

# Gore District Council Decisions



## NOTIFICATION UNDER s95A AND s95B AND DETERMINATION UNDER s104

*Resource Management Act 1991*

|                                |                                                                                                     |
|--------------------------------|-----------------------------------------------------------------------------------------------------|
| Application reference          | SC26026                                                                                             |
| Applicant                      | Southernwide Building Ltd                                                                           |
| Proposal                       | Application under Section 88 of the Resource Management Act 1991 (RMA) for a three-lot subdivision. |
| Location                       | 7-9 Maitland Street, Gore                                                                           |
| Legal Description              | Lot 1 DP 7300 and Lot 2 DP 7300                                                                     |
| Zone - Operative District Plan | Residential A                                                                                       |
| Zone - Proposed District Plan  | General Residential Zone                                                                            |
| Activity Status                | Restricted Discretionary                                                                            |
| Decision Date                  | 3 August 2026                                                                                       |

### SUMMARY OF DECISIONS

1. Pursuant to sections 95A-95F of the Resource Management Act 1991 (**RMA**) the application will be processed on a **non-notified** basis given the findings of Section 5 of the Section 95A and 95B report. This decision is made by Werner Murray, on 3 August 2026 under delegated authority pursuant to Section 34A of the RMA.
2. Pursuant to Section 104 and Section 104C of the RMA, consent is **GRANTED SUBJECT TO CONDITIONS** outlined in this report of the Section 104 decision imposed pursuant to Section 220 of the RMA. This consent can only be implemented if the conditions in this report are complied with by the consent holder. The decision to grant consent was

considered by Werner Murray, under delegated authority pursuant to Section 34A of the RMA.



## 2. SITE DISCRIPTION

The site is located at 7-9 Maitland Street, Gore. Legally described at Lot 1 DP 7300 and Lot 2 DP 7300. The site is approximately 1330m<sup>2</sup> and is located on the northern side of Maitland Street. The site is located to the northeast of Gore Town Centre.

As mentioned above, the site is identified within the Gore District Operative and Proposed District Plans as being located within the Residential A Zone (ODP) and General Residential Zone (PDP).

The site is currently vacant grassland. The topography of the site is relatively flat but sits at a lower level to the road by gently sloping downwards away from the road.

There are no cultural or heritage overlays present on site nor is the site located within any flood zones.

The site can be seen in Figure 2 below



Figure 2 – Subject Site (Source – GRIP)

### 3. ACTIVITY STATUS

#### 3.1 Gore District Plan

Gore District Council currently have an Operative District Plan (ODP) and Proposed District Plan (PDP).

Council notified decision on the PDP on 30 January 2026. There are a number of appeals on these decisions. Where there are rules in the PDP that are treated operative under s.86F of the RMA, corresponding rules in the ODP are treated as inoperative.

Consent is required under Section 9(3) of the RMA for breaches to a District Rule as defined in s43AAB, being the rules in the ODP and PDP which are listed below.

##### Operative District Plan

The site is zoned Residential A in the Operative District Plan and the proposed activity requires resource consent under the ODP for the following reason:

- A **restricted discretionary** activity pursuant to Rule 8.10.4(c) to undertake a three-lot subdivision of the site, where each lot will exceed 400m<sup>2</sup> in area. Council's discretion is restricted to this matter:
  - (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*
  - (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*
  - (xii) *provision of all transport modes, including the movement of pedestrians and cyclists*

##### Proposed District Plan

The site is zoned General Residential Zone in the Proposed District Plan and the proposed activity requires resource consent under the PDP for the following reason:

*Rules with legal effect (s86B):*

- A **restricted discretionary** activity pursuant to Rule SUB-R7 to undertake a three-lot subdivision of the site, where each lot will exceed 400m<sup>2</sup> in area. Council's discretion is restricted to this matter:

1. The suitability of *subdivision* design, orientation, *allotment* sizes and dimensions.
2. Internal *roading* design and provision, including *roading* connections for future *subdivision* on *adjoining land*.
3. *Site access*.
4. Provision for cyclists and *pedestrians*.
5. The *effects* of traffic generation on the safe and efficient operation of the *transport network*.
6. *Earthworks*, including the alteration of contours, and retention of existing natural features.
7. The provision of *esplanade reserves* and *esplanade strips*.
8. The adequacy of measures to address the risk of *natural hazards* including overland flows.
9. Provision for servicing, including water supply, fire-fighting water supply, *wastewater* treatment and disposal, *stormwater* design and disposal, electricity and *telecommunications*;
10. The provision for, or *access* to, open space and recreation.
11. *Effects* on natural features and landscapes, *ecosystems* and indigenous biodiversity.
12. Easements.
13. Impacts on Ngāi Tahu cultural values listed in MW-1.2.
14. *Reverse sensitivity* on adjacent *land uses*, *airports*, rail lines and State Highways.

### 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.

## 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 provided in support of this application.

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, there is no permitted baseline as all subdivisions require resource consent under the Operative and Proposed District Plans.

## *Assessment of Environmental Effects*

The Assessment of Effects provided at section 6 of the applicant's AEE, is comprehensive and is considered accurate. It is therefore adopted for the purposes of this report, with the following additional assessment:

### Operative District Plan

- *suitability of the allotments for activities permitted within the zone in which they are located, future use of the land and areas lot size, dimensions and potential for future subdivision of the land;*

Matters of discretion (i), (v) and (vi) have been combined for the following assessment. Located within the Residential A zone, residential activity is permitted within the area. The proposed three-lot subdivision allows for all three lots to be compliant with the 400m<sup>2</sup> specified minimum lot size. The proposed allotments meet the minimum requirements for lots within the Residential A zone; any further subdivision would be a breach in district plans rules for lots not anticipated within the zone.

Overall, the proposed lots are considered to be consistent with the currently anticipated type of subdivision within Residential A zone. It is considered that the size, shape, design and orientation of the proposed allotments are appropriate to be use for land uses permitted in Residential A zone, any adverse effects on the wider environment will be less than minor.

- *suitability of the land for subdivision, including presence of any natural or other hazards, including contaminated land;*

There are no natural hazard overlays identified on site nor are there contaminated land concerns. It can be considered that the impacts of the proposed subdivision will be nil.

- *ability to provide services (water, sewage, storm water, power and telecommunications) and impacts on the Council and other infrastructure services.*

Located within the Residential A zone, there are reticulated services available in the area for the sites to connect to. Available services include sewer, stormwater, and water as well as broadband, wireless communication and electricity lines.

The three proposed lots will be connected to the fowl sewerage main, subject to an existing easement in favour of Gore District Council (GDC), adjacent to the site's northern boundary. Stormwater will be addressed by retention tanks on each lot which will drain onto Maud Street. Easements are proposed to enable stormwater disposal along the RoW easement to mitigate potential adverse effects of increased stormwater.

All three lots are proposed to be connected to the existing water main along Maitland Street. They are also able to be connected to the existing power supply along Maud Street. Telecommunication connection is available got the three lots.

Gore District Council's Building Services Manager, Tony Osbourne, has assessed the proposal and provided comments. Mr. Osbourne provided the following comment in relation to stormwater easements:

*“A building consent will be required to be obtained prior to any work being carried out within Proposed Easements A&B of Appendix B, ‘Proposed Scheme Plan’ on any required stormwater drainage (Drainage pipes, kerb & channel, stormwater sumps, water supply pipes & connection to Council services) associated with the construction of the right of way giving access to the proposed lots from Maitland Street.”*

Appropriate consent conditions will be attached to this decision to address the comments made by Mr. Osbourne and have been agreed to be the applicant.

The lots are able to connect to Council reticulated services. No additional impacts are anticipated on Council infrastructure through the approval of this proposed subdivision.

Overall, with the inclusion of the proposed easements and relevant consent conditions, the potential adverse effects of the lots ability to connect to services on the wider environment are considered less than minor.

- *within residential and rural areas the desirability of providing building platforms*

There are no buildings proposed with this application. The lots are compliant with minimum size requirements and dimensions. Building platforms are not desired at this stage of application, The potential adverse effects are considered less than minor.

- *provision of easements*

Appropriate easements to all for stormwater drainage and access have been proposed in this application. These will be addressed with conditions at the end of this report. Overall, it is considered that the potential adverse effects of the provision of easements on the wider environment are considered less than minor.

- *impacts on any heritage or archaeological values*

There are no heritage or archaeological values located on site. It can be considered that the impacts of the proposed subdivision will be nil with respect to these features and values.

- *impacts on natural features and landscapes, ecological or cultural values*

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. It can be considered that the impacts of the proposed subdivision will be nil with respect to these features and values.

- *impacts water quality, including groundwater*

As assessed above in the ability to provide services subsection, future development will be served by new stormwater and wastewater infrastructure connected to the existing reticulated system. It is considered any impacts on water quality, including groundwater, would be less than minor.

- *provision of all transport modes, including the movement of pedestrians and cyclists*

Existing sealed footpaths on the southern side of Maitland Street and sealed road carriages along the street allow for the free and safe movement of pedestrians and cyclists. Overall, it is considered that the potential adverse effects are less than minor.

Proposed District Plan

- *The suitability of subdivision design, orientation, allotment sizes and dimensions.*

Located within the General Residential zone, residential activity is permitted within the area. The proposed three-lot subdivision allows for all three lots to be compliant with the 400m<sup>2</sup> specified minimum lot size and 15m by 15m dimension requirements. The proposed allotments meet the minimum requirements for lots within the General Residential Zone, any further subdivision would be a breach in district plans rules for lots not anticipated within the zone.

Overall, the proposed lots are considered to be consistent with the currently anticipated type of subdivision within Residential A zone. It is considered that the size, shape, design and orientation of the proposed allotments are appropriate to be use for land uses permitted in general Residential Zone, any adverse effects on the wider environment will be less than minor.

- *Site Access, Internal roading design and provision, including roading connections for future subdivision on adjoining land.*

Matters two and three of discretion have been combined for the below assessment.

The application includes provisions for a Right of Way (RoW) easement to allow access directly from Maitland Street to the three lots. Lot2 will be burdened lot while Lots 1 and 3 will benefit from the RoW allowing access to the two lots using Lot 2's land.

Considering the orientation and design of the lots, the proposed internal roading design is appropriate for the purpose it serves regarding accesses.

Mr Murray Hasler, Roading Asset Manager, from Gore District Council reviewed the application and provided an assessment on the proposed site access. Mr. Hasler comments on the proposals intention to construct a new vehicle RoW to provide access to both Lots 1, 2 and 3.

*"This access needs to be constructed in accordance with Diagram R03 "Standard Drop Crossing Details" contained in the Bylaw [The GDC Subdivision and Land Development Bylaw 2019]. This will require a reinforced concrete driveway to be constructed to the property boundary. The access RoW shall be surfaced and shall have a structural edge. It is noted that the 3 proposed lots are all situated below the Maitland Street corridor. The vehicle access constructed across the road verge to the boundary will need to be constructed at approximately the same level as the existing verge to ensure road runoff does not flow onto the property."*

Overall, it is considered that the proposal is compliant with the Bylaw and that with the inclusion of consent conditions to address the comments made by Mr. Hasler, the potential adverse impacts of the traffic and internal roading layout are considered less than minor.

- *Provision for cyclists and pedestrians.*

As assessed above in the ODP section of this assessment of environmental effects, cyclists and pedestrians are provided for in the existing Maitland Street streetscape. Potential adverse effects of this proposal are considered less than minor.

- *The effects of traffic generation on the safe and efficient operation of the transport network*

The proposed lots meet the minimum size requirements and are anticipated for the General Residential Zone. The safe and efficient operation of the transport network in the area is not anticipated to be impacted by the development of three lots on site. Overall, the potential adverse effects on the current transport network are considered less than minor.

- *Earthworks, including the alteration of contours, and retention of existing natural features.*

To be able to form the proposed RoW on site, earthworks of less than 250m<sup>3</sup> are required. In the General Residential Zone you are permitted to carry out earthworks so long as in any 12-month period the total volume does not exceed 250m<sup>3</sup> per site so long as earthwork standards 1 to 5 are adhered to. At this stage it is considered that the earthworks necessary to form the RoW are compliant with the PDP, however an advice note has been included for clarity

Overall, it is considered that the potential adverse effects are less than minor.

- *The provision of esplanade reserves and esplanade strips.*

There are no esplanade reserves or strips provided within this application, nor are any required. It can be considered that the impacts of the proposed subdivision will be nil with respect to these features.

- *The adequacy of measures to address the risk of natural hazards including overland flows.*

There are no natural hazard overlays or overland flows identified on site. It can be considered that the impacts of the proposed subdivision will be nil.

- *Provision for servicing, including water supply, fire-fighting water supply, wastewater treatment and disposal, stormwater design and disposal, electricity and telecommunications;*

As assessed above in the ODP section, the site is able to be fully connected to existing reticulated services along Maitland Street and the northern boundary of the site. Potential adverse effects are considered less than minor.

The application has not addressed the provision of a fire-fighting water supply. However, a fire hydrant is located within approximately 6.8m from the boundary of the site on Maitland Street. This is considered sufficient provision fire-fighting infrastructure for the purposes of this subdivision.

Overall, it is considered the potential adverse effects are considered less than minor.

- *The provision for, or access to, open space and recreation.*

The proposed sites meet the minimum lot size for the zone, a residential unit is able to be constructed on site while also allowing for sufficient access to outdoor living areas. Overall, it is considered that the potential adverse effects are less than minor.

- *Effects on natural features and landscapes, ecosystems and indigenous biodiversity. Impacts on Ngāi Tahu cultural values listed in MW-1.2.*

As assessed in the ODP section above, 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. It can be considered that the impacts of the proposed subdivision will be nil with respect to these features and values.

- *Easements*

As assessed in the ODP section above, appropriate easements to all for stormwater drainage and access have been proposed in this application. These will be addressed with conditions at the end of this report. Overall, it is considered that the potential adverse effects of the provision of easements on the wider environment are considered less than minor.,

- *Reverse sensitivity on adjacent land uses, airports, rail lines and State Highways.*

There are no anticipated reverse sensitivity effects on adjacent land uses of airports, rail lines and/or State Highways due to the separation distance from these land uses. The subject site will be used for residential activity as permitted in the General Residential and in keeping with the surrounding sites. Overall, the potential adverse effects are considered less than minor,

#### *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.

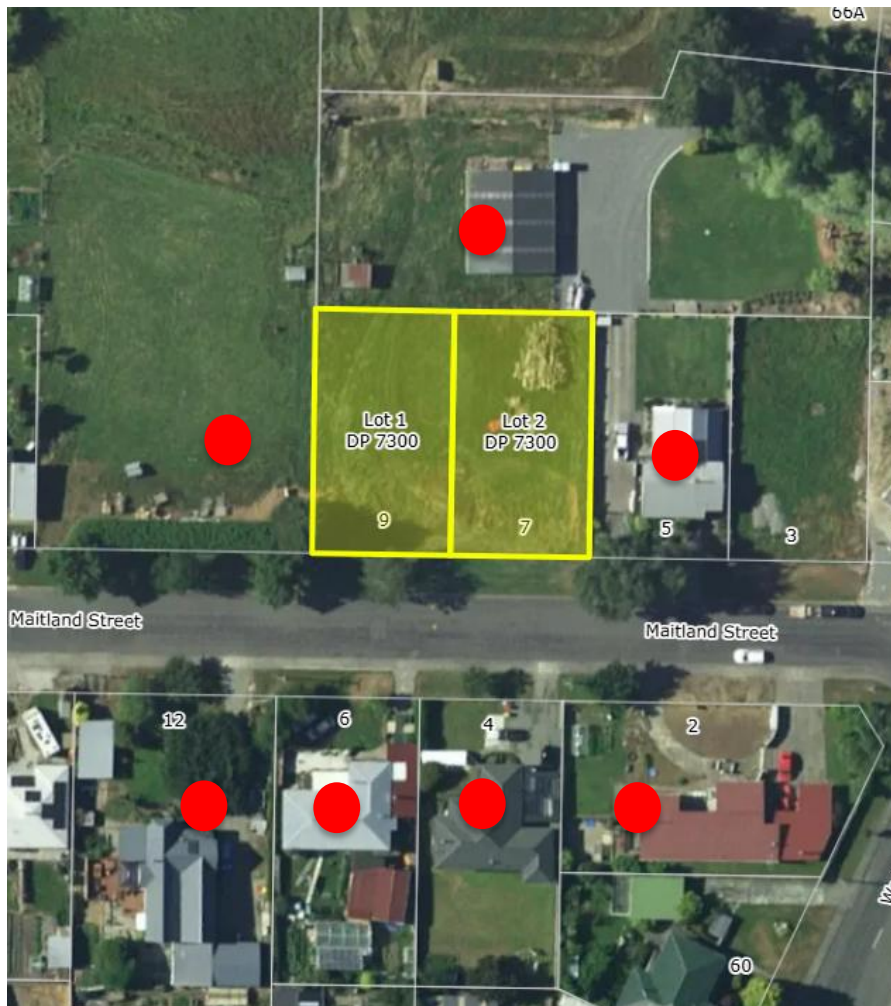


Figure 3 – Subject site and adjacent Neighbours identified with red dot

Owners and occupiers of 2, 4, 5, 6 and 12 Maitland Street, Lot 3 DP546975 and Part Section 9 Block XXIII TN OF East Gore

The owners and occupiers of 5, 6 and 12 Maitland Street, Lot 3 DP546975 and Part Section 9 Block XXIII TN OF East Gore are located on the northern side of Maitland Street to the north, east and west of the subject site. 2, 4, 6 and 12 Maitland Street are located on the southern side of Maitland Street opposite the subject site. The proposed subdivision within this application is compliant with minimum lot sizes set out in both the ODP and PDP and is therefore anticipated within the Zone.

Overall, it is considered that the potential adverse impacts on the owners and occupiers of the adjacent neighbouring sites are considered less than minor.

*Conclusions: Effects on Persons*

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

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

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

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

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

## 6. SECTION 104 ASSESSMENT

### 6.1 Matters for consideration

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

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

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

### 6.2 Effects on the Environment

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

### 6.3 Relevant District Plan Provisions

#### Operative District Plan

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

Residential A  
Objectives

- (1) Maintain and enhance the amenity values of the various localities within the District whilst respecting the different values and characteristics that exist within each area.
- (2) Ensure that the effects of land use activities do not adversely affect the quality of the environment and are compatible with the characteristics and amenity values of each locality
- (3) Ensure that signs do not give rise to adverse effects on traffic safety, cause a danger to pedestrians, or impact adversely on amenity values

#### Policies

- (1) Establish zones that reflect the characteristics and amenity values of the area.
- (2) Control the adverse effects of land use activities on the environment.

The proposed subdivision is located within the residential zone and is for lots that meet the minimum size requirements and are therefore anticipated within the characteristics and amenity of the zone without adversely affecting the quality of the environment (Objective 1 and 2 and Policy 1 and 2). There are no anticipated effects of the land use of the traffic safety of the area (Objective 3 and Policy 2).

#### Subdivision

#### 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.
- (6) To avoid adverse effects on the Council's reticulated infrastructure services.
- (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 adverse effects of subdivision on the functioning of existing services, infrastructure and roading.
- (3) Require works associated with subdivision to be carried out in conformity with Council's standards.
- (4) Encourage, where practical, the undergrounding of all services associated with the development of subdivided land.
- (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.
- (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.
- (12) Encourage the adoption of practices that will minimise the extent of off-site effects on the Council's infrastructure services.
- (13) Have regard to the potential impacts arising from the subdivision and future use of land on water quality, including groundwater.

As set out in Objectives 1, 2 and 7 and Policies 1 and 10 the proposed subdivision is compliant with size and shape requirements set out in the ODP and allows for the subdivision of land that is suitable for the zone in which they are located. Objective 3,5,6 and 8 and Policy 3, 4 and 13 are also complied with, the sites can be suitably connected to services without imposing adverse effects on the Council's reticulated infrastructure. No adverse off-site effects are anticipated as a result of the application (Policy 5). Access to the site will be constructed in accordance with the Gore District Plan Subdivision and Land Development Bylaw (2019) as required by Policy 9.

### **Proposed District Plan**

The relevant operative objectives and policies are contained within The Subdivision and General Residential Zone Chapter of the Proposed District Plan.

#### General Residential Zone

##### Objectives

GRZ-O1 Existing and future residential needs are met within the District.

GRZ-O4 Development is provided with appropriate infrastructure and adverse effects on infrastructure networks are managed so that the operation, maintenance, upgrade and development of the infrastructure is not compromised.

##### Policies

GRZ-P1 Enable residential development which provides a range of housing typologies that are consistent with a compact urban character by managing the density of development and the scale of built form.

GRZ-P7 Require development to demonstrate sufficient infrastructure capacity or implement appropriate upgrades so that development does not compromise existing infrastructure, including transportation networks and other critical services.

The proposed subdivision anticipates residential units to be constructed, contributing to the residential needs of the area on sites that comply with density requirements. The site is able to be fully serviced without negatively impacting the existing infrastructure. Upgrading of the roading infrastructure is included in the conditions of consent in this decision report.

#### Subdivision

##### Objectives

SUB-O1 To facilitate the orderly subdivision and development of land.

SUB-O2 Ensure subdivision achieves patterns of land development that are compatible with the purpose, function, character and qualities of each zone.

SUB-O3 Infrastructure required to serve the subdivision of land is provided in an integrated, efficient and co-ordinated manner.

SUB-O4 Subdivisions are designed and developed in a way that:

1. protects significant, physical resources, natural, ecological, historical and cultural features and values;
2. maintains or enhances mahinga kai values, indigenous vegetation, wetlands and taonga and protects wāhi tapu from inappropriate access or disturbance; and
3. responds to the physical characteristics and constraints of the site and surrounding environment.

## Policies

SUB-P1 Enable subdivision that creates allotments that can accommodate anticipated land use and are consistent with the purpose, character and qualities of the applicable zone.

SUB-P2 Require size and shape of new allotments created, and the provisions for access and infrastructure, to be suitable for the location and future use of the land.

SUB-P3 Design and layout subdivisions to avoid, remedy or mitigate any constraints on the ability for allotments created to be developed.

SUB-P5 Avoid, remedy or mitigate reverse sensitivity effects from subdivision on adjacent land uses, including critical infrastructure.

SUB-P6 Require works associated with subdivision to be carried out in conformity with Council's standards.

SUB-P7 Ensure subdivision is appropriately serviced and integrated with existing or planned infrastructure that is provided in a safe, efficient, integrated and co-ordinated manner by:

1. Requiring infrastructure networks to have sufficient capacity to accommodate the additional development, with any necessary upgrades to be completed at the time of subdivision;
2. Requiring infrastructure to be installed at the time of subdivision, except for on-site infrastructure that cannot be determined until the allotment is developed or for boundary adjustments;
3. Requiring allotments to connect to the Council's reticulated systems where practicable;
4. Ensuring that sufficient provision has been made for legal and physical access to each allotment created by the subdivision;
5. In urban areas, require access to and provision for walking and cycling infrastructure through subdivision design;
6. Requiring allotments to have access to a water supply suitable for firefighting;
7. Requiring all sites to have legal and physical access to electricity and opportunity for telecommunications;
8. Encouraging initiatives to reduce water demand and water use, such as roof rain water capture and use and greywater recycling; and
9. Encouraging subdivision layout and orientation which supports energy efficiency and conservation for future land uses.

10. Requiring subdivision designs to provide for the treatment and safe disposal of stormwater that avoids any increase in overland flows, flooding or erosion risk; and

SUB-P9 Require the undergrounding of all services associated with the development of subdivided land, except:

1. Telecommunications in the General Rural and Rural Lifestyle zones where suitable alternative unreticulated options are available; and
2. Electricity in the General Rural zone, where it is not feasible or practical to underground these services.

SUB-P14 Enable infill residential development in the General Residential Zone where it meets density requirements and can accommodate a residential unit that can comply with District Plan rules and standards.

SUB-P17 Enable subdivision design that that responds to the cultural constraints and characteristics of the site through avoiding incompatible development in culturally unsuitable areas and celebrating culturally important attributes in order to contribute to a unique sense of place.

SUB-P19 Recognise that there is an expectation by future landowners that the key effects of and resources required by anticipated land uses will have been resolved through the subdivision approval process.

SUB-P21 Discourage non-compliance with minimum allotment sizes.

As set out by SUB-O2, SUB-P1, SUB-P2, SUB-P3 and SUB-P21 the proposed application has provisions for three sites that are compliant with size and dimension requirements for the zone in which they are located. The proposed sites are to be used for residential activity which is anticipated within the General Residential Zone. In Line with Sub-P4 the site is not subject to any natural hazard for culturally significant areas and therefore will not impact any such land. The sites will be fully serviced through the council's reticulated infrastructure system in a way that is compliant with SUB-O3 and SUB-P7. All works will be made in compliance with the standards set out in the Gore District Plan Subdivision and Land Development Bylaw (2019)

Overall, it is considered that the proposal is compliant with the objectives and policies set out in both the ODP and PDP.

### **Weighting**

In this case, as the conclusions reached in the above assessment lead to the same conclusion under both the ODP and PDP, no weighting assessment is required.

## **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 located within an area of natural hazard and will be have legal access provided for all three sites.

## 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 activity takes into account Section 5 of the RMA. The proposed activity will sustain natural and physical resources and whilst enabling people and communities to provide for their social, economic and cultural well-being. As assessed above, the proposal is compliant with standards set out in the ODP and PDP meaning effects are less than minor.

### 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 any area of significant indigenous vegetation. It is considered the proposal is appropriate within this residential landscape.

### 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 proposed activity will not have adverse effects on the quality of the environment.

### Section 8 – Treaty of Waitangi

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

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

## 9. DECISION ON RESOURCE CONSENT

Pursuant to Section 104C of the RMA, consent is **Granted Subject to Conditions** to carry out a three-lot subdivision subject to the following conditions imposed pursuant to Section 220 of the RMA.

### Consent Conditions

1. The activity must be undertaken in accordance with the application made to the Council on 30/06/2026 and the following plans, prepared by Clark Fortune McDonald (dated 16/06/2026)
  - “Proposed Subdivision of lots 1 & 2 DP 7300, Maitland Street, Gore” Dwg. No. 02 Sheet 001
  - “Proposed Subdivision of lots 1 & 2 DP 7300, Maitland Street, Gore” Dwg. No. 02 Sheet 002

## Roading

2. Prior to certification 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, complete the following:
  - a. Access to the lots from Maitland Street must be constructed in accordance with Diagram R03 "Standard Drop Crossing Details" in the Gore District Council Subdivision and Land Development Bylaw 2019. This will require a reinforced concrete driveway to be constructed to the property boundary. The access Right of Way shall be surfaced and shall have a structural edge.

## Advice Notes

1. A building consent will be required to be obtained prior to any work being carried out within Proposed Easements A&B of Appendix B, 'Proposed Scheme Plan' on any required stormwater drainage (Drainage pipes, kerb & channel, stormwater sumps, water supply pipes & connection to Council services) associated with the construction of the right of way giving access to the proposed lots from Maitland Street.

## 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](mailto:planning@goredc.govt.nz).

Prepared by



Molly O'Sullivan  
Planning Consultant

Decision made by



Werner Murray  
Delegate

## Appendix A: Approved Plans

