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

**AND** 

of an Application for Subdivision Consent by LUGGATE HOLDINGS LIMITED RM040635 & RM040635.357

**CONSENT NOTICE** 

## **BACKGROUND**

- A. Luggate Holdings LTD applied to the Queenstown Lakes District Council pursuant to provisions of the Resource Management Act 1991 for its consent to subdivide land described in Certificate of Titles 249823 & 249826. (Otago Registry) ('the land)
- B. Council has granted consent RM040635 to the proposed subdivision subject to certain conditions which are required to be complied with on a continuing basis by the Owner of the land being those conditions specified in the Operative Part hereof.

## **OPERATIVE PART A:**

The following conditions pertaining to this Consent Notice is to be registered against the titles of the following allotments:-

- a) Lot 43 D.P 375230 b) Lot 44 D.P 375230 c) Lot 45 D.P 375230 d) Lot 46 D.P 375230 e) Lot 47 D.P 375230 f) Lot 48 D.P 375230 g) Lot 49 D.P 375230 h) Lot 50 D.P 375230 i) Lot 51 D.P 375230 i) Lot 52 D.P 375230 k) Lot 53 D.P 375230 1) Lot 54 D.P 375230 m) Lot 55 D.P 375230 n) Lot 56 D.P 375230 o) Lot 57 D.P 375230 p) Lot 58 D.P 375230 a) Lot 59 D.P 375230 r) Lot 60 D.P 375230 s) Lot 61 D.P 375230
- t) Lot 62 D.P 375230 u) Lot 63 D.P 375230 v) Lot 72 D.P 375230 w) Lot 74 D.P 375230 x) Lot 75 D.P 375230 y) Lot 76 D.P 375230 z) Lot 77 D.P 375230 aa) Lot 78 D.P 375230 bb)Lot 79 D.P 375230 cc) Lot 80 D.P 375230 dd)Lot 81 D.P 375230 ee) Lot 82 D.P 375230 ff) Lot 83 D.P 375230 gg)Lot 84 D.P 375230 hh)Lot 85 D.P 375230 ii) Lot 86 D.P 375230 ji) Lot 87 D.P 375230 kk)Lot 89 D.P 375230

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## **CONDITIONS A:**

- a) Before a dwelling is constructed on any lot that does not have a vehicle crossing, the owner for the time being shall construct an access in accordance with Council's standards. The crossing is to be constructed from the street kerb to the boundary of the lot.
- b) At the time that a dwelling is constructed on any lot the owner for the time being of that lot is to ensure that all construction is contained within boundaries of the lot and that the only access to the lot for all construction vehicles and delivery of goods to the lot is to be from the vehicle crossing constructed at the time of subdivision or constructed in accordance with (a) above. The owner for the time being is responsible for repairing and making good any damage to any road infrastructure for the frontage of the lot being developed or to the frontage of any other lot caused by development activities on the owners lot.

- c) The minimum floor level of all buildings located within lots 47-60 identified on the title plan of subdivision (Title Plan 375230) shall be no less than 500 mm above the flood level of Luggate Creek as the result of a 50 Year ARI rain event. The minimum floor levels are as follows:
  - Lots 53-55 R.L.276.9m;
  - Lots 52 &-56 R.L.277.1m;
  - Lots 51 R.L.277.3m;
  - Lots 50, 57 & 58 R.L.277.6m;
  - Lots 49 & 59 R.L.278.0m;
  - Lots 47 & 48, 59 & 60 R.L.278.5m

Reduced levels are to Mean Sea Level. These floor levels are 500mm above the flood level of Luggate Creek as the result of a 50 year ARI rain event

No buildings are to be located within the areas marked 51A - 58A on lots 51 to 58 respectively as identified on Title Plan DP375230.

- d) Any further subdivision of Lots 43–63, 72, 74-87 & 89 cannot rely on the Luggate Water Supply Scheme to provide water without approval of Council, which will be at Council's discretion. This is because the upgrade of the scheme undertaken to provide water for this subdivision did not provide for any additional demand within the application area.
- e) The water supply for Lots 43–63, 72, 74-87 & 89 and any future allotments created through the subdivision of Lots 43–63, 72, 74-87 & 89 shall be provided from a single scheme to ensure a consistent service to all allotments.

Dated this // day of October 2006

SIGNED for and on behalf
Of the QUEENSTOWN LAKES
DISTRICT COUNCIL by its
Principal Administrative Officer

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