

IN THE MATTER OF: **The Gore District Council's Transitional
and Proposed Plans Pursuant to the
Resource Management Act 1991**

AND IN THE MATTER OF:

This matter was heard before the following Hearing Commissioner, Mr David Pullar.

DESCRIPTION OF PROPOSAL

The proposed subdivision of Lot 1, DP 13889, Block XI, Chatton SD, Certificate of Title SL 10C/572 being in the Rural A Zone within the Southland County District Scheme or Primary Resource Management Sector within the Proposed Gore District Plan.

Lots 1 and 2 containing (37.1264 ha) of bare land will be created, having no legal frontage are to be amalgamated to be sold to the Gardynes for cropping purposes.

Lot 5 (7.7 ha) of bare land will be transferred to the owner of CT SL 10C/571 C H Baynes being amalgamated with that land.

The balance of that land, Lots 3 and 4 (11.5487 ha) contains the existing house and horse facilities is to be amalgamated.

The existing access to Lot 3 (dwelling house) will be retained while access to Lots 1 and 2 will remain.

SUBMISSIONS

There are no submissions.

MATTERS FOR CONSIDERATION

In the Transitional District Plan under rule 6.04 (2), control of subdivision for farming purposes. The allotments being created are for farming purposes.

In the Proposed Gore District Plan this is within the Primary Resource Management Sector.

In terms of the Proposed Gore District Plan under DWR 16.1 the management of the subdivision of land is considered as a non-notified controlled activity. Regard has to be given to Section 104 of the Act.

All access provisions on and off Public Roads are existing.

STATUS OF THE APPLICATION

Subdividing land for the purposes of creating Lots 1 and 2 (37.1264 ha) to be amalgamate with adjoining farmland, Lot 5 (7.7 ha) to be amalgamated with adjoining farmland and Lots 3 and 4 (11.5487 ha) the existing dwelling and horse facilities to still be used for farming purposes is considered to be a controlled activity.

DECISION

The application for subdivision is granted with the following conditions;

- Any proposed new vehicle accesses onto public roads shall be designed and located to the satisfaction of the Director of Works.
- In relation to Section 220(1)(b)(iii) of the Resource Management Act 1991:
"Lots 1 and 2 hereon be held in the same Certificate of Title"
 and
"Lots 3 and 4 hereon be held in the same Certificate of Title"
- In relation to Section 220(1)(b)(i) of the Resource Management Act 1991:
"Lot 5 hereon be transferred to the owners of Lot 1, DP 13226 (CT SL 10C/571) and that one Certificate of Title be issued to include both parcels"

REASON FOR DECISION

The Consent Authority acknowledges that this activity is provided for in the Transitional and Proposed Gore District Plans.

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Mr David Pullar
 Hearing Commissioner

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Date