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19/01/2023
CODC



**APPLICATION FOR RESOURCE CONSENT
OR FAST TRACK RESOURCE CONSENT
FORM 9: SECTION 88 RESOURCE MANAGEMENT ACT 1991**

1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand

03 440 0056

Info@codc.govt.nz
www.codc.govt.nz



Email to: resource.consent@codc.govt.nz

Post to: The Chief Executive
Central Otago District Council
PO Box 122
Alexandra 9340

CONTACT DETAILS OF APPLICATION

Full name(s) and contact details of owner/occupier/applicant: *(name will be issued on the decision)*

M N & L M Shaw

34A Sugarloaf Drive , RD 2 Cromwell

Postal Address

mervshaw11@gmail.com ***all invoicing to this email***

Email

020 415 99925

Phone

Full name(s) and contact details for service of application *(if different from above)* e.g. Agent:

Peter Dymock , Paterson Pitts Limited Partnership

PO Box 103 , Alexandra 9320

Postal Address

peter.dymock@ppgroup.co.nz

Email

0274 377910

Phone

DETAILS OF PROPERTY

Street address/rapid number of property to which this application relates:

34A Sugarloaf Drive , Lowburn

Legal description of land:

part of Lot 1 DP 474100, RT 649764 and Lot 2 DP 508107 , RT 772768

DETAILS OF APPLICATION

Application Type(s) applying for: *(please tick one)*

- Land use consent
- Subdivision consent
- Change/Cancellation of consent or consent notice conditions
- Extension of lapse period of consent (time extension) s125
- Certificate of compliance
- Existing use certificate

Description of proposal:

2 Lot discretionary activity subdivision for rural purposes located in an SAL

Cancellation of Consent Notice

- No additional resource consents are needed for the proposed activity.

Or

- The following additional resource consents are needed for the proposed activity. *(give details)*
They have / have not been applied for: *(please highlight)*

Under section 87AAC a controlled activity or deemed permitted boundary activity may be eligible for fast-track processing. Please select one:

I opt out / I do not opt out of the fast-track consent process.

PAYMENT DETAILS

I confirm amount and date paid:

Reference used (if applicable):

- Bank Transfer to 020916 0081744 00 (BNZ Alexandra Branch). Please reference: "RC APP" and the applicant's surname in the payment details eg, RC APP SMITH
- Manual payment (can only be made once application lodged and RC reference number issued)

APPLICATION CHECKLIST

The following is attached to this application:

(please tick boxes as appropriate)

- *Non-refundable application fee of the prescribed amount (an additional charge may also be payable where the initial application fee is inadequate to recover Council costs).
- Assessment of the Effects on the Environment (AEE).
- *Copy of current Certificate of Title.
- *A location plan.
- *A site plan which shows the location of any buildings, driveways, parking areas or other significant features in relation to site boundaries. (Please ensure the paper size is either A4 or A3.)
- A building plan including the floor plan of the proposed building and elevations (if appropriate). (Please ensure the paper size is either A4 or A3.)
- Photographs of the site and of any important features relative to the application.
- Any other information required by the District Plan or Act or regulations to be included.

**Items with a star are required for all consent applications.*

Full details relating to the contents of applications are contained in the checklists and guidance notes available on Councils website www.codc.govt.nz or from any Council office.

Note to applicant:

You may apply for two or more resource consents that are needed for the same activity on the same form.

You must pay the charge payable to the consent authority for the resource consent application under the Resource Management Act 1991 (if any).

I/We attach, in accordance with the Fourth Schedule of the Resource Management Act 1991, an assessment of environmental effects in the detail that corresponds with the scale and significance of the effects that the proposed activity may have on the environment.

I/We attach any information required to be included in this application by the district plan, the regional plan, the Resource Management Act 1991, or any regulations made under the Act.

(List all documents that you are attaching)

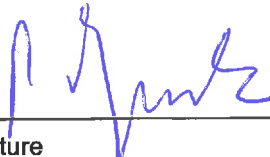
See attached AEE

Subdivision consent requirements

As/if this is an application for a subdivision consent, I/We attach information that is sufficient to adequately define: *(delete if this is not an application for a subdivision consent)*

- (a) The position of all new boundaries; and
- (b) the areas of all new allotments; and *(delete if the subdivision involves a cross-lease. Company lease or unit plan)*
- (c) the locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips; and
- (d) the locations and areas of any existing esplanade reserves, esplanade strips, and access strips; and
- (e) the locations and areas of land below mean high water springs of the sea, or of any part of the bed of a river or lake, to be vested in the Crown or local authority under section 237A of the Resource Management Act 1991; and
- (f) the locations and area of land to be set aside as new roads.

As this is an application for a resource consent for reclamation, I/We attach information to show the area proposed to be reclaimed, including its location, the position of all new boundaries, and the portion of that area (if any) to be set apart as an esplanade reserve or esplanade strip. *(delete if this is not an application for a resource consent for reclamation)*



Signature



Date

(to be signed by applicant or person authorised to sign on behalf of applicant)



Our Ref: C2793

Date 19 January 2023

Central Otago District Council
P O Box 122
ALEXANDRA

Dear Sir/Madam

Re: Application for a Two Lot Subdivision & Cancellation of a Consent Notice – Shaw - 34 A Sugarloaf Drive, Lowburn

1. On behalf of our client, we hereby apply for the above resource consent, in accordance with the attached application.

Evidence of payment of the \$900.00 application fee is enclosed.

Notification

3. Sec 95A RMA91 (Public Notification)

- Step 1:** None of the criteria for public notification in this step apply.
- Step 2:** Public notification is not precluded.
- Step 3:** The application is for a subdivision that complies with the District Plan's criteria for a discretionary activity and is for rural purposes only. In accordance with sec 95 D RMA91, the activity will not have any adverse effect on the environment that is more than minor and public notification is not required.
- Step 4:** There are no special circumstances that would require public notification.

4. Sec 95B RMA91 (Limited Notification)

- Step 1:** There are no affected persons or groups that are required to be notified under this step.
- Step 2:** Limited notification is not precluded.
- Step 3:** The application is for a subdivision that complies with the District Plan's

criteria for a discretionary activity and is for rural purposes only. In accordance with Sec 95E RMA91 no person is adversely affected in a minor or more than minor way and limited notification is therefore not required.

Step 4: There are no special circumstances that would require limited notification.

Draft of Conditions

5. Please send a draft of the conditions for our review prior to the issue of the consent. It is acknowledged that this will be on a without "prejudice basis". The applicant agrees to a time extension, if required to facilitate this.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'P L Dymock', written in a cursive style.

PETER L DYMOCK
SENIOR PLANNER

Payment complete



Amount

\$900.00

One off

from

farm

Seaview Farm Trust

03-1783-0597468-001

Particulars

code

Reference

2 ha App st4

to

code

02-0916-0081744-000

Particulars

m shaw

Reference

RCAppShaw

Date

Thursday, 19 Jan 2023

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M N & L M SHAW

ASSESSMENT OF ENVIRONMENTAL EFFECTS

APPLICATION FOR

Discretionary Activity 2 Lot Subdivision
& Cancellation of Consent Notice

34 A Sugarloaf Drive
LOWBURN

DUNEDIN:

P.O. Box 5933,
Dunedin 9058.

T 03 477 3245

CHRISTCHURCH:

P.O. Box 160094,
Christchurch 8441.

T 03 928 1533

ALEXANDRA:

P.O. Box 103,
Alexandra 9340.

T 03 448 8775

CROMWELL:

P.O. Box 84,
Cromwell 9342.

T 03 445 1826

QUEENSTOWN:

P.O. Box 2645,
Queenstown 9349.

T 03 441 4715

WANAKA:

P.O. Box 283,
Wanaka 9305.

T 03 443 0110

Job No: C2793
Date: January 2023
Status

Prepared For: MN & LM Shaw

Prepared By:
Peter Dymock
Senior Planner Bsc, DipMgt, MNZIS, RP Surv

Paterson Pitts Limited Partnership (Alexandra Office)
8 Skird Street
ALEXANDRA 9340
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1.0 The Site

1.1 Location

34 A Sugarloaf Drive, Lowburn. See attached location plan.

1.2 Legal Description

The site of this subdivision is currently part of two titles.

Lot 2 DP 508107 (71.0765ha) held in freehold title under RT 772768 by the applicants.

A copy of the title is attached.

Lot 1 DP 474100 (50.794ha) is held in freehold title under RT 649764 by the applicants.

Copies of the titles are attached.

1.3 Zoning

The site is within the Rural Resource Area and is subject to a Significant Amenity Landscape (SAL) overlay, except for the "leg-in" part of Lot 1 DP 474100 down lower "Chinaman's Gully" which is within an Outstanding Natural Feature (ONF) overlay.

See District Plan Maps 52 & 18 attached (The plan of subdivision better illustrates the ONF/SAL boundary)

1.4 General Site Description

The site consists of part of the flat terrace tread of the "Sugarloaf Terrace" and is accessed by a gravel road up "Chinaman's Gully"(Sugarloaf Drive) which is incised below the Sugarloaf terrace tread. The first part (over lot 1 DP 418764 and Lot 2 DP 474100) of Sugarloaf Drive is sealed with a privately owned bridge over the Lowburn. Consent Notices registered on the titles to Lots 1, 2, 3, 5, 6, 9, 10, 11 & 14 DP 418764 bind the owners to the ownership and maintenance of the bridge and its overflow flood channel, plus periodic clearance of the bed of the Lowburn upstream and downstream of the bridge.

The eastern boundary of the site coincides with the top edge of the Sugarloaf Terrace riser and demarcates the boundary between the SAL notation of the terrace tread and the Outstanding Natural Feature (ONF) of the terrace riser.

The northern eastern boundary of the site abuts a large cherry orchard (Lot 1 DP 27379) and the north west boundary, a private airstrip (on Sec 44 Blk V Cromwell S.D.)

Users of the airstrip informally access it via Sugarloaf Drive, although the airstrip title does not have any legal access rights over Sugarloaf Drive.

Apart from the leg-in strip up Chinaman's Gully, the site of the subdivision is mostly under a pivot irrigator and has an existing dwelling consented under RC 180241. The site is used for pastoral grazing under the pivot.

No parts of the site are visible from any public place on the Clutha Valley floor and the Cromwell basin, including Lowburn Valley Road, SH6, SH8 and Lake Dunstan.

1.5 Planning History

The current two titles are subject to the subdivisions authorised by RC's 210358V1 , 210438 & 220107 . As provided for in the consent conditions , these subdivisions are being titled contemporaneously on a single legal survey plan . See copy of LT 582528 (approved as to survey) . An application was lodged with Council for sec 221(3), 223 & 224(c) RMA91 certification on 6th December 2022 , but at the time of this application these had not been issued .

This subdivision will therefore be a subdivision of Lot 1 DP 582528 (not deposited) , Record of Title 1095297 (pre-allocated by LINZ) to be held in the ownership of the applicants .

The attached copy of LT 582528 shows the easements that RT 1095297 will be subject to

2.0 The Proposed Subdivision

2.1 Lot Layout

Please refer to the attached plan of subdivision C2793_SCM 7B dated 19 January 2023.

- Lot 2 32.1 ha This lot will be retained by the applicants and continue to be farmed under the pivot . The applicants live in the existing dwelling on this lot . The lot includes the leg-in up Chinaman's Gully
- Lot 1 2.16 ha This lot incorporates an area of terrace tread not covered by the pivot.

The "average" lot area calculation is: $(16 + 2.1) / 2 = 9.05\text{ha}$

2.2 Access

- Both lots will use their existing appurtenant right of way easements over Lot 2 DP 474100 and Lot 1 DP 418764 to access onto Lowburn Valley Road. This section of Sugarloaf Drive is sealed , widened to a width of 6.0m in satisfaction of conditions of consent of RC's 210358 , 210438 & 220107.
- Lot 2 will continue to use its existing leg-in access up Chinaman's Gully which has been upgraded to a 5.5m wide gravelled carriageway as a condition of the above consents .
- Lot 1 will access Sugarloaf Drive via a new right of way over the lot 2 leg-in , shown as right of way 'A' on the plan of subdivision which has been upgraded as above under the previous consents.
- The total number of properties using the Chinaman's Gully access will now be 11 (including lot 1 DP 27379 , lot 1 DP 508107 & Lots 2-8 LT 582528) . This exceeds the threshold of 6 lots for a vested road in table 3.2 (a) . However Council has agreed that the existing title structure practically prevents vesting and has instead required a 5.5m wide metalled carriageway for the access under the above consents .

2.3 Water Supply

Both lots will be allocated an irrigation supply from a bore beside SH6. The domestic supply for the existing dwelling on Lot 2 comes from the same source.

Lot 1 will not be provided with a domestic water supply.

2.4 Wastewater

The existing dwelling on Lot 2 has a recently installed modern on-site system. Lots 1 is intended for rural purposes only.

2.5 Firefighting Provision

The existing dwelling on Lot 2 has a 30m³ tank with FENZ compatible couplings, accessible to a fire appliance. Lot 1 is intended for rural purposes only.

2.6 Utility Services

Lot 2 has an existing power connection to Aurora Energy Ltd's network. Lot 1 is not being supplied with a power connection as part of this subdivision.

2.7 Financial & Development Contributions

The following are due:

- Reserves FC \$ 1,190 incl gst
- Roothing DC \$1,719 incl gst

2.8 Building Platforms

The dwelling on Lot 2 is already established. Lot 1 is intended for rural purposes only and no platform has been identified on it nor will any utility services necessary for residential activity be supplied to it .

2.9 Earthworks

No extractive earthworks are required to give effect to this subdivision consent and no additional roading construction is required.

2.10 Easements

Right of way easements 'A', shown on the plan of subdivision needs to form a condition of consent.

3.0 District Plan Matters

3.1 Rules

The application requires consent to a discretionary activity in accordance with Rule 4.7.4 (iii) (b) and Rules 4.7.6 L (1)(e) and 4.7.4 (i) – subdivision of land within an ONF.

3.2 Assessment Matters

The assessment matters under Rule 4.7.4 (iii) are addressed as follows:

1. *The effects of subdivision and future development on:*
 - *Open space, landscape, natural character and amenity values,*

- *Reserves, all public conservation land managed by the Department of Conservation and recreation facilities, including the provision and maintenance of such facilities,*
- *Heritage sites, including archaeological sites and waahi tapu, and heritage landscapes.*
- *Sites, lakes and rivers and their margins and other features of cultural value to Kai Tahu ki Otago,*
- *Notable trees, and areas of significant indigenous vegetation and significant habitats of indigenous fauna, and ,*
- *The natural character of water bodies and their margins.*

The subdivision is for rural purposes which are a permitted activity within an SAL. Therefore there will be no adverse effects of natural character, open space, landscape and amenity values, the adjacent Council scenic reserves (the sugarloaf terrace riser) and the public walking tracks over the site.

The ONF part of the site is simply an existing access road up Chinaman's Gully.

As far as the applicant is aware the site does not contain any heritage values or features of cultural value to Kai Tahu.

The site has been cultivated and sown out in pasture under pivot irrigation, therefore there are no notable trees, areas of significant indigenous vegetation and habitats. There are no natural water bodies within or adjacent to the site.

2. *Potential for visual absorption of future built development with particular attention being given to those areas identified as outstanding natural landscapes and significant amenity landscapes on the planning maps.*

No future built development is provided for in this subdivision, apart from farming structures and buildings (e.g. farm sheds) which are all permitted activities in an SAL .

3. *Capability for sustainable use of the productive land soil resource.*

Both lots are to be used for productive use and will have a suitable irrigation supply to facilitate this .

4. *The potential for reverse sensitivity effects and methods to address such effects on existing rural production activities and on existing infrastructure, including the use of separation distances and yards.*

This is a subdivision for farming/horticultural purposes. Reverse sensitivity with surrounding rural landuse (e.g. cherry orchard on the northern boundary of Lot 2) cannot be an issue.

5. *The adequacy of the allotment in respect of its ability to safely dispose of effluent and stormwater on-site, without compromising health, and the quality of ground and surface water resources.*

6. *The provision of an adequate water supply, given the intended use of the allotments, unless an allotment is incapable of being occupied by a dwelling.*

See Sec (2.3) above of this AEE.

7. *The location, design and construction of access, and its adequacy for the intended use of the allotments.*

See Sec (2.2) above of this AEE.

8. *The provision of adequate utility services, (including roading), and in particular the location, design and construction of these services.*

See secs (2.5) & (2.6) above of this AEE.

9. *Earthworks necessary to prepare the site for occupation and/or use.*

See Sec (2.9) above of this AEE.

10. *The provision of access to back land.*

Existing right of way easements over the head titles will automatically come down onto the new titles.

11. *The provision of esplanade reserves and strips and access to them.*

Not applicable.

12. *Any financial contributions necessary for the purposes set out in Section 15 of this plan.*
See sec (2.7) above of this AEE.

13. *Any amalgamations or easements that are appropriate.*

See Sec (2.10) above of this AEE. No amalgamations are required.

14. *The identification of potential building platforms that are encouraged in locations that will maintain the open natural character of hills and ranges, without compromising the landscape and amenity values of prominent hillsides and terraces.*

See Sec (2.8) above of this AEE.

15. *Whether or not the clustering of lots would be beneficial in terms of avoiding or mitigating adverse environmental effects.*

16. *Whether or not the applicant will commit or has committed to work or services as environmental compensation (such as the control of wilding pines) and if so committed, whether it is or will be:*

- *To remedy at least in part any adverse effects of onsite works; or*
- *On the site or within the same general area, landscape or environment as the proposed activity; and/or*
- *Effective by way of conditions, bond or covenant; and/or*
- *The product of public consultation or participation.*

17. *The appropriate size of any allotment bearing in mind any of the above factors.*

Not applicable.

18. Any objectives and policies relevant to the above matters.

See Sec (3.3) below of this AEE.

19. Any other matters provided for in Section 220 of the Act.

All relevant matters have been considered in this AEE.

3.3 Objectives & Policies

The following are relevant to this application:

Obj	4.3.3	Landscape & Amenity Values
Pol	4.4.2	Landscape & Amenity Values
Pol	4.4.6	Adverse Effects on the Soil Resource
Pol	4.4.8	Adverse Effects on the Amenity Values of Neighbouring Properties
Pol	4.4.9	Effects of Rural Activities (Reverse Sensitivity)
Pol	4.4.10	Rural Subdivision and Development

All relevant matters in these Objectives & Policies are duplicated in the assessment matters covered above in Sec (3.2) of this AEE.

4.0 Other Statutory Matters

4.1 Pt II Resource Management Act 1991

The District Plan has been prepared with regards to Part II of the Resource Management Act 1991, the proposal has no adverse effects on the environment that are no more than minor and it is not contrary to the Central Otago District Plan. The Plan's provisions as to rural subdivision are complete and comprehensive . No further assessment against Part II is therefore required.

4.2 National Policy Statements (NPS)

The National Policy Statement on Highly Productive Land 2022 (NPS-HPL) is relevant to this application.

As per Sec 3.5(7)(a)(i) and (ii) of the NPS – HPL, in the absence of any mapping of highly productive land by the Council at this point in time, the site is not subject to the NPS-HPL as it is not classified as LUC 1, 2 or 3 land by Landcare Research, which classifies the site as LUC 6. (cf. Sec 3.4 (1)(b) and Sec 3.4(4)) . See attached Landcare Research LUC map .

There are no other applicable NPS.

4.3 National Policy Statement for Assessing & Managing Contaminates in Soil to Protect Human Health (NES-CS)

Pursuant to Sec 5 (8) (c) of the Regulations, the subdivision does not result in the land ceasing to be production land, therefore the NES-CS does not apply.

4.4 Regional Policy Statement

4.4.1 Partially Operative Regional Policy Statement 2019

The following objectives and policies are relevant:

- 2.1 – 2.2 Kai Tahu values and interests
- 3.1 – 3.2 Functions and values of Otago's ecosystem and natural resources
- 4.1 Natural Hazards
- 4.3 Infrastructure
- 4.6 Hazardous Substances, Contaminated Land & Waste Materials

Assessment of the objectives and policies 2.1, 2.2, 3.1, 3.2 and 4.3 are addressed in Sec (3.2) above of this AEE.

Assessment of the objectives and policies 4.1 are addressed in Sec (5) below of this AEE.

Assessment of the objectives and policies 4.6 are addressed in Sec (4.3) of this AEE.

4.4.2 Proposed Regional Policy Statement 2021

The following objectives and policies are relevant to this application:

- Obj LF-LS-O11* *Maintenance of productive capacity of highly productive land*
- Pol LF-LS-P19* *Maintenance of productive capacity of highly productive land.*

The subdivision is to facilitate productive use of the land.

- Obj Eco-O1* *Indigenous biodiversity*
- Pol Eco-P2 & Eco-P3* *Significant Natural Areas*

As far as the applicant knows, the site does not contain any areas of indigenous habitat or species.

- Obj HAZ-NH-O1* *Natural hazards*
- Pol HAZ-NH-P3* *Acceptable natural hazard risks*

See Sec (5) below of this AEE.

- Obj-Haz-U-P13* *Identifying contaminated land*

See Sec (4.3) above of this AEE.

- Obj HCV-HH-O3* *Historic heritage resources*

As far as the applicant knows, the site does not contain any heritage resources.

- Obj NFL-O1* *Outstanding and highly valued natural features and landscapes*
- Pol NFL-P2* *Protection of outstanding natural features and landscaping*

The subdivision only facilitates permitted activities (i.e. rural productive use) in the SAL and there is no effect on the ONF part of the site which is merely an existing formed road line.

5.0 Section 106 Resource Management Act

A search of the Otago Regional Council's Natural Hazards Database shows that the site is not susceptible to any natural hazards known to the ORC.

6.0 Consultation and Affected Persons

It is not considered that any other person would be adversely affected by this application and the applicant has not therefore consulted with any other person.

7.0 Consent Notice Matters

A copy of the consent notice to be registered on the title of Lot 1 LT 582528 is attached . Only conditions (a) & (b) relate to lot 1 . However, unless cancelled, it will automatically come down onto the title to Lots 1 & 2 , thus causing considerable confusion to users of the title, not least that the lots referred to in the consent notice will not be the lot numbers of the new titles.

Note CONO 8879193.1 registered on the two current titles will be retained and will come down onto the titles to lots 1 & 2 (thus retaining the 50m set back within lot 2 from the terrace edge above SH6)

Pursuant to Sec 221(3) RMA91 it is requested that the consent notice be cancelled as it relates to Lot 1 LT 582528. This needs to be formally authorised in the consent decision.

It is proposed to replace the consent notice with the following consent notice, that needs to form a condition of consent.

- a) *Lots 1 & 2 are intended for productive purposes only and no services are provided to these lots at the time of subdivision .*
- b) *Lots 1& 2 are productive lots and have not been assessed under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS). Any change of land use may require an assessment under the NESCS.*

In accordance with Sec 221(3A) RMA91, secs 88-121 and 127 (4) – 132 RMA91 apply to this application with all necessary modifications.

8.0 List of Attachments

- 8.1 Location Plan
- 8.2 Records of Title 649764 and 772768
- 8.3 LT 582528

- 8.4 District Plan Maps 18 & 52
- 8.5 Plan of Subdivision C2793_SCM 7A dated 16/09/2022
- 8.6 Landcare LUC mapping
- 8.7 Consent Notice

Shaw Location Plan

Created Date: 17/01/2023
Created Time: 8:09 AM
Created By: anonymous



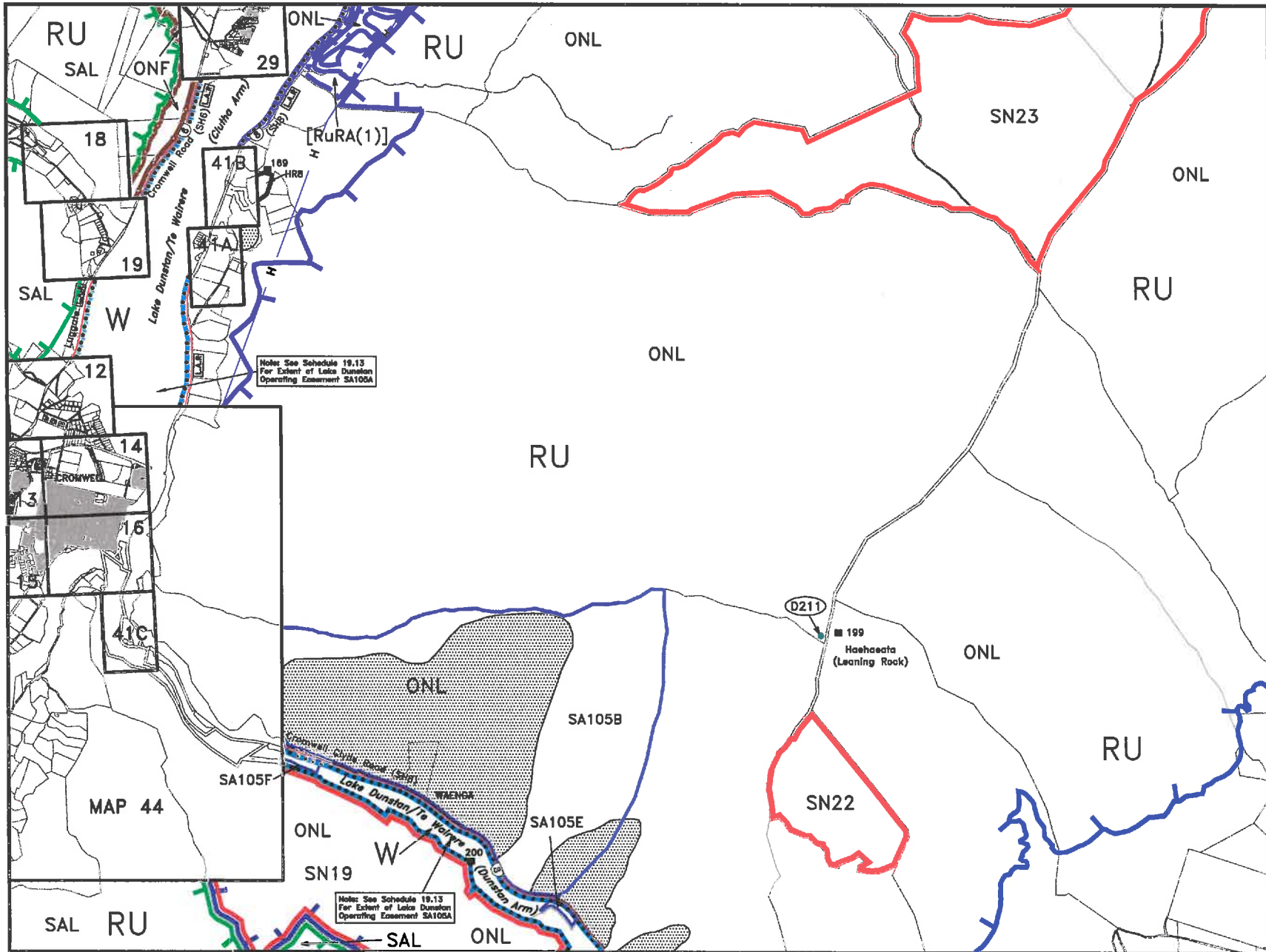
Scale: 1:14670
Original Sheet Size A4
Projection: NZTM2000

The information displayed in the Geographic Information System (GIS) has been taken from Central Otago District Council's (CODC) databases and maps.

Digital map data sourced from Land Information New Zealand (LINZ).
Licensed under the Creative Commons Attribution 4.0 International licence
<https://creativecommons.org/licenses/by/4.0/>

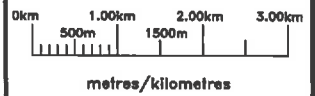
It is made available in good faith but its accuracy or completeness is not guaranteed. CODC accepts no responsibility for incomplete or inaccurate information.

If the information is relied on in support of a resource consent it should be verified independently.



LOCATION CENTRAL OTAGO DISTRICT	ADJOINING MAPS		
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	51	52	53
	68	56	57

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(at A3)



See LEGEND for key to map notations

Amended: 15 July 2013

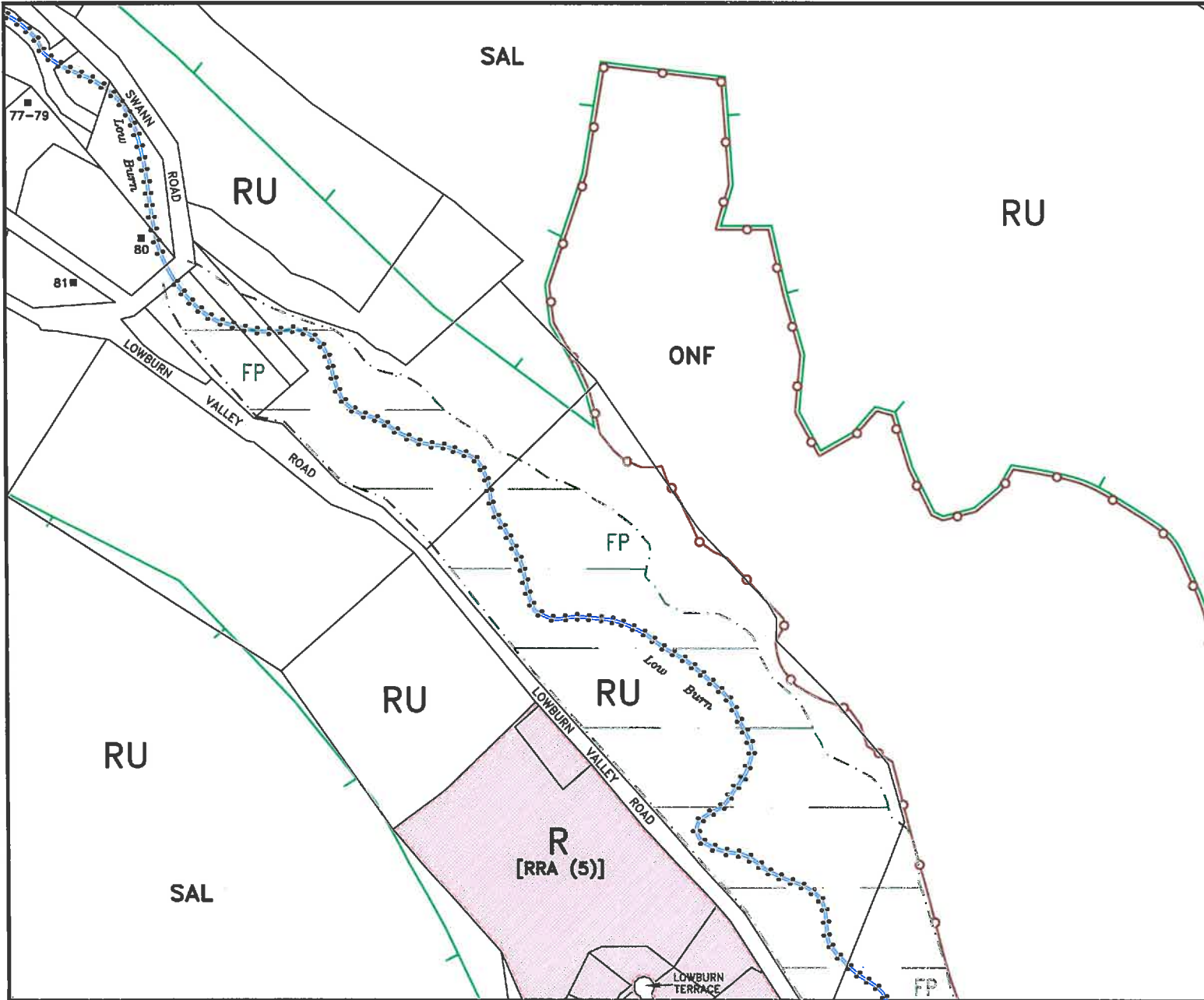
Publicly Notified : 18 July 1998
 Amended by Decisions : 1 July 2000
 Operative Date : 1 April 2008

CENTRAL OTAGO DISTRICT PLAN

MAP 52

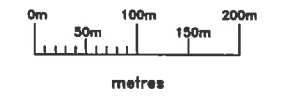
Notes: See Schedule 19.13 For Extent of Lake Dunstan Operating Easement SA105A

Notes: See Schedule 19.13 For Extent of Lake Dunstan Operating Easement SA105A



<p>LOCATION</p> <p>CENTRAL OTAGO DISTRICT</p>	<p>ADJOINING MAPS</p> <table border="1"> <tr> <td>51</td> <td>18</td> <td>52</td> </tr> <tr> <td></td> <td>19</td> <td></td> </tr> </table>	51	18	52		19	
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	19						

Scale 1: 5000
(at A3)



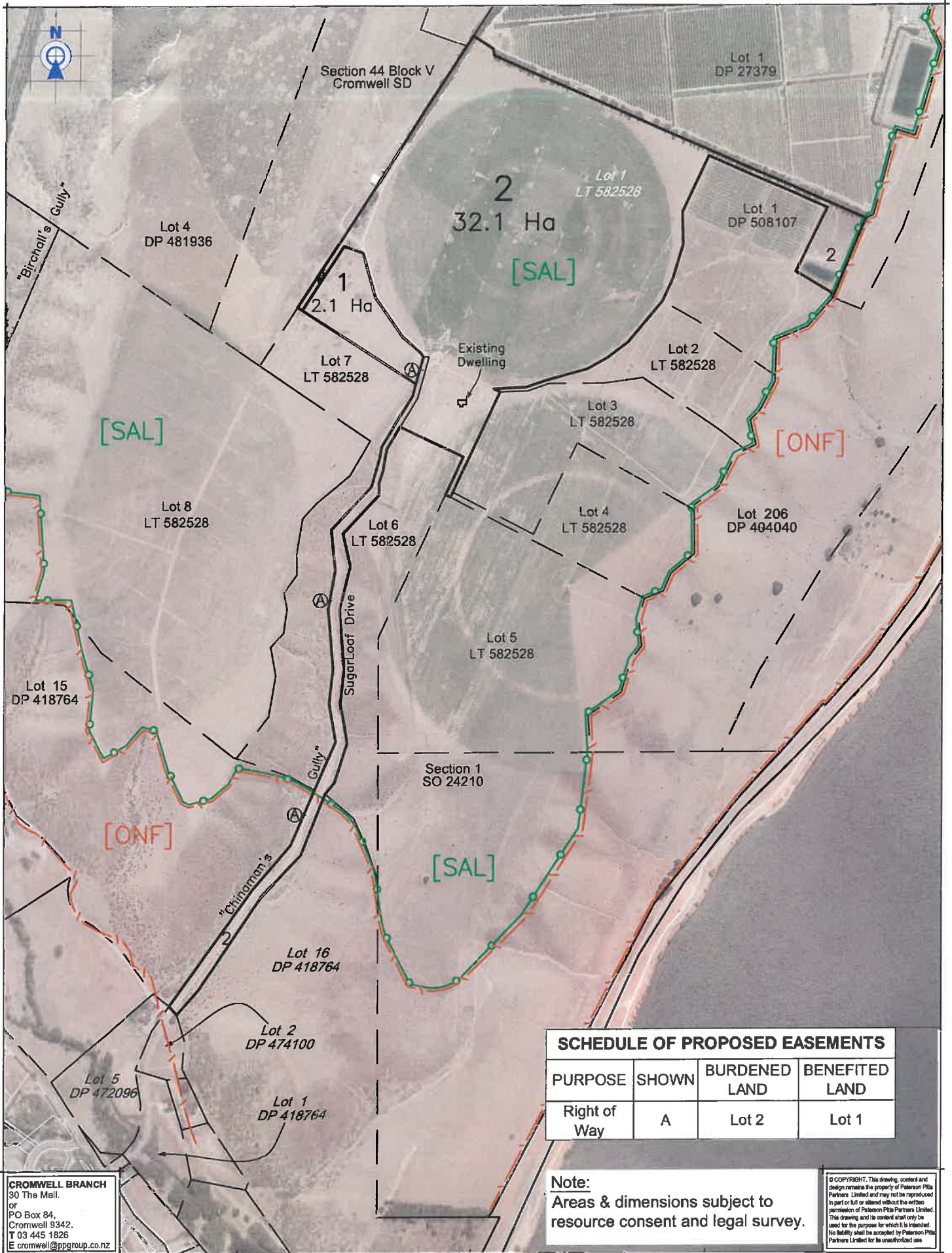
See LEGEND for key to map notations
Amended: 10 July 2009
15 July 2013

Publicly Notified : 18 July 1998
Amended by Decisions : 1 July 2000
Operative Date : 1 April 2008

CENTRAL OTAGO DISTRICT PLAN

MAP 18

LOWBURN 1 of 2



SCHEDULE OF PROPOSED EASEMENTS

PURPOSE	SHOWN	BURDENED LAND	BENEFITED LAND
Right of Way	A	Lot 2	Lot 1

Note:
Areas & dimensions subject to resource consent and legal survey.

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T 03 445 1826
E cromwell@ppgroup.co.nz

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0800 PPGROUP

Client/Location: **Merv Shaw**
Proposed Subdivision
Sugarloaf (Lowburn)

Purpose/Drawing Title: **Lots 1 & 2 Being a Subdivision**
of Lot 1 LT 582528

Surveyed by: GP	Original Size: A3	Scale: 1:6000
Designed by: MS		
Drawn by: KWG		
Checked by: MG		
Approved by: MG		
Job No: C2793_SCM	Sheet No: 7	Revision No: B
		Date Created: 19/01/2023

Shaw LUC Mapping

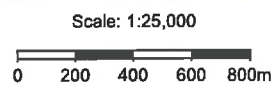


OUR ENVIRONMENT



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Printed: 10:03:40 AM Tue, 17 Jan 2023

Legend

Land Use Capability

-  LUC Class 1
-  LUC Class 2
-  LUC Class 3
-  LUC Class 4
-  LUC Class 5
-  LUC Class 6
-  LUC Class 7
-  LUC Class 8

OURENVIRONMENT



Manaaki Whenua
Landcare Research

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IN THE MATTER of Lots 1 - 8 DP 582528 being a subdivision of Lot 1 DP424100 Record of Title 649764 and Lot 2 DP 508107 Record of Title 772768

AND

IN THE MATTER of resource consents RC 210358V1, RC 210438 and RC 220107 from the Central Otago District Council to subdivide the above land.

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

**PATERSON PITTS LIMITED PARTNERSHIP
P O Box 84
CROMWELL**

In accordance with conditions of resource consents RC 210358V1, RC 210438 and RC 220107 of the Central Otago District Council granted pursuant to Section 104 of the Resource Management Act 1991 dated 2 March 2022, 14 December 2021 and 12 April 2022 respectively , the following conditions are to be imposed on an ongoing basis by a consent notice to be registered against the Records of Title for Lots 1 – 8 DP 582528 .

- a) *Lots 1 – 8 are intended for productive purposes only (except for the existing dwelling on Lot 1) and services have not been provided nor are necessarily available to these lots.*
- b) *Lots 1 – 8 are productive lots and have not been assessed under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS). Any change of land use may require an assessment under the NESCS.*
- c) *No building shall be erected on Lot 8 aside from ancillary farm buildings that may be required for the purposes of ongoing farm operations. Any such building shall be restricted to the areas marked 'T' on DP 418764 and that part of 'U' on DP 418764 that is within Lot 8 (areas T & UA DP 582528) . For the avoidance of doubt no dwelling and/or accessory building is to be located on Lot 8.*
- d) *The use of that part of Lot 8 on the terrace tread (areas T , UA , X, XA & PA DP 582528) shall be restricted to pastoral uses or horticultural shrub, vine or ground cover crops. There shall be no further subdivision of or development of Lot 8 for residential or any other purposes.*
- e) *Boundary fencing on Lot 8 is to be standard post and wire stock fence only.*

DATED this.....day of.....2022

SIGNED for and on behalf of the

CENTRAL OTAGO DISTRICT COUNCIL

BY ITS Manager Planning and Environment

.....

Pursuant to delegated authority



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD**

Search Copy




R. W. Muir
Registrar-General
of Land

Identifier 649764
Land Registration District Otago
Date Issued 06 June 2014

Prior References
472095

Estate Fee Simple
Area 50.7940 hectares more or less
Legal Description Lot 1 Deposited Plan 474100

Registered Owners
Mervyn Nelson Shaw and Louise Margaret Shaw

Interests

Subject to Section 8 Mining Act 1971

Subject to Section 5 Coal Mines Act 1979

569244 Gazette Notice defining the middle line of a portion of the Timaru-Milton State Highway - 25.1.1982 at 10:40 am

Appurtenant hereto is a right to convey water created by Transfer 5454630.2 - 9.1.2003 at 9:00 am

Subject to a right of way (in gross) over parts marked R and Q and a pedestrian, cycle and equestrian right of way (in gross) over parts marked R, O, Q and P all on DP 474100 in favour of Central Otago District Council created by Easement Instrument 8438773.16 - 17.3.2010 at 3:11 pm

The easements created by Easement Instrument 8438773.16 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right of way over parts marked R and Q on DP 474100 created by Easement Instrument 8438773.18 - 17.3.2010 at 3:11 pm

Appurtenant hereto is a right of way created by Easement Instrument 8438773.18 - 17.3.2010 at 3:11 pm

Some of the easements created by Easement Instrument 8438773.18 are subject to Section 243 (a) Resource Management Act 1991 (see DP 418764)

Land Covenant in Easement Instrument 8438773.19 - 17.3.2010 at 3:11 pm

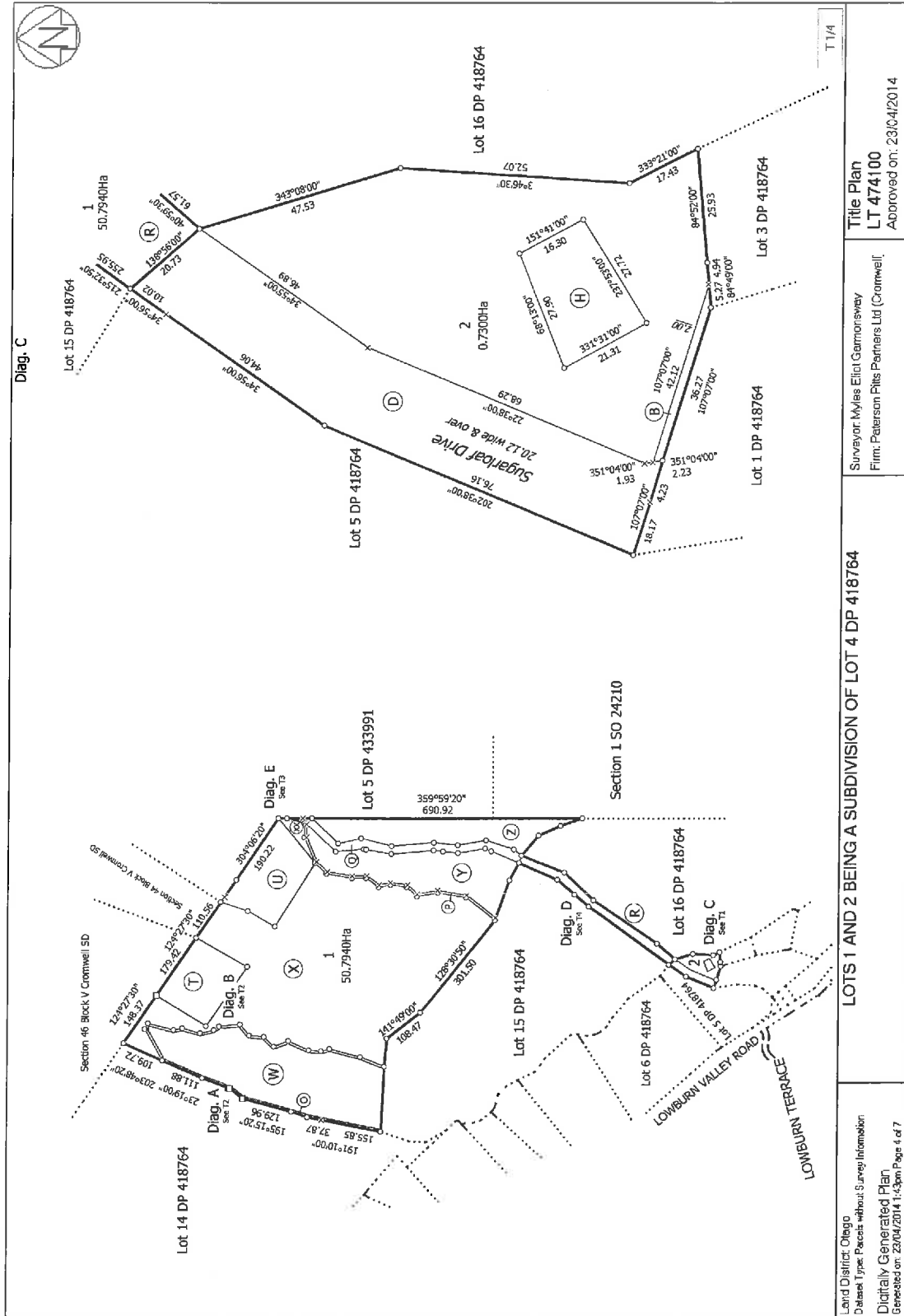
9722576.5 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 6.6.2014 at 2:06 pm

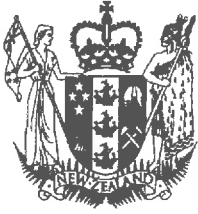
Appurtenant hereto is a right of way created by Easement Instrument 9722576.6 - 6.6.2014 at 2:06 pm

The easements created by Easement Instrument 9722576.6 are subject to Section 243 (a) Resource Management Act 1991

Fencing Covenant in Transfer 10288481.2 - 16.12.2015 at 2:55 pm

10288481.3 Mortgage to Heartland Bank Limited - 16.12.2015 at 2:55 pm





**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**




R. W. Muir
Registrar-General
of Land

Identifier 772768
Land Registration District Otago
Date Issued 01 November 2017

Prior References
574820

Estate Fee Simple
Area 71.0765 hectares more or less
Legal Description Lot 2 Deposited Plan 508107
Registered Owners
Mervyn Nelson Shaw and Louise Margaret Shaw

Interests

Subject to Section 8 Mining Act 1971 (affects part formerly Section 72 Block IV Wakefield Survey District contained in CT OT18C/291)

Subject to Section 5 Coal Mines Act 1979 (affects part formerly Section 72 Block IV Wakefield Survey District contained in CT OT18C/291)

Appurtenant to part formerly Lot 2 DP 311082 is a right to convey water, pump water, store water and convey electricity and telecommunications created by Transfer 977661.1 - 3.11.1999 at 9:06 am

Some of the easements created by Transfer 977661.1 are subject to Section 243 (a) Resource Management Act 1991 (See DP 27379)

Subject to a right of way over parts marked A, B & F on DP 508107 created by Transfer 5454630.1 - 9.1.2003 at 9:00 am

Subject to a right to convey water over parts marked D, E & F on DP 508107 created by Transfer 5454630.2 - 9.1.2003 at 9:00 am

Appurtenant hereto is a right to convey water, electricity, telecommunications and computer media created by Easement Instrument 7917778.39 - 26.8.2008 at 9:00 am

Subject to a right (in gross) to a pedestrian & cycle accessway over parts marked A & B on DP 508107 in favour of Central Otago District Council created by Easement Instrument 7917778.40 - 26.8.2008 at 9:00 am

The easements created by Easement Instrument 7917778.40 are subject to Section 243 (a) Resource Management Act 1991
Appurtenant hereto are rights of way created by Easement Instrument 8438773.18 - 17.3.2010 at 3:11 pm

The easements created by Easement Instrument 8438773.18 are subject to Section 243 (a) Resource Management Act 1991
8879193.1 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 4.10.2011 at 3:13 pm

Appurtenant hereto is a right to convey water, electricity, telecommunications and computer media created by Easement Instrument 8879193.10 - 4.10.2011 at 3:13 pm

The easements created by Easement Instrument 8879193.10 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right of way (in gross) over parts marked G, I & K on DP 508107 in favour of Central Otago District Council created by Easement Instrument 9627441.2 - 30.4.2014 at 8:36 am

10101397.3 Mortgage to Heartland Bank Limited - 26.6.2015 at 3:45 pm

Subject to a right of way over parts marked A, B, C, E, F, G, H, I & J, a right to convey water, electricity and right to store water over part marked L on DP 508107 created by Easement Instrument 10783717.6 - 1.11.2017 at 4:13 pm

Appurtenant hereto is a right to convey water and electricity created by Easement Instrument 10783717.6 - 1.11.2017 at 4:13 pm

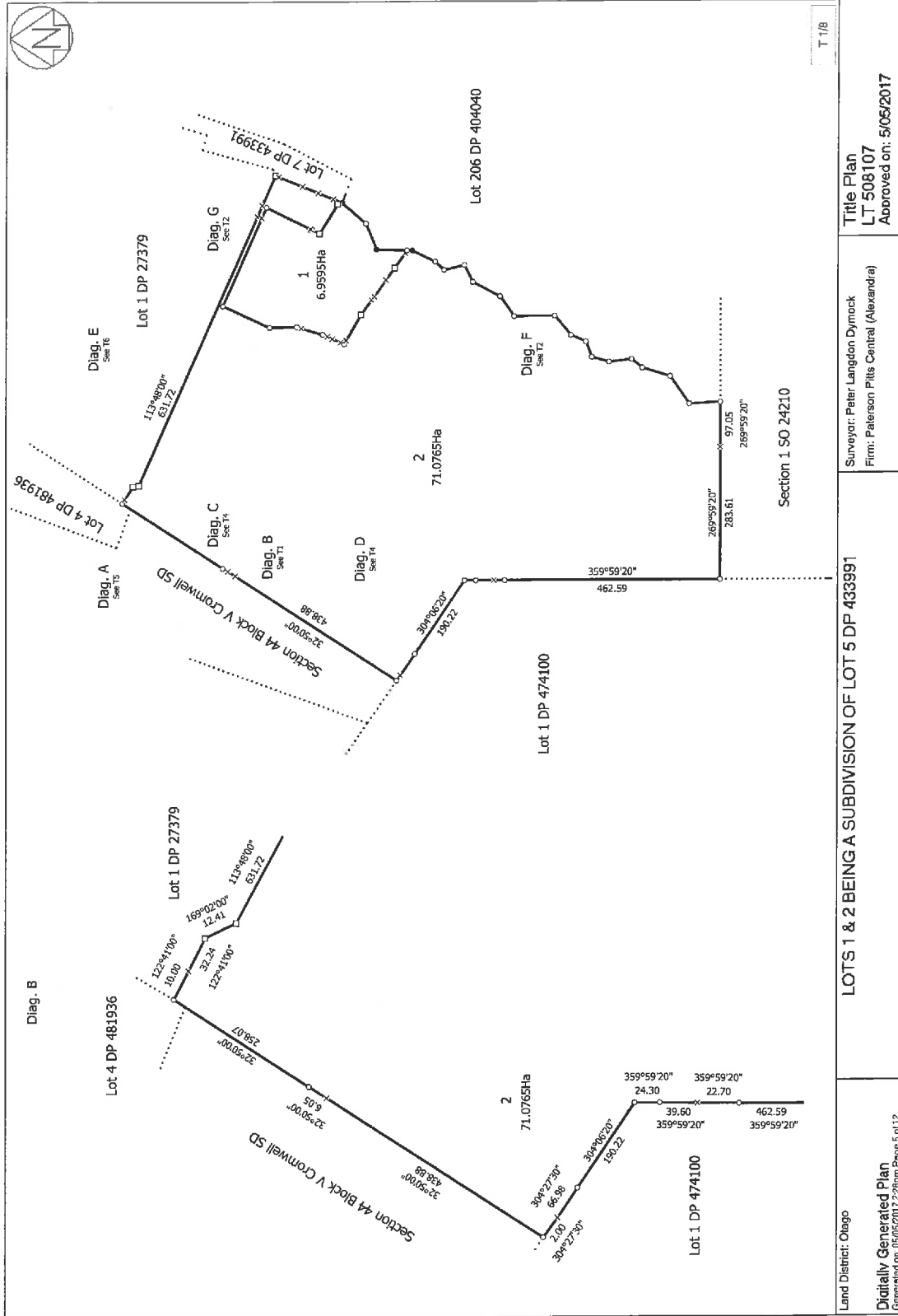
Some of the easements created by Easement Instrument 10783717.6 are subject to Section 243 (a) Resource Management Act 1991 (see DP 508107)

Subject to a right of way over parts marked C & E on DP 508107 created by Easement Instrument 10783717.7 - 1.11.2017 at 4:13 pm

Subject to a right of way (in gross) over parts marked C, E & F on DP 508107 in favour of Central Otago District Council created by Easement Instrument 10783717.8 - 1.11.2017 at 4:13 pm

10783717.10 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 1.11.2017 at 4:13 pm

12475389.1 CAVEAT BY AURORA ENERGY LIMITED - 2.6.2022 at 2:40 pm



Land District: Otago
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LOTS 1 & 2 BEING A SUBDIVISION OF LOT 5 DP 433991

Surveyor: Peter Langdon Dymock
 Firm: Paterson Plis Central (Alexandra)

Title Plan
 LT 508107
 Approved on: 5/05/2017



Title Plan - LT 582528

Survey Number LT 582528
Surveyor Reference C2793 Shaw
Surveyor Rodney Allan Baxter
Survey Firm Paterson Pitts Limited Partnership (Cromwell)
Surveyor Declaration

Survey Details

Dataset Description LOTS 1 TO 8 BEING A SUBDIVISION OF LOT 1 DP 474100 AND LOT 2 DP 508107 AND EASEMENT OVER LOT 7 DP 433991

Status Initiated

Land District Otago **Survey Class** Class B

Submitted Date **Survey Approval Date**
Deposit Date

Territorial Authorities

Central Otago District

Comprised In

RT 772768
RT 649764
RT 528989

Created Parcels

Parcels	Parcel Intent	Area	RT Reference
Lot 1 Deposited Plan 582528	Fee Simple Title	34.6490 Ha	1095297
Lot 4 Deposited Plan 582528	Fee Simple Title	4.9315 Ha	1095300
Lot 5 Deposited Plan 582528	Fee Simple Title	16.0190 Ha	1095301
Lot 6 Deposited Plan 582528	Fee Simple Title	6.5790 Ha	1095302
Lot 7 Deposited Plan 582528	Fee Simple Title	8.0930 Ha	1095303
Lot 8 Deposited Plan 582528	Fee Simple Title	39.4770 Ha	1095304
Area R Deposited Plan 582528	Easement		
Area O Deposited Plan 582528	Easement		
Area T Deposited Plan 582528	Covenant - Land		
Area UA Deposited Plan 582528	Covenant - Land		
Area X Deposited Plan 582528	Covenant - Land		
Area Q Deposited Plan 582528	Easement		
Area YA Deposited Plan 582528	Easement		
Area YB Deposited Plan 582528	Easement		
Area PA Deposited Plan 582528	Easement		
Area PB Deposited Plan 582528	Easement		
Area PC Deposited Plan 582528	Easement		
Area XA Deposited Plan 582528	Covenant - Land		
Area YC Deposited Plan 582528	Easement		
Area A Deposited Plan 582528	Easement		
Area CA Deposited Plan 582528	Easement		

Title Plan - LT 582528

Created Parcels

Parcels	Parcel Intent	Area	RT Reference
Area DB Deposited Plan 582528	Easement		
Area E Deposited Plan 582528	Easement		
Area F Deposited Plan 582528	Easement		
Area G Deposited Plan 582528	Easement		
Area I Deposited Plan 582528	Easement		
Area J Deposited Plan 582528	Easement		
Area K Deposited Plan 582528	Easement		
Area VA Deposited Plan 582528	Easement		
Area VB Deposited Plan 582528	Easement		
Area VC Deposited Plan 582528	Easement		
Area VD Deposited Plan 582528	Easement		
Area DA Deposited Plan 582528	Easement		
Area LA Deposited Plan 582528	Easement		
Area LB Deposited Plan 582528	Easement		
Area LC Deposited Plan 582528	Easement		
Area HA Deposited Plan 582528	Easement		
Area HB Deposited Plan 582528	Easement		
Area BA Deposited Plan 582528	Easement		
Area BB Deposited Plan 582528	Easement		
Area RE Deposited Plan 582528	Easement		
Area S Deposited Plan 582528	Easement		
Area MF Deposited Plan 582528	Easement		
Area MA Deposited Plan 582528	Easement		
Area MB Deposited Plan 582528	Easement		
Area MC Deposited Plan 582528	Easement		
Area MD Deposited Plan 582528	Easement		
Area ME Deposited Plan 582528	Easement		
Area N Deposited Plan 582528	Easement		
Area NA Deposited Plan 582528	Easement		
Area NH Deposited Plan 582528	Easement		
Area NC Deposited Plan 582528	Easement		
Area ND Deposited Plan 582528	Easement		
Area NE Deposited Plan 582528	Easement		
Area NG Deposited Plan 582528	Easement		
Area AA Deposited Plan 582528	Easement		
Lot 2 Deposited Plan 582528	Fee Simple Title	4.1210 Ha	1095298
Lot 3 Deposited Plan 582528	Fee Simple Title	8.0010 Ha	1095299
Area PD Deposited Plan 582528	Easement		
Area PE Deposited Plan 582528	Easement		
Area CB Deposited Plan 582528	Easement		
Area CC Deposited Plan 582528	Easement		
Area CD Deposited Plan 582528	Easement		
Area CE Deposited Plan 582528	Easement		
Area NF Deposited Plan 582528	Easement		



Title Plan - LT 582528

Created Parcels

Parcels	Parcel Intent	Area	RT Reference
Area CF Deposited Plan 582528	Easement		
Area CG Deposited Plan 582528	Easement		
Area MG Deposited Plan 582528	Easement		
Area MH Deposited Plan 582528	Easement		
Area RA Deposited Plan 582528	Easement		
Area RB Deposited Plan 582528	Easement		
Area RC Deposited Plan 582528	Easement		
Area RD Deposited Plan 582528	Easement		
Area MJ Deposited Plan 582528	Easement		
Area MI Deposited Plan 582528	Easement		
Area RF Deposited Plan 582528	Easement		
Total Area		<hr/> 121.8705 Ha	

Land Registration District

Otago

Territorial Authority

Central Otago District Council

Plan Number

DP 582528

Job Number

C2793

MEMORANDUM OF EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT (Burdened Land)	DOMINANT TENEMENT (Benefited Land)
Right of Way	CA, A, BA, BB, Q, R, CB, YA, YB, YC, PC	Lot 1	Lots 2 - 8
	N, NA, NF	Lot 1	Lots 3, 4 & 5
	N, NF	Lot 1	Lot 2
	PB, PD & PE	Lot 7	Lot 8

SCHEDULE OF EASEMENTS IN GROSS			
PURPOSE	SHOWN	SERVIENT TENEMENT (Burdened Land)	GRANTEE
Right to Convey Electricity	CA, CB, CC, CD, N,	Lot 1	Aurora Energy Ltd
	J, HB, MF, MG, MH, MJ, MI, LB, NA, NF	Lot 1	
	AA, MA	Lot 2	
	MC, MD, ME	Lot 3	
	NH, ND	Lot 5	
	NC	Lot 6	
	S	Lot 7 DP 433991	
Right to Convey Water	CA, CB, CC, CD, CF, LA, LB, LC, MG, N, NF, RA, RB, RC, RD	Lot 1	Sugarloaf Water Company Limited
	AA, MA, MB	Lot 2	
	MD, ME, NE	Lot 3	
	NG	Lot 4	
	NH	Lot 5	

J:\C_2793 Merv Shaw\ESurv\LT 582528 Easement schedule.xlsx

SCHEDULE OF EXISTING EASEMENTS IN GROSS				
PURPOSE	SHOWN	SERVIENT TENEMENT (Burdened Land)	CREATING DOCUMENT	GRANTEE
Pedestrian and Cycle Accessway	A, BA, BB	Lot 1	EI 7917778.40	Central Otago District Council
Right of Way Pedestrian, Cycle and Equestrian	R, Q, PC	Lot 1	EI 8438773.16	
	PB	Lot 7		
	O, PA	Lot 8		
Right of Way	CA, CB, CC, CE, CF, CG, E, F	Lot 1	EI 10783717.8	
	G, I, K	Lot 1	EI 9627441.2	
	R, Q	Lot 1	EI 8438773.16	

SCHEDULE OF EXISTING EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT (Burdened Land)	CREATING DOCUMENT
Right of Way	A, BA, BB, & F	Lot 1	Tr 5454630.1
	A, BA, BB, CA, CB, CC, CE, CF, CG, E, F, G, HA, HB, I & J	Lot 1	EI 10783717.6
	CA, CB, CC, CE, CF, CG & E	Lot 1	EI 10783717.7
	R & Q	Lot 1	EI 8438773.18
Right to Convey Water	DA, DB, E & F	Lot 1	Tr 5454630.2
Right to Convey Water, Right to Convey Electricity and Right to Store Water	LA, LB, LC	Lot 1	EI 10783717.6

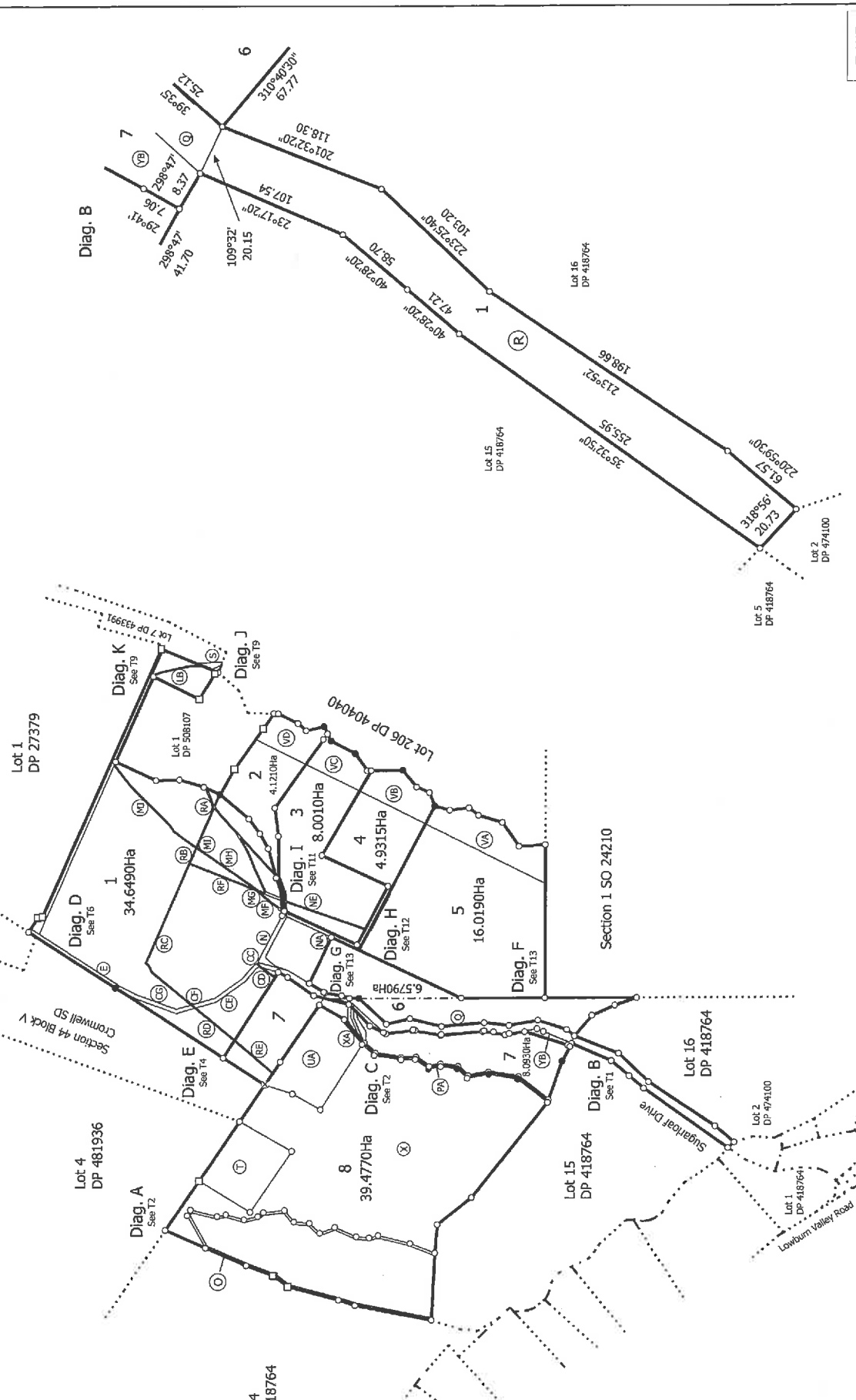
Areas VA, VB, VC, VD, I, J, K, LA, LB, LC subject to existing consent notice 8879193.1 (Land Covenant)

Areas T, UA, X, XA, PA subject to a consent notice (Land Covenant)

Consent Notices 9722576.5 & 10783717.10 are to be cancelled

Covenant Areas (subject to consent notice) O, W, P, Q, T, U, X, XX, Y, Z DP 474100 are to be cancelled.

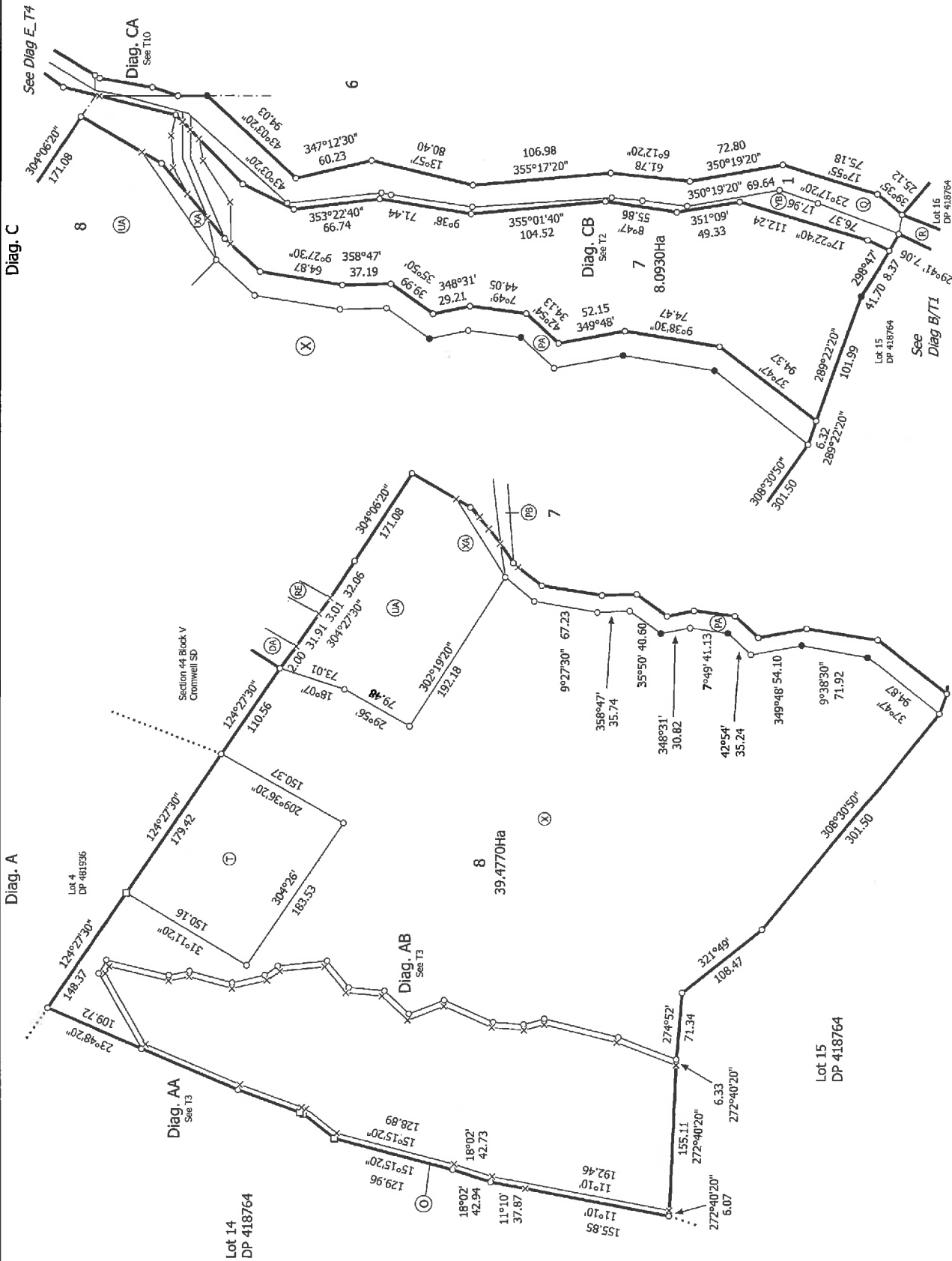
J:\C_2793 Merv Shaw\ESurv\LT 582528 Easement schedule.xlsx



Title Plan
LT 582528
DRAFT

Surveyor: Rodney Allan Baxter
 Firm: Paterson Pitts Limited Partnership (C)

LOTS 1 TO 8 BEING A SUBDIVISION OF LOT 1 DP 474100 AND LOT 2 DP 508107 AND EASEMENT OVER LOT 7 DP 433991



T 2/17

Title Plan
LT 582528
DRAFT

Surveyor: Rodney Allan Baxter
Firm: Paterson Pitts Limited Partnership (C)

LOTS 1 TO 8 BEING A SUBDIVISION OF LOT 1 DP 474100 AND LOT 2 DP 508107 AND EASEMENT OVER LOT 7 DP 433991

Land District: Otago
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Diag. AB

Diag. AA

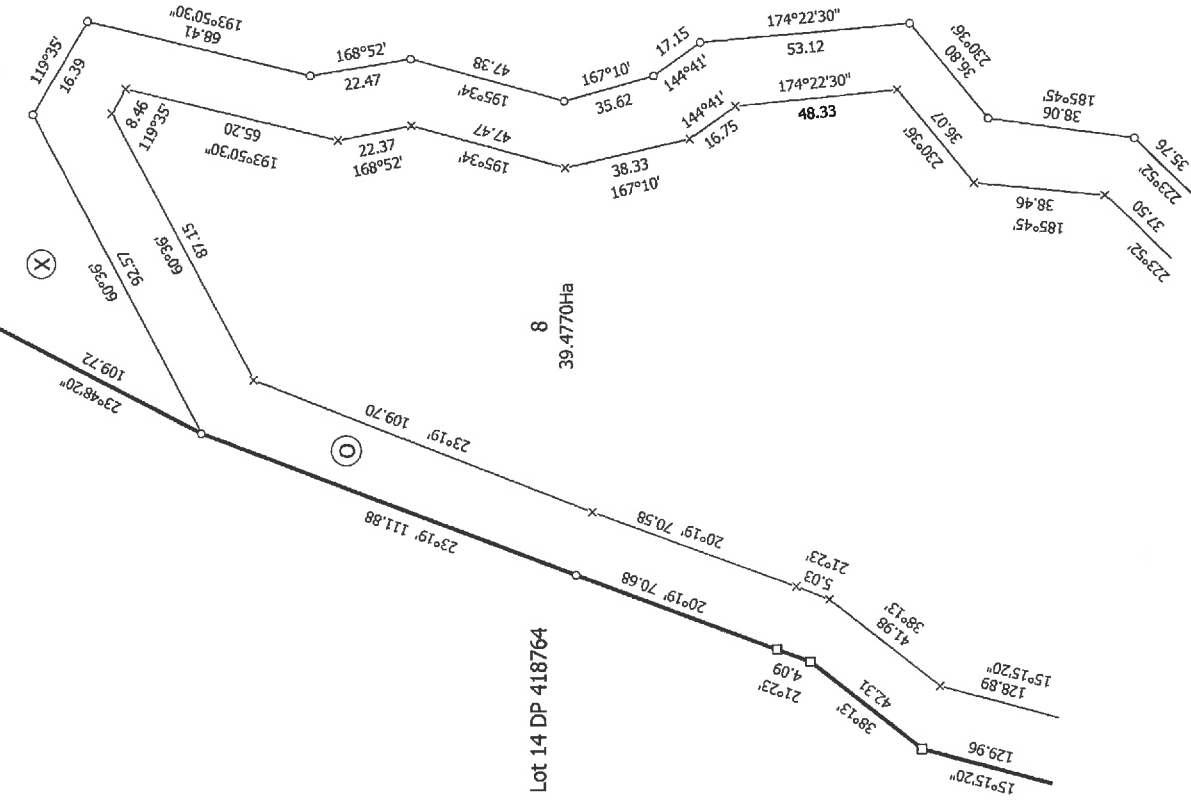
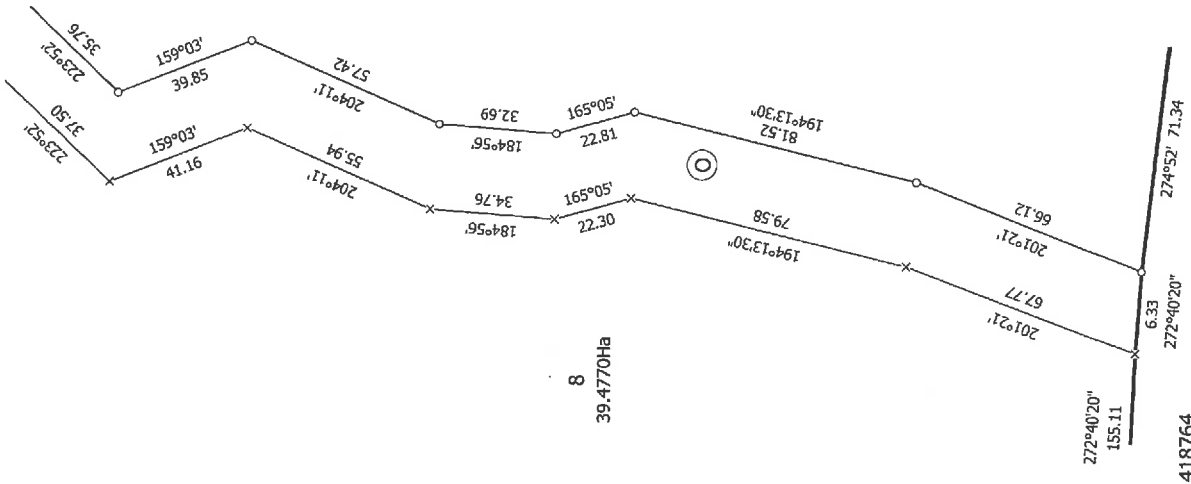
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Title Plan
LT 582528
DRAFT

Surveyor: Rodney Allan Baxter
Firm: Paterson Pits Limited Partnership (C)

LOTS 1 TO 8 BEING A SUBDIVISION OF LOT 1 DP 474100 AND LOT 2 DP
508107 AND EASEMENT OVER LOT 7 DP 433991

Land District: Otago
Digitally Generated Plan
Generated on: 10/10/2022 4:23pm Page 6 of 22





T 5/17

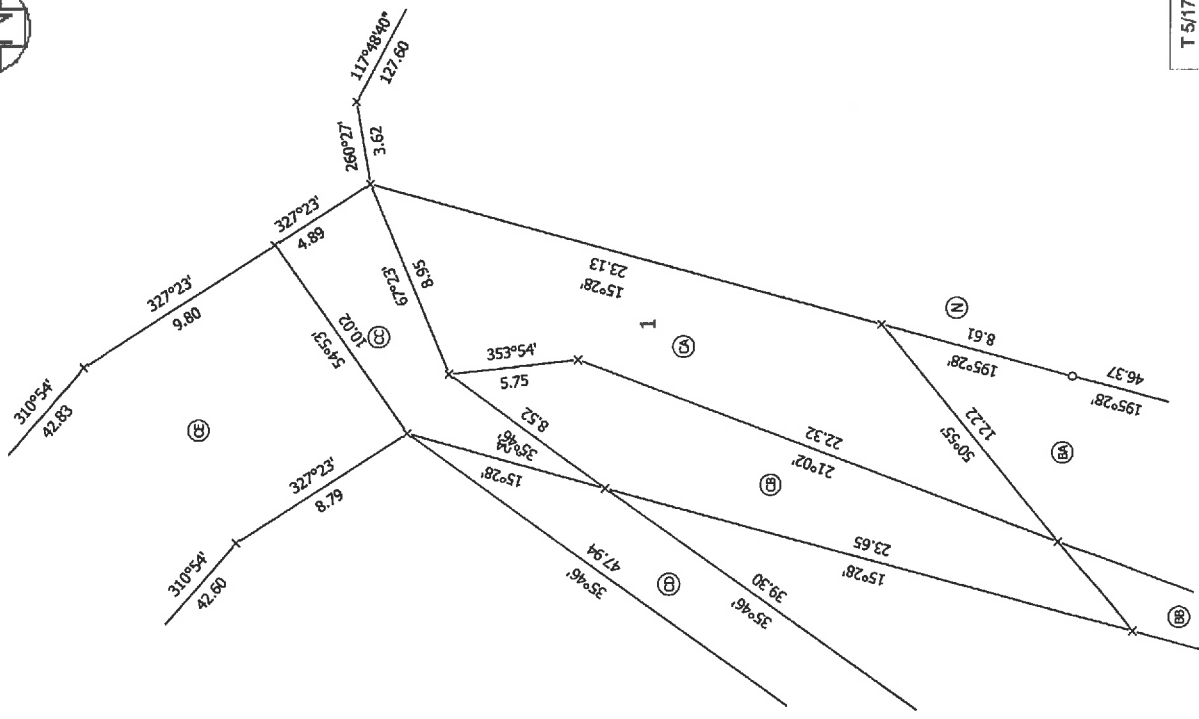
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LT 582528
DRAFT

Surveyor: Rodney Allan Baxter
Firm: Paterson Pitts Limited Partnership (C)

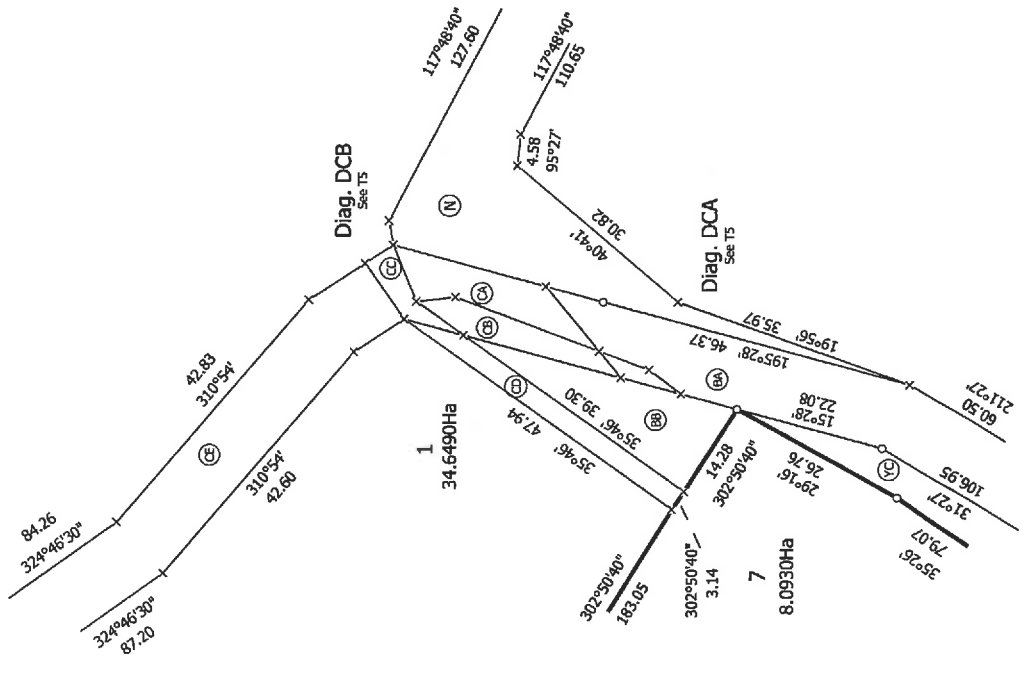
LOTS 1 TO 8 BEING A SUBDIVISION OF LOT 1 DP 474100 AND LOT 2 DP
508107 AND EASEMENT OVER LOT 7 DP 433991

Land District: Otago
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Generated on: 10/7/2022 4:23pm Page 10 of 22

Diag. DCB



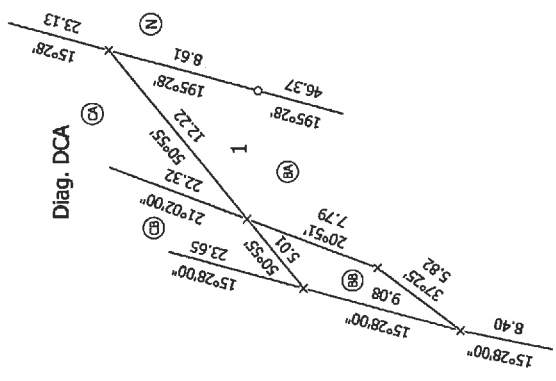
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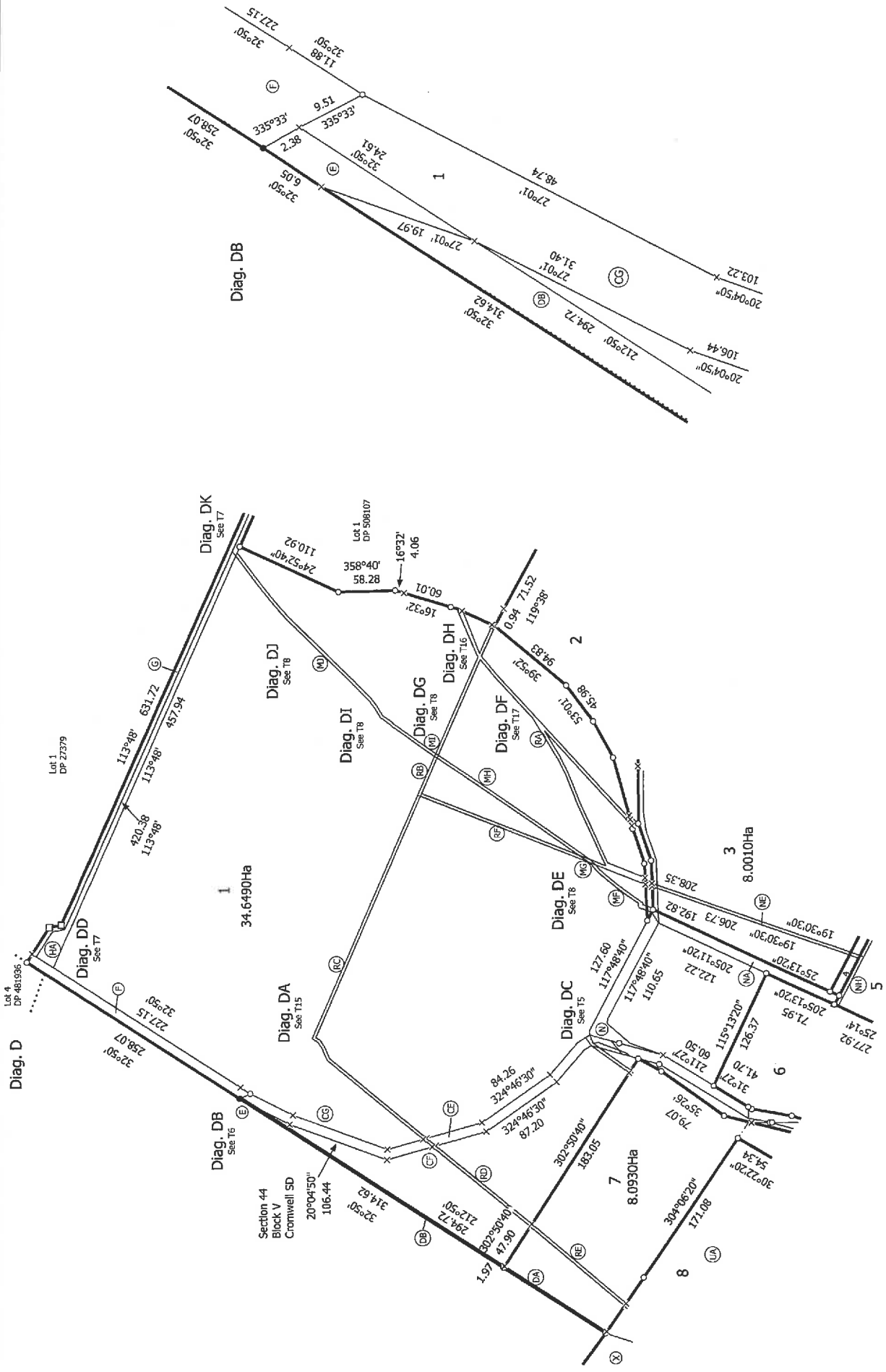


Diag. DCB

Diag. DCA

Diag. DCA





T 6/17

Land District: Otago

Digitally Generated Plan
Generated on: 10/10/2022 4:23pm Page 11 of 22

LOTS 1 TO 8 BEING A SUBDIVISION OF LOT 1 DP 474100 AND LOT 2 DP 508107 AND EASEMENT OVER LOT 7 DP 433991

Surveyor: Rodney Allan Baxter
Firm: Paterson Pitts Limited Partnership (C)

Title Plan
LT 582528
DRAFT



T 10/17

Title Plan
LT 562528
DRAFT

Surveyor: Rodney Allan Baxter
Firm: Paterson Pitts Limited Partnership (C)

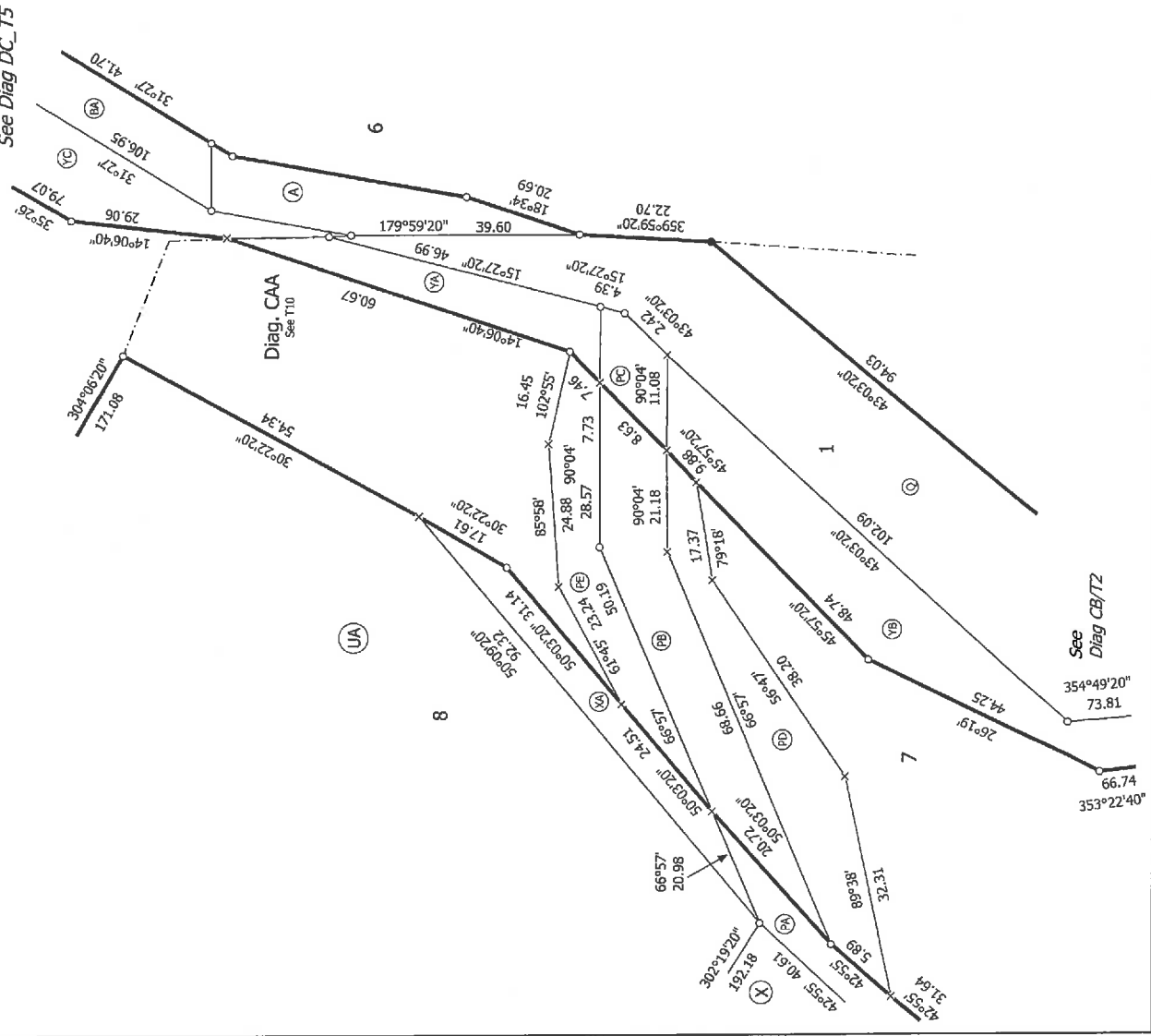
LOTS 1 TO 8 BEING A SUBDIVISION OF LOT 1 DP 474100 AND LOT 2 DP
508107 AND EASEMENT OVER LOT 7 DP 433991

Land District: Otago
Digitally Generated Plan
Generated on: 17/10/2022 4:29pm Page 15 of 22

See Diag DC_T5

Diag. CA

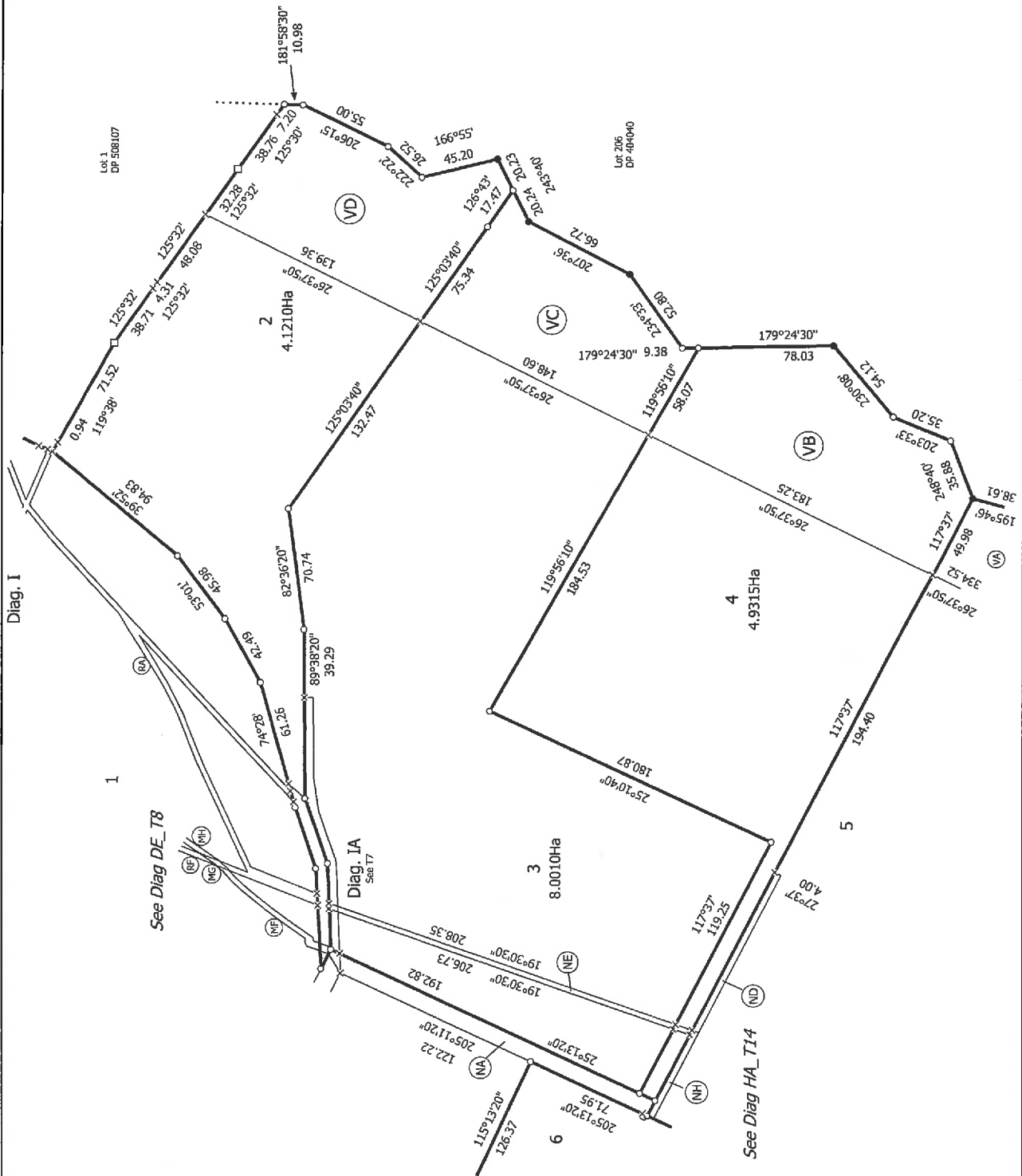
Diag. CAA



See
Diag CB/TZ



T 11/17



Title Plan
LT 582528
DRAFT

Surveyor: Rodney Allan Baxter
Firm: Paterson Pits Limited Partnership (C)

LOTS 1 TO 8 BEING A SUBDIVISION OF LOT 1 DP 474100 AND LOT 2 DP 508107 AND EASEMENT OVER LOT 7 DP 433991

Land District: Otago
Digitally Generated Plan
Generated on: 10/10/2022 4:29pm Page 16 of 22



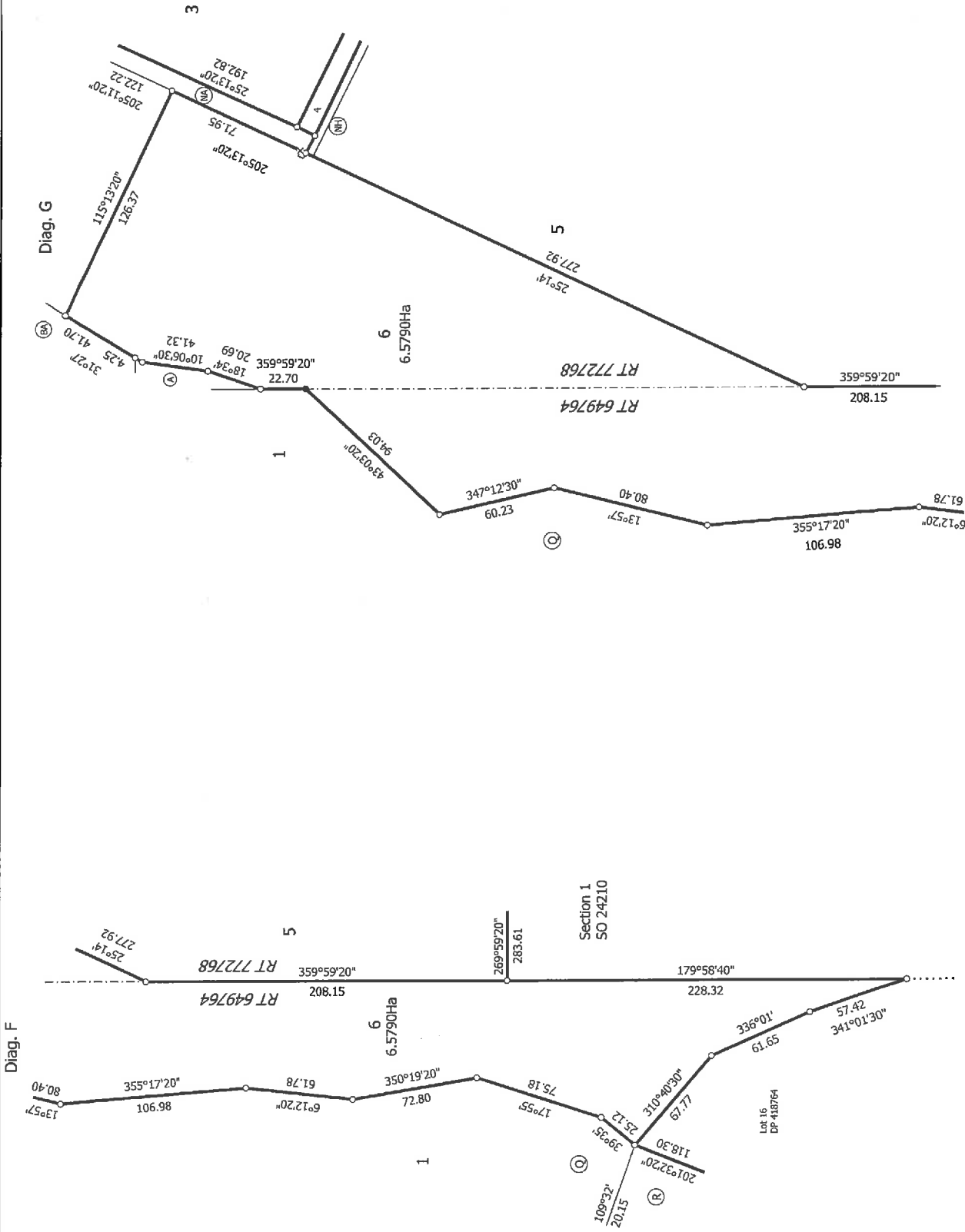
T 13/17

Title Plan
LT 582528
DRAFT

Surveyor: Rodney Allan Baxter
Firm: Paterson Pitts Limited Partnership (C)

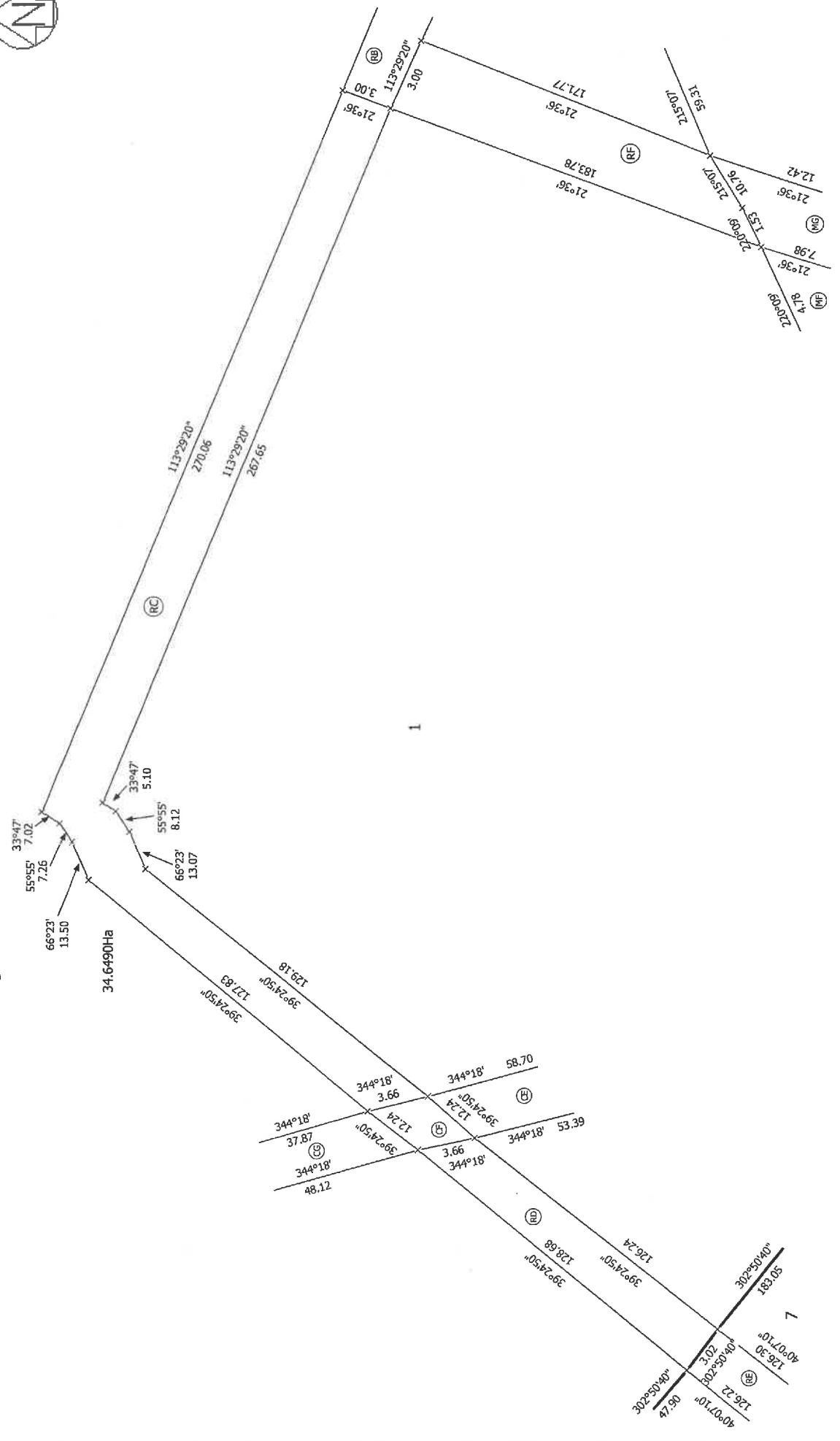
LOTS 1 TO 8 BEING A SUBDIVISION OF LOT 1 DP 474100 AND LOT 2 DP
508107 AND EASEMENT OVER LOT 7 DP 433991

Land District: Otago
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Diag. DA



T 15/17

Title Plan
 LT 582528
 DRAFT

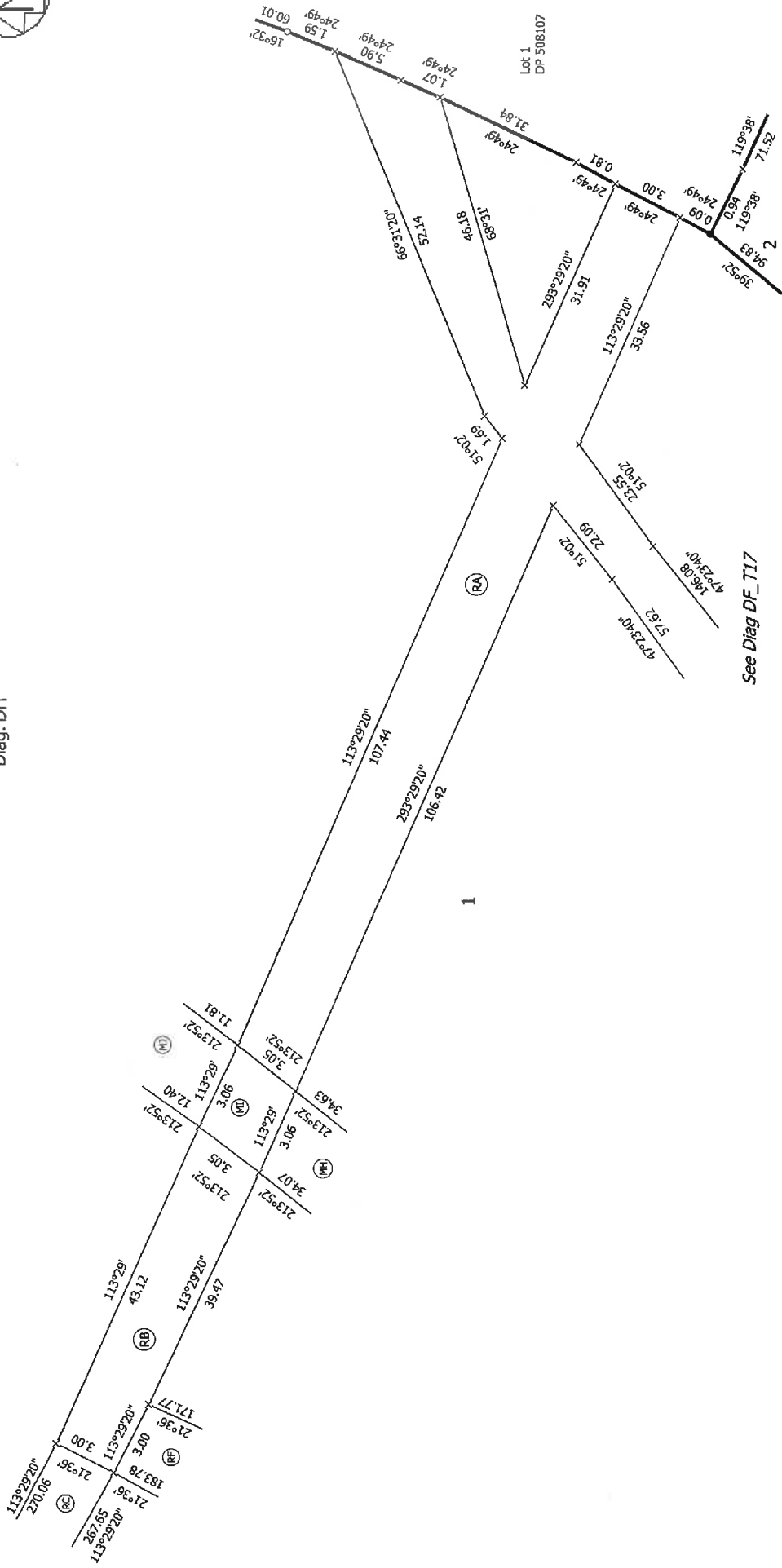
Surveyor: Rodney Allan Baxter
 Firm: Paterson Pitts Limited Partnership (C)

LOTS 1 TO 8 BEING A SUBDIVISION OF LOT 1 DP 474100 AND LOT 2 DP
 508107 AND EASEMENT OVER LOT 7 DP 433991

Land District: Otago
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Diag. DH



Lot 1
DP 508107

See Diag DF_T17

T 16/17

Land District: Otago

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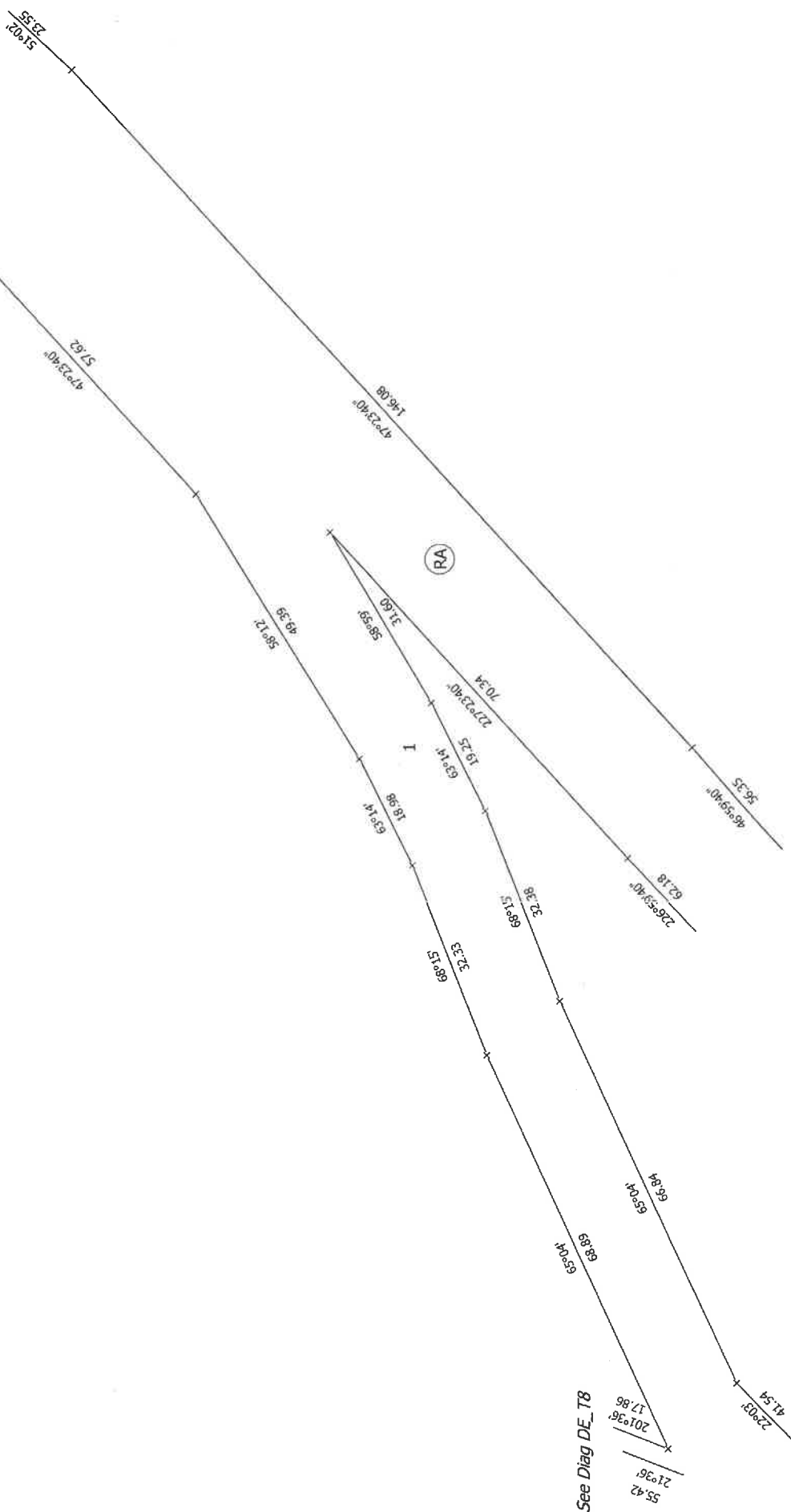
LOTS 1 TO 8 BEING A SUBDIVISION OF LOT 1 DP 474100 AND LOT 2 DP
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Surveyor: Rodney Allan Baxter
Firm: Paterson Pitts Limited Partnership (C)

Title Plan
LT 582528
DRAFT



Diag. DF



See Diag DE_T8

See Diag IA_T7

T 17/17

<p>Land District: Otago</p> <p>Digitally Generated Plan</p> <p>Generated on: 10/10/2022 4:29pm Page 22 of 22</p>	<p>LOTS 1 TO 8 BEING A SUBDIVISION OF LOT 1 DP 474100 AND LOT 2 DP 508107 AND EASEMENT OVER LOT 7 DP 433991</p>	<p>Surveyor: Rodney Allan Baxter</p> <p>Firm: Paterson Phts Limited Partnership (C)</p>	<p>Title Plan</p> <p>LT 582528</p> <p>DRAFT</p>
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