

BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL

IN THE MATTER                      of the Resource  
Management Act 1991

AND

IN THE MATTER                      of the publicly Notified  
Plan Change 50

AND

IN THE MATTER                      of a Late Submission by  
Lucy Bell

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RESPONSE TO DIRECTIONS FROM JUDGE HANSEN  
Meeting held 16 January 2015  
Part C

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FOR THE ATTENTION AND CONSIDERATION OF THE COMMISSIONERS:

1. As directed I supply a record of my investigations to date to determine the accuracy of survey lines presented by the council for planning consideration with regard to Plan Change 50.
2. I attended the offices of an alternate survey company on Tuesday morning, 4 February 2015.
3. A considerable time was spent reviewing all documentation related to land acquisitions and survey lines associated with the Lynchblock and properties supposedly registered within.
4. I have been advised given all the documentation related to the Lynchblock and the elevated section of the now known 'Lakeview' site, the current survey lines presented by the council cannot be accurate. as they do not include all appellations. A draft outline is shown in yellow pertinent to the Lynchblock based on current documentation. (See QLDC Webmap attached) To the right of the block is a large sectioned area also coloured in yellow and annotated 'D'. While the boundary appears to be secure above this line, the area of land below likewise does not appear to have been officially acquired by QLDC and is yet to receive an allocation.
5. Additionally, given the historic data already presented documenting land transferrals, the property at 165 Antrim Street could not have been a registered leasehold in the Lynchblock as by law, this would have to have been recorded on the Land Transfer Document OT2C/644, already presented for your attention. It clearly states Fee Simple.
6. I have been advised the 'legal road' shown in the north-east corner of the Lynchblock plans was never part of the block and is a totally separate entity. This confirms 168 Antrim Street was never part of the Lynchblock either and like 165 Antrim and probably 163 Antrim, was purchased under a separate land title and was also probably lease in perpetuity or freehold, but certainly not part of the Lynchblock.
7. I have been advised a walk-by of the site is going to be more problematic than first thought as Lomond Cres has had at least three adjustments raising its lower level, and a significantly greater increase in its northern boundary. (See highlighted areas on attached QLDC Webmap) making visual comparisons harder to assess. Looking back from Antrim Street, the line of the telegraph poles gives a good indication as to the historic profile of the street.
8. The extension of Antrim Street across section 8 to include section 9, is indicative of extending the top boundary to allow access to both areas over time with the increment of 3.22m as shown on the plans allocated for Antrim Street, being in no way adequate to explain the much larger upward extension in place to service 163, 164 and 162 Antrim Street which currently exists if it was to fit in with the original Lynchblock design.
9. I am currently awaiting the new surveyors to confirm the location of the north-west corner of the Lynchblock, as with historic measurements, it is possible to determine the direction and breadth of the block and many old markers are likely to be buried under roads or buildings.

10. The surveyors have asked me that they remain anonymous as it would not be complimentary to their relationship with council if they are seen to be assisting an individual at cross purposes to their (the Council's) own, and as a result will not re-survey the entire Lynchblock. I am extremely disappointed.
12. Legally I have been advised it would be better for me to secure out-of-town support in this area, with the added observation that this should not be a task any individual should be responsible for as accuracy in this area is something which should be standard for any governing body. While I do agree with this latter sentiment, I apologise once again for not being able to provide the details I hoped to within a suitable time frame and in the words of my legal council, have my 'ignorance and naivety' to blame.
13. Given the above information however, I believe that there is enough evidence for the council to be required to present a more accurate survey of this area and believe under your direction this will be achieved satisfactorily.
14. I once again request the Commissioners would consider allowing me the time please to try and secure at least one guaranteed marker for the original Lynchblock from which measurements can be taken readily and time for others with similar concerns to address these matters appropriately.

#### ORDERS

15. The Council supply proper surveys of the land being rezoned as part of Plan Change 50.
16. The Council properly survey the Lynchblock.
17. The Council provide an explanation for the purchasing agreements of those properties not covered by the Lynchblock zone, but registered and managed under same.
18. The Council be advised relevant properties, not in the Lynchblock, are therefore not covered under the leasehold agreements which require eviction by end Sept 2015 in order to facilitate plans for Plan Change 50.

*On a personal note once again it appears I have to apologise for failing to produce a final survey. I do not know why it has to be so difficult, time consuming and expensive, but will continue to persevere and thank you for your ongoing patience, which must by now be sorely tested. Thank you.*



Mrs Lucy Bell  
(Submitter)

Date: 4.2.15



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