

## **SECTION 15**

### **DISPENSATION FROM THIS BYLAW**

A dispensation from the Requirements of this Bylaw may only be undertaken with the written permission of the Chief Executive Officer of the Gore District Council.

A request for a dispensation shall be made in writing on the appropriate form, available from Council together with any fees applying at that time. The request must clearly set out:

- (a) The matters in this bylaw to which a dispensation is requested.
- (b) The reasons why a dispensation is necessary.
- (c) Details, including appropriate drawings, of changes requested.
- (d) If, appropriate or requested by Council, a report from a suitably qualified and experienced Engineer detailing the implications of the requested dispensations, and conformation that such dispensation will not contravene the relevant objectives of this Bylaw nor give rise to any adverse effects.

The Chief Executive Officer may request additional information to assist understanding of the request and its implications, and may seek, at cost to the applicant, an independent peer review of any documentation submitted.

Where a request for a dispensation impinges on the rights of any other land owner, or on the interests or responsibilities of any person or organisation the Chief Executive Officer may request consultation with that land owner, person or organisation. In cases where a statutory provision requires the approval of any person or organisation, the Chief Executive Officer will not make a decision on the request for a dispensation until that approval has been given.

The Chief Executive Officer will make the decision to permit the dispensation or to deny the dispensation, with reference to:

- (a) The Objectives of this Bylaw.
- (b) Any actual and potential effects on the environment, including people and communities.
- (c) The views of any person or organisation consulted.

The decision of the Chief Executive Officer shall be final.