Application for

# Resource Consent

Section 88 of the Resource Management Act 1991

Te Kaunihera o Te Tairāwhiti
GISBORNE
DISTRICT COUNCIL

## About this form

Please answer all the questions and provide the relevant details of your proposal. We recommend you talk your proposal through with Council planning staff before you fill in this form.

## 1. Activity type and location

This application is for:

☐ Change of consent notice (s.221) ☑ Land Use Consent ☑ Subdivision Consent ☐ Land Use (Regional)

☐ Other

Site(s) to which this application relates is described as:

| Street/ Rapid No. | Street/Road Name: |
|---|---|
| 95 | Glenelg Road |

Property valuation No. 0824007402 and 0824007405
(see rates invoice)

Legal Description: Lot 1 DP 549844 and Lot 2 DP 573026

Fully describe the location:

See main document.

**OFFICE USE ONLY:** Map Reference NZTM:

## 2. Applicant's details (See Terms for the Applicant below)

Company/Organisation (If applicable):

Individual/Company Org Contact Person: Solomon (Surname:) Philip Robert (First Name(s))

Purchase Order/Unique reference for Invoicing:

Postal address:

95 Glenelg Road, Makauri, Gisborne

Phone: Day

Mobile: 027 443 5920

Email: sol.co@hotmail.com

Email is Council's preferred method of contact.

Do you agree to receive your correspondence and consent by email? ☑ Yes ☐ No

The applicant is the:

☑ Owner ☑ Occupier ☐ Prospective Purchaser ☐ The Crown ☐ Network Utility Operator

☐ Agent / Consultant (provide details over page)

## Office use only

Application No:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Received GDC: | | Received SO: | | Received ADM: | | EDRMS No: | |
| Deposit paid: | | Date paid: | | Category: | | Officer: | |



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## 3. Terms for the applicant

**LEGAL STATUS:** Any consents granted will be issued in the name of the applicant. Applicants must ensure they hold the legal title or status necessary to obtain consent. If the application is made on behalf of an unincorporated trust, an attachment must accompany the application, listing the full names of all trustees.

**INVOICES:** All invoices for processing fees and other applicable charges will be issued to the applicant, as the person legally responsible for the resource consent application. Please ensure the applicant's billing information is accurate and complete.

## 4. Property owner's details (if different from applicant)

Name in full:

Surname: First Name(s)

Postal address:

Phone: Day Mobile:

Email:

## 5. Agent/consultant's details (all correspondence will be sent to your agent)

Company: Grant and Cooke Surveyors Limited

Contact Person: Rebekha Upston

Postal address:

399 Palmerston Road - Gisborne

Phone: 867 7244 ext 6 Day Mobile:

Email: rebekha@grantcooke.co.nz

Email is Council's preferred method of contact.

Do you agree to receive your correspondence and consent by email? ☑ Yes ☐ No

## 6. Detailed description of proposed activity

See main document

## 7. Additional resource consents required for this proposal

Are any other resource consent(s) required for your proposal, but are not being applied for under this application? ☐ Yes ☐ No

☐ Land Use Consent ☐ Subdivision Consent ☐ Discharge Permit

☐ Coastal permit ☐ Water Permit ☐ Land Disturbance

☐ Other (give details):

Please list any previous consents relevant to this current application:

## 8. Consultation

Have you consulted with iwi? ☐ Yes ☑ No

If yes, which iwi groups have you consulted with?

Who else have you consulted with?

Please attach any relevant correspondence.

## 9. Approval of potentially affected parties

Have you obtained written approval from all parties potentially affected by the proposal? ☑ Yes ☐ No

Please attach the completed approval forms with a copy of your plans also signed by the affected people.

**Please Note:** Council planning staff will determine whether any people or groups are potentially affected by your proposal. Please discuss with our planning staff prior to lodging your application.

## 10. Notification of the application

Are you requesting the application to be publicly notified? ☐ Yes ☑ No
Please discuss the implications of notification with our planning staff if necessary.

## 11. Assessment of Environmental Effects (AEE)

Further information about preparing an AEE is on our website.

Please note: An AEE generally requires a separate sheet/report. Please attach any additional information.

See main document

## 12. Council contact

Have you discussed your proposal with any Council planning staff? ☐ Yes ☑ No

If yes, who have you spoken with:

(Name of Council staff member)

## 13. Contributions

When granting consent to certain activities, Council may levy a monetary contribution. Development contributions are levies under the Local Government Act 2002 in accordance with the Council's Development Contribution Policy. Financial or reserve contributions are levies under the RMA and Council's Combined Regional Land and District Plan.

## 14. Deposit and signature

The required deposit must be paid before we process your application.

Please refer to the Fees and Charges Schedule as per the website.

☐ I enclose a deposit of $ _____ for processing this application.

☑ I have paid a deposit by electronic banking of $ 3000 on 05/06/2026 (date)

Council's bank account details: **Account No. 03 0638 0502288 00**

Particulars: RC DEPOSIT CODE: Solomon (surname) PARTICULARS: Glenelg (road name)

**Declaration**

I understand that Council may invoice me for the actual and reasonable costs incurred in processing this application.

I Philip Solomon (print your name),

Agree that:

- I am liable for all fees and charges relating to this application
- The deposit is to be paid at the time of lodging the application
- That payment is due within 30 days of the issue date of any additional charges
- The information provided in this application and the attachments are accurate.

Signature of Applicant: (or person authorised to sign on behalf of applicant)




Date: 26/05/26

Admin check ☐



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## 15. Privacy information

The information you have provided on this form is required so that your application can be processed under the RMA and statistics can be collected by Council. The information will be stored on a public register held by Council. The details may also be made available to the public on Council's website. These details are collected to inform the general public and community groups about all consents which have been issued through Council. If you would like to request access to, or correct your details, please contact Council.

## 16. Checklist for completing your application

To ensure your application will be accepted by Council for processing, this checklist sets out the information required to be lodged with your application for a resource consent. This is a generic list of information required to be lodged with all resource consent applications. For some activities, specific information requirements are detailed in activity specific information requirement checklists.

If any of the required information is not supplied Council will not accept the application and will return the documentation and deposit fee.

### Lodging

Two methods for consent applications to be lodged are:

1. Digital applications – to be emailed to rclodgement@gdc.govt.nz
   Please note if the combined file size of your documents exceeds 30MB you will need to contact Consent Coordinators on the above email address. Staff responding will send out a secure link to upload your files.
2. Physical applications, lodged in person over the front counter. These will need to be lodged with the Duty Planner at Council Offices. Two paper copies (including one unbound) of all the information is required.

### Information required

| Along with a completed application form, the following information is required: | Council use | | |
|---|---|---|---|
| ✔ Applicant to check | Y | N | n/a |
| ☐ Proof of deposit fee payment. | ☐ | ☐ | ☐ |
| ☐ Record(s) of Title less than three months old for the site to which this application relates. Please attach the title and any consent notices, covenants, easements attached to the title if relevant or affected by the proposed activity. | ☐ | ☐ | ☐ |
| ☐ A detailed description of the proposed activity. | ☐ | ☐ | ☐ |
| ☐ Locality plan or aerial photo. Indicate the location of the site in relation to the street and other landmarks. Show the location of the subject site and those of adjoining sites. | ☐ | ☐ | ☐ |
| A scaled site plan showing: | ☐ | ☐ | ☐ |
| ☐ The boundaries; | ☐ | ☐ | ☐ |
| ☐ The location of the proposed activity or building; | ☐ | ☐ | ☐ |
| ☐ North point; | ☐ | ☐ | ☐ |
| ☐ Title/reference number(s); | ☐ | ☐ | ☐ |
| ☐ Date the plans were drawn and individual plan numbers; | ☐ | ☐ | ☐ |
| ☐ Location of existing and proposed accessways and points of entry; | ☐ | ☐ | ☐ |
| ☐ Topographic features; | ☐ | ☐ | ☐ |
| ☐ Contours; | ☐ | ☐ | ☐ |
| ☐ Location of any mapped natural or cultural heritage features; | ☐ | ☐ | ☐ |
| ☐ Location of any mapped natural hazards; | ☐ | ☐ | ☐ |
| ☐ Location of any rivers, streams, watercourses. | ☐ | ☐ | ☐ |
| ☐ Also refer to the checklist specific to the consent type to see any additional features that need to be added to the site plan. | ☐ | ☐ | ☐ |
| ☐ An assessment of the activity the relevant provisions of the Tairawhiti Resource Management Plan (TRMP) - A list of the rules from the TRMP that require resource approval and status of the proposed activity in the TRMP. | ☐ | ☐ | ☐ |
| ☐ An assessment against any relevant National Environmental Standards. | ☐ | ☐ | ☐ |
| ☐ An assessment against any relevant National Policy Statements (i.e NPS for highly productive land) | ☐ | ☐ | ☐ |
| ☐ An assessment of effects on the environment (AEE) in accordance with Schedule 4 of the RMA at a level of detail that corresponds with the scale and significance of the effects that the proposed activity may have on the environment. In addition, this may require one or more technical specialist reports. The AEE must include a full description of the proposed activity, the effects that may be generated and how these will be managed. For more information refer the AEE guidance available for each consent activity type. | ☐ | ☐ | ☐ |
| ☐ An assessment against the relevant matters in Part 2 of the RMA will be required. Part 2 matters may be included in your AEE or in a separate document. | ☐ | ☐ | ☐ |



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| | | | | |
|---|---|---|---|---|
| ☐ | An assessment against any relevant provisions (i.e. policies and objectives) of a statutory document (e.g. the Tairawhiti Resource Management Plan, Regional and/or National Policy Statement). The assessment may be included in your AEE or in a separate document.<br>Note: This is only required for discretionary and non-complying activities. | ☐ | ☐ | ☐ |
| ☐ | Include details (name, postal and site address) of any consultation undertaken (including iwi) and any responses from those consulted with. | ☐ | ☐ | ☐ |
| ☐ | Written approval from all affected persons which includes a completed Affected Party Approval form(s) and signed and dated copies of the site plan, elevations. | ☐ | ☐ | ☐ |
| ☐ | Written approval from NZTA where your site adjoins a state highway and proposes any of the following, subdivision, new vehicle crossing, consent for an activity that increases vehicle movements associated with the site | ☐ | ☐ | ☐ |
| ☐ | A completed checklist relevant to your application – Refer to the separate checklists relating to the consent you are applying for, i.e. the activity type. | ☐ | ☐ | ☐ |

## Pre-lodgement meeting

Have you had a pre-lodgement meeting with a Council Consents Planner? ☐ Yes ☐ No

Whom did you have the pre-lodgement meeting with?

To ensure a smoother lodgement process and to increase the chance of the application being accepted (as any outstanding information would have been identified at the pre-lodgement meeting) we encourage you to arrange a pre-lodgement meeting with a planner prior to lodging your application.

## Office use only

Signed by Acceptance Officer:

Officer: Date:



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Checklist for

# Subdivision Resource Consent

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GISBORNE
DISTRICT COUNCIL

## Information requirements

This checklist will ensure you provide adequate information with your application for a subdivision consent. If the required information is not provided, or your application is incomplete, it will be returned to you with the deposit.

Note: You also need to provide the required information in the resource consent checklist.

**Please include this completed form with your application.**

## Information required

Along with a completed application form, the following information is required:

Key: Mark items ✔ = Yes, Pass ▬ = Not applicable ✖ = Fail

| Applicant to check ✔ | Council use |
|---|---|
| ☑ The position of all existing and proposed boundaries | ☐ |
| ☑ The area of all new allotments (include the nett area of allotments excluding accessways) | ☐ |
| ☑ Ground levels | ☐ |
| ☑ Location of all existing and proposed easements | ☐ |
| ☐ Proposed amalgamation request | ☐ |
| ☐ The location and dimensions of any existing and proposed esplanade reserves or strips | ☐ |
| ☑ The location, width and construction standard of existing and proposed vehicle crossings | ☐ |
| ☑ The location, width and construction standard of existing and proposed accessways | ☐ |
| ☑ Photographs of the existing vehicle crossings, accessways, and pictures taken from the 4 main corners of the site (infill/town only) | ☐ |
| ☐ Location and dimensions of any land to be set aside as new road | ☐ |
| ☐ Location of existing services | ☐ |
| ☑ Details of the proposed servicing of any new allotments with, sewer, water, stormwater, electricity and telecommunications | ☐ |
| ☐ Location and details of existing onsite wastewater systems | ☐ |
| ☐ Assessment for onsite wastewater suitability – For sites proposing future residential or commercial development that are in non-reticulated areas | ☐ |
| ☑ Confirmation of good ground conditions for building platforms/foundations | ☐ |
| ☐ Global stability analysis for subdivision applications proposing future residential development and is located within Land Overlay 2 & 3 | ☐ |
| ☑ CPT tests to determine the factor of safety against liquefaction, including lateral spreading analysis – This is only required for subdivision proposals for future residential, commercial or industrial development where more than two allotments are proposed in a medium to high liquefaction risk zone | ☐ |
| ☐ Show expected and proposed impervious surfaces (include calculations) – This is required for subdivision applications in the residential, rural residential and rural lifestyle zones | ☐ |
| ☑ Assessment of the proposed stormwater management for the subdivision | ☐ |
| ☐ Location of existing bores | ☐ |
| ☐ Proposed finished floor level of future dwellings, if the subdivision site is within a flood hazard | ☐ |



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| | | |
|---|---|---|
| ☐ | If the subdivision is staged, clearly define the stages and if there is any time extension proposed to exercise the consent please clearly provide details on the number of years the extension is sought for. | ☐ |

## Assessment of Environmental Effects

| | | |
|---|---|---|
| ✓ | Description of the character of the surrounding area | ☐ |
| ✓ | An amenity values assessment | ☐ |
| ✓ | Cultural heritage assessment | ☐ |
| ✓ | Natural heritage assessment – if the site is within the coastal environment, outstanding landscape, protection management or urban ridgeline overlays provide an assessment specific to the relevant overlay | ☐ |
| ✓ | Natural Hazards assessment – If the site is within any coastal hazard, flood hazard, land instability layer provide an assessment specific to the relevant hazard | ☐ |
| ✓ | Assessment against the National Environmental Standard for assessing and managing the effects on human health from soil contamination | ☐ |
| ✓ | Assessment against the built environment chapter in C2 of the TRMP | ☐ |

## Helpful information

If you require an aerial photograph and/or need to know what overlays are on the subject site, visit our website www.gdc.govt.nz online maps, which also print to scale.

Visit our website to view the Tairawhiti Resource Management Plan.

For more information - visit our website www.gdc.govt.nz for a guide to residential subdivision and guide to rural subdivision.

If you need any help or advice about your application please contact our Duty Planner on 06 869 2444.

## Office use only

Signed by Acceptance Officer:

Officer: Date:



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# Pay a bill



Success! Your payment has been processed

## Receipt

| | |
|---|---|
| **From account:** | 38-9025-0841421-00 Business Edge |
| **To account:** | GISBORNE DISTRICT COUNCIL - ALL OTHER PAYMENTS |
| **Start date:** | 5 June 2026 |
| **Processing time:** | We send payments to other banks every hour between 9am and midnight every day. Payments submitted after midnight will be sent after 9am. |
| **Frequency** | One-off payment |
| **Amount:** | $3,000.00 |

| Statement details | Particulars | Code | Reference |
|---|---|---|---|
| On your statement | RC DEP Bun | Solomon | Glenelg Rd |
| On their statement | RC DEP Bun | Solomon | Glenelg Rd |

Make another transaction

# Pay a bill



Success! Your payment has been processed

## Receipt

| | |
|---|---|
| **From account:** | 38-9025-0841421-00 Business Edge |
| **To account:** | GISBORNE DISTRICT COUNCIL - ALL OTHER PAYMENTS |
| **Start date:** | 5 June 2026 |
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| Statement details | Particulars | Code | Reference |
|---|---|---|---|
| On your statement | RC DEP Bun | Solomon | Glenelg Rd |
| On their statement | RC DEP Bun | Solomon | Glenelg Rd |

Make another transaction

Grant&cooke
Registered Professional Surveyors, Land Development & Resource Management Consultants

# Resource Consent Application

GC12774

95 Glenelg Road, Makauri, Gisborne

Philip Solomon

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# 1. Executive Summary

This application seeks resource consent for a subdivision involving an adjustment between existing title boundaries at 95 Glenelg Road, Hexton, together with land use consent to provide for the potential of a future dwelling on the adjusted allotment known as Lot 1

The site is located within the Rural Production Zone under the Tairāwhiti Resource Management Plan (TRMP) and is identified within the interim Highly Productive Land overlay under the National Policy Statement for Highly Productive Land 2022 (NPS-HPL).

The proposal seeks to reconfigure the existing allotments to create a more practical and functional landholding arrangement that better reflects the existing pattern of land use, access arrangements, and topography across the site. The proposal is limited in scale and does not seek to create multiple additional lifestyle allotments or materially increase residential density within the Rural Production Zone.

A previous application relating to the site sought consent for a four lot subdivision and associated dwelling opportunities. That application was publicly notified in 2024 and was subsequently withdrawn. The current proposal is materially different in both scale and intensity and does not result in the same level of fragmentation previously proposed.

The surrounding environment contains an established mix of rural production, rural residential, and rural lifestyle properties, particularly along the Glenelg Road frontage. The site sits within a transitional peri urban environment where a range of allotment sizes and land uses already exist.

The proposal will maintain the overall open character of the area while enabling a more practical allotment configuration and providing for the potential for one future dwelling. The proposal is not anticipated to result in adverse effects on rural character, productive land, infrastructure, servicing, traffic, or amenity values that are more than minor.

Overall, the proposal is considered to represent an appropriate and limited subdivision outcome within the context of the surrounding environment and is consistent with the purpose and principles of the Resource Management Act 1991.

# 2. Site and Surrounding Environment

## 2.1. Description of the Site

The site consists of two titles, being RT 1042202 and RT 946382, located at the end of Glenelg Road, Hexton.

The site is situated approximately 8 kilometres northwest of the Gisborne urban area and forms part of the wider Glenelg Road environment, which contains a mix of rural production, rural residential, and rural lifestyle properties. While the site remains zoned Rural Production, the surrounding environment exhibits a transitional peri

urban character, particularly along the Glenelg Road frontage where smaller allotments and residential style development are already established.

The site contains a combination of elevated flatter land and sloping terrain generally falling toward the west. Existing vegetation and changes in topography provide a degree of visual containment across parts of the site. The land is currently utilised for small scale rural lifestyle grazing consistent with the character of the surrounding Glenelg Road environment.

Access to the site is provided from Glenelg Road via two existing vehicle crossings servicing Lot 2. A new vehicle crossing is proposed for Lot 1 as part of the subdivision works and is anticipated to form part of any consent conditions. Existing services within the surrounding area include electricity and telecommunications, while water supply and wastewater disposal are managed onsite in a manner typical of the rural environment.

The surrounding area contains a varied pattern of allotment sizes and land uses. Properties opposite the site are located within the Rural Lifestyle Zone associated with Glenelg Corner, while other nearby properties contain established rural residential and rural production activities. This results in an environment that differs from a traditional expansive rural production landscape and instead reflects an interface between productive rural land and lower density residential development.

The site does not contain any identified significant indigenous vegetation, outstanding natural features, or scheduled heritage features. Existing development within the surrounding area includes rural dwellings, accessory farm buildings, grazing land, established shelter planting, and rural lifestyle properties.

## 2.2. Topography

As shown by the contour lines, the property is characterised by predominantly rolling terrain. The land slopes downward from a plateau area located near the existing dwelling on Lot 1 DP 573026, with the site generally falling toward the west.

The rolling nature of the terrain contributes to the established character of the site and wider Glenelg Road environment and does not present any significant constraints for the proposed boundary adjustment or intended land use. The site contains moderate slopes with no steep gradients requiring substantial earthworks or major landform modification.

The topography limits the practical versatility of the land for more intensive productive use and is more consistent with the existing pattern of rural lifestyle and low intensity grazing activities occurring within the surrounding area. The natural landform also assists with drainage and provides stable ground conditions suitable for the proposed development.

## 2.3. Access

Lot 1 will gain access through the existing concrete vehicle crossing over Right of way area A.



*Figure 1. Proposed access for Lot 1*

Proposed Lot 2 gains vehicle access directly from Glenelg Road via two concreted vehicle crossings.



*Figure 2. Existing access leading to the existing dwelling within Lot 2*

The access points are clearly defined and provide safe, practical entry to their respective lots, supporting ongoing day-to-day activities.

## 2.4. Zoning and Overlays

The subject site is zoned Rural Production under the TRMP.




*Figure 3. District Zone.jpg*

The subject site is within the Interim Highly Productive Land under the NPS-HPL




*Figure 4. NPS-HPL.jpg*

The site is within the Te Aitanga a Mahaki Area of Interest.

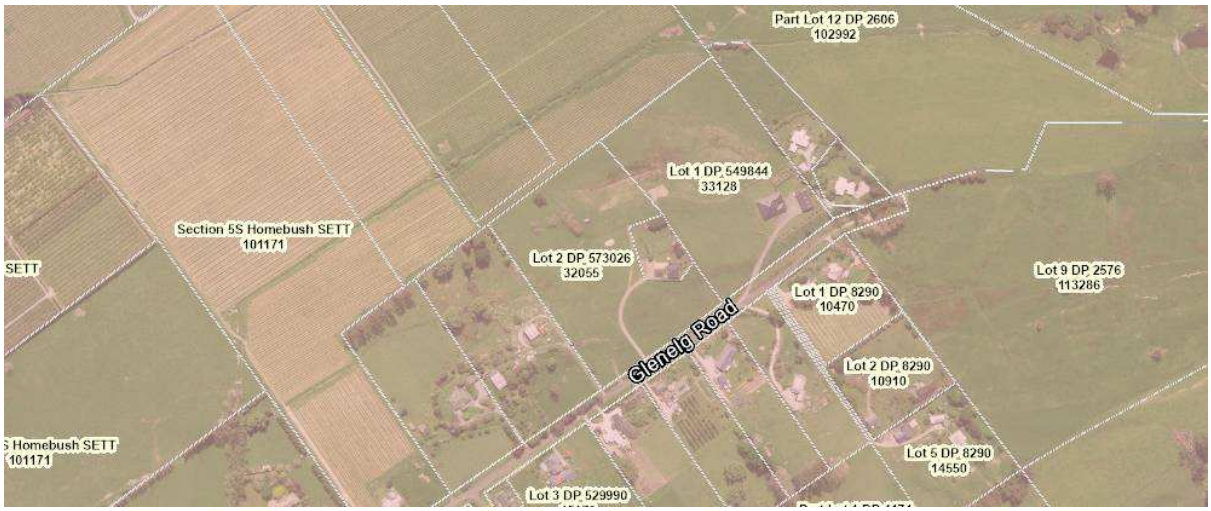



*Figure 5. Te Aitanga a Mahaki Area of Interest.jpg*

The subject site is not affected by the flood overlay or Site Caution Layer




*Figure 6. Environmental Risks Overlay.jpg*

The subject site is covered by Land Overlay 1




*Figure 7. Land Management Overlay.jpg*

## 2.5. History and Background

The wider Glenelg Road area has a long history of rural subdivision associated with post-war soldier settlement schemes established to provide returning servicemen with farming opportunities following World War I and II. As part of this process, larger rural landholdings within the area were historically subdivided into smaller farm allotments, many of which remain evident in the existing pattern of titles and land ownership throughout the locality today.

Over time, the Glenelg Road environment has continued to evolve, with a mix of rural production, rural lifestyle, and rural residential activities becoming established throughout the area. This historic pattern of subdivision and ongoing land use change has contributed to the transitional peri urban character now evident along parts of Glenelg Road.

The subject site itself has an established subdivision history, with previous resource consents granted to undertake boundary adjustments and create the existing allotment pattern within the site. More recently, a previous application relating to the site sought consent for a four lot subdivision and associated dwelling opportunities within the Rural Production Zone. That application was publicly notified in 2024 and was subsequently withdrawn prior to a hearing being undertaken.

The current proposal is materially different in both scale and intensity from the previously notified application. Rather than creating multiple additional allotments for rural lifestyle development, the current proposal seeks a more limited adjustment between existing title boundaries together with provision for the potential of one future dwelling. The proposal has been developed in response to the planning and environmental considerations previously identified and reflects a significantly reduced subdivision outcome.

## 2.6. Surrounding Environment

### 2.6.1. Surrounding Environment

The surrounding environment is characterised by a mix of rural production, rural lifestyle, rural residential, and rural general activities. While the site is located within the Rural Production Zone, the Glenelg Road locality displays an established pattern

of substandard allotments within the Rural Production Zone together with residential style development, particularly along this side of Glenelg Road and within the surrounding Glenelg Corner area.

The site is located at the interface of multiple rural zones, with the Rural Production, Rural Lifestyle, Rural Residential, and Rural General zones all occurring within close proximity of the site. This contributes to the transitional character of the locality and results in a varied pattern of land use, allotment sizes, and development forms throughout the surrounding environment.

Land uses within the wider area include rural dwellings, accessory farm buildings, lifestyle grazing activities, shelter planting, and small scale rural occupation. Properties opposite the site are located within the Rural Lifestyle Zone, while nearby landholdings contain a range of allotment sizes and established dwelling patterns consistent with the wider locality.

The surrounding environment has evolved over time into a transitional peri urban area sitting between productive rural land and lower density residential development. Existing vegetation, topography, and separation distances between dwellings assist in maintaining the open character of the area while accommodating a variety of rural and residential land uses.

Due to the existing pattern of subdivision, substandard allotments within the Rural Production Zone, and the rolling contour of the land, the surrounding environment is not characterised by expansive intensive farming activities. Instead, the locality exhibits an established pattern of low intensity grazing and rural lifestyle activities which are reflective of the existing character of this side of Glenelg Road.

It is noted however that a productive vineyard operation is located to the northwest of the site, representing a more intensive form of primary production activity within the locality. This further demonstrates the varied nature of the surrounding environment and the transition that exists between productive rural land and established rural lifestyle development along Glenelg Road.

**Sensitive Environments/Receptors**

Nearby Residential Areas: There are Rural Lifestyle zoned sites located opposite the subject site along Glenelg Road, together with established lifestyle blocks located to the west within the Rural Production Zone. The surrounding environment therefore already contains an established pattern of residential occupation and rural lifestyle activities.

While the subject site is located within the Rural Production Zone, the locality is characterised by a mix of rural production, rural lifestyle, and rural residential activities, with dwellings and smaller allotments already forming part of the existing environment. The proposal is therefore not introducing residential activity into an isolated productive farming environment, but instead forms part of an already established transitional peri urban locality.

Existing separation distances, vegetation, and the rolling landform provide a degree of visual separation between the subject site and nearby residential properties. The proposed boundary adjustment and potential for a future dwelling are not

anticipated to result in adverse effects on nearby residential amenity that are more than minor.

Heritage or cultural values: The subject site is not covered by the Cultural Heritage Overlay. This proposal will have no effect upon the cultural heritage.

Water bodies and stormwater catchments: The site does not contain any significant rivers, lakes, or scheduled waterbodies and is not identified within any significant freshwater management area under the Tairāwhiti Resource Management Plan. Existing drainage within the site is typical of the wider rural environment and consists of natural overland flow paths and rural drainage features associated with the rolling contour of the land.

Stormwater generated from the site currently drains via natural overland flow paths consistent with the existing topography. The proposed boundary adjustment is not anticipated to alter the existing stormwater catchment characteristics of the site or significantly modify existing drainage patterns.

Any future dwelling development will be subject to building consent requirements, where stormwater management measures can be appropriately addressed at the detailed design stage. Given the limited scale of the proposal and the absence of significant earthworks or landform modification, adverse effects relating to stormwater runoff, erosion, or downstream effects are anticipated to be less than minor.

The rolling nature of the site and existing vegetation also assist with natural drainage and stormwater infiltration across the site.

Public amenities and infrastructure: The site is serviced by existing public roading infrastructure via Glenelg Road, which provides connection to the wider Gisborne transport network. Glenelg Road currently services a mixture of rural production, rural lifestyle, and residential properties within the locality.

Electricity and telecommunications infrastructure are available within the surrounding area and are capable of servicing the proposal. Water supply and wastewater disposal will continue to be managed onsite in a manner typical of the rural environment and consistent with surrounding properties not connected to reticulated services.

The site is located within reasonable proximity to Gisborne urban amenities, services, schools, and employment areas, while still maintaining a rural living environment. The surrounding locality already accommodates an established pattern of rural residential and lifestyle development, and the proposal is not anticipated to place unreasonable demand on existing infrastructure or public amenities.

Given the limited scale of the proposal and the nature of the surrounding environment, the proposed boundary adjustment and potential for one future dwelling are not expected to result in adverse effects on public infrastructure or amenities that are more than minor.

Ecological values: The site is primarily characterised by grazed pasture and modified rural land typical of the wider Glenelg Road environment. The site does not contain

any identified areas of significant indigenous vegetation, Significant Natural Areas, wetlands, or scheduled ecological features under the Tairāwhiti Resource Management Plan.

Existing vegetation within the site largely consists of pasture, shelter planting, and scattered established trees associated with rural land use and residential activity. The site has been subject to ongoing modification through historic grazing and rural occupation activities and does not exhibit characteristics of a notable indigenous ecological environment.

The proposed boundary adjustment is not anticipated to result in the removal of significant vegetation or adversely affect any identified ecological values within the site or surrounding area. Given the limited scale of the proposal and the existing modified nature of the environment, ecological effects are anticipated to be less than minor.

Cultural values: The site is located within the Te Aitanga a Māhaki Area of Interest. The surrounding area has a long history of occupation and cultural association, as is common throughout the wider Tairāwhiti region.

The proposal involves a limited boundary adjustment between existing allotments and does not include significant earthworks or large scale land disturbance. No recorded wāhi tapu sites, archaeological sites, or scheduled cultural heritage features have been identified within the subject site.

Given the nature and scale of the proposal, it is not anticipated that the subdivision will adversely affect identified cultural values or sites of significance. Should any kōiwi, artefacts, or archaeological material be discovered during any future works, all works should cease immediately and the appropriate authorities and iwi representatives should be contacted in accordance with accidental discovery protocols.

Landscape values: The site forms part of a modified rural landscape characterised by a mix of grazing land, rural dwellings, shelter planting, lifestyle blocks, and small scale rural activities typical of the wider Glenelg Road environment. The surrounding landscape is not identified as an Outstanding Natural Landscape or Outstanding Natural Feature under the Tairāwhiti Resource Management Plan.

The rolling topography, established vegetation, and existing pattern of development within the locality contribute to a landscape character that already contains a mixture of rural production and rural lifestyle elements. Existing dwellings and substandard allotments within the surrounding area are an established component of the visual environment.

The proposed boundary adjustment and potential for one future dwelling are considered consistent with the existing landscape character of the locality. The scale of the proposal is limited and is not anticipated to result in significant visual change or adversely affect the wider rural landscape character of the area.

Existing vegetation and landform also provide a degree of visual containment which assists in integrating future development within the surrounding environment. Overall,

landscape effects associated with the proposal are anticipated to be less than minor.

Productive Capacity: The site is identified within the interim Highly Productive Land overlay under the National Policy Statement for Highly Productive Land 2022 (NPS-HPL). Notwithstanding this, the site and surrounding landholdings on this side of Glenelg Road are characterised by substandard allotments within the Rural Production Zone, rolling topography, and an established pattern of rural lifestyle and low intensity grazing activities rather than intensive primary production.

As outlined within the supporting land use assessment, the contour and configuration of the site limit the practical versatility of the land for more intensive productive activities such as arable cropping. The site is currently utilised for small scale rural lifestyle grazing consistent with the existing character of the locality.

The proposal does not involve the fragmentation of a large scale productive farming operation and is located within an environment where substandard allotments within the Rural Production Zone are already established. The proposed boundary adjustment is limited in scale and will not materially alter the existing productive characteristics of the locality.

It is acknowledged that a productive vineyard operation exists to the northwest of the site and represents a more intensive form of primary production activity within the surrounding environment. This demonstrates that productive land uses remain capable of operating within the locality alongside the existing pattern of rural lifestyle and residential development already established along Glenelg Road.

The proposed land use consent for a future dwelling is not anticipated to adversely affect the ongoing operation of surrounding productive land uses. Residential and rural lifestyle activities are already established throughout the locality, including along Glenelg Road and within nearby Rural Lifestyle zoned land. The addition of one future dwelling within this environment is unlikely to create reverse sensitivity effects beyond those already existing within the surrounding area.

The proposed future dwelling will remain separated from the vineyard operation by distance, existing landform, and the established pattern of intervening rural lifestyle development. As such, the proposal is not anticipated to materially constrain or compromise the ongoing productive use of surrounding land.

Overall, the proposal is considered unlikely to result in adverse effects on the productive capacity of the wider locality that are more than minor.

# 3. Proposal

## 3.1. Overview of the Proposal

The proposal seeks subdivision consent to undertake an adjustment between existing title boundaries at 95 Glenelg Road, Hexton, together with land use consent to provide for the potential of one future dwelling on the adjusted allotment.

The proposal is limited in scale and seeks to create a more practical and functional allotment configuration that better reflects the existing pattern of land use, topography, and access arrangements across the site. The proposal does not seek to create multiple additional lifestyle allotments or significantly intensify residential development within the Rural Production Zone.

The subdivision will result in a reconfiguration of the existing allotments while maintaining the established rural character of the locality. Existing access arrangements will largely remain, with a new vehicle crossing proposed for Lot 1 as part of the subdivision works.

The proposal has been developed having regard to the surrounding environment, including the existing pattern of substandard allotments within the Rural Production Zone, nearby Rural Lifestyle and Rural Residential zoned land, and the transitional peri urban character of the Glenelg Road locality.

Overall, the proposal represents a limited boundary adjustment and rural living opportunity within an already modified rural environment and is not anticipated to result in adverse environmental effects that are more than minor.

## 3.2. Current Interests

**RT 946382:**

**T.12753** - water pipeline rights.

**T15544** – water pipeline rights in gross.

**Consent Notice 118125803.2** - Consent Notice for future development requirements.

**RT 1042202:**

**EI 12485673.3** – Right of way and electricity.

**T.12753** - water pipeline rights.

**T15544** – water pipeline rights in gross.

It is considered that these current Interests will have no impact on the proposal.

## 3.3. Lot Areas

The existing property consists of two titles:

**RT 946382** with an area of **3.3128 hectares** more or less, and

**RT 1042202** with an area of **3.2055 hectares** more or less

Following the boundary adjustment, the resulting lots will measure:

**Lot 1** with an area of **1.5851 hectares**

**Lot 2** with an area of **4.9332 hectares**

The proposal does not increase the number of allotments beyond the two existing titles currently established onsite. Rather, the subdivision seeks to rationalise the existing boundary arrangement while maintaining the overall rural character and land use pattern of the locality.

## 3.4. Buildings and Yards

Lot 1 contains an accessory building and pump shed. There is no dwelling onsite however there are two identified platforms as shown on the attached geotech report.

Lot 2 contains an existing dwelling that is fully serviced, including onsite wastewater disposal, a potable water supply, as well as utility shed. All existing buildings will remain in their current locations, and the proposal does not alter any yard setbacks, building envelopes, or operational layouts.

## 3.5. Identified Hazards

The site is not identified as being subject to any significant natural hazard overlays under the Tairāwhiti Resource Management Plan that would prevent the proposed boundary adjustment or the potential for a future dwelling.

The site contains rolling terrain with areas of moderate slope typical of the wider Glenelg Road environment. Existing topography and drainage patterns are well established, and the proposal is not anticipated to require significant landform modification or substantial earthworks.

A geotechnical assessment has been undertaken in support of the proposal and confirms that the site is capable of accommodating the proposed development subject to standard engineering and building design practices. Any future dwelling construction will also be subject to building consent requirements, where detailed foundation and site specific engineering matters can be appropriately addressed.

Overall, the proposal is not anticipated to create or exacerbate natural hazard risks either onsite or to neighbouring properties, and any potential effects are considered to be less than minor..

## 3.6. Easements

There are no proposed easements for this development and all existing easements are to be retained.

## 3.7. Services

**Lot 1** will be serviced in a manner consistent with the surrounding rural environment. Water supply will be provided via onsite rainwater collection and potable drink water storage, while wastewater disposal will be managed through an onsite wastewater treatment system designed and installed in accordance with the requirements of the Gisborne District Council and relevant building consent processes.

Electricity and telecommunications services are available within the surrounding area and can be extended to service the proposed allotment.

Stormwater will continue to be managed via natural overland flow paths and onsite disposal consistent with the existing drainage characteristics of the site.

The proposed servicing arrangements are typical of rural lifestyle development within the locality and are not anticipated to result in adverse environmental effects that are more than minor.

**Lot 2** contains an existing dwelling that is fully serviced, including onsite wastewater disposal, a potable water supply, electricity, and telecommunications. All servicing arrangements will remain unchanged, and the proposal does not impact their operation or compliance.

# 4. Assessment of Environmental Effects

## 4.1. Assessment of the activity's effects on the environment.

An assessment of the actual and potential effects of the proposed subdivision and associated land use consent has been undertaken in accordance with the requirements of the Resource Management Act 1991.

The proposal involves a limited adjustment between existing title boundaries together with land use consent to provide for the potential of one future dwelling within an already modified rural environment. The proposal has been designed having regard to the surrounding pattern of development, existing allotment configuration, topography, servicing, and the transitional character of the wider Glenelg Road locality.

The surrounding environment already contains an established mix of rural production, rural lifestyle, rural residential, and rural general activities, including substandard allotments within the Rural Production Zone and nearby Rural Lifestyle zoned land. The proposal does not seek to create multiple additional lifestyle allotments or materially intensify residential development within the locality.

The scale of the proposal is considered limited and is not anticipated to result in significant adverse effects on rural character, visual amenity, productive land use, infrastructure, servicing, traffic, ecological values, cultural values, or landscape character. Existing topography, vegetation, and separation distances further assist in integrating the proposal within the surrounding environment and mitigating potential adverse effects.

Overall, the actual and potential environmental effects associated with the proposal are considered to be no more than minor for the following reasons.

**Rural Character and Amenity Effects**

The site is located within a rural environment that already contains a mixture of rural production, rural lifestyle, rural residential, and rural general activities. While zoned

Rural Production, the surrounding locality, particularly along this side of Glenelg Road and within the wider Glenelg Corner area, exhibits an established pattern of substandard allotments, rural dwellings, lifestyle grazing activities, and residential style development.

The proposal involves a limited boundary adjustment between existing allotments together with land use consent to provide for the potential of one future dwelling. The proposal does not seek to create multiple additional lifestyle allotments or significantly intensify residential activity within the locality.

The surrounding environment is already characterised by a varied pattern of allotment sizes and development forms. Existing dwellings, shelter planting, fencing, grazing paddocks, and accessory rural buildings form part of the established visual character of the area. As such, the proposed future dwelling is considered consistent with the existing level and scale of development already present within the surrounding environment.

Existing vegetation, rolling topography, and separation distances between neighbouring properties provide a degree of visual containment and assist in maintaining privacy and rural amenity values. The proposal is not anticipated to result in significant adverse visual effects or materially alter the established open character of the locality.

The proposal is also not anticipated to generate adverse amenity effects in relation to noise, traffic, lighting, or general residential activity beyond those already anticipated within the surrounding rural environment.

Overall, the proposal is considered to maintain the existing rural and peri urban character of the locality and is not anticipated to result in adverse effects on rural character or amenity values that are more than minor.

**Traffic**

The proposal involves a boundary adjustment between two existing allotments and does not increase the number of titles currently established onsite. As such, the proposal is not anticipated to generate a significant increase in traffic movements within the surrounding road network.

While the proposal includes land use consent to provide for the potential of one future dwelling, residential and rural lifestyle activities are already established throughout the Glenelg Road locality. Traffic generated by one future dwelling is anticipated to be low in scale and consistent with the character and function of Glenelg Road and the surrounding rural environment.

Access to the site is provided from Glenelg Road via existing vehicle crossing infrastructure servicing Lot 2, which Lot 1 will utilise with a formal Right of Way as part of the subdivision works. The proposed access arrangements are considered appropriate for the scale of development proposed and are not anticipated to adversely affect the safety or efficiency of the surrounding road network.

The proposal is also not anticipated to generate significant heavy vehicle movements or traffic volumes beyond those typically associated with rural residential and rural lifestyle activities already occurring within the locality.

Overall, the proposal is not anticipated to result in adverse traffic or access effects that are more than minor.

**Access**

Lot 2 is currently provided via two existing concreted vehicle crossings from Glenelg Road. These access arrangements are established and will remain unchanged as part of the proposed boundary adjustment

Lot 1 and will utilise the existing vehicle crossing over Lot 2 and easement will be placed over that area.

Glenelg Road is a quiet rural road servicing a mixture of rural production, rural lifestyle, and residential properties. Good sight distances are available in both directions from the proposed access location, and the low traffic volumes associated with the surrounding environment assist in maintaining a safe operating environment for vehicles entering and exiting the site.

The proposal is not anticipated to result in adverse effects on the safety or efficiency of the surrounding road network. Traffic movements associated with the proposed land use consent for one future dwelling are expected to be low in scale and consistent with the existing character of the Glenelg Road locality.

Overall, the proposed access arrangements are considered appropriate and any associated effects are anticipated to be less than minor.

**Services**

The proposed allotments are capable of being adequately serviced in a manner consistent with the surrounding rural environment. Existing electricity and telecommunications infrastructure are available within the locality and can be extended to service the proposed allotments as required.

Water supply for Lot 1 will be provided via onsite rainwater collection and storage, while wastewater disposal will be managed through an onsite wastewater treatment system designed and installed in accordance with Gisborne District Council requirements and relevant building consent processes. Existing servicing arrangements for Lot 2 will remain unchanged following the proposed boundary adjustment.

Stormwater will continue to be managed through natural overland flow paths and onsite infiltration consistent with the existing drainage characteristics of the site. The proposal does not involve significant earthworks or landform modification that would alter the existing stormwater catchment or drainage patterns across the site.

The proposed servicing arrangements are typical of rural lifestyle development within the Glenelg Road locality and are not anticipated to place unreasonable demand on existing infrastructure or public services.

Overall, the proposal is not anticipated to result in adverse servicing or infrastructure effects that are more than minor.

**Heritage Values**

The site does not contain any scheduled heritage buildings, identified archaeological sites, or recorded heritage features under the Tairāwhiti Resource Management Plan. The proposal is therefore not anticipated to adversely affect any identified heritage values within the site or surrounding locality.

The wider Glenelg Road area does however contain a long established history of rural subdivision and settlement associated with historic post war soldier settlement schemes. This historic pattern of land development has contributed to the existing allotment configuration and rural settlement pattern evident throughout the locality today.

The proposed boundary adjustment and potential for one future dwelling are considered consistent with the existing character and established pattern of development within the surrounding environment. Overall, the proposal is not anticipated to result in adverse effects on heritage values that are more than minor.

**Reverse Sensitivity and Productive Land Use**

The proposal is not anticipated to create reverse sensitivity effects on surrounding productive land uses. The Glenelg Road locality already contains an established pattern of rural residential and lifestyle occupation, including smaller allotments and dwellings within close proximity to productive rural activities. The proposal provides for only one future dwelling within that existing receiving environment and does not introduce a new or unexpected residential activity into an otherwise isolated productive farming area. Existing separation, landform, vegetation and the established mixed pattern of land use will assist in managing any potential reverse sensitivity effects.

# 5. Rules Assessment

## 5.1. Application Status

### 5.1.1. Overall Activity Status

The proposal is classified as a Discretionary Activity under the Tairāwhiti Resource Management Plan by way of triggering **Rule C10.1.6(9)**, as the proposal includes an allotment area less than the minimum site area required within the Rural Production Zone.

The land use consent component also triggers **Rule DD4.6.1B(1)**, as consent is sought to provide for one future dwelling on a proposed allotment containing less than 8 hectares of land.

### 5.1.2. Assessment Considerations

As a discretionary activity, the council has full discretion to consider:

- All relevant effects of the proposal (both positive and adverse).
- Any relevant objectives, policies, and provisions of the planning documents.
- Any other relevant matters under section 104 of the Resource Management Act 1991.

#### 5.1.3. Decision Framework

Under section 104B of the Resource Management Act 1991, the council:

- May grant or refuse consent.
- If granted, may impose conditions to manage any identified effects.

# 6. Consultation and Written Approvals

Consultation has been undertaken with neighbouring property owners considered most likely to be affected by the proposal. Written approvals have been obtained from the owners of 85 and 86 Glenelg Road. These properties were considered the most affected parties due to the location of the existing vehicle crossing, which is positioned opposite No. 86 and shared with No. 85. No concerns were raised during consultation and no changes to the proposal were requested as a result of the discussions undertaken.

No other parties are considered adversely affected by the proposal, as the location of surrounding dwellings and established infrastructure are sufficiently separated from the proposed boundary change between the existing two titles and associated identified building platform.

The written approvals received are relevant to Council's notification assessment under the Resource Management Act 1991, as any effects on those parties may be disregarded when considering whether the proposal should be limited or publicly notified.

# 7. Notification Assessment

## 7.1. Effects on the Wider Environment and Affected Persons

The assessment of actual and potential environmental effects associated with the proposal has been addressed throughout Section 4 of this application, including assessments relating to rural character and amenity, traffic, access, servicing, productive capacity, landscape values, ecological values, cultural values, and infrastructure effects.

As outlined within the Assessment of Environmental Effects, the proposal involves a limited boundary adjustment between two existing allotments together with land use consent to provide for the potential of one future dwelling within an already modified rural environment. The proposal does not increase the number of titles currently established onsite and does not seek to create multiple additional lifestyle allotments or materially intensify development within the locality.

The surrounding environment already contains an established pattern of rural production, rural lifestyle, rural residential, and rural general activities, including substandard allotments within the Rural Production Zone and nearby Rural Lifestyle zoned land. The locality exhibits a transitional peri urban character where residential and rural living activities are already established.

The proposal is considered unlikely to result in adverse effects on the wider environment that are more than minor. In particular:

- The proposal will not materially alter the established rural and peri urban character of the locality;
- Traffic movements associated with one future dwelling are anticipated to be low in scale and consistent with the surrounding environment;
- The site can be adequately serviced in a manner consistent with surrounding rural development;
- The proposal is not anticipated to adversely affect ecological, cultural, heritage, or landscape values;
- The proposal is not anticipated to compromise the ongoing operation of surrounding productive land uses; and
- Existing topography, vegetation, and separation distances assist in mitigating potential visual and amenity effects.

In relation to affected persons under section 95E of the Resource Management Act 1991, it is considered that any adverse effects experienced by neighbouring or adjacent landowners will be less than minor. The proposal is limited in scale, maintains the existing number of allotments, and is consistent with the established pattern of development already present within the locality.

The proposed boundary adjustment and potential for one future dwelling are not anticipated to result in significant adverse effects relating to privacy, outlook, traffic generation, noise, or rural amenity beyond those already anticipated within the existing environment. Existing topography, vegetation, and separation distances assist in mitigating potential effects between neighbouring properties.

Overall, it is considered that the adverse effects of the proposal on both the wider environment and any specific persons will be less than minor.

## 7.2. Public Notification Checklist (s95A)

| **Step 1: Mandatory notification – Section 95A(3) of the RMA** | |
|---|---|
| Has the applicant requested the application is publicly notified? (s95A(3)(a)) | No |
| Are there any outstanding or refused requests for further information? (s95C and s95A(3)(b)) | No |
| Does the application involve any exchange of recreation reserve land under Section 15AA of the Reserves Act 1977? (s95A(3)(c)) | No |

| Step 2: If not required by Step 1, notification is precluded if any of these apply – Section 95A(5) of the RMA | |
|---|---|
| Does a rule or NES preclude public notification for all aspects of the application? (s95A(5)(a)) | No |
| Does the application exclusively involve one or more controlled activities? | No |

| Step 3: Notification required in certain circumstances if not precluded by Step 2 – Section 95A(8) of the RMA | |
|---|---|
| Is the application subject to any rule or a National Environmental Standard (NES) that requires public notification? (s95A(8)(a)) | No |
| Are the adverse effects of the activity/activities on the environment likely to be more than minor (as assessed above)? (s95A(8)(b) and 95D) | No |

| Step 4: Public notification in special circumstances – section 95A(9) | |
|---|---|
| If notification is not already required, do special circumstances exist that warrant the application being publicly notified? | No |

## 7.3. Limited Notification Assessment (s95B)

| Step 1: Certain Affected Groups / Persons must be Notified – Sections 95B(2) and (3) of the RMA | |
|---|---|
| Are any protected customary rights groups or customary marine title groups affected by the proposed activity? (s95B(2)) | No |
| Is the proposed activity on, or adjacent to, or may affect, land that subject of a statutory acknowledgement made under an Act specified in Schedule 11 of the RMA, and if so is the person to whom the statutory acknowledgement is made an affected person? (s95B(3)) | No |

| Step 2: If not Required by Step 1, Limited Notification Precluded in Certain Circumstances – Section 95B(6) of the RMA | |
|---|---|
| Is the application for one or more activities that are exclusively subject to a rule or NES which preclude limited notification? (s95B(6)(a)) | No |

| Step 3: If not Precluded by Step 2, Certain other Affected Persons must be Notified – Sections 95B(7) and (8) of the RMA | |
|---|---|
| Where there is a boundary activity(s), is there any owner of an allotment with an infringed boundary that is an affected person? (s95B(7)) | No |
| Are there any adversely affected persons under s95E (discussed below)? (s95B(8) and s95E) | No |

| Step 4: Further Notification in Special Circumstances – section 95B(10) | |
|---|---|
| Do special circumstances exist that warrant notification to any other persons not identified above? | No |

### 7.4. Notification Conclusion

ased on the assessment undertaken pursuant to sections 95A to 95E of the Resource Management Act 1991, it is considered that public notification of the application is not required.

The proposal is not anticipated to result in adverse effects on the wider environment that are more than minor, and no special circumstances are considered to exist that would warrant public notification under section 95A(9).

It is also considered that there are no adversely affected persons for the purposes of section 95E, and no special circumstances exist that would warrant limited notification to any additional persons under section 95B(10).

Accordingly, it is considered that the application can be processed on a non notified basis.

## 8. Other Relevant RMA Sections

### 8.1. Subdivision (s106)

***Subdivision (s106)***

Section 106 of the Resource Management Act 1991 provides that a consent authority may refuse subdivision consent, or grant consent subject to conditions, where it considers there is a significant risk from natural hazards or where sufficient provision has not been made for legal and physical access to each allotment.

In relation to natural hazards, the site is not identified as being subject to any significant natural hazard overlays under the Tairāwhiti Resource Management Plan that would prevent the proposed subdivision or potential future development. The site contains rolling terrain typical of the wider Glenelg Road environment, and a geotechnical assessment undertaken in support of the application confirms that the

site is capable of accommodating the proposed development subject to standard engineering and building design practices.

Having regard to section 106(1A), it is considered that the likelihood of natural hazards occurring onsite is low and the proposal is not anticipated to result in material damage to the subject land, surrounding land, or structures. The proposed subdivision and potential future dwelling are also not anticipated to accelerate, worsen, or otherwise increase natural hazard risk within the locality.

Any future dwelling development will remain subject to building consent requirements where detailed engineering and foundation design matters can be appropriately addressed.

In relation to access, both proposed allotments will have legal and physical access to Glenelg Road. Lot 2 is currently serviced by two existing concreted vehicle crossings, while a new vehicle crossing is proposed for Lot 1 as part of the subdivision works. The proposed access arrangements are considered safe and appropriate for the scale and nature of the proposal.

Glenelg Road is a quiet rural road servicing a mixture of rural production, rural lifestyle, and residential properties. Good sight distances are available from the proposed access locations, and traffic movements associated with the proposal are anticipated to be low in scale and consistent with the surrounding environment.

Accordingly, it is considered there are no grounds to refuse consent under section 106 of the Resource Management Act 1991.

***Land Use Consent (s106A)***

Section 106A of the Resource Management Act 1991 provides that a consent authority may refuse a land use consent, or grant consent subject to conditions, where it considers that there is a significant risk from natural hazards.

The proposed land use consent relates to the potential for one future dwelling within Lot 1. The site is not identified as being subject to any significant natural hazard overlays under the Tairāwhiti Resource Management Plan and is not considered to be at significant risk from natural hazards.

A geotechnical assessment undertaken in support of the application confirms that the site is capable of accommodating future residential development subject to standard engineering and building design practices. The site contains rolling terrain typical of the wider Glenelg Road environment, however the proposal is not anticipated to accelerate, worsen, or otherwise increase natural hazard risk within the locality.

Having regard to section 106A(2), it is considered that:

- the likelihood of natural hazards occurring onsite is low;
- the proposal is unlikely to result in material damage to the subject land, surrounding land, or structures;

- the proposed future dwelling will not accelerate or worsen natural hazard risks; and
- the proposal is not anticipated to result in adverse effects on the health or safety of people.

Any future dwelling development will also remain subject to building consent requirements where detailed engineering, foundation design, and site specific construction matters can be appropriately addressed.

Accordingly, it is considered there are no grounds to refuse consent under section 106A of the Resource Management Act 1991.

## 8.2. Part 2

***6. Matters of National Importance -***

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

*(a)* the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:

**The subject site is not located within the coastal environment and does not contain wetlands, lakes, rivers, or significant riparian margins identified under the Tairāwhiti Resource Management Plan. The proposal therefore does not involve subdivision, use, or development within areas identified as having significant natural character values requiring protection under section 6(a) of the Resource Management Act 1991.**

**The site comprises modified rural land that has been subject to ongoing grazing and rural occupation activities. The proposal involves a limited boundary adjustment together with provision for one future dwelling within an already modified rural environment and is not anticipated to adversely affect the natural character of the wider locality.**

*(b)* the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:

**The subject site is not identified as an Outstanding Natural Feature or Outstanding Natural Landscape under the Tairāwhiti Resource Management Plan. The surrounding environment is characterised by a modified rural landscape containing a mixture of grazing land, rural dwellings, shelter planting, rural lifestyle properties, and rural production activities.**

**The proposal involves a limited boundary adjustment together with provision for one future dwelling within an already modified rural environment. The scale and nature of the proposal are not anticipated to adversely affect any identified outstanding natural features or landscape values within the wider locality.**

*(c)* The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:

**The subject site does not contain any identified areas of significant indigenous vegetation, Significant Natural Areas, or significant habitats of indigenous fauna under the Tairāwhiti Resource Management Plan.**

**The site is primarily characterised by modified rural land utilised for grazing activities together with established shelter planting and rural residential style development typical of the wider Glenelg Road environment. The proposal is not anticipated to result in the removal of significant indigenous vegetation or adversely affect any identified ecological values within the site or surrounding locality.**

*(d)* the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:

**The proposal does not involve the coastal marine area, lakes, rivers, or public access corridors associated with these environments. The proposed boundary adjustment and potential for one future dwelling are not anticipated to adversely affect existing public access within the surrounding locality.**

*(e)* the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:

**The site is located within the Te Aitanga a Māhaki Area of Interest. The surrounding area has a long history of occupation and cultural association, as is common throughout the wider Tairāwhiti region.**

**The subject site is not identified within the Cultural Heritage Overlay and no recorded wāahi tapu sites, archaeological sites, or scheduled cultural heritage features have been identified within the site.**

**The proposal involves a limited boundary adjustment together with provision for one future dwelling within an already modified rural environment and is not anticipated to adversely affect identified cultural values, ancestral lands, sites of significance, or other taonga.**

**Should any kōiwi, artefacts, or archaeological material be discovered during future works, all works should cease immediately and the appropriate authorities and iwi representatives should be contacted in accordance with accidental discovery protocols.**

*(f)* the protection of historic heritage from inappropriate subdivision, use, and development:

**The subject site does not contain any scheduled heritage buildings, identified archaeological sites, or recorded historic heritage features under the Tairāwhiti Resource Management Plan.**

**The proposal involves a limited boundary adjustment together with provision for one future dwelling within an already modified rural environment and is not anticipated to adversely affect any identified historic heritage values within the site or wider locality.**

*(g)* the protection of protected customary rights:

**The proposal does not affect any protected customary rights and this matter is not applicable.**

*(h)* the management of significant risks from natural hazards.

**The proposal does not trigger any significant natural hazard risks and this matter is not applicable.**

***7. Other matters***

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

*(a)* kaitiakitanga:

*(aa)* the ethic of stewardship:

*(b)* the efficient use and development of natural and physical resources:

*(ba)* the efficiency of the end use of energy:

*(c)* the maintenance and enhancement of amenity values:

*(d)* intrinsic values of ecosystems:

*(e) [Repealed]*

*(f)* maintenance and enhancement of the quality of the environment:

*(g)* any finite characteristics of natural and physical resources:

*(h)* the protection of the habitat of trout and salmon:

*(i)* the effects of climate change:

*(j)* the benefits to be derived from the use and development of renewable energy.

**In achieving the purpose of the Resource Management Act 1991, particular regard has been given to the matters set out under section 7 of the Act.**

**The proposal represents an efficient and practical use and development of natural and physical resources through the rationalisation of existing allotment boundaries within an already modified rural environment. The proposal maintains the existing number of allotments onsite while providing for the potential of one future dwelling consistent with the established character of the locality.**

**Particular regard has also been given to amenity values and the quality of the environment. The surrounding locality already contains an established pattern of rural lifestyle, rural residential, and rural production activities together with smaller allotments within the Rural Production Zone. Existing vegetation, topography, and**

**separation distances assist in maintaining the open rural character and visual amenity of the area.**

**The proposal is not anticipated to adversely affect the intrinsic values of ecosystems, as the site does not contain identified areas of significant indigenous vegetation, wetlands, or significant habitats of indigenous fauna. The site is primarily characterised by modified grazing land typical of the wider Glenelg Road environment.**

**The proposal is also not anticipated to adversely affect finite natural and physical resources or the habitat of trout and salmon. The site does not contain significant waterbodies or freshwater environments identified as containing these values.**

**Particular regard has been given to the effects of climate change. The proposal is not identified as being subject to significant natural hazard risk and is not anticipated to increase vulnerability to climate related hazards within the locality. Stormwater will continue to be managed onsite consistent with the existing drainage characteristics of the land.**

**Overall, the proposal is considered consistent with the matters identified under section 7 of the Resource Management Act 1991.**

***8. Treaty of Waitangi***

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

**Section 8 of the Resource Management Act 1991 requires that all persons exercising functions and powers under the Act take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).**

**The site is located within the Te Aitanga a Māhaki Area of Interest. The proposal involves a limited boundary adjustment together with provision for one future dwelling within an already modified rural environment.**

**The subject site is not identified within the Cultural Heritage Overlay and no recorded wāahi tapu sites, archaeological sites, or identified sites of cultural significance have been identified within the site. The proposal is not anticipated to adversely affect matters of cultural significance or the relationship of Māori with ancestral lands, water, sites, wāahi tapu, or other taonga.**

**Should any kōiwi, artefacts, or archaeological material be discovered during future works, all works should cease immediately and the appropriate authorities and iwi representatives should be contacted in accordance with accidental discovery protocols.**

**Overall, the proposal is considered to appropriately take into account the principles of the Treaty of Waitangi.**

## 8.3. Other Matters

### 8.3.1. NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH (NES)

Do the NES regulations apply to this property? The following methodology has been used to assess this:

Is the activity covered under Regulations 5(2) – 5(6)? Yes, covered under 5(5).

NES assessment is required because the land is being subdivided.

Our clients have read the Search of Council Records and the HAIL list and have elected to sign the enclosed HAIL Statement.

It has been noted that there are stockyards contained within proposed on Lot 1 as can be seen on GC12774???. These are used for loading and unloading stock to and from the property. The client has said there has not been a Livestock dip or a spray race on the property to his knowledge.

### 8.3.2. NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND (HPL)

Historically, the western side of Glenelg Road has contained a fragmented pattern of land ownership and smaller allotments resulting from historic subdivision and title allocation patterns. That pattern existed well before the introduction of the current Rural Production zoning framework and Highly Productive Land provisions.

While the wider area has historically supported rural activities, the western side of Glenelg Road has never functioned as a cohesive or integrated productive rural landscape capable of supporting large scale land based primary production activities in the manner anticipated by the NPS HPL.

Instead, the locality has long contained a mixture of smaller rural holdings, rural residential style development, lifestyle activities, and established residential occupation. The existing allotment pattern, surrounding development, and peri urban nature of the area are long-standing characteristics of the locality rather than a recent outcome of subdivision pressure.

The proposal therefore does not introduce fragmentation into an otherwise intact productive rural environment, but instead reflects the long-standing pattern and established functioning of the western side of Glenelg Road.

<u>3.8 Avoiding subdivision of highly productive land</u>

**(1) Territorial authorities must avoid the subdivision of highly productive land unless one of the following applies to the subdivision, and the measures in subclause (2) are applied:**

**(a) the applicant demonstrates that the proposed lots will retain the overall productive capacity of the subject land over the long term:**

**(b) the subdivision is on specified Māori land:**

**(c) the subdivision is for specified infrastructure, or for defence facilities operated by the New Zealand Defence Force to meet its obligations under the Defence Act 1990, and there is a functional or operational need for the subdivision.**

**(2) Territorial authorities must take measures to ensure that any subdivision of highly productive land:**

**(a) avoids if possible, or otherwise mitigates, any potential cumulative loss of the availability and productive capacity of highly productive land in their district; and**

**(b) avoids if possible, or otherwise mitigates, any actual or potential reverse sensitivity effects on surrounding land-based primary production activities.**

**(3) In subclause (1), subdivision includes partitioning orders made under Te Ture Whenua Māori Act 1993.**

**(4) Territorial authorities must include objectives, policies, and rules in their district plans to give effect to this clause.**

In assessing this clause, it is important to consider both the physical characteristics of the subject land and the wider functioning of the locality.

Historically, the western side of Glenelg Road has contained a fragmented pattern of land ownership and smaller allotments resulting from historic subdivision and title allocation patterns. That pattern existed well before the introduction of the current Rural Production zoning framework and Highly Productive Land provisions.

While the wider area has historically supported rural activities, the western side of Glenelg Road has never functioned as a cohesive or integrated productive rural landscape capable of supporting large scale land based primary production activities in the manner anticipated by the NPS HPL.

Instead, the locality has long contained a mixture of smaller rural holdings, rural residential style development, lifestyle activities, and established residential occupation. The existing allotment pattern, surrounding development, and peri urban nature of the area are long-standing characteristics of the locality rather than a recent outcome of subdivision pressure.

The proposal therefore does not introduce fragmentation into an otherwise intact productive rural environment, but instead reflects the long-standing pattern and established functioning of the western side of Glenelg Road.

It is also relevant that the proposal primarily involves an adjustment between existing title boundaries rather than the creation of a broad pattern of new rural lifestyle allotments across an intact productive rural landscape. While subdivision consent is still required under the TRMP framework, the proposal represents a limited reconfiguration of existing landholdings within an already fragmented peri urban environment.

In addition, the physical characteristics of the land further constrain its productive capability. The site contains rolling terrain and wetter ground conditions which limit the ability for efficient large scale land based primary production activities to occur. These conclusions are also supported by the Goodman Report prepared by Stephen

Peter Goodman, which identified limitations associated with the physical characteristics of the land and concluded that the site was not representative of cohesive highly productive land capable of supporting intensive or economically viable large scale primary production activities.

The proposal also maintains large allotments capable of accommodating ongoing rural activities and does not result in the loss of versatile soils at a scale that would materially reduce the productive capacity of the wider locality.

Given the long-standing mixed rural residential and lifestyle character of the western side of Glenelg Road, the proposal is not anticipated to generate reverse sensitivity effects beyond those already existing within the locality.

Accordingly, it is considered that the proposal is consistent with the intent of Clause 3.8 of the NPS HPL and does not undermine the long term productive capacity of highly productive land within the district.

3.9 Protecting highly productive land from inappropriate use and development

**(1) Territorial authorities must avoid the inappropriate use or development of highly productive land that is not land-based primary production.**

**(2) A use or development of highly productive land is inappropriate except where at least one of the following applies to the use or development, and the measures in subclause (3) are applied:**

**(a) it provides for supporting activities on the land:**

**(b) it addresses a high risk to public health and safety:**

**(c) it is, or is for a purpose associated with, a matter of national importance under section 6 of the Act:**

**(d) it is on specified Māori land:**

**(e) it is for the purpose of protecting, maintaining, restoring, or enhancing indigenous biodiversity:**

**(f) it provides for the retirement of land from land-based primary production for the purpose of improving water quality:**

**(g) it is a small-scale or temporary land-use activity that has no impact on the productive capacity of the land:**

**(h) it is for an activity by a requiring authority in relation to a designation or notice of requirement under the Act:**

**(i) it provides for public access:**

**(j) it is associated with one of the following, and there is a functional or operational need for the use or development to be on the highly productive land:**

**(i) the maintenance, operation, upgrade, or expansion of specified infrastructure:**

**(ii) the maintenance, operation, upgrade, or expansion of defence facilities operated by the New Zealand Defence Force to meet its obligations under the Defence Act 1990:**

**(iii) mineral extraction that provides significant national public benefit that could not otherwise be achieved using resources within New Zealand:**

**(iv) aggregate extraction that provides significant national or regional public benefit that could not otherwise be achieved using resources within New Zealand.**

**(3) Territorial authorities must take measures to ensure that any use or development on highly productive land:**

**(a) minimises or mitigates any actual loss or potential cumulative loss of the availability and productive capacity of highly productive land in their district; and**

**(b) avoids if possible, or otherwise mitigates, any actual or potential reverse sensitivity effects on land-based primary production activities from the use or development.**

**National Policy Statement for Highly Productive Land 2022 13**

**(4) Territorial authorities must include objectives, policies, and rules in their district plans to give effect to this clause**

In assessing whether a use or development is inappropriate, regard must be had to the scale and nature of the proposal, the productive capability of the land, and the character and functioning of the surrounding environment.

The proposal involves a limited adjustment between existing title boundaries together with provision for one future dwelling within an already established peri urban environment on the western side of Glenelg Road. The proposal is modest in scale and does not establish a broad pattern of sporadic rural lifestyle development within an otherwise intact productive rural landscape.

The western side of Glenelg Road is characterised by an established mixture of smaller rural holdings, rural residential style development, lifestyle activities, and existing residential occupation. In this context, the proposal is considered consistent with the established character and functioning of the locality.

The productive capability of the land is also constrained by the physical characteristics of the site, including rolling terrain and wetter ground conditions. These limitations are supported by the Goodman Report prepared by Stephen Peter Goodman, which concluded that the land was not representative of cohesive highly productive land capable of supporting intensive or economically viable large scale primary production activities.

The proposal maintains allotments capable of accommodating ongoing rural activities and is not anticipated to result in a material loss of productive capacity within the wider locality. In addition, given the existing surrounding pattern of development, the proposal is not anticipated to create reverse sensitivity effects beyond those already existing within the area.

Accordingly, when considered in the context of the locality, the nature of the proposal, and the physical characteristics of the land, the proposal is not considered to represent inappropriate use or development under Clause 3.9 of the NPS HPL.

# 9. Conclusion

The proposal represents a logical and appropriate peri urban outcome within an environment that already exhibits an established pattern of smaller allotments and rural residential development surrounding the Glenelg Corner area. While the proposal does not comply with the minimum allotment size and shape factor requirements of the Rural Productive Zone, it involves an adjustment between two existing title boundaries and does not create any additional allotments.

The proposed lot is capable of accommodating an appropriate building platform, as identified within the attached geotechnical report, together with onsite servicing infrastructure, stormwater management and vehicle access suitable for the anticipated low density residential land use. Potential reverse sensitivity effects can also be appropriately managed through the maintenance of separation distances, including the required 30 metre setback from adjoining primary production activities, together with proposed screening to be established at the time of development and secured through an appropriate consent notice.

The surrounding environment already contains nearby General Residential, Rural Residential and Rural Lifestyle zoned land, existing residential development and community facilities including Makauri School and nearby early childhood education facilities. In this context, the proposal is not considered out of character with the surrounding environment and is not anticipated to adversely affect the ongoing productive use of surrounding land.

Natural hazard risk associated with the proposal has also been assessed as low, with the site not identified within the Site Caution Layer, flood hazard overlays or identified overland flow paths affecting the proposed building platform locations. The proposal is therefore considered capable of accommodating future development without creating or increasing significant natural hazard risk.

The strategic direction anticipated through Proposed Plan Change 6 has also been considered as part of this assessment. While the site remains within the Rural Productive Zone, the surrounding environment already exhibits a transitional peri urban character with nearby residentially zoned land and established low density residential development surrounding the Glenelg Corner area. In this regard, the proposal is not considered inconsistent with the broader strategic direction anticipated for the surrounding environment.

Overall, the proposal is not anticipated to result in adverse environmental effects that are greater than minor and is considered consistent with the relevant objectives and policies of the Tairāwhiti Resource Management Plan. Accordingly, resource consent is considered appropriate in this instance.

*Appendix A: Resource Consent Application Form*

*Appendix B: Subdivision checklist*

*Appendix C: Planning Assesment*

*Appendix D: Scheme Plan GC12774K*

*Appendix E: Record of Title 1042202*

*Appendix F: Record of Title 946382*

*Appendix G: Current Interests*

*Appendix H: Geotechnical Report*

*Appendix I: HPL Assessment*

*Appendix J: Signed HAIL Statement*

*Appendix K: Search of Council Records*

*Appendix L: Affected Persons Consent Forms*

# 1. Subject Site Details

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| **Site Name** | 95 Glenelg Road, Makauri, Gisborne |
| **Appellation** | Lot 1 DP 549844 |
| | Lot 2 DP 573026 |
| **Titles** | 946382 |
| | 1042202 |
| **Property Area** | 3.325 ha |
| **Territorial Authority** | Gisborne District |
| **Zones** | Rural Production |
| **Overlays** | Interim Highly Productive Land under NPS-HPL |
| | Land Management Overlay - Land 1 |

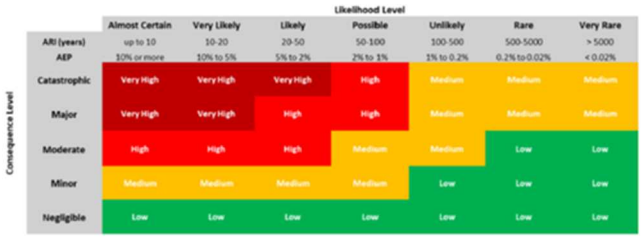
# 2. Plan Assessment

## 2.1. National Planning Instruments

### 2.1.1. National Policy Statement for Natural Hazards 2025

***Objectives and Policies***

| **Part 2: Objective and policies** | |
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| **2.1 Objective** | |
| (1) Natural hazard risk to people and property associated with subdivision use and development is managed using a risk-based proportionate approach. | The proposal adopts a risk based and proportionate approach to the management of natural hazard risk associated with the proposed subdivision and future development of the site.<br><br>Two potential building platform locations have been identified within Lot 1, both of which are supported by the attached geotechnical assessment and are considered capable of accommodating future development without creating or increasing significant natural hazard risk to people, property or the surrounding environment. The site is not identified within the Site Caution Layer of the Tairāwhiti Resource Management Plan, is not subject to any identified flood hazard overlays |

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| | within either the Operative or Proposed Plan provisions, and the proposed building platform locations do not intersect any identified overland flow paths. GIS mapping also identifies the site as being within an area of low liquefaction susceptibility.<br><br>Given the scale and nature of the proposal, together with the ability for future development to be managed through detailed design and building consent processes, the proposal is considered consistent with the intent of the objective. |
| **2.2 Policies** | |
| Policy 1 When considering natural hazard risk associated with subdivision, use or development, the risk level must be assessed using the risk matrix. |  <br>*Figure 1. Risk Matrix*<br><br>The proposal has considered natural hazard risk in a manner consistent with the risk based approach anticipated by the policy. Having regard to the scale and nature of the proposal, together with the absence of any significant identified hazard constraints, the level of natural hazard risk associated with the proposal is considered to be low.<br><br>Two potential building platform locations have been identified within Lot 1 and are supported by the attached geotechnical assessment. The site is not identified within the Site Caution Layer of the Tairāwhiti Resource Management Plan, is not subject to any identified flood hazard overlays within either the Operative or Proposed Plan provisions, and the proposed building platform locations do not intersect any identified overland flow paths. GIS mapping also identifies the site as being within an area of low liquefaction susceptibility.<br><br>Accordingly, the proposal is considered consistent with the intent of the policy. |
| Policy 2 Natural hazard risk associated with subdivision, use and development must be managed using an approach that is proportionate to the level of natural hazard risk. | The proposal adopts a proportionate approach to the management of natural hazard risk having regard to the low level of identified risk associated with the site and the scale of the proposed development. |

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| | Two potential building platform locations have been identified within Lot 1 and are supported by the attached geotechnical assessment. The site is not identified within the Site Caution Layer of the Tairāwhiti Resource Management Plan, is not subject to any identified flood hazard overlays within either the Operative or Proposed Plan provisions, and the proposed building platform locations do not intersect any identified overland flow paths. GIS mapping also identifies the site as being within an area of low liquefaction susceptibility.<br><br>Given the low density nature of the proposal and the absence of significant identified hazard constraints, the proposal is considered consistent with the intent of the policy. |
| Policy 3 Where subdivision, use or development is assessed as having very high natural hazard risk, that risk must be avoided. | The proposal is not assessed as having a very high natural hazard risk. The site is not identified within the Site Caution Layer of the Tairāwhiti Resource Management Plan, is not subject to any identified flood hazard overlays within either the Operative or Proposed Plan provisions, and the proposed building platform locations do not intersect any identified overland flow paths. GIS mapping also identifies the site as being within an area of low liquefaction susceptibility.<br><br>Two potential building platform locations have also been identified within Lot 1 and are supported by the attached geotechnical assessment. Accordingly, the proposal is considered consistent with the intent of the policy. |
| Policy 4 Where subdivision, use or development, including any associated mitigation measures, will create or increase significant natural hazard risk on other sites, that risk must be avoided or mitigated using an approach that is proportionate to the level of natural hazard risk. | The proposal is not anticipated to create or increase significant natural hazard risk on surrounding sites. The proposal does not involve significant earthworks or alteration to the existing landform and is not anticipated to adversely affect existing drainage patterns or increase flood risk elsewhere within the surrounding environment.<br><br>The identified building platform locations are supported by the attached geotechnical assessment and do not intersect any identified overland flow paths. Stormwater associated with future development can also be appropriately managed onsite through detailed design at building consent stage and secured through an appropriate consent notice. |

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| | Accordingly, the proposal is considered consistent with the intent of the policy. |
| Policy 5 Natural hazard risk assessment and decisions must be based on the best available information and must be made even when that information is uncertain or incomplete. | The assessment of natural hazard risk associated with the proposal has been based on the best available information at the time of application, including GIS mapping, the attached geotechnical assessment and relevant hazard overlay information contained within both the Operative and Proposed Plan provisions.<br>The proposal has identified two potential building platform locations within Lot 1 which are considered suitable for future development and capable of accommodating the anticipated low density residential land use without creating significant natural hazard risk.<br>Accordingly, the proposal is considered consistent with the intent of the policy. |
| Policy 6 The potential impacts of climate change to at least 100 years into the future must be considered. | The potential effects of climate change have been considered as part of the assessment of natural hazard risk associated with the proposal. The site is not identified within the Site Caution Layer, is not subject to any identified flood hazard overlays, and the proposed building platform locations do not intersect any identified overland flow paths.<br>Given the low level of identified natural hazard risk, the scale of the proposal and the findings of the attached geotechnical assessment, the proposal is considered consistent with the intent of the policy. |

## 2.2. Tairāwhiti Resource Management Plan

### 2.2.1. DD4 Rural Zones

***Rules***

| **DD4.6 Rules** | |
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| **DD4.6.1 Rules for Rural zones** | |
| **Rule Table DD4.6.1B – Rural Productive Zone (Rural P)** | |
| **Permitted Activities** | |
| | **Permitted** |

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| 4.6.1B(1) One dwelling unit on a site which contains not less than 8 hectares of land | The proposal includes a land use consent application for the establishment of one dwelling unit on a site less than 8 hectares in area and therefore does not comply with Rule DD4.6.1B(1).<br><br>The proposed dwelling can be appropriately accommodated on the site, with a suitable building platform identified within the attached geotechnical report together with appropriate onsite servicing and vehicle access arrangements.<br><br>The site is located within an area that already contains a mix of rural residential and peri urban development, with nearby residentially zoned land, existing dwellings and community facilities contributing to the established character of the surrounding area. In this context, the proposed dwelling is not considered out of character with the surrounding environment.<br><br>Potential reverse sensitivity effects can also be appropriately managed through the location of the proposed building platform, maintenance of the required 30 metre setback from adjoining primary production activities, and proposed screening to be established at the time of development and secured through an appropriate consent notice.<br><br>Overall, the proposal is not anticipated to result in adverse environmental effects that are greater than minor. |

***Objectives and Policies***

| **DD4.3 Objectives** | |
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| **DD4.3.1 All Rural zone Objectives** | |
| 1. Enable subdivision, use and development in all rural zones provided that adverse environmental effects can be avoided, remedied or mitigated. | The proposal enables a low density subdivision outcome within the Rural Productive Zone while maintaining the existing character and amenity of the surrounding environment. The scale and nature of the proposal are not anticipated to result in adverse environmental effects that cannot be appropriately avoided, remedied or mitigated.<br><br>The proposed lot is capable of accommodating an appropriate building platform, onsite servicing and vehicle access |

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| | suitable for the anticipated low density residential land use. Accordingly, the proposal is considered consistent with the intent of the objective. |
| 2. Maintain rural amenity values. | The proposal is considered consistent with the existing amenity and character of the surrounding environment, which already exhibits a peri urban and transitional character with an established pattern of smaller allotments and rural residential development.<br>The scale of the proposal remains low density in nature and is not anticipated to adversely affect the open space qualities or general amenity values of the surrounding area. |
| 3. Sustainable management of the life supporting capacity of the soils on the Poverty Bay Flats. | The proposal acknowledges the importance of the productive land resource within the wider Poverty Bay Flats. However, the surrounding environment already exhibits fragmentation and a transitional peri urban character, reducing the extent to which the locality functions as an intact productive farming environment.<br>In addition, the Goodman Report identifies that parts of the surrounding environment are subject to existing constraints which reduce the practical productive value of the land when compared with more versatile and intact productive land elsewhere within the district.<br>Accordingly, the proposal is considered consistent with the intent of the objective given the existing character and development pattern of the surrounding environment. |
| 4. Enable peri-urban living in appropriate areas, and at densities where the adverse effects of this activity can be avoided, remedied or mitigated. | The proposal is considered to represent an appropriate peri urban outcome given the established pattern of smaller allotments and rural residential development within the surrounding environment, including nearby General Residential, Rural Residential and Rural Lifestyle zoned land surrounding the Glenelg Corner area.<br>The site is also located in close proximity to existing community facilities and services, including Makauri School, Makauri Kindergarten and the Gisborne urban area, further reinforcing the suitability of the location for a low density peri urban living outcome. |

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| | The proposal remains low density in nature and is not anticipated to result in adverse effects that are greater than minor. Proposed screening associated with future development of the site can also be established at the time of building and secured through an appropriate consent notice to assist in maintaining amenity values and reducing potential reverse sensitivity effects. |
| 5. Locate structures and plant trees in such a manner as not to cause adverse environmental effects across property boundaries. | The proposed lot is capable of accommodating an appropriate building platform while maintaining compliance with the relevant setback requirements from adjoining activities and site boundaries. Future development of the site can therefore occur without resulting in adverse environmental effects on adjoining properties. |
| **DD4.4 Policies** | |
| **DD4.4.1 All Rural Zones Policies** | |
| 1. When preparing plans or considering applications for plan changes, resource consents or designations in all rural zones regard shall be given to the following general policy as well as any specific policy relating to the zone:<br>a) effect of the activity on the natural landform characteristics;<br>b) effect on significant indigenous vegetation and significant habitats of indigenous fauna with particular references to C9 – Natural Heritage;<br>c) effect on biodiversity, water quality, land stability and erosion with reference to C9 – Natural Heritage and C7 – Land Management;<br>d) the location, scale and nature of the proposed activity and its effect on the balance of the land and on adjoining properties;<br>e) alternative methods and locations available to carry out the works or activities;<br>f) physical constraints to the site such as separation by rivers or roads, site configuration and layout;<br>g) any adverse effect that the activity may have on existing rural activities;a) effect | The proposal is not anticipated to adversely affect the natural landform characteristics, biodiversity, land stability or surrounding rural activities within the area. The proposed lot is capable of accommodating an appropriate building platform, as identified within the attached geotechnical report, together with onsite servicing and vehicle access suitable for the anticipated low density residential land use.<br>The surrounding environment already exhibits a fragmented and transitional peri urban character with an established pattern of smaller allotments and residential development. In this regard, the proposed lot size, shape and location are considered consistent with the existing character and amenity values of the surrounding environment.<br>Appropriate separation distances can also be maintained between future residential activities and adjoining primary production activities, including the required 30 metre setback, to reduce the potential for reverse sensitivity effects. Proposed screening can also be established at the time of development and secured through an appropriate consent notice. |

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| of the activity on the natural landform characteristics;<br>h) the shape, size and location of lots to be subdivided and any adverse effects they may have on amenity values;<br>i) whether covenants, buffer zones or separation distances between activities would assist in mitigating adverse environmental effects. | Accordingly, the proposal is considered consistent with the intent of the policy. |
| 2. To manage the effects of land use in rural zones which may not be of a rural nature by ensuring that the amenity values of the rural environment and surrounding properties are maintained with particular regard to:<br>a) traffic generation whereby:<br>i. the level of traffic generated by the activity must be able to be accommodated without compromising the safety of traffic and residents on the district's roads;<br>ii. given the nature of adjacent roads that all entry, exit and manoeuvring of vehicles onto a public road can be conducted safety;<br>iii. adequate on-site manoeuvring areas are provided for all developments;<br>b) noise;<br>c) visual impact ensuring that:<br>i. to manage the effects of land use in rural zones which may not be of a rural nature the scale of the structure is appropriate for the use and the environment in which it is located;<br>ii. activities are of an appropriate scale and intensity for the area in which they are located;<br>iii. structures, areas and activities visible from public places are screened;<br>iv. the type of construction materials are not inappropriate to the environment in which they are located. | The proposal is not anticipated to adversely affect the amenity values of the surrounding rural environment. Traffic generation associated with the proposal will remain low and can be safely accommodated within the surrounding road network. Vehicle access and onsite manoeuvring can also be appropriately achieved.<br>The scale and intensity of the proposal remain consistent with the established pattern of development within the surrounding environment, including nearby General Residential, Rural Residential and Rural Lifestyle zoned land surrounding the Glenelg Corner area.<br>Future development of the site can be appropriately located and screened to reduce potential visual effects on adjoining properties and the surrounding environment. Proposed screening can be established at the time of development and secured through an appropriate consent notice.<br>Accordingly, the proposal is considered consistent with the intent of the policy. |
| 3. Tall vegetation and structures should retain, where possible, the adverse environmental | Any future structures and proposed screening vegetation associated with development of the site can be appropriately located to |

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| effects they generate within the property boundaries. | ensure adverse environmental effects are retained within the site boundaries and do not adversely affect adjoining properties.<br>Accordingly, the proposal is considered consistent with the intent of the policy. |
| 4. When assessing a resource consent for the planting of tall vegetation the following assessment matters shall be considered:<br>i. species composition in the affected area;<br>ii. the amount of ground cover by tree litter such as needle drop;<br>iii. amount and duration of area shaded. | Not applicable. |
| 5. Siting of new facilities for handling, processing, treating, storing or disposing of contaminated materials (including landfills, transfer stations, treatment or bulk storage facilities) should be avoided in or close to the areas set out below, if they would create adverse effects:<br>a) Areas vulnerable to natural hazards;<br>b) Areas which support ecosystems including:<br>i. wetlands<br>ii. intertidal areas, estuaries and coastal dunes and their margins<br>iii. protected management areas or other values identified in C9 – Natural Heritage<br>iv. ecological corridors<br>v. margins of lakes and rivers<br>c) Areas used for other purposes which are incompatible with the land use including:<br>i. reserves<br>ii. waahi tapu<br>iii. coastal environment<br>iv. outstanding natural features or landscapes<br>v. adjacent to existing residential and commercial land<br>vi. areas in proximity to airfield or flight paths<br>vii. water supply catchments | Not applicable. |

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| viii. areas of historic, scenic or cultural significance<br>ix. areas with watercourses which cannot be diverted in an environmentally acceptable manner. | |
| 6. Any resource consent in the rural zone to operate a bird scaring device shall take into account the following:<br>• whether there is an operational necessity to operate the bird scarer above the limits provided and, if so, whether:<br>i. there are adequate mitigation measures to ensure that there are no potential adverse health effects. These mitigation measures may include shielding of devices, selection of the most appropriate type or types of device, location and position of device/s;<br>ii. use is made of protocols, codes of practice and industry guidelines;<br>iii. amenity values of neighbours have been maintained;<br>iv. consideration of the cumulative effects of the number of bird scarer devices being used within single landholdings and the potential for adverse health effects. | Not applicable |
| **DD4.4.2 Rural Productive Policies** | |
| 1. To manage adverse environmental effects on the soil resource that occur as a result of subdivision, use and development to secure the soil's life supporting capacity in order to meet present and future needs. | The proposal acknowledges the importance of protecting the productive soil resource of the wider Poverty Bay Flats. However, the surrounding environment already exhibits a fragmented and transitional peri urban character with an established pattern of smaller allotments and rural residential development.<br>In addition, the Goodman Report identifies that parts of the surrounding environment are subject to existing constraints which reduce the practical productive value of the land when compared with more versatile and intact productive land elsewhere within the district. |

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| | Given the scale and nature of the proposal, and the existing character of the surrounding environment, the proposal is not anticipated to adversely affect the long term life supporting capacity of the soil resource to a degree that would be inconsistent with the intent of the policy. |
| 2. In the case of resource consents for the erection of a dwelling unit on a site less than 8 hectares in extent the Council shall have regard to the following matters:<br>i. the extent of adjoining land parcels and proximity of properties being intensively cropped or forested and/or worked in any other way which may cause complaint from owners of the new dwelling unit or adjacent landowners;<br>ii. physical constraints on the property such as location of roads and other infrastructure or the physical separation of the property by rivers;<br>iii. the location of other dwelling units or social infrastructure such as schools or community facilities in the vicinity and adjacent to the property;<br>iv. consultation with adjoining landowners with regard to the potential compromise of farming activities and fire risk. | The proposed dwelling platform is located within an environment that already contains an established pattern of smaller allotments and existing dwellings, including nearby General Residential, Rural Residential and Rural Lifestyle zoned land surrounding the Glenelg Corner area.<br>The site is also located in close proximity to existing community facilities and services, including Makauri School, nearby early childhood education facilities and the Gisborne urban area.<br>The proposal is not anticipated to compromise the ongoing productive use of surrounding land and appropriate setbacks can be maintained between future residential activities and adjoining primary production activities to reduce the potential for reverse sensitivity effects. Proposed screening associated with future development can also be established at the time of building and secured through an appropriate consent notice. |
| 3. In the case of resource consents for the erection of an additional self-contained unit on any site in the Rural Productive zone Council shall have regard to the following matters:<br>i. the extent of adjoining land parcels and proximity of properties being intensively cropped or forested and/or being worked in any other way which may cause complaint from owners of the new dwelling unit or adjacent landowners;<br>ii. physical constraints on the property such as location of roads and other infrastructure or the physical separation of the property by rivers;<br>iii. the location of other dwelling units or social infrastructure such as schools or | While no additional self contained unit is proposed as part of the application, a consent notice can be imposed on the proposed lot restricting any future additional self contained unit where required by Council.<br>Notwithstanding this, the surrounding environment already exhibits a fragmented and transitional peri urban character with an established pattern of smaller allotments and existing residential development. The proposal is not anticipated to adversely affect the ongoing productive use of surrounding land and appropriate setbacks can be maintained between future residential activities and adjoining primary production activities to reduce the potential for reverse sensitivity effects. |

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| community facilities in the vicinity and adjacent to the property;<br>iv. consultation with adjoining landowners with regard to the potential compromise of farming activities and fire risk;<br>v. the extent of the dwelling unit and the impact on the productive capacity of the site;<br>vi. proximity to any existing dwelling unit and its potential to cause an adverse effect on the surrounding land use. | |
| 4. In the case of resource consents for the creation of lots less than eight hectares in extent Council shall have regard to the following matters:<br>i. physical constraints on the property such as location of roads and other infrastructure or the physical separation of the property by rivers;<br>ii. extent of adjoining land parcels and proximity of properties being intensively cropped or forested and/or being worked in any other way;<br>iii. potential impact on the sustainable management of existing, surrounding land uses;<br>iv. location and scale of adjoining dwelling units or other social infrastructure such as schools or community facilities in the vicinity and adjacent to the property. | The proposal involves an adjustment between two existing title boundaries and does not create any additional allotments. Notwithstanding this, the resulting lot sizes are consistent with the established pattern of smaller allotments and low density residential development within the surrounding environment.<br>The site is not subject to significant physical constraints that would prevent appropriate development occurring, with the attached geotechnical assessment identifying a suitable building platform for future development. The proposal is also located in close proximity to existing community facilities and surrounding residential development, reinforcing the existing peri urban character of the area.<br>The proposal is not anticipated to adversely affect the sustainable management of surrounding land uses and appropriate setbacks can be maintained to reduce the potential for reverse sensitivity effects. |
| 5. Manage conflicting uses on the Poverty Bay flats to ensure that residential dwellings and other sensitive land uses do not have an adverse effect on the primary farming activity and to locate residential dwellings so that they are not adversely affected by noise, spray-drift and odour generated by farming and forestry. | The proposal is not anticipated to adversely affect the ongoing productive use of surrounding land. The proposed building platform can maintain the required 30 metre setback from adjoining primary production activities, reducing the potential for reverse sensitivity effects associated with noise, spray drift and odour.<br>Proposed screening can also be established at the time of development and secured through an appropriate consent notice to assist in maintaining amenity values and reducing potential adverse effects between adjoining land uses. |

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| | In addition, the surrounding environment within Glenelg Road, already exhibits an established peri urban and fragmented character, with an existing pattern of smaller allotments and residential activities surrounding the site. Accordingly, the proposal is considered consistent with the intent of the policy. |

### 2.2.2. C2 Built Environment, Infrastructure and Energy

***Rules***

| **C2.1 Infrastructure, Works and Services** | |
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| **C2.1.7 Rules for Provision of Infrastructure for Development (Works and Services)** | |
| **C2.1.7.1 General Standards** | |
| **A. General Servicing Requirements** | |
| a) Reticulated services shall be provided to the net area of new allotments.<br>b) Vehicle crossings shall be provided to the boundary of the road reserve for new allotments.<br>c) Services shall be reticulated underground in any new road reserve, shared accessway or new allotment within the Reticulated Services Boundary and in residential and commercial zones district wide.<br>d) Where there is a shared access way the necessary works and services shall be provided to the terminus of the right-of-way.<br>e) The location of reticulated services and vehicle crossings shall be identified prior to consent approval. | **Complies**<br><br>Lot 1 is located outside the Reticulated Services Boundary and therefore stormwater, wastewater and water supply servicing will be provided onsite in a manner appropriate for the anticipated low density residential land use. Lot 2 is already fully serviced by existing onsite servicing arrangements.<br><br>Vehicle access can be appropriately achieved for the proposed allotments and suitable vehicle crossing arrangements can be provided in accordance with Council requirements. Any future servicing associated with the proposal can also be provided in a manner appropriate to the locality and anticipated land use, including within any shared access arrangements where required.<br><br>The location of access and servicing arrangements has been identified as part of the proposal and can be appropriately managed through the consent process. |

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| **D. Stormwater Systems** | The proposal is capable of accommodating onsite stormwater management appropriate for the anticipated low density residential land use. Stormwater from future buildings and impervious surfaces can be collected, managed and discharged within the site boundaries without adverse effects on surrounding properties or infrastructure.<br><br>The proposal does not involve significant earthworks or alterations to the existing natural drainage patterns of the site, and stormwater can be managed through gravity discharge and onsite dispersal methods appropriate to the locality. Roof water from future buildings will also be collected and stored for domestic water supply purposes, reducing stormwater runoff volumes generated from the site.<br><br>Detailed stormwater design and management measures can be addressed at building consent stage and secured through an appropriate consent notice to ensure stormwater is appropriately managed onsite.<br><br>Given the scale and nature of the proposal, the anticipated level of impervious surface coverage is not expected to result in adverse stormwater effects or concentrated runoff beyond the capacity of the receiving environment. The scale of future development anticipated on the proposed allotments would also be consistent with the type of low density residential development as seen within the Rural Residential and Rural Lifestyle zones.<br><br>Accordingly, the proposal is considered consistent with the intent of the stormwater standards. |
| a) Sites shall be provided within their site area with a means of collecting, managing and discharging stormwater from the roof of all buildings, accessways and from all impervious surfaces. | **Complies** |
| c) Primary stormwater systems shall have sufficient capacity to convey a 10% AEP rainfall event without relying on secondary flow paths. | **Complies** |
| d) Secondary stormwater systems shall be sufficient capacity to convey a 1% AEP rainfall event while protecting buildings and household gully traps from inundation. | **Complies** |

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| e) Secondary flow paths shall be free of obstructions and located on public land, land protected by an easement or land identified as a public drain. | **Complies** |
| f) Stormwater conveyance shall be by way of gravity outfall with ground levels and/or contours identified prior to consent approval; and | **Complies** |
| g) With regard to Rules c) and d) where stormwater runoff is greater than the capacity of the system which is to receive it, runoff shall be managed to the relevant pre-development rates or the capacity of the system shall be upgraded. | **Complies** |
| Rural Lifestyle and Rural Residential Zones | **Complies** |
| **E. Water Supply** | |
| a) Water supply within Reticulated Services Boundary<br>i. Sites for any activity that will require a water supply shall be provided with a connection or connection point to the Council reticulated water system.<br>b) Water supply outside the Reticulated Services Boundary<br>i. Sites for any activity that will require a water supply shall be provided with a safe and potable supply of water. | **Complies**<br><br>The site is located outside the Reticulated Services Boundary and therefore a reticulated water connection is not required. A safe and potable domestic water supply can be provided onsite through roof water collection and storage systems appropriate for the anticipated low density residential land use.<br><br>Roof water collected from future buildings will be stored within water tanks for domestic use, providing an integrated onsite servicing solution appropriate to the locality and scale of the proposal.<br><br>Any future development of the site will also be required to address fire fighting water supply requirements where applicable at the time of building consent. Accordingly, the proposal is considered consistent with the intent of the water supply standards. |
| **F. Wastewater Systems** | |
| a) Within the Reticulated Services Boundary, sites for any activity that will create wastewater shall be provided with a connection or connection point to the Council reticulated wastewater system. | **Complies**<br><br>The site is located outside the Reticulated Services Boundary and therefore a connection to the Council reticulated wastewater system is not required. Wastewater servicing for future development can be appropriately managed through onsite treatment and disposal systems suitable for the anticipated low density |

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| | residential land use, with detailed design and installation to be addressed at building consent stage and secured through an appropriate consent notice.<br><br>Accordingly, the proposal is considered consistent with the intent of the wastewater standards. |
| **G. Energy and Telecommunications** | |
| a) Sites for any activity that requires electricity and telecommunication services, shall be provided with those services. | **Complies**<br><br>The proposed Lot 1 is capable of being serviced with electricity and telecommunications infrastructure appropriate for the anticipated low density residential land use. Telecommunications can be provided through existing wireless network services or other available servicing options appropriate to the locality. |
| **I. Access** | |
| I1 Sight Lines at Vehicle Crossings<br>a) All vehicle crossings shall be constructed and located to ensure that the sight lines specified in Figure C2.4 are maintained with no obstructions, whether temporary or permanent, for the distances specified in Figure C2.13.<br>I2 Distances of Vehicle Crossings from Intersections<br>a) Sites shall maintain distances of crossings from intersections, so as to comply with Figures C2.6 and C2.7.<br>Reference to Figure C2.6 – Property access performance criteria located on principal and arterial roads<br>Reference to Figure C2.7 – Property access performance criteria located on collector and minor roads<br>I3 Manoeuvring Areas<br>a) Subject to (b) with the exception of sites containing no more than one single dwelling unit, all sites, where on-site car parking is provided, shall provide either accessways, aisles and turning areas or parking spaces adequate to enable vehicles to enter and exit to the road in a forward direction. | **Complies**<br><br>The proposal obtains legal and physical access via the existing access arrangements. The scale of the proposal remains low density in nature and is not anticipated to adversely affect the safety or functioning of the surrounding road network. Vehicle access and manoeuvring can be appropriately achieved in accordance with Council requirements. |

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| b) Sites fronting arterial roads:<br><br>The construction, addition to, or alteration of buildings (including new dwelling units) shall not encroach on or reduce on-site manoeuvring areas beyond the point that they continue to provide the ability for vehicles to enter and exit to the road in a forward direction.<br><br>I4 Surfaces<br><br>a) In residential, commercial or industrial zones or reserves adjoining these zones, all vehicle crossings between the road carriageway and the road reserve boundary shall be finished with a sealed surface and drained.<br><br>b) In rural zones, or reserves adjoining rural zones, all vehicle crossings between the road carriageway and the road reserve boundary shall be:<br><br>i. Finished with a sealed surface where the adjoining carriageway is sealed.<br><br>ii. Finished with a hard surface where the adjoining carriageway is unsealed.<br><br>c) All shared accessways and associated turning areas shall be:<br><br>i. Finished with a sealed surface and drained in residential, commercial or industrial zones or reserves adjoining these zones.<br><br>ii. Finished with a hard surface in rural zones, or reserves adjoining rural zones.<br><br>d) All accessways and associated turning areas for industrial and commercial activities shall be:<br><br>i. Finished with a sealed surface and drained in residential, commercial or industrial zones or reserves adjoining these zones.<br><br>ii. Finished with a hard surface in rural zones, or reserves adjoining rural zones.<br><br>I5 Access to sites with more than one road frontage | |

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| a) For properties that have legal frontage on to two roads:<br>i. Where the property is located in a Rural zone and adjoins an arterial or principal road, access shall be from the road with the lesser traffic function, as identified in the Roading Hierarchy Maps.<br>ii. Where the property is located in a Commercial zone, Industrial zone or a Port Management zone, and adjoins an arterial or principal road, access shall be from the road with the lesser traffic function, as identified in the Roading Hierarchy Maps.<br>I6 Minimum distance between vehicle crossings<br>a) The minimum distance between vehicle crossings on any one site shall be 15m.<br>b) In commercial zones, industrial zones and the Port Management zones the minimum distances between vehicle crossings on any two adjacent sites shall be 2m, unless a combined crossing not exceeding 9m serves the two adjacent sites, or the vehicle crossing is for two or more residential dwelling units located on the one site.<br>I7 Single-site vehicle access<br>a) The width of accessways and vehicle crossings for individual sites shall comply with the rules in Figure C2.8.<br>Reference to Figure C2.8 – Standards for vehicle crossing widths<br>b) The number of accessways and vehicle crossings onto a road frontage on any one site shall not exceed that shown in Figure C2.9. and<br>Reference to Figure C2.9 – Standards for the maximum number of vehicle crossing<br>c) Accessways shall comply with the standards set out in New Zealand Fire Service fire-fighting water supplies Code of Practice SNZ 4509:2008.<br>I8 Multiple-site access and/or multiple unit access | |

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| a) Up to 10 potential dwelling units may share access from a single accessway and vehicular crossing.<br>b) Access to serve more than 10 dwelling units are required to be served by a public road vested in the Gisborne District Council.<br>c) Up to three commercial or industrial sites may share access from a single accessway and vehicular crossing.<br>d) More than three commercial or industrial sites are required to be served by a public road vested in the Gisborne District Council.<br>e) To meet the access needs of potential users, every accessway and vehicle crossing serving more than one site shall be constructed in accordance with the rules specified below:<br>Refer to Figure C2.10 – Rules for Dimensions of Multiple Site Accessways<br>f) Accessways shall comply with the standards set out in New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008. | |

***Objectives and Policies***

| **C2.1 Infrastructure, Works and Services** | |
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| **C2.1.3 Objectives (Infrastructure)** | |
| 1. Infrastructure that enables people and communities to provide for and enhance their environmental, social, cultural and economic well-being. | The proposal will enable a low density residential outcome within an established peri urban environment while maintaining appropriate servicing and infrastructure arrangements. The site is capable of accommodating the proposed development without creating adverse effects on the surrounding environment or existing infrastructure networks.<br>Overall, the proposal is considered consistent with the objective as it enables people and communities to provide for their wellbeing while maintaining appropriate environmental outcomes. |

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| 2. Infrastructure that is designed, located, constructed, operated and maintained to ensure:<br>• A safe and healthy environment.<br>• The efficient use of energy and resources.<br>• Adverse effects are avoided, remedied or mitigated. | The proposal utilises existing infrastructure networks and services available within the surrounding locality and does not create demands beyond the anticipated scale of low density residential development within the area.<br>The proposal is considered compatible with the existing infrastructure environment and will not result in unanticipated costs or adverse effects on community infrastructure resources. |
| 3. Infrastructure associated with subdivision, use and development be provided in an integrated and co-ordinated manner to ensure:<br>• Compatibility with existing infrastructure networks.<br>• Adequate capacity for the anticipated land use.<br>• Ongoing management and lifecycle costs are taken into account.<br>• Unanticipated costs to the community are avoided.<br>• The requirements of infrastructure providers are taken into account. | The proposal utilises existing infrastructure networks and services available within the surrounding locality and does not create demands beyond the anticipated scale of low density residential development within the area.<br>The proposal is considered compatible with the existing infrastructure environment and will not result in unanticipated costs or adverse effects on community infrastructure resources. |
| 4. Enable and promote subdivision and development of infrastructure that:<br>• Allows the implementation of good urban design practice.<br>• Allows the implementation of low impact design principles.<br>• Reflects the environmental and social context of the location. | The proposal reflects the existing environmental and social context of the surrounding peri urban environment and maintains the established low density character of the locality. The scale and layout of the proposal are consistent with the surrounding pattern of development within the varied zones and do not result in adverse urban design outcomes. |
| 5. Efficient and effective provision of network utility operations, including investment in that infrastructure, is not adversely affected by inappropriate land use, development and subdivision activities. | The proposal will not adversely affect the operation or ongoing provision of existing network utility infrastructure. The scale of the development remains limited and is not considered to compromise the efficient functioning or future management of infrastructure services within the locality. |
| 6. Unobstructed and unimpaired land and airspace for all activities associated with aircraft operations at Gisborne Airport. | Not Applicable. |

| C2.1.4 Policies | |
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| **C2.1.4.5 Policies (Works and Services)** | |
| 1. The road reserve provides a range of environmental and community functions that shall be recognised and provided for in an integrated manner, including:<br>• The safe and efficient movement of people, goods and services.<br>• A corridor for network utility operators and their operations.<br>• A space for community interaction and recreation.<br>• Amenity, streetscape and character values. | The proposal will utilise the existing roading network and does not involve works that would compromise the safe and efficient movement of people, goods or services. The scale of the proposal remains low density in nature and is consistent with the surrounding environment and established roading context. |
| 2. To ensure that property access occurs in a manner that does not adversely affect the wider functions of the road reserve. | The proposal will obtain legal and physical access in a manner consistent with the existing roading environment and is not expected to adversely affect the wider function or operation of the surrounding road network.<br>The scale of traffic generation associated with the proposal will remain low and consistent with the anticipated nature of low density residential activities within the locality. |
| 3. To encourage roads and accessways to be designed according to their environment context and surrounding land uses. | The proposal reflects the existing peri urban and rural residential character of the surrounding environment. Access arrangements are considered appropriate to the nature and scale of the proposed subdivision and surrounding land uses. |
| 4. To ensure that the development and use of existing roads does not adversely affect the character of local communities or the surrounding environment. | The proposal will not result in adverse effects on the character of the surrounding environment or local community. Traffic movements generated by the proposal are expected to remain low and consistent with the established low density residential character of the locality. |
| **Reserves and Landscaping** | |
| 5. To encourage and provide for landscaping within the road reserve in appropriate locations while avoiding, remedying or mitigating any conflict or interference potential with network utility services. | Not applicable |

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| **Stormwater** | |
| 6. To require stormwater systems to be designed and constructed to:<br>• Protect people, infrastructure, land and buildings against flooding and nuisance effects.<br>• Avoid, remedy or mitigate adverse environmental effects – including the pollution, sedimentation and erosion of receiving environments.<br>• Provide adequate capacity and design standards to service the catchment within which they occur, taking into account foreseeable growth and development. | The proposal can be appropriately serviced for stormwater management and does not involve significant earthworks or changes to the natural drainage patterns of the site. Future development remains subject to detailed design and building consent requirements where necessary.<br>The proposal is therefore considered capable of appropriately managing stormwater effects. |
| **Water** | |
| 7. To ensure that there is an adequate supply of water in terms of volume and quality for the anticipated land use.<br>8. To promote and encourage the efficient use of water through subdivision and land development activities.<br>9. To ensure new reticulated sites within the Reticulated Services Boundary are provided an adequate supply of water for fire-fighting for the reasonably anticipated land use, in accordance with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ 4509:2008 | The proposed allotments will be serviced by onsite rainwater collection and storage systems appropriate for the anticipated low density residential land use. The scale of the proposal is such that an adequate domestic water supply can be achieved without placing demand on reticulated infrastructure.<br>Accordingly, the proposal is considered consistent with the intent of the policy. |
| **Wastewater** | |
| 10. To ensure that the treatment and disposal of wastewater is adequate for the anticipated land use and appropriate to the location of the subdivision and/or development.<br>11. To ensure that the treatment and disposal of wastewater is undertaken in a manner that avoids, remedies or mitigates adverse effects on the environment and is consistent with maintaining public health and safety. | The site is capable of accommodating appropriate wastewater treatment and disposal systems suitable for the anticipated low density residential land use. |
| **Energy and Telecommunications** | |
| 12. To ensure that the supply of energy and telecommunications is reliable and appropriate for the anticipated land use | The proposed allotments are capable of being serviced by appropriate power and telecommunications infrastructure suitable for |

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| and the particular circumstances of the subdivision or development. | the anticipated low density residential land use. Telecommunications can be provided through existing wireless network services or other available servicing options appropriate to the locality. |

### 2.2.3. C10 Subdivision

***Rules***

| **C10.1.6 Rules for Subdivisions** | |
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| **C10.1.6.1 General Standards** | |
| A.<br>a) Subdivisions shall comply with C2 – Built Environment, Infrastructure and Energy and C9.2 Esplanade Reserves/Strips. | **Complies**<br>The proposal has been assessed against the relevant provisions contained within Chapter C2 Built Environment, Infrastructure and Energy and is considered capable of complying with the intent of those provisions. Chapter C9.2 Esplanade Reserves and Strips is not considered relevant to the proposal. |
| B. Allotment Sizes and Dimensions<br>a) Subdivisions shall comply with the rules for allotment sizes and shape factor and road frontage Requirements in C10.1, provided that:<br>1. In Rural Productive and Rural Residential zones where an existing site used for farming purposes is occupied by more than one dwelling-house erected prior to 31 March 1987, and any of those dwelling houses, excluding at least one to remain on the site, is no longer required for farming the site, a new site may be created notwithstanding that the site does not meet the requirements in Figure C10.1, but subject to compliance with the following:<br>i. minimum area - 1000m2,<br>ii. maximum area - 2000m2<br>iii. maximum shape factor and road frontage requirement. Every site shall be of such a shape as to contain a rectangle 13m x 18m | **Does not comply**<br>The proposal does not comply with the minimum allotment size and shape factor requirements for the Rural Productive Zone and therefore consent is required under Rule C10.1.6(9).<br>Notwithstanding this, the proposed lot sizes and dimensions remain consistent with the established pattern of smaller allotments and low density residential development within the surrounding peri urban environment. The proposed lots are capable of accommodating appropriate building platforms, onsite servicing and vehicle access suitable for the anticipated land use without resulting in adverse environmental effects that are greater than minor.<br>Accordingly, while the proposal does not comply with the allotment size and shape factor standards, it is considered consistent with the overall intent of the subdivision provisions. |

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| without encroachment on to any yard,<br>iv. the new boundaries of the site to be created are to be so located as to ensure that the existing buildings conform with the requirements of the Plan.<br>2. The rules for minimum allotment sizes and dimensions shall not apply to subdivisions for meteorological activities.<br>Reference to Figure C10.1 – Standards for Allotment Sizes and Dimensions | |
| C. Building Platforms | |
| a) Every site that is intended to be used for any building shall contain a building platform that is stable and not affected by any potentially unstable land. | **Complies**<br>The proposed lot is capable of accommodating a stable building platform suitable for future development, as identified within the attached geotechnical report. |
| D. Existing Buildings<br>a) Any new boundaries created by subdivision shall be located such that any existing buildings comply with the rules of the relevant zone and (where relevant) overlay; or that the appropriate resource consents have been obtained. | **Complies**<br>The proposed subdivision boundaries have been located such that existing buildings continue to comply with the relevant zone standards and no additional non compliances are created as a result of the proposal.<br>Accordingly, the proposal is considered consistent with the intent of the standard. |
| E. Boundary Adjustment | |
| a) Boundary adjustments shall not create any additional sites or reduce any site below the minimum subdivision size for the zone except where a single site is being created exclusively for a network utility service. This provision shall not apply where sites are to be amalgamated. | **Does not comply**<br>The proposal involves an adjustment between two existing title boundaries and does not create any additional sites. While the resulting lot sizes will be below the minimum subdivision size for the Rural Productive Zone, the proposal is considered generally consistent with the intent of the standard as no additional allotments are being created through the boundary adjustment. |
| F. Easements<br>a) The granting of a subdivision consent may include a condition requiring the reservation of a memorandum of | **Complies**<br>No new easements are anticipated to be created due to this proposal. All existing easements are to be retained. |

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| easement in respect of any of the following:<br>i. the creation of right of way access to any allotment pursuant to section 321 of the Local Government Act 1974;<br>ii. the right to maintain shelter belts;<br>iii. the right in respect of a dominant tenement or easement in gross to lay, construct, erect, convey, discharge or maintain an underground or overhead water, electric power, telecommunications, gas, sewage, or stormwater service;<br>iv. the right to construct and maintain a party wall;<br>v. any other easement that the specific situation may require.<br>b) For stormwater pipes, sewer pipes and water supply pipes that are to be vested in the Gisborne district Council, easement widths shall be the larger of:<br>i. a width equal to 1.5 times the depth to the invert level with the service laid in the centre, or<br>ii. a minimum of 3m with the service laid in the centre. | |
| **Rule Table C10.1.6** | |
| **Discretionary Activities** | |
| 10.1.6(9) Activities which do not comply with the General Standards and are not listed as Controlled or Restricted Discretionary activities | **Discretionary**<br>The proposal is classified as a Discretionary Activity under Rule C10.1.6(9) as the proposed subdivision does not comply with the minimum allotment size and shape factor requirements for the Rural Productive Zone.<br>Notwithstanding this infringement, the proposal represents an adjustment between two existing title boundaries and does not create any additional allotments. The proposal remains consistent with the established pattern of smaller allotments and low density residential development within the surrounding peri urban environment and is not anticipated to result in adverse environmental effects that are greater than minor. |

***Objectives and Policies***

| C10.1.3 Objectives | |
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| 1. To enable subdivision provided that any consequent adverse environmental effects can be avoided, remedied or mitigated. | The proposal enables a low density subdivision outcome within an established peri urban environment while maintaining the existing character and amenity of the surrounding locality.<br><br>While the site is located within the Rural Productive Zone, the surrounding environment already exhibits a fragmented and transitional character with an established pattern of smaller allotments and rural residential development. In addition, the Goodman Report identifies that parts of the surrounding environment are subject to existing constraints which reduce the practical productive value of the land when compared with more versatile and intact productive land elsewhere within the district.<br><br>The scale and nature of the proposal are not anticipated to result in adverse environmental effects that cannot be appropriately avoided, remedied or mitigated. The site is capable of being appropriately serviced, vehicle access can be achieved, and the proposal will not adversely affect the ongoing use of surrounding land for productive purposes.<br><br>Accordingly, the proposal is considered consistent with the intent of the objective. |
| 2. Subdivision is consistent with high quality urban environments. Subdivision should encourage a pattern of land use integrated with the provision of infrastructure to:<br>a) promote a high level of amenity value, especially in residential and commercial zones.<br>b) promote a safe and healthy urban environment.<br>c) encourage resource and energy efficiency.<br>d) avoid, remedy or mitigate adverse effects on the environment. | The proposal is considered consistent with the intent of achieving a high quality and well functioning environment. While the site is located within the Rural Productive Zone rather than a residential or commercial urban area, the proposal reflects the existing peri urban character and established pattern of development within the surrounding environment, including the nearby General Residential, Rural Residential and Rural Lifestyle zoned land surrounding the Glenelg Corner area.<br><br>The proposed allotments are capable of being appropriately serviced with onsite water supply, stormwater and wastewater systems suitable for the anticipated low density residential land use. Vehicle access can also be appropriately achieved without adversely |

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| | affecting the surrounding road network or environment.<br>The scale and nature of the proposal are not anticipated to result in adverse effects on the environment beyond those already associated with the established character of the surrounding area. Accordingly, the proposal is considered consistent with the intent of the objective. |
| **C10.1.4 Policies** | |
| 1. When considering whether to grant consent or impose conditions in respect of any subdivision the Council shall have regard to the relevant policy contained in C2, C4, C7, C8, C9 as well as any relevant zone policy in addition to the following: | The proposed lot is capable of accommodating an appropriate building platform, as identified within the attached geotechnical report, together with onsite servicing infrastructure, stormwater management and vehicle access suitable for the anticipated low density residential land use. The proposal is not anticipated to adversely affect existing network utility infrastructure or the surrounding environment and any future development of the site will remain subject to the relevant building consent and servicing requirements. |
| **Network Utility Infrastructure** | |
| • the potential adverse effects the subdivision activity may have on the ongoing operational maintenance, upgrading and protection requirements of any network utility infrastructure. | |
| **Building Platform** | |
| • the ability to provide at least one stable building platform on each allotment whose formation does not cause or contribute to land instability. | |

### 2.2.4. B8 Land Management

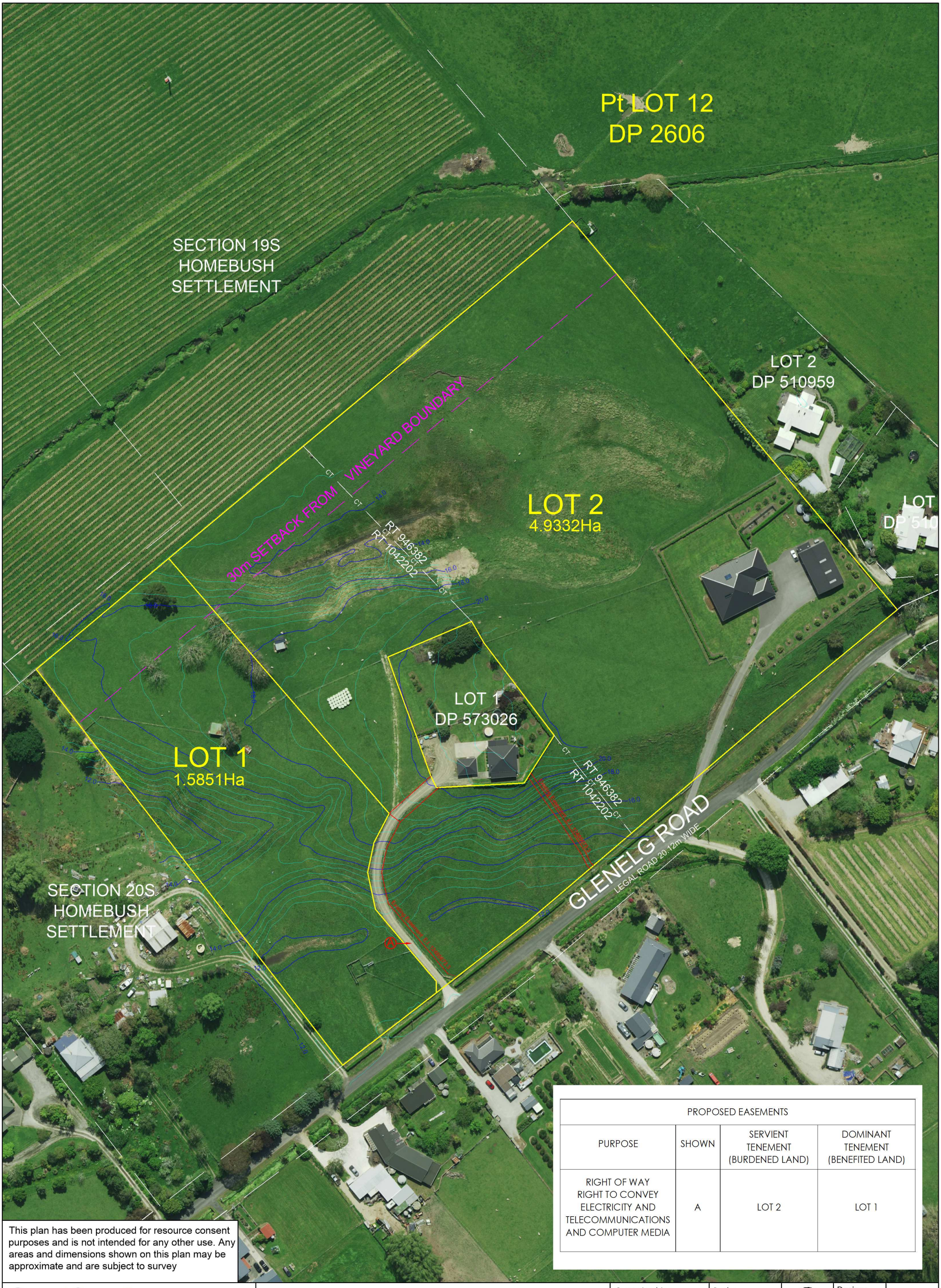
***Objectives and Policies***

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| **B8.3 Issue – Loss of highly productive and versatile soils through closer subdivision and settlement, particularly around the urban area of Gisborne and loss of highly productive and versatile soils through unsustainable management practices** | |
| **B8.3.1 Objective** | |
| 1. To protect soils which are highly fertile and versatile from the effects of subdivision and land use which are likely to result in their permanent or long-term loss. | The objective seeks to protect highly fertile and versatile soils from fragmentation and permanent loss through inappropriate subdivision and land use activities.<br>While the site is identified within the Rural Productive Zone and forms part of the broader |

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| | highly productive land resource surrounding Gisborne, the proposal is located within an area that already exhibits a strong peri urban and transitional character. The surrounding environment contains an established pattern of smaller rural residential allotments and existing dwellings, with the locality no longer functioning as a large scale uninterrupted productive farming environment.<br><br>The proposal involves a low density subdivision that remains consistent with the existing character of the surrounding area and will not undermine the ongoing productive use of adjoining land. Potential reverse sensitivity effects are also reduced through the proposed building platform location and the ability to comply with the relevant setback requirements from adjoining primary production activities.<br><br>In addition, the findings within the Goodman Report identify that parts of the locality are already subject to fragmentation and constraints which reduce the practical productive value of the land when compared with more versatile and intact productive land resources elsewhere across the Poverty Bay Flats.<br><br>Overall, the proposal is considered consistent with the intent of the objective as it represents a logical low density peri urban outcome within an already transitioning environment, while maintaining the ability for surrounding land to continue to be used for productive purposes. |
| **B8.3.2 Policies** | |
| 1. To recognise the importance of highly productive soils to the economic and social well-being of the community. | While the site is identified within the Rural Productive Zone, the surrounding locality already exhibits a strong peri urban and transitional character, with an established pattern of smaller allotments and rural residential development throughout the area. The proposal does not result in the fragmentation of an isolated or intact productive farming environment, but instead reflects the existing development pattern that has already occurred within the locality.<br><br>In addition, the Goodman Report identifies that parts of the surrounding area are already subject to fragmentation and other constraints which reduce the practical productive value of the land when compared with more |

| | |
|---|---|
| | versatile and intact productive land elsewhere within the district.<br><br>Overall, the proposal is considered to appropriately recognise the importance of highly productive land while responding to the established character and existing land use pattern of the surrounding environment. |
| 2. Enable low-density residential development to take place on sites where its effects would not conflict with objective. | The proposal represents a low density residential outcome that is consistent with the established character of the surrounding environment. The locality already contains a pattern of smaller allotments and existing dwellings, with the area exhibiting a clear peri urban character.<br><br>The proposal will not prevent surrounding land from continuing to be utilised for productive purposes, and potential reverse sensitivity effects are reduced through the location of the proposed building platform and the ability to comply with the relevant setback requirements from adjoining primary production activities.<br><br>Given the established development pattern surrounding the site and the limited scale of the proposal, the resulting effects are not considered to conflict with the objective of protecting highly productive soils from inappropriate subdivision and land use activities. |
| 3. Recognise the need for all activities on highly productive soils to avoid adverse environmental effects and unsustainable practices. | The proposal is not considered to result in adverse environmental effects or unsustainable land management practices that would compromise the long term functioning of the surrounding environment. The subdivision remains low density in nature and is consistent with the existing pattern of development that has already occurred throughout the locality.<br><br>The proposal will not restrict the ongoing productive use of adjoining land and appropriate separation distances can be maintained between future residential activities and neighbouring primary production activities, reducing the potential for reverse sensitivity effects.<br><br>The site is capable of being appropriately serviced, and no significant earthworks or land disturbance are proposed as part of the application. In addition, the proposal does not |

| | |
|---|---|
| | involve activities that would result in the depletion or degradation of the underlying soil resource beyond what is already characteristic of the surrounding peri urban environment.<br><br>Overall, the proposal is considered consistent with the intent of the policy as it represents a managed low density development outcome that avoids adverse environmental effects and does not promote unsustainable land use practices within the locality. |




| PROPOSED EASEMENTS | | | |
|---|---|---|---|
| PURPOSE | SHOWN | SERVIENT TENEMENT (BURDENED LAND) | DOMINANT TENEMENT (BENEFITED LAND) |
| RIGHT OF WAY RIGHT TO CONVEY ELECTRICITY AND TELECOMMUNICATIONS AND COMPUTER MEDIA | A | LOT 2 | LOT 1 |

This plan has been produced for resource consent purposes and is not intended for any other use. Any areas and dimensions shown on this plan may be approximate and are subject to survey

Grant&cooke
Surveyors, Land Development and Resource Management Consultants
Phone 06 8677244 PO Box 1006 Gisborne
Email:office@grantcooke.co.nz
Web www.grantcooke.co.nz

# Lots 1 and 2 being a Proposed Subdivision of Lot 2 DP 573026 and Lot 1 DP 549844

95 Glenelg Road - Makauri

Comprised in:
RT 946382
RT 1042202

Scale: NTS

Owners:
J.M Solomon
P.R Solomon

Date: 13/05/2026

Design:
Drawn: RU
Checked:

GC12774K

Sheet 1 of 1

# RECORD OF TITLE
# UNDER LAND TRANSFER ACT 2017
# FREEHOLD

**Search Copy**

R.W. Muir
Registrar-General
of Land

| | |
|---|---|
| **Identifier** | **1042202** |
| **Land Registration District** | **Gisborne** |
| **Date Issued** | 04 July 2022 |

**Prior References**
946383

| | |
|---|---|
| **Estate** | Fee Simple |
| **Area** | 3.2055 hectares more or less |
| **Legal Description** | Lot 2 Deposited Plan 573026 |
| **Registered Owners** | |

Philip Robert Solomon and Jacqueline Mary Solomon

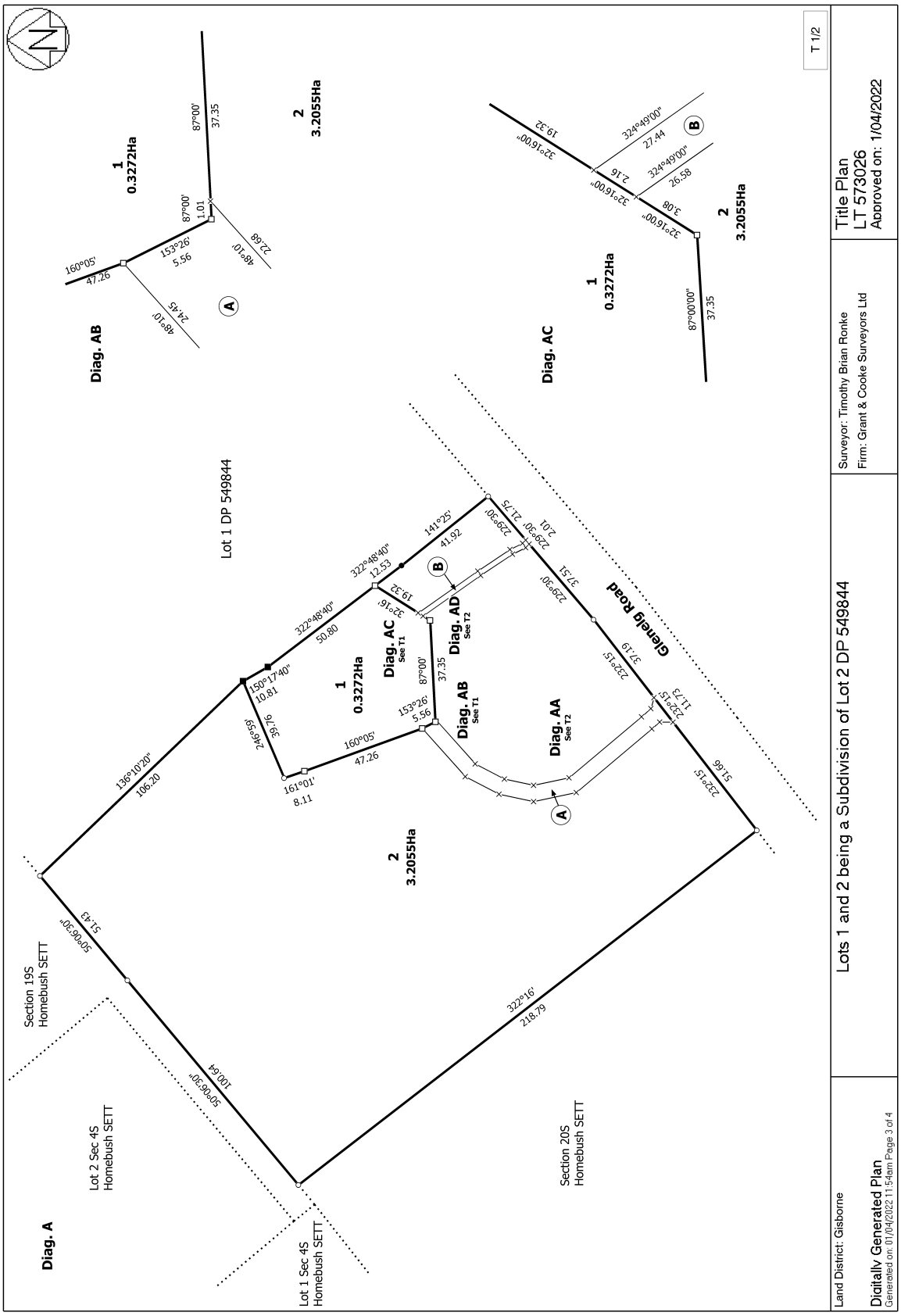
**Interests**

Subject to water pipe line rights over the within land created by Transfer 12753 - 3.5.1905 at 10:40 am

Subject to water pipe line rights (in gross) over the within land in favour of Henry White created by Transfer 15544 - 15.9.1927 at 11:15 am

Subject to a right of way over part marked A, right to convey electricity, computer media and telecommunications over part marked B all on DP 573026 created by Easement Instrument 12485673.3 - 4.7.2022 at 1:09 pm

The easements created by Easement Instrument 12485673.3 are subject to Section 243 (a) Resource Management Act 1991


Lots 1 and 2 being a Subdivision of Lot 2 DP 549844
Title Plan
LT 573026
Approved on: 1/04/2022
Surveyor: Timothy Brian Ronke
Firm: Grant & Cooke Surveyors Ltd
Land District: Gisborne
Digitally Generated Plan
Generated on: 01/04/2022 11:54am Page 3 of 4
T 1/2
Lot 1 DP 549844
Glenelg Road
Section 19S Homebush SETT
Section 20S Homebush SETT
Lot 2 Sec 4S Homebush SETT
Lot 1 Sec 4S Homebush SETT
Diag. A
Diag. AB
Diag. AC
Diag. AD
Diag. AA
1 0.3272Ha
2 3.2055Ha
136°10'20"
106.20
50°06'30"
51.43
100.64
322°16'
218.79
232°15'
51.66
11.73
37.19
229°30'
37.51
21.75
2.01
141°25'
41.92
322°48'40"
12.53
19.32
50.80
150°17'40"
10.81
246°59'
39.76
160°05'
47.26
161°01'
8.11
153°26'
5.56
87°00'
37.35
1.01
48°10'
22.68
24.45
47.26
50°09'
324°49'00"
27.44
26.58
2.16
32°16'00"
3.08
19.32
87°00'00"
37.35

# RECORD OF TITLE
# UNDER LAND TRANSFER ACT 2017
# FREEHOLD

**Search Copy**

R.W. Muir
Registrar-General
of Land

| | |
|---|---|
| **Identifier** | **946382** |
| **Land Registration District** | **Gisborne** |
| **Date Issued** | 10 August 2020 |

**Prior References**
GS3A/1404

| | |
|---|---|
| **Estate** | Fee Simple |
| **Area** | 3.3128 hectares more or less |
| **Legal Description** | Lot 1 Deposited Plan 549844 |
| **Registered Owners** | |

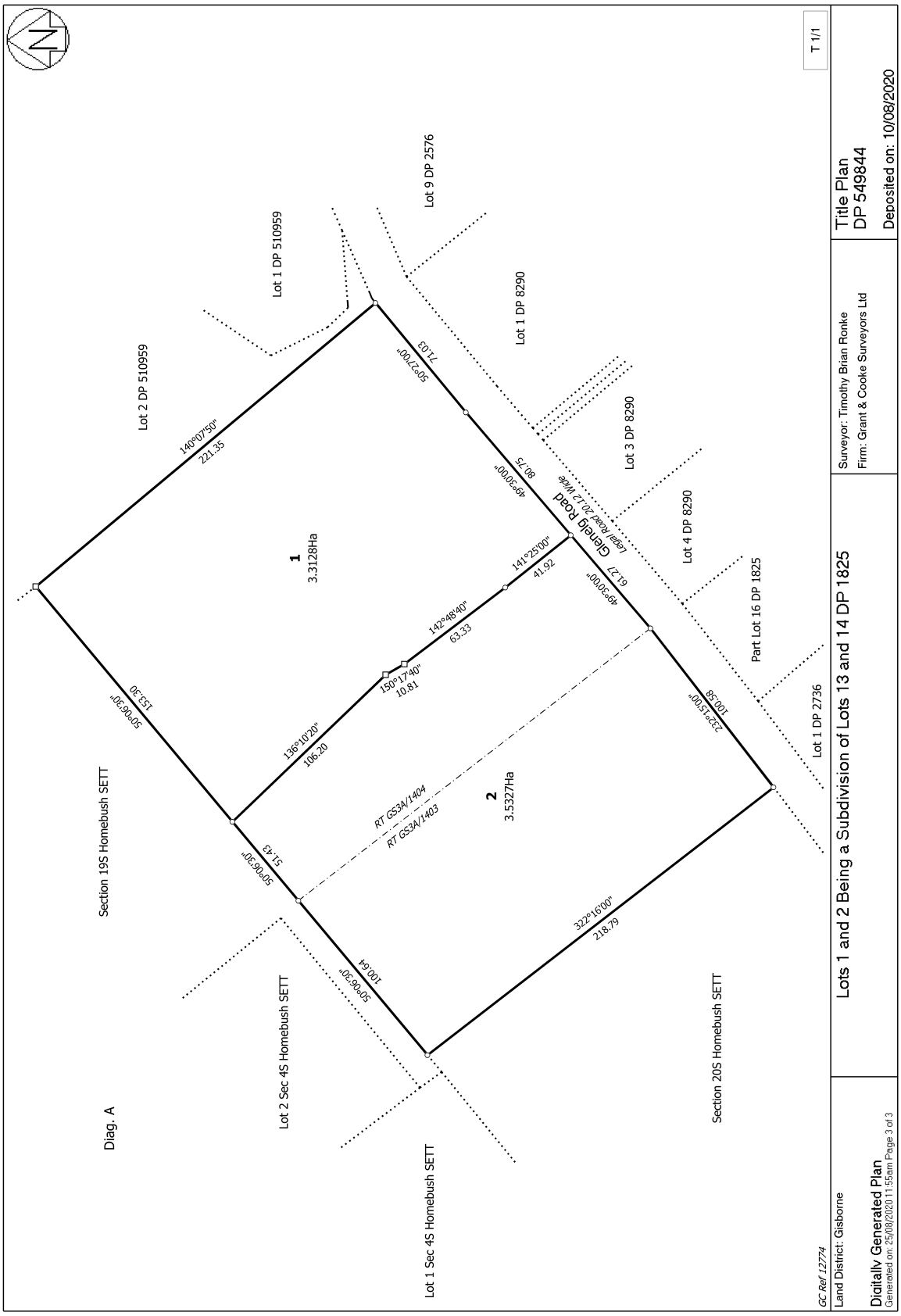
Philip Robert Solomon and Jacqueline Mary Solomon

**Interests**

Subject to water pipe line rights over the within land created by Transfer 12753 - 3.5.1905 at 10:40 am

Subject to water pipe line rights (in gross) over the within land in favour of Henry White created by Transfer 15544 - 15.9.1927 at 11:15 am

11812580.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 10.8.2020 at 10:27 am


N
T 1/1
Lot 9 DP 2576
Lot 1 DP 510959
Lot 1 DP 8290
Lot 2 DP 510959
Lot 3 DP 8290
Lot 4 DP 8290
Part Lot 16 DP 1825
Lot 1 DP 2736
Section 19S Homebush SETT
Lot 2 Sec 4S Homebush SETT
Lot 1 Sec 4S Homebush SETT
Section 20S Homebush SETT
Diag. A
1
3.3128Ha
2
3.5327Ha
Glenelg Road
Legal road 20.12 Wide
140°07'50"
221.35
50°27'00"
71.03
49°50'00"
80.75
49°30'00"
61.27
141°25'00"
41.92
142°48'40"
63.33
150°17'40"
10.81
136°10'20"
106.20
50°06'30"
153.30
252°15'00"
100.58
322°16'00"
218.79
50°06'30"
100.64
50°06'30"
51.43
RT GS3A/1404
RT GS3A/1403
Lots 1 and 2 Being a Subdivision of Lots 13 and 14 DP 1825
Surveyor: Timothy Brian Ronke
Firm: Grant & Cooke Surveyors Ltd
Title Plan
DP 549844
Deposited on: 10/08/2020
GC Ref 12774
Land District: Gisborne
Digitally Generated Plan
Generated on: 25/08/2020 11:55am Page 3 of 3

# View Instrument Details

| | |
|---|---|
| **Instrument No** | 12485673.3 |
| **Status** | Registered |
| **Date & Time Lodged** | 04 July 2022 13:09 |
| **Lodged By** | Wood, Donna Louise |
| **Instrument Type** | Easement Instrument |

| Affected Records of Title | Land District |
|---|---|
| 1042201 | Gisborne |
| 1042202 | Gisborne |

**Annexure Schedule** Contains 1 Pages.

**Grantor Certifications**

| | |
|---|---|
| I certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument | ☑ |
| I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument | ☑ |
| I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply | ☑ |
| I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period | ☑ |
| I certify that the Mortgagee under Mortgage 11013265.3 has consented to this transaction and I hold that consent | ☑ |

**Signature**

Signed by John C Bunbury as Grantor Representative on 04/07/2022 12:59 PM

**Grantee Certifications**

| | |
|---|---|
| I certify that I have the authority to act for the Grantee and that the party has the legal capacity to authorise me to lodge this instrument | ☑ |
| I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument | ☑ |
| I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply | ☑ |
| I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period | ☑ |

**Signature**

Signed by John C Bunbury as Grantee Representative on 04/07/2022 12:59 PM

***** End of Report *****

Approved for ADLS by Registrar-General of Land under No. 2018/6266

# EASEMENT INSTRUMENT TO GRANT EASEMENT OR *PROFIT À PRENDRE*

*Sections 109 Land Transfer Act 2017*

Registrar-General of Land Approval 2018/6266 ADLS

**Grantor**

**PHILIP ROBERT SOLOMON and JACQUELINE MARY SOLOMON**

**Grantee**

**PHILIP ROBERT SOLOMON and JACQUELINE MARY SOLOMON**

**Grant of Easement or *Profit à prendre***

**The Grantor** being the registered owner of the burdened land set out in Schedule A **grants to the Grantee** (and, if so stated, in gross) the easement(s) or *profit(s) à prendre* set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s).

**Schedule A**

*Continue in additional Annexure Schedule, if required*

| Purpose (Nature and extent) of easement, or *profit* | Shown (plan reference) | Burdened Land (Record of Title) | Benefited Land (Record of Title) or in gross |
|---|---|---|---|
| **Right of Way** | **A DP 573026** | **1042202** | **1042201** |
| **Right to convey electricity, computer media, telecommunications** | **B DP 573026** | **1042202** | **1042201** |

**Easements or *profits à prendre* rights and powers (including terms, covenants and conditions)**

*Delete phrases in [ ] and insert memorandum number as required; continue in additional Annexure Schedule, if required*

Unless otherwise provided below, the rights and powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2018 and/or Schedule 5 of the Property Law Act 2007

The implied rights and powers are hereby **[varied]** ~~**[negatived] [added to] or [substituted]**~~ by:

~~[Memorandum number , registered under section 209 of the Land Transfer Act 2017]~~

~~[the provisions set out in Annexure Schedule ]~~

**The rights and powers in the Land Transfer Regulations 2018 that apply to telecommunications are varied to include and apply to computer media of any kind including fibre optic cable.**

REF: 7203 – © AUCKLAND DISTRICT LAW SOCIETY INC. 2018

12753 TE

(D) [New Zealand.

# MEMORANDUM OF TRANSFER.

Frank Brayton Baker, Percival Baker and Walter Richard Baker all of Whatatpoko in the District of Poverty Bay sheepfarmers (hereinafter called the Vendors)

Image Quality due to Condition of Original

being registered as the proprietors of an estate[1] in fee simple as tenants in common subject, however, to such encumbrances, liens, and interests as are notified by memorandum underwritten or indorsed hereon, in all that piece of land situated in the[2] Provincial District of Auckland, containing[3] by admeasurement One hundred and sixteen (116) acres and twenty four (24) perches more or less[4] being portion of the Whatatpoko Number 1 Block and being also allotments Numbers forty (40) and forty one (41) on a plan deposited in the office of the District Land Registrar at Gisborne under Number 1309 and being also portion of the land contained in Certificate of Title Volume 28 folio 185 Poverty Bay Registry

(1) Here state nature of the estate or interest.

(2) District, county, hundred, or township.

(3) Here state the area, exclusive of roads intersecting the same, if any.

(4) Here state rights of way, privileges, or easements, if any, intended to be conveyed: and, if the land to be dealt with contains all that is included in an existing grant or certificate, refer thereto for description of parcels and diagrams; otherwise, set forth the boundaries in chains, links, or feet, and refer to the plan delineated on the margin or annexed to the instrument; or deposited in the Registry Office.

In consideration of the sum of Three thousand two hundred and fifty two pounds four shillings (£3252.4.0)

paid to the ~~the~~ Vendors by William George Allen Reynolds Cabinetmaker and Frederick Richard Allen Reynolds Carpenter both of Gisborne in the District of Poverty Bay

the receipt of which sum ~~is~~ we hereby acknowledge.

" The vendors do transfer to the said William George Allen Reynolds and Frederick Richard Allen Reynolds as tenants in common in the following proportions viz: William George Allen Reynolds three fourths and Frederick Richard Allen Reynolds One fourth all their estate and interests in the said pieces of land Reserving to themselves the vendors their heirs executors administrators and assigns or other the person or persons for the time being entitled to the use of the water flowing through the pipes hereinafter mentioned their tenants servants employees appointees or agents full free and perpetual right of ingress and egress in through upon and out of the land hereby transferred for the purpose of repairing the existing lines of pipes carrying water from the spring in or upon Lot Number 54 through the land hereby transferred or for relaying such lines with similar or other pipes and for such purpose to break the soil of the said land and do all such other acts as may be necessary in the premises without damage to the freehold except as aforesaid

(5) Or a lesser estate or interest, DESCRIBING SUCH LESSER ESTATE.

In witness whereof We have hereunto subscribed our names this First day of April one thousand nine hundred and five (1905)

F.B.Barker
W.R.Barker

Signed on the day above-written by the said Frank Brayton Barker and Walter Richard Barker in the presence of

Henry E. Hill
Solicitors Clerk
Gisborne

Signed by the said Percival Barker by his Attorney Frank Barker in the presence of

Geo Stock
Solicitors Clerk
Gisborne

P.Barker
by his attorney
F.Barker

STAMP OFFICE
TWO SHILLINGS
AND SIXPENCE

420.

I Vincent Barker of Gisborne in the provincial district of Auckland and Colony of New Zealand Solicitor do hereby solemnly and sincerely declare as follows

1. That I am the Attorney within-named Percival Barker under and by virtue of a certain deed poll or Power of Attorney to me directed bearing date the 29th day of March 1904 a true copy of which Power of Attorney is deposited in the Lands Registry Office at Gisborne under No. 802 and as such Attorney I have executed the within written Memorandum of Transfer

2. That I have not received any notice or information of the revocation of the said Power of Attorney by the death of the said Percival Barker or otherwise howsoever and I believe the same is still in full force and effect

And I make this solemn declaration conscientiously believing the same to be true and under and by virtue of the provisions of an Act of the General Assembly of New Zealand intituled The Justices of the Peace Act 1882"

Declared at Gisborne aforesaid this First day of April 1905 before me

V. Barker

General Clerk

A Solicitor of the Supreme Court of New Zealand

No. 12753 Transfer of Allotments Nos 40 & portion of the Whatāngooka No 1 Block

situated in The Provincial District of Auckland.

J. B. Barker & others Vendor.

W. G. A. Reynolds & another Purchaser.

Particulars entered in the Register-Book, Vol. 28
Folio 185 See 13/7
the 24 day of May, 1905, at
10.40 o'clock. a.m.

District Land Registrar.
Poverty Bay.

Correct for the purposes of the Land Transfer Act.

de Lautour & Barker
Solicitor, Gisborne.

By Proclamation No: 891 part of Lot 18 D.P. 1825 (part C.T. 51/38) containing 3r. 34.2p. was taken for road Entered 24/2/1941 at 10 am S.S. Mackay D.L.R.

LS 41

DE LAUTOUR & BARKER,
SOLICITORS, GISBORNE.

"C" (D.)

Image Quality due to Condition of Original

15544 TE

[New Zealand.

# MEMORANDUM OF TRANSFER.

WILLIAM GEORGE ALLEN REYNOLDS of Gisborne in the Provincial District of Auckland and Dominion of New Zealand Cabinet-maker and FREDERICK RICHARD ALLEN REYNOLDS of Gisborne aforesaid Carpenter (hereinafter called "the Grantors") being registered as the proprietors of an estate[1] in fee simple as tenants in common ——— subject however to such encumbrances liens and interests as are notified by memoranda underwritten or endorsed hereon in all that — piece of land situate in the[2] Provincial District of Auckland ——— containing[3] One : : hundred and sixteen acres and twenty four perches (116a:0r:24p) be the same a little more or less[4] being Lots 40 and 41 on a plan : ::: : deposited in the Lands Registry Office at Gisborne under No.1309 being part of the Whataupoko No.1 Block and being all the land ~~co~~ comprised in Certificate of Title Volume 41 Folio 185 Poverty Bay Register. ———

IN CONSIDERATION of the sum of ten shillings (10/-) paid to the Grantors by Henry White of Gisborne aforesaid Sheepfarmer ~~(hereinafter called the Grantee) do and each of them doth hereby~~ grant to the Grantee the full and perpetual right to erect : :: : construct and maintain a line of ~~inch~~ pipes through the said lands to obtain conduct and carry away water from the spring of : water situate upon Lot No.54 of Whataupoko No.1 Block aforesaid : AND the Grantors do and each of them doth hereby further grant to the Grantee his servants or employees full free and perpetual ::: right of ingress egress and regress in through upon and out of :: the said lands for the purpose of constructing laying repairing : or relaying the said line of pipes or any line of pipes of ~~one~~ :: ~~inch~~ in substitution therefor on the same ~~right~~ site as that now used for the existing pipe PROVIDED ALWAYS that such pipes shall be laid in the ground at a depth of not less than nine inches from : the surface and that the Grantee in laying relaying or repairing such pipes or other pipes in substitution therefor shall cause no unnecessary damage to the said lands or to the occupation thereof

~~In consideration of the sum of~~

~~paid to by~~

~~the receipt of which sum hereby acknowledge~~

1 Here state nature of the estate or interest.

2 District, county, hundred or township.

3 Here state area, exceptions of way, easements, if any, to be conveyed; and if the land to be dealt with contains all that is included in an existing grant or certificate, refer thereto for description of parcels and diagrams; otherwise, set forth the boundaries in chains, links, or feet, and refer to the plan delineated on the margin or annexed to the instrument or deposited in the Registry Office.

~~do hereby transfer to the said~~ See Attached Sheet

5. Or a lesser estate or interest, describing such lesser estate.

~~all estate and interest in the said piece of land~~

AND in consideration of the aforesaid grant he the Grantee doth :: hereby covenant and agree with the Grantors that the Grantors shall at all times be at liberty to take water from the pipes of the : : Grantee passing through the said lands by means of a pipe connected with the pipes of the Grantee and for that purpose shall be entitled to bore through the T of the pipes of the Grantee a hole not being greater than one eighth of an inch in diameter in order to connect with the pipes of the Grantee PROVIDED that the Grantors shall : notebe entitled to take any more water from the pipes ofthe : :: : Grantee than would naturally flow through the said bore but shall be entitled always to the full natural flow of an eighth of an : : inch clear.

In Witness whereof we have hereunto subscribed our names this 20th day of March one thousand nine hundred and eight.

Signed on the above-written day by the said
William George Allen Reynolds and
Frederick Richard Allen Reynolds

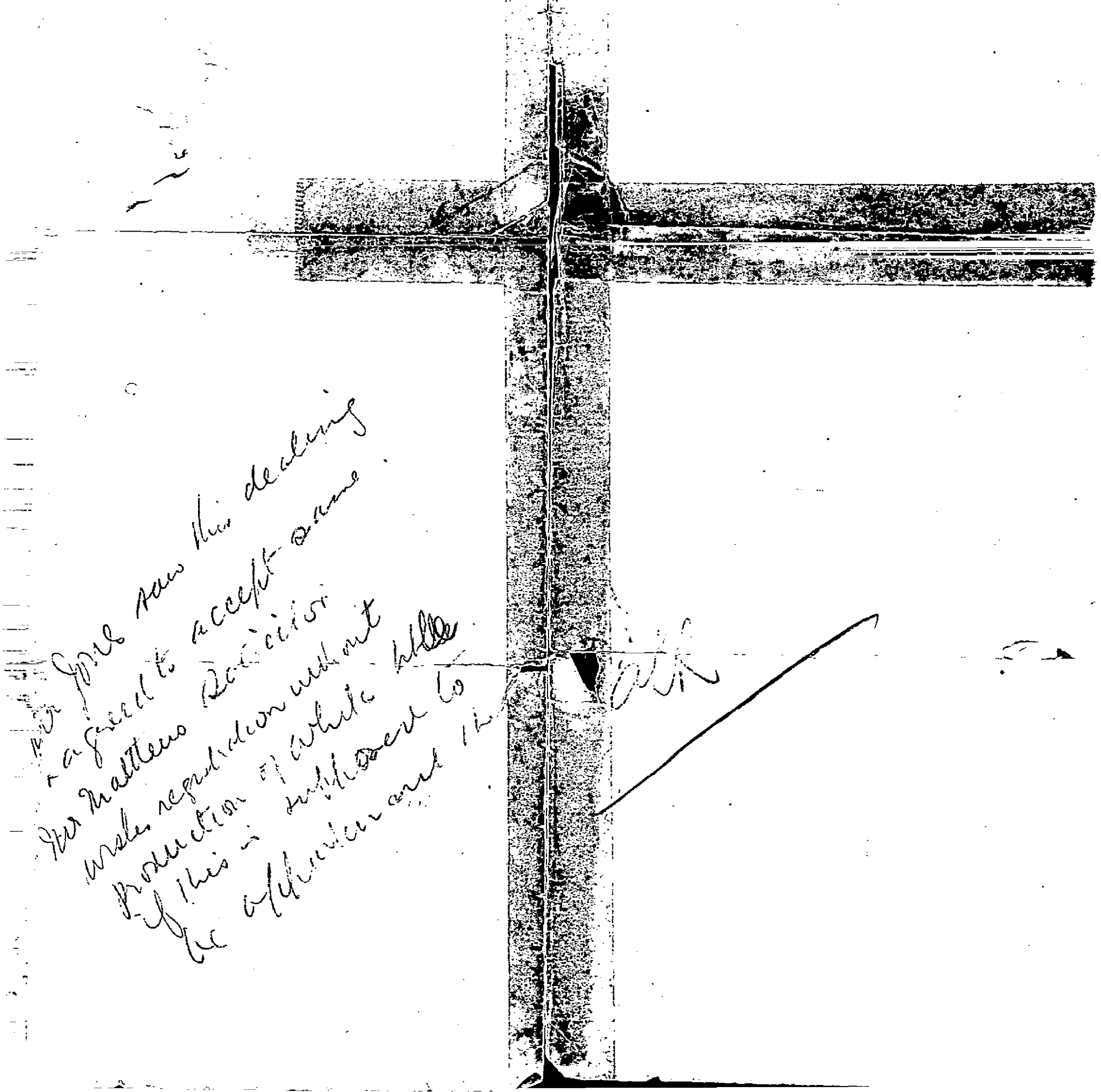
W. Reynolds
Fred'k Reynolds

in the presence of
W. Lee
Solicitor
Gisborne

Signed by said Henry
who is a Native

Geo Nicol
Native
Interp

Encumbrances
Grant of Easement under Transfer No 12753
~~Memo of Mortgage No 10799 Reynolds to Bankes~~
Memo of Lease No 2/125 Reynolds to Greaves
" " " 12456 Reynolds to



155444 ~~Transfer of~~

... in

GRANT OF EASEMENT.

W.G.A.REYNOLDS & ANOR. ~~Vendor~~.

— to —

HENRY WHITE. ~~Purchaser~~.

Particulars entered in the Register Book, Vol. 41 Folio 185 — 1/2 the 1 day of July 1911 at 10.25 o'clock am.

W Johnston

~~District~~ Land Registrar of the District of Poverty Bay.

Gisborne T 25/6/04

PARTICULARS ENTERED IN REGISTER BOOK, Vol. 42/50 (by request) this 15th day of September, 1927 at 11.15 o'clock.

Gisborne

District Land Registrar

Lot 40

*Correct for the purposes of the Land Transfer Act.*

Solicitor, Gisborne.

By Proclamation No. 891 (Pt. G.T. 51/38) Lot 18 plan 1825 containing 3r. 24.2p. was taken for road. Entered 24/2/1941 ...

Lot 18 Plan 1825

10.25 am

1/7/11

de LAUTOUR, BARKER & STOCK,
Solicitors,
GISBORNE.

the HERALD Office Gisborne.

ALLIED GEOTECH LTD

# PROPOSED SUBDIVISION
# LOT 2 DP 573026, GLENELG ROAD, MAKAURI, GISBORNE
# GEOTECHNICAL INVESTIGATION REPORT

Report Prepared for: P R & J M Solomon

Date: 09/12/2022

AG Ref: 0269

ALLIED GEOTECH LTD, GISBORNE, NEW ZEALAND
*P: 021 139 3755 E: ross@alliedgeotech.co.nz*

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# 1 INTRODUCTION

Allied Geotech Ltd was engaged by P R & J M Solomon to undertake a geotechnical investigation for the proposed subdivision of Lot 2 DP 573026, Glenelg Road, Gisborne (Figure 1).




Figure 1: Property location relative to Gisborne City CBD. Image source: Tairawhiti Maps[1].

The purpose of the investigation was to assess the nature and strength distribution of the soils beneath three proposed house sites within the subdivision, and the potential natural hazards presented to them. This included the potential for liquefaction, lateral spreading, slope instability, and foundation damage from expansive soils, compressible soils, and low bearing capacity ground.

From the assessments, engineering measures to reduce the risk of the hazards and ground deformations potentially affecting the proposed new house sites, could be determined.

# 2 SITE DESCRIPTION

The subject property is located within a rural production zone, approximately 7km northwest of the Gisborne City CBD (Figure 1). The 3.2ha lot is located on the northwest side of Glenelg Road near its northeast terminus (Figure 2).

[1] https://maps.gdc.govt.nz/H5V2_12/

The property is primarily occupied by an elevated flat-topped to low angle (<5°) spur which extends into the property from the east, passes through its central zone and continues out of the property to the west. A small side spur also extends off this main spur and continues to the southwest. The remainder of the lot is occupied by the spurs side slopes which extend down to the north and south at angles ranging between some 5 and 30°, and areas of flat to low angle land at their base.

At the time of the investigation, a small set of stock yards was present near the south corner of the lot, and a number of mature trees in the northwest part of the property. A number of small sheds were also present on the top of the spur. An accessway which also services an independent property (No. 85 Glenelg Road), leads off Glenelg Road and traverses up the south side of the spur in the subject lot. Another accessway off Glenelg Road into the property present near the south corner of the property. A number of minor drainage channels are also present. The remainder of the property was generally under pasture.

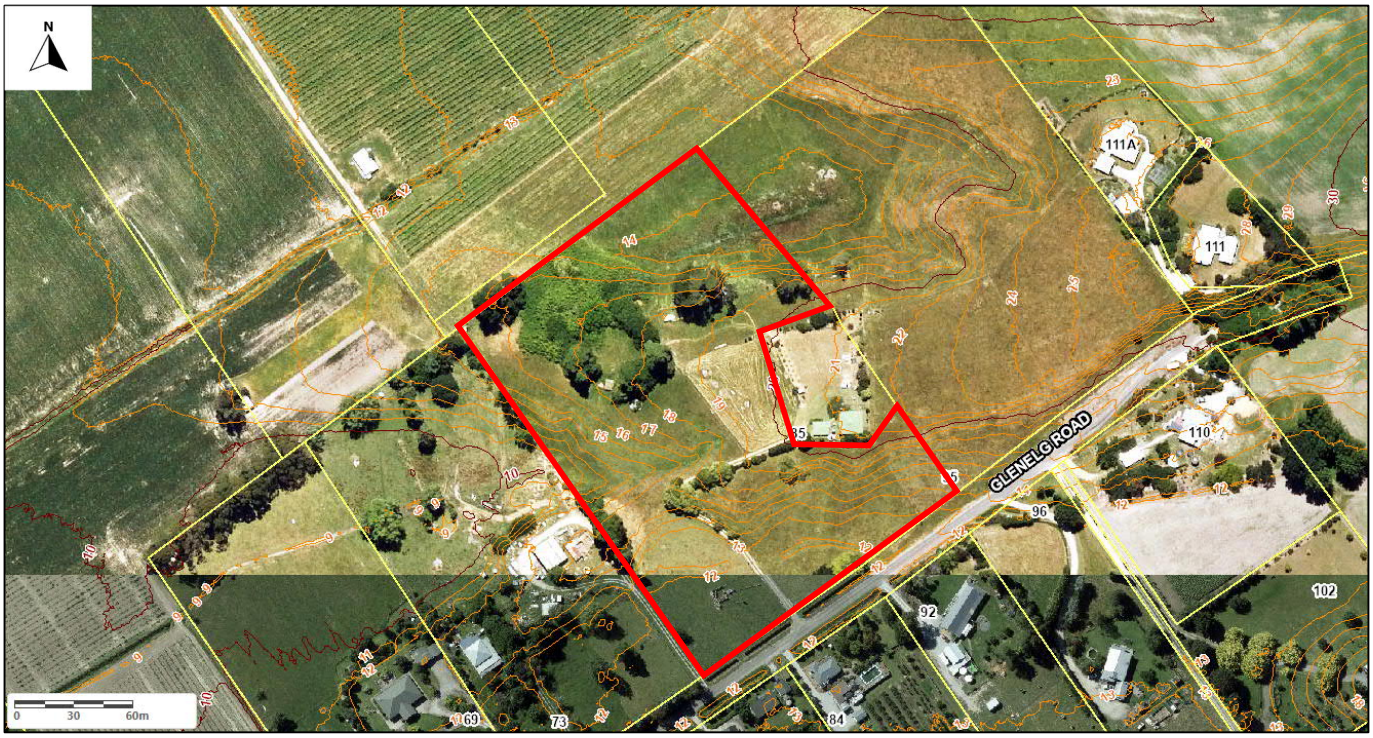



Figure 2: Subject property (red outline) and surrounding area. Note: Since image was taken, a slight re-alignment of the accessway into the property has been carried out and some vegetation has been removed : Image source: Tairawhiti Maps[1].

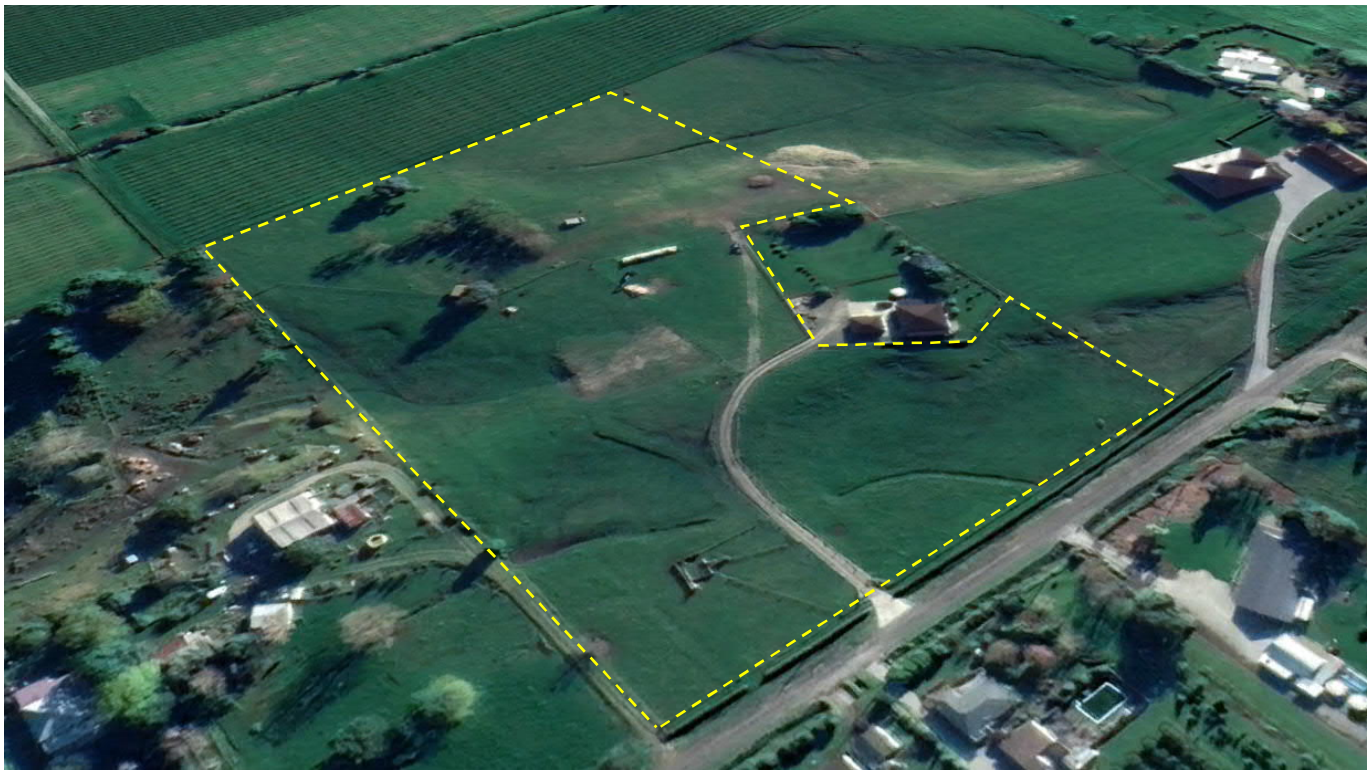


Figure 3: Oblique view north over property and surrounding area0 Approximate property boundary location indicated with dashed yellow line. Image source: Google Earth.

# 3 PROPOSED DEVELOPMENT

Referring to Figure 4, we understand that the property is proposed to be subdivide into four new lots. New residential development is proposed for Lot 1 (2330m²), Lot 2 (9864m²) and Lot 3 (4790m²), whilst Lot 4 (1.5071Ha) is to remain in pastoral use. This geotechnical investigation report therefore focuses on elected house sites within proposed Lots 1, 2 and 3. Access to Lot 1 is to be directly off Glenelg Road at its southeast boundary, and access to Lots 2 and 3 is to be off the existing accessway, which currently services the dwelling located in the independent lot with physical address, 85 Glenelg Road.




Figure 4: Proposed subdivision layout. Layout based on plan (Drawing no. GC12774C) supplied courtesy of Grant & Cooke Surveying Ltd. Lines are indicative only. Background image source: Tairawhiti Maps[1].



Figure 5: View south across proposed Lot 1 house site zone. House site location in lot (dashed yellow outline) indicated.



Figure 6: View southwest across proposed Lot 2 house site zone. Proposed house site outline (dashed yellow line) indicated.



Figure 7: View west across proposed Lot 3 house site zone. Proposed house site outline (dashed yellow line) indicated.

# 4 INVESTIGATIONS

Our investigation of the site included the following work:

1. A walkover geomorphological assessment of the site and surrounding area to determine any surface definitions or geological features which may have an influence on the project.
2. A review of historic aerial photographs, geological maps, and the Allied Geotech database.
3. Three electronic cone penetrometer tests (CPT's) put down to 20m depth or refusal.

4. Five 50mm hand augered boreholes put down to 2.5m depth or refusal. Shear vane tests were carried out at 200mm intervals down the soil profile where cohesive soils were encountered.
5. Dynamic cone penetrometer testing (DCP's) put down adjacent to each borehole to 2.5m depth or refusal.
6. Qualitative slope stability assessments.

The locations of the subsurface tests are shown on the Geotechnical Investigation Plan (Figure 8). All test logs are appended.

The field work was completed in December 2022.




Figure 8: Geotechnical Investigation Plan. Approximate proposed Lot boundary locations indicated in yellow. Potential house sites indicated in red. Each test site (yellow triangle) corelates to a hand auger and DCP location. CPTu sites are shown in blue. Image source: Tairawhiti Maps[1].

# 5 SUBSURFACE CONDITIONS

## 5.1 Published Geological Information

The 1:250,0000 geological map of the region[2] shows the site as being underlain by Pleistocene Mangatuna Formation.

[2] Mazengarb, C.; Speden, I.G. (compilers) 2000: Geology of the Raukumara area: scale 1:250,000. Lower Hutt: Institute of Geological & Nuclear Sciences Limited. Institute of Geological & Nuclear Sciences 1:250,000 geological map 6.

The published paper after Neef et al[3], maps the spur as comprising the Calhome member of the Mangatuna Formation, consisting of lightly indurated siltstone, fine and coarse tephra's, paleosol's, and rootlet beds. The flat land below the spur is mapped as alluvium.

The "Soils of Poverty Bay" overlay presented within Tairawhiti Maps[1] shows the flat land at the base of the spur (northern and southern reaches of property) as being underlain by Kaiti Silt Loam.

## 5.2 Soil Profile and Strength

### 5.2.1 Proposed Lot 1 House Site

In summary, the investigations encountered a 0.2 thick layer of dark grey to black sandy silt (Topsoil) beneath the proposed house site in proposed Lot 1. Dynamic penetrometer testing returned 1 blow/50mm this material, indicating that it is loose.

Underlying the Topsoil, interbedded layers of light grey to light orange brown silty clay and clayey silt (Alluvium) were encountered down to 1.7m depth. Undrained shear testing returned values ranging between 70 and in excess of 186kPa, indicating a stiff to very stiff/hard strength regime. A reducing strength pattern with depth is indicated.

Underlying the Alluvium, fine to medium light grey pumiceous sand (Rhyolitic Tephra) was encountered down to 2.4m depth. Dynamic penetrometer testing returned between 2 and in excess of 10 blows/50mm in the unit, indicating that it is variably loose to very dense.

Beneath the Rhyolitic Tephra, an organically stained grey silty sandy clay (Buried Residual Topsoil) was encountered at 2.4m depth and found to extend to at least the base level of the borehole (target depth of 2.6m). Undrained shear testing returned a value of 57kPa in the unit indicating that it is stiff.

Below the achievable depths of the hand testing, the CPT put down in the centre of the proposed house site (CPT 1) indicates that a thick clay and silty clay dominated profile extends to at least 21m depth under the site. Some organic layers are also indicated. Indicative undrained shear strength values ranging between 15 and 125kPa are shown down to 7.5m depth, indicating a variably soft to very stiff strength regime in this zone. Below 7.5m depth values ranging between 40 to in excess of 200kPa (firm to hard) are shown. An average of about 80kPa (stiff) is indicated.

### 5.2.2 Proposed Lots 2 & 3 House Sites

In summary, the investigations encountered a 0.2 to 0.3m thick layer of black sandy silt (Topsoil) beneath both proposed house sites. Dynamic penetrometer testing returned values ranging between 0.5 and 2 blows/50mm in these material, indicating that it is variably very loose to medium dense.

[3] G. Neef , W. A. Watters & A. R. Edwards (1996) The mid-Castlecliffian Mangatuna Formation of the Gisborne district, North Island, New Zealand, New Zealand Journal of Geology and Geophysics, 39:4, 551-558, DOI: 10.1080/00288306.1996.9514732

Underlying the Topsoil, the tests encountered pumiceous sand (Rhyolitic Tephra), extending down to between 0.7 and 0.8m depth below ground level. Dynamic penetrometer testing returned values ranging between 1 and 3 blows/50mm, indicating a loose to medium density.

Underlying the Rhyolitic Tephra, the testing encountered a lightly cemented high strength silt/very fine sand (Weathered Loess). Borehole advancement was prevented beyond 0.9 to 1.2m depth due to this high strength. Undrained shear strength testing returned between 120 and 165kPa in the upper 0.1 to 0.2m of the unit, indicating a very stiff strength regime. Due to its very high strength the testing was unable to be performed further down the unit profile. DCP testing either refused (>10 blows/50mm) in the unit or in some locations returned values of up to 5 to 8 blows/50mm in the material (very stiff to hard). A number of DCP's were able to advance through the unit the target depth of 2.5m depth, with values ranging between 1 and >10 blows/50mm being returned indicating that the deeper soils under the Weathered Loess are variably loose/firm to very dense/hard.

Below the achievable depths of the hand testing, the CPTs put down in the centre of each of the proposed house sites within Lots 2 and 3 indicate a sand and silty sand dominated soil profile extends down to some 3.5 to 4m depth, before encountering a thick clay dominated profile which is indicted to extend to at least 14.5 to 21m depth beneath the sites. CPT3 (put down in Lot 3) pulled up at 14.5m depth (likely excessive skin friction on probe). Indicative undrained shear strength values ranging between 60 and 260kPa are shown in the cohesive parts of the soil complex, indicating a firm to very stiff strength regime. An average of about 100kPa, is however shown. Indicative estimated $SPT_{N60}$ values generally ranging between 10 and 40 were returned in the granular materials encountered, indicating that these materials are medium dense to dense.

Given the isolation of the site from the closest known outcrop of tertiary rock (>500m away), bedrock is expected to exist at over 40m depth beneath the property.

## 5.3 Ground Water

The ground water table was measured to exist at 1 to 1.2m depth within the proposed house site in Lot 1, adjacent to Glenelg Road.

The groundwater table was not encountered in the hand testing put down I proposed Lots 2 and 3. Water level measurements indicated on the CPT logs show levels of 3.5 and 12m depth in the CPT holes put down within proposed Lots 2 and 3. The CPT contractor reported that the shallower depth was in fact not the water table depth but the depth where hole closure occurred. It is also our opinion that the deeper level, is too deep and sufficient time was not available for the natural water table level to develop in the hole (due to the impermeable nature of the underlying clay rich soils). Based on pore water pressure measurements, we have conservatively adopted a depth of 4m below ground level for both of these sites and for analysis purposes.

The surficial soils are expected to be high in moisture levels as a result of a prolonged or extreme rainfall event at all proposed house sites. Minor ponding of surface water in the proposed house site in Lot 1 is considered to have the potential to occur.

## 5.4 Seismic Subsoil Classification

Based on the investigation findings and review of our geological databank, we expect the depth to bedrock to be at least 40m beneath the property. Taking into consideration the estimated strength/density readings from the CPTu's, and assuming a similar strength pattern is maintained below the CPT depths, we consider that the site is a borderline likely a Class D Deep or soft soil site, as outlined in NZS 1170.5:2004.

# 6 NATURAL HAZARDS

## 6.1 Liquefaction

### 6.1.1 Assessment Requirement

The Tonkin and Taylor 2015 liquefaction risk overlay shown in Tairawhiti Maps[1] shows the house site within proposed Lot 1 house site as being located in on the border of a "Low" and "Moderate" liquefaction risk zones. The house sits with proposed Lot 2 and 3 are shown to be located in "Low" liquefaction risk zones. Given that a subdivision is proposed, site specific liquefaction assessments have, however, been carried out.

### 6.1.2 Assessment Methodology

We have undertaken a liquefaction assessment utilising the CPTu data and the industry wide used software package "CLiq." Earthquake magnitude and peak ground acceleration parameter selection is based on that outlined in the MBIE Module 1[4] as per the recommendation of the New Zealand Geotechnical Society. Parameters used at this site are detailed in Table 1.

Table 1: Liquefaction analyses parameters

| Earthquake Magnitude (M) | Peak Ground Acceleration (PGA) | Design Water Table Depth | Building Design Life | Building Importance Level |
|---|---|---|---|---|
| SLS = 6.3 (25-year return period)<br>ULS = 7.5 (500-year return period) | SLS=0.12<br>ULS=0.65 | CPT1 = 1m<br>CPT2 =4m<br>CPT3 = 4m | 50 Years | 2 |

The liquefaction potential of soils was assessed using the methodology of Boulanger & Idriss (2014) and liquefaction-induced free-field settlements were calculated using the method of Zhang et al[5]. Automatic calculations for soil unit weights and fines content are utilised, along with an Ic cut-off value of 2.6. For the purposes of Technical Category site classification, we have utilised MBIE Guidance documentation produced for repairing and rebuilding houses affected by the Canterbury Earthquakes[6], where indexed CPTu data analysis is limited to the upper 10m of soils.

[4] New Zealand Geotechnical Society (NZGS) and Ministry of Business Innovation & Employment (MBIE) Earthquake Geotechnical Engineering Practice in New Zealand, Module 1;Overview of the Guidelines, Rev 1, Issue Date: November 2021, Appendix A. Pg 38 -39.
[5] Zhang, G., Robertson, P. K., Brachman, R. W. I. (2002). Estimating liquefaction-induced ground settlements from CPT for level ground, Canadian Geotechnical Journal, 39, 1168–80
[6] MBIE, December 2012, Canterbury residential technical guidance - Part A: Technical Guidance

### 6.1.3 Liquefaction Risk Summary

Under Serviceability Limit State (SLS) seismic conditions, the analyses indicates that the sites investigated are:

- Unlikely or at low risk of liquefying (Liquefaction Potential Index = 0 to 0.34).
- Expected to have no expression of liquefaction (Liquefaction Severity Number[7], LSN <1.8) at the surface.
- Expected to undergo no (Lots 2 and 3 sites) or minor free field (land) settlement of <12mm (Lot 1 site).

Under Ultimate Limit State (ULS) seismic conditions the analyses indicates that the sites are:

- Underlain by soil zones that are at a low (Lots 2 and 3) to high (Lot 1) risk of liquefying (Liquefaction potential index, LPI = 0 to 5).
- Underlain by soils which could produce little to no expression of liquefaction at the surface (Liquefaction Severity Number (LSN) between 0 and 8).
- Expected to undergo no (Lots 2 and 3 sites) to minor free field (land) settlements of 24mm (Lot 1 site).

Based on the analyses undertaken we consider that all sites are at low risk of being affected by liquefaction and any potential settlements up to ULS level earthquake shaking is to be expected to be within Serviceability Limit State design tolerances.

Summary results of the liquefaction analyses are appended.

### 6.1.4 Lateral Spread

Lateral spreading typically occurs in sloping ground or level ground close to waterways and where the sites are underlain by laterally persistent saturated sand and silts which extend out to and daylight out of a waterway free face. These conditions are not present within the proposed house site zones and given the limited liquefaction risk identified in the analyses, lateral spreading is considered unlikely to occur under design SLS to ULS earthquake shaking.

## 6.2 Slope Stability

### 6.2.1 General

The assessment of the stability of the proposed house sites and surrounding slopes has been based on a geomorphological walk over assessment, a detailed desktop review of published geological data, historic aerial, satellite, and oblique aerial photographs. Given the isolation of the proposed house sites from slopes, a quantitative (numeric stability analyses) is considered unwarranted and has not been carried out.

[7] Van Ballegooy S, Malan PJ, Jacka ME, Lacrosse VIMF, Levees JR and Lyth JE. (2012). "Methods for characterising effects of liquefaction in terms of damage severity," Proc. 15th World Conference of Earthquake Engineering, Lisbon, Portugal.

### 6.2.2 Qualitative Assessment

As outlined in the introduction, the proposed house sites are located on flat to low angle ground. The house site proposed within Lot 1 is located a minimum distance of 25m from the closest slope of any significance, being the toe of the spur side slope to the north (Figure 5 & Figure 9). Whilst the spur side slope displays evidence of having been affected by instability in the past, based on the geomorphology, there is no evidence of active instability in this zone, and the past movement appears to be is limited to incipient shallow seated landslipppage and erosion, likely limited to the near surface pumiceous sand soils encountered in the soil investigation. There are no other slopes of significance within the vicinity of the site. We therefore consider that the proposed house site is at a low risk of being affected by slope instability.




Figure 9: View northeast across proposed House Site 1 location, and isolated nature of site from spur side slope to the northwest.

The house sites within proposed Lots 2 & 3 are located centrally on the backbone of the broad low angle to flat-topped spur which passes through the property. There is no evidence of instability within the proposed house sites or land which extends out to the crests of the spur side slopes to the north and south. Similar to the shallow seated movement identified on the slope to the north/northwest of the proposed house site in Lot 1, some evidence of past movement is present within the spur side slopes, but based on the geomorphology, the movement is limited to shallow seated landslipppage and erosion in the steeper slope zones, generally over >20 degrees in slope angle). Many slopes are smooth and rounded and show no evidence of having been affected by slope instability. With substantial distances ranging between 16 and in excess of 40m from the proposed house site zones within Lots 2 and 3 to the crests of the spur side slopes, we consider that these house sites are at low risk of being affected by slope instability.




Figure 10: View west over spur side slope on north side of proposed house sites within Lots 2 and 3. House Site 2 located over 40m to south of slope crest (out of shot) and House Site 3 located over 16m south of crest of slope.




Figure 11: View west over spur showing distances of proposed house site within Lots 2 from the crests of the south spur and west gully side slopes.




Figure 12: View west over top of spur showing distance of proposed house site within Lot 3 from the crest of the west spur/gully side slope.

Similar to the walkover assessment, apart from minor erosion (possibly cattle induced), no evidence of recent/active movement was observed in the vicinity of the proposed house sites in our review of historic aerial and satellite imagery dating back to 1942 (Figure 13 & Figure 14).




Figure 13: 1948 aerial image of subject property and proposed lots (red outlines) and surrounding area. Proposed house site locations indicated with dashed yellow outlines. Boundary locations indicative only.



Figure 14: 1965 aerial image of subject property and proposed lots (red outlines) and surrounding area. Proposed house site locations indicated with dashed yellow outlines. Boundary locations indicative only.

Based on the stability assessments, and provided that the tested house locations are adhered to, we consider that the house sites proposed within Lots 1, 2 and 3 are sufficiently isolated from slopes and at low risk of being affected by instability. No engineering measures are required to address slope instability risk.

## 6.3 Shrink-Swell Soils

Plastic soils can be subject to shrinkage and swelling due to soil moisture content variations which can result in apparent heaving and settlement of buildings.

Based on the site testing results, the near surface soils are dominated by silt and sand, and as such are considered to be non or low plasticity. The clay soils encountered at depth are unlikely to experience significant changes in soil moisture content. No engineering recommendations are therefore considered to be required to address shrink-swell risk within the proposed house sites. This assumes no excessive earthworks/excavations are undertaken which would expose the clay rich soils indicated to exist under the house sites proposed within Lots 2 and 3.

## 6.4 Tree Roots

Trees located close to buildings have the potential to cause ground heave or shrinkage due to moisture uptake. At the time of the investigation, there were no trees within close vicinity of the proposed house sites. If house site

locations are changed, this hazard may need to be addressed as part of the required building specific ground investigation.

## 6.5 Compressible Ground

Materials considered to present a consolidation risk under building loads within the areas investigated in proposed Lots 1 to 3 comprise:

- The topsoil layer, which was found to range between 0.2m and 0.3m in thickness.
- Low to very low-density/strength soils encountered under the topsoil to 0.7 to 0.8m depth in Lots 1 to 3.

Subdivision level recommendations to minimise the risk of future buildings structure being affected by these elements are outlined in Section 7.

Note: Based on historic satellite imagery there appears to have been vegetation growing within or immediately adjacent to the proposed house site within Lot 3. Whilst not encountered in the site testing, disturbed ground or organic material may be present within the future build zone. It may need remediating should the house footprint extend over this area. This can be addressed as part of the at the building specific geotechnical investigation, if encountered.

# 7 ENGINEERING RECOMMENDATIONS

## 7.1 General

We consider that the proposed house sites are generally appropriate for residential development. However, measures are required to address:

- The presence of compressible/low density ground/materials under the proposed house sites.

Recommendations to address these hazards along with preliminary site development/foundation construction recommendations are outlined in the following sections.

## 7.2 Building Set-Back Lines

### 7.2.1 Proposed Lot 1 House Site

A nominal 20m X 8m (160m²) rectangular house site has been selected by the owner for establishment of a residential dwelling within proposed Lot 1 (Figure 15). The measured set-back of 25m from the closest slope (toe of spur slope to the north/northwest) has been adopted as part of the subdivision assessment. No other slope set-back building distances are required. The location of the slope toe may be difficult to define on site, therefore we recommend that this be confirmed at the time of the building specific ground investigation. It is likely a larger/alternative house site location will be viable in this lot and the slope toe set-back distance may be able to be refined at the building specific ground investigation once the particular building proposal is confirmed.

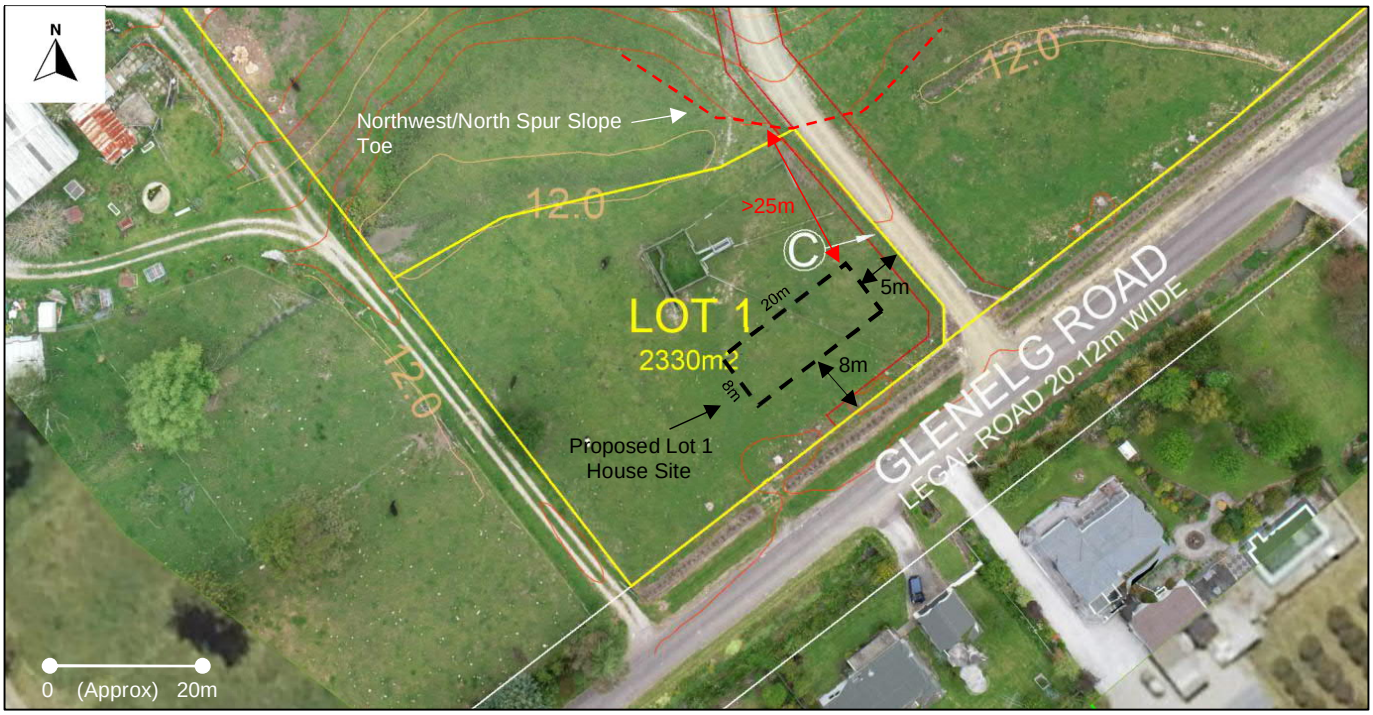



Figure 15: Proposed Lot 1 house site showing slope toe/boundary set-back distances. Slope toe locations shown are approximate only. Image supplied courtesy of Grant & Cooke Surveyors Ltd.

### 7.2.2 Proposed Lot 2 House Site

A nominal 21m X 12m (252m²) rectangular house site has been selected by the owner for establishment of a residential dwelling within proposed Lot 2 (Figure 16). Measured minimum setback distances of >40m from the north slope crest, >55m from the south slope crest and >15m from the west slope crest has been adopted as part of the subdivision assessment. No other slope set-back building distances are required. It is likely a larger/alternative house site location will be viable in this lot and the slope crest set-back distance may be able to be refined at the building specific ground investigation if desired, and once the particular building proposal is confirmed. The location of the slope crests may be difficult to define on site, therefore we recommend that these be confirmed at the time of the building specific ground investigation.

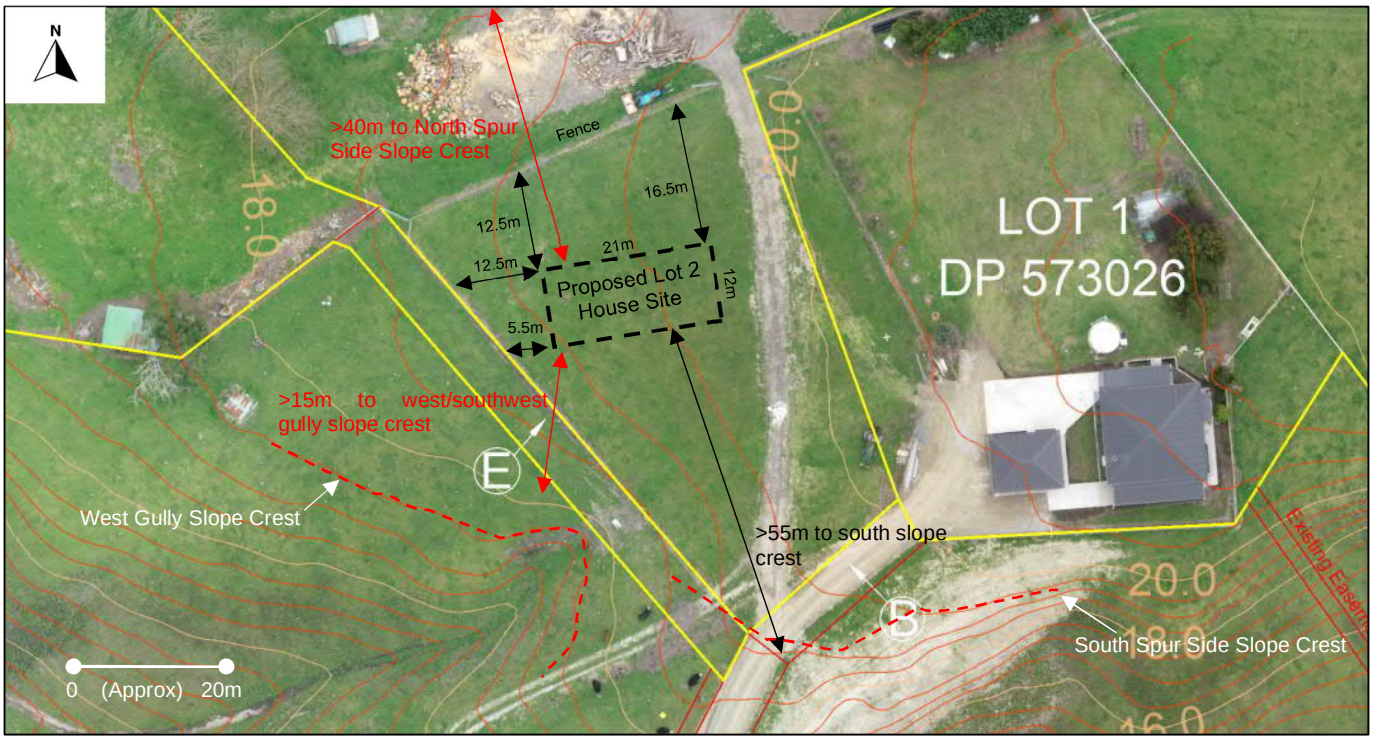



Figure 16: Proposed Lot 2 house site showing slope crest/boundary set-back distances. Slope crest locations shown are approximate only. Image supplied courtesy of Grant & Cooke Surveyors Ltd.

### 7.2.3 Proposed Lot 3 House Site

A nominal 21m X 12m (252m²) rectangular house site has been selected by the owner for establishment of a residential dwelling within Proposed Lot 3 (Figure 17). Measured minimum setback distances of >16m from the north slope crest, and >25m from the southwest gully slope crest has been adopted as part of the subdivision assessment. It is likely a larger/alternative house site location will be viable in this lot and the slope crest set-back distance may be able to be refined at the building specific ground investigation if desired, and once the particular building proposal is confirmed. The location of the slope crests may be difficult to define on site, therefore we recommend that this are confirmed at the time of the building specific ground investigation.

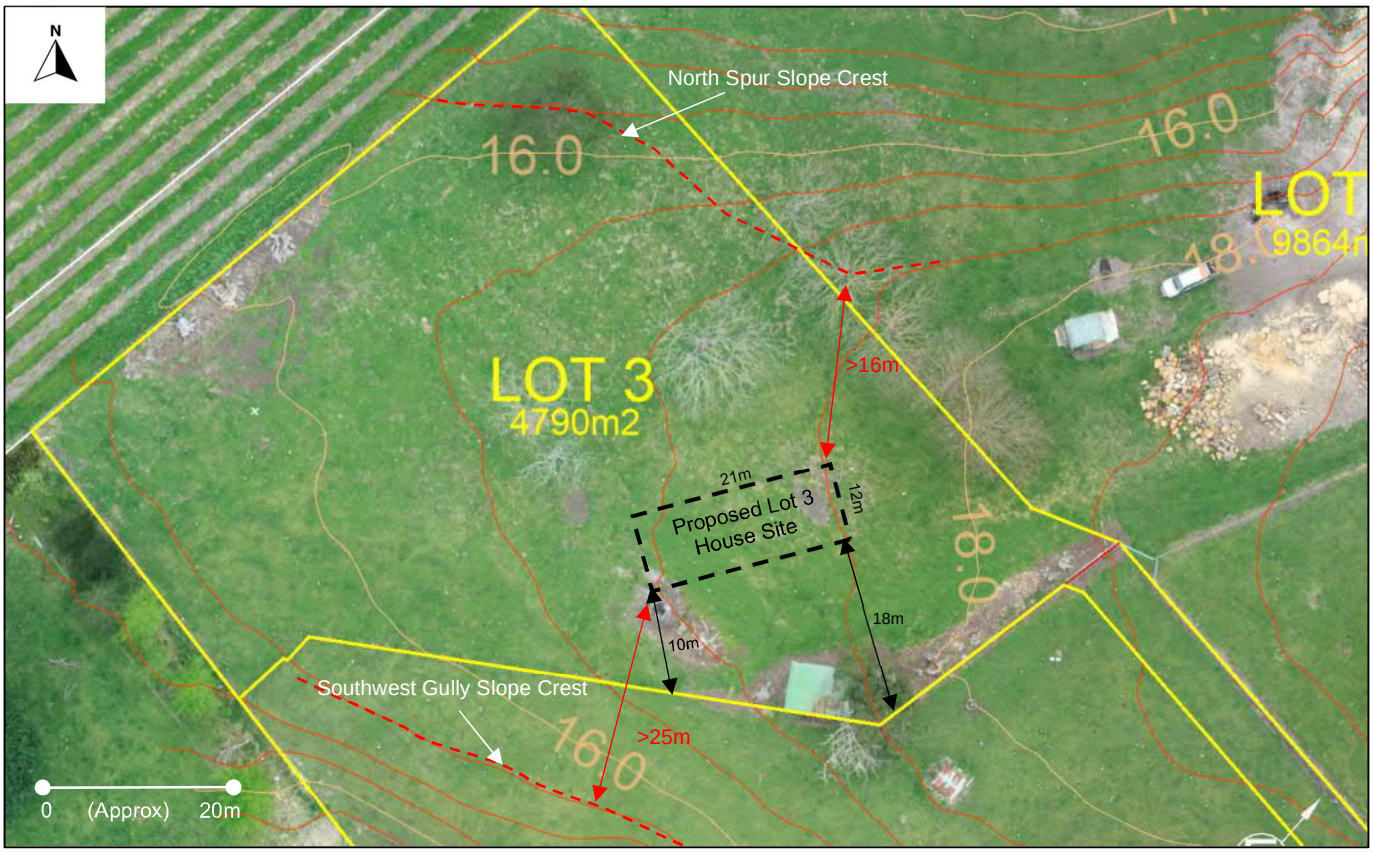



Figure 17: Proposed Lot 3 house site showing slope crest/boundary set-back distances. Slope crest locations shown are approximate only. Image supplied courtesy of Grant & Cooke Surveyors Ltd.

## 7.3 Preliminary Foundation Design & Site Preparation Recommendations

### 7.3.1 General

Based on the work carried out, we consider that the proposed house sites are generally suitable for residential development, however measures are required to address:

- Low strength/compressible near surface soils.

The following recommendations are considered suitable for subdivision purposes. It needs to be appreciated that timber framed buildings with lightweight cladding and roofing materials and buildings constructed in general accordance with NZS3604:2011 are assumed. Building specific geotechnical investigations and reports are required to be carried out to confirm the ground conditions and address any additional requirements once the actual building proposal is known. Other construction types may be viable and recommendations for these can be confirmed as part of the required building specific ground investigation.

### 7.3.2 Proposed Lot 1 House Site

All three proposed house sites are considered to be generally suitable for residential construction in accordance with NZS3604:2011 where cast in situ pile foundations supporting timber floors, or strip foundations with concrete slabs are proposed. For this option foundations will need to extend through all topsoil and any organic/disturbed or otherwise deleterious materials, to a recommended minimum depth of 0.8m below current ground level for the

proposed Lot 1 house site. A minimum geotechnical ultimate bearing capacity of 300kPa is expected to be available at this depth, allowing cast in situ pile foundations and strip foundations constructed in accordance with NZS3604:2011 to be used without modification (apart from the depth requirement) for this site.

### 7.3.3 Proposed Lot 2 & Lot 3 House Sites

A minimum foundation depth of 0.4m for the house sites investigated in Lots 2 & 3. At the recommended depth, a minimum geotechnical ultimate bearing capacity of 210kPa is expected to be available. Increasing the footing base area of NZS3604:2011 pile foundations or the width of NZS3604:2011 strip foundations by a factor of 1.4 X the particular NZS3604 foundation solution proposed, is expected to address the slightly lower bearing capacity encountered. Should low density zones of Rhyolitic Tephra be encountered in the proposed house sites. Foundations may need to extend down to the high density Weathered Loess layer encountered between 0.7 and 0.8m depth in the site testing. At that depth, a minimum geotechnical ultimate bearing capacity of 300kPa is expected to be available, allowing cast in situ pile foundations and strip foundations constructed in accordance with NZS3604:2011 to be used without modification (apart from the deepening requirement).

Based on our preliminary site levels survey, between 0.7 and 0.8m of fall was measured to exist along the length of the house sites within proposed Lots 2 and 3. As such, bracing of foundations may be required for dwellings located on pile foundations in Lots 2 and 3 (subject to dwelling size and extent). Alternatively the sites may be able to be cut down to form level platforms, negating the requirement for bracing. Site cutting down of the higher elevation ends of house sites will likely be required for dwellings proposed to have concrete floors to maintain floor elevation levels within the height limitation requirements allowed in NZS3604:2011. For preliminary design purposes any resultant cut slopes are expected to stand at gradients of 2.5h:1v up to 1m in height, provided that they are topsoiled, and vegetation is established to prevent erosion. Alternatively these could be retained. Fill material from any cut-works should not be disposed of over the spur sides slopes.

Alternatively, specific engineering design of foundation walls and load compensating structural fill could be considered, negating the requirement for site cutting down.

Other site preparation and foundation solutions may be viable.

## 7.4 Ground Contouring

Surface water shall not be allowed to accumulate against or under any future buildings. To minimise this risk, contouring of the ground to slope away from the buildings is recommended. Slight crowning of the house site within proposed Lot 1 is recommended should pile foundations be pursued for the structure in that lot.

## 7.5 Vegetation

It is important that gardens do not interfere with any drainage or ventilation systems for the future buildings. Excessive watering of gardens adjacent to building foundations should also be avoided as this can promote settlement and/or ground heave.

Trees can remove moisture from the soil for a radius equal to the height of the tree. This can cause expansive soils to shrink to varying degrees, and heave through tree root growth leading to damage to the building superstructure. To reduce this risk, trees should be planted a minimum of 1 times the mature height of the tree away from the foundation, or alternatively we recommend that professional advice be sought with regards to the risk a particular tree variety poses to the building through tree root growth.

## 7.6 Surface Water

It is paramount that runoff from roof, tank, and paved areas is collected or disposed of in a suitable location away from any buildings and areas of fill. Disposal over the spur side slopes should be avoided.

To minimise the potential for foundation settlement, the stormwater disposal system for the buildings should be functioning as soon as the roofs are installed.

## 7.7 Access

### 7.7.1 Lot 1

Access to Lot 1 is to be via an existing driveway which leads off Glenelg Road just south of the proposed house site. The land between the accessway and proposed house site is generally flat, and as such no specific geotechnical engineering appears to be required in the accessway formation.

### 7.7.2 Lots 2 & 3

Access to Lots 2 and 3 is to be off Glenelg Road, via an established accessway which currently services the house located in the independent lot with physical address, 85 Glenelg Road on top of the spur. The accessway leads off Glenelg Road, traverses up the southern side of the spur side slope and levels out on top of the spur landform, passing by the south boundaries of proposed Lots 2 and 3. The accessway formation which traverses up the south side of the spur (Figure 18) appears to have been formed on the backbone of a more competent small side spur landform which projects out from the main spur side slope, and apart from evidence of surficial creep in the near surface soils (prior to accessway formation), there is no obvious evidence of this section of accessway having been affected by past instability. It appears that the near surface soils more vulnerable to movement were, at least in part, removed and/or buttressed with fill in this section of accessway in its development. Provided that unimpeded stormwater drainage is maintained, we consider that this section of accessway is at low risk of being affected by instability. No other areas of the existing accessway alignment, and alignments which will be required to access the proposed house sites in Lots 2 and 3 are considered to be at risk of being affected by instability.

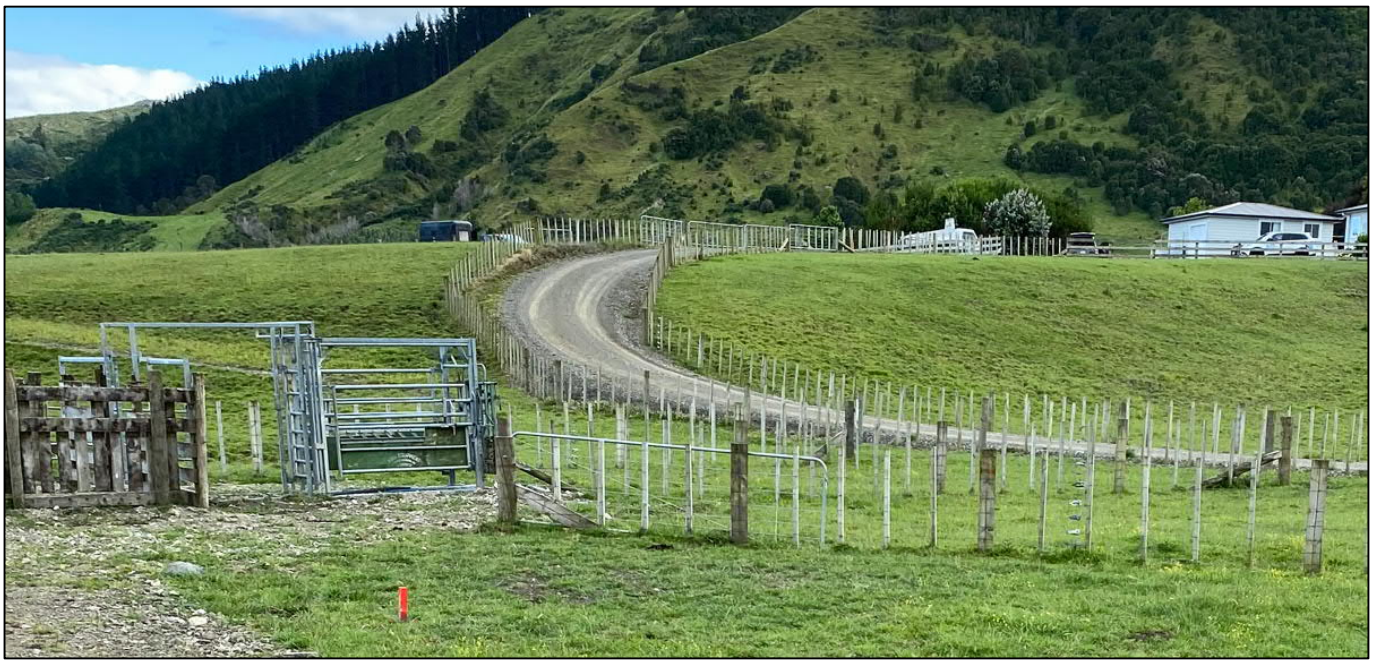


Figure 18: View north at section of accessway which traverses up the south side of the spur to proposed Lots 2 and 3.

# 8 SUMMARY

In summary, the analyses indicate natural hazards presented to the three residential house sites comprise:

- A low slope instability risk.
- A negligible to low liquefaction induced settlement risk under an SLS earthquake event.
- A negligible to low liquefaction induced settlement risk under a significant ULS earthquake event.
- A low soil shrink-swell risk.
- Soil compression/bearing capacity failure risk of low strength surficial/near surface soils.

Key subdivision level recommendations are as follows:

- Minimum setback lines of 25m from the toe of the slope to the north of the house site within Proposed Lot 1 Figure 15), 15 to 40m from the crests of the slopes which surround the house site proposed within Lot 2 (Figure 16), and a minim setback of 16 to 25m from the crests of the slopes which surround the house site proposed within Lot 3 (Figure 17). These set-backs may be able to be refined as part of the building specific geotechnical investigation required for building consent purposes.
- Concrete encased pile foundations or conventional strip foundations and concrete floors constructed in general accordance with NZS3604:2011 are likely to be appropriate for dwellings located in the investigated sites in all three lots. Widening of the foundations is recommended to address a slightly lower bearing capacity than that required by NZS3604:2011 for the sites investigated in proposed Lots 2 & 3, or alternatively deepening of foundations to ground with higher bearing capacity is recommended. Other solutions may be viable. Depending on the size and extent of the dwellings to be built in proposed Lots 2 and 3, bracing of the pile's may be required for these sites in their existing state. Alternatively, these sites may be able to be cut down to form level building platforms. These recommendations may be able to be refined as part of the required building specific ground investigation. Other development options may be viable.

- Confirmation of the bearing capacity and founding conditions will be required with a building specific site investigation and report once the future building proposals are known. Other foundation solutions to those outlined in this report may be viable.

There are further important recommendations outlined in this report with regards to site development, site preparation and foundation design and construction. This report should be read in full to gain a full understanding of the site conditions and recommendations made herein.

# 9 APPLICABILITY

This report has been prepared for P R & J M Solomon with respect to the particular brief given to us, and it may not be relied upon in any other context or for any other purpose without our prior review and written consent.

Recommendations and opinions contained in this report are based on observations, and subsurface investigations put down at point locations. Inferences are made with regard to the continuity of the ground between and beyond the investigation locations. By nature, ground conditions are inherently variable, and it must be appreciated that ground conditions could vary from those assumed. We should be contacted immediately if the conditions are found to differ from that described in this report.

Yours Sincerely

Allied Geotech Ltd



Ross Cumming
*CMEngNZ, (PEngGeol)*
Engineering Geologist

Attached:

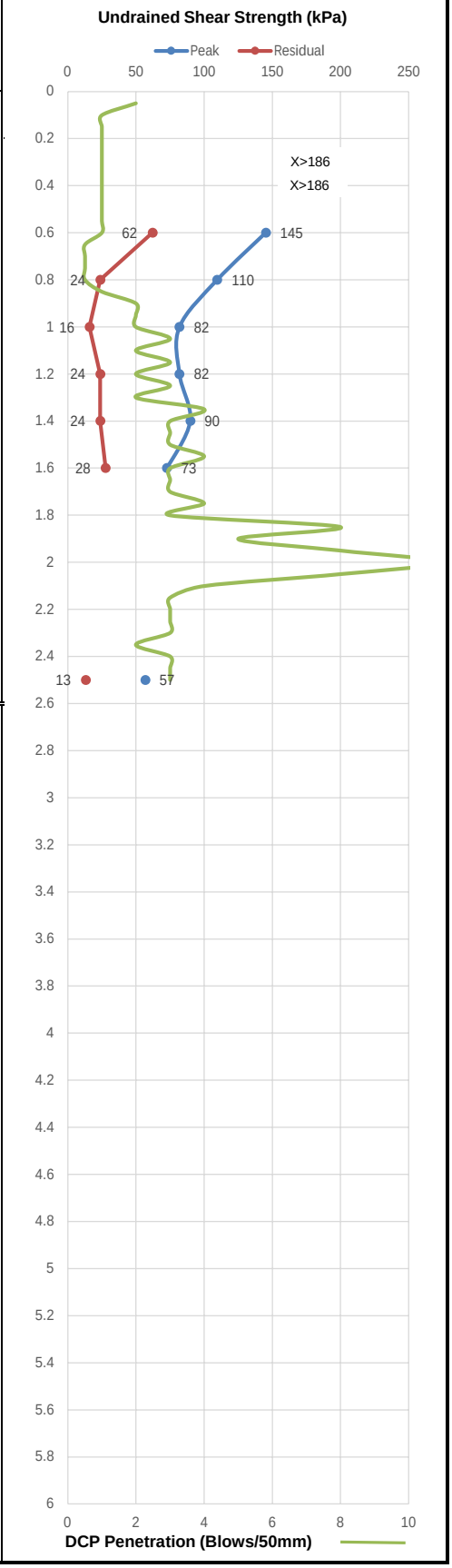
CPT Printouts
Borehole and Penetrometer Logs
Liquefaction Analyses Printouts

https://netorgft8386503-my.sharepoint.com/personal/ross_alliedgeotech_co_nz/Documents/Projects/200 to 299/269 Lot 2 DP 573026 Glenelg Road Subdivsion (Phil Solomon)/Report/Allied Geotech Proposed Subdivision Lot 2 DP 573026, Glenelg Road, Makauri, Gisborne Geotech Report 061222.docx

| | | | |
|---|---|---|---|
| ALLIED GEOTECH LTD | Client: P R & J M Solomon | AG Project No.: 0269 | Test No.: TS1 |
| | Project: Proposed Subdivision | Logged By: RGC | Date: 01/12/22 |
| | Property Location: Lot 2 DP 573026, Glenelg Road, Makauri, Gisborne | Test Site Location: Refer to Site Investigation Plan | |
| | Test Methods: 50mm Hand Auger, Calibrated Hand-Held Shear Vane, & Dynamic Cone (Scala) Penetrometer | | |

# HANDAUGER BOREHOLE & DYNAMIC CONE PENETROMETER (DCP) TEST LOG

| Depth (m) | Colour | Moisture | Strength | Description | Geology |
|---|---|---|---|---|---|
| 0.0 | | D-M | L | SILT, some fine to medium sand, dark grey to black, loose, dry to moist | Topsoil |
| 0.2 | | M | VSt-H | SILT, some clay, mottled light grey, light brown and light orange brown, very stiff to hard, moist | Alluvium |
| 0.6 | | M | VSt | CLAY, silty, mottled light grey, light brown and light orange brown, very stiff, moist | |
| 0.8 | | M | VSt | SILT, minor clay, light grey, light brown and light orange brown, very stiff, moist | |
| 1.0 | | | St | Stiff, static water table level on completion (sub-artesian) | |
| 1.2 | | S | | inflows, saturated | |
| 1.4 | | | | bluish grey, light orange brown and light brown | |
| 1.5 | | S | St | CLAY, some silt, light grey and light orange brown, stiff, saturated | |
| 1.7 | | S | MD-D | SAND, fine to medium, pumiceous, light grey, medium dense to dense, saturated | Rhyolitic Tephra |
| 1.9 | | | VD | very dense | |
| 2.1 | | | MD | medium dense | |
| 2.4 | | S | St | CLAY, trace of silt and medium pumice sand, organically stained grey, stiff, saturated | Buried Residual Topsoil |
| 2.6 | | | | End of borehole @ 2.6m | |
| | | | | Target depth reached | |
| | | | | Static water table @ 1.0m depth on completion | |

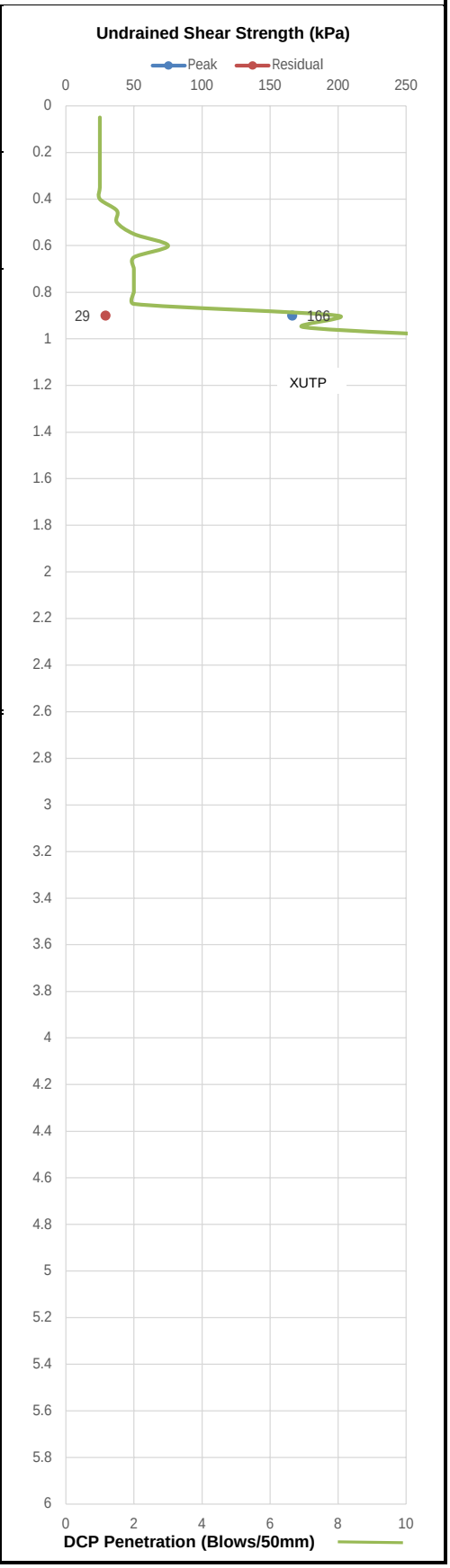



Notes: Soils are logged in general accordance with NZGS field guide sheet description of soil and rock (2005)
Undrained shear strength lines are indicative only.
Undrained shear strength corrected for plasticity (Bjerrum 1973)
UTP = Unable To Penetrate

| | | | |
|---|---|---|---|
| ALLIED GEOTECH LTD | Client: P R & J M Solomon | AG Project No.: 0269 | Test No.: TS2 |
| | Project: Proposed Subdivision | Logged By: RGC | Date: 01/12/22 |
| | Property Location: Lot 2 DP 573026, Glenelg Road, Makauri, Gisborne | Test Site Location: Refer to Site Investigation Plan | |
| | Test Methods: 50mm Hand Auger, Calibrated Hand-Held Shear Vane, & Dynamic Cone (Scala) Penetrometer | | |

# HANDAUGER BOREHOLE & DYNAMIC CONE PENETROMETER (DCP) TEST LOG

| Depth (m) | Colour | Moisture | Strength | Description | Geology |
|---|---|---|---|---|---|
| 0.0 | | D-M | L | SILT, sandy (fine to medium, trace of coarse), loose, dry | Topsoil |
| 0.2 | | D-M | L | SAND, fine to coarse, trace of fine vesicular gravel, trace of silt, light brown, loose, dry to moist | Rhyolitic Tephra |
| 0.4 | | | | fine to medium, light brown to light grey | |
| 0.5 | | M | | very fine to fine, light grey, moist | |
| 0.7 | | D-M | MD | SILT/very fine SAND, cemented, light grey, light brown and light orange brown, medium dense/stiff, dry to moist | Weathered Loess |
| 0.9 | | | VSt | very stiff | |
| 1.0 | | | | difficult to auger | |
| 1.1 | | | H | hard | |
| 1.2 | | | | End of borehole @ 1.2m | |
| | | | | Target depth not reached due to refusal in high density soil | |
| | | | | Hole dry on completion | |
| | | | | DCP put down adjacent to refusal (1.0m depth). | |

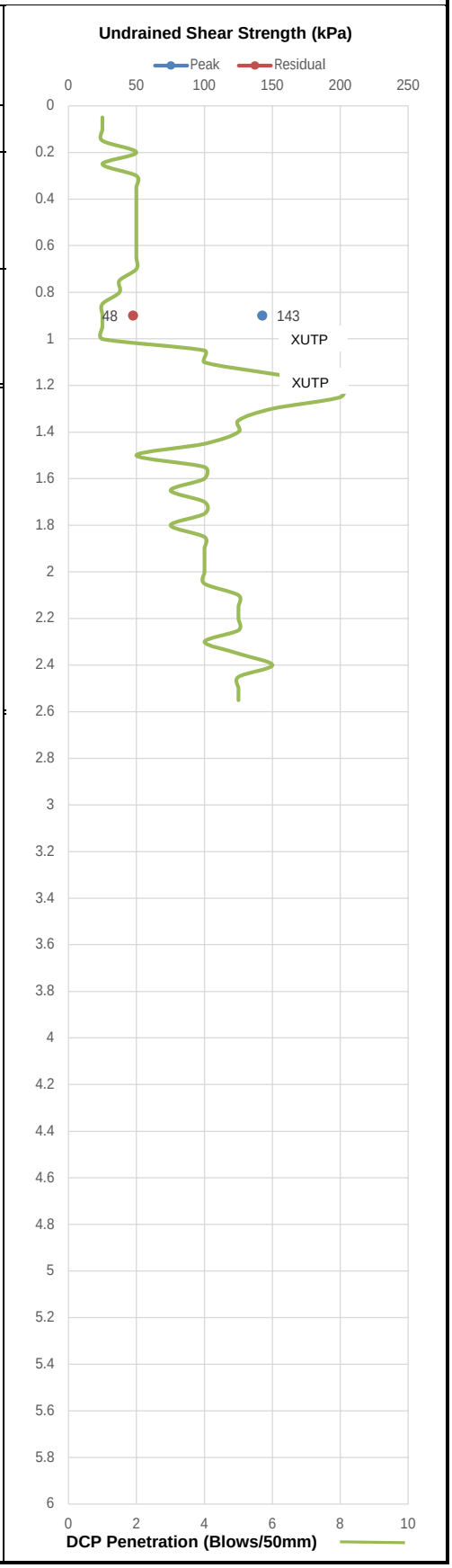



Notes: Soils are logged in general accordance with NZGS field guide sheet description of soil and rock (2005)
Undrained shear strength lines are indicative only.
Undrained shear strength corrected for plasticity (Bjerrum 1973)
UTP = Unable To Penetrate

| | | | |
|---|---|---|---|
| ALLIED GEOTECH LTD | Client: P R & J M Solomon | AG Project No.: 0269 | Test No.: TS3 |
| | Project: Proposed Subdivision | Logged By: RGC | Date: 01/12/22 |
| | Property Location: Lot 2 DP 573026, Glenelg Road, Makauri, Gisborne | Test Site Location: Refer to Site Investigation Plan | |
| | Test Methods: 50mm Hand Auger, Calibrated Hand-Held Shear Vane, & Dynamic Cone (Scala) Penetrometer | | |

# HANDAUGER BOREHOLE & DYNAMIC CONE PENETROMETER (DCP) TEST LOG

| Depth (m) | Colour | Moisture | Strength | Description | Geology |
|---|---|---|---|---|---|
| 0.0 | | D-M | L | SILT, sandy (fine to medium, trace of coarse), loose, dry | Topsoil |
| 0.2 | | D | L-MD | SAND, fine to coarse, trace of fine vesicular gravel, trace of silt, light brown, loose to medium dense, dry | Rhyolitic Tephra |
| 0.4 | | M | | fine to medium, light brown to light grey, moist | |
| 0.5 | | | | very fine to fine, light grey | |
| 0.7 | | D-M | VSt | SILT/very fine SAND, cemented, light grey with light orange brown mottles, very stiff, dry to moist | Weathered Loess |
| 1.0 | | | | difficult to auger | |
| 1.1 | | | H | hard | |
| 1.2 | | | | End of borehole @ 1.2m | |
| | | | | Target depth not reached due to refusal in high density soil | |
| | | | | Hole dry on completion | |
| | | | | DCP put down adjacent to target depth of 2.5m | |

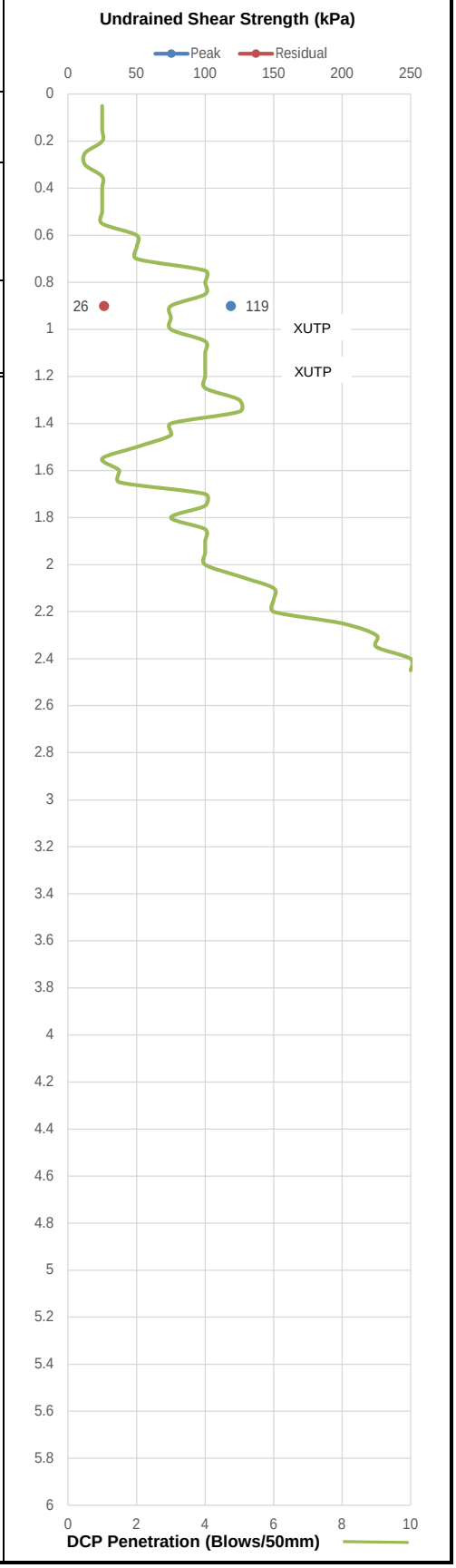



Notes: Soils are logged in general accordance with NZGS field guide sheet description of soil and rock (2005)
Undrained shear strength lines are indicative only.
Undrained shear strength corrected for plasticity (Bjerrum 1973)
UTP = Unable To Penetrate

| | | | |
|---|---|---|---|
| ALLIED GEOTECH LTD | Client: P R & J M Solomon | AG Project No.: 0269 | Test No.: TS4 |
| | Project: Proposed Subdivision | Logged By: RGC | Date: 01/12/22 |
| | Property Location: Lot 2 DP 573026, Glenelg Road, Makauri, Gisborne | Test Site Location: Refer to Site Investigation Plan | |
| | Test Methods: 50mm Hand Auger, Calibrated Hand-Held Shear Vane, & Dynamic Cone (Scala) Penetrometer | | |

# HANDAUGER BOREHOLE & DYNAMIC CONE PENETROMETER (DCP) TEST LOG

| Depth (m) | Colour | Moisture | Strength | Description | Geology |
|---|---|---|---|---|---|
| 0.0 – 0.2 | | D-M | L | SILT, sandy (fine to medium, trace of coarse), loose, dry | Topsoil |
| 0.3 – 0.5 | | D-M | L | SAND, fine to coarse, trace of fine vesicular gravel, trace of silt, light brown, loose, dry to moist | Rhyolitic Tephra |
| 0.6 – 0.7 | | | | very fine to fine, light grey | |
| 0.8 – 0.9 | | D-M | VSt | SILT/very fine SAND, cemented, light grey with light orange brown mottles, very stiff, dry to moist | Weathered Loess |
| 1.0 | | | H | hard | |
| 1.1 | | | | difficult to auger | |
| 1.2 | | | | End of borehole @ 1.2m | |
| 1.3 | | | | Target depth not reached due to refusal in high density soil | |
| 1.4 | | | | Hole dry on completion | |
| 1.5 | | | | DCP put down adjacent to refusal (2.45m). | |
| 1.6 – 6.2 | | | | | |

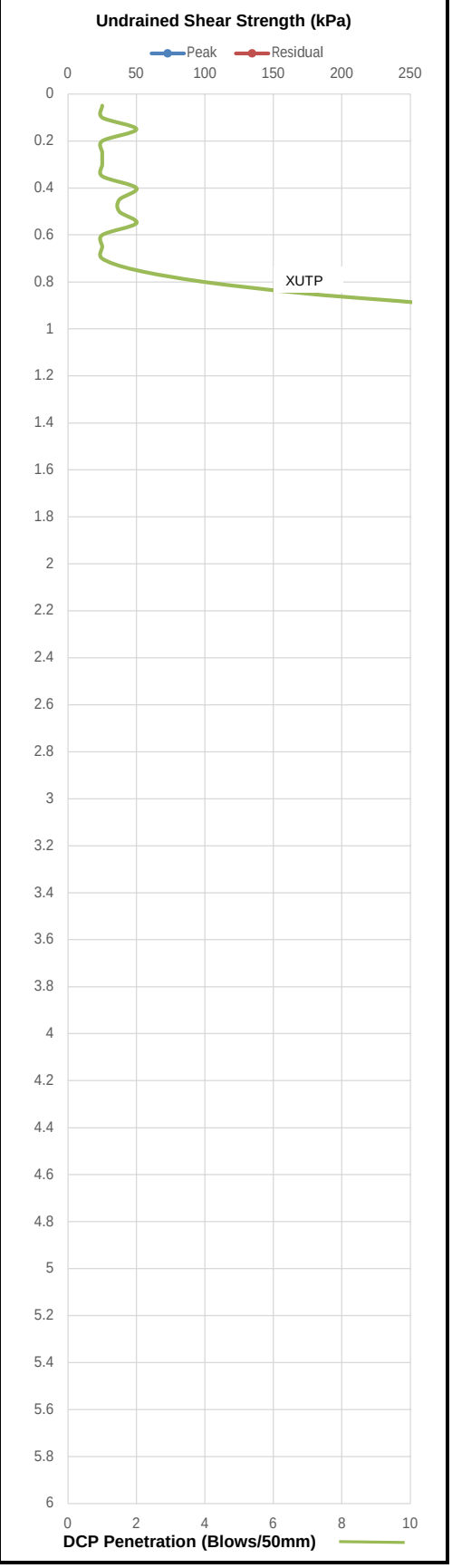



Notes: Soils are logged in general accordance with NZGS field guide sheet description of soil and rock (2005)
Undrained shear strength lines are indicative only.
Undrained shear strength corrected for plasticity (Bjerrum 1973)
UTP = Unable To Penetrate

| | | | |
|---|---|---|---|
| ALLIED GEOTECH LTD | Client: P R & J M Solomon | AG Project No.: 0269 | Test No.: TS5 |
| | Project: Proposed Subdivision | Logged By: RGC | Date: 01/12/22 |
| | Property Location: Lot 2 DP 573026, Glenelg Road, Makauri, Gisborne | Test Site Location: Refer to Site Investigation Plan | |
| | Test Methods: 50mm Hand Auger, Calibrated Hand-Held Shear Vane, & Dynamic Cone (Scala) Penetrometer | | |

# HANDAUGER BOREHOLE & DYNAMIC CONE PENETROMETER (DCP) TEST LOG

| Depth (m) | Colour | Moisture | Strength | Description | Geology |
|---|---|---|---|---|---|
| 0.0 – 0.2 | | D-M | L | SILT, sandy (fine to medium, trace of coarse), loose, dry | Topsoil |
| 0.3 – 0.6 | | D-M | L-MD | SAND, fine to coarse, trace of fine vesicular gravel, trace of silt, light brown, loose to medium dense, dry to moist<br>very fine to fine, light grey | Rhyolitic Tephra |
| 0.7 – 0.8 | | D-M | VSt-H | SILT/very fine SAND, cemented, light grey with light orange brown mottles, very stiff to hard, dry to moist | Weathered Loess |
| 0.9 | | | | End of borehole @ 0.9m<br>Target depth not reached due to refusal on high density soil<br>Hole dry on completion<br>DCP put down adjacent to refusal (0.9m depth). | |

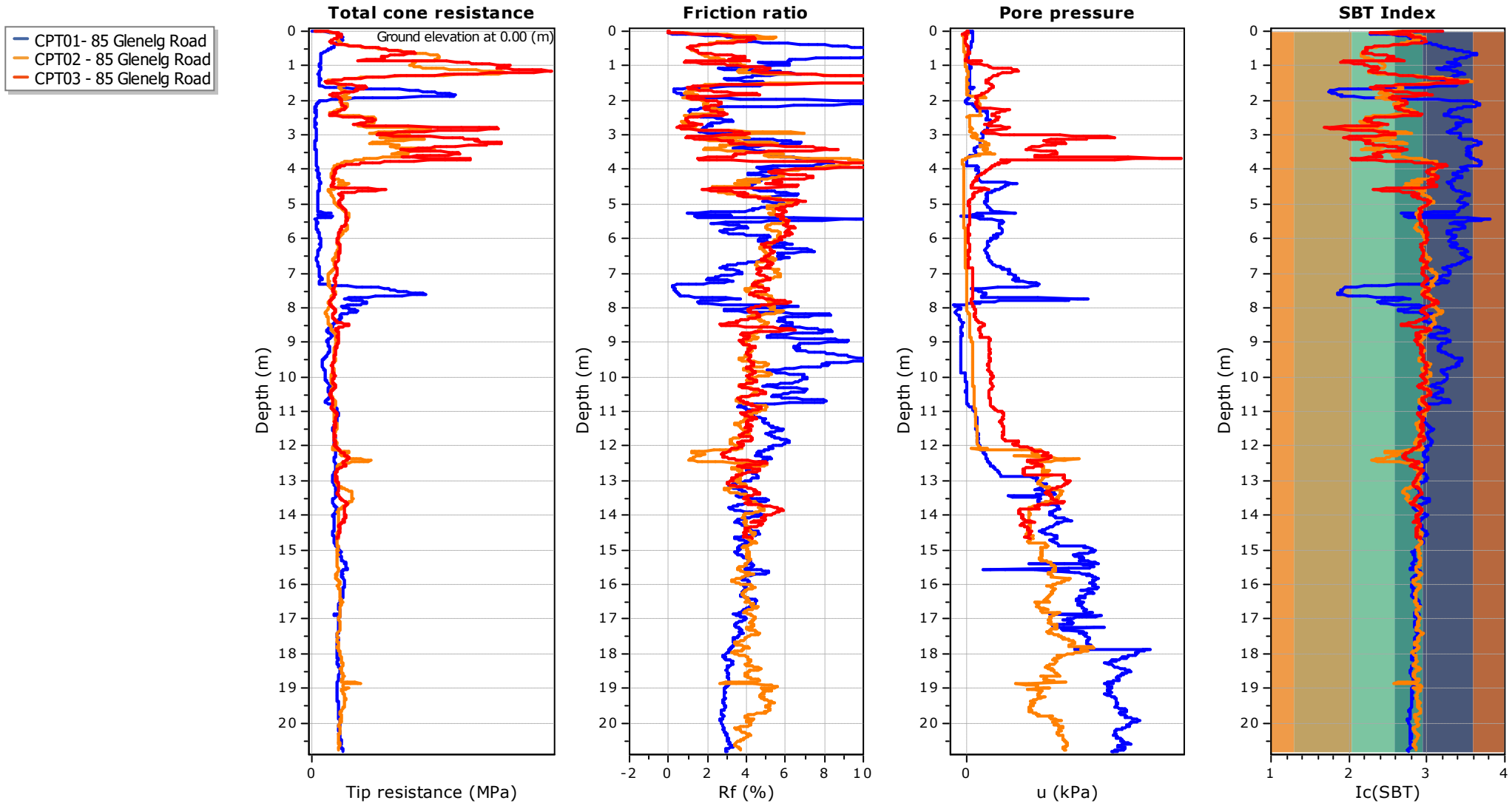



Notes: Soils are logged in general accordance with NZGS field guide sheet description of soil and rock (2005)
Undrained shear strength lines are indicative only.
Undrained shear strength corrected for plasticity (Bjerrum 1973)
UTP = Unable To Penetrate

**Civil Assist Ltd**
20 Grey Street
Gisborne
www.civilassist.nz

**Project:** **Geotechnical Investigation**
**Location:** **85 Glenelg Road**

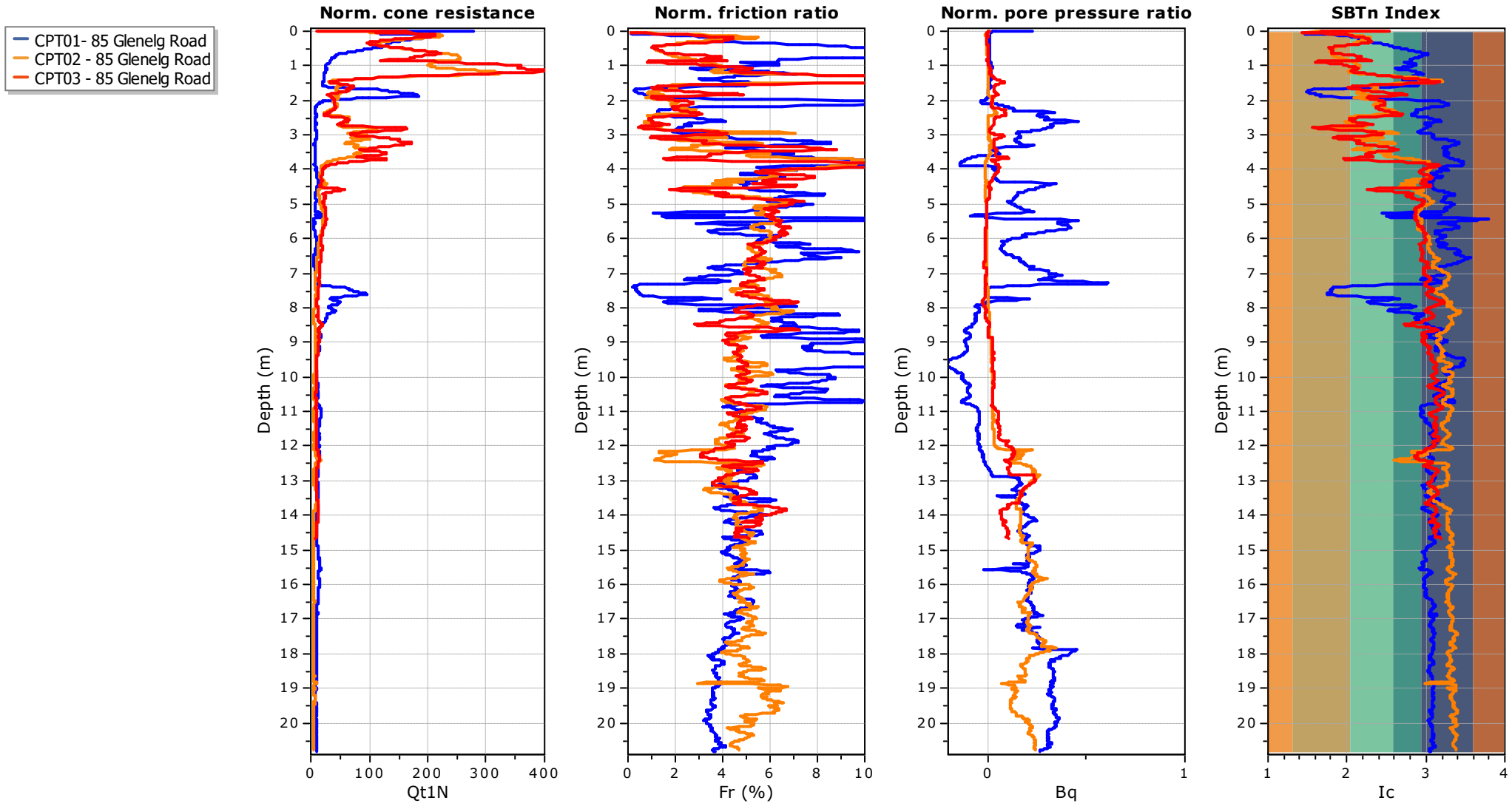
## Overlay basic interpretation plots



**Civil Assist Ltd**
20 Grey Street
Gisborne
www.civilassist.nz

**Project:** **Geotechnical Investigation**
**Location:** **85 Glenelg Road**

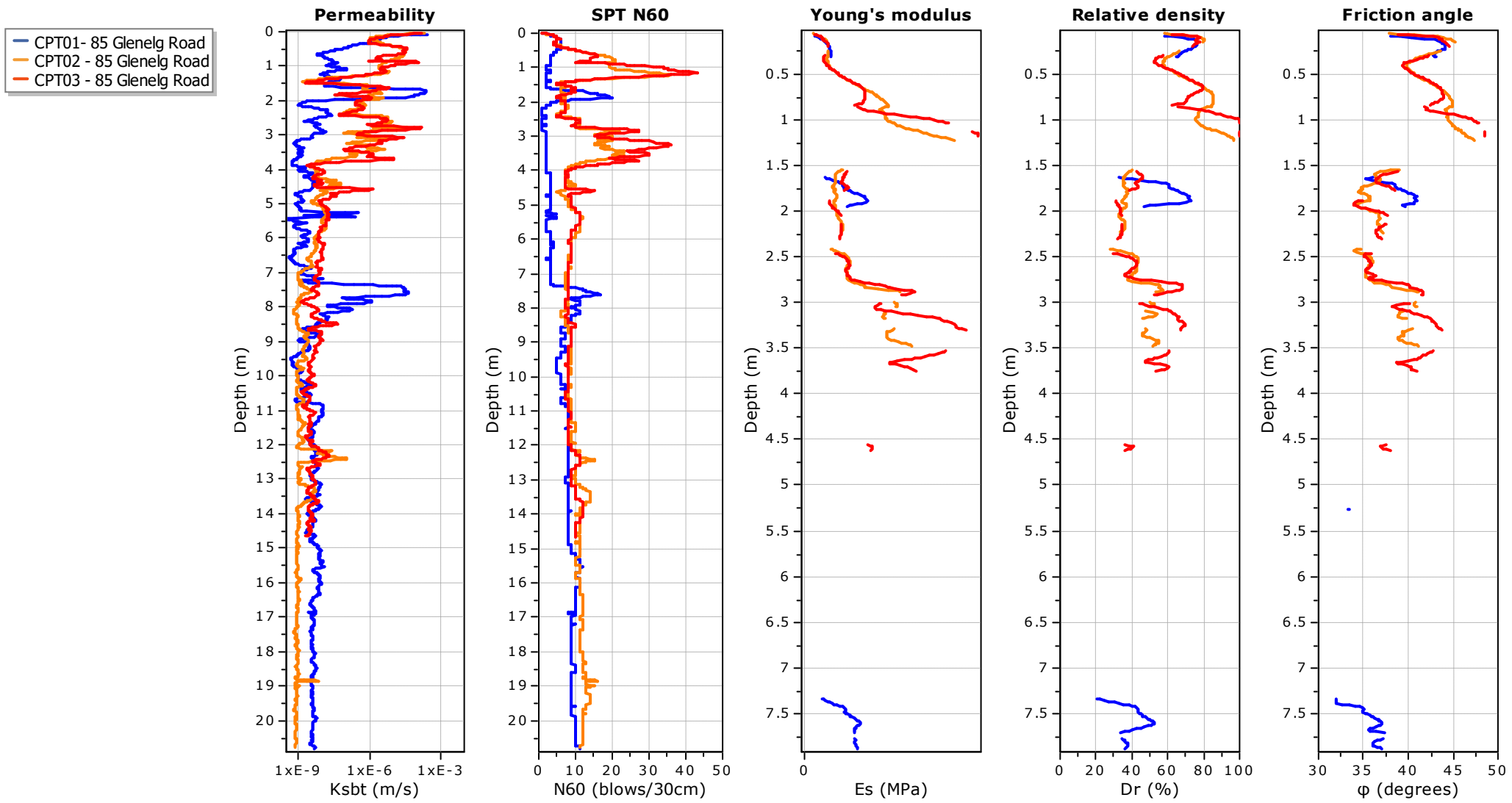
## Normalized basic plots



**Civil Assist Ltd**
20 Grey Street
Gisborne
www.civilassist.nz

**Project:** **Geotechnical Investigation**
**Location:** **85 Glenelg Road**

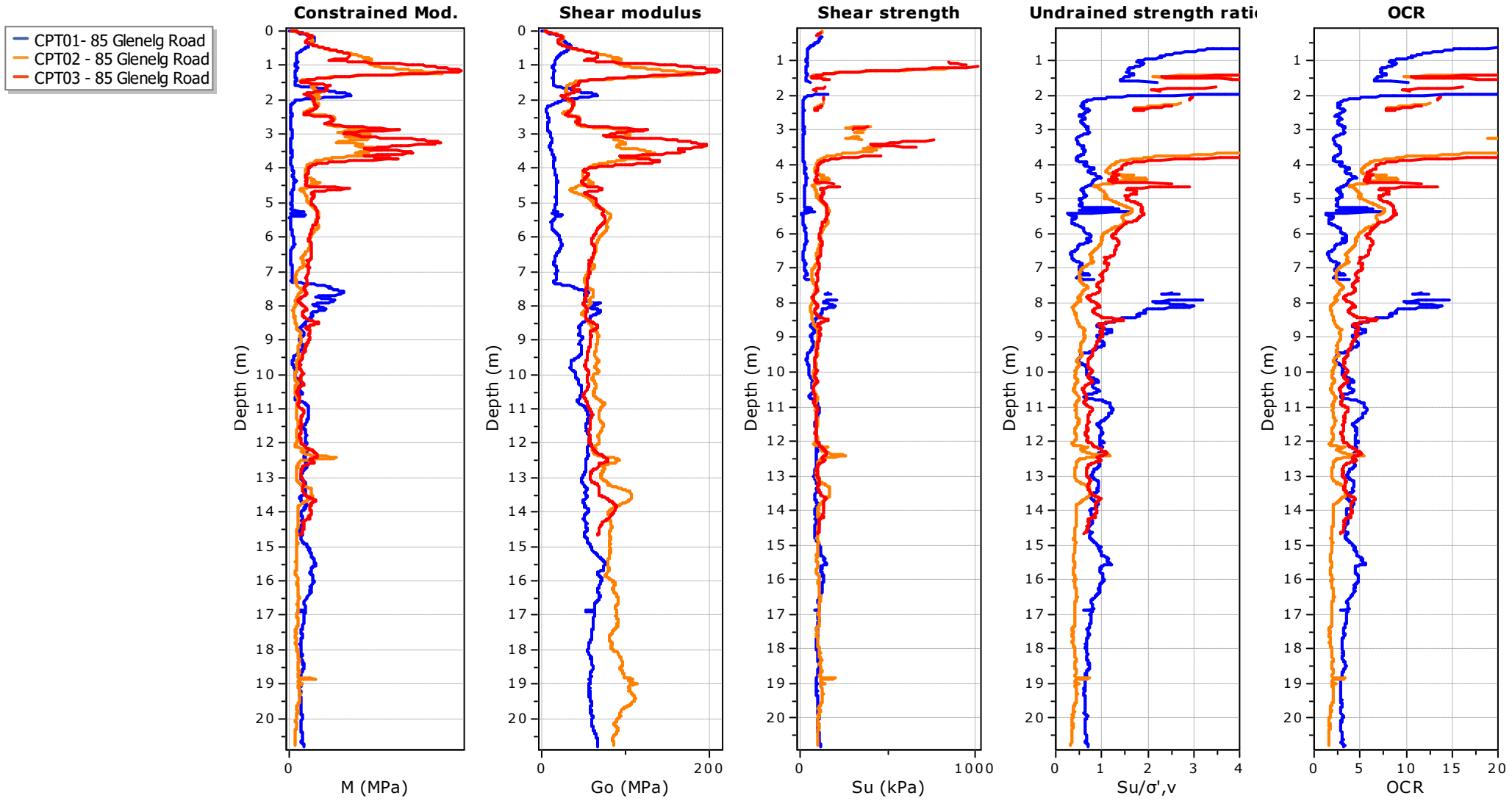
## Overlay estimation plots (1)



**Civil Assist Ltd**
20 Grey Street
Gisborne
www.civilassist.nz

**Project:** **Geotechnical Investigation**
**Location:** **85 Glenelg Road**

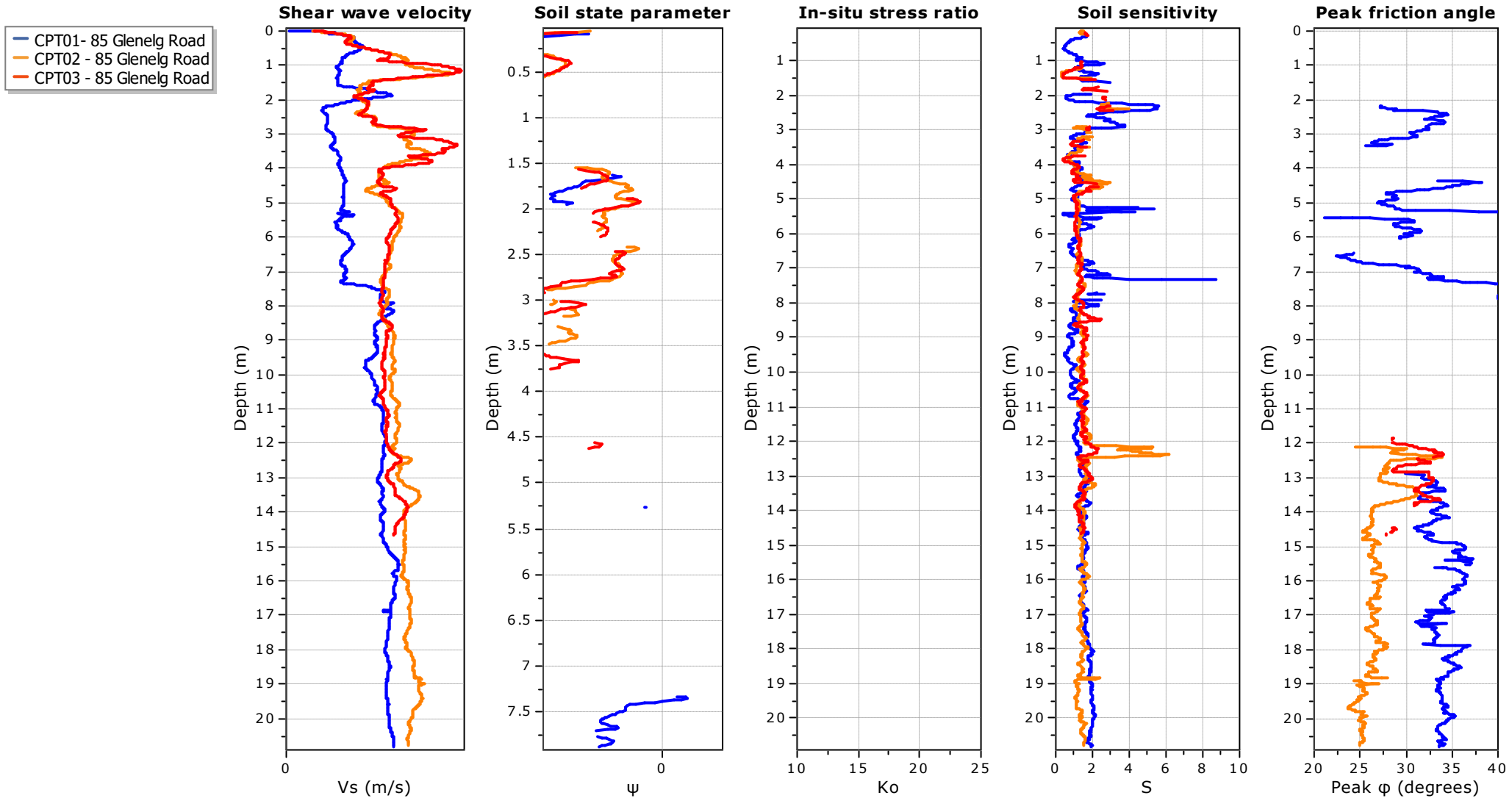
## Overlay estimation plots (2)



**Civil Assist Ltd**
20 Grey Street
Gisborne
www.civilassist.nz

**Project:** **Geotechnical Investigation**
**Location:** **85 Glenelg Road**

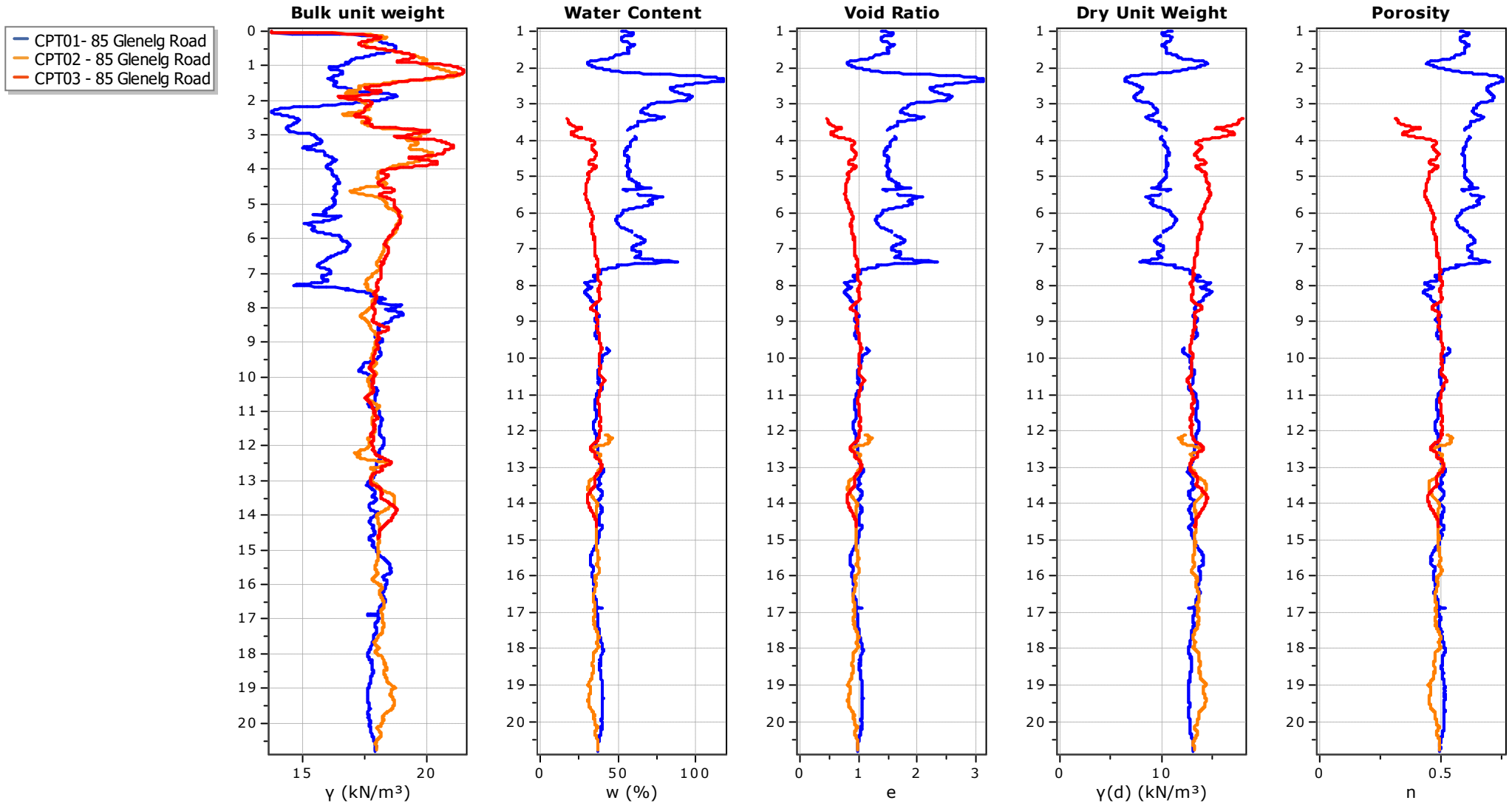
## Overlay estimation plots (3)



**GeoLogismiki**
Geotechnical Engineers
Merarhias 56
http://www.geologismiki.gr

**Project:** **Geotechnical Investigation**
**Location:** **Geotechnical Engineers**

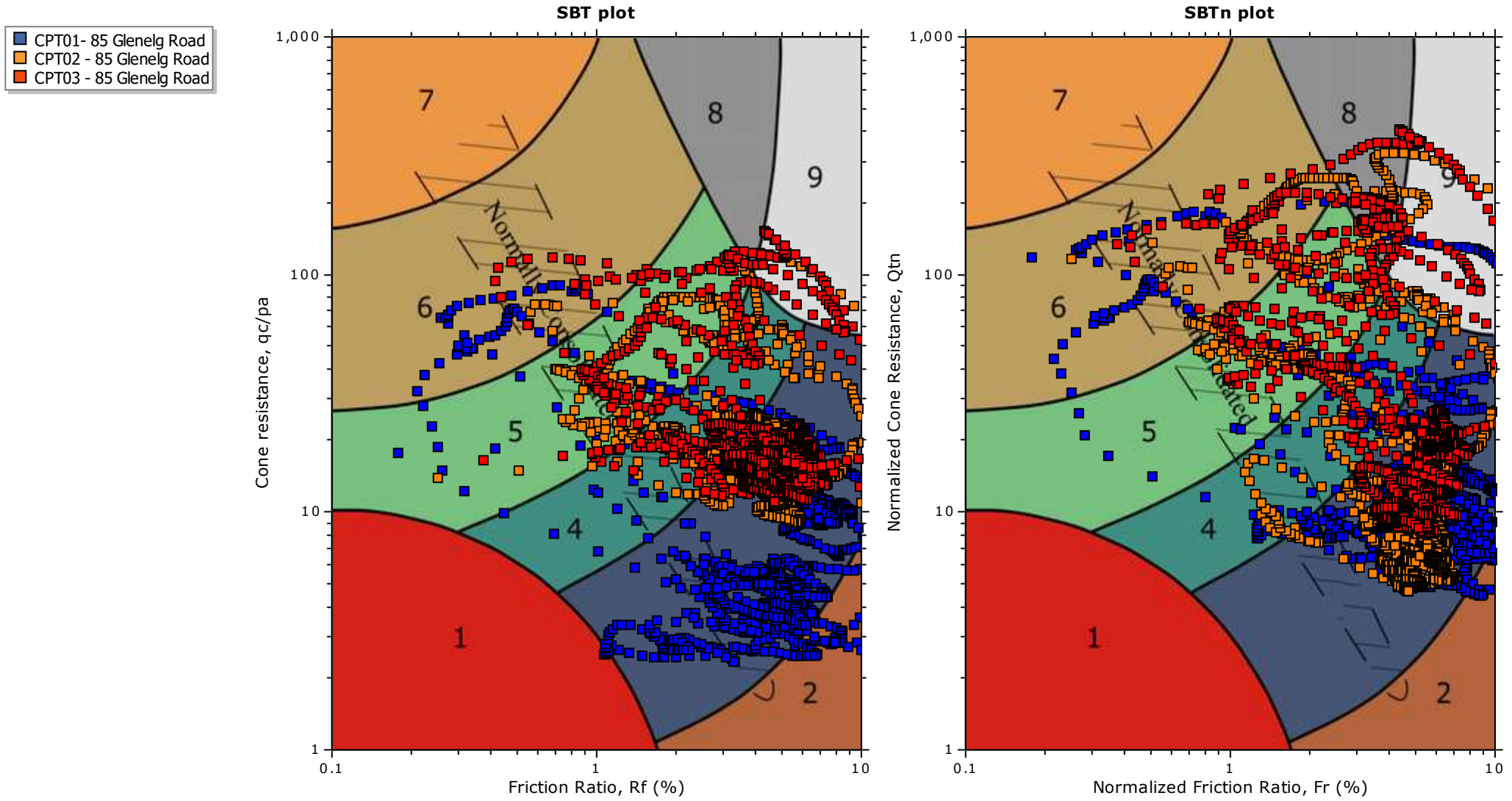
## Overlay estimation plots (4)



**Civil Assist Ltd**
20 Grey Street
Gisborne
www.civilassist.nz

**Project:** **Geotechnical Investigation**
**Location:** **85 Glenelg Road**

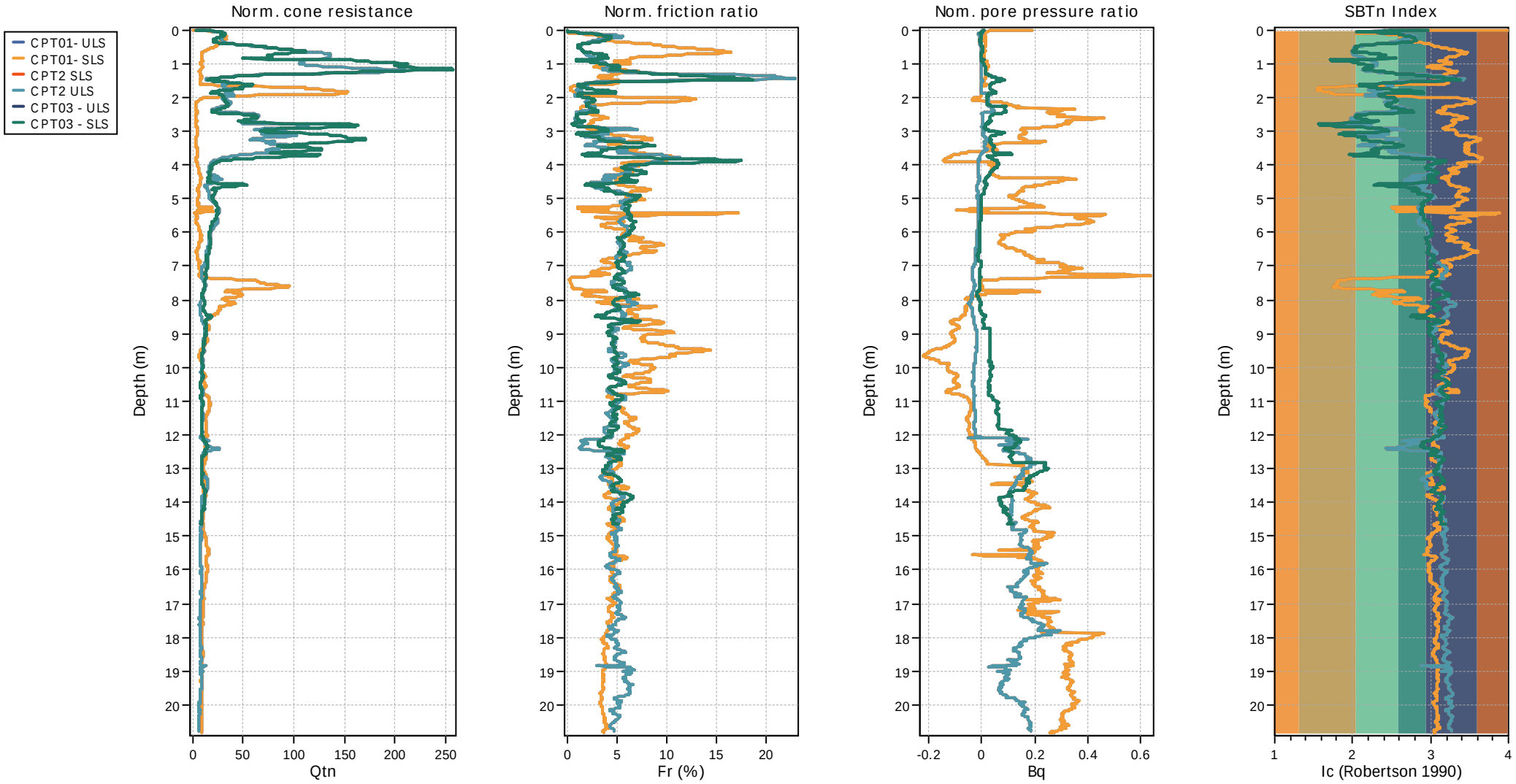
## Soil Behavior Type Plots



Allied Geotech Ltd
Gisborne
New Zealand

Project: Proposed Subdivision

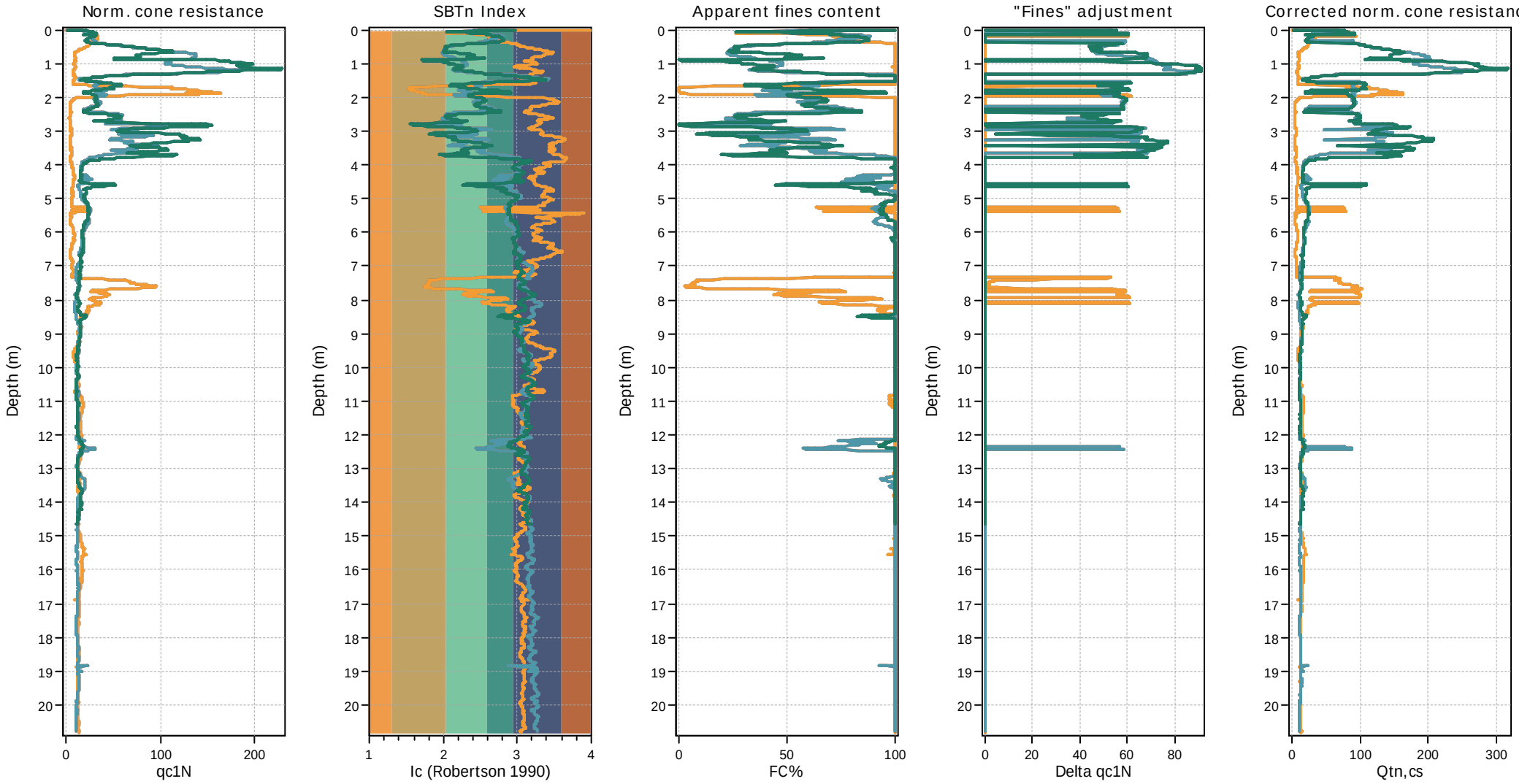
## Overlay Normalized Plots



Allied Geotech Ltd
Gisborne
New Zealand

Project: Proposed Subdivision

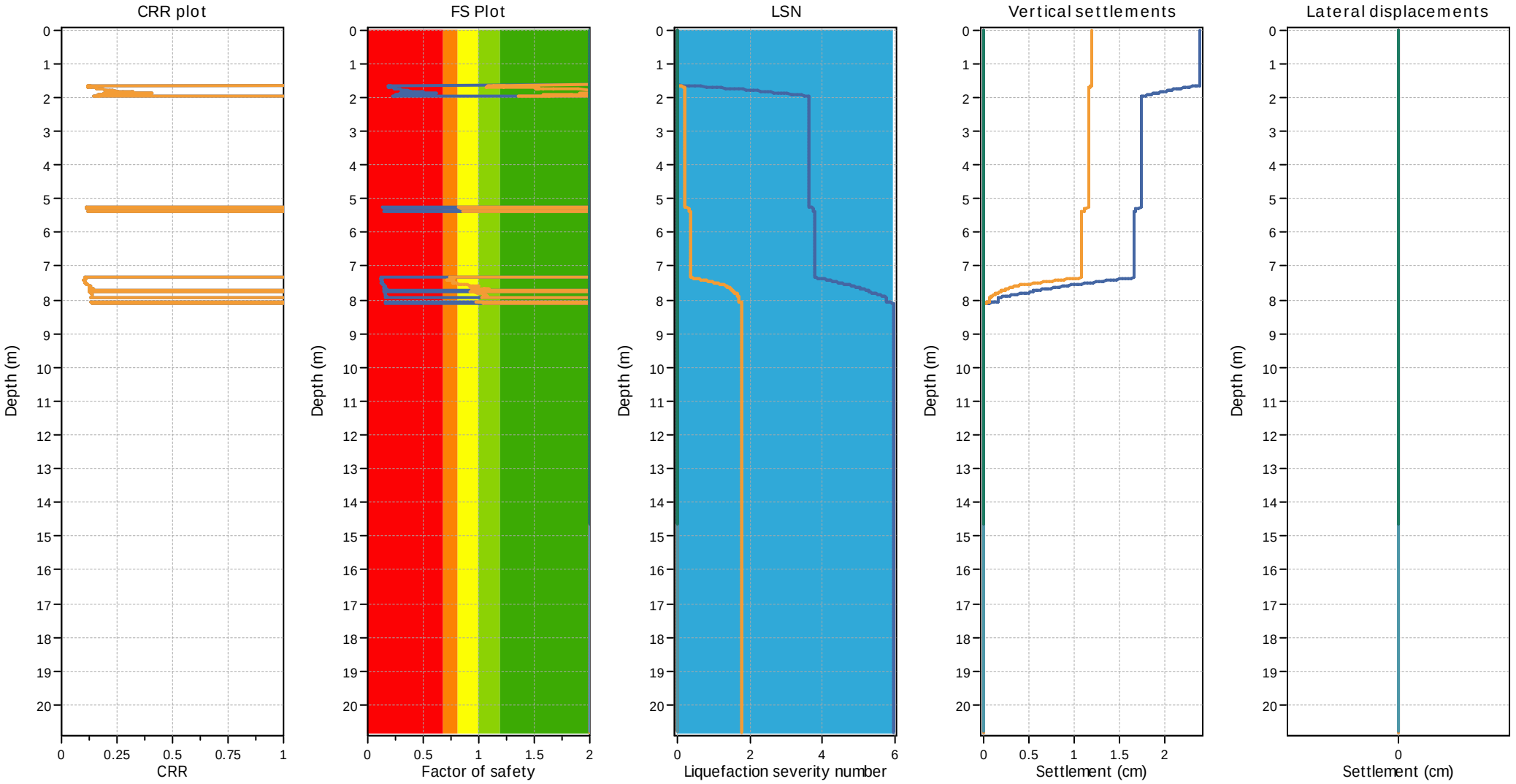
## Overlay Intermediate Results



Allied Geotech Ltd
Gisborne
New Zealand

Project: Proposed Subdivision

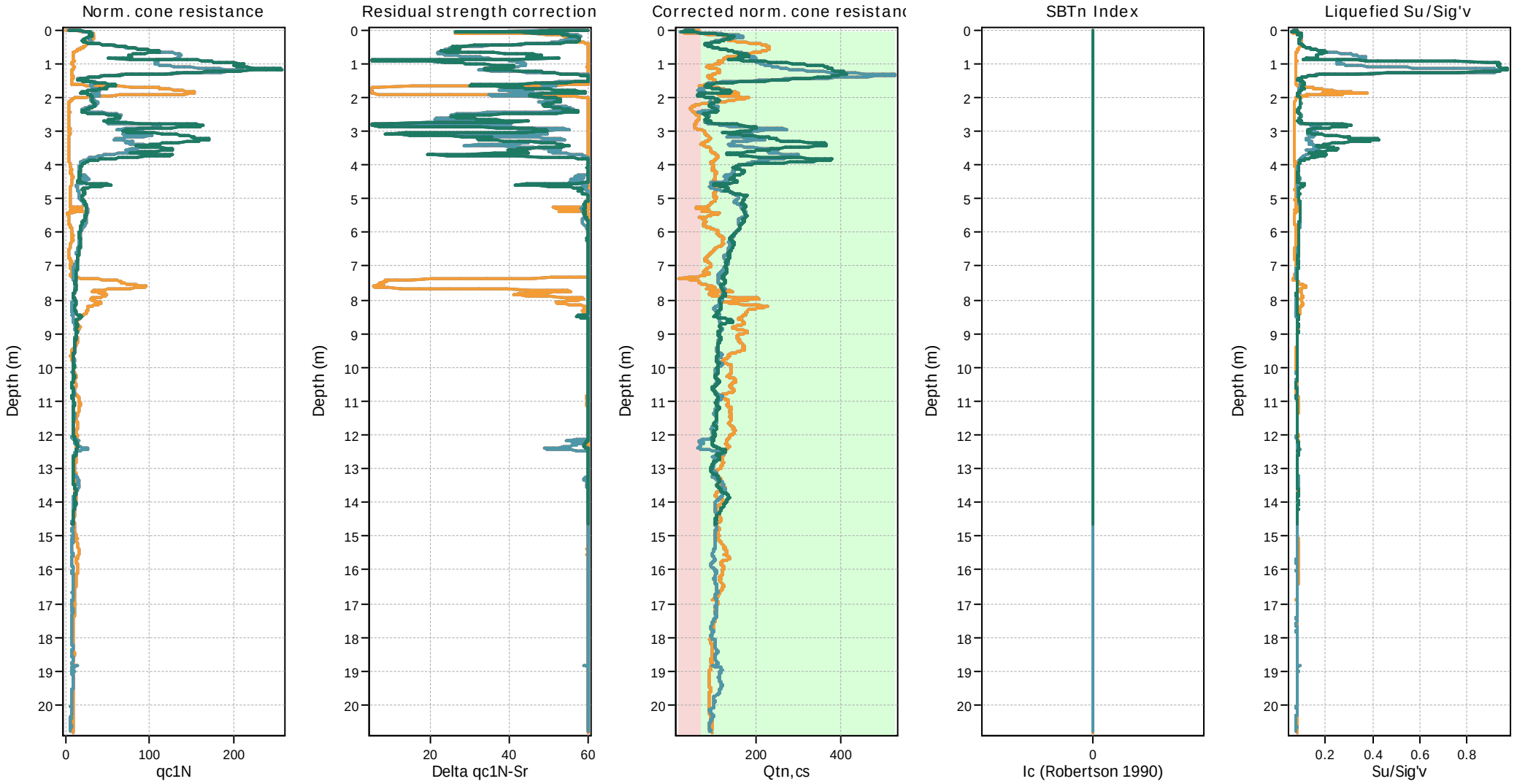
## Overlay Cyclic Liquefaction Plots



Allied Geotech Ltd
Gisborne
New Zealand

Project: Proposed Subdivision

## Overlay Strength Loss Plots



# HPL Assessment

# Prepared for

# Jacqueline and Philip Solomon

16 January 2024



GoodmanRural
Rural Focus. Global View.

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**4.0 CONCLUSION 8**


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## 1.0 EXECUTIVE SUMMARY

This report is prepared to accompany Jacqueline and Philip Solomon's application to subdivide an uneconomic parcel of land.

The purpose of the report is to provide an opinion on the productivity of the land.

I have considered the requirements of the National Policy Statement on Highly Productive Land 2022 (NPS-HPL), and the definition of productive capacity in making this report.

I have no conflict of interest and the report is written in an independent advisory capacity.

GoodmanRural was established in 2009. The writer founded the business to offer qualified and experienced advice in economics, finance, and resource management, to growers and pastoral farmers. Qualifications include diplomas in agriculture and farm management, together with a bachelor of commerce and management from Lincoln University, and certificates in sustainable nutrient management from Massey University. A detailed summary of my experience and qualifications is included at the end of the report.

Productive capacity as defined in the NPS-HPL, is in keeping with the fundamentals of farm production. This is the ability of the land to support land-based production over the long-term taking into consideration the physical characteristics of a farm's resources, legal constraints and the size and shape of the land parcel.

My report focuses on three key areas that drive productivity;

1. Soil type
2. Slope
3. Size of property.

I have verified the property characteristics and resource mix remotely using property information held by Core Logic, Landcare, and by reviewing information provided by Grant & Cooke Surveyors Limited. I reserve the right to make a site visit to confirm the online data used in this report.

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## 2.0 BLOCK DESCRIPTION

### 2.1 Property and Ownership

The property is owned by Jacqueline and Philip Solomon. The property is legally described as Lot 1 DP 573026 and Lot 2 DP 573026 Gisborne District. The property is currently in two titles.

### 2.2 Location

The 3.5327 ha property is located at 79 and 85 Glenelg Road, Makauri, Gisborne.

*Figure 2.1: Location map*



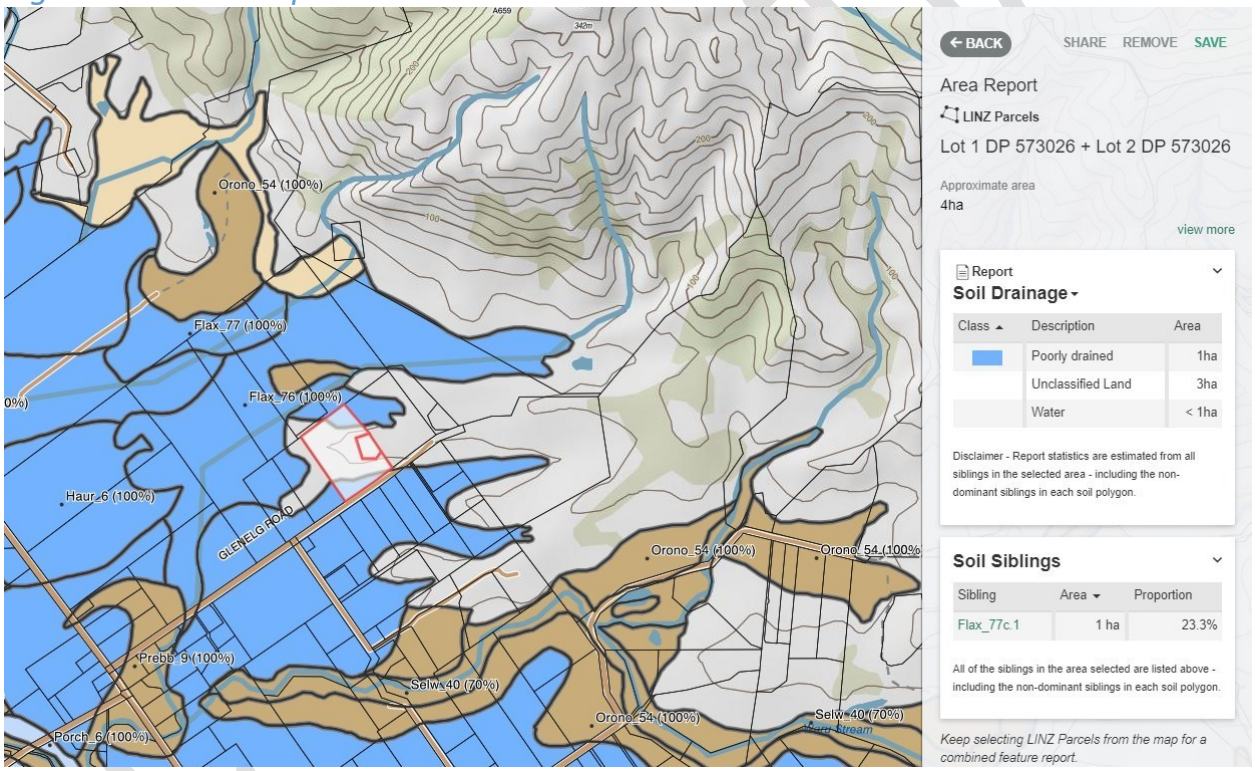
## 2.3 Climate

The property is summer dry with drought conditions generally experienced once every five years. It is not irrigated as the property is not suitable for intensive farm production.

## 2.4 Land Use Classification (LUC) and soils

There is limited soil data available for the property. When referring to S Map (Landcare NZ) in figure 2.5 below, only 1 ha of the flat land has been mapped. This is poorly drained soil from the Gley soil order known as Flaxton, referred to on the Gisborne soil map as Kaiti Silt Loam. This is on the lower slope land on the property at approximately 12 meters above sea level.

*Figure 2.2: Soil map*




Gley soils are strongly affected by waterlogging, have been chemically reduced, have light grey subsoils, and usually have reddish brown or brown mottles. Waterlogging occurs in winter and spring, and some soils remain wet all year. It is formed in alluvial sand silt or gravel deposited by running water, from soft mudstone parent material.

The balance of the property is higher slope land ranging up to 20 meters above sea level. The soil is yet to be mapped by S Map, but is likely to be similar to the other hill country soil nearby that has been mapped. This is the Brown soil order

(Oronoko soil). Brown Soils have a brown or yellow-brown subsoil below a dark grey-brown topsoil. The brown colour is caused by thin coatings of iron oxides weathered from the parent material. It is formed in alluvial sand silt or gravel deposited by running water, from soft sandstone parent material.

Land use classification (LUC) 1, 2 & 3 soils are classified as highly productively land in the NPS-HPL. The relatively small area of flat land comprising the Gley soil at the front and back corners of the property is classed as class 3 land. It would appear that the relatively large area of steeper sloped land is also classed as LUC 3, which is inconsistent with LUC 3 and the key characteristic of arable flat land.

*Figure 2.2: Ponding at low northern area*



This picture is taken from the top of the hill looking down to the back northern corner prone to flooding, because it is low lying bunker area, and poorly drained Gley soil.

## 3.0 LAND USE

The property is currently an uneconomic lifestyle block. The 0.32 ha title is residential property, and the adjoining 3.2 ha title is currently grazed. It has not been utilised in arable production, now or in the past, for the following reasons;

1. The land isn't flat enough. Most of the land is elevated above the relatively small area of flat land at the front and back corners.

2. The small area of flat land at opposite corners of the property is too wet and unable to be drained as it is land locked by the neighbouring property. Referring to the cover picture, and figure 2.3 on page 6, the land at the back is low lying and subject to ponding.

3. The small area of flat poorly drained soil is uneconomic for arable production, because of size, shape and water logging risk. Drainage is legally constrained as it can only occur via neighbouring property.

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## 4.0 CONCLUSION

The property cannot be classified as highly productive land as it does not fit the NPS-HPL criteria. The small area of low slope land would meet the criteria if it could be drained, and was large enough to make cultivation viable. If it was HPL it would have been cultivated in the past, or utilised in crop production. It has not.

In my opinion the highest and best use of the land is residential lifestyle. The economic impact on the community from a change in land use is negligible. In fact this is precisely the sort of land that should be set aside for residential development.

SP Goodman
Director

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*Disclaimer: This report has been prepared by GoodmanRural from records, information furnished to us by the property owner to the best of their knowledge and information available. Neither GoodmanRural nor any of its employees accept any responsibility for the accuracy of the material from which this has been prepared.*

**Curriculum vitae**

Stephen Peter Goodman

Steve Goodman founded GoodmanRural in 2009 to offer qualified and experienced advice in economics, finance and resource management.

Qualifications include diplomas in agriculture and farm management (including horticulture), together with a bachelor of commerce and management from Lincoln University, and certificates in sustainable nutrient management from Massey University.

Experience in economics, finance and resource management has been gained over a fifteen-year period, working as a rural banker on the west coast of the South Island and in Hawkes Bay. This provided an in depth understanding of farm production, and rural supply management and this included integrated farming systems. Clients include orchardists, cropping farmers, sheep, cattle, and dairy farmers, and range from small family businesses to corporates.

New regulations in the areas of freshwater farm plans, and highly productive land, have increased the focus on careful resource management. GoodmanRural is now involved in these areas to review existing land use and land use change.

My involvement in the NPS-HPL include the following situations since October 2022.

- Coastal residential subdivision and the loss of pastoral farming productive capacity
- Boundary adjustments permitted under the district plan to create a residential title
- Subsequent variations to subdivisions approved prior to when the NPS-HPL came into effect.
- Capital released from subdivisions to increase productive capacity.
- Construction of houses on HPL

CONFIDENTIAL

# Hazardous Activities and Industries List Statement

| Applicant Details | |
|---|---|
| Name: | Phil Solomon |

| Project Details | |
|---|---|
| Property Address: | 95 Glenelg Road, Hexton , Gisborne |
| Legal Description: | Lot 2 DP 573026 and Lot 1 DP 549844 |
| Record of Title: | 1042202 and946382 |

## Certification

I Philip Solomon, being the person who wants to subdivide, have established by reviewing information held on Council records, it is more likely than not, an activity or industry described in the October 2011 edition of the Hazardous Activities and Industries List, is not being or has not been undertaken on the piece of land described above in project details.

| | |
|---|---|
| Certified by:<br><br>Philip Solomon | Signature: PR Solomon<br><br>Date: 23 5 2026 |

Te Kaunihera o Te Tairāwhiti
GISBORNE
DISTRICT COUNCIL

18 May 2026

GRANT & COOKE SURVEYORS LIMITED
PO BOX 1006
GISBORNE 4040

Attention: Rebekha Upston

Dear Sir/Madam,

**SEARCH OF COUNCIL RECORDS FOR THE NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH**

A Search of Council Records has been undertaken for **GLENELG ROAD**, legally described as **Lot 2 Deposited Plan 573026**. The information is the most up-to-date information that Council holds on its records, databases and registers in relation to any activities listed on the Hazardous Activities and Industries List (HAIL).

The information can be used in conjunction with any information the property owner(s) or neighbour(s) have to determine whether or not the property includes any HAIL land. This is one part of the process of determining whether or not the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES) applies to a proposed development or activity. **The onus is on the property owner(s)/developer(s) to confirm in writing whether or not the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health applies to their proposed activity.**

**Planning:**

| **Resource Consents** | | |
|---|---|---|
| **Consent Number** | **Project** | **Granted** |
| SG-2020-109460-00<br>LU-2020-109583-00 | A boundary adjustment of Lots 13 and 14 DP 1825 into two lots (Lots 1 and 2) and to then construct a dwelling on Lot 2. Both Lots 1 and 2 are below the 8 Ha minimum lot size permitted for the Rural Production zone. | 24 April 2020 |
| SG-2021-110737-00<br>LU-2021-110738-00 | A 2 lot subdivision and land use consent at 85 Glenelg Road, Hexton. Land use consent is sought to allow the existing dwelling on a significantly substandard site (2683m2). | 17th January 2022 |

| | | |
|---|---|---|
| LU-2024-112319-00<br>SG-2024-112320-00 | Proposed subdivision of Lot 2 DP 573026 at 85 Glenelg Road into 4 allotments and allow a dwelling on land less than 8 ha in area - Withdrawn | |
| LU-2024-112323-00<br>SG-2024-112324-00 | Consents was created in error and closed | |

- Aerial Photograph 2005
- Aerial Photograph 2012
- Aerial Photograph 2017
- Aerial Photograph 2022
- Aerial Photograph 2023-2024
- Aerial Photograph 2024-2025
- The aerial photos show what appear to be some kind of stock pen/loading area in the southwestern corner of the property.

**Soil & Water Conservation:**

| **Historical Aerial Photographs of Subject Area** | |
|---|---|
| **Date of Photograph** | **Description of Possible Land Uses** |
| 1942 | Aerial Photograph |
| 1965 | Aerial Photograph |
| 1982 | Aerial Photograph |

- Land Overlay 1
- Rural Production Zone

**Environmental Risk:**

- Examples of sites that are "more likely than not" to have soil contamination (HAIL sites) include timber treatment activities, service stations and/or petroleum storage, panel beaters, spray painters, etc. Whilst pastoral farming is not included on this list, typical farming activities of horticulture, sheep dipping, chemical storage, petroleum storage and workshops are; but are more difficult to identify and may not be as well represented on the HAIL Information Register. Therefore, individuals interested in pastoral land may be interested in completing further investigations in accordance with Ministry for the Environment Guidelines prior to land purchase and/or development.

NB:

- Significant use of lead-based paint on buildings can, in some cases, pose a contamination risk; the use of lead-based paint is not recorded on the HAIL Information Register.
- Buildings in deteriorated or derelict condition which contain asbestos can result in asbestos fibres in soil; the use of asbestos in building materials is not recorded on the HAIL Information Register.

- The long term, frequent use of superphosphate fertilisers can potentially result in elevated levels of cadmium in soil; the use of superphosphate fertiliser is not recorded on the HAIL Register.
- We are not currently resourced to fully incorporate historic aerial photographs in our region-wide assessment of HAIL activities. A significant proportion of the Crown historical aerial image archive for the Tairawhiti region is available to view free of charge at http://retrolens.nz/. We recommend this resource is consulted for any HAIL assessment.
- 89 Glenelg Road has been used as disposal site for drain clearance soil from Tuckers Road. Soil classification report provided by LDE Project Ref 15643 dated 1/4/19 contained within application for subdivision and land use consent (bundled under LU-2021-110738-00) and is available on request.
- Easement to convey water from Brewery Spring crosses land.

**Building:**

Council has no record of any building permits and/or consents related to the property.

N.B. Cook County records pre 1948 were destroyed in a fire. The Gisborne District Council cannot prove whether a Building Consent or Permit was or was not issued for any given property before this date.

**Archives:**

No Comment

Dated at Gisborne this Monday, 18 May 2026.
Signed for and on behalf of the Gisborne District Council by:



Ian Petty
**BUILDING SERVICES MANAGER**

# RECORD OF TITLE
# UNDER LAND TRANSFER ACT 2017
# FREEHOLD

**Search Copy**

R.W. Muir
Registrar-General
of Land

| | |
|---|---|
| **Identifier** | **1042202** |
| **Land Registration District** | **Gisborne** |
| **Date Issued** | 04 July 2022 |

**Prior References**
946383

| | |
|---|---|
| **Estate** | Fee Simple |
| **Area** | 3.2055 hectares more or less |
| **Legal Description** | Lot 2 Deposited Plan 573026 |
| **Registered Owners** | |

Philip Robert Solomon and Jacqueline Mary Solomon

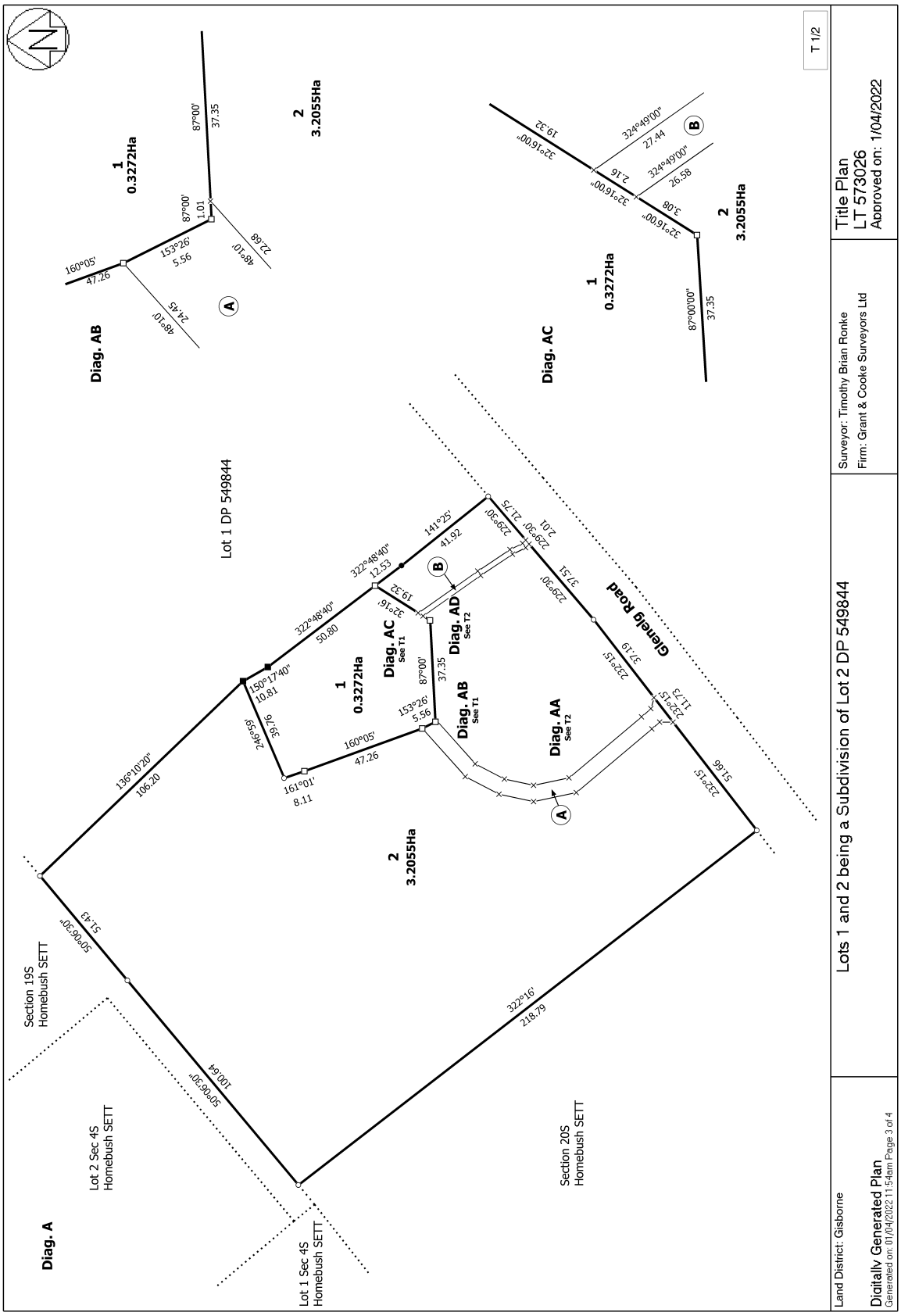
**Interests**

Subject to water pipe line rights over the within land created by Transfer 12753 - 3.5.1905 at 10:40 am

Subject to water pipe line rights (in gross) over the within land in favour of Henry White created by Transfer 15544 - 15.9.1927 at 11:15 am

Subject to a right of way over part marked A, right to convey electricity, computer media and telecommunications over part marked B all on DP 573026 created by Easement Instrument 12485673.3 - 4.7.2022 at 1:09 pm

The easements created by Easement Instrument 12485673.3 are subject to Section 243 (a) Resource Management Act 1991


Lots 1 and 2 being a Subdivision of Lot 2 DP 549844
Title Plan
LT 573026
Approved on: 1/04/2022
Surveyor: Timothy Brian Ronke
Firm: Grant & Cooke Surveyors Ltd
Land District: Gisborne
Digitally Generated Plan
Generated on: 01/04/2022 11:54am Page 3 of 4
T 1/2
Lot 1 DP 549844
Glenelg Road
Section 19S Homebush SETT
Section 20S Homebush SETT
Lot 2 Sec 4S Homebush SETT
Lot 1 Sec 4S Homebush SETT
Diag. A
Diag. AB
Diag. AC
Diag. AD
Diag. AA
1 0.3272Ha
2 3.2055Ha
136°10'20"
106.20
50°06'30"
51.43
100.64
322°16'
218.79
232°15'
51.66
11.73
37.19
229°30'
37.51
21.75
2.01
141°25'
41.92
322°48'40"
12.53
19.32
50.80
150°17'40"
10.81
246°59'
39.76
160°05'
47.26
161°01'
8.11
153°26'
5.56
87°00'
37.35
1.01
48°10'
22.68
24.45
47.26
50°09'
324°49'00"
27.44
26.58
2.16
32°16'00"
3.08
19.32
87°00'00"
37.35

# Land Information Memorandum Report Checklist

## Planning Department

Date: 06/05/2026

Prepared by Building Services, GDC

Find out about GDC Planning Info @ Tairawhiti Resource Management Plan

| | | | |
|---|---|---|---|
| **Assessment** | 0824007405 | **Area (Ha)** | 3.2055 |
| **Legal Description** | LOT 2 DP 573026 | | |
| **District Zone** | Rural Production | | |

## General Property Information for the Tairawhiti Resource Management Plan

### Built Environment, Energy & Infrastructure

| | |
|---|---|
| **Structure Plan - Roading Concept Restricted Access** | |
| **Structure Plan - Citrus Grove Development Area** | |
| **Structure Plan - Taruheru Block** | |
| **Continuous Street Facade** | |
| **Reticulated Services** | |
| **Road Hierarchy** | Glenelg Road (Local) |

### Coastal Management

| | |
|---|---|
| **Coastal Environment Overlay** | |
| **Outstanding Landscapes Coastal** | |

### Environmental Risks

| | |
|---|---|
| **Contaminated Site** | |

| | |
|---|---|
| Stability Alert Overlay | |
| Coastal Hazard Overlay | |
| Flood Hazard Overlay | |
| Areas Sensitive to Coastal Hazards | |

## Freshwater

| | |
|---|---|
| Significant Recreation Areas | |
| Protected Watercourses | |
| Scheduled Rivers and Streams | |
| Scheduled Waterbodies | |

## Historic and Cultural Heritage

| | |
|---|---|
| Archaeological & Waahi Tapu Sites | |
| Archaeological Area | |
| CBD Schedule - Historical Buildings | |
| Post European Contact Schedule - Historic Areas | |
| Heritage Precinct | |
| Waahi Tapu Areas | |
| Heritage Alert Overlay | |

## Land Management

| | |
|---|---|
| **Land Use Overlay 3A** | |
| **Land Use Overlays 1-3** | Land 1 |

## Natural Resources

| | |
|---|---|
| **Geological Sites** | |
| **Outstanding Landscapes** | |
| **Protection Management Areas** | |

## Other Information

| | |
|---|---|
| **Designations** | |
| **Archaeological Supervision** | |

# Other Hazards

| | |
|---|---|
| **Flood Zones (Non-Plan)** | |
| **Liquefaction (Tonkin Taylor)** | Low Moderate |
| **Slope Hazard** | Hazard= HIGH (Comments: Areas underlain by Quaternary Mangatuna Formation irrespective of slope angle.) Hazard= NONE (Comments: Holocene deposits of the Poverty Bay flats. Susceptibility to slope failure higher in proximity to river banks and in the run out zones adjacent to hillsides. Width of runout zone dependent on height of hill and slope angle.) |
| **Landfill Areas** | |
| **Land Instability** | |

| | |
|---|---|
| **Landslides** | |
| **Active Faults** | |
| **Faults** | |
| **Folds** | |
| **Amplification** | Applification Susceptibility: high Applification Susceptibility: moderate |
| **Liquefaction (GNS)** | Liquefaction Susceptibility: high Liquefaction Susceptibility: none |
| **Geology** | Unit: Rock CLass: clastic sediment Unit: Mangatuna Formation Rock CLass: clastic sediment |
| **Areas Susceptible to Coastal Erosion (ASCE)** | |
| **Coastal Storm Inundation** | |
| **Tsunami Innundation - All Scenarios** | |
| **Sea Flooding Area** | |

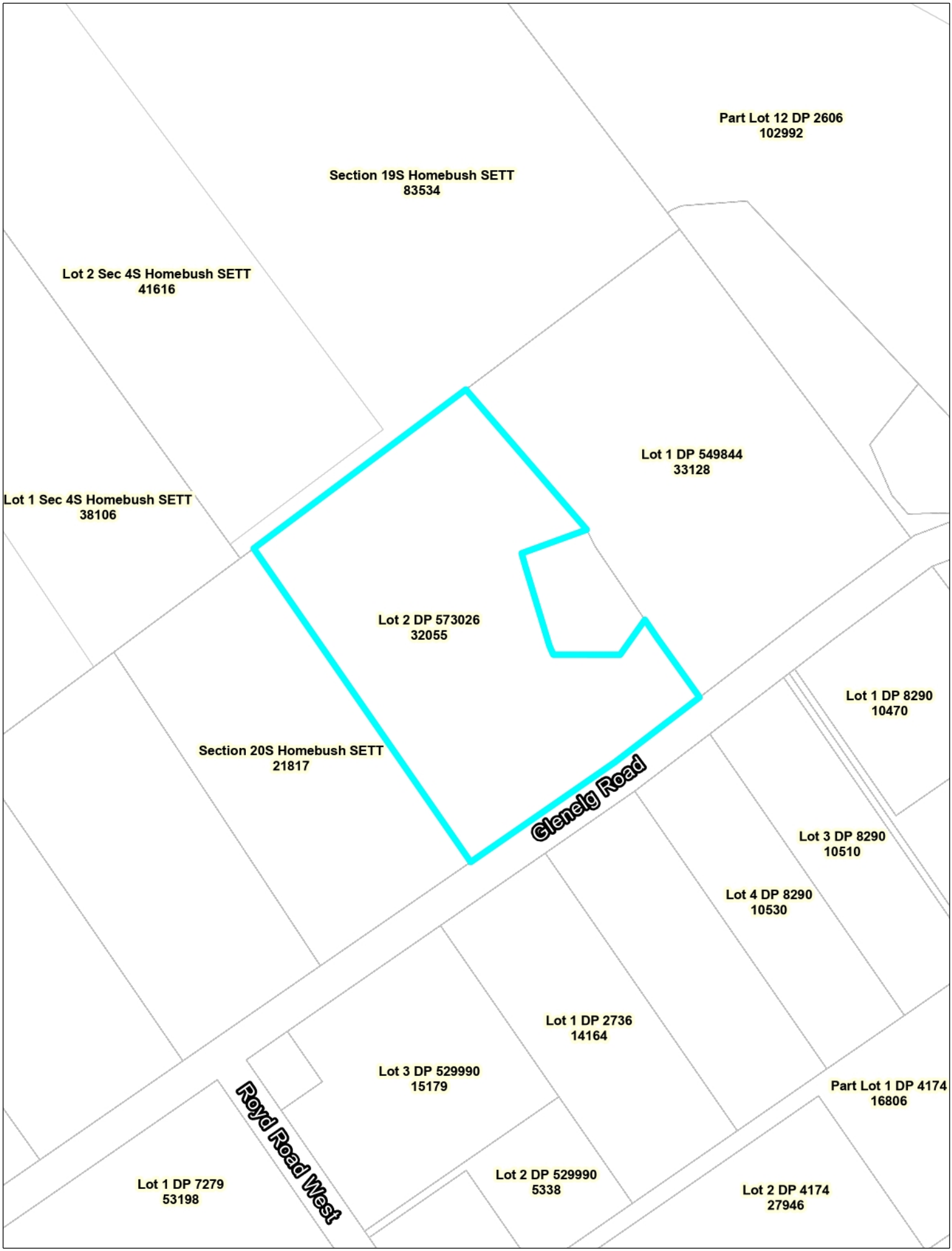
## Other Property Information

| | |
|---|---|
| **Building Consents** | |
| | |

| | |
|---|---|
| **Resource Consents** | SG 109460 LU 109583 SG 110737 LU 110738 LU 112323 SG 112324 |
| | LU 112319 SG 112320 |
| **Street Addresses** | |
| **File References** | |
| **Soak Pit Soils** | |
| **Wind Zones** | Zone: High |
| **River Catchment** | SubCatchment: Taruheru |
| | Main Catchment: Tūranganui |

| | |
|---|---|
| **Conservation Forestry Agreements** | |
| **NZLRI Urban** | |
| **NZLRI Rural** | LUC: 3w 1 Erosion: 0 LUC: 3e 4 Erosion: 0 |
| **Soils Poverty Bay** | Soil Name: Kaiti silt loam Drainage: imperfectly Soil Name: Kaiti silt loam Drainage: imperfectly |
| **Soils Tolaga Bay** | |
| **Soils Waiapu** | |
| **Bores** | |
| **Aquifers** | Poverty Bay Aquifer (Class: Potential Groundwater) |

| | |
|---|---|
| **FOSAL Category (Current)** | |
| **FOSAL Category (Previous)** | |




GISBORNE DISTRICT COUNCIL

# LIM Plot

*Information on this plan is indicative only and not mapped to a survey accurate scale. Gisborne District Council accepts no liability for its accuracy and it is your responsibility to ensure that the data contained herein is appropriate and applicable to the end use intended. Copyright under Creative Commons Attribution 4.0 International licence. May contain data sourced from the LINZ Data Service, BOPLASS or Gisborne District Council*

Legal Desc: LOT 2 DP 573026

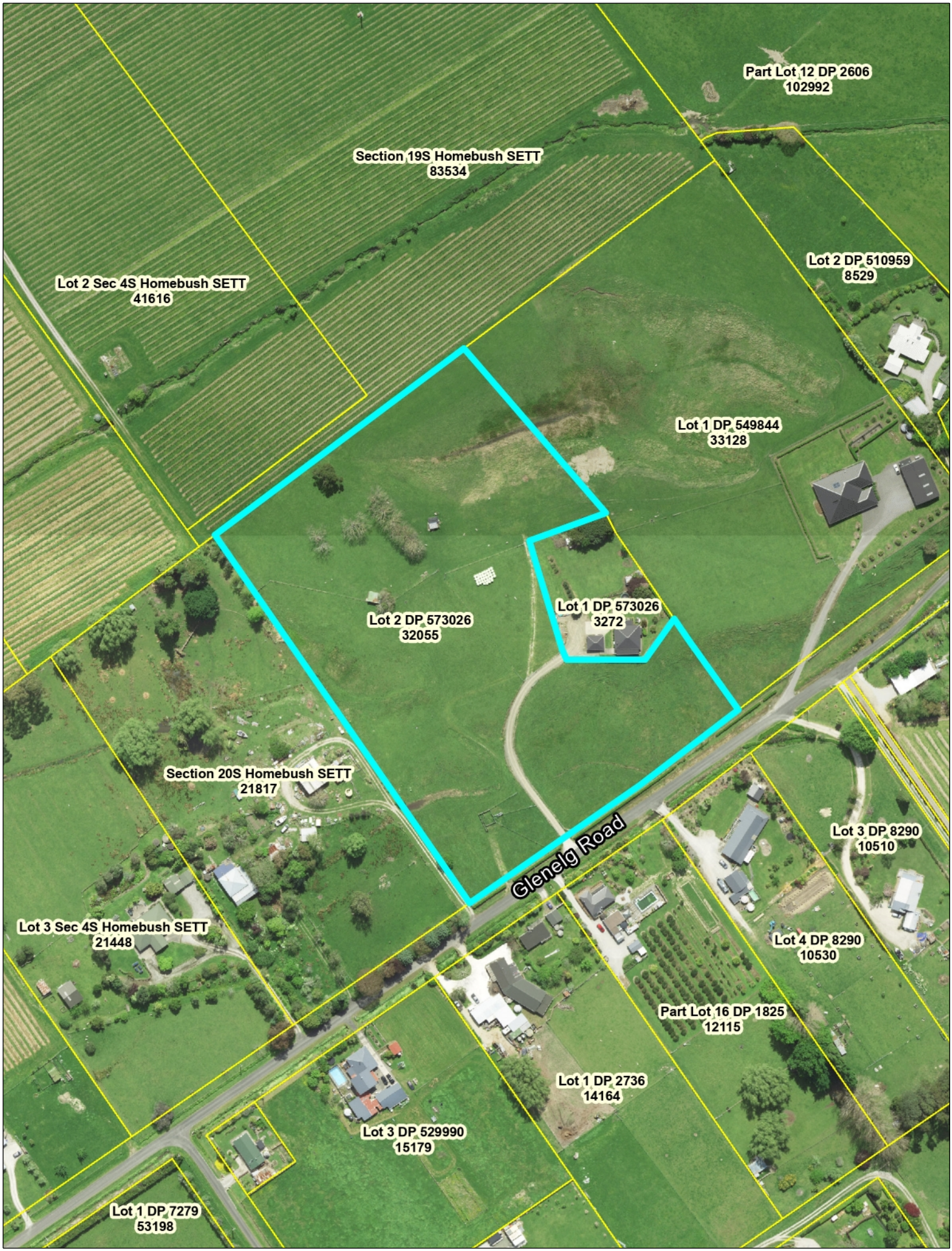
Area (Ha): 3.2055 Ha

Assessment: 0824007405

Map Scale: 1: 2,700 @ A4

Projection: NZGD2000 New Zealand Transverse Mercator

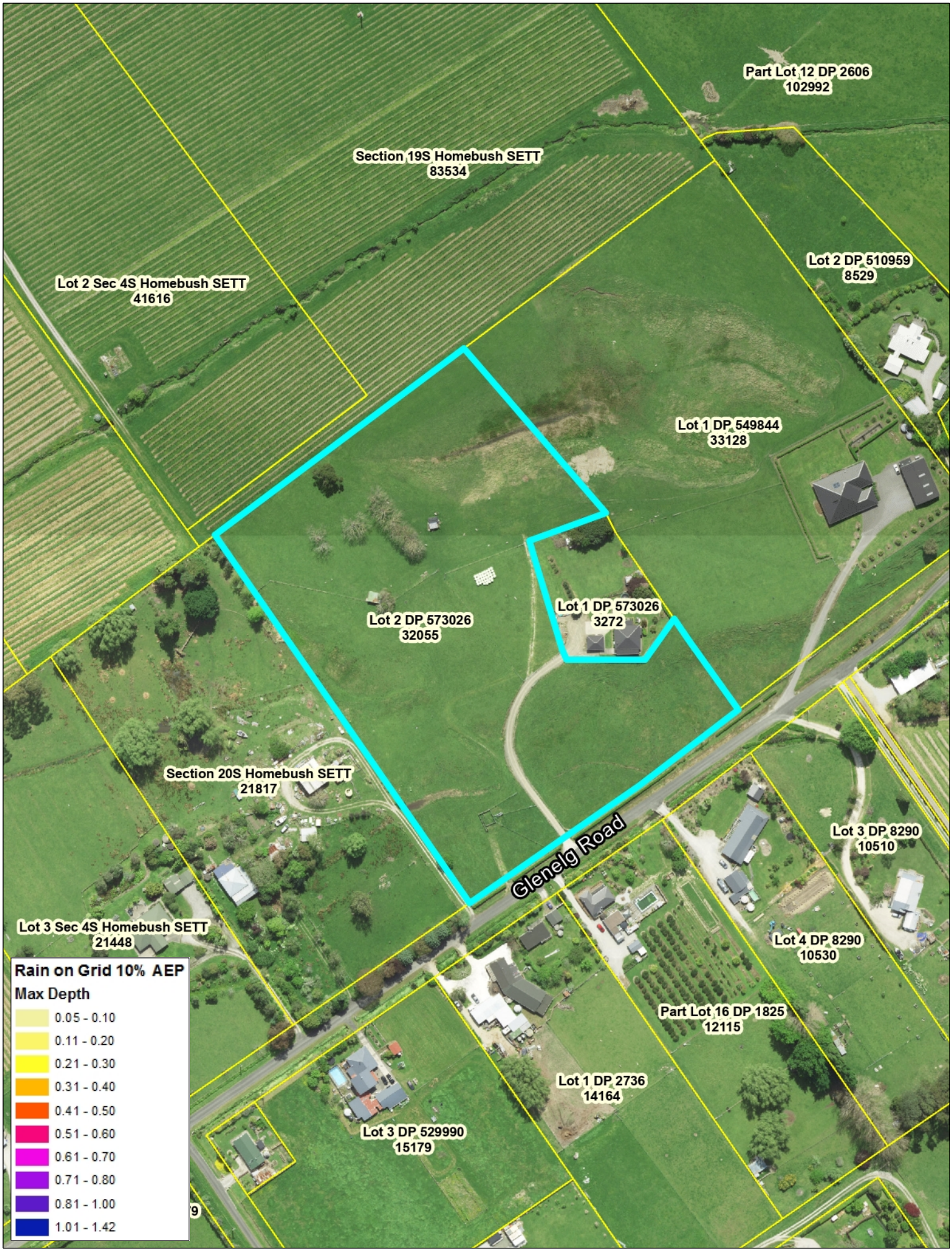
Date: 6/05/2026 6:20:18 am




# Aerial Map

*Information on this plan is indicative only and not mapped to a survey accurate scale. Gisborne District Council accepts no liability for its accuracy and it is your responsibility to ensure that the data contained herein is appropriate and applicable to the end use intended. Copyright under Creative Commons Attribution 4.0 International licence. May contain data sourced from the LINZ Data Service, BOPLASS or Gisborne District Council*

| | |
|---|---|
| Map Scale: | 1: 2,300 @ A4 |
| Projection: | NZGD2000 New Zealand Transverse Mercator |
| Date: | 6/05/2026 6:20:23 am |



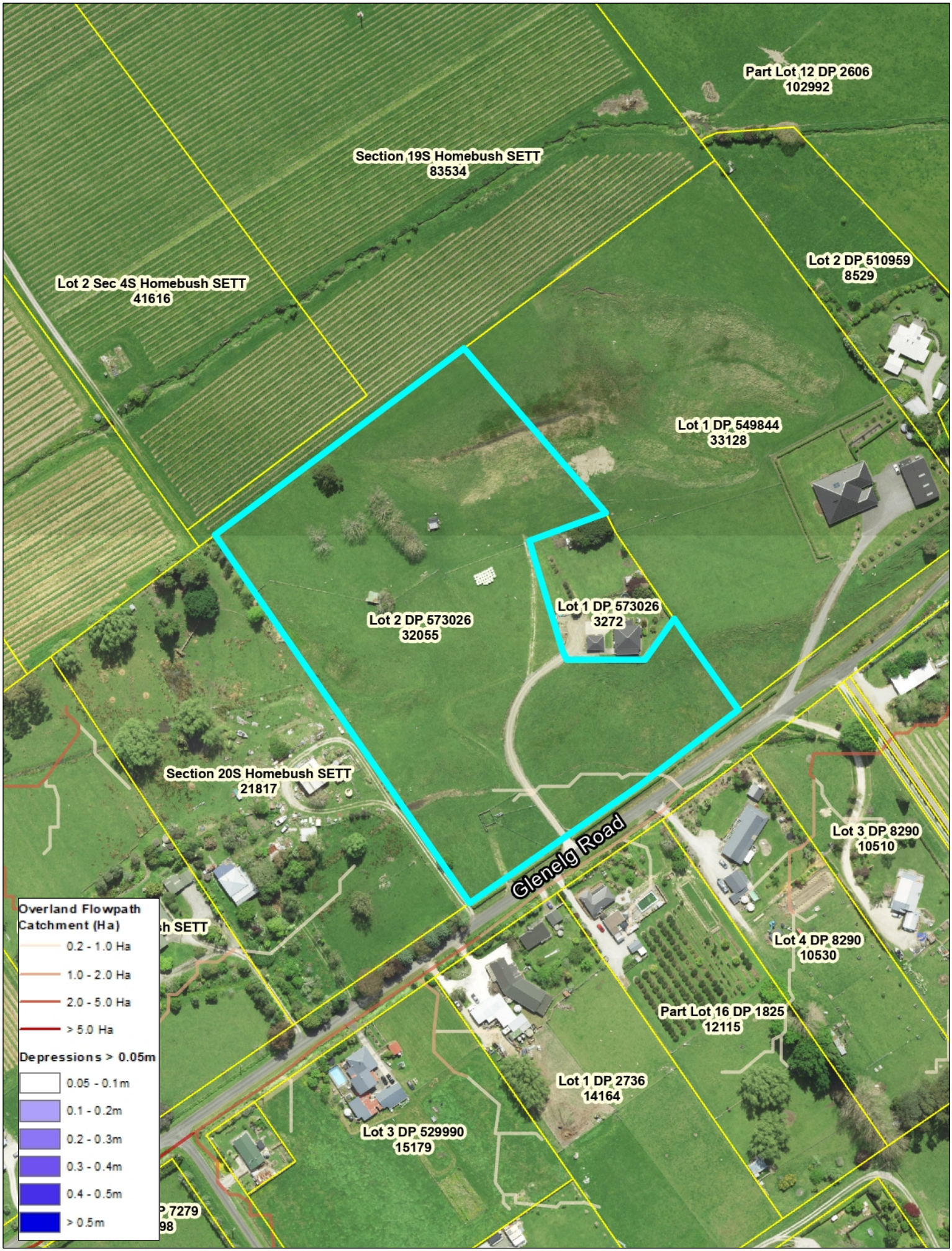

# StormWater Models

*Information on this plan is indicative only and not mapped to a survey accurate scale. Gisborne District Council accepts no liability for its accuracy and it is your responsibility to ensure that the data contained herein is appropriate and applicable to the end use intended. Copyright under Creative Commons Attribution 4.0 International licence. May contain data sourced from the LINZ Data Service, BOPLASS or Gisborne District Council*

Map Scale: 1: 2,300 @ A4

Projection: NZGD2000 New Zealand Transverse Mercator

Date: 6/05/2026 6:20:28 am




GISBORNE DISTRICT COUNCIL

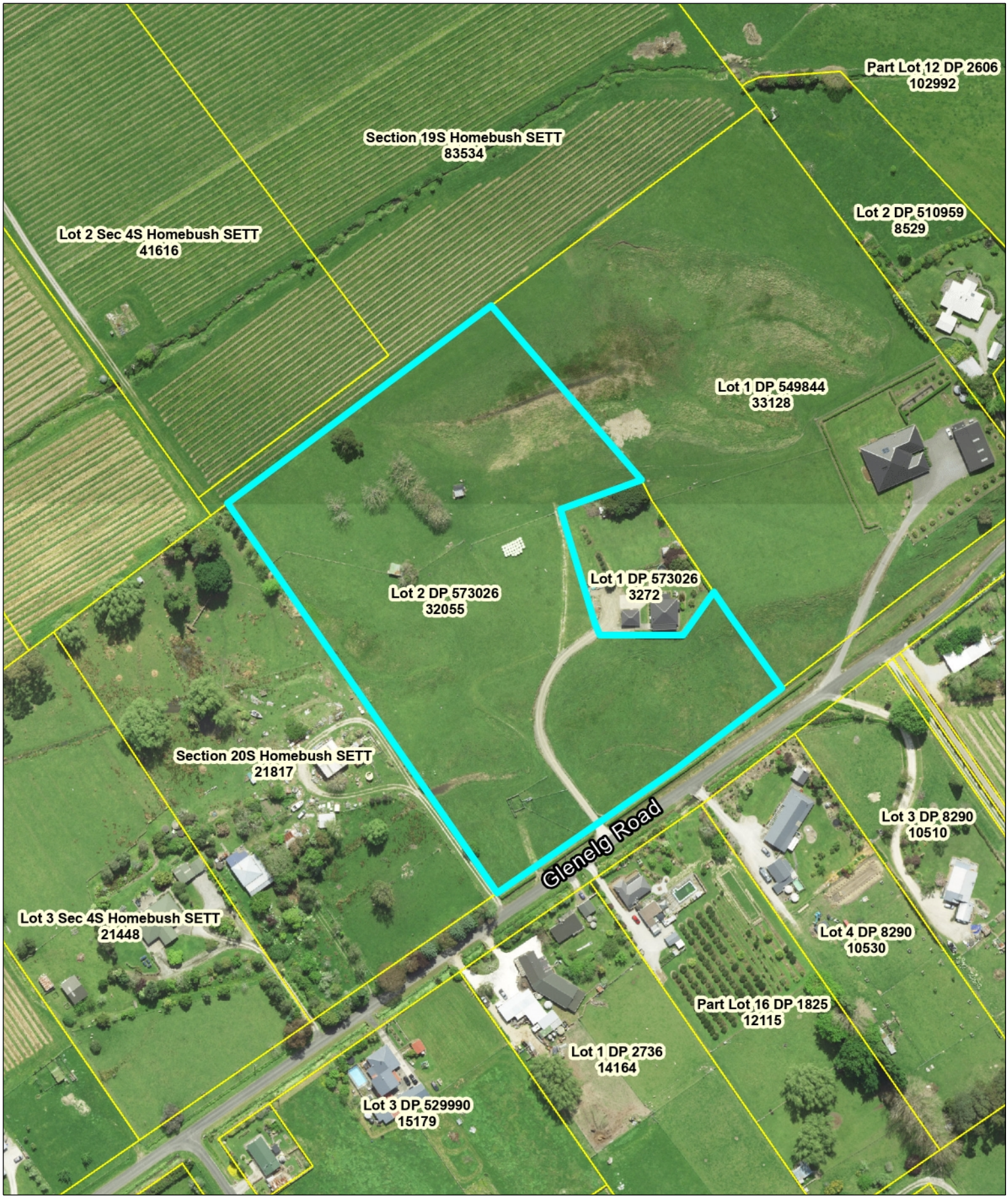
# Depressions and Overland Flowpaths

*Information on this plan is indicative only and not mapped to a survey accurate scale. Gisborne District Council accepts no liability for its accuracy and it is your responsibility to ensure that the data contained herein is appropriate and applicable to the end use intended. Copyright under Creative Commons Attribution 4.0 International licence. May contain data sourced from the LINZ Data Service, BOPLASS or Gisborne District Council*

Map Scale: 1: 2,300 @ A4

Projection: NZGD2000 New Zealand Transverse Mercator

Date: 6/05/2026 6:20:33 am




**Legend**

- Geotech Reports
- Landfill Areas

**Drains - Rural**

**Type**

- River
- Stream
- Drain
- Culvert

**StormWater Services**

- <all other values>
- Manhole
- Sump
- Node
- GDC Node
- Pr. Manhole
- Pr. Sump
- Pr. Node
- StormWater Drains
- StormWater Lateral
- Stormwater Main
- Open Channel
- Pr. Stormwater Pipe
- GDC Pipe

**Water Services**

- Water Toby
- Fire Hydrant
- Valve
- Backflow
- Meter
- Node
- Pr. Hydrant
- Pr Valve
- Pr. Node
- <all other values>
- Water Lateral
- Water Main
- Private Main
- Unknown

**WasteWater Services**

- <all other values>
- Manhole
- Pump Station
- Valve
- Node
- Private Manhole
- Pr. Valve
- Pr. Node
- WasteWater Lateral
- <all other values>
- Sewer Main
- Private Main
- Possible Ponding

GISBORNE DISTRICT COUNCIL

# Utilities

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Map Scale: 1: 2,300 @ A4

Projection: NZGD2000 New Zealand Transverse Mercator

Date: 6/05/2026 6:20:39 am

# Non Notified Decision

**Section 104, 104B, 106 and 108**
**of the Resource Management Act 1991**

| | | | |
|---|---|---|---|
| **Date:** | 11/01/2022 | **Application Number:** | SG-2021-110737-00<br>LU-2021-110738-00 |
| **Reporting Planner:** | Sarah Johansen | **Site Visit:** | 23/09/2021 |

| | |
|---|---|
| **Applicant:** | Phillip and Jacqueline Solomon |
| **Property Address:** | 85 Glenelg Road, Hexton |
| **Legal Description:** | Lot 2 DP 549844 |
| **District Plan:** | Tairāwhiti Resource Management Plan (TRMP) |
| **Zone:** | Rural Production |
| **Overlays:** | - Land Overlay 1<br>- Te Aitanga a Mahaki Area of Interest |
| **Activity Status:** | **Discretionary** |

## Resource Consent Decision

Pursuant to Sections 104, 104B, 106 and 108 of the Resource Management Act 1991, Gisborne District Council **grants** the application by Phillip and Jacqueline Solomon, **subject to the Conditions below.**

### The Approved Activity

Consent is sought by the applicant (Phillip and Jacqueline Solomon) for a 2 lot subdivision and land use consent at 85 Glenelg Road, Hexton. Land use consent is sought to allow the existing dwelling on a significantly substandard site (2683m$^2$). The site is zoned Rural Production under the Tairawhiti Resource Management Plan (TRMP). The subdivision proposal is outlined on the attached scheme plan (GC12774B) submitted with the application. Proposed Lot 1 will be 2683m$^2$ in area and will contain the existing dwelling unit and associated accessory structures. The balance area (Lot 2) will be 3.2644ha in area and will contain existing minor accessory buildings. Access to both sites will be via the existing vehicle crossing from Glenelg road. Lot 1 will be provided legal access via the right of way easement shown as 'A' on the submitted scheme plan.

**Approved Plans**

| Document | Prepared by: | Reference No. | No. | Date: |
|---|---|---|---|---|
| Lots 1 and 2 being a Subdivision of Lot 2 DP 549844 – 85 Glenelg Road | Gant & Cooke | GC12774B | | 10/07/2021 |

*Please note that the plans which are approved are stamped Approved Plan and attached to this consent.*

## Conditions

Pursuant to Section 108 of the Resource Management Act 1991 this consent is granted subject to the following conditions:

1. The proposal shall proceed in general accordance with the information and plans submitted by the consent holder in support of application number SG-2021-110737-00 and LU-2021-110738-00 officially received by the Council on 18 October 2021. The approved drawings are listed in the table in section 1.2 of this report. If a conflict arises between any conditions of this consent and the application, the conditions of this consent will prevail.
2. Pursuant to section 36 of the Resource Management Act 1991, the consent holder shall pay the actual and reasonable costs incurred by the Council when monitoring the conditions of this consent.
3. All easements shown on the schedule of easements shall be duly granted and reserved and included on the cadastral survey dataset.
4. Prior to requesting approval under Section 224 of the Resource Management Act 1991 the consent holder shall upgrade the existing vehicle crossing providing access to Lot 1 and Lot 2 to meet the Gisborne District Council's Engineering Code of Practice 2000. The vehicle crossing shall be formed with concrete/sealed surface to either 8m from the edge of seal to Glenelg Road or the property boundary whichever is longer. The culvert under the driveway should also be cleared and up to 2m either side of the edge of the pipe.
5. Pursuant to Section 221 of the Resource management Act 1991 a consent notice condition shall be imposed on the Record of Title of Lot 1 advising as follows:

   Any application(s) for building consent to erect a new habitable building on Lot 1 shall include a 'Geotechnical Investigation report' prepared by a geo-professional specialising in the field of geotechnical engineering, which shall include but not limited to:

   a. Certification to the satisfaction of the Consent Authority that the design of the foundations of the proposed building are suitable with respect to the

bearing strength of the supporting ground (in accordance with the relevant New Zealand Standards); and

b. Addresses any potential for expansive soils, non-engineered fill and if appropriate liquefaction or differential settlement that may need to be incorporated into the foundation design for new buildings; and

c. Specifies as appropriate, any remedial works or mitigation measures to be undertaken to protect the development from natural hazards.

The building shall be constructed in accordance with the recommendations in the submitted Geotechnical Report.

Note – Reference should be made to the minimum requirements outlined in the Gisborne District Council 'Bearing Capacity & Geotechnical Investigation Requirements' pamphlet.

## ADVICE NOTES

1. In accordance with section 125(1) of the Resource Management Act 1991, a resource consent lapses 5 years after the date of commencement of the consent unless the consent is given effect to or an application is made and granted for an extension of time. A subdivision is given effect to when a survey plan in respect of the subdivision has been submitted to the Council under section 223, but shall lapse if the survey plan is not deposited in accordance with section 224. In accordance with section 224(h) no survey plan shall be deposited unless less than 3 years has elapsed since the Council has approved the survey plan.
2. All work or discharge to or within the road reserve requires a Corridor Access Request (CAR). This includes any upgrades to vehicle crossings and the installation of infrastructure and services. A CAR can be made via the BeforeUDig website or directly to Gisborne District Council. A Traffic Management Plan shall be submitted with the CAR.
3. Once the section 224C completion certificate has been issued by Council for this subdivision, Council will advise the consent holder of property number(s). Entrances are required to be accurately numbered in accordance with the Rural and urban addressing standard, AS/NZS4819:2011. To conform to the above standard, the existing property numbering may need to change.

## REASONS FOR DECISION

Section 113(4) of the Resource Management Act 1991, requires that every decision on a resource consent that has not been notified shall be in writing and state reasons for the decision.

1. The actual and potential effects created by the proposal are considered acceptable because the activity will have less than minor adverse effects on

the receiving environment. Conditions imposed as part of this consent will avoid, remedy or mitigate the potential adverse impact on the environment.

2. The proposal is consistent with the objectives and policies of the Tairāwhiti Resource Management Plan.
3. Overall the proposal meets the purpose (Section 5) and principles (Sections 6-8) of the Resource Management Act 1991.

Please note that a copy of the Planning Officer's Report, which explains further the reasons given above, can be forwarded to you on request and is also available at the Council office to view.

Under delegated authority,



Cristal Bennett

**Senior Consents Planner - District**

Dated at Gisborne this 17th day of January 2022.

## Approved Plans



# DECISION REPORT – NON-NOTIFIED CONSENT

| | |
|---|---|
| **Applicant:** | Phillip and Jacqueline Solomon |
| **Subject Site:** | 85 Glenelg Road |
| **Legal Description:** | Lot 2 DP 549844 |
| **Zone:** | Rural Production |
| **Relevant Rule(s):** | Rule C10.1.6(9) – Activities which do not comply with the General Standards and are not listed as Controlled or Restricted Discretionary activities – Discretionary<br><br>Rule DD4.6.1A(22) – Activities which are not provided for as Restricted Discretionary or prohibited activities – Discretionary |
| **Consent Sought:** | Subdivision Consent – Discretionary<br><br>Land Use Consent – Discretionary |

## 1.0 Proposal

Consent is sought by the applicant (Phillip and Jacqueline Solomon) for a 2 lot subdivision and land use consent at 85 Glenelg Road, Hexton. Land use consent is sought to allow the existing dwelling on a significantly substandard site (2683m$^2$). The site is zoned Rural Production under the Tairawhiti Resource Management Plan (TRMP). The subdivision proposal is outlined on the attached scheme plan (GC12774B) submitted with the application. Proposed Lot 1 will be 2683m$^2$ in area and will contain the existing dwelling unit and associated accessory structures. The balance area (Lot 2) will be 3.2644ha in area and will contain existing minor accessory buildings. Access to both sites will be via the existing vehicle crossing from Glenelg road. Lot 1 will be provided legal access via the right of way easement shown as 'A' on the submitted scheme plan.

## 2.0 Site Location and Description

The subject site is located at the terminus of Glenelg Road, approximately 4km north from the Gisborne urban area. The site has legal and physical access to Glenelg Road via an existing vehicle crossing. The existing vehicle crossing and accessway are formed and metalled between the edge of seal of Glenelg Road and the property boundary. Lot 1 retains the existing dwelling which is fully serviced in accordance with the relevant TRMP standards including potable water, wastewater, power and telecommunications connections. No services are proposed for Lot 2 at this stage as there is no intent to build upon this site.

Properties in the vicinity of the subject site are zoned Rural Production (west and north), Rural General (east) and Rural Lifestyle (south). There are also some Rural Residential zoned properties directly to the south of the terminus of Glenelg Road.

The site is subject to the following TRMP overlays:

- Land Overlay 1
- Te Aitanga a Mahaki Area of Interest




***Figure 1*** *– Site Location and Locality of the subject site (85 Glenelg Road, Hexton)*

## 3.0 Legal Interests

There are no consent notice conditions registered on the title of the subject lot. However, the lot is subject to water pipe line rights (in gross) in the favour of Henry White transferred in 1927. The subdivision application will have no effect on this easement instrument as a result.

## 4.0 Site History

LU-2020-109583-00 and SG-2020-109460-00 – Boundary adjustment of Lots 13 and 14 DP 1825 and to construct a dwelling on Lot 2 (subject lot) – Granted 24 April 2020. This boundary adjustment and land use consent has no material bearing on the subject proposal.

## 5.0 Section 104 of the Act

In considering this application Council has had regard to all the issues and documents outlined under Section 104 of the Resource Management Act 1991 (RMA).

### 5.1 Tairāwhiti Resource Management Plan (TRMP) and Discretionary Activity Status

The proposal will be assessed under the Tairāwhiti Resource Management Plan (TRMP) which is considered to be fully operative in relation to this proposal.

**Subdivision Consent – SG-2021-110737-00**

The proposed subdivision triggers a **Discretionary** activity status due to rule C10.1.6(9) of the TRMP. The proposal is for an activity (subdivision) which does not comply with the General Standards and is not listed as Controlled or Restricted Discretionary activities. The proposal is unable to comply with the minimum allotment size standard and shape factor requirement.

**Land Use Consent – LU-2021-110738-00**

The proposed subdivision also includes an existing dwelling in which the resulting lot is unable to meet the requirement for minimum site area in the Rural Production zone being 8ha. Lot 1 is proposed to be 2683m$^2$ and is therefore significantly substandard for the zone. The proposal therefore triggers the requirement for land use consent under Rule DD4.6.1(22) of the TRMP, triggering a **Discretionary** activity status.

Both of these consents are required for the proposed activity to take place, so they will be bundled and processed together, with the most restrictive activity class being applied. As such this consent will be processed as a **Discretionary Activity**, with the relevant matters discussed in detail in section 5.2 below.

**5.2 <u>Assessment of Environmental Effects 104 (1)(a)</u>**

An assessment of the actual and potential effects on the environment of allowing the activity indicates that any adverse environmental effects can be mitigated by consent conditions. I consider that the adverse effects of the activity on the environment will be less than minor for the following reasons:

**Suitability of Building Platform**

A subdivisional level geotechnical report has not been submitted with the application as proposed lot 1 is already developed as a residential site and proposed lot 2 is a production property in which there is no intention to build. It is therefore appropriate to allow the subdivision without the confirmation that lot 2 contains a suitable and stable building platform for a future dwelling. Land use consent would also be required if the owner of the property wished to erect a dwelling on this site. I therefore consider the effects to be less than minor.

**Suitability of Infrastructure, Works and Services**

The subject site is outside Council's reticulated service boundary.

The dwelling within proposed lot 1 has existing connections to services including potable water (onsite tanks), onsite wastewater, electricity and telecommunications. The onsite wastewater effluent field is located wholly within the proposed lot boundary to the west of the dwelling. Access to the site will be by way of right of way easement which is marked 'A' on the approved scheme plan submitted with the application. Easement 'B' will

provide the legal right to convey electricity, telecommunications and computer media.

Proposed lot 2 does not contain an existing dwelling unit and there is no intention to build at this stage. However there are multiple accessory structures onsite used ancillary to the production activities of the lot.

**Flood Hazard Effects**

The subject site is not within any of the mapped natural hazard overlays for flood, coastal or site stability. It is not expected that the proposed development will increase the risk of these hazards or the effects of them as such it is considered that this development will have less than minor effects on natural Hazards.

**Minimum Allotment Size**

Both proposed lots are unable to comply with the minimum allotment size of 8ha for a site with the Rural Production Zone as the parent lot itself is already substandard. While the property to the rear is a traditional production lot none of the other surrounding lots are in respect to both size and terrain while also having the same zoning. The properties along Glenelg road have mixed zoning of Rural Production, Rural Lifestyle and Rural Residential and have a considerable amount of residential development close to the road. I do not consider that the reduced allotment sizes will detract from the surrounding sites or impact the receiving environment. I consider the effects relating to this aspect of the proposal to be less than minor.

**Yard Distances**

Proposed Lot 1 retains the existing dwelling and accessory structure onsite and will comply with the relevant yard distances of 4.5m at all boundaries from all buildings. There are small accessory structures located on proposed lot 2 which are more than 40m from the closest boundary and there are no new builds proposed on this lot. I therefore consider the effects associated with this aspect of the proposed to be nil.

**Building Site Coverage**

There is no building site coverage restrictions in the Rural Production Zone, in saying this there is no dense development proposed as part of this development. While proposed lot 1 is significantly under the minimum site size of 8ha it is still achieving a site coverage of only approximately 7%. There is no dwelling proposed on Lot 2, therefore effects of building site coverage can be considered nil.

**Amenity Values**

While the proposal will result in two lots that do not meet the minimum allotment size, the use of the site is not changing, the resulting site coverage along with compliance of both the relevant yard distances and recession planes, it can be considered that the proposal has a less than minor effect

on the amenity values of the receiving environment as it two is made of sites of similar size and uses.

**Summary of Effects**
It is concluded that the effects of the proposal on the environment will be less than minor.

## 6.0 Relevant Provisions - Section 104(1)(b)

### 6.1 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES)

The National Environmental Standard (NES) for Assessing and Managing Contaminants in Soil to Protect Human Health is applicable to this application as the applicant is proposing a subdivision. The NES seeks to manage actual and potential adverse effects of contamination in soil on human health from particular activities that have occurred on the site. The NES includes Hazardous Activity and Industries List (HAIL) that sets out what activities may have potentially contaminated the soil. The NES applies when a person wants to undertake an activity described in subclauses (2) to (6) of regulation 5 on a piece of land described in subclause (7) or (8).

A Search of Council Records was undertaken for the site which does not identify any historic HAIL activity on the site. The applicant has therefore elected to sign the HAIL statement confirming that it is more likely than not, an activity or industry described in the October 2011 edition of the Hazardous Activities and Industries List, is not being or has not been undertaken on the subject site. After reviewing the Search of Council Records report, I agree with the HAIL statement made in that it does not indicate that a HAIL activity has ever occurred onsite.

### 6.2 Part 2 (RMA) Purpose and Principles

Assessments must have regard to Part II of the Act, which comprises Sections 5-8. Section 5 of the RMA describes the purpose of the Act as the sustainable management of natural and physical resources. Section 6 of the RMA describes matters of national importance to be recognised and provided for. In relation to this proposal there are no matters relevant to consider under this section. Section 7 of the RMA describes other matters that are relevant. In relation to this proposal these matters include:

(b) the efficient use and development of natural and physical resources:

(c) the maintenance and enhancement of amenity values:

(f) maintenance and enhancement of the quality of the environment:

Section 8 of the RMA requires that the principles of the Treaty of Waitangi be taken into account.

Having regard to the assessment of effects undertaken in this report, it is concluded that the proposal is also consistent with the principles (Section 6 – 8) of the Act. It is considered that the proposed development provides for the

efficient use of resources, while maintaining and enhancing the residential amenity of the area.

Overall, the application is considered to meet the relevant provisions of Part 2 of the Act as the proposal achieves the purpose (Section 5) of the Act, being sustainable management of natural and physical resources.

### 6.3 Relevant Objectives and Policies

The site is zoned Rural Production. The Application Report provides a comprehensive assessment of the relevant objectives and policies of the TRMP in relation to this application. It is considered that the proposal is consistent with the relevant objectives and policies of the TRMP for those reasons included in the Application Report and 5.2 of this decision report.

## 7.0 SECTION 104(1)(C) – OTHER MATTERS

### 7.1 Development Contributions

Under the Local Government Act 2002, Councils are permitted to take development contributions towards the costs that capital growth imposes on a community. The financial contribution policy of the Council's Long Term Plan incorporates a development contribution based on the capital expenditure for infrastructure and community facilities for that ten year period.

The application was circulated to Council's building Technical Advisor for comment in relation to development contributions. No development contributions are required in this case as the subject site is outside of the Council's catchment area.

## 8.0 Section 106 – Consent Authority May Refuse Subdivision Consent in Certain Circumstances

A Consent Authority may refuse to grant a subdivision consent, or may grant the subdivision subject to conditions, if it considers that there is a significant risk from natural hazards and any subsequent use is likely to accelerate, worsen or result in material damage to the land. In addition, the Consent Authority may refuse to grant a subdivision consent if sufficient provision has not been made for legal and physical access to each allotment that is created by the subdivision.

Comment: The subdivision under consideration is not expected to subject the proposed lots, structures upon them or other land from natural hazards. Legal and Physical access is able to be provided to the proposed lots. Overall the proposal complies with Section 106 of the Resource Management Act 1991.

## 9.0 Conclusion

I consider that the adverse effects of the proposal will be **less than minor** as discussed in previous sections of this report. The actual and potential effects associated with this proposal are therefore acceptable. The proposed activity also takes into account and meets the relevant principles outlined in Sections 6, 7 and

8 of the RMA. I consider that the granting of this resource consent achieves the purpose of the RMA.

## 10.0 Notification and Affected Persons

In my opinion any adverse effects of the proposed activity on the environment, including persons, are less than minor and the provisions of Section 95A-F of the RMA have been met. The application has therefore been processed on a **non-notified** basis. This decision is outlined in the Notification Decision Checklist document.

## 11.0 Recommendation

That consent be **granted**, under delegated authority, by Gisborne District Council, subject to the conditions outlined in the decision document.



Reporting Officer
Sarah Johansen
**Intermediate Resource Consents – District**

Date: 11 January 2022



Decision
Cristal Bennett
**Senior Consents Planner – District**

Date: 17 January 2022

Grant&cooke
Registered Professional Surveyors, Land Development & Resource Management Consultants

File Reference: 12774

18 October 2021

The Manager
Environment & Planning
Gisborne District Council
P O Box 747
GISBORNE

ATTENTION: Consents Manager

**RESOURCE CONSENT APPLICATION**

1. **PROPOSED SUBDIVISION/BOUNDARY ADJUSTMENT**
2. **LAND USE APPLICATION**

**APPLICANT – PR & JM SOLOMON**
**85 GLENELG ROAD, MAKAURI, GISBORNE**

Application for Resource Consent to subdivide Lot 2 DP 549844 at 85 Glenelg Road in accordance with the Resource Management Act 1991.

Please find enclosed:

1. Subdivision Application Form
2. Subdivision Check List
3. Plan GC12774B
4. R.o.T 946383
5. Current interests – T.12753 & T15544
6. Search of Council Records
7. Signed HAIL statement

**THE PROPOSAL**

Our client owns Lot 2 DP 549844 and wishes to subdivide in the manner shown on plan GC12774B enclosed.

**TOPOGRAPHY**

As can be seen from the contour lines, the property has a predominantly rolling terrain and slopes downward from a plateau on which the existing dwelling is situated upon.

**ZONE**

The land is zoned Rural Productive in the Tairawhiti Resource Management Plan (TRMP).

**ACCESS**

Both proposed lots will gain access through the existing metalled vehicle crossing On Lot 2 from Glenelg Road.

**BUILDINGS**

Lot 1 – An existing dwelling and accessory buildings.

Lot 2 – Minor Accessory buildings.

**SERVICES**

SEWERAGE: There is no sewerage network available in this area. Proposed Lot 1 has an onsite Septic/effluent system that is contained within Lot 1 as shown on GC 12774B

WATER: Lot 1 is currently supplied from their collected roof water and will continue to do so in the future.

ELECTRICITY AND TELECOMMUNICATIONS: The existing dwelling within proposed Lot 1 has an electricity connection and a hard-wired telecommunications line from Glenelg Road.
As there is no plan in the immediate future for Lot 2 apart from grazing and there is no need for servicing within this lot until a time when required.

**OVERLAYS**

All the land is covered by Land Overlay 1.

**ARCHAEOLOGICAL MATTERS**

The site is not covered by the Heritage Alert layer and there are no registered archaeological sites shown on the TRMP maps.

**LOT AREAS**

The title area of the proposal is currently 3.5327Ha which under the current requirements of the TRMP does not comply with the 8-hectare minimum. Proposed Lot 1 is 2683m2 with Lot being the balance of 3.2644Ha.

Both areas are subject to final survey.

**YARDS**

The proposed yards around the house on Lot 1 comply with those in Sec DD4.6.1.1C of the TRMP.

**EXISTING EASEMENTS**

There are a series of historical easement agreements contained in the attached interests that cover rights to the brewery spring. These are unaffected by this proposal.

**PROPOSED EASEMENTS**

Area A is a proposed Right of Way to grant access to Lot 1.
Area B is to Convey electricity and telecommunications to Lot 1.

## STATUS OF APPLICATION

This application is deemed to be a discretionary activity as neither proposed Lot meet the 8-ha minimum and Lot 1 does not comply with the 100m x 200m shape factor.

## NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH (NES)

Do the NES regulations apply to this property? The following methodology has been used to assess this:

Is the activity covered under Regulations 5(2) – 5(6)? Yes, covered under 5(5). NES assessment is required because the land is being subdivided.

Our clients have read the Search of Council Records and the HAIL list and have elected to sign the enclosed HAIL Statement.

## ASSESSMENT OF THE RELEVANT TAIRAWHITI REGIONAL MANAGEMENT PLAN

## SUBDIVISION RULES

| Rule Number | Rule Name | Status of Activity | Comment |
|---|---|---|---|
| C10.1.6(3) | Non compliance with General Rules due to.....<br>a) Allotment Dimensions<br>b) Street Frontages<br>c) Existing Buildings<br>d) Boundary Adjustment<br>e) Easements<br>f) Financial Contribuitions | Controlled | |
| C10.1.6(9) | Activities not listed as Controlled or Restricted Discretionary and do not comply with General Standards | Discretionary | Currently neither subject allotment comply with the required allotment size within the Rural Production zone. |

| | | | |
|---|---|---|---|
| C10.1.6.1 A | Subdivisions shall comply with C2 - Built Environment, Infrastructure and Energy, and C9 - Natural Heritage | General Standard | The proposal is considered to comply with C2 and C9 of the TRMP |
| C10.1.6.1 B | Allotment Sizes and Dimensions | General Standard | The subject land is within the Rural Production Zone requiring a minimum site size of 8 hectares.<br>Areas of Lots 1 and 2 are presently non- compliant.<br><br>Lot 2 complies with the shape factor requirement. |
| C10.1.6.1 D | Existing Buildings | General Standard | Lot 1 has an existing dwelling and accessory buildings.<br><br>Lot 2 has accessory buildings |
| C10.1.6.1 F | Easements | General Standard | Two new easements are proposed. |

## ASSESSMENT OF THE RELEVANT TAIRAWHITI REGIONAL MANAGEMENT PLAN BUILT ENVIRONMENT, INFRASTRUCTURE AND ENERGY RULES

| Rule Number | Rule Name | Status of Activity | Comment |
|---|---|---|---|
| C2.1.7 A | General Servicing Requirements | General Standard | The proposal does not fall within the Reticulated Services Boundary.<br><br>Lot 1 will continue with the existing situation of potable water by rooftop collection, sewage disposal via an onsite septic tank system. There is an existing electricity connection and hard-wired telecommunications line to Glenelg Road. |

| | | | |
|---|---|---|---|
| C2.1.7 D | Stormwater Systems | General Standard | The site is outside the reticulated stormwater area. Potable water for domestic use will be collected and stored from the existing dwelling on Lot 1. There are no substantial buildings within Lot 2 with the exception of a wood shed. If construction were to occur within Lot 2 then storm water should be addressed at this stage. |
| C2.1.7 E | Water Supply | General Standard | Lot 1 has potable water via rooftop collection |
| C2.1.7 F | Wastewater Systems | General Standard | Lot 1 has sewage disposal via onsite septic tank system. |
| C2.1.7 G | Energy and Telecommunications | General Standard | Lot 2 has an existing electricity cable from Glenelg Road to the existing dwelling.<br>Intended telecommunications via wireless communications. |
| C2.1.7 I | Access | General Standard | Lot 1 and Lot 2 will share the existing access from Glenelg Road. |
| C2.1.7 J | Parking | General Standard | Existing parking available |

## ASSESSMENT OF TAIRAWHITI RESOURCE MANAGEMENT POLICIES AND OBJECTIVES FOR THE RURAL P ZONE

### DD4.4.2 RURAL PRODUCTIVE POLICIES

1. To manage adverse environmental effects on the soil resource that occur as a result of subdivision, use and development to secure the soil's life supporting capacity in order to meet present and future needs.

**Comment: The property is not on the Poverty Bay flats and given the topography are not suitable for anything but light grazing.**

4. In the case of resource consents for the creation of lots less than eight hectares in extent Council shall have regard to the following matters:

i. physical constraints on the property such as location of roads and other infrastructure or the physical separation of the property by rivers;
**Comment: The properties have significant contour.**

**ii.** extent of adjoining land parcels and proximity of properties being intensively cropped or forested and/or being worked in any other way;
**Comment: Adjoining properties except the one to the north are essentially lifestyle properties.**

**iii.** potential impact on the sustainable management of existing, surrounding land uses;

**Comment: As above. The land in grapes to the north is a significant distance and lower elevation to the existing dwelling on Lot 1. There are other houses on adjoining properties in a similar position.**

**iv.** location and scale of adjoining dwelling units or other social infrastructure such as schools or community facilities in the vicinity and adjacent to the property.
**Comment: This proposal is not out of character within neighbouring properties as this proposal is situated on the outer edge of the Rural Production Zone, however directly across the road is zoned Rural Lifestyle and 200m to the east is Rural General where minimum sites can be subdivided to 1000m2.**

5. Manage conflicting uses on the Poverty Bay flats to ensure that residential dwellings and other sensitive land uses do not have an adverse effect on the primary farming activity and to locate residential dwellings so that they are not adversely affected by noise, spray-drift and odour generated by farming and forestry.
**Comment: The primary farming activity is at a rural residential level on moderate hill country. See also comment in iii. Above.**

**DD4.3.1 All Rural zone Objectives**

1. Enable subdivision, use and development in all rural zones provided that adverse environmental effects can be avoided, remedied or mitigated.
**Comment: This subdivision is subdividing the housed from the lifestyle block. Apart from the potential of a proposed new dwelling on Lot 2, the current land use is not changing and therefore there are no adverse environmental effects.**

2. Maintain rural amenity values.
**Comment: This proposed subdivision does not reduce the amenity.**

3. Sustainable management of the life supporting capacity of the soils on the Poverty Bay Flats.
**Comment: The zoning of these two properties as Rural P seems to be an anomaly. They are not on the Poverty Bay flats, and are adjacent to land zoned Rural G. A more sensible zoning would be Rural Residential or Rural Lifestyle as across the road.**

4. Enable peri-urban living in appropriate areas, and at densities where the adverse effects of this activity can be avoided, remedied or mitigated.
**Comment: As per comment above in 3.**

5. Locate structures and plant trees in such a manner as not to cause adverse environmental effects across property boundaries.
**Comment: Controlled by rules in the TRMP.**

## ASSESSMENT OF THE ACTIVITY AGAINST THE MATTERS SET OUT IN PART 2 OF THE ACT

It is considered the proposed subdivision is consistent with the purposes set out in sub parts 5. Natural and physical resources, the life-supporting capacity of air, water, soil and ecosystems will not be adversely affected by the proposal.

Matters of national importance set out in sub part 6 will be unaffected by the proposal. The site is not on the coast, does not have any outstanding natural features or landscapes, or areas of significant indigenous vegetation that provide habitat for indigenous fauna.

There are no marine areas or lakes that require the enhancement of public access.

There are no identified archaeological or Waahi Tapu sites within this proposal.

This proposal will not result in an increase in any significant risks from natural hazards.

The proposal is consistent with sub parts 7 and 8. It is considered the proposed subdivision will have little or no effect on the effects of climate change or the finite characteristics of natural and physical resources because there are no changes to current land use proposed. Amenity values will be maintained.

The principles of the Treaty of Waitangi have been taken into account with regards to any effects on the management, use, development and protection of natural and physical resources in the area.

**ASSESSMENT OF THE ACTUAL OR POTENTIAL ENVIRONMENTAL EFFECTS ON THE ENVIRONMENT**

The proposed Lots are non-complying for area in the Rural P zone. However, as highlighted above, the present zoning is not in line with topography, size or present land use and would be more suitably zoned Rural Residential or Rural Lifestyle. The majority of the properties along this side of Glenelg Road are well below the 8-ha minimum in the Rural P zone, and are being used in the Rural Residential capacity.

The proposed subdivision is therefore not out of character with properties within this area and hence effects on the environment as a consequence of this proposal are deemed to be less than minor.

Yours faithfully,



Rebekha Upston
STAFF SURVEYOR

Application for

# Resource Consent

Section 88 of the Resource Management Act 1991

Te Kaunihera o Te Tairāwhiti
GISBORNE
DISTRICT COUNCIL

## About this form

Please answer all the questions and provide the relevant details of your proposal. We recommend you talk your proposal through with Council planning staff before you fill in this form.

## 1. Activity type and location

This application is for:

☐ Change of consent notice (s.221) ☐ Land Use Consent ☑ Subdivision Consent ☐ Land Use (Regional)

☐ Other

Site(s) to which this application relates is described as:

| Street/ Rapid No. | Street/Road Name: |
|---|---|
| 85 | Glenelg Road |

Property valuation No. 0824007403
(see rates invoice)

Legal Description: LOT 2 DP 549844

Fully describe the location:

As above

**OFFICE USE ONLY:** Map Reference NZTM:

## 2. Applicant's details (all correspondence will be sent to the applicant unless agent's details are completed)

Name in full: Solomon (Surname:) Phillip and Jacqueline (First Name(s))

Postal address:

85 Glenelg Road, Hexton

Phone: 06 867 7244 - Grant and Cooke Surveyors Ltd (Day) (Mobile:)

Email: rebekha@grantcooke.co.nz

Email is Council's preferred method of contact.

Do you agree to receive your correspondence and consent by email? ☑ Yes ☐ No

## Office use only

Application No:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Received GDC: | | Received SO: | | Received ADM: | | EDRMS No: | |
| Deposit paid: | | Date paid: | | Category: | | Officer: | |



PO Box 747, Gisborne 4040 • 06 8672049 • 0800 653 800 • service@gdc.govt.nz • www.gdc.govt.nz • GisborneDC

The applicant is the:

☑ Owner ☐ Occupier ☐ Prospective Purchaser ☐ The Crown ☐ Network Utility Operator

☐ Agent / Consultant (provide details over page)

## 3. Property owner's details (if different from applicant)

Name in full:

Surname: First Name(s)

Postal address:

Phone: Day Mobile:

Email:

## 4. Agent/consultant's details (all correspondence will be sent to your agent)

Company: Grant and Cooke Surveyors

Contact Person: Rebekha Upston

Postal address:

PO Box 1006, Gisborne

Phone: 06 867 7244 ext 6 Day Mobile:

Email: rebekha@grantcooke.co.nz

Email is Council's preferred method of contact.

Do you agree to receive your correspondence and consent by email? ☑ Yes ☐ No

## 5. Address for invoices

Send all invoices and annual charges to: ☑ Applicant ☐ Agent/Consultant ☐ Other

If other, name

Surname: First Name(s)

Postal address:

## 6. Detailed description of proposed activity

See Main Document



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## 7. Additional resource consents required for this proposal

Are any other resource consent(s) required for your proposal, but are not being applied for under this application? ☐ Yes ☑ No

☐ Land Use Consent ☐ Subdivision Consent ☐ Discharge Permit

☐ Coastal permit ☐ Water Permit ☐ Land Disturbance

☐ Other (give details):

Please list any previous consents relevant to this current application:

## 8. Consultation

Have you consulted with iwi? ☐ Yes ☑ No

If yes, which iwi groups have you consulted with?

Who else have you consulted with?

Please attach any relevant correspondence.

## 9. Approval of potentially affected parties

Have you obtained written approval from all parties potentially affected by the proposal? ☐ Yes ☑ No

Please attach the completed approval forms with a copy of your plans also signed by the affected people.

**Please Note:** Council planning staff will determine whether any people or groups are potentially affected by your proposal. Please discuss with our planning staff prior to lodging your application.

## 10. Notification of the application

Are you requesting the application to be publicly notified? ☐ Yes ☑ No

Please discuss the implications of notification with our planning staff if necessary.

## 11. Assessment of Environmental Effects (AEE)

Further information about preparing an AEE is on our website.

Please note: An AEE generally requires a separate sheet/report. Please attach any additional information.

See Main Document



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## 12. Council contact

Have you discussed your proposal with any Council planning staff? ☐ Yes ☑ No

If yes, who have you spoken with:

(name of Council staff member)

## 13. Contributions

When granting consent to certain activities, Council may levy a monetary contribution. Development contributions are levies under the Local Government Act 2002 in accordance with the Council's Development Contribution Policy. Financial or reserve contributions are levies under the RMA and Council's Combined Regional Land and District Plan.

## 14. Deposit and signature

The required deposit must be paid before we process your application.

| | | | |
|---|---|---|---|
| Non-notified deposit (land use, subdivision, regional) | Non notified $1300.00 | Notified $3,000.00 | Balance to be charged or refunded on a time and material basis |
| Bundled deposit (more then one activity type bundled together triggers this fee) | Non notified $1550.00 | Notified $3,000.00 | |
| Variation Section 127 - $515 | | | |

Please refer to the Fees and Charges Schedule as per the website for further information.

☐ I enclose a deposit of $ _____ for processing this application.

☑ I have paid a deposit by electronic banking of $ 1300 on 18 October 2021 (date)

Council's bank account details: **Account No. 03 0638 0502288 00**

Particulars: RC DEPOSIT CODE: Solomon PARTICULARS: Glenelg

(surname) (road name)

**Declaration**

I understand that Council may invoice me for the actual and reasonable costs incurred in processing this application.

I Phillip Solomon (print your name),

Agree that:

☑ I am liable for all fees and charges relating to this application

☑ The deposit is to be paid at the time of lodging the application

☑ That payment is due within 30 days of the issue date of any additional charges

☑ The information provided in this application and the attachments are accurate.

Signature of Applicant: (or person authorised to sign on behalf of applicant)




Date: 18 October 2021

Admin check ☐

## 15. Privacy information

The information you have provided on this form is required so that your application can be processed under the RMA and statistics can be collected by Council. The information will be stored on a public register held by Council. The details may also be made available to the public on Council's website. These details are collected to inform the general public and community groups about all consents which have been issued through Council. If you would like to request access to, or correct your details, please contact Council.

## 16. Checklist for completing your application

To ensure your application will be accepted by Council for processing, this checklist sets out the information required to be lodged with your application for a resource consent. This is a generic list of information required to be lodged with all resource consent applications. For some activities, specific information requirements are detailed in activity specific information requirement checklists.

If any of the required information is not supplied Council will not accept the application and will return the documentation and deposit fee.

### Lodging

Two methods for consent applications to be lodged are:

1. Digital applications – to be emailed to rclodgement@gdc.govt.nz
   Please note if the combined file size of your documents exceeds 30MB you will need to contact Consent Coordinators on the above email address. Staff responding will send out a secure link to upload your files.
2. Physical applications, lodged in person over the front counter. These will need to be lodged with the Duty Planner at Council Offices. Two paper copies (including one unbound) of all the information is required.

## Information required

Along with a completed application form, the following information is required:

| ✔ Applicant to check | Council use Y | N | n/a |
|---|---|---|---|
| ☑ Proof of deposit fee payment. | ☐ | ☐ | ☐ |
| ☑ Certificate(s) of Title less than three months old for the site to which this application relates. Please attach the title and any consent notices, covenants, easements attached to the title if relevant or affected by the proposed activity. | ☐ | ☐ | ☐ |
| ☑ A detailed description of the proposed activity. | ☐ | ☐ | ☐ |
| ☐ Locality plan or aerial photo. Indicate the location of the site in relation to the street and other landmarks. Show the location of the subject site and those of adjoining sites. | ☐ | ☐ | ☐ |
| A scaled site plan showing: | | | |
| ☑ The boundaries; | ☐ | ☐ | ☐ |
| ☑ The location of the proposed activity or building; | ☐ | ☐ | ☐ |
| ☑ North point; | ☐ | ☐ | ☐ |
| ☑ Title/reference number(s); | ☐ | ☐ | ☐ |
| ☑ Date the plans were drawn and individual plan numbers; | ☐ | ☐ | ☐ |
| ☑ Location of existing and proposed accessways and points of entry; | ☐ | ☐ | ☐ |
| ☑ Topographic features; | ☐ | ☐ | ☐ |
| ☑ Contours; | ☐ | ☐ | ☐ |
| ☐ Location of any mapped natural or cultural heritage features; | ☐ | ☐ | ☐ |
| ☐ Location of any mapped natural hazards; | ☐ | ☐ | ☐ |
| ☐ Location of any rivers, streams, watercourses. | ☐ | ☐ | ☐ |
| ☐ Also refer to the checklist specific to the consent type to see any additional features that need to be added to the site plan. | ☐ | ☐ | ☐ |
| ☑ An assessment of the activity the relevant provisions of the Tairawhiti Resource Management Plan (TRMP) - A list of the rules from the TRMP that require resource approval and status of the proposed activity in the TRMP. | ☐ | ☐ | ☐ |
| ☐ An assessment against any relevant National Environmental Standards. | ☐ | ☐ | ☐ |
| ☑ An assessment of effects on the environment (AEE) in accordance with Schedule 4 of the RMA at a level of detail that corresponds with the scale and significance of the effects that the proposed activity may have on the environment. In addition, this may require one or more technical specialist reports. The AEE must include a full description of the proposed activity, the effects that may be generated and how these will be managed. For more information refer the AEE guidance available for each consent activity type. | ☐ | ☐ | ☐ |
| ☐ An assessment against the relevant matters in Part 2 of the RMA will be required. Part 2 matters may be included in your AEE or in a separate document. | ☐ | ☐ | ☐ |
| ☑ An assessment against any relevant provisions (i.e. policies and objectives) of a statutory document (e.g. the Tairawhiti Resource Management Plan, Regional and/or National Policy Statement). The assessment may be included in your AEE or in a separate document.<br>Note: This is only required for discretionary and non-complying activities. | ☐ | ☐ | ☐ |
| ☐ Include details (name, postal and site address) of any consultation undertaken (including iwi) and any responses from those consulted with. | ☐ | ☐ | ☐ |
| ☐ Written approval from all affected persons which includes a completed Affected Party Approval form(s) and signed and dated copies of the site plan, elevations. | ☐ | ☐ | ☐ |
| ☐ A completed checklist relevant to your application – Refer to the separate checklists relating to the consent you are applying for, i.e. the activity type. | ☐ | ☐ | ☐ |

## Pre-lodgement meeting

Have you had a pre-lodgement meeting with a Council Consents Planner? ☐ Yes ☑ No

Whom did you have the pre-lodgement meeting with? _____

To ensure a smoother lodgement process and to increase the chance of the application being accepted (as any outstanding information would have been identified at the pre-lodgement meeting) we encourage you to arrange a pre-lodgement meeting with a planner prior to lodging your application.

## Office use only

Signed by Acceptance Officer: _____

Officer: _____ Date: _____



PO Box 747, Gisborne 4040 • 06 8672049 • 0800 653 800 • service@gdc.govt.nz • www.gdc.govt.nz • GisborneDC

| PROPOSED EASEMENTS | | | |
|---|---|---|---|
| PURPOSE | SHOWN | SERVIENT TENEMENT (BURDENED LAND) | DOMINANT TENEMENT (BENEFITED LAND) |
| RIGHT OF WAY | A | LOT 2 | LOT 1 |
| RIGHT TO CONVEY ELECTRICITY AND TELECOMMUNICATIONS AND COMPUTER MEDIA | B | | |

SECTION 19S
HOMEBUSH SETTLEMENT

LOT 1
DP 549844

152.07m
106.20m
10.81m
41.71m
40.15m
12.52m
24.54m
38.32m
5.54m
47.24m
41.92
61.27m
100.58m
218.79m

LOT 1
2683m2

LOT 2
3.2644Ha

SECTION 20S
HOMEBUSH SETTLEMENT

GLENELG ROAD
LEGAL ROAD 20.12m WIDE

This plan has been produced for resource consent purposes and is not intended for any other use. Any areas and dimensions shown on this plan may be approximate and are subject to survey

Grant&cooke
Surveyors, Land Development and Resource Management Consultants
Phone 06 8677244 PO Box 1006 Gisborne
Fax 06 8677131 Email:office@grantcooke.co.nz
Web www.grantcooke.co.nz

# Lots 1 and 2 being a Subdivision of Lot 2 DP 549844 85 Glenelg Road

| | | | |
|---|---|---|---|
| Comprised in: 946383 | Scale: 1:NTS A3 | | Design: |
| | | | Drawn: RU |
| | | | Checked: |
| Owners: P.R. Solomon J.M. Solomon | Date: 10/07/2021 | | GC12774B |
| | | | Sheet 1 of 1 |

# RECORD OF TITLE
# UNDER LAND TRANSFER ACT 2017
# FREEHOLD

**Search Copy**

R.W. Muir
Registrar-General
of Land

**Identifier** **946383**
**Land Registration District** **Gisborne**
**Date Issued** 10 August 2020

**Prior References**
GS3A/1403 GS3A/1404

---

**Estate** Fee Simple
**Area** 3.5327 hectares more or less
**Legal Description** Lot 2 Deposited Plan 549844
**Registered Owners**
Philip Robert Solomon and Jacqueline Mary Solomon

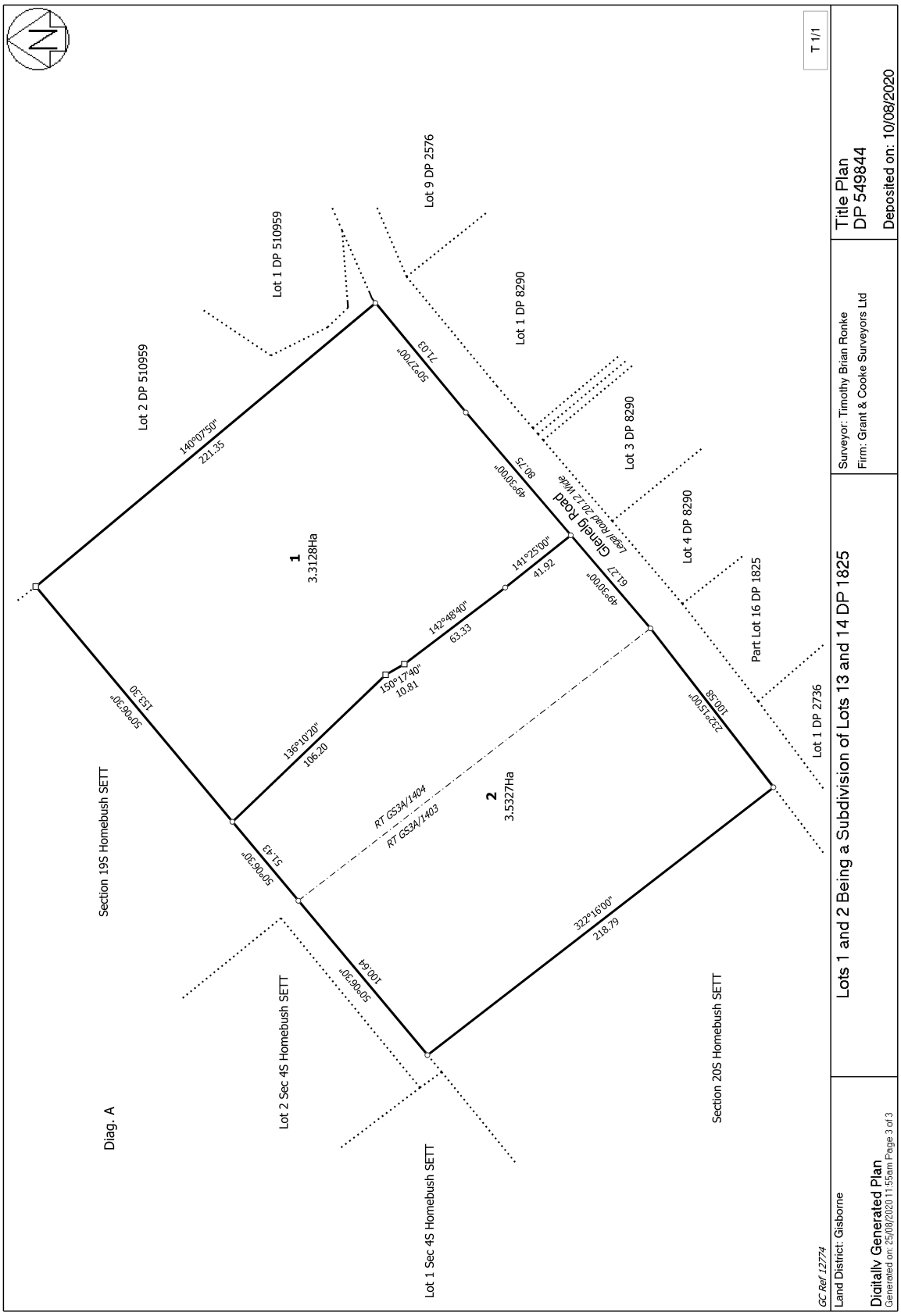
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**Interests**

Subject to water pipe line rights over the within land created by Transfer 12753 - 3.5.1905 at 10:40 am

Subject to water pipe line rights (in gross) over the within land in favour of Henry White created by Transfer 15544 - 15.9.1927 at 11:15 am

11013265.3 Mortgage to Bank of New Zealand - 31.1.2018 at 3:53 pm


N
T 1/1
Lot 2 DP 510959
Lot 1 DP 510959
Lot 9 DP 2576
Lot 1 DP 8290
Lot 3 DP 8290
Lot 4 DP 8290
Part Lot 16 DP 1825
Lot 1 DP 2736
Section 19S Homebush SETT
Lot 2 Sec 4S Homebush SETT
Lot 1 Sec 4S Homebush SETT
Section 20S Homebush SETT
Diag. A
General Road
Legal road 20.12 Wide
1
3.3128Ha
2
3.5327Ha
RT GS3A/1404
RT GS3A/1403
140°07'50"
221.35
50°27'00"
71.03
49°30'00"
80.75
49°30'00"
61.27
141°25'00"
41.92
142°48'40"
63.33
150°17'40"
10.81
136°10'20"
106.20
50°06'30"
153.30
50°06'30"
51.43
50°06'30"
100.64
322°16'00"
218.79
232°15'00"
100.38
Lots 1 and 2 Being a Subdivision of Lots 13 and 14 DP 1825
Surveyor: Timothy Brian Ronke
Firm: Grant & Cooke Surveyors Ltd
Title Plan
DP 549844
Deposited on: 10/08/2020
GC Ref 12774
Land District: Gisborne
Digitally Generated Plan
Generated on: 25/08/2020 11:55am Page 3 of 3

12753 TE

(D) [New Zealand.

# MEMORANDUM OF TRANSFER.

Frank Brayton Baker, Percival Baker and Walter Richard Baker all of Whatatpoko in the District of Poverty Bay sheepfarmers (hereinafter called the Vendors)

Image Quality due to Condition of Original

being registered as the proprietors of an estate[1] in fee simple as tenants in common subject, however, to such encumbrances, liens, and interests as are notified by memorandum underwritten or indorsed hereon, in all that piece of land situated in the[2] Provincial District of Auckland, containing[3] by admeasurement One hundred and sixteen (116) acres and twenty four (24) perches more or less[4] being portion of the Whatatpoko Number 1 Block and being also allotments Numbers forty (40) and forty one (41) on a plan deposited in the office of the District Land Registrar at Gisborne under Number 1309 and being also portion of the land contained in Certificate of Title Volume 28 folio 185 Poverty Bay Registry

(1) Here state nature of the estate or interest.

(2) District, county, hundred, or township.

(3) Here state the area, exclusive of roads intersecting the same, if any.

(4) Here state rights of way, privileges, or easements, if any, intended to be conveyed: and, if the land to be dealt with contains all that is included in an existing grant or certificate, refer thereto for description of parcels and diagrams; otherwise, set forth the boundaries in chains, links, or feet, and refer to the plan delineated on the margin or annexed to the instrument; or deposited in the Registry Office.

In consideration of the sum of Three thousand two hundred and fifty two pounds four shillings (£3252.4.0)

paid to the ~~the~~ Vendors by William George Allen Reynolds Cabinetmaker and Frederick Richard Allen Reynolds Carpenter both of Gisborne in the District of Poverty Bay

the receipt of which sum ~~is~~ we hereby acknowledge.

" The vendors do transfer to the said William George Allen Reynolds and Frederick Richard Allen Reynolds as tenants in common in the following proportions viz: William George Allen Reynolds three fourths and Frederick Richard Allen Reynolds One fourth all their estate and interests in the said pieces of land Reserving to themselves the vendors their heirs executors administrators and assigns or other the person or persons for the time being entitled to the use of the water flowing through the pipes hereinafter mentioned their tenants servants employees appointees or agents full free and perpetual right of ingress and egress in through upon and out of the land hereby transferred for the purpose of repairing the existing lines of pipes carrying water from the spring in or upon Lot Number 54 through the land hereby transferred or for relaying such lines with similar or other pipes and for such purpose to break the soil of the said land and do all such other acts as may be necessary in the premises without damage to the freehold except as aforesaid

(5) Or a lesser estate or interest, DESCRIBING SUCH LESSER ESTATE.

In witness whereof We have hereunto subscribed our names this First day of April one thousand nine hundred and five (1905)

F.B.Barker
W.R.Barker

Signed on the day above-written by the said Frank Brayton Barker and Walter Richard Barker in the presence of

Henry E. Hill
Solicitors Clerk
Gisborne

Signed by the said Percival Barker by his Attorney Frank Barker in the presence of

Geo Stock
Solicitors Clerk
Gisborne

P.Barker
by his attorney
F.Barker

STAMP OFFICE
TWO SHILLINGS
AND SIXPENCE

420.

I Vincent Barker of Gisborne in the provincial district of Auckland and Colony of New Zealand Solicitor do hereby solemnly and sincerely declare as follows

1. That I am the Attorney within-named Percival Barker under and by virtue of a certain deed poll or Power of Attorney to me directed bearing date the 29th day of March 1904 a true copy of which Power of Attorney is deposited in the Lands Registry Office at Gisborne under No. 802 and as such Attorney I have executed the within written Memorandum of Transfer

2. That I have not received any notice or information of the revocation of the said Power of Attorney by the death of the said Percival Barker or otherwise howsoever and I believe the same is still in full force and effect

And I make this solemn declaration conscientiously believing the same to be true and under and by virtue of the provisions of an Act of the General Assembly of New Zealand intituled The Justices of the Peace Act 1882"

Declared at Gisborne aforesaid this First day of April 1905 before me

V. Barker

General Clerk

A Solicitor of the Supreme Court of New Zealand

No. 12753 Transfer of Allotments Nos 40 & portion of the Whatāngooka No 1 Block

situated in The Provincial District of Auckland.

J. B. Barker & others Vendor.

W. G. A. Reynolds & another Purchaser.

Particulars entered in the Register-Book, Vol. 28
Folio 185 See 13/7
the 24 day of May, 1905, at
10.40 o'clock. a.m.

District Land Registrar.
Poverty Bay.

Correct for the purposes of the Land Transfer Act.

de Lautour & Barker
Solicitor, Gisborne.

By Proclamation No: 891 part of Lot 18 D.P. 1825 (part C.T. 51/38) containing 3r. 34.2p. was taken for road Entered 24/2/1941 at 10 am S.S. Mackay D.L.R.

LS 41

DE LAUTOUR & BARKER,
SOLICITORS, GISBORNE.

"C" (D.)

Image Quality due to Condition of Original

15544 TE

[New Zealand.

# MEMORANDUM OF TRANSFER.

WILLIAM GEORGE ALLEN REYNOLDS of Gisborne in the Provincial District of Auckland and Dominion of New Zealand Cabinet-maker and FREDERICK RICHARD ALLEN REYNOLDS of Gisborne aforesaid Carpenter (hereinafter called "the Grantors") being registered as the proprietors of an estate[1] in fee simple as tenants in common ——— subject however to such encumbrances liens and interests as are notified by memoranda underwritten or endorsed hereon in all that — piece of land situate in the[2] Provincial District of Auckland ——— containing[3] One : : hundred and sixteen acres and twenty four perches (116a:0r:24p) be the same a little more or less[4] being Lots 40 and 41 on a plan : ::: : deposited in the Lands Registry Office at Gisborne under No.1309 being part of the Whataupoko No.1 Block and being all the land ~~co~~ comprised in Certificate of Title Volume 41 Folio 185 Poverty Bay Register. ———

IN CONSIDERATION of the sum of ten shillings (10/-) paid to the Grantors by Henry White of Gisborne aforesaid Sheepfarmer ~~(hereinafter called the Grantee) do and each of them doth hereby~~ grant to the Grantee the full and perpetual right to erect : :: : construct and maintain a line of ~~inch~~ pipes through the said lands to obtain conduct and carry away water from the spring of : water situate upon Lot No.54 of Whataupoko No.1 Block aforesaid : AND the Grantors do and each of them doth hereby further grant to the Grantee his servants or employees full free and perpetual ::: right of ingress egress and regress in through upon and out of :: the said lands for the purpose of constructing laying repairing : or relaying the said line of pipes or any line of pipes of ~~one~~ :: ~~inch~~ in substitution therefor on the same ~~right~~ site as that now used for the existing pipe PROVIDED ALWAYS that such pipes shall be laid in the ground at a depth of not less than nine inches from : the surface and that the Grantee in laying relaying or repairing such pipes or other pipes in substitution therefor shall cause no unnecessary damage to the said lands or to the occupation thereof

~~In consideration of the sum of~~

~~paid to by~~

~~the receipt of which sum hereby acknowledge~~

1 Here state nature of the estate or interest.

2 District, county, hundred or township.

3 Here state area, exceptions of way, easements, if any, to be conveyed; and if the land to be dealt with contains all that is included in an existing grant or certificate, refer thereto for description of parcels and diagrams; otherwise, set forth the boundaries in chains, links, or feet, and refer to the plan delineated on the margin or annexed to the instrument or deposited in the Registry Office.

~~do hereby transfer to the said~~ See Attached Sheet

5. Or a lesser estate or interest, describing such lesser estate.

~~all estate and interest in the said piece of land~~

AND in consideration of the aforesaid grant he the Grantee doth :: hereby covenant and agree with the Grantors that the Grantors shall at all times be at liberty to take water from the pipes of the : : Grantee passing through the said lands by means of a pipe connected with the pipes of the Grantee and for that purpose shall be entitled to bore through the T of the pipes of the Grantee a hole not being greater than one eighth of an inch in diameter in order to connect with the pipes of the Grantee PROVIDED that the Grantors shall : notebe entitled to take any more water from the pipes ofthe : :: : Grantee than would naturally flow through the said bore but shall be entitled always to the full natural flow of an eighth of an : : inch clear.

In Witness whereof we have hereunto subscribed our names this 20th day of March one thousand nine hundred and eight.

Signed on the above-written day by the said
William George Allen Reynolds and
Frederick Richard Allen Reynolds

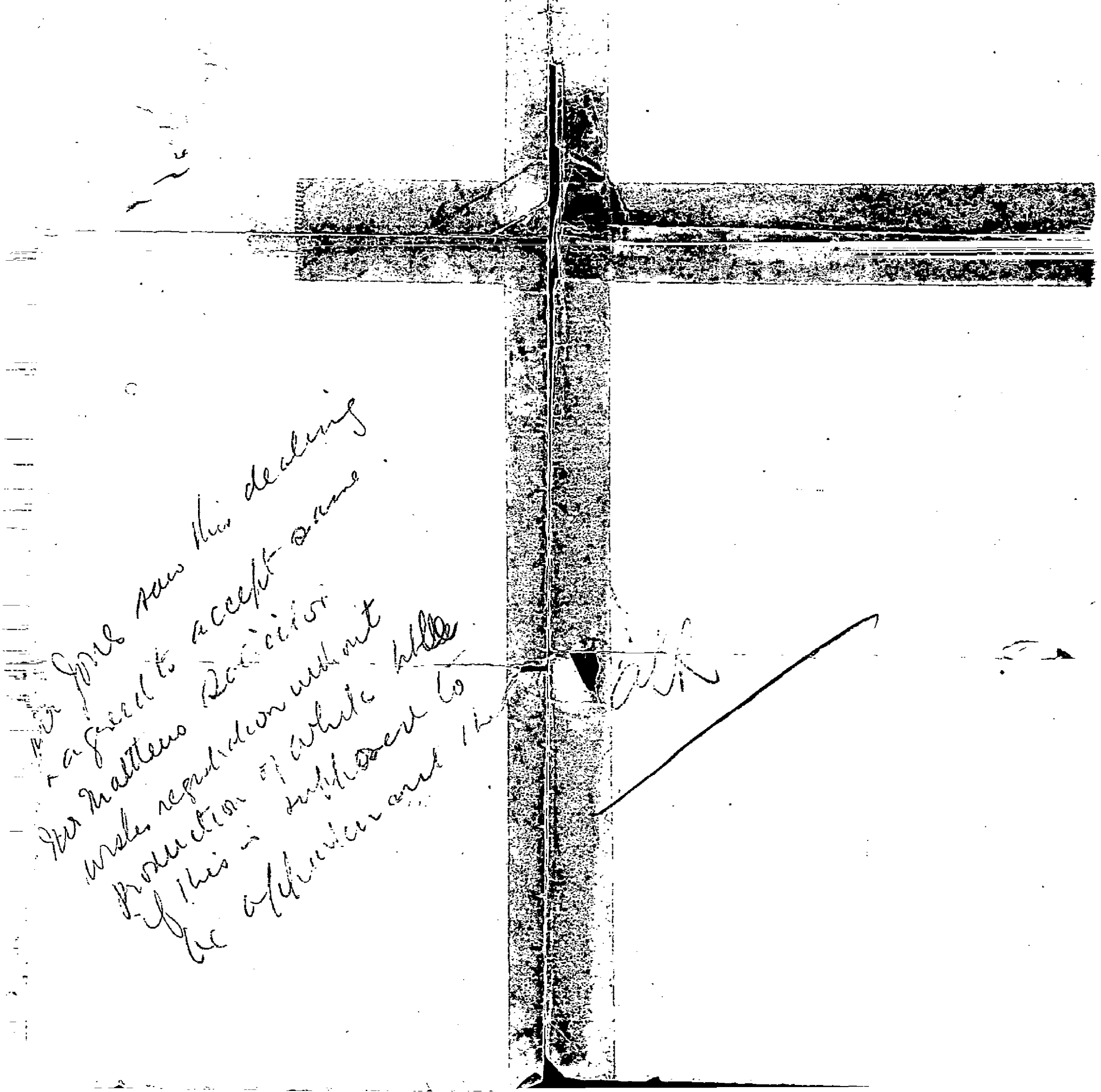
W. Reynolds
Fred'k Reynolds

in the presence of
W. Lee
Solicitor
Gisborne

Signed by said Henry
who is a Native

Geo Nicol
Native
Interp

Encumbrances
Grant of Easement under Transfer No 12753
~~Memo of Mortgage No 10799 Reynolds to Bankes~~
Memo of Lease No 2/125 Reynolds to Greaves
" " " 12456 Reynolds to



155444 ~~Transfer of~~

... in

GRANT OF EASEMENT.

W.G.A.REYNOLDS & ANOR. ~~Vendor~~.

— to —

HENRY WHITE. ~~Purchaser~~.

Particulars entered in the Register Book, Vol. 41 Folio 185 — 1/2 the 1 day of July 1911 at 10.25 o'clock am.

W Johnston

~~District~~ Land Registrar of the District of Poverty Bay.

Gisborne T 25/6/04

PARTICULARS ENTERED IN REGISTER BOOK, Vol. 42/50 (by request) this 15th day of September, 1927 at 11.15 o'clock.

Gisborne

District Land Registrar

Lot 40

*Correct for the purposes of the Land Transfer Act.*

Solicitor, Gisborne.

By Proclamation No. 891 (Pt. G.T. 51/38) Lot 18 plan 1825 containing 3r. 24.2p. was taken for road. Entered 24/2/1941 ...

Lot 18 Plan 1825

10.25 am

1/7/11

de LAUTOUR, BARKER & STOCK,
Solicitors,
GISBORNE.

the HERALD Office Gisborne.

# GISBORNE DISTRICT COUNCIL

# SOIL CLASSIFICATION OF ROADSIDE DRAINS AT

# TUCKER AND HARPER ROADS, GISBORNE

Project Reference: 15643
1 April 2019

# 1 INTRODUCTION

LDE Ltd has been engaged by Tane Tamanui of the Gisborne District Council (GDC) to undertake a soil classification investigation of stockpiled soils located at 85 Glenelg Road and in situ soils sourced from within drains along Tucker and Harper Road, Gisborne. Soil samples from the site have been tested for contaminants typically associated with the surrounding horticultural land use including Heavy Metals and Organochlorine pesticides (OCPs). As a precautionary measure, the soil samples were also tested for polycyclic aromatic hydrocarbons (PAH).

# 2 SOIL SAMPLING

Approximately 400m of drainage channel along the northern side of Harper and Tucker Roads are intended to be cleared with the excess soil disposed of at a rural residential type site located at 85 Glenelg Road, Gisborne.

We note that at the time of our soil sampling, the drain on Harper Road had already been excavated and stockpiled at the disposal site, and the excavation of the Tucker Road drain had begun. Soil samples were collected on the 25th of March 2019 from specific locations within the Tucker Road drain, whilst in field composite soil samples (surface grabs at different locations within the stockpile) were collected from the stockpiled material. These soil samples were tested by the laboratory for heavy metals (arsenic, cadmium, chromium, copper, lead, nickel, zinc) and mercury and PAH. We also requested that the laboratory composite the soil samples into two groups (S1-4 and S5-S6) and analyse these for OCPs.

The soil encountered was generally saturated comprising of brown silty clay. Visual and olfactory observations did not note any staining or odours suggesting contamination, additionally, no visually deleterious material was identified during the site testing. Refer to Figures 1 to 4 showing the test site locations.




Figure 1: Approximate locations of soil samples S1, S2, S3 and S4 collected from the drain along Tucker Road.



Figure 2: Drain along Tucker Road being cleared with excavated material taken to disposal site on Glenelg Road.




Figure 3: Approximate locations of soil samples S5 and S6 collected from the disposal site located at 85 Glenelg Road, Gisborne.

At each sample location, sampling apparatus were cleaned using water and a plant based cleaner and they were also dried between samples to prevent cross contamination. Following collection, the samples were placed immediately into a chilly bin. The chilly bin was sent with chain of custody documentation to Analytica Laboratories Limited located in Hamilton for analysis. The chain of custody documentation is attached in Appendix A.



Figure 4: Disposal site at Glenelg Road, Gisborne.

# 3 TEST RESULT SUMMARY

Table 1 summarises the laboratory results for heavy metals (arsenic, cadmium, chromium, copper, lead, nickel, and zinc), mercury. The laboratory reports are provided in Appendix B.

Table 1: Laboratory tests results for Heavy Metals compared against a rural residential and commercial/industrial land use scenario.

| Name | Depth | Sample description | Arsenic | Cadmium | Chromium | Copper | Lead | Mercury | Nickel | Zinc |
|---|---|---|---|---|---|---|---|---|---|---|
| S1 | 1m | Saturated brown silty clay collected from Tucker Rd Drain | 4.25 | 0.069 | 23.4 | 16.1 | 10.1 | 0.062 | 31.9 | 67.9 |
| S2 | 1m | Saturated brown silty clay collected from Tucker Rd Drain | 4.9 | 0.076 | 26.2 | 17.6 | 10.9 | 0.061 | 32.7 | 61.6 |
| S3 | 1m | Saturated brown silty clay collected from Tucker Rd Drain | 6.16 | 0.075 | 24.6 | 15.4 | 9.98 | 0.05 | 34.5 | 56.4 |
| S4 | 1m | Brown silty clay collected from Tucker Rd Drain | 5.79 | 0.14 | 24.4 | 21.8 | 10.2 | 0.044 | 30.9 | 68.5 |
| S5 | 0-0.1m | Saturated silty clay collected from disposal site at Glenelg Rd | 3.95 | 0.18 | 23.8 | 25.2 | 11.7 | 0.057 | 29.6 | 104 |
| S6 | 0-0.1m | Saturated silty clay collected from disposal site at Glenelg Rd | 5.19 | 0.14 | 23.3 | 22.6 | 10.4 | 0.051 | 28 | 66.6 |
| **NES 2011[3] Rural Residential** | | | 17 | 0.8 | 290 | NL[5] | 160 | 200 | 400[6] | 7,400[6] |
| **NES 2011[4] Commercial / Industrial** | | | 70 | 1,300 | 6,300 | NL[5] | 3,300 | 4,200 | 3,000[7] | 3,500[7] |

1. All results and standard values are presented in mg/kg.
2. All metals tested for 'Total Recoverable' at screen level.
3. NES SCS from National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES, 2011), '*Rural residential/lifestyle block 25% produce'*.
4. NES SCS from National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES, 2011), '*Commercial/industrial outdoor worker (unpaved)'*.

5. NL – 'No Limit'. Derived value exceeds 10,000 mg/kg.
6. '*Residential A*' values - Guideline on the Investigation Levels for Soil and Groundwater (NEPC, 2013).
7. Commercial/industrial values - Guideline on the Investigation Levels for Soil and Groundwater (NEPC, 2013).

The results show that there were no detections (above the labs reporting limits) of polycyclic aromatic hydrocarbons (PAH) in soil samples 1 to 6 and no detections of organochlorine pesticides (OCPs) in the lab composited soil samples 7 and 8 (refer to Appendix B).

The lab results also show that heavy metals and mercury were all within the assumed natural background concentration levels for Gisborne. All results are also well below the soil contaminant standards for both a rural residential and commercial land use scenario (refer to Table 1 and Appendix B) indicating suitability for the intended use.

## 4 REPORT LIMITATIONS

This investigation presents a soil contamination classification of material to be disposed of at 85 Glenelg Road, prepared exclusively for Tane Tamanui of the Gisborne District Council with respect to the particular brief given to us.

Information, opinions and recommendations contained in it cannot be used for any other purpose or by any other entity without our review and written consent. Land Development & Exploration Ltd accepts no liability or responsibility whatsoever for or in respect of any use or reliance upon this report by any third party. Opinions given in this report are based on specific soil sampling at discrete locations.

There is still some possibility that contaminating activities have taken place or contamination at the site is in excess of that described in this report and we should be contacted immediately if the conditions are suspected to differ from that described.

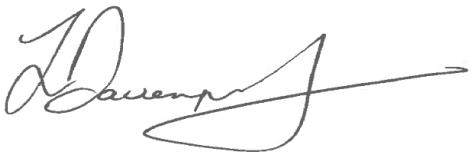
For and on behalf of LDE Ltd

Report prepared by:



Sarah Robinson
*Environmental Scientist*

Report reviewed by:



Jeff Davenport
Senior Environmental Scientist (SQEP)

# APPENDIX A: CHAIN OF CUSTODY

ENVIRONMENTAL TESTING:

## CHAIN OF CUSTODY

19-09516

ANALYTICA LABORATORIES

URGENT

| CLIENT INFORMATION | | | |
|---|---|---|---|
| Client | LDE | Page # 1 of 1 | |
| Address | 32 Grey Street, Gisborne | Customer Comments / Instructions | |
| Project Leader | J.D. | Samples 1-4 taken from saturated drain on Tucker Road, Samples 5 & 6 taken from spoil/ disposal site - still saturated clay. [urgent Please] | |
| Project ID | 15643 PO # | | |
| Site | Tucker/Harper Road, Gisborne | | |
| Sampler | Sarah Robinson | | |
| Phone | 06 8673035 ext 216 | | |
| Email | S.Robinson@lde.co.nz | | |
| Invoice Email | Admin@lde.co.nz | | |

| LABORATORY USE ONLY | | | | | | | |
|---|---|---|---|---|---|---|---|
| Laboratory Job # | | | Seal Status | | Priority (mark with X) | | |
| Date Received | / / | Received By | | Sample Temp Status | | Routine | Urgent |

TESTS REQUESTED

| Lab ID | Sample ID | Depth | Date | Time | Matrix | # Cont. | Analysis Requests/Suites | Sample Comments |
|---|---|---|---|---|---|---|---|---|
| | S1 | 1m | 25/3/19 | 11 50 | S or W | | HM, PAH | Tuckers Road drain |
| | S2 | " | " | 12 10 | S or W | | HM, PAH | " " " |
| | S3 | " | " | 12 20 | S or W | | " " | " " " |
| | S4 | " | / / | 12 30 | S or W | | " " | " " " |
| | S5 | 0-300mm | / / | 12 50 | S or W | | " " | Glengl RD Stockpile |
| | S6 | " | / / | 1255 | S or W | | " " | " " " " |
| | | | / / | : | S or W | | | |
| | S7 | | / / | : | S or W | lab to composite S1-S4 and test for OCPs | | |
| | S8 | | / / | : | S or W | " " " S5&S6 | " " " " | |
| | | | / / | : | S or W | | | |
| | | | / / | : | S or W | | | |
| | | | / / | : | S or W | | | |
| | | | / / | : | S or W | | | |
| | | | / / | : | S or W | | | |
| | | | / / | : | S or W | | | |
| | | | / / | : | S or W | | | |
| | | | / / | : | S or W | | | |
| | | | / / | : | S or W | | | |

| Relinquished by | | | Received by | EC | | Courier | NZC |
|---|---|---|---|---|---|---|---|
| Date | / / | Time : | Date | 26/3/19 | Time 6:30 | Courier # | JDG00004427 |

Analytica Laboratories Ltd
Ruakura Research Centre
10 Bisley Road, Private Bag 3123
Hamilton 3240, New Zealand
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# APPENDIX B: LABORATORY RESULTS

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# Certificate of Analysis

Land Development & Exploration
32 Grey Street
Gisborne 4010
Attention: J D
Phone: 068673035
Email: s.robinson@lde.co.nz

Lab Reference: 19-09516
Submitted by: Sarah Robinson
Date Received: 26/03/2019
Date Completed: 28/03/2019
Order Number: 15643
Reference: 15643

Sampling Site: Tucker/Harper Road Road, Gisborne

## Report Comments

Samples were collected by yourselves (or your agent) and analysed as received at Analytica Laboratories. Samples were in acceptable condition unless otherwise noted on this report.

### Heavy Metals in Soil

| | | Client Sample ID | S1 1m | S2 1m | S3 1m | S4 1m | S5 1-100m |
|---|---|---|---|---|---|---|---|
| | | Date Sampled | 25/03/2019 | 25/03/2019 | 25/03/2019 | 25/03/2019 | 25/03/2019 |
| Analyte | Unit | *Reporting Limit* | 19-09516-1 | 19-09516-2 | 19-09516-3 | 19-09516-4 | 19-09516-5 |
| Arsenic | mg/kg dry wt | *0.125* | 4.25 | 4.90 | 6.16 | 5.79 | 3.95 |
| Beryllium | mg/kg dry wt | *0.013* | 0.56 | 0.64 | 0.47 | 0.50 | 0.51 |
| Boron | mg/kg dry wt | *1.25* | 7.28 | 8.09 | 6.08 | 7.61 | 10.9 |
| Cadmium | mg/kg dry wt | *0.005* | 0.069 | 0.076 | 0.075 | 0.14 | 0.18 |
| Chromium | mg/kg dry wt | *0.125* | 23.4 | 26.2 | 24.6 | 24.4 | 23.8 |
| Copper | mg/kg dry wt | *0.075* | 16.1 | 17.6 | 15.4 | 21.8 | 25.2 |
| Lead | mg/kg dry wt | *0.05* | 10.1 | 10.9 | 9.98 | 10.2 | 11.7 |
| Mercury | mg/kg dry wt | *0.025* | 0.062 | 0.061 | 0.050 | 0.044 | 0.057 |
| Nickel | mg/kg dry wt | *0.05* | 31.9 | 32.7 | 34.5 | 30.9 | 29.6 |
| Zinc | mg/kg dry wt | *0.05* | 67.9 | 61.6 | 56.4 | 68.5 | 104 |

### Heavy Metals in Soil

| | | Client Sample ID | S6 1-100m |
|---|---|---|---|
| | | Date Sampled | 25/03/2019 |
| Analyte | Unit | *Reporting Limit* | 19-09516-6 |
| Arsenic | mg/kg dry wt | *0.125* | 5.19 |
| Beryllium | mg/kg dry wt | *0.013* | 0.51 |
| Boron | mg/kg dry wt | *1.25* | 9.82 |
| Cadmium | mg/kg dry wt | *0.005* | 0.14 |
| Chromium | mg/kg dry wt | *0.125* | 23.3 |
| Copper | mg/kg dry wt | *0.075* | 22.6 |

IANZ ACCREDITED LABORATORY

All tests reported herein have been performed in accordance with the laboratory's scope of accreditation, with the exception of tests marked *, which are not accredited.


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## Heavy Metals in Soil

| | | | Client Sample ID | S6<br>1-100m |
|---|---|---|---|---|
| | | | Date Sampled | 25/03/2019 |
| Lead | mg/kg dry wt | *0.05* | 10.4 |
| Mercury | mg/kg dry wt | *0.025* | 0.051 |
| Nickel | mg/kg dry wt | *0.05* | 28.0 |
| Zinc | mg/kg dry wt | *0.05* | 66.6 |

## Polycyclic Aromatic Hydrocarbons - Soil

| | | | Client Sample ID | S1<br>1m | S2<br>1m | S3<br>1m | S4<br>1m | S5<br>1-100m |
|---|---|---|---|---|---|---|---|---|
| | | | Date Sampled | 25/03/2019 | 25/03/2019 | 25/03/2019 | 25/03/2019 | 25/03/2019 |
| Analyte | Unit | *Reporting Limit* | | 19-09516-1 | 19-09516-2 | 19-09516-3 | 19-09516-4 | 19-09516-5 |
| 1-Methylnaphthalene | mg/kg dry wt | *0.01* | | <0.011 | <0.012 | <0.01 | <0.011 | <0.016 |
| 2-Methylnaphthalene | mg/kg dry wt | *0.01* | | <0.011 | <0.012 | <0.01 | <0.011 | <0.016 |
| Acenaphthene | mg/kg dry wt | *0.01* | | <0.011 | <0.012 | <0.01 | <0.011 | <0.016 |
| Acenaphthylene | mg/kg dry wt | *0.01* | | <0.011 | <0.012 | <0.01 | <0.011 | <0.016 |
| Anthracene | mg/kg dry wt | *0.01* | | <0.011 | <0.012 | <0.01 | <0.011 | <0.016 |
| Benz[a]anthracene | mg/kg dry wt | *0.02* | | <0.02 | <0.02 | <0.02 | <0.02 | <0.02 |
| Benzo[a]pyrene | mg/kg dry wt | *0.01* | | <0.011 | <0.012 | <0.01 | <0.011 | <0.016 |
| Benzo[b]&[j] fluoranthene | mg/kg dry wt | *0.02* | | <0.02 | <0.02 | <0.02 | <0.02 | <0.02 |
| Benzo[g,h,i]perylene | mg/kg dry wt | *0.02* | | <0.02 | <0.02 | <0.02 | <0.02 | <0.02 |
| Benzo[k]fluoranthene | mg/kg dry wt | *0.01* | | <0.011 | <0.012 | <0.01 | <0.011 | <0.016 |
| Chrysene | mg/kg dry wt | *0.01* | | <0.011 | <0.012 | <0.01 | <0.011 | <0.016 |
| Dibenz(a,h)anthracene | mg/kg dry wt | *0.01* | | <0.011 | <0.012 | <0.01 | <0.011 | <0.016 |
| Fluoranthene | mg/kg dry wt | *0.02* | | <0.02 | <0.02 | <0.02 | <0.02 | <0.02 |
| Fluorene | mg/kg dry wt | *0.01* | | <0.011 | <0.012 | <0.01 | <0.011 | <0.016 |
| Indeno(1,2,3-cd)pyrene | mg/kg dry wt | *0.01* | | <0.011 | <0.012 | <0.01 | <0.011 | <0.016 |
| Naphthalene | mg/kg dry wt | *0.01* | | <0.011 | <0.012 | <0.01 | <0.011 | <0.016 |
| Phenanthrene | mg/kg dry wt | *0.01* | | <0.011 | <0.012 | <0.01 | <0.011 | <0.016 |
| Pyrene | mg/kg dry wt | *0.02* | | <0.02 | <0.02 | <0.02 | <0.02 | <0.02 |
| Benzo[a]pyrene TEQ (LOR) | mg/kg dry wt | *0.01* | | 0.03 | 0.03 | 0.03 | 0.03 | 0.04 |
| Benzo[a]pyrene TEQ (Zero) | mg/kg dry wt | *0.01* | | <0.01 | <0.01 | <0.01 | <0.01 | <0.01 |
| Anthracene-d10 (Surrogate) | % | *1* | | 121.9 | 121.5 | 124.1 | 118.3 | 110.4 |

## Polycyclic Aromatic Hydrocarbons - Soil

| | | | Client Sample ID | S6<br>1-100m |
|---|---|---|---|---|
| | | | Date Sampled | 25/03/2019 |
| Analyte | Unit | *Reporting Limit* | | 19-09516-6 |
| 1-Methylnaphthalene | mg/kg dry wt | *0.01* | | <0.018 |
| 2-Methylnaphthalene | mg/kg dry wt | *0.01* | | <0.018 |
| Acenaphthene | mg/kg dry wt | *0.01* | | <0.018 |
| Acenaphthylene | mg/kg dry wt | *0.01* | | <0.018 |
| Anthracene | mg/kg dry wt | *0.01* | | <0.018 |
| Benz[a]anthracene | mg/kg dry wt | *0.02* | | <0.02 |
| Benzo[a]pyrene | mg/kg dry wt | *0.01* | | <0.018 |
| Benzo[b]&[j] fluoranthene | mg/kg dry wt | *0.02* | | <0.02 |
| Benzo[g,h,i]perylene | mg/kg dry wt | *0.02* | | <0.02 |
| Benzo[k]fluoranthene | mg/kg dry wt | *0.01* | | <0.018 |
| Chrysene | mg/kg dry wt | *0.01* | | <0.018 |


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## Polycyclic Aromatic Hydrocarbons - Soil

| | | | Client Sample ID | S6<br>1-100m |
|---|---|---|---|---|
| | | | Date Sampled | 25/03/2019 |
| Dibenz(a,h)anthracene | mg/kg dry wt | *0.01* | | <0.018 |
| Fluoranthene | mg/kg dry wt | *0.02* | | <0.02 |
| Fluorene | mg/kg dry wt | *0.01* | | <0.018 |
| Indeno(1,2,3-cd)pyrene | mg/kg dry wt | *0.01* | | <0.018 |
| Naphthalene | mg/kg dry wt | *0.01* | | <0.018 |
| Phenanthrene | mg/kg dry wt | *0.01* | | <0.018 |
| Pyrene | mg/kg dry wt | *0.02* | | <0.02 |
| Benzo[a]pyrene TEQ (LOR) | mg/kg dry wt | *0.01* | | 0.04 |
| Benzo[a]pyrene TEQ (Zero) | mg/kg dry wt | *0.01* | | <0.01 |
| Anthracene-d10 (Surrogate) | % | *1* | | 127.4 |

## Organochlorine Pesticides - Soil

| | | | Client Sample ID | S7 (S1-S4) | S8 (S5-S6) |
|---|---|---|---|---|---|
| | | | Date Sampled | | |
| Analyte | Unit | *Reporting Limit* | | 19-09516-7 | 19-09516-8 |
| 2,4'-DDD | mg/kg dry wt | *0.005* | | <0.005 | <0.005 |
| 2,4'-DDE | mg/kg dry wt | *0.005* | | <0.005 | <0.005 |
| 2,4'-DDT | mg/kg dry wt | *0.005* | | <0.005 | <0.005 |
| 4,4'-DDD | mg/kg dry wt | *0.003* | | <0.003 | <0.003 |
| 4,4'-DDE | mg/kg dry wt | *0.005* | | <0.005 | <0.005 |
| 4,4'-DDT | mg/kg dry wt | *0.005* | | <0.005 | <0.005 |
| Total DDT | mg/kg dry wt | *0.02* | | <0.02 | <0.02 |
| alpha-BHC | mg/kg dry wt | *0.005* | | <0.005 | <0.005 |
| Aldrin | mg/kg dry wt | *0.005* | | <0.005 | <0.005 |
| beta-BHC | mg/kg dry wt | *0.005* | | <0.005 | <0.005 |
| cis-Chlordane | mg/kg dry wt | *0.005* | | <0.005 | <0.005 |
| cis-Nonachlor | mg/kg dry wt | *0.01* | | <0.01 | <0.01 |
| delta-BHC | mg/kg dry wt | *0.005* | | <0.005 | <0.005 |
| Dieldrin | mg/kg dry wt | *0.05* | | <0.05 | <0.05 |
| Endosulfan I | mg/kg dry wt | *0.005* | | <0.005 | <0.005 |
| Endosulfan II | mg/kg dry wt | *0.01* | | <0.01 | <0.01 |
| Endosulfan sulphate | mg/kg dry wt | *0.005* | | <0.005 | <0.005 |
| Endrin | mg/kg dry wt | *0.05* | | <0.05 | <0.05 |
| Endrin aldehyde | mg/kg dry wt | *0.01* | | <0.01 | <0.01 |
| Endrin ketone | mg/kg dry wt | *0.005* | | <0.005 | <0.005 |
| gamma-BHC | mg/kg dry wt | *0.005* | | <0.005 | <0.005 |
| Heptachlor | mg/kg dry wt | *0.005* | | <0.005 | <0.005 |
| Heptachlor epoxide | mg/kg dry wt | *0.005* | | <0.005 | <0.005 |
| Hexachlorobenzene | mg/kg dry wt | *0.005* | | <0.005 | <0.005 |
| Methoxychlor | mg/kg dry wt | *0.01* | | <0.01 | <0.01 |
| trans-nonachlor | mg/kg dry wt | *0.01* | | <0.01 | <0.01 |
| trans-Chlordane | mg/kg dry wt | *0.01* | | <0.01 | <0.01 |
| Chlordane (sum) | mg/kg dry wt | *0.02* | | <0.020 | <0.020 |
| TCMX (Surrogate) | % | *1* | | 104.6 | 84.1 |


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### Moisture Content

| | Client Sample ID | | S1<br>1m | S2<br>1m | S3<br>1m | S4<br>1m | S5<br>1-100m |
|---|---|---|---|---|---|---|---|
| | Date Sampled | | 25/03/2019 | 25/03/2019 | 25/03/2019 | 25/03/2019 | 25/03/2019 |
| Analyte | Unit | *Reporting Limit* | 19-09516-1 | 19-09516-2 | 19-09516-3 | 19-09516-4 | 19-09516-5 |
| Moisture Content | % | *1* | 37 | 39 | 29 | 39 | 63 |

### Moisture Content

| | Client Sample ID | | S6<br>1-100m |
|---|---|---|---|
| | Date Sampled | | 25/03/2019 |
| Analyte | Unit | *Reporting Limit* | 19-09516-6 |
| Moisture Content | % | *1* | 64 |

## Method Summary

**Elements in Soil**
Acid digestion followed by ICP-MS analysis. (US EPA method 200.8).
Results are based on a dried sample passed through a 2 mm sieve.

**PAH in Soil**
Solvent extraction, silica cleanup, followed by GC-MS analysis.
**Benzo[a]pyrene TEQ (LOR)**: The most conservative TEQ estimate, where a result is reported as less than the limit of reporting (LOR) the LOR value is used to calculate the TEQ for that PAH.
**Benzo[a]pyrene TEQ (Zero)**: The least conservative TEQ estimate, PAHs reported as less than the limit of reporting (LOR) are not included in the TEQ calculation.
Benzo[a]pyrene toxic equivalence (TEQ) is calculated according to *'Methodology for Deriving Standards for Contaminants in Soil to Protect Human Health'*. Ministry for the Environment. 2011.

**OCP in Soil**
Samples are extracted with hexane, pre-concetrated then analysed by GC-MSMS.(In-house procedure).
(Chlordane (sum) is calculated from the main actives in technical Chlordane: Chlordane, Nonachlor and Heptachlor)

**Total DDT**
Sum of DDT, DDD and DDE (4,4' and 2,4 isomers)

**Moisture**
Moisture content is determined gravimetrically by drying at 103 °C.

Sharelle Frank, B.Sc. (Tech)
Technologist

Nathan Howse, B.Sc.
Technologist


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# Non Notified Decision

**Section 104, 104B, 106, and 108 of the Resource Management Act 1991**

| | | | |
|---|---|---|---|
| **Date:** | 16 April 2020 | **Application Number:** | SG-2020-109460-00<br>LU-2020-109583-00 |
| **Reporting Planner:** | Sarah Hunter | **Site Visit on:** | 17 March 2020 |

| | |
|---|---|
| **Related Applications:** | NIL |

| | |
|---|---|
| **Applicant:** | P and J Solomon |
| **Property Address:** | 85/89 Glenelg Road, Makauri, Gisborne |
| **Legal Description:** | Lot 13 and Lot 14 DP1825 |
| **District Plan:** | Te Papa Tipu Taunaki o Te Tairāwhiti – Tairāwhiti Resource Management Plan |
| **Zoning:** | Rural Production |
| **Overlays:** | Land Overlay 1 |
| **Activity Status:** | Discretionary |

## 1.0 Resource Consent Decision

Pursuant to Sections 104, 104B, 106 and 108 of the Resource Management Act 1991, Gisborne District Council **Grant** the application by P and J Solomon, **subject to the Conditions below.**

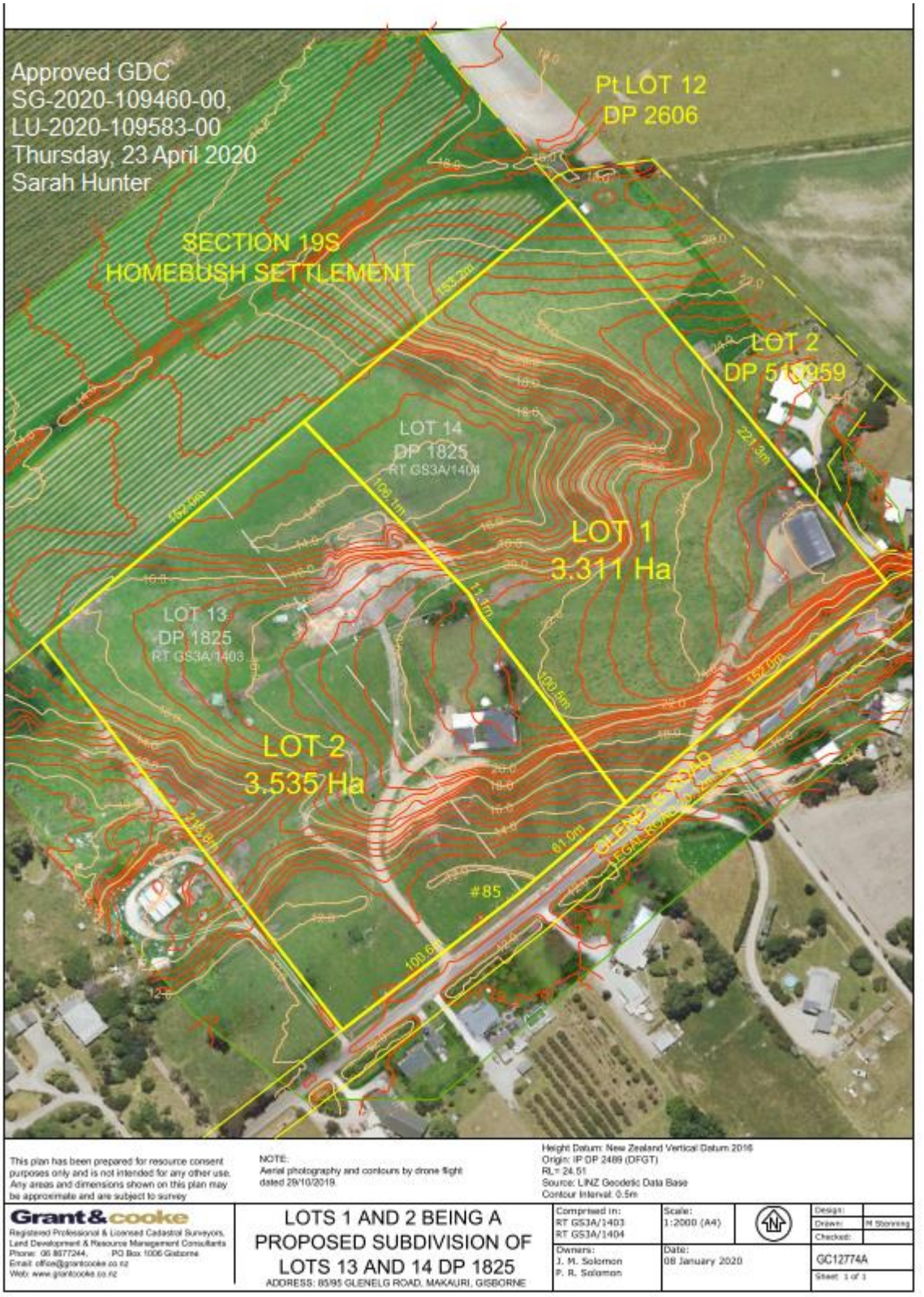
## 1.1 The Approved Activity

A boundary adjustment of Lots 13 and 14 DP 1825 into two lots (Lots 1 and 2) and to then construct a dwelling on Lot 2. Both Lots 1 and 2 are below the 8 Ha minimum lot size permitted for the Rural Production zone.

## 1.2 Approved Plans

| Document | Prepared by: | Reference No. | Date: |
|---|---|---|---|
| Lots 1 & 2 being a Proposed Subdivision of Lots 13 & 14 DP 1825 | Grant And Cooke | GC12774A | 8 January 2020 |

1) *Please note that the plans which are approved are stamped Approved Plan and attached to this consent.*
2) *A copy of the Planners decision report can be obtained upon request.*




## 2.0 Conditions

Pursuant to Section 108 of the Resource Management Act 1991 this consent is granted subject to the following conditions:

1. The development shall proceed in general accordance with the information and plans submitted with the application SG-2019-109460-00 460 & LU-2019-109583-00 received by Council on 31 January 2020. The approved drawings are listed in the table in section 1.2. If a conflict arises between any conditions of this consent and the application, the conditions of this consent will prevail.

2. Pursuant to Section 36 of the Resource Management Act 1991, the consent holder shall pay the actual and reasonable costs incurred by the Gisborne District Council when monitoring the conditions of this consent.

3. Power shall be provided to Lot 1. Prior to requesting approval under Section 224 of the Resource Management Act 1991 the consent holder shall provide evidence from the relevant network utility provider that power is available.

4. Pursuant to Section 221 of the Resource Management Act 1991 a consent notice condition shall be imposed on the record of title of Lot 1 advising as follows:

   a) Within 1 month of the issue of a code compliance certificate (CCC) for a new dwelling upon Lot 1, a new vehicle crossing shall be constructed to meet Gisborne District Council's Engineering Code of Practice 2000 for a new residential crossing. The vehicle crossing shall be formed with concrete or sealed between the edge of seal on Glenelg Road and the property boundary.

   b) A telecommunications service has not been provided to Lot 1. It is therefore the responsibility of any property owner developing the site to determine and pay for the cost of a telecommunications connection.

   c) Any application(s) for building consent to erect a new habitable building on Lot 1 shall include a 'Geotechnical Investigation Report' prepared by a geo-professional specialising in the field of geotechnical engineering, which:

      i. Certifies to the satisfaction of the Consent Authority that the design of the foundations of the proposed building are suitable with respect to the bearing strength of the supporting ground (In accordance with the relevant New Zealand Standard); and

      ii. Addresses any potential for expansive soils, non-engineered fill and if appropriate liquefaction or differential settlement that may need to be incorporated into the foundation design for new buildings; and.

      iii. Includes site specific geological, geomorphological and stability analysis that confirms that the proposed development will not be subject to natural hazards; and

      iv. Specifies as appropriate, any remedial works or mitigation measures to be undertaken to protect the development from natural hazards.

      Advice Note: The building shall be constructed in accordance with the recommendations in the submitted Geotechnical Report.

      Reference should be made to the minimum requirements outlined in the Gisborne District Council 'Bearing Capacity & Geotechnical Investigation Requirements' pamphlet.

   d) A site-specific assessment and building specific effluent disposal system design shall be submitted with a Building Consent for any proposed dwelling on Lot 1. The treatment system and effluent disposal field shall be located at least 3m away from the proposed building site.

## ADVICE NOTES

a) In accordance with section 125(1) of the Resource Management Act 1991, a resource consent lapses 5 years after the date of commencement of the consent unless the consent is given effect to or an application is made and granted for an extension of

time. A subdivision is given effect to when a survey plan in respect of the subdivision has been submitted to the Council under section 223, but shall lapse if the survey plan is not deposited in accordance with section 224. In accordance with section 224(h) no survey plan shall be deposited unless less than 3 years has elapsed since the Council has approved the survey plan.

b) Once the section 224C completion certificate has been issued by Council for this subdivision, Council will advise the consent holder of property number(s). Entrances are required to be accurately numbered in accordance with the Rural and urban addressing standard, AS/NZS4819:2011. To conform to the above standard, the existing property numbering may need to change.

c) All work or discharge to or within the road reserve requires a Corridor Access Request (CAR). This includes any upgrades to vehicle crossings and the installation of infrastructure, services. A Corridor Access Request (CAR) can be made via the BeforeUDig web site or directly to Gisborne District Council. A Traffic Management Plan for the works shall be submitted with the CAR.

d) This consent permits the construction of one dwelling upon proposed lot 1 as submitted in the application.

## REASONS FOR DECISION

Section 113(4) of the Resource Management Act 1991, requires that every decision on a resource consent that has not been notified shall be in writing and state reasons for the decision.

1. The actual and potential effects created by the proposal are considered acceptable because the creation of Lot 1 and 2 will not adversely impact upon amenity values associated with the site. The site specific features present at the site set it apart from other Rural Residential zoned sites, meaning that the creation of Lot 3 will not set a precedent for similar substandard development elsewhere in the Rural Residential zone.
2. The proposal is consistent with the objectives and policies of the Tairāwhiti Resource Management Plan.

3. Overall the proposal meets the purpose (Section 5) and principles (Sections 6-8) of the Resource Management Act 1991.

Under delegated authority

Dated at Gisborne this 24 April 2020

Grant&cooke
Registered Professional Surveyors, Land Development & Resource Management Consultants

File Reference: 12774

28 January 2020

The Manager
Environment & Planning
Gisborne District Council
P O Box 747
GISBORNE

ATTENTION: Consents Manager

Dear Sir

**RESOURCE CONSENT APPLICATION**

1. **PROPOSED SUBDIVISION/BOUNDARY ADJUSTMENT**
2. **LAND USE APPLICATION**

**APPLICANT – PR & JM SOLOMON**
**85/95 GLENELG ROAD, MAKAURI, GISBORNE**

Application for Resource Consent to subdivide Lot's 13 & 14 DP 1825 at 85 Glenelg Road in accordance with the Resource Management Act 1991.

Please find enclosed:

1. Subdivision Application Form
2. Subdivision Check List
3. Plan GC12774A
4. RT's GS3A/1403 & GS3A/1404
5. Current interests – T.12753 & T15544
6. Search of Council Records

7. On Site Wastewater Assessment

8. Geotechnical Report for Proposed Dwelling on Lot 1

9. Signed HAIL statement

**THE PROPOSAL**

Our clients own Lots 13 & 14 DP 1825 and wish to adjust the boundaries between these existing parcels. As can be seen on plan GC12774A, the existing house and outbuildings are on Lot 14 DP 1825, but the access from the road is predominantly within Lot 13 DP 1825. The proposed subdivision of part of Lot 14 DP 1825 and its addition to the other title will remedy this situation and make the new Lots almost equal areas.

**TOPOGRAPHY**

As can be seen from the contour lines, the property has a predominantly rolling terrain and slopes from a plateau area running through the middle of the property in a southeasterly direction toward Glenelg Road and also in a northwesterly direction.

**ZONE**

The land is zoned Rural Productive in the Tairawhiti Resource Management Plan (TRMP). Both existing titles fall well short of the minimum 8 ha as they were created in 1911.

**ACCESS**

Lot 1(95 Glenelg Road) has a newly formed metalled vehicle crossing and driveway from Glenelg Road.

Lot 2 (85 Glenelg Road) has an existing metalled vehicle crossing and driveway from Glenelg Road.

**BUILDINGS**

Lot 1 – A newly constructed implement shed/workshop. A new dwelling is proposed on Lot 1 and a geotechnical report dated 20 January 2020 is enclosed covering this.

Lot 2 – An existing dwelling and accessory buildings.

**SERVICES**

**Lot 1:**

A new septic tank system is located just to the north/west of the new building and is contained within Lot 1. The attached On - Site Wastewater Consent shows that the system as designed and installed is capable of servicing a 4 bedroom house.

Electricity has been installed from Glenelg Road to the new implement shed/office.

Our client intends to use wireless communications and it would be prudent to add a consent notice that no hard wired telecommunications service has been provided to Lot 1 and that it is the responsibility of any property owner developing the site to determine and pay for the cost of this type of telecommunications connection if they so desired.

**Lot 2**:

The septic tank is located west of the existing dwelling and is contained within Lot 2.

The existing dwelling has an electricity connection and a hard-wired telecommunications line from Glenelg Road.

**OVERLAYS**

All the land is covered by Land Overlay 1.

**ARCHAEOLOGICAL MATTERS**

The site is not covered by the Heritage Alert layer and there are no registered archaeological sites shown on the TRMP maps.

**LOT AREAS**

Currently Lot 13 DP 1825 (RT GS3A/1403) is 2.2207 hectares and Lot 14 DP 1825 (RT GS3A/1404) is 4.6260 hectares, a combined total of 6.8467 hectares.
Neither allotment complies with the 8 hectare minimum requirement of the TRMP.

The area of proposed Lot 1 is 3.311 hectares and the area of proposed Lot 2 is 3.535 hectares.

Both areas are subject to final survey.

**YARDS**

The yard northeast of the new implement shed/workshop on Lot 1 is an existing boundary which isn't being altered in this subdivision.

The proposed yards around the house on Lot 2 comply with those in Sec DD4.6.1.1C of the TRMP.

**EXISTING EASEMENTS**

There are a series of historical easement agreements contained in the attached interests that cover rights to the brewery spring. These are unaffected by this proposal.

**PROPOSED EASEMENTS**

No new easements are proposed.

## STATUS OF APPLICATION

Lots 1 & 2 comply with the 100m x 200m shape factor.

Their final areas do not meet the present 8 ha minimum hence the application is deemed to be a Discretionary Activity.

## NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH (NES)

Do the NES regulations apply to this property? The following methodology has been used to assess this:

Is the activity covered under Regulations 5(2) – 5(6)? Yes, covered under 5(5). NES assessment is required because the land is being subdivided.

Our clients have read the Search of Council Records and the HAIL list and have elected to sign the enclosed HAIL Statement.

## ASSESSMENT OF THE RELEVANT TAIRAWHITI REGIONAL MANAGEMENT PLAN

## SUBDIVISION RULES

| Rule Number | Rule Name | Status of Activity | Comment |
|---|---|---|---|
| C10.1.6(3) | Non compliance with General Rules due to.....<br>a) Allotment Dimensions<br>b) Street Frontages<br>c) Existing Buildings<br>d) Boundary Adjustment<br>e) Easements<br>f) Financial Contribuitions | Controlled | |

| | | | |
|---|---|---|---|
| C10.1.6(9) | Activities not listed as Controlled or Restricted Discretionary and do not comply with General Standards | Discretionary | Currently neither subject allotment comply with the required allotment size within the Rural Production zone.<br><br>After the boundary adjustment the minimum allotment sizes do not comply with the required allotment size within the Rural Production Zone. |
| C10.1.6.1 A | Subdivisions shall comply with C2 - Built Environment, Infrastructure and Energy, and C9 - Natural Heritage | General Standard | The proposal is considered to comply with C2 and C9 of the TRMP |
| C10.1.6.1 B | Allotment Sizes and Dimensions | General Standard | The subject land is within the Rural Production Zone requiring a minimum site size of 8 hectares.<br>Areas of Lots 1 and 2 are presently non- compliant. After subdivision, Lots will have a better shape and more equivalent in area<br><br>Lots 1 and 2 comply with the shape factor requirement. |
| C10.1.6.1 D | Existing Buildings | General Standard | Lot 1 has a new implement shed/workshop.<br><br>Lot 2 has an existing dwelling and accessory buildings. |
| C10.1.6.1 E | Boundary Adjustment | General Standard | The proposal is a boundary adjustment. |
| C10.1.6.1 F | Easements | General Standard | No new easements are proposed. |

## ASSESSMENT OF THE RELEVANT TAIRAWHITI REGIONAL MANAGEMENT PLAN BUILT ENVIRONMENT, INFRASTRUCTURE AND ENERGY RULES

| Rule Number | Rule Name | Status of Activity | Comment |
|---|---|---|---|
| C2.1.7 A | General Servicing Requirements | General Standard | The proposal does not fall within the Reticulated Services Boundary.<br><br>Lot 1 has potable water by rooftop collection, sewage disposal via a new on site septic tank system. Electricity has been installed to the new implement shed/workshop Our client intends to use wireless communication.<br><br>Lot 2 has potable water by rooftop collection, sewage disposal via an on site septic tank system. There is an existing electricity connection and hard wired telecommunications line to Glenelg Road. |
| C2.1.7 D | Stormwater Systems | General Standard | The site is outside the reticulated stormwater area. Potable water for domestic use will be collected and stored from the new implement shed/workshop building on Lot 1 and the from the existing dwelling on Lot 2. |
| C2.1.7 E | Water Supply | General Standard | Lots 1 and 2 have potable water via rooftop collection |
| C2.1.7 F | Wastewater Systems | General Standard | Lots 1 and 2 have sewage disposal via on site septic tank systems. |

| | | | |
|---|---|---|---|
| C2.1.7 G | Energy and Telecommunications | General Standard | Lot 1 has a had a new electricity cable installed from Glenelg Road to the new implement shed/workshop. Intended telecommunications via wireless communications.<br><br>Lot 2 has an existing electricity cable from Glenelg Road to the existing dwelling. Intended telecommunications via wireless communications. |
| C2.1.7 I | Access | General Standard | Lot 1 has a newly formed access from Glenelg Road.<br>Lot 2 has existing access from Glenelg Road. |
| C2.1.7 J | Parking | General Standard | Existing parking available |

## ASSESSMENT OF TAIRAWHITI RESOURCE MANAGEMENT POLICIES AND OBJECTIVES FOR THE RURAL P ZONE

### DD4.4.2 RURAL PRODUCTIVE POLICIES

1. To manage adverse environmental effects on the soil resource that occur as a result of subdivision, use and development to secure the soil's life supporting capacity in order to meet present and future needs.
   **Comment: The properties are not on the Poverty Bay flats, and given the topography are not suitable for anything but light grazing.**

4. In the case of resource consents for the creation of lots less than eight hectares in extent Council shall have regard to the following matters:

   i. physical constraints on the property such as location of roads and other infrastructure or the physical separation of the property by rivers;
   **Comment: The properties have significant contour**

   **ii.** extent of adjoining land parcels and proximity of properties being intensively cropped or forested and/or being worked in any other way;

**Comment: Adjoining properties except the one to the north are essentially lifestyle properties.**

**iii.** potential impact on the sustainable management of existing, surrounding land uses;

**Comment: As above. The land in grapes to the north is a significant distance and lower elevation to the proposed house site on Lot 1. There are other houses on adjoining properties in a similar position.**

**iv.** location and scale of adjoining dwelling units or other social infrastructure such as schools or community facilities in the vicinity and adjacent to the property.

**v.** **Comment: This proposal is not out of character with adjoining properties.**

5. Manage conflicting uses on the Poverty Bay flats to ensure that residential dwellings and other sensitive land uses do not have an adverse effect on the primary farming activity and to locate residential dwellings so that they are not adversely affected by noise, spray-drift and odour generated by farming and forestry.

**Comment: The primary farming activity is at a rural residential level on moderate hill country. See also comment in iii. Above.**

**DD4.3.1 All Rural zone Objectives**

1. Enable subdivision, use and development in all rural zones provided that adverse environmental effects can be avoided, remedied or mitigated.

**Comment: This subdivision is a boundary adjustment. Apart from a proposed new dwelling on Lot 1, the current land use is not changing and therefore there are no adverse environmental effects.**

2. Maintain rural amenity values.

**Comment: This proposed subdivision does not reduce the amenity.**

3. Sustainable management of the life supporting capacity of the soils on the Poverty Bay Flats.

**Comment: The zoning of these two properties as Rural P seems to be an anomaly. They are not on the Poverty Bay flats, and are adjacent to land zoned Rural G. A more sensible zoning would be Rural R or Rural Lifestyle as across the road.**

4. Enable peri-urban living in appropriate areas, and at densities where the adverse effects of this activity can be avoided, remedied or mitigated.
**Comment: As per comment above in 3.**

5. Locate structures and plant trees in such a manner as not to cause adverse environmental effects across property boundaries.
**Comment: Controlled by rules in the TRMP.**

## ASSESSMENT OF THE ACTIVITY AGAINST THE MATTERS SET OUT IN PART 2 OF THE ACT

It is considered the proposed subdivision is consistent with the purposes set out in sub parts 5. Natural and physical resources, the life-supporting capacity of air, water, soil and ecosystems will not be adversely affected by the proposal.

Matters of national importance set out in sub part 6 will be unaffected by the proposal. The site is not on the coast, does not have any outstanding natural features or landscapes, or areas of significant indigenous vegetation that provide habitat for indigenous fauna.

There are no marine areas or lakes that require the enhancement of public access.

There are no identified archaeological or Waahi Tapu sites within this proposal.

This proposal will not result in an increase in any significant risks from natural hazards.

The proposal is consistent with sub parts 7 and 8. It is considered the proposed subdivision will have little or no effect on the effects of climate change or the finite characteristics of natural and physical resources because there are no changes to current land use proposed. Amenity values will be maintained.

The principles of the Treaty of Waitangi have been taken into account with regards to any effects on the management, use, development and protection of natural and physical resources in the area.

**ASSESSMENT OF THE ACTUAL OR POTENTIAL ENVIRONMENTAL EFFECTS ON THE ENVIRONMENT**

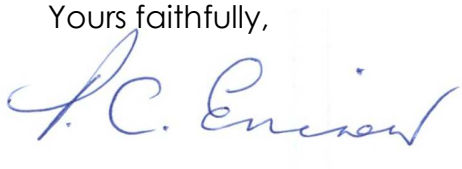
The two existing properties are non-complying for area in the Rural P zone. However, as highlighted above, the present zoning is not in line with topography, size or present land use and would be more suitably zoned Rural Residential or Rural Lifestyle. The majority of the properties along this side of Glenelg Road are well below the 8 ha minimum in the Rural P zone, and are being used in the Rural Residential capacity.

The proposed boundary adjustment is therefore not out of character with the adjoining properties in this area and hence effects on the environment as a consequence of this boundary adjustment are deemed to be less than minor.

**LAND USE APPLICATION**

In addition to the subdivision application, consent is sought to erect the proposed new dwelling on Lot 1. The Rural Productive Policies in DD4.4.2 (2) which relate to the erection of a dwelling on a site less than 8 hectares have been addressed in the above subdivision analysis.

Yours faithfully,



PAUL ERICSON
REGISTERED PROFESSIONAL SURVEYOR

Application for

# Resource Consent

Section 88 of the Resource Management Act 1991

Te Kaunihera o Te Tairāwhiti
GISBORNE
DISTRICT COUNCIL

## About this form

Please answer all the questions and provide the relevant details of your proposal. We recommend you talk your proposal through with Council planning staff before you fill in this form.

## 1. Activity type and location

This application is for:

☐ Change of consent notice (s.221) ☐ Land Use Consent ☑ Subdivision Consent ☐ Land Use (Regional)

☐ Other

Site(s) to which this application relates is described as:

85/95 (Street/ Rapid No.) Glenelg Road, Makauri, Gisborne (Street/Road Name:)

Property valuation No. 08240-07401 and 08240-07400 (see rates invoice)

Legal Description: Lot 13 DP 1825 and Lot 14 DP 1825

Fully describe the location:

OFFICE USE ONLY: Map Reference NZTM:

## 2. Applicant's details (all correspondence will be sent to the applicant unless agent's details are completed)

Name in full: Solomon (Surname:) Philip Robert & Jacqueline Mary (First Name(s))

Postal address:

P O Box 1012, Gisborne

Phone: (Day) (Mobile:)

Email:

Email is Council's preferred method of contact.

Do you agree to receive your correspondence and consent by email? ☐ Yes ☐ No

## Office use only

Application No: SG-2020-109460-00

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Received GDC: | 31/01/2020 | Received SO: | | Received ADM: | 03/02/2020 | EDRMS No: | |
| Deposit paid: | | Date paid: | | Category: | SG | Officer: | |

The applicant is the:

☑ Owner ☐ Occupier ☐ Prospective Purchaser ☐ The Crown ☐ Network Utility Operator

☐ Agent / Consultant (provide details over page)

## 3. Property owner's details (if different from applicant)

Name in full:

Surname: First Name(s)

Postal address:

Phone: Day Mobile:

Email:

## 4. Agent/consultant's details (all correspondence will be sent to your agent)

Company: Grant & Cooke Surveyors Ltd

Contact Person: Paul Ericson

Postal address:

PO Box 1006, Gisborne

Phone: (06) 8677244 ext 1 Day Mobile:

Email: paul@grantcooke.co.nz

Email is Council's preferred method of contact.

Do you agree to receive your correspondence and consent by email? ☑ Yes ☐ No

## 5. Address for invoices

Send all invoices and annual charges to: ☑ Applicant ☐ Agent/Consultant ☐ Other

If other, name

Surname: First Name(s)

Postal address:

P O Box 1012, Gisborne

## 6. Detailed description of proposed activity

See main document

## 7. Additional resource consents required for this proposal

Are any other resource consent(s) required for your proposal, but are not being applied for under this application? ☐ Yes ☑ No

☐ Land Use Consent ☐ Subdivision Consent ☐ Discharge Permit

☐ Coastal permit ☐ Water Permit ☐ Land Disturbance

☐ Other (give details):

Please list any previous consents relevant to this current application:

Building consent (BC19096)

## 8. Consultation

Have you consulted with iwi? ☐ Yes ☑ No

If yes, which iwi groups have you consulted with?

Who else have you consulted with?

Please attach any relevant correspondence.

## 9. Approval of potentially affected parties

Have you obtained written approval from all parties potentially affected by the proposal? ☐ Yes ☑ No

Please attach the completed approval forms with a copy of your plans also signed by the affected people.

**Please Note:** Council planning staff will determine whether any people or groups are potentially affected by your proposal. Please discuss with our planning staff prior to lodging your application.

## 10. Notification of the application

Are you requesting the application to be publicly notified? ☐ Yes ☑ No

Please discuss the implications of notification with our planning staff if necessary.

## 11. Assessment of Environmental Effects (AEE)

Further information about preparing an AEE is on our website.

Please note: An AEE generally requires a separate sheet/report. Please attach any additional information.

See main document

## 12. Council contact

Have you discussed your proposal with any Council planning staff? ☐ Yes ☑ No

If yes, who have you spoken with:

(name of Council staff member)

## 13. Contributions

When granting consent to certain activities, Council may levy a monetary contribution. Development contributions are levies under the Local Government Act 2002 in accordance with the Council's Development Contribution Policy. Financial or reserve contributions are levies under the RMA and Council's Combined Regional Land and District Plan.

## 14. Deposit and signature

The required deposit must be paid before we process your application. A deposit is not required for regional consents.

| | | | |
|---|---|---|---|
| Land Use | Non notified $780.00 | Notified $3,000.00 | Balance to be charged or refunded on a time and material basis |
| Subdivision | Non notified $1000.00 | Notified $3,000.00 | |
| Bundled | Non notified $1500.00 | Notified $3,000.00 | |

☐ I enclose a deposit of $ _____ for processing this application.

☑ I have paid a deposit by electronic banking of $ 1000.00 on 30.01.20 (date)

Council's bank account details: **Account No. 03 0638 0502288 00**

Particulars: RC DEPOSIT CODE: SOLOMON (surname) PARTICULARS: GLADELG (road name)

**Declaration**

I understand that Council may invoice me for the actual and reasonable costs incurred in processing this application.

I Philip Robert & Jacqueline Mary Solomon (print your name),

Agree that:

☑ I am liable for all fees and charges relating to this application

☑ The deposit is to be paid at the time of lodging the application

☑ That payment is due within 30 days of the issue date of any additional charges

☑ The information provided in this application and the attachments are accurate.

Signature of Applicant: (or person authorised to sign on behalf of applicant)

P.C Solomon. (AGENT)

Date: 29.1.20

Admin check ☐

## 15. Privacy information

The information you have provided on this form is required so that your application can be processed under the RMA and statistics can be collected by Council. The information will be stored on a public register held by Council. The details may also be made available to the public on Council's website. These details are collected to inform the general public and community groups about all consents which have been issued through Council. If you would like to request access to, or correct your details, please contact Council.

## 16. Checklist for completing your application

To ensure your application will be accepted by Council for processing, this checklist sets out the information required to be lodged with your application for a resource consent. This is a generic list of information required to be lodged with all resource consent applications. For some activities, specific information requirements are detailed in activity specific information requirement checklists.

If any of the required information is not supplied Council will not accept the application and will return the documentation and deposit fee.

### Lodging

Two methods for consent applications to be lodged are:

1. Digital applications – to be emailed to rclodgement@gdc.govt.nz
   Please note if the combined file size of your documents exceeds 30MB you will need to contact Consent Coordinators on the above email address. Staff responding will send out a secure link to upload your files.
2. Physical applications, lodged in person over the front counter. These will need to be lodged with the Duty Planner at Council Offices. Two paper copies (including one unbound) of all the information is required.

## Information required

Along with a completed application form, the following information is required:

Key: Mark items ✔ = Yes, Pass — = Not applicable ✖ = Fail

| Applicant to check ✔ | Council use |
|---|---|
| ✓ Proof of deposit fee payment. | |
| ✓ Certificate(s) of Title less than three months old for the site to which this application relates. Please attach the title and any consent notices, covenants, easements attached to the title if relevant or affected by the proposed activity. | |
| ✓ A detailed description of the proposed activity. | |
| ✓ Locality plan or aerial photo. Indicate the location of the site in relation to the street and other landmarks. Show the location of the subject site and those of adjoining sites. | |
| A scaled site plan showing: | |
| ✓ The boundaries; | |
| ✓ The location of the proposed activity or building; | |
| ✓ North point; | |
| ✓ Title/reference number(s); | |
| ✓ Date the plans were drawn and individual plan numbers; | |
| ✓ Location of existing and proposed accessways and points of entry; | |
| ✓ Topographic features; | |
| ✓ Contours; | |
| — Location of any mapped natural or cultural heritage features; | |
| — Location of any mapped natural hazards; | |
| — Location of any rivers, streams, watercourses. | |
| ✓ Also refer to the checklist specific to the consent type to see any additional features that need to be added to the site plan. | |
| ✓ An assessment of the activity the relevant provisions of the Tairawhiti Resource Management Plan (TRMP) - A list of the rules from the TRMP that require resource approval and status of the proposed activity in the TRMP. | |
| ✓ An assessment against any relevant National Environmental Standards. | |
| ✓ An assessment of effects on the environment (AEE) in accordance with Schedule 4 of the RMA at a level of detail that corresponds with the scale and significance of the effects that the proposed activity may have on the environment. In addition, this may require one or more technical specialist reports. The AEE must include a full description of the proposed activity, the effects that may be generated and how these will be managed. For more information refer the AEE guidance available for each consent activity type. | |
| ✓ An assessment against the relevant matters in Part 2 of the RMA will be required. Part 2 matters may be included in your AEE or in a separate document. | |
| ✓ An assessment against any relevant provisions (i.e. policies and objectives) of a statutory document (e.g. the Tairawhiti Resource Management Plan, Regional and/or National Policy Statement). The assessment may be included in your AEE or in a separate document. Note: This is only required for discretionary and non-complying activities. | |
| — Include details (name, postal and site address) of any consultation undertaken (including iwi) and any responses from those consulted with. | |
| — Written approval from all affected persons which includes a completed Affected Party Approval form(s) and signed and dated copies of the site plan, elevations. | |
| ✓ A completed checklist relevant to your application – Refer to the separate checklists relating to the consent you are applying for, i.e. the activity type. | |

## Pre-lodgement meeting

Have you had a pre-lodgement meeting with a Council Consents Planner? ☐ Yes ☑ No

Whom did you have the pre-lodgement meeting with?

To ensure a smoother lodgement process and to increase the chance of the application being accepted (as any outstanding information would have been identified at the pre-lodgement meeting) we encourage you to arrange a pre-lodgement meeting with a planner prior to lodging your application.

## Office use only

Signed by Acceptance Officer:

Officer: Date:



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Checklist for

# Subdivision Resource Consent

Te Kaunihera o Te Tairāwhiti
GISBORNE
DISTRICT COUNCIL

## Information requirements

This checklist will ensure you provide adequate information with your application for a subdivision consent. If the required information is not provided, or your application is incomplete, it will be returned to you with the deposit.

Note: You also need to provide the required information in the resource consent checklist.

**Please include this completed form with your application.**

## Information required

Along with a completed application form, the following information is required:

Key: Mark items ✔ = Yes, Pass — = Not applicable ✖ = Fail

| Applicant to check ✔ | Council use |
|---|---|
| ✓ The position of all existing and proposed boundaries | |
| ✓ The area of all new allotments (include the nett area of allotments excluding accessways) | |
| ✓ Ground levels | |
| ✓ Location of all existing and proposed easements | |
| — Proposed amalgamation request | |
| — The location and dimensions of any existing and proposed esplanade reserves or strips | |
| ✓ The location, width and construction standard of existing and proposed vehicle crossings | |
| ✓ The location, width and construction standard of existing and proposed accessways | |
| — Location and dimensions of any land to be set aside as new road | |
| ✓ Location of existing services | |
| ✓ Details of the proposed servicing of any new allotments with, sewer, water, stormwater, electricity and telecommunications | |
| ✓ Location and details of existing onsite wastewater systems | |
| ✓ Assessment for onsite wastewater suitability – For sites proposing future residential or commercial development that are in non-reticulated areas | |
| ✓ Confirmation of good ground conditions for building platforms/foundations | |
| — Global stability analysis for subdivision applications proposing future residential development and is located within Land Overlay 2 & 3 | |
| — CPT tests to determine the factor of safety against liquefaction, including lateral spreading analysis – This is only required for subdivision proposals for future residential, commercial or industrial development where more than two allotments are proposed in a medium to high liquefaction risk zone | |
| — Show expected and proposed impervious surfaces (include calculations) – This is required for subdivision applications in the residential, rural residential and rural lifestyle zones | |
| ✓ Assessment of the proposed stormwater management for the subdivision | |
| — Location of existing bores | |
| — Proposed finished floor level of future dwellings, if the subdivision site is within a flood hazard | |
| — If the subdivision is staged, clearly define the stages and if there is any time extension proposed to exercise the consent please clearly provide details on the number of years the extension is sought for. | |



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## Assessment of Environmental Effects

| | | |
|---|---|---|
| ✓ | Description of the character of the surrounding area | ☐ |
| ✓ | An amenity values assessment | ☐ |
| ✓ | Cultural heritage assessment | ☐ |
| — | Natural heritage assessment – if the site is within the coastal environment, outstanding landscape, protection management or urban ridgeline overlays provide an assessment specific to the relevant overlay | ☐ |
| — | Natural Hazards assessment – If the site is within any coastal hazard, flood hazard, land instability layer provide an assessment specific to the relevant hazard | ☐ |
| ✓ | Assessment against the National Environmental Standard for assessing and managing the effects on human health from soil contamination | ☐ |
| ✓ | Assessment against the built environment chapter in C2 of the TRMP | ☐ |

## Helpful information

If you require an aerial photograph and/or need to know what overlays are on the subject site, visit our website www.gdc.govt.nz online maps, which also print to scale.

Visit our website to view the Tairawhiti Resource Management Plan.

For more information - visit our website www.gdc.govt.nz for a guide to residential subdivision and guide to rural subdivision.

If you need any help or advice about your application please contact our Duty Planner on 06 869 2444.

## Office use only

Signed by Acceptance Officer:

Officer: Date:



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This plan has been prepared for resource consent purposes only and is not intended for any other use. Any areas and dimensions shown on this plan may be approximate and are subject to survey

NOTE:
Aerial photography and contours by drone flight dated 29/10/2019.

Height Datum: New Zealand Vertical Datum 2016
Origin: IP DP 2489 (DFGT)
RL= 24.51
Source: LINZ Geodetic Data Base
Contour Interval: 0.5m

Grant&cooke
Registered Professional & Licensed Cadastral Surveyors,
Land Development & Resource Management Consultants
Phone: 06 8677244, PO Box 1006 Gisborne
Email: office@grantcooke.co.nz
Web: www.grantcooke.co.nz

# LOTS 1 AND 2 BEING A PROPOSED SUBDIVISION OF LOTS 13 AND 14 DP 1825

ADDRESS: 85/95 GLENELG ROAD, MAKAURI, GISBORNE

| | | | |
|---|---|---|---|
| Comprised in:<br>RT GS3A/1403<br>RT GS3A/1404 | Scale:<br>1:2000 (A4) | | Design:<br>Drawn: M Stenning<br>Checked: |
| Owners:<br>J. M. Solomon<br>P. R. Solomon | Date:<br>08 January 2020 | | GC12774A<br>Sheet 1 of 1 |

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

R.W. Muir
Registrar-General
of Land

| | |
|---|---|
| **Identifier** | **GS3A/1403** |
| **Land Registration District** | **Gisborne** |
| **Date Issued** | 28 January 1970 |

**Prior References**
GS51/34

| | |
|---|---|
| **Estate** | Fee Simple |
| **Area** | 2.2207 hectares more or less |
| **Legal Description** | Lot 13 Deposited Plan 1825 |

**Registered Owners**
Philip Robert Solomon and Jacqueline Mary Solomon

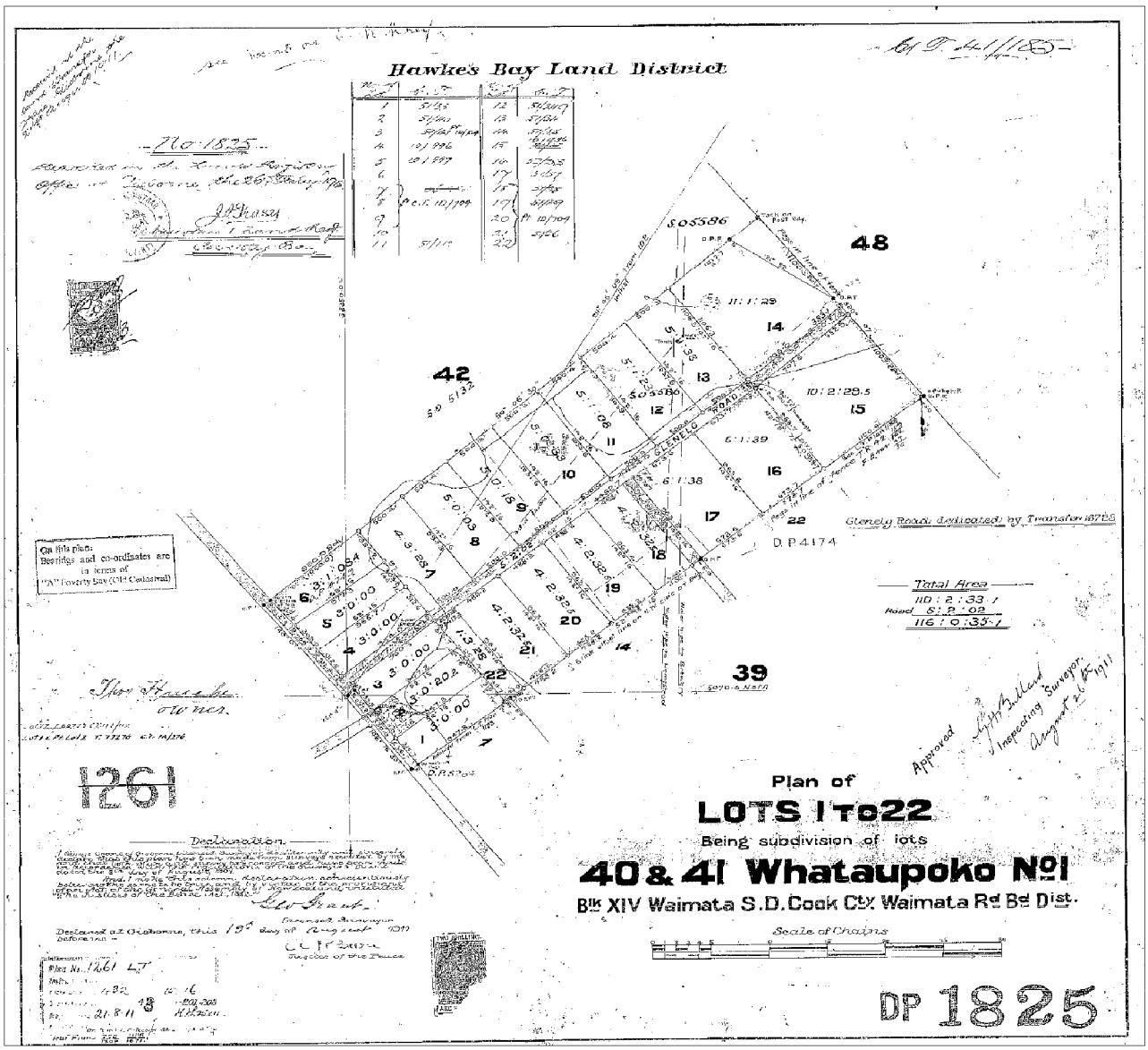
**Interests**

Subject to a right created by Transfer 12753

Subject to water rights (in gross) in favour of Henry White created by Transfer 15544

11013265.3 Mortgage to Bank of New Zealand - 31.1.2018 at 3:53 pm

**Identifier** **GS3A/1403**



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

R.W. Muir
Registrar-General
of Land

| | |
|---|---|
| **Identifier** | **GS3A/1404** |
| **Land Registration District** | **Gisborne** |
| **Date Issued** | 28 January 1970 |

**Prior References**
GS51/35

| | |
|---|---|
| **Estate** | Fee Simple |
| **Area** | 4.6261 hectares more or less |
| **Legal Description** | Lot 14 Deposited Plan 1825 |

**Registered Owners**
Philip Robert Solomon and Jacqueline Mary Solomon

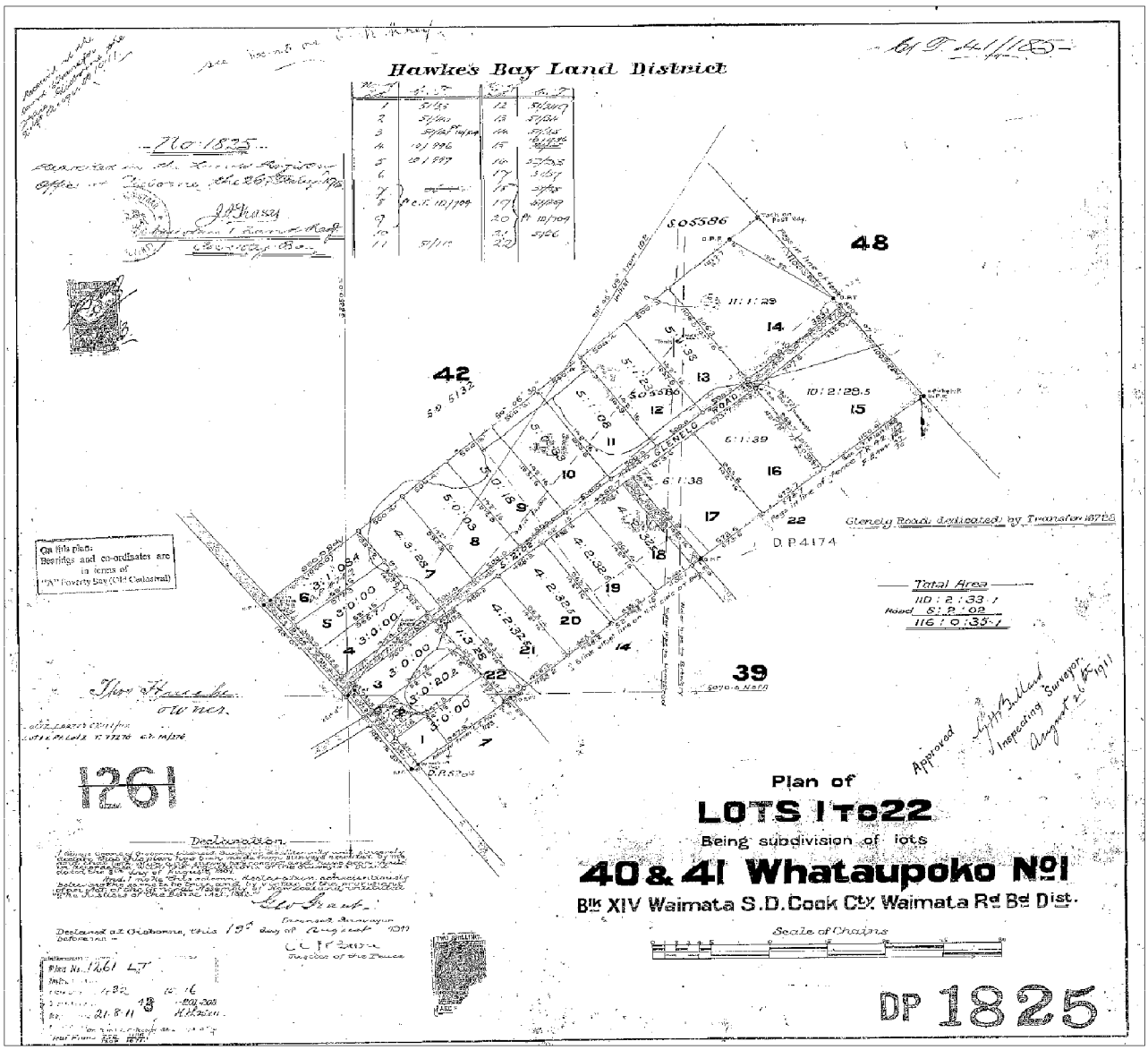
**Interests**

Subject to a right created by Transfer 12753

Subject to water rights (in gross) in favour of Henry White created by Transfer 15544

11013265.3 Mortgage to Bank of New Zealand - 31.1.2018 at 3:53 pm

**Identifier** **GS3A/1404**



12753 TE

(D) [New Zealand.

# MEMORANDUM OF TRANSFER.

Frank Brayton Baker, Percival Baker and Walter Richard Baker all of Whatatpoko in the District of Poverty Bay sheepfarmers (hereinafter called the Vendors)

Image Quality due to Condition of Original

being registered as the proprietors of an estate[1] in fee simple as tenants in common subject, however, to such encumbrances, liens, and interests as are notified by memorandum underwritten or indorsed hereon, in all that piece of land situated in the[2] Provincial District of Auckland, containing[3] by admeasurement One hundred and sixteen (116) acres and twenty four (24) perches more or less[4] being portion of the Whatatpoko Number 1 Block and being also allotments Numbers forty (40) and forty one (41) on a plan deposited in the office of the District Land Registrar at Gisborne under Number 1309 and being also portion of the land contained in Certificate of Title Volume 28 folio 185 Poverty Bay Registry

(1) Here state nature of the estate or interest.

(2) District, county, hundred, or township.

(3) Here state the area, exclusive of roads intersecting the same, if any.

(4) Here state rights of way, privileges, or easements, if any, intended to be conveyed: and, if the land to be dealt with contains all that is included in an existing grant or certificate, refer thereto for description of parcels and diagrams; otherwise, set forth the boundaries in chains, links, or feet, and refer to the plan delineated on the margin or annexed to the instrument; or deposited in the Registry Office.

In consideration of the sum of Three thousand two hundred and fifty two pounds four shillings (£3252.4.0)

paid to the ~~the~~ Vendors by William George Allen Reynolds Cabinetmaker and Frederick Richard Allen Reynolds Carpenter both of Gisborne in the District of Poverty Bay

the receipt of which sum ~~is~~ we hereby acknowledge.

" The vendors do transfer to the said William George Allen Reynolds and Frederick Richard Allen Reynolds as tenants in common in the following proportions viz: William George Allen Reynolds three fourths and Frederick Richard Allen Reynolds One fourth all their estate and interests in the said pieces of land Reserving to themselves the vendors their heirs executors administrators and assigns or other the person or persons for the time being entitled to the use of the water flowing through the pipes hereinafter mentioned their tenants servants employees appointees or agents full free and perpetual right of ingress and egress in through upon and out of the land hereby transferred for the purpose of repairing the existing lines of pipes carrying water from the spring in or upon Lot Number 54 through the land hereby transferred or for relaying such lines with similar or other pipes and for such purpose to break the soil of the said land and do all such other acts as may be necessary in the premises without damage to the freehold except as aforesaid

(5) Or a lesser estate or interest, DESCRIBING SUCH LESSER ESTATE.

In witness whereof We have hereunto subscribed our names this First day of April one thousand nine hundred and five (1905)

F.B.Barker
W.R.Barker

Signed on the day above-written by the said Frank Brayton Barker and Walter Richard Barker in the presence of

Henry E. Hill
Solicitors Clerk
Gisborne

Signed by the said Percival Barker by his Attorney Frank Barker in the presence of

Geo Stock
Solicitors Clerk
Gisborne

P.Barker
by his attorney
F.Barker

STAMP OFFICE
TWO SHILLINGS
AND SIXPENCE

420.

I Vincent Barker of Gisborne in the provincial district of Auckland and Colony of New Zealand Solicitor do hereby solemnly and sincerely declare as follows

1. That I am the Attorney within-named Percival Barker under and by virtue of a certain deed poll or Power of Attorney to me directed bearing date the 29th day of March 1904 a true copy of which Power of Attorney is deposited in the Lands Registry Office at Gisborne under No. 802 and as such Attorney I have executed the within written Memorandum of Transfer

2. That I have not received any notice or information of the revocation of the said Power of Attorney by the death of the said Percival Barker or otherwise howsoever and I believe the same is still in full force and effect

And I make this solemn declaration conscientiously believing the same to be true and under and by virtue of the provisions of an Act of the General Assembly of New Zealand intituled The Justices of the Peace Act 1882"

Declared at Gisborne aforesaid this First day of April 1905 before me

V. Barker

General Clerk

A Solicitor of the Supreme Court of New Zealand

No. 12753 Transfer of Allotments Nos 40 & portion of the Whatāngooka No 1 Block

situated in The Provincial District of Auckland.

J. B. Barker & others Vendor.

W. G. A. Reynolds & another Purchaser.

Particulars entered in the Register-Book, Vol. 28
Folio 185 See 13/7
the 24 day of May, 1905, at
10.40 o'clock. a.m.

District Land Registrar.
Poverty Bay.

Correct for the purposes of the Land Transfer Act.

de Lautour & Barker
Solicitor, Gisborne.

By Proclamation No: 891 part of Lot 18 D.P. 1825 (part C.T. 51/38) containing 3r. 34.2p. was taken for road Entered 24/2/1941 at 10 am S.S. Mackay D.L.R.

LS 41

DE LAUTOUR & BARKER,
SOLICITORS, GISBORNE.

"C" (D.)

Image Quality due to Condition of Original

15544 TE

[New Zealand.

# MEMORANDUM OF TRANSFER.

WILLIAM GEORGE ALLEN REYNOLDS of Gisborne in the Provincial District of Auckland and Dominion of New Zealand Cabinet-maker and FREDERICK RICHARD ALLEN REYNOLDS of Gisborne aforesaid Carpenter (hereinafter called "the Grantors") being registered as the proprietors of an estate[1] in fee simple as tenants in common ——— subject however to such encumbrances liens and interests as are notified by memoranda underwritten or endorsed hereon in all that — piece of land situate in the[2] Provincial District of Auckland ——— containing[3] One : : hundred and sixteen acres and twenty four perches (116a:0r:24p) be the same a little more or less[4] being Lots 40 and 41 on a plan : ::: : deposited in the Lands Registry Office at Gisborne under No.1309 being part of the Whataupoko No.1 Block and being all the land ~~co~~ comprised in Certificate of Title Volume 41 Folio 185 Poverty Bay Register. ———

IN CONSIDERATION of the sum of ten shillings (10/-) paid to the Grantors by Henry White of Gisborne aforesaid Sheepfarmer ~~(hereinafter called the Grantee) do and each of them doth hereby~~ grant to the Grantee the full and perpetual right to erect : :: : construct and maintain a line of ~~inch~~ pipes through the said lands to obtain conduct and carry away water from the spring of : water situate upon Lot No.54 of Whataupoko No.1 Block aforesaid : AND the Grantors do and each of them doth hereby further grant to the Grantee his servants or employees full free and perpetual ::: right of ingress egress and regress in through upon and out of :: the said lands for the purpose of constructing laying repairing : or relaying the said line of pipes or any line of pipes of ~~one~~ :: ~~inch~~ in substitution therefor on the same ~~right~~ site as that now used for the existing pipe PROVIDED ALWAYS that such pipes shall be laid in the ground at a depth of not less than nine inches from : the surface and that the Grantee in laying relaying or repairing such pipes or other pipes in substitution therefor shall cause no unnecessary damage to the said lands or to the occupation thereof

~~In consideration of the sum of~~

~~paid to by~~

~~the receipt of which sum hereby acknowledge~~

1 Here state nature of the estate or interest.

2 District, county, hundred or township.

3 Here state area, exceptions of way, easements, if any, to be conveyed; and if the land to be dealt with contains all that is included in an existing grant or certificate, refer thereto for description of parcels and diagrams; otherwise, set forth the boundaries in chains, links, or feet, and refer to the plan delineated on the margin or annexed to the instrument or deposited in the Registry Office.

~~do hereby transfer to the said~~ See Attached Sheet

5. Or a lesser estate or interest, describing such lesser estate.

~~all estate and interest in the said piece of land~~

AND in consideration of the aforesaid grant he the Grantee doth :: hereby covenant and agree with the Grantors that the Grantors shall at all times be at liberty to take water from the pipes of the : : Grantee passing through the said lands by means of a pipe connected with the pipes of the Grantee and for that purpose shall be entitled to bore through the T of the pipes of the Grantee a hole not being greater than one eighth of an inch in diameter in order to connect with the pipes of the Grantee PROVIDED that the Grantors shall : notebe entitled to take any more water from the pipes ofthe : :: : Grantee than would naturally flow through the said bore but shall be entitled always to the full natural flow of an eighth of an : : inch clear.

In Witness whereof we have hereunto subscribed our names this 20th day of March one thousand nine hundred and eight.

Signed on the above-written day by the said
William George Allen Reynolds and
Frederick Richard Allen Reynolds

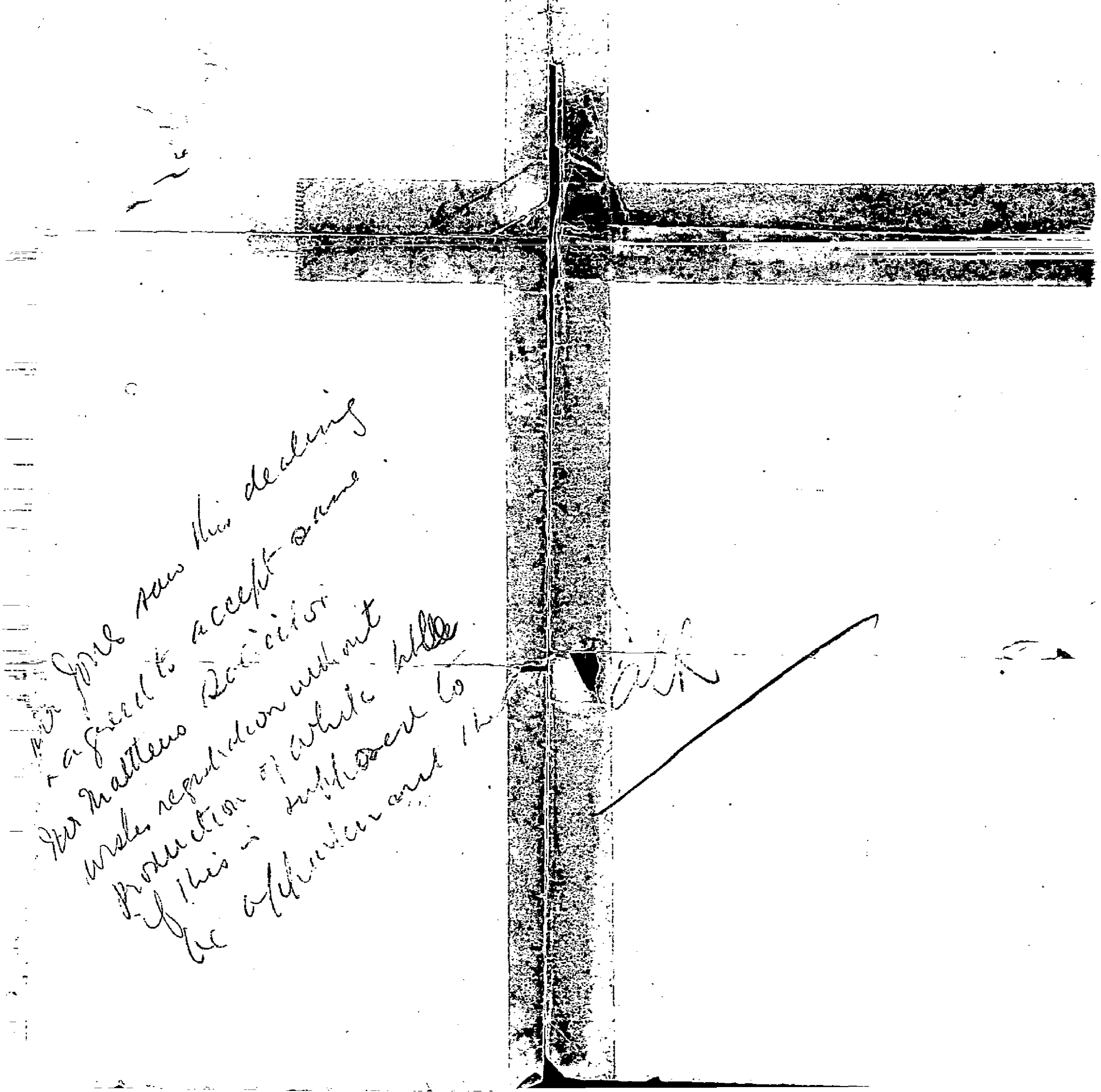
W. Reynolds
Fred'k Reynolds

in the presence of
W. Lee
Solicitor
Gisborne

Signed by said Henry
who is a Native

Geo Nicol
Native
Interp

Encumbrances
Grant of Easement under Transfer No 12753
~~Memo of Mortgage No 10799 Reynolds to Bankes~~
Memo of Lease No 2/125 Reynolds to Greaves
" " " 12456 Reynolds to



155444 ~~Transfer of~~

... in

GRANT OF EASEMENT.

W.G.A.REYNOLDS & ANOR. ~~Vendor~~.

— to —

HENRY WHITE. ~~Purchaser~~.

Particulars entered in the Register Book, Vol. 41 Folio 185 — 1/2 the 1 day of July 1911 at 10.25 o'clock am.

W Johnston

~~District~~ Land Registrar of the District of Poverty Bay.

Gisborne T 25/6/04

PARTICULARS ENTERED IN REGISTER BOOK, Vol. 42/50 (by request) this 15th day of September, 1927 at 11.15 o'clock.

Gisborne

District Land Registrar

Lot 40

*Correct for the purposes of the Land Transfer Act.*

Solicitor, Gisborne.

By Proclamation No. 891 (Pt. G.T. 51/38) Lot 18 plan 1825 containing 3r. 24.2p. was taken for road. Entered 24/2/1941 ...

Lot 18 Plan 1825

10.25 am

1/7/11

de LAUTOUR, BARKER & STOCK,
Solicitors,
GISBORNE.

the HERALD Office Gisborne.

# DECISION REPORT – NON-NOTIFIED CONSENT

**Applicant:** P and J Solomon

**Subject Site:** 85/89 Glenelg Road, Makauri

**Legal Description:** Lot 13 and 14 DP 1825

**Zoning:** Rural Production

**Relevant Rule(s):** C10.1.6 (9) and DD4.6.1A(21)

**Consents Sought:** Subdivision and Land Use

## 1.0 Application Description

The applicant is proposing to subdivide Lots 13 and 14 DP 1825 and to erect a dwelling on a substandard site. This proposal is essentially a boundary adjustment, with Lot 1 proposed to be occupied by a 4 bedroom dwelling. The site is located within the Rural Productive zone within which a minimum site size of 8.0 ha applies. Lot 1 will be 3.311 ha and is intended to be developed, while Lot 2 will be 3.5 ha, and it is already developed with no additional development capacity available. Construction of a dwelling on Lot 1 is not permitted as of right due to the site size therefore land use consent is also required and forms part of this application.

| Existing RT | Legal Description | Area(m2) | Permitted Dwelling Development potential |
|---|---|---|---|
| GS3A/1404 | Lot 14 DP 1825 | 4.62Ha | Contains an existing house. No additional dwellings permitted. |
| GS3A/1403 | Lot 13 DP 1825 | 2.22Ha | Contains no house. No dwellings permitted without RC. |
| **Total** | | **6.84Ha** | **1 dwelling** |

***Table 1 – Development potential on existing RT's***

Overall the proposal is deemed to be a Discretionary activity in accordance with rules C10.1.6(9) and DD4.6.1A(21) of the Tairāwhiti Resource Management Plan.

## 2.0 Subject Site and Local Environment

The site is located at the end of Glenelg Road, approximately 4km from the Gisborne urban area. Each site has legal and physical access to Glenelg Road. The access driveways are formed and metalled between the road property boundary and edge of the road carriageway. Lot 1 has electricity to the new accessory building located toward the front of the site. No telecommunications are proposed to this site as it is proposed to use wireless technology. Lot 1 has a new septic tank system located to the north west of the existing building located within Lot 1which has capacity to service a 4 bedroom dwelling.

Lot 2 has an existing dwelling and both telecommunications and electricity are provided to the site. There is an existing onsite effluent field located to the west of the dwelling and is wholly contained within the lot.



Image 1: Aerial photograph of the site outlined in red.

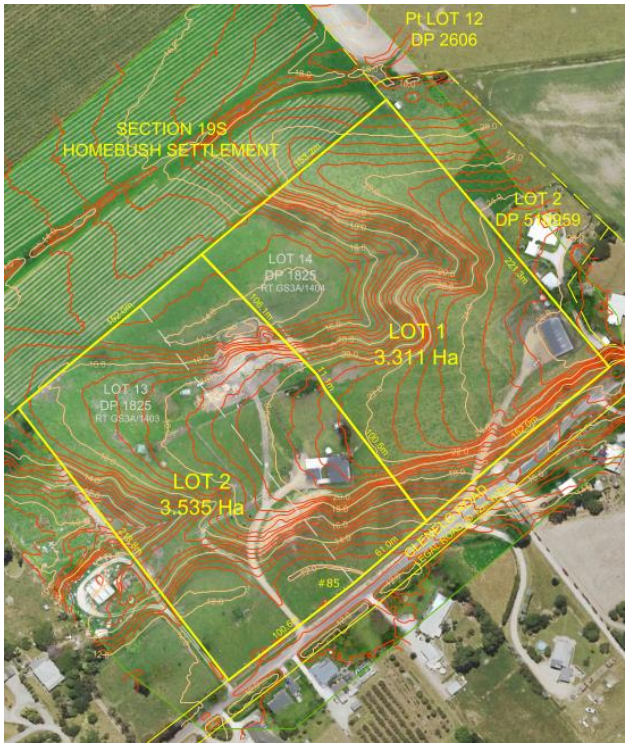


Image 2: Location and size of Lots 1 and 2 – Sourced from the application.

## 3.0 History

The following resource consent decisions have been granted on the subject site:

- There is no relevant planning history

## 4.0 Legal Interests

The following relevant interests are registered on the Record of Title reference GS51/35:

- Water rights in gross.

Comment

The water rights held within this easement relate to the Brewery Spring and the current application does not affect this easement.

## 5.0 Section 104 of the Act

In considering this application Council has had regard to all the issues and documents outlined under Section 104 of the Resource Management Act 1991 (RMA).

5.1 Tairawhiti Resource Management Plan (TRMP) and Activity Status

The proposal will be assessed under the Tairawhiti Resource Management Plan (TRMP) which is considered to be fully operative in relation to this proposal. The following rules are relevant to this proposal:

| Rule Number | Rule Name | Status of Activity | Comment |
|---|---|---|---|
| C10.1.6(9) | Activities which do not comply with the General Standards and are not listed as Controlled or Restricted Discretionary activities. | Discretionary | The allotments do not meet the minimum requirements for allotment size (8Ha), shape factor is achieved. Lot 1 is 3.311 Ha and Lot 2 is 3.53 Ha. The allotment does not have a sealed vehicle access and the applicant intends to undertake this work after the dwelling is constructed. Therefore this rule applies. |
| DD4.6.1A(21) | Activities listed as permitted or controlled which do not comply with the General Standards and are not provided for as restricted discretionary activities. | Discretionary | The proposal includes construction of a dwelling on Lot 1 which is of substandard size for the Rural Productive zone. Therefore this rule applies. |

Overall the proposal is deemed to be a Discretionary activity.

5.2 Assessment of Environmental Effects 104 (1)(a)

An assessment of the actual and potential effects on the environment of allowing the activity indicate that no significant adverse environmental effects are likely. I consider that the adverse effects of the activity on the environment will be less than minor for the following reasons:

**Actual and Potential Effects Relevant to This Proposal**

The relevant actual and potential effects in the assessment of this application are considered to be:

- Effects on the life supporting capacity of the soil resource;
- Effects on rural character and amenity values;
- Effects on rural production (reverse sensitivity)
- Effects on road, infrastructure, traffic and safety;
- Effects from natural hazards;

**Effects on the life supporting capacity of the soil resource**

The Tairāwhiti Plan identifies that properties within the Rural Productive zone contain elite soils that are in the top 5% of soils in New Zealand in terms of life supporting capacity.

The minimum lot size in the Tairāwhiti Plan for the Rural Productive Zone is 8ha, and the reasoning for this requirement is to ensure that new lots created by subdivision in the Rural Productive Zone are large enough for productive use to ensure security of the life supporting capacity of the soil resource.

Objectives 4.3.1(3) and Policy 4.4.2(1) provide some background to the soil resource and its productive potential.

> *Objective 4.3.1(3) - Sustainable management of the life supporting capacity of the soils on the Poverty Bay Flats.*
>
> *Policy 4.4.2(1) - To manage adverse environmental effects on the soil resource that occur as a result of subdivision, use and development to secure the soil's life supporting capacity in order to meet present and future needs.*

The principle reasons contained within the Tairāwhiti Plan explains that the soil resource of the Poverty Bay flats is a significant natural resource. The above policy aims to manage the effects of subdivision, use and development to secure the long-term availability to meet present and future needs. The fragmentation of rural land is difficult to reverse and unplanned development of rural residential and other inappropriate uses could conflict with this. Essentially fragmentation of productive land parcels could result in land parcels that are too small to be utilised efficiently due to economies of scale.

The types of produce grown from the Poverty Bay flats may change in the future and the economics of various productive uses is also likely to change in the future. The plan therefore seeks to safeguard the minimum size of land parcels to enable a range of productive uses to be undertaken in the future.

In this instance the proposal is essentially a boundary adjustment, whereby no additional sites will be created.

The boundary adjustment will result in Lot 1 becoming slightly smaller in area from 4.6 hectares down to 3.3 hectares and Lot 2 becoming slightly larger in area from 2.2 hectares to 3.5 hectares. This is necessary so the driveway serving the existing dwelling on Lot 2 may be contained wholly within its own allotment. At the current time this is not the case, as can be seen in Image 2, with the property boundary bisecting the driveway.

A site inspection was undertaken on the 18th March 2020. The sites rise steeply from the road to a flat platform where the existing, recently constructed shed is located, and where the new dwelling will be located upon Lot 1. Just beyond the building platform the site falls steeply down to the neighbouring vineyard. The search of council records shows the site never having been used for a productive purpose other than being held in pasture, this will largely be due to the rolling topography of the site.

The boundary adjustment will result in a slightly smaller title of 3.3 ha for Lot 1, with the useable flat area of land within this lot comprising approximately 6,500m$^2$. Council undertook an informal study in 2018 that ascertained that the vast majority of existing sites less than 1ha in area in the Rural Production Zone were not used for productive purposes, relying on the soil resource. This indicates that typically existing sites less than 1ha in area are utilised for lifestyle purposes. The current proposal would follow that trend with the useable area being less than 1ha in size.

Although Lot 2 will gain some additional site area, it will not lead to any increase in its productive capacity, given the nature of the topography of the site, and the new boundary being located just to the east of the existing dwelling. As the proposal will not remove any land from productive use, the adverse effects on the life supporting capacity of the soil resource will be less than minor.

**Effects on Amenity Values**

Amenity values are those natural or physical qualities and characteristics that contribute to people's appreciation of its pleasantness, aesthetic coherence and cultural and recreational attributes. Maintaining rural amenity values is an Objective for all rural zones (Objective DD4.3.1.2). Sites with rural character can be thought of as areas having a low density of development with a landscape predominated with natural vegetation and primary production. The Rural Productive zone is not intended to provide for peri-urban development on the urban/rural production interface as that is the intent of the Rural Residential and Rural Lifestyle zones. The creation of a site much smaller than 8.0ha in the Rural Productive zone could be considered to alter the character of the immediate environment by enabling a greater density of residential development. However, the parcels contained within this record of title were created in 1910, 110 years ago. There are a number of parcels along this side of Glenelg Road of similar size, all containing individual dwellings on lifestyle sized sections. The opposite side of Glenelg Road is zoned Rural Lifestyle (minimum site size of 5000m$^2$), some Rural Residential (minimum site size 1ha) and in very close proximity, at the end of Glenelg Road and adjoining the site, is the Rural General zone (minimum site area 1000m$^2$).




Image 3. Zoning. Subject site circled.

It is unusual that the sites subject to this application are zoned for rural productive purposes, given their topography, smaller site area within titles 110 years old, and the proximity to more intense residential development in the immediate vicinity. For these reasons it is considered there will be less than minor effect upon rural amenity values.

The site is located in relative close proximity to an extensive vineyard. It is therefore important to consider reverse sensitivity effects and how the proposal may or may not give rise to such effects.

As previously discussed the adjoining zone, directly to the north east of the site, is zoned Rural General, with the minimum site size being 1000m$^2$. The neighbouring property located at 111A Glenelg Road has an area of approximately 8500m$^2$, isof predominantly flat Rural General land which could give rise to a maximum of 8 dwellings. This level of intensity is anticipated by the plan, together with Part Lot 12 DP 2606 comprised of 10.2 ha, and that site is located closer to the vineyard than the subject site. This amounts to a Permitted Baseline Assessment and

although the consideration applies to a different zone, I consider it to still be a relevant argument in relation to reverse sensitivity.

Additionally, Lots 13 and 14 DP 1825 have comprised an area of 6.8 ha, being 2.2ha and 4.6ha respectively, for a period of 110 years. The planning officer considers that the longevity of these lots existing like this should be afforded an element of existing use right, the sites on this side of Glenelg Road have all existed like this for many decades and are all occupied by single residential dwellings, none being productive.

I considered the following:

- Immediately adjoining rural general zone and the level of development anticipated by the plan within a zone located closer to the vineyard than this site (1000m2);
- The longevity of the existing allotments being held in what are now considered to be substandard appellations of land (since 1910); and
- useable flat area of Lot 1 comprising an area of only 6000m$^2$ of land,

mean that reverse sensitivity effects can be disregarded.

Overall I effects on rural amenity values as a result of the proposal will be **less than minor.**

**Effects of natural hazards**

The application did not contain a geotechnical report as such, but was appended with a bearing strength report from a Civil Engineer, who is not a geotech engineer. The following comment was made by the Building Services Manager:

*I can confirm that as the house site on the proposed lot 1 at Glenelg Road is on a wide ridgeline that there is no requirement for an overall global stability report. However, the bearing capacity report is not up to the required standard as it states that New Zealand Standard 3604 foundations are sufficient when the tested KPa is less than a 100, as required by the standard. This discrepancy can be sorted at building consent stage.*

The Building Services Manager and Development Engineer both inspected the site for site suitability for a dwelling. There are no known hazards identified upon the site. The breadth of the dwelling is quite expansive at 360m$^2$ gfa. The Building Services Manager was satisfied in this instance that the site would be suitable for a dwelling. Both Council's Development Engineer and Building Services Manager have recommended a number of conditions. With the imposition of conditions such as the requirement for a geotechnical investigation report to be submitted at building consent stage for a dwelling, it is considered that the adverse effects of land instability can be managed to be ***less than minor***.

**Effects on Infrastructure, Works and Services**

The site is not located within the reticulated services boundary therefore on-site stormwater disposal, water and wastewater will be required.

During the site inspection it was evident that drinking water supply was provided for in large water tanks already located within the site. An onsite waste water system has also been installed within the site, which is large enough for a 4 bedroom dwelling.

Electric power has already been installed within the site up to the existing large ancillary shed. The dwelling will be located approximately 20-30 metres from that power supply. Wireless technology has recently been confirmed as being available in the area, meaning hardwiring

of telecommunications will not be required, however, a consent notice condition will be added should there be a need for a future owner to install this.

Access to the site exists for Lot 2 where the existing dwelling is currently located. An access was created for Lot 1 at the time the large ancillary shed was constructed upon the site. However, it has not been formed and sealed. During the site visit the applicant confirmed that the driveway will be concreted once construction of the dwelling is completed. This is so there is no damage to the driveway from heavy vehicles during the construction phase of the dwelling. This is a reasonable approach and a consent notice has been recommended for upgrade of the driveway for Lot 1 between the property boundary and the road carriageway as required by the TRMP.

### 5.3 Effects Disregarded

Pursuant to Section 104(2) of the Act, when forming an opinion for the purposes of Section 104(1)(a), a Council may disregard an adverse effect of the activity on the environment if a plan or national environmental standard permits an activity with that effect. This is commonly referred to as the permitted baseline. The permitted baseline is not relevant in this instance.

Pursuant to Section 104(3)(a) of the Act, when forming an opinion for the purposes of Section 104(1)(a), a Council must not have regard to any effect on a person who has given written approval to the proposal, nor any trade competition or effects of trade competition. No written approvals have been obtained, and trade competition is not a relevant consideration.

### 5.4 Relevant Provisions - Section 104(1)(b)

#### 5.4.1 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES)

The NES seeks to manage actual and potential adverse effects of contamination in soil on human health from particular activities that have occurred on the site. Subclause (8)(c) of the NES states that the regulations apply if the applicant seeks to subdivide land in a way that causes the piece of land to stop being production land.

The subdivision is essentially a boundary adjustment and will result in proposed Lot 1 being built upon. The application includes a Search of Council Records as a means of determining whether an activity on the Hazardous Activities and Industries List (HAIL) has occurred on the site. The search of council records shows that a HAIL activity has not been undertaken on the site and the applicant has made a statement to this effect.

Therefore it is considered that no further investigation is required.

#### 5.4.2 Tairāwhiti Resource Management Plan Objectives and Policies

The following objectives and policies of the Tairawhiti Plan are considered relevant to the application:

Objective C10.1.3 (1) and (2) – Subdivision

Policy C10.1.4 (1) – Subdivision

Objective DD4.3.1 (1), (2), (3), (4) and (5) – All Rural zones

Policy DD4.4.2 (1) and (2) – Rural Production

Policy DD4.4.1 (1) and (2) – All Rural zones

The application has been assessed against the relevant policies and objectives and how the proposal achieves these. I concur with the applicant's assessment, particularly as the proposal will maintain amenity values associated with the site, and given the topography of the immediate area, residential development can be accommodated here without creating adverse effects on adjoining rural uses. This is also emphasised within the assessment of effects provided by the applicant and the assessment in section 5.2 of this decision.

5.5 Section 104 (1) (c ) - Other Matters

5.5.1 Development Contributions

Under the Local Government Act 2002, Councils are permitted to take development contributions towards the costs that capital growth imposes on a community. The financial contribution policy of the Council's Long Term Plan incorporates a development contribution based on the capital expenditure for infrastructure and community facilities for that ten year period.

The development contribution estimated for this proposal is $0.00.

5.5.2 Section 106 – Consent Authority may refuse subdivision consent in certain circumstances

A Consent Authority may refuse to grant a subdivision consent, or may grant the subdivision subject to conditions, if it considers that there is a significant risk from natural hazards and any subsequent use is likely to accelerate, worsen or result in material damage to the land. In addition, the Consent Authority may refuse to grant a subdivision consent if sufficient provision has not been made for legal and physical access to each allotment that is created by the subdivision.

There are no known natural hazards present on this site. The liquefaction risk is shown to be low to moderate. The geo-tech report to be submitted at building consent stage for a dwelling will ensure adequate foundation design for soil type etc is addressed.

Legal and physical access is available to both proposed lots.

Overall it is considered that the proposal meets the requirements of s106 of the Act.

## 6.0 Part 2 Matters

Section 5 of the RMA describes the purpose of the Act:

Section 6 of the RMA describes matters of national importance to be recognised and provided for. There are no matters considered relevant to this proposal.

Section 7 of the RMA describes other matters that are relevant. In relation to this proposal these matters include:

*(b) The efficient use and development of natural and physical resources*

*(c) The maintenance and enhancement of amenity values;*

*(f) Maintenance and enhancement of the quality of the environment*

*(g) Any finite characteristics of natural and physical resources*

Section 8 of the RMA requires that the principles of the Treaty of Waitangi be taken into account.

Comment

Having regard to the assessment made within the application, the assessment in section 5.2 of this report, and the assessment against relevant objectives and policies of the TRMP, it is concluded that the proposal is also consistent with the principles (Section 6 – 8) of the Act. Overall, the application is considered to meet the relevant provisions of Part 2 of the Act, as the proposal achieves the purpose (Section 5) of the Act, being sustainable management of natural and physical resources.

## 7.0 Conclusion

I consider that the adverse effects of the proposal will be **less than minor** as discussed in section 5.2 of this report.

## 8.0 Notification and Affected Persons

In my opinion any adverse effects of the proposed activity on the environment are less than minor and the provisions of Sections 95A-F of the Act have been met. No affected person/persons are affected to a minor or more than minor degree. The application has therefore been processed **without** notification.

## 9.0 Recommendation

That consent be **granted**, under delegated authority, by Gisborne District Council, subject to the conditions outlined in the decision document.

Reporting Officer
Sarah Hunter
**Resource Consents Planner** Date: 23 April 2020

Peer Reviewer
Kimberley Morete
**Team Leader Resource Consents** Date: 23 April 2020

Shane McGhie

**Principal Planner**

Date: 24 April 2020

Section 95A(1) of the Resource Management Act 1991 (RMA) states that the consent authority must follow the steps set out in that section, in the order given, to determine whether to publicly notify an application for resource consent.

**Those steps are set out below, in the order provided in the RMA.**

**Step 1. Mandatory public notification in certain circumstances s95A(2-3)**

Has the applicant requested that the application be publicly notified?

☒ No **Go to step 2.**

☐ Yes Publicly notify **S.95A (2)(a) - Go to Decision**

Was further information requested and not provided before the deadline or has the applicant refused to provide the information?

☒ No **Go to step 2.**
☐ Yes Publicly notify **S.95A (2)(a) - Go to Decision**

The application is made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977?

☒ No – **Go to step 2.**

☐ Yes - Publicly notify **S.95A(2)(a) - Go to Decision**

**Step 2. Public notification precluded in certain circumstances s95A (4-6)**

(a) The application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes public notification?
(b) The application is for a resource consent for 1 or more of the following, but no other activities:
(i) A controlled activity?
(ii) A restricted discretionary or discretionary activity, but only if the activity is a subdivision of land or a residential activity?;
(iii) A restricted discretionary activity discretionary activity or non-complying activity but only if the activity is a boundary activity?
(iv) A prescribed activity?

☐ No - **Go to step 3.**

☒ Yes – **Go to step 4** (step 3 does not apply)

Comment: The application is for subdivision of land and for a residential activity,

Step 3 is therefore skipped and we proceed to step 4.

~~**Step 3. If not precluded by step 2, public notification required in certain circumstances**~~

~~The application is for a resource consent for 1 or more activities, and any of those activities is subject to a rule or national environmental standard that requires public notification;~~

~~The consent authority decides, in accordance with section 95D that the activity will have or is likely to have adverse effects on the environment that are more than minor.~~

~~Notification~~

~~☐ No - go **to step 4**.~~

~~Yes – Publicly notify **S.95A(7)(a) - Go to Decision**~~

**Step 3 is skipped, go to step 4**

**Step 4 Public notification in Special Circumstances - S.95A(9)**

Determine whether special circumstances exist in relation to the application being publicly notified and, -

☒ No – determine whether to give limited notification of the application under section 95B (below)

☐ Yes - Publicly notify **Go to Decision**

Comment: 'Special circumstances' are not defined in the RMA. According to case law, special circumstances are those that are 'unusual or exceptional' but may be less than extraordinary or unique (Peninsula Watchdog Group (Inc) v Minister of Energy [1996] 2 NZLR 529 (CA)). There are not considered to be any special circumstances in relation to this proposal that would require public notification. The application is not unusual or extraordinary as this type of development occurs many times across the Gisborne district.

**Public Notification Decision**

It is decided that this application: Does Not Require Public Notification

**Team Leader: Resource Consents:** _____ **Date** 20 April 2020

**Principal Planner :** _____ **Date** 24 April 2020

**95B - Limited Notification of consent applications**

The RMA provides at s95B(1) that the consent authority must follow the steps set out in that section, in the order given, in order to determine whether limited notification of an application should be given.

**Step 1. Certain affected groups and affected parties must be notified**

95 (2) (a) Are there any affected protected customary rights groups?

(b) Are there any affected customary marine title groups?

95 (3) (a) is the activity on or adjacent to, or may affect, land that is the subject of a statutory acknowledgment?

(b) is the person to whom the statutory acknowledgement made an affected person?

☒ No - **Go to Step 2**

☐ Yes – Limited notification to each affected group /person **Go to Decision**

Comment: The proposal is within the Te Aitanga a Mahaki Areas of Interest. The application was sent to this group for comment, however, no correspondence has been received. In addition, the subdivision is not expected to result in any adverse effect on any waterway within the area of interest. Therefore limited notification is not required by this step.

**Step 2. Limited notification precluded in certain circumstances**

95B (6) (a) the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes limited notification.

NO

95B (6) (b) the application is for a resource consent for either or both of the following, but no other activities;

(6)(b) (i) A controlled activity requires consent under a district plan (other than subdivision of land)?

(6)(b) (ii) A prescribed activity?

☒ No - **Go to Step 3**

☐Yes - **Go to Step 4**

Comment: There are no relevant rules in the Tairawhiti Plan that preclude limited notification. The application triggers a Discretionary activity status but as it is for a subdivision of land, limited notification is not precluded.

**Step 3. If not precluded by step 2, certain other affected persons must be notified**

95B (7) (a) in the case of a boundary activity, an owner of an allotment with an infringed boundary;

(b) in the case of any activity prescribed under section 360H (1) (b),

95B (8) In the case of any other activity, determine whether a person is an affected person in accordance with section 95E to determine affected persons.

☒ No - **Go to Step 4**

☐ Yes - Limited notification to each affected person **Go to Decision**

Comment: The assessment of adverse effects completed in the substantive decision is relevant to the persons that own or occupy the adjacent and nearby properties. Parties included as part of this affected party assessment include the following:




The substantive decision concluded that the adverse environmental effects on the environment, associated with the proposal, are considered less than minor. All of the persons that own or occupy the properties shown in the aerial image above were considered in this limited notification assessment. No property owner or occupier is considered to be adversely affected to a minor or more than minor degree. Therefore, there are no affected parties and limited notification is not required at this step.

**Written Approvals 95E (3)** Is there any person considered to be adversely affected by the activity who has not given written approval?

☐ Yes - **Go to Decision**

☒ No - **Go to Decision**

**Step 4. Further notification in special circumstances**

Determine whether special circumstances exist that warrant notification of the application?

☐ Yes - **Go to Decision**

☒ No - **Go to Decision**

**Limited Notification Decision**

It is decided that this application be processed on a: **Non-Notified**

**Sarah Hunter Team Leader: Resource Consents:** **Date:** 20.04.20 20

**Principal Planner** **Date:** 24.4.2020

**Section 37 request?**

☐ Yes

☒ No

Agreed?

☐ Yes

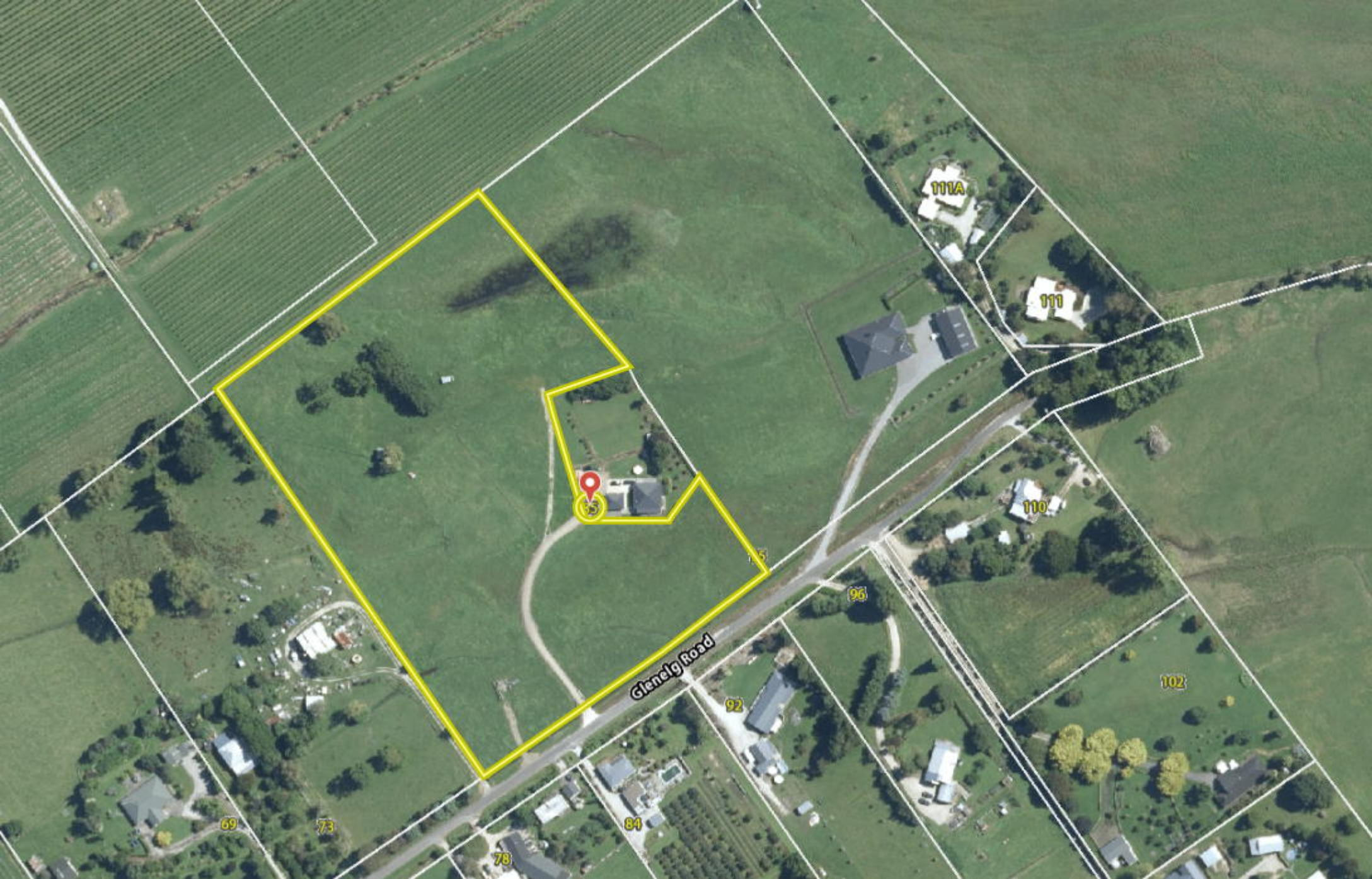
☐ No

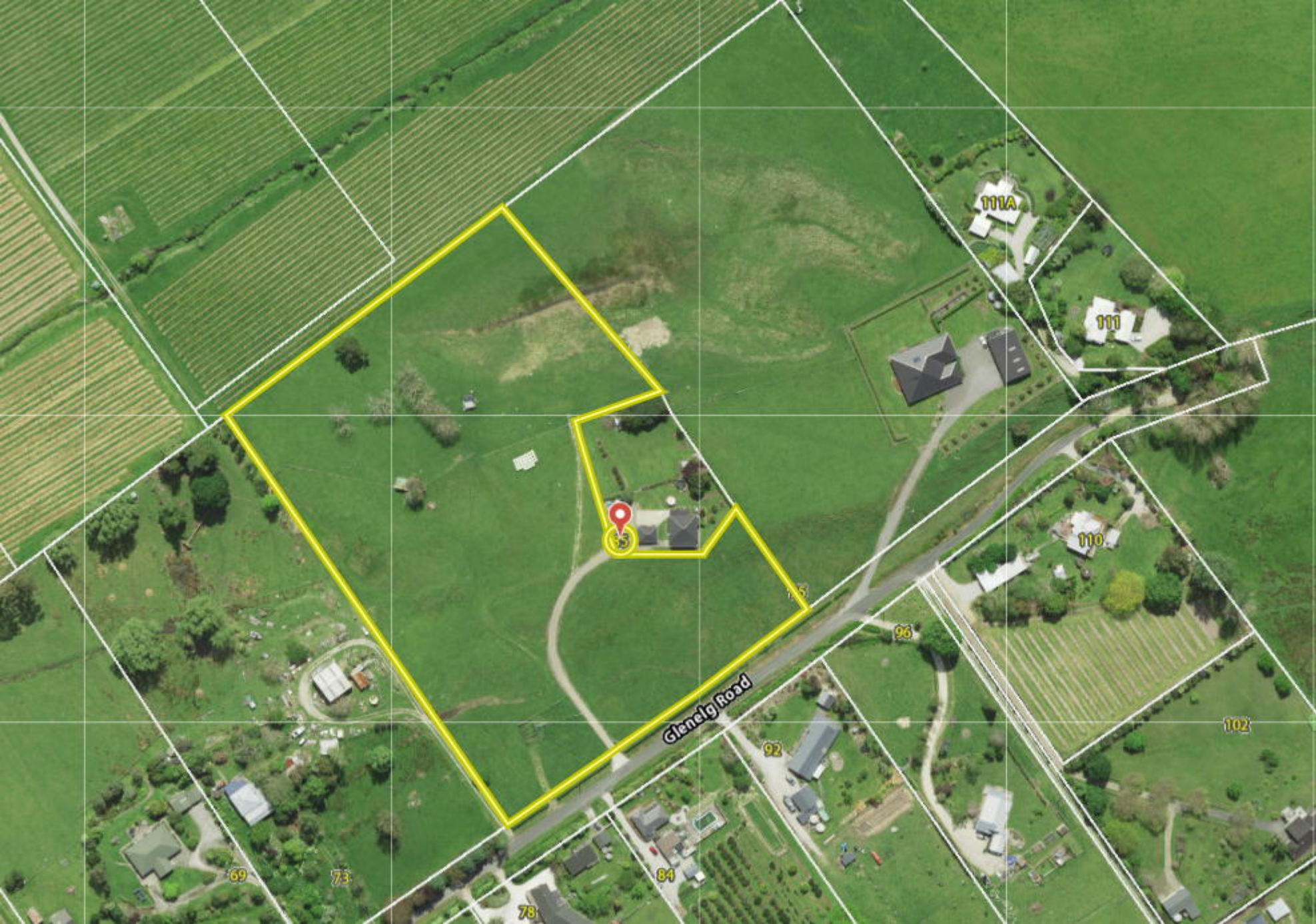

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Glenelg Road


Lot 2 DP 573026
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Glenelg Road

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Application for

# Affected Persons Consent

Section 95E of the Resource Management Act 1991

Te Kaunihera o Te Tairāwhiti
GISBORNE
DISTRICT COUNCIL

In relation to application for Resource Consent number:

## 1. Applicant's details

Name in full: Solomon (Surname) Philip and Jackie (First name(s))

Property address:

95 Glenelg Road

Legal description: Lot 1 DP 549844 and Lot 2 DP 573026

Phone (day): Mobile:

Email:

## 2. Details of resource consent

I/we have applied for resource consent for the following development/activity:

Subdivide/ title boundary adjustment of above mentioned property and Landuse consent to build a 1 residential dwelling within proposed Lot 1

## 3. Affected person's details

Name in full: Hansen (Surname) Judy and Desmond (First name(s))

Phone (day): Mobile: 027 3733280.

Email: dandjhansen@xtra.co.nz

Address of affected property:

84Glenelg Road

Legal description: Part Lot 16 DP 1825

I am the owner of the following property: 84 Glenelg Rd Gisborne

I have authority to sign on behalf of all the owners of the above property: ☑ Yes ☐ No

There is another party occupying the property: ☐ Yes ☑ No

I/we have been provided with a copy of the development plans and the application and understand the nature of the development/activity proposed: ☑ Yes ☐ No

I/we have read and understood the information on the back of this form: ☑ Yes ☐ No



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## 4. Signature

☑ I/we give written consent to the above proposal.

Name in full (please print): DESMOND HANSEN.

D Hansen.

Signature of affected person or agent

21-5-26.

Date

Name in full (please print):

Signature of affected person or agent

Date

## Notes

**Information for the applicant**

1. The written consent must be obtained from all registered property owners and the occupiers of a property if the registered owners do not occupy the property.
2. A copy of any development plans which clearly show the extent of infringement(s) non-compliance (if any) must be signed, dated and attached to this consent form. Where possible, please obtain all of the affected person's consents on one set of plans.
3. Please also provide the affected person(s) with a copy of the written application for the proposal including the assessment of environmental effects.
4. Council will not accept any consent forms subject to conditions. You must either amend the application to the satisfaction of the affected person so that they can give unconditional consent or advise Council that you wish to proceed with the application on a notified resource consent basis.
5. Please ensure that the name and address of each affected person is clearly printed in the relevant space on each form.

**Information for the affected person**

1. Under sections 95(D), 95(E) and 104(3) of the Resource Management Act 1991, when you give your written consent Council must disregard any effects of the proposal on you when deciding to notify or approve/decline the application.
2. Please ensure you sign a copy of the development plans and the written application as well as this form. You should also clearly state your name and the date on the plan(s) and/or application.
3. You are under no obligation to sign this consent form. You do not have to provide a reason for not giving your consent.
4. If you do not give your consent to an application, Council may publicly notify the application. This will provide you with an opportunity to make a submission to Council on the application and attend a Council hearing to speak in support of your submission.
5. It is acceptable to request that you be given some time to consider the application before you decide whether or not to give your consent to the proposed development/activity as there is no time frame in which you must decide to give your consent or not.
6. You may withdraw your written consent at any time, and you do not have to provide a reason for doing so. However, you need to withdraw your consent in writing (to Council) prior to Council making a decision on the application.
7. If you have any concerns about giving your consent, or need help understanding the proposed development/activity, please feel free to contact Council.
8. You may also obtain your own professional advice on the application before deciding whether or not to give your written consent to the proposed activity.

Grant&
Registered Professional Surveyors, Land Development & Resource Management Consultants

# Resource Consent Application

GC12774

95 Glenelg Road, Makauri, Gisborne

Philip Solomon



Application for

# Affected Persons Consent

Section 95E of the Resource Management Act 1991

Te Kaunihera o Te Tairāwhiti
GISBORNE
DISTRICT COUNCIL

In relation to application for Resource Consent number:

## 1. Applicant's details

Name in full: Solomon (Surname) Philip and Jackie (First name(s))

Property address:

95 Glenelg Road

Legal description: Lot 1 DP 549844 and Lot 2 DP 573026

Phone (day): Mobile:

Email:

## 2. Details of resource consent

I/we have applied for resource consent for the following development/activity:

Subdivide/ title boundary adjustment of above mentioned property and Landuse consent to build a 1 residential dwelling within proposed Lot 1

## 3. Affected person's details

Name in full: Solomon (Surname) Lucas (First name(s))

Phone (day): Mobile:

Email:

Address of affected property:

85 Glenelg Road

Legal description: Lot 1 DP 573026

I am the owner of the following property:

I have authority to sign on behalf of all the owners of the above property: ☐ Yes ☐ No

There is another party occupying the property: ☐ Yes ☐ No

I/we have been provided with a copy of the development plans and the application and understand the nature of the development/activity proposed: ☐ Yes ☐ No

I/we have read and understood the information on the back of this form: ☐ Yes ☐ No



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## 4. Signature

☐ I/we give written consent to the above proposal.

Name in full (please print):

Signature of affected person or agent

Date

Name in full (please print):

Signature of affected person or agent

Date

## Notes

**Information for the applicant**

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