



Application Form for a Resource Consent

50 The Octagon, PO Box 5045, Moray Place
Dunedin 9058, New Zealand
Ph 03 477 4000 | www.dunedin.govt.nz

PLEASE FILL IN ALL THE FIELDS

Application details

I/We Otago Boys Hostel (must be the FULL name(s) of an individual or an entity registered with the New Zealand Companies Office. Family Trust names and unofficial trading names are not acceptable: in those situations, use the trustee(s) and director(s) names instead) hereby apply for:

Land Use Consent Subdivision Consent

I opt out/do not opt out (delete one) of the fast-track consent process (only applies to controlled activities under the district plan, where an electronic address for service is provided)

Brief description of the proposed activity: Establish car park and recreation area at 17 and 17A Melrose Street - See attached

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

Site location/description

I am/We are the: owner occupier lessee prospective purchaser of the site (tick one)

Street Address of Site: 17 and 17A Melrose Street

Legal Description: Lot 1 DP 4879065 (CFR 702735) and Lot 2 DP489065 (CFR702736)

Certificate of Title: _____

Contact details

Name: Kirstyn Lindsay (applicant/agent (delete one))

Address: 29 Rosebery Street, Belleknowes, Dunedin Postcode: 9011

Phone (daytime): 0273088950 Email: kirstyn@planningsouth.nz

Chosen contact method (this will be the first point of contact for all communications for this application)

I wish the following to be used as the address for service: email post other _____ (tick one)

Address for invoices or refunds (if different from above)

Name: Otago Boys' Hostel

Address: 25 Melrose Street Dunedin

Ownership of the site

Who is the current owner of the site? Hostel Swanns Ltd.

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

Address: 110 KPMG, Level 3, 62 Worcester Street Christchurch Postcode: 8013

Phone (daytime): _____ Email: clowan@swanns.net.nz

Occupation of the site

Please list the full name and address of each occupier of the site: _____

See attached

Monitoring of your Resource Consent

To assist with setting a date for monitoring, please estimate the date of completion of the work for which Resource Consent is required. Your Resource Consent may 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, if granted, may be monitored three years from the decision date).

18 months from granting _____ (month and year)

Monitoring is an additional cost over and above consent processing. You may be charged at the time of the consent being issued or at the time monitoring occurs. Please refer to City Planning's Schedule of Fees for the current monitoring fee.

Detailed description of proposed activity

Please describe the proposed activity for the site, giving as much detail as possible. Where relevant, discuss the bulk and location of buildings, parking provision, traffic movements, manoeuvring, noise generation, signage, hours of operation, number of people on-site, number of visitors etc. Please provide proposed site plans and elevations.

See attached

Description of site and existing activity

Please describe the existing site, its size, location, orientation and slope. Describe the current usage and type of activity being carried out on the site. Where relevant, discuss the bulk and location of buildings, parking provision, traffic movements, manoeuvring, noise generation, signage, hours of operation, number of people on-site, number of visitors etc. Please also provide plans of the existing site and buildings. Photographs may help.

See attached

_____ (Attach separate sheets if necessary)

District plan zoning

What is the District Plan zoning of the site? Residential 1

Are there any overlaying District Plan requirements that apply to the site e.g. in a Landscape Management Area, in a Townscape or Heritage Precinct, Scheduled Buildings on-site etc? If unsure, please check with City Planning staff.

N/A

Breaches of district plan rules

Please detail the rules that will be breached by the proposed activity on the site (if any). Also detail the degree of those breaches. In most circumstances, the only rules you need to consider are the rules from the zone in which your proposal is located. However, you need to remember to consider not just the Zone rules but also the Special Provisions rules that apply to the activity. If unsure, please check with City Planning staff or the Council website.

See attached

Affected persons' approvals

I/We have obtained the written approval of the following people/organisations and they have signed the plans of the proposal:

Name: See attached

Address: _____

Name: _____

Address: _____

Please note: You must submit the completed written approval form(s), and any plans signed by affected persons, with this application, unless it is a fully notified application in which case affected persons' approvals need not be provided with the application. If a written approval is required, but not obtained from an affected person, it is likely that the application will be fully notified or limited notified.

Assessment of Effects on Environment (AEE)

In this section you need to consider what effects your proposal will have on the environment. You should discuss all actual and potential effects on the environment arising from this proposal. The amount of detail provided must reflect the nature and scale of the development and its likely effect. i.e. small effect equals small assessment.

You can refer to the Council's relevant checklist and brochure on preparing this assessment. If needed there is the Ministry for the Environment's publication "A Guide to Preparing a Basic Assessment of Environmental Effects" available on www.mfe.govt.nz. Schedule 4 of the Resource Management Act 1991(RMA) provides some guidance as to what to include.

See attached

(Attach separate sheets if necessary)

The following additional Resource Consents from the Otago Regional Council are required and have/have not (delete one) been applied for:

- Water Permit Discharge Permit Coastal Permit Land Use Consent for certain uses of lake beds and rivers Not applicable

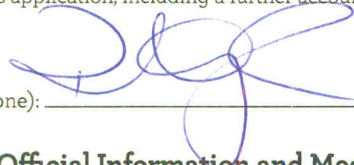
Declaration

I certify that, to the best of my knowledge and belief, the information given in this application is true and correct.

I accept that I have a legal obligation to comply with any conditions imposed on the Resource Consent should this application be approved.

Subject to my/our rights under section 357B and 358 of the RMA to object to any costs, I agree to pay all the fees and charges levied by the Dunedin City Council for processing this application, including a further account if the cost of processing the application exceeds the deposit paid.

Signature of Applicant/Agent (delete one):



Date:

30/7/18

Privacy – Local Government Official Information and Meetings Act 1987

You should be aware that this document becomes a public record once submitted. Under the above Act, anyone can request to see copies of applications lodged with the Council. The Council is obliged to make available the information requested unless there are grounds under the above Act that justify withholding it. While you may request that it be withheld, the Council will make a decision following consultation with you. If the Council decides to withhold an application, or part of it, that decision can be reviewed by the Office of the Ombudsmen.

Please advise if you consider it necessary to withhold your application, or parts of it, from any persons (including the media) to (tick those that apply):

- Avoid unreasonably prejudicing your commercial position
- Protect information you have supplied to Council in confidence
- Avoid serious offence to tikanga Maori or disclosing location of waahi tapu

What happens when further information is required?

If an application is not in the required form, or does not include adequate information, the Council may reject the application, pursuant to section 88 of the RMA. In addition (section 92 RMA) the Council can request further information from an applicant at any stage through the process where it may help to a better understanding of the nature of the activity, the effects it may have on the environment, or the ways in which adverse effects may be mitigated. The more complete the information provided with the application, the less costly and more quickly a decision will be reached.

Fees

Council recovers all actual and reasonable costs of processing your application. Most applications require a deposit and costs above this deposit will be recovered. A current fees schedule is available on www.dunedin.govt.nz or from Planning staff. Planning staff also have information on the actual cost of applications that have been processed. This can also be viewed on the Council website.

Development contributions

Your application may also be required to pay development contributions under the Council's Development Contributions Policy. For more information please ring 477 4000 and ask to speak to the Development Contributions Officer, or email development.contributions@dcc.govt.nz.

Further assistance

Please discuss your proposal with us if you require any further help with preparing your application. The Council does provide pre-application meetings without charge to assist in understanding the issues associated with your proposal and completing your application. This service is there to help you.

Please note that we are able to provide you with planning information but we cannot prepare the application for you. You may need to discuss your application with an independent planning consultant if you need further planning advice.

City Planning Staff can be contacted as follows:

In Writing: Dunedin City Council, PO Box 5045, Moray Place, Dunedin 9058

In Person: Customer Services Centre, Ground Floor, Civic Centre, 50 The Octagon

By Phone: (03) 477 4000, Fax: (03) 474 3451

By Email: planning@dcc.govt.nz

There is also information on our website at www.dunedin.govt.nz.

Information requirements (two copies required)

- Completed and Signed Application Form
- Description of Activity and Assessment of Effects
- Site Plan, Floor Plan and Elevations (where relevant)
- Certificate of Title (less than 3 months old) including any relevant restrictions (such as consent notices, covenants, encumbrances, building line restrictions)
- Written Approvals
- Forms and plans and any other relevant documentation signed and dated by Affected Persons
- Application Fee (cash, cheque or EFTPOS only; no Credit Cards accepted)
- Bank account details for refunds

In addition, subdivision applications also need the following information

- Number of existing lots. Number of proposed lots.
- Total area of subdivision. The position of all new boundaries.

In order to ensure your application is not rejected or delayed through requests for further information, please make sure you have included all of the necessary information. A full list of the information required for resource consent applications is in the Information Requirements Section of the District Plan.

OFFICE USE ONLY

Has the application been completed appropriately (including necessary information and adequate assessment of effects)?

- Yes No

Application: Received Rejected

Received by: Counter Post Courier Other: _____

Comments: _____

(Include reasons for rejection and/or notes to handling officer)

Planning Officer: _____ Date: _____

30 July 2018

Senior Planner
Dunedin City Council
50 the Octagon
Dunedin

RESOURCE CONSENT APPLICATION - 17 AND 17A MELROSE STREET, DUNEDIN

The applicant, Otago Boys High School, seeks resource consent to authorise a non-complying activity to establish a car-parking and recreation area on the sites located at 17 and 17A Melrose Street, Dunedin. The car parking area will be operated in conjunction with the adjacent Otago Boys Hostel (D024) at 25 Melrose Street. The provision of additional parking to support the hostel is in response to parking congestion issues associated with Melrose Street. In Stage Two of the development (not applied for) a pedestrian linkage will be created between 25 Melrose Street and the subject site.

The car park will provide additional parking for up to 15 vehicles (1 mobility park) and will be used for hostel use only. Twelve of the parks will be used for visitors to the site and three separated car parks at the rear of the car park area will be used for permanent hostel van parking. As car parking demand for hostel activity is typically during the day, during non-peak times the car park has the potential to double as a recreational space for the boys who live at the hostel. No structures greater than 25 square metres are proposed for the recreation aspect of the proposal.

Any recreation activities will be of limited hours and duration due to the hostel boys' busy schedules and is expected to occur generally between 3.30 and 6pm and from 7.30pm until 10pm, Monday to Friday, and between 9am and 8pm on Saturday and Sundays. It should be noted that the use of the area will not be continuous and will depend on the free time available to the boys and will be light and weather dependant.

As part of the car park development, a new pedestrian entranceway into the hostel will be created towards the rear of 17A Melrose Street. The new structure and pedestrian pathway will create a legible entrance into the hostel and direct users away from the current vehicle entrance, which is located at a problematic location on Melrose Street. It is intended that the new entranceway will provide a safer and more elegant entrance into the hostel site. The current entrance to the hostel will revert to a service entry only. The carpark and pedestrian entrance area will be low lit.

It is important to note that this application seeks only to authorise the pedestrian entrance up to the boundary shared with 25 Melrose Street and all works contained within 25 Melrose Street will be applied for as part of Stage 2. However, some plans do show the intended works into the hostel site for context.

Boundary treatment along the front of the site will comprise a low stone wall and retractable bollards. Two understated signs will announce the hostel parking and entrance.

Due the change in topography across the site and between 17 and 17A Melrose Street, earthworks and retaining works will be necessary.

Right-of-way access is provided from Melrose Street over 17A in favour of 17 and 17C and over 17 in favour of 17C. It is proposed to define the change in ground level along the internal right-of-way boundary using retaining structures. This definition means that the right of way will clearly sit higher than the car parking area. Separate existing vehicle crossings will serve the right-of-way and carpark area. Earthworks will have a volume of up to 378m³ of cut and 27m³ of fill. Fill will be used to even out the pedestrian access along the eastern boundary.

The retaining walls will be graduated sections, in increments of approximately 1.2m and will generally follow the gradient of the site. Planting along the top of the retaining wall will help to soften the view of the car park from neighbours.

The right-of-way provides access to the existing dwelling on 17 Melrose Street. The dwelling will be used as accommodation by the hostel rector and his family. The dwelling has access to large north-facing outdoor amenity area at the rear of the site. Parking and manoeuvring will be retained in respect of this dwelling and, as it relies on a separate entrance, is able to operate independently from the carparking area. A tree on the north western boundary is proposed to be scheduled under the 2GP. No works are intended within the dripline of this tree.

SITE DESCRIPTION

The sites are legally described as:

- 17 Melrose Street being Lot 1 Deposited Plan 489065 held in Computer Freehold Register 702735 and comprising 1850 square metres (m²) more or less.
- 17A Melrose Street being Lot 2 Deposited Plan 489065, held in Computer Freehold Register 702736 and comprising 713 m² more or less.



The sites are located in a well-established suburban neighbourhood and rise up slightly from Melrose Street. 17 Melrose Street contains a well-established dwelling and landscaping and 17A Melrose Street is a vacant lot. Melrose Street is a narrow local road with a 'S' bend at the location outside of the subject site and the hostel.

PLANNING FRAMEWORK

Operative District Plan

The subject sites at 17 and 17A Melrose Street are zoned Residential 1 in the Operative Dunedin City District Plan. Melrose Street is assessed as a local road under the plans roading hierarchy.

The adjacent site at 25 Melrose Street is designated D024 for the purpose of "Otago Boys High Hostel - "Secondary School Hostel". It is this activity with which the proposed carparking and recreation area will be associated.

Stand-alone car parking associated with a use on the neighbouring site is not provided for in the Residential 1 zone of the operative district plan and is assessed as a **non-complying** activity pursuant to Rule 8.7.6(iii).

Subject to Rule 8.7.1(ii), recreational activity is a **permitted** activity provided that associated structures do not exceed 25m² in floor area. The district plan gives a very broad definition of recreational activity as "*means the use of land for recreation purposes*". It is recognised that the use of this land will be recreational activity (when not used for car park use) and no structures greater than 25m² in floor area are proposed. However, it is accepted that the recreational use could be assessed as indivisible from the hostel use and carparking activity and, as such, Council may consider it to be more appropriate approach to assess the recreational use in association with the hostel activity. In which case, the recreational use would be assessed a **non-complying** activity pursuant to Rule 8.7.6(iii).

Earthworks are permitted in the Residential 1 zone providing there is no change in ground level greater than 1.5m, volumes do not exceed 100m³ and certain yard setbacks to change in level ratios are respected. In this instance, the earthworks will have a volume of 378m³ of cut and 27m³ of fill and are assessed as a **restricted discretionary** activity. The retaining walls along the right-of-way will be no greater than 1.5m in height but the retaining wall between the existing dwelling on 17 Melrose Street and the car park area will be up to 2.5m in height. A 1.2m high fence will be placed along the top of this wall to prevent a fall hazard. It is noted that the retaining walls along the right-of-way will support a surcharge and this will be addressed at building consent stage.

In accordance with Rule 8.7.1(i), the residential activity on 17 Melrose Street, is occurring on a site greater than 500m² in area. The activity is a discrete activity able to be undertaken separately to the hostel activity, although it will house the hostel rector and family. Separate carparking is provided on site and access will continue over right-of-way A. The residential activity is assessed as a **permitted** activity, subject to compliance with the conditions set out in Rules 8.7.2.

It is noted that the existing garage, associated with the residential activity of 17 Melrose Street, breaches the yard setback, required by Rule 8.7.2(i)(a), at the eastern boundary. When the site was originally subdivided in 2012 (SUB-2012-51), the garage was to be removed and so authorisation of the yard breach was not required as part of this approval process. When the subdivision consent was varied in June 2015 (SUB-2012-51/2/A), the number of lots was reduced and the need to remove the garage was eliminated by reconfiguring the lot boundaries. The approved plan however did not show the garage nor was a land use consent

issued for the yard breach on new Lot 1. It is requested that this eastern yard breach on Lot 1 DP 489065 be authorised as part of this process and is assessed as a **restricted discretionary** activity pursuant to Rule 8.7.4. It is noted that the effects of the garage are well-established and occur in respect of the boundary shared with 25 Melrose Street and no further consideration of these have been given in this application.

The boundary fence between 17 and 17A will also exceed 2.0m on the 17A side as it will be located on top of a retaining wall. However, this fence will occur inside the boundary of 17 Melrose Street and therefore will not breach Rule 8.6.1 (iv).

Proposed District Plan

The subject site is zoned General Residential in the proposed Dunedin City District Plan. There are no rules which are operative or which have legal effect relating to the residential zone of the proposed district plan. For completeness, it is noted that an existing tree at the north-western corner of 17 Melrose Street is to be introduced in the protected tree schedule. The designation at 25 Melrose Street appears to have been rolled over with no amendments.

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

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES) came into effect on 1 January 2012. The National Environmental Standard applies to any piece of land on which an activity or industry described in the current edition of the Hazardous Activities and Industries List (HAIL) is being undertaken, has been undertaken or is more likely than not to have been undertaken. Activities on HAIL sites may need to comply with permitted activity conditions specified in the NES and/or might require resource consent.

In this instance, the proposal seeks to undertake a change of use and earthworks on the site. These two activities are identified in the NES. The site is currently zoned residential and was subdivided in 2011 for residential purposes. The site is located in a well-established residential neighbourhood and historic photographs show the site over 17A to be the landscaped entrance to the single dwelling on 17 Melrose Street. There is no suggestion that the site has been used for an activity or industry on the HAIL.

It is considered, more likely than not, that no activities have been undertaken on the site that appear on the HAIL and the proposed use of the site as a sealed carpark and recreational area are deemed to be a low risk use. As such, it is assessed that the NES does not apply to this application.

Overall Planning Status

Case law directs that applications should be assessed under the most restrictive activity status unless the matters are able to be discretely and independently assessed. In this instance, the most restrictive activity status is **non-complying**.

SECTION 104(1) OF THE RESOURCE MANAGEMENT ACT 1991

Planning Framework

The Environmental Defence Society Inc v The New Zealand King Salmon Co Ltd [2014] NZSC38 [2014] 1 NZLR 593 (King Salmon) approach used in *RJ Davidson Family Trust v Marlborough District Council* [2016] EnvC 81 follows the Court's reasoning that in most cases it is not necessary to refer back to Part 2 when determining an application for resource consent. The rationale for this approach is because planning instruments are prepared as a cascade with district plans at the bottom of the cascade. Therefore, unless the district plan(s), under which the resource consent is being considered, are deemed to be incomplete, invalid or uncertain, these are assumed to give effect to the higher order planning documents including

regional policy statements, national policy statements and Part 2 of the Act, and no further consideration of those planning instruments is required.

However, in *Davidson*, the Court stated at paragraph [262]:

In summary we hold that the correct way of applying section 104(1)(b) RMA in the context of section 104 as a whole is to ask:

- (1) *Does the proposed activity, after: assessing the relevant potential effects of the proposal in the light of the objectives, policies and rules of the relevant district plans;*
- (2) *having regard to any other relevant statutory instruments but placing different weight on their objectives and policies depending on whether:*
 - (a) *the relevant instrument is dated earlier than the district (or regional) plan in which case there is a presumption that the district (or regional) plan particularises or has been made consistent with the superior instruments' objectives and policies;*
 - (b) *the other, usually superior, instrument is later, in which case more weight should be given to it and it may over-ride the district plan even if it does not need to be given effect to; and/or*
 - (c) *there is any illegality, uncertainty or incompleteness in the district (or regional) plan, noting that assessing such a problem may in itself require reference to Part 2 of the Act, can be remedied by the intermediate document rather than by recourse to Part 2;*
- (3) *applying the remainder of Part 2 of the RMA if there is still some other relevant deficiency in any of the relevant instruments; and*
- (4) *weighing these conclusions with any other relevant considerations*
 - *achieve the purpose of the Act as particularised in the objectives and policies of the district/regional plan?"*

Given the advent of the proposed regional policy statement since the current plan was made operative and the proposed plan was notified, assuming absolute compliance with the higher order planning documents should be undertaken with caution. Decisions on the proposed regional policy statement for Otago have been released (although under appeal), as such, it is not certain that the district plan continues to give effect to this higher order planning instrument. As such, the proposal has also been assessed against the Operative and Proposed Regional Policy Statement.

Another implication of *King Salmon* and *Davidson* is that a greater importance is imposed on objectives and policies. As the operative district plan pre-dates *King Salmon* and *Davidson*, the wording of the objectives and policies now carry a level of significance that were perhaps not anticipated when the plan was first drafted. For example, there is a far greater weighting on the term "avoid" as a result of the *King Salmon* findings and any potential interpretation debate of the term "avoid", when determining a resource consent application, appears to be no longer available.

To that end, a cautious approach has been applied and an assessment of the proposal against Part 2 has been undertaken.

EFFECTS ON THE ENVIRONMENT

The following assessment of effects on the environment have been carried out in accordance with section 104(1)(a) of the Resource Management Act 1991.

Baseline considerations

Under Sections 95D(b) and 104(2) of the Resource Management Act 1991, the Consent authority may disregard an adverse effect of the activity on the environment if the plan permits an activity with that effect. That is, an application can be assessed by comparing it to the existing environment and development that could take place on the site as of right, without a resource consent, but excluding development that is fanciful.

In this situation, car parking is not provided for in this zone unless associated with a permitted use and, as such, there is no baseline applicable for the carparking.

The recreational activity with structures less than 25m² is provided for on the site, subject to compliance with the relevant noise and lighting limits. There are no other restrictions imposed on recreational activity including hours of operation, number of people or types of activities (excluding motorised sports). This is considered the appropriate baseline by which to assess the recreational component of the activity against.

Earthworks are permitted on the site within the permitted scale thresholds and setbacks. In this instance, the plan provides for a volume of up to 100m³ and change in ground level of 1.5m in any two-year period. Retained earthworks are required to be set back an equidistance to the height or depth of the change in ground level. The effects of any earthworks should be assessed with the permitted baseline for earthworks in mind.

The existing residential activity on 17 Melrose Street is a permitted activity and is discrete from the other activities proposed for the site. It is considered that the residential activity also contributes to the baseline.

Overall, it is considered that there is a relevant baseline for the earthworks, recreational and residential activity on the site. As such, it is the effects arising from the proposal, beyond the permitted baseline, that are the crucial elements and these are considered further below.

Amenity Values and Visual impact

At present the subject site is undeveloped and has areas of exposed soil. The view shafts of the subject site from Melrose Street are limited due to topography and curvature of the street. The site is sloping down to the east. The slope at the edge of the right-of-way will be defined by a retaining wall meaning the site will be split into two levels with the ROW at a higher level than the car park area. The proposed treatment for the street frontage is intended to enhance the area at this location and will further narrow the view shaft into the site. Planting on the site between the car parking area and the right-of-way and behind the entrance will help to soften the hard surfaces, as will the retention of the planting along the boundary shared with 25 Melrose Street. The retaining walls and surfacing have been designed to provide visual interest. The additional parking will also improve the current amenity of the area, making on-street parking more available to residents.

The existing residential activity on 17 Melrose Street can afford to sacrifice of land to the carpark area as there is still sufficient land area for north-facing outdoor amenity space. The activity will still have use of the existing garage and will have two carparking spaces which are quite separate from the hostel carparking. Boundary treatment is proposed between the residential activity and the hostel car park including fences, retaining walls and a gate.

The recreation use of the area will be limited in hours and duration and it is recognised that the effects of a recreation activity are anticipated by the district plan. The space will be used for teenage boys to play and will not involve any type of amplified equipment. It is important to note that the hostel rector and his family live in the dwelling at 17 Melrose Street so any use of the recreation space will be monitored and controlled.

In summary, it is submitted that the proposal will not impact on the amenity values of the area or alter the existing character of the area to a degree that can be considered more than minor.

Transportation

A pre-application meeting was held with the Council's Transportation Planner who was satisfied with the proposed plans from an access and parking point of view. The Transportation Planner did not raise any concerns with the proposal.

Parking

The proposal seeks to create 15 parks for use in association with the hostel activity on 25 Melrose Street. It is noted that there is no parking requirement associated with the hostel under the designation, nor is one proposed under the new designation in the 2GP. However, parking congestion and access to the hostel site are adverse effects that this application seeks to address. The use of the site at 17A and part of 17 Melrose Street for parking will ensure overflow parking associated with the hostel will be removed from the street.

Access and Manoeuvring

Melrose street is identified as a local road on the operative District Plan's Roading Hierarchy. There are two formed accessways into 17A Melrose Street; the western access is dedicated to the right-of-way while the central crossing provides access to the lower part of the site where the car park is proposed. The central crossing will be no greater than 6 metres in width.

It is considered that access into the 17A Melrose site is at a better location than the existing access into 25 Melrose Street because of sight lines and manoeuvrability. The existing hostel access will revert to a service entry only. Manoeuvring is also viable on the subject site which means vehicles will enter and exit the site in a forward manner improving visibility and safety.

Pedestrian Access

The current pedestrian access to the hostel via 25 Melrose Street is not welcoming. The new access through 17A Melrose Street (once the linkage is formed under Stage Two) will provide a more legible and elegant entrance to the hostel. The pedestrian access will be lit by low level lighting and differentiation in paving surfaces will define the pedestrian space from the car parking area.

Summary

Overall, it is submitted that the proposal will result in a significant improvement on the transportation network in this area.

Noise and glare

Lighting installed in the car park area will be of a low level and, as shown in the attached plans, will not result in adverse effects beyond the property boundary.

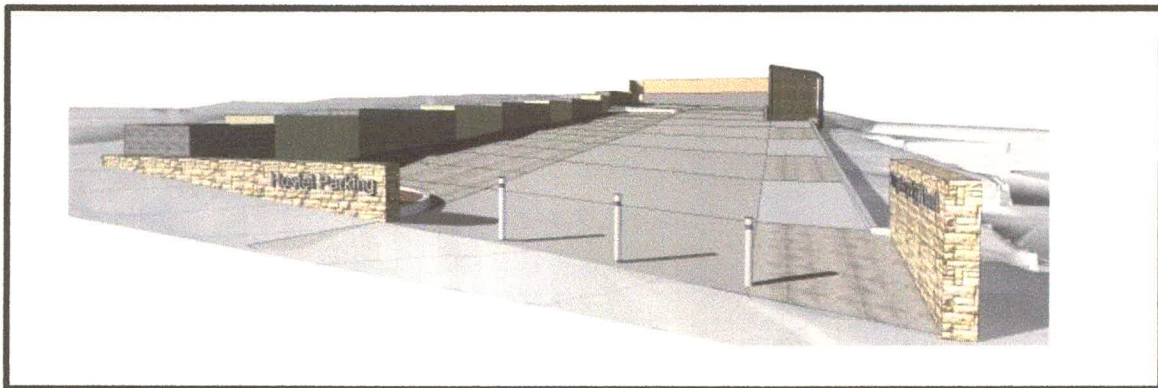
Noise effects are expected to result primarily from cars starting, entering and exiting the site. It is anticipated that this will mainly occur during reasonable daytime/early evening hours as the hostel is shut down over night while the boys are sleeping. The retractable bollards will ensure that car access will be controlled after hours.

As noted above, the use of the space as a recreation area will be of limited duration and will involve boys playing. The use of the space will be intermittent. The hostel rector lives on site and will be monitoring and controlling the boys' play. The applicant will ensure that neighbours will have the details of a contact person to ring should there be any issue arising from noise and offers this as a condition of consent.

Overall, no adverse effects associated with noise, glare and lighting are considered likely to result from the proposed activity that will be more than minor.

Signage

As shown below, signs will be erected on the low front wall of the site and the stone wall along the southern boundary announcing that this is the location of the hostel parking and entrance. As shown in the plans, the signage will be understated. The signage on the canopy towards the rear of the site will be erected on 25 Melrose Street and will be addressed at the time that Stage Two is to be applied for. Overall, the effects of the signage are expected to be no more than minor.



Proposed signage at the front of the site.

Earthworks

The earthworks and retaining will be designed by a qualified and experience engineer. Earthworks will have a volume of 378m³ of cut and 27m³ of fill. Fill be used to even out the pedestrian walkway. The retaining walls along the right-of-way will be no greater than 1.5m in height but will be supporting a surcharge which will be assessed at building consent stage. The retaining wall between the existing dwelling on 17 Melrose and the car park area will be up to 2.5m in height. A 1.2m high fence will be placed along the top of this wall to prevent a fall hazard.

Sediment controls will be put in place in accordance with best practice to ensure that sediment and dust do not escape from the site and cause a nuisance. All truck loading will occur on site and any material tracked onto the roading asset will be cleared as soon as it is noticed. Truck movements are expected to be low in number and for a finite period. There are no Council easements on the site. The only other easement registered on the title is a drain over 17A Melrose Street in favour of 17 Melrose Street. Steps will be taken to ensure that no sediment will be permitted to enter this drain.

Hazards

Section 6(h) of the Resource Management Act 1991 seeks to recognise and provide for the management of significant risks from natural hazards, as a matter of national importance.

The assessment of the risk from natural hazards requires a combined assessment of:

- (a) *the likelihood of natural hazards occurring (whether individually or in combination); and*

- (b) *the material damage to land in respect of which the consent is sought, other land, or structures that would result from natural hazards; and*
- (c) *any likely subsequent use of the land in respect of which the consent is sought that would accelerate, worsen, or result in material damage of the kind referred to in paragraph (b).*

There are no hazards shown on the Hazards Register for this site and the use of the site for a carpark ensures that the activity is low risk.

Positive effects

The proposal will create additional car parking in a narrow, steep and congested street in Dunedin's hill suburbs. The car park will be used in conjunction with a designated site which results in a number of daily traffic movements. The site will present well to the street and discrete signage will be used as a wayfinder only and not as advertising. Once the linkage to 25 Melrose Street is established in Stage Two, access to the hostel will be defined and, as a result, is expected to be safer than the existing shared vehicle access to 25 Melrose Street.

The hostel site currently provides limited recreation opportunities for the boys and the availability of this site for recreation space when the car park is not in use, is seen as a positive development allowing the boys necessary play time. Any effects arising from the use of this recreational space will be actively managed.

Overall, it is submitted that the positive effects of this development be given weight when coming to a decision.

OFFSETTING OR COMPENSATION MEASURES

In accordance with Section 104(1)(ab) of the Resource Management Act 1991, it is considered that there are no offsetting or compensation measures required for this application.

OBJECTIVES AND POLICIES

In accordance with Section 104(1)(b) of the Resource Management Act 1991, the objectives and policies of the operative and proposed District Plans have been assessed when preparing this application. The objectives and policy assessment undertaken below has been mindful of the direction given in *Blueskin Energy Limited v Dunedin City Council [2017] NZEnvC 150*, where the Court held at Paragraph [36] that:

“Careful attention must be paid to the way objectives and policies are expressed. The meaning of words and phrases are to be interpreted and applied in their context; this is especially important when considering the integrated management of natural and physical resources.”

Operative district plan

Sustainability Section

Objective	Supporting policy	commentary
Objective 4.2.1 Enhance the amenity values of Dunedin.	Policy 4.3.1 Maintain and enhance amenity values	There is nothing in this proposal which will detract from the pleasantness of the area and adversely affect the amenity values in the vicinity of this site. The proposal is intended to

		reduce traffic effects and parking congestion at this location. The proposal is considered to be consistent with this set of objectives and policies.
Objective 4.2.3 Sustainably manage infrastructure	Policy 4.3.5 Require the provision of infrastructure services at an appropriate standard.	No additional infrastructure demand is required for this development. It is noted that the provision of carparking at this location will result in a positive effect on the transportation network. The proposal is considered to be consistent with this set of objectives and policies.
Objective 4.2.5 Provide a comprehensive planning framework to manage the effects of use and development of resources.	Policy 4.3.8 Avoid the indiscriminate mixing of incompatible uses and developments.	The proposal will be used in association with the adjacent designated hostel and is not considered to be an indiscriminate mixing of incompatible uses. The adverse effects are able to be managed such that they are minor or less than minor. The proposal is not considered inconsistent with this set of objectives and policies.

Residential Section

Objective	Supporting Policies	Commentary
Objective 8.2.1 Ensure that the adverse effects of activities on amenity values and the character of residential areas are avoided, remedied or mitigated.	Policy 8.3.1 Maintain or enhance the amenity values and character of residential areas.	The car park area will present well to the street and will reduce car parking congestion at this location. The site will eventually provide an elegant linkage to the adjacent hostel site. Care has been taken in the materials used, the separation between the right-of-way and car park area and with the strategic use of planting. The proposal is considered consistent with this set of objectives and policies.

Objective 8.2.6 Recognise the positive effects of recreational activities while ensuring that their adverse effects are avoided, remedied or mitigated.	Policy 8.3.11 Provide for recreational activities within the Residential Zones while managing their adverse effects.	The area created will provide a recreational space for the boys when the car park is not in use. The effects of this will be managed by controlling the hours of recreation time and by ensuring all play is monitored. The proposal is considered to be consistent with this objective and policy.
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Earthworks Section

Objective	Supporting Policy	Commentary
Objective 17.2.3 Earthworks in Dunedin are undertaken in a manner that does not put the safety of people or property at risk and that minimises adverse effects on the environment.	Policy 17.3.9 Control earthworks in Dunedin according to their location and scale. [The earthworks will remove the bare amount of soil necessary to develop the site. The effects will be confined to the subject site and will not result in changes of ground level at external neighbouring boundaries. The proposal is considered to be consistent with these sets of objectives and policies.

Signage Section

Objective	Supporting Policy	Commentary
Objective 19.2.1 Avoid, remedy or mitigate the adverse effects of signs on amenity values.	Policy 19.3.1 Ensure that signs do not detract from the amenity values of the area in which they are located and the amenity values of areas from where they are visible.	The signage on the site will be discrete and will be used as a wayfinder only rather than as an advertisement. The signs will not result in visual clutter, nor will they create a risk to traffic or pedestrians. The proposal is considered to be consistent with these sets of objectives and policies.
Objective 19.2.2 Ensure that signs do not adversely affect the safe and efficient functioning of the road network.	Policy 19.3.4 Promote simplicity and clarity in the form of the sign and the message the sign conveys.	
Objective 19.2.4 Promote the efficient use of signs by managing the adverse effects of visual clutter.	Policy 19.3.2 Control the design, location, size and number of signs erected at any given location to avoid, remedy or mitigate any adverse effects.	
Objective 19.2.5 Ensure that signs do not create a safety hazard for pedestrians.		

Transportation Section

Objective	Supporting Policy	Commentary
Objective 20.2.2 Ensure that land use activities are undertaken in a manner which avoids, remedies or mitigates adverse effects on the transportation network.	Policy 20.3.4 Ensure traffic generating activities do not adversely affect the safe, efficient and effective operation of the roading network.	The car park will not introduce additional traffic at this location rather it will help to address the existing congestion. Access has been assessed by the Council's transportation planner who raised no concerns and, as such, the access is deemed to be adequate and safe. The proposal is considered to be consistent with these sets of objectives and policies.
	Policy 20.3.5 Ensure safe standards for vehicle access.	
Objective 20.2.4 Maintain and enhance a safe, efficient and effective transportation network.	Policy 20.3.5 Ensure safe standards for vehicle access.	
	Policy 20.3.8 Provide for the safe interaction of pedestrians and vehicles.	

Environmental Issues Section

Objective	Supporting policy	Commentary
Objective 21.2.2 Ensure that noise associated with the development of resources and the carrying out of activities does not affected public health and amenity values.	Policy 21.3.3 Protect people and communities from noise and glare which could impact upon health, safety and amenity.	Lighting from the proposal is expected to have a no more than minor adverse effect and noise effects will be manage as detailed in the assessment of environmental effects. The proposal is considered to be consistent with this set of objectives and policies.

Overall, it is found that the proposal is consistent with the objectives and the supporting policies of the operative district plan.

Proposed district plan

Objectives	Supporting Policies	Commentary
Objective 6.2.3 Land use, development and subdivision activities maintain the safety	Policy 6.2.3.4 Require land use activities to provide the amount of car parking space	As discussed above, the car park will not introduce additional traffic at this location,

<p>and efficiency of the transport network for all travel methods.</p>	<p>necessary to ensure that any overspill parking effects that could adversely affect the safety and efficiency of the transport network are avoided or, if avoidance is not possible, adequately mitigated.</p>	<p>rather it will help to address the existing the existing congestion. Access has been assessed by the transportation planner who raised no concerns and, as such, the access is deemed to be adequate and safe. The proposal is considered to be consistent with these sets of objectives and policies.</p>
<p>Objective 6.2.4 Parking areas, loading areas and vehicle accesses are designed and located to:</p> <ul style="list-style-type: none"> a. provide for the safe and efficient operation of both the parking or loading area and the transport network; b. facilitate the safe and efficient functioning of the transport network and connectivity for all travel methods. 	<p>Policy 6.2.4.1 Require parking and loading areas, including associated manoeuvring and queuing areas, to be designed to ensure:</p> <ul style="list-style-type: none"> a. the safety of pedestrians travelling on footpaths and travelling through parking areas; b. that vehicle parking and loading can be carried out safely and efficiently; c. that any adverse effects on the safe and efficient functioning of the transport network is avoided, or if avoidance is not possible, would be no more than minor; d. the safe and convenient access to and from parking and loading areas for vehicles, pedestrians and cyclists; and e. that mud, stone, gravel or other materials are unlikely to be carried onto hard surface public roads or footpaths. 	
	<p>Policy 6.2.4.4 Require vehicle accesses to be limited in number and width, in order to avoid or, if avoidance is not possible, adequately mitigate adverse effects.</p>	

	<p>Policy 6.2.4.6 Require sufficient visibility to be available at vehicle crossings to minimise the likelihood of unsafe vehicle manoeuvres.</p>	
<p>Objective 9.2.2 Land use, development and subdivision activities maintain or enhance people's health and safety.</p>	<p>Policy 9.2.2.1 Require activities to be designed and operated to avoid adverse effects from noise on the health of people or, where avoidance is not possible, ensure any adverse effects would be insignificant.</p>	<p>As discussed above, lighting from the proposal is expected to have a no more than minor adverse effect and noise effects will be managed as detailed above. The proposal is considered to be consistent with this set of objectives and policies.</p>
	<p>Policy 9.2.2.4 Require activities to be designed and operated to avoid adverse effects from light spill on the health of people or, where avoidance is not possible, ensure any adverse effects would be insignificant.</p>	
<p>Objective 15.2.1 Residential zones are primarily reserved for residential activities and only provide for a limited number of compatible activities, including: visitor accommodation, community activities, major facilities, and commercial activities that support the day-to-day needs of residents.</p>	<p>Policy 15.2.1.1 Provide for a range of residential and community activities, where the effects of these activities can be managed in line with objectives 15.2.2, 15.2.3, 15.2.4, and 15.2.5 and their policies.</p>	<p>The car park and recreation space will be used in conjunction with a designated land use on an adjacent site. The effects of the proposal are considered to be no more than minor. Overall, the proposal is consistent with this set of objectives and policies.</p>
<p>Objective 15.2.4 Subdivision activities and development maintain or enhance the amenity of the streetscape, and reflect the current or intended future character of the neighbourhood</p>	<p>Policy 15.2.4.5 Require ancillary signs to be located and designed to maintain residential amenity including by being of an appropriate size and number to convey information about the name, location and nature of the activity <u>on-site</u> to passing pedestrians and vehicles and not being</p>	<p>The car park area will present well to the street and will reduce car parking congestion at this location. The site will eventually provide a linkage to the adjacent hostel site. Care has been taken in the materials used, the separation between the right-of-way and car park</p>

	oversized or too numerous for what is necessary for that purpose.	area and with the strategic use of planting. Signage is discrete and intended as a wayfinder only. The proposal is considered consistent with this set of objectives and policies.
Objective 15.2.5 Earthworks necessary for permitted or approved land use and development are enabled, while avoiding, or adequately mitigating, any adverse effects.	Policy 15.2.5.1 Require earthworks, and associated retaining structures, to be designed and located to avoid adverse effects on the stability of land, buildings, and structures.	As discussed above, the earthworks will remove the bare amount of soil necessary to develop the site. The effects will be confined to the subject site and will not result in changes of ground level at external neighbouring boundaries. The proposal is considered to be consistent with these sets of objectives and policies.

It is noted that decisions on the proposed district plan have not been released and, as such, little weighting can be given to those objectives and policies. However, for the purposes of the sections 104D tests discussed below, the proposal is not considered contrary to the relevant objectives and the supporting policies of the proposed district plan.

Operative and Proposed Regional Policy Statement for Otago

The Regional Policy Statement for Otago (RPS) became operative in 1998. The purpose of the RPS is to promote the sustainable management of natural and physical resources, by providing an overview of the resource management issues facing Otago and setting policies and methods to manage Otago's natural and physical resources. Of specific relevance to this proposal are the objectives and policies set out in Chapter 5: Land and Chapter 9: Built Environment and which are summarised below:

- **Objective 5.4.1 and Policy 5.5.3** which seek to promote the sustainable management of Otago's land resources by maintaining and enhancing Otago's land resource.
- **Objective 9.4.2 and Policies 9.5.2 and 9.5.3** which seek to promote the sustainable management of Otago's infrastructure and transport network by promoting and encouraging efficiency in the development and use of Otago's infrastructure and transport network.
- **Objective 9.4.3 and Policy 9.5.5** which seek to avoid, remedy or mitigate the adverse effects of Otago's built environment on Otago's natural and physical resources by maintaining and, where practicable, enhancing the quality of life for people and communities within Otago's built environment by, in part, managing the adverse effects of subdivision, land use and development on landscape values.

The assessment of effects undertaken above indicates that the proposal does not undermine the RPS and the proposal is not found to be contrary to the objectives and policies of the RPS.

The Proposed Regional Policy Statement for Otago (PRPS) was notified on 23 May 2015 and decisions were released on 1 October 2016. The PRPS is currently under appeal. The following assessment is undertaken against the PRPS incorporating Council decisions released on 1 October 2016. Specific to this proposal are:

- **Objective 4.5 and Policy 4.5.3** which seek to encourage good urban design to ensure development in urban area is well designed and reflects the local character and integrates well.

Taking into consideration the careful design elements of the proposal, it is assessed that the proposal is consistent with the PRPS.

Part 2 of the RMA

The purpose of the RMA to promote the sustainable management of the natural and physical resources detailed below:

managing the use, development and protection of natural and physical resources in a way or at a rate which enables people and communities to provide for their social, economic and cultural well being and for their health and safety while:

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations: and*
- (b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems: and*
- (c) Avoiding, remedying, or mitigating any adverse effect of activities on the environment.*

The Court's approach, as discussed at paragraph [151] of the *King Salmon* decision, that Section 5 is not intended to be an operative provision rather it sets out the RMA's overall objectives, has been adopted here. The application has been assessed against the remaining provisions of Part 2.

There are no matters of national importance as identified in Section 6 of the RMA which are relevant to this proposal, except for a brief assessment of hazards included above. In respect of the other matters set out in Section 7, I consider the following matters are relevant:

- 7(b) the efficient use and development of natural and physical resources:
- 7(c) the maintenance and enhancement of amenity values:
- 7(f) maintenance and enhancement of the quality of the environment:

It is considered that the proposal will maintain and enhance the amenity values of the area and quality of the environment and is an efficient use of the land resource, given that it is addressing an identified transportation problem. Overall, it is considered that the proposal achieves the purpose of the Act.

SECTION 104D

Section 104D of the Resource Management Act 1991 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 no more than minor, or that the proposal will not be contrary to the objectives and policies of both the district plan and the proposed district plan. There is no plan weighting available under Section 104D(1)(b) and each plan must be given equal weight when applying the 104D tests.

It is considered that the proposal meets both limbs as any adverse effects arising from this proposed activity will be no more than minor, and the activity will not be contrary to the objectives and policies of both the Dunedin City District Plan and the proposed 2GP. Therefore, the Council can exercise its discretion under Section 104D to grant consent.

OTHER MATTERS

Section 104(1)(c) of the Resource Management Act 1991 requires regard to be given to any other matters considered relevant and reasonably necessary to determine the application. The matters of precedent and plan integrity are considered relevant here. In times gone by the "true exception" test was regularly applied by the Court to non-complying activities.

However, it is considered that the test is no longer compulsory as determined in *Mason Heights Property Trust v Auckland Council* [2011] NZEnvC 175, para [88]. However, *Mason Heights Property Trust v Auckland Council* does note that the test can assist in assessing whether issues of precedent are likely to arise and whether the proposal meets the objectives and policies of the Plan by an alternative method, especially where contrary to the objectives and policies of the relevant plan. This approach was supported *Cookson Road Character Preservation Society Inc v Rotorua District Council* [2013] NZEnvC 194. In this instance, the proposal is not considered contrary to the objectives and policies of the District plan, RPS, PRPS or Part 2 and the environmental effects are considered less than minor and, as such, it is not considered necessary to apply the true exception test here.

However, it is noted that the site is proposed to be used in association with a designated site meaning that there is a low risk that this proposal will be replicated *en masse* in other parts of the city. It is expected that there will be a noticeable reduction of effects on the transportation network and the development effects will be of limited duration. The effects associated with recreation space are provided for in the district plan and will be actively managed on-site to avoid or mitigate any unacceptable adverse effects. It is considered that approval of the proposal would not undermine the integrity of the Plan as the activity will produce only localised and minor effects and will not set an undesirable precedent.

AFFECTED PARTIES AND NOTIFICATION

With regard to public notification:

- The applicant does not request public notification.
- The application does not relate to the exchange of reserves land.
- It is considered that there are no special circumstances relating to the application.
- It is assessed below that the effects of the proposal on the environment are less than minor beyond the immediate neighbours.

With regard to limited notification:

The following parties have been consulted with regarding the application, however, no written approvals are submitted with the application:

- 15 Melrose Street
- 17C Melrose Street

The assessment of effects above shows any adverse effects are limited the immediate neighbours. Beyond the immediate neighbours, only positive effects are anticipated by the development of the vacant site including reduction in traffic congestion and the boundary treatment to Melrose Street. It is respectfully requested that, should Council determine that the effects on the neighbours immediately adjacent to the 17A and the front portion of 17 Melrose Street are more than minor, that the application be accepted and processed on a limited notified basis with affected parties restricted to those identified above.

CONDITIONS

Recent changes to the RMA, took effect on 18th of October 2017. Of these changes, the underlying principles introduced by Section 108AA are relevant when considering conditions to be imposed any resource consent. These principles set out the criteria the consent authorities must consider when imposing conditions.

Conditions can only be imposed on a consent if at least one of the following is satisfied:

- *the applicant agrees to the condition;*
- *the condition is directly connected to an adverse effect of the activity on the environment;*
- *the condition is directly connected to an applicable district rule, regional rule, or national environmental standard; or*
- *the condition relates to administrative matters that are essential for the efficient implementation of the relevant resource consent.*

In this context, an 'applicable rule' means a rule that is the reason, or one of the reasons that a resource consent is required for the activity. (source: MfE Fact Sheet 10)

It is respectfully requested that section 108AA is given particular regard to when imposing conditions on this consent,

CONCLUSION

Resource consent is sought for a non-complying activity to establish a car park and recreation space on the site located at 17 and 17A Melrose Street. The site is located in the Residential 1 zone and will be used in conjunction with a designated activity on an adjacent site. No adverse effects have been identified and the proposal is not considered contrary to the objectives and policies of the operative and proposed district plan. It is respectfully requested that consent be granted to this proposal on a non-notified basis.

Yours Faithfully



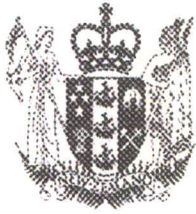
Kirstyn Lindsay
Resource Management Consultant
Southern Planning Solutions Limited

Phone: 0273088950
Email: kirstyn@planningsouth.nz



SOUTHERN PLANNING
SOLUTIONS

APPENDIX 1 – CERTIFICATE OF TITLE



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




R.W. Muir
Registrar-General
of Land

Search Copy

Identifier 702735
Land Registration District Otago
Date Issued 08 August 2017

Prior References

590148

Estate Fee Simple
Area 1850 square metres more or less

Legal Description Lot 1 Deposited Plan 489065

Proprietors

Michael John Sebelin and Elizabeth Jane Sebelin

Interests

9682062.3 Mortgage to ANZ Bank New Zealand Limited - 31.3.2014 at 4:29 pm

Subject to a right of way, right to convey electricity, telecommunications and computer media and water, drain water and sewage over part marked D DP 489065, and a right of way over the part marked B DP 489065 created by Easement Instrument 10667790.5 - 8.8.2017 at 2:48 pm

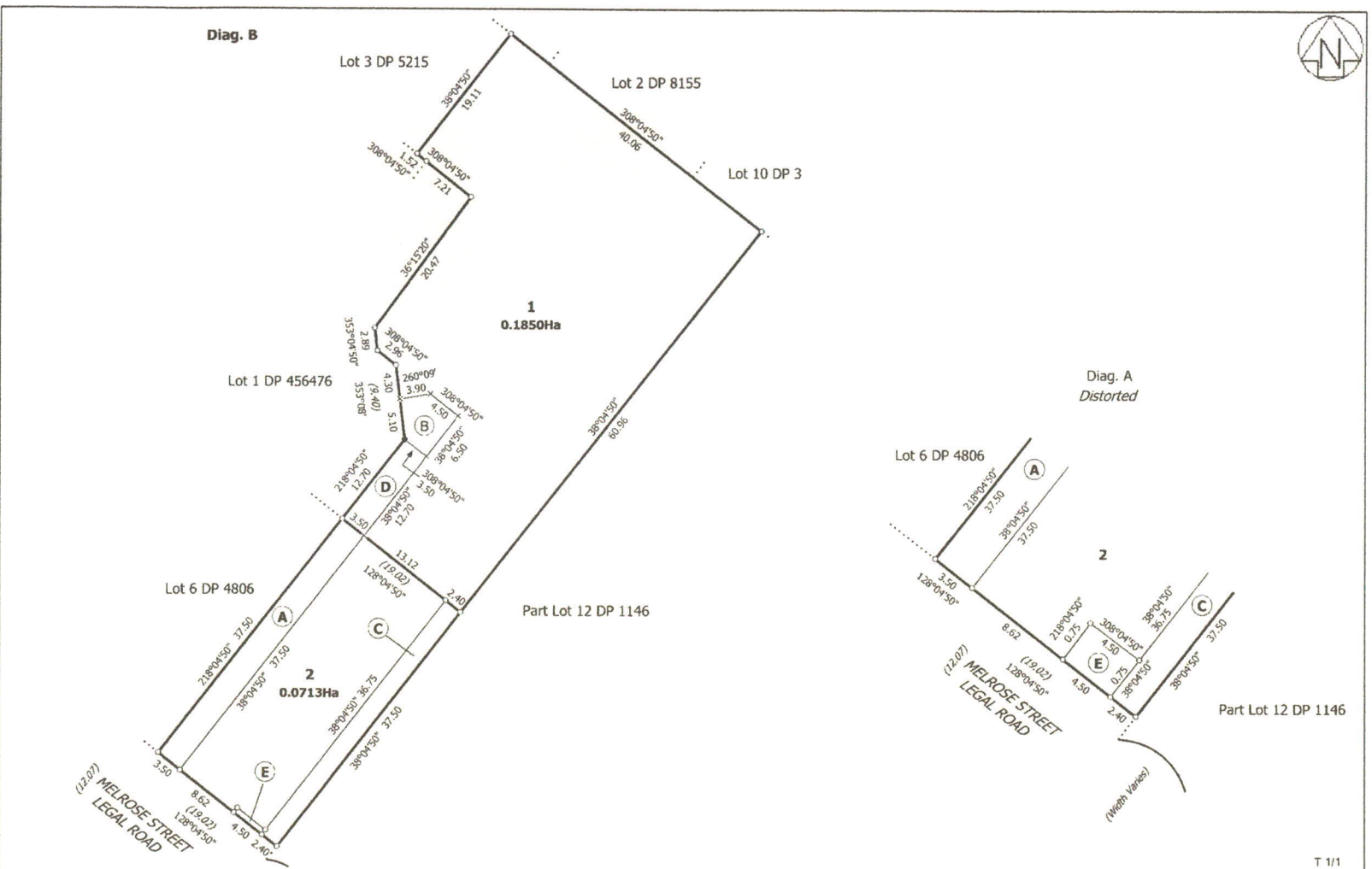
The easements created by Easement Instrument 10667790.5 are subject to Section 243 (a) Resource Management Act 1991

Appurtenant hereto is a right to drain water and sewage, convey water, electricity, telecommunications and computer media, and a right of way created by Easement Instrument 10667790.6 - 8.8.2017 at 2:48 pm

The easements created by Easement Instrument 10667790.6 are subject to Section 243 (a) Resource Management Act 1991

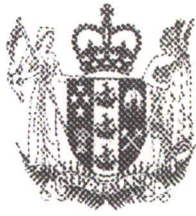
Subject to a right (in gross) to convey electricity over part marked D DP 489065 in favour of Aurora Energy Limited created by Easement Instrument 10667790.7 - 8.8.2017 at 2:48 pm

The easements created by Easement Instrument 10667790.7 are subject to Section 243 (a) Resource Management Act 1991



T 1/1

Land District: Otago	Lots 1 and 2 being a subdivision of Lot 2 DP 456476	Surveyor: Kurt Alistair Bowen Firm: Paterson Pitts Partners Ltd (Dunedin)	Title Plan DP 489065
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**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



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R.W. Muir
Registrar-General
of Land

Identifier 702736
Land Registration District Otago
Date Issued 08 August 2017

Prior References

590148

Estate Fee Simple
.rea 713 square metres more or less

Legal Description Lot 2 Deposited Plan 489065

Proprietors

Michael John Sebelin and Elizabeth Jane Sebelin

Interests

9682062.3 Mortgage to ANZ Bank New Zealand Limited - 31.3.2014 at 4:29 pm

Subject to a right of way, right to convey electricity, telecommunications and computer media and water, drain water and sewage over part marked A DP 489065, and a right of way over the part marked E DP 489065 created by Easement Instrument 10667790.5 - 8.8.2017 at 2:48 pm

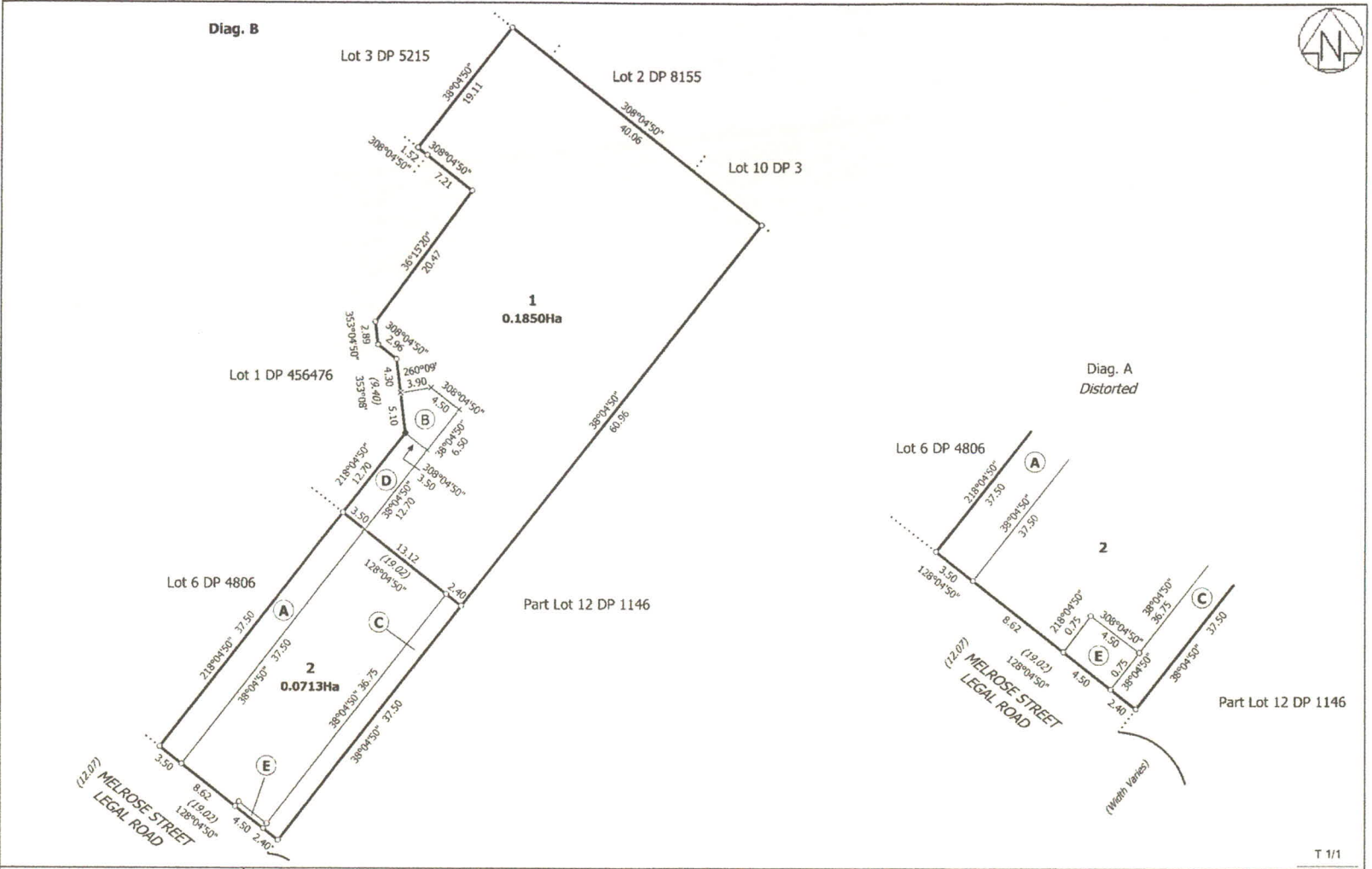
The easements created by Easement Instrument 10667790.5 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right of way, right to convey electricity, right to convey telecommunications and computer media over part marked A DP 489065, a right to drain water and sewage, convey water, electricity, telecommunications and computer media over the part marked C DP 489065 and a right of way over the part marked E DP 489065 created by Easement Instrument 10667790.6 - 8.8.2017 at 2:48 pm

The easements created by Easement Instrument 10667790.6 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right (in gross) to convey electricity over part marked A DP 489065 in favour of Aurora Energy Limited created by Easement Instrument 10667790.7 - 8.8.2017 at 2:48 pm

The easements created by Easement Instrument 10667790.7 are subject to Section 243 (a) Resource Management Act 1991



T 1/1

Land District: Otago	Lots 1 and 2 being a subdivision of Lot 2 DP 456476	Surveyor: Kurt Alistair Bowen	Title Plan DP 489065
Digitally Generated Plan Generated on: 21/08/2017 10:46am Page 4 of 4		Firm: Paterson Pitts Partners Ltd (Dunedin)	Deposited on: 8/08/2017