

Before the Hearings Panel

Under the Resource Management Act 1991

In the matter of a variation to Chapter 21 Rural Zone of the Proposed Queenstown Lakes District Plan, to introduce Priority Area Landscape Schedules 21.22 and 21.23

Memorandum of counsel on behalf of Hansen Family Partnership (Submitter #142)

31 October 2023

Submitter's solicitors:

Maree Baker-Galloway | Laura McLaughlan
Anderson Lloyd
Level 2, 13 Camp Street, Queenstown 9300
PO Box 201, Queenstown 9348

p + 64 3 450 0700
maree.baker-galloway@al.nz | laura.mclaughlan@al.nz

**anderson
lloyd.**

May it please the Panel

- 1 This memorandum of counsel is filed on behalf of Hansen Family Partnership (Submitter #142) (**Submitter**) in response to the oral request of the Panel dated 24 October 2023 requesting the Submitter provide copies of the Records of Title for its land at Hansen Road.

- 2 Council's Landscape Priority Area map appears to have been updated to show the correct number of allotments at Hansen Road. The following Records of Title are **attached** confirming the Submitter has an interest in 20 allotments within the Priority Area held across five Records of Title:
 - (a) Appendix 1 is a copy of Record of Title OT44/191, along with a GRIP map identifying the legal descriptions of the relevant allotments;
 - (b) Appendix 2 is a copy of Record of Title 898363, along with a GRIP map identifying the legal description of the relevant allotment;
 - (c) Appendix 3 is a copy of Record of Title 860234, along with a GRIP map identifying the legal description of the relevant allotment;
 - (d) Appendix 4 is a copy of Record of Title 921157, along with a GRIP map identifying the legal descriptions of the relevant allotments;
 - (e) Appendix 5 is a copy of Record of Title 1076, along with a GRIP map identifying the legal description of the relevant allotment;
 - (f) Appendix 6 is a copy of Appendix 3 to the Submitters submission, showing the active and built building platforms and existing development at and around the Submitter's land within the ONF.

Dated this 31st day of October 2023



Maree Baker-Galloway/Laura McLaughlan
Counsel for Hansen Family Partnership

Appendix 1 - a copy of Record of Title OT44/191, along with a GRIP map identifying the legal descriptions of the relevant allotments



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




R. W. Muir
Registrar-General
of Land

Identifier OT44/191
Land Registration District Otago
Date Issued 21 April 1879

Prior References
OT39/190

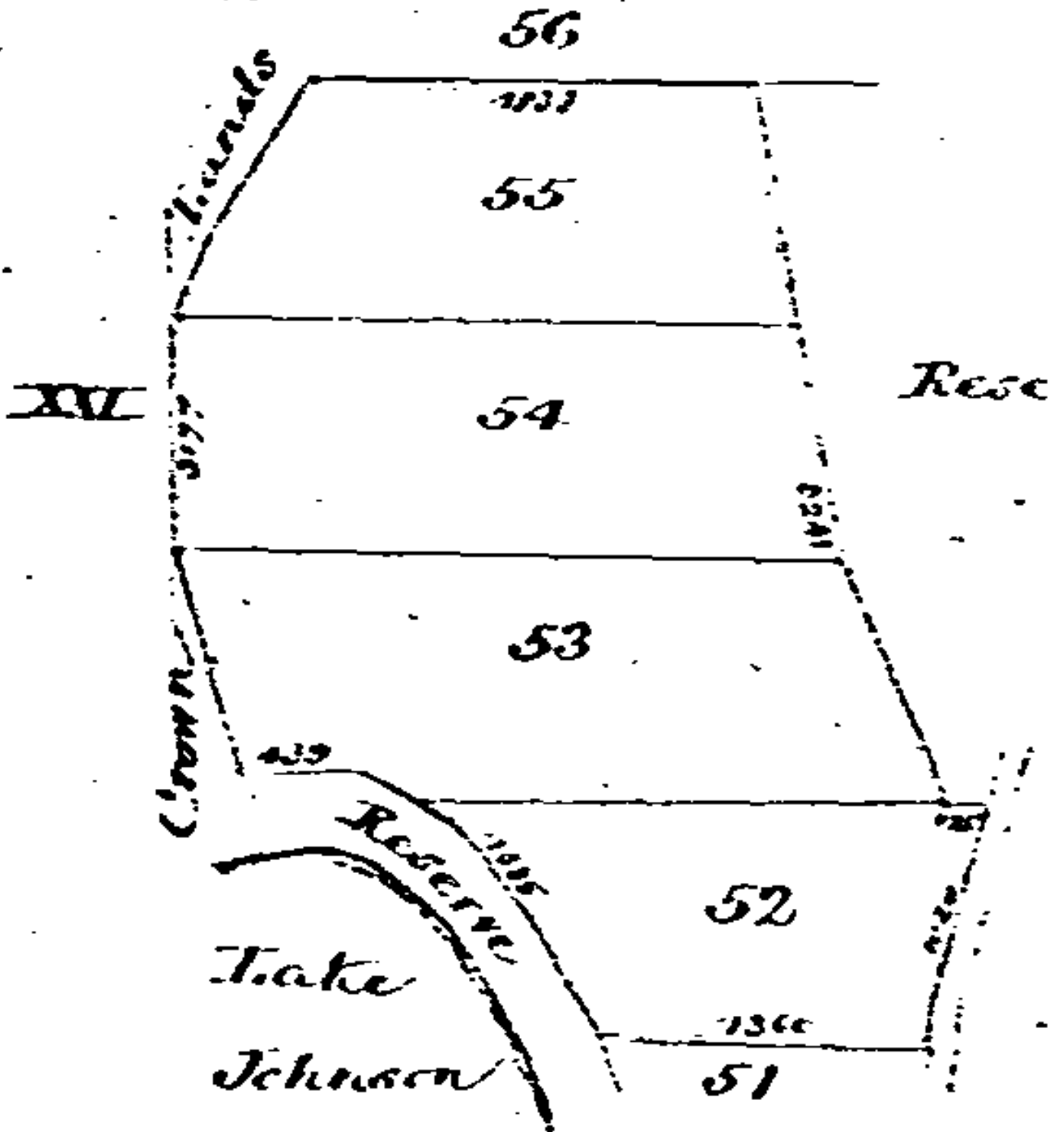
Estate Fee Simple
Area 39.4998 hectares more or less
Legal Description Section 52-55 Block II Shotover Survey
District

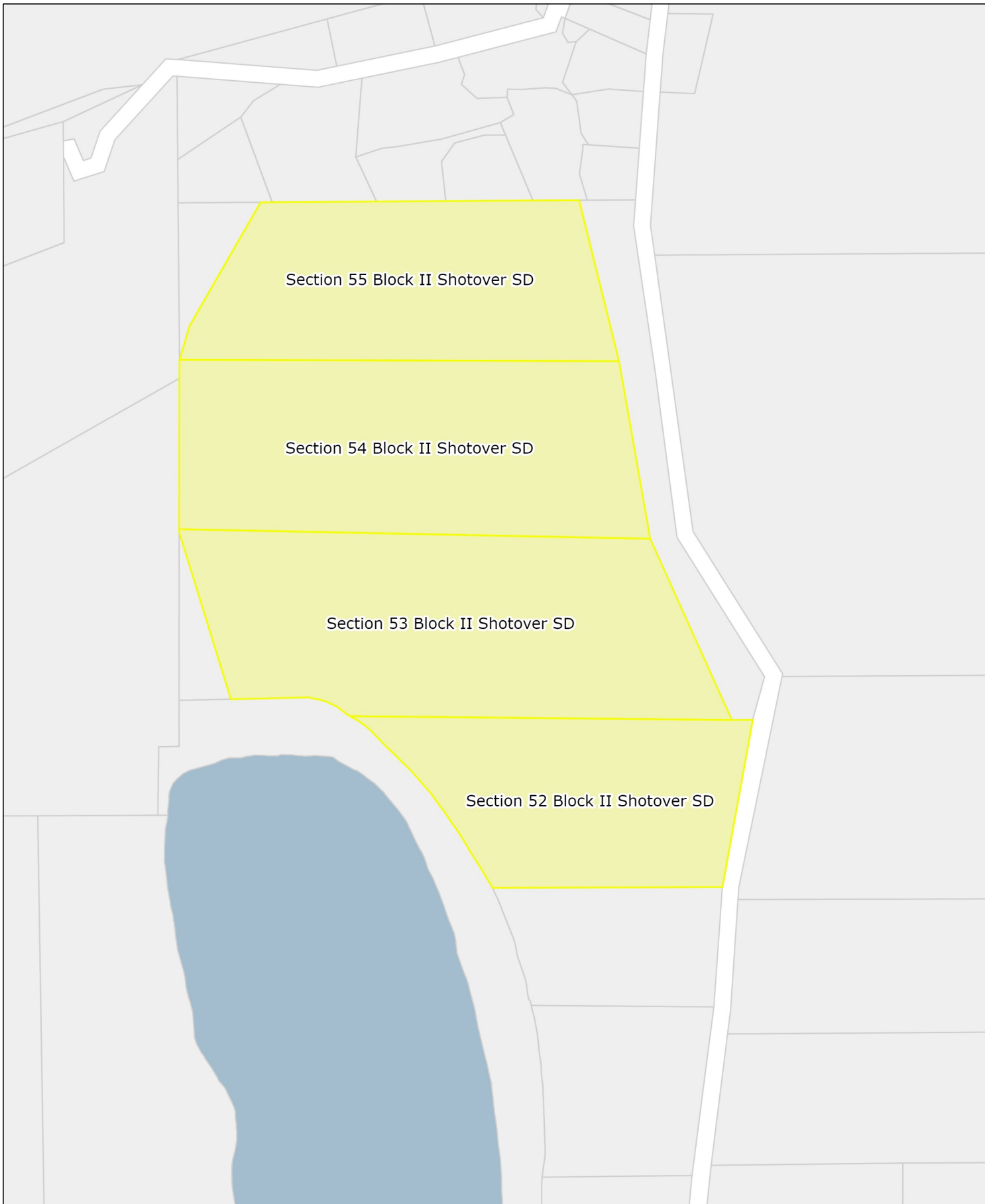
Registered Owners

Lynley Grace Hansen and Walter John Rutherford as to a 1/4 share
Lynley Grace Hansen, Walter John Rutherford and Tarbert Trustees (2022) Limited as to a 1/4 share
Lynley Grace Hansen, Walter John Rutherford and Tarbert Trustees (2022) Limited as to a 1/4 share
Lynley Grace Hansen, Walter John Rutherford and Tarbert Trustees (2022) Limited as to a 1/4 share

Interests

Land Covenant in Covenant Instrument 11417590.12 - 10.5.2022 at 9:27 am
Land Covenant in Covenant Instrument 11717383.8 - 23.6.2022 at 4:09 pm





Map Prepared



OT44/191

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Appendix 2 - a copy of Record of Title 898363, along with a GRIP map identifying the legal description of the relevant allotment



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




R.W. Muir
Registrar-General
of Land

Identifier 898363
Land Registration District Otago
Date Issued 23 June 2022

Prior References
860236

Estate Fee Simple
Area 14.4674 hectares more or less
Legal Description Lot 5 Deposited Plan 538521

Registered Owners

Lynley Grace Hansen and Walter John Rutherford as to a 1/4 share
Lynley Grace Hansen, Walter John Rutherford and Tarbert Trustees (2022) Limited as to a 1/4 share
Lynley Grace Hansen, Walter John Rutherford and Tarbert Trustees (2022) Limited as to a 1/4 share
Lynley Grace Hansen, Walter John Rutherford and Tarbert Trustees (2022) Limited as to a 1/4 share

Interests

383282 Compensation Certificate pursuant to Section 17 Public Works Act 1948 - 17.3.1972 at 1.41 pm (affects part formerly Section 124 Block I Shotover Survey District in RT OT13A/897)
Subject to a right of way over part marked A and B and a right to convey water over part marked A, C, K and H all on DP 538521 created by Easement Instrument 11417590.6 - 10.5.2022 at 9:27 am
The easements created by Easement Instrument 11417590.6 are subject to Section 243 (a) Resource Management Act 1991
Subject to a right (in gross) to convey telecommunications over part marked H on DP 538521 in favour of Chorus New Zealand Limited created by Easement Instrument 11417590.7 - 10.5.2022 at 9:27 am
The easements created by Easement Instrument 11417590.7 are subject to Section 243 (a) Resource Management Act 1991
Subject to a right (in gross) to convey electricity over part marked A, C, D, K, H and L and to transform electricity over part marked D all on DP 538521 in favour of Aurora Energy Limited created by Easement Instrument 11417590.8 - 10.5.2022 at 9:27 am
The easements created by Easement Instrument 11417590.8 are subject to Section 243 (a) Resource Management Act 1991
Subject to a right (in gross) of way (pedestrian and cycle way) over part marked E, R, Q, P, O and N on DP 538521 in favour of Queenstown Lakes District Council created by Easement Instrument 11417590.9 - 10.5.2022 at 9:27 am
The easements created by Easement Instrument 11417590.9 are subject to Section 243 (a) Resource Management Act 1991
Subject to a right (in gross) to convey water over part marked E, T, Q, U, O, S, L and F on DP 538521 in favour of Arrow Irrigation Company Limited created by Easement Instrument 11417590.10 - 10.5.2022 at 9:27 am
The easements created by Easement Instrument 11417590.10 are subject to Section 243 (a) Resource Management Act 1991
Land Covenant in Covenant Instrument 11417590.11 - 10.5.2022 at 9:27 am
Land Covenant in Covenant Instrument 11417590.12 - 10.5.2022 at 9:27 am
11717383.3 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 23.6.2022 at 4:09 pm

Subject to a right of way over part marked A, W, P, Q and R and a right to convey water over part marked A, W, P, Q, R and I all on DP 538521 created by Easement Instrument 11717383.4 - 23.6.2022 at 4:09 pm

The easements created by Easement Instrument 11717383.4 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right (in gross) to convey telecommunications over part marked A, W, P, Q and R on DP 538521 in favour of Chorus New Zealand Limited created by Easement Instrument 11717383.5 - 23.6.2022 at 4:09 pm

The easements created by Easement Instrument 11717383.5 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right (in gross) to convey water over part marked X on DP 538521 in favour of Arrow Irrigation Company Limited created by Easement Instrument 11717383.6 - 23.6.2022 at 4:09 pm

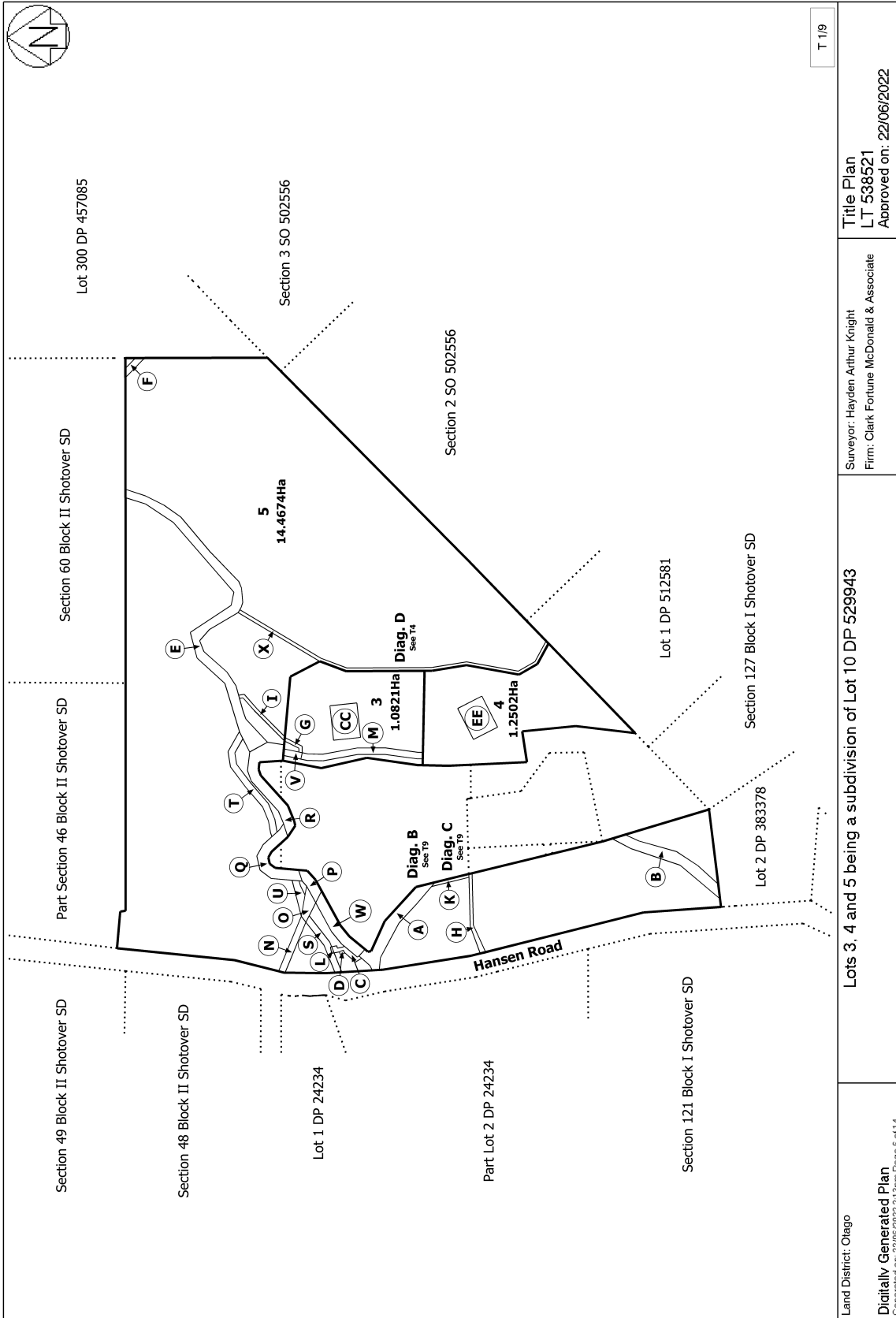
The easements created by Easement Instrument 11717383.6 are subject to Section 243 (a) Resource Management Act 1991

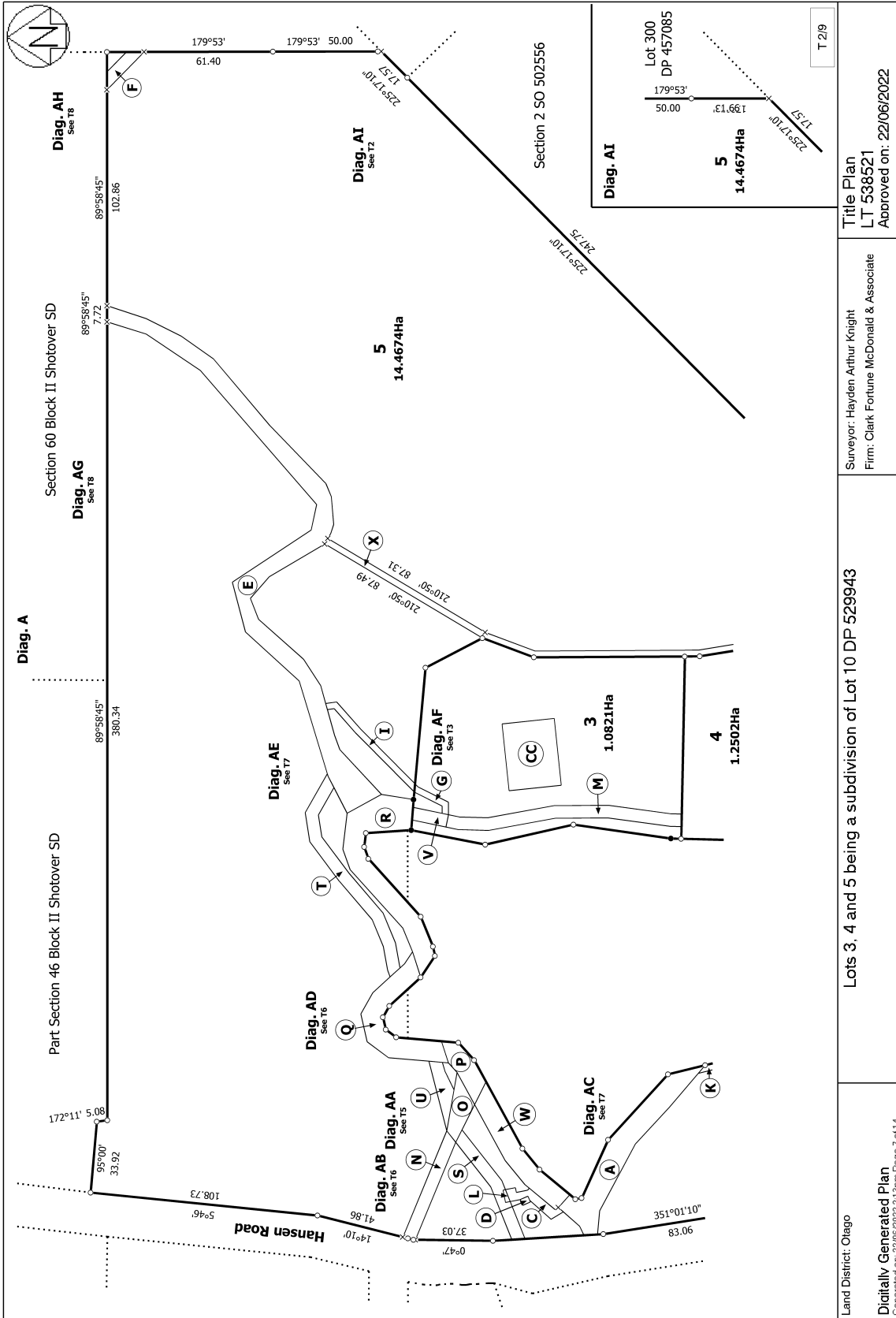
Subject to a right (in gross) to convey electricity over part marked W, P, Q and R on DP 538521 in favour of Aurora Energy Limited created by Easement Instrument 11717383.7 - 23.6.2022 at 4:09 pm

The easements created by Easement Instrument 11717383.7 are subject to Section 243 (a) Resource Management Act 1991

Land Covenant in Covenant Instrument 11717383.8 - 23.6.2022 at 4:09 pm

Land Covenant in Covenant Instrument 11717383.9 - 23.6.2022 at 4:09 pm



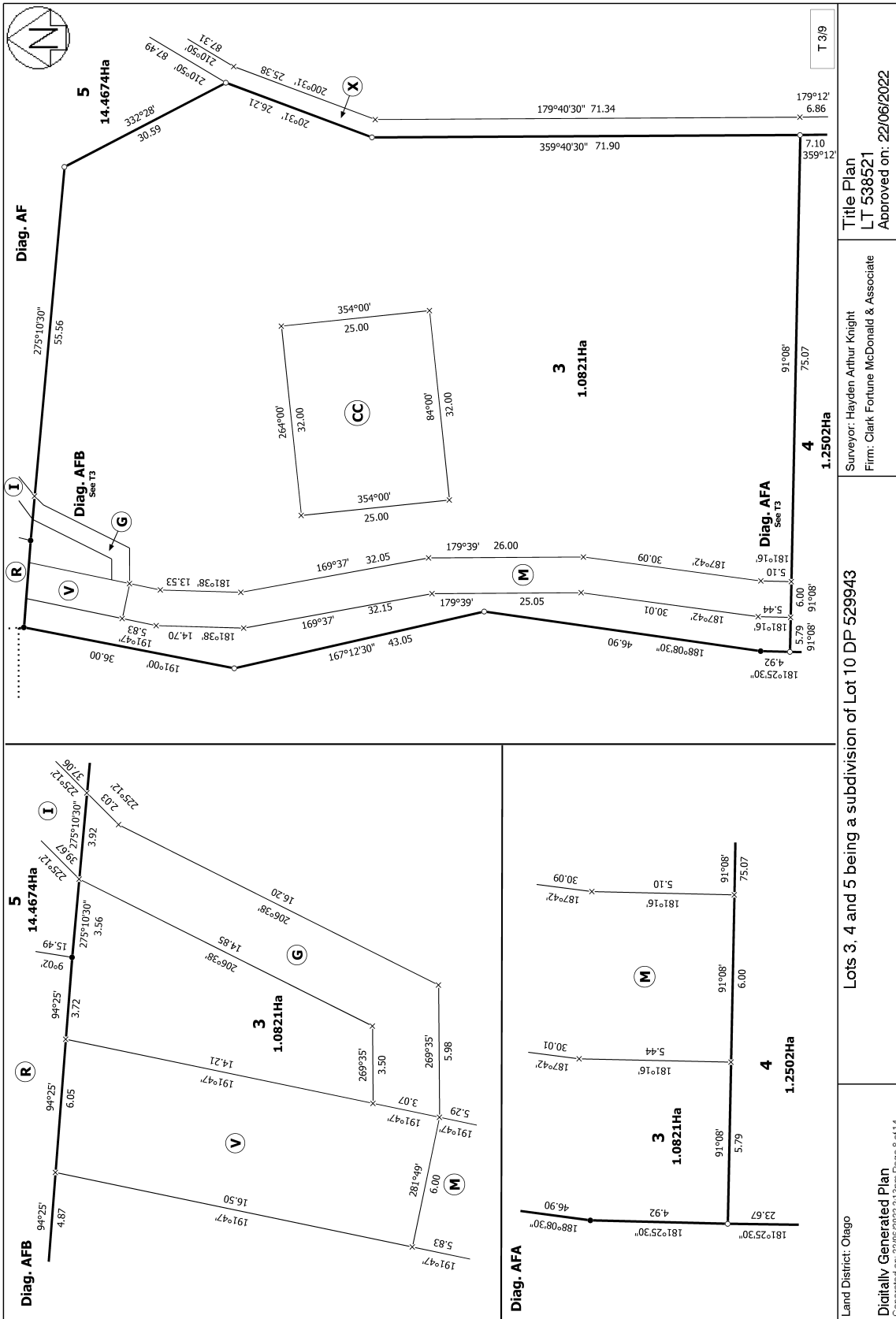


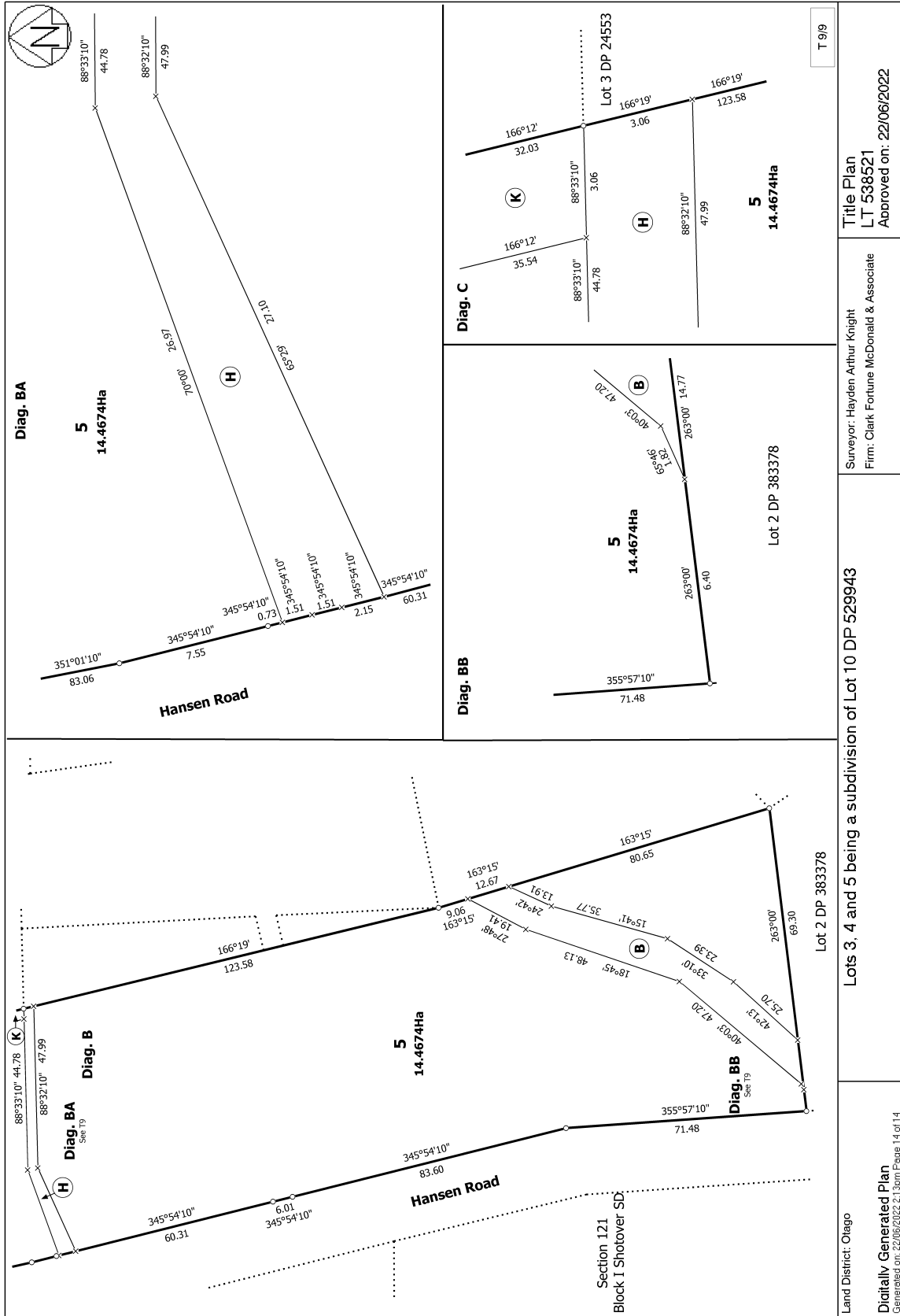
Land District: Otago
 Digitally Generated Plan
 Generated on: 22/06/2022 2:13pm Page 7 of 14

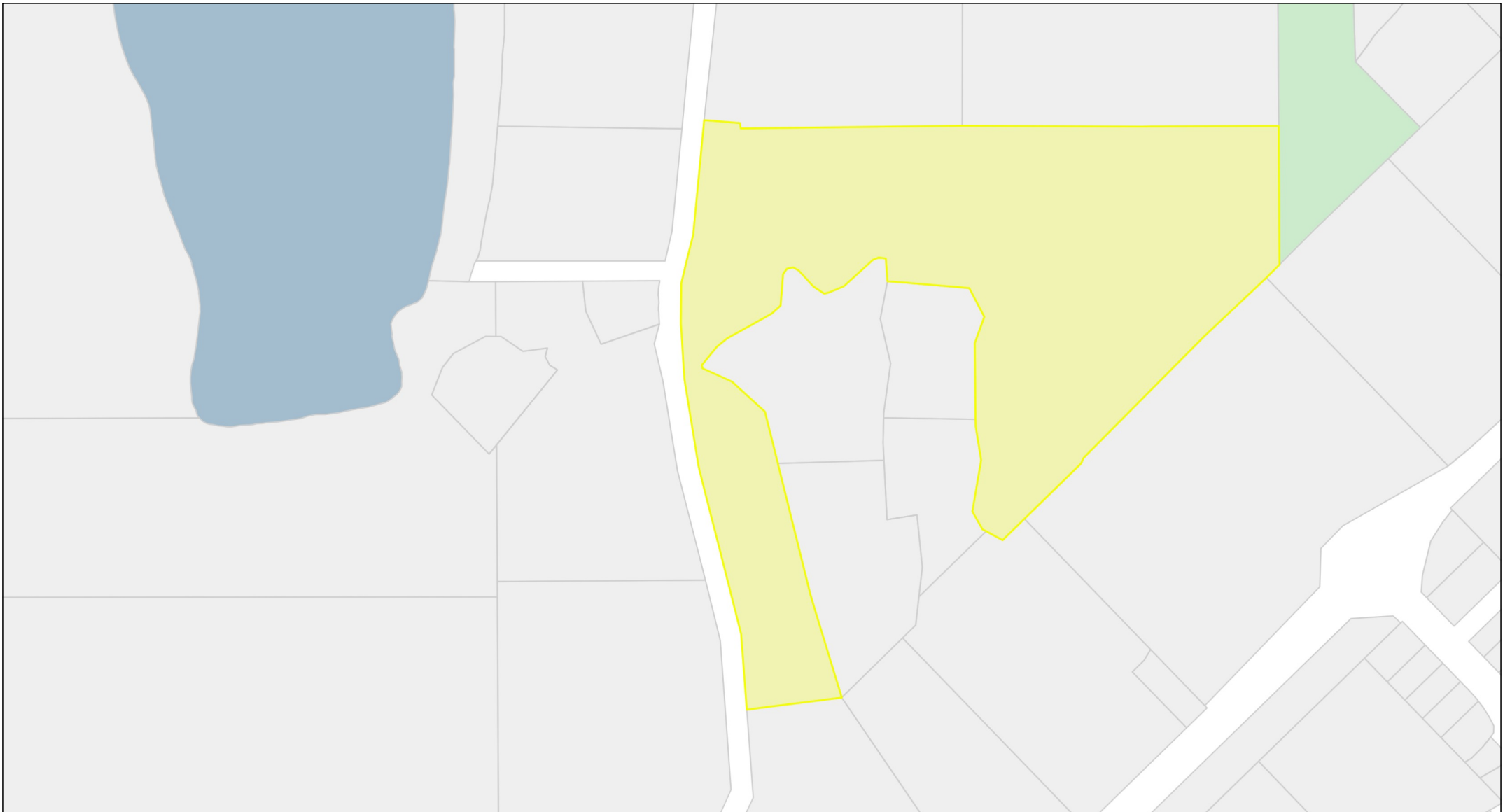
Surveyor: Hayden Arthur Knight
 Firm: Clark Fortune McDonald & Associate

Title Plan
 LT 538521
 Approved on: 22/06/2022

Lot 3, 4 and 5 being a subdivision of Lot 10 DP 529943







Map Prepared



921157

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25 October 2023



Appendix 3 - a copy of Record of Title 860234, along with a GRIP map identifying the legal description of the relevant allotment



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




R. W. Muir
Registrar-General
of Land

Identifier 860234
Land Registration District Otago
Date Issued 10 May 2022

Prior References
49185

Estate Fee Simple
Area 2.1833 hectares more or less
Legal Description Lot 1 Deposited Plan 529943

Registered Owners

Lynley Grace Hansen, Walter John Rutherford and Tarbert Trustees (2022) Limited

Interests

11417590.5 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 10.5.2022 at 9:27 am

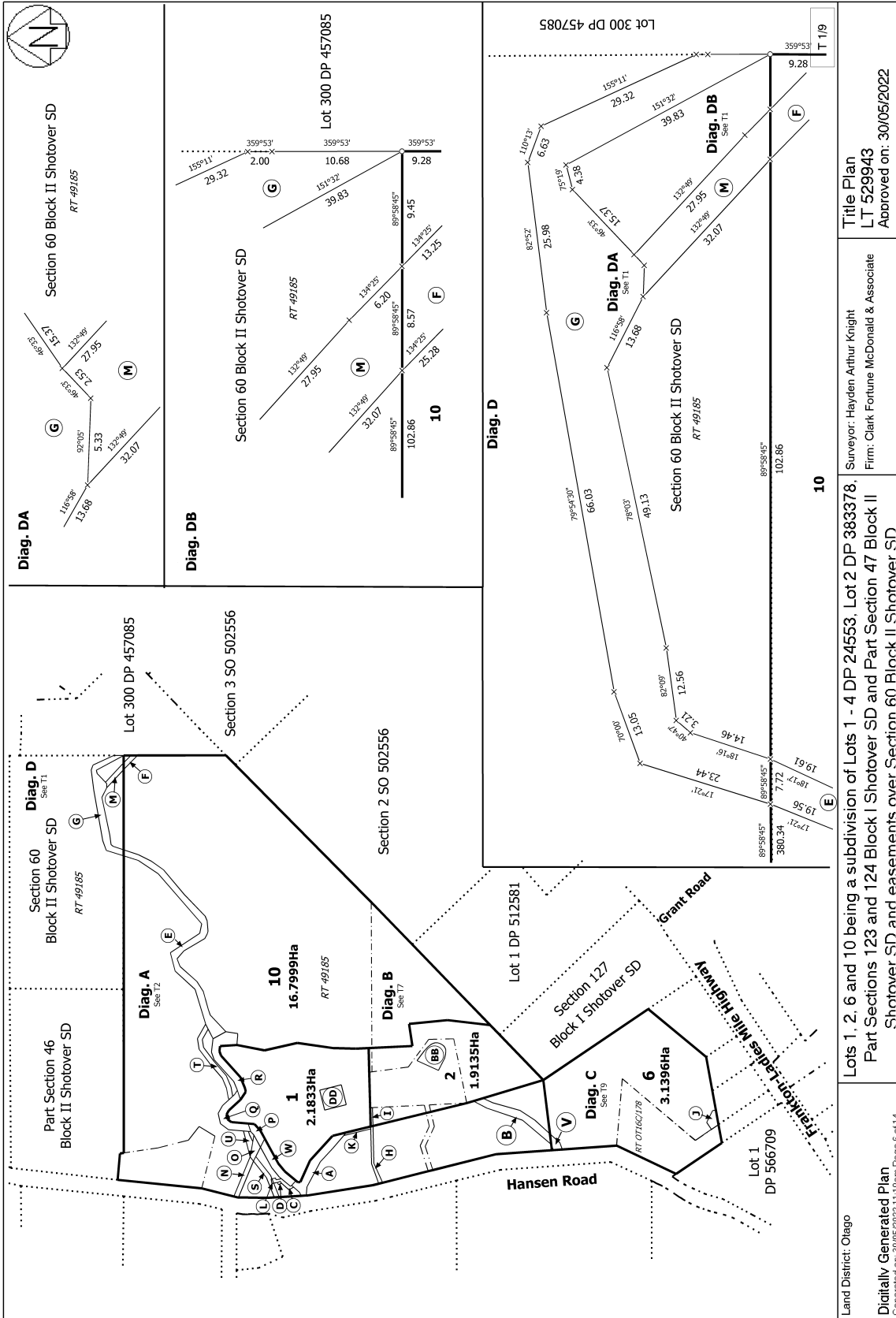
Appurtenant hereto is a right of way and a right to convey water created by Easement Instrument 11417590.6 - 10.5.2022 at 9:27 am

The easements created by Easement Instrument 11417590.6 are subject to Section 243 (a) Resource Management Act 1991

Land Covenant in Covenant Instrument 11417590.11 - 10.5.2022 at 9:27 am

Land Covenant in Covenant Instrument 11417590.12 - 10.5.2022 at 9:27 am

Land Covenant in Covenant Instrument 11717383.8 - 23.6.2022 at 4:09 pm

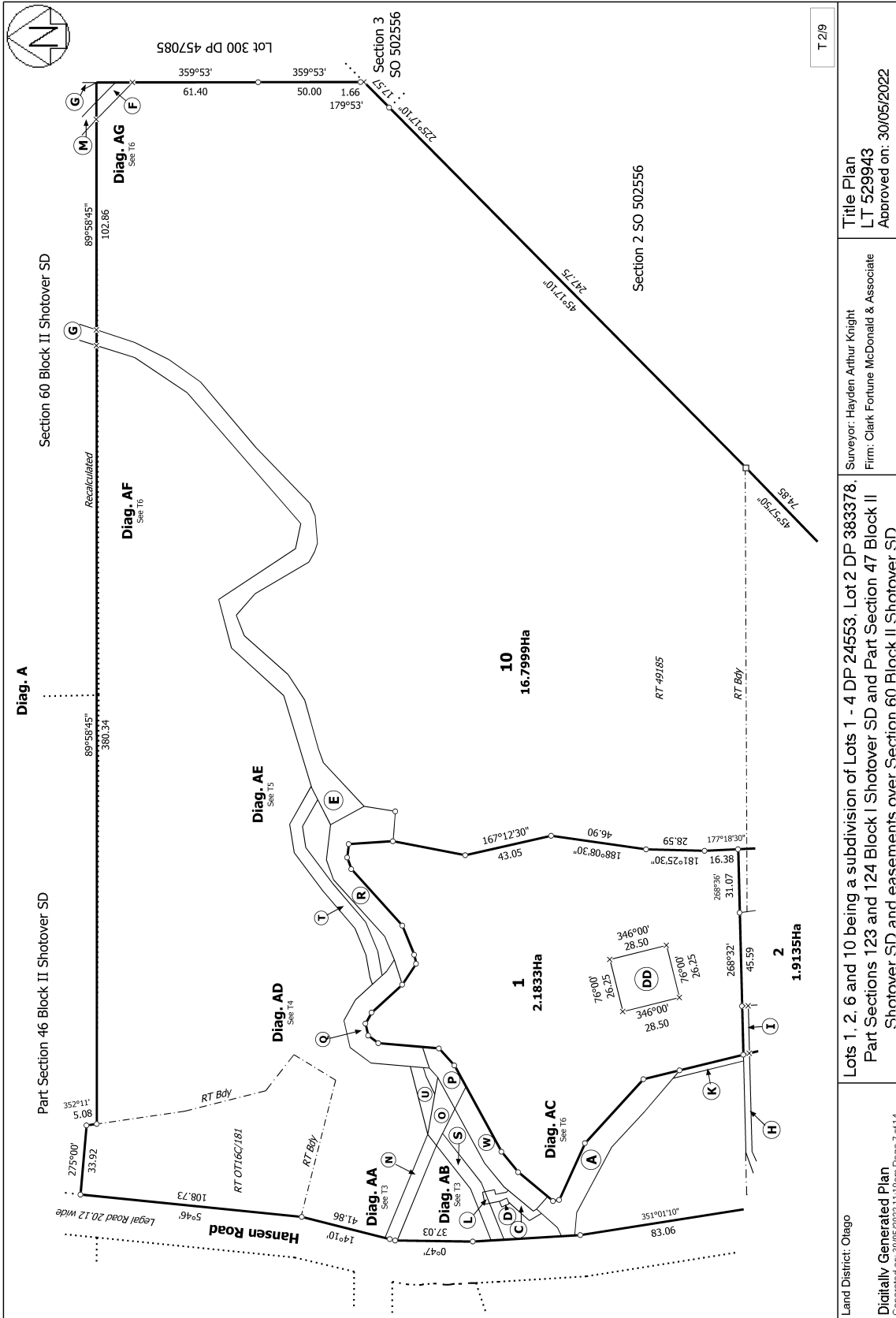


Land District: Otago
 Digitally Generated Plan
 Generated on: 30/05/2022 11:10am Page 6 of 14

Lots 1, 2, 6 and 10 being a subdivision of Lots 1 - 4 DP 24553, Lot 2 DP 383378,
 Part Sections 123 and 124 Block I Shotover SD and Part Section 47 Block II
 Shotover SD and easements over Section 60 Block II Shotover SD

Surveyor: Hayden Arthur Knight
 Firm: Clark Fortune McDonald & Associate

Title Plan
 LT 529943
 Approved on: 30/05/2022



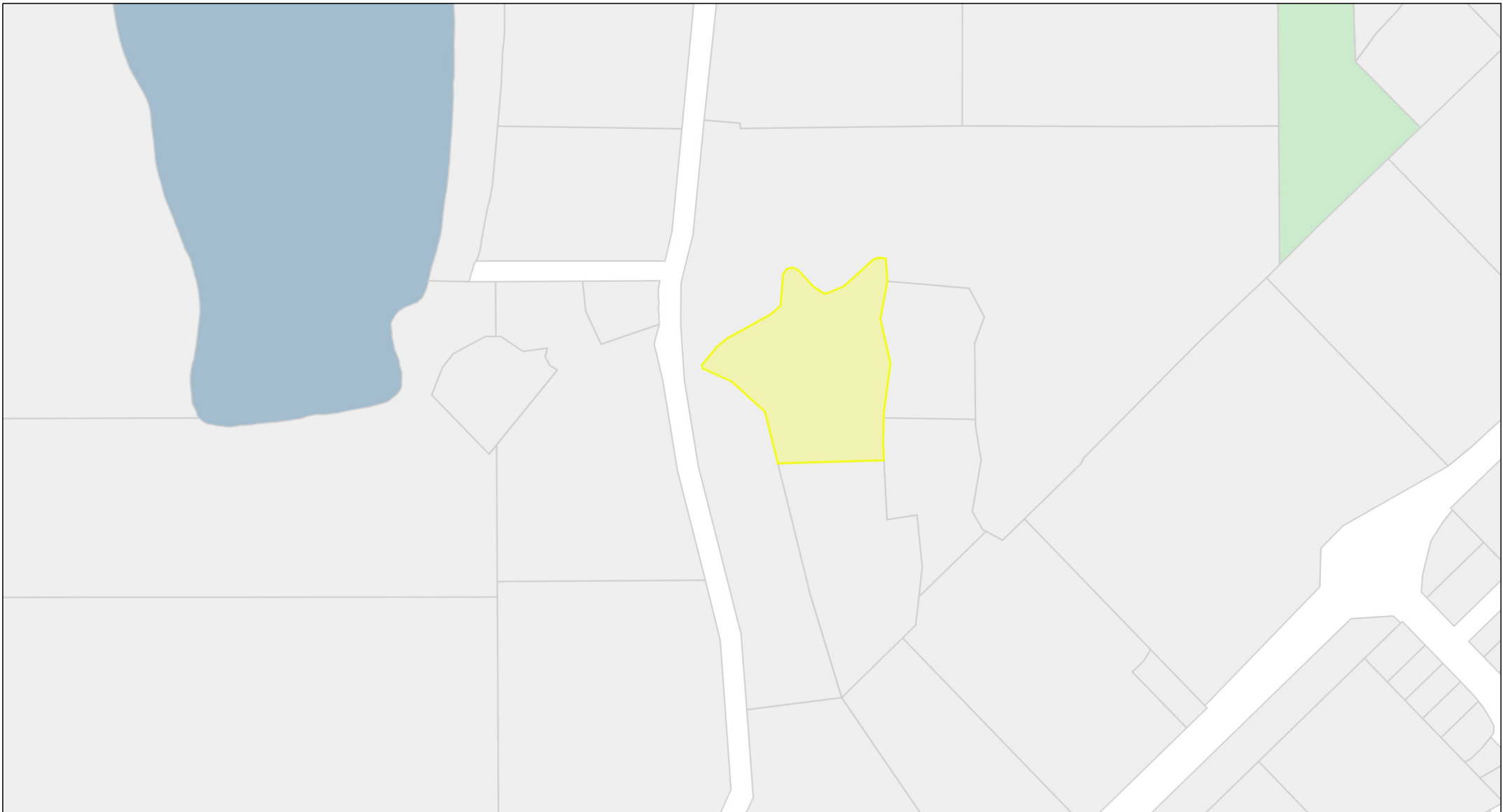
T 2/9

Land District: Otago
 Digitally Generated Plan
 Generated on: 30/05/2022 11:10am Page 7 of 14

Surveyor: Hayden Arthur Knight
 Firm: Clark Fortune McDonald & Associate

Lots 1, 2, 6 and 10 being a subdivision of Lots 1 - 4 DP 24553, Lot 2 DP 383378,
 Part Sections 123 and 124 Block I Shotover SD and Part Section 47 Block II
 Shotover SD and easements over Section 60 Block II Shotover SD

Title Plan
 LT 529943
 Approved on: 30/05/2022



Map Prepared



860234

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25 October 2023



Appendix 4 - a copy of Record of Title 921157, along with a GRIP map identifying the legal descriptions of the relevant allotments



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy




R. W. Muir
Registrar-General
of Land

Identifier **921157**
Land Registration District **Otago**
Date Issued 10 May 2022

Prior References
49185

Estate Fee Simple
Area 102.1932 hectares more or less
Legal Description Part Lot 2 Deposited Plan 24234 and Part
Section 46 Block II Shotover Survey
District and Section 43-45, 48-51, 60 Block
II Shotover Survey District and Part
Section 10 Block XXI Shotover Survey
District and Section 11, 23 Block XXI
Shotover Survey District

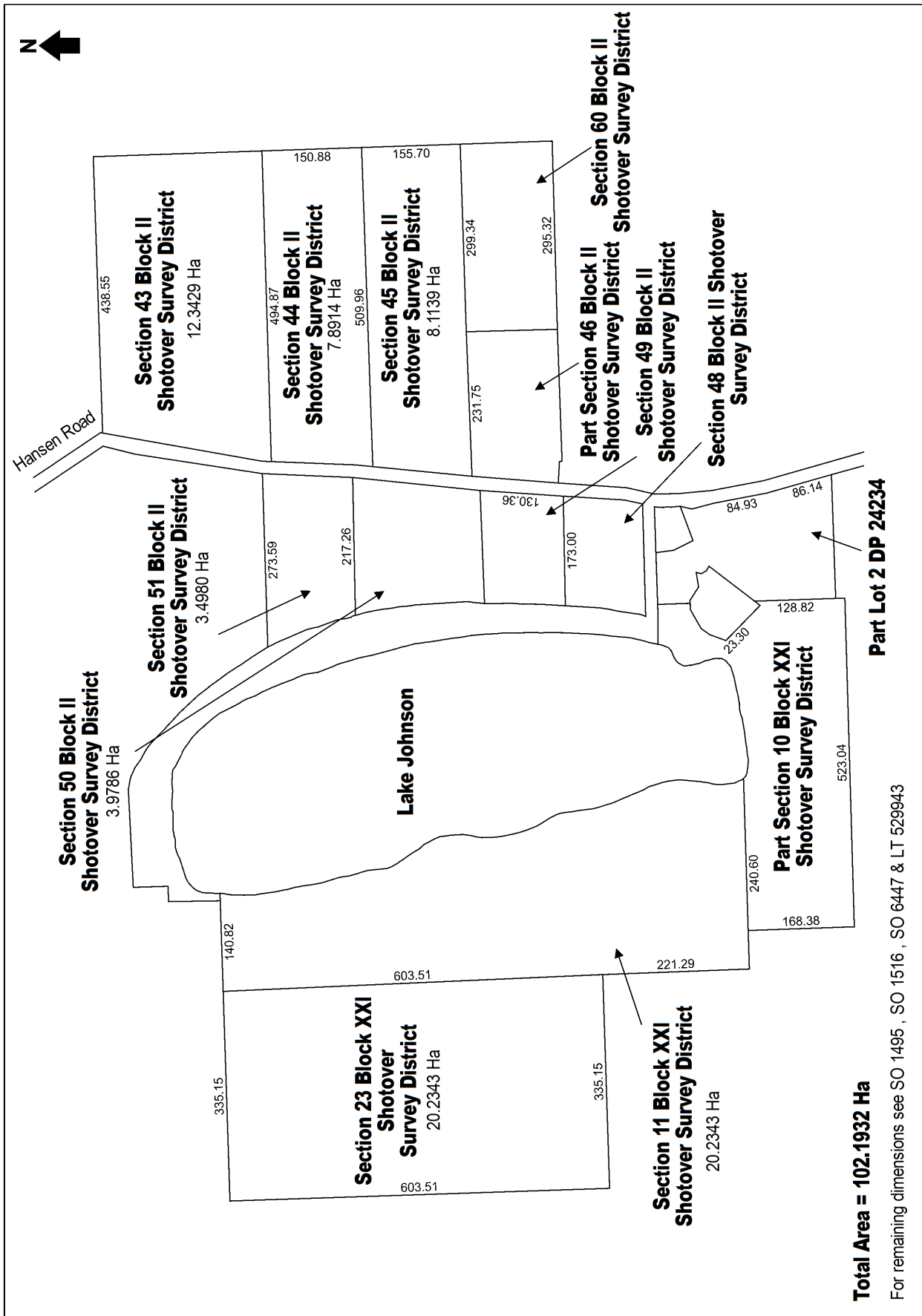
Registered Owners

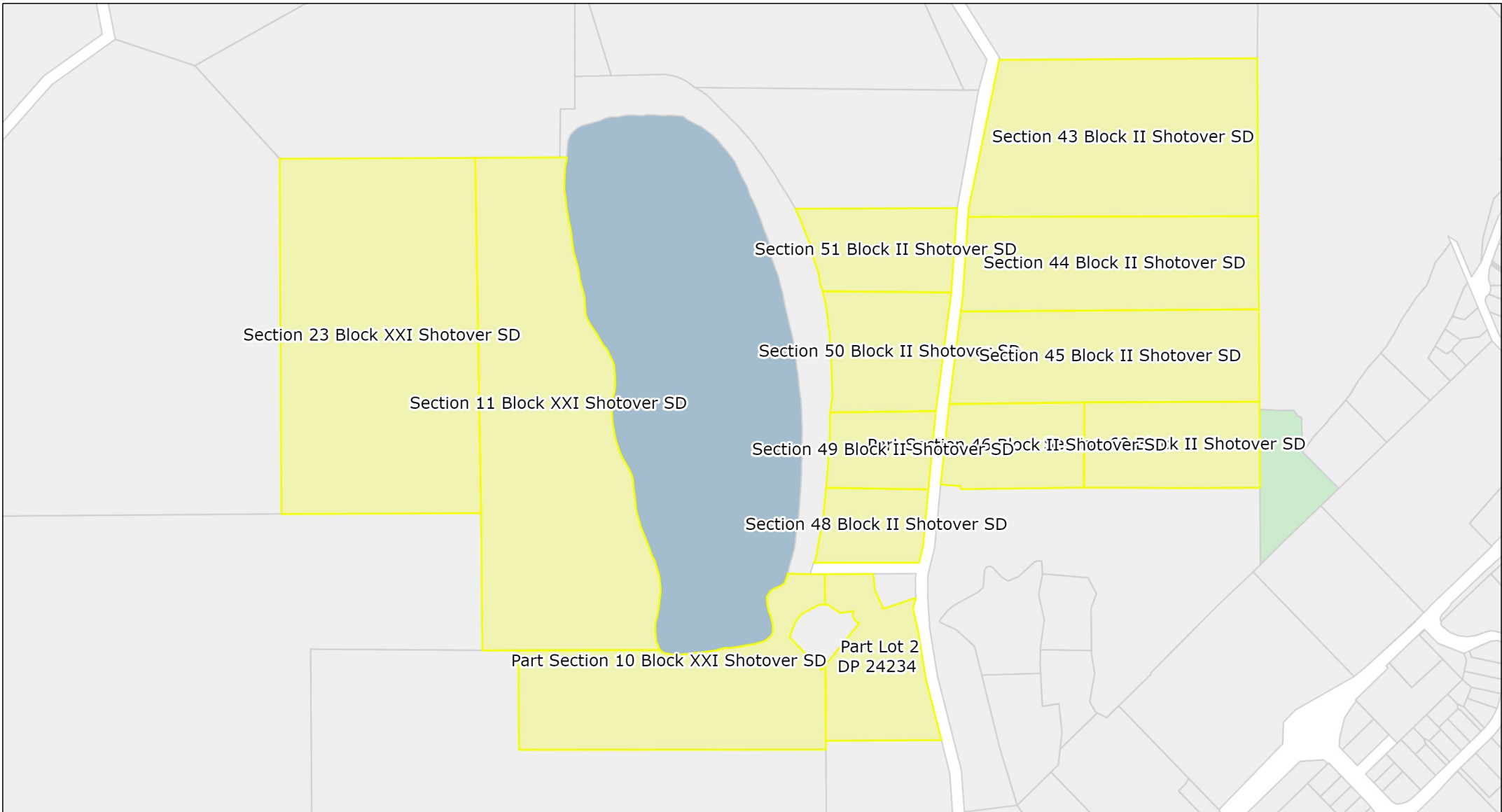
Lynley Grace Hansen and Walter John Rutherford as to a 1/4 share
Lynley Grace Hansen, Walter John Rutherford and Tarbert Trustees (2022) Limited as to a 1/4 share
Lynley Grace Hansen, Walter John Rutherford and Tarbert Trustees (2022) Limited as to a 1/4 share
Lynley Grace Hansen, Walter John Rutherford and Tarbert Trustees (2022) Limited as to a 1/4 share

Interests


Subject to Section 241 (2) Resource Management Act 1991 (see DP 24234)
Subject to a right (in gross) to convey water over part Lot 2 DP 24234 marked CZ on the diagram attached to Transfer 827625 in favour of Arrow Irrigation Company Limited created by Transfer 827625 - 14.4.1993 at 9:25 am
Subject to a right of way over part Lot 2 DP 24234 marked C and a right to convey water, electricity and telecommunications over part Lot 2 DP 24234 marked A and part Section 10 Block XXI Shotover Survey District marked B all on DP 300016 created by Easement Instrument 6925254.2 - 28.6.2006 at 9:00 am
The easements created by Easement Instrument 6925254.2 are subject to Section 243 (a) Resource Management Act 1991
Subject to a right (in gross) of way (pedestrian and cycle way) over part Section 60 Block II Shotover Survey District marked G on DP 529943 in favour of Queenstown Lakes District Council created by Easement Instrument 11417590.9 - 10.5.2022 at 9:27 am
The easements created by Easement Instrument 11417590.9 are subject to Section 243 (a) Resource Management Act 1991
Subject to a right (in gross) to convey water over part part Section 60 Block II Shotover Survey District marked G and M on DP 529943 in favour of Arrow Irrigation Company Limited created by Easement Instrument 11417590.10 - 10.5.2022 at 9:27 am
The easements created by Easement Instrument 11417590.10 are subject to Section 243 (a) Resource Management Act 1991
Land Covenant in Covenant Instrument 11417590.12 - 10.5.2022 at 9:27 am

Land Covenant in Covenant Instrument 11717383.8 - 23.6.2022 at 4:09 pm





Map Prepared


921157

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25 October 2023



Appendix 5 - a copy of Record of Title 1076, along with a GRIP map identifying the legal description of the relevant allotment



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




R. W. Muir
Registrar-General
of Land

Identifier 1076
Land Registration District Otago
Date Issued 14 August 2002

Prior References
OT16C/183

Estate Fee Simple
Area 7481 square metres more or less
Legal Description Lot 1 Deposited Plan 300016

Registered Owners

Lynley Grace Hansen and Walter John Rutherford as to a 1/4 share
Lynley Grace Hansen, Walter John Rutherford and Tarbert Trustees (2022) Limited as to a 1/4 share
Lynley Grace Hansen, Walter John Rutherford and Tarbert Trustees (2022) Limited as to a 1/4 share
Lynley Grace Hansen, Walter John Rutherford and Tarbert Trustees (2022) Limited as to a 1/4 share

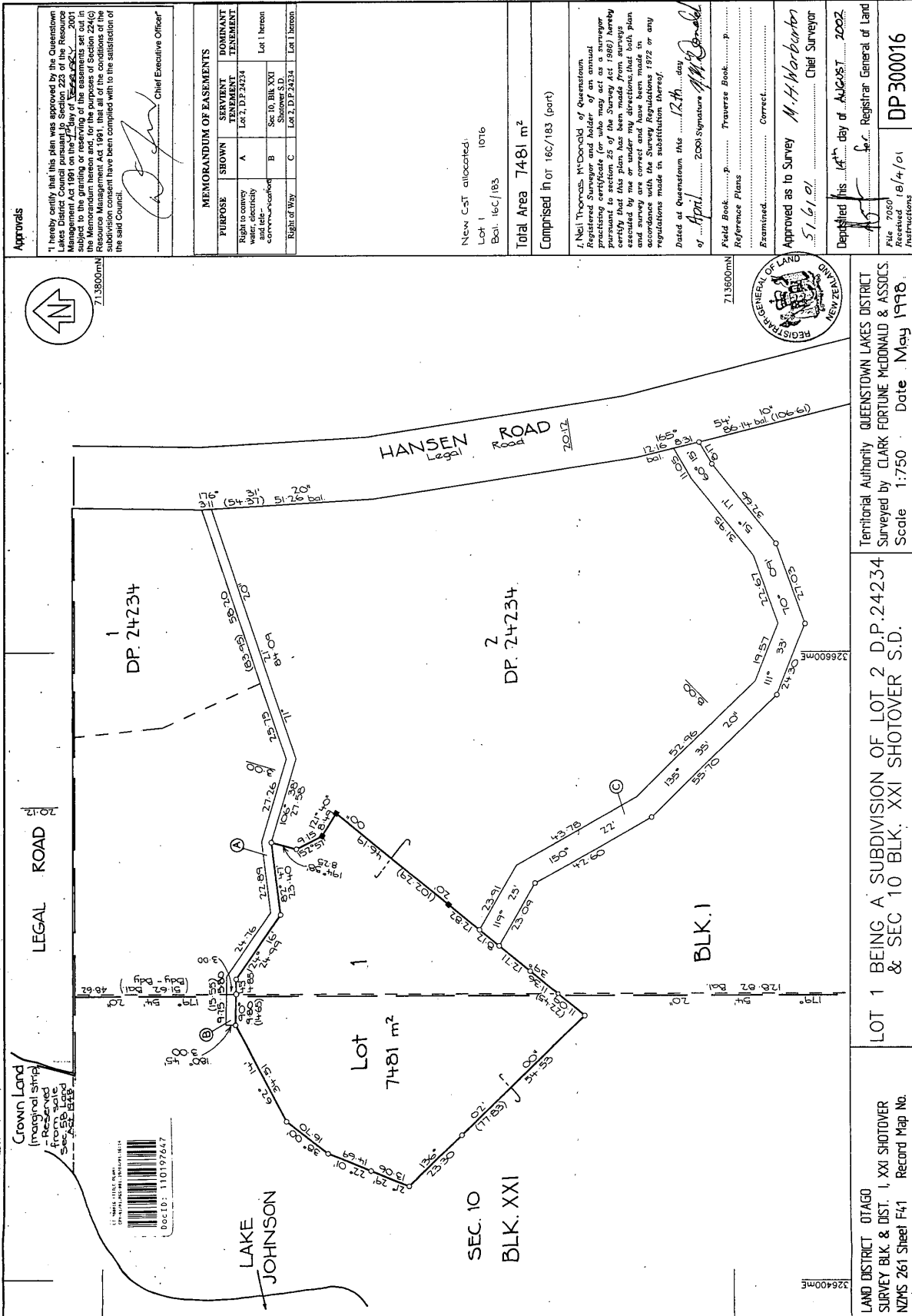
Interests

Appurtenant hereto is a right to convey water, electricity and telecommunications and a right of way created by Easement Instrument 6925254.2 - 28.6.2006 at 9:00 am

The easements created by Easement Instrument 6925254.2 are subject to Section 243 (a) Resource Management Act 1991

Land Covenant in Covenant Instrument 11417590.12 - 10.5.2022 at 9:27 am

Land Covenant in Covenant Instrument 11717383.8 - 23.6.2022 at 4:09 pm



Approvals

I hereby certify that this plan was approved by the Queenstown Lakes District Council pursuant to Section 223 of the Resource Management Act 1991 on the 12th day of August 2002. I am a duly qualified and registered surveyor under the provisions of the Resource Management Act 1991, that all of the conditions of the subdivision consent have been complied with to the satisfaction of the said Council.

[Signature]
Chief Executive Officer

MEMORANDUM OF EASEMENTS	
PURPOSE	SHOWN SERVIENT TENEMENT
Right to convey any facility and/or easement	Lot 2, D.P. 24234
	Sec 10, Blk XXI Shotover S.D.
Right of Way	Lot 2, D.P. 24234
	Lot 1 hereon

New Cat allocated:
Lot 1 1076
Blk. 16C/183

Total Area 7481 m²
Comprised in or 16C/183 (part)

I, Neil Thomas McDonald, of Queenstown, Registered Surveyor and holder of an annual practicing certificate (or who may act as a surveyor pursuant to section 25 of the Survey Act 1987) hereby certify that this plan has been made from surveys conducted by me or under my supervision and that the plan and survey are correct and have been made in accordance with the Survey Regulations 1972 or any regulations made in substitution thereof.

Dated at Queenstown this 12th day of August 2002.
Neil Thomas McDonald
Registered Surveyor

Field Book
Reference Plans
Examined
Traverse Book
Correct

Approved as to Survey M.H. Warburton
5/6/01
Chief Surveyor

Deposited this 12th day of August 2002.
Registrar General of Land

File 7050
Revised 16/4/01
Instructions
DP 300016

Crown Land (marginal strip) Reserved for Sec 10 Land Act 1954

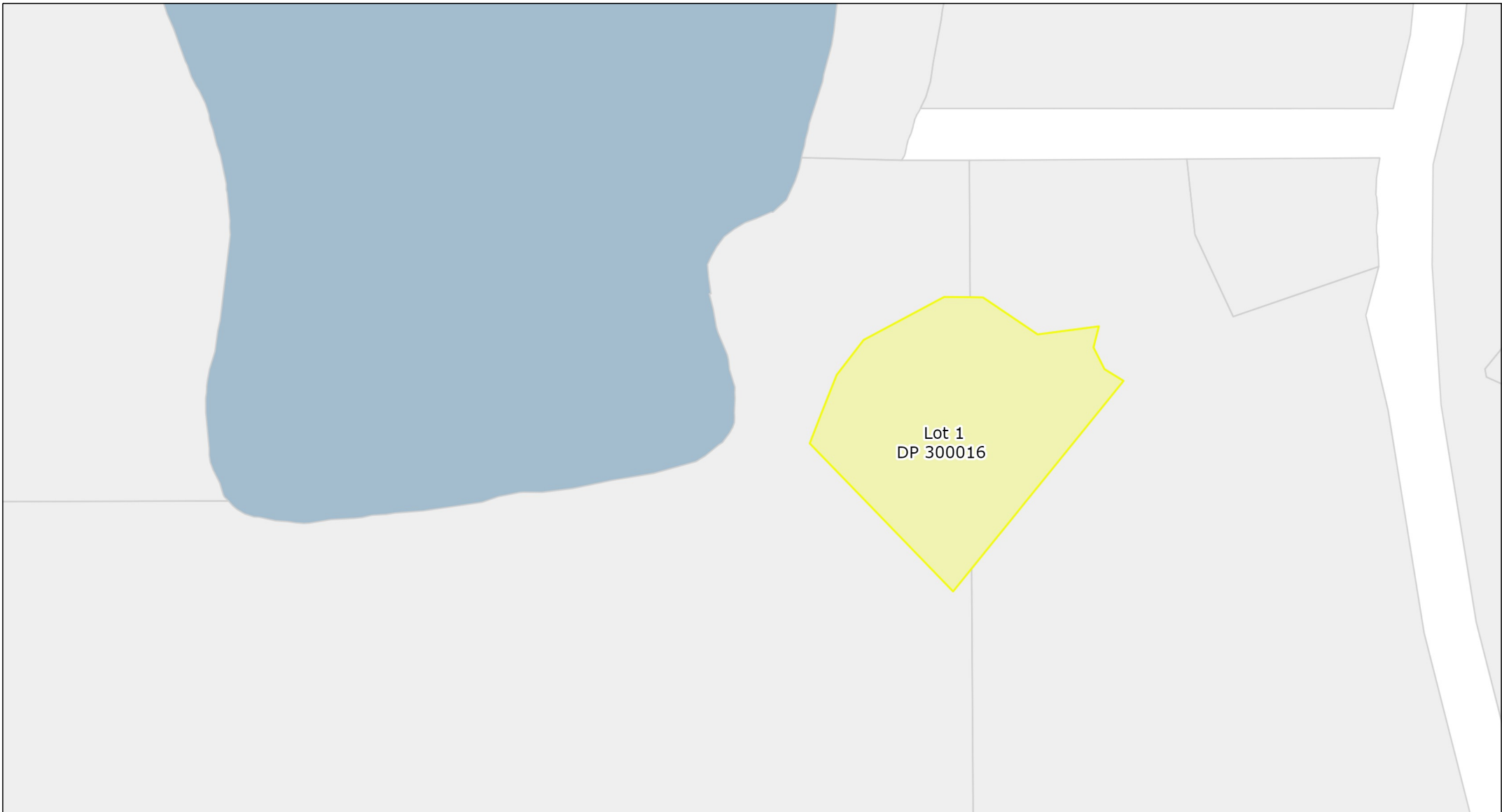


713800mm
326490mE
326690mE
713800mm

Territorial Authority QUEENSTOWN LAKES DISTRICT
Surveyed by CLARK FORTUNE McDONALD & ASSOC.
Scale 1:750 Date May 1998.

LOT 1 BEING A SUBDIVISION OF LOT 2 D.P. 24234 & SEC 10 BLK XXI SHOTOVER S.D.

LAND DISTRICT OTAGO
SURVEY BLK & DIST. 1, XXI SHOTOVER
NZMS 261 Sheet F41 Record Map No.



Map Prepared

1076

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27 October 2023



Appendix 6 - a copy of Appendix 3 to the Submitters submission, showing the active and built building platforms and existing development at and around the Submitter's land within the ONF.

Rural_Building_Platforms

Rural Building Platforms

- ACTIVE
- APPROVED
- APPROVED NO BP
- APPROVED NON RES
- BUILT
- BUILT NO BP
- BUILT NON RES
- LAPSED

