

# Gore District Council Decisions



## NOTIFICATION UNDER s95A AND s95B AND DETERMINATION UNDER s104

*Resource Management Act 1991*

<b>Application reference</b>	SC 23035
<b>Applicant</b>	Grant Dickson
<b>Proposal</b>	Application under Section 88 of the Resource Management Act 1991 (RMA) to undertake a five-lot subdivision of the site.
<b>Location</b>	1216 Waimumu Road, RD 4, Gore 9774
<b>Legal Description</b>	Part Lot 1 DP 11593
<b>Activity Status</b>	<b>Restricted Discretionary</b>
<b>Decision Date</b>	<b>3 July 2023</b>

### SUMMARY OF DECISIONS

1. Pursuant to sections 95A-95F of the Resource Management Act 1991 (**RMA**) the application will be processed on a **non-notified** basis given the findings of Section 5 of the Section 95A and 95B report. This decision is made by Werner Murray, on 3 July 2023 under delegated authority pursuant to Section 34A of the RMA.
2. Pursuant to Section 104 and Section 104C of the RMA, consent is **GRANTED SUBJECT TO CONDITIONS** outlined in this report of the Section 104 decision imposed pursuant to Section 220 of the RMA. This consent can only be implemented if the conditions in this report are complied with by the consent holder. The decision to grant consent was considered by Werner Murray, under delegated authority pursuant to Section 34A of the RMA.

## 1. THE PROPOSAL

Consent is sought to undertake a five-lot subdivision of the site as follows:

Lot 1	27.59 Ha. Proposed Lot 1 comprises vacant rural land, the land use will not change from rural purposes. Future access is proposed from Paterson Road.
Lot 2	3.99 Ha. Proposed Lot 2 comprises vacant rural land. Future access is proposed from Paterson Road.
Lot 3	3.86 Ha. Proposed Lot 3 comprises vacant rural land. Future access is proposed from Paterson Road.
Lot 4	4.10 Ha. Proposed Lot 4 comprises vacant rural land. Future access is proposed from Paterson Road.
Lot 5	10.71 Ha. Proposed Lot 5 contains an existing dwelling and various rural accessory sheds. This is serviced by an existing vehicle crossing off Waimumu Road.

The subdivision is proposed to occur over two stages, where Lot 1 will be subdivided first, creating two lots on the subject site, as indicated by the red dotted line on the scheme plan below in Figure 1. The land use of the subject site is not proposed to change from the current farming purposes on site. Part two of the subdivision will occur at a later stage to further subdivide the site into four more lots, identified as lots 2, 3, 4 and 5.

The existing dwelling on proposed Lot 5 has onsite services for wastewater, stormwater and potable water. Lot 5 has existing connections to electricity and telecommunication from the copper line in Waimumu Road, these will be retained. The existing access from Waimumu Road will be retained.

Proposed lots 1 – 4 will have onsite services for wastewater, stormwater and potable water, that will be addressed individually at building consent stage when future residential units are being built. The applicant has confirmed that electricity and telecommunications to the additional proposed lots are available. Connections to individual lots will be established at the time of building consent.

Access to the proposed lots 1, 2, 3 and 4 will be from individual access points from Paterson Road. The scheme plan identifies possible locations suitable for future owners to locate access ways to ensure that traffic safety is met. These possible access points have been shown in Figure 1 as indications of possible future access. Future access can be finalised and established at the time of building consent and are required to be constructed in accordance with the Gore District Council Subdivision and Bylaw 2019.



Figure 1: Scheme plan of proposed subdivision and indication of the two stages to occur

## 2. SITE DESCRIPTION

The subject site is located on the corner of Waimumu Road and Paterson Road at 1216 Waimumu Road, legally known as Part Lot 1 DP 11593. The site is located in the Rural zone of the Operative Gore District Plan, consisting of 50.24 hectares and utilised for rural purposes.

The site contains an existing dwelling, with a number of accessory buildings, all located within the southern-eastern portion of the subject site. One of the accessory buildings is a covered sheep yards and shearing shed along the southern boundary, located within proposed Lot 5. The applicants have advised that they are not aware of the presence of any contaminations that could be hazardous to human health. The existing covered sheep yards do not have a permanent sheep dip associated with it, specifically they are not aware of any historical sheep dips on the subject site.

The applicant states that the existing dwelling is currently serviced for domestic purposes in terms of water supply, wastewater, stormwater, electricity, and telecommunications. Access is provided from Waimumu Road.

Gore District Council Roading Manager Murray Hasler describes Waimumu Road as a straight rural collector road. This adjoins Paterson Road, a rural local access road that descends westwards from the Waimumu Road intersection and displays a number of curves, compromising sight lines in some areas. Both roads compose of chip sealed surfacing with surface water channels and rough grass verges.

The remainder of the site is vacant pastoral land where the topography is of flat-rolling nature in the low foot hill country of Gore. The subject site landscape descends gradually westwards from Waimumu Road.

The Council's mapping systems identifies a small section along the north-west boundary of the site is within an area 'subject to actual or potential inundation'. This is located close to Paterson Road in a dip in the landscape. The Council's mapping systems also identifies a small section in the north-

west corner to be subject to 'medium' liquefaction. The rest of the site is identified the liquefaction risk as 'negligible'.

This site is not identified as being on the Selected Land Use Register as an actual or potentially contaminated site.



Figure 2: Subject site in red, with surrounding areas

### 3. ACTIVITY STATUS

#### 3.1 Gore District Plan

The site is zoned rural in the Gore District Plan and the proposed activity requires resource consent under the District Plan for the following reason:

- A **restricted discretionary** activity pursuant to Rule 8.10(4)(b) to undertake a five-lot subdivision of the site, where each lot will exceed 2 hectares in area.

Council's discretion is restricted to the following:

- (i) suitability of the allotments for activities permitted within the zone in which they are located.*
- (ii) suitability of the land for subdivision, including presence of any natural or other hazards, including contaminated land;*
- (iii) ability to provide services (water, sewage, storm water, power and telecommunications);*
- (iv) impacts on the council and other infrastructure services;*

- (v) future use of the land and the need to consider any associated resource consents;*
- (vi) within residential and rural areas lot size, dimensions and potential for future subdivision of the land;*
- (vii) within residential and rural areas the desirability of providing building platforms; and provision of easements*
- (ix) impacts on any heritage or archaeological values*
- (x) impacts on natural features and landscapes, ecological or cultural values*
- (xi) impacts water quality, including groundwater*
- (xii) provision of all transport modes, including the movement of pedestrians and cyclists*

### **3.2 National Environmental Standard for Assessing Contaminants in Soil to Protect Human Health 2011 (“NES-CS”)**

Based on the applicants review of Council records, the piece of land to which this application relates is not a HAIL site, and therefore the NES-CS does not apply.

## **4. NOTIFICATION ASSESSMENT**

Sections 95A – 95F (inclusive) of the Resource Management Act 1991 (‘RMA’) set out the steps the Council is required to take in determining whether or not to publicly notify an application or notify on a limited basis.

### **4.1 Public notification – Section 95A**

In accordance with section 95A, the following steps have been followed to determine whether to publicly notify the resource consent application:

#### **Step 1 – Mandatory public notification**

Mandatory public notification, is not required because:

- The applicant has not requested public notification.
- Public notification is not required as a result of a refusal by the applicant to provide further information or refusal of the commissioning of a report under section 92(2)(b) of the RMA .
- The application does not involve exchange to recreational reserve land under section 15AA of the Reserves Act 1977.

#### **Step 2 – Public notification is precluded**

Public notification is not precluded as follows:

- There are not rules in a plan or National Environmental Standard that preclude notification.
- The application is not:
  - a controlled activity; or
  - a boundary activity as defined by section 87AAB that is restricted discretionary, discretionary or non-complying.



### Step 3 – Public notification is required in certain circumstances

- There are no rules in a plan or National Environmental Standard that require notification.
- A consent authority must publicly notify an application if notification is not precluded by Step 2 and the consent authority decides, in accordance with s95D, that the proposed activity will have or is likely to have adverse effects on the environment that are more than minor. An assessment in this respect is undertaken as follows:

The following effects must be disregarded:

- Effects on the owners or occupiers of land on which the activity will occur and on adjacent land.
- Trade competition and the effects of trade competition.
- Any persons that have provided their written approval and as such adverse effects on these parties have been disregarded.

#### *Written Approval/s*

No written approvals have been given.

The following effects may be disregarded:

- An adverse effect of the activity if a rule or national environmental standard permits an activity with that effect – referred to as the “permitted baseline”. The relevance of a permitted baseline to this application is as follows:

#### *Permitted Baseline*

The consent authority **may** disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect. In this case, as subdivision requires resource consent, there is no permitted baseline.

#### *Suitability of the allotments and future land use*

The proposed lots exceed the minimum 2 hectares requirement for rural zones specified in the Gore District Plan. The subdivision is therefore consistent with what the District Plan enables in the rural zone. All of the proposed lots are able to be utilised for rural and/ or rural-lifestyle purposes.

The existing dwelling and accessory buildings on Lot 5 will remain. Any future development on the proposed lots 1 - 4 is expected to comply with the Performance Standards in the District Plan for the Rural zone, including yards, daylight admission and height standards. Any future development will also be subject to the requirements of the Gore District Subdivision and Land Development Bylaw 2019. These will both be assessed at the building consent stage.

There are no other resource consents that are needed to be considered with this subdivision.

Overall, the proposed lots are considered to be consistent with the anticipated development within the Rural zone for rural and/ or rural lifestyle living. It is considered that the size, shape, and configuration of the proposed allotments are appropriate to be used for rural and/ or rural lifestyle purposes and that any adverse effects on the wider environment will be less than minor.

### *Suitability of the land for subdivision – Natural Hazards and other Hazards*

The subject site is not identified in the Selected Land Use Sites Register ('SLUS') as an actual or potentially contaminated site.

The Council's mapping system, which sources information from Environment Southland, identifies majority of the site's liquefaction risk as negligible. A small section in the north-west corner is identified as being subject to 'medium' liquefaction. This is a small section on a proposed 27.59 hectares, located in the northwest corner by Paterson Road. The land use is not proposed to change on this proposed lot from rural purposes. Any future potential buildings proposed to be built will have sufficient space on the proposed lot outside of any liquefaction risk area.

The Gore District Council's mapping systems identifies a small section along the north-west boundary of the site is within an area 'subject to actual or potential inundation'. The Gore District Plan typically requires that applications be referred to Environment Southland for comment.

The area of inundation is located in a small section on the north boundary near the western section of the boundary, within proposed Lot 1. This is a small area comprising less than 0.4 hectares of the subject site by the road boundary. Due to the size of the proposed lot to be 27.59 hectares, and the discrete location close to the road, there is a viable building area for any future potential residential unit to be built. The location of a future proposed dwelling will also be assessed at the building consent stage, where the Council is able to refer to Environment Southland for comment.

Based on the above assessment, the Council does not think that it is necessary to refer this application to Environment Southland for comment although it is located in an area 'subject to actual or potential inundation'.

Any adverse effects, with respect to natural hazards and other hazards on the wider environment, will be less than minor.

### *Ability to provide services*

There are no Council reticulated services located in this rural zone. Lot 5 will continue to use the existing onsite services that are for residential purposes with respect to wastewater, stormwater, portable water and electricity on site. No changes are proposed to the existing servicing arrangement, and these will be retained.

Lots 1, 2, 3, and 4 will need to be serviced onsite. The Council's Building Control Team have reviewed the application and noted that there is sufficient space to accommodate these services onsite for any future residential unit.

Proposed lots 1 - 4 will have onsite disposal of wastewater via onsite septic tanks and stormwater that is proposed to be disposed to the ground via a drainage field. These will be assessed at the time a building consent is lodged with the Council for future development on each individual lots. These services are expected to be fully contained within the proposed boundaries of each individual lot. There is sufficient lot size to allow for this.

The proposed lots will all source their portable water via onsite rainwater collection into rain tanks. The detailed design of these services for each individual proposed lot will be assessed at the time a building consent is submitted to the Council for future development.

As the proposed lots are located in the rural area, and not connected to Council's reticulated services, the Gore District Council Subdivision and Land Development Bylaw 2019 requests that any new dwellings over 200m<sup>2</sup> floor area require a 45,000L firefighting water storage on site. A reduced volume may be allowed for a smaller footprint. Therefore, FENZ approved documentation will be required to be included with a building consent. This has been volunteered as a consent notice condition for each individual lot by the applicant.

The application outlines that Powernet have confirmed a transmission line is available for the proposed lots 1, 2, 3 and 4, additionally telecommunications are able to be connected.

Overall, the proposed lots can be feasibly serviced, so that any adverse effects on the wider environment will be no more than minor.

#### *Impacts on heritage, archaeological values, natural features, landscapes and water quality*

There are no known heritage or archaeological features, or values identified on the site. It can be considered that the impacts of the proposed subdivision will be nil with respect to these features and values. The subject site is located outside of any mapped significant natural features and landscapes, or areas shown as having identified ecological or cultural values.

The subject site is not in close proximity to any waterways, nonetheless stormwater and wastewater disposal on each proposed lots will be assessed at the time of building consent. It is considered that any impacts on water quality, including groundwater would be less than minor.

#### *Effects on traffic*

The Council's Senior Roding Operations Officer, Mr Hasler has reviewed the application. A summary of his assessment is provided below.

Access standards contained in the Gore District Council Subdivision and Land Development Bylaw 2019 (the Bylaw) apply to this situation. The existing access onto proposed Lot 5 serviced by Waimumu Road meets the requirements of the Bylaw.

Future proposed individual accesses from Paterson Road to service lots 1, 2, 3 and 4 have been identified by the scheme plan. Mr. Hasler has confirmed that these locations are able to meet the requirements on the Bylaw. The exact location of these accesses will be assessed by the Council Roding Manager when future development plans are submitted to the Gore District Council. Noting that these accesses will need to be constructed in accordance with the Bylaw and that existing fence line vegetation near the proposed accesses will need to be removed at the time to improve sight distance.

Any future application to the Council Roding Manager must be made and approved prior to any construction being undertaken.

It is considered overall that the subdivision will have less than minor effects on the surrounding area or the existing transport modes.



### *Provisions of easements*

No easements are proposed for this subdivision scheme. Any easements found to be required to secure any rights of way or services and utilities can be included at the time of section 223 certification.

### *Conclusion: Effects On The Environment*

On the basis of the above assessment, in terms of s95D, it is assessed that the proposed activity will not have adverse effects on the environment that are more than minor.

#### **Step 4 – Public Notification in Special circumstances**

- There are no special circumstances that warrant public notification.

#### **4.2 Limited notification – Section 95B**

In accordance with section 95B, the following steps have been followed to determine whether to give limited notification of the application:

##### **Step 1 – Certain affected groups or persons must be notified**

- There are no protected customary rights groups or customary marine title groups affected by the proposed.
- The proposal is not on or adjacent to, and will not affect, land that is the subject of a statutory acknowledgment.

##### **Step 2 – Limited notification precluded**

- The activity is not subject to a rule or National Environmental Standard that precludes limited notification.
- The application is not for a controlled activity (other than for a subdivision of land) under a district plan.

##### **Step 3 – Certain other affected persons must be notified**

- Under Step 3, if the proposal is a boundary activity, only the owner/occupier of the infringed boundary can be considered. The activity is not a boundary activity.
- For any other activity, a consent authority must notify an application on any person, if notification is not precluded by Step 2, and the consent authority decides, in accordance with s95E, that the proposed activity will have or is likely to have adverse effects on that person that are minor or more than minor.

An assessment in this respect is therefore undertaken as follows:

#### *Considerations in assessing adverse effects on persons under s95E*

- a) The consent authority **may** disregard an adverse effect of the activity on a person if a rule or national environmental standard permits an activity with that effect (a “permitted baseline”).

The relevance of the permitted baseline to this application is outlined in the above s95D assessment of environment effects.

- b) The consent authority **must** disregard an adverse effect of the activity on the person if the effect does not relate to a matter for which a rule or a national environmental standard reserves control or restricts discretion; and
- c) The consent authority **must** have regard to every relevant statutory acknowledgement specified in Schedule 11.
- d) The consent authority **must** disregard effects on those parties who have provided written approval.

*Assessment: Effects on Persons*

Taking into account the exclusions in sections 95E, the following outlines an assessment as to whether the activity will have or is likely to have adverse effects on persons that are minor or more than minor.

*Neighbouring Properties*

The adjacent persons assessed below are all the owners/occupiers of the properties that share a common boundary with the subject site or are located opposite Waimumu Road and Paterson Road.



*Figure 3: Subject site and neighbouring parties indicated by green dots*

The subdivision meets the standard for minimum lot size in the Rural Zone. The District Plan has therefore anticipated the adverse effects associated with future development of this density on

such lots and deemed it appropriate. The proposed five lots are of a size and shape that can each accommodate future residential units and/ or be used for rural purposes.

The surrounding neighbouring properties to the proposed subdivision scheme plan are all of a rural nature used for various rural purposes. The proposed subdivision is considered to maintain the character of the area and the existing amenity values will be unaltered. The consequent increase in density, and associated effects such as noise and traffic generation on the rural local roads will be less than minor given the scale of the subdivision.

Overall, it is considered that the proposed subdivision will not create lots or future uses that are out of character for the area or detract from the existing amenity values. Any adverse effects on the rural character and amenity experienced by persons residing on or working on the adjacent properties will be less than minor.

#### *Conclusions: Effects on Persons*

In terms of section 95E of the RMA, and on the basis of the above assessment, no person is considered to be adversely affected.

#### **Step 4 – Special Circumstances for Limited Notification**

- There are no special circumstances that warrant limited notification of the application.

## **5. DECISION PURSUANT TO S95A AND S95B OF THE RMA**

For the reasons set out above, under s95A and s95B of the RMA, the application is to be processed on a non-notified basis.

## **6. SECTION 104 ASSESSMENT**

### **6.1 Matters for consideration**

This application must be considered in terms of Section 104 of the RMA.

Subject to Part 2 of the RMA, Section 104 sets out those matters to be considered by the consent authority when considering a resource consent application. Considerations of relevance to this application are:

- (a) *any actual and potential effects on the environment of allowing the activity; and*
- (ab) *any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and*
- (b) *any relevant provisions of:*
  - (i) *A national environmental standard;*
  - (ii) *other regulations;*
  - (iii) *a national policy statement;*
  - (iv) *a New Zealand coastal policy statement;*
  - (v) *a regional policy statement or proposed regional policy statement;*

- (vi) *a plan or proposed plan; and*
- (c) *any other matter the consent authority considers relevant and reasonably necessary to determine the application.*

## 6.2 Effects on the Environment

Actual and potential effects on the environment have been outlined in the section 95 report. Conditions of consent can be imposed under s108 of the RMA as required to avoid, remedy or mitigate adverse effects.

## 6.3 Relevant Provisions

### District Plan

The relevant operative objectives and policies are contained within Chapter 8 of the District Plan.

#### *Chapter 8 - Subdivision of Land*

##### *Objectives*

- (1) To facilitate the orderly subdivision and development of land.*
- (2) To ensure that the size and shape of new allotments created, and the design standards for access and infrastructure, is suitable and appropriate for the location and future use of the land.*
- (3) To ensure that developers pay all reasonable costs associated with the subdivision and subsequent development of land.*
- (5) To ensure land development and servicing is undertaken to Council's standards.*
- (7) To ensure that land subdivision results in allotments that are suitable for activities anticipated by the zone in which they are located.*
- (8) Avoid adverse effects on water quality, including groundwater, from the development of subdivided land.*

##### *Policies*

- (1) Control the subdivision of all land.*
- (2) Avoid the adverse effects of subdivision on the functioning of existing services, infrastructure and roading.*
- (3) Require the works associated with subdivision to be carried out in conformity with Council's standards.*
- (5) Avoid any off-site effects of development of subdivided land.*
- (9) Require land development to be undertaken in compliance with the Gore District Council Subdivision and Land Development Bylaw 2011.*
- (10) Have regard to the potential for the land subject to any subdivision consent, and other land in the locality to be further subdivided in the future.*
- (13) Have regard to the potential impacts arising from the subdivision and future use of land on water quality, including groundwater.*
- (14) Have regard to, and implement, the provisions of the National Environment Standard for Assessing and managing Contaminants in Soil to Protect Human Health where subdivision occurs on any contaminated site.*

The proposed subdivision is consistent with the objectives and policies of Chapter 8. The size and layout of the allotments ensures that they are suitable and appropriate for the rural zone and use of the land. Proposed Lots 1- 4 can accommodate future rural/ rural residential activity whilst proposed Lot 5 will continue to accommodate an existing rural/ rural residential activity.

The services and connections can be provided adequately for the proposed lots onsite, and it is considered that the subdivision can occur without resulting in adverse effects on the water quality. All works will be required to be undertaken in accordance with the Gore District Subdivision and Land Development Bylaw 2019.

Overall, it is considered that the subdivision is appropriate and will not lead to adverse effects on the amenity and character of the surrounding area.

### **National Policy Statement – Highly Productive Land 2022**

It is acknowledged that this property is subject to the Land Use Capability 3 Overlay and therefore is considered to be High Class Soil under the National Policy Statement for Highly Productive Land. As the proposal is a restricted discretionary activity and matters of discretion do not extend to highly productive land, no assessment regarding the high-class soils has been undertaken.

### **Southland Regional Policy Statement 2017**

The proposal is consistent with the relevant objectives and policies in the Southland Regional Policy Statement (RPS), specifically contained in Chapter 5 (Rural land/soils). There is sustainable use of Southland's rural land resource through this proposed subdivision scheme as it will allow for the future proposed lots to be used for rural / residential activity. This land development will maintain the rural amenity values and character of the existing rural area.

## **7. SECTION 106 REQUIREMENT FOR SUBDIVISION**

A consent authority may refuse to grant a subdivision consent, or may grant a subdivision consent subject to conditions, if it considers that the land is or is likely to be subject to or is likely to accelerate material damage from natural hazards, or where sufficient provision for legal and physical access to each allotment has not been made.

Gore District council Roading Manager Murray Hasler has confirmed that each proposed lots have sufficient space and sight distance to establish a physical and legal access. Lot 4 access will be within the required setback from the intersection of Paterson Road and Waimumu Road. The exact location of these accesses will be established at the time of any future development and approved by the Council Roading Manager.

In this case, part of proposed Lot 1 is within a flood hazard, an area that is subject to actual or potential flooding.

For the purpose of subsection (1)(a), an assessment of the risk from natural hazards requires a combined assessment of-

- (a) the likelihood of natural hazards occurring (whether individually or in combination); and
- (b) the material damage to land in respect of which the consent is sought, other land, or structures that would result from natural hazards; and
- (c) any likely subsequent use of the land in respect of which the consent is sought that would accelerate, worsen, or result in material damage of the kind referred to in paragraph (b).

While the subject site is subject to an inundation hazard, this overlay is a small area on Lot 1. Adequate room is available to construct a dwelling in an area free from this inundation overlay and



flood hazard. The proposed subdivision of the land is therefore unlikely to accelerate material damage from natural hazards either onsite or off. Due to the scale and nature of the flood hazard there is a low likelihood of the natural hazard occurring.

Overall, the proposal meets the requirements of s106 of the RMA.

## 8. PART 2 OF THE RMA

The purpose of the RMA is to promote the sustainable management of natural and physical resources.

### *Section 5 – Purpose*

The proposed subdivision takes into account Section 5 of the RMA as the proposed lots will ensure the natural and physical resources of the rural land is protected for future generations. The adverse effects of the proposal can be avoided, remedied, or mitigated.

### *Section 6 – Matters of national importance*

Attention has been given to matters of national importance. This site does not contain any outstanding natural features or landscapes, nor an area of significant indigenous vegetation. It is considered the land use is appropriate within this rural landscape, as there are a number of existing rural lifestyle lots in the surrounding area of similar size.

### *Section 7 – Other matters*

Particular regard has been given to the maintenance and enhancement of amenity values (section 7(c)) and maintenance and enhancement of the quality of the environment (section 7(f)). The amenity of the land and surrounding area will be maintained, and the subdivision will not have adverse effects on the quality of the environment.

### *Section 8 – Treaty of Waitangi*

This site is not within any known heritage sites or statutory acknowledgement areas and therefore, this recommendation is not inconsistent with the principles of the Treaty of Waitangi.

Overall, the proposal is considered to meet the purpose and principles of the RMA.

## 9. DECISION ON RESOURCE CONSENT

Pursuant to Section 104C of the RMA, **subdivision** consent is **granted** to undertake a five lot subdivision of the site subject to the following conditions imposed pursuant to Section 108 and Section 220 of the RMA:

### Consent Conditions

1. The subdivision must be undertaken generally in accordance with the application made to the Council on 26 June 2023 and the following plan:
  - ‘Lots 1 to 5 being subdivision of Pt Lot 1 DP 11593’ Rev 1, drawn by Southern Horizons, dated 27/06/2023.

This plan is attached as Appendix A

2. Prior to Council signing the Survey Plan pursuant to Section 223 of the Resource Management Act 1991, any necessary easements shall be shown in the Memorandum of Easements attached to the Survey Plan and shall be duly granted or reserved.
3. Prior to certification of the subdivision, pursuant to section 224(c) of the Resource Management Act 1991, a consent notice, in accordance with Section 221 of the Resource Management Act, shall be issued and registered against the Record of Title for Lot 1, Lot 2, Lot 3 and Lot 4 to record that:
  - a. At the time of lodging a building consent, any future access shall, to the satisfaction of the Chief Executive of the Gore District Council, be constructed in accordance with the Bylaw, including removal of vegetation along the fence line to improve sight distance at the property owner's cost.
  - b. At the time of lodging a building consent for a dwelling, each application is to include an approved firefighting water supply and site services design by Fire and Emergency New Zealand (FENZ) to comply with SNZ PAS 4509 and the Subdivision and Land Development Bylaw 2019.
  - c. At the time of lodging a building consent for a future dwelling, each application must demonstrate the development has a rainwater collection system which is verified as being potable, and a specifically researched, designed and verified system for wastewater and stormwater disposal.

### Advice Notes

1. Any future development on Lots 1, 2, 3, 4 and 5 will be subject to the requirements of the Gore District Council Subdivision and Land Development Bylaw 2019 and the Gore District Plan and will be assessed at the building consent stage.
2. Any work carried out on the legal roadway require the prior approval of the Council and consent holder must consult with the Roading Department to ensure the appropriate processes are being followed and the work is being carried out to the correct standard. The work itself must be undertaken by a Council approved contractor.
3. At the time of this subdivision, a fixed-line telecommunication connection was not provided to Lots 1 - 4 and should a telecommunication service be required in the future, an alternative service (wireless broadband) needs to be installed at a cost to the owner.

### Administrative Matters

The costs of processing the application are currently being assessed and you will be advised under separate cover whether further costs have been incurred.

The Council will contact you in due course to arrange the required monitoring. The Monitoring Officers time will be charged to the consent holder. It is suggested that you contact the Council if you intend to delay implementation of this consent or if all conditions have been met.

This resource consent is not a building consent granted under the Building Act 2004. A building consent must be obtained before construction can begin.

This resource consent must be exercised within five years from the date of this decision subject to the provisions of section 125 of the RMA.

If you have any enquiries please contact the duty planner on phone (03) 209 0330 or email [planning@goredc.govt.nz](mailto:planning@goredc.govt.nz).

Prepared by



Bridget Sim  
**Graduate Planner**

Decision made by



Werner Murray  
**Delegate**

#### **Appendix A: Approved Plans**

# APPENDIX A – APPROVED PLANS

