



# View Instrument Details

**Instrument No.** 8968743.17  
**Status** Registered  
**Date & Time Lodged** 01 Feb 2012 08:40  
**Lodged By** Flawn, Corinna May  
**Instrument Type** Consent Notice under s221(4)(a) Resource Management Act 1991



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**Affected Computer Registers**    **Land District**

567741	Otago
567742	Otago
567743	Otago
567744	Otago
567745	Otago
567746	Otago
567747	Otago
567748	Otago
567750	Otago
567751	Otago
567752	Otago

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**Annexure Schedule:** Contains 5 Pages.

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### Signature

Signed by Gareth Dean Foley as Territorial Authority Representative on 12/01/2012 09:48 AM

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

**UNDER** Section 221 of the Resource Management Act 1991

**IN THE MATTER** of Deposited Plan 443395 being a Subdivision of Lot 12 DP 300723, Lot 1 DP 347876 and Lot 2 DP 301928

**AND**

**IN THE MATTER** of Resource Consent RM 090895 Queenstown Lakes District Council

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**CONSENT NOTICE PURSUANT TO  
SECTION 221 OF THE RESOURCE  
MANAGEMENT ACT 1991**

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**GALLAWAY COOK ALLAN  
LAWYERS  
DUNEDIN**

<b>UNDER</b>	Section 221 of the Resource Management Act 1991
<b>IN THE MATTER</b>	Deposited Plan 443395 being a Subdivision of Lot 12 DP 300723, Lot 1 DP 347876 and Lot 2 DP 301928
<b>AND</b>	
<b>IN THE MATTER</b>	of Resource Consent RM 090895 Queenstown Lakes District Council

## 1. INTERPRETATION

### 1.1. Ancillary Structures -

Means sheds, decks, spas, swimming pools, carports, pergolas and suchlike structures (but excluding detached garages and sleepouts) which shall be attached to any dwelling erected on a Residential Lot and which are of a height not exceeding 3.5 metres above Ground Level nor exceeding 2.5 metres above Ground Level within 1m of any internal boundary.

### 1.2. Building -

Shall have the same meaning as in Building Act 2004, but shall not include:

- (a) Fences or walls of 1.2 metres in Height or less above Ground Level;
- (b) Structures less than 5m<sup>2</sup> in area and less than 2m in Height above Ground Level.
- (c) Radio and television aerials (excluding dish antennae for receiving satellite television which are greater than 1.2metres in diameter), less than 2metres in Height above Ground Level.
- (d) Masts and Poles less than 2metres in Height above Ground Level

### 1.3. Ground Level –

Means the surface of the ground prior to any earthworks on the site, except that where the surface of the ground has been altered through earthworks carried out as part of a subdivision under the Resource Management Act 1991 or Local Government Act 1974 ground level means the finished surface of the ground following the completion of works associated with the most recently completed subdivision.

- o "completed subdivision" means a subdivision in respect of which a certificate pursuant to section 224(c) of the Resource Management Act 1991 or a completion certificate under the Local Government Act 1974 has been issued.
- o "earthworks carried out as part of the subdivision" does not include earthworks that are authorised under any land use consent for earthworks, separate from earthworks approved as part of a subdivision consent.

1.4. Height –

Means the vertical distance between Ground Level at any point and the highest part of the building immediately above that point. For the purposes of calculating height, account shall not be taken of:

- (a) aeriels and/or antennas, mounting fixtures, mast caps, lightning rods or similar appendages for the purpose of telecommunications but not including dish antennae which are attached to a mast or Building, provided that the maximum Height for any Building is not exceeded by more than 2.5metres; and
- (b) Chimneys or finials (not exceeding 1.1 metre in any direction (provided that the maximum Height for any Building is not exceeded by more than 1.5metre

1.5. Kirimoko Design Code –

Means the Kirimoko Design Code established and adopted by the Kirimoko Park Residents' Association Incorporated.

1.6. Plan of Subdivision –

Means the plan intended to be deposited under no. 443395 for part of the land known as Kirimoko Park.

1.7. Residential Lot –

Means certain lots within Kirimoko Park Plan of Subdivision to be deposited under no. 443395 being Lots numbered 1–15 and 18–22.

2. **OPERATIVE PART**

The following conditions are to be registered against the certificate of title for the following Lots:

Lot 1 DP443395	Lot 2 DP 443395	Lot 3 DP 443395
Lot 4 DP443395	Lot 5 DP 443395	Lot 6 DP 443395
Lot 7 DP443395	Lot 8 DP 443395	Lot 9 DP 443395
Lot 10 DP443395	Lot 11 DP 443395	Lot 12 DP 443395
Lot 13 DP443395	Lot 14 DP 443395	Lot 15 DP 443395
Lot 18 DP443395	Lot 19 DP 443395	Lot 20 DP 443395
Lot 21 DP443395	Lot 22 DP 443395	Lot 38 DP443395
Lot 46 DP 443395	Lot 47 DP 443395	Lot 48 DP443395
Lot 49 DP 443395	Lot 50 DP 443395	

- 2.4. Any building constructed on a building platform shall comply with the controls specified in the table below relating to maximum building area and any specified ancillary areas. The location of each Building shall be in accordance with the building platform identified in the Plan of Subdivision. Any Ancillary Structure may be located to any point along the building platform boundary shown on the Plan of Subdivision with the prior approval of the Kirimoko Park Residents' Association Incorporated.

<b>Kirimoko</b>						
<b>Maximum Building Area for each Lot</b>						
Lot number	Lot area m <sup>2</sup>	Platform area m <sup>2</sup>	Max building area	%	Ancillary areas m <sup>2</sup>	%
1	338	190	160	47.3%		
2	313	226	170	54.3%		
3	1279	928	928	72.6%	comprehensive development	
4	425	194	190	44.7%		
5	423	176	176	41.6%		
6	453	185	185	40.8%		
7	441	168	168	38.1%		
8	603	208	208	34.5%		
9	396	187	187	47.2%		
10	638	257	257	40.3%	25	
11	382	178	178	46.6%		
12	420	251	220	52.4%	14	
13	678	231	200	29.5%	16	
14	769	208	200	26%	14	
15	697	276	220	31.6%	18	
18	534	225	190	35.6%	16	
19	423	191	191	45.2%	22	
20	529	190	190	35.9%	16	
21	524	173	173	33.0%	16	
22	642	241	200	31.2%	16	

- 2.5. All planting which has been undertaken by the subdivider in accordance with the approved plans and which is located within the Residential Lots shall be maintained according to those plans in perpetuity. Should any plant die or become diseased or damaged it shall be replaced within the next available planting season.
- 2.6. All dwellings shall be constructed in accordance with the Kirimoko Design Code and must receive approval from Kirimoko Park Residents' Association Incorporated prior to the commencement of construction. A copy of the approval shall be provided with any building consent application.
- 2.7. No Building shall exceed a Height of 7 metres as defined in the Queenstown Lakes Operative District Plan at the time of granting the subdivision consent.
- 2.8. Any structures constructed outside the building platform shall be subject to the relevant rules of the District Plan.

- 2.9. The owners, through the Kirimoko Park Residents' Association Incorporated shall be responsible for the maintenance of all the landscaping within the Low Impact Design Stormwater System in road reserves and all other areas.
- 2.10. Prior to cancellation of the amalgamation condition in relation to Lots 3, 5-8, 10-12, 14, 15, 18, 19, 38 and 50 and pursuant to section 241 of the Resource Management Act 1991, the consent holder shall:
- (a) Provide proof that all conditions of RM090895 (or subsequent variations) that apply to the Lot have been satisfied or bonded (if bonding is acceptable to the territorial authority).
  - (b) Pay the development contributions required for Lot 3, 5-8, 10-12, 14, 15, 18, 19 and 38. Development Contributions shall be at the rate calculated for RM090895, or any subsequent variation, unless RM090895 has expired, in which case a new development contribution calculation shall be undertaken at the then current rates.
- 2.11. If the Territorial Authority has confirmed in writing that it is satisfied that the conditions of 2.10(a) and (b) above have been complied with then those consent notice conditions, along with this condition, may be deemed to be expired for the purpose of section 221(5) of the Resource Management Act 1991.

Dated this 28<sup>th</sup> day of November 2011

**SIGNED** for and on behalf of  
**QUEENSTOWN LAKES DISTRICT COUNCIL**

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Authorised Officer