



AGENDA

Hearings Panel Meeting Tuesday, 9 June 2026

Date: Tuesday, 9 June 2026

Time: 9:30 am

**Location: Ngā Hau e Whā, William Fraser Building, 1
Dunorling Street, Alexandra**

Notice is hereby given that a Hearings Panel Meeting will be held in Ngā Hau e Whā, William Fraser Building, 1 Dunorling Street, Alexandra on Tuesday, 9 June 2026 at 9:30 am.

Order Of Business

1	Reports	6
26.6.1	MINUTES TO BE CONFIRMED	6
26.6.2	RC260041 - MARK VAN LEEUWARDEN	53
26.6.3	RC250373 - TANYA COPELAND	104

Members Cr T Paterson (Chairperson), Cr M McPherson, Cr S Browne

In Attendance T Lines (Minute Secretary)

1 REPORTS

26.6.1 MINUTES TO BE CONFIRMED

Doc ID: 2816313

1. Purpose

Minutes to be confirmed

2. Attachments

Appendix 1 - Minutes - 16 July 2025 [↓](#)

Appendix 2 - Minutes - 19-21 August 2025 [↓](#)

Appendix 3 - Minutes - 19 November 2025 [↓](#)

Appendix 4 - Minutes - 15 December 2025 [↓](#)

Appendix 5 - Minutes - 10 February 2026 [↓](#)

Appendix 6 - Minutes - 13 February 2026 [↓](#)

Appendix 7 - Minutes - 10 March 2026 [↓](#)

Appendix 8 - Minutes - 21 April 2026 [↓](#)

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16 July 2025

**MINUTES OF CENTRAL OTAGO DISTRICT COUNCIL
INDEPENDENT HEARINGS PANEL MEETING
HELD IN NGĀ HAU E WHĀ, WILLIAM FRASER BUILDING, 1 DUNORLING STREET,
ALEXANDRA
ON WEDNESDAY, 16 JULY 2025 AT 9:30 AM**

PRESENT: Independent Commissioner Ros Day-Cleavin (Chairperson)

IN ATTENDANCE: Tarryn Lines (Minute Secretary)

1 APOLOGIES

2 REPORTS

25.7.1 RC250059 - NND ADVERTISING LIMITED

A report to consider a land use consent to extend current hours of operation and food service operations for the Night 'n Day at 62-64 Sunderland Street, Clyde is attached.

Also circulated was the report of the Planning Consultant in relation to the application.

Report of the Planning Consultant has been read R Day-Cleavin.

Hearing opened at 9.26am

In attendance:

Oli McIntosh – Planning Consultant (via Microsoft Teams)

Jake Woodward – Planner Applicant

Matthew Lane – Applicant GM Manger NND

Robyn Miller – Heritage expert co-director

Glen Hill – Ventilation expert (via teams)

Phil Page – Legal counsel Applicant

Nicky Gibbs – Applicant Business Manager

Josh Alexandra – Counsel Applicant

Chair opening 9.28am

Note: Phil Page spoke to their evidence at 9.29am

Note: Commissioner directed questions to Phil Page 9.42am

Note: Matthew Lane spoke to their evidence at 9.51am

Note: Commissioner directed questions to Matthew Lane at 10.01am

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Note: Glen Hill spoke to their evidence at 10.08am

Note: Robyn Miller spoke to their evidence at 10.15am

Note: Commissioner directed questions to Robyn Miller at 10.18am

Note: Jake Woodward spoke to their evidence at 10.20am

Note: Commissioner directed questions to Jake Woodward at 10.44am

Note: Hearing adjourned 10.50am

Note: Hearing re-opened 11.00am

Note: Oli McIntosh spoke to their evidence at 11.01am

Note: Commissioner directed questions to Oli McIntosh at 11.11am

Note: Applicant spoke to their right of reply at 11.25am

Note: Commissioner spoke

Note: Hearing Adjourned at 11.38am

THE PANEL IN CLOSED MEETING

RESOLVED that the public be excluded from the following parts of the proceedings of the meeting, namely items 25.7.1

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

	General subject of each matter to be considered.	Reason for passing this resolution in relation to each matter.	Ground(s) under section 48(1) for the passing of this resolution.
25.7.1	Application for Resource Consent – RC250059 – NND Advertising Limited, 62-64 Sunderland Street, Clyde (2846105300)	An application for subdivision consent for a land use consent to extend current hours of operation and food service operations for the Night 'n Day at 62-64 Sunderland Street, Clyde.	Section 48(1)(a)

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the

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holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above (in brackets) with respect to each item.

NOTE:

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

“(4)Every recommendation to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof) -

“(a) Shall be available to any member of the public who is present.

and

Shall form part of the minutes of the local authority.”

R Day-Cleavin

The Meeting closed at **enter time**.

.....
CHAIR / /

ITEMS TO BE CONSIDERED WHILST THE PUBLIC IS EXCLUDED

25.7.1 Application for Resource Consent – RC250059 – NND Advertising Limited, 62-64 Sunderland Street, Clyde (2846105300)

RESOLVED that pursuant to sections 104, 104B and 104D of the Resource Management Act 1991, the application be granted for the reasons appended hereto.

R Day-Cleavin

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**MINUTES OF CENTRAL OTAGO DISTRICT COUNCIL
HEARINGS PANEL MEETING
HELD IN MANIOTOTO PARK STADIUM AND RUGBY CLUBROOMS, STADIUM DRIVE,
RANFURLY
ON TUESDAY 19 AUGUST TO THURSDAY 21 AUGUST 2025 AT 9:30AM DAILY**

PRESENT: Independent Commissioner Louise Taylor (Chairperson), Independent Commissioner Ros Day-Cleavin, Independent Commissioner Gary Rae

IN ATTENDANCE: Tarryn Lines (Minute Secretary), Karen Smith (Planning Support)

1 APOLOGIES – N/A

2 REPORTS

25.9.1 RC240065 - HELIOS OTA OP LP

A report to consider a land use consent to construct, operate and maintain a solar farm in the rural resource area is attached.

Also circulated was the report of the Planning Officer in relation to the application.

Report of the Planning Officer has been read L Taylor / R Day-Cleavin / G Rae.

Day 1 – Tuesday 19 August 2025

Hearing opened at 9.30am.

In attendance:

Adam Vincent – Planning Officer (Council)

Ben Espie – Landscape Architect (Council Expert) (via Microsoft Teams)

Andrew Wells – Ecologist (Council Expert)

Daniel Minhinnick – Legal Counsel (Applicant)

Louise Espin – Legal Counsel (Applicant)

Mishka Bahhidi – Planner (Applicant)

Jeffrey Schlichting – Applicant

Sarah Brooks – Applicant

Karin Sievwright – Senior Ecologist (Applicant Expert)

Jaz Morris – Senior Ecologist (Applicant Expert)

Sue McManaway – Landscape Planner (Applicant Expert)

Peter Ibbotson – Acoustic Consultant (Applicant Expert)

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Nicholas Logan – Project Engineer – Glint and Glare (Applicant Expert)

Hamish Denize – Technical Director – Fire Engineering (Applicant Expert)

Logan Copland – Principal Transportation Planner (Applicant Expert)

Rose Voice – Submitter 135 and 136

Michelle Bisset – Submitter 167

Mark van Leewraden – Submitter 56

Wendy Kearney – Submitter 38

Gavin Crossan – Submitter 58

Tracy Crossan – Submitter 149

Richard Healey – Submitter 128

Jenny Grimmett – Submitter 24

Eric Swinbourn – Submitter 81

Karen Munro – Submitter 60

Sheryl Edwards – Submitter 113

Amie Pont – Submitter 154

David Dodd – Submitter 77 (via Microsoft Teams)

Glenda Bonham – Submitter 87 (via Microsoft Teams)

Michelle Knox – Submitter 65 (via Microsoft Teams)

Note: Mr Daniel Minhinnick spoke to their evidence and Panel directed questions throughout at 9.42am.

Note: Ms Louise Espin spoke to their evidence at 10.08am.

Note: Mr Minhinnick spoke to their evidence and Panel directed questions throughout at 10.13am.

Note: Mr Jeffrey Schlichting spoke to their evidence and Panel directed questions throughout at 10.31am.

Note: Hearing adjourned at 11.22am.

Note: Hearing reconvened at 11.45am.

Note: Mr Minhinnick gave points of clarification at 11.45am.

Note: Ms Karin Sievwright spoke to their evidence and Panel directed questions throughout at 11.48am.

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Note: Mr Jaz Morris spoke to their evidence and Panel directed questions throughout at 12.02pm

Note: Ms Sue McManaway spoke to their evidence and Panel directed questions throughout at 12.32pm.

Note: Mr Minhinnick gave points of clarification at 1.02pm.

Note: Panel directed questions to Ms McManaway at 1.04pm.

Note: Hearing adjourned at 1.09pm.

Note: Hearing reconvened at 2.01pm.

Note: Mr Minhinnick gave points of clarification at 2.01pm.

Note: Panel directed questions to Ms McManaway at 2.03pm.

Note: Panel directed questions to Mr Morris at 2.07pm.

Note: Panel directed questions to Mr Schlichting at 2.10pm.

Note: Mr Peter Ibbotson spoke to their evidence and Panel directed questions throughout at 2.15pm.

Note: Mr Nicholas Logan spoke to their evidence and Panel directed questions throughout at 2.34pm.

Note: Mr Hamish Denize spoke to their evidence and Panel directed questions throughout at 2.45pm.

Note: Mr Logan Copland spoke to their evidence and Panel directed questions throughout at 2.54pm.

Note: Hearing adjourned at 3.05pm.

Note: Hearing reconvened at 3.21pm.

Note: Ms Mishka Banhidi spoke to their evidence and Panel directed questions throughout at 3.22pm.

Note: Mr Adam Vincent gave points of clarification at 3.35pm.

Note: Panel directed questions to Ms Banhidi at 3.36pm.

Note: Panel directed questions to Ms Sarah Brooks at 3.58pm.

Note: Ms Banhidi continued to speak to their evidence and Panel directed questions throughout at 3.59pm.

Note: Panel spoke to hearing schedule for Wednesday 20 August 2025 at 4.13pm.

Note: Hearing adjourned at 4.19pm.

Day 2 – Wednesday 20 August 2025

Hearing reconvened at 9.30am.

In attendance:

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Adam Vincent – Planning Officer (Council)

Ben Espie – Landscape Expert (Council Expert) (via Microsoft Teams)

Andrew Wells – Ecological Expert (Council Expert)

Daniel Minhinnick – Legal Counsel (Applicant)

Louise Espin – Legal Counsel (Applicant)

Mishka Banhidi – Planner (Applicant)

Jeffrey Schlichting – Applicant

Sarah Brooks – Applicant

Jaz Morris – Senior Ecologist (Applicant Expert) (via Microsoft Teams)

Hamish Denize – Technical Director – Fire Engineering (Applicant Expert) (via Microsoft Teams)

Logan Copland – Principal Transportation Planner (Applicant Expert) (via Microsoft Teams)

Daniel Parker – Submitter 28

Susan McKeague – Submitter 54

Richard Smith – Submitter 68 and 69

Robert Gardyne – Submitter 70

Ngaire Barton – Submitter 5

Vanessa O'Donnell – Submitter 80

Sarah Anderson – Submitter 96

Sheryl Edwards – Submitter 113

Ewan Carr – Submitter 114

Amie Pont – Submitter 154

Nigel Voice – Submitter 137

Stephen Goodlass – Submitter 132

Rose Voice – Submitter 135 and 136

Jill Wolff – Submitter 148

Tracy Crossan – Submitter 149

David Brady – Submitter 163

Richard Healey – Submitter 128

Eric Swinbourn – Submitter 81

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Marilyn Swinbourn – Submitter 82

Jenny Grimmett – Submitter 24

Michelle Bisset – Submitter 167

Mark van Leewraden – Submitter 56

Jill Berry – Submitter 145

Karen Munro – Submitter 60

Wendy Kearney – Submitter 38

Renee Weir – Submitter 72 (via Microsoft Teams)

Glenda Bonham – Submitter 87 (via Microsoft Teams)

Amanda Cheesmur – Submitter 141 (via Microsoft Teams)

Shona Harrison – Submitter 35 (via Microsoft Teams)

David Dodd – Submitter 77 (via Microsoft Teams)

Wendy Mulholland – Submitter 64 (via Microsoft Teams)

Neil Rout – Submitter 148 (via Microsoft Teams)

David Steele – Submitter 15 (via Microsoft Teams)

Note: Mr Daniel Parker spoke to Parker Earthmoving Limited's submission and Panel directed questions throughout at 9.31am.

Note: Ms Susan McKeague spoke to their submission and Panel directed questions throughout at 9.40am.

Note: Mr Richard Smith spoke to C.J. Sinclair Limited's submission and Panel directed questions throughout at 9.45am.

Note: Mr Robert Gardyne spoke to their submission and Panel directed questions throughout at 9.55am.

Note: Ms Ngaire Barton spoke to their submission and Panel directed questions throughout at 10.11am.

Note: Hearing adjourned at 10.15am.

Note: Hearing reconvened at 10.34am.

Note: Ms Vanessa O'Donnell spoke to their submission and Panel directed questions throughout at 10.35am.

Note: Ms Sarah Anderson spoke to their submission and Panel directed questions throughout at 10.49am.

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Note: Ms Sheryl Edwards spoke to their submission and Panel directed questions throughout at 10.57am.

Note: Ms Amie Pont spoke to their submission and Panel directed questions throughout at 11.04am.

Note: Mr Nigel Voice spoke to their submission and Panel directed questions throughout at 11.24am.

Note: Ms Rose Voice spoke to their submission and Panel directed questions throughout at 11.34am.

Note: Mr Ewan Carr spoke to their submission and Panel directed questions throughout at 12.11pm.

Note: Hearing adjourned at 12.33pm.

Note: Hearing reconvened at 1.18pm.

Note: Mr Carr continued to speak to their submission and Panel directed questions throughout at 1.19pm.

Note: Mr Stephen Goodlass spoke to their submission and Panel directed questions throughout at 1.46pm.

Note: Ms Rose Voice spoke to The Real Dog Equipment Company Limited's submission and Panel directed questions throughout at 2.07pm.

Note: Ms Jill Wolff spoke to their submission at 2.22pm.

Note: Ms Tracy Crossan spoke to their submission and Panel directed questions throughout at 2.26pm.

Note: Mr David Brady spoke to their submission and Panel directed questions throughout at 2.57pm.

Note: Hearing adjourned at 3.15pm.

Note: Hearing reconvened at 3.33pm

Note: Mr Richard Healey spoke to their submission and Panel directed questions throughout at 3.35pm.

Note: Mr Eric Swinbourn spoke to their submission and Panel directed questions throughout at 4.26pm.

Note: Ms Jenny Grimmett spoke to their submission and Panel directed questions throughout at 4.39pm.

Note: Ms Marilyn Swinbourn spoke to their submission at 4.59pm.

Note: Ms Michelle Bissett spoke to their submission and Panel directed questions throughout at 5.03pm.

Note: Hearing adjourned at 5.18pm.

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Day 3 – Thursday 21 August 2025

Hearing reconvened at 9.00am.

In attendance:

Adam Vincent – Planning Officer (Council)

Ben Espie – Landscape Expert (Council Expert) (via Microsoft Teams)

Andrew Wells – Ecological Expert (Council Expert) (via Microsoft Teams)

Daniel Minhinnick – Legal Counsel (Applicant)

Louise Espin – Legal Counsel (Applicant)

Mishka Bahhidi – Planner (Applicant)

Jeffrey Schlichting – Applicant

Sarah Brooks – Applicant

Jaz Morris – Senior Ecologist (Applicant Expert) (via Microsoft Teams)

Sue McManaway – Landscape Planner (Applicant Expert) (via Microsoft Teams)

Amie Pont – Submitter 154

Rose Voice – Submitter 135 and 136

Tracy Crossan – Submitter 149

Richard Healey – Submitter 128

Jenny Grimmett – Submitter 24

Michelle Bisset – Submitter 167

Karen Munro – Submitter 60

David Steele – Submitter 15 (via Microsoft Teams)

Renee Weir – Submitter 72 (via Microsoft Teams)

David Dodd – Submitter 77 (via Microsoft Teams)

Note: Mr Adam Vincent spoke to their evidence and Panel directed questions throughout at 9.02am.

Note: Hearing adjourned at 10.20am.

Note: Hearing reconvened at 10.35am.

Note: Mr Ben Espie spoke to their evidence and Panel directed questions throughout at 10.36am.

Note: Mr Andrew Wells spoke to their evidence and Panel directed questions throughout at 11.09am.

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Note: Mr Vincent spoke to their evidence and Panel directed questions throughout at 11.38am.

Note: Hearing adjourned at 12.25pm.

Note Hearing reconvened at 12.45pm.

Note: Panel directed instructions to Mr Minhinnick regarding further steps for written right of reply at 12.45pm.

Note: Mr Minhinnick gave their verbal right of reply at 12.56pm.

Note Hearing adjourned at 1.00pm.

THE PANEL IN CLOSED MEETING

RESOLVED that the public be excluded from the following parts of the proceedings of the meeting, namely items 25.9.1.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

	General subject of each matter to be considered.	Reason for passing this resolution in relation to each matter.	Ground(s) under section 48(1) for the passing of this resolution.
25.9.1	Application for Resource Consent – RC240065 – Helios OTA Op LP, 48 Ranfurly-Naseby Road (2828012800)	An application for a land use consent to construct, operate and maintain a solar farm in the rural resource area.	Section 48(1)(a)

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above (in brackets) with respect to each item.

NOTE:

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

“(4)Every recommendation to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof) -

“(a) Shall be available to any member of the public who is present.

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and

Shall form part of the minutes of the local authority."

RESOLVED that Adam Vincent (Planning Officer) be permitted to remain during the closed session because of their knowledge that would be of assistance to the Panel in its deliberations.

L Taylor / R Day-Cleavin / G Rae

The Meeting closed at 1.00pm.

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CHAIR / /

ITEMS TO BE CONSIDERED WHILST THE PUBLIC IS EXCLUDED

25.9.1 Application for Resource Consent – RC240065 – Helios OTA Op LP, 48 Ranfurly-Naseby Road (2828012800)

RESOLVED that pursuant to sections 104, 104B and 104D of the Resource Management Act 1991, the application be granted for the reasons appended hereto.

L Taylor / R Day-Cleavin / G Rae

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**MINUTES OF CENTRAL OTAGO DISTRICT COUNCIL
HEARINGS PANEL MEETING
HELD IN CROMWELL COUNCIL CHAMBERS, 42 THE MALL, CROMWELL ON
WEDNESDAY 19 NOVEMBER AT 10:00AM AND THURSDAY 20 NOVEMBER 2025 AT 9.00AM**

PRESENT: Independent Commissioner Gary Rae (Chairperson), Independent Commissioner Ros Day-Cleavin

IN ATTENDANCE: Tarryn Lines (Minute Secretary), Karen Smith (Planning Support)

1 APOLOGIES

2 REPORTS

25.15.1 RC240070 - BIG UNITS LIMITED

A report to consider a land use consent to establish a multi-unit residential development comprising six units at 9 & 11 Perriam Place, Pisa Moorings is attached.

Also circulated was the report of the Planning Consultant in relation to the application.

Report of the Planning Consultant has been read G Rae / R Day-Cleavin

Day 1 – Wednesday 19 November 2025

Hearing opened at 10.00am.

In attendance:

Duncan Whyte – Planning Consultant (Council)

Rachael Eaton – Urban Designer and Landscape Architect (Council Expert) – via Microsoft Teams

James Gardner-Hopkins – Project Manager/Advisor (Applicant) – via Microsoft Teams

Dean Affleck and Trina Affleck – Applicants

Bruce Weir – Urban Design Consultant (Applicant Expert)

Jason Bartlett – Transport Engineer (Applicant Expert)

Alex Dunn – Planner (Applicant)

Charlotte Clouston – Planner (Submitter 19 and 20 Expert) – via Microsoft Teams

Ronald Vermeulen & Jo-anna Edwards – Submitter 04 – via Microsoft Teams

Travis Naylor – Submitter 15

Robert Perriam of Wakefield Estates Ltd – Submitter 17

Steve Grenfell – Submitter 20 – via Microsoft Teams

Lucy King – Legal Representative (Submitter 08)

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Ruth Mackay – Planner (Submitter 08)

Molly O’Sullivan – Observer

Note: Panel opening and overview at 10.00am.

Note: James Gardner-Hopkins spoke to their evidence at 10.06am.

Note: Panel directed questions to Mr Gardner-Hopkins at 10.19am.

Note: Alex Dunn provided clarification at 10.41am.

Note: Panel continued to direct questions to Mr Gardner-Hopkins at 10.42am.

Note: Bruce Weir spoke to their evidence and panel directed questions to Mr Weir at 10.48am.

Note: Jason Bartlett spoke to their evidence and panel directed questions to Mr Bartlett at 11.20am.

Note: Hearing adjourned at 11.31am.

Note: Hearing reconvened at 11.49am.

Note: Alex Dunn spoke to their evidence at 11.49am.

Note: Panel directed questions to Mr Dunn at 11.58am.

Note: Hearing adjourned at 12.26pm.

Note: Hearing reconvened at 2.00pm.

Note: Panel directed questions to Mr Gardner-Hopkins at 2.00pm.

Note: Ronald Vermeulen and Jo-anna Edwards spoke to their submission at 2.01pm.

Note: Panel directed questions to Mr Vermeulen and Ms Edwards at 2.01pm.

Note: Travis Naylor spoke to their submission at 2.14pm.

Note: Panel directed questions Mr Naylor at 2.19pm.

Note: Robert Perriam of Wakefield Estates Limited spoke to their submission and Panel directed questions to Mr Perriam at 2.24pm.

Note: Hearing adjourned at 2.47pm.

Day 2 – Thursday 20 November 2025

Hearing reconvened at 9.00am.

In attendance:

Duncan Whyte – Planning Consultant (Council)

Tim Anderson – Team Leader – Planning (Council)

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Rachael Eaton – Urban Designer and Landscape Architect (Council Expert) – via Microsoft Teams

Dominic Haanen – Environmental Engineer (Council Expert)

James Gardner-Hopkins – Project Manager/Advisor (Applicant) – via Microsoft Teams

Alex Dunn – Planner (Applicant)

Ben Gresson – Legal Representative (Submitter 08)

Ruth Mackay – Planner (Submitter 08)

Charles Luecker – Submitter 08

Jo Appleyard / Tallulah Parker – Legal Representative (Submitter 19 and 20)

Charlotte Clouston – Planner (Submitter 19 and 20)

Steve Grenfell – Submitter 20 – via Microsoft Teams

Molly O’Sullivan – Observer

Note: Panel opening and overview at 9.00am.

Note: Panel directed questions to Duncan Whyte at 9.01am.

Note: Ben Gresson spoke to their evidence on behalf of submitter 08 and Panel directed questions to Mr Gresson at 9.04am.

Note: Ruth Mackay spoke to their evidence on behalf of submitter 08 at 9.22am.

Note: Panel directed questions to Ms Mackay at 9.30am.

Note: Ruth Mackay continued to speak to their evidence at 9.31am.

Note: Panel directed questions to Ms Mackay at 9.34am.

Note: Jo Appleyard spoke to their evidence on behalf of submitter 19 and 20 at 9.51am.

Note: Charlotte Clouston spoke to their evidence on behalf of submitter 19 and 20 at 9.52am.

Note: Panel directed questions to Ms Clouston at 9.58am.

Note: Steve Grenfell spoke to their submission at 10.12am.

Note: Panel directed questions to Mr Grenfell at 10.17am.

Note: Panel directed questions to Travis Naylor at 10.21am.

Note: Ms Clouston continued to speak to their evidence at 10.22am.

Note: Panel directed questions to Ms Clouston at 10.23am.

Note: Ms Appleyard continued to speak to their evidence at 10.25am.

Note: Panel directed questions to Ms Appleyard at 10.26am.

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Note: Hearing adjourned at 10.27am.

Note: Hearing reconvened at 10.53am.

Note: Dominic Haanen spoke to their evidence and Panel directed questions to Mr Haanen at 10.54am.

Note: Panel directed questions to Tim Anderson at 11.02am.

Note: Rachael Eaton spoke to their evidence and Panel directed questions to Ms Eaton at 11.04am.

Note: Mr Anderson provided clarification to Panel's questions at 11.14am.

Note: Duncan Whyte spoke to their evidence and Panel directed questions to Mr Whyte at 11.14am.

Note: Panel directed questions to Mr Haanen at 11.51am.

Note: Panel directed questions to Mr Whyte at 11.52am.

Note: Mr Gardner-Hopkins gave their right of reply at 11.55am.

Note: Panel directed questions to Mr Gardner-Hopkins at 11.59am.

Note: Mr Whyte gave points of clarification to the Panel at 12.03pm.

Note: Panel directed questions to Mr Gardner-Hopkins at 12.06pm.

Note: Panel provided direction to all parties at 12.11pm.

Note: Hearing adjourned at 12.13pm.

THE PANEL IN CLOSED MEETING

RESOLVED that the public be excluded from the following parts of the proceedings of the meeting, namely items 25.15.1

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

	General subject of each matter to be considered.	Reason for passing this resolution in relation to each matter.	Ground(s) under section 48(1) for the passing of this resolution.
25.15.1	Application for Resource Consent – RC240070 – Big Units Limited, 9 Perriam Place, Pisa Moorings (2842112829)	An application for a land use consent to establish a multi-unit residential development comprising six units at 9 & 11 Perriam Place, Pisa Moorings.	Section 48(1)(a)

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This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above (in brackets) with respect to each item.

NOTE:

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

“(4)Every recommendation to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof) -

“(a) Shall be available to any member of the public who is present.

and

Shall form part of the minutes of the local authority.”

RESOLVED that Duncan Whyte (Planning Consultant) be permitted to remain during the closed session because of their knowledge that would be of assistance to the Panel in its deliberations.

G Rae / R Day-Cleavin

The Meeting closed at **enter time**.

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CHAIR / /

ITEMS TO BE CONSIDERED WHILST THE PUBLIC IS EXCLUDED

25.15.1 Application for Resource Consent – RC240070 – Big Units Limited, 9 Perriam Place, Pisa Moorings (2842112829)

RESOLVED that pursuant to sections 104, 104B and 104D of the Resource Management Act 1991, the application be **<granted/declined>** for the reasons appended hereto.

G Rae / R Day-Cleavin

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**MINUTES OF CENTRAL OTAGO DISTRICT COUNCIL
HEARINGS PANEL MEETING
HELD IN NGĀ HAU E WHĀ, WILLIAM FRASER BUILDING, 1 DUNORLING STREET,
ALEXANDRA
ON TUESDAY 15 DECEMBER 2025 AT 9:30AM**

PRESENT: Cr N Gillespie (Chair), Cr M McPherson, Cr I Cooney

IN ATTENDANCE: T Lines (Minute Secretary), J Dick (Minute Secretary)

1 REPORTS

25.16.1 MINUTES TO BE CONFIRMED

That the public minutes of the Hearings Panel Meetings held 8 July 2025 and 14 October 2025 be confirmed as a true and correct record.

N Gillespie / I Cooney

25.16.2 RC250157 KEVIN JARVIS

A report to consider subdivision consent for a two lot subdivision and land use consent to construct a multi-unit development in the rural resource area.

Also circulated was the report of the Planning Consultant in relation to the application.

Report of the Planning Consultant has been read M McPherson / I Cooney

Hearing opened at 9.35am

In attendance:

Oli McIntosh – Planning Consultant

Zoe McCormack – Applicant Planner

Kevin Jarvis – Applicant

Note: Applicant spoke to their evidence at 9.42am.

Note: Panel directed questions to the applicant at 9.50am.

Note: Oli McIntosh spoke to their evidence at 9.54am.

Note: Panel directed questions to Oli McIntosh at 9.59am.

Note: Applicant right of reply at 10.15am.

Note: Hearing adjourned at 10.17am.

Hearings Panel Meeting Minutes **Error! No document variable supplied.** 15 December 2025

Note: Zoe McCormack and Kevin Jarvis left the meeting at 10.17am.

25.16.3 RC250282 DEAN AND MICHELLE TELFER

A report to consider subdivision consent to amend boundaries between two sites, land use consent to construct a residential unit and vehicle servicing facility, in the rural resource area.

Also circulated was the report of the Planning Consultant in relation to the application.

Report of the Planning Consultant has been read N Gillespie / M McPherson

Hearing re-convened at 10.36am.

In attendance:

Kirstyn Royce – Planning Consultant

Note: Kirstyn Royce spoke to their evidence at 10.37am.

Note: Hearing adjourned at 10.57am.

25.16.3 RC250220 INGRIDIN JOHNSTON-JANDER

A report to consider a land use consent for a retrospective setback breach and carparking, in the low density residential zone.

Also circulated was the report of the Planning Consultant in relation to the application.

Report of the Planning Consultant has been read N Gillespie / M McPherson

Hearing re-convened at 11.21am.

In attendance:

Kirstyn Royce – Planning Consultant

Jake Woodward – Applicant Planner

Ingridin Johnston-Jander – Applicant

Carmen Doran – Submitter 01

Note: Jake Woodward spoke to their evidence at 11.24am.

Note: Carmen Doran spoke to their evidence at 12.10pm.

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Hearings Panel Meeting Minutes **Error! No document variable supplied.** 15 December 2025

Note: Kirstyn Royce spoke to their evidence at 12.16pm.

Note: Hearing adjourned at 12.22pm.

Note: Hearing re-convened at 12.32pm

Note: Applicant right of reply at 12.32pm.

Note: Hearing adjourned at 12.34pm.

Note: Jake Woodward and Ingridin Johnston-Jander left the meeting at 12.34pm.

25.16.4 RC250257 MATHSTONE ENTERPRISES LIMITED

A report to consider a land use consent and subdivision consent for a two lot subdivision in the rural residential resource area.

Also circulated was the report of the Planning Consultant in relation to the application.

Report of the Planning Consultant has been read N Gillespie / M McPherson

Hearing re-convened at 1.03pm

In attendance:

Kirstyn Royce – Planning Consultant

Jake Woodward – Applicant Planner

Simon, Lyndon, Sam and Chris Brackstone – Applicant

Note: Jake Woodward spoke to their evidence at 1.06pm.

Note: Kirstyn Royce spoke to their evidence at 1.23pm.

Note: Applicant right of reply at 1.27pm.

Note: Hearing adjourned at 1.27pm.

Note: Jake Woodward, Simon, Lyndon, Sam and Chris Brackstone left the meeting at 1.27pm.

25.16.5 RC250289 PEEK STREET APOGEE TRUSTEE LIMITED

A report an application pursuant to Section 221(3) of the RMA for the variation to consent notice conditions.

Also circulated was the report of the Planning Consultant in relation to the application.

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Hearings Panel Meeting Minutes **Error! No document variable supplied.** 15 December 2025

Report of the Planning Consultant has been read N Gillespie / M McPherson

Hearing re-convened at 1.51pm.

In attendance:

Kim Banks – Planning Consultant

Zoe McCormack – Applicant Planner

Kevin Jarvis – Applicant

Note: Kevin Jarvis spoke to their evidence at 1.52pm.

Note: Panel directed questions to Kevin Jarvis at 1.55pm.

Note: Kim Banks spoke to their evidence at 2.02pm.

Note: Applicant right of reply at 2.09pm.

Note: Hearing adjourned at 2.11pm.

Note: Zoe McCormack and Kevin Jarvis left the meeting at 2.11pm.

The Meeting closed at 2.11pm.

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CHAIR / /

THE PANEL IN CLOSED MEETING

RESOLVED that the public be excluded from the following parts of the proceedings of the meeting, namely items 25.6.2

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered.	Reason for passing this resolution in relation to each matter.	Ground(s) under section 48(1) for the
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Hearings Panel Meeting Minutes **Error! No document variable supplied.** 15 December 2025

25.6.2	Application for Resource Consent – RC250157 – Kevin Jarvis, 8 Highlands Avenue, Cromwell (2842127820)	An application for subdivision consent for a two lot subdivision and land use consent to construct a multi-unit development at 8 Highlands Avenue, Cromwell	passing of this resolution. Section 48(1)(a)
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This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above (in brackets) with respect to each item.

NOTE:

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

“(4) Every recommendation to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof) -

“(a) *Shall be available to any member of the public who is present.*

and

Shall form part of the minutes of the local authority.”

RESOLVED that Oli McIntosh (Planning Consultant) be permitted to remain during the closed session because of their knowledge that would be of assistance to the Panel in its deliberations.

N Gillespie / I Cooney

RESOLVED that the public be excluded from the following parts of the proceedings of the meeting, namely items 25.6.2

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

	General subject of each matter to be considered.	Reason for passing this resolution in relation to each matter.	Ground(s) under section 48(1) for the passing of this resolution.
25.6.2	Application for Resource Consent – RC250282 – Dean and Michelle Telfer,	An application for subdivision consent to amend boundaries between two sites, land use consent to construct a	Section 48(1)(a)

Hearings Panel Meeting Minutes **Error! No document variable supplied.** 15 December 2025

12 Quinns Way, residential unit and vehicle
Cromwell (2842127848) servicing facility, in the rural
 resource area at 12 Quinns
 Way, Cromwell

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above (in brackets) with respect to each item.

NOTE:

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

“(4) Every recommendation to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof) -

“(a) *Shall be available to any member of the public who is present.*

and

Shall form part of the minutes of the local authority.”

RESOLVED that Kirstyn Royce (Planning Consultant) be permitted to remain during the closed session because of their knowledge that would be of assistance to the Panel in its deliberations.

N Gillespie / I Cooney

RESOLVED that the public be excluded from the following parts of the proceedings of the meeting, namely items 25.6.2

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

	General subject of each matter to be considered.	Reason for passing this resolution in relation to each matter.	Ground(s) under section 48(1) for the passing of this resolution.
25.6.2	Application for Resource Consent – RC250220 – Ingridin Johnstons-Jander, 3 Hogburn Lane, Naseby (2836009503)	An application for land use consent for a retrospective setback breach and carparking, in the low density residential zone at 3 Hogburn Lane, Naseby	Section 48(1)(a)

Hearings Panel Meeting Minutes **Error! No document variable supplied.** 15 December 2025

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above (in brackets) with respect to each item.

NOTE:

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

“(4) Every recommendation to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof) -

“(a) *Shall be available to any member of the public who is present.*

and

Shall form part of the minutes of the local authority.”

RESOLVED that Kirstyn Royce (Planning Consultant) be permitted to remain during the closed session because of their knowledge that would be of assistance to the Panel in its deliberations.

N Gillespie / I Cooney

RESOLVED that the public be excluded from the following parts of the proceedings of the meeting, namely items 25.6.2

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

	General subject of each matter to be considered.	Reason for passing this resolution in relation to each matter.	Ground(s) under section 48(1) for the passing of this resolution.
25.6.2	Application for Resource Consent – RC250257 – Mathstone Enterprises Limited, 78 Pearson Road, Cromwell (2842128802)	An application for land use and subdivision consent for a two lot subdivision in the rural residential resource area at 78 Pearson Road, Cromwell	Section 48(1)(a)

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above (in brackets) with respect to each item.

Hearings Panel Meeting Minutes **Error! No document variable supplied.** 15 December 2025

NOTE:

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

“(4) Every recommendation to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof) -

“(a) *Shall be available to any member of the public who is present.*

and

Shall form part of the minutes of the local authority.”

RESOLVED that Kirstyn Royce (Planning Consultant) be permitted to remain during the closed session because of their knowledge that would be of assistance to the Panel in its deliberations.

N Gillespie / M McPherson

RESOLVED that the public be excluded from the following parts of the proceedings of the meeting, namely items 25.6.2

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

	General subject of each matter to be considered.	Reason for passing this resolution in relation to each matter.	Ground(s) under section 48(1) for the passing of this resolution.
25.6.2	Application for Resource Consent – RC250289 – Peek Street Apogee Trustee Limited, 4 Highlands Avenue, Cromwell (2842127822)	An application pursuant to Section 221(3) of the RMA for the variation to consent notice conditions at 4 Highlands Avenue, Cromwell.	Section 48(1)(a)

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above (in brackets) with respect to each item.

NOTE:

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

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Hearings Panel Meeting Minutes **Error! No document variable supplied.** 15 December 2025

“(4) Every recommendation to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof) -

“(a) *Shall be available to any member of the public who is present.*

and

Shall form part of the minutes of the local authority.”

RESOLVED that Kim Banks (Planning Consultant) be permitted to remain during the closed session because of their knowledge that would be of assistance to the Panel in its deliberations.

N Gillespie / M McPherson

ITEMS TO BE CONSIDERED WHILST THE PUBLIC IS EXCLUDED

25.6.2 Application for Resource Consent – RC250157 – Kevin Jarvis, 8 Highlands Avenue, Cromwell (2842127820)

RESOLVED that pursuant to sections 104, 104B and 104D of the Resource Management Act 1991, the application be declined for the reasons appended hereto.

N Gillespie / I Cooney

25.6.3 Application for Resource Consent – RC250282 – Dean and Michelle Telfer, 12 Quinns Way, Cromwell (2842127848)

RESOLVED that pursuant to sections 104, 104B and 104D of the Resource Management Act 1991, the application be granted for the reasons appended hereto.

N Gillespie / I Cooney

25.6.4 Application for Resource Consent – RC250220 – Ingridin Johnston-Jander, 3 Hogburn Lane, Naseby (2836009503)

RESOLVED that pursuant to sections 104, 104B and 104D of the Resource Management Act 1991, the application be granted for the reasons appended hereto.

N Gillespie / I Cooney

25.6.5 Application for Resource Consent – RC250257 – Mathstone Enterprises Limited, 78 Pearson Road, Cromwell (2842128802)

Hearings Panel Meeting Minutes**Error! No document variable supplied.** 15 December 2025

RESOLVED that pursuant to sections 104, 104B and 104D of the Resource Management Act 1991, the application be granted for the reasons appended hereto.

N Gillespie / M McPherson

25.6.6 Application for Resource Consent – RC250289 – Peek Street Apogee Trustee Limited, 4 Highlands Avenue, Cromwell (2842127822)

Application was withdrawn.

Hearings Panel Meeting Minutes

10 February 2026

**MINUTES OF CENTRAL OTAGO DISTRICT COUNCIL
HEARINGS PANEL MEETING
HELD IN NGĀ HAU E WHĀ, WILLIAM FRASER BUILDING, 1 DUNORLING STREET,
ALEXANDRA
ON TUESDAY, 10 FEBRUARY 2026 AT 9:30 AM**

PRESENT: Cr T Paterson (Chairperson), Cr M McPherson, Cr S Browne

IN ATTENDANCE: T Lines (Minute Secretary), J Dick (Minute Secretary)

1 APOLOGIES

N/A

2 REPORTS

26.1.1 RC250186 GZR PROPERTY INVESTMENT,

A report to consider Subdivision Consent for a unit title in the medium density residential zone is attached.

Also circulated was the report of the Planning Consultant in relation to the application.

Report of the Planning Officer has been read M McPherson / S Browne.

Hearing opened at 9:00am.

In attendance:

Chris Pearse-Smith – Planning Consultant

Jake Woodward – Applicant Planner

Ron Gloag – Applicant

Note: Jake Woodward spoke to their evidence at 9:03am.

Note: The Panel directed questions to the applicant's Planner at 9:14am.

Note: Chris Pearse-Smith spoke to their evidence at 10:02am.

Note: The Panel directed questions to Chris Pearse-Smith at 10:12am.

Note: Hearing adjourned at 10:19am.

Note: Hearing re-opened at 10:26am.

Note: Jake Woodward gave their right of reply at 10:26am.

Note: Hearing adjourned at 10:33am.

Note: Jake Woodward and Ron Gloag left the meeting at 10:33am.

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Hearings Panel Meeting Minutes

10 February 2026

26.1.2 RC250193 ROXBURGH MOTELS LIMITED

A report to consider Subdivision Consent for unit title and land use consent for short term visitor accommodation is attached.

Also circulated was the report of the Planning Consultant in relation to the application.

Report of the Planning Officer has been read S Browne / M McPherson.

Hearing opened at 11:19am

In attendance:

Bex Kennedy-Perkins – Planning Consultant

Darryl Sycamore – Applicant Planner

Rudi and Leanne Kats – Applicants

Note: Darryl Sycamore spoke to their evidence at 11:22am

Note: The Panel directed questions to the applicant's Planner at 11:33am.

Note: Rudi and Leanne Kats spoke to their evidence at 11:50am.

Note: The Panel directed questions to the applicant at 11:56am.

Note: Bex Kennedy-Perkins spoke to their evidence at 12:00pm.

Note: The Panel directed questions to the applicant at 12:10pm.

Note: Hearing adjourned at 12:14pm.

Note: Hearing re-opened at 12:15pm.

Note: Darryl Sycamore gave their right of reply at 12:15pm.

Note: Hearing adjourned at 12:19pm.

Note: Darryl Sycamore, Rudi and Leanne Kats left the meeting at 12:19pm.

26.1.3 RC250145 - ADELE EYERS

A report to consider subdivision consent for a three lot subdivision is attached.

Also circulated was the report of the Planning Officer in relation to the application.

Report of the Planning Officer has been read S Browne / M McPherson.

Hearing opened at 12:47pm

In attendance:

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Hearings Panel Meeting Minutes

10 February 2026

Adam Vincent (Planning Officer)

Rosalind Devlin – Applicant Planner

Adele Evers – Applicant

Note: A statement from Rosalind Devlin was tabled to the panel and Adam Vincent at 12:50pm.

Note: Rosalind Devlin spoke to their evidence at 12:50pm.

Note: The Panel directed questions to the applicant's Planner at 12:53pm.

Note: Adam Vincent spoke to their evidence at 1:15pm.

Note: The Panel directed questions to Adam Vincent at 1:22pm.

Note: Rosalind Devlin gave their right of reply at 1:30pm.

Note: Hearing closed at 1:34pm.

Note: Rosalind Devlin and Adele Evers left the meeting at 1:34pm.

26.1.4 RC250298 LAKESIDE CHRISTIAN CENTRE

A report to consider Subdivision Consent for a three lot subdivision and land use consent to establish building platforms in the rural resource area is attached.

Also circulated was the report of the Planning Officer in relation to the application.

Report of the Planning Officer has been read S Browne / M McPherson.

Hearing opened at 2:01pm.

In attendance:

Adam Vincent – Planning Officer

Jake Woodward – Applicants Planner

Alister Stuart and Bruce Wast – Applicant

Sheldon Barnett - Submitter

Note: Jake Woodward spoke to their evidence at 2:04pm.

Note: The Panel directed questions to the applicant's Planner at 2:21pm.

Note: Sheldon Barnett spoke to their submission at 2:32pm.

Note: The Panel directed questions to the submitter at 2:43pm.

Note: Adam Vincent spoke to their evidence at 2:46pm.

Note: The Panel directed questions to Adam Vincent at 2:55pm.

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Hearings Panel Meeting Minutes

10 February 2026

Note: Hearing adjourned at 3:00pm.

Note: Hearing re-opened at 3:06pm.

Note: Jake Woodward gave their right of reply at 3:06pm.

Note: The Panel directed questions to the applicant's Planner at 3:16pm.

Note: Hearing adjourned at 3:16pm.

Note: Jake Woodward, Alister Stuart, Bruce Wast and Sheldon Barnett left the meeting at 3:16pm.

THE PANEL IN CLOSED MEETING

RESOLVED that the public be excluded from the following parts of the proceedings of the meeting, namely items 24.12.3

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

	General subject of each matter to be considered.	Reason for passing this resolution in relation to each matter.	Ground(s) under section 48(1) for the passing of this resolution.
24.12.3	Application for Resource Consent – RC250198 and RC230111V2 – GZR Property Investment Limited, 3 Mead Avenue, Cromwell (2850406303)	Subdivision consent for a unit title in the medium density residential zone.	Section 48(1)(a)

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above (in brackets) with respect to each item.

NOTE:

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

“(4)Every recommendation to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof) -

“(a) Shall be available to any member of the public who is present.

and

Shall form part of the minutes of the local authority.”

RESOLVED that Chris Pearse-Smith (Planning Consultant) and Ann Rodgers (Panel Advisory) be permitted to remain during the closed session because of their knowledge that would be of assistance to the Panel in its deliberations.

	General subject of each matter to be considered.	Reason for passing this resolution in relation to each matter.	Ground(s) under section 48(1) for the passing of this resolution.
24.12.3	Application for Resource Consent – RC250193 – Roxburgh Motels Limited, 1 & 1A Liddle Street, Roxburgh (2847423102)	Subdivision consent and land use consent for a staged freehold and unit title subdivision in the low density residential zone.	Section 48(1)(a)

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above (in brackets) with respect to each item.

NOTE:

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

“(4)Every recommendation to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof) -

“(a) Shall be available to any member of the public who is present.

and

Shall form part of the minutes of the local authority.”

RESOLVED that Rebecca Kennedy-Perkins (Planning Consultant) and Ann Rodgers (Panel Advisory) be permitted to remain during the closed session because of their knowledge that would be of assistance to the Panel in its deliberations.

Hearings Panel Meeting Minutes

10 February 2026

	General subject of each matter to be considered.	Reason for passing this resolution in relation to each matter.	Ground(s) under section 48(1) for the passing of this resolution.
24.12.3	Application for Resource Consent – RC250145 – Adele Evers, 110 Richards Beach Road, Bannockburn (2842129403)	Subdivision consent for a three lot subdivision in the large lot residential zone	Section 48(1)(a)

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above (in brackets) with respect to each item.

NOTE:

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

“(4)Every recommendation to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof) -

“(a) Shall be available to any member of the public who is present.

and

Shall form part of the minutes of the local authority.”

RESOLVED that Adam Vincent (Planning Officer) and Ann Rodgers (Panel Advisory) be permitted to remain during the closed session because of their knowledge that would be of assistance to the Panel in its deliberations.

M McPherson / S Browne.

Hearings Panel Meeting Minutes

10 February 2026

	General subject of each matter to be considered.	Reason for passing this resolution in relation to each matter.	Ground(s) under section 48(1) for the passing of this resolution.
24.12.3	Application for Resource Consent – RC250298 – Lakeside Christian Centre, 60 Lowburn Valley Road, Lowburn (2842117303)	Subdivision consent for a three lot subdivision and land use consent to establish two residential building platforms in the rural resource area	Section 48(1)(a)

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above (in brackets) with respect to each item.

NOTE:

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

“(4)Every recommendation to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof) -

“(a) Shall be available to any member of the public who is present.

and

Shall form part of the minutes of the local authority.”

RESOLVED that Adam Vincent (Planning Officer) and Ann Rodgers (Panel Advisory) be permitted to remain during the closed session because of their knowledge that would be of assistance to the Panel in its deliberations.

The Meeting closed at 5:00pm.

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CHAIR / /

Hearings Panel Meeting Minutes

10 February 2026

ITEMS TO BE CONSIDERED WHILST THE PUBLIC IS EXCLUDED

- 25.6.2 Application for Resource Consent – RC250186 – GZR Property Investment Limited, 3 Mead Avenue, Cromwell (2850406303)

RESOLVED that pursuant to sections 104, 104B and 104D of the Resource Management Act 1991, the application be granted for the reasons appended hereto.

T Paterson / M McPherson

- 25.6.3 Application for Resource Consent – RC250193 – Roxburgh Motels Limited, 1 & 1A Liddle Street, Roxburgh (2847423102)

RESOLVED that pursuant to sections 104, 104B and 104D of the Resource Management Act 1991, the application be granted for the reasons appended hereto.

T Paterson / M McPherson

- 25.6.4 Application for Resource Consent – RC250145 – Adele Eyers, 110 Richards Beach Road, Bannockburn (2842129403)

RESOLVED that pursuant to sections 104, 104B and 104D of the Resource Management Act 1991, the application be granted for the reasons appended hereto.

T Paterson / M McPherson

- 25.6.5 Application for Resource Consent – RC250298 – Lakeside Christian Centre, 60 Lowburn Valley Road, Lowburn (2842117303)

RESOLVED that pursuant to sections 104, 104B and 104D of the Resource Management Act 1991, the application be granted for the reasons appended hereto.

T Paterson / M McPherson

Hearings Panel Meeting Minutes

13 February 2026

**MINUTES OF CENTRAL OTAGO DISTRICT COUNCIL
HEARINGS PANEL MEETING
HELD IN NGĀ HAU E WHĀ, WILLIAM FRASER BUILDING, 1 DUNORLING STREET,
ALEXANDRA
ON FRIDAY, 13 FEBRUARY 2026 AT 9.30 AM**

PRESENT: Cr T Paterson (Chairperson), Cr M McPherson, Cr S Browne

IN ATTENDANCE: T Lines (Minute Secretary), J Dick (Minute Secretary)

1 APOLOGIES

N/A

2 REPORTS

26.2.1 RC250198 - THE A TRUST

A report to consider a land use consent to construct a dwelling in a medium density residential zone.

Also circulated was the report of the Planning Consultant in relation to the application.

Report of the Planning Consultant has been read M McPherson / S Browne

Hearing opened at 9.41am.

In attendance:

Tim Anderson – Planning Officer

Ross Edwards – Applicant

Note: Ross Edwards spoke to their evidence at 9.45am.

Note: The Panel directed questions to the applicant at 10.02am.

Note: Tim Anderson spoke to their evidence at 10.26am.

Note: The Panel directed questions to Tim Anderson at 10:33am.

Note: Ross Edwards gave their right of reply at 10.38am.

Note: Hearing adjourned at 10.44am.

Approved M McPherson / S Browne

Note: Hearing closed at 11.18am

Note: Ross Edwards left the meeting at 11.18am.

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Hearings Panel Meeting Minutes

13 February 2026

THE PANEL IN CLOSED MEETING

RESOLVED that the public be excluded from the following parts of the proceedings of the meeting, namely items 25.6.2

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

	General subject of each matter to be considered.	Reason for passing this resolution in relation to each matter.	Ground(s) under section 48(1) for the passing of this resolution.
25.6.2	Application for Resource Consent – RC250198 – The A Trust, 70 Nursery Road, Queensberry (2842107833)	An application for subdivision consent for a two lot subdivision and a change to consent notice at 70 Nursery Road, Queensberry	Section 48(1)(a)

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above (in brackets) with respect to each item.

NOTE:

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

“(4) Every recommendation to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof) -

“(a) *Shall be available to any member of the public who is present.*

and

Shall form part of the minutes of the local authority.”

RESOLVED that Tim Anderson (Planning Officer) be permitted to remain during the closed session because of their knowledge that would be of assistance to the Panel in its deliberations.

T Paterson / M McPherson

The Meeting closed at 11:45am.

Hearings Panel Meeting Minutes

13 February 2026

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CHAIR / /

ITEMS TO BE CONSIDERED WHILST THE PUBLIC IS EXCLUDED

25.6.2 Application for Resource Consent – RC250198 – The A Trust, 70 Nursery Road, Queensberry (2842107833)

RESOLVED that pursuant to sections 104, 104B and 104D of the Resource Management Act 1991, the application be granted for the reasons appended hereto.

T Paterson / M McPherson

Hearings Panel Meeting Minutes

10 March 2026

**MINUTES OF CENTRAL OTAGO DISTRICT COUNCIL
HEARINGS PANEL MEETING
HELD IN NGĀ HAU E WHĀ, WILLIAM FRASER BUILDING, 1 DUNORLING STREET,
ALEXANDRA
ON TUESDAY, 10 MARCH 2026 AT 9:30 AM**

PRESENT: Cr T Paterson (Chairperson), Cr M McPherson, Cr S Browne

IN ATTENDANCE: J Dick (Minute Secretary), Ann Rodgers (Panel Advisory)

1 APOLOGIES

N/A

2 REPORTS

26.3.1 RC250265 - GROVE FARM TRUSTEE LIMITED

A report to consider a subdivision consent for a boundary rearrangement in the rural resource area.

Also circulated was the report of the Planning Officer in relation to the application.

Report of the Planning Officer has been read M McPherson / S Browne

Hearing opened at 9:32am

In attendance:

Tim Anderson – Planning Officer

Maddy Albertson – Applicant’s Planning Consultant

Note: Maddy Albertson spoke to their evidence at 9:35am.

Note: The Panel directed questions to the applicant at 9:36am.

Note: Tim Anderson spoke to their evidence at 9:55am.

Note: The Panel directed questions to Tim Anderson at 10:01am.

Note: Maddy Albertson gave their right of reply at 10:06am.

Note: Hearing adjourned at 10:12am.

Note: Maddy Albertson left the meeting at 10:12am.

THE PANEL IN CLOSED MEETING

RESOLVED that the public be excluded from the following parts of the proceedings of the meeting, namely items 24.12.3

Page 1

Hearings Panel Meeting Minutes

10 March 2026

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

	General subject of each matter to be considered.	Reason for passing this resolution in relation to each matter.	Ground(s) under section 48(1) for the passing of this resolution.
24.12.3	Application for Resource Consent – RC250265 – Grove Farm Trustee Limited, Burn Cottage Road, Cromwell (2841115408)	An application for subdivision consent for a boundary rearrangement in the rural resource area	Section 48(1)(a)

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above (in brackets) with respect to each item.

NOTE:

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

“(4) Every recommendation to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof) -

“(a) *Shall be available to any member of the public who is present.*

and

Shall form part of the minutes of the local authority.”

RESOLVED that Tim Anderson (Planning Officer) and Ann Rodgers (Panel Advisory) be permitted to remain during the closed session because of their knowledge that would be of assistance to the Panel in its deliberations.

The Meeting closed at 11:22am.

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CHAIR / /

Hearings Panel Meeting Minutes

10 March 2026

ITEMS TO BE CONSIDERED WHILST THE PUBLIC IS EXCLUDED

24.12.1 Application for Resource Consent – RC250265 – Grove Farm Trustee Limited, Burn Cottage Road, Cromwell (2841115408)

RESOLVED that pursuant to sections 104, 104B and 104D of the Resource Management Act 1991, the application be granted for the reasons appended hereto.

T Paterson / M McPherson

Hearings Panel Meeting Minutes

21 April 2026

**MINUTES OF CENTRAL OTAGO DISTRICT COUNCIL
HEARINGS PANEL MEETING
HELD IN NGĀ HAU E WHĀ, WILLIAM FRASER BUILDING, 1 DUNORLING STREET,
ALEXANDRA
ON TUESDAY, 21 APRIL 2026 AT 9:30AM**

PRESENT: R Day-Cleavin (Chairperson), Cr T Paterson, Cr S Browne

IN ATTENDANCE: J Dick (Minute Secretary)

1 APOLOGIES

Recommendation

That the apology received from Cr M McPherson be accepted.

2 REPORTS

26.0.1 RC250326 - JOHN-PAUL VAN LEEUWEN

A report to consider a subdivision consent for a 3 lot subdivision non complying with district plan, in the rural resource area.

Also circulated was the report of the Planning Consultant in relation to the application.

Hearing opened at 9.29am.

In attendance:

Kim Banks – Planning Consultant

Maddy Albertson – Applicant Planner

Note: Maddy Albertson spoke to their evidence at 9.31am.

Note: Panel directed questions to Maddy Albertson at 9.32am.

Note: Kim Banks spoke to their evidence at 9.44am.

Note: Panel directed questions to Kim Banks at 9.49am.

Note: Hearing adjourned at 10.01am.

Note: Maddy Albertson left the meeting at 10.01am.

Page 1

Hearings Panel Meeting Minutes

21 April 2026

THE PANEL IN CLOSED MEETING

RESOLVED that the public be excluded from the following parts of the proceedings of the meeting, namely items 25.6.2

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

	General subject of each matter to be considered.	Reason for passing this resolution in relation to each matter.	Ground(s) under section 48(1) for the passing of this resolution.
25.6.2	Application for Resource Consent – RC250326 – John-Paul van Leeuwen, 408B Alexandra-Fruitlands Road (SH 8), Alexandra (2854204912)	An application for subdivision consent for a 3 lot subdivision non complying with district plan at 408B Alexandra-Fruitlands Road (SH 8), Alexandra	Section 48(1)(a)

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above (in brackets) with respect to each item.

NOTE:

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

“(4)Every recommendation to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof) -

“(a) Shall be available to any member of the public who is present.

and

Shall form part of the minutes of the local authority.”

RESOLVED that Kim Banks (Planning Consultant) be permitted to remain during the closed session because of their knowledge that would be of assistance to the Panel in its deliberations.

R Devlin / T Paterson

Page 2

26.0.2 RC250331 - ANDREW AND MARTINA KELLY

A report to consider a subdivision consent for a 6 lot residential subdivision in the low density residential zone.

Also circulated was the report of the Planning Officer in relation to the application.

 Hearing re-convened at 10.37am.

In attendance:

Rebecca Kennedy-Perkins – Planning Consultant

Conrad Anderson – Applicant Planner

Note: Conrad Anderson spoke to their evidence at 10.39am.

Note: Panel directed questions to Conrad Anderson at 10.42am.

Note: Rebecca Kennedy-Perkins spoke to their evidence at 10.57am.

Note: Panel directed questions to Rebecca Kennedy-Perkins at 11.05am.

Note: Hearing adjourned at 11.27am.

Note: Conrad Anderson left the meeting at 11.27am.

THE PANEL IN CLOSED MEETING

RESOLVED that the public be excluded from the following parts of the proceedings of the meeting, namely items 25.6.2

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

	General subject of each matter to be considered.	Reason for passing this resolution in relation to each matter.	Ground(s) under section 48(1) for the passing of this resolution.
25.6.2	Application for Resource Consent – RC250331 – Andrew and Martina Kelly, 23 Alpha Street and 7 Orient Street, Cromwell (2850570000)	An application for subdivision consent for a 6 lot residential subdivision at 23 Alpha Street and 7 Orient Street, Cromwell	Section 48(1)(a)

Hearings Panel Meeting Minutes

21 April 2026

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above (in brackets) with respect to each item.

NOTE:

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

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“(a) Shall be available to any member of the public who is present.

and

Shall form part of the minutes of the local authority.”

RESOLVED that Rebecca Kennedy-Perkins (Planning Officer) be permitted to remain during the closed session because of their knowledge that would be of assistance to the Panel in its deliberations.

R Devlin / T Paterson

The Meeting closed at 11.27am.

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CHAIR / /

ITEMS TO BE CONSIDERED WHILST THE PUBLIC IS EXCLUDED

25.6.2 Application for Resource Consent – RC250326 – John-Paul van Leeuwen, 408B Alexandra-Fruitlands Road (SH 8), Alexandra (2854204912)

RESOLVED that pursuant to sections 104, 104B and 104D of the Resource Management Act 1991, the application be granted for the reasons appended hereto.

T Paterson / S Browne

Page 4

Hearings Panel Meeting Minutes

21 April 2026

25.6.3 Application for Resource Consent – RC250331 – Andrew and Martina Kelly, 23 Alpha Street and 7 Orient Street, Cromwell (2850570000)

RESOLVED that pursuant to sections 104, 104B and 104D of the Resource Management Act 1991, the application be granted for the reasons appended hereto.

T Paterson / S Browne

26.6.2 RC260041 - MARK VAN LEEUWARDEN

Doc ID: 2816265

1. Purpose

A report to consider a two-lot subdivision, in a large lot residential (P1) zone.

2. Attachments

Appendix 1 - Section 42A Planners Report [↓](#)

Appendix 2 - Section 95 Notification Report [↓](#)

Appendix 3 - Application [↓](#)

CENTRAL OTAGO DISTRICT COUNCIL
REPORT OF PLANNING CONSULTANT

APPLICATION	RC 260041
APPLICANT	MARK VAN LEEUWARDEN
ADDRESS	5143 DANSEYS PASS ROAD, KYEBURN DIGGINGS
LEGAL DESCRIPTION	LOT 2 DP 585180 AND SEC 2 BLK IV NASEBY TN, (HELD IN RECORD OF TITLE 1102914).
ACTIVITY DESCRIPTION	SUBDIVISION FOR A TWO-LOT SUBDIVISION, IN A LARGE LOT RESIDENTIAL (P1) ZONE.
ACTIVITY STATUS	NON-COMPLYING

STATUS OF THIS REPORT

1. The attention of the applicants is drawn to the fact that the purpose of this report is to bring to the attention of the Hearings Panel all relevant factual information or issues which should be considered in deliberating on the proposal. It must be emphasised that any conclusions reached or recommendations made in this report are not binding on the Hearings Panel, and it should not be assumed that the Hearings Panel will reach the same conclusion or decision having considered all the evidence.

AUTHOR

2. My name is Emma Burford and I am a Planning Consultant at SLR Consulting. I hold an Honours Degree in Town and Country Planning from the University of Newcastle upon Tyne. I have over six years' experience in district and regional planning in New Zealand. I currently provide planning assistance to a Central Otago District Council (Council), and I also assist a number of private clients with planning work.
3. I have been contracted by Council to report on this application.
4. I confirm that I have read the Environment Court's Code of Conduct for Expert Witnesses 2023 and, while this is not an Environment Court hearing, I agree to comply with the code. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

BACKGROUND

5. Subdivision Consent RC200257 was granted to Mt Ida Developments Limited in 2020 and was then amended through RC200257V1 which created Lots 1, 8, and 2 presented in the layout below.

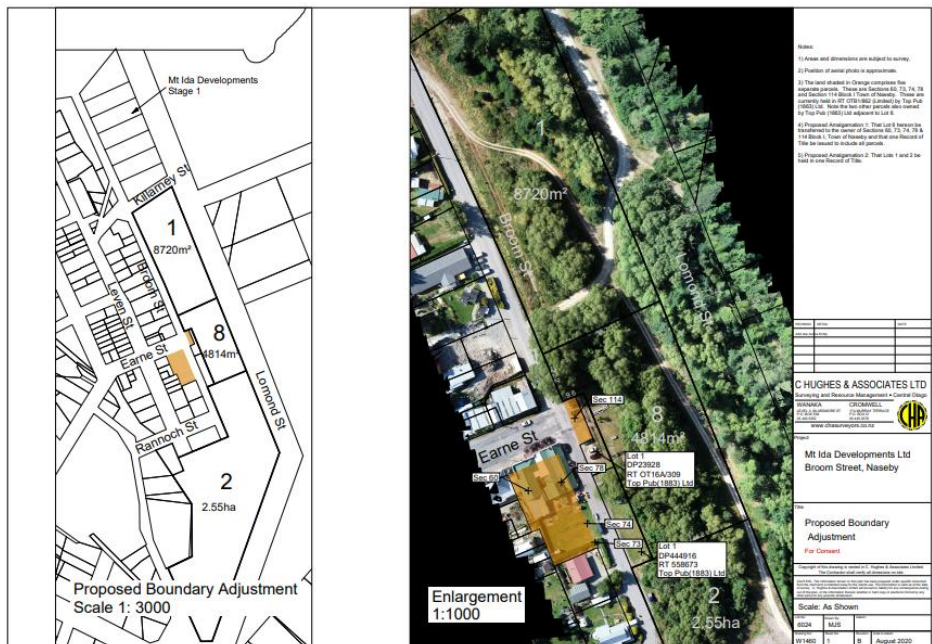


Figure 1: Subdivision layout RC200257V1

6. In 2022 Mt Ida Developments Limited was granted subdivision consent RC22083 for the boundary adjustment for Lot 2 DP 556329 contained in title RT 1011944 and Section 2 Blk IV Naseby Town contained in title RT OT44/192. The purpose of this subdivision was cited as being the owners of Section 2 Blk IV Naseby Town wanted to buy Lot 2 to construct a 3-4 bay garage for vehicle storage.
7. The subject site comprises proposed Lot 2 of RC200257V1.
8. The subdivision layout for RC22083 is presented below. Consent Notice 11931212.4 and 12729401.6 associated with RC220083 is as follows:

Lot 2 comprised in Record of Title 1011944

Conditions:

- a. At the time a residential accessory building for vehicle use is established on Lot 2 the vehicle access is to be established to the site from the legal road in accordance with Rule 12.7.1 and Figure 12.2 of the operative District Plan in effect on 1 March 2022.
- b. Any accessory building established on Lot 2 is only to be used in conjunction with a Residential Activity and is not to be used for a non-residential purpose.
- c. Any accessory building to be established on Lot 2 is to be coloured brown, green, grey blue, grey, terracotta, tussock, or dark red provided that the colour selected shall have a Reflectivity Value (RV) of less than 38%.

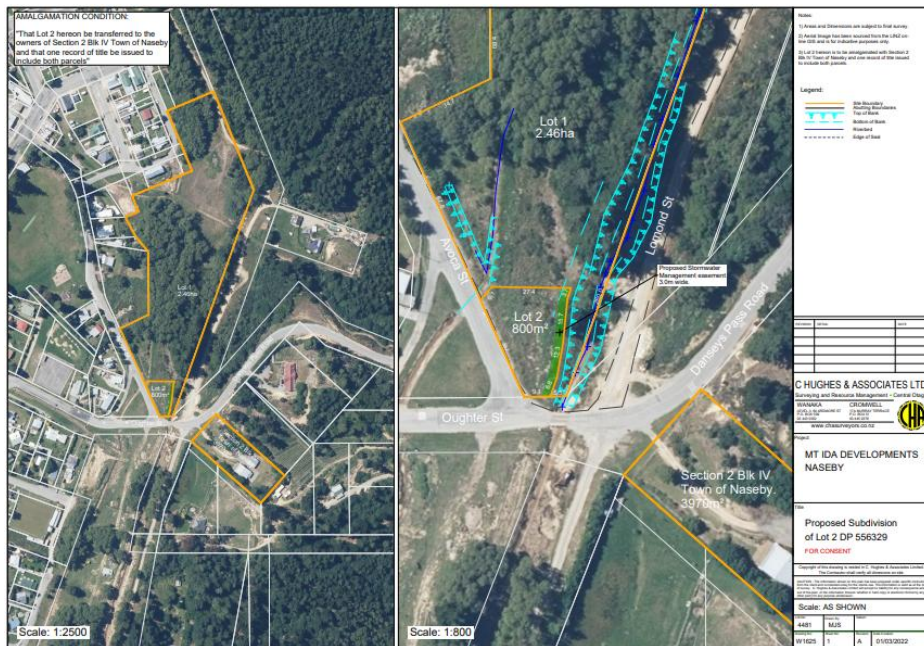


Figure 2: Subdivision layout RC220083

- The 5 bay shed on Lot 2 was granted building consent under BC240106 Plans extracted from BC240106 describe the building as a garage presented below show the inclusion of a bathroom/WC within the building. The location of the shed was granted a permitted boundary activity under PB230031 in 2023, being located 1m from the side yard breaching Rule 7.3.6(iii)(c)(ii) which requires a 3m side yard setback. The building complies with the requirements of Consent Notices 11931212.4 and 12729401.6.

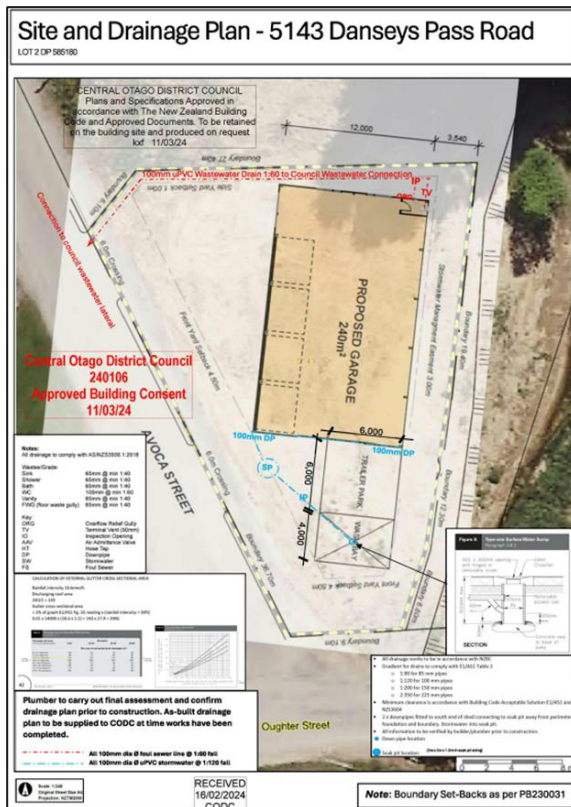


Figure 3: Site layout, Building Consent BC240106

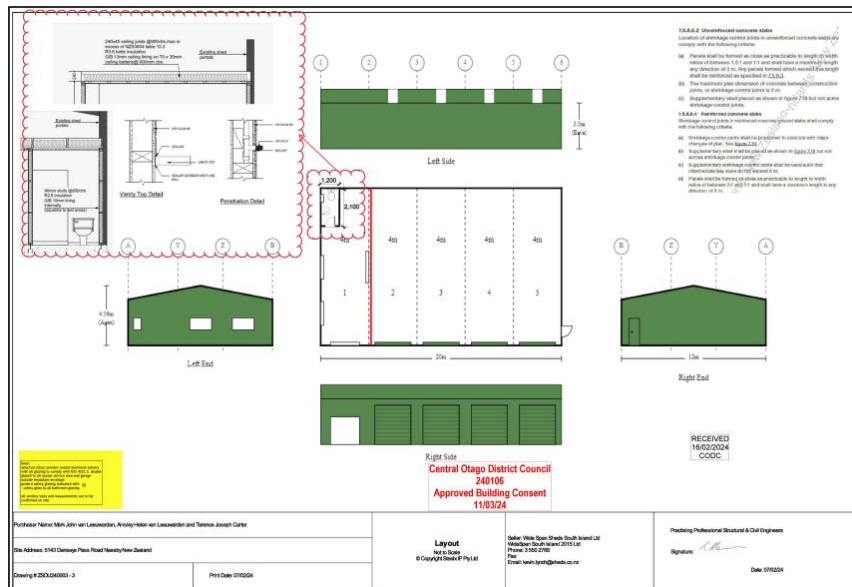


Figure 4: Shed plans Building Consent BC240106

10. Easement number 12729401.8 is in place over LOT 2 for access to the Hogburn River for stormwater management purposes.
11. The applicant now wishes to subdivide the lots such that the consented shed on Lot 2 sits within a separate title.

DESCRIPTION OF ACTIVITY

12. The site is 4867m² and contains two parcels of land which are physically separated from each other, being dissected by Danseys Pass Road. The application seeks to separate these parcels into their own respective records of title as follows:
 - Lot 1: (Parcel Lot 2 DP 585180) - 820m² which contains a large 5 bay shed, with living area identified on plans provided in the application.
 - Lot 2: (Parcel Sec 2 Blk IV Naseby Town) - 4047m² hectares which contains an established dwelling and garage.
13. Both Lots enjoy road frontage and both lots have existing vehicular access; Lot 1 accesses off Avoca Street near to the intersection with Oughter Street, Lot 2 accesses off Danseys Pass Road. Both Lots are serviced by means of being connected to municipal water supply and electricity connection. Lot 1 is connected to the municipal wastewater infrastructure; Lot 2 accommodates an onsite wastewater management system. The site layout is presented in Figure 5 below.

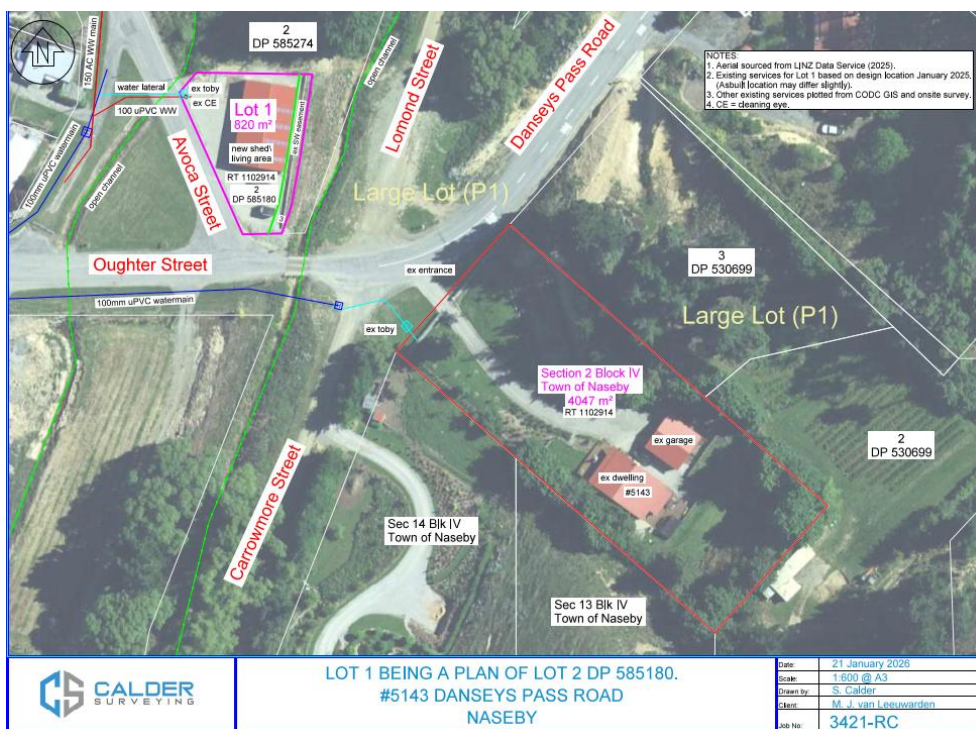


Figure 5: Subdivision Layout

14. It is clarified that the applicant wishes to use the existed shed and living area as a separate residential activity in the future. It is acknowledged that there is already one residential dwelling on the title on the opposing side of Danseys Pass Road. Where the

subdivision proceeds, then the applicant can use the new title for one residential activity as a permitted activity. In the scenario that the subdivision is not approved, then the applicant would be required to apply for land use consent for a second residential activity on the same record of title.

15. For the purposes, of this application, the proposal is for a two-lot subdivision to separate the site into two records of title only. This decision does not include any land use component.

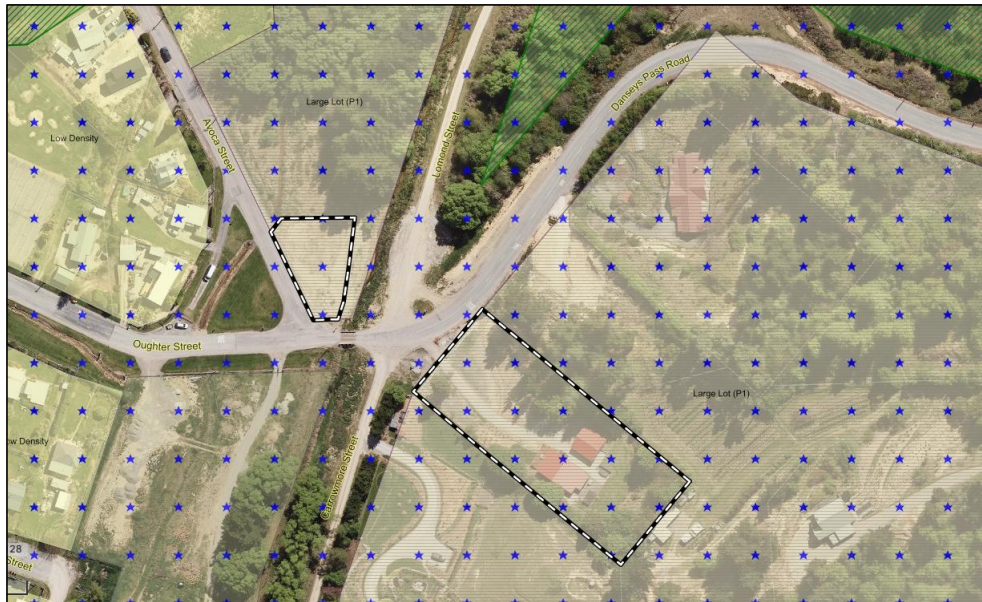
SITE DESCRIPTION

16. The subject site is well described in the application and is considered to accurately identify the key features of the site. The applicant's site description is adopted for the purposes of this report.
17. Lot 1 (Parcel Lot 2 DP 585180) contains a 5 bay 240m² shed, indicated on the plans included in the application as including a living area, vehicle access, and an existing stormwater easement running along the eastern boundary, comprising a strip of vegetation adjacent to the rocky bank and Hog Burn.
18. The plans approved under building consent BC240106 include a bathroom/WC within a large shed building. The purpose of the shed is for vehicle storage, and including amenities.
19. The site is bounded by Avoca Street to the west and Lomond Street to the west.
20. Lot 2 (Parcel Sec 2 Blk IV Naseby Town) contains an existing dwelling and ancillary garage building both located towards the rear of the section, with a formed access off Dansey's Pass Road and formed driveway through the site. Trees and vegetation are dotted along the northern and southern boundaries, with open grass areas across the front and mid sections of the site.

REASONS FOR APPLICATION

Central Otago District Plan

21. The subject site is located within the Large Lot Residential Zone Precinct 1 (LLRZ-P1) under Plan Change 19 of the Central Otago District Plan (the District Plan), presented in Figure 2 below. Standard SUB-S1 associated with the minimum size for any allotment within the LLRZ-P1 is under appeal. Prior to Plan Change 19, the zoning for this site was Residential Resource Area 3.
22. The site is located within the Dark Sky Precinct.



Large Lot Residential Zone (Plan Change 19)

23. Rule SUB-R6 requires subdivision in any residential zone where the activity complies with standards SUB-S1 is a restricted discretionary activity. The standards under SUB-S1 for Large Lot Residential Precinct 1 requires the minimum size of any allotment shall be on less than 1000m². The proposed subdivision creates one undersized allotment being Lot 1 at 820m², which does not meet standard SUB-S1, and the activity is considered **non-complying** pursuant to SUB-R6.

Residential Resource Area

24. Standard SUB-S1 is subject to appeal under Plan Change 19; the underlying zone prior to Plan Change 19 is Residential Resource Area (3). As Lot 1 is 820m² and the minimum allotment size in the Residential Resource (3) area is 1000m² the subdivision would be considered to a be a discretionary activity pursuant to Rule 7.3.4(i).
25. The PC19 appeal does not further seek Council to further reduce the minimum site size and therefore the minimum site size rule will not be further reduced as a result of the appeal. National Environmental Standards.
26. The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS) came into effect on 1 January 2012. The National Environmental Standard applies to any piece of land on which an activity or industry described in the current edition of the Hazardous Activities and Industries List (HAIL) is being undertaken, has been undertaken or is more likely than not to have been undertaken. Activities on HAIL sites may need to comply with permitted activity conditions specified in the National Environmental Standard and/or might require resource consent. I have undertaken a review of Council's property records and as part of the previous consent decisions there are no known activities that are listed that may have potentially resulted on contamination. The shed on the site has been used for storage of vehicles and a small living area or amenities area since it was first established. This usage is typical of an ancillary residential building. As such, the National Environmental Standard for

Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) is considered not applicable in this case.

27. There are no other National Environmental Standards relevant to this application.

Overall Status

28. The proposal is a non-complying activity.

WRITTEN APPROVALS

29. No written approvals were provided as part of this application.
30. A separate s95 notification decision was prepared which concluded that the effects on persons would be less than minor and recommended that the application be considered on a non-notified basis.
31. Overall, any effects on persons as part of the subdivision will be less than minor.

EFFECTS ON THE ENVIRONMENT

Permitted Baseline

32. Under sections 95D(b) and 104(2) of the Resource Management Act 1991, the Council may disregard an adverse effect of an activity on the environment may be disregarded if the plan permits an activity with that effect. That is, an application can be assessed by comparing it to the existing environment and development that could take place on the site as of right, without a resource consent, but excluding development that is fanciful.
33. There are no permitted subdivisions in the Central Otago District Plan. In this instance the proposed subdivision creates one allotment which does not meet the restricted discretionary threshold of 1000m². Standard SUB-S1 which requires the minimum allotment size to be 1000m², proposed Lot 1 is 820m² and this shortfall of 180m² pushes the activity into a non-complying status.
34. The underlying Residential Resource Area (3) and the minimum allotment size in is 1000m². As Lot 1 is 820m² the subdivision would be considered to be a discretionary activity pursuant to Rule 7.3.4(i).

Receiving Environment

35. The existing and reasonably foreseeable receiving environment is made up of:
- The existing environment and associated effects from lawfully established activities;
 - Effects from any consents on the subject site (not impacted by proposal) that are likely to be implemented;
 - The existing environment as modified by any resource consents granted and likely to be implemented; and
 - The environment as likely to be modified by activities permitted in the district plan.
36. For the subject site, the existing and reasonably foreseeable receiving environment comprises established residential dwelling and ancillary building on Lot 2, and an established 5 bay shed (with living area denoted on plans provided by the applicant) established on the undersized Lot 1. Both Lots are serviced by means of being connected to municipal water supply and wastewater infrastructure, and electricity connection.

37. For adjacent land, the existing and reasonably foreseeable receiving environment comprises established dwellings within the Large Lot and Low Density Residential Zones. The site is located on the edge of Naseby with Low Density Residential Zoned areas to the west of the site. Recreation Reserve designated under D120 is situated to the northeast of the Large Lot Residential Zone.
38. It is against these that the effects of the activity, beyond the permitted baseline, must be measured.

Assessment – Effects on the Environment

39. Consideration is required of the relevant assessment matters in the District Plan, along with the matters in any relevant national environmental standard. As a non-complying activity, Council is not restricted in its consideration of matters of assessment. However, the relevant matters of discretion for subdivision under SUB-R6 are considered as relevant. No regard has been given to any trade competition or any effects of trade competition.

Whether the subdivision creates allotments that can accommodate anticipated land uses and are consistent with the purpose, character, and qualities of the applicable zone.

40. Lots 1 and 2 are established developed sites, which are currently physically separated by Danseys Pass Road. Lot 2 accommodates residential activity; Lot 1 accommodates a shed described below. Upon subdivision, the site would enable a second residential activity (on Lot 1).
41. The existing 5 bay shed incorporating a living area is located towards the northern boundary of Lot 1, and has a footprint of 240m², being 30% of the site area. This calculation does not take account of Easement A stormwater easement which runs along the eastern boundary of the site. The large shed is established on the site with a landscaped eastern strip which entails the stormwater easement. The site frontage is a gravel yard, with vehicular access off Avoca Street. While the subdivision creates an undersized Lot 1 in accommodating a residential unit. The existing arrangement accommodates a shed which incorporates amenities. I consider that the proposed Lot 1 accommodates this building appropriately, it is already established on the site and the proposed change to title does not change the physical site bounds. This consent does not enable changes to the shed building, which currently comprises 4 roller doors on the western facade, and an amenity area with glass door on the 5th bay frontage, at the northern end of the western facade.
42. The proposed subdivision does not impact on the bulk location or density of buildings on the site, with each Lot being separated physically by Danseys Pass Road.
43. The existing dwelling and ancillary building on Lot 2 are located towards the rear, the east, of the site, with lawn and driveway to the front. The subdivision creates Lot 2 being 4047m² meeting the minimum site threshold of one residential unit per 1000m². The dwelling and ancillary building comprise ~340m² footprint, less than 10% of the net site area. Site standard requirements for Large Lot Residential Zone P1 under LLRZ-S4 include a maximum building coverage of 40% of the net area of the site.
44. The landscaping treatment within Lot 1 is simple encompassing a gravel yard in front of the shed and vegetated eastern strip with rocky bank down towards the open drain channel. The Lot does not support further amenity more usually associated with residential activity but is considered appropriate for a shed, and the proposed subdivision does not change the ability to further enhance landscaping provision in the future.

45. Lot 2 includes a grassed area, with vegetation and mature trees dotted along the northern and southern boundaries, and a long driveway in front of the dwelling and ancillary building. The existing amenity values are not impacted upon by the proposed subdivision; the physical boundaries of the site are unchanged.
46. The proposed subdivision does not change the potential effects on neighbouring properties. The existing buildings and site arrangement are retained on each Lot; the physical boundaries are unchanged. The provision of pedestrian movement and vehicular access is not impeded no access arrangements or demands are changed as a result of the subdivision.
47. Noise associated with residential activity on Lot 2 will not change as result of the proposal. The shed on Lot 1 incorporates a small living area. Noise associated with the shed on Lot 1 will not change a result of the proposed subdivision.
48. The shed on Lot 1 is not screened by any vegetation and is visually open to the street. It is acknowledged that there are amenities to provide a living area within the shed, however the function and the built form are not changed as result of this application. This consent does enable the building which includes a living area, to remain within an undersized site as a result of the proposed subdivision.

The provision of adequate network utility services (given the intended use of the subdivision) including the location, design and construction of these services

49. The proposed subdivision is considered appropriate and Lots 1 and 2 are considered suitable to be used for residential purpose for which the consent is intended.
50. Council's Land Development Engineer assessed the application and advised that no conditions are required in relation to water supply. They advised that both lots have individual connections to Council's reticulated water supply with 20mm connections to each lot. Both lots can be serviced by the existing hydrants located within Danseys Pass Road and Avoca Road in accordance with SNZ PAS 4509. They are satisfied no conditions regarding water supply are required.
51. Lot 1 is shown to have a connection to the council reticulated wastewater network within Avoca Road. Lot 2 is serviced with an existing onsite wastewater disposal system. Council's Land development Engineer recommends that prior to 224c the existing system within Lot 2 is demonstrated to comply with NZS 1547 and Council standards. I have included a condition to this effect.
52. Stormwater from roof run off from the shed building on Lot 1 is piped directly to the Hog Burn to the west. Stormwater is contained within Lot 2 and drains to ground. Council's Land Development Engineer advises that a consent notice be placed on each title requiring stormwater generated from buildings or impervious areas to be disposed of to-ground or suitably attenuated prior to discharge. I have included a condition for consent notice to this effect.
53. Power is connected to each Lot. Council's Land Development Engineer advises that a condition be placed requiring demonstrating connection of power and of telecommunications to each Lot. I have included a condition to this effect.
54. Overall, the engineer's advice is adopted for the purposes of this report and, subject to recommended conditions of consent, I have assessed that the lots are fit for the purpose for which they are intended.

The ability to lawfully dispose of wastewater and stormwater.

55. Both lots will retain their existing stormwater and wastewater management arrangements as discussed above. The subdivision does not include additional built development and no additional demand on services.

The location, design and construction of access to public [roads](#) and its adequacy for the intended use of the subdivision.

56. Lot 1 enjoys frontage onto and formal vehicular access off Avoca Street, with car parking provision considered adequate for the existing shed. No changes to the physical boundary of the site are proposed, or the demand for car parking. The safety and efficiency of the access and parking arrangements are not changed by and not impacted upon as a result of the subdivision.
57. Lot 2 retains the existing vehicle access off Danseys Pass Road, and adequate car parking provision on the site. No changes to the physical boundary of the site are proposed, the safety and efficiency of the access and parking arrangements are not changed and not impacted upon as a result of the subdivision.
58. The lots are accessed from Avoca Road and Danseys Pass Road respectively, utilising existing formed vehicle crossings. These will be required to meet Council roading requirements or upgraded as necessary prior to 224c certification; Council's Land Development Engineer recommends including a condition to require this. I have included a condition to this effect.
59. There are no changes to demand on the transport network as a result of the subdivision; both Lots are already developed and the activity is not changing as result of the proposal.
60. The engineer's recommendations are adopted for the purposes of this report and, subject to compliance with recommended conditions of consent. I consider that the access to serve the proposed lots is adequate and will not result in adverse effects on the transportation network.

Earthworks necessary to prepare the site for development occupation, and/or use.

61. No earthworks are proposed as part of the proposal. Existing buildings will be retained on each Lot.

Subdivisional design including the shape and arrangement of allotments to:

- i. facilitate convenient, safe, efficient and easy access.
 - ii. achieve energy efficiency, including access to passive solar energy sources.
 - iii. facilitate the safe and efficient operation and the economic provision of roading and [network utility](#) services to secure an appropriate and co-ordinated ultimate pattern of [development](#).
 - iv. maintain and enhance amenity values.
 - v. facilitate adequate access to back land.
 - vi. protect existing [water races](#).
62. The proposal is a simple two lot subdivision which reflects the physical bounds of either lot, being dissected by Dansey's Pass Road.
63. The existing vehicle crossings from Avoca Road and Danseys Pass Road to serve proposed Lots 1 and 2 will be retained.
64. Effects on amenity values are considered to be less than minor, with the existing buildings being retained on each lot.

65. No back land allotments are created.
66. Existing access to Hog Burn is maintained.
67. The proposal is considered logical given the physical bounds.
68. No hazards have been identified in the planning maps for this property. However, the site is downstream of a mapped floodwater dominated alluvial fan hazard area within the ORC Natural Hazard Portal. Lot 1 is adjacent to Hog Burn which carries flows down from this catchment. Council's Land Development Engineer recommends a condition requiring that prior to any future works on Lot 1, geotechnical investigations and fill certification shall be carried out under the guidance of suitably qualified and experienced geotechnical professional. This is to confirm that following the subdivision, that Lot 1 can safely accommodate a potential residential activity. I have included a condition to this effect.

The provision of or contribution to the open space and recreational needs of the community.

69. The proposal is a simple two lot subdivision which reflects the physical bounds of either lot, being dissected by Dansey's Pass Road. No community recreational needs are considered relevant in this instance.

The protection of important landscape features, including significant rock outcrops and escarpments.

70. No important landscape features, rock outcrops or escarpments are located within the site or impacted up by the proposal.

Provision for pedestrian and cyclist movement, including the provision of, or connection to, walkways and cycleways.

71. The proposed subdivision does not create new development, no new provision for pedestrian or cyclist movement is considered relevant. Both Lots retain their existing access arrangements.

a) *The provision of esplanade strips or reserves and/or access strips.*

72. No requirement for an esplanade reserve or strip has been identified. As discussed above, access to Hog Burn is retained.

Financial contributions

73. Development contributions and financial contributions will be required as part of the unit title subdivision process as per the fees outlined below. Appropriate conditions will be imposed at the decision stage to allow for this.

Financial contributions have been calculated as follows:

Activity	Development contribution (excluding GST)
Water	\$8,497
Wastewater	\$2,207
Transport	\$698
Community infrastructure	\$2,183
TOTAL	\$13,586

Amalgamations and easements

74. No amalgamations are proposed or required as part of this subdivision.
75. Stormwater easement A on Lot 1 will be transferred on to the title for Lot 1. Furthermore, I consider that it is appropriate to include a condition of consent which provides for any additional easements required for servicing or access will be confirmed at the time of survey.

Other matters pursuant to sections 106 and 220 of the Act

76. Subject to conditions of consent, there are no matters identified pursuant to section 106 of the Act which would prevent subdivision consent being granted. There are no other matters set out in section 220 of the Act which apply to this subdivision. Overall, the lots are considered to be suitable for the purpose for which they are created.

Positive effects

77. The proposed subdivision will create a more logical and cohesive arrangement than one title being split by a public road. The proposed Lots 1 and will 2 will reflect the established development and the existing physical parcels.

CONCLUSION – EFFECTS ON THE ENVIRONMENT

78. In accordance with section 104(1)(a) of the Resource Management Act 1991, the actual and potential adverse effects associated with the proposed activity have been assessed and outlined above. It is considered that the adverse effects on the environment arising from the proposal are less than minor and acceptable.

OFFSETTING OR COMPENSATION MATTERS

79. In accordance with section 104(1)(ab) of the Resource Management Act 1991, there are no offsetting or compensation measures proposed or agreed to by the applicant that need consideration.

OBJECTIVES AND POLICIES**Operative and Proposed Regional Policy Statements**

80. After taking into consideration the operative and proposed Regional Policy Statements for Otago, I consider that the policy direction given by the District Plan is certain and complete **as it relates to this application** and, as such, there is no need to revert to higher order planning instruments.

Central Otago District Plan

81. In accordance with section 104(1)(b) of the Resource Management Act 1991, the objectives and policies of the Central Otago District Plan were taken into account when assessing the application.
82. In summary, it is noted that the proposal will be consistent with the following objectives:

Section 07 - Residential Zones / Large Lot Residential Zone

- **LLRZ-O2 Character and Amenity Values of the Large Lot Residential Zone.** The Large Lot Residential Zone is a pleasant, low-density living environment, which:

1. contains predominantly low-rise and detached residential units on large lots;
 2. maintains a predominance of open space over built form;
 3. provides good quality on-site amenity and maintains the anticipated amenity values of adjacent sites
 4. is well-designed and well-connected into the surrounding area and;
 5. local landscape features that are identified in Policy LLRZ-P10 are protected
- **LLRZ-O3 Precincts 1, 2 & 3.** The density of development in the Large Lot Residential Precincts recognises and provides for maintenance of the amenity and character resulting from existing or anticipated development in these areas.
83. The proposed subdivision enables an undersized Lot 1 containing the existing shed. The development on Lot 1 is well established and is surrounded by open space on three boundaries, being Hog Burn to the east and Avoca Street to the west, Danseys Pass Road to the south. The surrounds comprise higher density Low Density Residential Zone properties to the west, and Large Lot Residential properties to the south. The predominance of open space is not jeopardised by the creation of the undersized Lot; existing development and physical site boundaries remain unchanged as a result of the proposed subdivision.
84. Proposed Lot 1 is considered appropriate to the character and amenity levels of the zone with the existing development on site.
- **LLRZ-P6 Precinct 1.** Provide for development within Precinct 1 at a density consistent with the existing character of the precinct.
85. The proposed subdivision is not inconsistent with the existing character of the precinct in this area. The building on undersized Lot 1 is established and is bounded by Hog Burn to the west, Avoca Street to the east and Danseys Pass Road to the south all which provide secured open space adjacent to the Lot.
86. Lot 2 containing the existing dwelling and ancillary building, mature vegetation and amenity space is consistent with the anticipated density and amenity provision for the zone.

Section 16 - Subdivision

- **16.3.1 Objective - Adverse Effects on the Rooding Network.** To ensure that subdivision avoids, remedies or mitigates adverse effects on the safe and efficient operation of the District's rooding network.
87. The proposed subdivision does not create changes in demand for traffic movements, or any adverse effect on the rooding network, with the current activity on each Lot being retained.
- **16.3.2 Objective -Services and Infrastructure.** To ensure that subdivisions provide all necessary services and infrastructure without adversely affecting the public interest and the ongoing viability of those services and infrastructure.
88. Lot 1 will continue to be serviced via existing power, water supply and wastewater connections. Lot 2 accommodates existing onsite wastewater management and will continue to utilise the existing water supply and power connections. No new infrastructure is required to service either Lot.
- **16.4.1 Policy - Adequate Access.** To require that all subdivisions have legal and physical access that:

- a. Is of a standard that is adequate for the intended use of allotments having regard to current and likely future traffic levels and the safe and convenient movement of vehicles and pedestrians, and
 - b. That integrates with the existing roading network in a safe and efficient manner,
89. The proposed subdivision does not increase traffic movements, with both Lots retaining existing development. Both Lots have existing formal vehicle access, off Danseys Pass Road and Avoca Street. The Council Land Development Engineer recommends including a condition to demonstrate compliance with requirements of Part 29 of Council's Roothing Policies January 2015. I have included a condition to this effect.
- **16.4.3 Policy - Adequate Infrastructure.** *To require that the land to be subdivided is supplied with services and infrastructure that are adequate for the intended use of the land to be subdivided without the public interest being adversely affected.*
90. Each Lot is serviced with water supply, power, Lot is connected to municipal wastewater reticulation, Lot 2 accommodates onsite wastewater management system. The provisions are considered to be adequate for the intended use.
91. The proposal is considered to be consistent with the relevant objectives and policies of the Central Otago District Plan.

Proposed Plan Change 19

92. The objectives and policies of PC19 are operative in relation to the site. It is noted that site is zoned Large Lot Residential Zone (LLRZ) subject to Precinct 1 under PC19.
93. The proposal will be consistent with LLRZ-01 to LLRZ-P6 which provide for promote the maintenance of the amenity and character resulting from existing or anticipated development. The proposal is for subdivision to create two lots retaining existing buildings currently within one title dissected by a physical road.
94. The proposal is considered to be consistent with the relevant objectives and policies of the Central Otago District Plan including Plan Change 19.

Objectives and Policies Conclusion

95. Overall, the proposal will be consistent with the objectives and policies of the Operation and Proposed Regional Policy Statements and the Central Otago District Plan including Plan Change 19.

Section 104D

96. Section 104D of the Resource Management Act 1991 specifies that resource consent for a non-complying activity must not be granted unless the proposal can meet at least one of two limbs. The limbs of section 104D require that the adverse effects on the environment will be no more than minor, or that the proposal will not be contrary to the objectives and policies of both the district plan.
97. The non-complying activity will not set a precedent for further undersized allotments in this zone. This is an existing site, split by a road so it is sensible for these to be held in separate titles, and this is not a common situation that would be repeated elsewhere.
98. It is considered that the proposal meets both limbs as any adverse effects arising from this proposed activity will be no more than minor, and the activity will not be contrary to the objectives and policies of the District Plan. Therefore, the Council can exercise its discretion under section 104D to grant consent.

Section 106

99. Under section 106A of the Resource Management Act a consent authority may refuse to grant a land use consent, or may grant the consent subject to conditions, if it considers that there is a significant risk from natural hazards. In this instance there are no new hazards presented by the proposal.
100. The National Policy Statement for Natural Hazards (NPS-NH) 2025 was issued in December 2025 to provide national direction for managing hazard risks in new resource consent decisions. It includes one objective and six policies. It requires subdivision, use or development to be assessed in terms of natural hazard risk, with reference to two Appendix 1: Tables 1 (likelihood table) and 2 (Consequence table).
101. The site is not located within any hazard layers under the District Plan.

Part 2

102. Based on the findings above, I consider that the proposal would satisfy Part 2 of the Resource Management Act 1991. Granting of consent would promote the sustainable management of District's natural and physical resources.

RECOMMENDATION

103. After having regard to the above planning assessment, I recommend that:
104. The Council grant consent to the proposed activity under delegated authority, in accordance with sections 104, 104B and 104D of the Resource Management Act 1991, subject to the conditions imposed under section 108 of the Act listed below.
105. A suite of conditions are attached below for the decision maker to consider.



Emma Burford
Planning Consultant

Date: 15 May 2026



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RECOMMENDED SUBDIVISION CONDITIONS:

General

1. The subdivision must be undertaken in general accordance with the approved plans attached to this certificate as Appendix One, and the information provided with the resource consent application received by the Council on 13 February 2026, except where modified by the following conditions.
2. Unless modified by other conditions, all designs and approvals are to be in accordance with the NZS 4404 based CODC land development and subdivision code of practice.
Note: Currently the two documents, NZS 4404:2004 and the July 2008 CODC Addendum form the NZS 4404 based CODC land development and subdivision code of practice.
3. Prior to commencement of any physical work the consent holder must apply for and receive council Engineering Acceptance (EA) via the CODC online portal at: CODC Home > Services > Planning > Land Development and Subdivision Engineering. This EA application must include:
 - Confirming who their representative is for the design and execution of the engineering work.
 - Provision of design reports, calculations, specifications, schedules, and drawings, as applicable.

Either a CODC letter of full Engineering Acceptance (EA) or a CODC exemption letter is required prior to 224c.
4. Producer Statements/Certificates where appropriate are to be submitted as per NZS 4404:2004 in the form of:
 - Schedule 1A,
 - Schedule 1B,
 - Standalone Schedule 1B for 3 waters work, and
 - Schedule 1C
5. As-built drawings are to be lodged with the Council in accordance with clause 1.5.10(b) of NZS 4404:2004 and must comply with Council's "Specifications for as-built drawing documentation version 3.1". The as-built drawings are to be provided in *.dxf or *12da, and in *.pdf file format. New Zealand Vertical Datum (NZVD2016) must be used.

Section 223

- a) *Prior to certification pursuant to Section 223 of the Resource Management Act 1991, any easements required to protect access or for access to services must be duly granted or reserved.*

Section 224(c)

6. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the subdivider must complete the following:

Wastewater

- a) the existing on-site wastewater disposal system serving the existing dwelling on Lot 2 must be inspected by a suitably qualified and experienced person to confirm that it is in good working order, has sufficient capacity for its intended use, and is fully contained within the boundaries of Lot 2 as proposed.
- b) The inspection report must describe the system's type, condition, capacity, and the location of all components (including disposal fields and reserve areas) in relation to proposed lot boundaries. If the system is found to be inadequate or not fully contained within Lot 2, it must be upgraded or relocated to achieve full compliance with AS/NZS 1547:2012.

Electricity and telecommunications

- c) An operational power connection must be provided underground to the boundaries of Lots 1 & 2.

Access

- d) The existing vehicle crossings from Avoca Road and Danseys Pass Road to serve proposed Lots 1 and 2 must be demonstrated to be in compliance with, or upgraded in accordance with the requirements of Part 29 of Council's Roading Policies January 2015.
7. Pursuant to Section 221 of the Resource Management Act 1991, consent notices must be prepared for registration on each of the certificates of title for Lots 1 and 2 hereon, for the following ongoing conditions:

Stormwater

- a) Stormwater from buildings and other impervious surfaces must be stored for beneficial reuse or disposed of by a soakage system (e.g. soak-pit or similar) or otherwise attenuated onsite prior to discharge, designed by a suitably qualified and experienced person in accordance with NZ Building Code Clause E1 (Surface Water). The system must be located entirely within the boundary of the titled property, and the property owner will be responsible for maintaining the system in good working order to prevent surface flooding and nuisance effects on neighbouring properties.

Telecommunications

- b) During development no hardwired telecommunication connection (wire or fibre optic) has been provided to the allotment. Any telecommunication reticulation that is subsequently installed shall be at the cost of the lot owner for time being and

protected with any necessary easements. The services shall be underground and in accordance with the telecommunication network provider's requirements.

ADVICE NOTES

Financial Contributions

1. All charges incurred by the Council relating to the administration, inspection and supervision of conditions of subdivision consent must be paid prior to Section 224(c) certification.
2. Development contributions for roading of \$13,586.00 (exclusive of goods and services tax) are payable for pursuant to the Council's Policy on Development and Financial Contributions contained in the Long Term Council Community Plan. Payment is due upon application under the Resource Management Act 1991 for certification pursuant to Section 224(c). The Council may withhold a certificate under Section 224(c) of the Resource Management Act 1991 if the required Development and Financial Contributions have not been paid, pursuant to section 208 of the Local Government Act 2002 and Section 15.5.1 of the Operative District Plan.

Flood risk and Geotechnical

- a) all works, geotechnical investigations and fill certification shall be carried out under the guidance of suitably qualified and experienced geotechnical professional. At the completion of onsite works the geo-professional shall incorporate the results of ground bearing test results for Lot 1 within the subdivision regardless of whether affected by development cut and fill earthworks and include the issue of a Geotechnical Completion Report and Schedule 2A certificate.
- b) The Schedule 2A certification shall include a statement under Clause 3(e) covering Section 106 of the Resource Management Act 1991. In the event the Schedule 2A includes limitations or remedial works against any lot(s) the Schedule 2A shall include a geotechnical summary table identifying requirements against each relevant lot in the subdivision for reference by future lot owners. Any remedial works outlined on the Schedule 2A that requires works across lot boundaries shall be undertaken by the consent holder prior to 224(c) certification being issued.

General

3. In addition to the conditions of a resource consent, the Resource Management Act 1991 establishes through sections 16 and 17 a duty for all persons to avoid unreasonable noise, and to avoid, remedy or mitigate any adverse effect created from an activity they undertake.
4. Resource consents are not personal property. The ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.
5. It is the responsibility of any party exercising this consent to comply with any conditions imposed on the resource consent prior to and during (as applicable) exercising the

resource consent. Failure to comply with the conditions may result in prosecution, the penalties for which are outlined in section 339 of the Resource Management Act 1991.

6. The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.
7. This is a resource consent. Please contact the Council's Building Services Department, about the building consent requirements for the work.

being the owners of Section 2 Blk IV Naseby Town wanted to buy Lot 2 to construct a 3-4 bay garage for vehicle storage.

The subdivision layout for RC22083 is presented below. Consent Notices 11931212.4 and 12729401.6 associated with RC220083 is as follows:

Lot 2 comprised in Record of Title 1011944

Conditions:

- a. *At the time a residential accessory building for vehicle use is established on Lot 2 the vehicle access is to be established to the site from the legal road in accordance with Rule 12.7.1 and Figure 12.2 of the operative District Plan in effect on 1 March 2022.*
- b. *Any accessory building established on Lot 2 is only to be used in conjunction with a Residential Activity and is not to be used for a non-residential purpose.*
- c. *Any accessory building to be established on Lot 2 is to be coloured brown, green, grey blue, grey, terracotta, tussock, or dark red provided that the colour selected shall have a Reflectivity Value (RV) of less than 38%.*

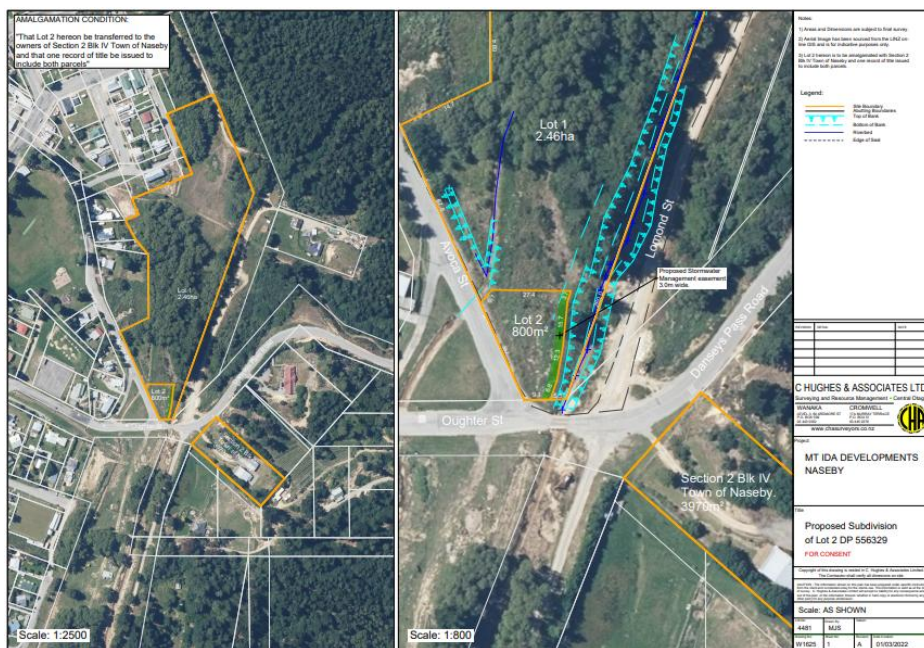


Figure 2: Subdivision layout RC220083

The 5 bay shed on Lot 2 was granted building consent under BC240106 Plans extracted from BC240106 describe the building as a garage presented below show the inclusion of a WC within the building. The location of the shed was granted a permitted boundary activity under PB230031 in 2023, being located 1m from the side yard breaching Rule 7.3.6(iii)(c)(ii) which requires a 3m side yard setback.

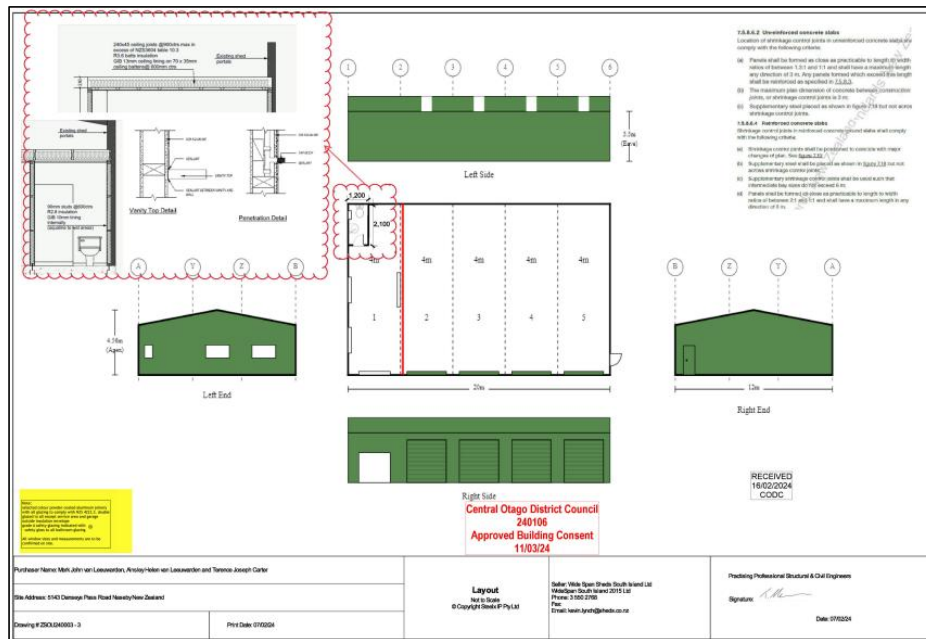


Figure 4: Shed plans Building Consent BC240106

An easement 12729401.8 is in place over LOT 2 for access to the Hogburn River for stormwater management purposes.

The applicant now wishes to subdivide the lots such that the consented shed on Lot 2 sits within a separate title.

DESCRIPTION OF ACTIVITY

The site is 4867m² and contains two parcels of land which are physically separated from each other, being dissected by Danseys Pass Road. The application seeks to separate these parcels into their own respective records of title as follows:

- Lot 1: (Parcel Lot 2 DP 585180) - 820m² which contains a large 5 bay shed, with living area identified on plans provided in the application.
- Lot 2: (Parcel Sec 2 Blk IV Naseby Town) - 4047m² hectares which contains an established dwelling and garage.

Both Lots enjoy road frontage and both lots have existing vehicular access; Lot 1 accesses off Avoca Street near to the intersection with Oughter Street, Lot 2 accesses off Danseys Pass Road. Both Lots are serviced by means of being connected to municipal water supply and electricity connection. Lot 1 is connected to the municipal wastewater infrastructure; Lot 2 accommodates an onsite wastewater management system. The site layout is presented in Figure 1 below.

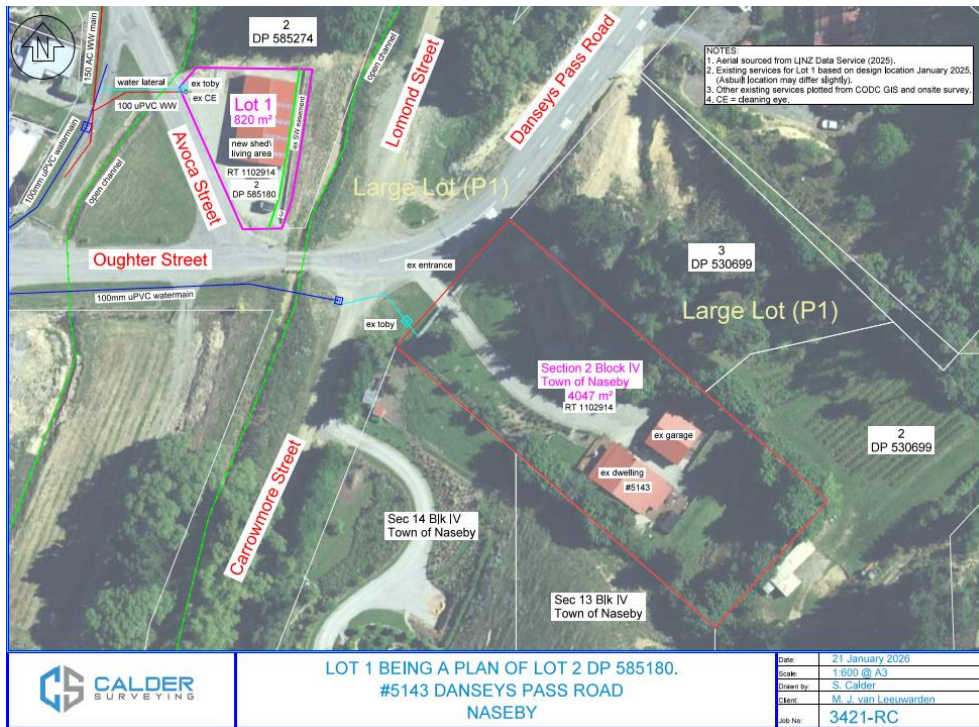


Figure 5:

SITE DESCRIPTION

The subject site is well described in the application and is considered to accurately identify the key features of the site. The applicant’s site description is adopted for the purposes of this report.

Lot 1 (Parcel Lot 2 DP 585180) contains a 5 bay 240m² shed, indicated on the plans included in the application as including a living area, vehicle access, and an existing stormwater easement running along the eastern boundary, comprising a strip of vegetation adjacent to the rocky bank and Hog Burn.

The plans approved under building consent BC240106 include a WC within a large shed building. The purpose of the shed is for vehicle storage, and including amenities.

The site is bounded by Avoca Street to the west and Lomond Street to the west.

Lot 2 (Parcel Sec 2 Blk IV Naseby Town) contains an existing dwelling and ancillary garage building both located towards the rear of the section, with a formed access off Dansey’s Pass Road and formed driveway through the site. Trees and vegetation are dotted along the northern and southern boundaries, with open grass areas across the front and mid sections of the site.

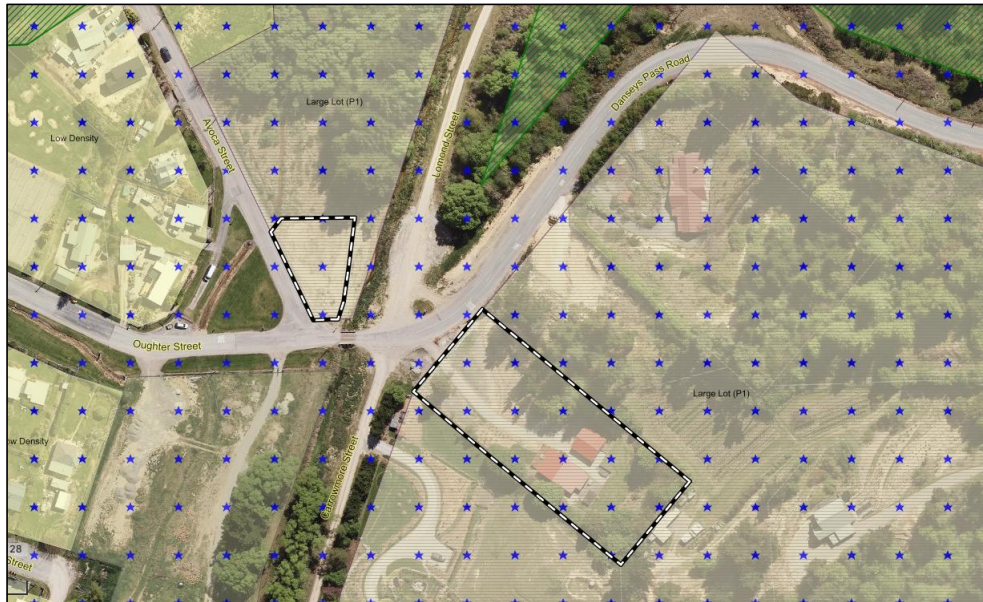
REASONS FOR APPLICATION

Central Otago District Plan

The subject site is located within the Large Lot Residential Zone Precinct 1 (LLRZ P1) under Plan Change 19 of the Central Otago District Plan (the District Plan), presented in Figure 2 below. Standard SUB S1 associated with the minimum size for any allotment within the LLRZ

P1 is under appeal. Previous to Plan Change 19, the zoning for this site was Residential Resource Area.

The site is located within the Dark Sky Precinct.



Large Lot Residential Zone

Rule SUB-R6 requires subdivision in any residential zone where the activity complies with standards SUB-S1 is a restricted discretionary activity. The standards under SUB-S1 for Large Lot Residential Precinct 1 requires the minimum size of any allotment shall be on less than 1000m². The proposed subdivision creates one undersized Lot being Lot 1 at 820m², which does not meet standard SUB-S1, and the activity is considered **non-complying** pursuant to SUB-R6.

Standard SUB S1 is subject to appeal under Plan Change 19; the underlying zone prior to Plan Change 19 is Rural Residential Area. Under the Rural Residential Area zoning the proposed subdivision would be restricted discretionary activity.

National Environmental Standards

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCSCS) came into effect on 1 January 2012. The National Environmental Standard applies to any piece of land on which an activity or industry described in the current edition of the Hazardous Activities and Industries List (HAIL) is being undertaken, has been undertaken or is more likely than not to have been undertaken. Activities on HAIL sites may need to comply with permitted activity conditions specified in the National Environmental Standard and/or might require resource consent. I have undertaken a review of Council's property records and as part of the previous consent decisions there are no known activities that are listed that may have potentially resulted on contamination. The shed on the site has been used for storage of vehicles and a small living area or amenities area since it was first established. This usage is typical of an ancillary residential building. As such, the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCSCS) is considered not applicable in this case.

There are no other National Environmental Standards relevant to this application.

Overall Status

The proposal is a non-complying activity.

SECTION 95A NOTIFICATION

Step 1 – Mandatory public notification

Public notification has not been requested. (s95A(3)(a)).

There has been no failure or refusal to provide further information or the commissioning of a report under section 92(2)(b) of the Act (s95A(3)(b)).

The application does not involve the exchange of recreation reserve land under section 15AA of the Reserves Act 1977 (s95A(3)(c)).

Step 2 – Public notification precluded

There are no rules or national environmental standards precluding public notification (s95A(5)(a)).

The proposal is not exclusively for controlled activities and/or boundary activities (s95A(5)(b)).

Step 3 – If not precluded by Step 2, public notification is required in certain circumstances

The application is not for a resource consent for one or more activities, where those activities are subject to a rule or national environmental standard that requires public notification (s95A(8)(a)).

A consent authority must publicly notify an application if it decides under s95D(8)(b) that the activity will have or is likely to have adverse effects on the environment that are more than minor (s95A(2)(a)). An assessment under s95D is therefore made below.

ASSESSMENT OF EFFECTS ON THE ENVIRONMENT (s95D)

MANDATORY EXCLUSIONS FROM ASSESSMENT (S95D)

- A: *Effects on the owners or occupiers of land on which the activity will occur and on adjacent land (s95D(a)).*
- B: *An adverse effect of the activity if a rule or national environmental standard permits an activity with that effect (s95D(b) (the permitted baseline, refer to section below)).*
- C: *In the case of a restricted discretionary activity, any adverse effect that does not relate to a matter for which a rule or national environmental standard has restricted discretion (s95D(c)).*
- D: *Trade competition and the effects of trade competition (s95D(d)).*
- E: *Adverse effects on any parties who have provided written approval must be disregarded (s95D(e)).*

PERMITTED BASELINE (S95D(B))

Under sections 95D(b) and 104(2) of the Resource Management Act 1991, the Council may disregard an adverse effect of an activity on the environment may be disregarded if the plan permits an activity with that effect. That is, an application can be assessed by comparing it to

the existing environment and development that could take place on the site as of right, without a resource consent, but excluding development that is fanciful.

There are no permitted subdivisions in the Central Otago District Plan. In this instance the proposed subdivision creates one allotment which does not meet the restricted discretionary threshold of 1000m². Standard SUB-S1 which requires the minimum allotment size to be 1000m², proposed Lot 1 is 820m² and this shortfall of 180m² pushes the activity into a non-complying status.

ASSESSMENT: EFFECTS ON THE ENVIRONMENT

The overall proposal has status as a non-complying activity. The consent authority is to have regard to any actual and potential effects on the environment of allowing the activity. As noted above, the site is located within the Large Lot Residential Precinct 1 under the PC19 where the relevant standard SUB S1 rule is subject to appeal. The underlying zone prior to Plan Change 19 is Rural Residential Area. Under the Rural Residential Area zoning the proposed subdivision would be restricted discretionary activity.

Consideration is required of the relevant assessment matters in the District Plan, along with the matters in any relevant national environmental standard. As a non-complying activity, Council is not restricted in its consideration of matters of assessment. However, the relevant matters of discretion for subdivision under SUB-R6 are considered as relevant. No regard has been given to any trade competition or any effects of trade competition.

Whether the subdivision creates allotments that can accommodate anticipated land uses and are consistent with the purpose, character, and qualities of the applicable zone.

Lots 1 and 2 are established developed sites, which are currently physically separated by Danseys Pass Road. Lot 2 accommodates residential activity; Lot 1 accommodates a shed described below. Upon subdivision, the site would enable a second residential activity (on Lot 1).

The existing 5 bay shed incorporating a living area is located towards the northern boundary of Lot 1, and has a footprint of 240m², being 30% of the site area. This calculation does not take account of Easement A stormwater easement which runs along the eastern boundary of the site. The large shed is established on the site with a landscaped eastern strip which entails the stormwater easement. The site frontage is a gravel yard, with vehicular access off Avoca Street. While the subdivision creates an undersized Lot 1 in accommodating a residential unit. The existing arrangement accommodates a shed which incorporates amenities. I consider that the proposed Lot 1 accommodates this building appropriately, it is already established on the site and the proposed change to title does not change the physical site bounds. This consent does not enable changes to the shed building, which currently comprises 4 roller doors on the western facade, and an amenity area with glass door on the 5th bay frontage, at the northern end of the western facade.

The proposed subdivision does not impact on the bulk location or density of buildings on the site, with each Lot being separated physically by Danseys Pass Road.

The existing dwelling and ancillary building on Lot 2 are located towards the rear, the east, of the site, with lawn and driveway to the front. The subdivision creates Lot 2 being 4047m² meeting the minimum site threshold of one residential unit per 1000m². The dwelling and ancillary building comprise ~340m² footprint, less than 10% of the net site area. Site standard requirements for Large Lot Residential Zone P1 under LLRZ-S4 include a maximum building coverage of 40% of the net area of the site.

The landscaping treatment within Lot 1 is simple encompassing a gravel yard in front of the shed and vegetated eastern strip with rocky bank down towards the open drain channel. The

Lot does not support further amenity more usually associated with residential activity but is considered appropriate for a shed, and the proposed subdivision does not change the ability to further enhance landscaping provision in the future.

Lot 2 includes a grassed area, with vegetation and mature trees dotted along the northern and southern boundaries, and a long driveway in front of the dwelling and ancillary building. The existing amenity values are not impacted upon by the proposed subdivision; the physical boundaries of the site are unchanged.

The proposed subdivision does not change the potential effects on neighbouring properties. The existing buildings and site arrangement are retained on each Lot; the physical boundaries are unchanged. The provision of pedestrian movement and vehicular access is not impeded no access arrangements or demands are changed as a result of the subdivision.

Noise associated with residential activity on Lot 2 will not change as result of the proposal. The shed on Lot 1 incorporates a small living area. Noise associated with the shed on Lot 1 will not change a result of the proposed subdivision.

The shed on Lot 1 is not screened by any vegetation and is visually open to the street. It is acknowledged that there are amenities to provide a living area within the shed, however the function and the built form are not changed as result of this application. This consent does enable the building which includes a living area, to remain within an undersized site as a result of the proposed subdivision.

The provision of adequate network utility services (given the intended use of the subdivision) including the location, design and construction of these services

The proposed subdivision is considered appropriate and Lots 1 and 2 are considered suitable to be used for residential purpose for which the consent is intended.

Council's Land Development Engineer assessed the application and advised that no conditions are required in relation to water supply. They advised that both lots have individual connections to Council's reticulated water supply with 20mm connections to each lot. Both lots can be serviced by the existing hydrants located within Danseys Pass Road and Avoca Road in accordance with SNZ PAS 4509. They are satisfied no conditions regarding water supply are required.

Lot 1 is shown to have a connection to the council reticulated wastewater network within Avoca Road. Lot 2 is serviced with an existing onsite wastewater disposal system. Council's Land development Engineer recommends that prior to 224c the existing system within Lot 2 is demonstrated to comply with NZS 1547 and Council standards. I have included a condition to this effect.

Stormwater from roof run off from the shed building on Lot 1 is piped directly to the Hog Burn to the west. Stormwater is contained within Lot 2 and drains to ground. Council's Land Development Engineer advises that a consent notice be placed on each title requiring stormwater generated from buildings or impervious areas to be disposed of to-ground or suitably attenuated prior to discharge. I have included a condition for consent notice to this effect.

Power is connected to each Lot. Council's Land Development Engineer advises that a condition be placed requiring demonstrating connection of power and of telecommunications to each Lot. I have included a condition to this effect.

Overall, the engineer's advice is adopted for the purposes of this report and, subject to recommended conditions of consent, I have assessed that the lots are fit for the purpose for which they are intended.

The ability to lawfully dispose of wastewater and stormwater.

Both lots will retain their existing stormwater and wastewater management arrangements as discussed above. The subdivision does not include additional built development and no additional demand on services.

The location, design and construction of access to public roads and its adequacy for the intended use of the subdivision.

Lot 1 enjoys frontage onto and formal vehicular access off Avoca Street, with car parking provision considered adequate for the existing shed. No changes to the physical boundary of the site are proposed, or the demand for car parking. The safety and efficiency of the access and parking arrangements are not changed by and not impacted upon as a result of the subdivision.

Lot 2 retains the existing vehicle access off Danseys Pass Road, and adequate car parking provision on the site. No changes to the physical boundary of the site are proposed, the safety and efficiency of the access and parking arrangements are not changed and not impacted upon as a result of the subdivision.

The lots are accessed from Avoca Road and Danseys Pass Road respectively, utilising existing formed vehicle crossings. These will be required to meet Council roading requirements or upgraded as necessary prior to 224c certification; Council's Land Development Engineer recommends including a condition to require this. I have included a condition to this effect.

There are no changes to demand on the transport network as a result of the subdivision; both Lots are already developed and the activity is not changing as result of the proposal.

The engineer's recommendations are adopted for the purposes of this report and, subject to compliance with recommended conditions of consent. I consider that the access to serve the proposed lots is adequate and will not result in adverse effects on the transportation network.

Earthworks necessary to prepare the site for development occupation, and/or use.

No earthworks are proposed as part of the proposal. Existing buildings will be retained on each Lot.

Subdivisional design including the shape and arrangement of allotments to:

- i. facilitate convenient, safe, efficient and easy access.*
- ii. achieve energy efficiency, including access to passive solar energy sources.*
- iii. facilitate the safe and efficient operation and the economic provision of roading and network utility services to secure an appropriate and co-ordinated ultimate pattern of development.*
- iv. maintain and enhance amenity values.*
- v. facilitate adequate access to back land.*
- vi. protect existing water races.*

The proposal is a simple two lot subdivision which reflects the physical bounds of either lot, being dissected by Dansey's Pass Road.

The existing vehicle crossings from Avoca Road and Danseys Pass Road to serve proposed Lots 1 and 2 will be retained.

Effects on amenity values are considered to be less than minor, with the existing buildings being retained on each lot.

No back land allotments are created.

Existing access to Hog Burn is maintained.

The proposal is considered logical given the physical bounds.

No hazards have been identified in the planning maps for this property. However, the site is downstream of a mapped floodwater dominated alluvial fan hazard area within the ORC Natural Hazard Portal. Lot 1 is adjacent to Hog Burn which carries flows down from this catchment. Council's Land Development Engineer recommends a condition requiring that prior to any future works on Lot 1, geotechnical investigations and fill certification shall be carried out under the guidance of suitably qualified and experienced geotechnical professional. This is to confirm that following the subdivision, that Lot 1 can safely accommodate a potential residential activity. I have included a condition to this effect.

The provision of or contribution to the open space and recreational needs of the community.

The proposal is a simple two lot subdivision which reflects the physical bounds of either lot, being dissected by Dansey's Pass Road. No community recreational needs are considered relevant in this instance.

The protection of important landscape features, including significant rock outcrops and escarpments.

No important landscape features, rock outcrops or escarpments are located within the site or impacted up by the proposal.

Provision for pedestrian and cyclist movement, including the provision of, or connection to, walkways and cycleways.

The proposed subdivision does not create new development, no new provision for pedestrian or cyclist movement is considered relevant. Both Lots retain their existing access arrangements.

The provision of esplanade strips or reserves and/or access strips.

No requirement for an esplanade reserve or strip has been identified. As discussed above, access to Hog Burn is retained.

Financial contributions

Development contributions and financial contributions will be required as part of the unit title subdivision process as per the fees outlined below. Appropriate conditions will be imposed at the decision stage to allow for this.

Financial contributions have been calculated as follows:

Activity	Development contribution (excluding GST)
Water	\$8,497
Wastewater	\$2,207
Transport	\$698
Community infrastructure	\$2,183
TOTAL	\$13,586

Amalgamations and easements

No amalgamations are proposed or required as part of this subdivision.

Stormwater easement A on Lot 1 will be transferred on to the title for Lot 1. Furthermore, I consider that it is appropriate to include a condition of consent which provides for any additional easements required for servicing or access will be confirmed at the time of survey.

Other matters pursuant to sections 106 and 220 of the Act

Subject to conditions of consent, there are no matters identified pursuant to section 106 of the Act which would prevent subdivision consent being granted. There are no other matters set out in section 220 of the Act which apply to this subdivision. Overall, the lots are considered to be suitable for the purpose for which they are created.

Positive effects

The proposed subdivision will create a more logical and cohesive arrangement than one title being split by a public road. The proposed Lots 1 and will 2 will reflect the established development and the existing physical parcels.

DECISION: EFFECTS ON THE ENVIRONMENT (S95A(2))

Overall, the proposed activity is not likely to have adverse effects on the wider environment that are more than minor. Therefore, public notification is not required under Step 3.

Step 4 – Public Notification in Special Circumstances

Public notification is required if the consent authority decides such special circumstances exist as to warrant the application being publicly notified (s95(9)(a)).

Current case law has defined ‘special circumstances’ as those “*outside the common run of things which is exceptional, abnormal or unusual, but they may be less than extraordinary or unique.*” The court has also found that special circumstances are deemed to apply where there is likely to be high public interest in the proposal [*Murray v Whakatane DC [(1997) NZRMA 433 (HC), Urban Auckland v Auckland Council [(2015) NZHC 1382, (2015) NZRMA 235]*].

There is nothing exceptional or unusual about the application that makes public notification desirable in this particular instance. As such, there are no special circumstances that warrant the application being publicly notified.

OVERALL DECISION - S95A NOTIFICATION

Pursuant to 95A(5)(b)(i), public notification is not required as identified in the assessment above.

EFFECTS ON PERSONS

Section 95B(1) requires a decision whether there are any affected persons (under s95E). The following steps set out in this section, in the order given, are used to determine whether to give limited notification of an application for a resource consent, if the application is not publicly notified under section 95A.

Step 1: certain affected groups and affected persons must be notified

Limited notification is not required under Step 1 as the proposal does not affect customary rights groups, customary marine title groups nor is it on, adjacent to or may affect land subject to a statutory acknowledgement.

Step 2: if not required by step 1, limited notification precluded in certain circumstances

Limited notification is not precluded under Step 2 as the proposal is not subject to a rule in the District Plan or is not subject to a NES that precludes notification.

Limited notification is not precluded under Step 2 as the proposal is not exclusively for a controlled land use activity.

Step 3: if not precluded by step 2, certain other affected persons must be notified

Limited notification is not required under Step 3 as the proposal is not a boundary activity where the owner of an infringed boundary has not provided their approval, and it is not a prescribed activity.

Limited notification is not required under Step 3 as the proposal falls into the 'any other activity' category and the effects of the proposal on persons are assessed below.

PERMITTED BASELINE (s95E(2)(a))

Under Section 95E(2)(a) of the RMA, an adverse effect of the activity on persons may be disregarded if the plan permits an activity with that effect.

There are no permitted subdivisions in the Central Otago District Plan. In this instance the proposed subdivision creates one allotment which does not meet the restricted discretionary threshold of 1000m². Standard SUB-S1 which requires the minimum allotment size to be 1000m², proposed Lot 1 is 820m² and this shortfall of 180m² pushes the activity into a non-complying status.

The underlying Residential Resource Area (3) and the minimum allotment size in is 1000m². As Lot 1 is 820m² the subdivision would be considered to be a discretionary activity pursuant to Rule 7.3.4(i).

ASSESSMENT: EFFECTS ON PERSONS

The proposed subdivision will not result in any material changes to the previous assessments undertaken already for effects on persons.

Overall, any effects on persons as part of the subdivision will be less than minor.

Step 4: Further limited notification in special circumstances

Special circumstances do not apply that require limited notification.

DECISION: EFFECTS ON PERSONS (s95B(1))

In terms of Section 95E of the RMA, no person is considered affected by this proposal.

OVERALL NOTIFICATION DETERMINATION

Given the decisions made under s95A and s95B, the application is able to be processed on a non-notified basis. It is noted that the determination, as to whether an application should be notified or not, is separate from the issues to be considered in making a decision on the

application itself.

Prepared by:



Emma Burford
Planning Consultant

Date: 13/05/2025

Approved under Delegated Authority by:



Tim Anderson
PLANNING MANAGER

Date: 14 May 2026

Application for a resource consent - Form 9

APP260226049



1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand

03 440 0056

Info@codc.govt.nz
www.codc.govt.nz



Date and Time Created 13/02/2026 03:42
Submitted to Council 13/02/2026 03:52

To cross reference Datacom with MAGIQ please click [Here](#) to add the Resource Consent number.

Property Details

Property Address 5143 Danseys Pass Road, Kyeburn Diggings
Valuation Number 2828008001
Record of Title Number 1102914
Legal Description(s) of the specific parcels that the resource consent application is for SEC 2 BLK IV NASEBY TN LOT 2 DP 585180

What is your role in this application? Agent acting on behalf of the applicant

Agent details

An agent acts on behalf of the applicant in the submission and processing of the application.

Organisation Calder Surveying Ltd
First name Peter
Last name Kloosterman
Phone number 0212851305
Email address peter@caldersurveying.co.nz
Note that the applicant will also receive a copy of all correspondence.
Postal address: 24 The Half Mile, Bridge Hill, Alexandra 9320
Confirm that you have approval to act on behalf of the applicant Yes

The applicant is the person(s) or organisation making the application.

Applicant details

Is this applicant an individual or an organisation? Individual
First name Mark
Last name van Leeuwarden
Phone number 021726000
Email address mark@wardenconsulting.com
Postal address: PO Box 4373, Shortland Street, Auckland 1140

Invoicing

Who is paying the invoice? Applicant

DETAILS

Activity or works proposed

Application type Subdivision consent
Short description of your proposal 2 lot subdivision

Provide a detailed description in the Assessment of Environmental Effects (AEE) or other document.

Assessment of Environmental Effects (AEE)

An application cannot be accepted for processing by the Council under Section 88 of the Resource Management Act 1991, without an Assessment of Environmental Effects (AEE).

Refer to the [guidelines for Assessment of Environmental Effects](#).

[Application.pdf](#) (841 kb)

Assessment of the activity

You may need to provide an assessment of the activity against the following provisions:

- The matters set out in [Schedule 4 of the Resource Management Act 1991](#).
- Any relevant objectives, policies, or rules in a document.
- Any relevant requirements, conditions, or permissions in any rules in a document.
- Any other relevant requirements in a document (e.g. in a national environmental standard or other regulation).

Please do not load the same document that you loaded for AEE above

Other activities

Other applications

Are you required to apply for any other resource consents for this project? No

Is this project related to a building consent? No

Pre-application information

Have you discussed this proposal with Council staff prior to this application? No prior discussion

Site visit requirements

Who is the site contact? Applicant

Affected party approvals

All affected property owners, including trustees where properties are held in a trust, must sign written approval forms AND a copy of your plans.

- If an affected party does not give approval to your proposal this may impact on the way that the application is processed.
- Council's duty planner can provide you with advice on which parties may be affected by your proposal.

[Download an affected party approval template form.](#)

Do you need affected party approval?

No

Reason

uncontentious 2 lot subdivision

National Environmental Standard – Contaminated Soil (NES-CS)

National Environmental Standard – Contaminated Soil - option selected

A review has been undertaken of District and Regional Council records and no records have been found suggesting an activity on the HAIL has taken place on the piece of land which is subject to this application. NOTE: depending on the scale and nature of your proposal you may be required to provide details of the records reviewed and the details found.

Fast-Track Processing

Under section 87AAC a controlled activity or deemed permitted boundary activity may be eligible for fast-track processing.

I opt out of the fast-track consent process

Please select one:

Public Notification

Please confirm whether you request public notification for this application.

No

If you choose "Yes" - Please note a "notified to formal hearing" deposit fee is payable. Please refer to Council's current Fees and Charges on our website.

LIST OF FILES

[Application.pdf](#) (841 kb)

[RC Plan.pdf](#) (234 kb)

[RT 1102914.pdf](#) (573 kb)



24 The Half Mile
P.O. Box 354
Alexandra 9340

Email: stuart@caldersurveying.co.nz

Ph. 03 448 8501
Mob. 027 449 2220

23 January 2026

Ref. 3421-1

The Planning Manager
Central Otago District Council
PO Box 122
ALEXANDRA

Dear Sir/Madam,

**Subdivision Application:
Sec 2 BLK IV NASEBY TN and LOT 2 DP 585180**

LOCATION: 5143 Danseys Pass Road, Kyeburn Diggings.

APPLICANT: Mark van Leeuwarden

Enclosed for the Councils consideration is an application for subdivision and land use resource consent.

THE PROPERTY

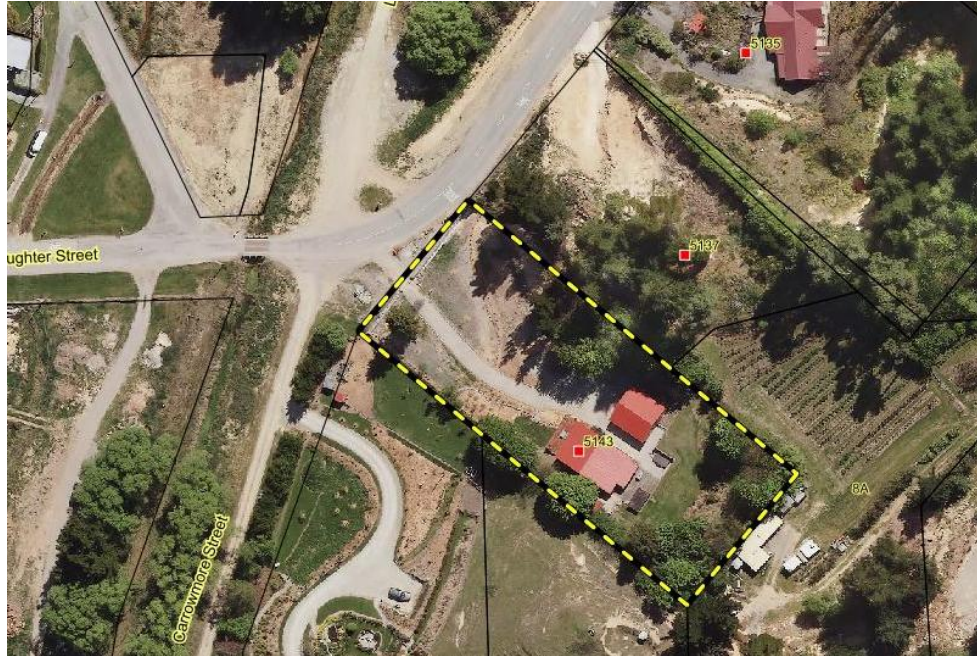
The land subject to the application is held in Record of Title 1102914, being 0.4867 hectares.

The title consists of two parcels, Sec 2 Blk IV Naseby TN and LOT 2 DP 585180, held together. The two parcels are physically separated by Danseys Pass Road.

The application site is located on the north and south side of Danseys Pass Road in Naseby. There is a dwelling located on Sec 2 Blk IV Naseby Town and a large shed on Lot 2 DP 585180.



Aerial View
Sec 2 BLK IV NASEBY TN



LOT 2 DP 585180





THE PROPOSAL

1/ Subdivision

The application is to subdivide Record of Title 1102914 into its two constituent parcels.

- Lot 1 will an area of 0.0820 hectares
- Lot 2 will have an area of 0.4047 hectares.

The purpose of the subdivision is to create two separate titles from the property. Access to both lots will remain unchanged.

One additional Record of Title will be created by the proposal.

DISTRICT PLAN, ZONING AND RULES

The property is zoned Large Lot Residential Precinct 1 in the Central Otago District Plan.

Section 07 - Residential Zones Subdivision Standards

Large Lot Residential Zone Precinct 1

9. The minimum size of any allotment shall be no less than 1000m².

Activity Status where compliance not achieved: Non complying

ASSESSMENT OF EFFECTS.

The efficient use and development of natural and physical resources

Section 7(b) of the RMA91 requires particular regard to the efficient use of physical resources. The proposed subdivision could have been configured so both allotments achieve the minimum lot size. This would have entailed subdivision and linking a portion of Lot 2 to the smaller Lot 1. However small areas of physically separated land is not an efficient use of the land resource – thereby failing the Section 7(b) discipline.

Natural Hazards

No natural hazards are identified on the property by the Otago Regional Council Natural Hazards Portal.

The subdivision will not exacerbate risk to life or property from Natural Hazards.

Heritage Sites

No heritage or archaeological sites are noted on the property in the Central Otago District Plan.



Sites of Significance to Kai Tahu ki Otago

Kā Huru Manu, The Ngāi Tahu Cultural Mapping Project does not list any sites or locations within the property.

Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna, Notable Trees

No Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna or Notable Trees are noted on the property in the Central Otago District Plan.

Reserves/ Public Land

The property does not contain or adjoin any public land or reserves apart from the Road Reserve.

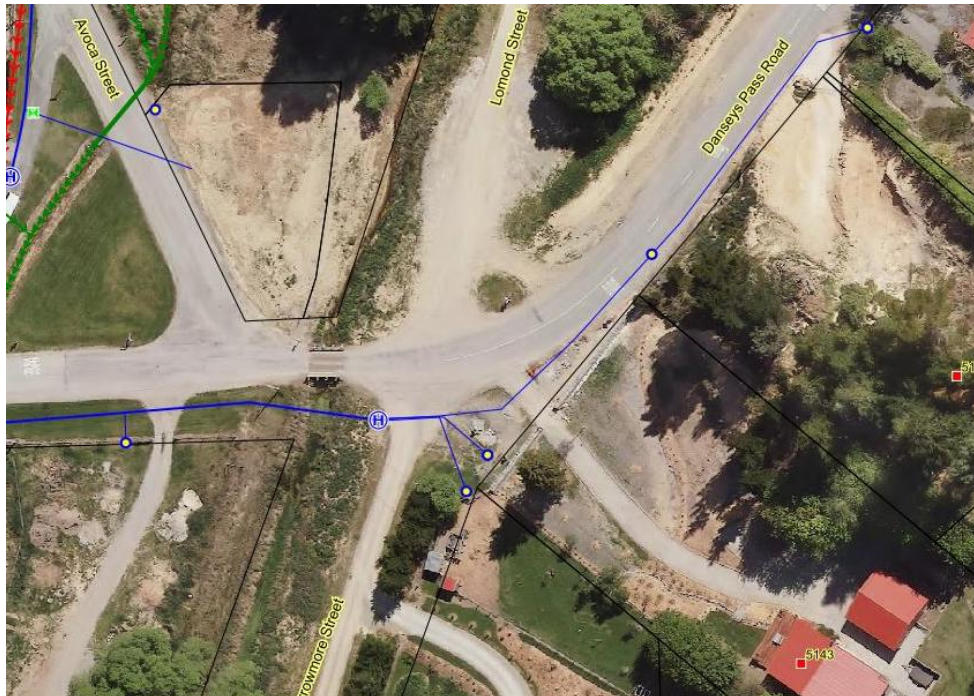
Utility Services

The dwelling on Lot 2 receives potable water from the Council supply. Effluent disposal is to an on-site effluent disposal system.

The shed on Lot 1 is connected to the Council services for potable water and wastewater disposal. A 100 mm uPVC wastewater lateral has been installed at the time the shed was constructed. The CODC GIS has not been updated to show the lateral. Development Contributions were paid at the time of building consent.

Electricity is connected to both the dwelling and the shed.

Council Services



4

**Access**

Both proposed allotments have legal formed access which will not change as a result of the proposed subdivision.

Open Space, Landscape, Natural Character and Amenity Values of the rural environment

The property is not defined as Significant Amenity or Outstanding Landscape. The visual effects of the proposed subdivision on Landscape and Amenity Values will be less than minor. There will be no physical changes occurring – fundamentally the subdivision simply separates the two parcels.

Easements

Any existing easements will be retained and transfer onto the resultant titles.

Other matters provided for in Sec 220 of the Resource Management Act 1991.

Nil.

CODC OBJECTIVES AND POLICIES**LLRZ-Objective 2 - Character and Amenity Values of the Large Lot Residential Zone**

The Large Lot Residential Zone is a pleasant, low-density living environment, which:

- 1. contains predominantly low-rise and detached residential units on large lots;*
- 2. maintains a predominance of open space over built form;*
- 3. provides good quality on-site amenity and maintains the anticipated amenity values of adjacent sites*
- 4. is well-designed and well-connected into the surrounding area and;*
- 5. local landscape features that are identified in Policy LLRZ-P10 are protected*

The proposed subdivision of the property will have less than minor effects on the open space, landscape, natural character, and amenity values in this area of Large Lot Residential land. The built structures are existing and so the on-site amenity and the amenity of adjoining properties will not change. Lot 2 DP 585180 is in a unique situation of being buffered from the Low Density Residential Zone by large areas of Road Reserve which cannot be developed, thereby providing an ameliorating effect on amenity values

Templar's Hill Amenity Protection Area at Bannockburn is the local landscape feature identified in Policy LLRZ-P10 and does not apply to this application.



LLRZ-Policy 6 - Precinct 1

Provide for development within Precinct 1 at a density consistent with the existing character of the precinct.

(This Policy is subject to appeal 2024-CHC-076)

NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH

6 Methods

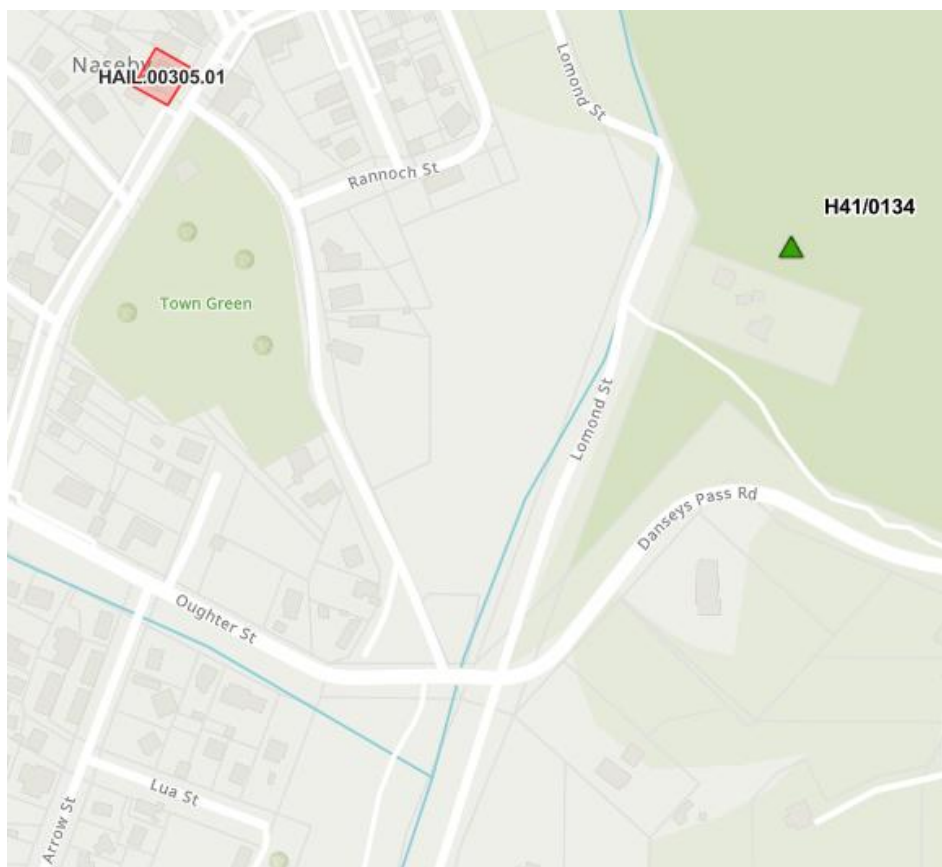
- (1) Subclauses (2) and (3) prescribe the only 2 methods that the person may use for establishing whether or not a piece of land is as described in [regulation 5\(7\)](#).
- (2) One method is by using information that is the most up-to-date information about the area where the piece of land is located that the territorial authority—
 - (a) holds on its dangerous goods files, property files, or resource consent database or relevant registers; **or**
 - **(b) has available to it from the regional council.**
- (3) The other method is by relying on the report of a preliminary site investigation—
 - (a) stating that an activity or industry described in the *HAIL* is, or is not, being undertaken on the piece of land; **or**
 - (b) stating that an activity or industry described in the *HAIL* has, or has not,



- been undertaken on the piece of land; or
- (c) stating the likelihood of an activity or industry described in the *HAIL* being undertaken, or having been undertaken, on the piece of land.

A review of the ORC Listed Land Use Register confirms the property is not a known HAIL site.

ORC Listed Land Use Register – Bores and No known HAIL Sites



**CONCLUSION**

The proposed subdivision separates two parcels of land held in the same title which are physically separated from each other. Both parcels of land have existing residential use buildings and the subdivision of these will have less than minor effects.

It will maintain an efficient and sustainable use of the land resource and is not in conflict with the Resource Management Act 1991, any NES or NPS or the objectives and policies of the Central Otago District Plan.

CONSENT PERIOD

The standard subdivision consent period of 5 years is requested.

.....

Yours faithfully

Peter Kloosterman
Consultant Planner
Calder Surveying Limited

Enclosed are:

- Record of Title
- A plan of subdivision.



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**




 R. W. Muir
 Registrar-General
 of Land

Identifier **1102914**

Land Registration District **Otago**

Date Issued 19 May 2023

Prior References

1011944 OT44/192

Estate Fee Simple

Area 4867 square metres more or less

Legal Description Lot 2 Deposited Plan 585180 and Section 2
Block IV Town of Naseby

Registered Owners

Mark John van Leeuwarden, Ainsley Helen van Leeuwarden and Terence Joseph Carter

Interests

Subject to Section 11 Crown Minerals Act 1991 (affects Lot 2 DP 585180)

Subject to Part IV A Conservation Act 1987 (affects Lot 2 DP 585180)

11931212.4 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 19.11.2020 at 10:21 am (affects Lot 2 DP 585180)

Subject to Section 241(2) Resource Management Act 1991 (affects DP 585180)

12729401.6 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 19.5.2023 at 10:49 am (affects Lot 2 DP 585180)

Subject to a stormwater management easement over part Lot 2 DP 585180 marked A on DP 585180 created by Easement Instrument 12729401.8 - 19.5.2023 at 10:49 am

The easements created by Easement Instrument 12729401.8 are subject to Section 243 (a) Resource Management Act 1991

Transaction ID 7885636
Client Reference 3421

Search Copy Dated 21/01/26 5:15 pm, Page 1 of 3
Register Only

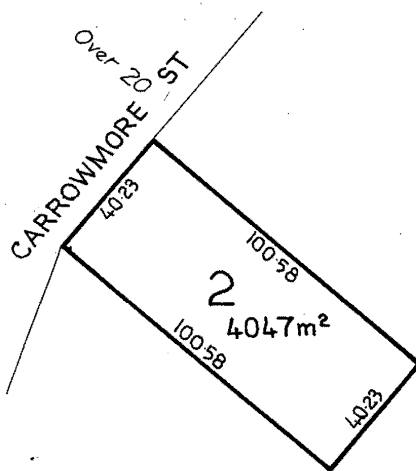
Identifier 1102914

Title Diagram Title diagram

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DwgID: 110291450



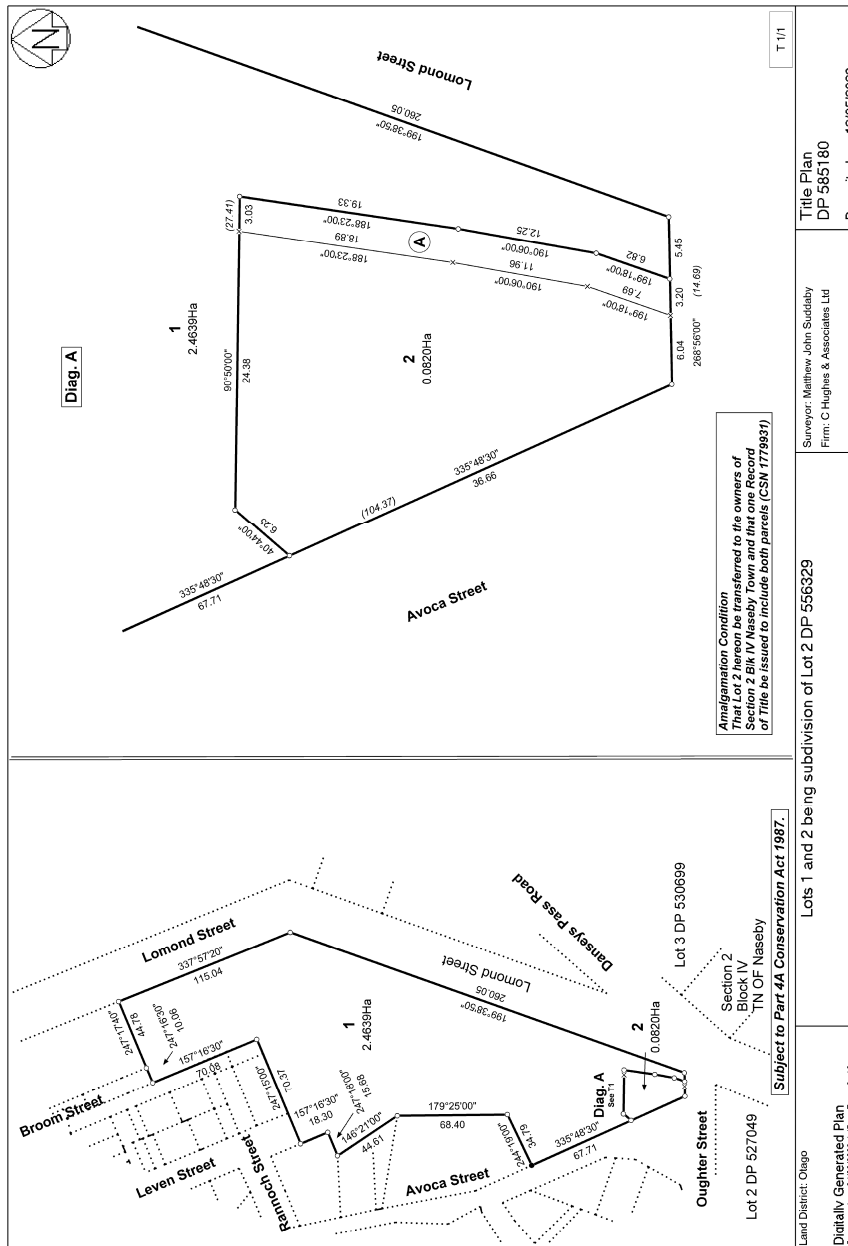
Measurements are Metric

SO 14617

Transaction ID 7885636
Client Reference 3421

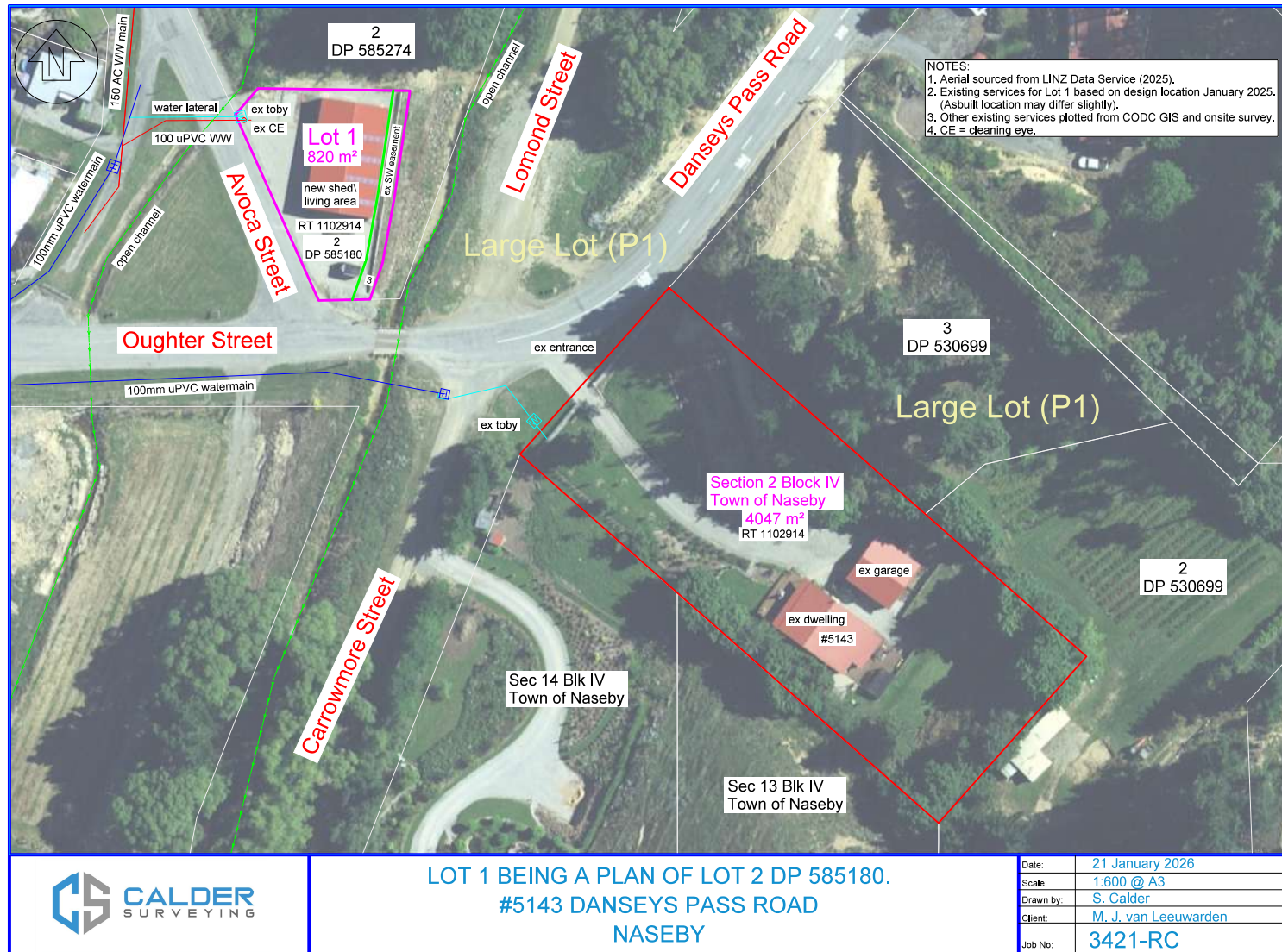
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Register Only

Identifier **1102914**



Transaction ID 7885636
Client Reference 3421

Search Copy Dated 21/01/26 5:15 pm, Page 3 of 3
Register Only



26.6.3 RC250373 - TANYA COPELAND

Doc ID: 2816288

1. Purpose

A report to consider a subdivision consent for a two-lot subdivision in a rural resource area.

2. Attachments

Appendix 1 - Section 42A Planners Report [↓](#)

Appendix 2 - Section 95 Notification Report [↓](#)

Appendix 3 - Application [↓](#)

Appendix 4 - The Taylor Family Affidavit [↓](#)

Appendix 5 - Development Contributions Assessment [↓](#)

Appendix 6 - Engineering Advice [↓](#)

APPLICATION	RC 250373
APPLICANT	TANYA AND PETER COPELAND
ADDRESS	218 CHAPMAN ROAD, EARNSCLEUGH
LEGAL DESCRIPTION	LOT 2 DP 300162(HELD IN RECORD OF TITLE 1589).
ACTIVITY DESCRIPTION	SUBDIVISION CONSENT FOR A TWO-LOT SUBDIVISION IN A RURAL RESOURCE AREA.
ACTIVITY STATUS	NON - COMPLYING

STATUS OF THIS REPORT

1. The attention of the applicants is drawn to the fact that the purpose of this report is to bring to the attention of the Hearings Panel all relevant factual information or issues which should be considered in deliberating on the proposal. It must be emphasised that any conclusions reached or recommendations made in this report are not binding on the Hearings Panel, and it should not be assumed that the Hearings Panel will reach the same conclusion or decision having considered all the evidence.

AUTHOR

2. My name is Kirstyn Jane Royce and I am the sole director and employee of Southern Planning Solutions Limited. I hold a Masters in Planning from the University of Otago. I am an accredited RMA commissioner (Chairs endorsement) and hold full NZPI membership. I have 20 years' experience in district and regional planning. I currently provide planning assistance to a number of southern Councils, including Central Otago District Council (Council), and I also assist a number of private clients with planning work.
3. I have been contracted by the Central Otago District Council to report on this application.
4. I confirm that I have read the Environment Court's Code of Conduct for Expert Witnesses 2023 and, while this is not an Environment Court hearing, I agree to comply with the code. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

DESCRIPTION OF ACTIVITY

5. Resource consent is sought to undertake a fee simple subdivision of the subject site into two allotments which are proposed to be configured as follows:
 - Lot 1 – 1.5ha containing the existing dwelling, rural outbuildings and pastoral grazing land.
 - Lot 2 – 2.1ha containing the existing apricot orchard, irrigation dam and irrigation pump shed.

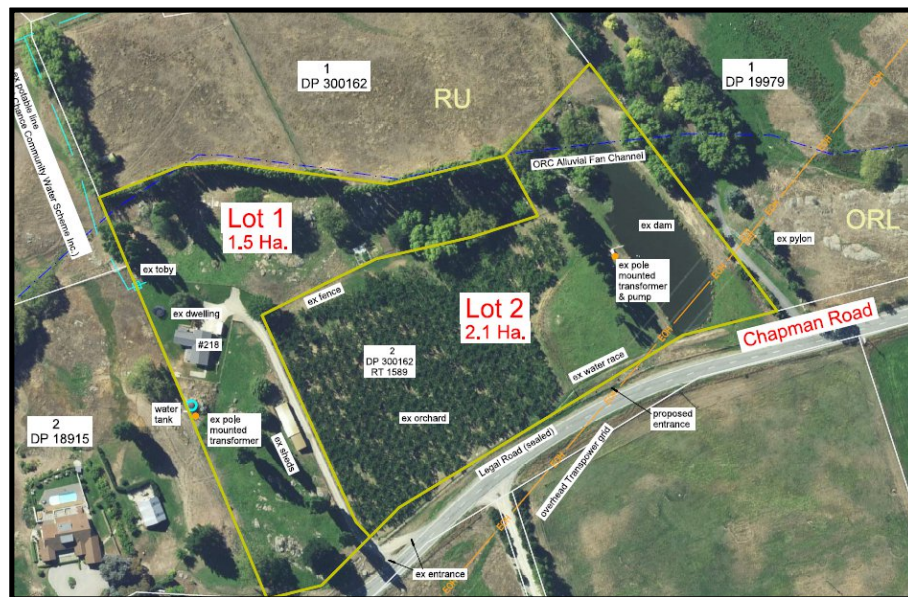


Figure 1: Proposed subdivision (Source: Application)

SITE DESCRIPTION

6. The subject site is legally described as Lot 2 DP 300162, held in record of title 1589, and comprising an area of 3.62ha. The subject site was created under subdivision consent RC980035 as an independent farming property, and later via a boundary adjustment subdivision consent RC001046.
7. The site contains an existing 1970's dwelling and a set of rural sheds/outbuildings located along the side of the driveway to the dwelling. The site contains an apricot orchard which contains approximately 400 trees, mostly of the Moorpark variety. The orchard was planted in the 1960's. The orchard has been leased to the Taylor Family of Dawsons Cherries since the early 1970's. The application is supported by an affidavit from the Taylor Family to this effect.
8. The orchard is irrigated via fixed grid overhead sprinklers, covering the entirety of the planted area of the orchard. These sprinklers are also used for frost fighting. Irrigation water is supplied from the Last Chance Irrigation Company, fed via an open water race located along the Chapman Road boundary of the site and stored in an irrigation dam on site. Access to the site is via a dual access point from Chapman Road, merging to a singular driveway.
9. The remainder of the property outside of the curtilage area is also fully irrigated and grazed, typically with beef cattle or sheep to maintain pasture growth.

REASONS FOR APPLICATION

Section 218 of the Resource Management Act 1991

10. The land is subject to a lease which has been in effect from in excess of 35 years and triggers section 218(1)(a)(iii) of the Resource Management Act 1991. However, no resource consent or other permit appears to have been issued, nor has any argument of existing use rights been put forward by the applicant. Therefore, the subdivision was potentially not (and is not) lawfully established and no rights can be derived from it.
11. It is noted that no lease agreement documents have been submitted but an affidavit, prepared by Trevor Dawson Taylor (leasee) dated 21 January 2026, confirms that the lease has been in effect since 1973 and includes the full extent of the orchard, the water race, irrigation pipe, overhead sprinklers and the submersible pump. It is noted that the affidavit has not been witnessed by a notary public.
12. Under the Central Otago District Plan, subdivision of any type requires subdivision consent. Accordingly, this application seeks to formalise the longstanding separation of land use on the property.

Central Otago District Plan

13. The subject site is located within the Rural Resource Area of the Central Otago District Plan (the District Plan). The site includes has a High Voltage Transmission Line (HVTL) notation. There are no other annotations for the site.
14. Rule 4.7.4(iii)(b) of the Central Otago District Plan states that where a subdivision will create lots with an average size of no less than 8 hectares (ha) and a minimum lot size of no less than 2ha within the Rural Resource Area, then, this is a discretionary activity. In this instance, both lots fall well below the 8ha average and only one lot will meet the 2ha minimum. As such, the application is assessed as a non-complying activity, in accordance with Rule 4.7.5(iii) of the Plan.
15. Rule 12.7.8v states that subdivision within 32m of the centreline of a high voltage transmission line is a restricted discretionary activity.
16. No new or additional residential activity or built form development is proposed.

National Environmental Standards

17. The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS) came into effect on 1 January 2012. The National Environmental Standard applies to any piece of land on which an activity or industry described in the current edition of the Hazardous Activities and Industries List (HAIL) is being undertaken, has been undertaken or is more likely than not to have been undertaken. Activities on HAIL sites may need to comply with permitted activity conditions specified in the National Environmental Standard and/or might require resource consent.

18. The domestic land use on the site will be unchanged and the remainder of the site is not changing from production land. As such, the NESCS is not triggered in accordance with Regulation 5(3).
19. There are no other National Environmental Standards relevant to this application.

Overall Status

20. Where an activity requires resource consent under more than one rule, and the effects of the activity are inextricably linked, the general principle from case law is that the different components should be bundled and the most restrictive activity classification applied to the whole proposal.
21. In this case, there is more than one rule involved, and the effects are linked. As such, I consider it appropriate that the bundling principle established in *Locke v Avon Motor Lodge* (1973) is applied, and that the application be considered, in the round, as a non-complying activity pursuant to sections 104, 104B and 104D of the Resource Management Act 1991 ('the Act').

AFFECTED PERSONS AND NOTIFICATION

22. The written approval of the person(s) detailed in the table below has been obtained. In accordance with sections 95D(e) and 104(3)(a)(ii) of the Resource Management Act 1991, the Council cannot have regard to the effects of the activity on this person/these persons.
23. It is noted that the written approval of Duncan and Linda Ryder is conditional in that they seek that no new water storage tanks be visible from their property at 234 Chapman Road. It is assumed that, by including this written approval, the applicant agrees to this condition.

Table 1: Affected Party Approvals

Person	Address	Obtained
Warwick Ball and Katherine Ball	221 Chapman Road	18 December 2025
Anna Robinson	185 Chapman Road	4 December 2025
Robyn Johnston*	196 Chapman Road and Lot 1 DP 300162	10 December 2025
Dexter Nind and Sharyn Nind	196 Chapman Road	30 November 2025
Duncan Ryder and Linda Ryder	234 Chapman Road	7 December 2025
Sophie Maxwell and Cameron Maxwell	18 McGregor Road	10 December 2025

* Robyn Jonston is the sole director of Golden Farms Limited who is the owner of the property directly to the north of the subject site (Lot 1 DP 300162).



Figure 2: Affected party approvals marked with red stars

24. A separate notification decision was made on 15 May to process the application on a non-notified basis.

EFFECTS ON THE ENVIRONMENT

Permitted Baseline

25. Under sections 95D(b) and 104(2) of the Resource Management Act 1991, the Council may disregard an adverse effect of an activity on the environment may be disregarded if the plan permits an activity with that effect. That is, an application can be assessed by comparing it to the existing environment and development that could take place on the site as of right, without a resource consent, but excluding development that is fanciful.
26. There are no permitted subdivisions in the Central Otago District Plan. There is no permitted baseline to be applied. That said, s218(1)(a)(iii) of the Act states that a lease of part of the allotment which, including renewals, is or could be for a term of more than 35 years is deemed to be a subdivision of land.

Receiving Environment

27. The existing and reasonably foreseeable receiving environment is made up of:

- The existing environment and associated effects from lawfully established activities;
 - Effects from any consents on the subject site (not impacted by proposal) that are likely to be implemented;
 - The existing environment as modified by any resource consents granted and likely to be implemented; and
 - The environment as likely to be modified by activities permitted in the district plan.
28. For the subject site, the existing and reasonably foreseeable receiving environment comprises a residential dwelling, orchard and orchard infrastructure. The southeast corner of the site is traversed by HVTL. vacant site with a flat topography. The allotments were created for vehicle activities with ancillary residential activity, which aligns with the preceding consents and consent notice conditions.
29. For adjacent land, the existing and reasonably foreseeable receiving environment comprises development is varied along Chapman Road, with allotments predominantly created under a historical development pattern which favoured lifestyle type properties. There appears to be a relatively high concentration of smaller allotments (<4ha allotments) flanking Chapman Road, and larger lifestyle type allotments extending up the sides of the valley. Several of the properties support two dwellings, and one lifestyle property contains a consented retail activity. Land use is varied, but most allotments contain a form of productive land use.

Assessment of Effects

30. Consideration is required of the relevant assessment matters in the District Plan, along with the matters in any relevant national environmental standard. No regard has been given to any trade competition or any effects of trade competition.

The effects of the subdivision and future development

31. This application seeks to formalise the longstanding separation of land use on the property. The lease has been in effect since 1973 and includes the full extent of the orchard, the water race, irrigation pipe, overhead sprinklers and the submersible pump (see Figure 2).



Figure 3: Leased area (Source: Affidavit of Trevor Dawson Taylor)

32. The proposed boundary lines will follow the existing leased area and separate the orchard from the existing residential activity. The subdivision will not introduce new built form to the area or result in a change of land practices. While the creation of a separate lot could potentially lead to an opportunity for residential activity should the orchard be disestablished, this is not the intent of this application. Furthermore, any residential activity intended for Lot 2 would need to go through a separate resource consent process before this could occur.
33. In terms of development patterns, there will be a change in tenure but no obvious change to the land use, except for the establishment a new access. As noted by the applicant, the density of development is varied along Chapman Road. There appears to be a relatively high concentration of smaller allotments (<4ha allotments) in the immediate area, with larger lifestyle type allotments extending up the sides of the valley. The largest allotment on Chapman Road is 40.3ha, and the smallest being 0.4ha. Several of the properties support two dwellings, and one lifestyle property contains a consented retail activity. The subject site contains the only remaining commercial orchard in the valley. I consider that the proposed subdivision, with the retention of the existing land use, will generally be compatible with the receiving environment.
34. The site is not located within a landscape overlay and no change of land use is proposed. No adverse effects on landscape have been identified. Furthermore, there are no reserves or public conservation land, heritage sites, notable trees or areas of significant indigenous vegetation, or named water bodies which will be affected by the proposal.
35. Overall, the subdivision is the formalisation of a historic lease situation and, as such, the effects of the subdivision are considered to be acceptable and no more than minor.

Sustainable use of productive land and soil resource and reverse sensitivity effects

36. The site is classified as having Land Use Capability (LUC) 6 and 7 which is deemed to be of low productive value ([Land Use Capability » Maps » Our Environment](#)). Despite the poor soil quality, the site has access to irrigation water and contains a productive apricot orchard. The subdivision will follow the existing lease boundary.



Figure 4: Subject site showing dwelling and orchard (Source: [Public > Property](#)).

37. In terms of reverse sensitivity, no new residential activity is proposed. The applicant will reside in the dwelling in Lot 1 and all reverse sensitivity effects on the applicant have been disregarded. The orchard is a long-standing land use and should the applicant on-sell the house, the proximity to the orchard is obvious. A consent notice condition is recommended for Lot 1 to alert land owners and occupiers to the orchard activity and other rural activities.
38. Given that there is no change to the productive land use and no new sensitive activities proposed, no new adverse effects or reverse sensitivity effects are anticipated.

The adequacy of the allotment

39. The application confirms that the existing dwelling has a 1,500L / day allocation from the Last Chance Community Water Scheme. The domestic water supply will be retained for proposed Lot 1. The scheme is subject to the Water Services Act 2021 and is a “drinking water supplier” under the Act and associated regulations administered by the National Water Services Regulator (Taumata Arowai).
40. Appropriate fire fighting storage will need to be installed for the existing dwelling on Lot 1 and a condition of consent is recommended to this effect. As noted previously, the

Ryder's have requested that any storage tanks be positioned such that these are no visible from their property at 234 Chapman Road.

41. No domestic water supply is proposed for Lot 2 as residential activity (including worker accommodation) is neither proposed nor facilitated by this subdivision. For completeness, it is noted that an additional potable water share is available for purchase from the Last Chance Community Water Scheme.
42. The wastewater disposal field for the existing dwelling on proposed Lot 1 is located wholly within the proposed property boundaries of Lot 1. No changes or upgrades are required to this system, however the applicant volunteers a condition of consent which requires the capacity and function of the existing septic system to be confirmed prior to section 224C certification.
43. Wastewater discharge is not required for Lot 2 as there is no existing or proposed residential activity.
44. The dwelling is already connected to the electricity network.
45. Overall, the engineer's advice is adopted for the purposes of this report and, subject to recommended conditions of consent, I have assessed that the lots are fit for the purpose for which they are intended.

Access

46. The site is served by an existing dual-directional / split entranceway access which will be retained for Lot 1. The current accessway does not strictly meet Council's policy. The Council's Engineer requires that the entrance is sealed at least 2 metres from the carriageway.
47. A new entrance is proposed for Lot 2. The location of this new proposed access provides increased visibility for users of Lot 2. The Council's Engineer confirms that the sightlines are approximately 300 metres of sight is available to the east, and approximately 200 metres to the west. It is noted that the proposed access will be established below the HVTL. Care will need to be taken to maintain separation from the HVTL during the installation works. The new access will be required to meet Part 29 of Council's Roadway Policies.
48. The engineer's recommendations are adopted for the purposes of this report and, subject to compliance with recommended conditions of consent, I consider that the access to serve the proposed lots is adequate and will not result in adverse effects on the transportation network.

Hazards

49. No hazards have been identified in the planning maps for this property. The Otago natural Hazards Data base shows an Alluvial Fan Landform Channel running along the northern boundary of the site.

Earthworks

50. There is no change of land use proposed and no earthworks will be required.

Esplanade reserves and strips

51. No requirement for an esplanade reserve or strip has been identified.

Effects on the High Voltage Power Lines

52. The subdivision will not result in a change of land use which would adversely affect the HVTL. The access to Lot 2 will need to be established beneath the HVTL and will need to comply with the earthworks separation guidelines being NZECP34:2001.

Financial contributions

53. This development/financial contribution demand has been calculated in accordance with Council's Policy on Development and Financial Contributions effective from 1 July 2025. Financial contributions have been calculated as follows:

Table 2: Summary DC's under 2025/26

Summary of DCs under 2025/26 DCFCP	Post Development demand (HUE)	Pre Development demand (HUE)	Additional demand (HUE)	\$/HUE (inc GST)	Development contribution (exc GST)	Development contribution (inc GST)
Water	2.00	1.00	1.00	\$0	\$0.00	\$0
Wastewater	2.00	1.00	1.00	\$0	\$0.00	\$0
Transport	2.00	1.00	1.00	\$803	\$698.26	\$803
Community infrastructure	2.00	1.00	1.00	\$2,511	\$2,183.48	\$2,511
TOTAL DEVELOPMENT CONTRIBUTION				\$3,314	\$2,882	\$3,314
Summary of FCs under 2025/26 DCFCP				\$/HUE (inc GST)	Development contribution (exc GST)	Development contribution (inc GST)
Reserves Financial Contribution	2.00	1.00	1.00	\$1,450	\$1,261	\$1,450
Summary of contribution under 2025/26 DCFCP					Total Contribution (exc GST)	Total Contribution (inc GST)
TOTAL CONTRIBUTION					\$4,143	\$4,764

Amalgamations and easements

54. No amalgamations are proposed or required as part of this subdivision.
55. I recommend a condition of consent which provides for any additional easements required for servicing or access will be confirmed at the time of survey.

Other matters pursuant to sections 106 and 220 of the Act

56. Subject to conditions of consent, there are no matters identified pursuant to section 106 of the Act which would prevent subdivision consent being granted. There are no other matters set out in section 220 of the Act which apply to this subdivision. Overall, the lots are considered to be suitable for the purpose for which they are created.

SUBSTANTIVE DECISION ASSESSMENT

Effects

57. In accordance with sections 104(1)(a) of the Resource Management Act 1991, the actual and potential adverse effects associated with the proposed activity have been assessed and outlined above. It is considered that the adverse effects on the environment arising from the proposal are less than minor and form the existing receiving environment.

Offsetting or Compensation Measures

58. In accordance with section 104(1)(ab) of the Resource Management Act 1991, there are no offsetting or compensation measures proposed or agreed to by the applicant that need consideration.

Objectives and Policies

59. In accordance with section 104(1)(b) of the Resource Management Act 1991, the objectives and policies of the Central Otago District Plan were taken into account when assessing the application.

Objectives:

- 4.3.1 – Needs of the District's People and Communities
- 4.3.3 – Landscape and Amenity Values
- 16.3.1 - Adverse Effects on the Roding Network
- 16.3.2 - Services and Infrastructure
- 16.3.4 - Amenity Values
- 16.3.5 - Water and Soil Resources
- 16.3.9 - Physical Works Involved in Subdivision
- 16.3.11 - Effluent Disposal

Policies:

- 4.4.2 – Landscape and Amenity Values
 - 4.4.3 – Sustainable Management of Infrastructure
 - 4.4.8 – Adverse Effects on the Amenity Values of Neighbouring Properties
 - 4.4.9 – Effects of Rural Activities
 - 4.4.10 – Rural Subdivision and Development
 - 16.4.1 - Adequate Access
 - 16.4.2 - Existing Access
 - 16.4.4 – Unreticulated Areas
 - 16.4.7- Subdivision Design
60. The proposal seeks to formalise the existing lease and separate the existing land use on the site. No additional built form is proposed as a part of this application and the existing productive capacity will be maintained. The existing dwelling is already serviced and both lots have a secure water supply. Most of the neighbouring properties have provided written approval to the activity and all effects on them are to be disregarded. Despite the written approvals, there is no change of land use proposed.
61. The key Policy which is relevant to this application is 4.4.10 - Rural Subdivision and Development - which refers to *ensuring adverse effects are avoided, remedied and*

mitigated particularly through the use of minimum allotment sizes. The proposal will result in two undersize allotments. Subsections a-i set out the areas adverse effects are to managed on. These areas have been traversed earlier in the report and adverse effects were found to be no more than minor.

62. Overall, the status quo will remain and the proposal is assessed as generally consistent with the objectives and policies of the Central Otago District Plan.

Operative and Proposed Regional Policy Statements

63. After taking into consideration the operative and proposed Regional Policy Statements for Otago, I consider that the policy direction given by the District Plan is certain and complete as the proposal relates to the modified environment and, as such, there is no need to revert to higher order planning instruments.

Other Matters

64. Section 104(1)(c) of the Resource Management Act 1991 requires the Council to have regard to any other matters considered relevant and reasonably necessary to determine the application. The matters of precedent and Plan integrity are considered relevant here.
65. In this case, the proposal is non-complying because the lot sizes fall well short of the average lot size anticipated for the Rural Resource Area. That said, in terms of the Given the preceding subdivisions and resultant environment, it is considered that the non-compliance is largely technical in nature and any precedent set could not be considered undesirable and approval of the application will not undermine the integrity of the District Plan.

Section 104D

66. Section 104D of the Resource Management Act 1991 specifies that resource consent for a non-complying activity must not be granted unless the proposal can meet at least one of two limbs. The limbs of section 104D require that the adverse effects on the environment will be no more than minor, or that the proposal will not be contrary to the objectives and policies of both the district plan and the proposed district plan. It is considered that the proposal meets both limbs as any adverse effects arising from this proposed activity will be no more than minor, and the activity will not be contrary to the objectives and policies of both the District Plan. Therefore, the Council can exercise its discretion under section 104D to grant consent.

Part 2

67. Based on the findings above, I consider that the proposal would satisfy Part 2 of the Resource Management Act 1991. Granting of consent would promote the sustainable management of District's natural and physical resources.

RECOMMENDATION

68. After having regard to the above planning assessment, I recommend that:
- a) The Council grant consent to the proposed activity under delegated authority, in accordance with sections 104, 104B and 104D of the Resource Management Act 1991, subject to the conditions imposed under section 108 of the Act listed below.

REASONS FOR THE RECOMMENDATION

69. The assessment of effects set out in this report finds that the effects on the environment arising from the proposal to be acceptable for the following reasons:
- a) The separation of land use on the site is longstanding in nature due to the historic lease.
 - b) No new service connections are required and no new infrastructure demand is created.
 - c) No new development is proposed as part of the proposal.
 - d) The proposal does not trigger the NESCS
 - e) Each Lot will have legal and physical access formed in accordance with Council policies.
 - f) The application passes the tests set out in S104D.
 - g) The granting of the consent will not set an undesirable precedent nor will it threaten the integrity of the District Plan given the existing lease as per section 218(1)(a)(iii).
 - h) No offsetting or compensation is required.
 - i) The proposal is consistent with the objectives and policy of the Operative District Plan.
 - j) The proposal is consistent with the objectives and policy of the RPS 2019 and pRPS2021.
 - k) The proposal reasonably gives effect to Part 2 of the Act.
70. A suite of conditions are attached at Appendix 1 for the decision maker to consider.



Kirstyn Royce
Planning Consultant

Date: 14 May 2026

Reviewed by



Wendy Baker
Consultant Planner
Date: 15 May 2026

Consent Type: Subdivision Consent

Consent Number: RC 250373

Purpose: Subdivision consent for a two-lot subdivision in a rural resource area with the High Voltage Transmission Line Annotation.

Location of Activity: 218 Chapman Road, Earnscliffe

Legal Description: Lot 2 DP 300162 (Record of Title 1589).

Lapse Date: [Day and Month] 2031, unless the consent has been given effect to before this date.

SUBDIVISION CONDITIONS:

1. The proposed activity must be undertaken in general accordance with the approved plans attached to this certificate as Appendix One, and the information provided with the resource consent application received by the Council on 19 December 2025, and further information received on 29 January 2026, except where modified by the following conditions.
2. Unless modified by other conditions, all designs and approvals are to be in accordance with the NZS 4404 based CODC land development and subdivision code of practice.

Note: Currently the two documents, NZS 4404:2004 and the July 2008 CODC Addendum form the NZS 4404 based CODC land development and subdivision code of practice.

3. Prior to the commencement of works occurring on site approved by this subdivision consent, the consent holder must:
 - a) Before any construction works commence, the consent holder must provide a letter to Council advising who the supervisor must be for the design and supervision of the subdivision works.
 - b) Install all practicable measures are used to mitigate erosion and to control and contain sediment-laden stormwater run-off and dust from the site during any stages of site disturbance that may be associated with this subdivision.
4. Prior to certification of the survey plan, pursuant to section 223 of the Resource Management Act 1991, the subdivider must ensure the following:
 - a) If a requirement for any easements for access and services, including private drainage, is incurred during the survey then those easements must be granted or reserved and included in a Memorandum of Easements on the cadastral dataset.
5. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the subdivider must complete the following:

Water

- a) Confirm that a potable water supply of at least 1500 litres/day must be provided to Lot 1 from the Last Chance Community Water Scheme, in accordance with clause 6.3.15 of Council's July 2008 Addendum to NZS4404, including Clause 6.3.15 Small Rural Water Supplies, and other relevant provisions of NZS 4404:2004, with the following specific requirements:
 - i) Quality. Resolution of any non-compliance, through installation of point-of-use remedial treatment, must be confirmed by being retested fully compliant.
 - ii) Documentation. If required, provide an updated operation and maintenance manual including a description of the water supply system and as-built drawings of the reticulation layout, and formal ownership and management documentation, must be provided to Council for each network water supply system.
 - iii) Appropriate easements must be secured for the pipework and piped connections to the boundary of each allotment.

Firefighting

- b) Confirm that all aspects relating to the availability of the water for fire-fighting to serve the existing dwelling on Lot 1 are compliant with SNZ PAS 4509:2008, being the Fire Service Code of Practice for Fire Fighting Water Supplies, unless an alternative is approved by the New Zealand Fire Service. Details of any alternative approval must be provided to Central Otago District Council.
- c) Fire fighting tanks must be positioned in a manner such that these are not visible from 234 Chapman Road.

Wastewater

- d) Confirm that the on-site wastewater system to serve the existing dwelling on Lot 1 is in good working order and entirely contained within the boundary of the lot.

Stormwater

- e) Demonstrate that stormwater from buildings and other impervious surfaces are stored for beneficial reuse or disposed of by a soakage system (e.g. soak-pit or similar), which is in good working order and contained entirely within the property boundary.

Access

- f) The existing vehicle entranceways/crossings from Chapman Road to serve Lot 1 must be demonstrated to be in compliance with, or upgraded in accordance with the requirements of Part 29 of Council's Roading Policies January 2015. The crossings must be sealed a minimum of two metres back from the edge of the existing road seal.

For crossings onto sealed roads an upgraded crossing must include a cutout 300mm into the sealed road or until the full thickness of the sealed road is reached, whichever is greater. The interface must have tape seal banding over all joins for

new asphalt crossings, and at least 150mm chip seal overlap for new chip seal crossings. Chip seal crossings must be two coat.

- g) A new vehicle entranceway/crossing from Chapman Road to serve proposed Lot 2 must be constructed in compliance with the requirements of Part 29 of Council's Rooding Policies January 2015. The crossing must be sealed a minimum of 2 metres back from the edge of the existing road seal.

For crossings onto sealed roads an new crossing must include a cutout 300mm into the sealed road or until the full thickness of the sealed road is reached, whichever is greater. The interface must have tape seal banding over all joins for new asphalt crossings, and at least 150mm chip seal overlap for new chip seal crossings. Chip seal crossings must be two coat.

6. Pursuant to Section 221 of the Resource Management Act 1991, consent notices must be prepared for registration on the records of title for Lots 1-16 and Lot 100 the following ongoing conditions:
- a) All purchasers, lessees, licences or tenants and any other users having an interest in Lot 1 are advised that:
- i) Horticultural, viticultural and agricultural activities can occur as of right in the Rural Resource Area, and
 - ii) The usual incidence of these activities including (but not limited to) stock handling, hay making, chemical spraying, pest control (including by use of poison, night shooting and helicopters) deer stag roaring, irrigations, frost control and bird scaring may have amenity effects beyond the boundaries of adjoining properties, and
 - iii) Appropriate siting, design, and screening of dwellings and other sensitive land uses to mitigate adverse effects associated with noise (including frost fans) and spray drift from adjacent horticultural activities is required.

ADVICE NOTES:

Earthworks

1. All earthworks to develop and/or landscape each lot shall comply with Rule 4.7.6J of the Central Otago District Plan or additional resource consent will be required.
2. If during any site disturbance, the consent holder or subsequent owners:
 - a) discovers koiwi tangata (human skeletal remains), waahi taoka (resources of importance), waahi tapu (places or features of special significance) or other Maori artefact material, the consent holder or subsequent owner must without delay:
 - i) notify the Consent Authority, Tangata whenua and Heritage New Zealand and in the case of skeletal remains, the New Zealand Police.
 - ii) stop work within the immediate vicinity of the discovery to allow a site inspection by Heritage New Zealand and the appropriate runanga and their advisors, who must determine whether the discovery is likely to be

extensive, if a thorough site investigation is required, and whether an Archaeological Authority is required.

Site work may recommence following consultation with the Consent Authority, Heritage New Zealand, Tangata whenua, and in the case of skeletal remains, the New Zealand Police, provided that any relevant statutory permissions have been obtained.

- b) discovers any feature or archaeological material that predates 1900, or heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder must without delay:
 - i) stop work within the immediate vicinity of the discovery or disturbance; and
 - ii) advise the Consent Authority, Heritage New Zealand, and in the case of Maori features or materials, the Tangata whenua, and if required, must make an application for an Archaeological Authority pursuant to Heritage New Zealand Pouhere Taonga Act 2014; and
 - iii) arrange for a suitably qualified archaeologist to undertake a survey of the site.

Site work may recommence following consultation with the Consent Authority.

- 3. Where there is a risk that sediment may enter a watercourse at any stage during the earthworks, it is advised that the Otago Regional Council be consulted before works commence, to determine if the discharge of sediment will enter any watercourse and what level of treatment and/or discharge permit, if any, may be required.

Water, Wastewater and Firefighting

- 4. It is strongly recommended that additional treatment be included for all water supply to provide wholesome water by achieving compliance with the Guideline Values (GVs) shown to be exceeded in the laboratory reports.
- 5. On-site disposal shall comply with the Otago Regional Council requirements.
- 6. For more information on how to comply with Condition 8 above or on how to provide for FENZ operational requirements refer to the Fire and Emergency New Zealand Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 retrieved from http://www.fire.org.nz/CMS_media/pdf/da516e706c1bc49d4440cc1e83f09964.pdf. In particular, the following should be noted:
 - For more information on suction sources see Appendix B, SNZ PAS 4509:2008, Section B2.
 - For more information on flooded sources see Appendix B, SNZ PAS 4509:2008, Section B3.

Financial Contributions

- 7. Development contributions must be paid by the due dates in the table below.

	Payment due date
--	-------------------------

Building consent	20 th of the month following the issue of the invoice
Certificate of acceptance	At issue of the certificate of acceptance
Resource consent for subdivision	Prior to release of the certificate under section 224(c) of the RMA
Resource consent (other)	20 th of the month following the issue of the invoice
Service connection	At issue of the connection approval

8. On time payment is important because, until the development contributions have been paid in full, Council may:
- Prevent the commencement of a resource consent.
 - Withhold a certificate under section 224(c) of the RMA.
 - Withhold a code compliance certificate under section 95 of the Building Act 2004.
 - Withhold a service connection to the development.
 - Withhold a certificate of acceptance under section 99 of the Building Act 2004.

Access

9. It is the consent holder's responsibility to obtain all necessary Temporary Traffic Management Plans, Corridor Access Requests or any other approvals to undertake works within the road reserve. These approvals should be obtained prior to the works commencing.
10. The access to Lot 2 will need to be established beneath the HVTL and will need to comply with NZECP34:2001.

Heritage

11. Buildings built before 1900 or sites which were in use before that time are considered archaeological sites under the Heritage New Zealand Pouhere Taonga Act 2014. Before disturbing an archaeological site, or to check whether a site is an archaeological site, the consent holder is advised to discuss their proposal with Heritage New Zealand.

General

12. In addition to the conditions of a resource consent, the Resource Management Act 1991 establishes through sections 16 and 17 a duty for all persons to avoid unreasonable noise, and to avoid, remedy or mitigate any adverse effect created from an activity they undertake.
13. Resource consents are not personal property. The ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.
14. It is the responsibility of any party exercising this consent to comply with any conditions imposed on the resource consent prior to and during (as applicable) exercising the resource consent. Failure to comply with the conditions may result in prosecution, the penalties for which are outlined in section 339 of the Resource Management Act 1991.

15. The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.
16. This is a resource consent. Please contact the Council's Building Services Department, about the building consent requirements for the work.

Appendix One: Proposed Plan for RC 250373 (scanned images, not to scale)



CENTRAL OTAGO DISTRICT COUNCIL
S95A-F DECISION FOR RC250373
218 Chapman Road, Earnsclough

INTRODUCTION

Resource consent is sought to undertake a fee simple subdivision of the subject site into two allotments which are proposed to be configured as follows:

- Lot 1 – 1.5ha containing the existing dwelling, rural outbuildings and pastoral grazing land.
- Lot 2 – 2.1ha containing the existing apricot orchard, irrigation dam and irrigation pump shed.

The subject site is legally described as Lot 2 DP 300162, held in record of title 1589, and comprising an area of 3.62ha. The subject site was created under subdivision consent RC980035 as an independent farming property, and later via a boundary adjustment subdivision consent RC001046.

The site contains an existing 1970's dwelling and a set of rural sheds/outbuildings located along the side of the driveway to the dwelling. The site contains an apricot orchard which contains approximately 400 trees, mostly of the Moorpark variety. The orchard was planted in the 1960's. The orchard has been leased to the Taylor Family of Dawsons Cherries since the early 1970's. The application is supported by an affidavit from the Taylor Family to this effect.

The orchard is irrigated via fixed grid overhead sprinklers, covering the entirety of the planted area of the orchard. These sprinklers are also used for frost fighting. Irrigation water is supplied from the Last Chance Irrigation Company, fed via an open water race located along the Chapman Road boundary of the site and stored in an irrigation dam on site. Access to the site is via a dual access point from Chapman Road, merging to a singular driveway. A new access is proposed for Lot 2.

REASONS FOR APPLICATION

Section 218 of the Resource Management Act 1991

The land is subject to a lease which has been in effect from in excess of 35 years and triggers section 218(1)(a)(iii) of the Resource Management Act 1991. However, no resource consent or other permit appears to have been issued, nor has any argument of existing use rights been put forward by the applicant. Therefore, any subdivision was potentially not lawfully established and no rights can be derived from it.

It is noted that no lease agreement documents have been submitted but an affidavit, prepared by Trevor Dawson Taylor (leasee) dated 21 January 2026, confirms that the lease has been in effect since 1973 and includes the full extent of the orchard, the water race, irrigation pipe, overhead sprinklers and the submersible pump. It is noted that the affidavit has not been witnessed by a notary public.

Notwithstanding the above, the applicant confirms that they are seeking a fee simple subdivision Under the Central Otago District Plan, subdivision of any type, consent.

Accordingly, this application seeks to formalise the longstanding separation of land use on the property.

Central Otago District Plan

The subject site is located within the Rural Resource Area of the Central Otago District Plan (the District Plan). The site includes has a High Voltage Transmission Line (HVTL) notation. There are no other annotations for the site.

Rule 4.7.4(iii)(b) of the Central Otago District Plan states that where a subdivision will create lots with an average size of no less than 8 hectares (ha) and a minimum lot size of no less than 2ha within the Rural Resource Area, then, this is a discretionary activity. In this instance, both lots fall well below the 8ha average and only one lot will meet the 2ha minimum. As such, the application is assessed as a non-complying activity, in accordance with Rule 4.7.5(iii) of the Plan.

Rule 12.7.8v states that subdivision within 32m of the centreline of a high voltage transmission line is a restricted discretionary activity.

No new or additional residential activity or built form development is proposed.

National Environmental Standards

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS) came into effect on 1 January 2012. The National Environmental Standard applies to any piece of land on which an activity or industry described in the current edition of the Hazardous Activities and Industries List (HAIL) is being undertaken, has been undertaken or is more likely than not to have been undertaken. Activities on HAIL sites may need to comply with permitted activity conditions specified in the National Environmental Standard and/or might require resource consent.

The domestic land use on the site will be unchanged and the remainder of the site is not changing from production land. As such, the NESCS is not triggered in accordance with Regulation 5(3).

There are no other National Environmental Standards relevant to this application.

Overall Status

Where an activity requires resource consent under more than one rule, and the effects of the activity are inextricably linked, the general principle from case law is that the different components should be bundled and the most restrictive activity classification applied to the whole proposal.

In this case, there is more than one rule involved, and the effects are linked. As such, I consider it appropriate that the bundling principle established in *Locke v Avon Motor Lodge* (1973) is applied, and that the application be considered, in the round, as a non-complying activity pursuant to sections 104, 104B and 104D of the Resource Management Act 1991 ('the Act').

SECTION 95A NOTIFICATION

Step 1 – Mandatory public notification

Public notification has not been requested. (s95A(3)(a)).

There has been no failure or refusal to provide further information or the commissioning of a report under section 92(2)(b) of the Act (s95A(3)(b)).

The application does not involve the exchange of recreation reserve land under section 15AA of the Reserves Act 1977 (s95A(3)(c)).

Step 2 – Public notification precluded

There are no rules or national environmental standards precluding public notification (s95A(5)(a)).

The proposal is not exclusively for controlled activities or a boundary activity (s95A(5)(b)).

Step 3 – If not precluded by Step 2, public notification is required in certain circumstances

The application is not for a resource consent for one or more activities, where those activities are subject to a rule or national environmental standard that requires public notification (s95A(8)(a)).

A consent authority must publicly notify an application if it decides under s95D(8)(b) that the activity will have or is likely to have adverse effects on the environment that are more than minor (s95A(2)(a)). An assessment under s95D is therefore made below.

ASSESSMENT OF EFFECTS ON THE ENVIRONMENT (s95D)

MANDATORY EXCLUSIONS FROM ASSESSMENT (S95D)

- A: Effects on the owners or occupiers of land on which the activity will occur and on adjacent land (s95D(a)).
- B: Trade competition and the effects of trade competition (s95D(d)).
- C: Adverse effects on any parties who have provided written approval must be disregarded (s95D(e)).

PERMITTED BASELINE (S95D(B))

Under Section 95D(b) of the RMA, an adverse effect of the activity on the environment may be disregarded if the plan permits an activity with that effect. That is, an application can be assessed by comparing it to the existing environment and development that could take place on the site as of right, without a resource consent, but excluding development that is fanciful.

There are no permitted subdivisions in the Central Otago District Plan. There is no permitted baseline to be applied.

ASSESSMENT: EFFECTS ON THE ENVIRONMENT

The effects of the subdivision and future development

This application seeks to formalise the longstanding separation of land use on the property. The land use has been in effect since 1973 and includes the full extent of the orchard, the water race, irrigation pipe, overhead sprinklers and the submersible pump (see Figure 1).



Figure 1: Leased area (Source: Affidavit of Trevor Dawson Taylor)

The proposed boundary lines will follow the existing leased area and separate the orchard from the existing residential activity. The subdivision will not introduce new built form to the area or result in a change of land practices. While the creation of a separate lot could potentially lead to an opportunity for residential activity should the orchard be disestablished, this is not the intent of this application. Furthermore, any residential activity intended for Lot 2 would need to go through a separate resource consent process before this could occur.

In terms of development patterns, there will be a change in tenure but no obvious change to the land use, except for the establishment a new access. As noted by the applicant, the density of development is varied along Chapman Road. There appears to be a relatively high concentration of smaller allotments (<4ha allotments) in the immediate area, with larger lifestyle type allotments extending up the sides of the valley. The largest allotment on Chapman Road is 40.3ha, and the smallest being 0.4ha. Several of the properties support two dwellings, and one lifestyle property contains a consented retail activity. The subject site contains the only remaining commercial orchard in the valley. I consider that the proposed subdivision with the retention of the existing land use will be compatible with the receiving environment.

The site is not located within a landscape overlay and no change of land use is proposed. No adverse effects on landscape have been identified. Furthermore, there are no reserves or public conservation land, heritage sites, notable trees or areas of significant indigenous vegetation, or named water bodies which will be affected by the proposal.

Overall, the subdivision is the formalisation of a historic lease situation and, as such, the effects of the subdivision are considered to be acceptable and no more than minor.

Sustainable use of productive land and soil resource and reverse sensitivity effects

The site is classified as having Land Use Capability (LUC) 6 and 7 which is deemed to be of low productive value ([Land Use Capability](#) » [Maps](#) » [Our Environment](#)). Despite the poor soil

quality, the site has access to irrigation water and contains a productive apricot orchard. The subdivision will follow the existing lease boundary.

No new residential activity is proposed. The applicant will reside in the dwelling in Lot 1 and all reverse sensitivity effects on the applicant have been disregarded. The orchard is a long-standing land use and should the applicant on sell the house, the proximity to the orchard is obvious.

Given that there is no change to the productive land use and no new sensitive activities proposed, no new adverse effects or reverse sensitivity effects are anticipated.

The adequacy of the allotment

The application confirms that the existing dwelling has a 1,500L / day allocation from the Last Chance Community Water Scheme. The domestic water supply will be retained for proposed Lot 1. The scheme is subject to the Water Services Act 2021 and is a "drinking water supplier" under the Act and associated regulations administered by the National Water Services Regulator (Taumata Arowai).

Appropriate fire fighting storage will need to be installed for the existing dwelling on Lot 1 and a condition of consent is recommended to this effect. As noted previously, the Ryder's, in their affected party approval, have requested that any water storage tanks be positioned such that these are no visible from their property at 234 Chapman Road.

No domestic water supply is proposed for Lot 2 as residential activity (including worker accommodation) is neither proposed nor facilitated by this subdivision. For completeness, it is noted that an additional potable water share is available for purchase from the Last Chance Community Water Scheme.

The wastewater disposal field for the existing dwelling on proposed Lot 1 is located wholly within the proposed property boundaries of Lot 1. No changes or upgrades are required to this system, however the applicant volunteers a condition of consent which requires the capacity and function of the existing septic system to be confirmed prior to section 224C certification.

Wastewater discharge is not required for Lot 2 as there is no existing or proposed residential activity.

The dwelling is already connected to the electricity network.

Overall, the properties will not result in any additional servicing demand, the lots are considered to be fit for the purpose for which they are intended and the lots are able to be serviced without adverse environmental effects.

Access

The site is served by an existing dual-directional / split entranceway access which will be retained for Lot 1. The current accessway does not strictly meet Council's policy. The Council's Engineer confirms that this is acceptable..

A new entrance is proposed for Lot 2. The location of this new proposed access provides increased visibility for users of Lot 2. The Council's Engineer confirms that the sightlines are

approximately 300 metres of sight is available to the east, and approximately 200 metres to the west. It is noted that the proposed access will be established below the HVTL. Care will need to be taken to maintain separation from the HVTL during the installation works. The new access will be required to meet Part 29 of Council's Roading Policies.

Overall, the access to serve the proposed lots is adequate and will not result in adverse effects on the transportation network.

Hazards

No hazards have been identified in the planning maps for this property. The Otago Natural Hazards Data base shows an Alluvial Fan Landform Channel running along the northern boundary of the site. Given that there is no change in land use, it is assessed that the subdivision will not exacerbate any existing hazard risk.

Earthworks

There is no change of land use proposed and no earthworks will be required.

Effects on the High Voltage Power Lines

The subdivision will not result in a change of land use which would adversely affect the HVTL. The access to Lot 2 will need to be established beneath the HVTL and will need to comply with the earthworks separation guidelines being NZECP34:2001.

DECISION: EFFECTS ON THE ENVIRONMENT (S95A(2))

Overall, the proposed activity is not likely to have adverse effects on the wider environment that are more than minor. Therefore, public notification is not required under Step 3.

Step 4 – Public Notification in Special Circumstances

Public notification is required if the consent authority decides such special circumstances exist as to warrant the application being publicly notified (s95(9)(a)).

There is nothing exceptional or unusual about the application that makes public notification desirable in this particular instance. As such, there are no special circumstances that warrant the application being publicly notified.

OVERALL DECISION - S95A NOTIFICATION

Pursuant to 95A(5)(b)(i), public notification is not required as identified in the assessment above.

EFFECTS ON PERSONS

Section 95B(1) requires a decision whether there are any affected persons (under s95E). The following steps set out in this section, in the order given, are used to determine whether to give limited notification of an application for a resource consent, if the application is not publicly notified under section 95A.

Step 1: certain affected groups and affected persons must be notified

Limited notification is not required under Step 1 as the proposal does not affect customary rights groups, customary marine title groups nor is it on, adjacent to or may affect land subject to a statutory acknowledgement.

Step 2: if not required by step 1, limited notification precluded in certain circumstances

Limited notification is not precluded under Step 2 as the proposal is not subject to a rule in the District Plan or is not subject to a NES that precludes notification.

Limited notification is not precluded under Step 2 as the proposal is not exclusively for a controlled land use activity.

Step 3: if not precluded by step 2, certain other affected persons must be notified

Limited notification is not required under Step 3 as the proposal is not a boundary activity where the owner of an infringed boundary has not provided their approval, and it is not a prescribed activity.

Limited notification is not required under Step 3 as the proposal falls into the 'any other activity' category and the effects of the proposal on persons are assessed below.

PERMITTED BASELINE (s95E(2)(a))

Under Section 95E(2)(a) of the RMA, an adverse effect of the activity on persons may be disregarded if the plan permits an activity with that effect. The permitted baseline has been established above.

ASSESSMENT: EFFECTS ON PERSONS

In accordance with section 95E(3) of the Act, a person is not an affected person in relation to an application for a resource consent for an activity if they have given their written approval to the application. For this application, the affected persons approvals are comprehensive.

The application is supported by the following written approvals as shown in Table 1 and :

Table 1: Affected Party Approvals

Person	Address	Obtained
Warwick Ball and Katherine Ball	221 Chapman Road	18 December 2025
Anna Robinson	185 Chapman Road	4 December 2025
Robyn Johnston*	196 Chapman Road and Lot 1 DP 300162	10 December 2025
Dexter Nind and Sharyn Nind	196 Chapman Road	30 November 2025
Duncan Ryder and Linda Ryder	234 Chapman Road	7 December 2025
Sophie Maxwell and Cameron Maxwell	18 McGregor Road	10 December 2025

* Robyn Jonston is the sole director of Golden Farms Limited who is the owner of the property directly to the north of the subject site (Lot 1 DP 300162).



Figure 2: Affected party approvals marked with red stars

No other persons are considered to be adversely affected by this proposal because as assessed in this report, the subdivision will formalise a historic lease situation and will not result in any change of land use. As such, any effects on other parties are assessed as less than minor.

Overall, when disregarding the effects on those parties who have provided written approval, there are no parties deemed to be affected by this proposal.

Step 4: Further limited notification in special circumstances

Special circumstances do not apply that require limited notification.

DECISION: EFFECTS ON PERSONS (s95B(1))

In terms of Section 95E of the RMA, no other person is considered affected by this proposal.

OVERALL NOTIFICATION DETERMINATION

Given the decisions made under s95A and s95B, the application is able to be processed on a non-notified basis. It is noted that the determination, as to whether an application should be notified or not, is separate from the issues to be considered in making a decision on the application itself.

Prepared by:



Kirstyn Royce
Planning Consultant

Date: 13 May 2026

Approved under Delegated Authority by:



Wendy Baker
Independent Commissioner

Date: 15 May 2026

Application for a resource consent - Form 9

APP251238629



1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand

03 440 0056

Info@codc.govt.nz
www.codc.govt.nz



Date and Time Created 19/12/2025 11:36
Submitted to Council 19/12/2025 11:52

To cross reference Datacom with MAGIQ please click [Here](#). to add the Resource Consent number.

Property Details

Property Address 218 Chapman Road, Alexandra
Record of Title Number 1589
Legal Description(s) of the specific parcels that the resource consent application is for Lot 2 DP 300162

What is your role in this application? Applicant

The applicant is the person(s) or organisation making the application.

Applicant details

Is this applicant an individual or an organisation? Individual
First name Tanya
Last name Copeland
Phone number 027 386 4553
Email address tanya@tanyacopeland.co.nz
Postal address: 218 Chapman Road, RD 1, Alexandra 9391

Invoicing

Who is paying the invoice? Applicant

DETAILS

Activity or works proposed

Application type Subdivision consent
Short description of your proposal Two lot subdivision in the Rural Resource Area

Provide a detailed description in the Assessment of Environmental Effects (AEE) or other document.

Assessment of Environmental Effects (AEE)

An application cannot be accepted for processing by the Council under Section 88 of the Resource Management Act 1991, without an Assessment of Environmental Effects (AEE).

Refer to the [guidelines for Assessment of Environmental Effects](#).

[RC application - 218 Chapman Road.pdf](#) (21 mb)

Assessment of the activity

You may need to provide an assessment of the activity against the following provisions:

- The matters set out in [Schedule 4 of the Resource Management Act 1991](#).
- Any relevant objectives, policies, or rules in a document.
- Any relevant requirements, conditions, or permissions in any rules in a document.
- Any other relevant requirements in a document (e.g. in a national environmental standard or other regulation).

Please do not load the same document that you loaded for AEE above

Other activities

Other applications

Are you required to apply for any other resource consents for this project? No

Is this project related to a building consent? No

Pre-application information

Have you discussed this proposal with Council staff prior to this application? Yes, an informal discussion

Name(s) of Council staff involved (if known) Oli McIntosh

Date of discussion (if known)

Site visit requirements

Who is the site contact? Applicant

Affected party approvals

All affected property owners, including trustees where properties are held in a trust, must sign written approval forms AND a copy of your plans.

- If an affected party does not give approval to your proposal this may impact on the way that the application is processed.
- Council's duty planner can provide you with advice on which parties may be affected by your proposal.

[Download an affected party approval template form.](#)

Do you need affected party approval? Yes

[Written approval 221 Chapman Road.pdf](#) (920 kb)

[Other written approvals.pdf](#) (412 kb)

National Environmental Standard – Contaminated Soil (NES-CS)

National Environmental Standard – Contaminated Soil - option selected

The application does not involve subdivision (excluding production land), change of use or removal of (part of) a fuel storage system. Any earthworks will meet section 8(3) of the NES (including volume not exceeding 25m³ per 500m²) Therefore the NES does not apply.

Fast-Track Processing

Under section 87AAC a controlled activity or deemed permitted boundary activity may be eligible for fast-track processing.

Please select one:

I opt out of the fast-track consent process

Public Notification

Please confirm whether you request public notification for this application. No

If you choose "Yes" - Please note a "notified to formal hearing" deposit fee is payable. Please refer to Council's current Fees and Charges on our website.

LIST OF FILES

[RC application - 218 Chapman Road.pdf](#) (21 mb)

[Written approval 221 Chapman Road.pdf](#) (920 kb)

[Other written approvals.pdf](#) (412 kb)

[Appendix B - Scheme Plan.pdf](#) (678 kb)

[Appendix C - Legal Opinion.pdf](#) (217 kb)

[Correspondance from Last Chance.pdf](#) (235 kb)

[2025-11-24 LCCWS Water test report 4034291-DWAP-1.pdf](#) (113 kb)

[Appendix A - Record of Title.pdf](#) (756 kb)



PROPOSAL

Two lot
subdivision in the
Rural Resource
Area

SITE

ADDRESS

218 Chapman
Road, Alexandra

Resource Consent Application



TANYA COPELAND

Planning Consultant



TANYA COPELAND

Planning Consultant

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TANYA COPELAND
Planning Consultant

1. Application Details

Applicant(s)	Peter and Tanya Copeland
Address for Service	Tanya Copeland Planning Consultant Email: tanya@tanyacopeland.co.nz Mobile: 027 386 4553
Site Address	218 Chapman Road, RD1, Alexandra
Legal Descriptions	Lot 2 Deposited Plan 300162
Record of Title	1589
Site Area	3.62ha
District / Regional Plan	Central Otago District
Zoning	Rural Resource Area
Overlay	None
Hazards	High Voltage Transmission Line
Resource Consent	Subdivision consent
Activity Status	Non-complying

2. Background

The site as it exists today was created under subdivision consent RC980035 as an independent farming property, and later via a boundary adjustment subdivision consent RC001046.

The existing moorpark apricot orchard was planted in the 1960's, with the apricot orchard in established foliage cover clearly visible on a February 1984 aerial photo in Figure 1 below. The orchard has been leased to the Taylor Family of Dawsons Cherries since the early 1970's.



©Sourced from <http://retrolens.nz> and licensed by LIN.

Figure 1: Aerial photo 7 February 1984, www.retrolens.nz

2.1 Site Description

This site is located at 218 Chapman Road, Alexandra and legally described as Lot 2 DP 300162. A copy of the Record of Title for the site is included in **Appendix A**.

The site comprises of 3.62ha and contains an existing 1970's dwelling where the applicant resides. The dwelling is supported by a set of rural sheds/outbuildings located along the side of the driveway to the dwelling. The site contains an apricot orchard which contains approximately 400 trees, mostly of the moorpark variety. The orchard is irrigated via fixed grid overhead sprinklers, covering the entirety of the planted area of the orchard. These sprinklers also provide frost fighting. Irrigation water is supplied from the Last Chance Irrigation Company, fed via an open water race located along the Chapman Road boundary of the site and stored in an irrigation dam on site. The remainder of the property outside of the curtilage area is also fully irrigated and grazed, typically with beef cattle or sheep to maintain pasture growth.



Figure 2: Aerial photo of site from CODC GIS

The site has a dual access point from Chapman Road, merging to a singular driveway. The dual access was created due to limited visibility of traffic travelling eastbound along Chapman Road. High voltage transmission lines cross the very south-eastern corner of the property.



Figure 3: Photo of dual entranceway from Chapman Road

The subject site is located within the flatter floor area of a defined valley that contains Chapman Road. The southern side of the valley contains a distinctive rock face that rises sharply in elevation that is characteristic of the arid and rocky landscape of Central Otago. The eastern most portion of this rockface (near the Earnsclough Road end of Chapman Road) is classified as an Outstanding Natural Feature under the District Plan. The northern side of the valley rises more gently in elevation and is predominantly rolling, irrigated farmland and contains little natural character due to intensive cultivation practices. The density of development is varied along Chapman Road, with allotments predominantly created under a



historical development pattern which favoured lifestyle type properties. There appears to be a relatively high concentration of smaller allotments (<4ha allotments) which straddle Chapman Road, and larger lifestyle type allotments extending up the sides of the valley. The largest allotment on Chapman Road is 40.3ha, with the smallest being 0.4ha. Several of the properties support two dwellings, and one lifestyle property contains a consented retail activity. Land use is varied, but most allotments contain a form of productive land use, a testament to the reliability of the Last Chance Irrigation Scheme. The subject site contains the only remaining commercial orchard in the valley. The Chapman Road valley can be described as a transition zone, with the eastern end of Chapman Road zoned Rural Residential near Padgets Lane. Additionally, the top of the southern terrace in this area is Large Lot (P3) Residential Zone and houses within this residential zoned land are seen on the skyline along the length of Chapman Road.

2.2 Legal Description

Lot 2 DP 300162 is a fee simple title, owned by the applicants; Peter and Tanya Copeland. The title is subject to various easements to convey domestic and irrigation water, and for electricity associated with the high voltage lines.

There are no other interests on the title which are of relevance to this application for subdivision consent.

3. Description of Proposal

It is proposed to subdivide the site into 2 allotments as shown in the scheme plan attached as **Appendix B** and broken down as follows:

Lot 1 – 1.5ha containing the existing dwelling, rural outbuildings and pastoral grazing land.

Lot 2 – 2.1ha containing the existing apricot orchard, irrigation dam and irrigation pump shed.



Figure 4: Proposed scheme plan



The subdivision application is made pursuant to Section 218(1)(a)(iii) of the Resource Management Act 1991 (the Act). This section of the Act outlines that the lease of part of an allotment for a period of more than 35 years is defined as the subdivision of land. Because the orchard on the property has been leased for more than 35 years, the property has been deemed to have been subdivided pursuant to Section 218(1)(a)(iii). Under the Central Otago District Plan, subdivision of any type, including pursuant to Section 218(1)(a)(iii), requires subdivision consent. Accordingly, this application seeks to retrospectively approve the subdivision of land and formalise the longstanding separation of land use on the property. A legal opinion which outlines this position is appended in **Appendix C**.

The existing apricot orchard has been leased to the same party since the orchard started commercially producing in the 1970's, forming a long standing relationship. This party are multi-generational orchardists, and reside around the corner from the subject site on Conroys Road where their primary orchard landholding is located. It is understood that the apricot orchard on the subject site forms a critical component of their overall business providing financial contingency when their cherry crop is less successful. The apricot orchard on the subject site is expected to continue producing commercially for several more decades.

No new or additional residential activity or built form development is proposed, and the status quo land use across the site is intended to remain.

3.1 Access

The application seeks to retain the existing access from Chapman Road for proposed Lot 1. The applicant seeks to retain the use of the dual directional access points for safety reasons, volunteering a condition of subdivision consent that the entranceways be sealed and otherwise upgraded in accordance with Part 29 of Council's Roading Policies.

The applicant has identified a potential new entrance site on the scheme plan for proposed Lot 2. The location of this new proposed access provides increased visibility for users of Lot 2, however it is closer to the high voltage transmission lines. The applicant volunteers a condition of consent to require this entranceway to also be constructed to Council standard.

3.2 Easements

The applicant proposes to retain all easements on the property, and transfer them (as appropriate) onto the new records of title.

The subdivision necessitates the creation of new easements across proposed Lot 2 to secure irrigation water supply to proposed Lot 1, with the final location of these easements to be confirmed at the time of survey.

3.3 Servicing

3.3.1 Domestic Water

The site has a 1,500L / day allocation from the Last Chance Community Water Scheme. This domestic water supply will be retained for proposed Lot 1. The scheme is subject to the Water Services Act 2021 and is a "drinking water supplier" under the Act and associated regulations administered by the National Water Services Regulator (Taumata Arowai). Compliance with the regulations (including registration of the supply with the regulator and any management plans, monitoring, water testing and treatment required) is a separate statutory matter. An



advice note that the scheme is subject to the Water Services Act 2021 is appropriate on any resultant subdivision consent.

The existing dwelling does not currently have a fully compliant firefighting water supply. The applicant volunteers to install firefighting provision to Lot 1, likely via a 20m³ static reserve storage tank, with FENZ compatible couplings, accessible to a fire appliance and located adjacent to the sheds along the existing driveway. A 30m³ tank is not required as this tank will not be used to supply potable water to the dwelling as an existing water storage tank is in place above the dwelling. The applicant requests a condition of consent that allows for an alternative solution with the written approval of FENZ.

The applicant does not intend to supply proposed Lot 2 with domestic water, although an additional potable water share is available for purchase from the Last Chance Community Water Scheme. Given the nature of this retrospective subdivision, residential activity (including worker accommodation) is neither proposed nor facilitated by this subdivision.

3.3.2 Wastewater

The wastewater disposal field for the existing dwelling on proposed Lot 1 is located wholly within the proposed property boundaries of Lot 1. No changes or upgrades are required to this system, however the applicant volunteers a condition of consent which requires the capacity and function of the existing septic system to be confirmed at s224(c) stage.

Wastewater discharge is not required for Lot 2 as there is no existing or proposed residential activity.

3.3.3 Stormwater

Stormwater from the existing dwelling and rural outbuildings will continue to be disposed of to ground.

Stormwater discharge is not required for Lot 2 as there are currently no buildings. However, it would be prudent for a consent notice to be imposed on the title for proposed Lot 2 which requires stormwater to be discharged to land in the instance that rural sheds are constructed on the allotment to support the orchard activity.

3.3.4 Power and telecommunications

The subject site contains an existing power connection from Chapman Road, which extends to the dwelling and to the pump shed near the pond. A transformer is located at each connection point. The subdivision does not necessitate any changes to this arrangement, subject to the securing of appropriate easements which will be confirmed at the time of detailed survey. Similarly, the subject site contains a copper telecommunications connection which is located within the boundaries of proposed Lot 1. The applicant does not propose to extend a hardwired connection to proposed Lot 2 on the basis that hardwired copper connections of this vintage do not operate effectively. Instead, the applicant requests a consent notice condition which acknowledges the use of wireless telecommunication technology for proposed Lot 2.

4. Resource Consents Required

The site is located within the Rural Resource Area of the Central Otago District Plan. A small part of the site is subject to a high voltage transmission line hazard.



4.1 District Plan

Subdivision consent is required under the Central Otago District Plan for the following:

- As a non-complying activity under Rule 4.7.5 (iii) due to the proposed subdivision not meeting the required minimum allotment size of 2ha and the average allotment size of 8ha.
- As a restricted discretionary activity under Rule 12.7.8 v for subdivision within 32m of the centreline of a high voltage transmission line.

Despite the above, the application is for all matters requiring consent for the proposal, regardless of those specified above. If Council is of the view that consent is required for alternative or additional matters than those identified in the proposal, Council has the ability under section 104(5) of the Act to process the application regardless of the type of activity that the application was expressed to be for.

4.2 National Environmental Standard (NES)

Land use consent is not sought under the NES for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011. The subject subdivision application is to retrospectively authorise the separation of land use on the site. No land use change, particularly in relation to the production land is proposed or anticipated.

5. Effects Assessment

The following is an assessment of effects commensurate to the nature and scale of the application. This assessment of effects is made on the basis that the orchard and residential activity, as separate land use activities are permitted/authorised to occur and form part of the receiving environment for the purposes of assessing the effects of the subdivision under Section 104 and 104D of the Act.

As will be determined below, the application does not, and is not likely to, result in significant adverse effects and the consideration of alternatives is not required.

5.1 Effects on the Environment

5.1.1 The effects of subdivision and future development on open space, landscape, natural character and amenity values:

The proposed subdivision does not facilitate any change in land use of the site. The Council must consider that any effects associated with the permitted orchard activity and the existing residential activity on the open space, landscape, natural character and amenity values are existing, known and form part of the receiving environment. The assessment of effects of the subdivision must therefore be made on the basis of these separate land uses already occurring within the receiving environment and the applicant therefore contends that the formalising of the subdivision will be visually indiscernible in the environment. Adverse effects on open space, landscape, natural character and amenity values of the rural locality are not identified.



6.1.2 Potential for visual absorption of future built development with particular attention given to those areas identified as Outstanding Natural Landscapes (ONL) and Significant Amenity Landscapes (SAL).

The proposal does not include provision for future built development, nor is the site within an area classified as ONL or SAL. Proposed Lot 1 contains an existing dwelling which has been occupied by the landowner of the subject site since the early 1970's. Residential activity on Lot 2 is not proposed, and as outlined above, the existing apricot orchard has been under a long standing lease to a nearby orcharding family who run the orchard in conjunction with their larger landholding. The family reside on their larger landholding and do not have a need for additional accommodation. In the instance that residential activity is necessary to manage the orchard activity on proposed Lot 2 in the future, this would be subject to appropriate scrutiny through the resource consent process.

Adverse effects from future build development are assessed as less than minor.

6.1.3 Infrastructure, access and servicing

Proposed Lot 1 will retain existing servicing, irrigation and access requirements, with upgrades volunteered by the applicant to meet Council standards and FENZ requirements. The provision of these services is proposed to be secured through a combination of new and existing easements.

Proposed Lot 2 is to be retained for productive use and not provided with domestic servicing. The applicant proposes to retain the existing access arrangement as a first preference, with relocation to a new site if recommended by Council's Development Engineers.

Overall, subject to conditions of consent and easements, the proposed allotments are able to be serviced appropriately given their intended use. No adverse effects in relation to servicing or access are identified.

6.1.4 Earthworks

The proposal does not require earthworks. All existing buildings, accessways and services will remain in situ.

6.1.5 Productive use of land and soils

Apart from the dwelling and curtilage area, the entirety of the subject site is used for land based primary production. The subject site is fully irrigated via a combination of overhead and ground mounted sprinklers. The current irrigation allowance from Last Chance Irrigation Company is sufficient for irrigation of the site between October and April, as well as frost fighting during the shoulder seasons. The proposal seeks to retain the existing productive land uses on the site, ensuring that the current irrigation allowance is proportioned according to the crop/pasture demands and land area of the resultant allotments. As such, the proposal is considered to retain the productive capacity of the subject site, without adverse effects on the sustainable use of the District's productive land and soils.

6.1.6 High voltage transmission lines

The proposal is designed to avoid physical subdivision works near the high voltage transmission lines. Some construction works may be required underneath the lines for the proposed new entrance to Lot 2. These works would likely involve the installation of a culvert and the formation and sealing of an entranceway. These works would be well away from the pylons, but potentially underneath the lines themselves. The applicant confirms that all works would comply with the New Zealand Electrical Code of Practice (NZECP).



6.1.7 Overall conclusion

Although the proposed allotments fail to meet the development pattern anticipated by the District Plan, the existing land uses on the site are defined as a subdivision by a higher order document and it is appropriate for the applicant to formalise this retrospective subdivision of land. Fortunately, the long standing division of land on the subject site has involved two activities which are fully anticipated within the rural environment, and which both positively contribute to maintaining rural amenity values.

Given the above, the creation of new allotment boundaries will be visually indiscernible given the receiving environment which includes the operation of these existing and distinctly separated land uses. The proposal is consistent with the character of the locality in terms open space and productive use of soils. The proposed allotments are able to be adequately serviced and afforded safe, legal and physical access. As a result, the actual and potential adverse effects of the subdivision are less than minor.

6.2 Effects on Persons

The applicant has received written approval from the following parties which includes all of the adjacent property owners to the subject site. In accordance with Section 95 and Section 104 of the Act, effects on these parties must be disregarded.

- Sophie and Cameron Maxwell – 18 McGregor Road
- Duncan and Linda Ryder – 234 Chapman Road
- Anna Robinson and Tim Ellis – 185 Chapman Road
- Dexter and Sharyn Nind – 196 Chapman Road
- Robyn Johnston – 196 Chapman Road
- Warwick and Kathryn Ball – 221 Chapman Road

6.2.1 Assessment of Affected Persons

There are no other parties who are identified as being adversely affected by the proposal. The actual and potential adverse effects of the proposed subdivision are largely internal to the site and there is unlikely to be any perceptible difference in terms of how the site is used.

6.3 Conclusion

The above assessment concludes that the actual and potential effects of the proposed subdivision on the environment and persons will be less than minor.

6. Notification Assessment

The application has been prepared considering the reasons for consent above, and the public and limited notification tests that Council is required to follow under the RMA. Our assessment under the relevant notification tests is set out below.



6.1 Public Notification (s95A)

Section 95A Matter	Response
Step 1: Mandatory Public Notification	
Does the applicant request public notification (s95A(3)(a))	No
Is the application made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977? (s95A(3)(c))	No
Step 2: Is Public Notification Precluded	
Is each activity to which consent is sought, subject to a rule or national environmental standard that precludes public notification? (s95A(5)(a))	No
The application is for only either a controlled activity, or a boundary activity (be it restricted discretionary, discretionary or non-complying)? (s95A(5)(b))	No
Step 3: Is Public Notification Required in this Circumstance?	
Is consent sought for an activity that is subject to a rule or national environmental standard that requires public notification? (s95A(8)(a))	No
Under section 95D, does the activity have adverse effects that are more than minor? (s95A(8)(b))	No
Step 4: Do any Special Circumstances apply?	
Is there anything exceptional or out of the ordinary in this application that would constitute a special circumstance to warrant public notification.	No

6.2 Limited Notification (s95B)

Section 95B Matter	Response
Step 1: Certain Affected Groups or Persons to be Notified	
Are there any customary rights groups; or customary marine title groups affected? (s95B(2))	No
Is the proposed activity in on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement; and the person to whom the statutory acknowledgement is made is affected under s95E? (s95B(3))	No
Step 2: Is Limited Notification Precluded	
Is each activity to which consent is sought, subject to a rule or national environmental standard that precludes limited notification? (s95B(6)(a))	No



Is the application for only a controlled activity under a district plan (other than subdivision)? (s95B(6)(b))	No
Step 3: Must certain other affected persons be notified?	
Is the activity a boundary activity, and under s95E the owner of the infringed boundary is an affected person? (s95B(7))	No
Is any other person an affected person under section 95E? (s95B(8))	No
Step 4: Do any Special Circumstances apply to any other person?	
Is there is anything exceptional or out of the ordinary in this application that would constitute a special circumstance to warrant notification to any other person. (s95B(10))	No

7 RMA s104(1)(B) Matters

The application has been assessed against the relevant provisions of the documents referred to in section 104(1)(b) of the Act as detailed below.

7.2 District Plan Objectives and Policies

The application is required to be assessed against the objectives and policies of the Central Otago District Plan.

7.2.1 Section 4 Rural Zone

District Plan Provision	Comment/Assessment
4.3.1 Objective – Needs of the District's People and Communities	
<i>To recognise that communities need to provide for their social, economic and cultural wellbeing, and for their health and safety at the same time as ensuring environmental quality is maintained and enhanced</i>	For this application, this objective is one of the more critical to consider. The subdivision will enable both the applicant and the party which lease the orchard to continue utilising the land in a manner which provides for their social and economic wellbeing. The persistence of both separate land uses in the receiving environment without adverse effect for the preceding 55 years confirms that the proposal will ensure environmental quality is maintained and enhanced. A perverse outcome would likely result if this retrospective subdivision was declined, as it would effectively force the cessation of the lease agreement for the orchard.

4.3.3 Objective – Landscape and Amenity Values	
<i>To maintain and where practicable enhance rural amenity values created by the open space, landscape, natural character and built environment values of the District's rural environment, and to maintain the open natural character of the hills and ranges</i>	As outlined above, the effects of the separation of land uses on the site are already evident in the receiving environment and are fully anticipated within the Rural Resource Area. The subdivision will have no discernible or further adverse effects on rural amenity values, particularly in relation to open space, landscape, natural character and built environment values. The application is considered consistent with this objective.
4.4.2 Policy – Landscape and Amenity Values	
<p><i>To manage the effects of land use activities and subdivision to ensure that adverse effects on the open space, landscape, natural character and amenity values of the rural environment are avoided, remedied or mitigated through:</i></p> <ul style="list-style-type: none"> <i>a) The design and location of structures and works, particularly in respect of the open natural character of hills and ranges, skylines, prominent places and natural features,</i> <i>b) Development which is compatible with the surrounding environment including the amenity values of adjoining properties,</i> <i>c) The ability to adequately dispose of effluent on site,</i> <i>d) Controlling the generation of noise in back country areas,</i> <i>e) The location of tree planting, particularly in respect of landscape values, natural features and ecological values,</i> <i>f) Controlling the spread of wilding trees.</i> <i>g) Encouraging the location and design of buildings to maintain the open natural character of hills and ranges without compromising the landscape and amenity values of prominent hillsides and terraces.</i> 	<p>The proposal does not include further development and merely seeks to legalise the existing land uses occurring on the site. As such, the assessment of effects above had concluded that adverse effects from these activities are already persisting in the environment and are considered to be appropriate, particularly in terms of effects on rural character values. The proposal is consistent with clauses a), b), c) and g) as development and servicing is existing on the site and no additional buildings or servicing is required. The proposed subdivision will not result in any negative impact on the amenity values of neighbouring properties as the status quo in terms of land use will be retained.</p> <p>No noise generating activities are proposed as frost fighting is undertaken using water. No plantations are proposed as the low intensity grazing and orchard activities are intended to remain.</p> <p>The proposed subdivision is considered to be consistent with this policy.</p>
4.4.6 Policy – Adverse Effects on the Soil Resource	
<i>To ensure that the location, construction and/or operation of land use activities and</i>	Both proposed allotments include areas which are currently used for land based



<p><i>subdivision make adequate provision for the protection of the soil resource by avoiding, remedying or mitigating the adverse effects of practices which may cause:</i></p> <ul style="list-style-type: none"> a) <i>Erosion, instability or loss of topsoil,</i> b) <i>Loss of nutrient or incidence of soil contamination,</i> c) <i>Loss of soils with special qualities,</i> d) <i>A reduction in vegetation cover and moisture holding capacity, and</i> e) <i>Soil compaction</i> 	<p>primary production and this will need to be retained in order to maintain pasture growth and ensure the continuation of the lease arrangement. A plentiful irrigation supply to the site which will be proportioned across the resultant allotments ensures that productive use is supported.</p> <p>The application is considered to be consistent with this policy.</p>
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4.4.10 Policy – Rural Subdivision and Development

<p><i>To ensure that the subdivision and use of land in the Rural Resource Area avoids, remedies or mitigates adverse effects on:</i></p> <ul style="list-style-type: none"> a) <i>The open space, landscape and natural character amenity values of the rural environment in particular the hills and ranges,</i> b) <i>The natural character and values of the District’s wetlands, lakes, rivers and their margins,</i> c) <i>The production and amenity values of neighbouring properties,</i> d) <i>The safety and efficiency of the roading network,</i> e) <i>The loss of soils with special qualities,</i> f) <i>The ecological values of significant indigenous vegetation and significant habitats of indigenous fauna,</i> g) <i>The heritage and cultural values of the District,</i> h) <i>The water quality of the District’s surface and groundwater resources, and</i> i) <i>Public access to or along the rivers and lakes of the District,</i> 	<p>As outlined in the assessment of effects above, the subdivision formalises the existing land uses which are occurring on the site. The proposal will not result in adverse effects on open space, landscape character, amenity values, ecological values, historical values or cultural values.</p> <p>The subject site does not have any naturally occurring waterways or areas of significant indigenous vegetation. Public access is unaffected by the proposal.</p> <p>The proposal seeks to upgrade access points to the site to improve the safety and efficiency of the roading network.</p> <p>Overall, the proposal is considered to be consistent with this policy.</p>
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7.2.2 Section 16 Subdivision Standards

District Plan Provision	Comment/Assessment
<p>16.3.1 Objective – Adverse Effects on the Roding Network</p> <p><i>To ensure that subdivision avoids, remedies or mitigates adverse effects on the safe and efficient operation of the district’s roading network.</i></p>	

16.4.1 – Policy: Adequate Access	The proposed subdivision will have adequate access provided from each allotment to Chapman Road. The application is considered consistent with these objectives and policies.
16.4.2 – Policy: Existing Access	
<p>16.3.2 Objective – Services and Infrastructure</p> <p><i>To ensure that subdivisions provide all necessary services and infrastructure without adversely affecting the public interest and the ongoing viability of those services and infrastructure.</i></p>	
16.4.3 – Policy: Adequate Infrastructure	The proposed subdivision will result in all of the built form and established services being contained within proposed Lot 1. The applicant volunteers conditions to upgrade or certify these services as necessary. Proposed Lot 2 will be established without domestic servicing given the intended use of the allotment. The application is considered consistent with these objectives and policies
16.4.4 – Policy: Unreticulated Areas	
<p>16.3.9 Objective – Physical Works Involved in Subdivision</p>	
<p>Policies: 16.4.7 – Subdivision Design</p> <p><i>To require that the design of subdivision, where relevant to the intended use, provides for the following matters:</i></p> <ul style="list-style-type: none"> a) <i>Facilitates convenient, safe and efficient access to all allotments including pedestrian access where appropriate.</i> b) <i>Facilitates the safe and efficient provision and operation of services and infrastructure.</i> c) <i>Facilitates access to passive solar energy resources.</i> d) <i>Facilitates any foreseeable subsequent development or redevelopment including the economic provision of roading and network utility services.</i> e) <i>Facilitates adequate provision of, or contribution to, the open space, recreational and reserve needs of the community with physical links to existing reserve areas where this is practicable.</i> f) <i>Facilitates an appropriate level of access to heritage sites, natural features and water bodies where appropriate.</i> 	<p>The subdivision proposes that Lot 1 continues to access from the existing dual access point. This is considered the safest and most convenient form of access for the proposed subdivision. The applicant accepts modification to this if deemed necessary by Council advice. Lot 2 is proposed to access from a new entranceway.</p> <p>The dwelling on proposed Lot 1 uses a community water scheme for potable water and onsite wastewater and stormwater disposal. There is no servicing proposed for proposed Lot 2.</p> <p>Both allotments are of a size to have appropriate access to solar energy resources, necessary for both residential activity and successful growth of apricots.</p> <p>There is no future development proposed on the site at this time and no ability to consider provisions for extending council servicing to the site.</p> <p>The Chapman Road salt reserve is located nearby, however this is more of a scientific reserve as opposed to a recreational reserve. The proposed allotments are of an</p>



<p>g) <i>Facilitates development which keeps earthworks to a minimum.</i></p> <p>h) <i>Facilitates retention of the heritage values of a site or area.</i></p>	<p>appropriate size to facilitate outdoor recreation within the new boundaries.</p> <p>There are no known heritage sites within the subject site that would be affected through the subdivision. Limited earthworks are only anticipated in relation to forming the access (if needed).</p> <p>It is considered that the application is consistent with these objectives and policies.</p>
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7.2.3 Conclusion: Objectives and Policies

The above assessment concludes that the application for subdivision is consistent with the above objectives and policies.

7.3 National Policy Statements

The below policies are not relevant to this application:

- NPS on Electricity Transmission (2008)
- New Zealand Coastal Policy Statement (2010)
- NPS for Renewable Electricity Generation (2011)
- NPS for Freshwater Management (2020)
- NPS for Highly Productive Land (2022)
- NPS for Greenhouse Gas Emissions from Industrial Process Heat (2023)
- NPS for Indigenous Biodiversity (2023)

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

According to the Land Use Capability mapping, the subject site is identified as LUC 6 and 7. The NPS-HPL does not apply to this application and the Council does not need to consider this National Policy Statement.

8 Section 104D Matters

Section 104D of the Resource Management Act allows for a consent authority to grant a resource consent for a non-complying activity if it is satisfied that either –

- a) *the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or*
- b) *the application is for an activity that will not be contrary to the objectives and policies of –*
 - i) *the relevant plan, if there is a plan but no proposed plan in respect of the activity; or*
 - ii) *the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or*
 - iii) *both the relevant plan and the relevant proposed plan if there is both a plan and a proposed plan in respect of the activity.*



As discussed throughout the assessment above, this subdivision proposal has been guided by the definition of subdivision within the Resource Management Act. The proposal is somewhat unique in the fact that it is essentially a retrospective application to formalise the long standing separation of two existing and distinct land uses. The effects on persons and the environment are considered to be less than minor on the basis that the effects of the activity are already occurring in the receiving environment and are fully anticipated. As a result, the application is consistent with the objectives and policies of the Rural Resource Area.

Therefore, Council the proposal passes both limbs of Section 104D and is able to grant the resource consent for the proposal under s104D.

9 Section 106 Matters

Section 106 of the RMA provides that the Consent authority may refuse subdivision consent in certain circumstances as follows:

- (1) *A consent authority may refuse to grant a subdivision consent, or may grant a subdivision consent subject to conditions, if it considers that:*
 - a. *there is a significant risk from natural hazards; or*
 - b. *{Repealed}*
 - c. *sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision.*

- (1A) *For the purpose of subsection (1)(a), an assessment of the risk from natural hazards requires a combined assessment of—*
 - a. *the likelihood of natural hazards occurring (whether individually or in combination); and*
 - b. *the material damage to land in respect of which the consent is sought, other land, or structures that would result from natural hazards; and*
 - c. *any likely subsequent use of the land in respect of which the consent is sought that would accelerate, worsen, or result in material damage of the kind referred to in paragraph (b).*

9.2 Access

Legal and physical access is provided for to both allotments. As such, Council can grant consent with respect to this matter.

9.3 Natural Hazards

The subject site is not subject to any identified natural hazards. Although the proposed subdivision is in the vicinity of high voltage transmission lines, works near pylons or which would impact on safety are avoided. Council can grant consent with respect to this matter.

10 RMA Part II Matters

The purpose of the Resource Management Act 1991 is to promote the sustainable management of natural and physical resources. The application is considered to represent the



sustainable management of natural and physical resources having had regard to Sections 6 and 7 of the Act.

10.1 Section 5 – Purpose and Principles

The purpose of the Resource Management Act 1991 is to promote the sustainable management of natural and physical resources. The application seeks to formalise the long standing separation of land uses within a rural site. The receiving environment includes the effects of such, and therefore, the proposal is considered to continue to protect natural and physical resources. It is considered that the proposal contributes to the social and economic wellbeing of the applicant and the party that has invested considerable time and money in the operation of the orchard. No adverse environmental effects are identified.

10.2 Section 6 – Matters of National Importance

Section 6 of the Act requires matters of national importance to be recognised and provided for. The application does not affect any outstanding natural features or landscapes, or areas of significant indigenous vegetation or habitats. There are no identified historic heritage sites or buildings located on site, nor are there any waterbodies or margins of waterbodies. The site is also not identified as being subject to any wahi tupuna or other cultural area. As discussed throughout this report it is also considered that there is no increase in risk of natural hazards at this location. It is therefore considered that there are no relevant Section 6 matters that require consideration as part of this application.

10.3 Section 7 – Other Matters

Section 7 of the Act requires all persons exercising functions and powers in relation to managing the use, development, and protection of natural and physical resources, to have regard to a number of factors. The Section 7 matters of relevance to this application are (b) the efficient use and development of natural and physical resources, (c) the maintenance and enhancement of amenity values, and (f) maintenance and enhancement of the quality of the environment. The assessment of environmental effects above has concluded that the proposal provides for these matters.

11 Precedent and Plan Integrity

When considering a non-complying activity, Council may take into account whether the granting of the application may create a precedent for other similar applications, or may undermine the integrity of the District Plan provisions. In this instance, the applicant is not aware of any previous subdivision applications in the Central Otago district which have been made pursuant to Section 218 (1)(a)(iii) of the Act. The subject application is made under the direction of a higher order document that is based on a fairly unique and rare set of circumstances. It is unlikely that this set of circumstances will arise in other applications. As a result, the applicant does not consider that matters of precedent or plan integrity to be a concern for the Council.



12 Application Conclusion

The applicant seeks to authorise a retrospective subdivision of land, as defined by Section 218 of the Resource Management Act. The District Plan requires the applicant to formalise the long standing separation of land through a subdivision consent as a non-complying activity. On the basis that the separation of land uses is existing and persisting in the receiving environment, adverse effects of the proposal are considered to be visually indiscernible, and less than minor with respect to parties and the wider environment on all matters of consideration for a rural subdivision. The proposal is assessed as being consistent with District Plan objectives and policies and with all higher order planning documents. The application is able to be processed on a non-notified basis, and approval granted pursuant to Section 104 of the Act.



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**



R. W. Muir
Registrar-General
of Land

Identifier 1589
Land Registration District Otago
Date Issued 23 August 2000

Prior References
OT18D/975

Estate Fee Simple
Area 3.6277 hectares more or less
Legal Description Lot 2 Deposited Plan 300162
Registered Owners
Peter John Copeland and Tanya Louise Stephanie Copeland

Interests

Subject to the right of Her Majesty the Queen at any time and from time to time without being deemed to commit a trespass and without payment of compensation to enter upon the said land and thereon to take, lay, construct, maintain, inspect, repair or re-construct water races, drains and all other works which the Minister of Works deems necessary for the supply of water to the said land or to any other land and without being liable for any damage caused by any overflow or breakaway of any race or channel and is also subject to the owners being required to take water from races provided for irrigation purposes at a price to be fixed by Her Majesty the Queen.

441258 Transfer creating the following easements - 5.6.1975 at 11:09 am

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Convey water	Lot 3 Deposited Plan 26974 - CT 1588	e Transfer 441258	Lot 2 Deposited Plan 300162 - herein	N/A
Convey water	Lot 2 Deposited Plan 300162 - herein	i-j DP 300162	Lot 1 Deposited Plan 19979 - CT OT11B/1286	N/A
Convey water	Lot 2 Deposited Plan 18915 - CT OT10A/290	b Transfer 441258	Lot 2 Deposited Plan 300162 - herein	N/A

476835 Electricity Agreement pursuant to Section 50 Electricity Act 1968 - 26.4.1977 at 10.30 am

884750 Transfer creating the following easements in gross - 21.9.1995 at 9:30 am

Type	Servient Tenement	Easement Area	Grantee	Statutory Restriction
Convey water	Lot 2 Deposited Plan 300162 - herein	g-h DP 300162	Last Chance Irrigation Company Limited	N/A

960508.1 Easement Certificate specifying the following easements - 15.1.1999 at 9:04 am

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Convey water	Lot 3 Deposited Plan 26974 - CT 1588	c-d 26974	Lot 2 Deposited Plan 300162 - herein	Subject to Section 243 (a) Resource Management Act 1991

12713021.5 Mortgage to ANZ Bank New Zealand Limited - 14.4.2023 at 3:20 pm

Transaction ID 7603670
Client Reference 3415 - Copeland

Search Copy Dated 10/12/25 7:50 am, Page 1 of 2
Register Only



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 36 Grant Road, Frankton 9300

WANAKA OFFICE: Level 1, 78 Ardmore Street,
 Wanaka 9305

POSTAL ADDRESS: PO Box 124, Queenstown 9348, NZ

21 November 2025

Tanya Copeland
 218 Chapman Road
 Alexandra 9391

By email: petejcopeland@gmail.com

Dear Tanya

Application for subdivision of 218 Chapman Road, Alexandra

Introduction

1. You have requested an opinion regarding your application for a two-lot subdivision of the above property. Specifically, you have requested advice as to the relevance of s 218(1)(a)(iii) of the Resource Management Act 1991 (**RMA**), and how that should affect the Central Otago District Council's (**Council**) assessment of the application.

Section 218 of the RMA

2. Section 218 relevantly provides:

218 Meaning of subdivision of land

(1) In this Act, the term subdivision of land means—

(a) the division of an allotment –

...

(iii) by a lease of part of the allotment which, including renewals, is or could be for a term of more than 35 years...

3. Because the orchard on the property has been leased for more than 35 years, the property has been deemed to have been subdivided pursuant to s 218(1)(a)(iii). Under the Central Otago District Plan, subdivision of any type, including pursuant to s 218(1)(a)(iii), requires a resource consent. Accordingly, an application is required to retrospectively approve the subdivision and formalise the longstanding separation of land use on the property.

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4. Further, as the District Plan does not differentiate as to the consenting requirements for different types of subdivision, the application must be considered in the same way as any application to subdivide land would be considered.

Relevance of lease of orchard to assessment of subdivision

5. As above, the fact the land has been leased and therefore subdivided pursuant to s 218(1)(a)(iii) does not change the pathway under the District Plan for which consent must be obtained.
6. However, given orchard as a separate land use activity (putting to one side the lease aspect) within the site is permitted, it forms part of the receiving environment for the purpose of assessing the effects of the subdivision under s 104D and 104 of the RMA.
7. The environment, which includes all permitted development, includes the physical effects of the orchard as a separate land use. An assessment of effects on the environment must therefore proceed on the basis the effects associated with the orchard are already occurring. Such effects are not adverse effects resulting from the subdivision itself. It is only those effects (if any) associated with formalising that activity through a subdivision that are relevant to an assessment under ss 104D and 104.
8. To that extent, the lease of the orchard and associated use of the orchard as a separate land use are relevant to the Council's assessment of the application, in the sense the effects associated with such land use can be disregarded from the assessment. It would be the same as, for example, if a separate residential unit which was lawfully constructed on a property and the owner sought to formalise that use via a subdivision, the effects associated with the additional residential activity would not be relevant effects from the subdivision.

Conclusion

9. We trust this advice assists and would be happy to clarify any further matters with you.

Yours faithfully

TODD & WALKER LAW



Ben Gresson

Senior Associate

Email: ben@toddandwalker.com

Matter ID: 55681

Affected Persons Approval for Resource Consent



1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand

+64 3 440 0056
info@codc.govt.nz
www.codc.govt.nz

(Form 8A)
Section 95E(3), Resource Management Act 1991

Email to: resource.consents@codc.govt.nz
Post to: The Chief Executive
Central Otago District Council
PO Box 122
Alexandra 9340

TO BE COMPLETED BY THE PERSON(S) REQUESTING APPROVAL

Applicant Name: Peter and Tanya Copeland

Type of resource consent (circle all appropriate): Land-use / Subdivision

Proposed activity:

Two lot subdivision - pursuant to Section 218(1)(a)(iii) of the Resource Management Act for land which has been

25.01.91
leased for a period exceeding 35 years

Location of site:
218 Chapman Road, Alexandra

CONTACT DETAILS OF AFFECTED PARTY

Full Name/s: (name of person giving written approval) WALWICK ERNEST BALL KATHLYN JANE BALL

w.k.ball@extra.co.nz

021483787

Email

Phone

Address of the property (I am the owner of the following property): 221 CHAPMAN ROAD

The full name of all other owners of the property: (owners of the affected property)

I have authority to sign on behalf of all the other owners of the property:

Yes

No other owners

NOTES

Conditional written approvals cannot be accepted.

There is no obligation to sign this form, and no reasons need to be given.

If this form is not signed, the application may be notified with an opportunity for submissions.

If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

DECLARATION

- I have sighted all the attached plans and supporting information for the above activity.
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- In signing this written approval, I understand that the consent authority must decide that I am no longer an affected person, and the consent authority must not have regard to any adverse effects on me.
- I understand that I may withdraw my written approval by giving written notice to the consent authority before the hearing, if there is one, or, if there is not, before the application is determined.

W. Ball

 Signature

18.12.25

 Date

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Proposed activity:

Two lot subdivision - pursuant to Section 218(1)(a)(iii) of the Resource Management Act for land which has been
leased for a period exceeding 35 years

Location of site:

218 Chapman Road, Alexandra

CONTACT DETAILS OF AFFECTED PARTY

Full Name/s: (name of person giving written approval) Anna Robinson

Email afjrobinson@gmail.com Phone 0226522779

Address of the property (I am the owner of the following property): 185 Chapman Road

The full name of all other owners of the property: (owners of the affected property)

Timothy Wilson Ellis

I have authority to sign on behalf of all the other owners of the property:

- Yes No other owners

NOTES

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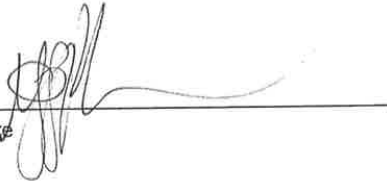
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Signature



Date

4 Dec. 2025

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TO BE COMPLETED BY THE PERSON(S) REQUESTING APPROVAL

Applicant Name: Peter and Tanya Copeland

Type of resource consent (circle all appropriate): Land-use / Subdivision

Proposed activity:

Two lot subdivision - pursuant to Section 218(1)(a)(iii) of the Resource Management Act for land which has been
leased for a period exceeding 35 years

Location of site:

218 Chapman Road, Alexandra

CONTACT DETAILS OF AFFECTED PARTY

Full Name/s: *(name of person giving written approval)* Robyn Johnston

rbarms@xtra.co.nz

Email _____ Phone _____

Address of the property *(I am the owner of the following property)*: _____

196 chapman rd

The full name of all other owners of the property: *(owners of the affected property)*

I have authority to sign on behalf of all the other owners of the property:

- Yes No other owners

NOTES

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10-12-2025

Signature

Date

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TO BE COMPLETED BY THE PERSON(S) REQUESTING APPROVAL

Applicant Name: Peter and Tanya Copeland

Type of resource consent (circle all appropriate): Land-use / Subdivision

Proposed activity:

Two lot subdivision - pursuant to Section 218(1)(a)(iii) of the Resource Management Act for land which has been

leased for a period exceeding 35 years

Location of site:

218 Chapman Road, Alexandra

CONTACT DETAILS OF AFFECTED PARTY

Full Name/s: (name of person giving written approval) Dexter James Nind

d.s.nind@netspeed.net.nz 0274 78 3277
Email Phone

Address of the property (I am the owner of the following property): 196 Chapman Road

The full name of all other owners of the property: (owners of the affected property)

Sharyn Marie Nind

I have authority to sign on behalf of all the other owners of the property:

- Yes No other owners

NOTES

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Signature



Date

30.11.2025

If you have any questions, please contact the Central Otago District Council by phoning 03 440 0056 or email resource.consents@codc.govt.nz

Affected Persons Approval for Resource Consent



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TO BE COMPLETED BY THE PERSON(S) REQUESTING APPROVAL

Applicant Name: Peter and Tanya Copeland

Type of resource consent (circle all appropriate): Land-use / Subdivision

Proposed activity:

Two lot subdivision - pursuant to Section 218(1)(a)(iii) of the Resource Management Act for land which has been leased for a period exceeding 35 years

Location of site:

218 Chapman Road, Alexandra

CONTACT DETAILS OF AFFECTED PARTY

Full Name/s: (name of person giving written approval) Duncan + Linda Ryder
info@allvantage.co.nz 0274877127
Email Phone

Address of the property (I am the owner of the following property): 234 Chapman Rd,
Earnscleugh, Alexandra

The full name of all other owners of the property: (owners of the affected property)

I have authority to sign on behalf of all the other owners of the property:

- Yes
- No other owners

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Signature

7/12/25
Date

If you have any questions, please contact the Central Otago District Council by phoning 03 440 0056 or email resource.consents@codc.govt.nz

** CONDITION: 3.3.1 SERVICING. FIREFIGHTING PROVISION REGARDING
INSTALLATION OF STORAGE TANK. VISUAL EFFECTS. NO WATER
STORAGE TANK TO BE VISIBLE FROM OUR PROPERTY.*

Affected Persons Approval for Resource Consent



1 Dunorling Street
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New Zealand

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info@codc.govt.nz
www.codc.govt.nz

**(Form 8A)
Section 95E(3), Resource Management Act 1991**

Email to: resource.consent@codc.govt.nz
Post to: The Chief Executive
Central Otago District Council
PO Box 122
Alexandra 9340

TO BE COMPLETED BY THE PERSON(S) REQUESTING APPROVAL

Applicant Name: Peter and Tanya Copeland

Type of resource consent (circle all appropriate): Land-use / Subdivision

Proposed activity:
Two lot subdivision - pursuant to Section 218(1)(a)(iii) of the Resource Management Act for land which has been
leased for a period exceeding 35 years

Location of site:
218 Chapman Road, Alexandra

CONTACT DETAILS OF AFFECTED PARTY

Full Name/s: (name of person giving written approval) Sophie Maxwell, Cameron Maxwell
Sophm.maxwell@gmail.com 0273484149
Email Phone

Address of the property (I am the owner of the following property): 18 McGregor Road,
Alexandra

The full name of all other owners of the property: (owners of the affected property)

I have authority to sign on behalf of all the other owners of the property:

- Yes
- No other owners

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Signature


Date

If you have any questions, please contact the Central Otago District Council by phoning 03 440 0056 or email resource.consents@codc.govt.nz

Wednesday, December 3, 2025 at 11:16:14 AM New Zealand Daylight Time

Subject: Re: Water supply and water quality testing
Date: Monday, 1 December 2025 at 4:09:00 PM New Zealand Daylight Time
From: Last Chance
To: Tanya Copeland
Attachments: image001.png, 2025-11-24 LCCWS Water test report 4034291-DWAP-1.pdf

Hi Tanya,

Thank you for your email.

1. Attached is a copy of the latest water test for our community water scheme. Note that the low pH coincides with the lowest bore water level recorded this season (since winter). However it is an aesthetic measure, not of health importance. The most recent bore water level measurements from OutpostCentral records a restoration of level, therefore I suggest a rise in PH to 7.0 has probably occurred as history indicates.
2. Your membership with Last Chance Community Water Scheme has an allocation of 1.5 units of water, 1 unit being 1000 litres per day of water. If you need a copy of your membership form, please let me know and I will send it through.
3. Additional water connections are available for purchase. Any requests would need to be put to the committee for discussion and approval.

If you need any further information, please do not hesitate to contact me.

Thank you
Kind Regards
Fiona Kissel
Administration
Last Chance Community Water Scheme Inc.
ph: 0274 347 569

On Mon, 1 Dec 2025 at 12:18, Tanya Copeland <tanya@tanyacopeland.co.nz> wrote:

Hi Fiona,

We own a property at 218 Chapman Road which is connected to the community water scheme. We are in the process of applying for a subdivision consent to put our commercial orchard onto its own separate title. Council is likely to want confirmation of the quantity and quality of potable water to the property during the subdivision consent processing.

Can you please provide the following:

- a copy of the most recent water quality testing for the LCCWS, preferably less than 6 months old.
- confirmation of the water quantity which we have to our existing title. Please let me know if you do not hold the records for our water supply agreement, I can probably get them from our lawyer.
- Confirmation that additional water connections are available for purchase. Whilst we do not intend on purchasing an additional connection (on the basis that no residential activity is proposed), Council may wish to understand whether additional water is available in the future.

Page 1 of 2

Thanks

Tanya Copeland





R J Hill Laboratories Limited
28 Duke Street Frankton 3204
Private Bag 3205
Hamilton 3240 New Zealand

☎ **0508 HILL LAB** (44 555 22)
☎ +64 7 858 2000
✉ mail@hill-labs.co.nz
🌐 www.hill-labs.co.nz

Certificate of Analysis

Page 1 of 6

Client: Ken Higgle Limited	Lab No: 4034291	DWAPv1
Contact: Ken Higgle C/- Ken Higgle Limited PO Box 52 Alexandra 9340	Date Received: 18-Nov-2025	
	Date Reported: 24-Nov-2025	
	Quote No:	
	Order No: 305584	
	Client Reference: Last Chance Domestic Water Source	
	Submitted By: Ken Higgle	

Sample Type: Drinking Water for DWSNZ Compliance

Sample Name:	LA5003 - Last Chance Domestic- Bore 17-Nov-2025 2:00 pm	LA5003 - Last Chance Domestic- Morrell 17-Nov-2025 2:15 pm	Aesthetic Values	Maximum Acceptable Values (MAV)
Lab Number:	4034291.1	4034291.2		
Individual Tests				
Total Phosphorus	g/m ³	0.017	-	-
Absorbance at 254 nm (unfiltered sample)	AU cm ⁻¹	0.011	-	-
Transmittance at 254 nm (unfiltered sample)*	%T, 1 cm cell	97.4	-	-
Total Coliforms	MPN / 100mL	< 1	-	-
Routine Water + E.coli profile Kit				
Escherichia coli	MPN / 100mL	< 1	-	< 1
Routine Water Profile				
Turbidity	NTU	0.10	-	≤ 5
pH	pH Units	6.7	-	7.0 - 8.5
Total Alkalinity	g/m ³ as CaCO ₃	76	-	-
Free Carbon Dioxide	g/m ³ at 25°C	28	-	-
Total Hardness	g/m ³ as CaCO ₃	78	-	≤ 200
Electrical Conductivity (EC)	mS/m	22.8	-	-
Electrical Conductivity (EC)	µS/cm	228	-	-
Approx Total Dissolved Salts	g/m ³	152	-	≤ 1000
Total Arsenic	g/m ³	< 0.0011	-	0.01
Total Boron	g/m ³	< 0.053	-	2.4
Total Calcium	g/m ³	21	-	-
Total Copper	g/m ³	0.0116	-	≤ 1
Total Iron	g/m ³	0.050	-	≤ 0.3
Total Lead	g/m ³	0.00143	-	0.01
Total Magnesium	g/m ³	6.3	-	-
Total Manganese	g/m ³	< 0.00053	-	≤ 0.04 (Staining) ≤ 0.10 (Taste)
Total Potassium	g/m ³	1.28	-	-
Total Sodium	g/m ³	14.1	-	≤ 200
Total Zinc	g/m ³	0.0132	-	≤ 1.5
Chloride	g/m ³	14.7	-	≤ 250
Nitrate-N	g/m ³	0.26	-	-
Sulphate	g/m ³	11.0	-	≤ 250
Total Coliforms and E.coli				
Total Coliforms	MPN / 100mL	-	< 1	-
Escherichia coli	MPN / 100mL	-	< 1	< 1



This Laboratory is accredited by International Accreditation New Zealand (IANZ), which represents New Zealand in the International Laboratory Accreditation Cooperation (ILAC). Through the ILAC Mutual Recognition Arrangement (ILAC-MRA) this accreditation is internationally recognised. The tests reported herein have been performed in accordance with the terms of accreditation, with the exception of tests marked * or any comments and interpretations, which are not accredited.

Note: The Maximum Acceptable Values (MAV) are taken from the 'Water Services (Drinking Water Standards for New Zealand) Regulations 2022', published under the authority of the New Zealand Government-2022. Copies of this publication are available from: <https://www.legislation.govt.nz/regulation/public/2022/0168/latest/whole.html>

The standards set limits for the concentration of determinands in drinking water. The Maximum Acceptable Values (MAVs) for any determinand must not be exceeded at any time.

The Aesthetic Values are taken the publication, 'Aesthetic Values for Drinking Water Notice 2022' issued by the Water Services Regulator ("Taumata Arowai"). Aesthetic values specify or provide minimum or maximum values for substances and other characteristics that relate to the acceptability of drinking water to consumers (such as appearance, taste or odour).

Note that the units: g/m³ are the same as mg/L and ppm.

Routine Water Assessment for Sample No 4034291.1 - LA5003 - Last Chance Domestic-**pH/Alkalinity and Corrosiveness Assessment**

The pH of a water sample is a measure of its acidity or basicity. Waters with a low pH can be corrosive and those with a high pH can promote scale formation in pipes and hot water cylinders. The guideline level for pH in drinking water is 7.0-8.5. Below this range the water will be corrosive and may cause problems with disinfection if such treatment is used.

The alkalinity of a water is a measure of its acid neutralising capacity and is usually related to the concentration of carbonate, bicarbonate and hydroxide. Low alkalinities (25 g/m³) promote corrosion and high alkalinities can cause problems with scale formation in metal pipes and tanks.

With the pH and alkalinity levels found, this water could be corrosive towards metal piping and fixtures.

Hardness/Total Dissolved Salts Assessment

The water contains a low amount of dissolved solids and would be regarded as being slightly hard.

Nitrate Assessment

Nitrate-nitrogen at elevated levels is considered undesirable in natural waters as this element can cause a health disorder called methaemaglobinaemia. Very young infants (less than six months old) are especially vulnerable. The 'Water Services (Drinking Water Standards for New Zealand) Regulations 2022' sets a maximum permissible level of 11.3 g/m³ as Nitrate-nitrogen (50 g/m³ as Nitrate).

Nitrate-nitrogen was detected in this water but at such a low level to not be of concern.

Boron Assessment

Boron may be present in natural waters and if present at high concentrations can be toxic to plants. Boron was not detected in this water.

Metals Assessment

Iron and manganese are two problem elements that commonly occur in natural waters. These elements may cause unsightly stains and produce a brown/black precipitate. Iron is not toxic but manganese, at concentrations above 0.5 g/m³, may adversely affect health. At concentrations below this it may cause stains on clothing and sanitary ware.

Iron was found in this water at a low level.

Manganese was not detected in the water.

Treatment to remove iron and/or manganese should not be necessary.

Bacteriological Tests

The Drinking Water Standards for NZ state that there should be no Escherichia coli (E coli) in water used for human consumption. The presence of these organisms would indicate that other pathogens of faecal origin may be present. Results obtained for Total Coliforms are only significant if the sample has not also been tested for E coli.

Escherichia coli was not detected in this sample.

Final Assessment

The parameter pH did NOT meet the guidelines laid down in the 'Water Services (Drinking Water Standards for New Zealand) Regulations 2022' and the 'Aesthetic Values for Drinking Water Notice 2022' issued by the Water Services Regulator ("Taumata Arowai") for water which is suitable for drinking purposes.

Routine Water Assessment for Sample No 4034291.2 - LA5003 - Last Change Domestic-**Bacteriological Tests**

The Drinking Water Standards for NZ state that there should be no Escherichia coli (E coli) in water used for human consumption. The presence of these organisms would indicate that other pathogens of faecal origin may be present. Results obtained for Total Coliforms are only significant if the sample has not also been tested for E coli.

Escherichia coli was not detected in this sample.

Final Assessment

All parameters tested for meet the guidelines laid down in the 'Water Services (Drinking Water Standards for New Zealand) Regulations 2022' and the 'Aesthetic Values for Drinking Water Notice 2022' issued by the Water Services Regulator ("Taumata Arowai") for water which is suitable for drinking purposes.

Summary of Methods

The following table(s) gives a brief description of the methods used to conduct the analyses for this job. The detection limits given below are those attainable in a relatively simple matrix. Detection limits may be higher for individual samples should insufficient sample be available, or if the matrix requires that dilutions be performed during analysis. A detection limit range indicates the lowest and highest detection limits in the associated suite of analytes. A full listing of compounds and detection limits are available from the laboratory upon request. Unless otherwise indicated, analyses were performed at Hill Labs, 28 Duke Street, Frankton, Hamilton 3204.

Sample Type: Drinking Water for DWSNZ Compliance			
Test	Method Description	Default Detection Limit	Sample No
Individual Tests			
Filtration, Unpreserved	Sample filtration through 0.45 µm membrane filter. Analysed at Hill Laboratories - Chemistry; Unit 1, 17 Print Place, Middleton, Christchurch.	-	1
Total Digestion	Nitric acid digestion. APHA 3030 E (modified) : Online Edition.	-	1
Turbidity	Analysis by Turbidity meter. Analysed at Hill Laboratories - Chemistry; Unit 1, 17 Print Place, Middleton, Christchurch. APHA 2130 B (modified) : Online Edition.	0.05 NTU	1
pH	pH meter. Analysed at Hill Laboratories - Chemistry; Unit 1, 17 Print Place, Middleton, Christchurch. APHA 4500-H+ B (modified) : Online Edition. Note: It is not possible to achieve the APHA Maximum Storage Recommendation for this test (15 min) when samples are analysed upon receipt at the laboratory, and not in the field. Samples and Standards are analysed at an equivalent laboratory temperature (typically 18 to 22 °C). Temperature compensation is used.	0.1 pH Units	1
Total Alkalinity	Titration to pH 4.5 (M-alkalinity), autotitrator. Analysed at Hill Laboratories - Chemistry; Unit 1, 17 Print Place, Middleton, Christchurch. APHA 2320 B (modified for Alkalinity <20) : Online Edition.	1.0 g/m ³ as CaCO ₃	1
Free Carbon Dioxide	Calculation: from alkalinity and pH, valid where TDS is not >500 mg/L and alkalinity is almost entirely due to hydroxides, carbonates or bicarbonates. APHA 4500-CO ₂ D : Online Edition.	1.0 g/m ³ at 25°C	1
Total Hardness	Calculation from Total Calcium and Total Magnesium. APHA 2340 B : Online Edition.	1.0 g/m ³ as CaCO ₃	1
Electrical Conductivity (EC)	Conductivity meter, 25°C. Analysed at Hill Laboratories - Chemistry; Unit 1, 17 Print Place, Middleton, Christchurch. APHA 2510 B : Online Edition.	0.1 mS/m	1
Electrical Conductivity (EC)	Conductivity meter, 25°C. APHA 2510 B : Online Edition.	1 µS/cm	1
Approx Total Dissolved Salts	Calculation: from Electrical Conductivity.	2 g/m ³	1
Total Arsenic	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition.	0.0011 g/m ³	1
Total Boron	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition.	0.053 g/m ³	1
Total Calcium	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition.	0.053 g/m ³	1
Total Copper	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition.	0.00053 g/m ³	1
Total Iron	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition.	0.021 g/m ³	1
Total Lead	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition.	0.00011 g/m ³	1
Total Magnesium	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition.	0.021 g/m ³	1
Total Manganese	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition.	0.00053 g/m ³	1
Total Potassium	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition.	0.053 g/m ³	1
Total Sodium	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition.	0.021 g/m ³	1
Total Zinc	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition.	0.0011 g/m ³	1
Chloride	Filtered sample from Christchurch. Ion Chromatography. APHA 4110 B (modified) : Online Edition.	0.5 g/m ³	1
Nitrate-N	Filtered (if required) sample from Christchurch. Ion Chromatography. APHA 4110 B (modified) : Online Edition.	0.05 g/m ³	1
Total Phosphorus	Total phosphorus digestion, automated ascorbic acid colorimetry. Flow Injection Analyser. APHA 4500-P H (modified) : Online Edition.	0.002 g/m ³	1
Sulphate	Filtered sample from Christchurch. Ion Chromatography. APHA 4110 B (modified) : Online Edition.	0.5 g/m ³	1
Absorbance at 254 nm (unfiltered sample)	Unfiltered sample. Spectrophotometry, 1cm cell. In-House.	0.002 AU cm ⁻¹	1

Sample Type: Drinking Water for DWSNZ Compliance			
Test	Method Description	Default Detection Limit	Sample No
Transmittance at 254 nm (unfiltered sample)*	Calculation from Absorbance at the specified wavelength. In-House.	0.5 %T, 1 cm cell	1
Routine Water Profile		-	1
Total Coliforms and E.coli			
Total Coliforms	MPN count using Colilert 18 (Incubated at 35°C for 18 hours) and 97 wells. Analysed at Hill Laboratories - Microbiology; Unit 1, 17 Print Place, Middleton, Christchurch. APHA 9223 B : Online Edition.	1 MPN / 100mL	1-2
Escherichia coli	MPN count using Colilert 18 (Incubated at 35°C for 18 hours) and 97 wells. Analysed at Hill Laboratories - Microbiology; Unit 1, 17 Print Place, Middleton, Christchurch. APHA 9223 B : Online Edition.	1 MPN / 100mL	1-2

These samples were collected by yourselves (or your agent) and analysed as received at the laboratory.

Testing was completed between 18-Nov-2025 and 24-Nov-2025. For completion dates of individual analyses please contact the laboratory.

Samples are held at the laboratory after reporting for a length of time based on the stability of the samples and analytes being tested (considering any preservation used), and the storage space available. Once the storage period is completed, the samples are discarded unless otherwise agreed with the customer. Extended storage times may incur additional charges.

This certificate of analysis must not be reproduced, except in full, without the written consent of the signatory.

Kim Harrison MSc
Client Services Manager - Environmental

AFFIDAVIT OF THE TAYLOR FAMILY

I, Trevor Dawson Taylor of 280 Conroys Road, Alexandra, Orchardist, being duly sworn/affirmed, say as follows:

1. I am a member of the Taylor Family and am authorised to make this affidavit on behalf of the Taylor Family. The matters deposed to in this affidavit are within my own knowledge, except where stated otherwise, and are true and correct.
2. The Taylor Family has leased the land at 218 Chapman Road Alexandra, as depicted in Appendix 1 to this affidavit, on a continuous and uninterrupted basis since 1973, a period exceeding thirty-five (35) years.
3. The leased area at 218 Chapman Road includes the full extent of the planted apricot orchard including the headlands and access from Chapman Road via the existing driveway. The leased area also includes the irrigation pond, together with all associated irrigation infrastructure, including:
 - o the pump station and all associated electrical infrastructure,
 - o the water race,
 - o underground irrigation water pipes
 - o overhead sprinklers and
 - o the submersible pump.
4. This affidavit is made for the purpose of confirming the duration and extent of the leased area of the land at 218 Chapman Road.

Dated at Alexandra
this 29 day of JAN 2026


Trevor Dawson Taylor

Appendix 1





LOCAL GOVERNMENT ACT 2002 AND RESOURCE MANAGEMENT ACT 1991 DEVELOPMENT/FINANCIAL CONTRIBUTION NOTICE

1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand
03 440 0056
info@codc.govt.nz
www.codc.govt.nz



This notice has been issued in accordance with Council's Policy on Development and Financial Contributions effective from 1 July 2025 and updated \$/HUE rates published in CODC's Schedule of Fees and Charges 2025-2026.

Consent #	RC250373
Applicant Name	Tanya Copeland
Address	218 Chapman Road, Alexandra
Description	Two lot subdivision

This notice is an indication of the amount payable by the Applicant should the consent proceed in its current form.

Calculations

Note: A "Household unit equivalent" (HUE) means demand for Council services equivalent to that produced by a nominal household in a standard residential unit. Non-residential activities, such as industrial and commercial, can be converted into HUE's using land use differentials.

Summary of DCs under 2025/26 DCFCP	Post Development demand (HUE)	Pre Development demand (HUE)	Additional demand (HUE)	\$/HUE (inc GST)	Development contribution (exc GST)	Development contribution (inc GST)
Water	2.00	1.00	1.00	\$0	\$0.00	\$0
Wastewater	2.00	1.00	1.00	\$0	\$0.00	\$0
Transport	2.00	1.00	1.00	\$803	\$698.26	\$803
Community infrastructure	2.00	1.00	1.00	\$2,511	\$2,183.48	\$2,511
TOTAL DEVELOPMENT CONTRIBUTION				\$3,314	\$2,882	\$3,314
Summary of FCs under 2025/26 DCFCP				\$/HUE (inc GST)	Development contribution (exc GST)	Development contribution (inc GST)
Reserves Financial Contribution	2.00	1.00	1.00	\$1,450	\$1,261	\$1,450
Summary of contribution under 2025/26 DCFCP					Total Contribution (exc GST)	Total Contribution (inc GST)
TOTAL CONTRIBUTION					\$4,143	\$4,764



Summary of payments due

Summary of contribution under 2025/26 DCFCP	Total Contribution (exc GST)	Total Contribution (inc GST)
Total Contribution	\$4,143	\$4,764

Payment

Development contributions must be paid by the due dates in the table below.

	Payment due date
Building consent	20 th of the month following the issue of the invoice
Certificate of acceptance	At issue of the certificate of acceptance
Resource consent for subdivision	Prior to release of the certificate under section 224(c) of the RMA
Resource consent (other)	20th of the month following the issue of the invoice
Service connection	At issue of the connection approval

On time payment is important because, until the development contributions have been paid in full, Council may:

- Prevent the commencement of a resource consent.
- Withhold a certificate under section 224(c) of the RMA.
- Withhold a code compliance certificate under section 95 of the Building Act 2004.
- Withhold a service connection to the development.
- Withhold a certificate of acceptance under section 99 of the Building Act 2004.

Where invoices remain unpaid beyond the payment terms set out in the Policy, Council will start debt collection proceedings, which may involve the use of a credit recovery agent. Council may also register the development contribution under the Land Transfer Act 2017, as a charge on the title of the land in respect of which the development contribution was required.

A development contribution may be generated when granting a resource consent, building consent or service connection and a financial contribution may be generated when granting a resource consent. Where one development requires different types of consent and these are processed concurrently, more than one invoice may be generated for the same contribution, however a contribution only needs to be paid once.



If on a subsequent application more detailed information reveals that a proposal will generate more demand than initially assessed a higher contribution may be required. If a payment has been made in the interim a further payment of the balance will be required.

Created 17/02/2026



Engineering Advice

Resource Consent Number: RC250373

Planner/Overseer: Kirstyn Royce

Short Description/Proposal: Subdivision consent for a two-lot subdivision in a rural resource area.



General

Commentary:

The consent application is strongly in accordance with our Policies and Standards, from an Engineering perspective.

I've excluded the usual standard conditions even though they are standard procedure, because I am confident that no Engineering Acceptance will be required, and that no as-builts will need to be submitted to Council.

Conditions:

1) Unless modified by other conditions, all designs and approvals are to be in accordance with the NZS 4404 based CODC land development and subdivision code of practice.

Note:

Currently the two documents, NZS 4404:2004 and the July 2008 CODC Addendum form the NZS 4404 based CODC land development and subdivision code of practice.

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2) Any easements required to protect access or for access to services must be duly granted or reserved.

3) A suitably worded consent notice must be attached to the new title for Lot 2 advising that the lot is an unserviced productive property, and provision of potable water, wastewater disposal, firefighting, and telecommunications will be the future responsibility of the owner at the time of building.

Potable Water Supply

Commentary:

Not required for Lot 2.

Lot 1 is to retain the existing connection to the Last Chance Community Water Scheme (1,500L/day).

Up-to-date water testing has been provided for the water supply. The testing shows that the water supply is marginally too acidic (pH 6.7) to comply with the Aesthetic Values for pH (between 7.0 – 8.5 required). We recommend compliance with the Aesthetic Values but only absolutely require compliance with the Maximum Acceptable Values.

I will recommend the standard water connection condition, but it will be largely redundant on account of the Lot 1 dwelling retaining the existing connection without any modifications required. The documentation for the water scheme may need to be updated to reflect the new legal descriptions, titles, boundaries etc.

My original proposed condition said:

"...water supply must be provided to proposed Lot 1 from the Last Chance Community Water Scheme, the existing connection supplying the existing dwelling on Lot 1 will be acceptable, in accordance with ..."

Walt Denly, Council's Senior Development Engineer commented:

"This wording implies that we will not require remedial treatment of the existing supply. If we know it is substandard and this consent triggers us to look at the supply are we not obliged to require them to prove appropriate treatment prior to 224c to be in line with the new regulations?"

Therefore I have revised the condition in accordance, below.

Conditions:

4) Prior to 224c certification, an adequate working water supply must be provided to proposed Lot 1 from the Last Chance Community Water Scheme, in accordance with the CODC Addendum, including Clause 6.3.15 Small Rural Water Supplies, and other relevant provisions of NZS 4404:2004, with the following specific requirements:

a) Quality. Resolution of any non-compliance, through installation of point-of-use remedial treatment, must be confirmed by being retested fully compliant.

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b) Documentation. An updated, as appropriate, operation and maintenance manual including a description of the water supply system and as-built drawings of the reticulation layout, and formal ownership and management documentation, must be provided to Council for each network water supply system.

c) Access. Necessary easements must be in place for pipework and access to water sources to, or within the boundary of Lot 1.

Advice note: As the potable water supply will be a network supply, the supplier should be aware of the requirements of, and their obligations under, the Water Services Act 2021.

Firefighting Water Supply

Commentary:

Not required for Lot 2.

Firefighting for Lot 1 to be confirmed/installed pre-224c. Condition below.

Conditions:

5) Prior to 224c certification, firefighting provisions on proposed Lot 1 must be demonstrated to comply with, or be upgraded in accordance with the following: firefighting storage is to be provided by, at minimum, a 20,000 litre tank. Of the total capacity, a minimum of 20,000 litres must be always maintained as a static firefighting reserve. Alternatively, an 11,000-litre firefighting reserve is to be made available to the building in association with a domestic sprinkler system installed in the building to an approved standard. A firefighting connection from the static firefighting designated water is to be located within 90 metres of any proposed building on the site. To ensure that connections are compatible with Fire and Emergency New Zealand (FENZ) equipment the fittings are to comply with the following standards:

a) Either: For flooded sources, a 70 mm Instantaneous Couplings (Female) NZS 4505 or, for suction sources, a 100 mm and 140 mm Suction Coupling (Female) NZS 4505 (hose tail is to be the same diameter as the threaded coupling e.g. 100 mm coupling has 100 mm hose tail), provided that the consent holder must provide written approval of Fire and Emergency New Zealand to confirm that the couplings are appropriate for firefighting purposes.

b) All connections must be capable of providing a flow rate of 25 litres per second at the connection point.

c) The connection must have a hardstand area adjacent to it to allow a Fire and Emergency New Zealand appliance to park on it. The hardstand area must be located at the centre of a clear working space with a minimum width of 4.5 metres. Access must be always maintained to the hardstand area.

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d) Underground tanks or tanks that are partially buried (provided the tank is no more than 1 metre above ground) may be accessed by an opening in the top of the tank, removing the need for couplings.

e) Any new water tank must be coloured dark green/grey/brown or similar, and located to ensure it is not visible against the skyline when viewed from any public place.

Advice Note 1: For more information on how to comply with this Condition or on how to provide for FENZ operational requirements refer to the Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008.

Advice Note 2: Firefighting water supply may be provided by alternative means to the above with written approval of FENZ.

Wastewater

Commentary:

Not required for Lot 2.

Wastewater for Lot 1 to be inspected pre-224c. Condition below.

New consent notice (a reminder to maintain the wastewater disposal system) for Lot 1, also.

Conditions:

6) Prior to 224c certification, the existing on-site wastewater disposal system serving the existing dwelling on proposed Lot 1 must be inspected by a suitably qualified and experienced person to confirm that it is in good working order, has sufficient capacity for its intended use, and is fully contained within the boundaries of Lot 1 as proposed. The inspection report must describe the system's type, condition, capacity, and the location of all components (including disposal fields and reserve areas) in relation to proposed lot boundaries. If the system is found to be inadequate or not fully contained within Lot 1, it must be upgraded or relocated to achieve full compliance with AS/NZS 1547:2012.

7) A consent notice must be registered on the title of proposed Lot 1 requiring that: the on-site wastewater disposal system must be operated and maintained in accordance with the system designer's recommendations and manufacturer's specifications for the lifetime of the system. The system must be regularly serviced by a suitably qualified and experienced person to ensure it continues to function effectively and in compliance with Council and Otago Regional Council requirements. The property owner shall be responsible for all ongoing maintenance, inspections, and renewals as required.

Stormwater

Commentary:

Given that structures have already been built on proposed Lot 1, it is less important to include Lot 1 in the consent notice below, but I have done so for the sake of prudence and redundancy.

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Conditions:

8) The following requirement must be secured by a consent notice registered on the titles of proposed Lots 1 and 2:

Stormwater from buildings and other impervious surfaces must be stored for beneficial reuse or disposed of by a soakage system (e.g. soak-pit or similar), designed by a suitably qualified and experienced person in accordance with NZ Building Code Clause E1 (Surface Water), which will require Building Consent. The system must be located entirely within the boundary of the titled property, and the property owner shall be responsible for maintaining the system in good working order to prevent surface flooding and nuisance effects on neighbouring properties.

Access

Commentary:

The applicant proposes a new entrance way/crossing for Lot 2, in accordance with our standards, and to keep the existing dual-directional / split entranceway for Lot 1, which is not strictly in accordance with our policies. I will accept it providing that it/both have the minimum 2 metres seal or better.

Additional comment: The proposed crossing location for Lot 2 is the best available on the proposed street frontage, and is superior to the existing crossing location for Lot 1. Sightlines of 160 metres are required to be met (as per Roadway Policies).

Approximately 300 metres of sight is available to the East, and approximately 200 metres to the West. This is compliant with our Policy. And would still be compliant if Chapman road is assessed as a 110 km/h road.

Conditions:

9) Prior to 224c certification, the existing vehicle entranceways/crossings from Chapman Road to serve proposed 1 must be demonstrated to be in compliance with, or upgraded in accordance with the requirements of Part 29 of Council's Roadway Policies January 2015. The crossings must be sealed a minimum of 2 metres back from the edge of the existing road seal. For crossings onto sealed roads an upgraded crossing must include a cutout 300mm into the sealed road or until the full thickness of the sealed road is reached, whichever is greater. The interface must have tape seal banding over all joins for new asphalt crossings, and at least 150mm chip seal overlap for new chip seal crossings. Chip seal crossings must be two coat.

10) Prior to 224c certification, a new vehicle entranceway/crossing from Chapman Road to serve proposed Lot 2 must be constructed in compliance with the requirements of Part 29 of Council's Roadway Policies January 2015. The crossing must be sealed a minimum of 2 metres back from the edge of the existing road seal. For crossings onto sealed roads an new crossing must include a cutout 300mm into the sealed road or until the full thickness of the sealed road is reached, whichever is greater. The interface must have tape seal banding over all joins for new asphalt crossings, and at least 150mm chip seal overlap for new chip seal crossings. Chip seal crossings must be two coat.

Created 17/02/2026



Power & Telecommunications

Commentary:

Lot 1 has existing connections.

Lot 2 is reported to have a power connection to the pump shed near the pond.
Wireless telecom is acceptable.

In lieu of the usual "wireless rural telecom" consent notice, I have proposed instead the "unserviced productive property" consent notice in the General section of this report.

The standard condition could be used here, but given the existing services I think it would be redundant.

Yours sincerely,

Dominic Haanen

A handwritten signature in dark ink, appearing to read "D Haanen", is written over the printed name.

Environmental Engineer