Way (Pedestrian Access and Mountain Biking Access)	Lot 2	J	E 16587109.5
	Lot 2	K	

Existing Covenants and Easement Locations
 Area shown as CC & BB are subject to Consent Notice 05/17/09.3 which affects Part Lots 3 and 5 DP
 Area AA is subject to Consent Notice 05/03/02.2
 Area GG is subject to Land Covenant in E 16587109.9
 Lots 1 are subject to an existing Water Supply Scheme Covenant in Decd 784603

NOTES
 HIGHLIGHTED AREA INDICATED BY PURPLE HATCH TO BE EITHER EASEMENTS WITH THE RIGHT TO ACCESS IN FAVOUR OF QLDC OR TO VEST WITH QLDC (TO BE CONFIRMED)

FOR DISCUSSION - 06.09.24

Rev	Date	Revision Details	By
A	16.05.24	Boundary updates and easements added	LH
B	24.05.24	Boundary and easement updates	LH
C	07.06.24	DP and amendments to Lot 1	LH
E	06.09.24	Right to access easements added	LH

**298 CROWN RANGE ROAD SUBDIVISION
 LOTS 1 & 2 BEING A SUBDIVISION OF LOT 1 DP 461855**

Client		D. Stretch		SURVEYED		16540		01	
DESIGNED	-	DATE	-	SCALE	1:2000 @ A1	SHEET	002		
DRAWN	LM	DATE	23.04.24	SCALE	1:4000 @ A3				
CHECKED	-								
APPROVED	-								



[Handwritten Signature] 29/09/24



AREA BA BEING A PROPOSED BUILDING PLATFORM

10.0m
22.0m
AREA BA

35.5903
34.9551
19.9m



CLARK FORTUNE McDONALD
LAND SURVEYORS | LAND DEVELOPMENT | PLANNING CONSULTANTS
DUNEDIN | DUNELMAN | OMBUSTHURCH | GORE

Rev	Date	Revision Details	By
C	07.06.24	Sheet added	LH

298 CROWN RANGE ROAD SUBDIVISION LOTS 1 & 2 BEING A SUBDIVISION OF LOT 1 DP 461855

Client	D. Stretch	SURVEYED	---	Subst.	16540	Drawings	01
		DESIGNED	---				SHEET 003
		DRAWN	LM	23.04.24	Scale	1:500 @ A1	1:1000 @ A3
		CHECKED	---		Datum & Level	MT NIC 2000	Rev.
		APPROVED	---				E

NOTES:
ALL DIMENSIONS SHOWN ARE IN METERS UNLESS SHOWN OTHERWISE
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BdeB 29/07/24