



Application reference	SC 2021/137
Applicant	Lee & Ross Gibson
Proposal	Application under Section 88 of the Resource Management Act 1991 (RMA) for a two lot residential subdivision
Location	19 Hamilton Street, Gore
Legal Description	Lot 3 DP 104
Activity Status	Restricted Discretionary
Decision Date	31 May 2024

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 31 May 2024 under delegated authority pursuant to Section 34A of the RMA.
2. Pursuant to Section 104 and Section 104B 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 subdivide the land into two residential lots pursuant to the Gore Operative District Plan ('District Plan') as follows:

- Proposed Lot 1 is to be approximately 403m² and will contain the existing dwelling and access onto Hamilton Street.
- Proposed Lot 2 is to be approximately 405m² and is currently vacant. A new access is proposed to be constructed onto Hamilton Street with a leg-in to be utilised for future use. A future dwelling is intended to be constructed on the site by either the applicant or a future owner, as outlined in the application.



Figure 1: Scheme plan of proposed subdivision

Any future development on proposed Lot 2 will be subject to the requirements in the District Plan and the Gore District Council Subdivision and Land Development Bylaw 2019.

Services

Lot 1 intends to retain its existing services. From CCTV investigation it has been indicated that the potable and wastewater services are located to the boundary of Lot 1 and connects to Council's reticulated services in Hamilton Street. These services are intended to be retained. The stormwater is disposed to an existing soak pit on site, located in the proposed boundary of Lot 2. This is required to be disconnected and be contained within Lot 1 boundaries. The updated Service Plan REV C1 provided May 2024 by Clark Fortune and McDonald Associates outlines the new proposed location.

Lot 2 requires servicing connections to be installed.

The original application submitted to Council on 6 December 2021 proposed to install new services for Lot 2 via the Oxford Reserve, owned by Gore District Council, to services in a shared driveway from Oxford Street (Option A). The 3 Waters Department declined this option.

The Applicant then proposed to connect to Council's reticulated services located in Oxford Street, passing through the edge of the Oxford Reserve (Option C). The 3 Waters Department declined this option.

It is now proposed to install new service connections for Lot 2 to Council’s reticulated services in Oxford Street for potable water and wastewater (Option B) as reflected by the Service Plan provided to Council on 17 May 2024. The Applicant is required to install laterals in Hamilton Street, running to the reticulated mains in Oxford Street from the boundary of Lot 2. It is proposed to run these services over Lot 1, in favour of Lot 2. This will be legally protected by an easement as shown by the Services Scheme Plan. The services will be installed at the cost of the applicant. Stormwater is proposed to be discharged onsite to a soak pit. The location of this is to be confirmed at the time of building consent.

Separate connections will be installed to Lot 2. The applicant has confirmed that power and telecommunication connections are available for proposed Lot 2.

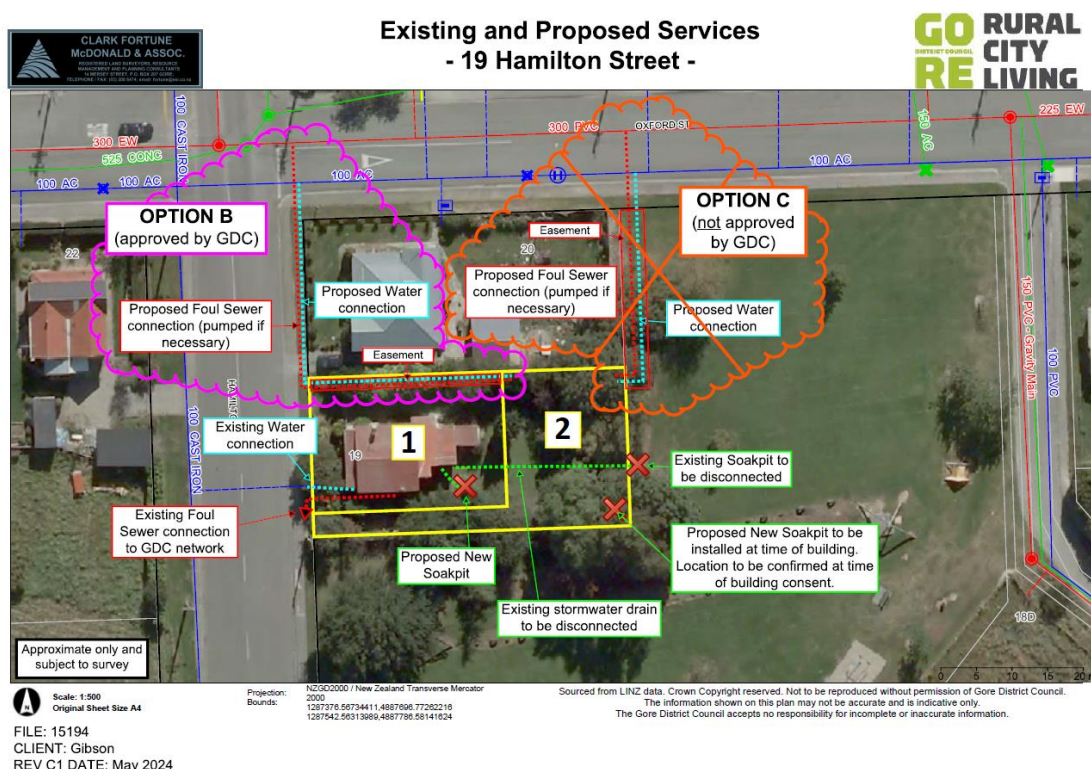


Figure 2: Services Scheme Plan outlining Option B for 19 Hamilton Street.

2. SITE DESCRIPTION

The site is located at 19 Hamilton Street, Gore. The site is legally described as Lot 3 DP 104 and is approximately 809m². The subject site contains an existing dwelling. The site and surrounding area is located in the Residential A Zone in the District Plan.

The subject site has legal frontage to Hamilton Street, which is categorised as a local road. A Council reserve with a playground surrounds the subject site to the east and south. The immediate surrounding environment of Oxford Street and Hamilton Street is predominantly residential in nature whilst also containing a kindergarten, a contractor’s depot, and two Council reserves. The Maitua River is located approximately 220 metres west from the subject site.

The Oxford Street Reserve is located adjacent to the subject site to the east and south. The park is surrounded by residential buildings in the immediate environment. To the north and west of the subject site is residential dwellings.

The Council mapping system which source information from Environment Southland identifies the site's liquefaction risk as negligible. The site is not identified in the Selected Land Use Sites Register ('SLUS') as an actual or potentially contaminated site. The site is identified as being within the Maitavaia River floodplain and being prone to flooding subsequent to a stopbank breach or stopbank overtopping. This is referred to as the 'lime green' area in the Gore urban area on the Council planning maps.

There are no interests registered on the current Record of Title that would affect this proposal.



Figure 3: Subject site outlined in blue and the surrounding environment

3. ACTIVITY STATUS

3.1 Gore District Plan

The site is zoned Residential A 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)(c) to undertake a two lot subdivision of the site. 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”)

The applicant has confirmed that no activity that may potentially contaminate the soil and contained within the HAIL criteria list has previously been undertaken on the subject land. It is considered it is more likely than not that an activity described in the HAIL is not and has not been undertaken on it.

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.

3.3 Activity Status Summary

Overall, the application is being considered and processed as a **restricted discretionary** activity under the District Plan.

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.

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 a resource consent there is no permitted baseline.

Suitability of the allotments and future land use

The subdivision layout is to create two lots in the Residential A Zone. Proposed Lot 1 is to be approximately 403m² and proposed Lot 2 is to be approximately 405m², both of these lots will meet the minimum lot size in the Residential A Zone. Residential activities are permitted on a site that is equal to or exceeding 400m². The existing dwelling on proposed Lot 1 is to be retained and there is adequate area on proposed Lot 2 for a dwelling in the future. The predominate land use

in the surrounding area is residential. The lot sizes are not out of character for the surrounding area that is already predominately residential. Overall, adverse effects on the wider environment will be no more than minor.

Ability to provide services

Both lots will connect to Council's reticulated services.

Council's 3 Waters Operations Manager, Aaron Green, has reviewed the application and has confirmed the lots can be feasibly serviced.

Lot 1 will retain its existing services connected to Council's reticulated services in Hamilton Street. The existing soak pit servicing Lot 1 will need to be disconnected and installed in the new boundaries of Lot 1.

Lot 2 will have new services installed. Servicing in respect of wastewater and potable water is to be connected to Council's reticulated services in Oxford Street. This will be achieved by installing separate laterals from Lot 2 boundary, over Lot 1 to Hamilton Street for the relevant services. These laterals will be required to be installed in Hamilton Street to connect to the Council's reticulated mains in Oxford Street. This cost is to be done at the expense of the applicant.

The wastewater connection will require a cleaning eye brought to the surface approximately 1m from the Council wastewater system with a Council approved cover red lid for servicing.

The Applicant has proposed a pump system to be installed for the wastewater lateral, servicing Lot 2 if required. A pumped system may be required due to the potential that gravity drainage from Lot 2 is not possible to the Council main. The applicant has accepted a consent notice on Lot 2 record of title to highlight the potential need for a pumped wastewater system to connect to the Council's reticulated wastewater network, should this be required.

Lot 2 will connect to the existing water main located in Oxford Street. A lateral will be installed at the cost of the applicant from Lot 2, and along Hamilton Street to this main.

Onsite stormwater disposal has been proposed. This will be assessed at the time of building consent. Following consultation, the Applicant has agreed to the servicing solutions recommended by the 3 Waters Operations Manager. The adverse effects on the environment from the proposed servicing of the subdivision will be less than minor.

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

There is no heritage or archaeological features or values identified on the site. The subject site is not within any mapped significant natural features and landscapes or any areas shown as having identified ecological or cultural values. Residential uses are the predominate use in the surrounding area and it is considered the residential amenity will not be noticeably altered. The District Plan enables residential activity on a site equal or larger than 400m² and therefore the effects are anticipated by the Plan.

It is considered the subdivision and follow-on effects in relation to natural features, landscapes and water quality will be less than minor.

Effects on traffic

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

The subject site has legal road frontage to Hamilton Street, an urban collector road. The surface of Hamilton Street is chip sealed with a 50kph speed restriction. Hamilton Street has existing kerb and channel with adjoining concrete footpath bounding both sides of the carriageway.

The access standards contained in the Gore District Council Subdivision and Land Development Bylaw (the Bylaw) apply to this situation. The existing and proposed access meet the sight distance requirements listed in Table 3.3B of the Bylaw.

The existing vehicle crossing from Hamilton Street servicing Lot 1, is required to be upgraded in accordance with standard R03 'Standard Drop Crossing Details' of the Bylaw.

The new access proposed for Lot 2 is required to be constructed in accordance with standard R03 'Standard Drop Crossing Details' of the Bylaw. The applicant has accepted these requests.

On this basis, Mr Hasler recommended that the application be approved from the transportation perspective. Based on the assessment and recommendations provided by Mr Hasler, the effects on the wider environment are considered to be less than minor.

Provision of easements

An easement is proposed to protect the legal connection of the services to Lot 2 over Lot 1. This is in favour of Lot 2.

A consent condition will be imposed relating to at the time of 223 certification any easements (if required) will need to be included in the memorandum of easements attached to the survey plan. Overall, it is considered at the time of certification the appropriate easements will ensure the lots can be serviced and accessed.

Suitability of 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 the site's liquefaction risk as negligible.

The Gore District Council's mapping system identifies the site as being prone to flooding subsequent to a stop bank breach or stop bank overtopping. The District Plan objectives and policies encourages development in the urban area of Gore to adopt flood proofing techniques or other measures to avoid the adverse effects of flooding on the activity.

A consent notice will be registered on the record of title for both lots 1 and 2 to ensure future landowners are aware of the natural hazard and that future owners adopt flood proofing techniques to mitigate flood effects. The consent notice will highlight that the property is subject to an inundation hazard due to a stop bank breach. This has been accepted by the applicant. Overall, based on the above, the land is considered suitable for subdivision from a natural hazards perspective.

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.



Figure 4: Subject site highlighted in blue and dots indicate surrounding neighbouring properties.

Neighbouring Properties

To the north and west of the subject site are residential dwellings, with a park reserve located to the east and south-east of the subject site.

The proposed subdivision to create two residential lots 400m² or greater meets the standard for minimum lot size in the Residential A Zone. The District Plan has therefore anticipated this level of density and infill development on such lots and deemed it appropriate. The proposed development is not considered to change the exiting character and amenity of the residential environment and no noticeable adverse effects are likely to be experienced by adjoining owners and occupiers as identified within Figure 3 above. Overall, any adverse effects upon the owners and occupiers are considered to 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 specific 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 Chapters 4A and 8 of the District Plan.

Chapter 4A- Natural Hazards

- Objective (1) Ensure the public is aware of the likelihood and consequences of natural and man-made hazards within the District.*
- Objective (2) Minimise the risk to people and property from inundation.*
- Policy (1) Promote public awareness of natural and man-made hazards.*
- Policy (3) Control activities and subdivision where this is necessary to avoid the adverse effects of natural and man-made hazards (Refer to section 8 Subdivision of Land).*
- Policy (4) Within areas shown as "Subject to Actual or Potential Inundation" on the District Plan Maps the Gore District Council will:*
- (b) in respect of any development in the urban area of Gore shown as lime green on the District Plan maps, encourage:*
 - (i) the adoption of flood proofing techniques or other measures to avoid the adverse effects of flooding on the activity,*
 - (ii) measures to avoid the adverse effects of the activity on other property during a flood.*

Policy 4(b) of the Natural Hazards chapter are the most relevant policy in relation to natural hazards for this site. Policy 4(b) requires encouragement of techniques/measures to avoid the hazard to address this policy, the applicant has volunteered a consent notice to be registered on the title to encourage the consent holder to adopt flood proofing techniques to mitigate flood effects. The consent notice will highlight that the property is subject to inundation hazard and will encourage the landowner to implement mitigating methods in line with Policy 4A.4(4)(b).

Chapter 8- Subdivision of Land

- Objective (1) To facilitate the orderly subdivision and development of land.*
- Objective (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.*
- Objective (3) To ensure that developers pay all reasonable costs associated with the subdivision and subsequent development of land.*
- Objective (5) To ensure land development and servicing is undertaken to Council standards.*
- Objective (6) To avoid adverse effects on Council's reticulated infrastructure services*
- Objective (7) To ensure that land subdivision results in allotments that are suitable for activities anticipated by the zone in which they are located.*
- Objective (8) Avoid adverse effects on water quality, including groundwater, from the development of subdivided land.*
- Policy (1) Control the subdivision of all land.*
- Policy (2) Avoid adverse effects of subdivision on the functioning of existing services, infrastructure and roading.*
- Policy (3) Require works associated with subdivision to be carried out in conformity with Council standards.*
- Policy (5) Avoid any off-site effects of development of subdivided land.*

- Policy (9) Require land development to be undertaken in compliance with the Gore District Council Subdivision and Land Development Bylaw 2011.*
- Policy (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.*
- Policy (11) Have regard to potential reverse sensitivity effects from the use of subdivided land and the means by which any such effects can be avoided remedied or mitigated.*
- Policy (12) Encourage the adoption of practices that will minimise the extent off-site effects on Council's infrastructure services.*
- Policy (13) Have regard to the potential impacts arising from the subdivision and future use of land on water quality, including groundwater.*

It is considered the proposed subdivision is of a suitable size and shape to accommodate future development on proposed Lot 2. Proposed Lots 1 and 2 meet the required 400m² lot size for the Residential A zone. The lots proposed are smaller than that in the immediate surrounding area but represent infill development which is increasing in the Gore district. The proposed lots help provide the potential for a variety in the housing stock including smaller dwellings and lot sizes.

Proposed Lot 1 will remain connected to services and new connections are needed for proposed Lot 2. It is considered appropriate servicing can be installed and connected for Lot 2. The subdivision can occur and not have adverse effects on Council's reticulated services. All works undertaken will be required to be undertaken in accordance with the Gore District Council Subdivision and Land Development Bylaw 2019.

Overall, it is considered the subdivision is consistent with the provision of the District Plan.

Southland Regional Policy Statement 2017

Chapter 17 of the RPS relating to urban environments is particularly relevant to this proposal. Objective URB.1 seeks to ensure that urban development occurs in an integrated, sustainable, and well-planned manner which provides for positive environment, social, economic and cultural outcomes. Policies URB.1-6 seek to encourage opportunities for urban intensification within Gore's urban areas, while avoiding, remedying, and mitigating adverse effects. The proposed subdivision is within an area identified in the District Plan as suitable for residential development and the subdivision will not generate inappropriate adverse effects.

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.

In this case the site is identified as being within the Mataura River floodplain and prone to flooding subsequent to a stopbank breach or overtopping. 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).

The subdivision creates two residential lots from one parent lot. There is legal and physical access to the proposed lots. Proposed Lot 1 will retain the existing access onto Hamilton Street while proposed Lot 2 is to have a new access constructed and formed onto Hamilton Street in accordance with the Bylaw.

Policy 4A.4(4)(a) of the Operative District Plan, directs that the urban area of Gore shown as lime green area on the District Plan maps is exempt from sending subdivision consents to Environment Southland for comment.

The applicant has volunteered a consent notice to be placed on the record of titles for the two lots to recognise that future owners may require flood proofing techniques to mitigate flood effects. The consent notice will highlight that the property is subject to an inundation hazard due to a stop bank breach. This has followed the recommendations under the Natural Hazard Chapter 4A of the District Plan to adopt flood proofing techniques or other measures to avoid the adverse effects of flooding. Any future residential development on Lot 2 will be subject to Chapter 4A of the District Plan at building consent stage. The proposed subdivision of the land is therefore unlikely to accelerate material damage from natural hazards either onsite or off.

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 lots will enable another residential lot and a dwelling to be constructed in the future. An additional lot/future dwelling will enable people and communities to provide for their social, economic and cultural wellbeing and new housing will benefit the health and safety of people in the community.

Section 6- Matters of national importance

This recommendation has taken into account the matters of national importance listed in Section 6 and the matters are not hugely relevant for the proposed subdivision.

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 the surrounding area will be maintained, and the proposed subdivision will not have adverse effects on the quality of the environment.

Section 8- Treaty of Waitangi

This recommendation has taken into account the principles of the Treaty of Waitangi noting that the site is not within any known heritage sites or statutory acknowledgement areas.

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

9. DECISION ON RESOURCE CONSENT

Pursuant to Section 104B of the RMA, consent is **granted** to subdivide the land into two lots subject to the following conditions imposed pursuant to Section 220 of the RMA:

Consent Conditions

1. The proposed subdivision must be undertaken generally in accordance with the application made to the consent authority on 7/12/21 and the following plans:
 - 'Proposed Subdivision of Lot 3 DP 104 [RT SL42/134]', dated 25/06/2021, drawn by Clark Fortune McDonald & Associates.
 - 'Proposed Servicing Plan – 19 Hamilton Street [Option B], dated May 2024, drawn by Clark Fortune McDonald & Associates.

These plans are 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. The consent holder shall meet the costs for the preparation, review, and registration of any easement instrument(s) on the relevant Record of Title.
4. Prior to the Council signing the Survey Plan pursuant to Section 223 of the Resource Management Act 1991, the consent holder must provide to Council a written statement from a Licensed Cadastral Surveyor, accompanied by any necessary evidence, to the effect that all services are confined to their respective lots or provision has been made for suitable easements to be granted and reserved in the Land Transfer Plan where appropriate.
5. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall, to the satisfaction of the Council Chief Executive Officer of the Gore District Council, or delegated officer, complete the following, in accordance with the details provided in the resource consent and the Council's standards:
 - a. Upgrade the existing vehicle crossing for Lot 1 in accordance with Diagram R03 'Standard Drop Crossing Details' of the Bylaw.
 - b. Construct the vehicle crossing for Lot 2 in accordance with Diagram R03 'Standard Drop Crossing Details' of the Bylaw.
 - c. The provision of new separate water supply connection to the property boundary of Lot 2. This connection requires an Acuflo CM2000 manifold installed in a blue box outside of the boundary for servicing.
 - d. The provision of new wastewater connection to the property boundary of Lot 2. The wastewater connection is to have a cleaning eye. This shall be approximately 300mm outside of the property boundary brought to the surface with Council approved cover with a red lid for servicing. This will need to be cast iron lid if it is in a trafficable area.

- e. Provide all quality assurance and as-built information required for the development in accordance with the Gore District Council's Subdivision, Land Use and Development Bylaw 2019.

Consent Notice

1. Prior to the issue of Section 224 (c) Certification, prepare an appropriately worded consent notice for the registration on the record of title of Lot 2, in relation to the wastewater connection should it be determined through engineering design that this is needed. The consent notice shall state:
 - a. A pumped wastewater connection may be required to be installed at the time of building consent if the Council deems this required. This will be installed at the cost of the owner.
2. Prior to the issue of Section 224 (c) Certification, prepare an appropriately worded consent notice for the registration on the record of title of Lots 1 and 2, in relation to flooding. The consent notice shall state:
 - a. The site may be prone to flooding subsequent to a stop bank breach or stop bank overtopping. In respect of any development, the landowner is encouraged to adopt flood proofing measures, such as raising the floor level of future buildings, to avoid the adverse effects of flooding on the property.

Advice Notes

1. This resource consent does not constitute a Building Consent under the Building Act 2004. You should consult with the Building Control Manager of the Gore District Council to obtain information on any Building Consents required to undertake development.
2. All engineering works (including vehicle access, servicing, and earthworks) shall be carried out in accordance with the standards in the Gore District Council's Subdivision, Land Use and Development Bylaw.
3. 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.

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.

Prepared by



Bridget Sim
Planner

Decision made by



Werner Murray
Delegate

APPENDIX A

APPENDIX A – APPROVED PLANS

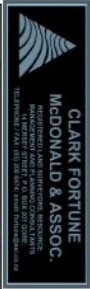
CLARK FORTUNE
MCDONALD & ASSOC.
 REGISTERED LAND SURVEYORS, RESOURCE
 MANAGEMENT AND PLANNING CONSULTANTS
 TELEPHONE / FAX: 031 265 1474, 031 265 1475

**Proposed Subdivision of
 Lot 3 DP 104
 [RT SL42/134]**

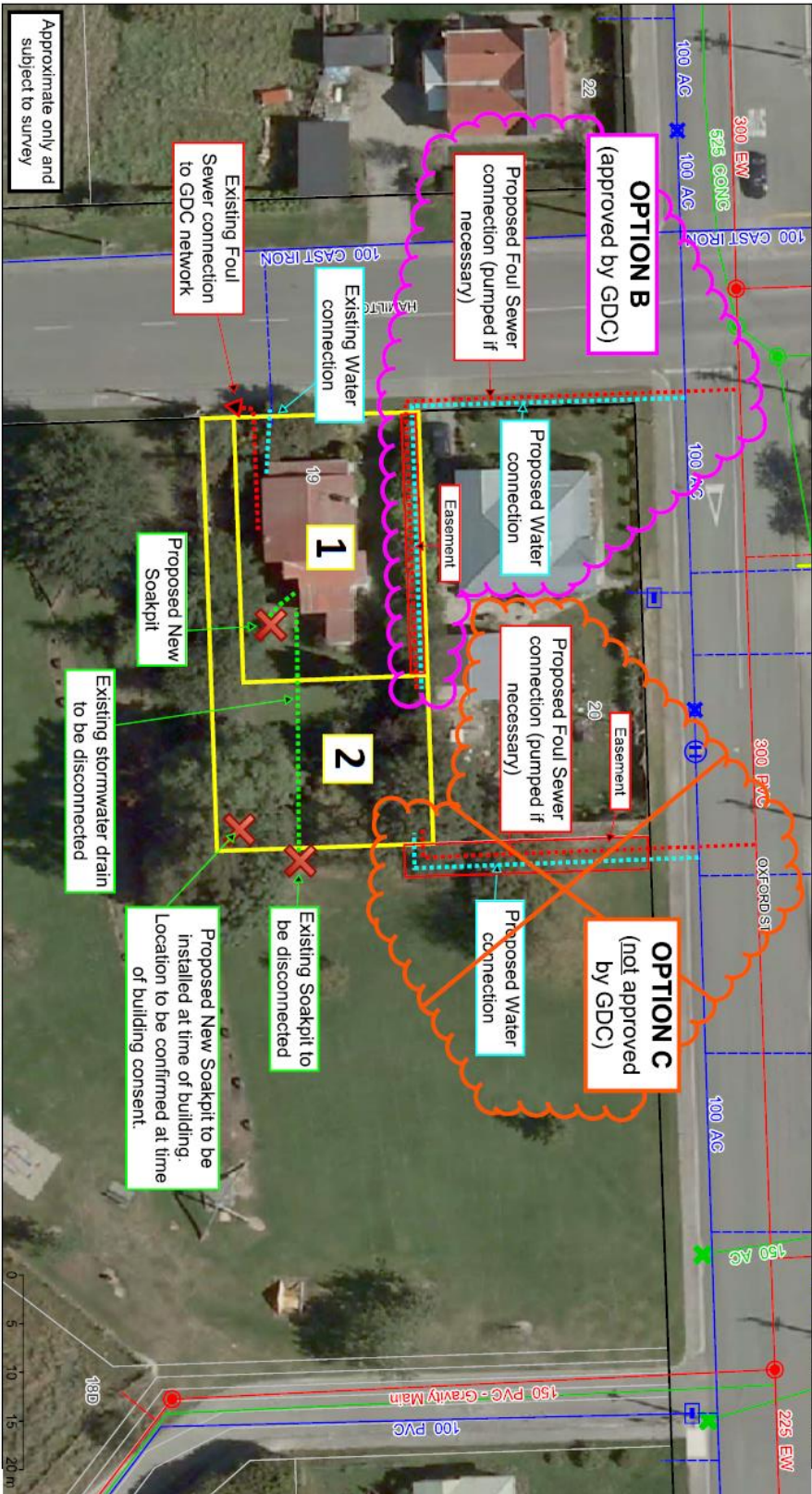
GO RURAL
 THE BEST OF BOTH WORLDS
CITY RE LIVING



FILE: 15194
 CLIENT: Gibson
 REV DATE: 25/06/2021



Existing and Proposed Services - 19 Hamilton Street -



Approximate only and subject to survey

Scale: 1:500
Original Street Size A4

Projection: NZGD2000 / New Zealand Transverse Mercator
Bounds: 2357276 5673441 1489796 7726216
1257542 5631389 4897789 56141624

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REV C1 DATE: May 2024