
Inquiries to: Keith Hovell
Our Ref: SC 15/2009 and LU 2009/19
7 Kerwood Place

18 December 2009

Murray Fortune
Clark Fortune McDonald & Associates
P O Box 207
GORE

Dear Sir

I refer to the subdivision application and land use consent you have lodged on behalf of **V B Frank Properties Ltd.** This matter was considered under delegated authority by me, David Pullar, Hearing Commissioner, in consultation with Keith Hovell, Planning Consultant

DESCRIPTION OF PROPOSAL

This application relates to land located at 7 Kerwood Place, Gore containing approximately 1,291 square metres, with frontage also to Kakapo Street. The legal description of the land is Lot 30 DP 9224, Block LXXI, Hokonui Survey District, as described in Certificate of Title SL5D/345.

The applicant wishes to subdivide the land to enable the development of the land in two stages:

- Stage I – creation of two new residential allotments, with one block of units on each site
- Stage II – creation of a Cross Lease development for each new allotment, with two residential units on each of those allotments.

It is proposed to create:

- Lot 1 containing some 415 m², with frontage directly onto Kerwood Place and with physical access directly onto that street by way the existing crossing. With a net site area of 415 m² a site coverage of 40% will allow for a building footprint of 166 m² within the allotment.
- Lot 2 containing some 876 m² with a frontage by way of the entry strip onto Kakapo Street, by way of the existing crossing. With a net site area of 680 m² (876 m² less entry strip of 196 m²) a site coverage of 40% will allow a building footprint of 272 m² within this allotment.

Stage II is proposed to be developed as follows:

- Lot 1 – creation of a Cross Lease development to create Flat 1 (together with the associated area restricted as to user, Yard 1) and Flat 2 and 2A (together with associated area restricted as to user, Yard 2) including an area designated as Common (for the use of both flats). This development is over the existing buildings.
- Lot 2 – creation of a Cross Lease development to create Flat 3 (together with the associated area restricted as to user, Yard 3) and Flat 4 (together with associated area restricted as to user, Yard 4) including an area designated as Common (for the use of both flats). This development is also over the existing buildings.

The applicant also applies for an associated land use consent to cover the following matters:

- (a) Lot 1 has an area of 415 m², but if the Common Area of some 46 m² is excluded then the allowable footprint would be 40% of 369 m² or 148 m². Under Rule 5.9.4 resource consent approval is required as a **restricted discretionary activity**, with Council's discretion limited to the matter of non-compliance.
- (b) Flat 1, Flat 2 and Flat 2A has a building footprint of 152 m², which is greater than the allowable footprint of 148 m². Under Rule 4.9.1(2) resource consent approval is required as a **restricted discretionary activity**, with Council's discretion limited to the matter of non-compliance.
- (c) Lot 2 has a net site area of 680 m² but if the Common Area of some 71 m² is excluded then the allowable footprint would be 40% of 609 m² or 244 m². Under Rule 4.9.1(2) resource consent approval is required as a **restricted discretionary activity**, with Council's discretion limited to the matter of non-compliance.

It is noted that Flat 3 and Flat 4 has a building footprint of 152 m², which is less than the allowable footprint of 244 m².

CONSULTATION

Having regard to the district plan provisions enabling subdivision of land without minimum areas, I am satisfied that as the development is legalising an existing situation the effects of the subdivision and land use application will be no more than minor, and that no person could reasonably claim to be adversely affected by it. As a consequence no written approvals have been required by Council and no notification of the application has been undertaken.

MATTERS FOR CONSIDERATION

The land subject to this application is zoned Residential. Under Rule 8.10(3) the subdivision is a discretionary activity. As noted above, land use consent is required under Rules 5.9.4 and 4.9.1(2) as a restricted discretionary activity. Overall, the application is considered as a **discretionary activity**.

In considering this application, regard has been given to sections 104 and 104B, the relevant portions of which state:

104 Consideration of applications—

- (1) When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to—
- (a) any actual and potential effects on the environment of allowing the activity; and
 - (b) any relevant provisions of—
 - (i) a national policy statement;
 - (ii) a New Zealand coastal policy statement;
 - (iii) a regional policy statement or proposed regional policy statement;
 - (iv) a plan or proposed plan; and
 - (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.

104B Determination of applications for discretionary or non-complying activities—

After considering an application for a resource consent for a discretionary activity or non-complying activity, a consent authority—

- (a) may grant or refuse the application; and
- (b) if it grants the application, may impose conditions under section 108.

STAFF COMMENTS

Council's Asset Manager Utilities comments on the application as follows:

New Lot 1

Stormwater –discharges to the kerb and channel in Kerwood Place.

Foul drainage –connects to the foul sewer in Kerwood Place.

New Lots 2

Stormwater – Drainage plans show stormwater drain heading to Kakapo Street. May discharge to kerb and channel in Kakapo Street.

Foul drainage –connects to the foul sewer in Kakapo Street.

Notes:

New Lot 1 – Has a water supply from Kerwood Place.

New Lot 2 – Has a water supply from Kakapo Street.

DECISION

Consent SC 15/2009 for the subdivision is **granted** subject to the following conditions:

Condition 1 The subdivision be undertaken in conformity with Scheme Plan 5505.

Condition 2 Easements shall be created as set out in the application for subdivision (dated 26 August 2009) and as required.

Consent LU 2009/19 for land use consent is **granted** without condition.

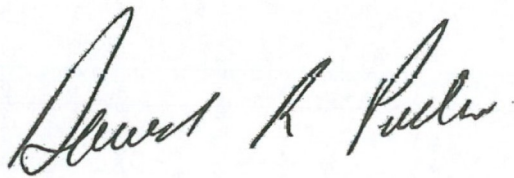
RIGHT OF OBJECTION:

Pursuant to Section 357A of the Resource Management Act 1991 the applicant or consent holder has a right of objection in respect of the conditions imposed by way of this decision.

Any such objection shall be made in writing to the Gore District Council, setting out the reasons for the objection, within 15 working days after the decision being notified to you.

REASONS FOR DECISION

1. As the proposal involves no physical work beyond that legally established it will not give rise to any adverse effects.
2. No person could reasonably claim to be affected by the proposal.
3. The proposal is not contrary to any objectives and policies of the proposed district plan and consistent with the provisions of Part II of the Resource Management Act 1991.

A handwritten signature in black ink, appearing to read 'David R Pullar', written in a cursive style.

David Pullar
Hearing Commissioner
Under delegation of Council

TA Approvals

Territorial Authority	Gore District Council TA Certification Division	TA Reference	SC 15/2009 Frank
Survey Number	LT 428837	Survey Purpose	Flat plan/Cross-lease
Surveyor Reference	5091 / Frank	Land District	Southland
Surveyor	Murray Peter Fortune		
Surveyor Firm	Clark Fortune McDonald & Assoc (Gore)		
Dataset Description	Flats 1 & 2 on Lot 1 DP 427894, Blk LXXI Hokonui SD		

TA Certificates

I hereby certify that plan DP 428837 was approved by the Gore District Council pursuant to section 223 of the Resource Management Act 1991 on the 5th day of April 2010. ☒

Pursuant to Section 224(c) Resource Management Act 1991 I hereby certify that all the conditions of the subdivision consent have been complied with to the satisfaction of the Gore District Council Dated this 5th day of April 2010. ☒

Pursuant to Section 224(f) of the Resource Management Act 1991 I hereby certify that the Gore District Council is satisfied on reasonable grounds that every building [or part of a building] shown on plan DP 428837 complies with [or will comply with] the provisions of the building code specified in Section 46(4) of the Building Act 1991 ☒

Signature

Signed by Frances Marilyn Cowan, Authorised Officer, on 05/05/2010 04:28 PM

Registration Information

Transaction Receipt Number 4821678
Signing Certificate (Distinguished Name) Cowan, Frances Marilyn
Signing Certificate (Serial Number) 1019689166
Signature Date 05/05/2010

*** End of Report ***

TA Approvals

Territorial Authority	Gore District Council TA Certification Division	TA Reference	SC 15/2009 Frank
Survey Number	LT 429965	Survey Purpose	Flat plan/Cross-lease
Surveyor Reference	5091 / Frank	Land District	Southland
Surveyor	Murray Peter Fortune		
Surveyor Firm	Clark Fortune McDonald & Assoc (Gore)		
Dataset Description	Flats 3 & 4 on Lot 2 DP 427894, Blk LXXI Hokonui SD		

TA Certificates

I hereby certify that plan DP 429965 was approved by the Gore District Council pursuant to section 223 of the Resource Management Act 1991 on the 4th day of April 2010. ☒

Pursuant to Section 224(c) Resource Management Act 1991 I hereby certify that all the conditions of the subdivision consent have been complied with to the satisfaction of the Gore District Council Dated this 4th day of April 2010. ☒

Pursuant to Section 224(f) of the Resource Management Act 1991 I hereby certify that the Gore District Council is satisfied on reasonable grounds that every building [or part of a building] shown on plan DP 429965 complies with [or will comply with] the provisions of the building code specified in Section 46(4) of the Building Act 1991 ☒

Signature

Signed by Frances Marilyn Cowan, Authorised Officer, on 04/05/2010 04:08 PM

Receipt Information

Transaction Receipt Number 4819035
Signing Certificate (Distinguished Name) Cowan, Frances Marilyn
Signing Certificate (Serial Number) 1019689166
Signature Date 04/05/2010

*** End of Report ***



MURRAY FORTUNE LIMITED Trading As:

CLARK FORTUNE McDONALD & ASSOCIATES

REGISTERED LAND SURVEYORS, LAND DEVELOPMENT & PLANNING CONSULTANTS

Incorporating: R. A. HOULISTON & ASSOCIATES

PAID

319064 \$80.

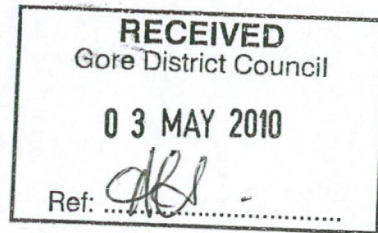
14 Mersey Street,

P.O. Box 207, Gore 9740

Ph: (03) 208-6474

Fax: (03) 208-6474

Email: fortune@esi.co.nz



PRINCIPAL:

Murray Fortune B.Sc. B.Surv. M.N.Z.I.S.

Your Ref.

SC 15/2009

Our Ref.

5091

3 May 2010

The Planning Administrator
Gore District Council
P O Box 8
GORE

Attention **Keith Hovell**

Dear Sir

Re: **Subdivision (Cross Lease) of Lots 1 & 2 DP 427894, Blk LXXI, Hokonui S D**

Owner: **V B Frank Properties Ltd**

Further to your letter of 18 December, please find enclosed for sealing by your Council pursuant to Section 223 (and Section 224) of the Resource Management Act 1991, the original Land Transfer (e survey) title plan for the abovementioned subdivision (Stage II).

In respect of the conditions imposed we would note the following:

None imposed

Copies of the tile plans **DP 428837** (over Lot 1 DP 427894 on Kerwood Place) and **DP 429965** (over Lot 2 DP 427894 on Kakapo Street) together with copies of the underlying titles CR 510301 and CR 510302 respectively are enclosed for your information together with a cheque for \$80.00 being the required sealing fee.

Yours faithfully

CLARK FORTUNE McDONALD & ASSOCS

Murray Fortune
Registered Surveyor

Approved & Certification
under sections 223+224
RMA. *KB Hovell*
04/05/10



**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



Search Copy

COPY

R. W. Muir
Registrar-General
of Land

Identifier **510301**
Land Registration District **Southland**
Date Issued **13 April 2010**

Prior References
SL5D/345

state	Fee Simple
Area	438 square metres more or less
Legal Description	Lot 1 Deposited Plan 427894
Proprietors	V B Frank Properties Limited

Interests
6746169.2 Mortgage to Kiwibank Limited - 9.2.2006 at 9:00 am



COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952



Search Copy

COPY
R. W. Muir
Registrar-General
of Land

Identifier **510302**
Land Registration District **Southland**
Date Issued 13 April 2010

Prior References
SL5D/345

.state Fee Simple
Area 854 square metres more or less
Legal Description Lot 2 Deposited Plan 427894

Proprietors
V B Frank Properties Limited

Interests
6746169.2 Mortgage to Kiwibank Limited - 9.2.2006 at 9:00 am

KERWOOD PLACE
LEGAL (sealed)

6
DP 8117



90°59'00" (30.50) ADPT DP 427894

YARD 1

YARD 2

2
DP 427894

COMMON

FLAT
1

FLAT
2

FLAT 2A
(carport)

extension of
conc block
wall (face)

29
DP 9224

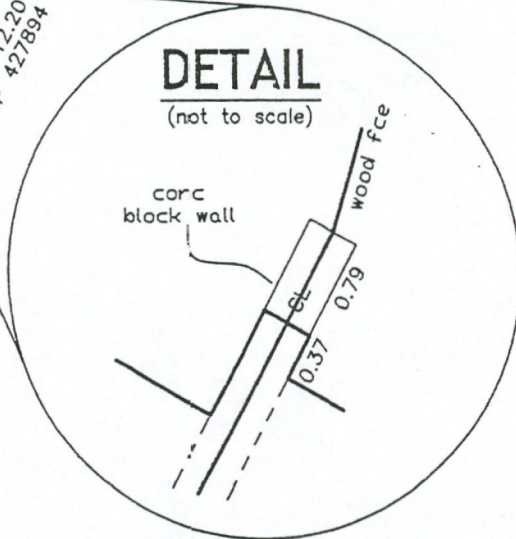
298°49'30" (28.41) ADPT DP 427894

extension of
conc block
wall (centre)

centre of
conc block
wall

28°43'00" 12.20
ADPT DP 427894

14°17'00" 2.38
ADPT DP 427894



DETAIL
(not to scale)

AREAS RESTRICTED AS TO USER

- Area "Yard 1" with Flat 1
- Area "Yard 2" with Flat 2
and Flat 2A

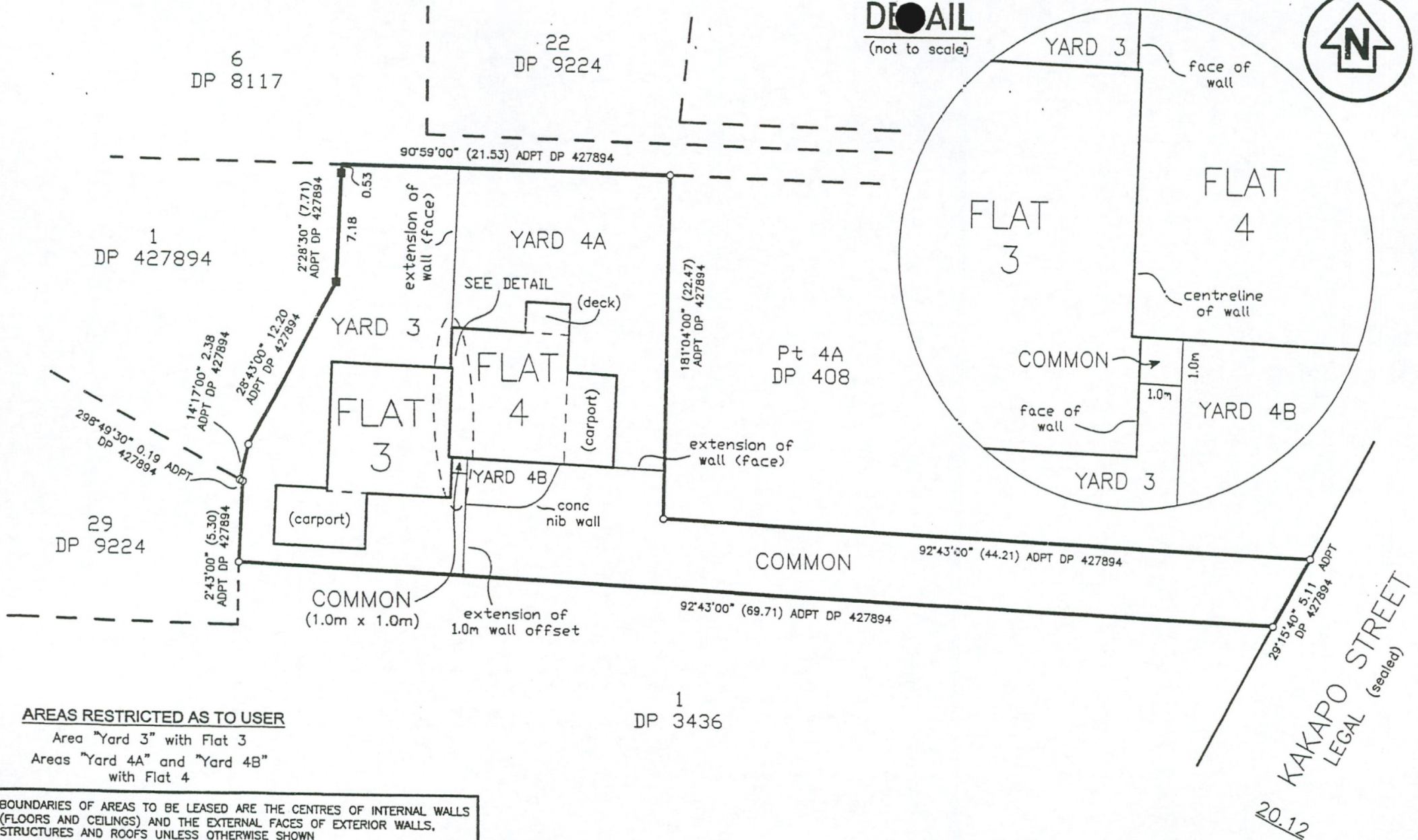
BOUNDARIES OF AREAS TO BE LEASED ARE THE CENTRES OF INTERNAL WALLS
(FLOORS AND CEILINGS) AND THE EXTERNAL FACES OF EXTERIOR WALLS,
STRUCTURES AND ROOFS UNLESS OTHERWISE SHOWN

**CLARK FORTUNE
MCDONALD & ASSOC.**
REGISTERED LAND SURVEYORS, RESOURCE MANAGEMENT
AND PLANNING CONSULTANTS
14 MERSEY STREET, P.O. BOX 207 GORE,
TELEPHONE / FAX: (03) 208 8474; email: fortune@clark.co.nz

FLATS 1 & 2 ON LOT 1 DP 427894,
BLK LXXI, HOKONUI SD

TERRITORIAL AUTHORITY: GORE DISTRICT LAND DISTRICT: SOUTHLAND	FILE: 5091 DATE: FEB 2010
Scale @ A3 1:125	DP 428837

DEAIL
(not to scale)



AREAS RESTRICTED AS TO USER

Area "Yard 3" with Flat 3
Areas "Yard 4A" and "Yard 4B"
with Flat 4

BOUNDARIES OF AREAS TO BE LEASED ARE THE CENTRES OF INTERNAL WALLS (FLOORS AND CEILINGS) AND THE EXTERNAL FACES OF EXTERIOR WALLS, STRUCTURES AND ROOFS UNLESS OTHERWISE SHOWN



**CLARK FORTUNE
McDONALD & ASSOC.**
REGISTERED LAND SURVEYORS, RESOURCE MANAGEMENT
AND PLANNING CONSULTANTS
14 MERSEY STREET, P.O. BOX 207 GORE;
TELEPHONE / FAX: (03) 208 6474; email: fortune@clm.co.nz

**FLATS 3 & 4 ON LOT 2 DP 427894,
BLK LXXI, HOKONUI SD**

TERRITORIAL AUTHORITY: GORE DISTRICT
LAND DISTRICT: SOUTHLAND

FILE: 5091
DATE: FEB 2010

Scale @ A3 1:250

DP 429965

01 May 2010



Amanda Hannam
Gore District Council TA Certification Division
PO Box 8
Gore 9740

Surveyor Ref: 5091 / Frank

Territorial Authority Ref: SC 15/2009 Frank

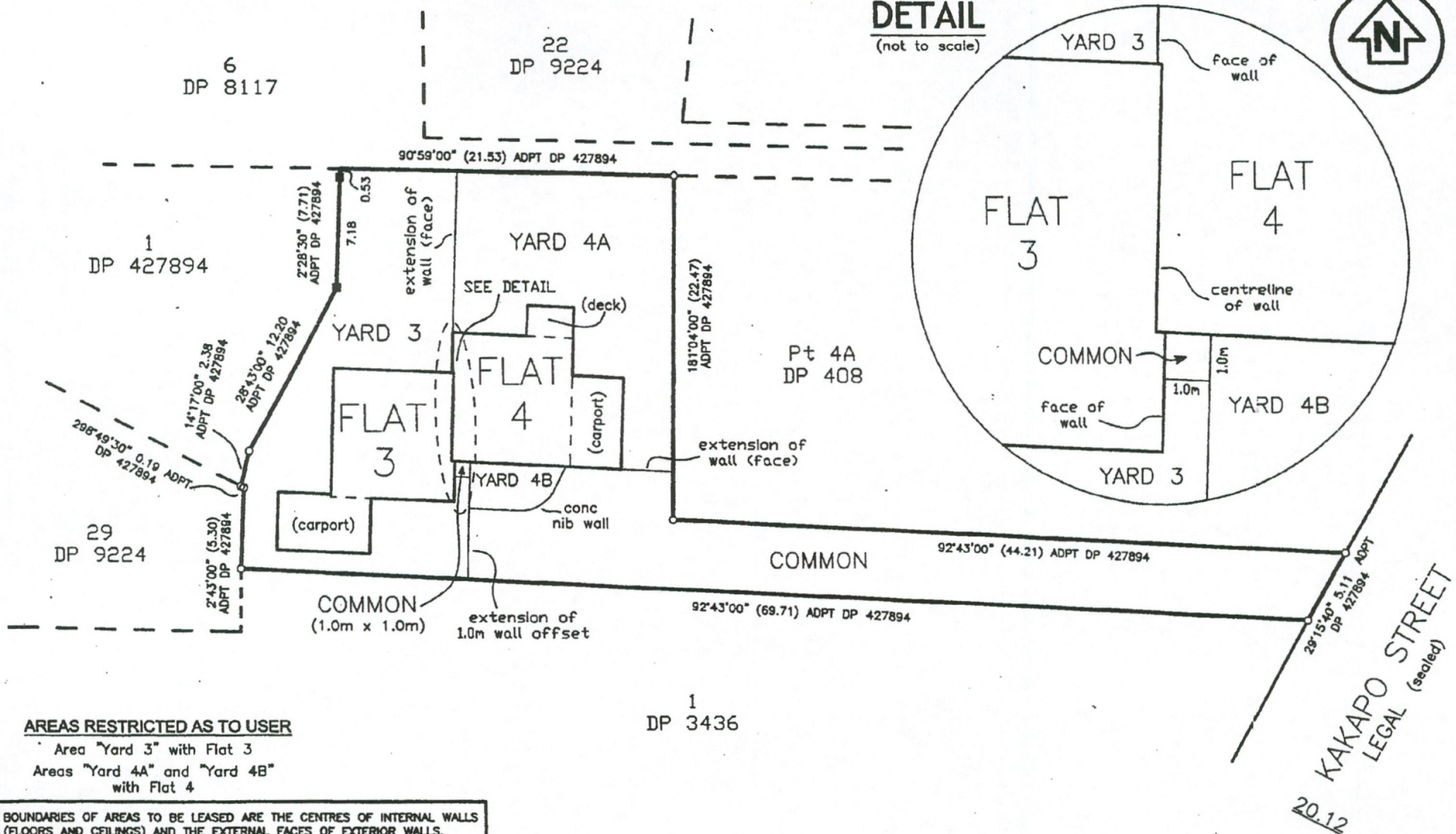
Territorial Authority Notification: LT 429965 Gore District Council TA Certification Division

Surveyor Murray Peter Fortune from Survey Firm Clark Fortune McDonald & Assoc (Gore) advises that Cadastral Survey Dataset LT 429965 requires TA Certification.

Licensed Cadastral Surveyor

Dunedin Processing Centre
Torrens House
195 Hereford Street
Private Bag 4721
Christchurch Mail Centre
Christchurch 8140
New Zealand
Tel 0800 ONLINE (665463)
Fax 64-3-477 3547
Internet <http://www.linz.govt.nz>

DETAIL
(not to scale)



AREAS RESTRICTED AS TO USER

- Area "Yard 3" with Flat 3
- Areas "Yard 4A" and "Yard 4B" with Flat 4

BOUNDARIES OF AREAS TO BE LEASED ARE THE CENTRES OF INTERNAL WALLS (FLOORS AND CEILINGS) AND THE EXTERNAL FACES OF EXTERIOR WALLS, STRUCTURES AND ROOFS UNLESS OTHERWISE SHOWN



CLARK FORTUNE
McDONALD & ASSOC.

**FLATS 3 & 4 ON LOT 2 DP 427894,
BLK LXXI, HOKONUI SD**

TERRITORIAL AUTHORITY: GORE DISTRICT
LAND DISTRICT: SOUTHLAND

FILE: 5091
DATE: FEB 2010

Scale © A3 1:250

DP 429965

30 April 2010



Amanda Hannam
Gore District Council TA Certification Division
PO Box 8
Gore 9740

Surveyor Ref: 5091 / Frank

Territorial Authority Ref: SC 15/2009 Frank

Territorial Authority Notification: LT 428837 Gore District Council TA Certification Division

Surveyor Murray Peter Fortune from Survey Firm Clark Fortune McDonald & Assoc (Gore) advises that Cadastral Survey Dataset LT 428837 requires TA Certification.

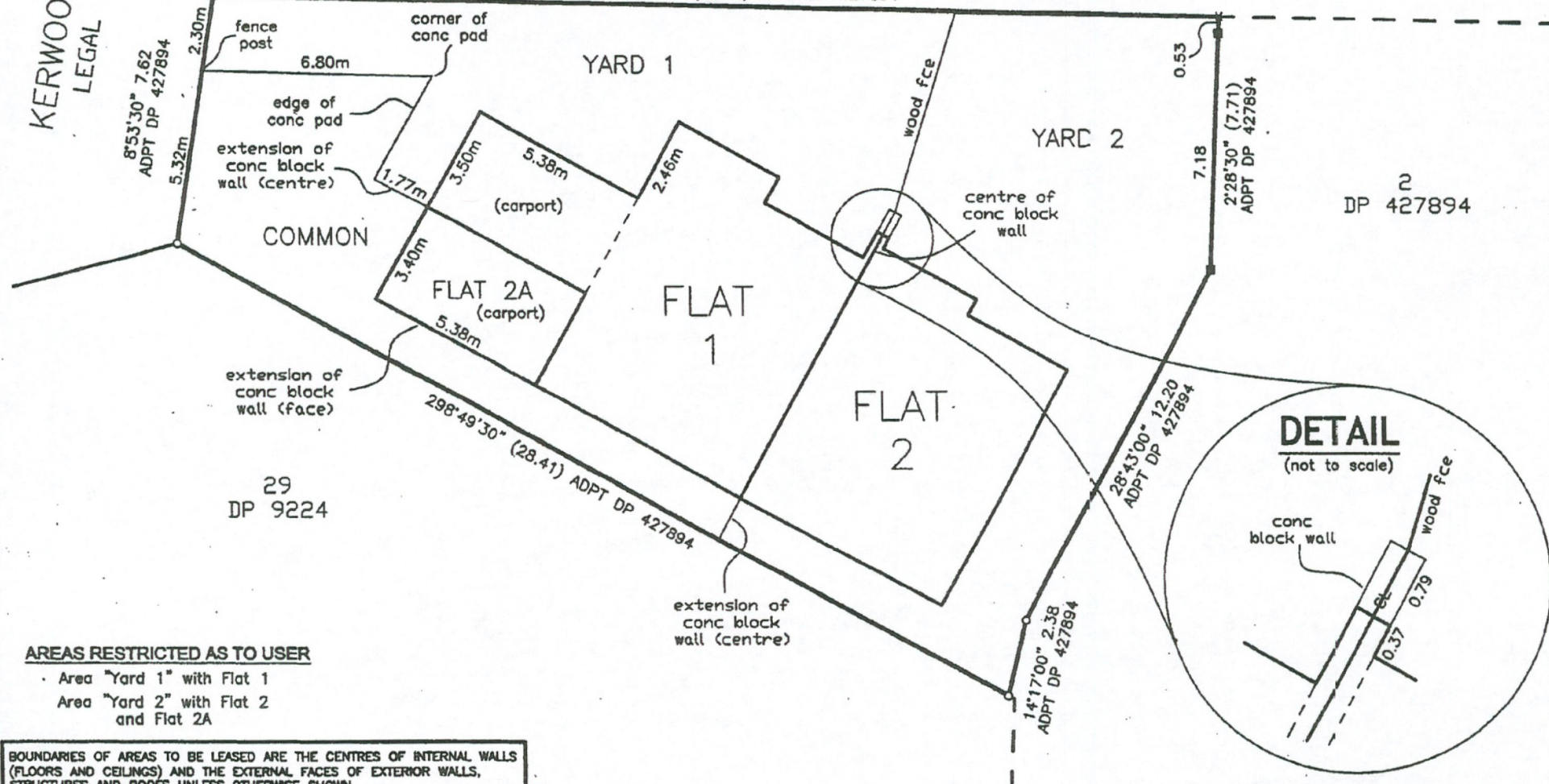
Licensed Cadastral Surveyor



6
DP 8117

KERWOOD PLACE
LEGAL (sealed)

90°59'00" (30.50) ADPT DP 427894



AREAS RESTRICTED AS TO USER

- Area "Yard 1" with Flat 1
- Area "Yard 2" with Flat 2 and Flat 2A

BOUNDARIES OF AREAS TO BE LEASED ARE THE CENTRES OF INTERNAL WALLS (FLOORS AND CEILINGS) AND THE EXTERNAL FACES OF EXTERIOR WALLS, STRUCTURES AND ROOFS UNLESS OTHERWISE SHOWN



CLARK FORTUNE
MCDONALD & ASSOC.

**FLATS 1 & 2 ON LOT 1 DP 427894,
BLK LXXI, HOKONUI SD**

TERRITORIAL AUTHORITY: GORE DISTRICT
LAND DISTRICT: SOUTHLAND

FILE: 5091
DATE: FEB 2010

Scale @ A3 1:125

DP 428837

TA Approvals

Territorial Authority	Gore District Council TA Certification Division	TA Reference	SC 15/2009 V B Frank Properties Ltd
Survey Number	LT 427894	Survey Purpose	LT Subdivision
Surveyor Reference	5090 / Frank	Land District	Southland
Surveyor	Murray Peter Fortune		
Surveyor Firm	Clark Fortune McDonald & Assoc (Gore)		
Dataset Description	Lots 1 & 2 being Subdivision of Lot 30 DP 9224, Blk LXXI Hokonui SD		

TA Certificates

I hereby certify that plan DP 427894 was approved by the Gore District Council pursuant to section 223 of the Resource Management Act 1991 on the 25 day of February 2010 ☒

Pursuant to Section 224(c) Resource Management Act 1991 I hereby certify that all the conditions of the subdivision consent have been complied with to the satisfaction of the Gore District Council Dated this 25 day of February 2010 ☒

Signature

Signed by Frances Marilyn Cowan, Authorised Officer, on 25/02/2010 10:32 AM

Receipt Information

Transaction Receipt Number	4679836
Signing Certificate (Distinguished Name)	Cowan, Frances Marilyn
Serial Number	1019689166
Issue Date	25/02/2010

*** End of Report ***



MURRAY FORTUNE LIMITED Trading As:

CLARK FORTUNE McDONALD & ASSOCIATES

REGISTERED LAND SURVEYORS, LAND DEVELOPMENT & PLANNING CONSULTANTS

Incorporating: R. A. HOULISTON & ASSOCIATES

PAID

\$80-00

316140

14 Mersey Street,

P.O. Box 207, Gore 9740

Ph: (03) 208-6474

Fax: (03) 208-6474

Email: fortune@esi.co.nz

PRINCIPAL:

Murray Fortune B.Sc. B.Surv. M.N.Z.I.S.

Your Ref.

SC 15/2009

Our Ref.

5090

24 February 2010

The Planning Administrator
Gore District Council
P O Box 8
GORE

Attention **Keith Hovell**

Dear Sir

Re: **Subdivision of Lot 30 DP 9224, Blk LXXI, Hokonui S D**

Owner: **V B Frank Properties Ltd**

Further to your letter (email) of 23 December, please find enclosed for sealing by your Council pursuant to Section 223 (and Section 224) of the Resource Management Act 1991, the original Land Transfer (e survey) title plan for the abovementioned subdivision.

In respect of the conditions imposed we would note the following:

Condition 1: noted and as per scheme plan

Condition 2: no easements required

Copies of the tile plans **DP 427894** are enclosed for your information together with a cheque for \$80.00 being the required sealing fee.

Yours faithfully

CLARK FORTUNE McDONALD & ASSOCS

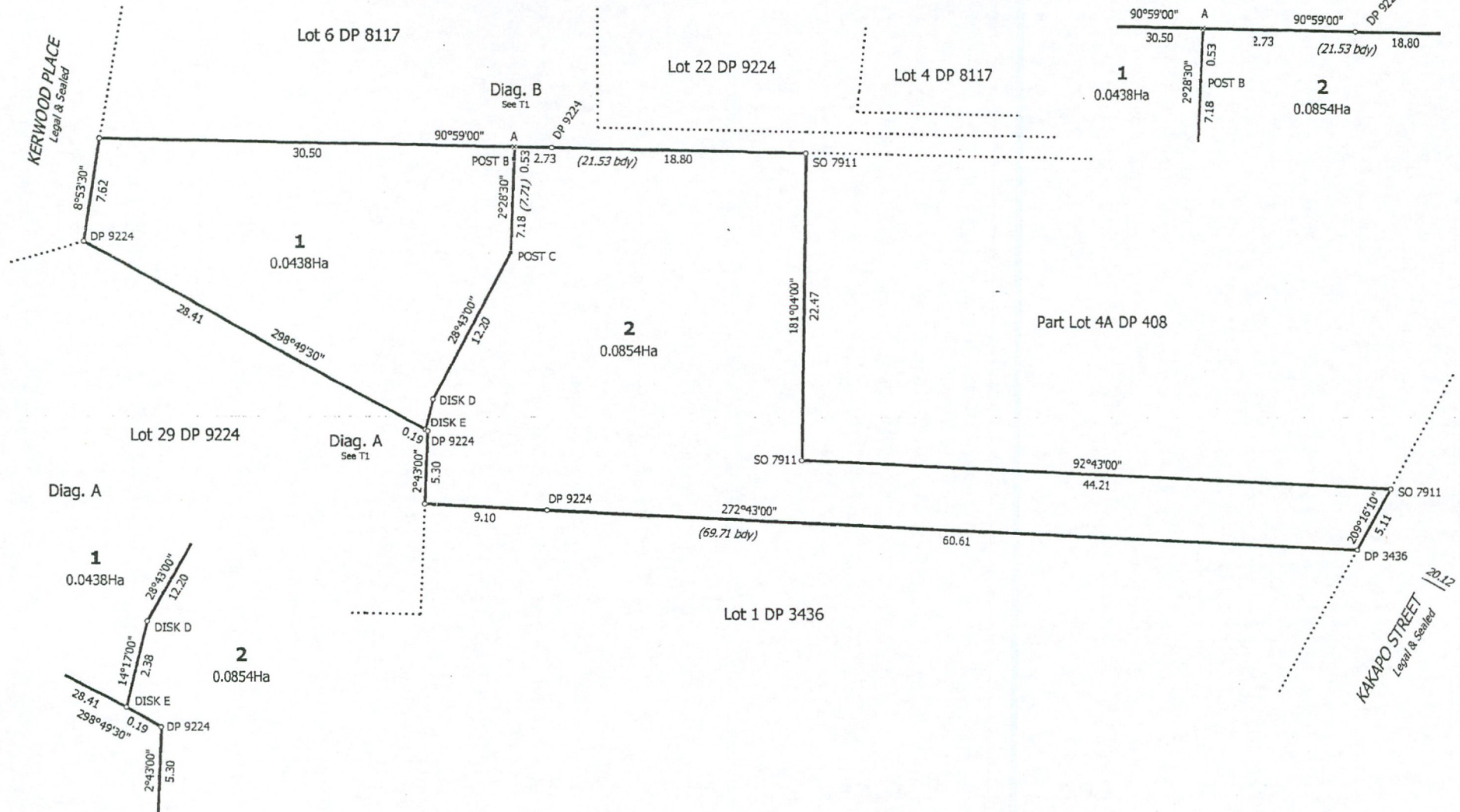
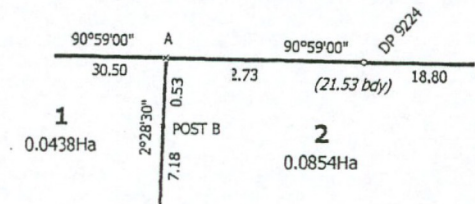
Murray Fortune
Registered Surveyor

Approved for Certification
under s 223 + 224 RMA

KHovell
24/02/10



Diag. B



FILE: 5090

Land District Southland -

Digitally Generated Plan

Generated on: 23/02/2010 4:22pm Page 6 of 6

Lots 1 & 2 being Subdivision of Lot 30 DP 9224, Blk LXXI Hokonui SD

Surveyor: Murray Peter Fortune

Firm: Clark Fortune McDonald & Assoc (Go

Survey Date: 14/01/2010

Digital Survey Plan

LT 427894

DRAFT

T 1/1



5090/5091

APPLICATION FOR RESOURCE CONSENT

To: Gore District Council
P O Box 8
GORE

I/We **V B Frank Properties Ltd**
resource consent as described below.

apply for a

- 1) The names and addresses of the owner and occupier (other than the applicant) of any land to which the application relates are as follows:

**P & R Westlake
396 Winton Channel Road
R D 2
Winton 9782**

- 2) The location of the proposed application is as follows:
(describe the location in a manner which will allow it to be readily identified, e.g. the street address, the legal description, the name of any relevant stream, river, or other water body to what the application may relate, proximity to any well known landmark, the grid reference (if known) etc).

**7 Kerwood Place/26 Kakapo Street, Gore
Lot 30 DP 9224, Blk LXXI, Hokonui S D**

- 3) The type of resource consent sought is as follows:

Subdivision Consent and Land Use Consent

- 4) A description of the proposed activity to which consent is sought is as follows:

Subdivision of land in the Residential Zone to create two new (residential) allotments, together with a Land Use Consent to exceed the site coverage (for the existing two residential buildings).

- 5) The following additional resource consents are required in relation to this proposal and have / have not been applied for from either Department of Conservation or Environment Southland.

Water Permit : Discharge Permit
(Circle appropriate item(s))



KERWOOD PLACE
LEGAL (scaled)

6
DP 8117

22
DP 9224

42
DP 8117

29
DP 9224

415 m²
(two residential units)

2
876 m²
(two residential units)

Pt 4A
DP 408

1
DP 3436

NOTE:
- AREAS AND DIMENSIONS ARE
APPROXIMATE ONLY AND ARE SUBJECT
TO FINAL SURVEY

Scheme Plan No.

Date Received

File Reference

Township of

Extension No.

Area Schedule

	Lots	ha.	m ²
Residential	1 - 2		1,291
Commercial or Industrial			
Rural			
New Roads			
Service Lanes			
Access Ways			
Road, Service Lane or Access Way Res.			
Esplanade Res.			
Rec. Scenic, Historic or Utility Res.			
Land to be vested in Corporation in lieu of Reserves			
Total Area			1,291

Schedule of Easements

Purpose	Shown	Servient Tenement	Dominant Tenement

I, Murray Peter Fortune, Registered Surveyor
hereby certify that this scheme plan has been prepared by me
in accordance with the provisions of Part X of the Resource
Management Act 1991.
.....Registered Surveyor.

Approved V B Frank Properties Ltd

Owner

Approved

District Manager

Scheme Plan No.

LAND DISTRICT.....SOUTHLAND
Survey Blk & Dist.LXXI, HOKONUI SD
Comprised inCR SL 5D/345

PROPOSED SUBDIVISION OF
LOT 30 DP 9224

TERRITORIAL AUTHORITYGORE DISTRICT
Surveyed by CLARK FORTUNE McDONALD & ASSOC
Scale 1:300 (@A3) Date NOVEMBER 2009

D.P.

Surveyor's
File
Reference

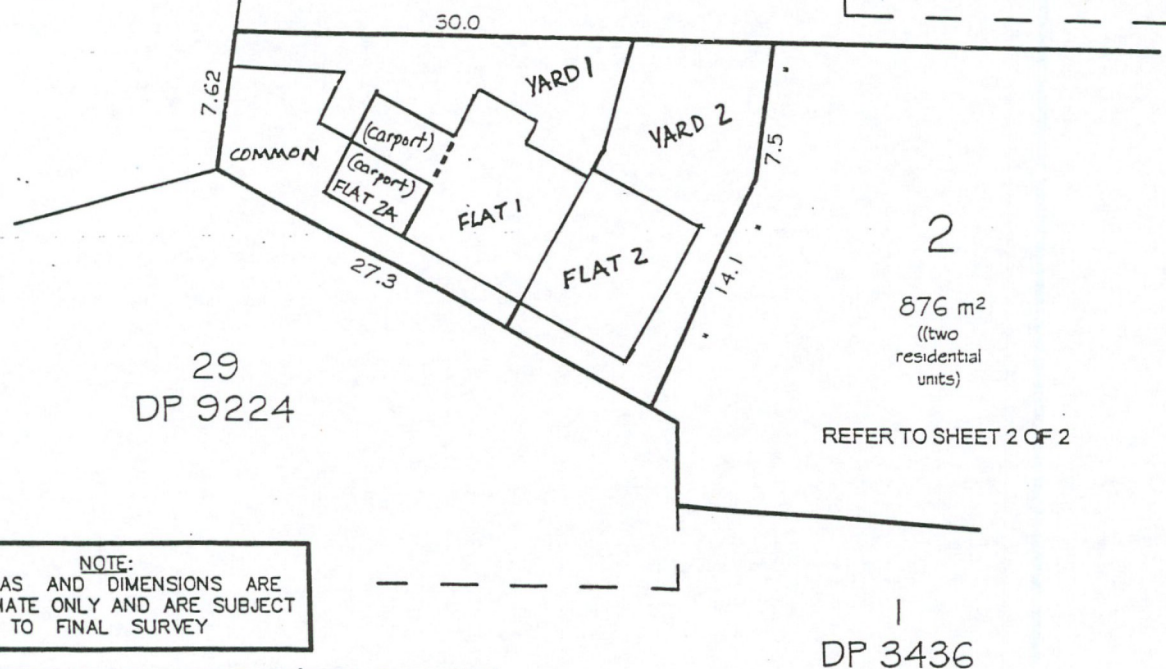
5090



KERWOOD PLACE
LEGAL (scaled)

6
DP 8117

22
DP 9224



2
876 m²
(two
residential
units)

REFER TO SHEET 2 OF 2

AREA RESTRICTED AS TO USER

Area "Yard 1" with Flat 1

Area "Yard 2" with Flat 2 & 2A

NOTE:
- AREAS AND DIMENSIONS ARE
APPROXIMATE ONLY AND ARE SUBJECT
TO FINAL SURVEY

BOUNDARIES OF AREAS TO BE LEASED ARE THE CENTRES OF INTERNAL
WALLS (FLOORS AND CEILINGS) AND THE EXTERNAL FACES OF EXTERIOR
WALLS, STRUCTURES AND ROOFS UNLESS OTHERWISE SHOWN

1
DP 3436

SHEET 1 OF 2



CLARK FORTUNE
McDONALD & ASSOC.

REGISTERED LAND SURVEYORS, RESOURCE MANAGEMENT
AND PLANNING CONSULTANTS
141 NORTH STREET, P.O. BOX 202, GORE.
TELEPHONE / FAX: 03 765 5474, 03 765 5475

FLATS 1 & 2 ON PROPOSED LOT 1 OF SUBDIVISION OF
LOT 30 DP 9224, BLK LXXI, HOKONUI SD

TERRITORIAL AUTHORITY: GORE DISTRICT
LAND DISTRICT: SOUTHLAND FILE REF: 5091

Scale at A3 1:300



6
DP 8117

22
DP 9224

42
DP 8117

REFER TO SHEET 1 OF 2

415 m²
(two
residential
units)

7.5
14.1
Wd Fence

YARD 3

YARD 4

FLAT 3

FLAT 4

(carport)

(carport)

Pt 4A
DP 408

29
DP 9224

69.61

DP 3436

COMMON

44.21

KAKAPO STREET
LEGAL (sealed)

20.12

NOTE:
- AREAS AND DIMENSIONS ARE
APPROXIMATE ONLY AND ARE SUBJECT
TO FINAL SURVEY

AREA RESTRICTED AS TO USER

Area "Yard 3" with Flat 3
Area "Yard 4" with Flat 4

BOUNDARIES OF AREAS TO BE LEASED ARE THE CENTRES OF INTERNAL
WALLS (FLOORS AND CEILINGS) AND THE EXTERNAL FACES OF EXTERIOR
WALLS, STRUCTURES AND ROOFS UNLESS OTHERWISE SHOWN

SHEET 2 OF 2

 **CLARK FORTUNE
McDONALD & ASSOC.**
REGISTERED LAND SURVEYORS, RESOURCE MANAGEMENT
AND PLANNING CONSULTANTS
14 WERSLEY STREET, P.O. BOX 207 GORE
TEL: 09 358 8474 FAX: 09 358 8476 email: info@cfma.co.nz

FLATS 3 & 4 ON PROPOSED LOT 1 OF SUBDIVISION OF
LOT 30 DP 9224, BLK LXXI, HOKONUI SD

TERRITORIAL AUTHORITY: GORE DISTRICT
LAND DISTRICT: SOUTHLAND FILE REF: 5091
Scale at A3 1:300



COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



R.W. Muir
Registrar-General
of Land

Historical Search Copy

Identifier **SL5D/345**
Land Registration District **Southland**
Date Issued 10 July 1978

Prior References

SL152/144

e	Fee Simple
Area	1291 square metres more or less
Legal Description	Lot 30 Deposited Plan 9224

Original Proprietors

Hugh Alexander Walker as to a 1/2 share
Thelma Lorraine Walker as to a 1/2 share

Interests

240717.4 Mortgage to Southland Building Society - 3.5.1996 at 9:00 am
6681088.1 Discharge of Mortgage 240717.4 - 19.12.2005 at 9:14 am
6746169.1 Transfer to V B Frank Properties Limited - 9.2.2006 at 9:00 am
6746169.2 Mortgage to Kiwibank Limited - 9.2.2006 at 9:00 am

COPY

REGISTER

Land and Deeds 69

No.

5D/345

References

Prior C/T 152/144

Transfer No.

N/C. Order No. 036694.2



CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT

This Certificate dated the 10th day of July one thousand nine hundred and seventy eight under the seal of the District Land Registrar of the Land Registration District of S O U T H L A N D

WITNESSETH that HUGH ALEXANDER WALKER of Gore Builder

is seized of an estate in fee-simple (subject to such reservations, restrictions, encumbrances, liens, and interests as are notified by memorial underwritten or endorsed hereon) in the land hereinafter described, delineated with black lines on the plan hereon, be the several admeasurements a little more or less, that is to say: All that parcel of land containing 1291 m² more or less situate in the Borough of Gore being Lot 30 Deposited Plan 9224 and being part Section 123 Block LXXI HOKONUI DISTRICT

059023.2 Mortgage to Janice Doreen Skilling and Gladys Roper 27.6.1980 at 11.44 a.m. - 5.1.81

A.L.R.

080170.2 Mortgage to Gladys Spencer, Hesba Thelma Wilson and Muriel Nora MacDonald in shares 5.3.1983 at 10.1984 a.m.

DISCHARGED

090417.1 Transmission of Mortgage 080170.2 to Leonie Merle Briggs and Bruce Mervyn Spencer as Executors 10.12.1982 at 9.51 a.m.

A.L.R.

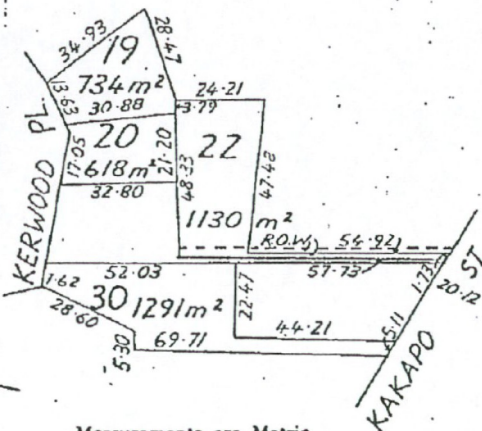
104324.1 Transfer of a one-half share to Thelma Lorraine Walker of Gore Married Woman - 15.3.1984 at 11.12 a.m.

A.L.R.

ASSISTANT LAND REGISTRAR

240717.4 Mortgage to Southland Building Society - 3.5.1996 at 9.00 a.m.

A.L.R.



Measurements are Metric

DP9224
E.A.D.



MURRAY FORTUNE LIMITED Trading As:

CLARK FORTUNE McDONALD & ASSOCIATES

REGISTERED LAND SURVEYORS, LAND DEVELOPMENT & PLANNING CONSULTANTS

Incorporating: R. A. HOULISTON & ASSOCIATES

PAID

\$450-00

310981

20.11.09

SC 15/2009
LA 2009/19
14 Mersey Street,
P.O. Box 207, Gore 9740 7 Kerwood
Ph: (03) 208-6474
Fax: (03) 208-6474
Email: fortune@esi.co.nz

PRINCIPAL:

Murray Fortune B.Sc. B.Surv. M.N.Z.I.S.

Your Ref.

Our Ref.

5090/5091

20 November 2009

The Consents Manager
Gore District Council
P O Box 8
GORE

Attention **Keith Hovell**

Dear Sir

Re: **Proposed Subdivision of Lot 30 DP 9224, Blk LXXI, Hokonui S D**

Owner: **V B Frank Properties Ltd**

Please find enclosed for your Councils consideration and approval two copies of the plans for the subdivision of the abovementioned property in Kerwood Place/Kakapo Street, Gore.

The subject land is owned by V B Frank Properties Ltd in the following certificate of title as per copy enclosed:

CR SL5D/345

Lot 30 DP 9224

1291m²

We now seek approval for the subdivision of the land as per the attached plan to enable the development of the land as follows:

Stage I - creation of two new residential allotments, with one block of units on each site

Stage II - creation of a Cross Lease development for each new allotment, with two residential units on each of those allotments

The site currently is developed with two residential buildings (containing two units each) as detailed on the attached photo.

Stage I will be developed as follows:

We propose to create **Lot 1 containing some 415m²** with frontage directly onto Kerwood Place and with physical access directly onto that street but by way of the existing crossing. With a nett site area of 415m² a site coverage of 40% will allow for a building footprint of 166m² within the allotment.

We propose to create **Lot 2 containing some 876m²** with a frontage by way of the entry strip onto Kakapo Street, and by way of the existing crossing. With a nett site area of 680m² (876m² less entry strip of 196m²) a site coverage of 40% will allow a building footprint of 272m² within this allotment.

Within the District Plan, the land is within the Residential Zone (Planning Map GOR 06) where the proposal will be considered as *discretionary activity* in terms of **Rule 8.10.3**.

Existing services are available and connected to Kerwood Place, with the following to be noted:

- (i) Lot 1 will have the water connection directly from the street, with other service utilities directly from the street boundary
- (ii) in terms of the vehicle access, we will retain the existing entry

Existing services are available and connected to Kakapo Street, with the following to be noted:

- (i) Lot 2 will have the water connection directly from the street with other service utilities directly from the street boundary
- (ii) in terms of the vehicle access, we will retain the existing entry

We believe that all relevant matters have been raised and that Council will not be in a position to impose a financial contribution for reserves purposes or for infrastructure purposes – all the building and infrastructure is already in place. General discussions have been held with the Plumbing and Drainage Manager re the retention of those existing services.

We need not apply for an associated Land Use Consent to cover the following matters:

- a) the site coverage of the existing units that are erected within the site

In the terms of the site coverage as set out in (a) above, the following is proposed in terms of the building site plans submitted.

- (i) Lot 2 will have a building footprint of 169m² which is less than the allowable footprint of 272m² (as outlined earlier).
- (ii) Lot 1 will have a building footprint of 152m² which is less than the allowable footprint of 166m² (as outlined earlier).

Stage II will be developed as follows:

We propose to further develop Lot 1 by the creation of a Cross-Lease development to create **Flat 1** (together with the associated area restricted as to user, Yard 1) and **Flat 2 & 2A** (together with associated area restricted as to user, Yard 2) including an area designated as **Common** (for the use of both Flats). This development is over the existing buildings and as detailed on the attached plan (Ref 5091 sheet 1 of 2) and associated building layout plan.

We also propose to further develop Lot 2 by the creation of a Cross-Lease development to create **Flat 3** (together with the associated area restricted as to user, Yard 3) and **Flat 4** (together with the associated area restricted as to user, Yard 4) including an area designated as **Common** (for the use of both Flats). This development is also over the existing buildings and as detailed on the attached plan (Ref 5091 sheet 2 of 2) and associated building layout plan.

We also need to apply for an associated Land Use Consent to cover the following matters:

- b) site coverage of the existing Flats that are erected within the site

In terms of the site coverage set out in (b) above, the following is proposed in terms of the building plans

- (i) Lot 1 has an area of 415m^2 , but if the Common Area of some 46m^2 is excluded, then the allowable footprint would be 40% of 369m^2 (415m^2 less 46m^2) or 148m^2
- (ii) Flat 1, Flat 2 & Flat 2A has a building footprint of 152m^2 which is greater than the allowable footprint of 148m^2 (as outlined above)
- (iii) Lot 2 has a nett site area of 680m^2 . but if the Common Area of some 71m^2 is excluded, then the allowable footprint would be 40% of 609m^2 (680m^2 less 71m^2) or 244m^2
- (iv) Flat 3 & Flat 4 has a building footprint of 152m^2 which is less than the allowable footprint of 244m^2 (as outlined above)

In relation to that Land Use Activity (site coverage) it has been deemed that as the buildings are all in existence, then there is no *affected parties*, and as such no written approvals have been required (and as discussed with the Planning Manager).

We believe that as this proposal can be considered to be in compliance with the District Plan, then this proposal may be approved as outlined and as submitted for the appropriate Subdivision Consent and Land Use Consent.

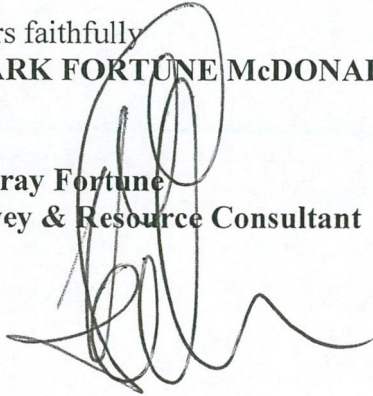
To process this application we attach a cheque for \$450.00 being the required consent fee, together with copies of the relevant certificates of title and aerial photo.

Should you require further clarification in respect of this matter, please contact us.

Yours faithfully

CLARK FORTUNE McDONALD & ASSOCS

Murray Fortune
Survey & Resource Consultant

A handwritten signature in black ink, appearing to read 'Murray Fortune', is written over the printed name and title. The signature is stylized with large loops and a long horizontal stroke at the end.



Scheme Plan No.
Date Received
File Reference
Township of
Extension No.

Area Schedule		
Lots	ha.	m ²
1 - 2		1291
Residential		
Commercial or Industrial		
Rural		
New Roads		
Service Lanes		
Access Ways		
Road, Service Lane or Access Way Res.		
Esplanade Res.		
Rec. Scenic, Historic or Utility Res.		
Land to be vested in Corporation in lieu of Reserves		
Total Area		1291

Schedule of Easements			
Purpose	Shown	Servient Tenement	Dominant Tenement

I, Murray Peter Fortune, Registered Surveyor hereby certify that this scheme plan has been prepared by me in accordance with the provisions of Part X of the Resource Management Act 1991.

.....Registered Surveyor.

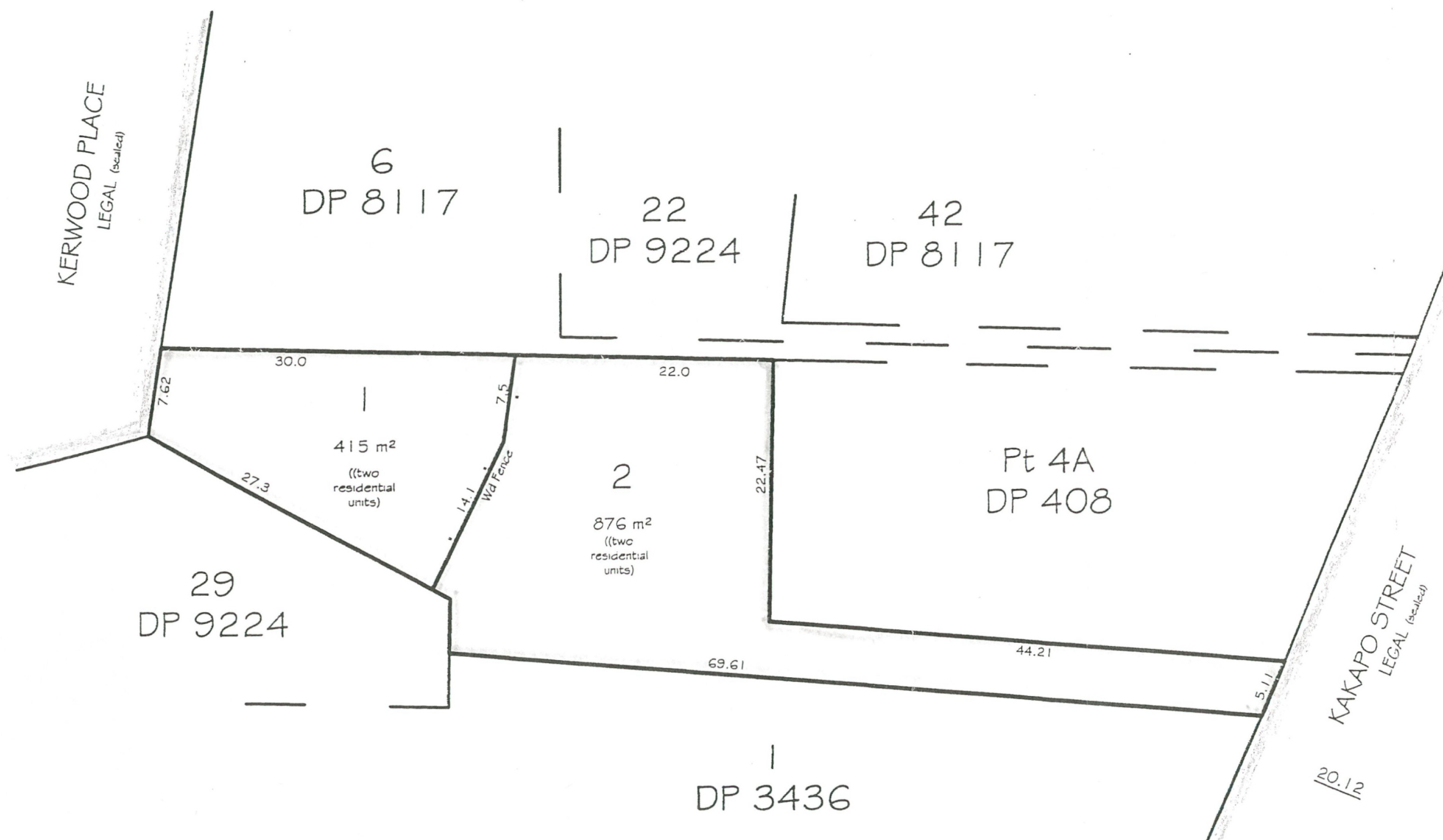
Approved V B Frank Properties Ltd

..... Owner

Approved

..... District Manager

Scheme Plan No.		
D.P.	Surveyor's File Reference	5090



NOTE:
- AREAS AND DIMENSIONS ARE APPROXIMATE ONLY AND ARE SUBJECT TO FINAL SURVEY

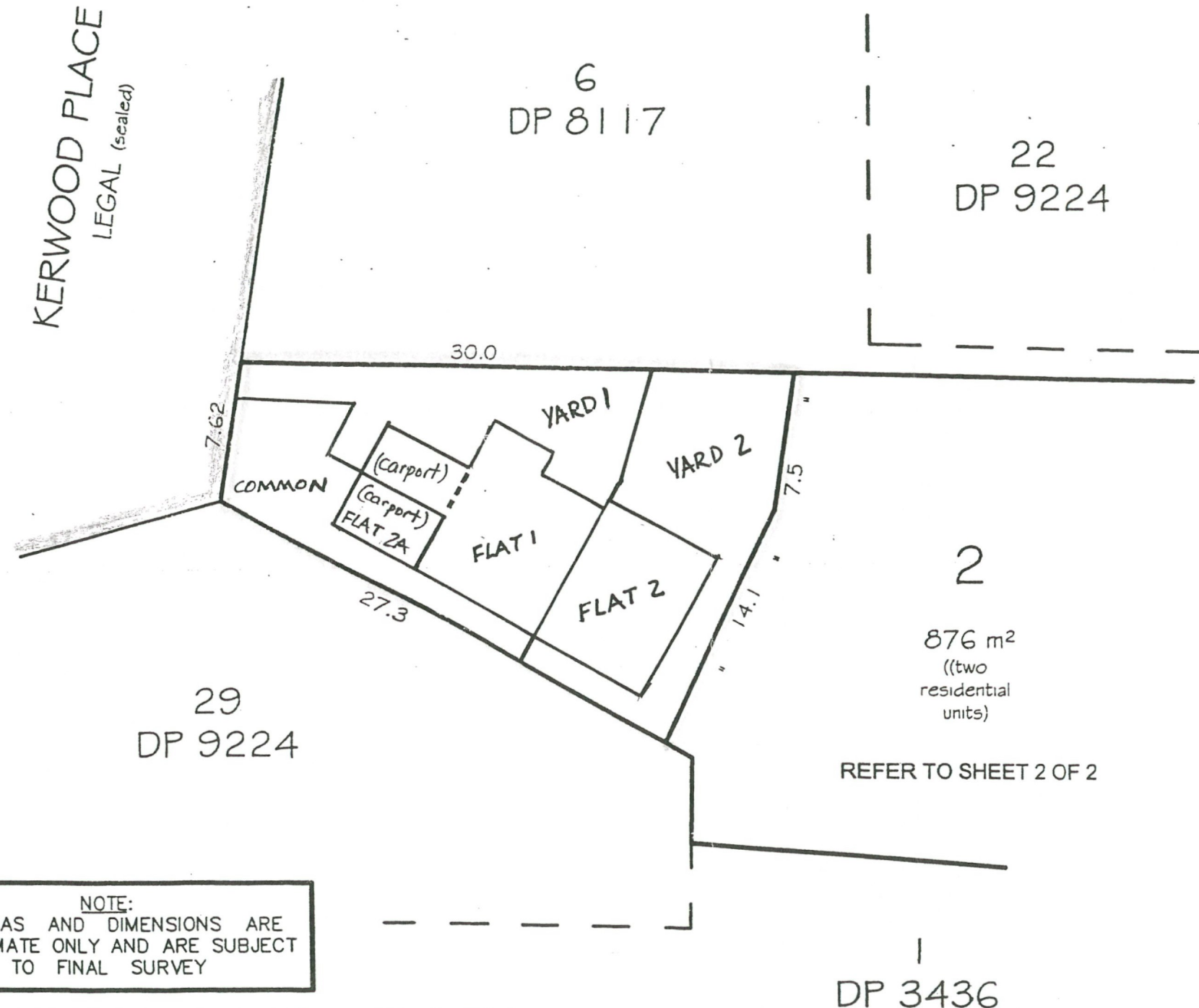
LAND DISTRICT	SOUTHLAND
Survey Blk & Dist.	LXXI, HOKONUI SD
Comprised in	CR SL 50/345

PROPOSED SUBDIVISION OF LOT 30 DP 9224
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TERRITORIAL AUTHORITY	GORE DISTRICT		
Surveyed by	CLARK FORTUNE McDONALD & ASSOC		
Scale	1:300 (@A3)	Date	NOVEMBER 2009



KERWOOD PLACE
LEGAL (sealed)



REFER TO SHEET 2 OF 2

AREA RESTRICTED AS TO USER

Area "Yard 1" with Flat 1

Area "Yard 2" with Flat 2 & 2A

NOTE:
- AREAS AND DIMENSIONS ARE
APPROXIMATE ONLY AND ARE SUBJECT
TO FINAL SURVEY

BOUNDARIES OF AREAS TO BE LEASED ARE THE CENTRES OF INTERNAL
WALLS (FLOORS AND CEILINGS) AND THE EXTERNAL FACES OF EXTERIOR
WALLS, STRUCTURES AND ROOFS UNLESS OTHERWISE SHOWN



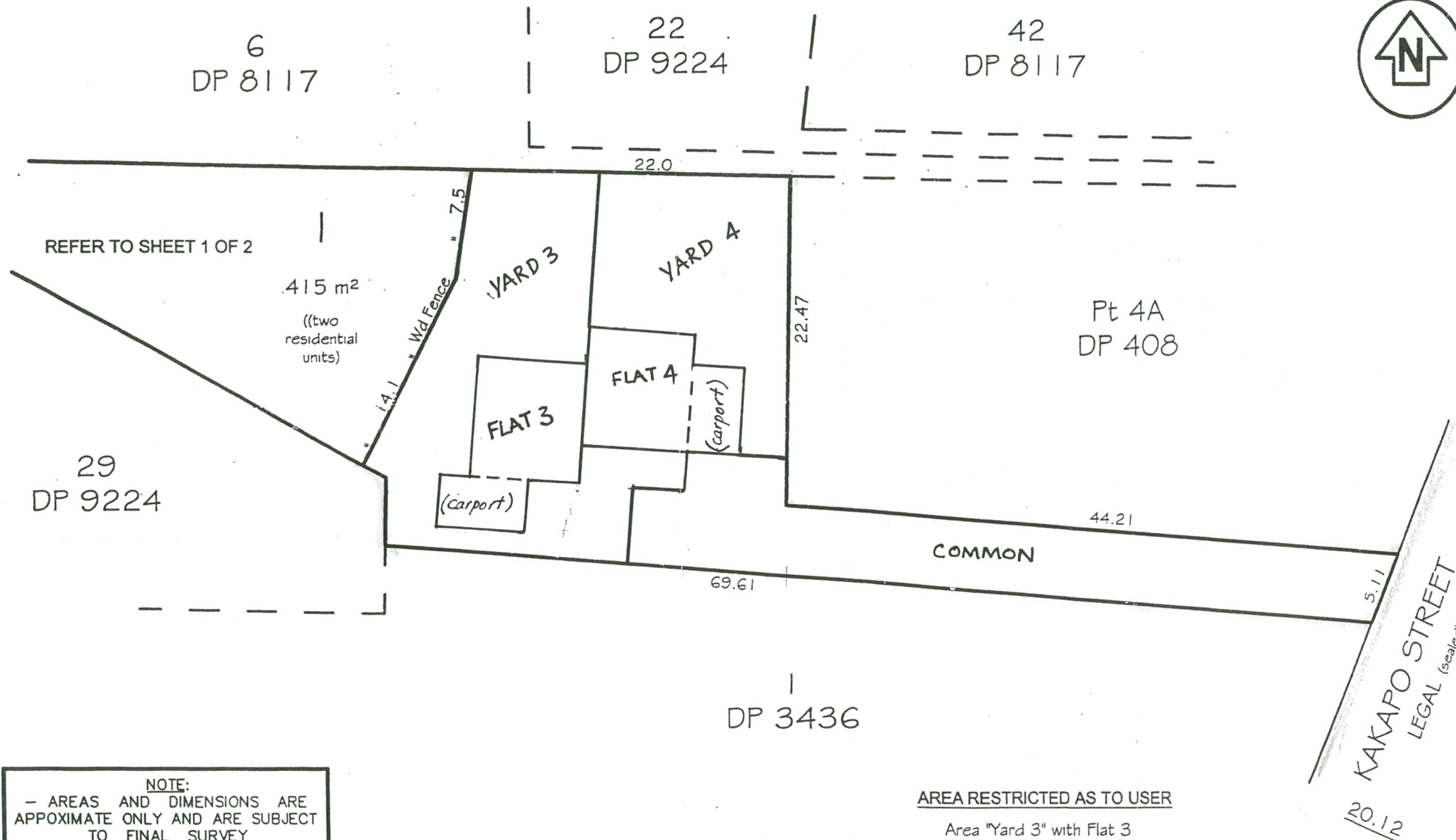
CLARK FORTUNE
McDONALD & ASSOC.
REGISTERED LAND SURVEYORS, RESOURCE MANAGEMENT
AND PLANNING CONSULTANTS
14 MERSLEY STREET, P.O. BOX 207 GORE,
TELEPHONE / FAX: (03) 203 6474, email: hfortune@aol.co.nz

FLATS 1 & 2 ON PROPOSED LOT 1 OF SUBDIVISION OF
LOT 30 DP 9224, BLK LXXI, HOKONUI SD

TERRITORIAL AUTHORITY: GORE DISTRICT
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Scale at A3 1:300

SHEET 1 OF 2



NOTE:
- AREAS AND DIMENSIONS ARE APPROXIMATE ONLY AND ARE SUBJECT TO FINAL SURVEY

AREA RESTRICTED AS TO USER

Area "Yard 3" with Flat 3
Area "Yard 4" with Flat 4

BOUNDARIES OF AREAS TO BE LEASED ARE THE CENTRES OF INTERNAL WALLS (FLOORS AND CEILINGS) AND THE EXTERNAL FACES OF EXTERIOR WALLS, STRUCTURES AND ROOFS UNLESS OTHERWISE SHOWN

SHEET 2 OF 2

 **CLARK FORTUNE
McDONALD & ASSOC.**
REGISTERED LAND SURVEYORS, RESOURCE MANAGEMENT
AND PLANNING CONSULTANTS
14 MERSEY STREET, P.O. BOX 207 GORE
TELEPHONE / FAX (03) 255 5474, email: fortune@east.co.nz

**FLATS 3 & 4 ON PROPOSED LOT 1 OF SUBDIVISION OF
LOT 30 DP 9224, BLK LXXI, HOKONUI SD**

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