



31 May 2016

The Resource Consents Planner
City Planning
Dunedin City Council
PO Box 5045
Dunedin

Dear Sir / Madam

**APPLICATION FOR RESOURCE CONSENT (SUBDIVISION, LAND USE AND EARTHWORKS)
WESTACOTT HEIGHTS BOUNDARY ADJUSTMENT
RPR PROPERTIES LIMITED AND KRENFORD HOLDINGS LTD**

Please find below, information in support of a resource consent application (subdivision, land use and earthworks) in relation to the proposed Westacott Heights Boundary Adjustment development at 35, 39, 41 and 49 Dalziel Road, Dunedin.

Also attached to this application are the following documents-

1. Form 9 application.
2. Subdivision scheme plan.
3. Subdivision scheme plan – with aerial photo underlay.
4. Property certificates of title.
5. Relevant property encumbrances.
6. Deposited plan 470050.
7. Geotechnical report.
8. HAIL report.
9. 2GP zone map image.
10. Affected persons consent forms.
11. Cheque payment of \$3,000 to cover the anticipated consent processing costs.

DESCRIPTION OF ACTIVITY

The objective of this application is to obtain resource consent for the boundary adjustment subdivision of the land at 35, 39, 41 and 49 Dalziel Road, from its 4 existing sites into 4 new sites. In addition to the resource consent sought for subdivision, the Applicant seeks resource consent for land use to enable new residential activities to become established on the new sites that do not comply with the underlying zone density requirements, this being a transference of the existing residential activity consents.

The Applicant is RPR Properties Limited and Krenford Holdings Ltd. The Applicant is represented by the directors of the two applicant Companies, Thomas and Loretta Richardson.

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The Applicant owns all of the development land with the exception of 35 Dalziel Road, which is owned by J. L. and V. L. Geddes. The Applicant has an agreement in place with the owner of 35 Dalziel Road to undertake the proposed development, and in addition to this agreement an affected person's consent form has been supplied by this owner.

One of the principal reasons for this application is to satisfy the hopes of two young couples who have previously signed sales and purchase agreements for two of the recently proposed allotments for which subdivision consent was declined by Council earlier in the year. These sites are now the proposed Lots 3 and 4 in this application. These couples are anxious to continue with their purchase of the sites and the Applicant is hoping to assist this process by proposing the surrender of two consented residential activities that already exist elsewhere within the application land (but which haven't yet been established).

Background to the Property

The land subject to this application has been, until moderately recently, operated as a rural pasture farming activity. This activity was initiated many years ago (as evidenced by a number of old dry-stone walls that exist on the land, these being in the order of 80 years old) and prior to the rural farming activity we have no knowledge of how the land was used. It is likely that the rural farming activity was the first form of European cultivation that has occurred on this land. A dwelling and associated residential activity was established on the site during its use as a rural activity, although this activity was always in support of the primary rural activity.

In late 2006 and early 2007, the then owner of the property initiated discussions with Dunedin City Council about the possibility of having the property (which at that time encompassed a greater area of land than the present application property) rezoned for residential purposes. This was followed by a process of public consultation and then further discussion with Council staff. Ultimately, the rezoning proposal was not presented to Council as a formal application, due to timing issues around the operative Plan taking effect, and the land remained as part of the Rural Zone.

In 2010, consent was issued under SUB-2010-114 and LUC-2010-515 to undertake a boundary adjustment subdivision within the then block. This subdivision started with two properties of 14.84 and 3.90 hectares, and resulted in two properties of 16.16 and 2.00 hectares. This subdivision was given effect to by DP 453493, with Lot 1 from this plan remaining to-date as an adjoining property to the current subdivision.

In early 2011, the then owner of the property took up discussion again with Dunedin City Council, but this time in respect of a possible resource consent application to undertake a residential subdivision on the site to create a number of lifestyle-sized residential sites. Two resource consents (the principal being SUB-2012-92/A) were duly sought, and issued, to allow this development to occur. In late 2013 the development was given final effect and titles were issued for the new sites.

Since the new titles under the various previous consents were issued, six of the new sites have been transferred into separate ownerships. These sites are Lot 1 DP 453493, and Lots 3, 4, 5, 6 and 10 DP 470050. The first of these sites contains the dwelling and associated residential activity that was previously in place prior to the recent subdivisions. The latter five sites were initially vacant land parcels, but four of these have since had residential activities established on them (Lots 3, 4, 5 and 6 DP 470050).

In respect of the sites that form part of this application, i.e. 35, 39, 41 and 49 Dalziel Road (Lots 5, 8, 9 and 7 DP 470050 respectively), three of these are currently vacant of residential activity while one site, at 35 Dalziel Road (Lot 5 DP 470050), has a new house presently being completed.

Since the completion of the subdivision under SUB-2012-92/A, no further changes to the title format of the property have occurred, other than several changes in the legal ownership of the subject land, which is of no consequence to this application.

More recently, over the past 18 months, the Applicant has re-initiated discussions with Council staff in respect of a developing the bulk of the remaining land into a more extensive collection of residential properties, with site areas more closely akin to a typical residential neighbourhood. These discussions reached the point at which a comprehensive subdivision consent application was lodged, which was processed on a notified basis, the result being that consent was declined by the Hearings Committee, albeit with a s42 recommending report that supported the subdivision.

The Applicant is still considering the possible options for pursuing a more comprehensive form of residential development, including through ongoing consent processes and through 2GP rezoning opportunities, however in the meantime this application is considered desirable in order to better manage the current land situation, and to satisfy two of the pre-sale agreements achieved through marketing of the earlier development proposal (Lots 19 and 20 of the November 2015 proposal, shown as Lots 3 and 4 in this proposal).

It is relevant to note that all of the application land within which residential activities are already consented has been promoted within the notified 2GP rezoned as becoming part of the new Large Lot Residential Zone. While the 2GP has some way to go before it will assume full operative status, the notified version clearly indicates Council's planning support for greater residential development within this part of the City.

Current Situation

The legal description of the application site is Lots 5, 7, 8 and 9 DP 470050. The property has a total area of 13.4786 hectares and is currently held in certificates of title 634081, 634083, 634084 and 634085, copies of which are attached. The physical address of the property is 35, 41, 39 and 49 Dalziel Road, Dunedin.

There are a number of existing subject easements registered over the application titles. These are shown on DP 470050 as 'A', 'B', 'C' and 'D' on the attached subdivision scheme plan. There are also several existing appurtenant easements attached to the application

properties. All of these easements will be retained at the conclusion of the proposed subdivision.

There are a number of other existing encumbrances registered over the subject titles. These describe various building line restrictions, land covenants, consent notices and mortgages. None of these encumbrances fundamentally flaw the proposed development, although these will need to be addressed as a matter of course in the legal documentation required to give effect to the proposed subdivision. Several of the more relevant property encumbrances are attached to this application for the reader's reference.

In the broader sense, the subject property is situated on the western side of the Halfway Bush suburb of Dunedin, between Taieri Road to the north-east and Dalziel Road to the west. The land to the south of the application block is owned by Dunedin City Council and contains the bulk of the Fraser's Gully reserve. The land to the north-west of the subject site, between the site and the intersection of Three Mile Hill Road and Dalziel Road comprises five lifestyle-sized residential properties (between 0.58 and 2.02 hectares in area). The land to the east of the application property is occupied by approximately 28 typical-sized residential sites, the majority of which are accessed from Ashmore Street. On the opposite side of Dalziel Road, to the west of the subject site, is located the Penno Block subdivision, which was a development completed in 1997 by Dunedin City Council that produced 9 rural-residential sized sites (each marginally greater than 2.00 hectares in area) and enlarged one existing site to 0.65 hectares in area. Other major features in the region are the Leslie Groves and Wakari Hospitals located approximately 1km to the east of the site, the Mount Grand water treatment station located the same distance to the south-west, the Ashburn Clinic health care facility located approximately 300m to the north of the site, and the Halfway Bush sports ground located approximately 250m to the east of the application land. Halfway Bush School is located some 400m to the east, Brockville Primary School is located some 1.2kms to the south, and Wakari Primary School is located approximately 1.4kms to the east, while the Halfway Bush Convenience Store is located 70m to the east of the application site and the Dunedin Pony Club is located some 400m to the north-west.

The subject property is located within a region of mixed land use activities. The surrounding land uses range from typical residential activities with an average land area of around 800m² to the east of the site, to smaller lifestyle sized activities occupying around 0.25 to 0.65 hectares, to rural-residential type activities with areas generally slightly greater than 2.00 hectares, to the adjoining natural reserve block owned by Dunedin City Council comprising an area close to 50 hectares.

The subject site is currently zoned Rural under the District Plan, as is the Council reserve block to the south of the subject site. The land to the east is zoned Residential 1, the land to west is zoned Rural-Residential, and the land to the north is zoned a mixture of Rural-Residential and Rural. There are no planning designations or special controls shown in the District Plan as being attached to the application property, nor is the site subject to any of the High Class Soils or Landscape Management classifications. The existing north-south watercourse is annotated in the District Plan as being subject to an esplanade strip requirement.

Under the Proposed Plan, the site is zoned a combination of Large Lot Residential 1 Zone and Rural Hill Slopes Zone. The former of these zones is proposed to exist generally across the flatter, clear proportions of the land, while the latter is proposed to exist generally across the steeper, bush covered regions where future residential activity is unlikely due to topographical constraints.

All of the surrounding sites, with the exception of the Council reserve block to the south, are utilised for residential activities (or are intended to be utilised for residential activities). Many of these sites are also utilised for rural activities, although the scale of these activities is dictated by the sizes of the respective properties.

In terms of its elevation, the application site generally lies between 240m and 290m above sea level. The landform across the subject site exhibits a range of slopes, from reasonably steep at its lower extremities to reasonably flat at its higher elevations. Two existing natural watercourses run through the site, one from north to south on the eastern side of the property, the other from west to east on the southern side of the land. These watercourses both run into the Council reserve block, following which they merge into a single watercourse before joining the Fraser's Creek feature. The steeper slopes of the application property generally follow the sides of these two watercourses, which for the most part are vegetated with native bush.

Other than where the native bush exists, the application property generally enjoys a ground coverage of pastoral grass. A relatively small amount of gorse and bracken exists in the north-east corner of the site.

The site has previously been subject to a geotechnical investigation (Geolink Land Investigations, circa 2011). A copy of the resulting report is attached. This investigation concludes that the majority of the application property is not subject to any limitations to development, although it also notes others portions of the land which are i) subject to moderate limitations to development, ii) subject to severe limitations to development, and iii) not suitable for development. The two most limiting categories closely coincide with the steep bush-clad slopes of the two watercourses on-site.

Access to the site is presently achieved from Dalziel Road, at a distance of 350m south of the Dalziel Road / Three Mile Hill Road intersection. The site also has legal frontage to Taieri Road, although due to topographical constraints no physical access has previously been established at this location. The Dunedin City District Plan recognises Dalziel Road as a Collector Road and Taieri Road as a Regional Road.

There is only the single newly constructed dwelling (and associated residential activity) within the existing property, although each of the 4 subject sites has consent and infrastructure as necessary to enable new residential activities to be readily established.

There is a relatively large set of overhead power transmission lines that pass across the application property in an east-west alignment slightly north of the northern boundary of Lot 5 DP 470050. These overhead transmission lines comprise three sets of poles, spaced

approximately 10.0m apart, with a total of around 16 cables attached. This corridor of transmission infrastructure is a reasonably dominant feature over what is otherwise generally bare pasture land.

Proposed Residential Activity and Subdivision

The applicant proposes to adjust the existing property boundaries, and in doing so to adjust the location of the previously consented residential activities within the application property. This will not result in any more sites, or residential activities, than is presented permitted across the subject land. The attached subdivision scheme plan illustrates the nature of the proposed subdivision.

The new allotments, to be created by way of the proposed subdivision, will achieve the following-

Site	Area (Ha)	Purpose
Lot 1	12.8266	Adjusted residential activity, replacing Lot 7 DP 470050 (10.3165 Ha)
Lot 2	0.2480	Adjusted residential activity, replacing Lot 5 DP 470050 (2.2915 Ha)
Lot 3	0.2020	Adjusted residential activity, replacing Lot 8 DP 470050 (0.3846 Ha)
Lot 4	0.2020	Adjusted residential activity, replacing Lot 8 DP 470050 (0.4860 Ha)

All of the new residential activities will have a site area of 2,000m² or greater. This site size has been selected by the Applicant as it is expected to provide desirable properties to the market. There are very few vacant sections of this size available within the Dunedin city region, and these sites will provide a greater choice of property types to prospective purchasers. The proposed site sizes, being considerably larger than the minimum site size of typical residential sections with the City (at 500m²), will provide an open, spacious neighbourhood, and which will have which will enjoy a semi-rural lifestyle ambience.

The character of the property will not be altered from the existing land character as a consequence of the proposed development.

Each of the new residential allotments will gain access from the existing site frontage (and existing right-of-way easements) at Dalziel Road. Service connections are available from both Dalziel Road and Taieri Road, although rural style servicing is also an option for the new sites (but not the Applicant's preferred option). An improved network of reticulation will also offer an opportunity to upgrade the supplies to several of the adjoining residential activities.

Yards, Height Restrictions and Buffer Planting Along Private Boundaries

The Applicant proposes that front yards will be set at a standard of 12.0m from the land's frontages with Dalziel and Taieri Roads. This is consistent with the Rural-Residential provisions in the operative District Plan (this will be discussed later in this application).

The Applicant proposes that the side yard sharing a boundary with Lot 1 DP 453493 will be set at a width of 10.0m. Again, this is consistent with the Rural-Residential provisions in the operative District Plan.

The Applicant proposes that all other side yards will be set at a standard of 4.0m from neighbouring private properties. This is consistent with the proposed Large Lot Residential 1 provisions in the 2GP.

The Applicant proposes that yards from right-of-way easements will be set at a standard of 1.0m. This is consistent with both Plans and is in line with established practice over recent years.

The Applicant proposes to incorporate a 3.0m strip of buffer planting along the western sides of Lots 1, 3 and 4, where these allotments share a boundary with Lot 1 DP 453493. In addition, the Applicant proposes to construct a 1.8m high deer fence, including shade cloth covering, along this boundary. These features are proposed as a means of partially screening the proposed residential activities from the adjacent property at 31 Dalziel Road.

Access

Physical and legal access to the proposed sites will be achieved from both Dalziel Road, utilising the existing access easements. A new easement, shown as easement 'E' on the attached subdivision scheme plan, will be created to ensure that suitable physical and legal access is achieved in a contiguous manner to proposed Lots 3 and 4. As there are no additional sites being serviced by way of this access format, the Applicant considers that the existing standard of formation is suitable, where formed, and that a similar standard of formation will be suitable where the access is currently unformed.

The operation of Dalziel Road will not be affected in any way by the proposed development as the number of sites is not increasing.

Water Supply

The new residential properties are intended to each be supplied with domestic water by way of normal connections to the City's water supply reticulation. An application has recently been made to Dunedin City Council's Water and Waste department for approval to install a suitable private network to achieve this manner of water supply.

A less preferred option for water supply is to continue with the current servicing facilities, which occur by way of rural-style rooftop collection.

Either of the above options will be able to satisfy Council's water supply requirements.

Stormwater Drainage

The drainage of stormwater from the proposed residential sites will be achieved by way of open swale drainage to the existing on-site watercourse system, as per the current drainage format. Easements will be created if necessary to protect the ongoing operation of these swales.

Foul Sewage Drainage

The Applicants preferred manner of foul sewage management is by way of connecting the new residential properties to a new pressurised foul drainage system (an Allanton style system). It is anticipated that an application will soon be made to Dunedin City Council's Water and Waste department for approval to install such a facility.

A less preferred option for water supply is to continue with the current servicing facilities, which occur by way of septic tank storage and associated disposal fields.

Either of the above options will be able to satisfy Council's sewage drainage requirements.

Electricity Supply and the Existing Overhead Transmission Lines

The supply of electricity to the new residential sites can be readily achieved from the existing on-site supply network. A residential sub-station has previously been installed within the existing access easements corridor to support the earlier subdivision under DP 470050. It is our understanding that this sub-station can readily support the adjusted site layout.

The large overhead transmission lines will be retained as they presently exist.

Telecommunications Supply

The supply of telecommunication to the new residential sites is expected to be achieved from the existing on-site supply network. This network infrastructure has previously been installed within the existing access easements corridor to support the earlier subdivision under DP 470050. It is our understanding that the existing telecommunications infrastructure can readily support the adjusted site layout.

Geotechnical Matters

The attached geotechnical report by Geolink Land Investigations, circa 2011, describes the land stability throughout the application property. This report shows four categories of land stability, from no limitations to development (in green shading), to areas that are subject to moderate limitations to development (in yellow), to areas subject to severe limitations (in red), and lastly to areas that are not suitable for development (in pale blue/white).

The subdivision scheme plans shows the line separating the 'no limitations' (green) and 'moderate limitation' (yellow) regions.

The proposed boundary adjustment subdivision does not create any implications of a geotechnical nature that raise concern.

HAIL Matters

The Applicant has reviewed the Ministry for the Environment's Hazardous Activities and Industries List (HAIL) and has confirmed that none of the activities or industries shown on that listing have occurred within the application site, to the best of his knowledge.

Further to this, the Applicant has included with this application a HAIL assessment report based on property records and evidence of previous land use. This report concludes that there is no indication or evidence of hazardous activities or industries having taken place on the application land.

Easements

New access easements will be created as part of the proposed subdivision over the right-of-way area shown as easement 'E' on the attached subdivision scheme plan.

New easements will also be created as necessary to protect other items of infrastructure.

All existing easements, both subject and appurtenant, will be retained.

Esplanade Strip

The District Plan indicates that an esplanade strip will be required alongside the existing open watercourse that runs in a north-south direction through the site.

The applicant proposes that an esplanade strip is not required as part of this subdivision, for the following reasons-

1. This is a boundary adjustment subdivision and does not seek to create any additional sites, and
2. There was no requirement for an esplanade strip when the previous subdivision occurred in 2011 under SUB-2012-92/A. It would be inconsistent for Council to require the establishment of an esplanade strip now.
3. The appropriate time to assess the need for an esplanade strip will be as part of a more comprehensive development proposal for the land, particularly where development might be expected to occur within closer proximity to the stream feature.

On this basis, the Applicant requests that the requirement for an esplanade strip is waived by Council in the resource consent decision.

Development Contributions

As the proposed activity is a boundary adjustments subdivision, without resulting in additional sites, we do not anticipate that a development contribution will be applied.

2GP (Proposed Plan)

The 2GP, also known as the proposed Plan, was notified in September 2015. A number of submissions were received, both in support and opposition, on the proposed Large Lot Residential 1 Zone which is promoted by the 2GP at Dalziel Road. At the date of this application Council is undertaking the initial hearings required before full implementation of the 2GP can occur. The hearing for the proposed Large Lot Residential 1 Zone is scheduled for some time in the future.

The 2GP has zoned all of the land within which the new residential activities are proposed as Large Lot Residential 1. The remainder of the application site, most of which is the large native bush area, has been zoned Rural Hill Slopes.

The Applicant is generally satisfied by the rezoning formats offered by the 2GP, and it is relevant to note that the proposed allotment layout and site sizes are consistent with the provisions of the 2GP.

Adjoining Owners

The adjoining owners located at 33, 35, 37, 43, 45 and 47 Dalziel Road (Lots 3, 5, 6, 10, 4 and 2 DP 470050 respectively) have all been consulted with in regard to the current proposal. All of these owners are happy with the sought activity. Affected persons consent forms from these owners are attached.

The adjoining owner located at 31 Dalziel Road (Lot 1 DP 453493) has also been consulted. No affected persons consent form has been obtained from this owner.

The above owners are considered to be the 'principal adjoining owners', i.e. those who may be affected by the proposed activity more than others. All other adjoining owners are not considered to be affected to a level that would require consultation.

In respect of the adjoining owner at 31 Dalziel Road, the Applicant recognises that the proposed activity will result in two of the already consented residential activities being relocated within the development land to a location closer to the boundary shared with this adjoining property. As a consequence of this, the Applicant has considered that it is appropriate to introduce a number of mitigation measures to ensure that any effects resulting from the proposed activity are less than minor. The Applicant proposes the following mitigation measures to achieve this-

1. A 10.0m yard offset along the western sides of Lots 1, 3 and 4, where these allotments share a boundary with Lot 1 DP 453493. This will ensure that there is a suitable separation distance for any new dwellings to the common boundary. This

yard offset is consistent with the Rural-Residential Zone provisions of the operative Plan, and with the pattern of existing residential activities within the local environment.

2. A 3.0m strip of buffer planting along the western sides of Lots 1, 3 and 4, where these allotments share a boundary with Lot 1 DP 453493. This planting will be carefully selected to grow to a suitable height and density to achieve its purpose of providing a natural screen.
3. A 1.8m high deer fence, including shade cloth covering, will be installed along the western sides of Lots 1, 3 and 4, where these allotments share a boundary with Lot 1 DP 453493. The deer fence will ensure that animals do not pass across the boundary in either direction), while the shade cloth will prevent vegetation from the encroaching over the boundary

It is also particularly relevant to note that the existing dwelling within the adjoining property at 31 Dalziel Road is located at a distance of approx. 126m from the closest corner of the building platform on proposed Lot 3. This separation distance is generally consistent with what would normally be anticipated within the Rural-Residential Zone (a 2.00 hectare block measures approx. 140m square), and it is certainly consistent with the current pattern of development within this particular neighbourhood. For instance, the dwellings at 19, 33 and 50 Dalziel Road are all located closer to the dwelling at 31 Dalziel Road (approx. 100m, 110m and 120m respectively) than any dwelling on the proposed new sites could be located. Furthermore, there are an additional 3 neighbourhood dwellings that are located within 200m of the dwelling at 31 Dalziel Road (at 38, 35 and 45 Dalziel Road), as well as a yet-to-be established dwelling at 47 Dalziel Road, which could be located anywhere between 40m and 140m from the adjoining dwelling.

With the above considerations in mind, including the existing pattern of residential activity occurring within the local environment and the Applicant's proposed measures to assist the mitigation of any residual effects, it is submitted that the overall effect from the proposed activity to the owner of 31 Dalziel Road will be less than minor.

Earthworks

An earthworks consent is sought as part of this application.

Proposed earthworks include the following-

1. Excavation of topsoil from the proposed easement 'E' area to support access construction.
2. Excavation of the existing topsoil and clay stockpiles that presently resident on-site.
3. Excavation of naturally occurring topsoil from the proposed clay fill area indicated on the attached subdivision scheme plan (for later reinstatement in the same area).
4. Placement of topsoil from 1 and 2 above onto the proposed topsoil fill area as indicated on the scheme plan.
5. Placement of clay from 2 above onto the proposed clay fill area as indicated on the scheme plan.

6. Placement of the topsoil excavated from 3 above back over the proposed clay fill area.

The anticipated volume of topsoil to be excavated and placed on-site is 250m³.

The anticipated volume of clay to be excavated and placed on-site is 400m³.

The anticipated area of earthworks on-site is 2,000m³.

The anticipated depth of earthworks excavation is no more than 0.4m in the new right-of-way easement corridor.

The anticipated depth of earthworks fill is no more than 1.5m?

Overall, this is a reasonably modest level of earthworks. The Applicant will ensure that suitable stormwater management facilities are established in support of the proposed earthworks.

REASONS FOR APPLICATION

The subject site is zoned **Rural** in the District Plan. Dalziel Road and Taieri Road are classified as Collector and Regional Roads respectively in the Plan's Roding Hierarchy.

The proposal fails to comply with the District Plan, as noted below-

Rural Section

1. Rule 6.5.2(iii), which requires new residential activities within the Rural Zone to have a minimum area of 15 hectares per site.

We seek land use consent from Council to allow the establishment of the proposed residential activities with various undersized site sizes, for the following reasons-

- i. The proposed development is a boundary adjustment subdivision and no additional sites will be created. The intended subdivision will essentially serve to relocate the consented (but not yet established) residential activities at Lots 8 and 9 DP 470050 to more practical and desirable locations at proposed Lots 3 and 4. The largest of the existing parcels, Lot 7 DP 470050 at 10.3165 Ha, will be replaced with a larger site, proposed lot 1, which will accommodate the surplus land previously being Lots 8 and 9 DP 470050.
- ii. Marketing and sales interest, resulting in two pre-sales agreements for the proposed Lots 3 and 4, clearly demonstrates a market desire for sites of around 2,000m² in area located in the region of land proposed to become Lots 2, 3 and 4.
- iii. The surrounding environment already displays a mixed pattern of residential and rural-residential activities. Many of the adjoining properties are significantly undersized for the Rural Zone (as small as 2,547m² at Lot 6 DP 470050) while none of the adjoining properties achieve the minimum site size required by the Rural Zone (15 hectares). The local built environment is

in no way consistent with the expectation of the Rural Zone. Development in the format proposed is a credible concept in context of the existing environment.

- iv. The Applicant has proposed fencing, planting and yard offsets as suitable to mitigate the anticipated adverse effects on the property at 31 Dalziel Road.
 - v. The Applicant's assessment of effects finds that that all of the anticipated adverse effects are at a level considered to be less than minor.
 - vi. The proposed site sizes are no smaller than the minimum area promoted by the provisions of the Large Lot Residential 1 zone in the 2GP. The application is therefore 'future-proofed' in the event of the anticipated 2GP changes taking effect.
 - vii. There is a recent history at this location of consents being issued for subdivision and boundary adjustment subdivision developments where density breaches occur. The previous consent decisions have found appropriate justification to overcome these density breaches, and the Applicant submits that the same consideration should be applied to this application.
2. Rule 6.5.3(i)(a)(i), Rule 6.5.3(i)(b)(i) and Rule 6.5.3(i)(b)(iii), which require new residential activities within the Rural Zone to have various minimum yards between 12m and 20m.

We seek land use consent from Council to allow the establishment of new residential activities on the proposed residential sites with standard yard offsets reduced to 12.0m where properties adjoin legal roads, 10.0m where properties adjoin boundaries shared with 31 Dalziel Road, 4.0m where properties adjoin other private properties, and 1.0m where properties adjoin the right-of-way easement boundaries. This is proposed for the following reasons-

- i. A breach in these Rules is necessary to support the proposed residential activities. The previous consent has provided for similar bulk and location breaches, and it is anticipated that this new consent will continue to recognise this unique situation.

In accordance with Rule 6.5.7(i) the proposed land use is assessed as being a non-complying activity.

Subdivision Section

3. Rule 18.5.1(ii) and Rule 18.5.1(A)(i), which require subdivision of new residential activities within the Rural Zone to have a minimum area (or average minimum area) of 15 hectares per site.

We seek consent from Council to allow subdivision of the proposed residential activities with various undersized site areas. This breach to the District Plan provisions is of the same nature as described under non-compliance 1 above, and the same reasons for issuing consent apply. The proposed subdivision will simply serve the purpose of adjusting the boundaries between 4 existing titles and relocating the already consented residential activity areas.

In accordance with Rule 18.5.2 the proposed subdivision is assessed as being a non-complying activity.

Earthworks Section

4. Rule 17.7.3(ii), which establishes earthworks thresholds for at a 2.0m change in ground level and at 20m³ per hectare in volume (equates to approx. 260m³ in respect of proposed Lot 1).

The proposed activity is anticipated to breach Rule 17.7.3(ii) by undertaking a volume of earthworks in excess of 260m³ (proposed at 650m³). We seek land use consent to recognise and provide for this relatively small deviation from the Plan provisions.

In accordance with Rule 17.7.4(iii) the proposed earthworks is assessed as being a controlled activity.

Overall, the proposed development is assessed as being a **non-complying activity**.

In regard to the 2GP, it is understood that this carries little weight in respect of consent processing considerations. However, it is relevant to note that the proposed subdivision would comply with the provisions of the 2GP if this was to be implemented in the form proposed. This is relevant for two reasons, firstly because it confirms that the Applicant intends to future-proof the land as much as possible to minimise potential for anomalies with the 2GP when this does take effect, and secondly, because it demonstrates that the Applicant is willing to undertake a form of development that is consistent with Council's long-term views of the land use in this part of the City.

AFFECTED PERSONS

The site does not comply with the minimum area provisions of the Dunedin City District Plan. However, the proposal is for a boundary adjustment subdivision and does not include any provision for additional sites or additional residential activities.

Due to the existing non-complying situation not being significantly worsened, and in view of the overall number of residential activities not increasing, the Applicant does not consider the general public to be adversely affected by the proposed activity. There are no plan integrity issues that would require assistance by way of a public involvement process to resolve.

For these reasons, a full public notification process is not considered appropriate.

Affected persons consents have been provided from 5 of the 6 principle adjoining owners (33, 37, 43, 45 and 47 Dalziel Road). The only principal adjoining owner to not provide an affected persons consent is the owner of 31 Dalziel Road.

It is concluded that a limited notification process is the appropriate processing procedure for this application. This limited notification process should be restricted to just the owner of 31 Dalziel Road.

EFFECTS ON THE ENVIRONMENT

The following assessment of effects on the environment has been carried out in accordance with Schedule 4 of the Resource Management Act 1991. It includes those assessment matters listed in Sections 6.7, 14.7, 16.7, 18.6, 20.6 and 21.6 of the District Plan considered relevant to the proposed activity.

Schedule 4 RMA

In accordance with section 6(1)(a) of Schedule 4, we do not consider that it is likely that the proposed activity will result in any significant adverse effect on the environment.

In accordance with section 6(1)(b) of Schedule 4, an assessment of the actual or potential effects on the environment of the proposed activity is contained herein.

In accordance with section 6(1)(c) of Schedule 4, we are not aware of any previous activity on the site that has included the use of hazardous substances and installations.

In accordance with section 6(1)(d) of Schedule 4, the Applicant does not propose the discharge of any contaminant.

In accordance with section 6(1)(e) of Schedule 4, relevant mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effects are described below under the various assessment headings.

In accordance with section 6(1)(f) of Schedule 4, prior consultation has been undertaken with the following parties/organisations-

- Dunedin City Council planning and infrastructure departments.
- The owners of Lot 1 DP 453493 and Lots 2, 3, 4, 5, 6 and 10 DP 470050.

The nature of these consultations is described in the application sections above.

In accordance with section 6(1)(g) of Schedule 4, we do not consider that the scale and significance of the proposed activity will require monitoring beyond the normal subdivision certification and approval processes.

In accordance with section 6(1)(h) of Schedule 4, we do not consider that it is likely that the proposed activity will have an adverse effect that is less than minor on the exercise of a protected customary right.

In accordance with section 6(2) of Schedule 4, the assessment of effects below has considered the applicable aspects of relevant policy statements and plans.

In accordance with section 7(1)(a) of Schedule 4, the assessment of effects below has considered the effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects.

In accordance with section 7(1)(b) of Schedule 4, the assessment of effects below has considered the effect on the locality, including any landscape and visual effects.

In accordance with section 7(1)(c) of Schedule 4, the Applicant has considered the effects of the proposed activity on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity, and considers that this effect will be less than minor. There is a sufficient buffer between the proposed residential activities and the existing open watercourses (where the local ecosystem is focused) for any potential effects to be mitigated.

In accordance with section 7(1)(d) of Schedule 4, the Applicant considers that the proposed activity will have an adverse effect that is less than minor assessment on natural and physical resources (having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value) for present or future generations.

In accordance with section 7(1)(e) of Schedule 4, we do not consider that it is likely that the proposed activity will have an adverse effect in respect of release of contaminants into the environment.

In accordance with section 7(1)(f) of Schedule 4, we do not consider that it is likely that the proposed activity will have an adverse effect in respect of natural hazards or the use of hazardous substances or hazardous installations.

Section 6.7 (Rural)

Sustainability Section (6.7.1)

The proposed activity is not considered to be inconsistent with the provisions in the Sustainability section of the Dunedin City District Plan.

The proposed activity is principally that of a boundary adjustment subdivision. No new sites are proposed.

The adjusted sites will better provide for both residential activities and rural lifestyle activities.

The proposed activity will not result in the need for capital investment by the City into new public infrastructure.

Amenity Values (6.7.3)

Assessment of amenity values includes consideration of the effect that the proposed activity is likely to have on amenity values of the site and surrounding environment and whether there is the ability to relocate the activity into a zone within which it would be permitted.

In terms of the former, the various assessment headings below serve to introduce and consider all of the various amenity value effects (for instance, visibility, noise, lighting, etc.), and there is no need to duplicate those comments here.

In respect of the latter, we are not able to consider the merits of shifting the proposed activity into a zone within which it would be permitted because the location itself forms the foundation of the proposed activity. It is the land, and the proposed manner in which the land is used, that creates the zoning non-compliance – it is impossible to relocate the Applicant's property into an alternative zone.

Cumulative Effect (6.7.4)

We do not consider that the site and surrounding environment will be adversely affected by cumulative effects beyond a less than minor level as a result of this proposal. This is due to the proposed activity being a rearrangement of boundaries as opposed to a subdivision that is intended to create additional sites.

Intensity of Activities (6.7.5)

We do not consider that the site and surrounding environment will be adversely affected by the intensity of the proposed activity beyond a less than minor degree. Again, the nature of a boundary adjustment subdivision is not to create additional sites.

Noise (6.7.6)

In general terms, there will not be a net increase in noise from the application land in the event of the proposed activity proceeding. This is because there will not be any additional sites created.

In specific terms, two of the consented residential activities within the application land will be relocated from their current positions to land that is closer to Lot 1 DP 453493, which might, if not addressed, have the potential to increase noise at that boundary. However, having regard to the proximity of the neighbours dwelling, located approx. 126m from the closest corner of the building platform on proposed Lot 3, and bearing in mind the Applicant's proposed mitigation of effects at the common boundary by way of deer fencing, shade cloth and a 3.0m wide planting strip, it is considered that any effects relating to noise at Lot 1 DP 453493 will be less than minor.

Glare and Lighting (6.7.7)

For the same reasons as described under the 'Noise' paragraph above, it is considered that any effects relating to glare and lighting will be less than minor.

Odour (6.7.8)

All effects relating to odour have been assessed as being less than minor.

Bulk and Location (6.7.9)

Bulk and location effects are considered to be less than minor. The surrounding pattern of land use activities displays a very clear level of consistency with the provisions of the Rural-Residential Zone, and the Applicant has transferred the bulk and locations provisions of that zone into the proposed development design. Thus, the character of the local environment will not be compromised as a result of the proposed activity being implemented – it will instead remain consistent with its present form.

Water and Effluent Disposal (6.7.10)

The supply of water and the discharge of effluent can be satisfactorily achieved by way of the proposed reticulation methods. Therefore no adverse effect is anticipated in this regard.

High Class Soils (6.7.11)

High Class Soils do not exist within the application site, therefore there will be no adverse effect in this regard.

Visual Impact (6.7.13)

For the reasons described under the 'Noise' and 'Bulk and Location' sections above, it is considered that any effects relating to visual impact will be less than minor.

Residential Units (6.7.15)

For the reasons described under the 'Noise' and 'Bulk and Location' sections above, it is considered that any effects relating to residential units will be less than minor.

Clearance of Vegetation (6.7.17)

No native bush is proposed to be cleared as part of this application. This all effects in this regard will be less than minor.

Archeological Sites (6.7.20)

The Applicant is not aware of any archeological sites that exist within the application property. Should any archeological sites be discovered during the course of the

development, these will be protected and investigated in the proper manner. We do not expect there will be any adverse effect in regard to archeological sites.

Indigenous Vegetation and Habitats (6.7.22)

The comments made under the 'Clearance of Vegetation' section above apply equally to the consideration of indigenous vegetation and habitats.

Hazards (6.7.23)

A geotechnical report has been previously commissioned and is attached to this application. The proposed residential development has been designed in accordance with this report.

In terms of other hazards, including contamination, the Applicant is not aware of any of these being present within the application property.

For these reasons we do not expect there will be any adverse effects generated by the proposed activity in regard to hazards.

Conflict and Reverse Sensitivity (6.7.26)

We do not consider that the site and surrounding environment will be adversely affected in regard to conflict and reverse sensitivity beyond a less than minor level.

Section 14.7 (Landscape)

Visibility (14.7.1)

The proposed activity is principally that of a boundary adjustment subdivision. No new sites are proposed. On this basis, we do not consider that the site and surrounding environment will be adversely affected in regard to visibility beyond a less than minor level.

Adverse Effects (14.7.2)

All of the relevant adverse effects are addressed under the various headings above and below.

Sympathetic Siting and Design (14.7.3)

The comments made under the 'Visibility' section above apply equally to the consideration of sympathetic siting and design.

Landscape Features and Characteristics (14.7.4)

The application site does not exist within any protected landscape regions as shown in the District Plan.

Compatibility of Scale and Character (14.7.5)

The comments made under the 'Visibility' section above apply equally to the consideration of compatibility of scale and character.

Section 20.6 (Transportation)

Parking and Loading (20.6.1)

As the proposed activity is that of a boundary adjustments subdivision only, there will be no change to parking and loading effects.

On-Site Manoeuvring (20.6.5)

As the proposed activity is that of a boundary adjustments subdivision only, there will be no change to on-site manoeuvring effects.

Vehicle Crossings (20.6.7 to 20.6.10)

As the proposed activity is that of a boundary adjustments subdivision only, there will be no change to vehicle crossing effects.

Road Construction (20.6.12)

Suitable road construction can be achieved as part of the proposed residential development. We do not expect there will be any adverse effects generated by the proposed activity in this regard.

Section 21.6 (Environmental Issues)

The assessment matter described under Section 21.6, regarding environmental issues, have been suitably addressed in other parts of this assessment.

DISTRICT PLAN OBJECTIVES AND POLICIES

In accordance with section 104(1)(b) of the Resource Management Act 1991, the objectives and policies of the operative District Plan have been taken into account when assessing the application. The objectives contained in Sections 4.2, 6.2, 14.2, 18.2 and 20.2 (and their associated policies) have been evaluated by the Applicant. In all instances, the proposed activity is considered to be consistent with, or not contrary to, these objectives and policies.

In respect of the proposed District Plan, again the proposed activity is considered to be consistent with, or not contrary to, the relevant objectives and policies.

SECTION 104D

Section 104D of the Resource Management Act specifies that resource consent for a non-complying activity must not be granted unless the proposal can meet at least one of two limbs. The limbs of section 104D require that the adverse effects on the environment will be less than minor, or that the proposal will not be contrary to the objectives and policies of the District Plan. It is our opinion that the proposal meets both of these two limbs.

We ask that Council exercises its discretion under Section 104D to grant consent, as has occurred under previous boundary adjustment consents issued at this location.

PRECEDENT AND TRUE EXCEPTION

Section 104(1)(c) requires the Council to have regard to any other matters considered relevant and reasonably necessary to determine the application. The matter of precedent has been previously addressed by the Environment Court and case law now directs the Council to consider whether approval of a non-complying activity will create an undesirable example. Where the Plan's integrity is at risk by virtue of such a precedent the Council is required to apply the 'true exception test' as it applies to the existing environment. This is particularly relevant where the proposed activity is contrary to the objectives and policies of the District Plan.

In this case, the application is non-complying because the proposed new residential activities are all significantly undersized when measured against the District Plan provisions for a residential activity in the Rural Zone.

However, due to the particular character the existing subject property and the nature of the proposed residential development (being a boundary adjustment subdivision), we do not believe that approval of this application will undermine the integrity of the District Plan.

On this basis, it is considered that the need to demonstrate satisfaction of the true exception test is not a requirement of the application at hand.

PART 2 MATTERS

It is also considered that the proposal meets Part 2 matters of the Resource Management Act 1991. For the reasons outlined above, the proposal is not considered inconsistent with sections 5(2)(c) – *“Avoiding, remedying, or mitigating any adverse effects of activities on the environment”*, section 7(c) – *“The maintenance and enhancement of amenity values”*, and section 7(f) – *“The maintenance and enhancement of the quality of the environment”*.

CONCLUSION

In summary, the applicant is seeking the following-

1. A land use consent is sought for the relocation of the existing consented residential activities at lots 8 and 9 DP 470050 to the proposed Lots 3 and 4, and
2. A subdivision consent for the proposed boundary adjustments subdivision, and
3. A land use consent for the proposed breach to the earthworks thresholds.

We believe that this application has demonstrated that all potential environmental effects will be less than minor. Furthermore, we believe that this application has demonstrated that the proposed activity is not contrary to the objectives and policies of the District Plan and that it does not introduce any Plan integrity issues.

We request that Dunedin City Council give consideration to the proposed boundary adjustment subdivision activity and that resource consent is subsequently issued.

Please feel free to contact me should you require further information, otherwise I look forward to hearing from you in due course.

Yours Faithfully

PATERSON PITTS PARTNERS LIMITED



Kurt Bowen

Registered Professional Surveyor

APPLICATION FORM FOR RESOURCE CONSENT

APPLICATION DETAILS

We of RPR Properties Ltd and Krenford Holdings Ltd hereby apply for

Land Use Consent Subdivision Consent Other _____ (select one)

Brief description of proposed activity: **Undertake a boundary adjustment subdivision at 35, 39, 41 and 49 Dalziel Road, and relocation of two existing residential activities.**

(eg Alter house, construct garage, establish a commercial activity, subdivide the site, remove a tree etc)

Have you applied for a building consent? Yes, Building Consent Number: ABA _____ No

The following additional resource consents are required and have/have not (delete one) been applied for:

Water Permit Discharge Permit Coastal Permit Not applicable

SITE DESCRIPTION/LOCATION

We are the Owners of the site (owner, occupier, lessee, prospective purchaser etc)

Street address of site: **35, 39, 41 and 49 Dalziel Road, Dunedin**

Legal description: Lots 5, 7, 8 and 9 DP 470050

Certificate of title: **634081,** Valuation No. _____ Property No. _____
634083,
634084 and
634085

ADDRESS FOR CORRESPONDENCE

Name (agent) Attention: Kurt Bowen

Address: C/- Paterson Pitts Group

P.O. Box 5933, Dunedin

Phone: Daytime: (03) 477-3245

Fax: (03) 474-0484

E-mail: kurt.bowen@pppgroup.co.nz

OWNERSHIP OF THE SITE

Who is the current owner of the subject site? The Applicant, plus Justin and Vanessa Geddes

If the applicant is not the site owner, please provide the site owner's contact details:

Address: J and V Geddes, 35 Dalziel Road, Dunedin

Phone: 0274876487

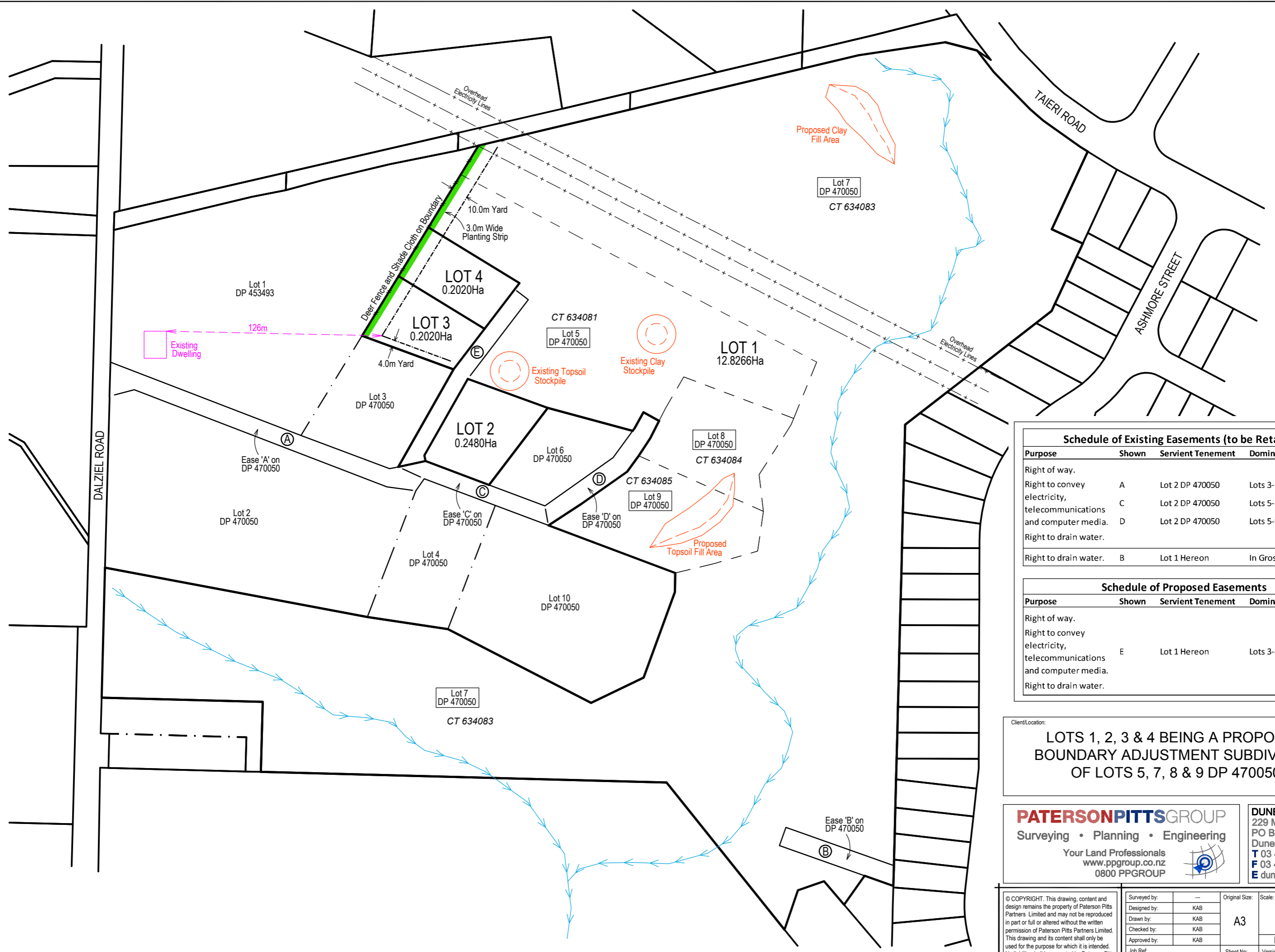
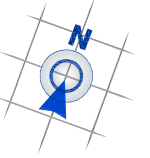
MONITORING OF YOUR RESOURCE CONSENT

What is your best estimate of the date of completion of the work for which this resource consent is required?

Your resource consent will be monitored for compliance with any conditions at the completion of the work. (If you do not specify an estimated time for completion, your resource consent will be monitored six months before it is due to expire, which is normally 18 months after the date the consent is granted.)

October 2016

(month and year)



Schedule of Existing Easements (to be Retained)			
Purpose	Shown	Servient Tenement	Dominant Tenement
Right of way.			
Right to convey electricity, telecommunications and computer media.	A, C, D	Lot 2 DP 470050	Lots 3-10 DP 470050
Right to drain water.	B	Lot 1 Hereon	In Gross

Schedule of Proposed Easements			
Purpose	Shown	Servient Tenement	Dominant Tenement
Right of way.			
Right to convey electricity, telecommunications and computer media.	E	Lot 1 Hereon	Lots 3-4 Hereon
Right to drain water.			

Client/Location:
LOTS 1, 2, 3 & 4 BEING A PROPOSED BOUNDARY ADJUSTMENT SUBDIVISION OF LOTS 5, 7, 8 & 9 DP 470050

PATERSONPITTSGROUP
 Surveying • Planning • Engineering
 Your Land Professionals
 www.ppgroup.co.nz
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 229 Moray Place.
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 Dunedin 9058.
T 03 477 3245
F 03 474 0484
E dunedin@ppgroup.co.nz

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Designed by:	KAB	A3	1:2,000
Drawn by:	KAB		
Checked by:	KAB		
Approved by:	KAB		
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			Date Created:
			31/05/16



COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952




R. W. Muir
Registrar-General
of Land

Search Copy

Identifier **634081**
Land Registration District **Otago**
Date Issued 18 December 2013

Prior References

580991

Estate Fee Simple
Area 2.2915 hectares more or less
Legal Description Lot 5 Deposited Plan 470050

Proprietors

Justin Lindsay Geddes, Vanessa Lauren Geddes and Janette Thelma Mawson

Interests

Land Covenant in Easement Instrument 9203466.3 - 11.10.2012 at 4:46 pm

Appurtenant hereto is a right to convey water created by Easement Instrument 9203466.4 - 11.10.2012 at 4:46 pm

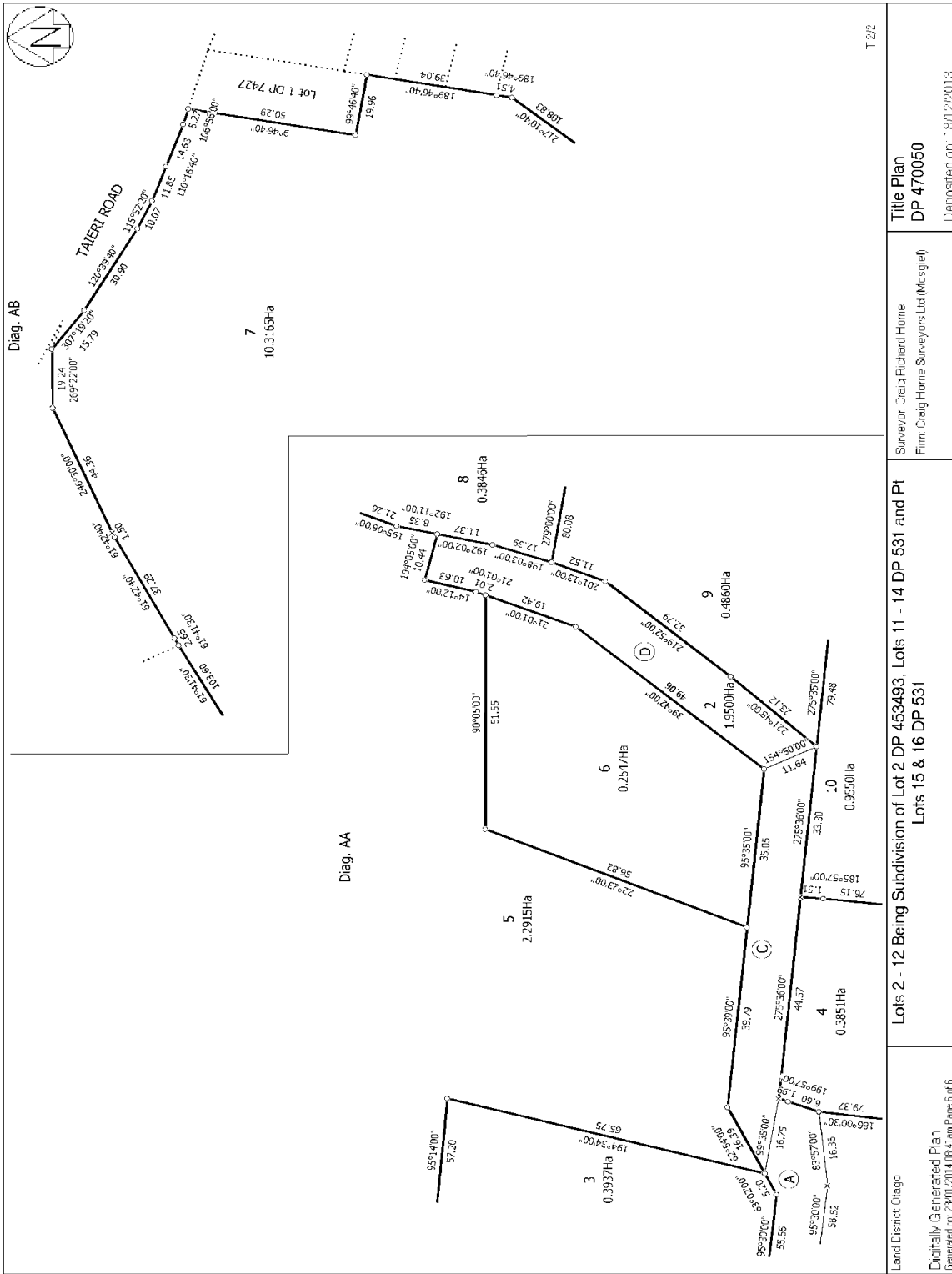
Appurtenant hereto are rights of way, rights to convey electricity, telecommunications and computer media and rights to drain water created by Easement Instrument 9575090.11 - 18.12.2013 at 3:40 pm

The easements created by Easement Instrument 9575090.11 are subject to Section 243 (a) Resource Management Act 1991

9575090.13 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 18.12.2013 at 3:40 pm

Land Covenant in Easement Instrument 9635087.1 - 7.2.2014 at 4:33 pm

10382386.2 Mortgage to Bank of New Zealand - 1.4.2016 at 3:52 pm





COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



R. W. Muir
Registrar-General
of Land

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Identifier 634083
Land Registration District Otago
Date Issued 18 December 2013

Prior References

580991

Estate Fee Simple
Area 10.3165 hectares more or less
Legal Description Lot 7 Deposited Plan 470050

Proprietors

Krenford Holdings Limited

Interests

X13823 Building Line and Hoarding Restriction - 17.1.1952 at 10.00 am

Subject to batter rights over part formerly Lots 15 and 16 DP 531 and part Lots 18 and 19 Deeds Plan 4 created by Transfer 177793 - 28.4.1952 at 2.52 pm

Subject to rights (in gross) to drain water over part marked B on DP 470050 in favour of Dunedin City Council created by Easement Instrument 9126257.3 - 17.8.2012 at 9:22 am

The easements created by Easement Instrument 9126257.3 are subject to Section 243 (a) Resource Management Act 1991

Land Covenant in Easement Instrument 9203466.3 - 11.10.2012 at 4:46 pm (Affects part formerly Lot 2 DP 453493)

Appurtenant to the part formerly Lot 2 DP 453493 is a right to convey water created by Easement Instrument 9203466.4 - 11.10.2012 at 4:46 pm

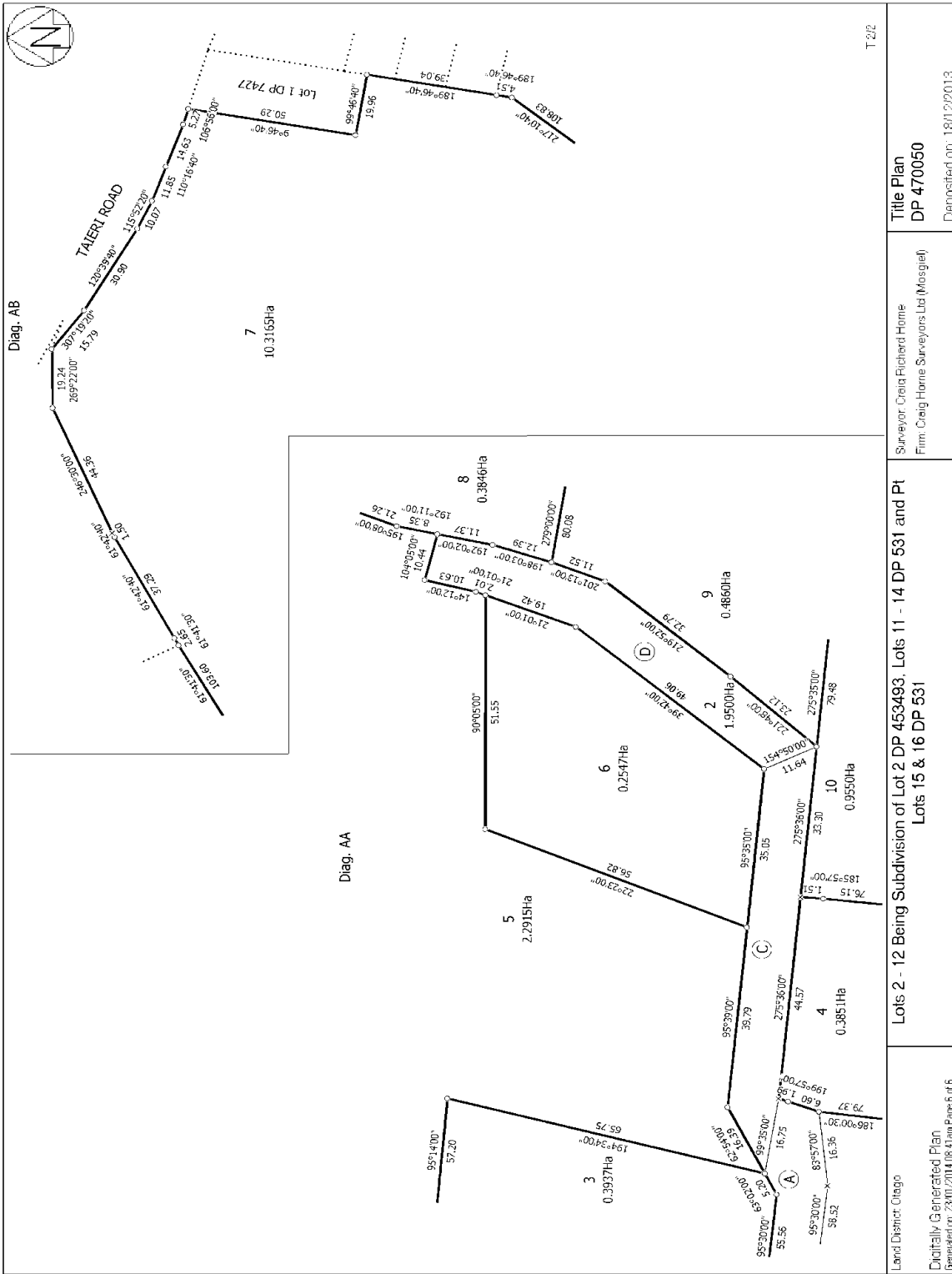
Appurtenant hereto are rights of way, rights to convey electricity, telecommunications and computer media and rights to drain water created by Easement Instrument 9575090.11 - 18.12.2013 at 3:40 pm

The easements created by Easement Instrument 9575090.11 are subject to Section 243 (a) Resource Management Act 1991

9575090.14 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 18.12.2013 at 3:40 pm

Land Covenant in Easement Instrument 9635087.1 - 7.2.2014 at 4:33 pm

10288340.2 Mortgage to ASB Bank Limited - 18.12.2015 at 4:59 pm



Surveyor: Craig Richard Home
 Firm: Craig Home Surveyors Ltd (Mogiel)

Surveyor: Craig Richard Home
 Firm: Craig Home Surveyors Ltd (Mogiel)

Lot 2 - 12 Being Subdivision of Lot 2 DP 453493, Lots 11 - 14 DP 531 and Pt
 Lots 15 & 16 DP 531

Land District: Chicago
 Digitally Generated Plan
 Generated on: 23/01/2014 08:41 am Page 6 of 6



COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



R. W. Muir
Registrar-General
of Land

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Identifier **634084**
Land Registration District **Otago**
Date Issued 18 December 2013

Prior References

580991

Estate Fee Simple
Area 3846 square metres more or less
Legal Description Lot 8 Deposited Plan 470050

Proprietors

Krenford Holdings Limited

Interests

Land Covenant in Easement Instrument 9203466.3 - 11.10.2012 at 4:46 pm

Appurtenant hereto is a right to convey water created by Easement Instrument 9203466.4 - 11.10.2012 at 4:46 pm

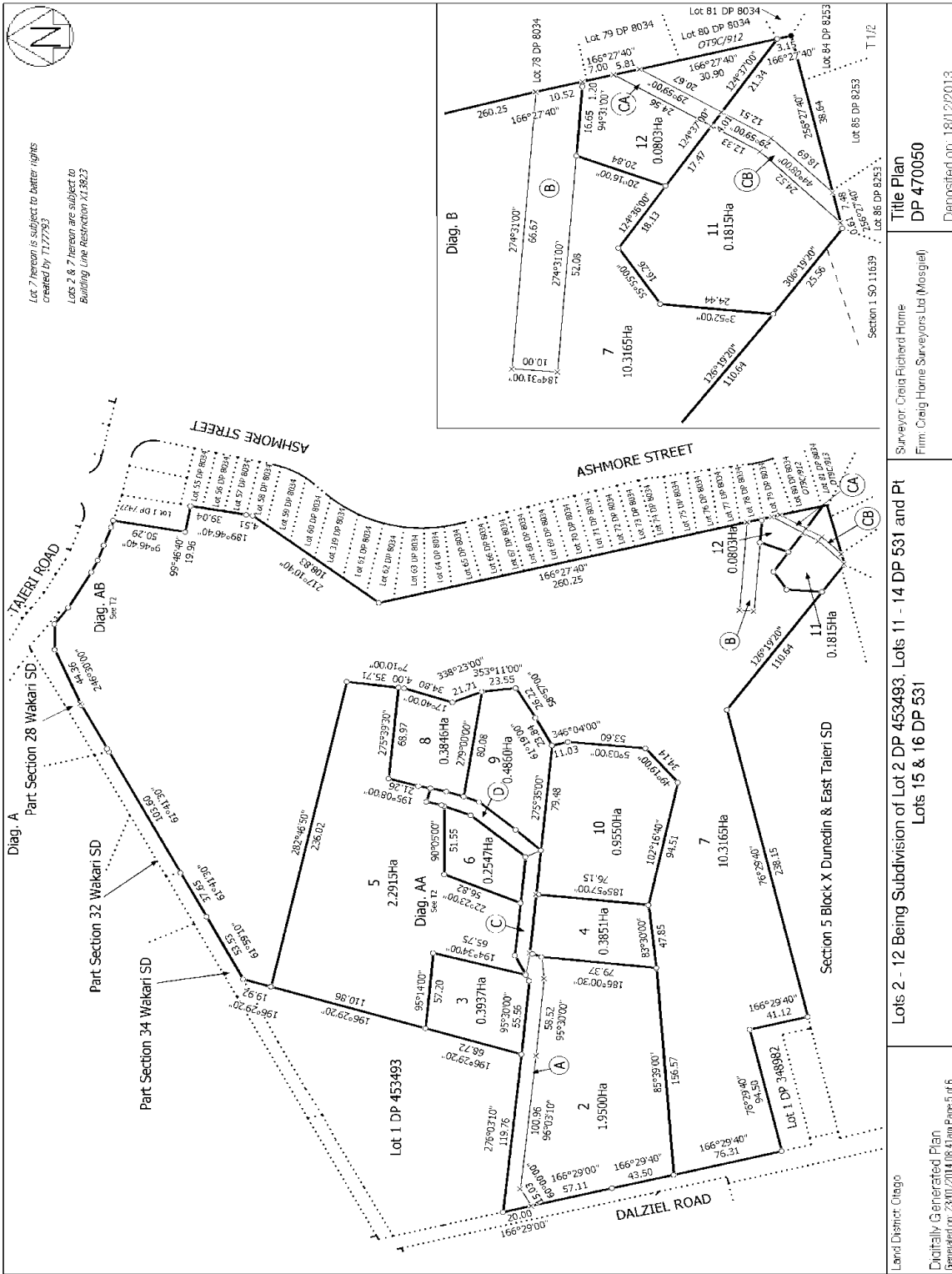
Appurtenant hereto are rights of way, rights to convey electricity, telecommunications and computer media and rights to drain water created by Easement Instrument 9575090.11 - 18.12.2013 at 3:40 pm

The easements created by Easement Instrument 9575090.11 are subject to Section 243 (a) Resource Management Act 1991

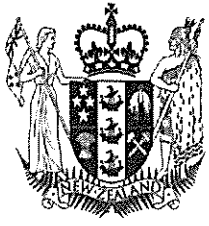
9575090.15 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 18.12.2013 at 3:40 pm

Land Covenant in Easement Instrument 9635087.1 - 7.2.2014 at 4:33 pm

10288340.3 Mortgage to ASB Bank Limited - 18.12.2015 at 4:59 pm



Land District: Otago	Surveyor: Craig Richard Home	Title Plan DP 470050
Digitally Generated Plan Generated on: 23/01/2014 08:41am Page 5 of 6	Firm: Craig Home Surveyors Ltd (Moguel)	Deposited on: 18/12/2013
Lots 2 - 12 Being Subdivision of Lot 2 DP 453493, Lots 11 - 14 DP 531 and P1 Lots 15 & 16 DP 531		



**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**




R. W. Muir
Registrar-General
of Land

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Identifier 634085
Land Registration District Otago
Date Issued 18 December 2013

Prior References

580991

Estate Fee Simple
Area 4860 square metres more or less
Legal Description Lot 9 Deposited Plan 470050

Proprietors

RPR Properties Limited

Interests

7927662.2 Mortgage to ASB Bank Limited - 12.9.2008 at 9:30 am

Land Covenant in Easement Instrument 9203466.3 - 11.10.2012 at 4:46 pm

Appurtenant hereto is a right to convey water created by Easement Instrument 9203466.4 - 11.10.2012 at 4:46 pm

Appurtenant hereto are rights of way, rights to convey electricity, telecommunications and computer media and rights to drain water created by Easement Instrument 9575090.11 - 18.12.2013 at 3:40 pm

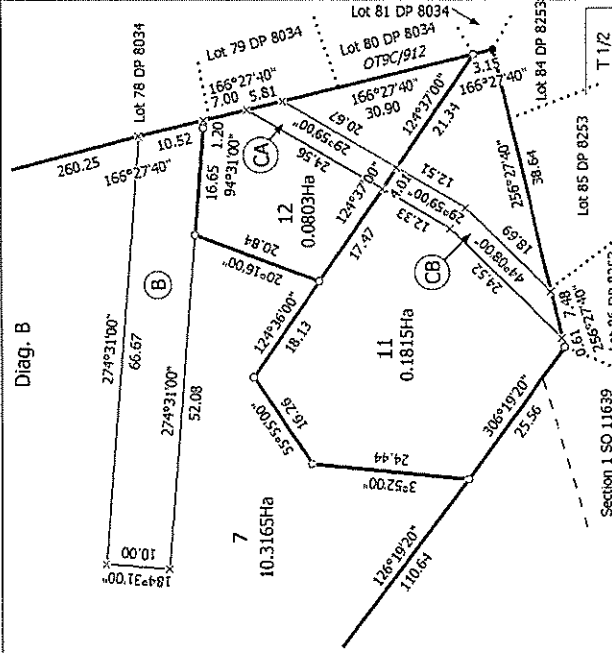
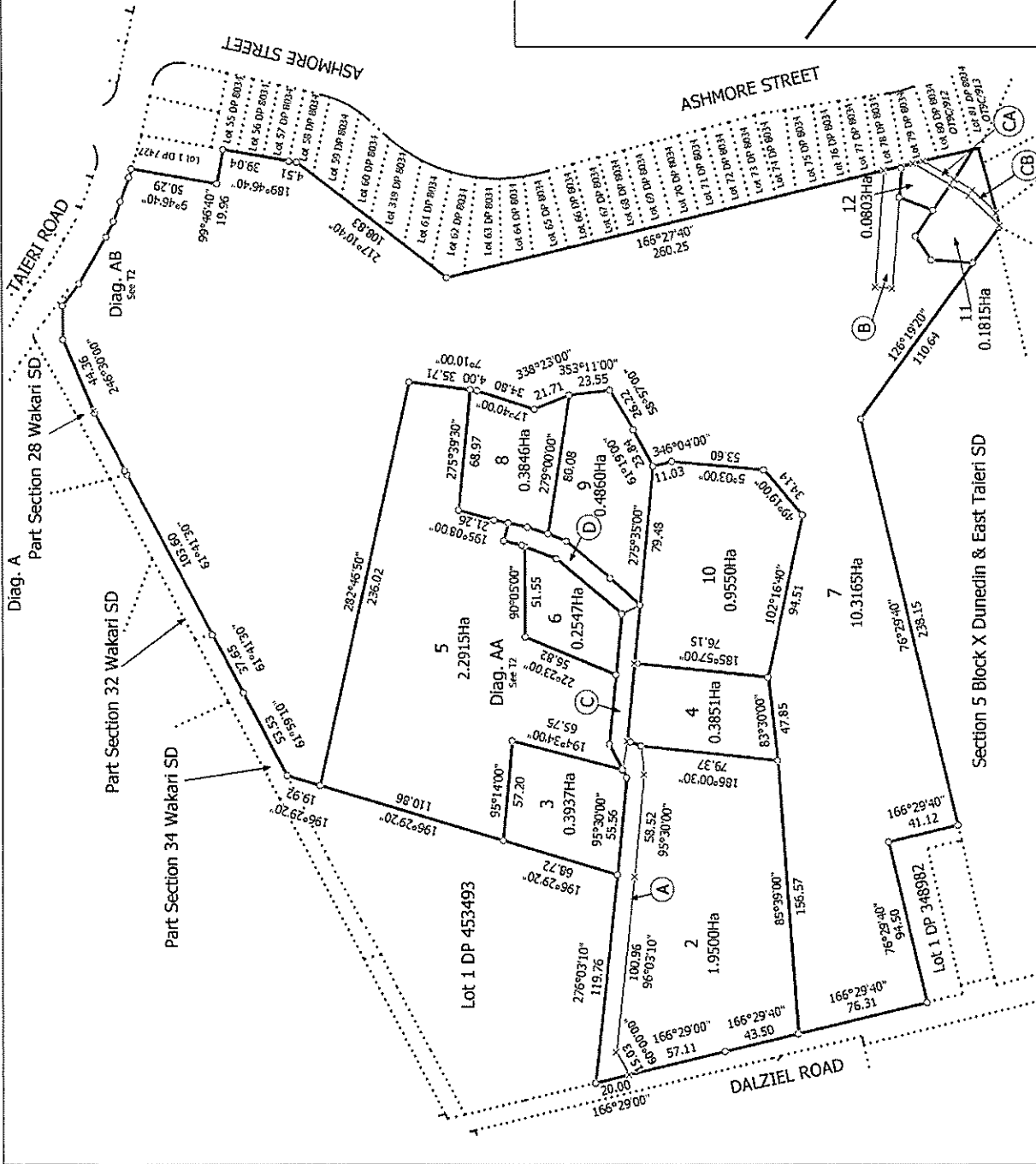
The easements created by Easement Instrument 9575090.11 are subject to Section 243 (a) Resource Management Act 1991

9575090.15 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 18.12.2013 at 3:40 pm

Land Covenant in Easement Instrument 9635087.1 - 7.2.2014 at 4:33 pm

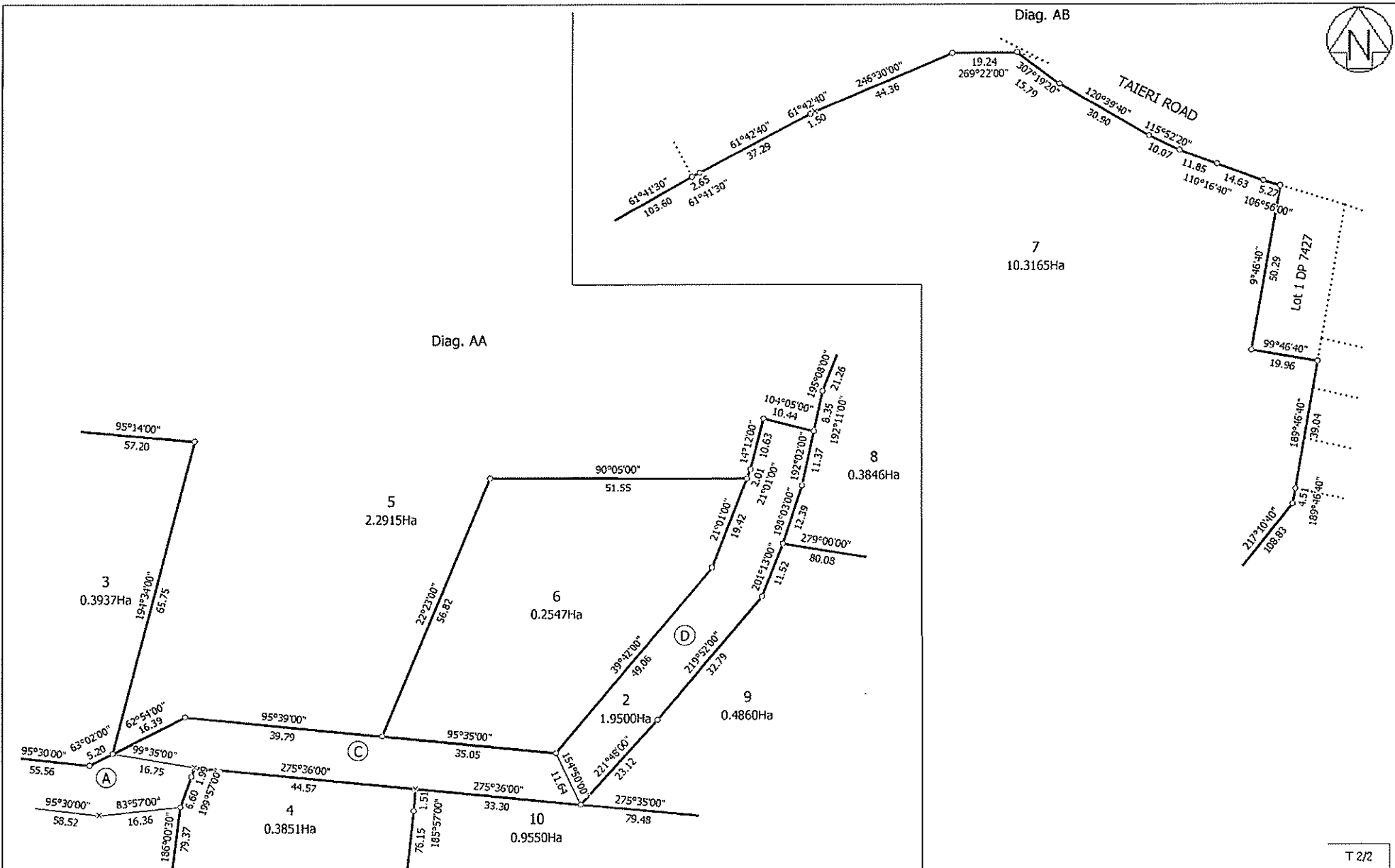


Lot 7 hereon is subject to better rights created by T177793
 Lots 2 & 7 hereon are subject to Building Line Restriction X13923



Lend District Otago	Surveyor: Craig Richard Horne Firm: Craig Home Surveyors Ltd (Mosgiel)	Title Plan DP 470050	Deposited on: 18/12/2013
Lots 2 - 12 Being Subdivision of Lot 2 DP 453493, Lots 11 - 14 DP 531 and Pt		Lots 15 & 16 DP 531	
Digitally Generated Plan Generated on: 23/01/2014 09:41am Page 5 of 6			

This plan is a computer-generated plan and does not show any features that are not shown on the plan. It is not a site plan and does not show any features that are not shown on the plan. It is not a site plan and does not show any features that are not shown on the plan.



Land District: Otago
 Digitally Generated Plan
 Generated on: 23/01/2014 08:41am Page 6 of 6

Lots 2 - 12 Being Subdivision of Lot 2 DP 453493, Lots 11 - 14 DP 531 and Pt Lots 15 & 16 DP 531

Surveyor: Craig Richard Horne
 Firm: Craig Horne Surveyors Ltd (Mosgiel)

Title Plan
 DP 470050
 Deposited on: 18/12/2013



View Instrument Details

Instrument No. 9575090.15
Status Registered
Date & Time Lodged 18 Dec 2013 15:40
Lodged By Whyte, Sharon Lee
Instrument Type Consent Notice under s221(4)(a) Resource Management Act 1991



Affected Computer Registers **Land District**

634080	Otago
634082	Otago
634084	Otago
634085	Otago
634086	Otago

Annexure Schedule: Contains 3 Pages.

Signature

Signed by Sally Fay Peart as Territorial Authority Representative on 16/01/2014 01:07 PM

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

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

AND

IN THE MATTER of an application for Subdivision Consent SUB 2012-92

CONSENT NOTICE

Whereas Council has granted Resource Consent to the proposed subdivision comprised in DP 470050 subject to the following conditions which are required to be complied with on a continuing basis by the owners and subsequent owners of the land or parts thereof being the condition specified in the operative part of this notice.

Operative Part

Condition relating to Lot s 4, 6, 8, 9 and 10 DP 4700050 (Computer Freehold Registers 634080, 634082, 634084, 634085, 634086)

The location of all buildings and structures on the lots shall be wholly located within the buildable areas identified on the attached plan, unless otherwise approved by a land use consent issued by the Dunedin City Council.

If any development is proposed within the area identified as 'zone B' on the attached plan, it shall be supported by a site specific geotechnical assessment, by a suitably qualified person, to establish the effects of the development in terms of land stability. No earthworks or other construction activity shall commence until the suitability of the development is confirmed.

Where any part of the dwelling platform is to be founded on engineered fill, then this shall be specified, supervised and certified by an appropriately qualified person in accordance with NZS 4431-1989 Code of Practice for Earthfill for Residential Development.

The amenity planting required by Condition 11 of the Land Use resource consent LUC 2012-504 shall be maintained on a continuing basis.

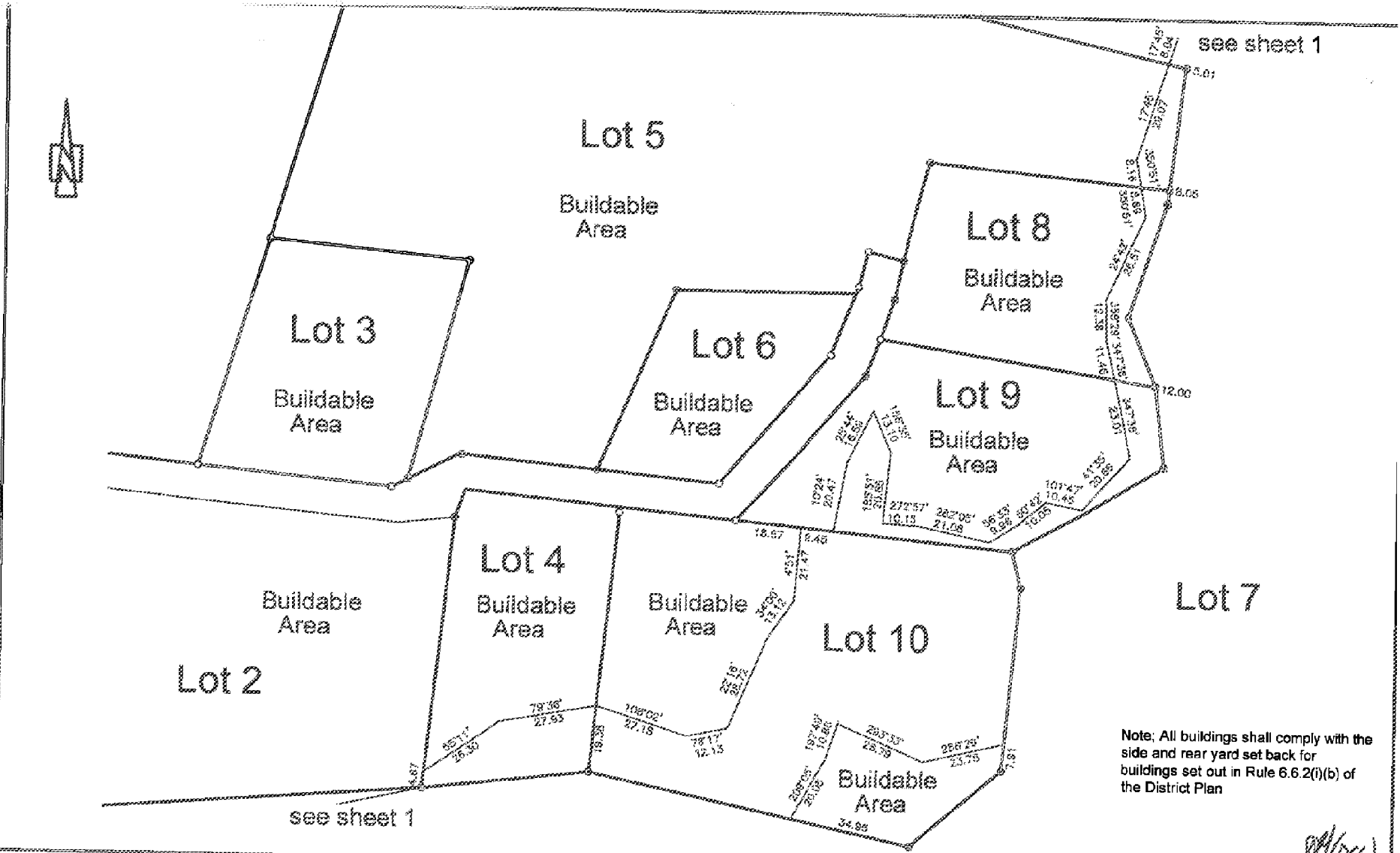
The dry stone rock walls within each lot shall not be destroyed or removed, but maintained as a landscape amenity feature.

Forestry activity shall be prohibited.

DATED at Dunedin this... *29th* ... day of ... *NOVEMBER* ... 20 *13*

Signed for and on behalf of the Dunedin City Council

[Signature]
.....
Authorised Officer



CRAIG HORNE
Registered Surveyor
6 MAIN SOUTH ROAD EAST TAIERI
P.O. BOX 56 MOSGIEL
PH (03) 4947008
FAX (03) 4947008

Buildable Area Plan
Lots 2 - 10 DP 470050

Ref: RPR Properties Ltd D85		2
		OF 3
Drawn: CH	Checked:	A3 SCALE
Traced:		1:1000



View Instrument Details

Instrument No. 9635087.1
 Status Registered
 Date & Time Lodged 07 Feb 2014 16:33
 Lodged By Howie, Nicola Adelaide
 Instrument Type Easement Instrument



Affected Computer Registers	Land District
634078	Otago
634079	Otago
634080	Otago
634081	Otago
634082	Otago
634083	Otago
634084	Otago
634085	Otago
634086	Otago

Annexure Schedule: Contains 4 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 7927662.2 has consented to this transaction and I hold that consent

Signature

Signed by Sally Fay Peart as Grantor Representative on 07/02/2014 03:41 PM

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 Sally Fay Peart as Grantee Representative on 07/02/2014 03:42 PM

*** End of Report ***

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

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

Grantor

RPR PROPERTIES LIMITED

Grantee

RPR PROPERTIES LIMITED

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	See Annexure Schedule	Lots 2 to 10 on DP 470050 (CFR 634076 to CFR 634086 inclusive)	Lots 2 to 10 on DP 470050 (CFR 634078 to CFR 634086 inclusive)

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 added to by:~~

~~the provisions set out in the 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]

Annexure Schedule

Insert instrument type

Easement Instrument

Continue in additional Annexure Schedule, if required

Annexure Schedule

Restrictive Covenants

The Grantor and Grantee have agreed mutually to covenant in the manner set out in Schedule 2 for the benefit of the other and their successors in title in each of the lots comprising the servient and dominant tenement. The Grantor and Grantee covenant and agree in the manner set out in Schedule 2 so that these covenants shall run with the servient lots in perpetuity for the benefit of the respective dominant lots.

Schedule 2

The Grantee acknowledges that it is in the interest of all parties and all present or future registered proprietors of any land forming part of each of the lots comprising the servient and dominant tenements that such lots be developed and maintained in accordance with certain standards.

The Grantee for itself and its successors in title to the land hereby covenants with the Grantors for itself and its successors in title:

1. Definitions

In these Restrictive Covenants:

The Lot means any of those Lots 2 to 10 DP470050.

Westacott Park means the land contained in Lots 2 to 10, DP470050.

2. Access Way

Not to use, or permit any other person to use, any access way in Westacott Park other than for the purpose of access to the Grantee's property

3. Dogs

Not to keep on the lot, nor permit to visit their lot, any dog declared a "dangerous dog" or of a breed specified as "dangerous dog" by the Dunedin City Council.

4. Second Hand Buildings

Not erect on their Property any second hand or relocatable building previously erected unless the Grantee has obtained the Grantor's prior written consent. The term of this restrictive covenant shall cease 15 years after the date of issue of title to lots 3, 4, 6, 8, 9 and 10 in Westacott Park.

5. Factory Farming

Not to undertake, or permit any person to undertake, on the lot any "factory farming activity" as that term is defined in the Dunedin City District Plan. The term of this restrictive covenant shall cease if the Dunedin District Council changes the zoning of Westacott Park from rural to residential zoning.

6. Walls and Fences

Not to remove, or cause to be removed, any of the post and rail fencing erected by the Grantor, or any of the drystone walls, on or adjacent to their lot. The Grantee will maintain the post and rail fencing and drystone walls on their lot to the standard of the fencing and walls at the time of acquisition by the Grantee.

7. Not to make any objection to any resource consent applications made by the Grantor in relation to lots 2, 5 and 7 of Westacott Park.

8. Not to permit the lot to remain in an unkempt and untidy state.

9. Not to build any house on the lot with a floor area of less than 195 square metres (which may include garaging for the property) unless the Grantee has obtained the Grantor's prior written consent.



View Instrument Details

Instrument No. 9575090.13
Status Registered
Date & Time Lodged 18 Dec 2013 15:40
Lodged By Whyte, Sharon Lee
Instrument Type Consent Notice under s221(4)(a) Resource Management Act 1991



Affected Computer Registers	Land District
634078	Otago
634079	Otago
634081	Otago

Annexure Schedule: Contains 3 Pages.

Signature

Signed by Sally Fay Peart as Territorial Authority Representative on 16/01/2014 02:45 PM

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

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

AND

IN THE MATTER of an application for Subdivision Consent SUB 2012-92

CONSENT NOTICE

Whereas Council has granted Resource Consent to the proposed subdivision comprised in DP 470050 subject to the following conditions which are required to be complied with on a continuing basis by the owners and subsequent owners of the land or parts thereof being the condition specified in the operative part of this notice.

Operative Part

Condition relating to Lots 2, 3, and 5 DP 470050 (Computer Freehold Registers 634078, 634079 & 634081)

The location of all buildings and structures on the lots shall be wholly located within the buildable areas identified on the attached plan, unless otherwise approved by a land use consent issued by the Dunedin City Council.

Where any part of the dwelling platform is to be founded on engineered fill, then this shall be specified, supervised and certified by an appropriately qualified person in accordance with NZS 4431-1989 Code of Practice for Earthfill for Residential Development.

The amenity planting required by Condition 11 of the Land Use resource consent LUC 2012-504 shall be maintained on a continuing basis.

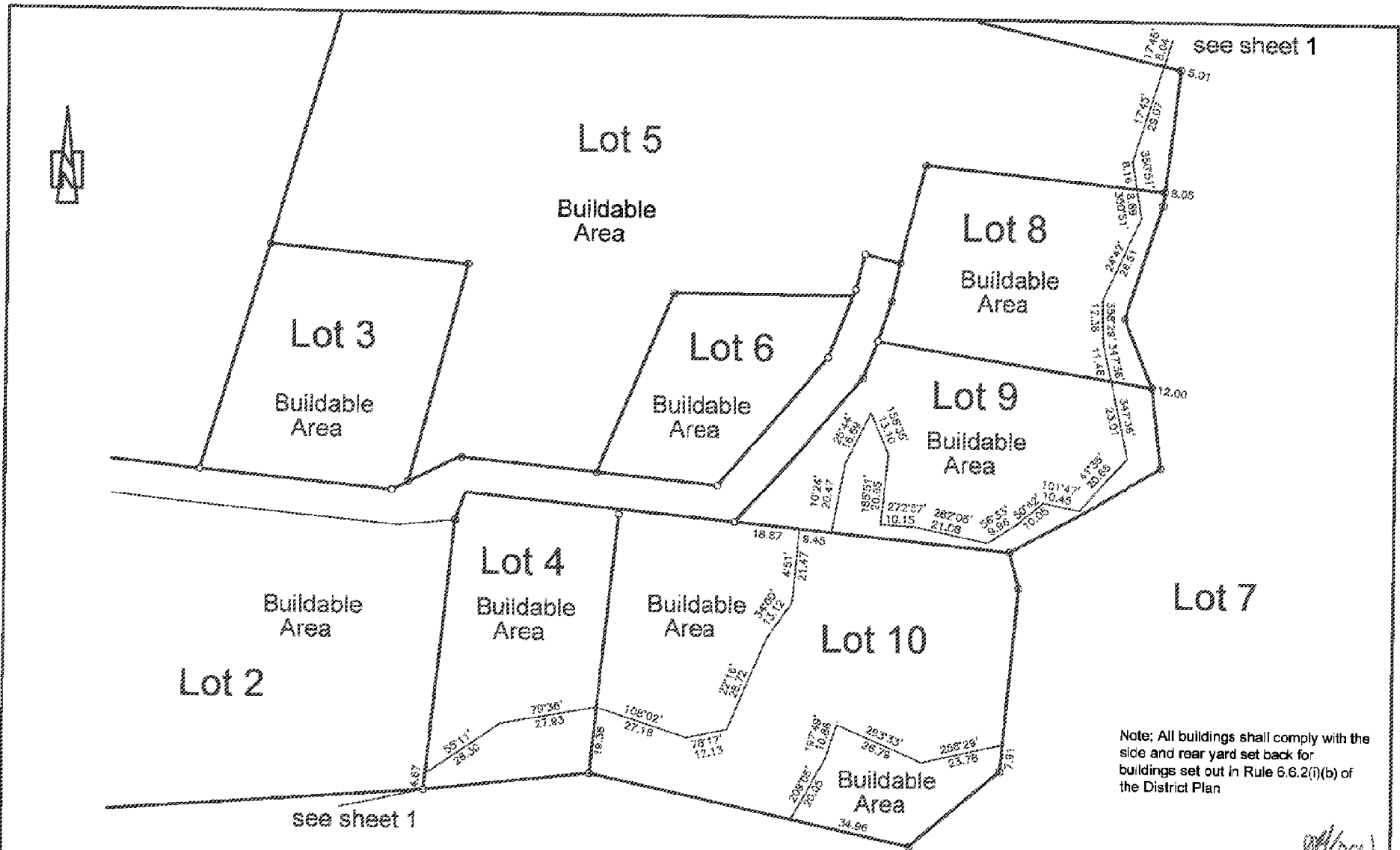
The dry stone rock walls within each lot shall not be destroyed or removed, but maintained as a landscape amenity feature.

Forestry activity shall be prohibited.

DATED at Dunedin this...*29th*... day of ...*November*... 20*13*..

Signed for and on behalf of the Dunedin City Council

[Signature]
.....
Authorised Officer



CRAIG HORNE Registered Surveyor 5 MAIN SOUTH ROAD EAST TAIERI P.O. BOX 66 MOSGIEL PH (03) 4647008 FAX (03) 4647009	Buildable Area Plan Lots 2 - 10 DP 470050		Ref: RPR Properties Ltd D85	2 <small>OF 3</small>
			Drawn CH Traced	Checked



View Instrument Details



Instrument No. 9575090.11
 Status Registered
 Date & Time Lodged 18 Dec 2013 15:40
 Lodged By Whyte, Sharon Lee
 Instrument Type Easement Instrument

Affected Computer Registers	Land District
634078	Otago
634079	Otago
634080	Otago
634081	Otago
634082	Otago
634083	Otago
634084	Otago
634085	Otago
634086	Otago

Annexure Schedule: Contains 4 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 7927662.2 has consented to this transaction and I hold that consent

Signature

Signed by Sally Fay Peart as Grantor Representative on 21/01/2014 10:48 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 Sally Fay Peart as Grantee Representative on 21/01/2014 10:48 AM

*** End of Report ***

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

(Sections 80A and 80F Land Transfer Act 1952)

Grantor

RPR PROPERTIES LIMITED

Grantee

RPR PROPERTIES LIMITED

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
required

Continue in additional Annexure Schedule, if

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
Right of Way, Right to Convey Electricity, Telecommunications and Computer Media, Right to Drain Water	A on DP 470050	Lot 2 on DP 470050 (CFR 634078)	Lot 3 on DP 470050 (CFR 634079) Lot 4 on DP 470050 (CFR 634080) Lot 5 on DP 470050 (CFR 634081)

			<p>Lot 6 on DP 470050 (CFR 634082)</p> <p>Lot 7 on DP 470050 (CFR 634083)</p> <p>Lot 8 on DP 470050 (CFR 634084)</p> <p>Lot 9 on DP 470050 (CFR 634085)</p> <p>Lot 10 on DP 470050 (CFR 634086)</p>
Right of Way, Right to Convey Electricity, Telecommunications and Computer Media, Right to Drain Water	C on DP 470050	Lot 2 on DP 470050 (CFR 634078)	<p>Lot 5 on DP 470050 (CFR 634081)</p> <p>Lot 6 on DP 470050 (CFR 634082)</p> <p>Lot 7 on DP 470050 (CFR 634083)</p> <p>Lot 8 on DP 470050 (CFR 634084)</p> <p>Lot 9 on DP 470050 (CFR 634085)</p> <p>Lot 10 on DP 470050 (CFR 634086)</p>
Right of Way, Right to Convey Electricity, Telecommunications and Computer Media, Right to Drain Water	D on DP 470050	Lot 2 on DP 470050 (CFR 634078)	<p>Lot 5 on DP 470050 (CFR 634081)</p> <p>Lot 6 on DP 470050 (CFR 634082)</p> <p>Lot 7 on DP 470050 (CFR 634083)</p> <p>Lot 8 on DP 470050 (CFR 634084)</p> <p>Lot 9 on DP 470050 (CFR 634085)</p>

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 added to by:

the provisions set out in the Annexure Schedule

Covenant provisions

Delete phrases in [] and insert Memorandum number as required; continue in additional Annexure Schedule, if required

The provisions applying to the specified covenants are those set out in:

[Memorandum number _____, registered under section 155A of the Land Transfer Act 1952]

[Annexure Schedule _____]

Annexure Schedule

Insert instrument type

Easement Instrument

Continue in additional Annexure Schedule, if required

Annexure Schedule

The provisions set out in Schedule 4 of the Land Transfer Regulations 2002 are implied in respect of the easements specified in the within document, the provisions set out in Clauses 3 to 9 of Schedule 4 being implied in each class of easements to the extent indicated in those provisions.

But varied as follows:

- (a) The repair and maintenance of any easement facility that is necessary because of any act or omission by any grantor or grantee, or any agent, employee, contractor, subcontractor, tenant, licensee or other invitee of any grantor or grantee must be carried out promptly by that grantor or grantee and at the sole cost of that grantor or grantee or in such proportions by that grantor or grantee as fairly relates to the act or omission, with any balance payable by those sharing the use of that easement facility in such proportions as are reasonable.
- (b) Where grantees, or a grantee or grantees and the grantor share the use of an easement facility equal responsibility for repair and maintenance of that easement facility shall not apply where equal responsibility would, based on the present, past and likely future use of the easement facility, be unreasonable. In any such case responsibility for repair and maintenance of the easement facility shall be such unequal proportions as are reasonable.



View Instrument Details



Instrument No. 9203466.4
 Status Registered
 Date & Time Lodged 11 Oct 2012 16:46
 Lodged By Meiklejohn, Helen Patricia
 Instrument Type Easement Instrument

Affected Computer Registers	Land District
580990	Otago
580991	Otago

Annexure Schedule: Contains 3 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 7927662.2 has consented to this transaction and I hold that consent

Signature

Signed by Sally Fay Peart as Grantor Representative on 11/10/2012 01:42 PM

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 Sally Fay Peart as Grantee Representative on 11/10/2012 01:42 PM

*** End of Report ***

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

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

Grantor

RPR PROPERTIES LIMITED

Grantee

RPR PROPERTIES LIMITED

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
required

Continue in additional Annexure Schedule, if

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
Right to Convey Water	A on DP 453493	Lot 1 on DP 453493 (CFR 580990)	Lot 2 on DP 453493 (CFR 580991)

Insert instrument type

Easement Instrument

Continue in additional Annexure Schedule, if required

Annexure Schedule

The provisions set out in Schedule 4 of the Land Transfer Regulations 2002 are implied in respect of the easements specified in the within document, the provisions set out in Clauses 3 to 9 of Schedule 4 being implied in each class of easements to the extent indicated in those provisions.

But varied as follows:

- (a) The repair and maintenance of any easement facility that is necessary because of any act or omission by any grantor or grantee, or any agent, employee, contractor, subcontractor, tenant, licensee or other invitee of any grantor or grantee must be carried out promptly by that grantor or grantee and at the sole cost of that grantor or grantee or in such proportions by that grantor or grantee as fairly relates to the act or omission, with any balance payable by those sharing the use of that easement facility in such proportions as are reasonable.
- (b) Where grantees, or a grantee or grantees and the grantor share the use of an easement facility equal responsibility for repair and maintenance of that easement facility shall not apply where equal responsibility would, based on the present, past and likely future use of the easement facility, be unreasonable. In any such case responsibility for repair and maintenance of the easement facility shall be such unequal proportions as are reasonable.



View Instrument Details

Instrument No. 9203466.3
Status Registered
Date & Time Lodged 11 Oct 2012 16:46
Lodged By Meiklejohn, Helen Patricia
Instrument Type Easement Instrument



Affected Computer Registers	Land District
580990	Otago
580991	Otago

Annexure Schedule: Contains 3 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 7927662.2 has consented to this transaction and I hold that consent

Signature

Signed by Sally Fay Peart as Grantor Representative on 11/10/2012 01:41 PM

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 Sally Fay Peart as Grantee Representative on 11/10/2012 01:42 PM

*** End of Report ***

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

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

Grantor

RPR PROPERTIES LIMITED

Grantee

RPR PROPERTIES LIMITED

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
required

Continue in additional Annexure Schedule, if

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
Covenant to protect rock wall	N/A	Lot 1 on DP 453493 (CFR 580990)	Lot 2 on DP 453493 (CFR 580991)

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 ~~added to by:~~

~~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

Insert instrument type

Easement instrument

Continue in additional Annexure Schedule, if required

Annexure Schedule

The Grantor shall not demolish or remove the rock walls situated on the servient land. For the purposes of this covenant, the Grantor shall include any agent, employee, contractor, subcontractor, tenant, licensee or other invitee of the Grantor.



View Instrument Details

Instrument No. 9575090.14
Status Registered
Date & Time Lodged 18 Dec 2013 15:40
Lodged By Whyte, Sharon Lee
Instrument Type Consent Notice under s221(4)(a) Resource Management Act 1991



Affected Computer Registers Land District
634083 Otago

Annexure Schedule: Contains 5 Pages.

Signature

Signed by Sally Fay Peart as Territorial Authority Representative on 16/01/2014 01:07 PM

*** End of Report ***

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

AND

IN THE MATTER of an application for Subdivision Consent SUB 2012-92

CONSENT NOTICE

Whereas Council has granted Resource Consent to the proposed subdivision comprised in DP 470050 subject to the following conditions which are required to be complied with on a continuing basis by the owners and subsequent owners of the land or parts thereof being the condition specified in the operative part of this notice.

Operative Part

Condition relating to Lot 7 DP 470050 (Computer Freehold Register 634083)

The location of all buildings and structures on the lots shall be wholly located within the buildable areas identified on the attached plan, unless otherwise approved by a land use consent issued by the Dunedin City Council.

If any development is proposed within the area identified as 'zone B' on the attached plan by Geolink Land Investigations entitled 'Urban Capability Map for proposed subdivision – Dalziel Road, it shall be supported by a site specific geotechnical assessment, by a suitably qualified person, to establish the effects of the development in terms of land stability. No earthworks or other construction activity shall commence until the suitability of the development is confirmed.

There shall be no development within areas C and D on the attached plan by Geolink Land Investigations entitled 'Urban Capability Map for proposed subdivision – Dalziel Road. This includes earthworks or other site works that could modify or alter potential flood flows through area C, or the mass felling or clearing of vegetation within Area D. Any vegetation that is removed within area D shall be immediately replaced to limit the effects of land instability.

That within 6 months of the issue of a building consent for a dwelling the head of the gully area shall be fenced with a post and wire fence in general accordance with the depiction of additional fencing depicted on figure 2 of the application for resource consent received by Council on the 12 November 2012.

Where any part of the dwelling platform is to be founded on engineered fill, then this shall be specified, supervised and certified by an

appropriately qualified person in accordance with NZS 4431-1989 Code of Practice for Earthfill for Residential Development.

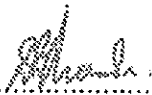
The amenity planting required by Condition 11 of the Land Use resource consent LUC 2012-504 shall be maintained on a continuing basis.

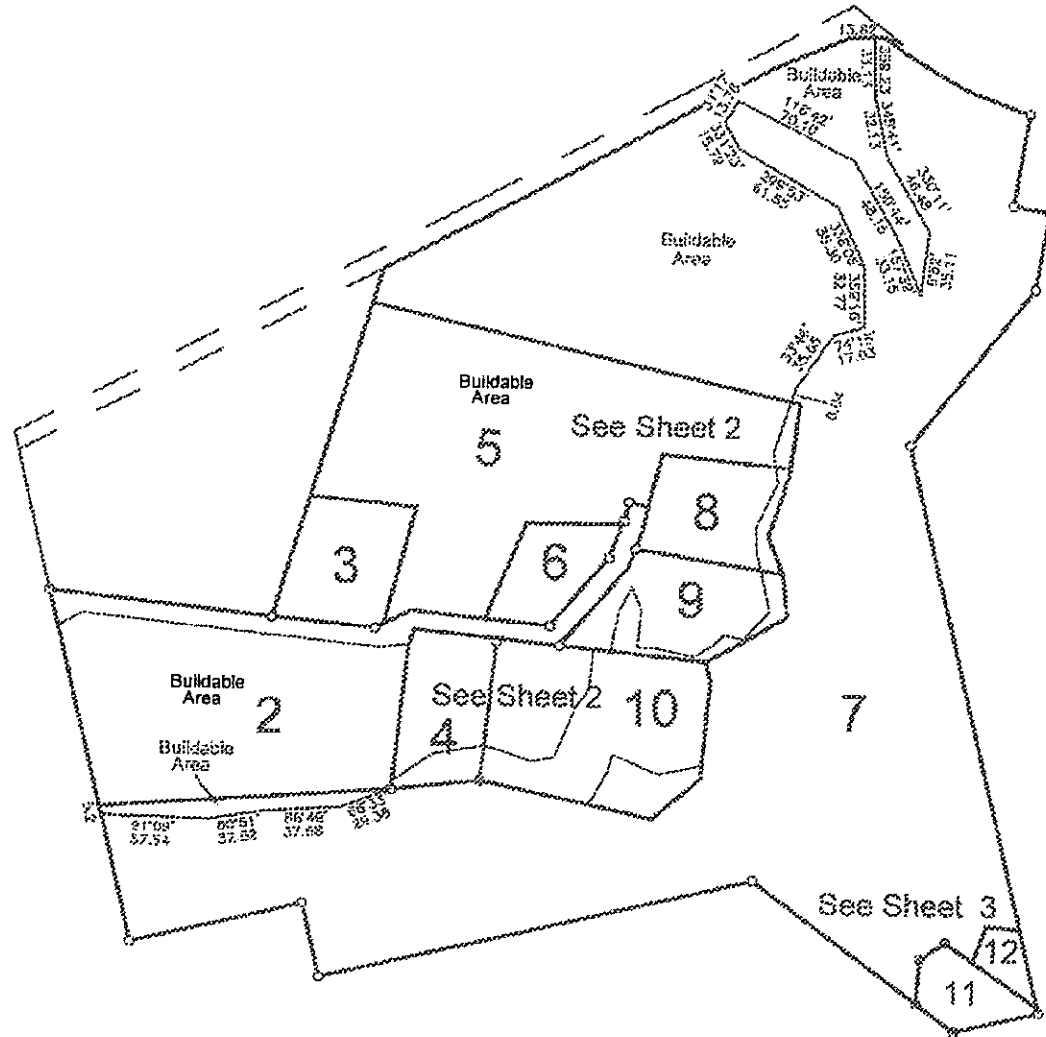
The dry stone rock walls within each lot shall not be destroyed or removed, but maintained as a landscape amenity feature.

Forestry activity shall be prohibited.

DATED at Dunedin this 29th day of NOVEMBER 2013

Signed for and on behalf of the Dunedin City Council


.....
Authorised Officer



- Note;
- 1) The buildable area within Lot 7 is scaled from Geolink Land Investigations plan (Urban Capability Map). The final extents of buildable area in Lot 7 is subject to field survey and/or further geotechnical investigations.
 - 2) All buildings shall comply with the side and rear yard set back for buildings set out in Rule 6.6.2(l)(b) of the District Plan

CRAIG HORNE
Registered Surveyor

6 MAIN SOUTH ROAD EAST TAHERI
P.O. BOX 56 MOSSIEL

PH (03) 4847008
FAX (03) 4847009

Buildable Area Plan
Lots 2 - 10 DP 470050

Ref: RPR Properties Ltd D85

1

OF 3

Drawn CH

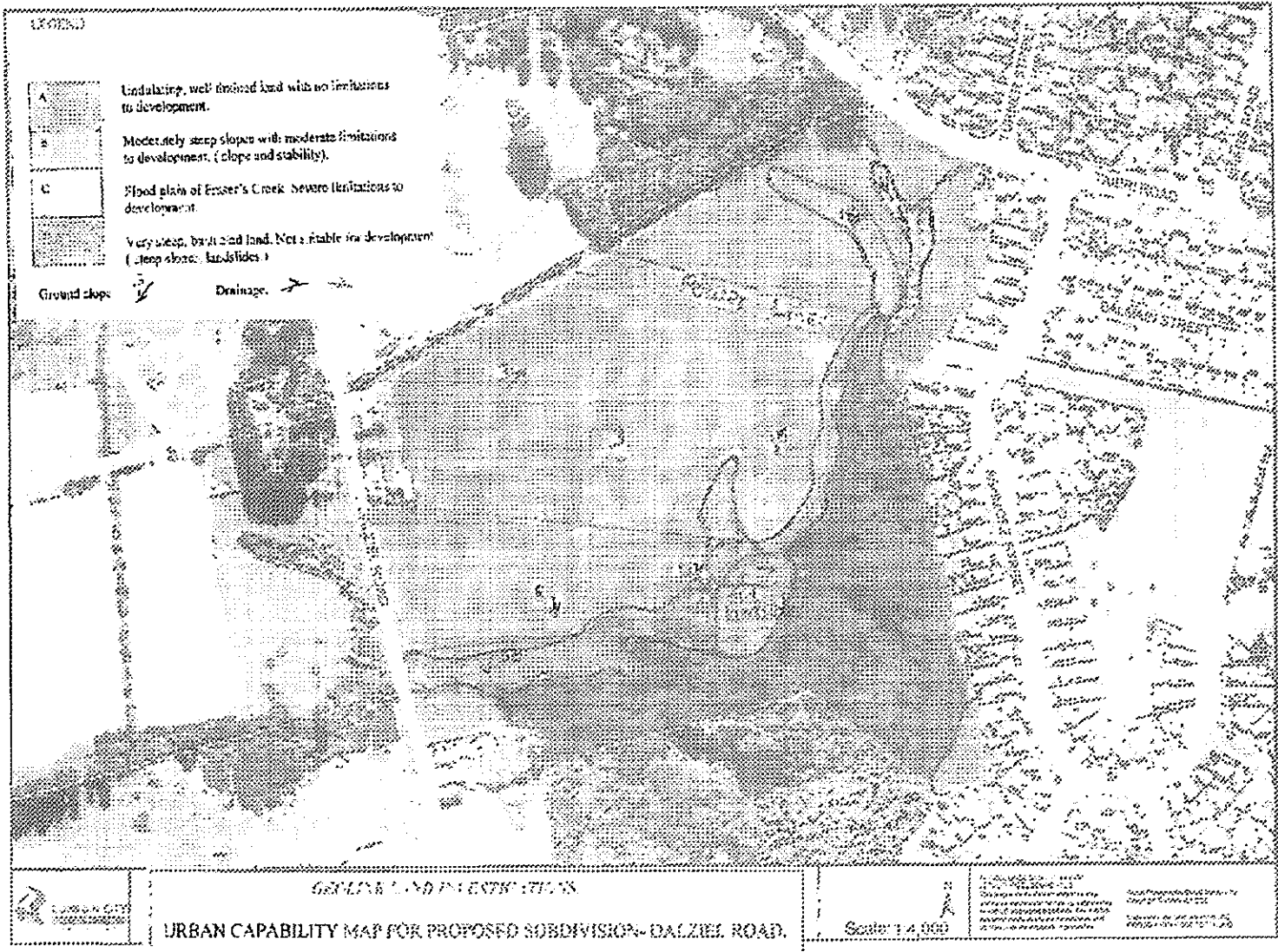
Checked

A3 SCALE

Traced

1:1000

CH (Dec)





CSD Plan - DP 470050

Survey Number DP 470050
Surveyor Reference RPR Properties St2 D85
Surveyor Craig Richard Home
Survey Firm Craig Home Surveyors Ltd (Mosgiel)
Surveyor Declaration I Craig Richard Home, being a licensed cadastral surveyor, certify that:
 (a) this dataset provided by me and its related survey are accurate, correct and in accordance with the Cadastral Survey Act 2002 and the Rules for Cadastral Survey 2010, and
 (b) the survey was undertaken by me or under my personal direction
 Declared on 24 Dec 2013 11:53 AM

Survey Details

Dataset Description Lots 2 - 12 Being Subdivision of Lot 2 DP 453493, Lots 11 - 14 DP 531 and Pt Lots 15 & 16 DP 531
Purpose LT Subdivision
Status Deposited **Type** Survey
Land District Otago **Survey Class** Class B
Coordinate System North Taieri 2000

Survey Dates

Surveyed Date 17/10/2013 **Certified Date** 24/12/2013
Submitted Date 24/12/2013 11:53:45 **Survey Approval Date** 06/01/2014
Deposit Date 18/12/2013

Referenced Surveys

Survey Number	Land District	Bearing Correction
DP 8034	Otago	-0°00'20"
LT 411699	Otago	0°00'00"
DP 453493	Otago	0°00'00"
DP 348982	Otago	0°00'00"

Territorial Authorities

Dunedin City

Comprised In

CT 580991

Created Parcels

Parcels	Parcel Intent	Area	CT Reference
Lot 2 Deposited Plan 470050	Fee Simple Title	1.9500 Ha	634078
Lot 3 Deposited Plan 470050	Fee Simple Title	0.3937 Ha	634079
Lot 4 Deposited Plan 470050	Fee Simple Title	0.3851 Ha	634080



CSD Plan - DP 470050

Created Parcels

Parcels	Parcel Intent	Area	CT Reference
Lot 5 Deposited Plan 470050	Fee Simple Title	2.2915 Ha	634081
Lot 6 Deposited Plan 470050	Fee Simple Title	0.2547 Ha	634082
Lot 7 Deposited Plan 470050	Fee Simple Title	10.3165 Ha	634083
Lot 8 Deposited Plan 470050	Fee Simple Title	0.3846 Ha	634084
Lot 9 Deposited Plan 470050	Fee Simple Title	0.4860 Ha	634085
Area A Deposited Plan 470050	Easement		
Area B Deposited Plan 470050	Easement		
Area C Deposited Plan 470050	Easement		
Area D Deposited Plan 470050	Easement		
Lot 10 Deposited Plan 470050	Fee Simple Title	0.9550 Ha	634086
Lot 11 Deposited Plan 470050	Fee Simple Title	0.1815 Ha	634311
Lot 12 Deposited Plan 470050	Fee Simple Title	0.0803 Ha	634312
Area CB Deposited Plan 470050	Easement		
Area CA Deposited Plan 470050	Easement		
Total Area		<hr/> 17.6789 Ha	

Mark and Vector

Survey Number DP 470050
 Coordinate System North Taieri 2000

From	To	Code	Bearing	Adpt Surv	Distance	Adpt Surv
IT 1 DP 453493	IT 1 DP 470050	ob0	132°03'20"	M	87.70	M
IT 1 DP 470050	IT XII DP 23021	ob6	40°15'30"	M	405.70	M
IT 1 DP 470050	IT V DP 348982	ob7	269°27'30"	M	184.44	M
IT 1 DP 470050	IT 3 DP 411699	ob8	354°21'53"	M	172.04	M
IT 1 DP 470050	DISK A DP 470050	ob9	12°28'00"	M	50.87	M
IT 1 DP 470050	PEG B DP 470050	ob10	320°03'00"	M	71.61	M
IT 1 DP 470050	PEG C DP 470050	ob11	59°03'00"	M	81.92	M
IT 1 DP 470050	PEG D DP 470050	ob12	102°05'00"	M	49.72	M
IT 1 DP 470050	PEG E DP 470050	ob13	112°17'00"	M	59.61	M
IT 1 DP 470050	DISK F DP 470050	ob14	125°43'00"	M	11.12	M
IT 1 DP 470050	PEG G DP 470050	ob15	162°06'00"	M	26.09	M
IT 1 DP 470050	PEG H DP 470050	ob16	201°44'00"	M	15.02	M
IT 1 DP 470050	PEG I DP 470050	ob17	212°00'00"	M	19.24	M
IT 1 DP 470050	PEG J DP 470050	ob18	233°31'30"	M	194.50	M
IT 1 DP 470050	PEG K DP 470050	ob19	154°19'50"	M	109.11	M
IT 1 DP 470050	PEG L DP 470050	ob20	180°09'20"	M	103.76	M
IT V DP 348982	PEG K DP 453493	ob24	357°07'00"	A DP 453493	3.39	A DP 453493
IT 1 DP 453493	PEG B DP 453493	ob1	24°49'50"	A DP 453493	133.95	A DP 453493
IT 3 DP 411699	IT 1 DP 453493	ob26	203°12'45"	M	122.38	M
IT 1 DP 453493	IT V DP 348982	ob2	243°07'00"	M	133.76	M
IT 1 DP 453493	IT XII DP 23021	ob3	52°32'00"	M	412.37	M
PEG B DP 453493	PEG M DP 470050	ob45	196°29'20"	A DP 453493	19.92	C
PEG M DP 470050	PEG B DP 470050	ob47	196°29'20"	A DP 453493	110.86	C
PEG B DP 470050	PEG A DP 453493	ob29	196°29'20"	A DP 453493	68.72	C
IT 1 DP 453493	PEG A DP 453493	ob4	180°18'30"	A DP 453493	69.74	A DP 453493
PEG A DP 453493	PEG I DP 470050	ob48	95°30'00"	C	55.56	C
PEG I DP 470050	PEG H DP 470050	ob39	63°02'00"	C	5.20	C
PEG H DP 470050	DISK F DP 470050	ob37	62°54'00"	C	16.39	C
DISK F DP 470050	PEG D DP 470050	ob35	95°39'00"	C	39.79	C
PEG D DP 470050	PEG N DP 470050	ob32	95°35'00"	C	35.05	C
PEG N DP 470050	PEG O DP 470050	ob50	39°42'00"	C	49.06	C
PEG O DP 470050	PEG P DP 470050	ob54	21°01'00"	C	19.42	C
PEG P DP 470050	PEG Q DP 470050	ob55	21°01'00"	C	2.01	C
PEG Q DP 470050	PEG R DP 470050	ob56	14°12'00"	C	10.63	C
PEG R DP 470050	DISK S DP 470050	ob57	104°05'00"	C	10.44	C
DISK S DP 470050	DISK T DP 470050	ob58	192°02'00"	C	11.37	C
DISK T DP 470050	PEG U DP 470050	ob59	198°03'00"	C	12.39	C
PEG U DP 470050	PEG V DP 470050	ob60	201°13'00"	C	11.52	C



Mark and Vector

Survey Number DP 470050
Coordinate System North Taieri 2000

From	To	Code	Bearing	Adpt Surv	Distance	Adpt Surv
PEG V DP 470050	DISK W DP 470050	ob61	219°52'00"	C	32.79	C
DISK W DP 470050	PEG X DP 470050	ob52	221°48'00"	C	23.12	C
PEG X DP 470050	UNMK DP 470050	ob62	275°36'00"	C	33.30	C
UNMK DP 470050	UNMK DP 470050	ob63	275°36'00"	C	44.57	C
UNMK DP 470050	PEG AO DP 470050	ob65	199°57'00"	C	1.99	C
PEG G DP 470050	PEG L DP 470050	ob36	186°00'30"	C	79.37	C
PEG L DP 470050	PEG K DP 470050	ob43	83°30'00"	C	47.85	C
PEG K DP 470050	PEG Y DP 470050	ob42	102°16'40"	C	94.51	C
PEG Y DP 470050	PEG Z DP 470050	ob66	49°19'00"	C	34.14	C
PEG Z DP 470050	PEG AA DP 470050	ob67	5°03'00"	C	53.60	C
PEG AA DP 470050	PEG AB DP 470050	ob68	346°04'00"	C	11.03	C
PEG AB DP 470050	PEG X DP 470050	ob69	275°35'00"	C	79.48	C
PEG AB DP 470050	PEG AC DP 470050	ob70	61°19'00"	C	23.84	C
PEG AC DP 470050	PEG AD DP 470050	ob71	58°57'00"	C	26.22	C
PEG AD DP 470050	PEG AE DP 470050	ob72	353°11'00"	C	23.55	C
PEG AE DP 470050	PEG U DP 470050	ob73	279°00'00"	C	80.08	C
PEG AE DP 470050	PEG AF DP 470050	ob74	338°23'00"	C	21.71	C
PEG AF DP 470050	PEG AG DP 470050	ob75	17°40'00"	C	34.80	C
PEG AG DP 470050	PEG AH DP 470050	ob76	7°10'00"	C	4.00	C
PEG AH DP 470050	PEG AI DP 470050	ob77	275°39'30"	C	68.97	C
PEG AI DP 470050	DISK AJ DP 470050	ob79	195°08'00"	C	21.26	C
DISK AJ DP 470050	DISK S DP 470050	ob80	192°11'00"	C	8.35	C
PEG D DP 470050	PEG C DP 470050	ob33	22°23'00"	C	56.82	C
PEG C DP 470050	PEG P DP 470050	ob31	90°05'00"	C	51.55	C
PEG B DP 470050	DISK A DP 470050	ob30	95°14'00"	C	57.20	C
DISK A DP 470050	PEG H DP 470050	ob28	194°34'00"	C	65.75	C
PEG AH DP 470050	PEG AK DP 470050	ob78	7°10'00"	C	35.71	C
PEG AK DP 470050	PEG M DP 470050	ob81	282°46'50"	C	236.02	C
PEG A DP 453493	PEG K DP 453493	ob49	276°03'10"	A DP 453493	119.76	A DP 453493
PEG K DP 453493	UNMK DP 470050	ob44	166°29'00"	A DP 453493	20.00	C
UNMK DP 470050	PEG 5a DP 348982	ob82	166°29'00"	A DP 453493	57.11	C
PEG 5a DP 348982	PEG J DP 470050	ob84	166°29'40"	A DP 453493	43.50	C
PEG J DP 470050	PEG 1c DP 348982	ob40	166°29'40"	A DP 453493	76.31	C
PEG J DP 470050	PEG L DP 470050	ob41	85°39'00"	C	156.57	C
IT V DP 348982	PEG 5a DP 348982	ob25	165°59'30"	A DP 348982	73.78	A DP 348982
UNMK DP 470050	UNMK DP 470050	ob83	60°00'00"	C	15.03	C
UNMK DP 470050	UNMK DP 470050	ob86	96°03'10"	C	100.96	C
UNMK DP 470050	UNMK DP 470050	ob87	95°30'00"	C	58.52	C
UNMK DP 470050	PEG G DP 470050	ob88	83°57'00"	C	16.36	C



Mark and Vector

Survey Number DP 470050
Coordinate System North Taieri 2000

From	To	Code	Bearing	Adpt Surv	Distance	Adpt Surv
PEG L DP 411699	PEG K DP 411699	ob89	61°41'30"	A LT 411699	37.65	A LT 411699
PEG K DP 411699	PEG H DP 411699	ob90	61°41'30"	A LT 411699	103.60	A LT 411699
PEG G DP 411699	PEG F DP 411699	ob92	61°42'40"	A LT 411699	37.29	A LT 411699
PEG B DP 453493	PEG L DP 411699	ob46	61°59'10"	A LT 411699	53.53	A DP 453493
PEG A DP 411699	PEG E DP 411699	ob94	269°22'00"	A LT 411699	19.24	A LT 411699
PEG E DP 411699	UNMK I DP 411699	ob95	246°30'00"	A LT 411699	44.36	A LT 411699
PEG H DP 411699	PEG G DP 411699	ob91	61°41'30"	A LT 411699	2.65	A LT 411699
PEG F DP 411699	UNMK I DP 411699	ob93	61°42'40"	A LT 411699	1.50	A LT 411699
PEG 1c DP 348982	PEG 3a DP 348982	ob85	76°29'40"	A DP 348982	94.50	A DP 348982
PEG 3a DP 348982	PEG 2c DP 348982	ob97	166°29'40"	A DP 348982	41.12	A DP 348982
PEG 2c DP 348982	PEG 8a DP 348982	ob98	76°29'40"	A DP 348982	238.15	A DP 348982
PEG III DP 7427	PEG II DP 7427	ob99	115°52'20"	A DP 453493	10.07	A DP 453493
PEG II DP 7427	PEG C DP 453493	ob100	110°16'40"	A DP 453493	11.85	A DP 453493
PEG IV DP 7427	PEG A DP 411699	ob102	307°19'20"	A LT 411699	15.79	A LT 411699
PEG IV DP 7427	PEG III DP 7427	ob103	120°39'40"	A DP 453493	30.90	A DP 453493
PEG D DP 453493	PEG E DP 453493	ob104	106°56'00"	A DP 453493	5.27	A DP 453493
PEG F DP 453493	PEG E DP 453493	ob105	9°46'40"	A DP 453493	50.29	A DP 453493
PEG F DP 453493	PEG R DP 453493	ob106	99°46'40"	A DP 453493	19.96	A DP 453493
PEG C DP 453493	PEG D DP 453493	ob101	110°16'40"	A DP 453493	14.63	A DP 453493
IS X SO 9755	PEG S DP 453493	ob108	189°46'40"	A DP 453493	4.51	A DP 453493
PEG R DP 453493	IS X SO 9755	ob107	189°46'40"	A DP 453493	39.04	A DP 453493
PEG S DP 453493	PEG DP 8034	ob109	217°10'40"	A DP 453493	108.83	A DP 453493
PEG DP 8034	UNMK DP 453493	ob110	166°27'40"	A DP 453493	260.25	A DP 453493
UNMK DP 453493	UNMK DP 453493	ob111	274°31'00"	A DP 453493	66.67	A DP 453493
UNMK DP 453493	UNMK DP 453493	ob113	184°31'00"	A DP 453493	10.00	A DP 453493
UNMK DP 453493	UNMK DP 453493	ob112	166°27'40"	A DP 453493	10.52	A DP 453493
PEG 8a DP 348982	PEG BA DP 470050	ob96	126°19'20"	A DP 453493	110.64	C
PEG BA DP 470050	PEG BB DP 470050	ob53	3°52'00"	C	24.44	C
PEG BB DP 470050	PEG BC DP 470050	ob115	55°55'00"	C	16.26	C
PEG BC DP 470050	PEG BD DP 470050	ob116	124°36'00"	C	18.13	C
PEG BD DP 470050	PEG BE DP 470050	ob117	20°16'00"	C	20.84	C
PEG BE DP 470050	PEG BF DP 470050	ob119	94°31'00"	A DP 453493	16.65	C
PEG BF DP 470050	UNMK DP 453493	ob121	94°31'00"	A DP 453493	1.20	C
PEG BE DP 470050	UNMK DP 453493	ob120	274°31'00"	A DP 453493	52.08	C
PEG H DP 470050	UNMK DP 470050	ob38	99°35'00"	C	16.75	C
PEG N DP 470050	PEG X DP 470050	ob51	154°50'00"	C	11.64	C
UNMK DP 470050	PEG E DP 470050	ob64	185°57'00"	C	1.51	C
PEG E DP 470050	PEG K DP 470050	ob34	185°57'00"	C	76.15	C
IT 1 DP 453493	IS 2 DP 453493	ob5	123°00'15"	M	478.81	M

Mark and Vector

Survey Number DP 470050
Coordinate System North Taieri 2000

From	To	Code	Bearing	Adpt Surv	Distance	Adpt Surv
IS 2 DP 453493	IS XXXIII SO 9755	ob122	226°50'30"	M	45.24	M
IS 2 DP 453493	PEG T DP 453493	ob123	146°19'00"	M	23.79	M
IS G DP 453493	IS XXXIII SO 9755	ob132	256°27'40"	A DP 453493	0.80	A DP 453493
IS 2 DP 453493	PEG BA DP 470050	ob124	253°33'30"	M	55.08	M
IS 2 DP 453493	PEG BB DP 470050	ob125	279°45'00"	M	51.93	M
IS 2 DP 453493	PEG BC DP 470050	ob126	295°25'00"	M	41.75	M
IS 2 DP 453493	PEG BD DP 470050	ob127	288°29'00"	M	24.02	M
IS 2 DP 453493	PEG BE DP 470050	ob128	330°12'00"	M	31.32	M
IS 2 DP 453493	PEG BF DP 470050	ob129	2°17'00"	M	25.88	M
IS 2 DP 453493	PEG BG DP 470050	ob130	143°18'00"	M	20.84	M
UNMK DP 453493	UNMK DP 453493	ob114	166°27'40"	A DP 453493	7.00	A DP 453493
UNMK DP 453493	UNMK DP 453493	ob135	166°27'40"	A DP 453493	5.81	A DP 453493
UNMK DP 453493	PEG BG DP 470050	ob136	166°27'40"	A DP 453493	30.90	C
PEG BG DP 470050	PEG T DP 453493	ob134	166°27'40"	A DP 453493	3.15	A DP 8034
PEG T DP 453493	UNMK DP 453493	ob131	256°27'40"	A DP 453493	38.64	A DP 453493
UNMK DP 453493	UNMK DP 453493	ob137	256°27'40"	A DP 453493	7.48	A DP 453493
UNMK DP 453493	IS G DP 453493	ob139	256°27'40"	A DP 453493	0.61	A DP 453493
IS G DP 453493	PEG BA DP 470050	ob133	306°19'20"	A DP 453493	25.56	C
UNMK DP 453493	UNMK DP 453493	ob140	44°08'00"	A DP 453493	24.52	A DP 453493
UNMK DP 453493	UNMK DP 470050	ob141	29°59'00"	A DP 453493	12.33	C
UNMK DP 470050	UNMK DP 453493	ob142	29°59'00"	A DP 453493	24.56	C
UNMK DP 453493	UNMK DP 453493	ob138	44°08'00"	A DP 453493	18.69	A DP 453493
UNMK DP 453493	UNMK DP 470050	ob144	29°59'00"	A DP 453493	12.51	C
UNMK DP 470050	UNMK DP 453493	ob145	29°59'00"	A DP 453493	20.67	C
PEG BD DP 470050	UNMK DP 470050	ob118	124°37'00"	C	17.47	C
UNMK DP 470050	UNMK DP 470050	ob143	124°37'00"	C	4.01	C
UNMK DP 470050	PEG BG DP 470050	ob146	124°37'00"	C	21.34	C
IT 1 DP 470050	IT 3 DP 470050	ob21	57°52'10"	M	161.80	M
IT 1 DP 470050	IT 2 DP 470050	ob22	101°32'10"	M	103.77	M
IT 2 DP 470050	IT 3 DP 470050	ob158	18°18'30"	M	112.50	M
IT 2 DP 470050	PEG X DP 470050	ob159	254°47'00"	M	13.70	M
IT 2 DP 470050	PEG N DP 470050	ob160	290°53'00"	M	19.45	M
IT 2 DP 470050	PEG V DP 470050	ob161	30°52'00"	M	45.21	M
IT 2 DP 470050	DISK W DP 470050	ob162	9°06'00"	M	13.81	M
IT 2 DP 470050	PEG O DP 470050	ob163	16°25'00"	M	46.58	M
IT 2 DP 470050	PEG U DP 470050	ob164	28°55'00"	M	56.60	M
IT 2 DP 470050	PEG Y DP 470050	ob165	158°47'00"	M	104.79	M
IT 2 DP 470050	PEG Z DP 470050	ob166	139°46'00"	M	98.80	M
IT 2 DP 470050	PEG AA DP 470050	ob167	107°49'20"	M	71.99	M

Mark and Vector

Survey Number DP 470050
 Coordinate System North Taieri 2000

From	To	Code	Bearing	Adpt Surv	Distance	Adpt Surv
IT 2 DP 470050	PEG AB DP 470050	ob168	99°45'30"	M	66.85	M
IT 2 DP 470050	PEG AD DP 470050	ob169	82°53'00"	M	110.10	M
IT 2 DP 470050	PEG AE DP 470050	ob170	70°49'40"	M	112.71	M
IT 3 DP 470050	PEG AF DP 470050	ob147	128°10'00"	M	80.29	M
IT 3 DP 470050	PEG AG DP 470050	ob148	102°35'00"	M	75.50	M
IT 3 DP 470050	PEG AH DP 470050	ob149	99°33'00"	M	75.22	M
IT 3 DP 470050	PEG AI DP 470050	ob150	135°43'00"	M	7.94	M
IT 3 DP 470050	DISK AJ DP 470050	ob151	180°01'00"	M	26.20	M
IT 3 DP 470050	DISK S DP 470050	ob152	182°57'00"	M	34.41	M
IT 3 DP 470050	DISK T DP 470050	ob153	185°12'00"	M	45.67	M
IT 3 DP 470050	PEG P DP 470050	ob154	199°05'00"	M	46.56	M
IT 3 DP 470050	PEG Q DP 470050	ob155	199°00'00"	M	44.55	M
IT 3 DP 470050	PEG R DP 470050	ob156	200°30'00"	M	33.97	M
IT 3 DP 470050	PEG AK DP 470050	ob157	73°44'00"	M	81.91	M
IT 3 DP 411699	PEG M DP 470050	ob27	166°44'00"	M	10.29	M
IT 2 DP 470050	PEG AC DP 470050	ob171	89°55'30"	M	86.79	M
IT 1 DP 470050	PEG AO DP 470050	ob23	151°05'00"	M	21.26	M
PEG AO DP 470050	PEG G DP 470050	ob172	199°57'00"	C	6.60	C

Mark Name	Description
PEG 2c DP 348982	Peg in remains of old fence over 80 years
PEG 8a DP 348982	At base of large Broadleaf tree

*** End of Report ***

Schedule / Memorandum

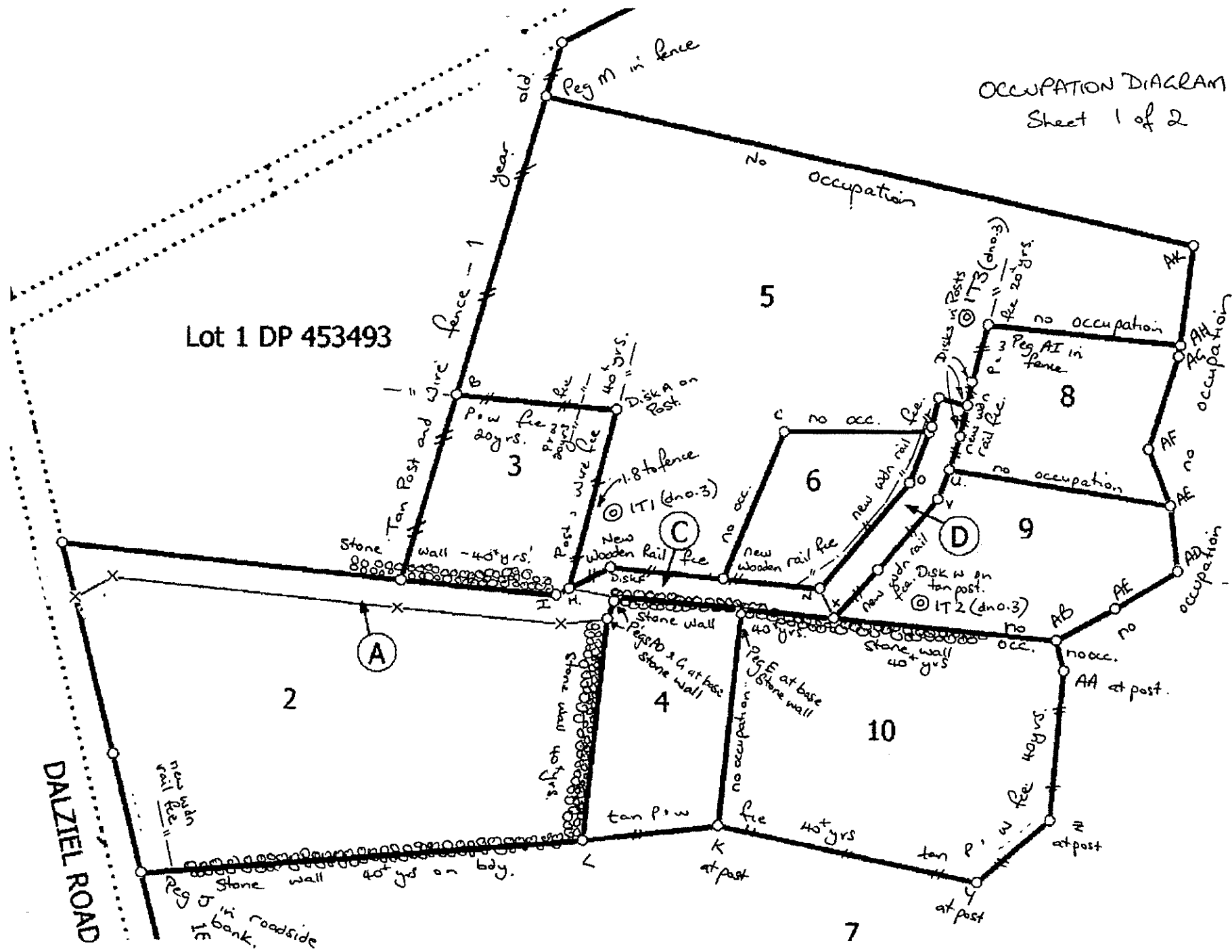
Memorandum of Easements (Pursuant to s243 Resource Management Act 1991)			
Purpose	Shown	Servient Tenement	Dominant Tenement
Right of Way, right to convey electricity, telecommunications and computer media, right to drain water.	A	Lot 2 hereon	Lots 3 – 10 hereon
Right of Way, right to convey electricity, telecommunications and computer media, right to drain water.	C	Lot 2 hereon	Lots 5 - 10 hereon
Right of Way, right to convey electricity, telecommunications and computer media, right to drain water.	D	Lot 2 hereon	Lots 5 – 9 hereon

Certifying parties must sign or initial this box

J. Handr.
(Occ)

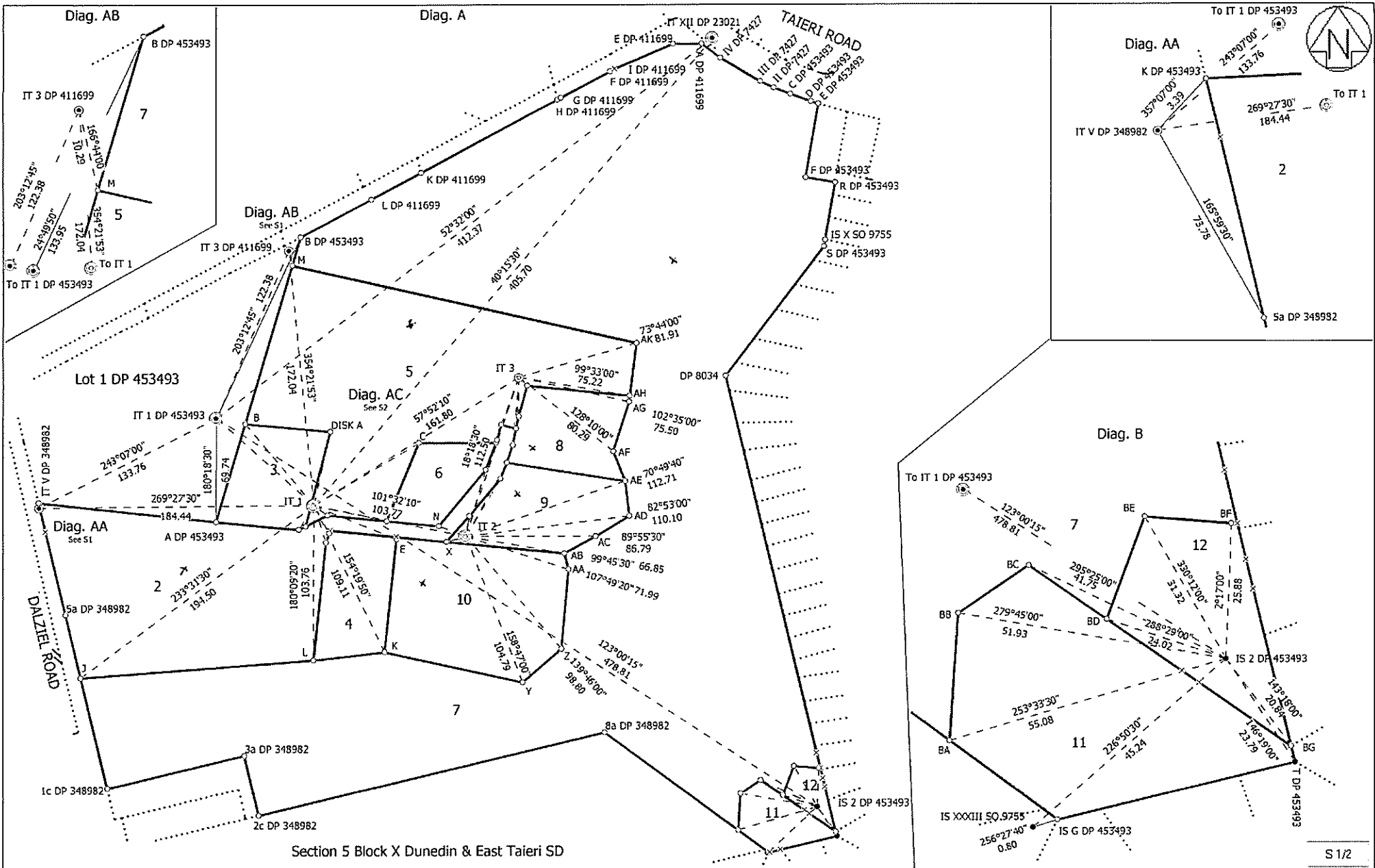
Schedule / Memorandum

Schedule of Easements/ Interests to Remain with Land (Pursuant to s239(2) of the Resource Management Act 1991)			
Purpose/Interest	Shown	Servient Tenement	Creating Document
Batter Right	T 177793	Lot 7 hereon	T 177793
Right (in gross) to drain sewage	CA	Lot 12 hereon	EI 9126257.3
	CB	Lot 11 hereon	EI 9126257.3
Right (in gross) to drain water	B	Lot 7 hereon	EI 9126257.3



OCCUPATION DIAGRAM
Sheet 1 of 2





Section 5 Block X Dunedin & East Taieri SD

Land District Otago
 Digitally Generated Plan
 Generated on: 23/01/2014 08:41am Page 12 of 15

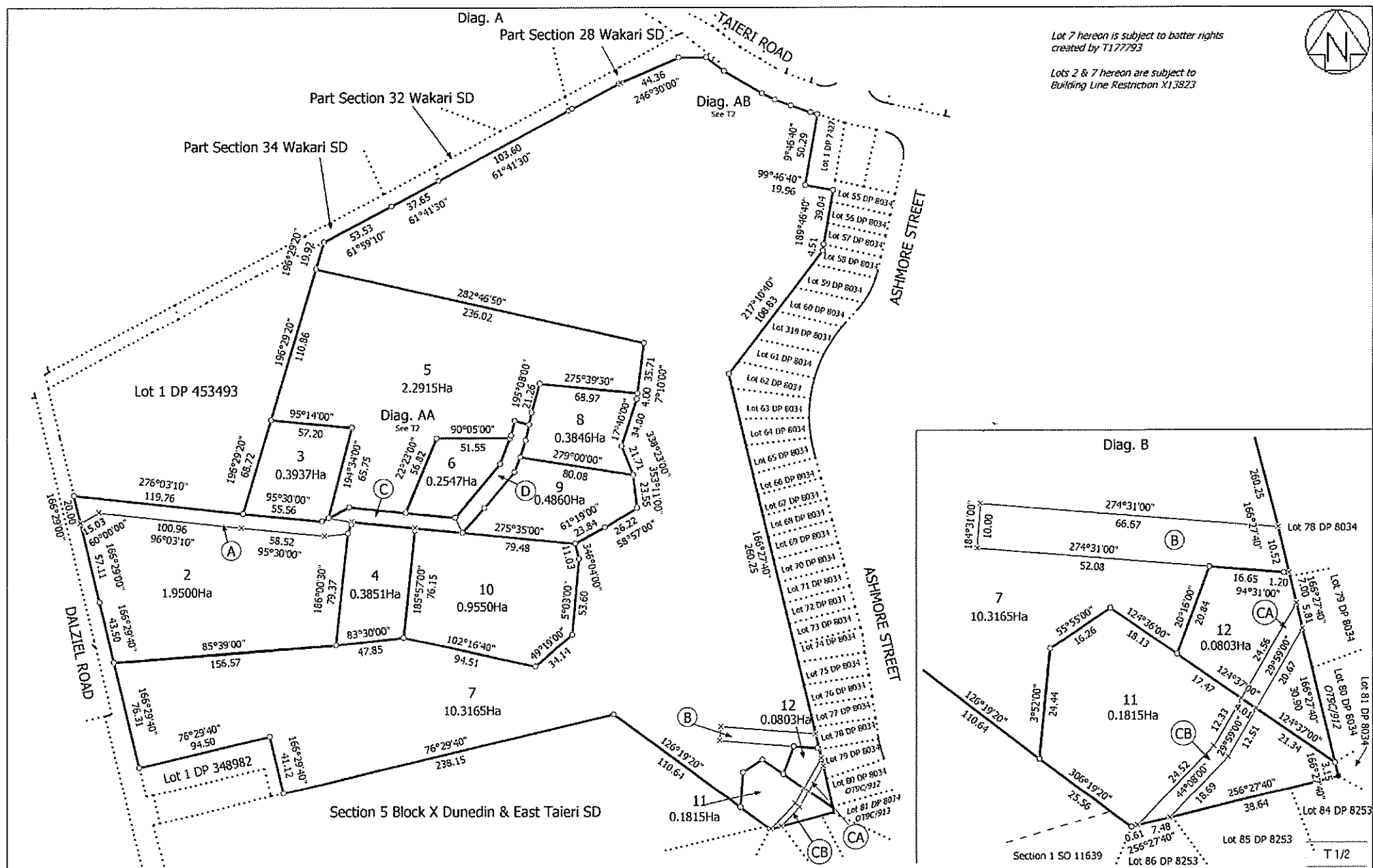
Lots 2 - 12 Being Subdivision of Lot 2 DP 453493, Lots 11 - 14 DP 531 and Pt
 Lots 15 & 16 DP 531

Surveyor: Craig Richard Horne
 Firm: Craig Horne Surveyors Ltd (Mosgiel)
 Survey Date: 17/10/2013

CSD Plan
 DP 470050
 Deposited on: 18/12/2013



Lot 7 hereon is subject to batter rights created by T177793
 Lots 2 & 7 hereon are subject to Building Line Restriction X13823

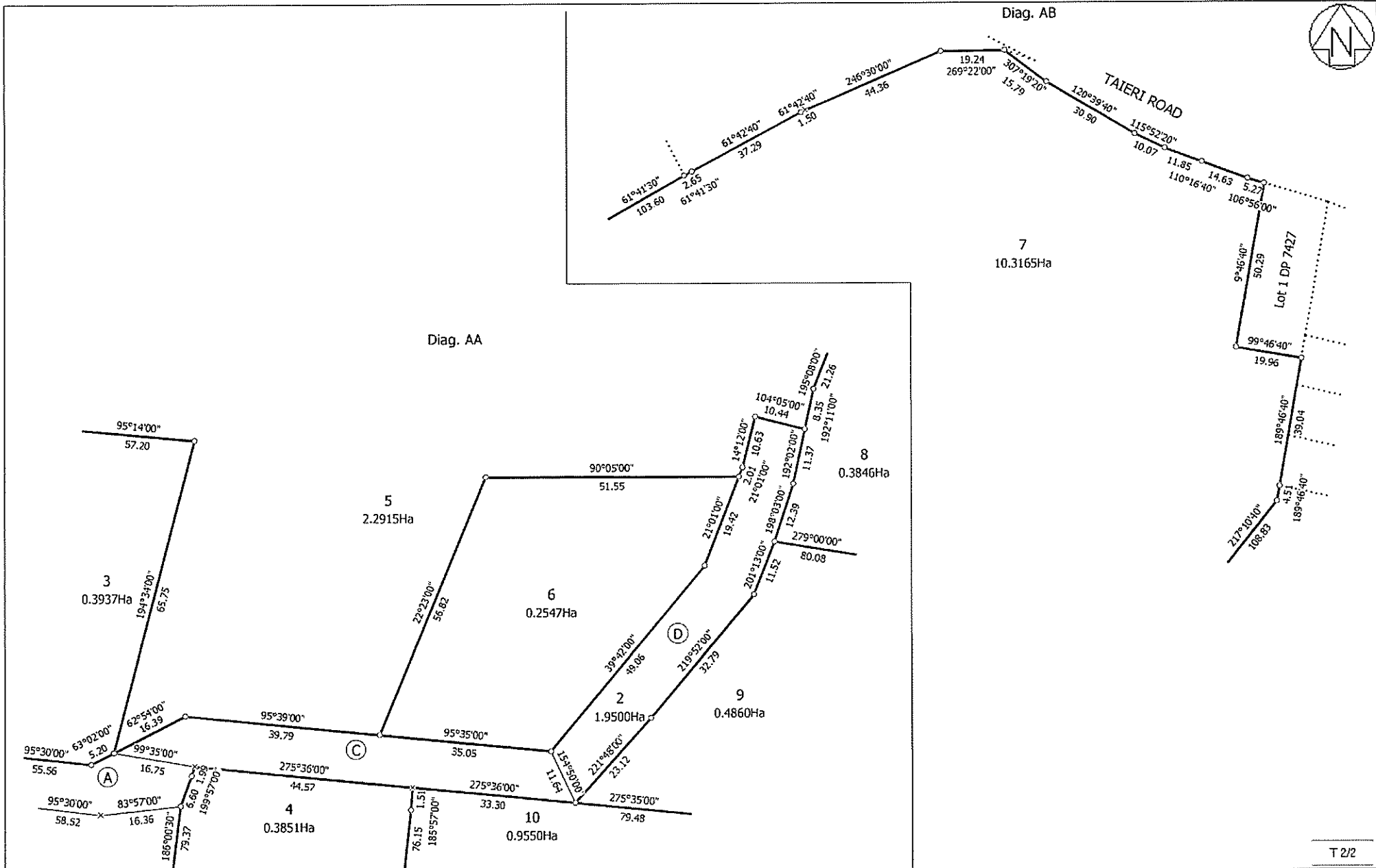


Land District Otago
 Digitally Generated Plan
 Generated on: 23/01/2014 09:41 am Page 14 of 15

Lots 2 - 12 Being Subdivision of Lot 2 DP 453493, Lots 11 - 14 DP 531 and Pt
 Lots 15 & 16 DP 531

Surveyor: Craig Richard Horne
 Firm: Craig Horne Surveyors Ltd (Mosgiel)
 Survey Date: 17/10/2013

CSD Plan
 DP 470050
 Deposited on: 18/12/2013



T 2/2

Land District: Otago
 Digitally Generated Plan
 Generated on: 23/01/2014 08:41am Page: 15 of 15

Lots 2 - 12 Being Subdivision of Lot 2 DP 453493, Lots 11 - 14 DP 531 and Pt
 Lots 15 & 16 DP 531

Surveyor: Craig Richard Home
 Firm: Craig Home Surveyors Ltd (Mosgiel)
 Survey Date: 17/10/2013

CSD Plan
 DP 470050
 Deposited on: 18/12/2013

GEOTECHNICAL INFORMATION

DALZIEL ROAD

CONTENTS

1. Introduction
2. Physical description
3. Geology
4. Soils
5. Mass movement
6. Urban capability
7. Conclusions.

Appendix -Map

**GEOTECHNICAL ASSESSMENT FOR PROPOSED
DEVELOPMENT-WESTACOTT PARK, DALZIEL ROAD, WAKARI.**

1. Introduction.

The developers are proposing to develop a block of land between Dalziel Road and Ashmore street, Wakari, Dunedin. Geolink has been asked to assess the suitability of the land for urbanisation and identify any possible limitations and/or hazards. The investigation involved a walkover survey, a study of aerial photos and research of any appropriate literature.

2. Physical description.

The majority of the property consists of undulating land in pasture. A creek runs down the eastern boundary forming a steep sided, bush-clad valley.(Fraser's Gully.)

3. Geology.

The undulating land is underlain by a volcanic lava flow which has been mapped by Benson as **dolerite** and **basalt**. These are dark, fine to medium grained basic rocks that can be seen outcropping around the edge of the flow and in the stone walls on the property. Underlying the volcanics is the **Caversham Sandstone** and this is exposed in the bottom of Fraser's Gully. The gully has been formed by the creek downcutting into the softer sandstone.

4. Soils.

The soils were examined using a hand auger. They keyed out to be **Acid Mafic Brown Soils**. These are formed from weathered basic volcanic rocks and loess and are characterised by reddish brown B horizons which are well drained. The soils are acidic with a pH of less than 5.5. Depth varies and they may be stony. They are mapped locally as **Cargill Soils**.

5 Mass movement.

The majority of the property is stable but there is some evidence of some **old landsliding** along the edge of the lava flow where the ground steepens.(see appendix- geotechnical map.) The steep bush-clad slopes of Fraser's Gully **contain old landslides** and the slopes are considered potentially very unstable if the bush was removed.

6. Urban capability.

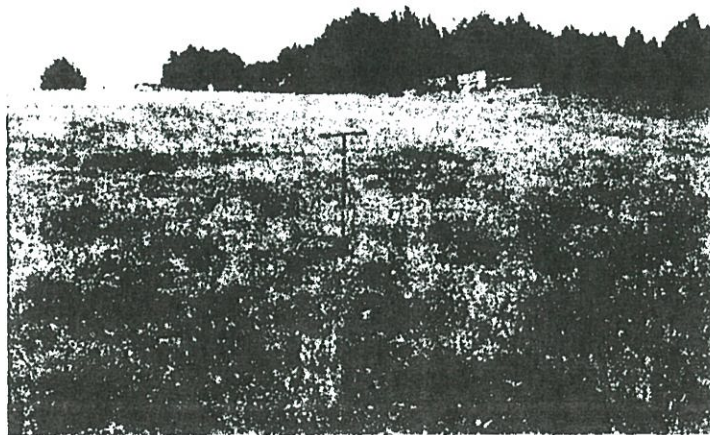
The suitability of land for development has been assessed by using a four-fold classification-

Class A- Undulating, well-drained land with no limitations to development. This class is suitable for high density residential use.

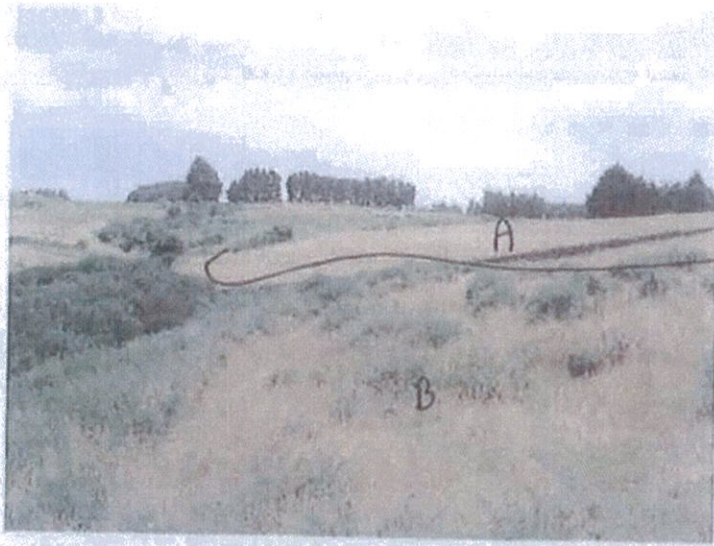
Class B- Moderately steep slopes with moderate limitations to development. These include the steepness of the slope and possible slope instability. Some building platforms would require additional geotechnical investigation.

Class C- Upper flood plain of Fraser's Creek. Severe limitations of flooding to development.

Class D- Very steep, bush-clad land. Not suitable for development. A high potential exists for slope instability.



Class A land no limitations to development.



Class B land moderate limitations to development.



Class C land severe limitations to development, flood plain of Fraser's Creek.



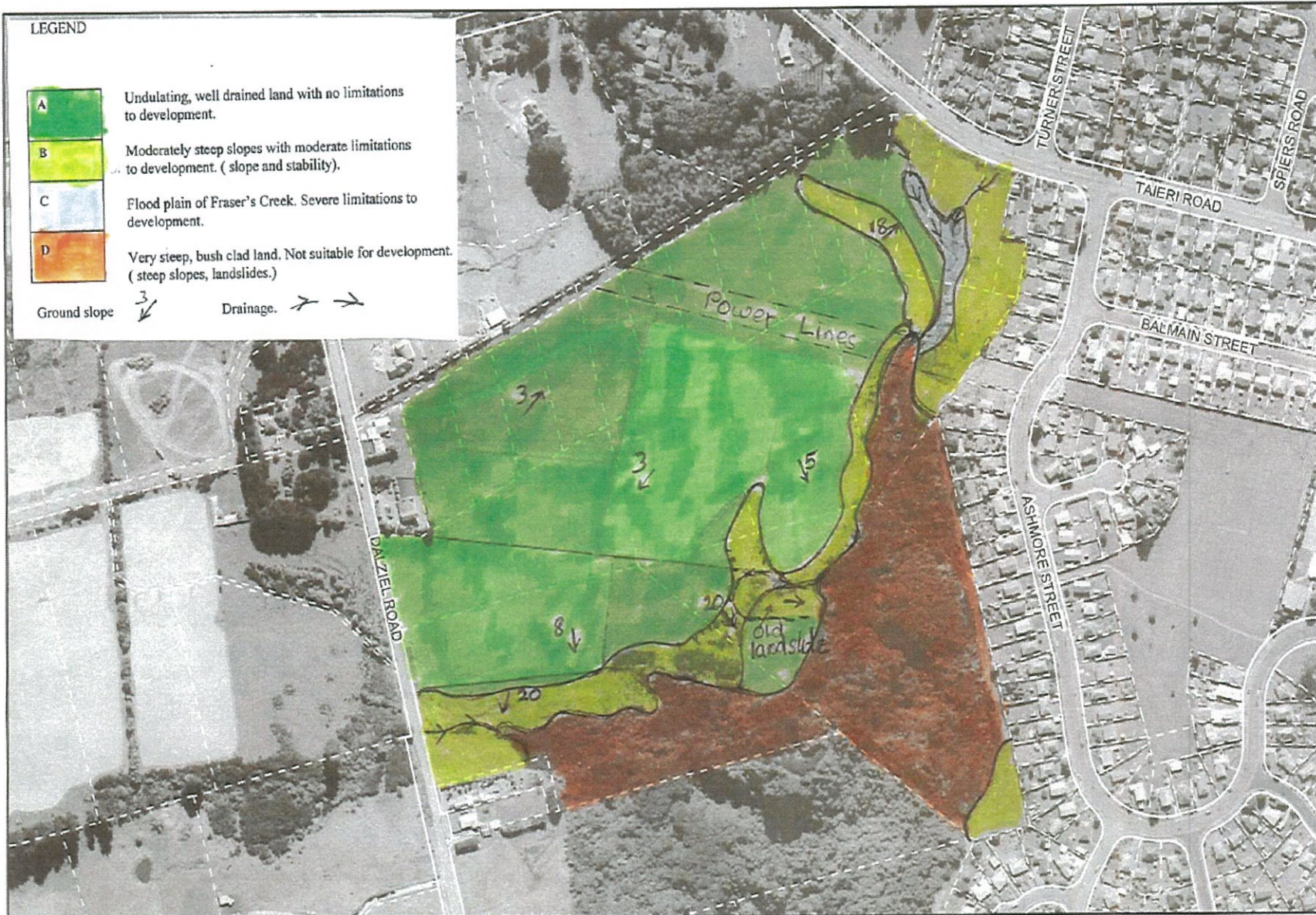
Class D land not suitable for development.

7. Conclusions.

- 1. Large areas of the property are suitable for high density residential development.**
- 2. Class B land is capable of lower density development and may require further investigation.**
- 3. The flood plain of Fraser's Creek and Gully are not suitable for development.**
- 4. The soils are suitable for conventional effluent disposal systems.**

LEGEND

- A** Undulating, well drained land with no limitations to development.
 - B** Moderately steep slopes with moderate limitations to development. (slope and stability).
 - C** Flood plain of Fraser's Creek. Severe limitations to development.
 - D** Very steep, bush clad land. Not suitable for development. (steep slopes, landslides.)
- Ground slope \searrow Drainage \rightarrow



GEOLINK LAND INVESTIGATIONS.

URBAN CAPABILITY MAP FOR PROPOSED SUBDIVISION- DALZIEL ROAD.



Scale: 1:4,000

PARCEL LINES CAN VARY FROM LEGAL PARCEL BOUNDARIES. This map is for illustration purposes only and is not accurate to surveying, engineering or orthographic standards. Every effort has been made to ensure correctness and timeliness of the information presented.

Aerial Photography Dated March 2009
Copyright Tairāwhiti & I.D.C.C.
Cartographic Data Sourced From LINZ
CROWN COPYRIGHT RESERVED

31 July 2015

Your Land Professionals
www.ppgroup.co.nz
0800 PPGROUP



The Planner
City Planning
Dunedin City Council
PO Box 5045
Dunedin

Attn: Lianne Darby

Dear Lianne

HAIL ASSESSMENT

35, 41, 43, 47 and 49 Dalziel Road, Dunedin

Hazardous Activities and Industries Investigation

This information is provided in support of a recently lodged subdivision application (SUB 2015-54). A Land Use and Site Contamination Status search has been sought from the Otago Regional Council. The Council undertook the appropriate search of their records and has since concluded that *'There is no identified land-use or site contamination information held for the above site'*. A copy of our correspondence with Otago Regional Council is attached.

Recently, HAIL search has been sought from the Dunedin City Council (reference: HAIL 2015-59). We have been advised that *'There is no specific evidence of HAIL activity on the sites listed above. It appears that it has been used for farming purposes since at least the earliest aerial photograph taken in 1947'*. A copy of our correspondence with Dunedin City Council is attached.

The aerial photos illustrate the property as being used for farming, with the steeper regions of land being covered in second generation bush or scrub. There does not appear to be any indication that a hazardous activity or industry has been previously undertaken in the vicinity of the application site.

There are no historic building consent applications recorded against the subject properties.

Resource consents for the surrounding area relate to a comparatively recent subdivision (2012) and subsequent land-use applications (mainly for bulk and location breaches or issues related to undersized rural lots). None of these previous consents appear to have HAIL implications.

Whilst none of the information sources that have been used for this assessment provide absolute evidence that no contamination exists on any part of the site, when all the results from the various information sources are taken in their totality the likelihood of contamination at a level that would raise concern would seem to be extremely remote. On

DUNEDIN:

P.O. Box 5933,
Dunedin 9058.

T 03 477 3245

CHRISTCHURCH:

P.O. Box 160094,
Christchurch 8441.

T 03 928 1533

ALEXANDRA:

P.O. Box 103,
Alexandra 9340.

T 03 448 8775

CROMWELL:

P.O. Box 84,
Cromwell 9342.

T 03 445 1826

QUEENSTOWN:

P.O. Box 2645,
Queenstown 9349.

T 03 441 4715

WANAKA:

P.O. Box 283,
Wanaka 9305.

T 03 443 0110

this basis we do not believe that any particular action is required in respect of HAIL matters. In the event of a 'discovery' of evidence to the contrary the Applicant will be responsible for raising this with Council with a view to investigating appropriate methods to remove or mitigate any associated hazard.

In conclusion, existing property record information has been sourced from a number of authorities and this material does not contain any indication or evidence suggesting that hazardous activities or industries have previously taken place within the applicant land. It is therefore reasonable to accept that the likelihood of contamination at this location is remote. Unless further information or evidence is discovered, the Applicant submits that there should be no impediment to the proposed development proceeding, in respect of HAIL considerations.

Yours Faithfully

PATERSON PITTS PARTNERS LIMITED

A handwritten signature in blue ink, appearing to read 'Kurt Bowen', with a long horizontal flourish extending to the right.

Kurt Bowen

Registered Professional Surveyor

Andrew Robinson

From: "Tracey Diack" <Tracey.Diack@orc.govt.nz>
To: <andrew.robinson@ppgroup.co.nz>
Sent: Friday, 3 July 2015 9:00 a.m.
Attach: 473 Taieri Road, Dunedin.pdf
Subject: FW: Dalziel Road
 Hi Andrew

Landuse and Site Contamination Status Request

A request was received from you by email on 25 June 2015 for information held by the Otago Regional Council regarding the contamination status of land detailed below:

Address	Legal Description
Various	Various

Records held on the Otago Regional Council's "Database of Selected Landuses" show there are no identified land-uses associated with the above site.

The database identifies sites where activities have occurred that are known to have the potential to contaminate land. The record of a property in the database does not necessarily imply contamination. Similarly, the absence of available information does not necessarily mean that the property is uncontaminated; rather no information exists on the database.

Reference should be made to the Ministry for the Environment's [Hazardous Activities and Industries List](#). If any of these activities have occurred on the above site, then it may be considered potentially contaminated.

This information reflects the council's current understanding of these sites. The Otago Regional Council accepts no liability for any inaccuracy in or omission from this information. Any member of the public, who wishes to make any commercial decision that involves an assessment of whether the site is contaminated, should make his/her own enquiries and decision. A Land Information Memorandum (LIM) should be obtained from the district council on these properties.

Thanks

Tracey Diack
 Environmental Data Officer
 Otago Regional Council
 70 Stafford Street, Private Bag 1954, Dunedin
 Phone: 03 474 0527 or 0800 474 0527
 Fax: 03 479 0015

Caution: This communication is confidential and may be legally privileged. If it is not addressed to you please immediately contact us and do not use, disclose, copy, distribute or retain any of it without authority.

From: Simon Beardmore
Sent: Wednesday, 1 July 2015 12:24 p.m.
To: Tracey Diack
Subject: FW: Dalziel Road

Hi tracey,

Could you have a look at this request please? I am getting a bit behind!

-Simon

From: Andrew Robinson [<mailto:andrew.robinson@ppgroup.co.nz>]
Sent: Thursday, 25 June 2015 11:16 a.m.
To: Simon Beardmore
Subject: Dalziel Road

Hi Simon,

Could you please check your records for any record of contamination at 35-47 Dalziel Rd, 473 Taieri Road (excluding 33, 37 & 45 Dalziel Rd)? The legal descriptions appear to be Lots 2, 5, 7, 8, 9 & 10 DP 470050 and Pt Sec 34, 36 and 38 Wakari Survey District.

Best Wishes

Andrew Robinson
 Technician
andrew.robinson@ppgroup.co.nz

PATERSON PITTS GROUP
 Your Land Professionals
 229 Moray Place
 PO Box 5933
 Dunedin 9058

Ph. 03 477-3245
dunedin@ppgroup.co.nz
www.ppgroup.co.nz

The information contained in this email message is CONFIDENTIAL INFORMATION and may also be LEGALLY PRIVILEGED intended only for the individual or entity named above. If you are not the intended recipient, you are hereby notified that any use, review, dissemination, distribution or copying of this document is strictly prohibited.

----- Original Message -----
From: [Simon Beardmore](#)
To: [Andrew Robinson](#)
Sent: Friday, June 05, 2015 4 08 PM
Subject: RE: Lundie St

Hi Andrew

Landuse and Site Contamination Status Request

473 Taieri Road, Dunedin

Legend

- Contaminated
- Managed
- Remediated/...
- Remediated
- Not Contaminated
- Unknown



14 July 2015

Andrew Robinson
Paterson Pitts Group Ltd
P O Box 5933
Dunedin 9054

Dear Andrew

HAIL-2015-59 – 35,39,41,43,47,49 DALZIEL ROAD

Please find enclosed the results of the Hazardous Activities and Industries List (HAIL) Property Search lodged on 24 June 2015. This HAIL property search details the information which is documented on Council records for the sites listed above. Please note the attached documentation only includes information that is available on the Council's records and the Council does not necessarily hold comprehensive records of the historic land use of this site.

There is no specific evidence of HAIL activity on the sites listed above. It appears that it has been used for farming purposes since at least the earliest aerial photograph taken in 1947.

It is recommended that further investigation of the historic land use be undertaken through other means including consulting with any former land owners and checking with the Otago Regional Council.

This information does not constitute a Preliminary Site Investigation in terms of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.

Yours sincerely



Phil Marshall
Senior Planner

Phil Marshall

From: Chris Scott
Sent: Tuesday, 30 June 2015 09:02 a.m.
To: John Sule
Cc: Resource Consents Front Counter
Subject: RE: HAIL-2015-59, 35 Dalziel Road Dunedin, HAIL application lodged

Hi John,

I have examined the archival records relating to this area, and can find no evidence of HAIL activity taking place there. The usual aerial photos are attached.

Regards,

Chris Scott
Archivist, Information Solutions
Dunedin City Council

50 The Octagon, Dunedin; PO Box 5045, Moray Place, Dunedin 9058, New Zealand

Telephone: 03 477 4000; Fax: 03 474 3694

Email: <mailto:chris.scott@dcc.govt.nz>; <http://www.dunedin.govt.nz> P Please consider the environment before printing this e-mail

-----Original Message-----

From: Talei Anderson
Sent: Thursday, 25 June 2015 10:59 a.m.
To: Information Solutions - Archives
Subject: HAIL-2015-59, 35 Dalziel Road Dunedin, HAIL application lodged

Please do the archival search

Additional Info:

Attachment links to HAIL-2015-59, 35 Dalziel Road Dunedin



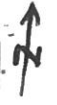
TAIERI

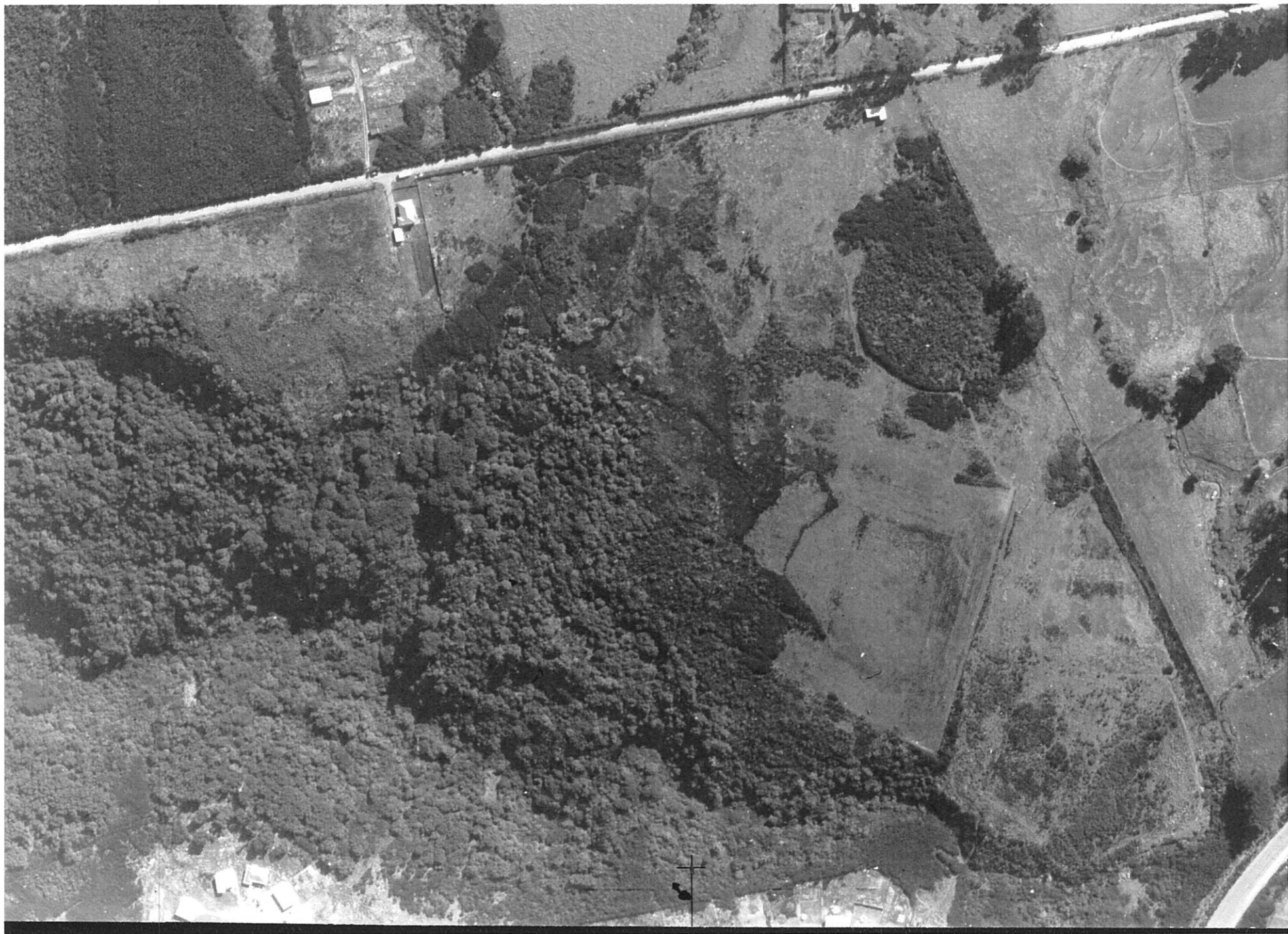
ROAD

ROAD

CITY BOUNDARY 1950

YEAR 1947

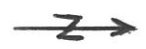


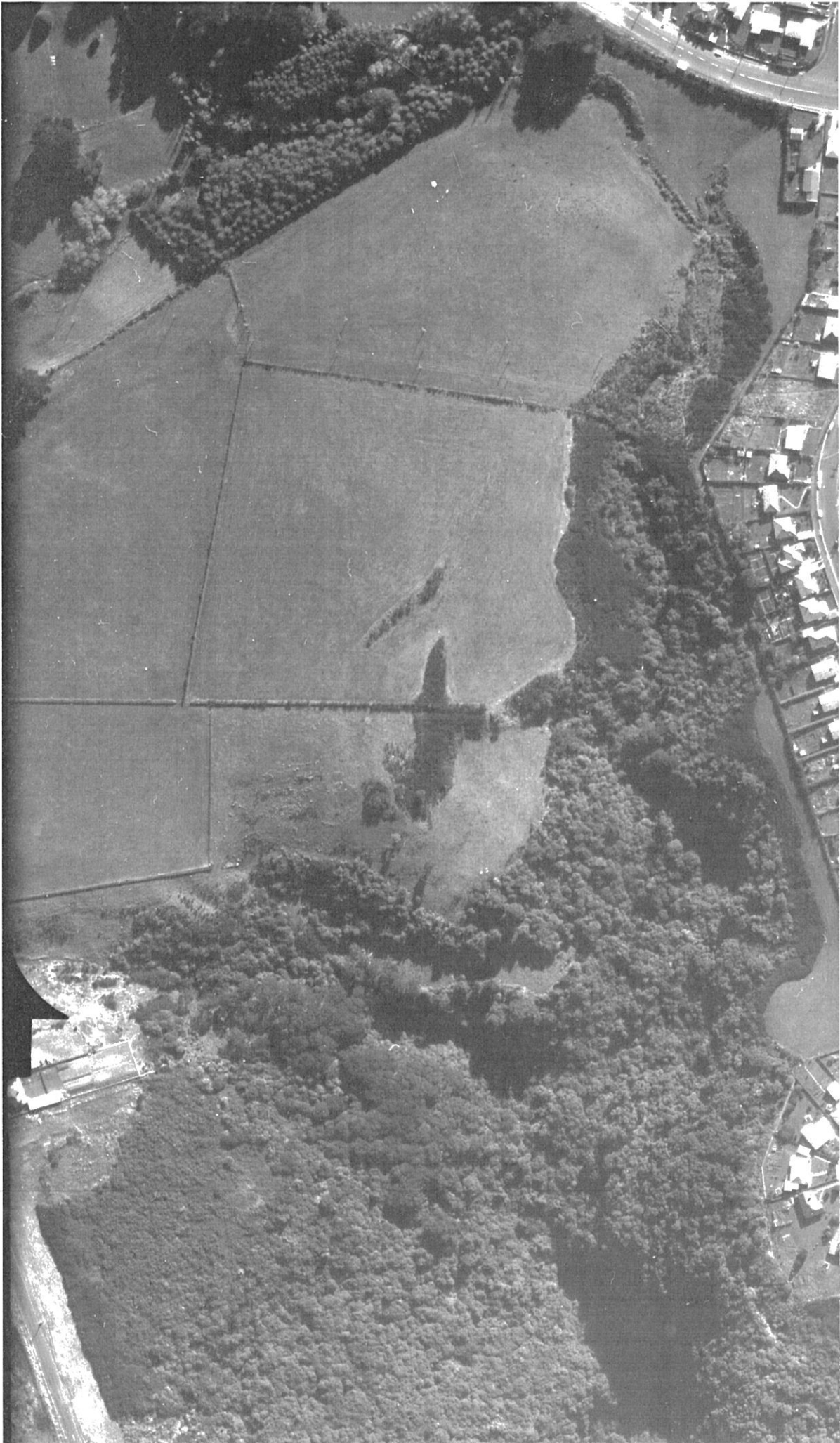


YEAR 1957. —Z—>



YEAR 1967.





1978.

10F2.



1978.
2 of 2.



YEAR
1990.



YEAR 2000

SITE COMPRISING: 35,39,41,43,47,49 DALZIEL ROAD

THERE ARE NO BUILDING CONSENTS RELATING TO THESE SITES.

SUBDIVISION AND LAND USE CONSENTS RELATING TO THE ABOVE SITES ARE LISTED BELOW:

Planning Application	Status	Description	Lodge Date
<u>HAIL-2015-59</u> GEMS ID	HAIL request lodged	35-47 Dalziel Road	24/06/2015
<u>SUB-2012-92/A</u> GEMS ID	Consent Issued	s127 variation to conditions	17/10/2013
<u>SUB-2012-92/2</u> GEMS ID	s224c Issued	Stage 2	30/04/2013
<u>SUB-2012-92/1</u> GEMS ID	s224c Issued	Stage 1	30/04/2013
<u>LUC-2012-504</u> GEMS ID	Monitoring Commenced	consequential land use for residential activity on undersized lots	12/11/2012
<u>SUB-2012-92</u> GEMS ID	Bond Monitoring Commenced	subdivision creating 9 lots	12/11/2012
<u>SUB-2010-114</u> GEMS ID	s224c Issued	boundary adjustment	19/11/2010

RESOURCE CONSENTS WITHIN 50 METRES OF 35 DALZIEL ROAD DUNEDIN

5118536 31 Dalziel Road Dunedin

LUC-2014-148 Land Use Consent establish an accessory building on an under-sized rural lot. The outcome was Granted on 07/05/2014.

LUC-2010-515 Land Use Consent establish an existing dwelling on an undersized rural site by subdivision. The outcome was Granted - Environment Court on 28/05/2012.

SUB-2010-114 Subdivision Consent boundary adjustment. The outcome was Granted - Environment Court on 28/05/2012.

RMA-1998-362460 Resource Management Act (Historical Data) CONSTRUCTED OF PROPOSED SHED WHICH FAILS TO COMPLY WITH FRONT AND SIDE YARD REQUIREMENTS. Hazards Comments: (Non-Notified - Unrestricted Discretionary). The outcome was Granted on 20/11/1998.

5119833 33 Dalziel Road Dunedin

SUB-2012-92/A Subdivision Consent s127 variation to conditions. The outcome was s127 Upheld on 05/11/2013.

SUB-2012-92 Subdivision Consent Stage 2. The outcome was Staged Subdivision on 30/04/2013.

SUB-2012-92 Subdivision Consent Stage 1. The outcome was Staged Subdivision on 31/07/2013.

LUC-2012-504 Land Use Consent consequential land use for residential activity on undersized lots. The outcome was Granted on 30/04/2013.

SUB-2012-92 Subdivision Consent subdivision creating 9 lots. The outcome was Granted on 30/04/2013.

SUB-2010-114 Subdivision Consent boundary adjustment. The outcome was Granted - Environment Court on 28/05/2012.

5119835 37 Dalziel Road Dunedin

LUC-2014-574 Land Use Consent earthworks. The outcome was Granted on 09/12/2014.

SUB-2012-92/A Subdivision Consent s127 variation to conditions. The outcome was s127 Upheld on 05/11/2013.

SUB-2012-92 Subdivision Consent Stage 2. The outcome was Staged Subdivision on 30/04/2013.

SUB-2012-92 Subdivision Consent Stage 1. The outcome was Staged Subdivision on 31/07/2013.

LUC-2012-504 Land Use Consent consequential land use for residential activity on undersized lots. The outcome was Granted on 30/04/2013.

SUB-2012-92 Subdivision Consent subdivision creating 9 lots. The outcome was Granted on 30/04/2013.

SUB-2010-114 Subdivision Consent boundary adjustment. The outcome was Granted - Environment Court on 28/05/2012.

5119836 39 Dalziel Road Dunedin

SUB-2012-92/A Subdivision Consent s127 variation to conditions. The outcome was s127 Upheld on 05/11/2013.

SUB-2012-92 Subdivision Consent Stage 2. The outcome was Staged Subdivision on 30/04/2013.

SUB-2012-92 Subdivision Consent Stage 1. The outcome was Staged Subdivision on 31/07/2013.

LUC-2012-504 Land Use Consent consequential land use for residential activity on undersized lots. The outcome was Granted on 30/04/2013.

SUB-2012-92 Subdivision Consent subdivision creating 9 lots. The outcome was Granted on 30/04/2013.

SUB-2010-114 Subdivision Consent boundary adjustment. The outcome was Granted - Environment Court on 28/05/2012.

5119837 41 Dalziel Road Dunedin

LUC-2015-291 Land Use Consent land use consequential to a subdivision consent. There has been no outcome yet.

SUB-2015-54 Subdivision Consent subdivision creating 30 lots. There has been no outcome yet.

LUC-2013-445 Land Use Consent land use consequential to a subdivision consent. The outcome was Granted on 05/11/2013.

SUB-2012-92/A Subdivision Consent s127 variation to conditions. The outcome was s127 Upheld on 05/11/2013.

SUB-2012-92 Subdivision Consent Stage 2. The outcome was Staged Subdivision on 30/04/2013.

SUB-2012-92 Subdivision Consent Stage 1. The outcome was Staged Subdivision on 31/07/2013.

LUC-2012-504 Land Use Consent consequential land use for residential activity on undersized lots. The outcome was Granted on 30/04/2013.

SUB-2012-92 Subdivision Consent subdivision creating 9 lots. The outcome was Granted on 30/04/2013.

SUB-2010-114 Subdivision Consent boundary adjustment. The outcome was Granted - Environment Court on 28/05/2012.

5119838 43 Dalziel Road Dunedin

LUC-2015-291 Land Use Consent land use consequential to a subdivision consent. There has been no outcome yet.

SUB-2015-54 Subdivision Consent subdivision creating 30 lots. There has been no outcome yet.

SUB-2012-92/A Subdivision Consent s127 variation to conditions. The outcome was s127 Upheld on 05/11/2013.

SUB-2012-92 Subdivision Consent Stage 2. The outcome was Staged Subdivision on 30/04/2013.

SUB-2012-92 Subdivision Consent Stage 1. The outcome was Staged Subdivision on 31/07/2013.

LUC-2012-504 Land Use Consent consequential land use for residential activity on undersized lots. The outcome was Granted on 30/04/2013.

SUB-2012-92 Subdivision Consent subdivision creating 9 lots. The outcome was Granted on 30/04/2013.

SUB-2010-114 Subdivision Consent boundary adjustment. The outcome was Granted - Environment Court on 28/05/2012.

5119839 45 Dalziel Road Dunedin

SUB-2012-92/A Subdivision Consent s127 variation to conditions. The outcome was s127 Upheld on 05/11/2013.

SUB-2012-92 Subdivision Consent Stage 2. The outcome was Staged Subdivision on 30/04/2013.

SUB-2012-92 Subdivision Consent Stage 1. The outcome was Staged Subdivision on 31/07/2013.

LUC-2012-504 Land Use Consent consequential land use for residential activity on undersized lots. The outcome was Granted on 30/04/2013.

SUB-2012-92 Subdivision Consent subdivision creating 9 lots. The outcome was Granted on 30/04/2013.

SUB-2010-114 Subdivision Consent boundary adjustment. The outcome was Granted - Environment Court on 28/05/2012.

5119840 47 Dalziel Road Dunedin

LUC-2015-291 Land Use Consent land use consequential to a subdivision consent. There has been no outcome yet.

SUB-2015-54 Subdivision Consent subdivision creating 30 lots. There has been no outcome yet.

SUB-2012-92/A Subdivision Consent s127 variation to conditions. The outcome was s127 Upheld on 05/11/2013.

SUB-2012-92 Subdivision Consent Stage 2. The outcome was Staged Subdivision on 30/04/2013.

SUB-2012-92 Subdivision Consent Stage 1. The outcome was Staged Subdivision on 31/07/2013.

LUC-2012-504 Land Use Consent consequential land use for residential activity on undersized lots. The outcome was Granted on 30/04/2013.

SUB-2012-92 Subdivision Consent subdivision creating 9 lots. The outcome was Granted on 30/04/2013.

SUB-2010-114 Subdivision Consent boundary adjustment. The outcome was Granted - Environment Court on 28/05/2012.

5119841 49 Dalziel Road Dunedin

LUC-2015-291 Land Use Consent land use consequential to a subdivision consent. There has been no outcome yet.

SUB-2015-54 Subdivision Consent subdivision creating 30 lots. There has been no outcome yet.

SUB-2012-92/A Subdivision Consent s127 variation to conditions. The outcome was s127 Upheld on 05/11/2013.

SUB-2012-92 Subdivision Consent Stage 2. The outcome was Staged Subdivision on 30/04/2013.

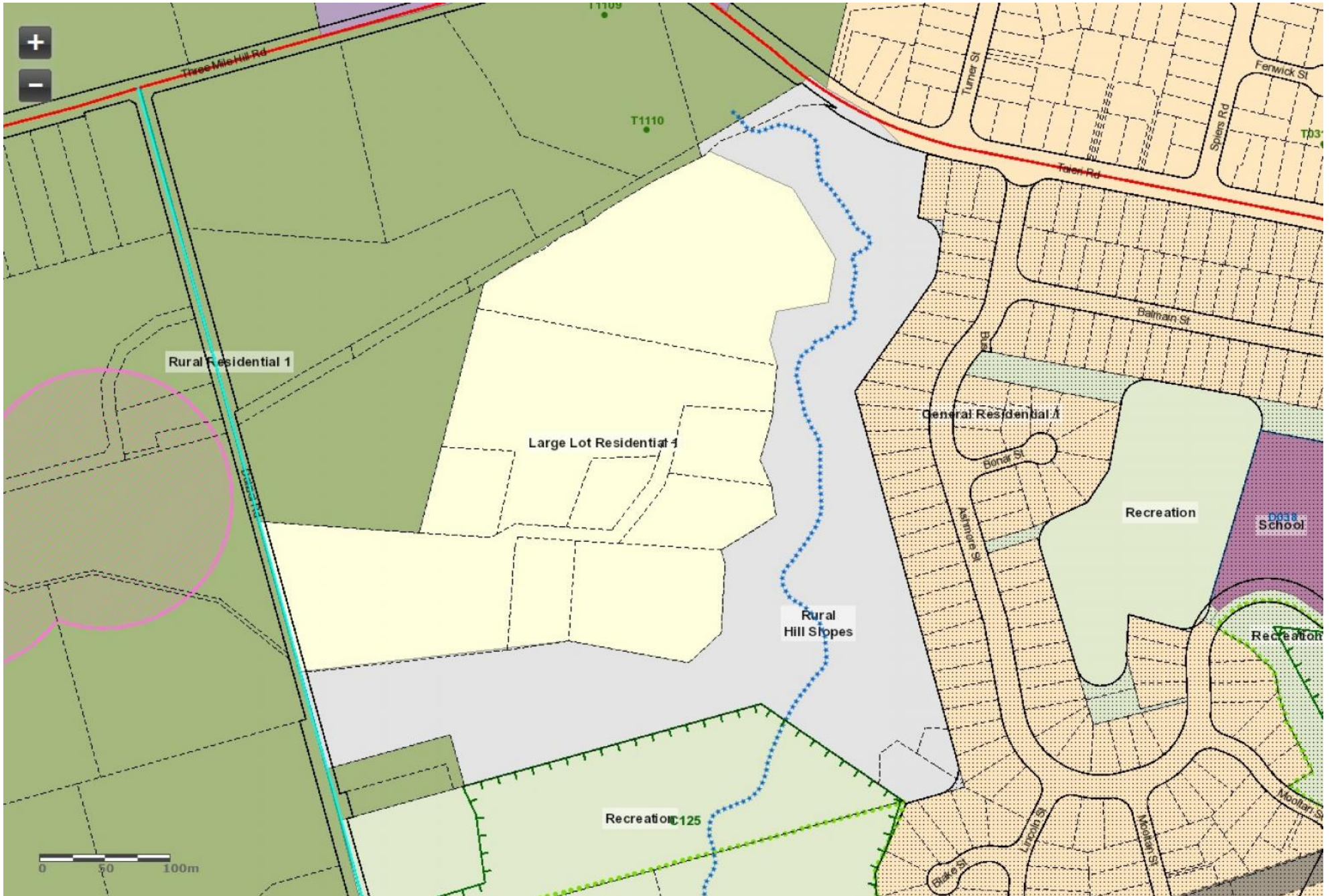
SUB-2012-92 Subdivision Consent Stage 1. The outcome was Staged Subdivision on 31/07/2013.

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SUB-2012-92 Subdivision Consent subdivision creating 9 lots. The outcome was Granted on 30/04/2013.

SUB-2010-114 Subdivision Consent boundary adjustment. The outcome was Granted - Environment Court on 28/05/2012.

2GP Zoning Map of application property and surrounding land.



Affected Person(s) Written Approval Form

50 The Octagon, PO Box 5045, Moray Place, Dunedin 9058. Ph 477 4000
www.dunedin.govt.nz

IMPORTANT: Please read the back of this form to ensure you are aware of your rights.

Please be aware that these details are available to the public.

To: Resource Consents Team, City Planning, Dunedin City Council, PO Box 5045, Moray Place, Dunedin 9058

I/We (full names): James Russell Hawker and Joanne Mary Hawker

being the: Owner Occupier Owner and Occupier

of the property situated at (address and/or legal description of your property):

33 Dalziel Road, Halfway Bush Dunedin

have read and understand the information on the reverse side of this page and written approval to the proposal by (name of applicant(s)):

RPR PROPERTIES LIMITED

to (description of proposed activity):

To surrender the Titles for Lot 8 and Lot 9 as defined in Consent Number # SUB2012-92, LUC2012-504, and applying on a non notified basis for the creation of two new Titles of 2000m2 each, to be contained within the existing Lot 5. Lot 18 as contained in proposed Consent Number #SUB2015-54, LUC2015-291, is to take over the existing Lot 5 Title. The balance of Lot 5, Lot 8, and Lot 9 to be amalgamated into Lot 7. Effectively this means that two existing Titled Lots 8 and 9 will be exchanged for two new Titles as contained in the proposed plan, eg 3x existing Titles for 3x new Titles, therefore no change in the number of Titles and the number of properties permitted to enter and exit to and from Dalziel Road.

on the following property (address of application site):

35 Dalziel Road Lot 5 39 Dalziel Road Lot 8 41 Dalziel Road Lot 9
49 Dalziel Road Lot 7

I/we have read and understand the application.

I/we have signed and dated the application and plans as attached.

Where there are multiple owners or occupiers on a site, each party needs to individually sign the application documents and this form; or Tick the declaration box below:

I am authorised to give written approval on behalf of all owners and/or occupiers (delete one) of this site.

Signed: [Signature]

Date: 16/5/2016 Telephone: 03 777 3130

If you have any queries regarding the Resource Consent process and the role and rights of adversely affected person(s), please contact us before you complete and sign this form and the associated plans.

Resource Consents Team
City Planning Department
Dunedin City Council
Telephone: 477 4000
PO Box 5045, Moray Place, Dunedin 9058
www.dunedin.govt.nz

Written Approval of Affected Person(s) in Relation to an Application for Resource Consent under the Resource Management Act 1991

Introduction

Any proposal to do something that is not a Permitted Activity in the Dunedin City District Plan requires a Resource Consent.

If you have been asked to sign this form, it will be because your neighbour proposes to do something that is not a Permitted Activity, and therefore their proposal requires a Resource Consent. This is not a bad thing in itself, but the Resource Consent process provides the opportunity to determine whether the proposal can be granted consent in terms of the Resource Management Act 1991.

Why is your written approval required?

If an application for a Resource Consent is to be processed as a non-notified application, the Resource Management Act 1991 requires that:

- The activity have or be likely to have adverse effects on the environment that are no more than minor; and
- Written approval be obtained from all affected persons, in relation to an activity, if the activity's adverse effects on the parties are minor or more than minor (but are not less than minor).

If you have been asked to give your written approval it is because you may be adversely affected by the proposed activity. However, just because your written approval is being sought does not mean that you are definitely adversely affected. The affected persons written approval process is designed to give you the opportunity to consider the particular proposal and decide for yourself whether you are adversely affected and/or the degrees to which you may be adversely affected.

What should you do?

If you are asked to give your written approval to someone's proposal as part of their application for a Resource Consent, you should do the following:

1. Request that your neighbour (or their representative) explain the proposal clearly and fully to you.
2. Study the application and associated plans for the proposed activity provided by them in order to understand the effects of the proposal. If there are no plans available at this stage, you are quite entitled to wait until they are available.
3. Decide whether the proposal will adversely affect you or your property and, if so, to what extent. You can take your time over this decision and you are quite entitled to ask the applicant for more information. You may suggest amendments to the proposal that you consider improve aspects of the proposal in terms of its adverse effects on you.
4. If you are satisfied that the proposed activity will not adversely affect you, complete and sign the affected person/s written approval form on the reverse side of this page and sign a copy of the associated plans. If you wish to give written approval to the proposed activity subject to conditions, these should be discussed with your neighbour (or their representative) directly and a satisfactory conclusion reached before your written approval is given. This may require your neighbour amending the application or plans, or entering into a private (side) agreement with you. The Council will not enter into any negotiations on the subject.
5. Return all documentation to your neighbour (or their representative).

Please note that:

- You do not have to give written approval if you are unhappy with what is being proposed;
- The Council will not get involved in any negotiations between you and the applicant;
- The Council will not accept conditional written approvals;
- Side agreements do not bind the Council in any way.

Important information

Please note that even though you may sign the affected person(s) written approval form, the Council must still give full consideration to the application in terms of the Resource Management Act 1991. However, if you give your approval to the application, the Council cannot have regard to any actual or potential effects that the proposal may have on you. If Resource Consent is granted by the Council there is no way for either you or the Council to retract the Resource Consent later. You are therefore encouraged to weigh up all the effects of the proposed activity before giving written approval to it.

If you do not give your approval, and you are considered to be an adversely affected party, then the application must be treated as a limited notified or publicly notified application, as a result of which you will have a formal right of objection by way of submission.

If you change your mind after giving your written approval to the proposed activity, your written approval may only be withdrawn and the effects on you considered for the notification decision if a final decision on affected parties has not already been made by the Council. Accordingly, you need to contact the Council immediately if you do wish to withdraw your written approval.

For further information

Read the Council's "Written Approvals of Affected Persons - What Are They?" pamphlet.

Refer to the Ministry for the Environment's publication "Your Rights as an Affected Person" available on www.mfe.govt.nz.

Affected Person(s) Written Approval Form

50 The Octagon, PO Box 5045, Moray Place, Dunedin 9058. Ph 477 4000

www.dunedin.govt.nz

IMPORTANT: Please read the back of this form to ensure you are aware of your rights.

Please be aware that these details are available to the public.

To: Resource Consents Team, City Planning, Dunedin City Council, PO Box 5045, Moray Place, Dunedin 9058

I/We (full names): Justin Lindsay Geddes & Vanessa Lauren Geddes

being the: Owner Occupier Owner and Occupier

of the property situated at (address and/or legal description of **your property**):

35 Dalziel Road, Dunedin

have read and understand the information on the reverse side of this page and written approval to the proposal by (name of applicant(s)):

RPR PROPERTIES LIMITED

to (description of proposed activity):

To surrender the Titles for Lot 8 and Lot 9 as defined in Consent Number # SUB2012-92, LUC2012-504, and applying on a non notified basis for the creation of two new Titles of 2000m2 each, to be contained within the existing Lot 5. Lot 18 as contained in proposed Consent Number #SUB2015-54, LUC2015-291, is to take over the existing Lot 5 Title. The balance of Lot 5, Lot 8, and Lot 9 to be amalgamated into Lot 7. Effectively this means that two existing Titled Lots 8 and 9 will be exchanged for two new Titles as contained in the proposed plan, eg 3x existing Titles for 3x new Titles, therefore no change in the number of Titles and the number of properties permitted to enter and exit to and from Dalziel Road.

on the following property (address of **application site**):

35 Dalziel Road Lot 5 39 Dalziel Road Lot 8 41 Dalziel Road Lot 9
49 Dalziel Road Lot 7

I/we have read and understand the application.

I/we have signed and dated the application and plans as attached.

Where there are multiple owners or occupiers on a site, each party needs to individually sign the application documents and this form; or Tick the declaration box below:

I am authorised to give written approval on behalf of all owners and/or occupiers (delete one) of this site.

Signed: [Signatures]

Date: 30/5/2016

Telephone: 027 487 6487

If you have any queries regarding the Resource Consent process and the role and rights of adversely affected person(s), please contact us before you complete and sign this form and the associated plans.

Resource Consents Team
City Planning Department
Dunedin City Council
Telephone: 477 4000
PO Box 5045, Moray Place, Dunedin 9058

www.dunedin.govt.nz

Written Approval of Affected Person(s) in Relation to an Application for Resource Consent under the Resource Management Act 1991

Introduction

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Why is your written approval required?

If an application for a Resource Consent is to be processed as a non-notified application, the Resource Management Act 1991 requires that:

- The activity have or be likely to have adverse effects on the environment that are no more than minor; and
- Written approval be obtained from all affected persons, in relation to an activity, if the activity's adverse effects on the parties are minor or more than minor (but are not less than minor).

If you have been asked to give your written approval it is because you may be adversely affected by the proposed activity. However, just because your written approval is being sought does not mean that you are definitely adversely affected. The affected persons written approval process is designed to give you the opportunity to consider the particular proposal and decide for yourself whether you are adversely affected and/or the degrees to which you may be adversely affected.

What should you do?

If you are asked to give your written approval to someone's proposal as part of their application for a Resource Consent, you should do the following:

1. Request that your neighbour (or their representative) explain the proposal clearly and fully to you.
2. Study the application and associated plans for the proposed activity provided by them in order to understand the effects of the proposal. If there are no plans available at this stage, you are quite entitled to wait until they are available.
3. Decide whether the proposal will adversely affect you or your property and, if so, to what extent. You can take your time over this decision and you are quite entitled to ask the applicant for more information. You may suggest amendments to the proposal that you consider improve aspects of the proposal in terms of its adverse effects on you.
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5. Return all documentation to your neighbour (or their representative).

Please note that:

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- The Council will not get involved in any negotiations between you and the applicant;
- The Council will not accept conditional written approvals;
- Side agreements do not bind the Council in any way.

Important information

Please note that even though you may sign the affected person(s) written approval form, the Council must still give full consideration to the application in terms of the Resource Management Act 1991. However, if you give your approval to the application, the Council cannot have regard to any actual or potential effects that the proposal may have on you. If Resource Consent is granted by the Council there is no way for either you or the Council to retract the Resource Consent later. You are therefore encouraged to weigh up all the effects of the proposed activity before giving written approval to it.

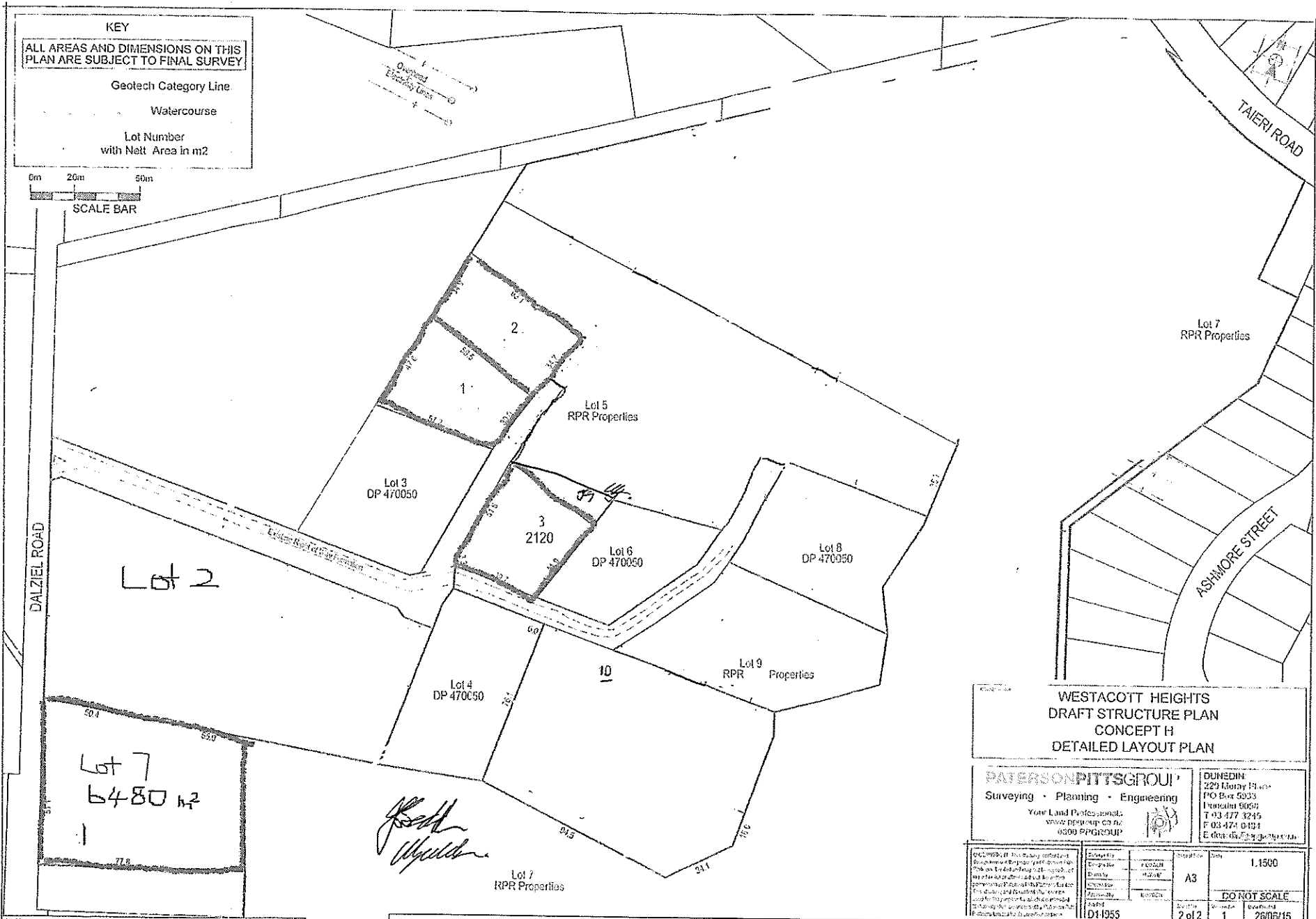
If you do not give your approval, and you are considered to be an adversely affected party, then the application must be treated as a limited notified or publicly notified application, as a result of which you will have a formal right of objection by way of submission.

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For further information

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 E dunn@ppsgroup.co.nz

<small>© Crown Copyright 2015. All rights reserved. This document is the property of PatersonPitts Group Limited. It is to be used only for the purposes for which it is issued and is not to be distributed, copied, or otherwise used without the prior written consent of PatersonPitts Group Limited.</small>	Date: 26/05/15	Scale: 1:1500
	Drawing No: D1-1055	Sheet: 2 of 2

NOTE:
 The area on this plan shown as Lot 7 6480m² has been removed from the proposed subdivision since this form was signed (removed 31/05/16).



Affected Person(s) Written Approval Form

50 The Octagon, PO Box 5045, Moray Place, Dunedin 9058. Ph 477 4000
www.dunedin.govt.nz

IMPORTANT: Please read the back of this form to ensure you are aware of your rights.

Please be aware that these details are available to the public.

To: Resource Consents Team, City Planning, Dunedin City Council, PO Box 5045, Moray Place, Dunedin 9058

#We (full names): Peter Francis Mortimer, Rachel Anne Mortimer

being the: Owner Occupier Owner and Occupier

of the property situated at (address and/or legal description of **your property**):

37 Dalziel Rd.

have read and understand the information on the reverse side of this page and **written approval to the proposal** by (**name of applicant(s)**):

RPR PROPERTIES LIMITED

to (description of proposed activity):

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on the following property (address of **application site**):

35 Dalziel Road Lot 5 39 Dalziel Road Lot 8 41 Dalziel Road Lot 9
49 Dalziel Road Lot 7

I/we have read and understand the application.

I/we have signed and dated the application and plans as attached.

Where there are multiple owners or occupiers on a site, each party needs to individually sign the application documents and this form; or Tick the declaration box below:

I am authorised to give written approval on behalf of all owners and/or occupiers (delete one) of this site.

Signed: [Signatures]

Date: 17/5/16 17/5/16 Telephone: 03 476 2000

If you have any queries regarding the Resource Consent process and the role and rights of adversely affected person(s), please contact us before you complete and sign this form and the associated plans.

Resource Consents Team
City Planning Department
Dunedin City Council
Telephone: 477 4000
PO Box 5045, Moray Place, Dunedin 9058
www.dunedin.govt.nz

Written Approval of Affected Person(s) in Relation to an Application for Resource Consent under the Resource Management Act 1991

Introduction

Any proposal to do something that is not a Permitted Activity in the Dunedin City District Plan requires a Resource Consent.

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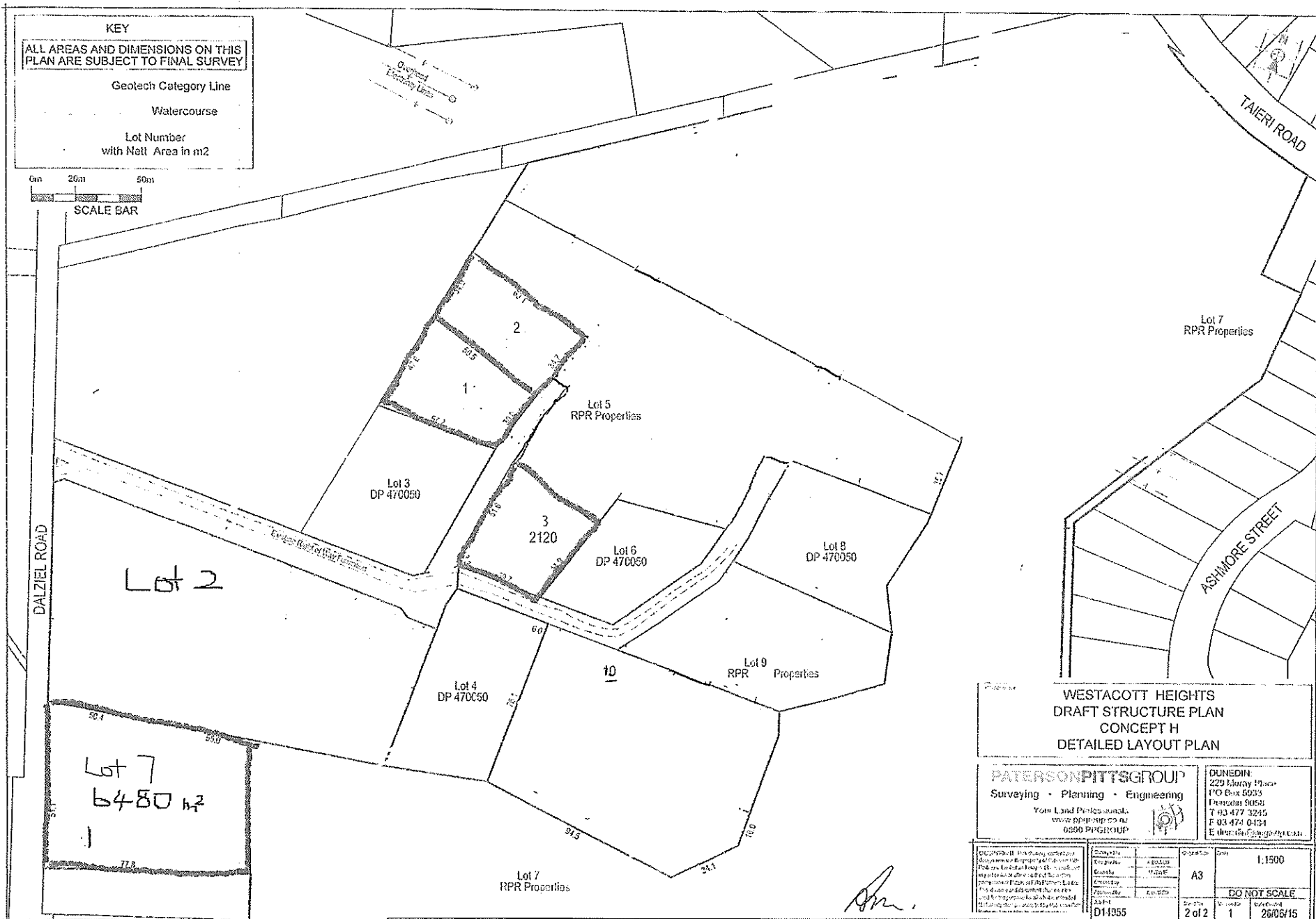
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**WESTACOTT HEIGHTS
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 F 03 474 0434
 E dunedin@ppgroup.co.nz

<small>DISCLAIMER: This survey contains information prepared by a registered professional surveyor for the purposes of the Resource Management Act 1991. It is not to be used for any other purpose without the written consent of PatersonPittsGroup. The information is provided as a service to the client and is not to be relied upon for any other purpose. The client is responsible for ensuring that the information is used for the intended purpose.</small>	Date: 15/05/16 Drawn by: [Signature] Checked by: [Signature]	Sheet: A3 of: 2 of 2 Scale: 1:1500 Date: 26/06/15
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NOTE:
 The area on this plan shown as Lot 7 6480m² has been removed from the proposed subdivision since this form was signed (removed 31/05/16).



Affected Person(s) Written Approval Form

50 The Octagon, PO Box 5045, Moray Place, Dunedin 9058. Ph 477 4000
www.dunedin.govt.nz

IMPORTANT: Please read the back of this form to ensure you are aware of your rights.

Please be aware that these details are available to the public.

To: Resource Consents Team, City Planning, Dunedin City Council, PO Box 5045, Moray Place, Dunedin 9058

I/We (full names): CHRISTOPHER JAMES FAHEY + Rebecca Jean Fahey

being the: Owner Occupier Owner and Occupier

of the property situated at (address and/or legal description of your property):

43 DALZIEL ROAD, LOT 10, DP 470050

have read and understand the information on the reverse side of this page and written approval to the proposal by (name of applicant(s)):

RPR PROPERTIES LIMITED

to (description of proposed activity):

To surrender the Titles for Lot 8 and Lot 9 as defined in Consent Number # SUB2012-92, LUC2012-504, and applying on a non notified basis for the creation of two new Titles of 2000m2 each, to be contained within the existing Lot 5. Lot 18 as contained in proposed Consent Number #SUB2015-54, LUC2015-291, is to take over the existing Lot 5 Title. The balance of Lot 5, Lot 8, and Lot 9 to be amalgamated into Lot 7. Effectively this means that two existing Titled Lots 8 and 9 will be exchanged for two new Titles as contained in the proposed plan, eg 3x existing Titles for 3x new Titles, therefore no change in the number of Titles and the number of properties permitted to enter and exit to and from Dalziel Road.

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35 Dalziel Road Lot 5 39 Dalziel Road Lot 8 41 Dalziel Road Lot 9
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I/we have read and understand the application.

I/we have signed and dated the application and plans as attached.

Where there are multiple owners or occupiers on a site, each party needs to individually sign the application documents and this form; or Tick the declaration box below:

I am authorised to give written approval on behalf of all owners and/or occupiers (delete one) of this site.

Signed: [Signature] R. Fahey

Date: 16-MAY-2016 Telephone: 0274893262

If you have any queries regarding the Resource Consent process and the role and rights of adversely affected person(s), please contact us before you complete and sign this form and the associated plans.

Resource Consents Team
City Planning Department
Dunedin City Council
Telephone: 477 4000
PO Box 5045, Moray Place, Dunedin 9058
www.dunedin.govt.nz

Written Approval of Affected Person(s) in Relation to an Application for Resource Consent under the Resource Management Act 1991

Introduction

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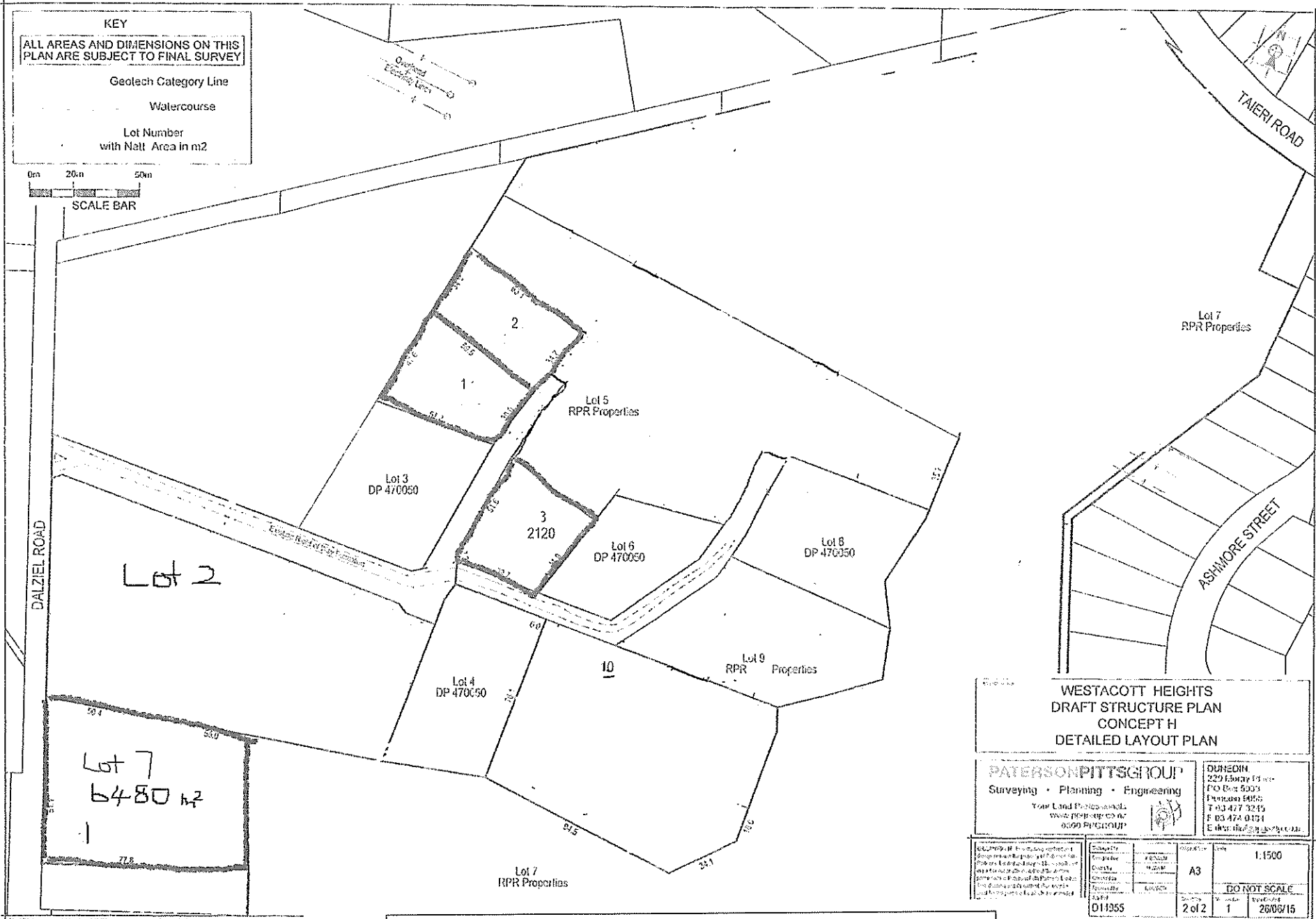
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CF Rt.



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NOTE:
 The area on this plan shown as Lot 7 6480m² has been removed from the proposed subdivision since this form was signed (removed 31/05/16).

CF KA

Affected Person(s) Written Approval Form

52 The Octagon, PO Box 5045, Moray Place, Dunedin 9058 Ph 477 4000
www.dunedin.govt.nz

IMPORTANT: Please read the back of this form to ensure you are aware of your rights.

Please be aware that these details are available to the public.

To: Resource Consents Team, City Planning, Dunedin City Council, PO Box 5045, Moray Place, Dunedin 9058

We (full names): Andrea Kate Usher and James Edgeworth Usher

being the: Owner Occupier Owner and Occupier

of the property situated at (address and/or legal description of your property):

46 Dalziel Rd

Have read and understand the information on the reverse side of this page and **written approval to the proposal of (name of applicant(s)):**

RPR PROPERTIES LIMITED

to (description of proposed activity):

To surrender the Titles for Lot 8 and Lot 9 as defined in Consent Number # SUB2012-92, LUC2012-504, and applying on a non notified basis for the creation of two new Titles of 2000m² each, to be contained within the existing Lot 5. Lot 18 as contained in proposed Consent Number #SUB2015-54, LUC2015-291, is to take over the existing Lot 5 Title. The balance of Lot 5, Lot 8, and Lot 9 to be amalgamated into Lot 7. Effectively this means that two existing Titled Lots 8 and 9 will be exchanged for two new Titles as contained in the proposed plan, eg 3x existing Titles for 3x new Titles, therefore no change in the number of Titles and the number of properties permitted to enter and exit to and from Dalziel Road.

on the following property (address of application site):

35 Dalziel Road Lot 5 39 Dalziel Road Lot 8 41 Dalziel Road Lot 9
49 Dalziel Road Lot 7

I/we have read and understand the application.

I/we have signed and dated the application and plans as attached.

Where there are multiple owners or occupiers on a site, each party needs to individually sign the application documents and this form, or Tick the declaration box below.

I am authorised to give written approval on behalf of all owners and/or occupiers (delete one) of this site

Signed: Andrea Usher

Date: 25/05/16

Telephone: 0220965827

If you have any queries regarding the Resource Consent process and the role and rights of adversely affected person(s), please contact us before you complete and sign this form and the associated plans.

Resource Consents Team
City Planning Department
Dunedin City Council
Telephone: 477 4000
PO Box 5045, Moray Place, Dunedin 9058

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Written Approval of Affected Person(s) in Relation to an Application for Resource Consent under the Resource Management Act 1991

Introduction

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To: Resource Consents Team, City Planning, Dunedin City Council, PO Box 5045, Moray Place, Dunedin 9058

I/We (full names): R.P.R. PROPERTIES LTD.

being the: Owner Occupier Owner and Occupier

of the property situated at (address and/or legal description of your property):

47 DALZIEL ROAD LOT 2 D.P.#70050 C.T 634078

have read and understand the information on the reverse side of this page and written approval to the proposal by (name of applicant(s)):

RPR PROPERTIES LIMITED

to (description of proposed activity):

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I am authorised to give written approval on behalf of all owners and/or occupiers (delete one) of this site.

Signed: [Signature] DIRECTOR R.P.R. PROPERTIES LTD

Date: 18-5-2016 Telephone: 0275167777

If you have any queries regarding the Resource Consent process and the role and rights of adversely affected person(s), please contact us before you complete and sign this form and the associated plans.

Resource Consents Team
City Planning Department
Dunedin City Council
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PO Box 5045, Moray Place, Dunedin 9058
www.dunedin.govt.nz

Written Approval of Affected Person(s) in Relation to an Application for Resource Consent under the Resource Management Act 1991

Introduction

Any proposal to do something that is not a Permitted Activity in the Dunedin City District Plan requires a Resource Consent.

If you have been asked to sign this form, it will be because your neighbour proposes to do something that is not a Permitted Activity, and therefore their proposal requires a Resource Consent. This is not a bad thing in itself, but the Resource Consent process provides the opportunity to determine whether the proposal can be granted consent in terms of the Resource Management Act 1991.

Why is your written approval required?

If an application for a Resource Consent is to be processed as a non-notified application, the Resource Management Act 1991 requires that:

- The activity have or be likely to have adverse effects on the environment that are no more than minor; and
- Written approval be obtained from all affected persons, in relation to an activity, if the activity's adverse effects on the parties are minor or more than minor (but are not less than minor).

If you have been asked to give your written approval it is because you may be adversely affected by the proposed activity. However, just because your written approval is being sought does not mean that you are definitely adversely affected. The affected persons written approval process is designed to give you the opportunity to consider the particular proposal and decide for yourself whether you are adversely affected and/or the degrees to which you may be adversely affected.

What should you do?

If you are asked to give your written approval to someone's proposal as part of their application for a Resource Consent, you should do the following:

1. Request that your neighbour (or their representative) explain the proposal clearly and fully to you.
2. Study the application and associated plans for the proposed activity provided by them in order to understand the effects of the proposal. If there are no plans available at this stage, you are quite entitled to wait until they are available.
3. Decide whether the proposal will adversely affect you or your property and, if so, to what extent. You can take your time over this decision and you are quite entitled to ask the applicant for more information. You may suggest amendments to the proposal that you consider improve aspects of the proposal in terms of its adverse effects on you.
4. If you are satisfied that the proposed activity will not adversely affect you, complete and sign the affected person/s written approval form on the reverse side of this page and sign a copy of the associated plans. If you wish to give written approval to the proposed activity subject to conditions, these should be discussed with your neighbour (or their representative) directly and a satisfactory conclusion reached before your written approval is given. This may require your neighbour amending the application or plans, or entering into a private (side) agreement with you. The Council will not enter into any negotiations on the subject.
5. Return all documentation to your neighbour (or their representative).

Please note that:

- You do not have to give written approval if you are unhappy with what is being proposed;
- The Council will not get involved in any negotiations between you and the applicant;
- The Council will not accept conditional written approvals;
- Side agreements do not bind the Council in any way.

Important information

Please note that even though you may sign the affected person(s) written approval form, the Council must still give full consideration to the application in terms of the Resource Management Act 1991. However, if you give your approval to the application, the Council cannot have regard to any actual or potential effects that the proposal may have on you. If Resource Consent is granted by the Council there is no way for either you or the Council to retract the Resource Consent later. You are therefore encouraged to weigh up all the effects of the proposed activity before giving written approval to it.

If you do not give your approval, and you are considered to be an adversely affected party, then the application must be treated as a limited notified or publicly notified application, as a result of which you will have a formal right of objection by way of submission.

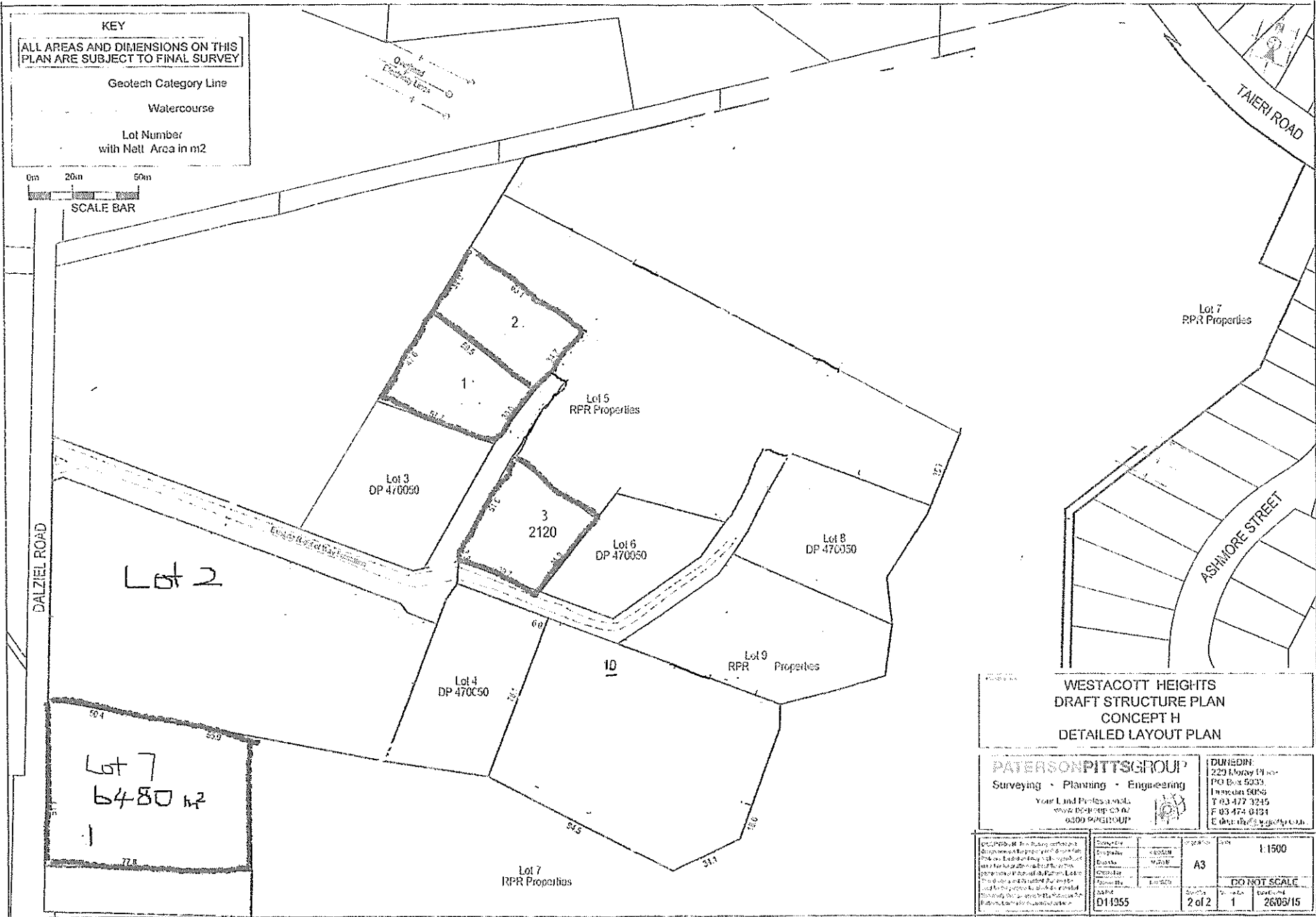
If you change your mind after giving your written approval to the proposed activity, your written approval may only be withdrawn and the effects on you considered for the notification decision if a final decision on affected parties has not already been made by the Council. Accordingly, you need to contact the Council immediately if you do wish to withdraw your written approval.

For further information

Read the Council's "Written Approvals of Affected Persons - What Are They?" pamphlet.

Refer to the Ministry for the Environment's publication "Your Rights as an Affected Person" available on www.mfe.govt.nz.





[Signature] 18-5-2016

NOTE:
 The area on this plan shown as Lot 7 6480m² has been removed from the proposed subdivision since this form was signed (removed 31/05/16).