

Gore District Council Decisions



NOTIFICATION UNDER s95A AND s95B AND DETERMINATION UNDER s104

Resource Management Act 1991

Application reference	SC24019
Applicant	Donna Baynes
Proposal	Application under Section 88 of the Resource Management Act 1991 (RMA) to undertake a three-lot subdivision and an amalgamation
Location	1057 Knapdale Road, Chatton
Legal Description	Lot 3 DP 302611 and Lot 4 DP 302611
Activity Status	Restricted Discretionary
Decision Date	12 September 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 Penny Weng, on 12 September 2024 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 Sections 108 and 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 Penny Weng, under delegated authority pursuant to Section 34A of the RMA.

1. THE PROPOSAL

Consent is sought to undertake a three-lot subdivision of 1057 Knapdale Road, Chatton as follows:

- Lot 1 will be 4.65ha. Access is to be retained from the existing vehicle access from Knapdale Road which will be upgraded. The site has a dwelling that contains a water tank with a connection to the Otama Rural Water Scheme. This connection is intended to be retained within Lot 1.
- Lot 2 will be 2.16ha. The site is vacant rural land. Access to this rear site from Knapdale Road is proposed via a new access.
- Lot 3 will be 4.92ha. The site is vacant rural land. Access to this rear site is proposed via a right of way referred as area B on the scheme plan from Knapdale Road. This is over Lot 1, in favour of Lot 3.

The applicant has proposed the following amalgamation condition:

- That Lot 4 DP 302611 hereon and Lot 2 hereon be held in the same record of title.

LINZ reference: 1909026.

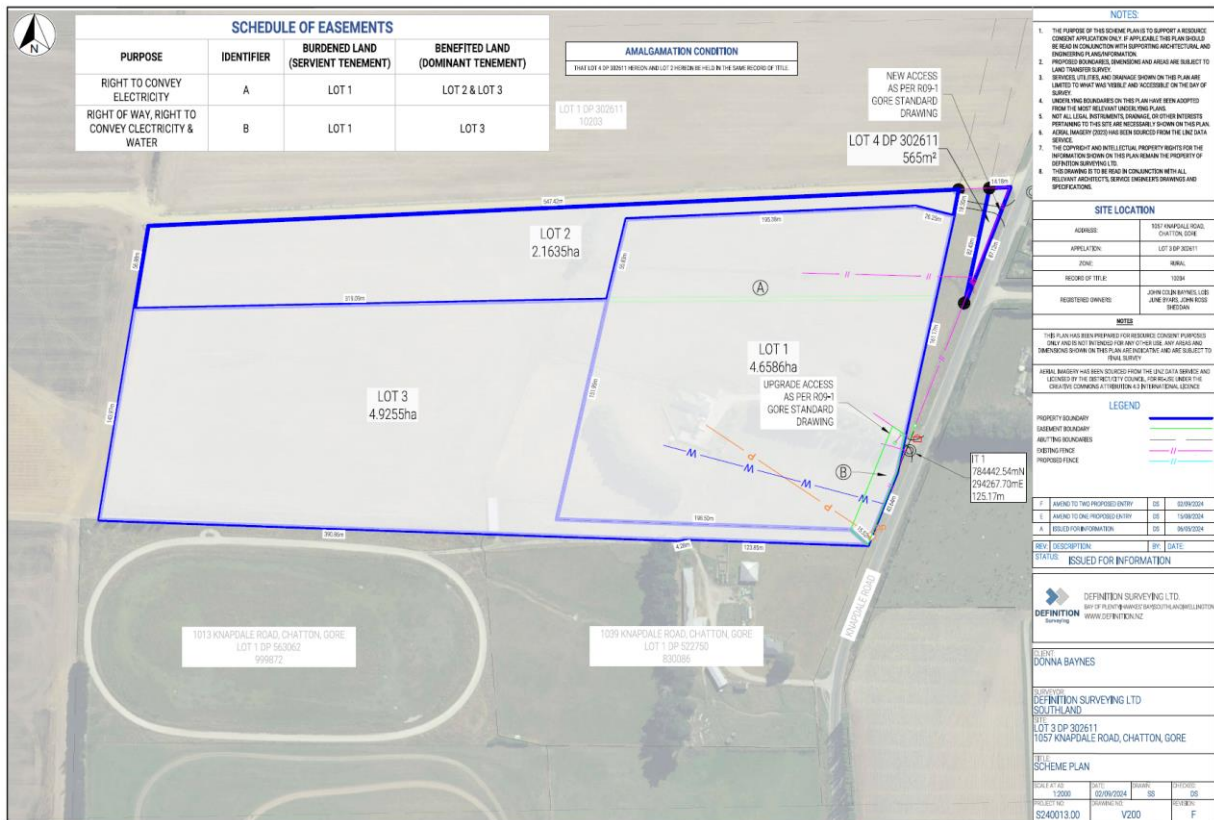


Figure 1: Proposed Scheme Plan, Rev F

Application Background

Application for a four-lot rural subdivision was submitted to Council on the 21-05-2024 along with further information on the 13-06-2024 and a scheme plan (Rev C). A decision was reached by the Council and draft conditions were sent to the Applicant on the 21-06-2024. The application was placed on hold at the Applicant's request to review these draft conditions. The Applicant then submitted a new scheme plan (Rev E), on the 22-08-2024 proposing a three-lot subdivision, serviced by a right of way utilising the existing access.

Both the Planning and Roading departments reviewed the updated scheme plan and advised the Applicant of the roading requirements. This included the requirement to upgrade the access servicing the 3 lots in accordance with Diagram R09-2 'Primary Commercial Access' under the Subdivision and Land Development Bylaw and the implications of the proposed leg-in and fencing over the unformed legal road. Council's Senior Roading Asset Manager, Mr Murray Hasler, recommended to the Applicant to update the scheme plan to provide a separate access for proposed Lot 2, adjacent to the northern boundary of the property, whilst retaining a right of way access for proposed Lots 1 and 3.

The Applicant on the 02-09-2024 has now proposed to amend the scheme plan (Rev F) in accordance with Mr Hasler's recommendation to create three lots with two accesses from Knapdale Road.

2. SITE DESCRIPTION

The subject site 1057 Knapdale Road also legally known as Lot 3 DP 302611 and Lot 4 DP 302611 has a total area of 11.75ha. The site is located in the Rural Zone of the Gore District with legal frontage to Knapdale Road, and is approximately 14km north of the Gore township, a 10-minute drive. An unformed legal road runs through the two allotments from the southeast to the northeast of the site.

The property consists of generally flat topography utilised for grazing. A dwelling is located on the site but the site is otherwise vacant land that is divided into five paddocks, with a five bay shed situated along the middle of the south boundary. This is located within the 6m setback of the existing south boundary of the subject site, breaching the District Plan yard rule, requiring structures to be setback 6m from the boundary. The shed has been in situ prior to the Operative District Plan in 2006 and the boundary is not proposed to change as part of the application. The shed is currently being utilised by the south neighbouring property for storage. The Applicant has informed Council that this arrangement will cease, and the property boundary will be fenced, resulting in the shed to be utilised only for Lot 3.

The immediate surrounding area is predominately rural in character and use, consisting of a mixture of large and medium sized farming lots. The environment also consists of lifestyle blocks on 2-hectare plus sites with a residential dwelling scattered south- and northeast of the subject site.

The subject site has been identified as containing LUC 3 High Class Soils.

The site is not identified in the Selected Land Use Site Register ('SLUS') as an actual or potentially contaminated site. The site is not identified as having any significant natural areas. Gore District Council's mapping system and Environment Southland flood mapping identifies that the site is not subject to inundation hazards. The maps also identify the liquefaction risk is 'Negligible' for the site.



Figure 2: Subject site highlighted in blue

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 three-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 Applicant’s 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 no 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 provided.

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 subdivision layout is consistent with what the District Plan enables in the Rural Zone. The proposed lots all meet the 2-hectare minimum specified area. The proposed lots are intended to retain the existing production farming land use. If residential activity was to occur on Lots 2 and 3 in the future, the lots are each of a size and shape that can accommodate a future residential unit.

Due to the size of the lots meeting the 2-hectare minimum area, any future development is expected to comply with the Performance Standards in the District Plan for the Rural Zone and associated effects on the surrounding environment are considered to be less than minor. While Lot 2 is of a long rectangle shape, with a smaller width than the other two allotments created, it is of a size that will enable future complying development to occur. Lot 2 is proposed to have a width of 55.83m. Future development is required to be setback 6m from adjacent boundaries. This provides a final width of 43.83m for any future development to occur on the site. Future developments are required to adhere to the District Plan bulk and location standards, specifically boundary rules which ensure effects on the wider environment are no more than minor.

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 identifies that the site is not subject to inundation hazards and the liquefaction risk as negligible. The proposed subdivision and potential further development effects on the existing environment will be no more than minor.

Ability to provide services

There are no Council reticulated services located in the Rural Zone. Lot 1 will continue to use the existing onsite services that are for residential purposes with respect to wastewater, stormwater, potable water, and the electricity connection to the site. These on-site services are contained within Lot 1.

Proposed Lots 2 and 3 will not be provided with any new services. It is not anticipated for these lots to have any domestic services for the rural activities. However, these lots are over 2 hectares in area and a dwelling could be constructed in the future as a permitted activity. When development occurs on these sites, these services are expected to be fully contained within the proposed boundaries. Given the size of the proposed lots, this is likely to be able to be achieved. The detailed design of these services will be assessed at the time a building consent is submitted to the Council for future development on the individual lots.

The Applicant has proposed an easement over Lot 1 for a right of way and the right to convey electricity and water. This is shown as area B on the scheme plan, in favour of Lot 3.

In terms of electricity, PowerNet has provided confirmation that these connections are available for the proposed lots. The network is required to be upgraded to provide a supply. A new transformer located opposite the lots on Knapdale Road, and a road crossing to supply the power to the boundary of the lots will need to be installed. Connections will happen independently of this resource consent process.

The Applicant has proposed an easement over Lot 1, as shown by area A on the scheme plan to provide the right to convey electricity to Lots 2 and 3. This easement will run across the middle portion of Lot 1. Due to the size of Lot 1 being 4.65ha, there is possibility that the lot can be further subdivided in the future or built on. Planning checks of any future application(s) will note the location of this easement.

The application demonstrates that there is wireless broadband coverage and broadband (ADSL) coverage available for the proposed lots. Wireless rural broadband is acceptable given that wireless services are becoming the norm and a preferential option for rural sites.

Overall, Lot 1 has existing services and proposed Lots 2 and 3 can be feasibly serviced at the time of development. Any potential adverse effects on the wider environment in relation to servicing 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. The subject site is located outside of any mapped significant natural features and landscapes, or any areas shown as having identified ecological or cultural values. There are no water bodies nearby. The proposed subdivision will alter the landscape of the site with the introduction of rural lifestyle residential

development in the future on the proposed lots. The proposed subdivision and potential further development effects on the existing environment will be no more than minor.

Effects on traffic

Council's Senior Roading Asset Manager, Murray Hasler, has reviewed the application. A summary of his assessment is provided below. The access standards contained in the Gore District Council Subdivision and Land Development Bylaw (the Bylaw) apply to this situation.

The section of Knapdale Road adjacent to the subject site is a rural collector road. Knapdale Road has a chip seal surface. The adjacent section of Knapdale Road gently rises towards the northwest and is straight. A 100kph speed restriction applies to this section of road.

The existing access to proposed Lot 1 is to be retained for servicing Lot 1 and Lot 3 as a right of way. The right of way will be over Lot 1, in favour of Lot 3 as shown by area B on the scheme plan. This access should be upgraded to meet the requirements of the Bylaw diagram R09-1 which will require sealing to the boundary.

Following Mr Hasler's suggestion, the Applicant proposes to construct a separate access from Knapdale Road along the northern boundary of Lot 2. This access will cross Lot 4 DP 302611 and the unformed legal road. This access will need to be sealed to the property boundary closest to the Knapdale Road carriageway in accordance with requirements of the Bylaw diagram R09-1.

Mr Hasler notes that the required separation distance between the new access for Lot 2 and Gerken Road will be available, however a dispensation will be needed for the lack of separation between the new access and the existing neighbour's access to the north. Mr Hasler supports the granting of the dispensation due to the good visibility available to the north and south, and the alignment of the adjacent section of road. This has been authorised by Jason Domigan, (General Manager Critical Services) on behalf of the Gore District Council.

The assessment of Mr Hasler has been adopted. It is considered that safe accesses will be provided to serve each lot in the subdivision and any effects on traffic will be no more than minor.

Provisions of easements

An easement is proposed over Lot 1 for the right to convey electricity as shown by area A on the scheme plan. This is for the benefit of Lot 2 and Lot 3.

A right of way, right to convey electricity and water is proposed over Lot 1 to Knapdale Road to allow access to proposed Lot 3, and the future right to convey services as indicated by area B on the proposed scheme plan.

At the time of survey, all necessary easements will be confirmed and registered onto the relevant Records of Title. Adverse effects on the wider environment are considered to be no more than minor.

Conclusion: Effects On The Environment

On the basis of the above assessment, in terms of s95D, it is assessed that the proposed subdivision 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 subdivision.
- 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 3: Surrounding neighbouring properties indicated by orange dots of the subject site

Neighbouring Properties

The applicant has provided an assessment of effects on the environment within Part 5.2.3 of the AEE, Proposed Subdivision – 1057 Knapdale Road, Chatton, prepared by Courtney Tovell-Soundy of Definition Survey, attached at Appendix B. This assessment is adopted for the purpose of this decision with the following summary added for clarity.

The proposed 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 lots are of a size and shape that can each accommodate an existing or future residential unit and / or be used for rural purposes. Any adverse effects on the rural character and amenity experienced by persons residing 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 and s220 of the RMA as required to avoid, remedy or mitigate adverse effects.

6.3 Relevant Provisions

Operative District Plan

The relevant operative objectives and policies are contained within Chapter 8 – Subdivision of Land 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.*

The proposed subdivision is consistent with the objectives and policies in Chapter 8. The size and layout of the allotments are practical and appropriate for the Rural Zone. Proposed Lots 2 and 3 are of a shape and size that can accommodate a future rural residential activity or continue to operate farming activities, while proposed Lot 1 will continue to be used for rural lifestyle activities.

Proposed Lots 2 and 3 can be serviced appropriately at the time of development, while proposed Lot 1 has existing services.

Proposed Lot 1 will be serviced with the existing access from Knapdale Road, while proposed Lot 3 will be serviced by a right of way over this access. This vehicle crossing will be upgraded and constructed in accordance with the Bylaw. Lot 2 will be serviced by a separate accessway constructed to the standards of the Bylaw.

The subdivision will establish two additional lots that will continue to be utilised for agriculture purposes. However, if development does occur on the lots, then stormwater will be addressed at the building consent stage, ensuring that potential impacts that may arise from the future use of land on water quality, including groundwater is considered.

Overall, the proposed subdivision is considered to be consistent with the objectives and policies of the Operative District Plan.

Proposed District Plan

The Proposed District Plan was notified for public submissions on 31 August 2023. The submission period closed on 26 October 2023. The further submission period closed on 12 April 2024. As the rules that have immediate legal effect are not relevant to this proposal, it is unnecessary to apply any weighting to the Proposed District Plan at present time.

National Policy Statement – Highly Productive Land 2022 (NPS – HPL)

The NPS-HPL came into force on 17 October 2022. The objective of the NPS-HPL is that highly productive land is protected for use in land-based primary production, both now and for future generations. As the proposal is for a restricted discretionary activity subdivision, the matters of discretion do not provide scope for the consideration of highly productive land. No further assessment of the NPS-HPL is required.

Southland Regional Policy Statement 2017

The proposal is consistent with the relevant objectives and policies in the Southland Regional Policy Statement, specifically the provisions contained in Chapter 5 (Rural land/soils). Objective RURAL.1 seeks to achieve sustainable use of Southland’s rural land resource, in respect of a number of matters including (b) subdivision, use and development activities; (d) the use of soil resources; and (f) on-site wastewater systems. Policy RURAL.2 seeks to manage subdivision and land development activities in rural areas of Southland in a way that maintains or enhances rural amenity values and character.

The RPS generally recognises that subdivision and land development activities in rural areas need to be managed in a manner that takes into account the potential for reverse sensitivity issues that could lead to constraints on the ability to access significant rural land resource and undertake reasonable productive uses of land.

The proposed subdivision will create an additional two lots from one existing title, enabling the opportunity for the additional lots to be developed or continue to be used for rural farmland activities, while proposed Lot 1 can continue to be utilised for rural residential purposes. The site comprises Class 3 soils. These soils can continue to provide the rural based activities occurring on site and for small-scale rural activities following the subdivision if residential dwellings were to be built. Overall, it is considered that the proposal is aligned with the relevant objectives and policies in the RPS.

6.4 Other Matters

Section 104(1)(c) provides that when considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to any other matter the consent authority considers relevant and reasonably necessary to determine that application.

I consider there are no other matters that are relevant to this application that need to be considered.

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 not subject to any other known natural hazard risk and all proposed lots will have a legal and physical access, in accordance with the Bylaw.

8. PART 2 OF THE RMA

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

The proposed subdivision takes into account Part 2 of the RMA, as the proposed lots created will enable additional rural / rural lifestyle use in the Rural Zone, providing for social, economic and cultural wellbeing benefiting the community. The site does not contain any matters of national importance under s 6 and particular regard has been given to s 7 in terms of maintaining and enhancing the quality of the existing rural environment. This site is not within any known heritage sites or statutory acknowledgement areas. The proposal is not considered to be 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, consent is **granted** to undertake a three lot subdivision and an amalgamation of Lot 4 DP 302611 with proposed Lot 2, subject to the following conditions imposed pursuant to Sections 108 and 220 of the RMA:

Consent Conditions

1. The subdivision must be undertaken in general accordance with the application made to the Council, reference SC24019, and the further information received 13.06.2024 and 02.09.2024 and the following plan:
 - *Donna Baynes, Lot 3 DP 302611, 1057 Knapdale Road, Chatton, Gore, Scheme Plan, Rev F, drawn by Definition Surveying Ltd. dated 02-09-2024.*
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. That Lot 4 DP 302611 hereon and Lot 2 hereon be held in the same record of title (*LINZ reference: 1909026*).

6. Prior to certification of the subdivision, pursuant to section 224(c) of the Resource Management Act 1991, the consent holder, shall, to the satisfaction of the Chief Executive of the Gore District Council:
 - a) Upgrade the existing vehicle access on Knapdale Road to serve Lot 1 and 3 in accordance with Diagram R09-1 'Private Rural Access' of the Gore District Council Subdivision and Land Development Bylaw 2019.
 - b) Construct the vehicle access to Lot 2 in accordance with Diagram R09-1 'Private Rural Access' and Diagram R14 'Access Separation Diagram' of the Gore District Council Subdivision and Land Development Bylaw 2019.

7. 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 drafted for registration against the relevant Record of Title for Lots 2 and 3 to record that:
 - a) At the time of lodging a building consent for a residential unit, a rainwater collection system must be verified as being potable; this shall include provision for UV filters or UV treatment or alternative treatment provision and shall be submitted with the building consent application(s).
 - b) At the time of lodging a building consent for a residential unit, the lot is to have a specifically researched, designed, and verified system for wastewater and stormwater disposal.
 - c) At the time of lodging a building consent for a residential unit, 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.
 - d) At the time of this subdivision, a fixed-line telecommunication connection was not provided and either a fixed-line telecommunication connection or an alternative service (wireless broadband or mobile data) needs to be installed at a cost to the owner at the time that the connection is applied for.
 - e) At the time of this subdivision, a power connection was not provided. Should a future connection be sought the owner at the time should be aware that the existing transformer (as at the date of this consent) will need to be upgraded in accordance with PowerNet requirements provided in the application, in order to be able to supply sufficient power to Lots 2 and 3.

Advice Notes

1. Any future development on Lots 1 to 3 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 requires the prior approval of the Council and the consent holder must consult with the Council's 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. Any future connections to the Otama Water Scheme are not through the Gore District Council, the Otama Rural Water Limited will be required to be contacted to determine an application to the water scheme.

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.

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



Penny Weng
Delegate

Appendix A: Approved Plan

APPENDIX A – APPROVED PLAN

