

APPENDIX B

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

AND

IN THE MATTER of an Application for
Subdivision Consent by
Shotover Country Limited

EMBANKMENT

CONSENT NOTICE

Lots 1040, 1048 and 1049

BACKGROUND

- A. Shotover Country Limited of Queenstown has applied to the Queenstown Lakes District Council pursuant to provisions of the Resource Management Act 1991 for its consent to subdivide land comprised and described in Computer Freehold Registers (to be allocated) (Otago Registry) ("the land").
- B. Council has granted consent (RMx) ("**Resource 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 from time to time being those conditions set out in this Consent Notice.

1.0 OPERATIVE PART

1.1 The following conditions pertaining to this Consent Notice are to be registered against the Computer Freehold Registers of the following allotments:

Lots 1040, 1048 and 1049 DP (to be allocated)

1.2 The Consent Notice conditions apply to the 'Embankment Consent Notice Area' ("ECNA") being those areas marked 'DA', 'DB' and 'DC' on Deposited Plan (to be allocated). Where the provisions of this Consent Notice conflict with, or do not match, the provisions of any other general consent notice registered on the Computer Freehold Register to a Lot (registered on or about the date of registration of this Consent Notice) then the provisions of this Consent Notice shall prevail.

1.3 In this Consent Notice, the Definitions and Interpretation provisions set out in the Schedule shall apply, unless the context otherwise requires.

2.0 EMBANKMENT CONSENT NOTICE AREA (ECNA)

2.1 The Lot Owner must comply with the following:

- (a) The Lot Owner shall maintain and irrigate (if required) the planting detailed on the landscape plan (title reference to be confirmed, and attached to this consent notice) approved under condition 1 of Resource Consent RM160xxx, in respect to the ECNA.
- (b) Existing indigenous vegetation within the ECNA shall not be removed;
- (c) The ECNA shall be kept free of gorse, broom, briar, tree lupin, hawthorn, crack willow, buddleia, Californian thistle and any other pest plant specified in the Regional Pest Management Strategy for Otago.
- (d) Any additional planting undertaken by the Lot Owner in the ECNA shall be undertaken in accordance with the plant list contained in Part 1 of Appendix 1 Section 12 Shotover Country Special Zone of the Queenstown Lakes District Plan (or any replacement plant list).
- (e) If any plant dies, is removed, or becomes diseased it shall be replaced by the Lot Owner, with the same species, within the next available planting season.
- (f) There shall be no keeping of stock within the ECNA;
- (g) The ECNA must be kept in a grassed state, with the exception of existing planting and planting as permitted by (d) above;
- (h) There shall be no Structures erected within the ECNA (except for fences permitted under (k) below);
- (i) There shall be no storage of vehicles, boats, trailers, containers, equipment or materials within the ECNA;
- (j) No earthworks are permitted within the ECNA, except as part of permitted planting;

- (k) No fencing or boundary planting shall be permitted within the ECNA except post and wire fencing along any Lot boundary only to a maximum height of 1.2metres above Ground Level.

Dated this _____ day of _____ 2016

SIGNED for and on behalf
Of the QUEENSTOWN LAKES
DISTRICT COUNCIL by its
Manager, Resource Consenting

Blair Jeffrey Devlin

SCHEDULE

DEFINITIONS

- Ground Level* means the finished surface of the ground following completion of the subdivision works permitted by the Resource Consent.
- Lot Owner* means the registered proprietors(s) of a Lot and any occupier, tenant, lessee, licensee, agent, contractor, visitor or invitee of a Lot Owner.
- Lot* means one of the residential allotments listed at clause 1.1, and any additional or replacement residential lot created from those allotments.
- Structure* means any building, equipment, device or other facility made by people which is fixed to the land.

INTERPRETATION

For the avoidance of doubt:

- a. Words importing the singular number include the plural and vice versa.
- b. A requirement to do something is also a requirement to permit or cause that thing to be done and a requirement not to do something is also a requirement not to permit or cause that thing to be done.
- c. Subject to clause d below, no provision of this Consent Notice shall confer an obligation on any Lot Owner where that Lot Owner has complied with its obligations under this Consent Notice with respect to, or related to, its Lot.
- d. Any breach of this Consent Notice by a tenant, occupier, lessee, licensee, contractor, agent, employee, visitor, invitee (or similar) of the registered proprietor/s shall also be deemed to be a breach of this Consent Notice by that/those registered proprietors.