

# Gore District Council Decisions



## NOTIFICATION UNDER s95A AND s95B AND DETERMINATION UNDER s104

*Resource Management Act 1991*

Application reference	SC25001
Applicant	Nithdale Land Company Limited
Proposal	Application under Section 88 of the Resource Management Act 1991 (RMA) for a two stage subdivision creating a total of ten allotments
Location	Nithdale Road
Legal Description	Section 2-3 Block X Waikaka Survey District (RT SL60/224), Section 8 Block X Waikaka Survey District (RT SL192/94), Country Section 6 Block X Waikaka Survey District (RT SL29/103), Lot 1 Deposited Plan 314645 and Part Section 2 Block VIII Waikaka Survey District (RT 57929) and Section 6 Block VIII Waikaka Survey District (RT SL181/24)
Activity Status	Restricted Discretionary
Decision Date	27 February 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 X February 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 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 Werner Murray, under delegated authority pursuant to Section 34A of the RMA.

3. Pursuant to s133A, this consent was reissued on 18 March 2025 to amend the stage 1 amalgamation conditions. The amalgamation conditions have been updated to ensure that there are no unintended consequences with the number of titles being issued in association with SC25001 and SC25006. The updated amalgamation condition will ensure the correct outcome of both consents. This is considered to be a minor defect with the original decision. The reissue was approved by Werner Murray on 18 March 2025 under delegated authority.

## 1. THE PROPOSAL

Subdivision consent is sought to create a total of ten rural allotments over two stages. Essentially each stage being treated as its own subdivision as the two stages of land subject to this proposal are not physically connected and the Titles are not related.

Stage 1 being a boundary adjustment between Lot 1 DP 314645 (RT 57929) and Section 6 Block VIII Waikaka SD (RT SL181/24) to create Lots 1 and 2. Lot 1 will be amalgamated with adjoining Part Section 2. Lot 2 will be amalgamated with adjoining Part Section 6. This is effectively a standalone boundary adjustment as the number of Titles remains will not change because of the subdivision. In addition, the subdivision is physically separate from stage 2.

Proposed Lot:	Land Area:	Other Comments:
1	27.07 ha	To be amalgamated with adjoining Part Section 2 Block VIII Waikaka
2	334.96 ha	To be amalgamated with adjoining Bal Part Section 6 Block VIII Waikaka

The following subdivision is proposed for stage 2. This stage involves the creation of eight new titles from three existing titles.

Proposed Lot:	Land Area:	Other Comments:
3	38.15 ha	Vacant rural land
4	2.35 ha	Contains an existing dwelling
5	182.02 ha	Contains an existing dwelling and farm buildings – including a dairy milking shed
6	2.18 ha	Contains an existing dwelling
7	2.01 ha	Contains an existing dwelling
8	127.08 ha	Contains an existing dwelling and some farm building
9	63.78 ha	Vacant rural land
10	16.85 ha	Vacant rural land

Each of the proposed allotments associated with Stage 2 will be held in their own Title.

Overall, the subdivision (both stages 1 and 2 combined) will result in ten new Titles being created, from five existing Titles – a net gain of five Titles from the existing situation.

Access to each Title is achieved from either Old Coach Road, Nithdale Road, Nithdale Gorge Road and Kaiwera Road. There is no change proposed to any of existing access arrangements.

## 2. SITE DESCRIPTION

As detailed above, this proposal is effectively two subdivisions within one application. The land across both subdivisions (or stages) is used for general rural purposes and includes several dwellings.

The site subject to this proposal is shown in Figure 1 below and is shaded in yellow. The western most land shaded by yellow is subject to stage 1, with the land to the east shaded by the yellow subject to stage 2.



Figure 2: Subject site, outlined in red and surrounding areas.

## 3. ACTIVITY STATUS

### 3.1 Gore District Plan

The site is zoned Rural in the Gore District Plan. The applicant has applied for a restricted discretionary subdivision. While this activity status is agreed to for stage 2 of the consent, stage 1 is on land that does not adjoin any stage 2 land and the two stages are clearly separate activities and not interrelated. Likewise, stage 2 could proceed without stage 1 proceeding and vice versa. As such, it is considered necessary as a matter of technicality that the controlled activity boundary adjustment rule be triggered for stage 1 of the proposal.

As such, the proposed activity requires resource consent for the following reasons:

- A **controlled** activity resource consent pursuant to Rule 8.10(2)(d) for a boundary activity subdivision. This stage involves a boundary adjustment between Section 6 Block VIII (RT SL181/24) and Lot 1 DP 314645 (RT 57929). All other land that is currently held in these two titles will be amalgamated with the respective new lots created and there will be no additional Titles created. Council's control is with respect to:



- a. the suitability of the allotments for activities permitted within the zone in which they are located;
  - b. granting of easements;
  - c. the design, location, construction and alignment of any access or road;
  - d. the location, design and construction of infrastructure;
  - e. ensuring that the minimum environmental standards specific in the Plan can be met on any allotment that contains an existing building;
  - f. the protection of any heritage or archaeological values on the site;
  - g. any adverse effects on natural features and landscapes, ecological or cultural values.
- A **restricted discretionary** activity pursuant to Rule 8.10(4)(b) to undertake a subdivision creating one additional lot, both the new allotment and balance allotment 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;
- viii. 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; and
- 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. The applicant's AEE states that the client does not believe that any HAIL activity has been undertaken.

The applicant's AEE states that the site will remain rural production land. However, no evidence has been given regarding how Lots 4, 6 and 7, which have a land area of just over 2ha, will remain

rural production land. While the intention is that the dwellings on these lots will be used for staff accommodation in conjunction with the existing farming operation, there is no mechanism such as an amalgamation that ensures this. These allotments are more akin to rural lifestyle living. However regardless of this, to the best of the applicant's knowledge and based on Council's records, it is more likely than not that these allotments have not had HAIL activities occur on them. Therefore the provisions of the NES-CS are not applicable.

### **3. 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 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 Approvals*

Written approval for the stage 1 boundary adjustment has been obtained from:

Name:	Location:	Comments:
Stephen and Lorraine Stuart	Owners of Lot 1 DP 314645 and Pt Sec 2 Blc VIII Waikaka SD  1051 Old Coach Road	Stage 1 of the subdivision comprises of a subdivision of Lot 1 DP 314645 in order facilitate the boundary adjustment. The Stuart's own this land that is subject to the stage 1 boundary adjustment.

It is noted that that APA received from the Stuart's only pertained to stage 1 of the subdivision. It is well established that APAs cannot be conditional or only apply to a portion of any proposal. The APA should apply to the entirety of the development – even if stage 2 has no impact on the Stuart's. In addition, the signed plan only shows Lot 1 and 2. However, as the two stages are essentially separate consents and the boundary adjustment cannot be progressed through LINZ without further approvals from the Stuart's (or subsequent landowners), it is determined that sufficient evidence has been provided that the Stuart's are fully aware of the proposed subdivision. The boundary adjustment will have its own set of conditions and for the purpose of forming conditions, will be treated as a separate consent.

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 all subdivision requires resource consent under the Gore District Plan, there is no permitted baseline.

#### **Boundary Adjustment – Stage 1**

This boundary adjustment will regularise current land use. The new Titles will have large areas that are typical for rural farming. It is assessed that potential effects arising from stage 1 on the environment will be less than minor.

#### **Rural Subdivision – Stage 2**

*Suitability of the allotments and future land use*

The subdivision layout results in one new rural allotment exceeding the minimum 2 hectare requirement for the rural zone, specified in the Gore District Plan. The balance lot is further in exceedance of 2 hectares. While some of the allotments, specifically lots 4, 6 and 7, will be just over the 2ha minimum, such lot sizes are anticipated by the Gore District Plan.

The subdivision is therefore consistent with what the District Plan enables in the rural zone. The lots will continue to be utilised as farmland used for agriculture activities with some lots being used predominantly for residential purposes.

Any future land use activities on the lots will be required to comply with the requirements of the Plan, or further consent(s) will be required.

Overall, it is considered that the size, shape, and configuration of the proposed allotments are appropriate for rural activities. 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 the site is not subject to any inundation or liquefaction risk.

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

#### *Ability to provide services*

Water, wastewater and stormwater services are provided for onsite – as is typical for the Rural zone. No further comment is made in this regard.

Power lines are located in the road reserve. No new connections are to be provided as there is no change in land use on any of the allotments. This is accepted as being appropriate.

There are existing landlines to the dwellings and there is 4G available in the surrounding area. No new hardwire telecommunication infrastructure is proposed as there is no change of land use. This is considered appropriate.

Overall, it is assessed that the existing services are rural in nature and the subdivision will not generate the requirement for any additional services to be installed. For this reason, any adverse effects associated with providing services are assessed to have a less than minor effect on the wider environment.

#### *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 is considered that the impacts of the proposed subdivision will be less than minor 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 proposed subdivision will not have noticeable effects on the water quality in the surrounding area as the existing land use will continue.

Overall, the adverse effects on the environment are considered to be less than minor.

#### *Effects on traffic*

While the proposal results in a total of five additional Titles being created, which in turn could lead to more dwellings being established, the roading network in this area is rural in nature and any permitted future land use activities will not adversely affect traffic. Council's Roding Asset Manager, Mr Murray Hasler, has assessed the proposal and has not raised any issue with the fact that existing accesses will be used for the new allotments. Any upgrades will occur in the future at such a time for any new building consent (etc) is issued.

Overall, any adverse effects in relation to traffic effects, on the environment are considered to be less than minor.

#### *Provision of easements*

No easements are proposed for this subdivision scheme. Any necessary easements that are deemed to be required can be shown on the Land Transfer Plan at s223 stage.

#### *Conclusion: Effects On The Environment*

On the basis of the above assessment, in terms of s95D, it is assessed that the proposed activity (both stages 1 and 2) 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.

#### *Owners/Occupiers of Neighbouring Properties*

No persons are deemed to be adversely affected by the proposal for the following reasons;

- Lots 4, 6 and 7 (the smallest allotments) are surrounded by much larger land parcels that are also subject to the subdivision. This ensures rural amenity will be retained.
- All lots comply with the minimum lot size expectations of the Operative District Plan.
- No physical works are proposed or required as part of the subdivision.

It is further commented here, that while it is acknowledged that the Sturart’s provided approval for stage 1 of the subdivision, they would be in no way potentially affected by stage 2 due to the distance between the stage 1 lots and the stage 2 lots.

### *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.

## **4. 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.

## **5. 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**

#### **Operative District Plan (ODP)**



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.*

The proposed subdivision is consistent with the objectives and policies of Chapter 8. The size and the layout of the allotments are considered to be suitable and appropriate for the rural zone anticipated activities. The subdivision does not result in any adverse effects on water quality as no further service provision are proposed.

#### **Proposed District Plan (PDP)**

The site is located within the General Rural Zone of the PDP which is proposed to have a minimum allotment area of 8 hectares. The relevant objectives and policies are located within the SUB chapter of the PDP. SUB-P21 specifically discourages non-compliance with the minimum lot sizes. By virtue of the fact that several of the lots proposed by way of this consent would not achieve the PDP minimum lot size, the proposal is deemed to be generally inconsistent with the PDP provisions.

#### **Weighting – ODP and PDP**

Due to the fact that decisions have not yet been released on the PDP, significantly more weight is afforded to the ODP. It is noted that once decisions on the PDP are released and PDP rules have legal effect, additional weight will be placed on the PDP. However, at this point in time, little weight can be afforded to these provisions.

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

It is acknowledged that part of the 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). The subdivision will maintain the rural amenity values and character of the existing rural area. While lots 4, 6 and 7 will be akin to rural lifestyle sized allotments, the predominant use of the wider land resource will continue to be for productive rural purposes.

## **6. 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 lots have existing physical and legal access. The subject site is not subject to any known natural hazards and the material damage to the land resulting from natural hazards will be no more than minor.

## **7. 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 continue to enable sustainable management of the physical resources of the land for agriculture purposes to enable people and communities to provide for their social, economic and cultural wellbeing, benefiting the community. As assessed above, 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.

### *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.

## **8. DECISION ON RESOURCE CONSENT**

Pursuant to Section 104C of the RMA, consent is **granted** to undertake a subdivision to create one additional rural lot, subject to the following conditions imposed pursuant to Section 220 of the RMA:

### **Consent Conditions**

#### **Boundary Adjustment Consent – Stage 1**

##### *General*

1. The proposed subdivision must be undertaken generally in accordance with the following plans:
  - ‘Proposed Subdivision of Lot 1 DP 314645, Part Section 6 Block VIII Waikaka SD, Part Section 3 Block X Waikaka SD, Section 8 Block X Waikaka SD, Part Section 6 Block X Waikaka SD’, prepared by Clark Fortune McDonald & Assoc., Dated 04/12/24.
  - ‘Proposed Subdivision Lot 1 – 2 Detail Sheet’, prepared by Clark Fortune McDonald & Assoc., Job No. 16876 & 16889. Dated 04/12/24.
  - ‘Proposed Subdivision Lot 3 – 10 Detail Sheet’, prepared by Clark Fortune McDonald & Assoc., Job No. 16876 & 16889. Dated 04/12/24.

##### *Prior to s223*

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 as necessary.

##### *Amalgamation*

3. The following amalgamation conditions shall be shown on the Land Transfer Plan:
  - i. That t Lot 1 hereon be held together with Part Section 2 Blk VIII Waikaka SD (Balance RT 57929) and that one Record of Title be issued to include both of those parcels (CSN/Request ID 1940650).
  - ii. That Lot 2 hereon be held together with Bal Pt Sec 6 Blk VIII Waikaka SD (Balance RT SL181/224) and that one Record of Title be issued to include both of those parcels (CSN/Request ID 1940650).

In the event that SC25006 proceeds prior to SC25001:

- iii. That Lot 1 hereon be held together with Part Section 2 Blk VIII Waikaka SD (Balance RT 57929) and Lot 2 of SC25006 and that one Record of Title be issued to include both all of those parcels (CSN/Request ID TBC).
- iv. That Lot 2 hereon be held together with Bal Pt Sec 6 Blk VIII Waikaka SD (Balance RT SL181/224) and that one Record of Title be issued to include both of those parcels (CSN/Request ID TBC).

*Prior to s224c*

4. No physical work is required to be completed in order to obtain s224c.

## **Subdivision Consent Conditions – Stage 2**

### *General*

1. The proposed subdivision must be undertaken generally in accordance with the following plans:
  - ‘Proposed Subdivision of Lot 1 DP 314645, Part Section 6 Block VIII Waikaka SD, Part Section 3 Block X Waikaka SD, Section 8 Block X Waikaka SD, Part Section 6 Block X Waikaka SD’, prepared by Clark Fortune McDonald & Assoc., Dated 04/12/24.
  - ‘Proposed Subdivision Lot 1 – 2 Detail Sheet’, prepared by Clark Fortune McDonald & Assoc., Job No. 16876 & 16889. Dated 04/12/24.
  - ‘Proposed Subdivision Lot 3 – 10 Detail Sheet’, prepared by Clark Fortune McDonald & Assoc., Job No. 16876 & 16889. Dated 04/12/24.

*Prior to s223*

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 as necessary.

*Prior to s224c*

3. No physical work is required in order to obtain s224c.

## **Advice Notes**

1. The two stages above are to be treated as separate resource consents, i.e. they can occur in any order or simultaneously. If one stage is not given effect to within five years (but the other has), the stage that has not been given effect to shall be deemed to have lapsed.
2. Any future development on any Lots will be subject to the requirements of the Gore District Council Subdivision and Land Development Bylaw 2019 and the Gore District Plan.
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.

4. In the event that SC25006 proceeds prior to SC25001, new amalgamation consultation will be required with LINZ.

### 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



Alex Dunn  
**Consultant Planner**

Decision made by



Werner Murray  
**Delegate**

Reissue prepared by



Alex Dunn  
**Consultant Planner**

Reissue authorised by

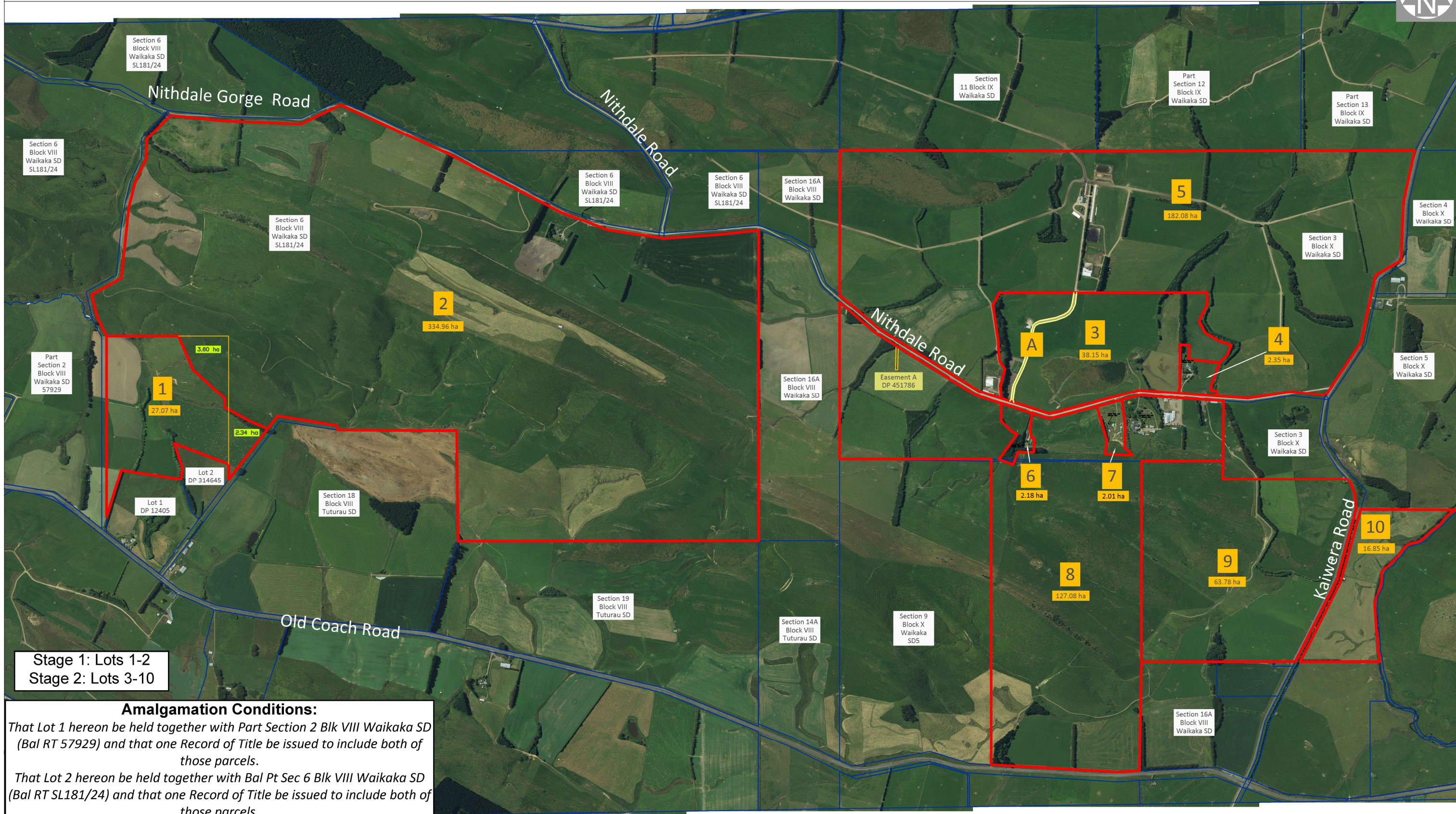


Werner Murray  
**Delegate**

### Appendix A: Approved Plans

## **APPENDIX A – APPROVED PLANS**





Stage 1: Lots 1-2  
Stage 2: Lots 3-10

**Amalgamation Conditions:**

That Lot 1 hereon be held together with Part Section 2 Blk VIII Waikaka SD (Bal RT 57929) and that one Record of Title be issued to include both of those parcels.

That Lot 2 hereon be held together with Bal Pt Sec 6 Blk VIII Waikaka SD (Bal RT SL181/24) and that one Record of Title be issued to include both of those parcels.

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**CLARK FORTUNE McDONALD**  
LAND SURVEYORS - LAND DEVELOPMENT - PLANNING CONSULTANTS  
QUEENSTOWN | DUNEDIN | CHRISTCHURCH | GORE

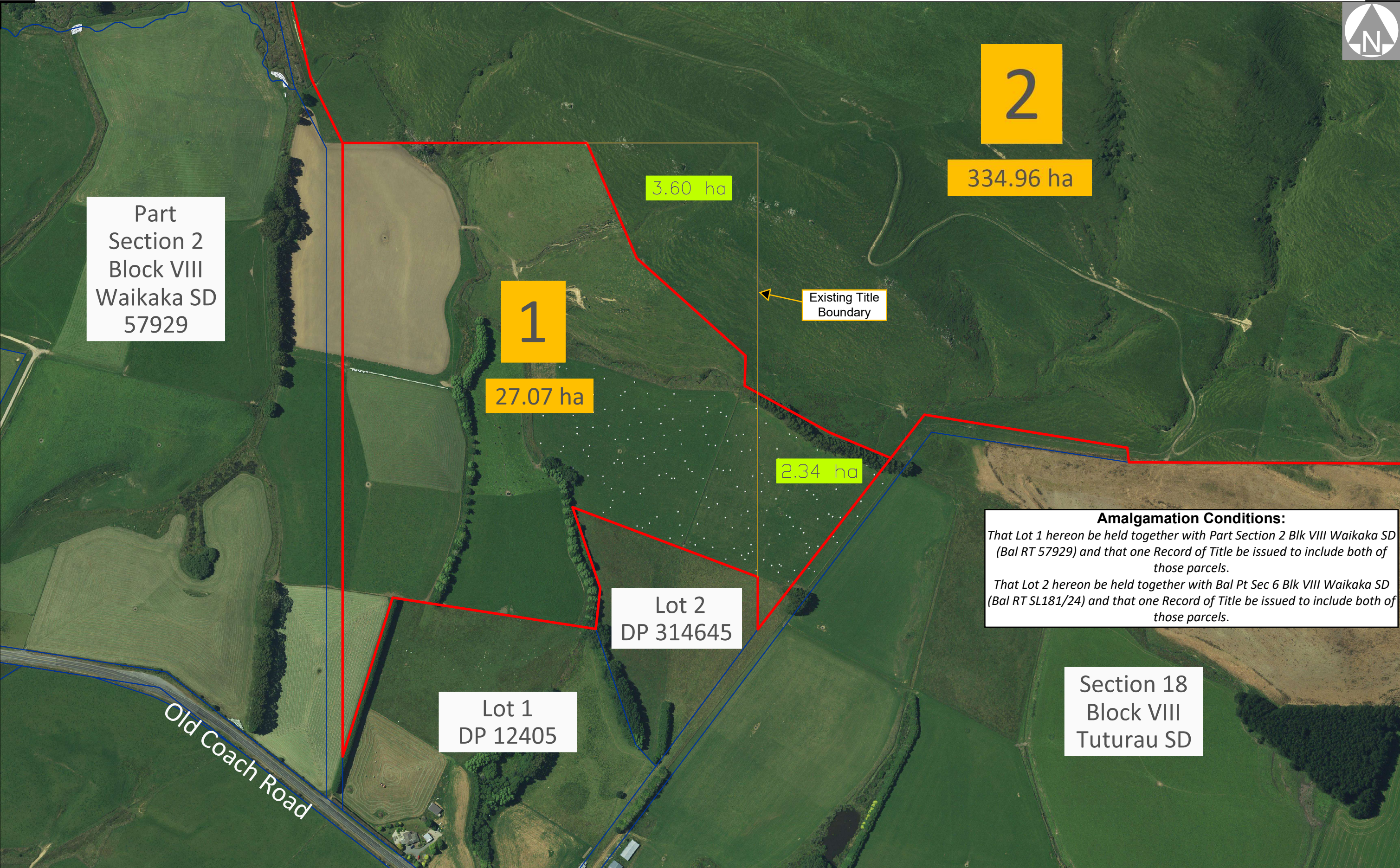
309 Lower Shotover Road, P.O.Box 553 Queenstown  
Tel. (03)441-6044, Email admin@cfma.co.nz, www.cfma.co.nz

Rev.	Date	Revision Details	By

**Proposed subdivision of Lot 1 DP 314645, Part Section 6 Block VIII Waikaka SD, Part Section 3 Block X Waikaka SD, Section 8 Block X Waikaka SD, Part Section 6 Block X Waikaka SD**

Client Lorraine Isabel Stuart, Stephen James Stuart and Lorraine Land Company Ltd	Surveyed	Date	Job No.	Drawing No.
	----	----	16876	----
	Drawn	Date	16889	Sheet Overview
	SK	04/12/24	Scale	1000 @ A3
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	BW	04/12/24	####	----





Part  
Section 2  
Block VIII  
Waikaka SD  
57929

1

27.07 ha

3.60 ha

2

334.96 ha

Existing Title  
Boundary

2.34 ha

Lot 2  
DP 314645

Lot 1  
DP 12405

**Amalgamation Conditions:**  
*That Lot 1 hereon be held together with Part Section 2 Blk VIII Waikaka SD (Bal RT 57929) and that one Record of Title be issued to include both of those parcels.*  
*That Lot 2 hereon be held together with Bal Pt Sec 6 Blk VIII Waikaka SD (Bal RT SL181/24) and that one Record of Title be issued to include both of those parcels.*

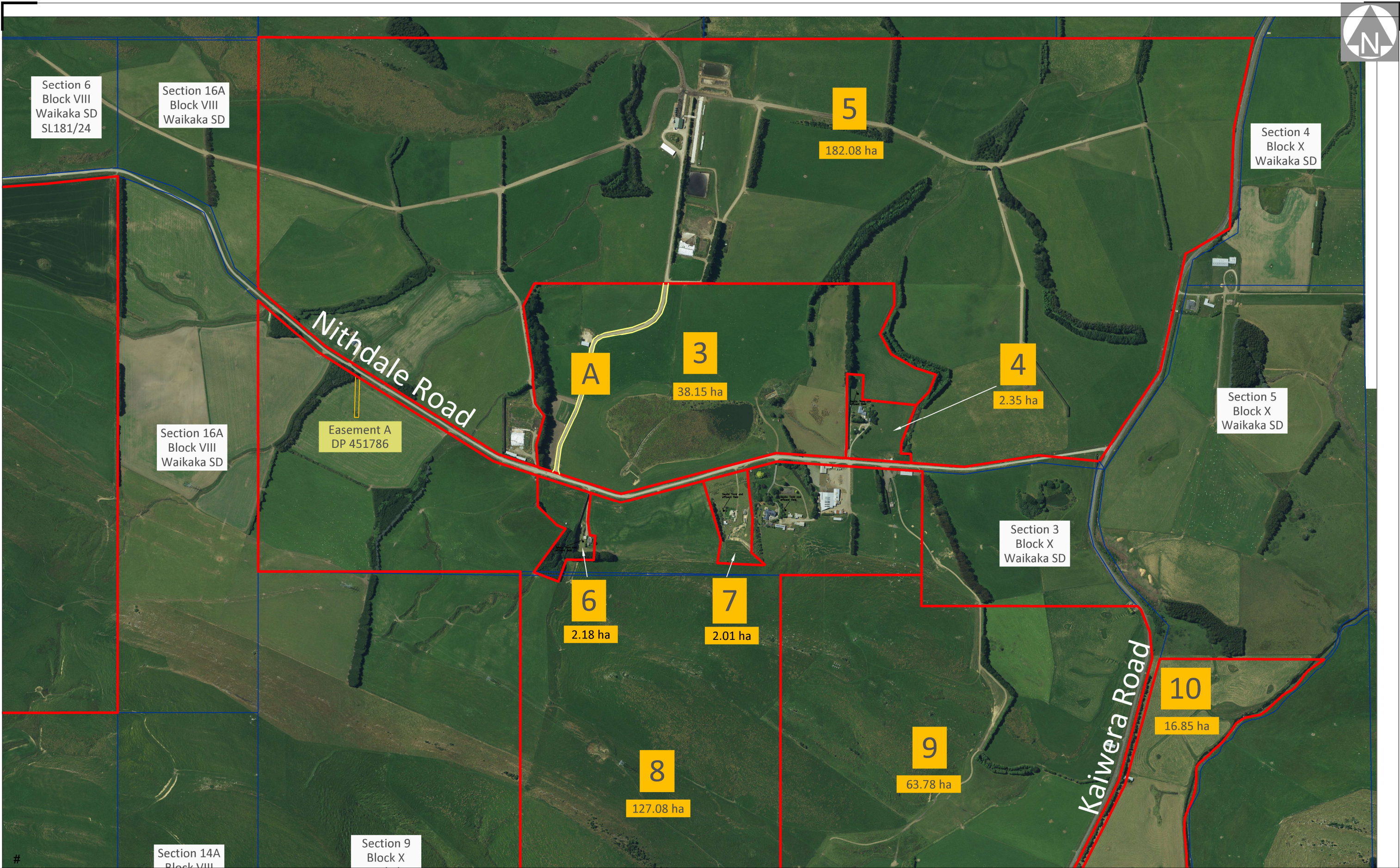
Section 18  
Block VIII  
Tutarau SD

Old Coach Road

**Proposed Subdivision  
Lot 1-2 Detail Sheet**

Client	Surveyed	Date	Job No.	Drawing No.
Lorraine Isabel Stuart, Stephen James Stuart	---	---	-	Sheet
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	SK	04/12/24		
	Checked	Date	Datum & Level	Rev.
	BW	04/12/24	---	---







**CLARK FORTUNE McDONALD**  
LAND SURVEYORS - LAND DEVELOPMENT - PLANNING CONSULTANTS  
QUEENSTOWN | DUNEDIN | CHRISTCHURCH | GORE  
309 Lower Shotover Road, P.O.Box 553 Queenstown  
Tel. (03)441-6044, Email admin@cfma.co.nz, www.cfma.co.nz

Rev.	Date	Revision Details	By

## Proposed Subdivision Lot 3-10 Detail Sheet

Client  
Nithdale Land Company Ltd

Notes:  
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Surveyed	Date	Job No.	Drawing No.
----	----	16876	----
Drawn	Date	Scale	Rev.
SK	04/12/24	1000 @ A3	----
Checked	Date	Datum & Level	----
BW	04/12/24	####	----