

APPLICATION AS NOTIFIED

**A Hildred
(RM220362)**

Submissions Close 21 July 2022

FORM 12

File Number RM220362

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:

A Hildred

What is proposed:

Subdivision consent to undertake a two lot, freehold subdivision. Proposed Lot 1 is 1800m² and will be accessed via a new vehicle crossing from Northburn Road. Proposed Lot 2 is 2201m², contains an existing residential unit, and retains access via an existing right-of-way off Northburn Road.

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

22 Northburn Road, Wanaka.

The application includes an assessment of environmental effects. This file can also be viewed at our public computers at these Council offices:

- 74 Shotover Street, Queenstown;
- Gorge Road, Queenstown;
- and 47 Ardmore Street, Wanaka during normal office hours (8.30am to 5.00pm).

Alternatively, you can view them on our website when the submission period commences:

<https://www.qldc.govt.nz/services/resource-consents/notified-resource-consents#public-rc> or via our edocs website using RM220362 as the reference <https://edocs.qldc.govt.nz/Account/Login>

The Council planner processing this application on behalf of the Council is Hannah Clowes, who may be contacted by email at Hannah.clowes@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:

21 July 2022

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 (A Hildred) as soon as reasonably practicable after serving your submission to Council:

C/- Emma Ryder
Emma.ryder@jea.co.nz
John Edmonds & Associates Limited

QUEENSTOWN LAKES DISTRICT COUNCIL



(signed by Wendy Baker pursuant to a delegation given under Section 34A of the Resource Management Act 1991)

Date of Notification: 30 June 2022

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



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:

(Name Decision is to be issued in)

All trustee names (if applicable):

*Contact name for company or trust:

*Postal Address:

*Post code:

*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:

*Phone Numbers: Day

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:

*Phone Numbers: Day

Mobile:

*Email Address:

*Postal Address:

*Postcode:



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:

*Postal Address:

*Post code:

*Please provide an email AND full postal address.

*Email:



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

Owner Name:

Owner Address:

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:

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

District Plan Zone(s):



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



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:



CONSENT(S) APPLIED FOR // * Identify all consents sought

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



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:



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

Are any additional consent(s) required that have been applied for separately?

Otago Regional Council

Consents required from the Regional Council (note if have/have not been applied for):

Yes

N/A



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 if this application 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 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.

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.

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 – BKNZ22)

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: Landuse and Subdivision Resource Consent fees - please select from drop down list below

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

*Date of Payment

Invoices are available on request

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.

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.

PLEASE TICK

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

Full name of person lodging this form

Firm/Company

Dated

**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:

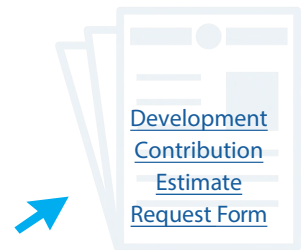
- An application for a subdivision consent must also include information that adequately defines the following:
 - (a) the position of all new boundaries:
 - (b) the areas of all new allotments, unless the subdivision involves a cross lease, company lease, or unit plan:
 - (c) the locations and areas 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 Effects on the Environment

Two-Lot Subdivision

22 Northburn Road, Northlake, Wanaka

ALEISHA HILDRED

MARCH 2022

**APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE
RESOURCE MANAGEMENT ACT
Schedule 4 Clause 6 Matters**

- 1. I attach in accordance with the fourth schedule of the Resource Management Act an assessment of the actual or potential effect on the environment of the activity. The proposal does not result in any significant adverse effects on the environment.**
- 2. The activity does not include the use of hazardous substances and installations.**
- 3. The following mitigation measures are proposed (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect.**

Standards conditions of consent will mitigate any physical works.

- 4. Attached within the assessment of environmental effects is an assessment of any persons affected by the activity and any consultation undertaken.**
- 5. 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.**

Not applicable.

- 6. 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).**

Not applicable.

- 7. A requirement to include information in the assessment of environmental effects is subject to the provisions of any policy statement or plan.**

The information supplied is in accordance with the requirements of the Operative and Proposed District Plan and relevant policy statements.

- 8. As this is an application for a subdivision consent, attached is information that is sufficient to adequately define the position of all new boundaries; and the areas of all new allotments. No new areas are to be set aside as roads. No reserves will be created (including esplanade reserves or strips), no land within the bed of a lake or river will be vested and there is no land within the coastal marine area.**

TABLE OF CONTENTS

	Page No.
1.0 Introduction	4
1.1 Overview	4
1.2 Consent History	4
2.0 Site Description and Surrounds	5
2.1 Site Description	5
2.2 Receiving Environment	6
2.3 Title Documents	6
3.0 Description of the Proposal	7
3.1 Subdivision Layout	7
3.2 Access	7
3.3 Services	7
3.4 Earthworks	8
4.0 District Plan Provisions	8
4.1 Operative District Plan (ODP)	8
4.2 Consents Required and Status of the Activity	8
4.3 Proposed District Plan Provisions	9
4.4 Activity Status and Assessment Matters	9
5.0 Notification	10
6.0 Consultation	10
7.0 Permitted Baseline	11
8.0 Assessment of Environmental Effects	11
8.1 Assessment Matters	12
8.2 Neighbourhood Effects	15
8.3 Landscape Effects	17
8.4 Parking and Access	17

8.5	Positive Effects	17
8.6	Summary of Effects Assessment	17
9.0	Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011	18
10.0	Objectives and Policy Assessment	18
10.1	Operative District Plan	18
10.2	Proposed District Plan	24
11.0	Other Matters	24
11.1	Cumulative Effects	24
11.2	Precedent	24
11.3	Integrity of the District Plan	25
12.0	Section 104D of the Resource Management Act	25
13.0	Section 106 of the Resource Management Act	25
14.0	The Matters in Part 2 of the Resource Management Act 1991	26
15.0	SUMMARY	27

LIST OF APPENDICIES

Appendix A	Record of Title
	Appendix A1 Land Covenant in Easement Instrument 9550309.1
	Appendix A2 Consent Notice 9644888.2
Appendix B	Scheme Plan- Measured Land Surveys
Appendix C	Relevant District Plan Rule Check
Appendix D	Affected Party Approvals (APA)
	Appendix D1 1 Glenaray Crescent
	Appendix D2 11 Northburn Road
	Appendix D3 14 Northburn Road
	Appendix D6 30 Northburn Road
	Appendix D7 34 Northburn Road

**APPLICATION FOR RESOURCE CONSENT PURSUANT TO SECTION 88 OF THE RESOURCE MANAGEMENT ACT
1991**

To:

Queenstown Lakes District Council – Planning & Development
PO Box 50072
Wanaka 9305

Applicant:

Aleisha Hildred

Address for Service:

John Edmonds & Associates
PO Box 95
Queenstown

Attention: Emma Ryder

Email:

emma@jea.co.nz

Phone:

027 841 9989

1.0 INTRODUCTION

1.1 Overview

Consent is sought to undertake a 2-Lot subdivision at 22 Northburn Road, Northlake, Wanaka. The Lot sizes are proposed as follows:

- Lot 1: 1,800m² vacant to the west
- Lot 2: 2,201m², containing the existing dwelling to the east

1.2 Consent History

The application site is part of an original Northlake stage, first consented in 2005.

RM051067 was consented to create 64 allotments over five stages. This consent was varied by RM120710, RM130376, RM160186, RM160767. The subject site obtained title 18th February 2014.

The dwelling on this Lot was consented through RM140368 and BC140583.

RM200605 was recently approved by Commissioner Nixon after a notified process, for a 2-Lot subdivision very similar to the one proposed, at 17 Mount Linton Avenue, whereby the lots were 2067m² gross (1942m² net) and 2,000m². In this decision Commissioner Nixon addressed the precedent effects of approving RM200605ⁱ.

2.0 SITE DESCRIPTION AND SURROUNDS

2.1 Site Description

The subject land and dwelling is comprised within Lot 26 DP 471213; a 4,001m² record of title (**Appendix A**) and has a street address of 22 Northburn Road. The lot also has a 1/4th share of Lot 202 DP 471213, which is a right of way adjoining the northern boundary. The property is shown below in **Figure 1** outlined in red.



Figure 1- Subject Site and Surrounding Area

The site contains a single level 3-bedroom dwelling with attached double located on the eastern portion of the site, where the ground level is flat. The site slopes up to another terrace to the west and north of the dwelling. The dwelling is accessed off the existing right of way (ROW) adjoining the northern boundary, and the property also adjoins Northburn Road on its western boundary.

ⁱ Para 66-68 of RM200605

2.2 Receiving Environment

The receiving environment is the environment (beyond the subject site) within which a proposed activity might have effects. It is necessary to also consider the future state of the environment upon which effects will occur.

The surrounding area consists of large, 4,000m² (or there abouts) rural residential lots that were created in the same subdivision as the subject site. The majority of these 64 sections have a dwelling constructed on one side of the property, which leaves a large vacant area for the remainder of the sites. Some properties also contain a residential flat, and some are still vacant. For those that are vacant it is pertinent to consider at least one dwelling and potentially residential flat will be constructed upon these properties.

2.3 Title Documents

The title contains the following relevant documents:

Land Covenant in Easement Instrument 9550309.1 – attached as **Appendix A1**

This is a private covenant agreed upon with the developer of the subdivision. The clauses relevant to this application are as follows:

- Clause 6.2(a)- subdivision approval to be obtained by the Council
- Clause 6.2(b)- Subdivision to take place no earlier than seven years after the date of issue of title for that lot
- Clause 6.2(c)- Each Lot shall be subdivided only once, and then no further subdivision will be permitted
- Clause 6.2(d)- Any proposed lots shall be no less than 1,800m²
- Clause 6.2(e)- These clauses and all others in the covenant will apply to any new lot created through subdivision.

The proposal seeks Council's approval for the subdivision. The subdivision will take place after the 18th February 2021, which is seven years after the issue of title for Lot 26 DP 471213. Both proposed lots are or exceed 1,800m², and no further subdivision is proposed of either lot. It is acknowledged that the covenant will apply to the new two lots created by this subdivision.

Consent Notice 9644888.2– attached as **Appendix A2**

The consent notice was registered on the title in 2014, which has the following conditions:

1. Electrical supply is limited to a single phase 63 amp fused supply
2. All construction is to be contained within the lot boundaries
3. A new vehicle crossing is required for a new dwelling
4. At the time a dwelling is constructed a stormwater disposal system is required to provide stormwater disposal from all impervious areas within the site.

Condition 1 is advising that any dwelling requiring more than a typical residential electricity supply will not be able to be accommodated. This advice can be met at the time of construction of a dwelling on Lot 1. No

construction or dwelling is proposed at this stage, therefore conditions 2, 3 and 4 are not applicable, however can be complied with at the time of construction of a new dwelling.

3.0 DESCRIPTION OF THE PROPOSAL

Consent is sought to undertake a 2-Lot freehold subdivision of the property. The scheme plan has been prepared by Measured Land Surveys and is attached as **Appendix B**.

3.1 Subdivision Layout

The property is split into two different terraces- the western terrace higher than the eastern terrace. Proposed Lot 1 is located on the western side of the property, is mostly rectangular in shape, with a dogleg at the north-eastern side, to contain the terrace Lot 1 forms. Lot 1 would be the smaller of the two lots, at 1800m². Lot 2 contains the existing dwelling on the lower terrace, and would be 2,201m².

There is a proposed wastewater easement (shown 'A' on the scheme plan) traversing the dogleg of Lot 1 to provide for the existing sewer lateral servicing Lot 2 which connects to the public system within the ROW. A new lateral is proposed off the existing lateral to Lot 1.

An existing easement (shown 'M' on the scheme plan) provides rights for conveying water over a small square of the subject site, in favour of QLDC.

3.2 Height

The proposal seeks to limit the height of a future residential unit through a consent notice on the title of Lot 1, to 6m from existing ground level, or in accordance with QLDC and Northlake zone rules, whichever is the lesser, and for the building to be one storey only. The height of any future standalone accessory building on Lot 1, shall not exceed 4.5m above the existing ground level.

3.3 Landscaping

The proposal seeks to screen vehicles using a new driveway on Lot 1 through a consent notice on the title of Lot 1 which will require a hedgerow or similar shall be planted along the southern boundary of Lot 1.

3.4 Access

Legal access is provided to both Lots.

Lot 1 is proposed to be accessed off the south-western corner, with a new access onto Northburn Road. A new sealed vehicle crossing, and culvert will be constructed.

Lot 2 would retain its existing access off the ROW, however the vehicle crossing, and culvert is proposed to be upgraded.

No new right of way easements are required given the individual access situation.

3.5 Services

Water Supply

The Council reticulated system extends along the eastern side of Northburn Road, alongside the site, and up the ROW, adjoining the northern boundary of the site. The existing dwelling connects just to the north of the

dwelling. It is proposed to provide a connection (toby and lateral) into proposed Lot 1 from this public line to the north of the site.

Wastewater

The Council reticulated system extends along the north eastern portion of the boundary of the site within the ROW. An existing lateral connects into this reticulated system for the existing dwelling. A future dwelling on Lot 2 would also connect into this reticulated system along the northern boundary through a new lateral off the existing public line, as shown in the scheme plan.

Stormwater

Retaining any stormwater runoff from within the proposed site for this subdivision and future dwelling will be achieved through an onsite soak pit, as with all other surrounding properties. The design of this soak pit will be provided as part of the engineering design and acceptance.

There is a relevant Consent Notice condition on instrument [9644888.2](#):

1. At the time a dwelling is constructed a stormwater disposal system is required to provide stormwater disposal from all impervious areas within the site.

The proposed stormwater design will achieve consistency with this condition.

Firefighting

There is a fire hydrant located directly adjoining the north eastern corner of the site, which is well within the required distance of each lot, ensuring sufficient firefighting for both proposed lots.

Electricity and Telecommunications

As the site is within an urban area, connection to the existing electricity and telecommunications is appropriate, located within the road reserve.

3.6 Earthworks

No earthworks are proposed at this stage, with the exception of those required for underground services.

4.0 DISTRICT PLAN PROVISIONS

Attached as **Appendix C** is a District Plan rule check demonstrating where consent is required.

4.1 Operative District Plan (ODP)

The site is zoned Northlake Special Zone, and is within the Activity Area A.

4.2 Consents Required and Status of the Activity

Under the ODP the proposed activity requires:

- A **restricted discretionary** activity consent for a subdivision within the Northlake Special Zone- Rule 15.2.3.3(xi). The Council's discretion is restricted to:

(a) The extent to which the subdivision is consistent with the Northlake Structure Plan and any relevant consent's Outline Development Plan consented under Rule 12.34.2.3.i or Rule 12.34.2.3.ii;

(b) The extent to which the subdivision would undermine the integrity of the Northlake Structure Plan and any relevant consent's Outline Development Plan consented under Rule 12.34.2.3.i or Rule 12.34.2.3.ii;

(c) Those matters in respect of which the Council has reserved control under Rule 15.2.3.2.

- **A non-complying** activity pursuant to Rule 15.2.3.4(i) for a subdivision where the lot sizes do not meet the permitted 4,000m² in the Northlake Zone Activity Area A as required by Rule 15.2.6.3(i)(a).

Note:

Rule 12.34.4.2(i) requires development to be in accordance with the Northlake Structure Plan. In this case it is considered although one individual site is to be subdivided in two, the overall Structure Plan is adhered to, in that the locations of roading, lot layouts, walkways, parks and the like are not impacted by the proposal. Therefore, the development is in accordance with the Northlake Structure Plan, and subsequently Rule 12.34.4.2(i).

4.3 Proposed District Plan Provisions

The Northlake Special zone has not been reviewed through the District Plan at this time, therefore the Operative District Plan provisions only, remain applicable. This is relevant also for the associated chapters, including Subdivision, and the Proposed District Plan chapter should not be assessed in relation to the Northlake Special zone until this zone has been through the District Plan review process. As such, there are no Proposed District Plan provisions relevant to this application.

4.4 Activity Status and Assessment Matters

Overall, the development is a non-complying activity.

Section 104 and 104B and 104D of the Resource Management Act (RMA) set out the relevant assessment matters for resource consent applications carrying the Non-Complying activity status.

104 Consideration of applications

(1) When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to—

- any actual or potential effects on the environment of allowing the activity; and*
- any relevant provisions of—*
 - 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; and*
- any other matter the consent authority considers relevant and reasonably necessary to determine the application*

104B Determination of applications for discretionary or non-complying activities

After considering an application for a resource consent for a discretionary activity or non-complying activity, a consent authority –

- (a) *may grant or refuse the application; and*
- (b) *if it grants the application, may impose conditions under section 108.*

104D Particular restrictions for non-complying activities

- (1) *Despite any decision made for the purpose of section 95A(2)(a) in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either—*
 - (a) *the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or*
 - (b) *the application is for an activity that will not be contrary to the objectives and policies of—*
 - (i) *the relevant plan, if there is a plan but no proposed plan in respect of the activity; or*
 - (ii) *the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or*
 - (iii) *both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.*
- (2) *To avoid doubt, section 104(2) applies to the determination of an application for a non-complying activity.*

5.0 NOTIFICATION

It is acknowledged the QLDC consider the recent subdivisions within Activity Area A to have minor effects on the character and amenity of the area and consider them to be notifiable. Therefore, the applicant offers public notification.

6.0 CONSULTATION

The applicant has consulted with and obtained the following neighbours written approvals, all attached as **Appendix D**. These are shown on **Figure 2** with an '★' below for context:

- Leslie and Lynette Roseveare at 1 Glenaray Crescent
- Jackie and Russel Knight at 11 Northburn Road
- Sarah and Christopher Wakeman, and Andrew Woods at 14 Northburn Road
- Jason and Laura Shutt at 30 Northburn Road
- Karen and Andrew Birkby at 34 Northburn Road



Figure 2- Map of Adjacent Sites Affected Party Approvals

7.0 PERMITTED BASELINE

There is no specific permitted baseline for a subdivision in the Northlake Special Zone as all subdivision requires resource consent. It is noted however that any building in Activity Area A is a controlled activity, meaning the Council is legally required to grant consent, subject to controls through conditions.

The density provision in zone standard 12.34.4.2(iii) allows no limit on residential density in Activity Area A. Rule 12.34.2.3(iii) requires a restricted discretionary activity consent for buildings with three residential units.

Therefore, provided all the building controls set out in the site and zone standards are complied with, an unlimited number of individual residential dwellings can be constructed on this site as a controlled activity.

Although this is not strictly a permitted baseline, given the controlled activity status, it provides a useful, anticipated baseline for which land use activity is accepted through the District Plan. Certainly, in this case this baseline is useful in that as a controlled activity, a second dwelling, and two residential flats (one per dwelling) could be constructed upon this site.

8.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

In addition to the below assessment of environmental effects, with regards to Commissioner Nixon's decision for RM200605 as mentioned in Section 1.2 above, the following points were made, that are relevant to this assessment also:

- Mr Leckie (Counsel for the applicant) advised here is a private covenant on each property in Activity Area A that expires 7 years after the date of the issue of title. Following which it was anticipated that further subdivision down to 1,800m² would occur.
- Mr Leckie also stated a second dwelling can be constructed on each lot within the subdivision as a controlled activity, and although not strictly a permitted baseline comparison, did signal that additional dwellings within the activity area could be expected in the futureⁱⁱ.
- Mr Edmonds (planning consultant) explained that the 64 Lots that make up Activity Area A in this zone were originally zoned Rural Residential, which provided for 4,000m² lots. When the Northlake Special Zone came into effect, these Rural Residential lots were absorbed into the special Zone, and given an Activity Area, to be consistent with the aim of the Northlake Structure Plan. At the time the Commissioners of the Northlake Special Zone Plan Change (Plan Change 45) did not seek to enable further subdivision of these lots given it would be inconsistent with the pattern of subdivision and development surrounding the areaⁱⁱⁱ. Commissioner Nixon concluded that the current pattern of development has now changed, and the Rural Residential nature of the area no longer fits. Therefore, a subdivision of this nature should be allowed^{iv}.
- Through the PDP process, the Rural Residential zones under the ODP along Aubrey Road have more recently been rezoned to Large Lot Residential A. As the Northlake Special zone has not yet been through the PDP process, the Activity Area A (which was once Rural Residential) did not benefit from the same rezoning as the other similar lots around the area^v.
- Commissioner Nixon states “A subdivision pattern which anticipates future re-subdivision does not always produce an optimal pattern of development with respect to the siting of buildings, roading, and access arrangements. It can result in an incoherent pattern of development and a significant number of ‘back sections’. However, the allotments within Activity Area A are large at 4000m², and even with further subdivision down to 2000 m² can still allow adequate separation between existing and future dwellings, and a density of development which would still maintain a distinctly rural residential character. This contrasts to typical suburban densities in the range of only 500 – 1000m² lots”^{vi}.
- Commissioner Nixon states “A grant of consent to this application would result in greater efficiency in the use of the land resource, noting that Wanaka experiences a very high rate of population growth and residential development”^{vii}.
- Commissioner Nixon concludes “I have no hesitation in concluding that any adverse effects of the proposed subdivision would be less than minor”^{viii}.

8.1 Assessment Matters

Relevant Subdivision Assessment Matters are set out in Part 15.2.6.4(i)- Lot Size and Dimensions, and Part 15.2.6.4(i)(k)- Northlake Special Zone, which are assessed below.

ⁱⁱ Paragraph 23 of Commissioners Decision QLDC Reference RM200605

ⁱⁱⁱ Paragraphs 33-34 and 74 of Commissioners Decision QLDC Reference RM200605

^{iv} Paragraph 85 of Commissioners Decision QLDC Reference RM200605

^v Paragraph 35 of Commissioners Decision QLDC Reference RM200605

^{vi} Paragraph 57 of Commissioners Decision QLDC Reference RM200605

^{vii} Paragraph 63 of Commissioners Decision QLDC Reference RM200605

^{viii} Paragraph 64 of Commissioners Decision QLDC Reference RM200605

Part 15.2.6.4(i)- Lot Size and Dimensions

- a) *Whether the lot is of sufficient area and dimensions to effectively fulfil the intended purpose or land use, having regard to the relevant standards for land uses in the zone.*

The purpose of the Activity Area A is to enable rural residential living. The proposed lots are sufficient in size and dimension to effectively provide for a residential unit and residential flat on each lot. This is demonstrated by the layout on Lot 2, in which the lot provides a large, rural residential living space, around an existing dwelling with a large, useable area surrounding. The site standards of the zone set out in 12.34.4.1(ii) – (xi) and the zone standards set out in 12.34.4.2(iii)-(vii) will more than adequately be achieved once the subdivision has been completed given the generous lots.

- b) *Whether the lot is of sufficient size, given the nature of the intended development and site factors and characteristics, for on-site disposal of sewage, stormwater or other wastes to avoid adverse environmental effects beyond the boundaries of the lot.*

As explained in Section 3.3 above, the water and wastewater disposal for the new lot will be collected into an existing public system. The lot sizes are sufficient to allow for a residential dwelling and stormwater disposal within the site. Therefore, there will be no adverse effects beyond the boundaries of the lot given the proposed infrastructure.

- c) *Whether the proposed lot is of a suitable slope to enable its safe and effective use for its anticipated purpose or land use, having regard to the relevant standards for land uses in the Zone.*

Both lots are flat in nature, however on different terraces of the property, which will ensure the site and zone standards are able to be achieved and a useable building platform on each lot is achieved. Lot 1 has a slope around the eastern, western and northern boundaries, but there is sufficient area within the lot to create a specifically designed dwelling.

- d) *The relationship of the proposed lots and their compatibility with the pattern of the adjoining subdivision and land use activities, and access.*

The immediately adjoining subdivision and land use is characterised by other 4,000m² lots (or thereabouts) that were created as part of the same subdivision as the subject site, ahead of the remainder of the Northlake zone. Further afield to the north and east of the site is the remainder of the Northlake Special zone, which incorporates Northlake, Hikuwai, and the yet to be developed Allenby Farms land. As shown in **Figure 3** below, the Northlake and Hikuwai development provide for a dense urbanised environment, where lot sizes range from high density to low density development, set back from Aubrey Road.

The northern and southern side of Aubrey Road have recently changed zoning from Rural Residential zone (ODP) which enables lot sizes of 4,000m², to Large Lot Residential A zone (PDP), which allows for lots to be subdivided to 2,000m². The south side of Aubrey Road adjoining Mount Iron to the south-east of the subject site has changed from Rural Residential zone to Large Lot Residential B zone, which retains the 4,000m² lots to minimise effects on the Outstanding Natural Feature behind.

Given the above, the pattern of development will be changing in the near future along the Aubrey Road corridor, considering the change to the zoning, and therefore the receiving environment has changed from when the Northlake Special Zone rules were written originally. The pattern of development in the surrounding area will now be enabled to be characterised by 2,000m² lots along the northern side of Aubrey Road, and the southern side up to Hidden Hills, where the lots will remain at 4,000m². The pattern of development at Hikuwai is now characterised by 4,000m² lots immediately adjoining Aubrey Road, and adjoining those direct to the north, low

density suburban lots.

It is clear there is a variety of densities in the surrounding area, of which development and zoning have changed since the subject site was created. Therefore, a subdivision of this site will be compatible with the pattern of adjoining subdivision and land uses and receiving environment.

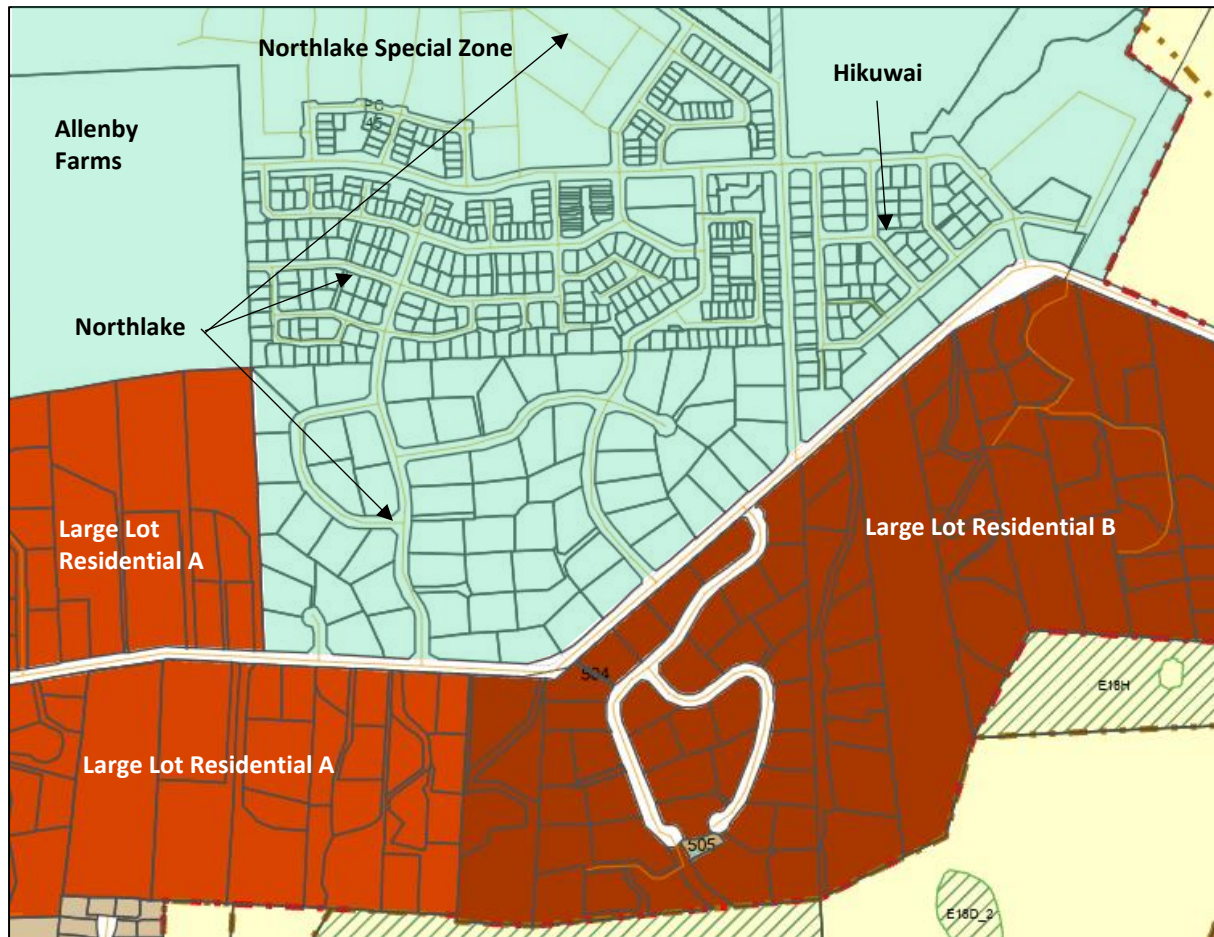


Figure 3- Proposed District Plan Map Showing Zoning

- i) *Whether and the extent to which the proposal will facilitate the provision of a range of Residential Activity that contributes to housing affordability in the District.*

The proposal will enable the use of a large, 1,800m² area of land which is otherwise unused, to be provided into the residential housing pool. The subdivision will create a 1,800m² lot that is desirable to those seeking a slice of rural living, close to urban amenities without having to maintain a large rural lot. As a dwelling is not proposed on the vacant lot at this stage, the creation of the lot will enable a future owner to construct a bespoke affordable house on the lot, within the limits of the Northlake zone provisions.

Part 15.2.6.4(i)(k)- Northlake Special Zone

Whether and the extent to which the lot size:

- a. *Can be achieved without undermining or adversely affecting desirable outcomes promoted by any relevant consent with an Outline Development Plan.*

The Activity Area A does not require an Outline Development Plan, and therefore there is no relevant Outline

Development Plan to be consistent with. Notwithstanding, the proposal does not conflict with any Outline Development Plans, nor does it adversely affect the outcomes set out to be achieved in any Outline Development Plan.

b. Will achieve greater efficiency in the development and use of the land resource.

The proposal will achieve greater efficiency in the use of the land than set out in the subdivision provisions with the permitted lot size. The lot sizes will allow for future residential use of the sites that can comply with the site and zone standards, whilst utilising currently unused land for development, thus achieving consistency with this assessment matter.

c. Will assist in achieving affordable or community housing.

The proposal is not anticipated to specifically achieve affordable or 'community housing' as defined in the ODP, however the creation of the new lot will enable a future owner to construct an affordable house of their choice on the lot, if desired. As this is not a specific requirement in Activity Area A, it is not considered this is an assessment matter that should carry much weight in the assessment of appropriateness of approval of subdivision.

d. Can be adequately serviced without adverse effect on infrastructural capacity.

As assessed during the consent process at 17 Mount Linton Avenue (RM200605), and supported by Commissioner Nixon, there is sufficient capacity in the current public infrastructure of the area. This has recently been supported by the Council's Infrastructure Development Engineer- Richard Powell after modelling the infrastructure capacity of Activity Area A, that there is capacity for at least 33 additional dwellings in this area. As explained in Section 3.3 above, the water and wastewater disposal for the new lot will be collected into an existing public system. The 1,800m² site is sufficient to allow for a residential dwelling and stormwater disposal within the site. Therefore, the sites can be adequately serviced without adverse effects beyond the boundaries of the lot, including infrastructural capacity.

e. Will achieve residential amenities such as privacy and good solar orientation.

The size of the lots allow for sufficient separation between buildings, including the existing dwelling on the site, a future dwelling on the vacant lot, and those immediately adjoining. Given the change in ground level between the lots, this provides additional privacy to both dwellings. The lots also allow for boundary treatment such as fences and planting to provide further privacy mitigation if necessary, although none is proposed or considered necessary at this stage given the existing vegetation and level change. The vacant lot allows for a future dwelling to be located and designed such that privacy and solar orientation can be the priority if that is sought. The vehicle crossing is proposed to be located on the southern-most extent of the property, allowing a northern aspect to a future dwelling on Lot 1. The existing dwelling is located towards the east of the site, and with the new internal subdivision boundary sufficient solar access and privacy will be achieved for both lots.

8.2 Neighbourhood Effects

As explained and demonstrated in Section 6.0 above, all adjacent neighbours, except two, have provided their written approval to the application. Therefore, pursuant to Section 95D(e) of the RMA, the effects on these persons who have provided their written approval must be disregarded.

As assessed in resource consent RM200605, Ms Stagg of the Council considers the effects of subdivisions of this nature on the local residential character of the area to be more than minor^{ix}, however Commissioner Nixon considered the effects of the subdivision to be less than minor^x. We agree with Commissioner Nixon that the effects on the neighbourhood and character of the area are less than minor, specifically with regard to the controlled activity status of the built form; and the change to the receiving environment since the Northlake Special zone chapter was written. However, it is acknowledged the Council does not agree with this and it is anticipated this application is to be notified, to align with the other recent applications of similar character, therefore public notification is offered.

The proposed lot and any future dwelling on the lot will be partially visible from Northburn Road by being located on the corner of the ROW and Northburn Road. However, with the level change of Lot 1 below Northburn Road and the ROW and the dense planting around the western and northern extents of the site, the visibility from outside the site would be limited. A future dwelling would not have any adverse effects on other neighbours that have not provided their written approval, as a new building on the proposed lot will form part of the context of the surrounding urbanised area and is a controlled activity to construct. Over and above those effects from a future dwelling, effects on those persons further afield than the adjacent properties are limited to off-site effects such as transport effects along the public roads. In this case the proposed transport effects on the road would be limited to vehicles associated with a residential dwelling, which in the context of the urban environment the site is within would be indiscernible to the existing traffic using the roading environment.

There would realistically be no adverse effects of a subdivision over and above the creation of a new dwelling on the property, and the associated works and traffic, all assessed above, which as explained above is a controlled and anticipated activity in Activity Area A. The subdivision component would be technical in nature only and would not give rise to effects itself.

It is not considered the proposed subdivision will have effects on the neighbourhood or residential character that are minor or more than minor.

Effects on persons who have not provided APA

18 Northburn Road

This property is located adjoining to the south of the subject site. The dwelling at this property is located at a similar level ground level as the proposed lot. A future dwelling on Lot 1 will be single storey and limited to 6m in height above the existing ground level, and any future standalone accessory building will be limited to 4.5m in height. Therefore, any built form will be managed so that the built form is not dominating on the landscape or when viewed from the neighbouring property.

In addition, the applicant has offered to plant and maintain a hedgerow along the southern boundary of the proposed Lot 1 to provide screening of vehicle that will use the proposed right of way, as well as provide some screening of future development.

For these reasons, the persons at this address will be affected to a less than minor degree.

^{ix} Paragraph 24 of Commissioners Decision QLDC Reference RM200605

^x Paragraph 64 of Commissioners Decision QLDC Reference RM200605

26 Northburn Road

This property is located adjoining to the east of the subject site. The persons at this property will be affected to a less than minor degree as there is sufficient separation distance between the proposed lot and this property to mitigate any effects from a future dwelling within the proposed lot. The proposed lot and this property are separated by the existing residential unit, which will also reduce visibility of a future residential unit within the proposed lot. In addition, the existing landscaping throughout the site will assist in absorbing development into the site and surrounding area.

8.3 Landscape Effects

The site is located within an urbanised environment, albeit within an immediate area characterised by larger urbanised lots. The site itself is terraced down from the road, and surrounded in dense, mature planting. It sits within an area of large lots with undulating terrain. There is no mention in the Northlake zone of the landscape to be protected in the District Plan, by limiting development. Additionally, as explained in Section 7.0 above, as a controlled activity, a number of residential dwellings can be constructed on the eastern side of the site, with no assessment on landscape character or effects. One of the matters of control however is landscaping, which in this case there is ample space within the sites for landscaping once subdivided, however given there is substantial landscaping already, creating a positive landscape character, it is not considered necessary to provide more for the purpose of the subdivision.

The subdivision itself will have no effects on landscape and will allow sufficient landscaping to be planted once the dwelling design for Lot 1 is known, if necessary.

8.4 Parking and Access

The proposal will result in complying access and parking for both lots once the subdivision is completed. Both lots are large enough to provide ample parking to comply with the parking requirements in Chapter 14 (ODP) and Chapter 29 (PDP)- when this comes into effect for Northlake.

Both lots will have adequate and legal access from Northburn Road and the ROW (existing situation).

Overall, there is not considered to be any adverse effects on parking and access from the proposal.

8.5 Positive Effects

The proposal will enable a more efficient use of the land resource that is otherwise underutilised. The subdivision will enable an economic benefit for the owners of the site whilst providing a new lot to the market of a size that is appropriate in the context of the area. The proposal will achieve a subdivision with two lots of a sufficient size to accommodate adequate development within an urbanised environment characterised by a mix of lot sizes and developments.

The proposal is consistent with the Northlake Special zone provisions and will enable future development which can comply with site and zone standards set out in the zone.

8.6 Summary of Effects Assessment

As assessed above, the proposal is consistent with all relevant assessment matters in the subdivision chapter, with the exception of provision of affordable or community housing to the market. It is considered however this is not an assessment matter that should carry much weight in the assessment of appropriateness of approval of

subdivision, particularly when the smaller lots within the Northlake Special zone to the north are aimed at providing this housing typology to the market.

The proposal is not considered to have effects on the environment or neighbours that are minor or more than minor for any aspect of the proposal.

9.0 RESOURCE MANAGEMENT (NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH) REGULATIONS 2011

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (the NES) apply to activities if the land is covered by the NES, i.e. if any activity or industry on the Hazardous Activities and Industries List (HAIL) is being undertaken, has been undertaken, or is more likely than not to have been undertaken on the piece of land.

The original subdivision consent assessed the site for contamination, whereby it was found there was contaminated land from a timber treatment yard on the wider developed land. This consent for subdivision required the contaminated land to be remedied as conditions of consent. This was undertaken before the titles were issued for the sites. Additionally, in consent RM140214 which allowed for the construction of the dwelling on the property, Mr Glenn Davis confirmed there is no evidence of HAIL activity on the subject site, and therefore the property would not need to be considered under the NES. Therefore, although this application involves a subdivision, the proposal is a permitted activity under section 8(4) the NES, as a preliminary and detailed site investigation exists, and the contamination has been remedied so there is no risk to human health.

10.0 OBJECTIVES AND POLICY ASSESSMENT

10.1 Operative District Plan

Objective and Policies	Assessment
<i>Chapter 12 - Northlake Special Zone</i>	
<p>Objective 1 - Residential Development</p> <p><i>A range of medium to low density and larger lot residential development in close proximity to the wider Wanaka amenities.</i></p>	<p>The proposal achieves two larger lot residential lots in close proximity to the wider Wanaka amenities.</p>
<p><i>Policy 1.1 - To establish a mix of residential densities that will provide a residential environment appealing to a range of people.</i></p>	<p>The proposal will achieve a mix of residential densities by allowing a 2,201m² and 1,800m² lot which although enabled through a recent zone change in the surrounding area will provide for a new mix of densities in the Northlake zone which will appeal to those searching for a large lot but not a full rural residential sized lot to maintain.</p>

<p><i>Policy 1.3 - To maintain and enable residential lot sizes in Activity Areas A and C4 consistent with the adjacent Rural Residential Zone.</i></p>	<p>Commissioner Nixon concludes in RM200605^{xi} that the proposal is not contrary to this policy given the recent up-zoning of the surrounding Rural Residential zone to Large Lot Residential A zone has changed the anticipated lot sizes of the adjacent area to that consistent with the proposal. This position is accepted and adopted, therefore, although the proposal would have once been contrary to this policy, it is now consistent with it, as the proposed lot sizes are consistent with the adjacent zone sized lots (which were once Rural Residential).</p>
<p>Objective 2 – Urban Design</p> <p><i>Development demonstrates best practice in urban design and results in a range of high quality residential environments.</i></p>	<p>The proposal will achieve a large, 1,800m² site, which will enable a future specifically designed dwelling to be consistent with best practice urban design.</p>
<p><i>Policy 2.1 - To use a Structure Plan to establish:</i></p> <ul style="list-style-type: none"> • <i>The location of Activity Areas</i> • <i>The primary roading network</i> • <i>Required walking and cycle connections</i> • <i>Areas where buildings are prevented from occurring due to landscape sensitivity</i> • <i>Areas where existing vegetation forms an important landscape or ecological feature and should be protected</i> 	<p>The proposal does not seek or require a new Structure Plan to be established, as the neighbourhood is already established in accordance with the Northlake Structure Plan.</p>
<p><i>Policy 2.2 - To require development to be consistent with the Northlake Structure Plan.</i></p>	<p>The proposal is consistent with the Structure Plan set out in the District Plan as it will not alter the location of Activity Areas, or alter the existing primary roading, walking and cycling connections. There are no areas on the site preventing future building, and no vegetation is required to be retained on the site.</p>
<p><i>Policy 2.5 - To ensure that development recognises and relates to the wider Wanaka character and is a logical extension of the urban form of Wanaka.</i></p>	<p>The proposal is consistent with this policy in that the pattern of development within the wider Wanaka area lends itself to Activity Area A intensifying to 2,000m² lots as an extension of the Large Lot</p>

^{xi} Paragraph 79

	<p>Residential A zone which extends along Aubrey Road from the west to the Northlake Activity Area A boundary. Across Aubrey Road extending from Anderson Road to Hidden Hills the zoning has also changed to Large Lot Residential A. Where the land meets Hidden Hills, the zone has been changed to Large Lot Residential B, to protect the Mount Iron landform behind. Behind Activity Area A within the Northlake development is a highly urbanised environment with a large area of high, medium, low density residential, commercial, and non-residential activities such that retaining 4,000m² lots on the northern side of the road in this location is an anomaly, particularly as there is no landform to protect on the northern side of Aubrey Road, akin to Mount Iron.</p>
<p>Objective 4 – Landscape and Ecology</p> <p><i>Development that takes into account the landscape, visual amenity, and conservation values of the zone.</i></p>	<p>The Northlake Special zone does not identify any specific landscape or ecology in this area to protect. The site is terraced, which is proposed to be incorporated into the subdivision, whereby one lot is located on the lower terrace, and one lot on the higher terrace. There is significant planting around the exterior of the lots, and within the site itself, including on the slopes. This is not proposed to be removed, and there is sufficient space on the vacant lot to design a sizeable dwelling. As such, although the development will take into account the landscape, visual amenity and conservation values of the zone, it is not anticipated there is any of value to protect.</p>
<p><i>Policy 4.1 - To identify areas where buildings are inappropriate, including ridgelines, hilltops and other visually prominent landforms, and to avoid buildings within those areas.</i></p>	<p>The subdivision does not contain any ridgelines, hilltops or visually prominent landforms to avoid. The two terraces of the site will be utilised for construction, and they form an obvious pattern of development.</p>
<p>Objective 6 – Infrastructure</p> <p><i>Provision of servicing infrastructure to cater for demands of development within the zone in an environmentally sustainable manner and to enhance wider utility network systems where appropriate.</i></p>	<p>As assessed in Section 8.1 above, the subdivision will be adequately serviced with three waters, electricity and telecommunication by connecting to the Council’s system where possible, given its location within an urbanised environment. Although this will not enhance wider utility network systems, it is not appropriate to expect so of a subdivision of this manner.</p>

<p><i>Policy 6.4 - To utilise low impact design solutions that minimise adverse environmental effects resulting from storm water runoff.</i></p>	<p>The proposal seeks to establish a low-impact design to the stormwater runoff by using natural drainage features on the land instead of piping it into the public system. Currently a grass swale catches the stormwater from the existing sites to Northburn Road, which will continue as a low impact solution.</p>
<p><i>Chapter 15 – Subdivision, Development and Financial Contributions</i></p>	
<p>Objective 1 – Servicing</p> <p><i>The provision of necessary services to subdivided lots and developments in anticipation of the likely effects of land use activities on those lots and within the developments.</i></p>	<p>As assessed in Section 8.1 above, both proposed lots will be adequately serviced with three waters, electricity and telecommunication by connecting to the Council’s system where possible, given its location within an urbanised environment. This servicing will be adequate to provide for a future residential development on the proposed vacant lot.</p>
<p><i>Policy 1.2 - To ensure safe and efficient vehicular access is provided to all lots created by subdivision and to all developments</i></p>	<p>The proposal will achieve adequate vehicular access from both Northburn Road and the ROW. The use of the existing access for Lot 2 is considered the most efficient access, and a new access from the south of Lot 1 will ensure a safe and efficient access to the proposed lot. Given the width of access and on-site turning on Lot 2 and large site to allow for this on Lot 1, it is a safe and compliant outcome for the proposed lots.</p>
<p><i>Policy 1.5 - To ensure water supplies are of a sufficient capacity, including firefighting requirements, and of a potable standard, for the anticipated land uses on each lot or development.</i></p>	<p>As assessed in Section 8.1 above, reticulated water is available at the site boundary, where the new Lot will connect into. Firefighting provision is made within the required distance to the lots and future dwelling, whereby fire hydrant is located within the ROW adjoining the boundary, to provide sufficient water to both sites for potable and firefighting supply.</p>
<p><i>Policy 1.8 - To encourage the retention of natural open lakes and rivers for stormwater disposal, where safe and practical, and to ensure disposal of stormwater in a manner which maintains or enhances the quality of surface and ground water, and avoids inundation of land within the subdivision or adjoining land.</i></p>	<p>There are no lakes or rivers available for stormwater disposal, however instead the stormwater will be disposed of onsite through a soak pit, as with all other site in the vicinity. This will allow any stormwater to filter naturally through the ground before it enters ground water to avoid adverse effects on the quality of groundwater without risk of inundation of land.</p>

<p><i>Policy 1.9 - To ensure, upon subdivision or development, that anticipated land uses are provided with means of treating and disposing of sewage in a manner which is consistent with maintaining public health and avoids or mitigates adverse effects on the environment.</i></p>	<p>Given the urban area the property is located within, reticulated wastewater is an option for connection. This will be done so to the boundary of Lot 1, as Lot 2 is already connected. This connection will ensure maintenance of public health and will mitigate adverse effects on the environment.</p>
<p><i>Policy 1.10 - To ensure, upon subdivision or development, that all new lots or buildings are provided with connections to a reticulated water supply, stormwater disposal and/or sewage treatment and disposal system, where such systems are available.</i></p>	<p>The proposal will enable the two new lots, and the future dwelling on Lot 1, to be serviced with connections to reticulated water and wastewater supply. The stormwater system will be a low-impact design through an on-site soak pit instead of extending the public system to the lots.</p>
<p><i>Policy 1.11 - To ensure adequate provision is made for the supply of reticulated energy, including street lighting, and communication facilities for the anticipated land uses, and the method of reticulation is appropriate to the visual amenity values of the area.</i></p>	<p>Electricity will be connected to the existing system. No additional street lighting is necessary for a subdivision such as this. Telecommunication facilities will be provided to existing systems, and all new connections will be underground, ensuring the visual amenity values of the area are unaffected.</p>
<p>Objective 2 - Cost of Services to be Met by Subdividers</p> <p><i>The costs of the provision of services to and within subdivisions and developments, or the upgrading of services made necessary by that subdivision and development, to the extent that any of those things are necessitated by the subdivision or development to be met by subdividers.</i></p>	<p>The applicant is aware of the subdivision costs and are expecting to meet the subdivision costs.</p>
<p><i>Policy 2.1 - To require subdividers and developers to meet the costs of the provision of new services or the extension or upgrading of existing services (including head works), whether provided before or after the subdivision and/or development, and which are attributable to the effects of the subdivision or development, including where applicable:</i></p> <ul style="list-style-type: none"> • <i>roading and access;</i> • <i>water supply;</i> • <i>sewage collection, treatment and disposal;</i> 	<p>The applicant is aware of the subdivision costs and are expecting to meet the subdivision costs resulting from their development only.</p>

<ul style="list-style-type: none"> • <i>stormwater collection, treatment and disposal;</i> • <i>trade waste disposal;</i> • <i>provision of energy;</i> • <i>provision of telecommunications.</i> 	
<p>Objective 5 - Amenity Protection</p> <p><i>The maintenance or enhancement of the amenities of the built environment through the subdivision and development process.</i></p>	<p>The proposal will not have any adverse effect on any existing amenities of the built environment. The subdivision will provide an opportunity however to enhance the built environment by creating a vacant lot to construct an attractive dwelling to compliment the surrounding area upon.</p>
<p><i>Policy 5.1 - To ensure lot sizes and dimensions to provide for the efficient and pleasant functioning of their anticipated land uses and reflect the levels of open space and density of built development anticipated in each area.</i></p>	<p>The proposed vacant lot (Lot 1) will be of a size and dimension to provide for the efficient functioning of the future residential land use of the lot whilst providing for a large open space area around a future dwelling. The existing lot (Lot 2) is of a size and dimension to provide for the existing development upon it whilst still providing a large useable open space area surrounding the dwelling.</p>
<p><i>Policy 5.3 - To encourage innovative subdivision design, consistent with the maintenance of amenity values, safe, efficient operation of the subdivision and its services</i></p>	<p>There is little scope for innovative subdivision design with the creation of one additional lot in this instance, however the proposed subdivision will maintain existing amenity values through the enabling of a new residential large lot, and open space surrounding it. The subdivision will ensure safe, efficient operation of the services.</p>
<p><i>Policy 5.5 - To minimise the effects of subdivision and development on the safe and efficient functioning of services and roads.</i></p>	<p>The proposal involves the creation of one new residential lot, resulting in a very small increase in traffic on the road and services. In the context of the site and surrounds, this will have an indiscernible impact on the safe and efficient functioning of services and roads.</p>
<p><i>Policy 5.9 - To require that subdivision within the Northlake Special Zone be consistent with the Northlake Structure Plan.</i></p>	<p>As assessed in Section 4.2 above, the proposal remains consistent with the Northlake Structure Plan.</p>

<i>Policy 5.10 - To ensure subdivision within the Northlake Special Zone implements the objectives and policies for the Northlake Special Zone in Part 12.33.</i>	As assessed within the top part of this table, the proposal implements the objectives and policies of the Northlake Special Zone.
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In summary, the proposal would be consistent, and not contrary to the objectives and policies in the Operative District Plan.

10.2 Proposed District Plan

There are no relevant objectives and policies of the Proposed District Plan, given the Northlake Special Zone has not been reviewed. However, for completeness, the provisions of the Strategic Directions Chapter are ‘higher order’ provisions which do not provide guidance for developments at this scale. Strategic Objective 3.2.3 seeks a quality built environment taking into account the character of individual communities. Strategic Objective 3.2.3.2 calls for built form to be integrated well with the surrounding urban environment. To the extent that it is relevant, the current proposal is consistent with Objective 3.2.3.2.

11.0 OTHER MATTERS

11.1 Cumulative Effects

There are two other lots that have been approved for subdivision in Activity Area A- 17 and 14 Mount Linton Avenue, directly to the east and north east, 76m and 210m away respectively. 14 Mount Linton Avenue is approved to have a new lot to the rear of the existing dwelling, which will be barely visible from public view given the location of other buildings in the vicinity. The new lot on 17 Mount Linton Avenue is located to the rear of the sites fronting Mount Linton Avenue, so again, the new lot will be barely visible from the public realm. Both these approved subdivisions will not be visible from the subject site given the distance, other properties and topography between. As such, it will not be apparent that a number of different subdivisions have been approved or proposed in the area, given that the built form will be largely concealed behind other existing development. In terms of cumulative effects, notwithstanding other applications for subdivision that have been proposed in the vicinity, given the anticipated level of built development by way of controlled activity, and other subdivisions approved in the area, it is not considered that the addition of one more dwelling in the area will result in cumulative effects that are minor or more than minor.

11.2 Precedent

In the decision of 17 Mount Linton Avenue- RM200605, Commissioner Nixon discusses precedent effects in paragraphs 66 – 86. In the approval of that subdivision, it was accepted that it would set the precedent for other lots in Activity Area A to also expect a similar outcome of approval of a subdivision of similar nature.

This however is not a negative precedent, given the changing nature of the surrounding area, and the ever-increasing urbanisation of the surrounding and nearby environment. As assessed above, the proposal is consistent with the anticipated development within the Northlake Special zone, with the exception of the lot sizes. The development is consistent with the assessment matters, and not contrary to the relevant overarching objectives and policies. Activity Area A is unique in itself, with its own specific density characteristics and pattern of development. As such, this precedent is unlikely to extend further than some lots in Activity Area A. Further, not all lots in this Activity Area are likely to be subdividable, considering the location of the existing dwellings and desire of owners. Therefore, even after this precedent was set, it is possible that around 33 of the 64 properties are likely to be possibly subdivided in the future.

The private covenant registered on the title anticipated these lots would be subdivided after 7 years of receiving title, and this is being adhered to.

Given these reasons, the precedent potentially set by the approval of this subdivision will not result in adverse cumulative effects on the environment from similar subdivision proposals that would likely follow, but instead result in positive effects by more efficiently using underutilised land for much needed housing in an established, urbanised area of Wanaka.

11.3 Integrity of the District Plan

The proposal is clearly consistent with the objectives and policies of the District Plan, and this has been supported by Commissioner Nixon in the decision of consent RM200605^{xii}. Simply due to the application to subdivide the lot into a size smaller than the permitted activity is not a threat to the integrity of the Plan. This is reinforced with the 'permitted', or anticipated baseline in Activity Area A as outlined in Section 7.0 above, whereby unlimited density is provided for as a controlled activity on a site such as this. This somewhat waters-down the requirement for subdivisions to achieve the required 4,000m², when an unlimited number of individual dwellings could be constructed as a controlled activity on a 4,000m² site, and the effects of such are much greater than the 2-Lot subdivision proposed.

Additionally, the proposal will not create cumulative effects which will have an impact on the integrity of the Plan, as assessed in RM200605, as the proposal will result in one additional lot within a development of 64 lots, within a highly urbanised environment. As such, the Council can be assured that by simply approving this subdivision, the integrity of the Plan remains intact.

12.0 SECTION 104D OF THE RESOURCE MANAGEMENT ACT

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

With respect to the second threshold test under Section 104D it is concluded that the application can pass through the second gateway test given that the proposal is not considered to be overall contrary to the relevant policies and objectives of the Operative District Plan, and there are no relevant objectives and policies of the Proposed District Plan.

On this basis discretion exists to grant consent for this non-complying activity.

13.0 SECTION 106 OF THE RESOURCE MANAGEMENT ACT

Section 106 provides the consent authority power to refuse subdivision consent in circumstances where there is a significant risk from natural hazards, or that sufficient provision has not been made for legal and physical access to each proposed allotment.

The assessments above identify that there is not significant risk from natural hazards, and that legal and physical access is provided to each proposed allotment.

^{xii} Paragraph 100 of Commissioners Decision QLDC Reference RM200605

14.0 THE MATTERS IN PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

The Court of Appeal found in *R J Davidson Family Trust v Marlborough District Council* that consideration of Part 2 in a consenting context can be had but may not add anything where the plan has been competently prepared. In particular, the Court of Appeal said:^{xiii}

'If a plan that has been competently prepared under the Act it may be that in many cases the consent authority will feel assured in taking the view that there is no need to refer to pt 2 because doing so would not add anything to the evaluative exercise. Absent such assurance, or if in doubt, it will be appropriate and necessary to do so. That is the implication of the words "subject to Part 2" in s 104(1), the statement of the Act's purpose in s 5, and the mandatory, albeit general, language of ss 6, 7 and 8'.

As the application lies within the assessment of the Operative district Plan rather than the recently prepared Proposed District Plan, it is necessary an assessment of Part 2 is made in this instance.

Part 2 details the purpose of the Act: to promote the sustainable management of natural and physical resources. The proposal carefully balances the sensitivities of the newly urbanised environment and surrounding interests to provide a more efficient use of the site while avoiding, remedy or mitigating the adverse effects of the activity on the environment.

The development will provide for the social, economic and cultural wellbeing of the applicant and the community through an appropriately designed subdivision and a future residential unit on a varied site size within a newly urbanised environment. The layout and proposed infrastructure will safeguard the life supporting capacity of air, water, soil and ecosystems pursuant to Section 5(b) of the Act, and through design and generic conditions of consent, the proposal avoids (where possible) and mitigates any adverse effects on the environment, ensuring consistency with Section 5.

Section 6 matters are not relevant in this regard as there are no matters of natural importance on or surrounding this site.

In regard to the other matters in Section 7, as assessed in full above, the proposal will enable the efficient use and development of natural and physical resources under section 7(b) - the servicing and water supply provision to the sites is within the realms of that anticipated by the QLDC; and the effects on the environment are acceptable. The proposal will maintain amenity values of the site and surrounding area as described in the assessments above, pursuant to section 7(c), and it is noted the neighbouring properties have provided their written approval; and it will maintain the quality of the environment, in accordance with 7(f), and it will not affect any finite characteristics of natural and physical resources in accordance with section 7(g).

Section 8 and the principles of the Treaty of Waitangi include consultation with iwi. No known treaty considerations are relevant to this application or site.

Overall, the proposal promotes sustainable management whilst avoiding, remedying, or mitigating the adverse effect on the environment.

^{xiii} *R J Davidson Family Trust v Marlborough District Council* [2018] NZCA 316, (2018) 20 ELRNZ 367, [2018] 3 NZLR 283, [2019] NZRMA 289, at [75].

15.0 SUMMARY

The proposal seeks to subdivide 22 Northburn Road into two lots- 1,800m² for Lot 1 closest to the road, which is proposed to be vacant for the time being, and Lot 2 would be 2,201m² in size and contain the existing dwelling.

The above assessment of effects concludes that the effects on the environment and neighbours will be less than minor, however it is acknowledged the QLDC deem the effects of similar applications in Northlake Activity Area A to be minor, and therefore public notification is offered.

The assessment of objectives and policies concluded that the proposal is consistent with all objectives and policies of the Operative Plan. As assessed, the receiving environment and that further afield has significantly changed since this policy was written, such that a rural residential sized lot in this location no longer fits the pattern of development or anticipated development. As such, the proposal is not considered contrary to the relevant and applicable objectives and policies.

The statutory tests at 104D are passed through, and therefore the Council has discretion to grant consent for this non-complying activity.

The proposal adheres to Section 106, whereby natural hazards are not a risk, and legal and physical access can be provided to each allotment.

The proposal achieves the purpose of the Act.

Consent should therefore be granted to this application.



**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 638904
Land Registration District Otago
Date Issued 18 February 2014

Prior References
631207

Estate Fee Simple
Area 4001 square metres more or less
Legal Description Lot 26 Deposited Plan 471213
Registered Owners
Aliesha Renee Hildred

Estate Fee Simple - 1/4 share
Area 738 square metres more or less
Legal Description Lot 202 Deposited Plan 471213
Registered Owners
Aliesha Renee Hildred

Interests

Subject to Section 59 Land Act 1948

Land Covenant in Easement Instrument 9550309.1 - 16.12.2013 at 6:57 pm

Subject to Section 241(2) Resource Management Act 1991 (affects DP 471213)

9644888.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 18.2.2014 at 10:57 am (affects Lot 26 DP 471213)

Subject to a right (in gross) to convey water over part Lot 26 DP 471213 marked M and over part Lot 202 DP 471213 marked AC and a right to drain sewage over part marked AC, all on DP 471213 in favour of Queenstown Lakes District Council created by Easement Instrument 9644888.3 - 18.2.2014 at 10:57 am

The easements created by Easement Instrument 9644888.3 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right of way and a right to drain stormwater over part Lot 202 DP 471213 marked AC on DP 471213 created by Easement Instrument 9644888.4 - 18.2.2014 at 10:57 am

Appurtenant to Lot 26 DP 471213 is a right of way and a right to drain stormwater created by Easement Instrument 9644888.4 - 18.2.2014 at 10:57 am

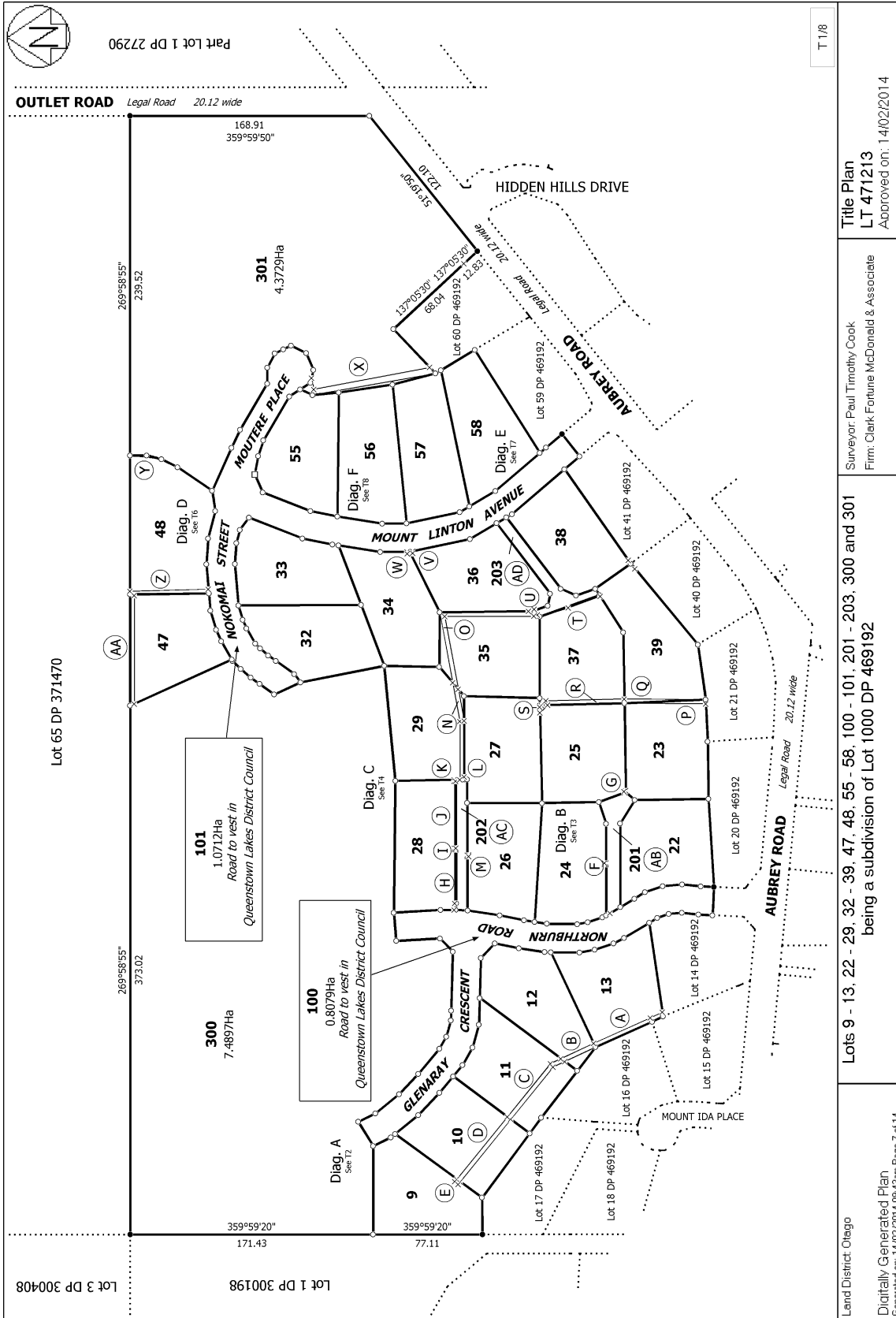
The easements created by Easement Instrument 9644888.4 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right (in gross) to convey telecommunications & computer media over part Lot 202 DP 471213 marked AC on DP 471213 in favour of Chorus New Zealand Limited created by Easement Instrument 9644888.5 - 18.2.2014 at 10:57 am

The easements created by Easement Instrument 9644888.5 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right (in gross) to convey electricity over part Lot 202 DP 471213 marked AC on DP 471213 in favour of Aurora Energy Limited created by Easement Instrument 9644888.6 - 18.2.2014 at 10:57 am

The easements created by Easement Instrument 9644888.6 are subject to Section 243 (a) Resource Management Act 1991
12084636.3 Mortgage to Westpac New Zealand Limited - 15.4.2021 at 3:22 pm



T 1/8

Title Plan
LT 471213
Approved on: 14/02/2014

Surveyor: Paul Timothy Cook
Firm: Clark, Fortuna McDonald & Associate

Lots 9 - 13, 22 - 29, 32 - 39, 47, 48, 55 - 58, 100 - 101, 201 - 203, 300 and 301
being a subdivision of Lot 1000 DP 469192

Land District: Otago
Digitally Generated Plan
Generated on: 14/02/2014 09:43am Page 7 of 14



View Instrument Details

Instrument No. 9550309.1
 Status Registered
 Date & Time Lodged 16 Dec 2013 18:57
 Lodged By Farrer, Katherine Isabella Carolin
 Instrument Type Easement Instrument

Toitu te
Land whenua
Information
 New Zealand



Affected Computer Registers **Land District**
 290935 Otago

Annexure Schedule: Contains 16 Pages.

Grantor Certifications

- I certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument
- I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument
- I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply
- I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period
- I certify that the Mortgagee under Mortgage 9365539.2 has consented to this transaction and I hold that consent

Signature

Signed by Simon Thomas Mee as Grantor Representative on 06/01/2014 08:15 AM

Grantee Certifications

- I certify that I have the authority to act for the Grantee and that the party has the legal capacity to authorise me to lodge this instrument
- I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument
- I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply
- I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period

Signature

Signed by Simon Thomas Mee as Grantee Representative on 06/01/2014 08:16 AM

***** End of Report *****

Form B**Easement instrument to grant easement or *profit à prendre*, or create land covenant**

(Sections 90A and 90F Land Transfer Act 1952)

Grantor

Michaela Ward Meehan

Grantee

Michaela Ward Meehan

Grant of Easement or *Profit à prendre* or Creation of 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)

Schedule A*Continue in additional Annexure Schedule, if required*

Purpose (Nature and extent) of easement; <i>profit</i> or covenant	Shown (plan reference)	Servient Tenement (Computer Register)	Dominant Tenement (Computer Register) or in gross
Land Covenant	All of the servient tenement	Lots 14, 15, 16, 17, 18, 19, 20, 21, 40, 41, 59, 60 and 1000 of Deposited Plan 469192	Lots 14, 15, 16, 17, 18, 19, 20, 21, 40, 41, 59, 60 and 1000 of Deposited Plan 469192

Form B - continued**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 specified classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or Schedule Five of the Property Law Act 2007~~

The implied rights and powers are hereby [~~varied~~] [~~negatived~~] [~~added to~~] or [~~substituted~~] by:

~~{Memorandum number _____, registered under section 155A of the Land Transfer Act 1952}~~

~~{the provisions set out in Annexure Schedule _____}~~

Covenant provisions

Delete phrases in [] and insert Memorandum number as require; 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 1 _____}~~

Form L**Annexure Schedule 1**

Page 1 of 10 Pages

Insert instrument type

Easement Instrument (Land Covenant)

1. Introduction

- A. The Initial Grantee is subdividing the Servient Land to create the Northlake Development.
- B. The Initial Grantee intends that the Northlake Development be subject to a general scheme applicable to and for the benefit of the Dominant Land to ensure that the Northlake Development creates a modern high quality and well designed residential subdivision (**Scheme**).
- C. Northlake has been established to provide and administer the Scheme for the benefit of the Dominant Land and the Servient Land.
- D. The Initial Grantee and Northlake intend that this land covenant (**Instrument**) shall be and shall remain registered against the titles to the Servient Land and the Dominant Land to give effect to the Scheme so that:
- (a) owners or occupiers for the time being of the Servient Land shall be bound by the provisions of this Instrument;
 - (b) owners and occupiers for the time being of the Dominant Land can enforce the observance of the provisions of this Instrument by the owners or occupiers of the Servient Land in equity or otherwise; and
 - (c) the obligations and covenants of the Grantor under this Instrument enure for the benefit of the Grantee and Northlake (in accordance with the Contracts (Privity) Act 1982).
- E. The Grantee wishes to utilise the provisions of section 278 of the Property Law Act 2007 to create the Scheme as it relates to the Servient Land.

It is agreed**2. Defined terms****2.1 Definitions**

In this document:

Access Lot mean the Lots created by any Subdivision of the Servient Land, referred to as Lot 201, Lot 202 and Lot 203 on the Scheme Plan and any other lot that may be created for the purposes of access by any Subdivision of the Servient Land.

Adjoining Land means the land comprised within certificates of title 290932 (Otago Registry), 290934 (Otago Registry) 2486 (Otago Registry) or 19A/448 (Otago Registry) at the date of this Instrument.

Building means any structure on the Servient Land.

Contracting Grantor means Michaela Ward Meehan.

Council means Queenstown Lakes District Council or its successor.

Covenants means the covenants set out in this Instrument.

Design Guidelines means the design guidelines of Northlake relating to the Servient Land from time to time.

District Plan means the Queenstown Lakes District Plan.

Dominant Land means the land described as Lot 69 Deposited Plan 371470 and comprised in certificate of title 290935 (Otago Registry).

Dwelling means a single self contained household unit, whether of one or more persons, and includes accessory buildings. Where more than one kitchen and / or laundry is provided on any Lot, there shall be deemed to be more than one Dwelling.

Grantee means the owner of the Dominant Land and their executors, administrators, assignees and successors in title from time to time.

Grantor means the owner of the Servient Land and their executors, administrators, assignees and successors in title from time to time.

Initial Grantee means Michaela Ward Meehan and her executors, administrators, assignees and transferees from time to time but shall not include any transferee that is the owner of any Lot.

Improvements means existing improvements constructed by the Initial Grantee on the Servient Land and adjoining road reserves, including (but not limited to) roading, footpaths, kerbs, gutters, swale crossings, open spaces and walkways.

Irrigation System means the automated battery irrigation system and controllers installed by the Initial Grantee for the Scheme Planting comprising 50mm main lines with 16mm self-compensating drip lines that water the Scheme Planting.

Lodge any Submission means (without limitation) personally or through any agent or servant or directly or indirectly, lodge or support in any way any objection submission to any Planning Proposal and includes (without limitation) taking part in any planning hearing, appeal or reference arising in respect of a Planning Proposal whether as a party or otherwise.

Lots mean each and all of the lots created by a Subdivision of the Servient Land (and Lot shall have a corresponding meaning).

Planning Proposal includes (without limitation) any application for resource consent and / or plan change and / or variation of any nature under the relevant District Plan or proposed District Plan.

Northlake means Northlake Developments Limited and, where the context requires, means any other entity nominated by Northlake and / or Northlake's successors, transferees or assigns.

Northlake Development means the integrated residential development undertaken by the Initial Grantee on the Servient Land including but not limited to dwellings, Improvements and all other associated infrastructure.

Scheme means as defined in Introduction Clause B above.

Scheme Plan means the plan at Annexure Schedule 2.

Scheme Fence means any fence in place as at the date of this Instrument or any fence subsequently erected on the Servient Land or any Adjoining Land by the Initial Grantee or Northlake marked as "Post and rail fence" on the Scheme Planting Plan.

Scheme Planting means the landscaping and planting by the Grantee, for the Scheme, in the areas shown as "Amenity Planting" and "Street trees" on the Scheme Planting Plan.

Scheme Planting Plan means the plan at Annexure Schedule 3.

Selected Species means native beech, oak, elm, birch, maple, plane, English beech, walnut, ash or alder species.

Servient Land means the land described as Lot 69 Deposited Plan 371470 and comprised in certificate of title 290935 (Otago Registry).

Subdivide and **Subdivision** means the meaning ascribed to subdivision of land in Section 218(1) of the Resource Management Act 1991.

3. General Covenants

3.1 The Grantor covenants and agrees:

- (a) to observe and perform all Covenants at all times; and
- (b) that the Covenants shall run with and bind the Servient Land for the benefit of the Dominant Land.

4. Scheme Covenants

4.1 The Grantor covenants with the Grantee:

- (a) to comply with the Design Guidelines applicable to the Servient Land;
- (b) not to commence construction of any Building on the Servient Land without having first obtained the written consent of Northlake to the plans and specifications and exterior design and appearance of the proposed Building;
- (c) not to make any changes to the plans and specifications of the exterior design or appearance of any Building on the Servient Land once approval has been obtained from Northlake;
- (d) not to make additions or alterations to any Building without the prior written consent of Northlake;

- (e) not to occupy any Building without a current code compliance certificate issued under the Building Act 2004 (or any subsequent replacement legislation);
- (f) subject to Clause 8, not to erect any boundary fencing or other fencing within 7 metres of the boundary of any Lot other than in post and rail or traditional farm post and wire fencing, being in either netting, or 6 - 7 wire fencing, with tanalised posts and timber battens and which does not exceed 1.2 metres in height;
- (g) not to undertake any planting which exceeds 2.5 metres in height within 1 metre of the boundary of any Lot;
- (h) not to plant any tree that exceeds or will exceed 5 metres in height at maturity within 5 metres of the boundary of any Lot (**Restriction Area**);
- (i) not to plant any trees that will exceed 7.5 metres in height at maturity outside the Restriction Area, other than any feature trees within 15 metres of the relevant Grantor's Dwelling (provided they are not within 15 metres of any other Grantor's Dwelling);
- (j) not to plant trees as specified in Clause 4.1(i) above on the Grantor's Lot unless such trees are Selected Species;
- (k) that any entry gates erected to any Lot:
 - (i) do not exceed 1.2 metres in height;
 - (ii) are constructed from wood or matt or painted steel with a maximum reflectivity of 25% (or a mixture of both wood and steel); and
 - (iii) any walls adjoining either side of any such entry gate to a Lot are made of Otago schist and do not exceed 10 metres in length on each side of the gate and 1.2 metres in height;
- (l) not to construct or erect on any Lot any accessory Building, carport or garden shed that exceeds six (6) metres in height or is situated between any Dwelling on such Lot and any road or access way boundary of such Lot. Such accessory Building, carport or garden shed must also comply with the Design Guidelines;
- (m) that all driveway areas constructed on any Lot are gravel or chip seal for the initial 20 metres in length from any vehicle crossing or entranceway on the Lot boundary entry;
- (n) that all swale crossings (where required) shall be in chip seal finish with a flush of vertical schist edge to the crossing pipe / culvert so as not to impede overland stormwater flow; and
- (o) to cause as little interference as reasonably possible with any existing Improvements and to promptly make good any damage caused by the Grantor to the original Improvements specification at the sole cost of the Grantor,

provided that any planting by the Initial Grantee that forms part of the Scheme Planting shall not be subject to the restrictions in clauses 4.1(g), (h) and (i).

4.2 The Grantor further covenants that:

- (a) it will not, and will not encourage or support any other person to:
 - (i) object to or Lodge any Submission against any Planning Proposal or plan change with Council;
 - (ii) obtain an order, injunction or any other remedy;
 - (iii) make any complaint against any contractor or any consultant;

which relates to the Adjoining Land or the lot known as Lot 63 (**Lot 63**) for the time being that Lot 63 is owned by the Initial Grantee or Northlake.

- (b) if requested by the Grantee, the Grantor shall promptly give its unqualified and irrevocable:
 - (i) written approval (including any affected party approval under section 95E of the Resource Management Act 1991) to any application made to the Council relating to Adjoining Land or Lot 63 for the time being that Lot 63 is owned by the Initial Grantee or Northlake; and / or
 - (ii) submission in support to any plan change relating to the Adjoining Land.

5. Use Covenants

5.1 The Grantor covenants in respect of any Lot:

- (a) not to use any Lot or permit the same to be used for any use other than residential purposes and not to use any Lot or permit the same to be used for any trading, industrial or commercial purposes, provided however that it is acknowledged that the use of a residential dwelling for a home enterprise use as permitted by the District Plan, use as a bed and breakfast, or the use of Lot 63 as a sales office will not be in breach of the provisions of this Instrument;
- (b) once construction of a Dwelling on a Lot has commenced, it shall:
 - (i) complete construction of the Dwelling (including all exterior cladding and painting) to a standard commensurate with the standard of a new single residential dwelling within 12 months of the commencement of construction; and
 - (ii) complete the landscaping of the Lot within 12 months after the date of completion of construction of the Dwelling;
- (c) subject to Clause 6, not to erect more than one Dwelling on any Lot;
- (d) not to permit any grass or weeds to grow to a height of more than 75 centimetres;
- (e) not to erect or place, or permit to be erected or placed any caravan, mobile home, hut or other temporary accommodation provided that the storage of mobile homes, caravans and boats is permitted on a Lot once a Dwelling has been constructed;

- (f) not to construct or place on any Lot any pre-used or second-hand Building or a Building that is capable of relocation;
- (g) not to erect any satellite dish on the Dwelling or otherwise on any Lot that is visible from the road frontage or any Access Lot;
- (h) not to erect solar panels on the Dwelling or otherwise on any Lot that are visible from the road frontage or any Access Lot;
- (i) to ensure all gas cylinders are suitably screened from the road frontage, Access Lots and any Dwellings on the neighbouring Lots;
- (j) to ensure that all services and utilities (including any water storage tanks and any pipes associated with the provision of services and utilities) are located below ground;
- (k) not to permit any rubbish or waste material to be or remain on any Lot other than within suitable enclosed structures or otherwise appropriately screened from view;
- (l) not to permit odours to emit from any Lot so as to render any Lot or any portion of a Lot to be deemed unsanitary, offensive or detrimental to the occupiers of any other Lot or the Adjoining Land;
- (m) not to permit any Lot to be used (without limitation) for purposes involving a cattery, piggery or boarding kennels for dogs or other animals. The keeping of ordinary household pets (such as dogs, cats and birds) shall be permitted provided that no breeding, raising or boarding of such pets shall be for a commercial purpose;
- (n) not to permit the parking of trucks or any large commercial vehicles on or adjoining any Lot or on any Access Lot or road, other than for temporary delivery purposes; and
- (o) not to permit the parking of any vehicles which do not have a current warrant of fitness and / or registration, in view of any Dwelling on any neighbouring Lot, or in view of any Access Lot or road within or adjacent to the Northlake Development.

6. Subdivision Covenants

- 6.1 Each Grantor that is registered as proprietor for the time being of Lots known as lots 21, 40, 60, 61 and 62 covenants and agrees not to further Subdivide (including subdivision by amalgamation and re-subdivision) their Lot beyond the definition of that Lot.
- 6.2 The restriction against further Subdivision set out in Clause 6.1 shall not apply to the remaining Lots which shall be Subdivisible subject to:
 - (a) the Grantor obtaining Council approval to the Subdivision;
 - (b) the Subdivision taking place no earlier than seven (7) years after the date that a separate certificate of title has issued for the particular Lot;
 - (c) each Lot may be Subdivided once only. No further Subdivision will be permitted;

- (d) any Lot created following such a Subdivision must measure no less than 1,800 square metres; and
- (e) the Covenants comprised in this Instrument must apply to any new Lots created following any further subdivision provided that those new Lots may not be further Subdivided (including subdivision by amalgamation and re-subdivision) beyond the definition of that new Lot.

7. Fencing

- 7.1 For as long as any Lot is owned by the Initial Grantee, the Initial Grantee shall not be liable to contribute towards the cost of, or assist in the erection or maintenance of, any boundary or dividing fence between that Lot owned by the Initial Grantee and any contiguous Lot that is not owned by the Initial Grantee.
- 7.2 The Initial Grantee shall not be liable to contribute towards the cost of, or assist in the erection or maintenance of, any boundary or dividing fence between any Lot owned by a Grantee and any Adjoining Land owned by the Initial Grantee. For the purposes of this Clause 7.2 only, the Initial Grantee shall not include any transferee of any residential lot Subdivided out of the Adjoining Land.

8. Scheme Fencing

- 8.1 The Grantor shall not alter, replace, remove or relocate the Scheme Fence without the prior written consent of Northlake (such consent to be granted at the sole discretion of Northlake).
- 8.2 The Grantor shall not erect secondary fencing within 7 metres of the Scheme Fence or do anything that may otherwise have the effect of altering the appearance of the Scheme Fence.
- 8.3 The Grantor shall, at the Grantor's cost, keep any Scheme Fence on the Grantor's Lot in good condition and repair. At the reasonable request of Northlake, the Grantor shall replace, repair or do anything else that may be required keep the Scheme Fence in good condition and repair.
- 8.4 The covenants in this Clause 8 shall be binding on the Grantor for a period of 20 years after the date of this Instrument.

9. Maintenance of Landscaping

- 9.1 The Grantor acknowledges that the Scheme Planting is for the benefit of the Scheme of the Northlake Development.
- 9.2 The Grantor covenants to maintain the Scheme Planting on the Grantor's Lot at the Grantor's cost, and to generally keep the Scheme Planting on the Grantor's Lot neat and tidy. For the avoidance of doubt, the Grantor also covenants not to do anything that may harm or otherwise disturb any Scheme Planting that is not on the Grantor's Lot.
- 9.3 The Grantor covenants not to prevent Northlake (as attorney for the Grantee) from accessing the Grantor's Lot for the purposes of maintaining the Scheme Planting on the Servient Land.

- 9.4 The covenants in Clause 9 shall be binding on the Grantor for a period of 20 years from the date of this Instrument.

10. Irrigation System

- 10.1 The Grantor and the Grantee acknowledge the presence of the Irrigation System on the Servient Land for the benefit of the Scheme Planting.
- 10.2 The Grantor covenants not to prevent Northlake (as attorney for the Grantee) from having access to and over the Grantor's Lot for the purposes of maintaining, repairing, relocating or removing the Irrigation System on the Grantor's Lot (the **Irrigation Works**).
- 10.3 The Grantor agrees that it shall not relocate, remove or interfere with the Irrigation System in any way without the prior written consent of Northlake.
- 10.4 If the Grantor in any way damages or otherwise affects the Irrigation System, the Grantor shall be responsible for promptly repairing the Irrigation System at the cost of the Grantor.
- 10.5 The covenants in Clause 10 shall be binding on the Grantor for a period of 10 years from the date of this Instrument.

11. Grantee Consent

- 11.1 The Grantee acknowledges that the Grantor intends to undertake a further Subdivision as part of the Northlake Development after the date of this Instrument and intends to vest or dedicate certain parts of the Grantor's land for roads, including the roads indicatively shown as Roads 1 to 6 (inclusive) on the Scheme Plan (**Roads**) and to be shown on one or more survey plans prepared by the Grantor's surveyor (**Survey Plan**).
- 11.2 The Grantee (including its successors in title) consents to the deposit of each Survey Plan by the Grantor or any successors in title to the Grantor which has the effect of vesting any land for the Roads.
- 11.3 The Grantee acknowledges and agrees that the covenants in this Instrument shall cease to apply in respect of the land to be vested or dedicated for the Roads with effect on and from the date of deposit of the relevant Survey Plan.
- 11.4 The Grantee covenants that this Clause 11 shall be deemed to be the written consent of the Grantee to the deposit of any Survey Plan for the purposes of section 224(b)(i) of the Resource Management Act 1991.
- 11.5 If it is determined that further written consent is required from the Grantee in respect of the matters provided for under Clauses 11.2 and 11.3 (other than deemed consent in Clause 11.3) then the Grantee will immediately, at the request of the Grantor, give that written consent and do all things necessary to procure the provision of consent by any other affected parties.

12. Enforcement

- 12.1 The Grantor and Grantee acknowledge and agree that:

- (a) This Instrument is subject to the Contracts (Privity) Act 1982 and that the covenants contained in this Instrument that are intended to create obligations on the Grantor (including the covenants in Clauses 8, 9 and 10), confer benefits on Northlake and are enforceable at the suit of Northlake as well as by the parties.
 - (b) Northlake may facilitate the observance of this Instrument by the Grantor by taking all necessary steps to enforce its observance on behalf of the Grantee.
 - (c) The Grantee irrevocably appoints Northlake to be its attorney and in its name and at its expense to do anything which Northlake considers necessary to enforce or attempt to enforce the Grantee's rights or powers under this Instrument.
 - (d) Without limiting the appointment made in Clause 12.1(c) that appointment may specifically extend to Northlake issuing proceedings in the name of the Grantee, provided that in doing so Northlake indemnifies the Grantee against all costs arising from or incidental to those proceedings.
- 12.2 The Grantor acknowledges that the Grantee and Northlake shall not be liable to the Grantor or any future registered proprietor of the Servient Land for any loss, damage, claim or expenses (including where such loss, damage, claim and expense arises from the approval or non-approval of an application under the Design Guidelines, any failure to meet the timeframes stated in the Design Guidelines or performing any function under or in relation to the Design Guidelines) or a failure to enforce the Covenants set out in this Instrument.
- 12.3 In the event that the Grantor fails to observe and perform the Covenants set out in this Instrument, a Grantee shall have a right (but not an obligation) to do whatever may be reasonably required to remedy such failure on the part of the Grantor, and the cost incurred by a Grantee in remedying the default shall be refunded by the Grantor to that Grantee upon demand.

13. Release

- 13.1 With effect on and from the date the Contracting Grantor ceases to be the registered proprietor of the Servient Land (the **Transfer Date**), the Contracting Grantor shall be released from, and its successors in title shall assume, all liability for performance of the Contracting Grantor's Covenants in this Instrument and all actions, claims or proceedings that any party to this Instrument may have against the Contracting Grantor under or in respect of the Covenants in this Instrument are limited to any act or omission of the Contracting Grantor to perform the covenants in this Instrument before Transfer Date.

14. Costs

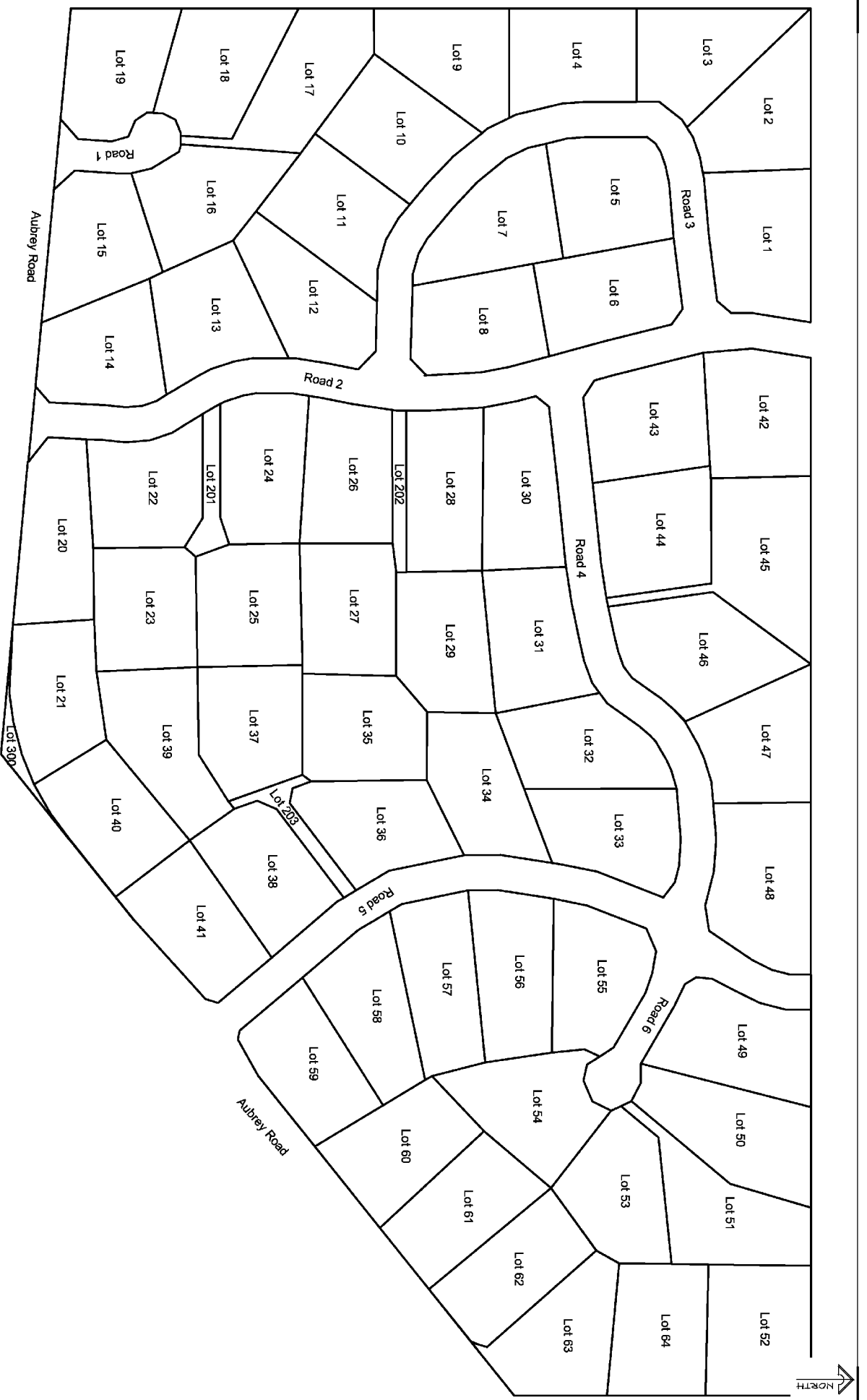
- 14.1 The Grantee will pay all costs directly or indirectly attributable to the preparation and registration of this Instrument.
- 14.2 The Grantor will pay all costs directly or indirectly attributable to the enforcement and discharge of this Instrument.

15. **Implied terms**

- 15.1 No covenants by the Grantor or by the Grantor's successors in title are implied in this Instrument other than the covenants for further assurance implied by section 154 of the Land Transfer Act 1952.

ANNEXURE SCHEDULE 2

Scheme Plan



Client	Drawn	Signed	Date	Scale	Drawn No.	Drawing No.
M. MEEHAN	ESMD	Signed	20 Oct 13	1:1,000 @ A1	11033	31
	ESMD	Signed		1:2,000 @ A3		

PROPOSED SUBDIVISION PARCEL BOUNDARIES

Client: M. MEEHAN

Drawn: ESMD

Signed: Signed

Date: 20 Oct 13

Scale: 1:1,000 @ A1

1:2,000 @ A3

Drawn No: 11033

Drawing No: 31

Client: M. MEEHAN

Drawn: ESMD

Signed: Signed

Date: 20 Oct 13

Scale: 1:1,000 @ A1

1:2,000 @ A3

Drawn No: 11033

Drawing No: 31

Client: M. MEEHAN

Drawn: ESMD

Signed: Signed

Date: 20 Oct 13

Scale: 1:1,000 @ A1

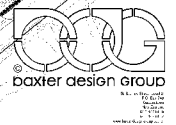
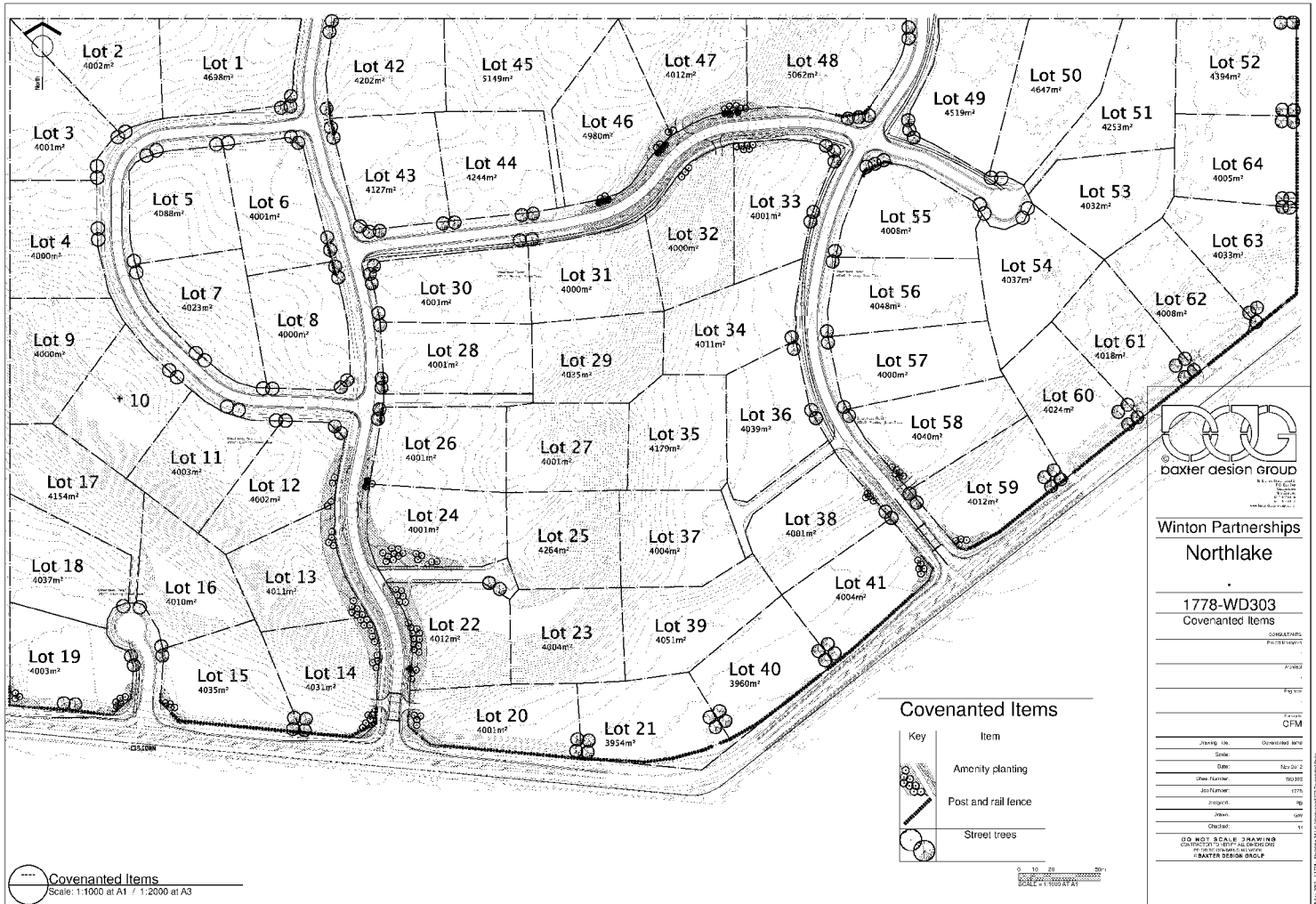
1:2,000 @ A3

Drawn No: 11033

Drawing No: 31

ANNEXURE SCHEDULE 3

Scheme Planting Plan



Winton Partnerships
Northlake

1778-WD303
Covenanted Items

DATE	BY	DESCRIPTION
11/05/2022	J. JONES	CFM

DATE	BY	DESCRIPTION
11/05/2022	J. JONES	CFM

DO NOT SCALE DRAWING
CONSTRUCTION TO BE IN ACCORDANCE WITH ALL DOWNSIDE
PLANNING AND REGULATORY REQUIREMENTS
© BAXTER DESIGN GROUP



View Instrument Details

Instrument No. 9644888.2
Status Registered
Date & Time Lodged 18 Feb 2014 10:57
Lodged By Farrer, Katherine Isabella Carolin
Instrument Type Consent Notice under s221(4)(a) Resource Management Act 1991



Affected Computer Registers Land District

638895	Otago
638896	Otago
638897	Otago
638898	Otago
638899	Otago
638900	Otago
638901	Otago
638902	Otago
638903	Otago
638904	Otago
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638918	Otago
638919	Otago
638920	Otago
638921	Otago

Annexure Schedule: Contains 2 Pages.

Signature

Signed by Simon Thomas Mee as Territorial Authority Representative on 05/02/2014 12:59 PM

*** End of Report ***

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

AND

IN THE MATTER of Subdivision Consent
RM120710 issued by the
Queenstown Lakes District
Council

CONSENT NOTICE

BACKGROUND

- A.** The Queenstown Lakes District Council, pursuant to the provision of the Resource Management Act 1991, has granted resource consent to subdivide Lot 69 DP 371470 into sixty four lots (the **Subdivision**).
- B.** Queenstown Lakes District Council has granted consent RM120710 (being a variation of RM051067 to the Subdivision subject to certain conditions, which are to be complied with on a continuing basis by the owner from time to time of specified lots in the Subdivision, being those conditions specified in the Operative Part below.

OPERATIVE PART

The following conditions pertaining to this Consent Notice are to be registered against the following Lots on Deposited Plan 471213:

- Lots 9-13 (inclusive);
- Lots 22-29 (inclusive);
- Lots 32-39 (inclusive);
- Lots 47-48 (inclusive); and
- Lots 55-58 (inclusive),

individually any one of the above listed lots is referred to as a **Lot** and collectively, these are referred to as the **Lots**.

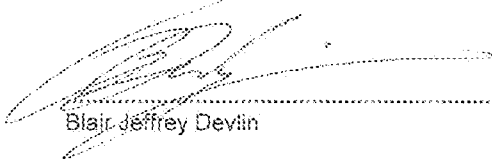
DOC REF 14187474_1

CONDITIONS

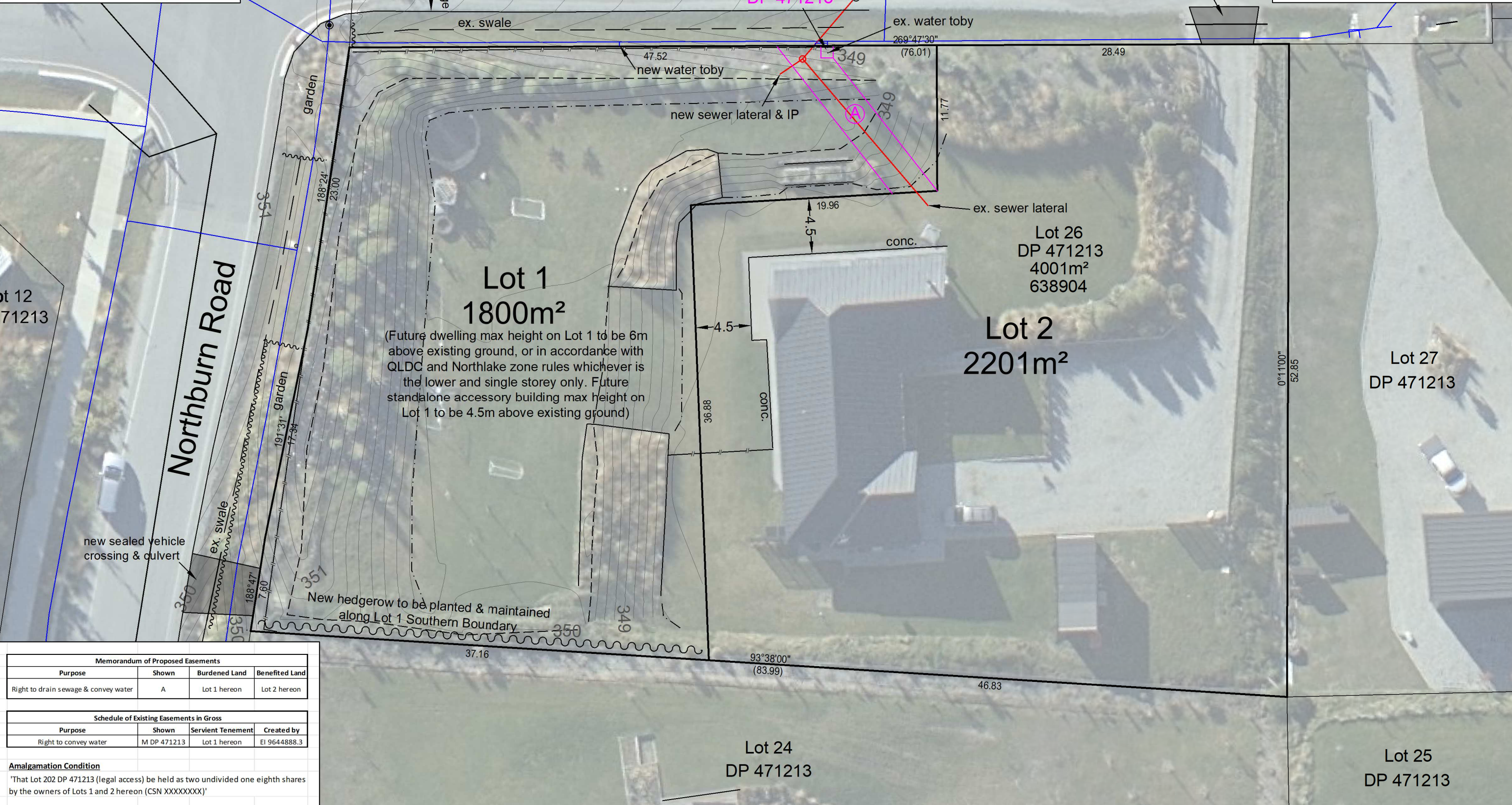
1. Electrical supplies are limited to a single phase 63 amp fused supply. This means that any large dwellings proposed to be built, which may have more demand for power supply than a 'standard' dwelling, may face additional costs if the power supply is required to be increased.
2. At the time that a dwelling is erected on any Lot then the owner for the time being is to ensure that all construction is contained within the boundaries of the Lot and that the only access to the Lot for all construction vehicles and delivery of goods to the Lot is to be from the vehicle crossing constructed at the time of the subdivision. The owner for the time being is responsible for repairing and making good any damage to any road infrastructure for the frontage of the Lot being developed or to the frontage of any other lot caused by development activities of the owner's Lot.
3. At any time that a dwelling is constructed on any Lot that does not have a vehicle crossing, the owner for the time being shall construct a crossing in accordance with the requirements of the Council applicable at the time.
4. At the time a dwelling is erected on any Lot, the owner for the time being shall engage a suitably qualified engineer to design a stormwater disposal system that is to provide stormwater disposal from all impervious areas within the site. The proposed stormwater system shall be subject to the review of Council prior to implementation.

Dated this 27th day of JANUARY 2014

SIGNED for and on behalf
of the QUEENSTOWN LAKES
DISTRICT COUNCIL by its
Chief Executive



Blair Jeffrey Devlin



Lot 1
1800m²

(Future dwelling max height on Lot 1 to be 6m above existing ground, or in accordance with QLDC and Northlake zone rules whichever is the lower and single storey only. Future standalone accessory building max height on Lot 1 to be 4.5m above existing ground)

Lot 2
2201m²

Lot 26
DP 471213
4001m²
638904

Memorandum of Proposed Easements			
Purpose	Shown	Burdened Land	Benefited Land
Right to drain sewage & convey water	A	Lot 1 hereon	Lot 2 hereon

Schedule of Existing Easements in Gross			
Purpose	Shown	Servient Tenement	Created by
Right to convey water	M DP 471213	Lot 1 hereon	EI 9644888.3

Amalgamation Condition

'That Lot 202 DP 471213 (legal access) be held as two undivided one eighth shares by the owners of Lots 1 and 2 hereon (CSN XXXXXXXX)'

Rev	Description	Date
A	ORIGINAL	18/12/20
B	FOR APA	23/03/22
C	AMALGAMATION NOTE	10/06/22

Scheme Plan
Lots 1 & 2 being a Subdivision
of Lot 26 DP 471213
(22 Northburn Road, Wanaka)

Client:	Hildred
Scale:	1 : 300 @ A3
Surveyed:	ST 11/12/20
Drawn:	ST 10/06/22

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A DIVISION OF THE NEW ZEALAND INSTITUTE OF SURVEYORS

Sheet:
1 of 1

Job #:	19057_S2
Rev:	C

Northlake Special Zone Rules- Section 12 of the Operative District Plan		
Rule Number	Rule Title	Comment (N/A = Not Applicable)
12.34.2.2		
Controlled Activities		
i	Buildings in Activity Area A	N/A No buildings are proposed
ii	Buildings in Activity Area C1 to C4	N/A The property is within Activity Area A
iii	Removal of trees from the Tree Protection Areas	N/A No trees are proposed to be removed
12.34.2.3		
Restricted Discretionary Activities		
i	Residential Activities (excluding buildings in Activity Areas B1 to B5 and C1 to C4)	N/A The property is within Activity Area A
ii	Residential, Visitor Accommodation, Commercial, Retail and Community Activities and Retirement Villages (all excluding buildings) in Activity Area D1	N/A The property is within Activity Area A
iii	Residential Buildings	N/A No residential buildings are proposed
iv	Buildings for Visitor Accommodation, Commercial, Retail and Community Activities and Retirement Villages within Activity Area D1	N/A No buildings are proposed
12.34.2.4		
Discretionary Activities		
i	Any Activity which is not listed as a Non-Complying Activity or Prohibited Activity and which complies with all the Zone Standards but does not comply with one or more of the Site Standards shall be a Discretionary Activity with the exercise of the Council's discretion being confined to the matter(s) specified in the standard(s) not complied with.	N/A The proposal complies with the non-complying and prohibited activities, and the

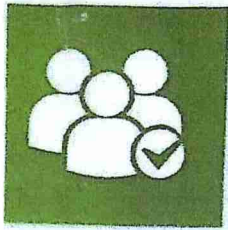
		site and zone standards, or they are not applicable.
ii	Residential Activities (excluding buildings) in Activity Areas B1 to B5 and C1 to C4 and Residential, Visitor Accommodation, Commercial, Retail and Community Activities and Retirement Villages (all excluding buildings) in Activity Area D1 where an Outline Development Plan is proposed for only part of Activity Areas B1 to B5, C1 to C4 and D1.	N/A The property is within Activity Area A
12.34.2.5		
Non-Complying Activities		
i	Factory Farming	N/A
ii	Forestry Activities	N/A
iii	Mining Activities	N/A
iv	Service Activities	N/A
v	Industrial Activities	N/A
vi	Airports	N/A
vii	Building Restriction Area (including Tree Protection Area) – Activity Areas E1-E4 Any building (including buildings ancillary to residential use) and any domestic curtilage activities, including gardens, paved areas, and parking (except for the purpose of vehicle access) in Activity Areas E1-E4.	N/A The property is within Activity Area A
viii	The use or development of land within any of Activity Areas B1 to B5, C1 to C4 and D1 that is not in accordance with Rule 12.34.2.3.i or Rule 12.34.2.3.ii in respect of all of that Activity Area or under Rule 12.34.2.4.ii in respect of part of that Activity Area.	N/A The property is within Activity Area A
ix	Visitor Accommodation, Commercial, Retail and Community Activities and Retirement Villages within Activity Areas A, B1 to B5 and C1 to C4.	N/A None of these activities are proposed
x	Removal of trees from the Tree Protection Area described in the Schedule 'protected Trees – Wanaka' in the Inventory of Protected Features, other than as approved under Rule 12.34.2.2(iii)	N/A No trees are proposed to be removed
xi	Any activity which is not listed as a Prohibited Activity and which does not comply with one or more of the relevant Zone standards, shall be a Non-Complying Activity	The proposal is not listed as a prohibited activity, and complies with all relevant zone standards, or they are not applicable.
12.34.2.6		
Prohibited Activities		

i	Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, fish or meat processing (except if ancillary to any retail activity or restaurant), or any activity requiring an Offensive Trade License under the Health Act 1956.	N/A None of these activities are proposed
ii	Planting any of the listed species	N/A No planting is proposed
12.34.4.1 Site Standards		
i	Nature and scale of non-residential activities	N/A No non-residential activity is proposed
ii	Setback from roads	N/A No building is proposed
iii	Setback from internal boundaries	N/A No building is proposed, and the subdivision will allow a future and the existing building to comply with this standard
iv	Continuous building length	N/A No building is proposed and the subdivision will allow a future building to comply with this standard
v	Outdoor living space	N/A No building is proposed, and the subdivision will allow a future and the existing building to comply with this standard
vi	Garages	N/A No building is proposed and the subdivision will allow a future building to comply with this standard
vii	Walls and fences	N/A

		No walls or fences are proposed within a road setback
viii	Access	Complies The existing and future residential unit will have legal access
ix	Earthworks	N/A No earthworks are proposed
x	Landscaping and Planting	N/A The site is not within an Activity Area C, nor adjoining Outlet Road, nor within a Tree Protection Area
xi	Outlook Space	Complies The proposed boundary will allow a future and the existing building to comply with this standard
xii	Universal Access	N/A The proposal is not a multi-unit development
xiii	Sustainable Development	N/A The proposal is not a multi-unit development
xiv	Separation between buildings within a site	N/A The proposal does not involve a second building on the site
12.34.4.2 Zone Standards		
i	Structure Plan- All activities and developments must be carried out in accordance with the Structure Plan, provided that this rule does not apply to an amendment of boundaries of up to 50m between Activity Areas B1 - B5 and D1.	Complies. Although one individual site is to be subdivided in two, the overall

		Structure Plan is adhered to, in that the locations of roading, lot layouts, walkways, parks and the like are not impacted by the proposal. Therefore the proposal is in accordance with the Structure Plan.										
ii	Outline Development Plan & Staging Plan	N/A No Outline Development Plan is required by Rule 12.34.2.3(i) or (ii)										
iii	Density of residential units within each Activity Area shall achieve limits set out in Table 1 plus or minus 15%: <i>Table 1:</i>	Complies The site is within Activity Area A, where there is no density limit										
	<table border="1"> <thead> <tr> <th>Activity Areas</th> <th>Density (residential units per hectare)</th> </tr> </thead> <tbody> <tr> <td>A & C4</td> <td>N/A</td> </tr> <tr> <td>B1 – B5</td> <td>10</td> </tr> <tr> <td>C1 – C3</td> <td>4.5</td> </tr> <tr> <td>D1</td> <td>15</td> </tr> </tbody> </table>	Activity Areas	Density (residential units per hectare)	A & C4	N/A	B1 – B5	10	C1 – C3	4.5	D1	15	
Activity Areas	Density (residential units per hectare)											
A & C4	N/A											
B1 – B5	10											
C1 – C3	4.5											
D1	15											
iv	Building Height	N/A No buildings are proposed										
v	Building Coverage	N/A No buildings are proposed										
vi	Noise from non-residential activities	N/A No non-residential activities are proposed										
vii	Lighting, glare and controls on building materials	N/A No buildings are proposed										
viii	Retail	N/A No retail is proposed										
ix	Roof Design	N/A The site is within Activity Area A										
x	Activity Areas E1 & E4	N/A The site is within Activity Area A										

Subdivision Rules- Section 15 (Rules relevant to Northlake Only)		
Rule Number	Rule Title	Comment (N/A = Not Applicable)
15.2.3.3 Restricted Discretionary Activities		
xi	Within the Northlake Special Zone any subdivision shall be a Restricted Discretionary Activity	Consent Required The proposal involves a subdivision in the Northlake Special Zone
15.2.6.3 Zone Standards		
i(a)	Northlake Special Zone Activity Area A minimum lot size 4,000m ²	Consent Required The proposal seeks to establish two sites less than 4,000m ² in size <i>(Non-Complying Activity)</i>
xi	Within the Northlake Special Zone Activity Area E1 shall be held in not more than one allotment.	N/A The site is within Activity Area A
15.2.8.2A Zone Standards		
i	No additional vehicle access shall be created from Activity Area A onto Aubrey Road.	N/A The site does not adjoin Aubrey Road
15.2.20.1 Zone Standards		
i	The development of Activity Area D1 shall result in 20 affordable lots.	N/A The site is within Activity Area A



AFFECTED PERSON'S APPROVAL



FORM 8A

Resource Management Act 1991 Section 95

RESOURCE CONSENT APPLICANT'S NAME AND/OR RM

Aliesha Hildred

PERSON AFFECTED PERSON'S DETAILS

I/We Lynette and Leslie Roseveare

Are the owners/occupiers of

1 Glenaray Crescent, Northlake, Wanaka (Lot 12 DP 471213)

DETAILS OF PROPOSAL

I/We hereby give written approval for the proposal to:

A 2-Lot free hold subdivision where both Lots exceed 1800m2 net.

at the following subject site(s):

22 Northburn Road, Northlake, Wanaka (Lot 26 DP 471213)



I/We understand that by signing this form Council, when considering this application, will not consider any effects of the proposal upon me/us.



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

WHAT INFORMATION/PLANS HAVE YOU SIGHTED



I/We have sighted and initialled ALL plans dated and approve them.

L & Roseveare *L Roseveare*



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) Lynette Roseveare	
	Contact Phone / Email address 0274 929025 1-roseveare@xtra.co.nz	
	Signature <i>L Roseveare</i>	Date 23-10-21

B	Name (PRINT) Leslie Roseveare	
	Contact Phone / Email address 0274 929 120 1-roseveare@xtra.co.nz	
	Signature <i>L E Roseveare</i>	Date 23.10.2021

C	Name (PRINT)	
	Contact Phone / Email address	
	Signature	Date

D	Name (PRINT)	
	Contact Phone / Email address	
	Signature	Date

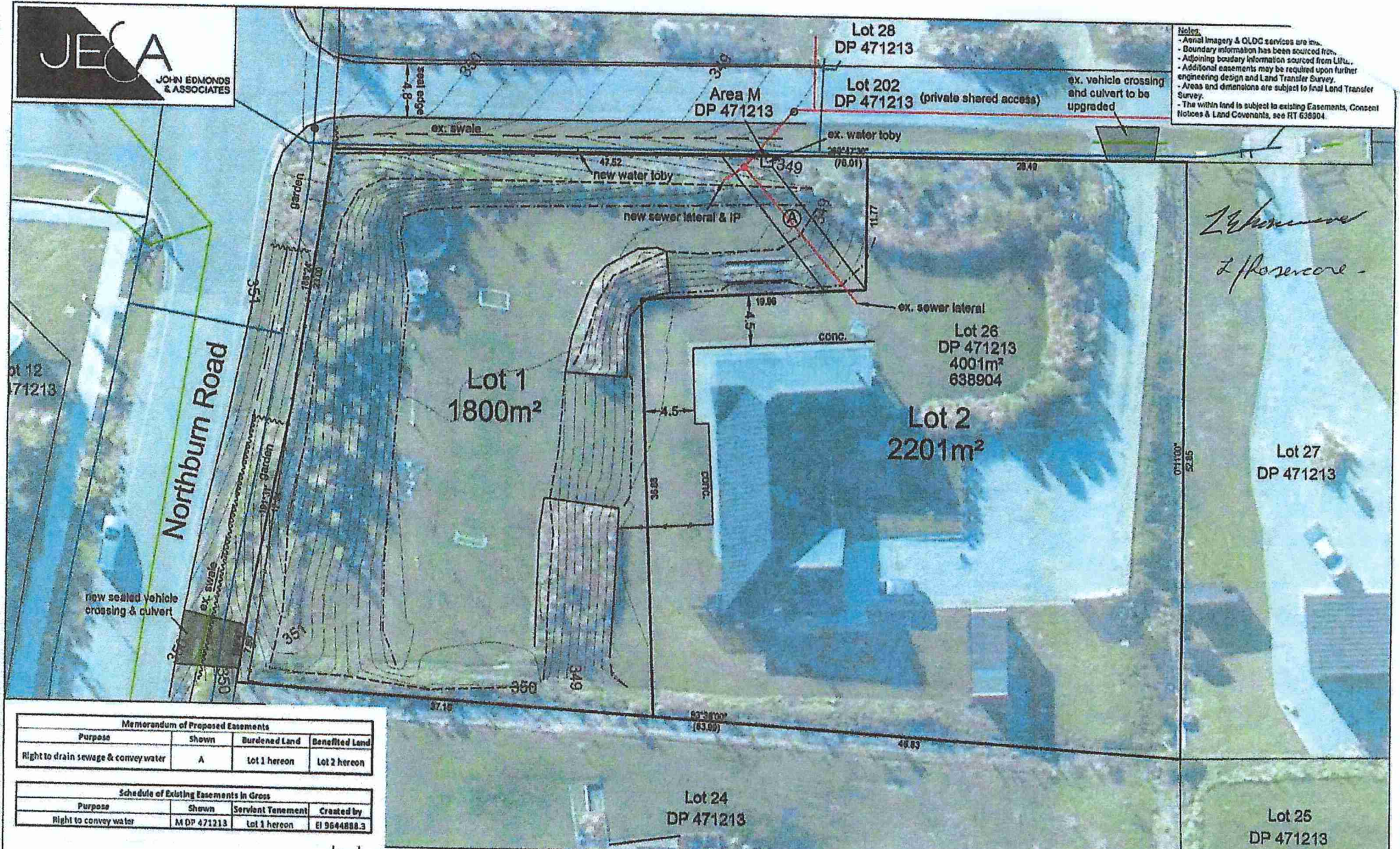
Note to person signing written approval

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.



Memorandum of Proposed Easements			
Purpose	Shown	Burdened Land	Benefited Land
Right to drain sewage & convey water	A	Lot 1 hereon	Lot 2 hereon

Schedule of Existing Easements in Gross			
Purpose	Shown	Servient Tenement	Created by
Right to convey water	M DP 471213	Lot 1 hereon	EI 9644888.3



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Rev	Description	Date
A	ORIGINAL	18/12/20
B	FOR APA	20/01/21

Scheme Plan
Lots 1 & 2 being a Subdivision
of Lot 26 DP 471213
(22 Northburn Road, Wanaka)

Client: Pascoe		COPYRIGHT This drawing and parts thereof are copyright to Measured Land Surveys Limited and shall not be reused, copied or reproduced without the written permission of Measured Land Surveys Limited.	
Scale: 1 : 300 @ A3			
Surveyed: ST 11/12/20	Drawn: ST 20/01/21	Date: Lindis Peak 2000	Sheet: 1 of 1
		Job #: 19057_S2	Rev: B



AFFECTED PERSON'S APPROVAL



FORM 8A

Resource Management Act 1991 Section 95

RESOURCE CONSENT APPLICANT'S NAME AND/OR RM

Aliesha Hildred

PERSON AFFECTED PERSON'S DETAILS

I/We Jacqueline and Russel Knight

Are the owners/occupiers of
11 Northburn Road, Northlake, Wanaka (Lot 8 DP 471806)

DETAILS OF PROPOSAL

I/We hereby give written approval for the proposal to:
A 2-Lot free hold subdivision where both Lots exceed 1800m2 net.

at the following subject site(s):
22 Northburn Road, Northlake, Wanaka (Lot 26 DP 471213)



I/We understand that by signing this form Council, when considering this application, will not consider any effects of the proposal upon me/us.



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

WHAT INFORMATION/PLANS HAVE YOU SIGHTED



I/We have sighted and initialled ALL plans dated and approve them.

J Knight *R Knight*



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) Jacqueline Knight	
	Contact Phone / Email address 0277402706 jackieknight3012@gmail.com	
	Signature Jackie Knight	Date 30/9/21

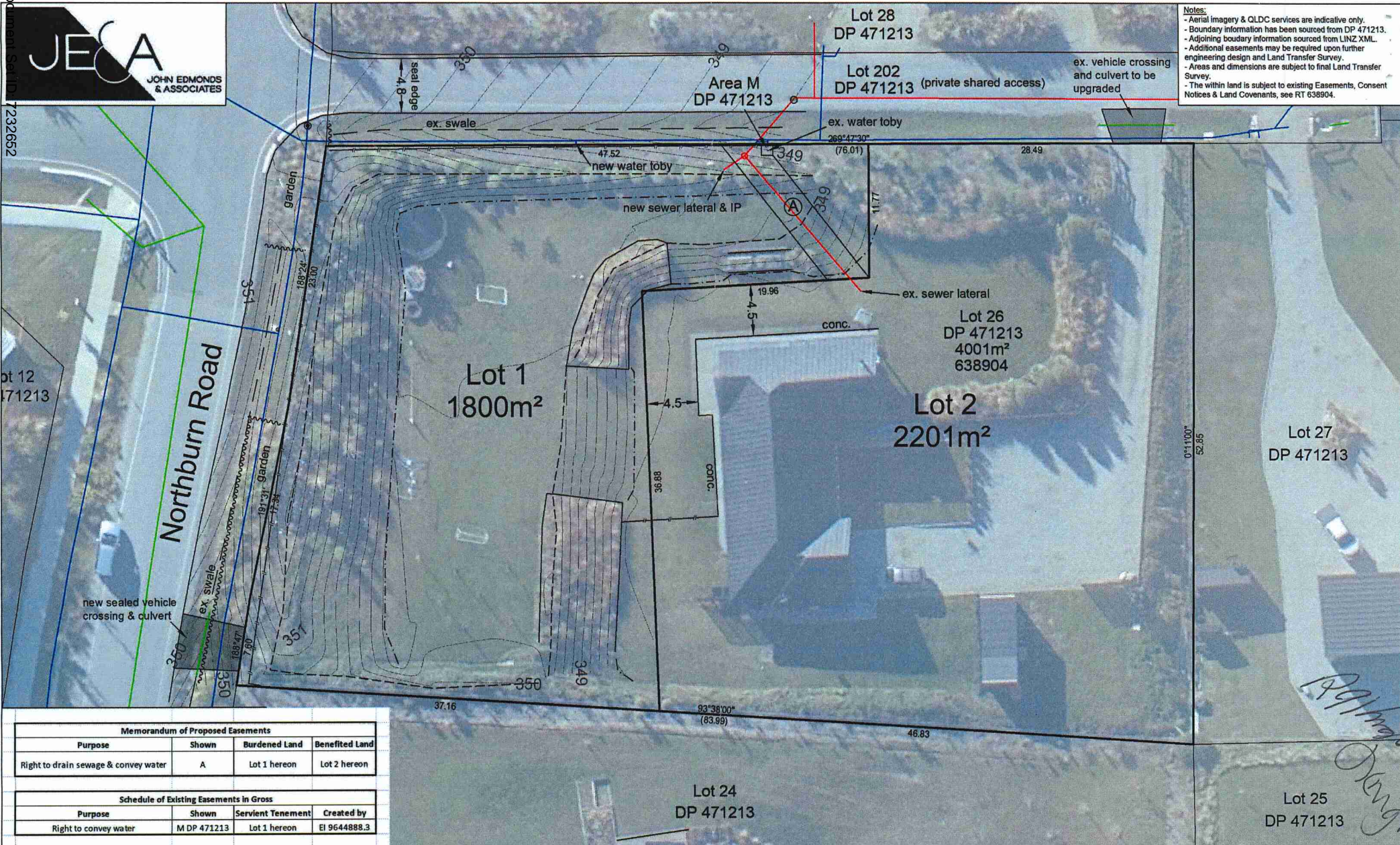
B	Name (PRINT) Russel Knight	
	Contact Phone / Email address 021846985 waipori12@hotmail.com	
	Signature R91Knight	Date 30/9/21

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.



Notes:
 - Aerial imagery & QLDC services are indicative only.
 - Boundary information has been sourced from DP 471213.
 - Adjoining boundary information sourced from LINZ XML.
 - Additional easements may be required upon further engineering design and Land Transfer Survey.
 - Areas and dimensions are subject to final Land Transfer Survey.
 - The within land is subject to existing Easements, Consent Notices & Land Covenants, see RT 638904.

Memorandum of Proposed Easements			
Purpose	Shown	Burdened Land	Benefited Land
Right to drain sewage & convey water	A	Lot 1 hereon	Lot 2 hereon

Schedule of Existing Easements In Gross			
Purpose	Shown	Servient Tenement	Created by
Right to convey water	M DP 471213	Lot 1 hereon	EI 9644888.3



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Rev	Description	Date
A	ORIGINAL	18/12/20
B	FOR APA	20/01/21

Scheme Plan
Lots 1 & 2 being a Subdivision
of Lot 26 DP 471213
(22 Northburn Road, Wanaka)

Client: Pascoe	
Scale: 1 : 300 @ A3	
Surveyed: ST 11/12/20	Drawn: ST 20/01/21

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Datum:
Lindis Peak 2000

Sheet: 1 of 1	
Job #: 19057_S2	Rev: B

*RAI/mmk
Deng hix*



AFFECTED PERSON'S APPROVAL



FORM 8A

Resource Management Act 1991 Section 95

RESOURCE CONSENT APPLICANT'S NAME AND/OR RM

Aliesha Hildred

PERSON AFFECTED PERSON'S DETAILS

I/We Andrew Woods, and Christopher and Sarah Wakeman
Are the owners/occupiers of
14 Northburn Road, Northlake, Wanaka (Lot 25 DP 471213)

☰ DETAILS OF PROPOSAL

I/We hereby give written approval for the proposal to:
A 2-Lot free hold subdivision where both Lots exceed 1800m2 net.

at the following subject site(s):
22 Northburn Road, Northlake, Wanaka (Lot 26 DP 471213)



I/We understand that by signing this form Council, when considering this application, will not consider any effects of the proposal upon me/us.



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





I/We have sighted and initialled ALL plans dated and approve them. 19057-S2 Rev 3 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) Andrew Woods	
	Contact Phone / Email address andrew.woods@chapmantripp.com	
	Signature 	Date 15/3/21

B	Name (PRINT) Christopher Wakeman	
	Contact Phone / Email address 021 176 8189	
	Signature 	Date 12/3/20

C	Name (PRINT) Sarah Wakeman	
	Contact Phone / Email address c.wakeman@mac.com	
	Signature 	Date 10/3/21

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.

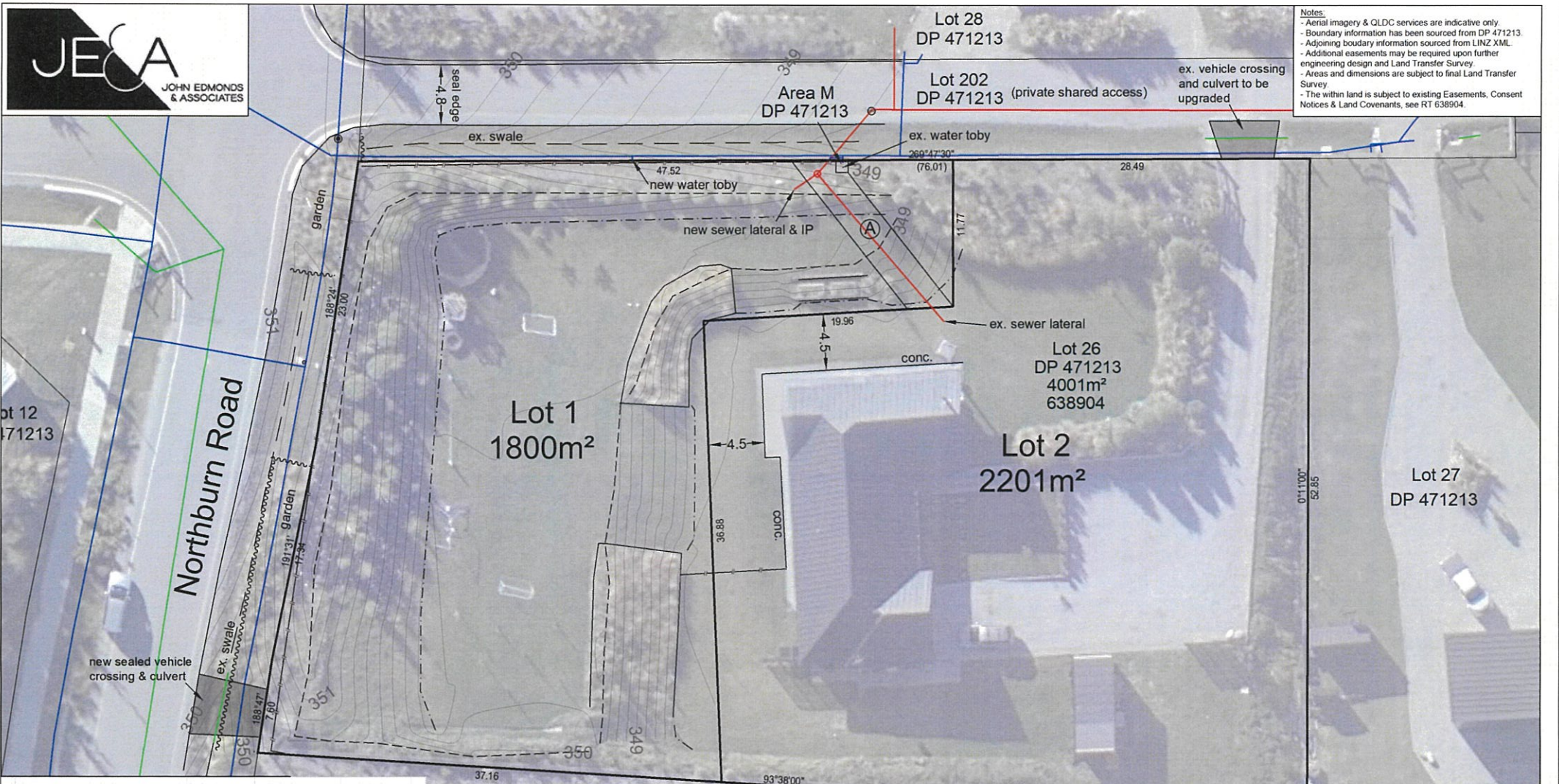
If this form is not signed, the application may be notified with an opportunity for submissions.

If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.



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

P: 03 441 0499
E: resourceconsent@qldc.govt.nz
www.qldc.govt.nz



Memorandum of Proposed Easements			
Purpose	Shown	Burdened Land	Benefited Land
Right to drain sewage & convey water	A	Lot 1 hereon	Lot 2 hereon

Schedule of Existing Easements in Gross			
Purpose	Shown	Servient Tenement	Created by
Right to convey water	M DP 471213	Lot 1 hereon	EI 9644888.3



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Rev	Description	Date
A	ORIGINAL	18/12/20
B	FOR APA	20/01/21

Scheme Plan
Lots 1 & 2 being a Subdivision
of Lot 26 DP 471213
 (22 Northburn Road, Wanaka)

Client:	Pascoe
Scale:	1 : 300 @ A3
Surveyed:	ST 11/12/20
Drawn:	ST 20/01/21

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Datum: Lindis Peak 2000	Job #: 19057_S2
	Rev: B



AFFECTED PERSON'S APPROVAL



FORM 8A

Resource Management Act 1991 Section 95

RESOURCE CONSENT APPLICANT'S NAME AND/OR RM

Aliesha Hildred

PERSON AFFECTED PERSON'S DETAILS

I/We Jason and Laura Shutt
Are the owners/occupiers of
30 Northburn Road, Northlake, Wanaka (Lot 29 DP 471213)

☰ DETAILS OF PROPOSAL

I/We hereby give written approval for the proposal to:
A 2-Lot free hold subdivision where both Lots exceed 1800m2 net.

at the following subject site(s):
22 Northburn Road, Northlake, Wanaka (Lot 26 DP 471213)



I/We understand that by signing this form Council, when considering this application, will not consider any effects of the proposal upon me/us.

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



I/We have sighted and initialled ALL plans dated and approve them.

JRH *LBSHUTT*



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) Jason Shutt	
	Contact Phone / Email address 021 088 12184 jasonshutt @ mqc . com	
	Signature <i>JShutt</i>	Date 28/03/2022

B	Name (PRINT) Laura Shutt	
	Contact Phone / Email address 021 088 12182 laurajshutt@gmail . com	
	Signature <i>LS Shutt</i>	Date 28/03/2022

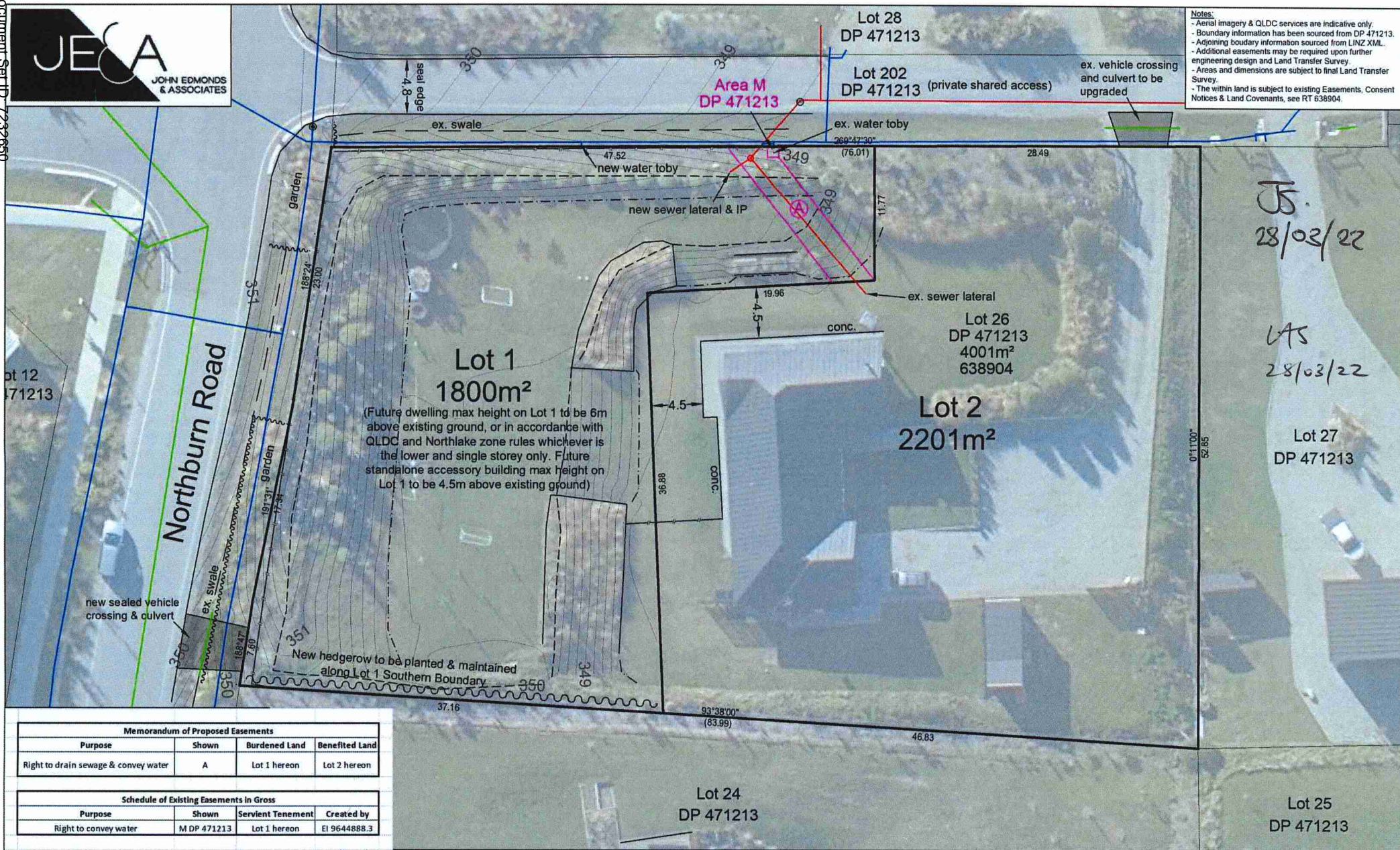
C	Name (PRINT)	
	Contact Phone / Email address	
	Signature	Date

D	Name (PRINT)	
	Contact Phone / Email address	
	Signature	Date

Note to person signing written approval

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 If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

Notes:
 - Aerial imagery & QLDC services are indicative only.
 - Boundary information has been sourced from DP 471213.
 - Adjoining boundary information sourced from LINZ XML.
 - Additional easements may be required upon further engineering design and Land Transfer Survey.
 - Areas and dimensions are subject to final Land Transfer Survey.
 - The within land is subject to existing Easements, Consent Notices & Land Covenants, see RT 638904.



J.S.
28/03/22

L.A.S.
28/03/22

(Future dwelling max height on Lot 1 to be 6m above existing ground, or in accordance with QLDC and Northlake zone rules whichever is the lower and single storey only. Future standalone accessory building max height on Lot 1 to be 4.5m above existing ground)

Memorandum of Proposed Easements			
Purpose	Shown	Burdened Land	Benefited Land
Right to drain sewage & convey water	A	Lot 1 hereon	Lot 2 hereon

Schedule of Existing Easements In Gross			
Purpose	Shown	Servient Tenement	Created by
Right to convey water	M DP 471213	Lot 1 hereon	EI 9644888.3

Rev	Description	Date
A	ORIGINAL	18/12/20
B	FOR APA	23/03/22

Scheme Plan
 Lots 1 & 2 being a Subdivision
 of Lot 26 DP 471213
 (22 Northburn Road, Wanaka)

Client: Hildred	
Scale: 1 : 300 @ A3	
Surveyed: ST 11/12/20	Drawn: ST 23/03/22

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Sheet: 1 of 1
Job #: 19057_S2
Rev: B



AFFECTED PERSON'S APPROVAL



FORM 8A

Resource Management Act 1991 Section 95

RESOURCE CONSENT APPLICANT'S NAME AND/OR RM

Aliesha Hildred

PERSON AFFECTED PERSON'S DETAILS

I/We Karen and Andrew Birkby
Are the owners/occupiers of
34 Northburn Road, Northlake, Wanaka (Lot 28 DP 471213)

DETAILS OF PROPOSAL

I/We hereby give written approval for the proposal to:
A 2-Lot free hold subdivision where both Lots exceed 1800m2 net.

at the following subject site(s):
22 Northburn Road, Northlake, Wanaka (Lot 26 DP 471213)

- I/We understand that by signing this form Council, when considering this application, will not consider any effects of the proposal upon me/us.
- 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

I/We have sighted and initialled ALL plans dated and approve them.

[Handwritten signatures]



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) Karen Birkby	
	Contact Phone / Email address 021 350 950 karen.petrina0@gmail.com	
	Signature <i>KB Birkby</i>	Date 4/4/22

B	Name (PRINT) Andrew Birkby	
	Contact Phone / Email address 021 350 760 richard_birkby@hotmail.co.uk	
	Signature <i>Andrew Birkby</i>	Date 4/4/22

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.

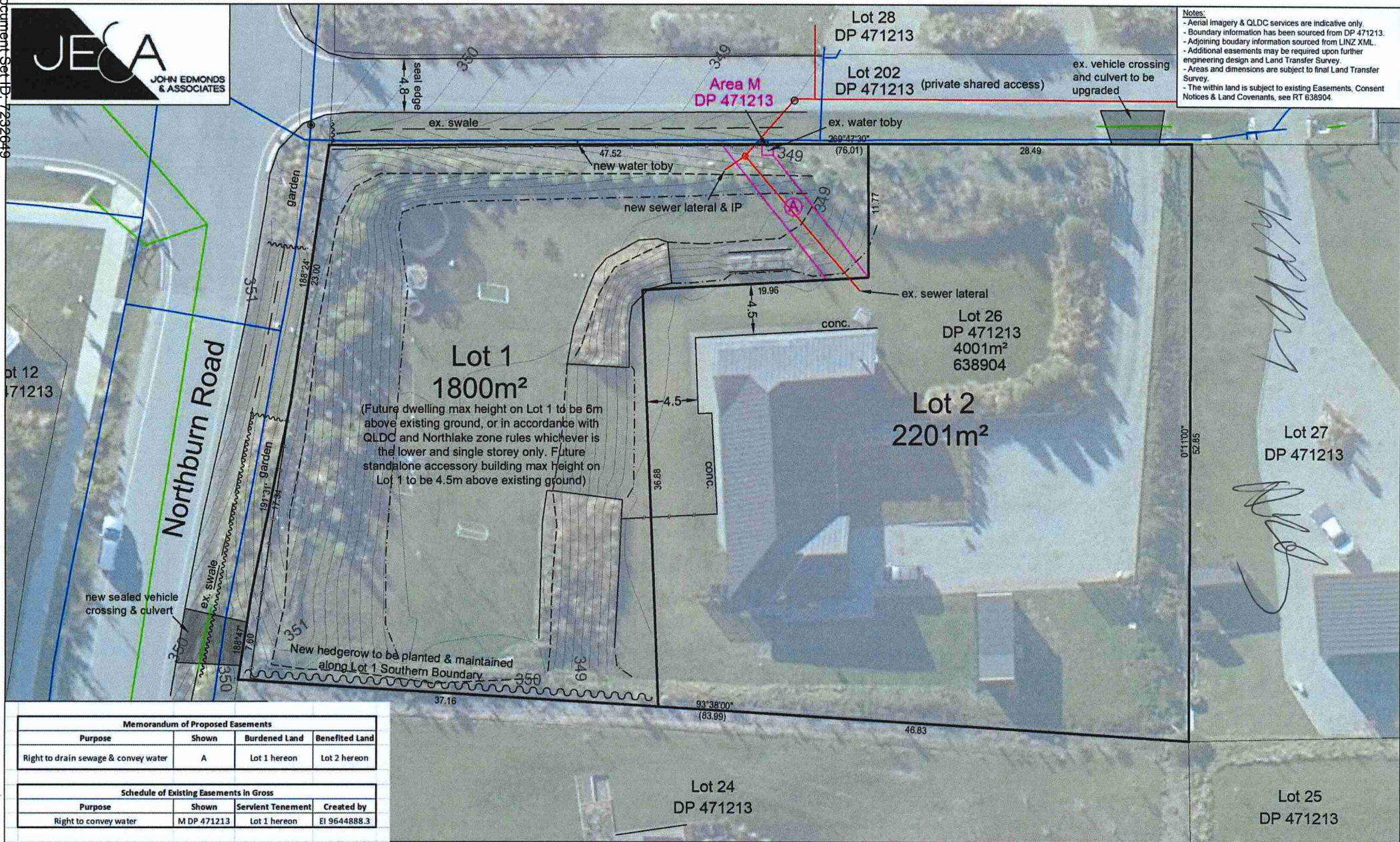
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 - Additional easements may be required upon further engineering design and Land Transfer Survey.
 - Areas and dimensions are subject to final Land Transfer Survey.
 - The within land is subject to existing Easements, Consent Notices & Land Covenants, see RT 638904.



Lot 1
1800m²
 (Future dwelling max height on Lot 1 to be 6m above existing ground, or in accordance with QLDC and Northlake zone rules whichever is the lower and single storey only. Future standalone accessory building max height on Lot 1 to be 4.5m above existing ground)

Lot 2
2201m²

Lot 26
DP 471213
4001m²
638904

Lot 27
DP 471213

Lot 24
DP 471213

Lot 25
DP 471213

Memorandum of Proposed Easements			
Purpose	Shown	Burdened Land	Benefited Land
Right to drain sewage & convey water	A	Lot 1 hereon	Lot 2 hereon

Schedule of Existing Easements in Gross			
Purpose	Shown	Servient Tenement	Created by
Right to convey water	M DP 471213	Lot 1 hereon	EI 9644888.3

Rev	Description	Date
A	ORIGINAL	18/12/20
B	FOR APA	23/03/22

Scheme Plan
Lots 1 & 2 being a Subdivision
of Lot 26 DP 471213
 (22 Northburn Road, Wanaka)

Client: Hildred	
Scale: 1 : 300 @ A3	
Surveyed: ST 11/12/20	Drawn: ST 23/03/22

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Date: Lindis Peak 2000	Job #: 19057_S2	Rev: B

From: "Hannah Clowes"
Sent: Wed, 1 Jun 2022 14:24:27 +1200
To: "Emma Ryder" <Emma.Ryder@jea.co.nz>
Subject: RM220362 - A Hildred - 22 Northburn Road S. 92 (1) request

Hi, Emma.

The following information is requested pursuant to s. 92 (1) of the RMA so that the application can continue to be processed:

1. Please show the proposed amalgamation condition on the scheme plan in line with the access arrangement proposed for each lot (e.g. if it is not intended to provide access for Lot 1 from the right of way, then they should not be part of the amalgamation condition).
2. Please provide an assessment of the sight distance available from the vehicle crossing to Lot 1, prepared by a suitably qualified person. In the event that the available sight distances are inadequate, please provide details of the works required to provide adequate sight distances.
3. Please provide written approval from Council's Parks & Reserves team for the necessary removal of the planting within the Northburn Road legal road reserve.

Kind regards,

Hannah Clowes BSc MRRP | Consultant Planner | Planning & Development

Queenstown Lakes District Council
hannah.clowes@qldc.govt.nz

