Gore District Council Decisions

NOTIFICATION UNDER s95A AND s95B AND DETERMINATION UNDER s104

Resource Management Act 1991

Application reference	SC 2022/200/2
Applicant	Andrew & Jacklyn Johnstone
Proposal	Application under Section 88 of the Resource Management Act 1991 (RMA) to vary conditions of resource consent SC 2022/200 to change the configuration of proposed lot 7 to contain the existing residential unit, allow for the subdivision to be staged and deferring the installation of electricity services to the time building consent is sought. Application under Section 125 of the Resource Management Act 1991 (RMA) to extend the lapse date of SC 2022/200 by thee (3) years.
Location	15 Croydon Siding Road and 128 Richardson Road, Croydon Bush, Gore
Legal Description	Lot 2 DP 433308, held in Record of Title 526993
Zone - Operative District Plan	Rural Zone
Zone - Proposed District Plan	General Rural Zone
Activity Status	Discretionary
Decision Date	2 October 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 Murrary, on 2 October 2026 under delegated authority pursuant to Section 34A of the RMA.

2. Pursuant to Section 127 and Section 104B of the RMA, consent is GRANTED to change conditions of SC 2022/200. The decision to grant consent was considered by Werner Murrary, under delegated authority pursuant to Section 34A of the RMA.

3. Pursuant to Section 125 of the RMA, Consent is GRANTED to extend the lapse date of SC 2022/200 by a period of three (3) years. This decision is made by Werner Murray, under delegated authority pursuant to Section 34A of the RMA.

1. THE PROPOSAL

Resource consent SC 2022/200 was granted subject to conditions 14 October 2022 for a seven-lot rural subdivision of a 74 ha farm block at 15 Croydon Siding Road and 128 Richardson Road, Croydon Bush, Gore.

Consent is now sought to change conditions of SC 2022/200 to enable a change in the configuration of proposed Lot 7 so that is now contains the existing residential unit in the northwest portion of the parent lot, enable the proposed subdivision to be staged and to allow for electricity supply to be installed within the proposed lots at the time a building consent is sought, rather than prior issuing of the s224c certification and the completion of the subdivision.

It is proposed to change conditions of SC 2022/200 such that they read (additions show in **bold underline** and deleted text in ~~strikethrough~~):

1. The subdivision must be undertaken generally in accordance with the application made to Council on 30/08/2022 and the further information provided on 11/10/2022 and the following plan:
   - ~~Scheme Plan 'Seven Lot Subdivision, 128 Richardson Road, Gore, Southland', rev F, prepared by Bonisch, dated 28/09/2022.~~
   - **Scheme Plan 'Lots 1-7 Being Subdivision of Lot 2 DP 433308', Job No. 18290, Drawing No.1, Sheet 001, prepared by Clarke Fortune McDonald, dated 02/09/26**

3a. The subdivision may be completed in stages, provided that conditions relevant to each lot are satisfied prior to s224c certification of the stage containing that lot.

~~8. Prior to certification of the subdivision pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall provide written confirmation from the electricity network supplier responsible for the area, that provision of an electricity supply has been made available to the boundaries of the lots, and that all the network supplier's requirements for making such means of supply available have been met. Any new electricity supply to the lots shall be located underground.~~

11. Prior to certification of the subdivision, pursuant to section 224(c) of the Resource Management Act 1991, a consent notice, in accordance with Section 221 of the Resource Management Act, shall be issued and registered against the Records of Title for Lots 2 to 7 to record that:

    […]

d) **Future Landowners of Lots 2-6 are advised that no electricity connection have been provided to these lots. The cost of such connections is the responsibility of the landowner.**

Consent is also sought pursuant to s125 of the RMA to extend the timeframes of SC 2022/200 by a further three years.

2. SITE DISCRIPTION

The site at 128 Richardson Road, RD 6 in this application is legally described as Lot 2 DP 433308 and is approximately 74.0566 hectares in area. It is currently used for farming purposes. The topography across the site is undulating pasture and there are areas of vegetation present across the site.



Figure 1: Subject title outlined in red colour

The site has frontage to Richardson Road to the south, Waimea Highway (State Highway 94) to the east and Croydon Siding Road to the north. The site has four existing residential and farm entrances onto these three road boundaries.

There are two existing dwellings located on the site. One dwelling and shed are located in the north-eastern corner of the site (as shown on the scheme plan) and are accessed via an existing entrance off Croydon Siding Road. A second dwelling and shed are located on the southern portion of the site and are accessed via an existing entrance and long driveway from Richardson Road.

The subject site located in the Rural zone, as shown in Planning Map DST 16 of the District Plan.

Transpower lines and their support structures that form part of the National Grid traverse through the centre of the site, as shown in Figure 2. These lines are the 220kV Invercargill – Roxburgh A line, according to the Transpower letter submitted as part of the application. PowerNet HV lines also run vertically through the site.

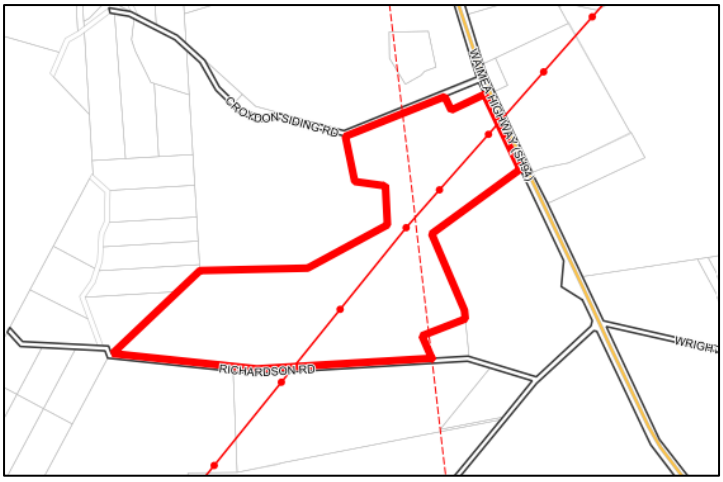


Figure 2: Transpower and PowerNet Lines traverse the site

Small parts of the western edge of the site are identified as being within the Hokonui Hills Significant Landscape area, as shown in Figure 3.

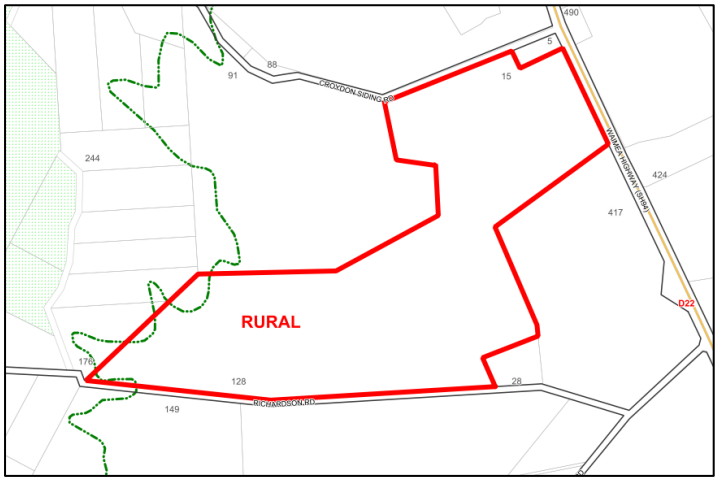


Figure 3: The Hokonui Hills Significant Landscape area

The Council mapping system which sources information from Environment Southland does not identify the site as subject to any risk of flooding and identifies the site's liquefaction risk as 'negligible' across the entire site. The site is not identified in the Selected Land Use Sites Register ('SLUS') as an actual or potentially contaminated site.

The site is located approximately 5km to the north-west of the centre of the Gore Township. The immediate surrounding area is currently predominately rural in character and use. It includes a mix of large and medium sized farming lots, as well as some smaller rural residential allotments to the west of the site (vacant) and along Waimea Highway (containing an existing dwelling).

3. Structure of Report

Part one of this report will assess the s127 variation. Part two of this report will assess time extension. Part three of this report will outline the s104 and s125 decisions.

Part One: S127 Variation Assessment

4. ACTIVITY STATUS

4.1. 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 Rural in the Operative District Plan, however, no there are no further reasons for consent under the Operative District Plan.

Proposed District Plan

The site is zoned General Rural in the Proposed District Plan however, no there are no further reasons for consent under the Proposed District Plan.

4.2. Resource Management Act 1991

The proposed activity requires resource consent for the following reason:

- A **discretionary** activity consent pursuant to section 127(3)(a) of the RMA, which deems any application to change or cancel consent conditions to be a discretionary activity.

  Consent is sought to change conditions of SC 2022/200 to enable a change in the configuration of proposed Lot 7 so that is now contains the existing residential unit in the northwest portion of the parent lot, enable the proposed subdivision to be staged and to allow for electricity supply to be installed within the proposed lots at the time a building consent is sought

4.3. Activity Status Summary

Overall, the application is being considered and processed as a **discretionary** activity under the Resource Management Act 1991.

5. 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.

5.1. Public notification – Section 95A

In accordance with section 95A, the following steps have been followed to determine whether to publicly notify the resource consent application:

Step 1 – Mandatory public notification

Mandatory public notification, is not required because:

- The applicant has not requested public notification.
- Public notification is not required as a result of a refusal by the applicant to provide further information or refusal of the commissioning of a report under section 92(2)(b) of the RMA.
- The application does not involve exchange to recreational reserve land under section 15AA of the Reserves Act 1977.

Step 2 – Public notification is precluded

Public notification is not precluded as follows:

- There are no rules in a plan or National Environmental Standard that preclude notification.
- The application is not:
  - a controlled activity; or
  - a boundary activity as defined by section 87AAB that is restricted discretionary, discretionary or non-complying.

Step 3 – Public notification is required in certain circumstances

- There are no rules in a plan or National Environmental Standard that require notification.
- A consent authority must publicly notify an application if notification is not precluded by Step 2 and the consent authority decides, in accordance with s95D, that the proposed activity will have or is likely to have adverse effects on the environment that are more than minor. An assessment in this respect is undertaken as follows:

The following effects must be disregarded:

- Effects on the owners or occupiers of land on which the activity will occur and on adjacent land.
- Trade competition and the effects of trade competition.
- Any persons that have provided their written approval. In this case, no and as such adverse effects on these parties have been disregarded.

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 are no permitted subdivision activities. As such, it is considered that there is no relevant permitted baseline.

Assessment of Environmental Effects

Revised Scheme Plan

Subdivision Design and Density

The revised proposed lot 7 would result in a lot of the same area being approximately 2ha however would be located further northeast and include the existing residential unit that is located in the north-east of the parent lot. The area of the currently approved lot 7 would form part of the larger proposed lot 1 balance lot. Therefore, no additional lots would be created by the proposed changes to the approved scheme plan, and no further development right would be created by the change. Therefore, the proposed change to the scheme plan would not result in any significant physical changes on site that would result in adverse effects on visual amenity or rural character that are more than minor.

Legal and Physical Access

All proposed lots would continue to physical access to the public road and there would be no change to the location, size or shape of any of the proposed access points. Similarly, there has been no proposed change to easement areas, aside from Easement Area E which has been extended slightly as a consequence of the revised lot configuration in order to provide proposed lot 1 with a northern access to Croydon Sliding Road. As such, the proposed access arrangements are suitable and any associated effects on the environment would be no more than minor.

Staging

The application is proposed to be staged, with the likely sequence to have proposed lot 7 subdivided within the first stage and the remaining lots to be created as part of a future stage. The proposed staging arrangement and proposed condition will allow all lots to continue to maintain legal and physical access to the surrounding road network and would not result in any implementation complications and as such is will not result in adverse effects on the environment that are more than minor.

Electricity Supply

The applicant seeks to defer the installation of electricity supply until the time a building consent, through the removal of the requirement for electricity connections to be made ahead of 224c certification and the imposition of a new ongoing consent notice condition. This change will only

be discernible to future lot owners and will not give rise to any adverse effects upon the wider environment that are more than minor.

Conclusion: Effects On The Environment

On the basis of the above assessment, in terms of s95D, it is assessed that the proposed 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.

4.1 Limited notification – Section 95B

In accordance with section 95B, the following steps have been followed to determine whether to give limited notification of the application:

Step 1 – Certain affected groups or persons must be notified

- There are no protected customary rights groups or customary marine title groups affected by the proposed.
- The proposal is not on or adjacent to, and will not affect, land that is the subject of a statutory acknowledgment.

Step 2 – Limited notification precluded

- The activity is not subject to a rule or National Environmental Standard that precludes limited notification.
- The application is not for a controlled activity (other than for a subdivision of land) under a district plan.

Step 3 – Certain other affected persons must be notified

- Under Step 3, if the proposal is a boundary activity, only the owner/occupier of the infringed boundary can be considered. The activity is not a boundary activity.
- For any other activity, a consent authority must notify an application on any person, if notification is not precluded by Step 2, and the consent authority decides, in accordance with s95E, that the proposed activity will have or is likely to have adverse effects on that person that are minor or more than minor.

An assessment in this respect is therefore undertaken as follows:

Considerations in assessing adverse effects on persons under s95E

a) The consent authority **may** disregard an adverse effect of the activity on a person if a rule or national environmental standard permits an activity with that effect (a "permitted baseline"). The relevance of the permitted baseline to this application is outlined in the above s95D assessment of environment effects.

b) The consent authority **must** disregard an adverse effect of the activity on the person if the effect does not relate to a matter for which a rule or a national environmental standard reserves control or restricts discretion; and

c) The consent authority **must** have regard to every relevant statutory acknowledgement specified in Schedule 11.

d) The consent authority **must** disregard effects on those parties who have provided written approval.

Assessment: Effects on Persons

Taking into account the exclusions in sections 95E, the following outlines an assessment as to whether the activity will have or is likely to have adverse effects on persons that are minor or more than minor.

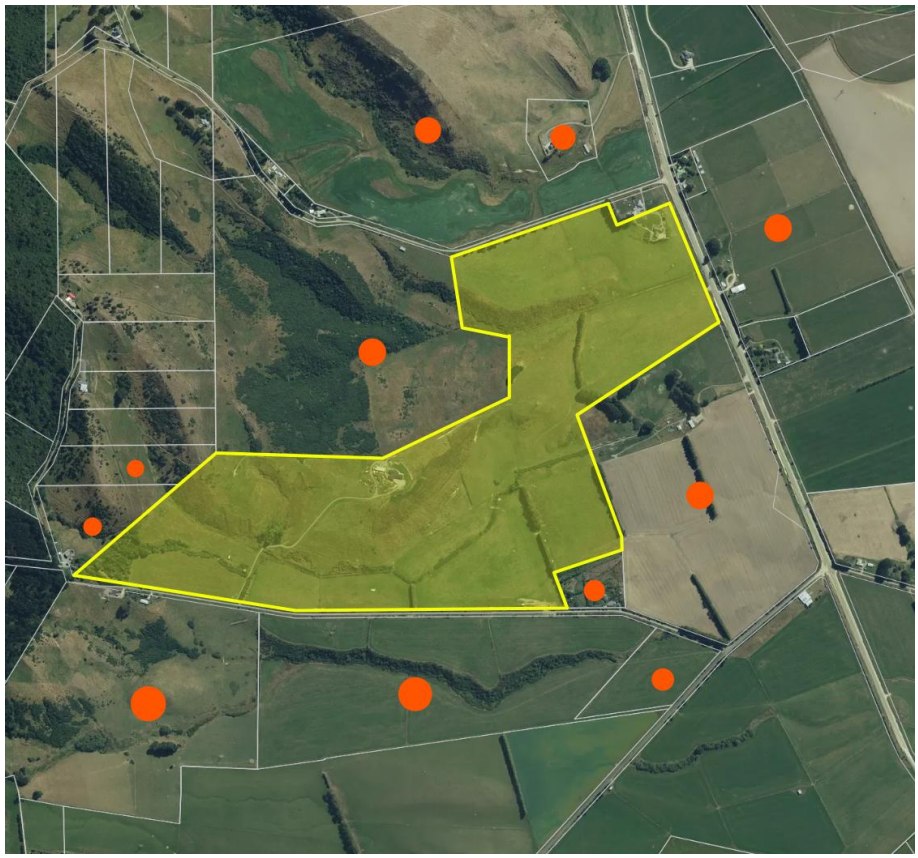


Figure 4 Location of Subject Site in Context of Neighbouring Sites

As outlined in Figure 4 above, the subject site is neighboured by several rural sites of various sized and land uses including larger rural farm lots and pockets of smaller rural lifestyle type lots. The following assessment is focused on neighbouring sites identified in figure 1. Sites not identified in figure 1 are suitably separated from the subject site by distance, topography, intervening lots and roads such that any effects on the owners and occupiers of these would be less than minor.

Subdivision Design, Layout and Staging

The proposed changes to the subdivision design which primarily relate to the configuration of proposed lot 7 and the introduction of a staged approach to the subdivision. The proposed change would not result in any additional development right or change to points of access or their intensity of use. Furthermore, the revised proposed lot 7 will contain the existing residential unit that exist on site and therefore will not give rise to adverse effects from future land use on the revised lot that do not already exist. For these reasons, the proposed changes will not be easily discernible from neighbouring sites and therefore any associated effects upon the owners and occupiers of these sites would be less than minor.

Electricity Connection

Furthermore, the change sought to enable electricity connections to be made at the time a building consent is lodged rather than prior the 224c certification will not give rise to adverse effects that would be minor or more than minor on any of the owners and occupiers of surrounding sites.

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.

6. 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.

7. SECTION 104 ASSESSMENT

7.1. 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.

7.2. 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.

7.3. Relevant District Plan Provisions

Operative District Plan

The relevant operative objectives and policies are contained within Part(s) 3 (Land Use Activities – A framework) and 8 (Subdivision of Land).

Chapter 8 of the Operative District Plan is the most relevant chapter of the Operative District Plan to the proposal and seeks to facilitate the orderly subdivision of land with new allotments, accesses and infrastructure designed in a manner that is suitable for the future use of the land with an expectation that developers pay for all reasonable costs associated with the subdivision.

The proposed changes to conditions result in a revised subdivision configuration of proposed lot 7. The revised layout would not create any further development right, change in density or intensity and will continue to utilise established access points. The subdivision is proposed to be staged and has been demonstrated that this is feasible and will not give rise to any additional effects. Finally, the proposed consent notice condition will highlight to prospective purchasers that electricity supply is yet to be provided. On this basis, it is considered that the proposal continues to represent an orderly subdivision of land that continues to be designed appropriately for the anticipated and costs borne by the developer or clearly identified to future landowners. On this basis the proposed changes are consistent with relevant Objectives and Policies of Chapter 8 of the Operative District Plan.

Chapter 3 of the Operative District Plan seeks to provide a framework for the appropriate land uses within the rural zone. Whilst not directly relevant to the process of subdivision, these provisions provide the framework for which the future land uses enabled through the subdivision are to be considered against. The relevant objective and policies of the chapter 3 seek to ensure that land use activities maintain and enhance the amenity values of the area and do not adversely affect the quality of the environment. The proposed changes to conditions would not result in any additional development right, increased density or intensity and would not result in further effects upon the amenity values of the zone.

On that basis, the proposed development is consistent with the relevant objectives and policies of the Chapter 3, 8 and the Operative District Plan as a whole.

Proposed District Plan

The relevant operative objectives and policies are contained within the Subdivision and General Rural Chapters of the Proposed District Plan. An assessment of the relevant objectives and policies of these chapters are contained within Table 1 and 2 below. Overall, the proposal is consistent with these relevant objectives and polices of these chapters and the Proposed District Plan as a whole.

Table 1 – Assessment against Subdivision Objectives and Policies

SUB-O1	To facilitate the orderly subdivision and development of land.	The proposal changes the configuration of approved Lot 7 but does not create additional lots or additional development rights. The revised subdivision layout and proposed staging remain orderly. The proposal is **consistent with this objective**.
SUB-O2	Ensure *subdivision* achieves patterns of *land* development that are compatible with the purpose, function, character and qualities of each zone.	The revised lot layout remains within the General Rural Zone and does not change the approved rural subdivision density or intensity of land use. Rural character and visual amenity effects are assessed as no more than minor. The proposal **is consistent with this objective.**
SUB-O3	*Infrastructure* required to serve the *subdivision* of *land* is provided in an integrated, efficient and co-ordinated manner.	Existing servicing requirements generally remain unchanged. Electricity supply is proposed to be deferred to building consent stage, secured by an ongoing consent notice, and this is assessed as not resulting in adverse effects that are more than minor. The proposal is **consistent with this objective.**
SUB-O4	*Subdivisions* are designed and developed in a way that protects significant values, maintains cultural and ecological values, and responds to site and surrounding environmental constraints.	The change is limited to the revised configuration of Lot 7 and deferred electricity servicing. No additional physical changes, development rights, or effects on natural, cultural, historical, ecological, or site constraint matters will arise from the proposed changes. The proposal is therefore **consistent with this objective**.
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.	The revised Lot 7 will contain the existing residential unit and no additional allotments or development rights are created. The proposal remains consistent with the rural subdivision outcome previously approved. The proposal is **consistent with this policy**.
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*.	Lot 7 remains approximately 2ha and is reconfigured to contain the existing residential unit. Access arrangements remain suitable, and infrastructure matters are addressed through existing conditions and the proposed electricity supply consent notice. The proposal is **consistent with this policy.**
SUB-P3	Design and layout *subdivisions* to avoid, remedy or mitigate any constraints on the ability for	The revised layout does not introduce new development constraints and does not create additional development rights. Lot 7 is configured

	allotments created to be developed.	around an existing residential unit, and the report concludes effects are no more than minor. The proposal is **consistent with this policy.**
SUB-P4	Avoid *natural hazard* risk that creates a danger to people and property and manage other *natural hazard* risk through mitigation measures.	The report does not identify any new or increased natural hazard risk arising from the revised lot configuration or deferred electricity servicing. The proposal is **consistent with this policy.**
SUB-P5	Avoid, remedy or mitigate *reverse sensitivity effects* from *subdivision* on adjacent *land* uses, including *critical infrastructure*.	The proposal does not create additional development rights or increase the intensity of access or land use. Effects on neighbouring properties are assessed as less than minor, and no new reverse sensitivity effects are identified. The proposal is **consistent with this policy.**
SUB-P6	Require works associated with *subdivision* to be carried out in conformity with Council's standards.	The approved subdivision conditions continue to apply, with electricity servicing to be addressed through the amended consent notice mechanism which is deemed acceptable. The proposal is **consistent with this policy.**
SUB-P7	Ensure *subdivision* is appropriately serviced and integrated with existing or planned *infrastructure* in a safe, efficient, integrated and co-ordinated manner.	Access arrangements remain largely unchanged. Electricity supply is deferred to building consent stage and secured through a consent notice, with effects assessed as no more than minor. The proposal **is consistent with this policy.**
SUB-P9	Require the undergrounding of all services associated with the development of subdivided *land*, subject to specified exceptions.	The amended condition still requires electricity supply to be underground, but defers confirmation of supply until building consent stage. **The proposal is consistent with this policy.**
SUB-P13	*Subdivision* and development in the General Rural Zone protects the productive capability of rural *land* and high value soils.	The proposal does not create additional lots or further development rights and does not materially change the approved subdivision density. The overall rural land-use outcome is unchanged. The proposal **is consistent with this policy.**
SUB-P15	Encourage comprehensive redevelopment of *sites* in the Medium Density Residential Zone	The site is not in the Medium Density Residential Zone and the proposal does not involve comprehensive residential redevelopment. **Not applicable**.
SUB-P16	Ensure *subdivision* and changes to land use resulting from *subdivision* do not reduce heritage values or other protected items.	The site does not include any heritage features or protected items. **Not applicable**.
SUB-P17	Enable *subdivision* design that responds to cultural constraints and characteristics of the *site*.	The proposed changes do not impact upon any cultural constraints or characteristics. The proposal **is consistent with this policy**.

SUB-P19	Recognise that future landowners expect key *effects* and resources required by anticipated *land* uses to have been resolved through the *subdivision* approval process.	The key subdivision effects remain as previously approved, and deferred electricity servicing will be clearly recorded on the titles for relevant lots through a consent notice allowing future lot owners to be fully aware of requirements for the installation of electricity supply before purchasing. The proposal is therefore largely **consistent with this policy**.
SUB-P21	Discourage non-compliance with minimum *allotment* sizes.	The proposal does not create additional allotments or further reduce allotment sizes. Lot 7 remains approximately 2ha, consistent with the approved subdivision outcome. **The proposal is consistent with this policy.**

Table 2 – Assessment against Subdivision Objectives and Policies

GRUZ-O1	Recognise the importance of *primary production* and *rural industry* to the social, economic and cultural well-being of the District.	The proposal relates to changes to an already approved rural subdivision and does not create additional lots, additional residential development rights, or any change that would further constrain primary production or rural industry. The proposal is **consistent with this objective**.
GRUZ-O2	The character and qualities of the General Rural Zone continue to comprise primary production activities, sparse built form, open space, rural amenity, and areas of landscape and ecological value.	The revised Lot 7 remains approximately 2ha and incorporates the existing residential unit. No additional development rights or significant physical changes are created, and the assessment concludes that effects on rural character and visual amenity are no more than minor. The proposal is **consistent with this objective**.
GRUZ-O4	The purpose and predominant character of the General Rural Zone is not compromised by non-rural activities.	No new non-rural activity is proposed. The change reconfigures approved Lot 7 around an existing residential unit and does not alter the approved number of lots or create further development rights. The proposal is **consistent with this objective**.
GRUZ-P8	Enable *residential activity* where it does not compromise *primary production*, rural character, servicing, or create rural lifestyle, urban development, or reverse sensitivity effects.	The revised Lot 7 will contain an existing residential unit and does not create an additional residential development right. Access remains suitable and electricity supply is addressed by consent notice. The proposal is **consistent with this policy**.
GRUZ-P10	Protect *highly productive land* from irreversible loss from inappropriate *subdivision*, use and development, including by avoiding fragmentation and reverse sensitivity effects.	The proposal does not create additional allotments, does not further fragment the approved subdivision pattern, and does not create additional residential development rights. The proposal is **consistent with this policy**.

GRUZ-P11	Avoid activities that are incompatible with the character, qualities and purpose of the General Rural Zone unless there is an operational or functional need to locate in the zone.	The proposal does not introduce an incompatible activity. It relates to changes to the configuration, staging, and electricity servicing of an approved rural subdivision. The proposal is **consistent with this policy**.
GRUZ-P12	Require activities and development to maintain rural character, rural amenity and Ngāi Tahu relationships with the natural environment through compatible buildings, structures and setbacks to waterways.	No new buildings, structures, or waterway setbacks are proposed as part of the condition changes. The assessment concludes that the revised subdivision layout will not result in adverse effects on rural character or visual amenity that are more than minor. The proposal is **consistent with this policy**.

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.

7.4. Other Relevant Statutory Documents

National Policy State on Highly Productive Land 2022 (NPS-HPL)

The NPS-HPL seeks to ensure highly productive land is protected for use in land-based primary production, both now and for future generations. The NPS-HPL was introduced after the original resource consent SC 2022/200 was authorised.

S127(3)(b) requires an assessment of applications for a change of condition only against the effect of the proposed change to conditions. In light of this, the proposed changes to conditions being a revised configuration of lot 7 (with no further development rights, number of lots or increased in density), introduction of the ability to stage the subdivision and deferring of electricity supply to the time of building consent rather than s224c certification. As such, it is considered that these changes will not further fragment an area of highly productive land or further or impact on the overall objective of the NPS-HPL to protect highly productive land for land-based primary productive purposes.

Therefore, the proposed changes are largely consistent with the NPS-HPL.

Southland Regional Policy Statement 2017

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

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

As outlined throughout this report, the proposed changes to conditions will not give rise to notable adverse effects upon the rural and landscape character of the area or the associated rural land resources or introduce reverse sensitivity effects. It is considered that the proposal is aligned with the relevant objectives and policies in the RPS.

8. SECTION 106 REQUIREMENT FOR SUBDIVISON

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 proposed changes to conditions will not impede legal or physical access to the proposed lots or exacerbate any effects from natural hazards. As such there is no reason to refuse consent under s106 of the RMA.

9. 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 ensure the natural and physical resources of the rural land is protected for future generations. As has been assessed above, the adverse effects of the proposal can be avoided 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. Small parts of the western edge of the site are identified as being within
the Hokonui Hills Significant Landscape area however the proposed changes will not affect these areas are located entirely within proposed Lot 1 and remain intact.

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 changes to 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.

Part Two: s125 Extension of Lapse Date Assessment

Subdivision consent SC 2022/200 was granted on 14 October 2022 for a seven-lot rural subdivision of the site at 15 Croydon Siding Road and 128 Richardson Road, Croydon Bush, Gore. The consent holder now seeks, as part of application SC 2022/200/2, an extension to the lapse date of SC 2022/200 by a further three years to enable the staged completion of the approved subdivision.

Section 125(1A)(b) of the RMA allows the Council to grant an application for an extension to the lapse date of a resource consent, provided that such an application is received prior to the date of expiration, and provided the following matters have been taken into account:

(i) whether substantial progress or effort has been, and continues to be, made towards giving effect to the consent; and

(ii) whether the applicant has obtained approval from persons who may be adversely affected by the granting of an extension; and

(iii) the effect of the extension on the policies and objectives of any plan or proposed plan.

The current lapse date for SC 2022/200 is 14 October 2027. The application has therefore been received before the consent lapses and can be considered under section 125(1A)(b) of the RMA as follows:

(i) Substantial Progress or Effort

In determining whether substantial progress or effort has been, and continues to be, made towards giving effect to the consent, the RMA does not require that the works be completed.

The applicant has made, and continues to make, substantial progress and effort towards giving effect to the consent. The applicant has advised that the required access upgrade works have commenced, survey calculations have been undertaken, and field survey work is planned. In addition, the current s127 application to amend the approved scheme plan, provide for staging, and defer electricity servicing demonstrates active steps to update the consent so that it can be implemented in a practical manner, having regard to the applicant's changed circumstances.

The proposed changes would allow Lot 7, which contains an existing dwelling, to be completed and disposed of as an initial stage, while allowing Lots 2-6 to be completed at a later stage when the applicant is ready to sell those lots. The extension is therefore sought to support the practical implementation of the balance stages of the subdivision.

On this basis, it is considered that substantial progress and effort has been, and continues to be, made towards giving effect to SC 2022/200.

(ii) Whether written approvals have been obtained

Section 125(1A)(b)(ii) is not concerned with the adverse effects of the activity itself; rather, it is concerned with any adverse effects on any persons as a result of the granting of an extension.
The extension will not change the long-term subdivision outcome and will only affect the timing of completion of the later stages. The subdivision requires minimal civil works and, as such, surrounding neighbours will not be adversely affected by prolonged construction works associated

with the subdivision and the extend lapse period. On this basis, it is not considered necessary for the applicant to obtain written approvals from any persons in relation to the extension request.

(iii) Effect on the Policies and Objectives of the Plan or Proposed Plan

The site is located in the Rural Zone under the Operative District Plan and the General Rural Zone under the Proposed District Plan. The relevant plan provisions were assessed in the original decision and have also been assessed earlier in this report in relation to the proposed changes. The proposal has been found to be consistent with both the Operative District Plan and the Proposed District Plan. Given the recent review of the District Plan, the scope of appeals, and the fact that an extension of only three years is sought, the proposed extension is not expected to have an adverse effect on the objectives and policies of either the ODP or PDP.

Conclusion

Having assessed the matters in section 125(1A)(b) of the RMA, it is considered that substantial progress and effort has been, and continues to be, made towards giving effect to SC 2022/200. No persons are considered to be adversely affected by granting the extension, and the extension will not adversely affect the objectives and policies of the Operative District Plan or Proposed District Plan.

Given the reasons above, the application to extend the lapse date of resource consent SC 2022/200 by a period of three years is considered appropriate.

Part Three: Decisions

1. DECISION ON CHANGES OF RESOURCE CONSENT CONDITIONS

Pursuant to Section 127 and 104B of the RMA, consent is **granted** to change the conditions of SC 2022/200 such that Conditions 1, 8, and 11 are amended and a new condition 3a is included to state (additions show in **bold underline** and deleted text in ~~strikethrough~~):

1. The subdivision must be undertaken generally in accordance with the application made to Council on 30/08/2022 and the further information provided on 11/10/2022 and the following plan:

   - ~~Scheme Plan 'Seven Lot Subdivision, 128 Richardson Road, Gore, Southland', rev F, prepared by Bonisch, dated 28/09/2022.~~
   - **Scheme Plan 'Lots 1-7 Being Subdivision of Lot 2 DP 433308', Job No. 18290, Drawing No.1, Sheet 001, prepared by Clarke Fortune McDonald, dated 02/09/26**

3a. The subdivision may be completed in stages, provided that conditions relevant to each lot are satisfied prior to s224c certification of the stage containing that lot.

~~8. Prior to certification of the subdivision pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall provide written confirmation from the electricity network supplier responsible for the area, that provision of an electricity supply has been made available to the boundaries of the lots, and that all the network supplier's requirements for making such means of supply available have been met. Any new electricity supply to the lots shall be located underground.~~

11. Prior to certification of the subdivision, pursuant to section 224(c) of the Resource Management Act 1991, a consent notice, in accordance with Section 221 of the Resource Management Act, shall be issued and registered against the Records of Title for Lots 2 to 7 to record that:

    […]

d) **Future Landowners of Lots 2-6 are advised that no electricity connection have been provided to these lots. The cost of such connections is the responsibility of the landowner.**

Advice note

- All other condition attached to SC 2022/200, regarding landscaping, shall continue to apply.
- An updated set of conditions is attached at Appendix A of this report.

2. DECISION ON CHANGES OF RESOURCE CONSENT CONDITIONS

Pursuant to Section 125 of the RMA, consent is granted to extend the lapse date of SC 2022/200 for a period of three (3) years, such that it **will now lapse on 14 October 2030.**

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 by 14 October 2030 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



Neil Harkin,
Planning Consultant

Decision made by



Werner Murray,
Delegate

Appendix A: SC 2022/200 Updated Conditions
Appendix B: Approved Plans
Appendix C: Applicant's AEE

APPENDIX A – SC 2022/200 Updated Conditions

Consent Conditions

General

1. The subdivision must be undertaken generally in accordance with the application made to Council on 30/08/2022 and the further information provided on 11/10/2022 and the following plan:

   - Scheme Plan 'Lots 1-7 Being Subdivision of Lot 2 DP 433308', Job No. 18290, Drawing No.1, Sheet 001, prepared by Clarke Fortune McDonald, dated 02/09/26

   This plan is attached as Appendix A.

2. Prior to Council signing the Survey Plan pursuant to Section 223 of the Resource Management Act 1991, all necessary easements for shall be shown in the Memorandum of Easements attached to the Survey Plan and shall be duly granted or reserved as necessary.

3. The consent holder must meet the costs for the preparation, review and registration of any easement instrument(s) on the relevant Records of Title.

3a. The subdivision may be completed in stages, provided that conditions relevant to each lot are satisfied prior to s224c certification of the stage containing that lot.

Vehicle Access

4. 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, upgrade the existing vehicle access on Croydon Siding Road to serve Lots 1, 4 and 7, in accordance with the Diagram R09-1 access standard in the Gore District Council Subdivision and Land Development Bylaw 2019.

5. 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, construct a vehicle access on Croydon Siding Road to serve Lots 5 and 6, in accordance with the Diagram R09-1 access standard in the Gore District Council Subdivision and Land Development Bylaw 2019.

6. That the existing vehicle crossing (at SH94:0000/5.770) to serve Lots 1 to 3 is upgraded in accordance with the New Zealand Transport Agency Diagram C standard as outlined in the Planning Policy Manual (2007) and to the satisfaction of the New Zealand Transport Agency Network Manager.

7. Prior to the issuing of a certificate pursuant to Section 224(c) of the Resource Management Act 1991, the consent holder shall provide to Council, correspondence from the New Zealand Transport Agency confirming that works in the State Highway, including the upgrading of the existing vehicle crossing, has been constructed to the New Zealand Transport Agency standards.

Electricity

8. [Deleted]

Transmission lines

9. All land use activities, including the construction of any new buildings / structures, earthworks, fences, any operation of mobile plant and / or persons working near exposed line parts shall comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) or any subsequent revision.

10. All trees and vegetation must be located and managed to comply with the Electricity (Hazard from Trees) Regulations 2003 or any subsequent revision.

Consent Notices

11. Prior to certification of the subdivision, pursuant to section 224(c) of the Resource Management Act 1991, a consent notice, in accordance with Section 221 of the Resource Management Act, shall be issued and registered against the Records of Title for Lots 2 to 7 to record that:

    a) At the time of lodging a building consent for a dwelling, a rainwater collection system must be verified as being potable; this shall include provision for UV filters or UV treatment or alternative treatment provision and shall be submitted with the building consent application(s).

    b) At the time of lodging a building consent for a dwelling, each lot is to have a specifically researched, designed and verified system for wastewater and stormwater disposal.

    c) At the time of lodging a building consent for a dwelling, each application is to include an approved firefighting water supply and site services design by Fire and Emergency New Zealand (FENZ) – to comply with SNZ PAS 4509 and the Subdivision and Land Development Bylaw 2019.

    d) Future Landowners of Lots 2-6 are advised that no electricity connection have been provided to these lots. The cost of such connections is the responsibility of the landowner.

Advice Notes

1. Any future development on Lots 1 to 7 will be subject to the requirements of the Gore District Council Subdivision and Land Development Bylaw 2019 and the Gore District Plan and will be assessed at the building consent stage.

2. If any future building consent applications are made for Lot 1, the two existing accesses onto Lot 1 from Richardson Road may need to be upgraded in accordance with the applicable standard of the Gore District Council Subdivision and Land Development Bylaw 2019.

3. Any work carried out on the legal roadway of Richardson Road or Croydon Siding Road requires the prior approval of the Council and the consent holder must consult with the Council's Roading Department to ensure the appropriate processes are being followed and

the work is being carried out to the correct standard. The work itself must be undertaken by a Council approved contractor.

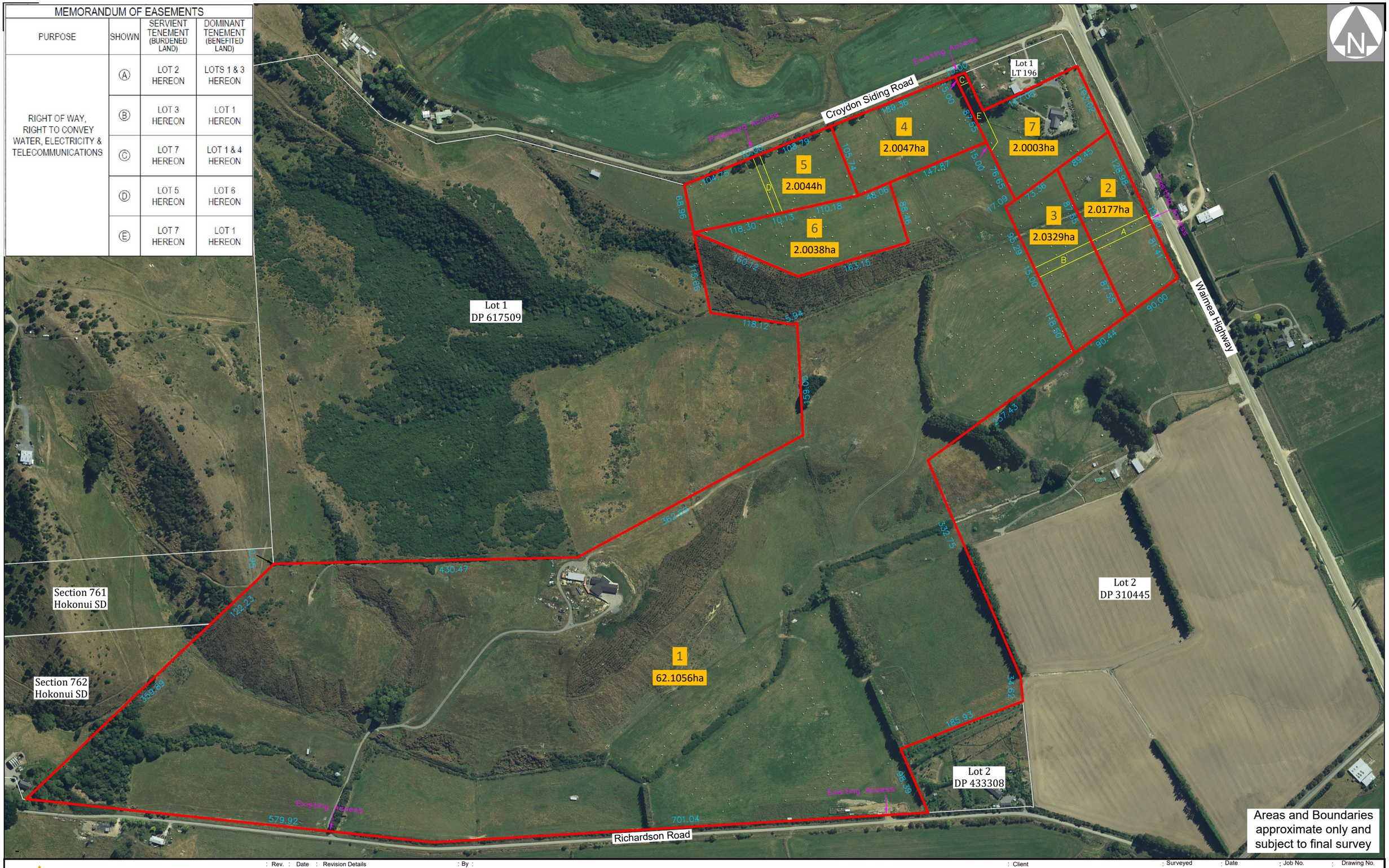
4. Please refer to the separate advice notes from Waka Kotahi New Zealand Transport Agency as set out in the letter *Waka Kotahi New Zealand Transport Agency Reference: 2022-0379*, dated 27 July 2022.

5. At the time of this subdivision, a fixed-line telecommunication connection was not provided to Lots 2 to 7 and should a telecommunication service be required in the future, an alternative service (wireless broadband) needs to be installed at a cost to the owner.

APPENDIX B – APPROVED PLANS

MEMORANDUM OF EASEMENTS

PURPOSE	SHOWN	SERVIENT TENEMENT (BURDENED LAND)	DOMINANT TENEMENT (BENEFITED LAND)
RIGHT OF WAY, RIGHT TO CONVEY WATER, ELECTRICITY & TELECOMMUNICATIONS	Ⓐ	LOT 2 HEREON	LOTS 1 & 3 HEREON
	Ⓑ	LOT 3 HEREON	LOT 1 HEREON
	Ⓒ	LOT 7 HEREON	LOT 1 & 4 HEREON
	Ⓓ	LOT 5 HEREON	LOT 6 HEREON
	Ⓔ	LOT 7 HEREON	LOT 1 HEREON



Areas and Boundaries approximate only and subject to final survey

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

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Rev.	Date	Revision Details	By
-	-	-	-

Lots 1-7 Being Subdivision of Lot 2 DP 433308

Client: Johnston	Surveyed: ----	Date: ----	Job No.: 18290	Drawing No.: 1 Sheet 001	
	Drawn: SK	Date: 31-08-26	Scale: 1 : 5000 @ A3		
	Checked: BW	Date: 02-09-26	Datum & Level: NZTM 2000	Rev.: ----	

Notes:
All dimensions shown are in meters unless shown otherwise.
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- Ensuring the information is the most recent issue.

- Copyright on this drawing is reserved.

L:\JOBS\18200\18290 (Johnstone - Croydon Siding Rd)\CAD\18290 CAD.dwg Plotted: 02.09.2026

APPENDIX C – APPLICANT'S AEE

Assessment of Effects on the Environment

Andrew & Jacklyn Johnstone

Variation of Consent Conditions

SC 2022/200

15 Croydon Siding Road and 128 Richardson Rd,

Croydon Bush

Clark Fortune McDonald & Assoc

Sept 2026

AEE Prepared by: Ben Wilson

CONTENTS

1. A DETAILED DESCRIPTION OF THE PROPOSAL:

1.1 Site Description
1.2 The Proposal
1.3 Statutory Provisions

2. ASSESSMENT OF THE ACTIVITY'S EFFECTS ON THE ENVIRONMENT

5. OTHER MATTERS

6. RESOURCE MANAGEMENT ACT 1991: PART 2

ATTACHMENTS:

- Consent Decision SC 2022/200
- SC 2022/200 approved scheme plan
- Proposed new scheme plan, CFMA ref 18290

1.0 A DETAILED DESCRIPTION OF THE PROPOSAL:

1.1 Site Description

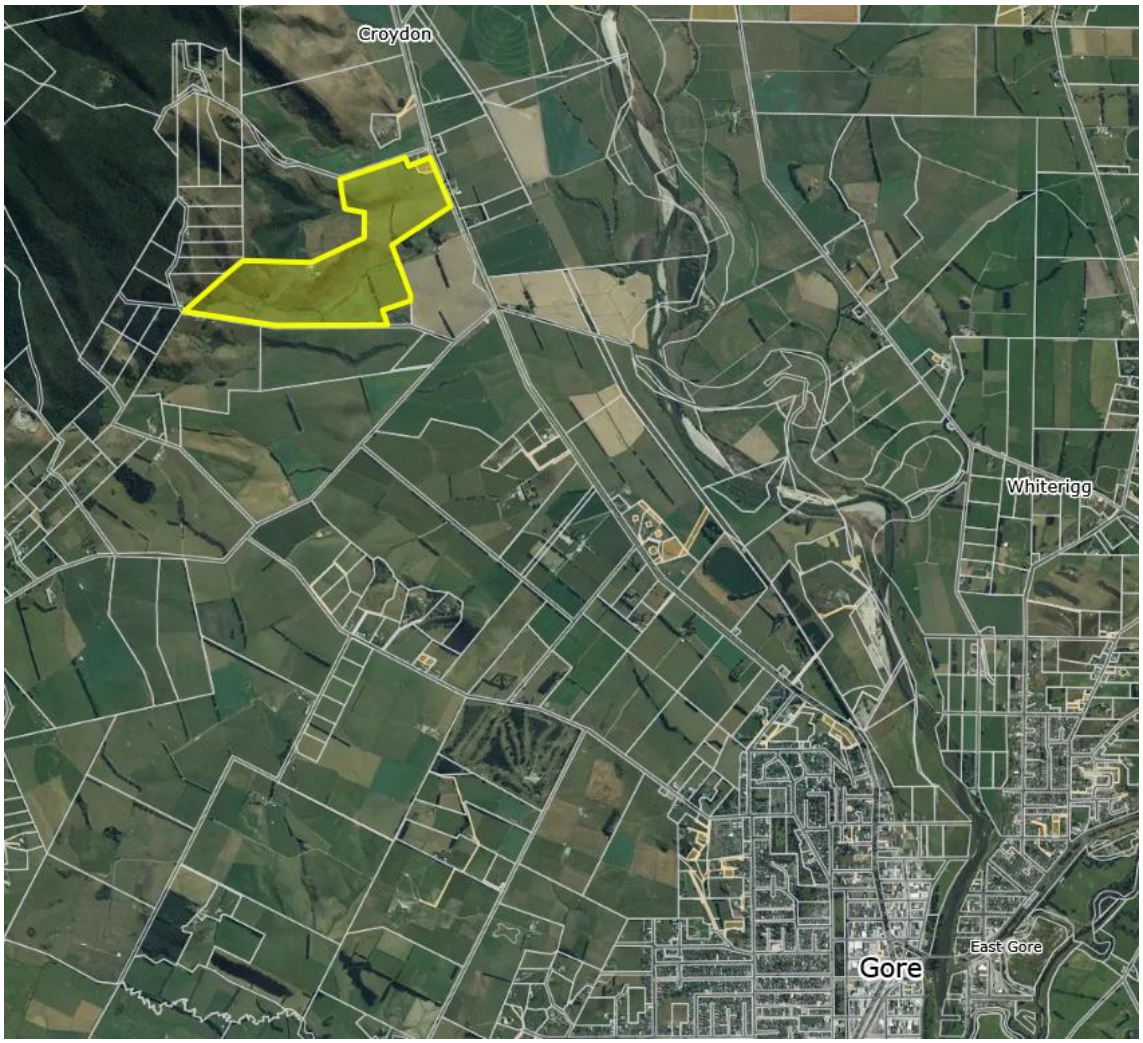
The subject site is legally described as:

- **Lot 3 DP 433308**

And commonly known as **15 Croydon Siding Road and 128 Richardson Road, Croydon Bush**.

The applicant has an existing subdivision consent SC 2022/200 in place for a 7 Lot subdivision of the site, and wishes to change the layout of one of the approved lots, along with adding provision for staging the subdivision.

Site Locality Map:



1.2 Proposed change of conditions

We request the following changes of Subdivision Consent Conditions:

Condition 1: Amend wording to refer to the new scheme plan attached (CFMA Ref 18290), changing the boundaries of proposed Lot 7.

Condition 8: Amend wording to provide for a consent notice requiring electricity connections for each lot to be installed at the time of building consent for a new dwelling on the respective lot (rather than requiring to be installed prior to s224c certification).

Condition 11: May be tidier to include the consent notice wording of amended Condition 8 in Condition 11.

Add new condition:

> The subdivision may be completed in stages, provided that conditions relevant to each lot are satisfied prior to s224c certification of the stage containing that lot.

Pursuant to **Section 127** of the *Resource Management Act 1991,* change of consent notice conditions before deposit of a survey plan is to be treated as a *discretionary activity*, with reference only to the change of conditions and the effects of that change.

Pursuant to **Section 125(1A)(b)** of the *Resource Management Act 1991*, we also request extension of the timeframe for completion of the final stage for a further 3 years, noting that the first stage (Lot 7) is intended to be completed within the original consented timeframe.

The reasons for the proposed changes of conditions are as follows:

The dwelling at 15 Croydon Siding Road was until recently leased by the applicants' parents, however one of those parents has passed away and the other has gone into a rest home so the house is now surplus to their needs, they have cancelled the lease and have a third party wishing to buy that dwelling.

The change of layout provides for proposed Lot 7 to contain that dwelling, instead of the current approved layout which has Lot 7 being bare land and would retain both existing dwellings on Lot 1 with the balance of the farm.

The amended layout of Lot 7 will have an area no smaller than the approved Lot 7 of SC 2022/200 (2.0003ha subject to survey), avoiding any adverse effect in that regard.

It can be reasonably argued that the proposed change of conditions would in fact reduce the adverse effects of the approved subdivision, as the amended Lot 7 will contain an existing dwelling whereas the currently approved Lot 7 would provide for a further new dwelling.

The applicants do not wish to sell Lots 2-6 yet, they wish to keep that land as part of their farm for another 2-3 years until they are closer to retirement age.

However once they complete subdivision of Lot 2-6 they will be charged separate rates on those lots, that cost combined with the cost of electricity connections means that without the proposed changes to consent conditions it isn't financially feasible for them to complete subdivision and then hold those lots as part of the farm until they are ready to sell.

The proposed changes of conditions would provide for the applicant to subdivide and sell Lot 7 initially as a first stage, then delay completion of Lot 2-6 until closer to the time that they are ready to sell those lots.

We do not believe that staging the subdivision and extending the timeframe for the final stage would cause any adverse effect, as it would not cause any change to the long-term effects of the approved subdivision - it would only change the timing of those effects to occur 2-3 years later.

With regards to **RMA s125(1A)(b)**, we make the following comments:

(i) Substantial progress or effort has been, and continues to be, made towards giving effect to the consent – access upgrade work has begun, survey calculations have been undertaken with field survey planned soon, and this application for change of conditions demonstrates further effort. The proposed change of conditions and extension will enable the applicant to give effect to the first stage of the subdivision promptly while deferring the completion of final stages until a more practical time.

(ii) No persons are believed to be adversely affected by the granting of an extension.

(iii) The proposed extension is not believed to have any adverse effect on the policies and objectives of any plan or proposed plan, as the extension will not change the effects of the subdivision but only the time before those effects will occur.

The existing consent was approved under the Operative District Plan, and extension of the timeframe will not affect the objectives and policies of the Proposed District Plan, which has taken legal effect but is under appeal.

The long-term outcome once the consent is given effect to (ie subdivision completed) will be identical regardless of the duration before giving effect to the final stage of subdivision.

1.3 Statutory Provisions

1.3.1 Operative Gore District Plan:

The subject site is located within the Rural Zone of the Operative District Plan and contains no known protected items.

The following points are relevant to the proposed change of conditions:

- The proposed layout change amends the boundaries of proposed Lot 7, but retains the same area as Lot 7 of approved subdivision SC 2022/200, which exceeds the 2.0ha minimum area of the Rural Zone. Accordingly there is no adverse effect from the change of boundary layout.

- Provision of services for subdivision is a matter of council discretion. In this case the applicant does not intend to sell all of the lots straight away, and it was acknowledged in consultation with GDC that electricity connections will not be needed for Lots 2-6 until the time of future building. Accordingly it is appropriate to defer the installation of electricity connections until the time of building consent by way of consent notice.

- Staging of subdivision is a matter of council discretion, and for reasons detailed above it is believed that staging is appropriate and consistent with the Operative District Plan, and will not introduce any adverse effects.

Proposed Gore District Plan (under appeal):

The subject site is located within the General Rural Zone of the Proposed District Plan and contains no known protected items.

The following points are relevant to the proposed change of conditions:

- The proposed layout change repositions the boundaries of proposed Lot 7, but retains the same area as Lot 7 of approved subdivision SC 2022/200. Accordingly there is no adverse effect from the change of boundary layout.

- Provision of services for subdivision is a matter of council discretion. In this case the applicant does not intend to sell all of the lots straight away, and it was acknowledged in consultation with GDC that electricity connections will not be needed for Lots 2-6 until the time of future building. Accordingly it is appropriate to defer the installation of electricity connections until the time of building consent by way of consent notice.

- Staging of subdivision is a matter of council discretion, and for reasons detailed above it is believed that staging is appropriate and consistent with the Proposed District Plan, and will not introduce any adverse effects.

1.3.2 National Policy Statements:

National Policy Statement for Natural Hazards 2025

The site is not identified as being subject to any particular natural hazards.

The proposed change of conditions will have no effect on any natural hazard risk, and that policy statement for natural hazards therefore has no impact on the proposal.

National Policy Statement for Highly Productive Land (NPS-HPL)

While part of the site is mapped as containing class 2 & 3 soils and therefore categorised as *Highly Productive Land*, the proposed change of conditions have no effect on *Highly Productive Land* as no change is proposed to the approved number or area of Lots.

1.3.3 Record of Title:

A recent copy of RT 5269963 is attached.

None of the interests on the title have any relevance to the proposed changes of conditions.

In summary, based upon parts 1.3.1 – 1.3.3 above, this application is a **discretionary activity.**

2. An assessment of the actual or potential effects on the environment of the proposed activity:

2.1 Likelihood that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:

It is considered that the proposed change of conditions will not result in any significant adverse effect on the environment.

2.2 An assessment of actual or potential effects on the environment of the proposed activity:

2.2.1 Existing Environment:

Existing land use in the immediate vicinity includes similar rural and rural-residential land use. The proposed change of conditions will have no adverse effect on the existing environment.

2.2.2 Any physical effect on the locality, including any landscape and visual effects:

The proposed change of conditions would have no physical effect on the locality.

The proposed new Lot 7 boundary complies easily with relevant boundary setback and daylight admission rules with regards to the existing dwelling, being approx. 90m clear of that dwelling.

2.2.3 Any effect on those in the neighbourhood and, where relevant, the wider community including any social, economic or cultural effects:

The proposed change of conditions would have no effect on the neighbourhood or wider community.

2.2.4 Any effect on ecosystems, including on plants or animals and any physical disturbance of habitats in the vicinity:

There are no known significant plant or animal habitats - the site has already been modified from its natural state due to the current rural and rural-residential land use, therefore if any habitats were to be disturbed it would have already occurred.

2.2.5 Any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual or cultural value, or other special value, for present or future generations:

The subject site is not identified as a site containing any significant aesthetic, recreational, scientific, historical, spiritual or cultural values. Therefore, no adverse effects upon this resource are anticipated.

2.2.6 Any discharge of contaminants into the environment, including any unreasonable emission of noise and options for the treatment and disposal of contaminants:

The proposal does not include the discharge of contaminants.

2.2.7 Any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations:

The site is not identified as being subject to any particular natural hazards.

The proposed change of conditions will have no effect on any hazard risk.

2.3 If the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment that are likely to arise from such use:

N/A - see section 2.2.6 above.

2.4 If the activity includes the discharge of any contaminant, a description:

N/A - see section 2.2.6 above.

2.5 A description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect.

Actual and potential adverse effects of the proposed change of conditions have been considered as detailed above. No mitigation measures are considered necessary as the change of conditions would have no significant adverse effect on any party.

2.6 Identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted:

Consultation with GDC Planning Dept (Mishka Banhidi – Planning Consultant)was undertaken prior to this application, and a copy of that consultation is attached.

No persons are considered adversely affected and such no further consultation was considered necessary.

2.7 If the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved:

It is not expected that any monitoring will be required as part of this application.

2.8 If the activity will or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).

There are no known customary rights that the site is subject to, and therefore no anticipated effects in that regard.

5. OTHER MATTERS

5.1 RMA S.104:

As discussed in part 1.4, change of consent conditions is a **discretionary** activity, with reference only to the change of conditions and the effects of that change.

For the reasons discussed within this application document, it is considered that the relevant tests for a discretionary activity have been satisfied.

- As detailed above, the proposed change of conditions is not contrary to the objectives or policies of the District Plan.

- The proposal is not contrary to the provisions of the Southland Regional Policy Statement 2017 (which are generally consistent with and actioned by the Gore District Plan).

5.2 RMA S.106:

As discussed in part 2.2.7 above, the subject site is not recognised by the District Plan as being subject to any particular natural hazards and the proposed change of conditions would have no effect in relation to any natural hazard.

6. RESOURCE MANAGEMENT ACT 1991: PART 2

The proposal is not contrary to any of the provisions of Part 2 of the Resource Management Act 1991, specifically:

- Section 5 – Purpose.
- Section 6 – Matters of National Importance.
- Section 7 – Other Matters.
- Section 8 – Treaty of Waitangi.

The proposal will promote sustainable management of natural and physical resources.

The proposal provides for social, economic, and cultural well-being and will avoid, remedy or mitigate any adverse effects on the environment.

Overall we believe that this proposal may be approved as outlined and as submitted for the appropriate **Change of Consent Conditions** and **Time Extension**, as

The effects of the proposed change is no more than minor and is not anticipated to give rise to any significant adverse effects.

AEE prepared by **Ben Wilson** (Licensed Cadastral surveyor)
CLARK FORTUNE MCDONALD & ASSOCIATES

2 Sept 2026