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

AND

IN THE MATTER of an Application
for Subdivision Consent
by Bendemeer AP Ltd
RM020776.127

CONSENT NOTICE

BACKGROUND

- A. Bendemeer AP Ltd have applied to the Queenstown Lakes District Council pursuant to provisions of the Resource Management Act 1991 for its consent to subdivide land legally described as Part Lot 2 Deposited Plan 18242 and Certificate of Title OT15D/273.
- B. Council has granted consent 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.

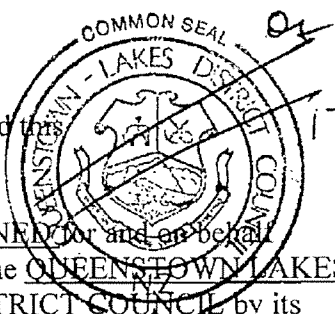
OPERATIVE PART

CONDITIONS:

Prior to certification pursuant to Section 224 of the Act and in accordance with Section 221 of the Resource Management Act 1991, a consent notice shall be registered on the pertinent Certificate of Title for the performance of the following conditions on a continuing basis:

- a. The owner for the time being of Lots 1-39 shall be a member of a management company which shall be responsible for and obtain contributions from the lot owners for:*
 - i) Maintenance of proposed roads, carriageways, footpaths and street lighting.*
 - ii) Maintenance of storm water, water and sewage systems.*
 - iii) Maintenance of a community refuse collection scheme whereby refuse is disposed of at a transfer station administered by the Queenstown-Lakes District Council.*
 - iv) Maintenance of the landscaping on Common Lots 300 in accordance with the plans Baxter Brown Planning & Design: Planting Plan ref 3230 WD18g.DWG dated April 2004 and Pond Area Planting Plan ref 3230-WD16 dated April 2004 stamped as approved 15 December 2004. This landscaping shall be maintained to ensure that at the expiry of 10 years from the date of establishment of the landscaping; at least 80% of the plants shall remain.*
- b. That the proposed allotments (excluding Lots 38 and 39) may not be further subdivided, whether by way of unit title, cross leasing or any other form of subdivision, provided that this clause shall not apply to a boundary adjustment subdivision which does not result in the creation of any additional lots or residential building platforms.*
- c. Prior to the construction of any residential unit on Lots 1 – 36, the property owner for the time being shall submit a landscaping plan for the Homestead Area for the approval of the Principal: Landscape Architecture (CivicCorp). The landscape plan shall be designed to meet the following objectives:*

- i) *Illustrate compliance with fencing and planting conditions, including the Design Guidelines for typical lots attached to this consent as Appendix 'A'*
- ii) *Landscaping including tree planting is to run with the contour, and should be used to integrate buildings into the sites. Planting on ridges and skylines should be avoided.*
- iii) *Landscaping should be utilised to provide aesthetics, shelter and screening from adjacent properties and shall not be used to demarcate boundaries.*
- iv) *Landscaping and planting shall be aligned with the existing character of planting established by the structure plan (Baxter Brown Planning & Design: Bendemeer – Planting Plan ref 3230-WD18g.DWG dated April 2004).*
- v) *Generally, landscaping shall be designed so as to not compromise the ice sculptured legibility of the site and in particular when viewed from SH6 to the south of the site, Morven Ferry and Arrow Junction Roads, and any other public place to the south of the site other than the Crown Range Road.*

Dated this  17 day of February 2005

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

