

Gore District Council Decisions



NOTIFICATION UNDER s95A AND s95B AND DETERMINATION UNDER s104

Resource Management Act 1991

Application reference	LU 25054
Applicant	John Turkington Limited
Proposal	Application under Section 88 of the Resource Management Act 1991 (RMA) to undertake forestry harvesting activities
Location	70 Dolamore Park Road, Gore
Legal Description	Section 1386 Block LXIX Hokonui Survey District
Activity Status	Discretionary
Decision Date	23 January 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 Independent Commissioner Werner Murray, on 26 January 2026 under delegated authority pursuant to Section 34A of the RMA.
2. Pursuant to Section 104 and Section 104B of the RMA, consent is **GRANTED SUBJECT TO CONDITIONS** outlined in this report of the Section 104 decision imposed pursuant to Section 108 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 Independent Commissioner Werner Murray, under delegated authority pursuant to Section 34A of the RMA.

1. THE PROPOSAL

Land use consent is sought to undertake the harvesting of a macrocarpa woodlot forestry block (which also comprises of some gums) at Dolamore Park, Gore.

The harvesting activities will take place over 14.9 hectares of the 95 hectare site.

2. SITE DESCRIPTION

The site is within Dolamore Park itself which is located at 70 Dolamore Park Road, Gore. The site has a legal description of Section 1386 Block LXIX Hokonui Survey District held in Record of Title Identifier SL11A/187 with a land area of 95.1280 hectares.

The site is classified as a scenic reserve.

The location of the subject site is shown in Figure 1 below.

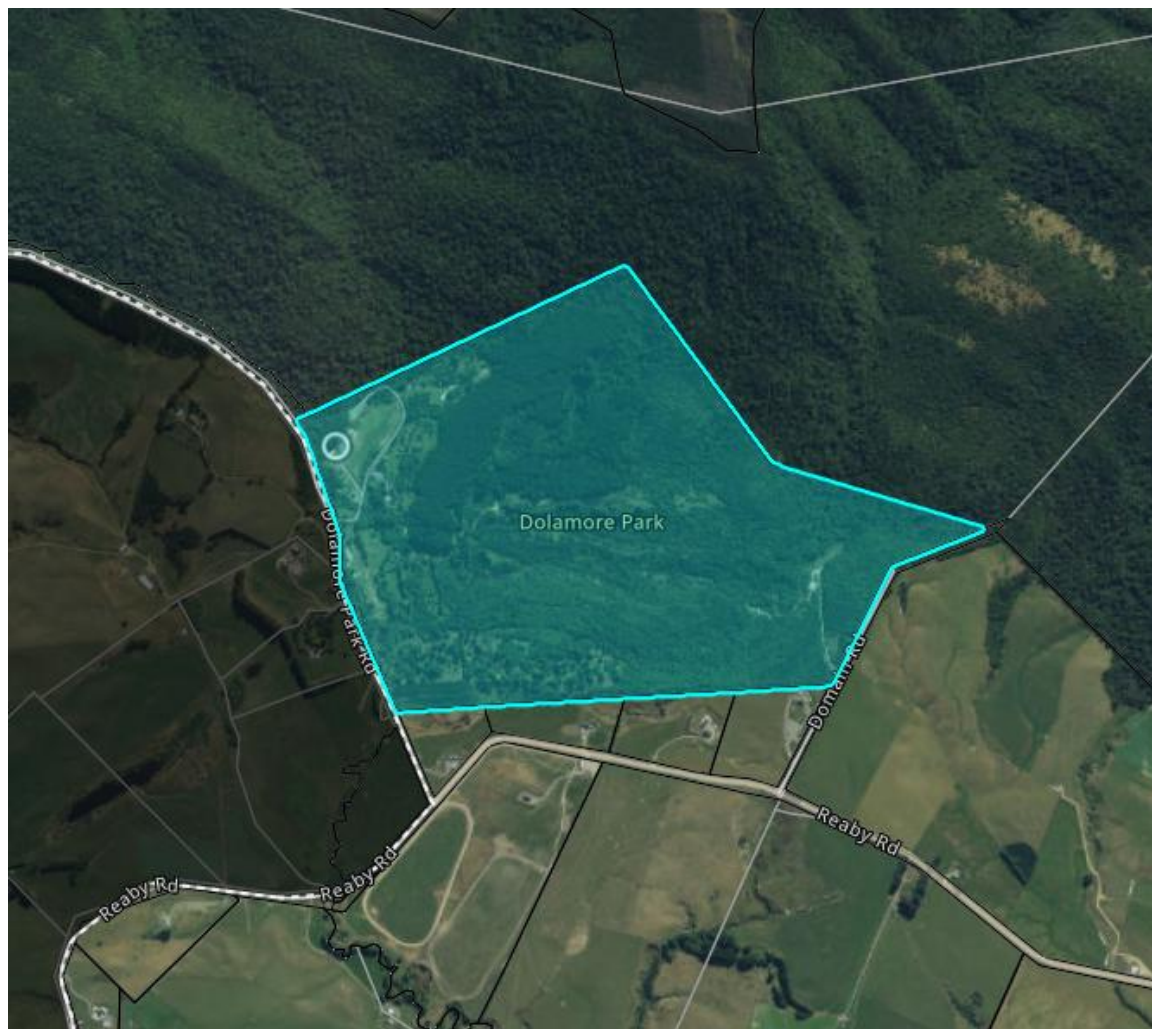


Figure 1: Subject site (shaded in blue). Source: Gore District Council GIS

3. ACTIVITY STATUS

3.1 Operative Gore District Plan

The site is zoned Rural within the Operative Gore District Plan (ODP). In addition, the site is identified as being an Area of Significant Vegetation and Significant Habitats of Indigenous Fauna. The site is also partially within the Hokonui Hills Significant Landscape area. The proposed activity requires resource consent under the ODP for the following reasons:

- A **discretionary** activity resource consent pursuant to Rule 2.2.9[2] for commercial forestry and woodlots within Outstanding Natural Features and Landscapes. In this instance, commercial forestry includes harvesting activities which is what the consent application is for. Council's discretion is not restricted by any matter in this regard.
- A **discretionary** activity pursuant to Rule 2.3.9[1] for the removal of indigenous vegetation within an area of Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna and for earthworks. In this instance, while there are areas of indigenous vegetation and fauna outside of the woodlots, this rule is being triggered as it relates to the odd indigenous plant that has become established within the woodlot area. No major areas of indigenous vegetation will be removed.

Note 1: It is noted that Rule 2.3.9[2] relates to the planting of woodlots and does not need to be triggered as this application relates solely to harvesting activities.

Note 2: The applicant states that the earthworks can comply with Rule 2.2.9[3] which relates to earthworks associated with the construction of any road or track greater than 7 metres in width, or requiring more than 2 metres of cut or fill for a total distance greater than 100 metres. This is accepted.

3.2 Proposed Gore District Plan

The site is zoned as Natural open Space within the Proposed Gore District Plan (PDP). The site is also identified as being a Significant Natural Area (SNA). In addition, approximately 50% of the site (north-eastern half of the site) is within the Hokonui Hills Outstanding Natural Landscape. Decisions on the PDP have not yet been released, however some rules have immediate legal effect from the date of notification. The proposed activity is deemed to be permitted under the PDP for the following reasons:

The applicant has sought consent under Rule ECO-R1 for indigenous vegetation clearance and land disturbance, including the installation of a removable in-stream structure. Rule ECO-R1(f) permits indigenous vegetation clearance and land disturbance where the works are necessary in accordance with an approved Reserve Act or Conservation Act Reserve Management Plan. In this instance, Gore District Council has a specific Reserve Management Plan (RMP) for Dolamore Park Scenic Reserve. Section 6.7 of the RMP acknowledges that forestry harvesting will take place. Policy 6.14.1 of the RMP permits the construction of temporary access roads for the purpose of extraction of timber from forest areas as required. Therefore, it is assessed that the proposal is permitted in terms of Rule ECO-R1. The applicant has requested that a Certificate of Compliance be issued to record this if the rule is not triggered. It is noted that a Certificate of Compliance can only be issued for a particular activity. In this instance, the activity itself (being forestry harvesting) requires other consents

under relevant planning documents. Therefore, it is recorded here that the activity is permitted by ECO-R1.

3.3 National Environmental Standard for Commercial Forestry 2017 (“NES-CF”)

Both the Regional Council and District Council have functions under the NES-CF. It is noted that the applicant has obtained consent from Environment Southland for the activity as it relates to Regional Council functions, including the installation of a river crossing within a SNA. The activity proposed by way of this consent complies with the relevant parts of the NES-CF that are administered by Gore District Council.

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

The proposal involves some earthworks, however the earthworks are associated with a commercial forestry operation. There will be no residential use of the land following forestry and the proposal does not involve a subdivision. As such, it is considered that the NES-CS is not applicable to this application and no further consideration of the NES-CS is required.

3.5 Activity Status Summary

Overall, the application is being considered and processed as a **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 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 an 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 for an infrastructure design solution, nor is it for a stormwater or wastewater environmental performance standard.
- 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 as part of the 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 of relevance as the activity requires consent under the ODP. However, it is noted that the proposal is permitted under the PDP and NES-CF.

Receiving and Existing Environments

The existing environment is comprised of Dolamore Park itself. The wider receiving environment is comprised of the Croydon Bush Scenic Reserve to the north, with general rural agricultural land located to the east, south, and west.

The receiving and existing environments have been taken into consideration below.

Forestry Harvesting – Effects on the Hokonui Hills Outstanding Natural Landscape/Feature

The ODP provides for commercial forestry as a discretionary activity within Outstanding Natural Landscapes and Features (ONL/F). In this instance, approximately 50% of the site is identified as being within an ONL/F. The publicly accessible picnic area within Dolamore Park will be adjacent to where some forestry activities are occurring. If it was not for the potential possibility that an indigenous plant may be removed from the forestry block during harvesting, the harvesting within this area would be a permitted activity. Regardless of this, it is assessed that potential effects on the ONL/F will be less than minor due to the fact that the area of forestry was specifically planted with the intention that the area would be harvested. In addition, the area of commercial forestry is almost completely screened by amenity planting that provides a buffer between the picnic/playground area within the park and the area where forestry will occur.

There are several existing tracks within the woodlots which will be used for the harvest and some new forestry track will also be required. The new tracks will be within the forestry area and will have minimal effects on the ONL.

Following the harvesting, the area will either be replanted in *Pinus radiata*, or be replanted using a tōtara-dominant native mix, or a combination of both. This will be decided at a Council workshop at a later date. Conditions of consent which have been agreed to by the applicant will require that the area be replanted within 18 months of forestry being completed.

There will be a period of time where areas of the Hokonui Hills ONL area will be clear of vegetation due to the harvesting. It will be evident for any persons utilising the park that forestry has occurred which can alter the perception of the ONL. However, in this instance, this portion of the ONL has always been intended to be harvested. There is a clear expectation from the reserve management plan that this will occur. As such, potential effects relating to the perception of the ONL in this specific location are assessed to be less than minor.

Overall, it is assessed that potential adverse effects on the Hokonui Hills Outstanding Natural Landscape/Feature will be less than minor.

Forestry Harvesting – Effects on the Significant Natural Area

It is noted that rules within the Ecological Chapter of the PDP have legal effect. The PDP permits indigenous vegetation clearance and land disturbance for any works which are in accordance with a reserve management plan. However, the ODP does not have the same exemption.

With specific regard to the ODP rule breach, it is assessed that effects on the SNA will be minimal as the area that is to be harvested was purposefully planted in forestry and there is a clear expectation that the forestry will be harvested. There is no intention to harvest any native plants, however it is accepted that some native plants will have naturally grown within the forestry area over the years. There is no area that will be harvested that is dominated by natives, as only the purposefully planted forestry areas will be harvested. For these reasons, the effects on the SNA will be extremely minimal.

As detailed above, the area will be replanted within 18 months of forestry operations commencing which will further ensure that potential effects on the SNA are mitigated.

Overall, it is assessed that the forestry harvesting will have less than minor effects on the SNA.

Other Effects

The applicant has provided an Operational Plan for the forestry activity. This plan essentially provides for best practice operations while forestry is being undertaken, such as ensuring machinery is checked and/or cleaned to ensure that machinery is free of invasive pest species and their seeds. Adhering to the Operational Plan will ensure that potential effects on the wider environment are mitigated to the best practicable degree.

The applicant has also provided a Forestry Earthworks and Harvest Management Plan (FEHMP). This detailed document identifies potential risks and addresses how the risks will be managed.

It is estimated that the forestry activity itself will take two months to complete. This is a relatively short timeframe which in itself will ensure that potential effects relating to the forestry activity will be minimised to a degree where effects will be very minor. To enable sufficient time for the harvesting to be completed, a maximum duration period of six months has been imposed as a condition which has been accepted by the applicant. It is assessed that a period of six months is still relatively short term and if all six months are required, effects on the environment will continue to be 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 an infrastructure design solution, nor is it for a stormwater or wastewater environmental performance standard.
- 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.

There is good separation between the area of forestry harvesting and nearby residences. This separation will ensure potential effects associated with the forestry activity such as noise and general nuisance effects will be minimised.

For users of the park, it is assessed that while forestry operations will be noticeable, there will be relatively good screening. In addition, as forestry is anticipated by the reserve management plan, the harvesting activity is anticipated to occur.

For the above reasons, it is assessed that the effect on any persons, including the owners and occupiers of residences adjacent to the park, 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 specific circumstances that warrant limited notification of the application.

5. DECISION PURSUANT TO S95A AND S95B OF THE RMA

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

6. SECTION 104 ASSESSMENT

6.1 Matters for consideration

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

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

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

6.2 Effects on the Environment

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

6.3 Relevant Provisions

Operative District Plan

The relevant operative objectives and policies are contained within Part 2 of the ODP – Matters of National Importance.

The relevant objective and policies are as follows.

Objective 2.2.3[1] – To protect the District’s outstanding natural features and landscapes.

2.2.4 Policies

[1] While recognising that the Hokonui Hills is a working rural landscape subject to ongoing change as a result of farming activities, protect the Hokonui Hills from development and use that results in adverse effects on landscape values.

[3] Avoid activities that could compromise the visual values or geological significance of the strike ridges of the Hokonui Hills.

Assessment: In this instance, it is assessed that the forestry activity will have minimal impacts on the Hokonui Hills. The area where forestry is to occur is surrounded by other vegetation that will remain in place which will offer a relatively high level of screening. The area will be replanted within 18 months of forestry being completed.

Based on the above, it is assessed that the proposal is consistent with Objective 2.2.3[1] and its associated policies.

Objective 2.3.3[1] To protect area of significant indigenous vegetation and significant habitats of indigenous fauna and to manage the adverse effects of land use activities.

2.3.4 Policies

[1] Control the adverse effects of land use activities on areas of significant indigenous vegetation and significant habitats of indigenous fauna as shown on the Planning Maps.

[3] Protect the biodiversity of the District.

Assessment: In this instance, minimal indigenous vegetation and fauna is anticipated to be removed as the forestry activity will occur within woodlots which have been planted for the purpose of forestry. While some indigenous plants will be removed by virtue of such plants establishing themselves in the woodlot area, no significant cohesive area of indigenous plants will be removed.

Overall, it is assessed that the proposal is consistent with objective 2.3.3[1] and its associated policies.

Proposed District Plan

The activity is permitted under the ECO chapter. As such, it is assessed the proposal is consistent with the outcomes sought by this chapter.

6.4 Other Matters

The Dolamore Park Reserve Management Plan anticipates forestry activities in this area.

PART 2 OF THE RMA

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

In this instance, the forestry activity will occur in an area that anticipates forestry. Effects on the Hokonui Hills and the SNA will be mitigated by the fact that the area will be replanted in some form within 18 months of forestry operations concluding. It is assessed that the activity is appropriate and is consistent with the outcomes sought by Part 2.

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

7. DECISION ON RESOURCE CONSENT

Pursuant to Section 104B of the RMA, consent is **granted** to undertake the harvesting of forestry subject to the following conditions imposed pursuant to Section 108 of the RMA:

Consent Conditions

General

1. That the activity must be undertaken/carried out in accordance with the plan:
 - a) *'Dolamore Park, Gore District Council'*, prepared by John Turkington Limited. Dated 18/11/2025.

And the application as submitted with the exception of the amendments required by the following conditions of consent.

Duration of Consent

2. All harvesting activities, including ancillary earthworks and indigenous vegetation clearance within the woodlot areas, must be completed within six months from the commencement of forestry activities occurring on the site.

During Harvesting

3. The consent holder shall comply with the Forestry and Harvest Management Plan submitted as part of the application.
4. The consent holder shall comply with the Operational Plan submitted as part of the application.

Post Harvesting

5. As soon as practicable after completion of the harvesting, but no later than the last day of the autumn, after completion of the activity, the site shall be over-sown with grass seed, to reduce the emergence of exotic weed species and to stabilise exposed soils.
6. After completion of harvesting, any remaining processing slash stored on a skid site shall not exceed two (2) metres in height.
7. Once harvesting works are completed, the area where harvesting took place shall be replanted with commercial forest species within 18 months, or exotic pest plant species shall be actively managed until such a time as a revegetation plan is adopted and approved by full Council and has been implemented at the site.

Note: This resource consent only covers the harvesting of the existing woodlots. If commercial forestry is replanted, this may require a further resource consent.

Advice Notes

1. The Dolamore Park Reserve Management Plan applies to the site.

Administrative Matters

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

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

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

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

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

Prepared by



Alex Dunn
Consultant Planner

Decision made by



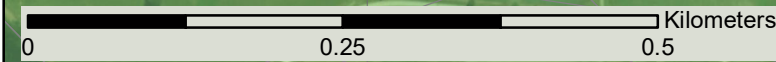
Werner Murray
Independent Commissioner

APPENDIX A – APPROVED PLAN

socode_NES	Species	CommonName	SpawnFdate	SpawnTdate	Sensitivit
SALTRU_RES	Salmo trutta	Brown Trout	15 May	15 Sep	Group A

Legend

- Boundary
- Waterway Crossing**
 - Existing Crossing
 - Proposed removable in-stream structure
 - Skid Site
 - Extraction Direction
- Access Type**
 - Existing Forestry Track
 - Proposed Forestry Track
- Harvest Area**
 - macs
 - macs / gums
 - gums
 - Walking Tracks
- ONFL**
 - Hokonui Hills
- SNA**
 - Croydon Bush Scenic Reserve
 - Dolamore Park Scenic Reserve
 - 20m Contours
 - Waterbody
 - Perennial waterway > 3m
 - Perennial Waterway > 3m 10m setback
 - Perennial waterway < 3m
 - Perennial Waterway < 3m 5m setback
 - Fish spawning Modelled Probability of over 50% Group_A
 - NZFFD Fish Spawning Habitats
- ESC**
 - Low





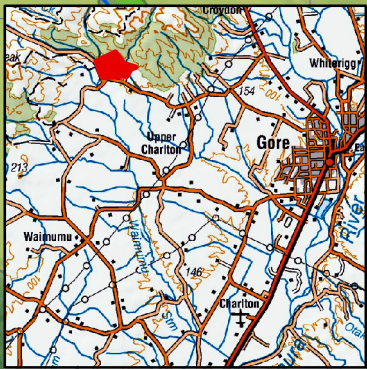
JOHN TURKINGTON LIMITED

Slash storage, fuel storage, and refuelling sites will occur at skids unless otherwise indicated

End-hauling deposit sites will utilise existing but unused skids for storage unless otherwise indicated

Disclaimer: This map has been derived from a combination of supplied topographic and landuse data. While all possible care has been taken ensuring the accuracy of the data, John Turkington Ltd accepts no responsibility or liability for any errors in this mapping.

Dolamore Park, Gore District Council.



Areas are approximate and are subject to survey

Eagle Technology, Land Information New Zealand, GEBCO, Community maps contributors



Scale at A3 1:6,000

Dated: 18/11/2025