



21 August 2026

Mark Sugrue and Imogene Sugrue
126 Pearson Road
Cromwell 9342

Via email: jake@jakewoodward.co.nz

Dear Mark and Imogene

DECISION NOTIFICATION: RC 250374 – MARK SUGRUE AND IMOGENE SUGRUE – 126 PEARSON ROAD, CROMWELL

I enclose a copy of the Council's decision on the above application as required by section 114(1) of the Resource Management Act 1991.

The Panel has granted consent to the application with conditions. The assessment of the application, including the reasons for the decision, is set out in the decision attached to this letter. The consent certificate is attached to the rear of this letter.

The consent certificate outlines the conditions that apply to the proposal. Please ensure that you have read and understand all of the consent conditions.

I also draw your attention to Section 120 of the Act which provides for the right to appeal a decision, or part of a decision, under certain circumstances. Please note that there is no right of appeal against the whole or any part of a decision to the extent that the decision relates to a boundary activity unless the boundary activity is a non-complying activity.

Appeals must be lodged with the Environment Court and served on the consent authority within 15 working days of notice of the decision being received in accordance with Section 121 of the Resource Management Act 1991.

Yours faithfully



Jessie Dick
PLANNING SUPPORT OFFICER

DECISION OF THE CENTRAL OTAGO DISTRICT COUNCIL

IN THE MATTER OF:

APPLICATION	RC 250374
APPLICANT	MARK SUGRUE AND IMOGENE SUGRUE
ADDRESS	126 PEARSON ROAD, CROMWELL
LEGAL DESCRIPTION	LOT 2 DP 356255 (HELD IN RECORD OF TITLE 229404)
ACTIVITY DESCRIPTION	LAND USE AND SUBDIVISION CONSENT FOR A TWO-LOT SUBDIVISION AND CONVERSION OF EXISTING TRAVELLERS ACCOMMODATION TO A RESIDENTIAL UNIT IN A RURAL RESIDENTIAL AREA.
ACTIVITY STATUS	NON - COMPLYING

INTRODUCTION AND PRELIMINARY MATTERS

The application was considered by the Central Otago District Council Hearings Panel comprising Cr Tracy Paterson, (Chair), Cr Martin McPherson and Cr Sarah Browne (the Panel), under delegated authority, on 14th July 2026. Council's consultant planner and author of the section 42A report, Ms Kim Banks, the applicant Mr Mark (Paddy) Sugrue and the applicant's planner Mr Jake Woodward were in attendance. The applicant's legal Counsel, Phil Page of Gallaway Cook Allan, also attended the hearing. There were no submitters in attendance. The hearing was recorded.

The Panel has given consideration to:

- Resource consent application received by the Council on 19 December 2025.
- The applicant's planner, Mr Jake Woodward, pre-circulated a brief of evidence dated 26 June 2026 (which included a legal opinion from Fyfe Karamaena dated 12 June 2026, a report titled "*Suitability for on-site wastewater disposal*" prepared by Wastewater Central dated 11 June 2026, correspondence from Pearson Road Irrigation Society together with Hill Labs testing results dated 18 October 2025 and a revised site plan¹ prepared by Latchford Surveying dated 25 June 2026) along with a summary of his evidence presented at the hearing.
- The s42A report prepared by Ms Kim Banks in which Ms Bank's recommended that both the land use and the subdivision be refused by the Panel.
- Submissions of Counsel on behalf of the applicant by Mr Phil Page dated 2 July 2026.
- Written submissions of the submitters.

The Panel conducted a site visit on 14 July 2026. Mr Sugrue inducted the Panel onto the site. Once inducted, the site visit was carried out independently by the Panel. The site visit confirmed the site descriptions set out in the application and s42A report.

¹ The revised site plan introduced residential building platforms for each Lot as a mechanism by which to contain the built form proposed for the site.

PROCEDURAL MATTERS

At the hearing, the applicant introduced residential building platform (RBPs) intended to constrain residential development within the lots. Given that both proposed lots are already developed, the Panel are of the view that the RBPs should be viewed as a limiting mechanism rather than an enabling mechanism and the late introduction of these to the application can be accepted.

DESCRIPTION OF PROPOSAL

Resource consent is sought to undertake a fee simple subdivision of the subject site into two allotments and land use consent to repurpose the existing travellers' accommodation for residential use. The subject site is legally described as Lot 2 DP 356255, held in record of title 229404.

The subdivision would result in an average of 0.975 hectares per lot and is to be configured as follows:

- Lot 1 with a land area of 7,347m² (net) and 11,234m² (gross) which contains the existing residential dwelling; and
- Lot 2 with a land area of 8,266m² (net) which contains the existing traveller accommodation (proposed to be repurposed for residential use) and a four bay garage.

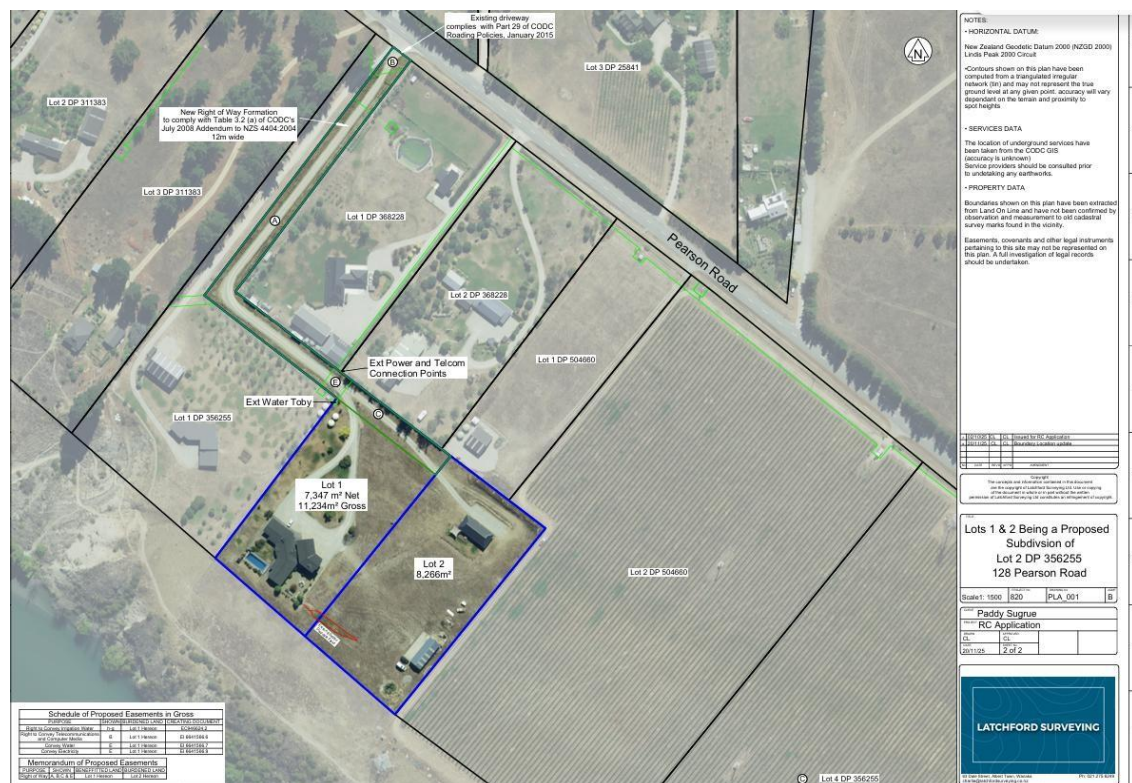


Figure 1: Subdivision scheme plan.

Access to both lots is via an existing vehicle crossing to Pearson Road. New easements will be required to provide for servicing and access including a new right of way across an existing leg into service Lot 2.

The existing buildings share the use of an on-site sewage treatment and disposal system. Modifications are proposed to disconnect the existing effluent disposal field and establish individual systems for each dwelling within their respective lots. In Mr Woodward's brief of evidence, a report from Wastewater Central was provided verifying that the site was suitable for the proposed wastewater disposal within each respective Lot. There was no disagreement from Ms Banks and it was agreed that wastewater servicing could be adequately dealt with at engineering acceptance.

Water supply is available to each lot based on a re-allocation of an existing water supply managed by the Pearson Road Irrigation Society, which is obtained from an existing bore located at 146 Pearson Road (Lot 1 DP 504660), immediately north of the site. The water supply is utilised for both irrigation and domestic supply to the existing eight member households of the scheme. In Mr Woodward's brief of evidence, a certificate of analysis from Hill Laboratories was included and identified that all parameters were within the required limits.

A separate firefighting water storage tank is proposed for Lot 2 and an existing tank retained for the same purpose on Lot 1.

Power is installed to the existing dwellings. No telecom cable is installed for the existing dwelling on proposed Lot 2, however the application states that a conduit has been installed in the event a wired connection is sought.

The land use component of the application seeks to repurpose the existing travellers' accommodation unit consented under RC 180151 to residential activity. The existing traveller's accommodation unit is located near the north-eastern corner of the site, within the boundaries of proposed Lot 2. The approved plans and decision of RC 180151 indicate that this existing dwelling is setback 20m from the northern and eastern boundaries, therefore compliant with the minimum yard setbacks (10m) for the Rural Residential Area. As noted above, the applicant introduced residential building platforms (RBPs) at the hearing.

BACKGROUND

A detailed consenting background was provided within the AEE submitted by the applicant as follows:

- The subject site was created under RC 040486 with a land area of 1.95 ha.
- In 2008 RC 080331 was submitted for the subject site to be subdivided into two Lots – this application was declined by Council.
- In 2018 RC 180151 was approved for the establishment of a four-bedroom dwelling on the subject site to be used as travellers' accommodation for up to 6 fee paying guests.

Both the Council's planner and the applicant's planner are in agreement regarding the background applications to the site. The Panel are aware that subdivision consents have progressively subdivided the larger lots down in area. Critical to this application is RC180151 which established the travellers' accommodation on the site. The Panel note that this proposal seeks to convert the travellers' accommodation to standard residential activity and RC180151 will be surrendered.

PLANNING FRAMEWORK

This application must be considered in terms of Section 104 of the RMA. Subject to Part 2 of the RMA, Section 104(1) sets out those matters to be considered by the consent authority when considering a resource consent application. Sections 106, 108 and 220 of the RMA empowers the Hearings Panel to impose conditions on a resource consent should it be of a mind to grant consent.

In terms of the District Plan Framework, the Panel note that the subject site is located within the Rural Residential Area of the Central Otago District. The site neighbours a property which includes has a High Voltage Transmission Line (HVTL) notation however this does not impact the subject site.

A small strip of land identified as being subject to “slippage or subsidence” hazard is located near the southern boundary.

The District Plan rule assessment set out in the section 42A report was agreed with by the applicant. The Panel adopts this assessment but notes that, the applicant introduced RBPs for each lot at the hearing. RBPs trigger Rule 4.7.3(vii) which is the same rule already triggered by the conversion of the traveller’s accommodation into a residential dwelling. As noted previously, the Panel are of the view that the RBPs should be viewed as a limiting mechanism rather than an enabling mechanism and, as such, consider that no party would be adversely affected by the introduction of the RBPs.

The Panel adopts the bundling principle identified in the s42A report and confirms that the proposal is assessed as a non-complying activity overall.

The Panel also accepts the planning evidence that the proposal does not trigger the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011..

The Panel notes that the National Environmental Standards for Detached Minor Residential Units (NES-DMRU) came into force on 15 January 2026. The applicant volunteers an augier condition to be imposed on both Lots 1 and 2 that minor residential units would be prohibited. Because of this condition, the NES-DRMU is not considered further.

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

PUBLIC NOTIFICATION AND SUBMISSIONS

The applicant requested public notification under s95A(3)(a) RMA. Accordingly public notice was given on 19 February 2026 and submissions closed on 19 March 2026.

A total of five (5) submissions were received within the statutory timeframe as summarised in Table 1. The Panel has considered all the points raised and the effects of the activity on these persons. Details of each submission are held at Council.

Table 1: Submissions Received

Owner/Occupier	Support or oppose/ Wish to be heard	Summary
Norman Elder 134 Pearson Road, Cromwell	Neither No	Considers subdivision should be declined as to go below the average 2ha average as required by the District Plan would set a precedent for other landowners and undermine the integrity of the district plan rules which are designed to protect the amenity values in a rural residential lifestyle zone. Considers the change for the traveller's accommodation to residential, will create increased traffic and extra dust from the right of way. Seeks the application of a courser gravel if this is approved.
Gillian Wilson and Raewyn Paviour 176 Pearson Road, Cromwell	Oppose No	Opposes the subdivision and considers this would set a precedent for this group of properties and potentially undermine the rural lifestyle and environmental values of the area. Considers that smaller block sizes will result in a loss of the current rural amenity. Opposes the change in land use for the travellers' accommodation. Concern over increased traffic effects to Pearson Road. Potential effects of additional on-site wastewater treatment to the quality of the existing water supply. Additional potable water demands on the existing supply.
Pearson Road Society Incorporated c/- Gillian Wilson (Administrator) 176 Pearson Road, Cromwell	Neither No	Notes the current water allocation from the Pearson Road Irrigation Society will be required to be apportioned between the two lots. Requests two separate water tanks on each property: one to accept the potable supply and a separate independent tank to accept the irrigation supply. All water tanks to be separately metered to allow for the fair monitoring and charging of water services by the Society.
Kevin and Marion Etches 124 Pearson Road, Cromwell 9384	Oppose No	Seeks that the subdivision consent be declined unless it includes a condition requiring that the right of way easement in favour of 126 Pearson Road across 124 Pearson Road be extinguished. Notes the right of way was originally created to allow a single ownership vineyard access to a riverside gravel pit. The right of way has not been used for many years but there is the legal potential for it to be used.

Rural Amenity and Character

The Panel recognises that the site is zoned Rural Residential Resource Area, which anticipates a degree of residential activity. The site is not located within a landscape overlay nor does the site include any reserves or public conservation land, heritage sites, notable trees or areas of significant indigenous vegetation, or named water bodies. Built form is already established on the site.

The Panel acknowledges the submissions of Gillian Wilson and Raewyn Paviour and Norman Elder who raised concerns that the subdivision has the potential to undermine the rural lifestyle and environmental values of the area and may result in a loss of the current rural amenity. As stated in the application, and acknowledged by Ms Banks, the density of development is varied along Pearson Road, with smaller allotments (<2ha allotments) in the immediate area, and larger lifestyle type allotments along Pearson Road.

The boundary of the subdivision will follow a straight line from the northern boundary to the southern boundary as indicated above in Figure 1. No new built form is proposed at this time beyond a garage and storage building discussed below. In considering the application, the Panel places weight on the fact that the existing accommodation activity has, in practice, operated in a manner that closely resembles residential occupation. The proposal would therefore largely formalise an existing pattern of land use rather than introduce a fundamentally different activity into the environment. As a result, the Panel considers that the change from accommodation to residential occupation will not materially alter the character of the locality or give rise to adverse effects on rural character that would be inconsistent with the objective and policy framework of the District Plan.

In Mr Woodward's brief of evidence, he supplied an updated site plan by Latchford Surveying dated 25 June 2026 defining the proposed RBPs to be registered on the record of title for each lot. This plan included the provision for a garage and storage building on Lot 1 to be established. Mr Woodward correctly pointed out that this type of building was a permitted activity in the Rural Residential Resource Area. The Panel accepts that the condition volunteered by the applicant, restricting built form to the RBPs. As such, the Panel determine that no new adverse effects on the rural residential landscape will be introduced as part of this proposal.

The Panel also hold concerns regarding the potential to construct a Minor Residential Unit (MRU) as provided for by the NES-DRMU. Ms Banks was of the opinion that this would have a material adverse effect given the proposed size of the sites. The Panel agrees with that position and that the potential for additional residential activity (even if limited by a 70m² size) on lots where the site sizes are significantly reduced below the standard site size could have an adverse effect on rural amenity and character that was more than minor.

T. Mr Page confirmed that a condition preventing any MRU being established on the proposed new Lots is volunteered by the applicant. The Panel, after visiting the site, confirm that the rural amenity value would be better preserved by limiting the residential activity to that which currently exists on site. Given the volunteered condition, the Panel are comfortable that the subdivision and change of land use will not introduce any new built form that enables additional residential activity and all amenity and character effects can be mitigated through consent conditions.

Mr Elder, in his submission, expressed concern that additional traffic will increase dust. The Panel determines that the ROW will be formed up to Council standard and anticipates that the increase in traffic will be negligible, given the built form currently on the site.

The property is currently boundary fenced with standard height rural fencing. In order to maintain the rural amenity and character of the proposed Lots, the Panel has included a condition relating to boundary fencing as follows:

Fencing along any boundary, including between the two Lots must consist of 1.2m maximum height, three-rail Macrocarpa post and rail fencing or 1.2m post and wire netting fence. Rabbit netting is permitted (at the discretion of the Consent Holder) to contain pets and allow for plant establishment (rabbit protection if necessary).

The Panel determines that the effects of the subdivision and change of land use on rural amenity and character are considered to be acceptable and no more than minor.

Cumulative effects

It is undisputed that the proposal is a non-complying activity, as the resulting allotments do not achieve the average lot size anticipated within the Rural Residential Resource Area. The subdivision would create two lots, neither of which meets the minimum average lot size requirement of 2 hectares, with the proposed lots having an average area of 0.975 hectares.

Mr Page and Mr Woodward contend, and the Panel agrees, that the averaging rule is not determinative and that the rule is a mechanism that triggers the need for an effects assessment but does not strictly preclude lots that do not meet the averaging rule. As noted above, the density of development is varied along Pearson Road, with both smaller allotments (<2ha allotments) in the immediate area, and larger lifestyle type allotments.

The Panel notes that, in her report, Ms Banks assesses that given the existing density of lot sizes within the surrounding environment, the granting of the proposal, in combination with the existing surrounding pattern of development, particularly in the immediate area of Pearson Road, has the potential for cumulative effects on the broader rural open space amenity. For this reason, Ms Banks considers that the proposed lot sizes and residential density is inappropriate, and the proposed density and potential additional domestication has the potential for adverse effects on the open character and amenity of the landscape that are at least minor.

The Panel recognises that the key concern identified in the s42A report is that subdivision may create opportunities for additional future domestication and residential intensity, potentially resulting in adverse effects on the open character and amenity values of the Rural Residential Resource Area. Mr Woodward considers that these concerns are largely speculative and are not supported by the actual pattern of development and occupation that has occurred on the site, or even adjacent properties, over the past two decades. He notes that the potential for future development opportunities is not unique to this application.

The Panel notes the development restrictions volunteered by the applicant in terms of the RBPs and MRU and consider these go some way to mitigating the risk of cumulative effects identified in the s42A report. With future development controlled, the Panel recognises that Ms Banks and Mr Woodward agree that all other effects will be no more than minor. Overall, the Panel determine that, subject to conditions of consent, potential cumulative effects are no more than minor.

Servicing

The Panel notes that there is no reticulated connection to the subject site. The dwelling and travellers' accommodation is served by an existing shared domestic and irrigation water supply

and on-site wastewater treatment. The application confirms that there is sufficient quantity of both domestic and irrigation water to cater for both Lots. All water to the property is supplied from Pearson Road Irrigation Society which is obtained from an existing bore located at 146 Pearson Road (Lot 1 DP 504660). The Pearson Road Society Incorporated made a submission which confirmed that the current allocation can be split between the two lots, subject to each lot having two water tanks; one to accept the potable supply and one to accept the irrigation supply. The applicant agrees to this condition and this requirement has been included as condition of consent.

Submitters, Gillian Wilson² and Raewyn Paviour, raise concerns that the additional lot would place additional demand on the potable water supply source. The Panel notes that no new built form is being proposed and, as such, the water demand should remain fairly static. As noted above the existing water allocation is to be split between the lots and in this regard, the Panel recognises that no additional water allocation is proposed.

At the hearing the Panel questioned both the applicant and the S42A report writer about the Taumata Arowai Drinking Water Quality Assurance Rules 2022. The Panel accepts that any matters that fall within the jurisdiction of Taumata Arowai are therefore outside of the scope of the Panel and will not be considered further by the Panel.

Pavior and Wilson also raised concerns that the additional on-site wastewater treatment could adversely affect the quality of the existing water supply. Given the existing built form on the site, the Panel consider that the proposal will not noticeably increase the volume of wastewater and stormwater discharge generated by the lots. The Panel note that Ms Banks, together with Council's environmental engineer has recommended the wastewater systems for each lot be separated as a condition of consent. The conditions are not disputed by Mr Woodward and accordingly the Panel accepts those conditions

Subject to conditions of consent, the Panel does not anticipate any adverse effects arising from the servicing of Lots 1 and 2

Access

The site is served by an existing leg-in strip to Pearson Road. Access to Lot 2 is to be provided by a Right of Way easement identified as "C" as shown on Latchford Surveying site plan dated June 25th 2026. The existing access that is proposed to be retained, is gravelled and enabled according to Council standards.

As noted above Submitter, Norman Elder, raised concerns that the change of use for the traveller's accommodation to residential, will create increased traffic and extra dust from the right of way. Mr Elder seeks a more coarse gravel to be utilised within the ROW if the consent is approved. As identified previously, the Panel determines that the ROW will be formed up to Council standard and anticipates that the increase in traffic will be negligible, given the built form currently on the site.

Ms Banks confirmed that Council's Environmental Engineer is satisfied that the proposed ROW arrangements for the proposed Lot 1 and Lot 2 are acceptable provided the ROW is constructed in accordance with Council's ROW standards in Council's 2008 Addendum to NZS 4404:2004, with a minimum formed width of 4.5m and a legal width of 10m. Council's Environmental Engineer has also requested that the existing crossing/entranceway from Pearson Road to the right-of-way must be demonstrated to be in compliance with or upgraded in accordance with the requirements of Part 29 of Council's Roadway Policies January 2015.

² It is noted that Gillian Wilson (Submitter 2) is also the same person submitting on behalf of the Pearson Road Irrigation Society (Submitter 3). The Panel has not addressed this as it does not materially alter the decision.

The Panel accepts that Engineer's advice overall and, subject to compliance with recommended conditions of consent, determine that the access to serve the proposed lots is adequate and will not result in minor or more than minor adverse effects on the transportation network.

Surrender of Right of Way Easement

The subject site has a historical Right of Way easement that provides pedestrian excess to a riverside gravel pit. (See Figure2 below and marked C).



Figure 2: Location of existing right of way

Submitters, Kevin and Marion Etches, and, Niall and Julie Watson, Kerry Hand and Theresa Managh seek that the subdivision consent be declined unless it includes a condition requiring that the right of way easement in favour of 126 Pearson Road across 124, 122 and 108 Pearson Road be extinguished. The submission of Kevin and Marion Etches advise that he right of way was originally created to allow a single ownership vineyard access to a riverside gravel pit. The submitters acknowledge that while the ROW has not been utilised in many years there is the legal ability to do so.

Mr Woodward advised that the applicant is agreeable to relinquishing the ROW as it relates to their property. By extinguishing easement Area C DP 356255, the "link" to the wider ROW is effectively removed. This in effect renders the remainder of the ROW "inaccessible" from the subject site. Accordingly, the applicant has volunteered a condition confirming that area C DP 356255 is surrendered. Mr Page confirmed that the surrender of the ROW as a valid and effective mechanism to meet the submitters requests. The Panel accepts Mr Page's confirmation and notes that the concerns of submitters four and five have been met.

For clarity, the Panel notes that the matter of extinguishing the ROW (for access to the gravel pit) is dealt with above and that it does not impact the access assessment and has no material impact on such.

Hazards

Ms Banks and Mr Woodward are generally in agreement that the site has a very small strip near the boundary adjacent to the river terrace margins mapped as a slippage or subsidence hazard. No hazards assessment has been provided, however as there is no development or physical works proposed in that part of the site, with the existing buildings being well set back from the terrace edge.

For this application, the Panel notes that there is no exacerbation or change in natural hazards risk anticipated. Accordingly, the level of risk associated with the application is determined to be low risk.

The Panel are comfortable that the proposal does not give rise to any significant natural hazard risks that require mitigation as part of this subdivision consent application.

Amalgamations and easements

The Panel notes that there are no amalgamations proposed as part of this subdivision. With regard to easements, the Panel notes that intended surrender of ROW 'C' and also accepts Ms Banks' recommendation for a condition of consent which provides for any additional easements required for servicing or access will be confirmed at the time of survey.

Earthworks

The Panel accepts that any earthworks associated with the proposal will be minor, associated with the installation of services and any upgrades that may be required to the existing access and/or vehicle crossing. It is considered the potential effects associated with earthworks will be less than minor.

Esplanade Reserves and Strips

The site is adjacent to the Kawarau River. As the subdivision creates lots less than 4 ha in size it therefore triggers consideration of esplanade requirements. Section 230 of the RMA requires the provision of an esplanade strip of 20m in width where subdivision creates lots less than 4ha in area, unless the requirement is waived by a resource consent. Additionally, Rule 16.7.13(b) of the District Plan outlines that where a subdivision creates lots less than 4ha, esplanade strips or reserves may be required by Council as a condition of consent.

Mr Woodward sought a waiver to the requirements for an esplanade as an existing esplanade already exists alongside the river margins in this location which contains an existing connected walking track (the Kawarau Trail) which extends between the Bannockburn bridge to the Goldfields Mining Centre in Kawarau Gorge.

Ms Banks considered, and the Panel agrees, that the provision of an additional esplanade on the subject site is unnecessary in this instance, as there is existing suitable and sufficient public access along the river in this location. Additionally, any further esplanade, were it provided on the subject site, would be isolated and have no connection or logical link to any other esplanade strip. Therefore, an esplanade reserve would not functionally enhance public access.

The Panel is satisfied that the adjacent river margins already contain a suitable esplanade reserve which provides good public access. Therefore, effects associated with a waiver of esplanade requirements are considered to be less than minor.

Conditions of Consent

The applicant accepts the draft conditions of consent recommended in the s42A report, with the following amendments as set out in Mr Woodward's brief of evidence:

- The inclusion of the reverse sensitivity condition to be a consent notice on both Lots 1 and 2; and
- The exclusion of Minor Residential Units for both Lots 1 and 2, and
- A condition requiring the registration of the building platforms and subsequent consent notices condition restricting all buildings to those platforms.
- The Panel also accepts the removal of condition 7(c) as requested by Mr Woodward as the wastewater report has been provided with the brief of evidence.

The Panel adopts the conditions set out in the section 42A report with the corrections noted above.

Financial contributions

A financial contribution demand has been calculated in accordance with Council's Policy on Development and Financial Contributions effective from 1 July 2025 and updated \$/HUE rates published in CODC's Schedule of Fees and Charges 2025-2026. The applicant did not challenge the contribution demand therefore the Panel accepts the contribution demand as set out in the s42A report.

Summary of Effects on the Environment

When considering the evidence set out at the hearing, and in accordance with sections 104(1)(a) RMA, the Panel agrees with Ms Banks and Mr Woodward that the actual and potential adverse effects associated with the proposed subdivision and land use including transport, access, servicing, reverse sensitivity and productive soils have been assessed and are considered to be less than minor.

With regards to the adverse effects associated with the proposed density of subdivision and the second residential land use on open character and amenity of the rural residential area the Panel notes Ms Banks' alternative view however, for the reasons set out above, we prefer the reasoning of Mr Woodward and Mr Page. In reaching this conclusion, the Panel places significant weight on the fact that the proposal does not introduce any additional residential bulk or built form beyond that which presently exists on the site. The Panel is also satisfied that the effects arising from the proposal are minor and will not result in any significant adverse effects on the surrounding environment. Accordingly, the Panel finds that the applicant's assessment more appropriately reflects the nature and scale of the proposal and its resulting environmental effects.

Accordingly, the Panel finds that the adverse effects of the proposal are no more than minor overall.

OFFSETTING OR COMPENSATION MEASURES

In accordance with Section 104(1)(ab) of the RMA, consideration for offsetting or compensation measures is required. The applicants have not offered offsetting or compensation measures and the Panel finds that none are necessary.

OBJECTIVES AND POLICIES FRAMEWORK

Section 104(1)(b) directs the Panel to consider the following when making its decision:

- (i) *a national environmental standard:*
- (ia) *a wastewater environmental performance standard:*
- (ib) *a stormwater environmental performance standard:*
- (ic) *an infrastructure design solution:*
- (ii) *other regulations:*
- (iii) *a national policy statement:*
- (iv) *a New Zealand coastal policy statement:*
- (v) *a regional policy statement or proposed regional policy statement:*
- (vi) *a plan or proposed plan;*

Central Otago District Plan

Ms Banks finds that the proposal is partly inconsistent with the objectives and policies of the District Plan while Mr Woodward finds the proposal to be consistent with these. Mr Page submits that that *“the proposal does not give rise to an irreconcilable clash with the Plan provisions. Firstly, because the Plan does not direct any particular rural amenity outcome in the Rural Residential Area. Secondly, in the factual context that already exists, the Site is already developed with two buildings that look like dwellings and is not used for a productive rural purpose. The proposed subdivision does not change that character so no amenity compatibility issues arise.”* The Panel prefers the evidence of Mr Page and Mr Woodward (as set out above) and finds the proposal to be generally consistent with the objectives and policies of the District Plan.

Otago Regional Policy Statements

The Panel notes that the application includes an assessment of the relevant objectives and policies of the Operative Regional Policy Statement for Otago 2021 (pRPS 2021). The RPS 2021 was made fully operative on 9 July 2026.

The Panel determine that the proposal is not contrary to the relevant provisions of the RPS 2021.

National Policy Statement for Highly Productive Land

The National Policy Statement for Highly Productive Land (NPSHPL) came into effect on 17 October 2022. The Panel accept that the NPS-HPL is not triggered by this application because the site is within the Rural Residential Resource Area.

National Policy Statement for Natural Hazards

The NPS-NH came into force on 15 January 2026 and sets the national direction for managing natural hazard risk. Poorly located or designed development can increase exposure to natural hazards, creating significant risks for people, property and communities.

The purpose of the NPS-NH is to reduce the creation or increase of significant natural hazard risk and support communities to adapt to changing conditions. The NPS-NH seeks to manage natural hazard risk using a risk-based proportionate approach. To this end, the NPS-NH introduces a risk matrix to determine whether the level of natural hazard risk is low, medium, high or very high in respect of:

- the likelihood of a natural hazard event occurring
- the consequence of a natural hazard event for life and property.

When assessing natural hazard risk, decision-makers must consider:

- existing and proposed mitigation measures; and
- residual risk that arises when design thresholds of any existing and proposed mitigation measures are exceeded.

Both Ms Banks and Mr Woodward are in agreement that although the site has a very small area mapped as containing a slippage or subsidence on the District planning maps for this property the risk is very low and does not affect the proposed development. The subject site does not contain any annotation on the Otago Natural Hazards Data base in relation to any flood, alluvial fan, landslide, or earthquake risk. As noted previously in this decision, there is no exacerbation or change in natural hazards risk anticipated. Accordingly, the level of risk associated with the application is determined to be low risk.

The Panel determine that the proposal is consistent with the NPS-NH, in particular:

- **Objective 2.1:** Natural hazard risk to people and property associated with subdivision, use and development is managed using a risk-based proportionate approach.
- **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.

OTHER MATTERS

Section 104(1)(c) of the Resource Management Act 1991 requires the Panel to have regard to any other matters considered relevant and reasonably necessary to determine the application. The matters of precedent and plan integrity are considered relevant here.

In this case, the proposal is non-complying because the lot sizes fall well short of the average lot size anticipated for the Rural Residential Area. The subdivision does not meet the minimum 2ha average lot size requirements and in fact would be less than half that requirement at an average size of 0.975ha.

The matter of precedent and plan integrity was significantly traversed at the hearing. Ms Banks maintained that the proposal contained “*nothing significantly unique*” that would distinguish or provide an exception to creating a precedent for smaller lots in the Rural Residential Area’s should the application be accepted. Mr Page disagreed with this position citing a Court of Appeal case, *Dye v Auckland Regional Council*, which held that there is no true concept of precedent in resource management law in the strict sense³.

Notwithstanding Ms Banks argument that granting the application as proposed may have a precedent effect on future applications, the Panel agrees with Mr Page’s legal submissions that the granting of a resource consent should have no precedent effect as no two applications are ever likely to be the same despite having similar circumstances on occasion. The Panel prefers the reasoning put forward by Mr Page and accepts that a departure from the 2ha rule will not create a precedent effect as each proposal must be considered on its own merits.

³ CA86/01, 11 September 2001 at [32] – Submissions of Counsel on behalf of the Applicant 2 July 2026

In terms of plan integrity, the Panel considers that the effects of the proposal are no more than minor and concludes that there is nothing in this proposal which could be construed as undermining the District Plan.

The Panel considers that there are no other matters deemed relevant to this application.

SECTION 104D

Section 104D of the Act specifies that a resource consent for a non-complying activity must not be granted unless the proposal can meet one of two limbs. The limbs of Section 104D require either that the adverse effects on the environment will be no more than minor, or that the application is for an activity which will not be contrary to the objectives and policies of either the relevant plan or the relevant proposed plan. Only one of the two tests outlined by Section 104D need be met in order for the Panel to be able to assess the application under Section 104 of the Act.

As determined above in the assessment of effects, the Panel is comfortable that the effects of the proposal are no more than minor and that there is a clear pathway provided through the relevant objective and policy framework. In this regard, the Panel determine that both tests set out in Section 104D have been met and consideration can therefore be given to the granting of the consent.

OFFSETTING OR COMPENSATION MEASURES

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

PART 2

The Panel acknowledges the differing opinions expressed by Ms Banks and the applicant's expert witnesses regarding the assessment of the proposal against the Part 2 assessment. In his evidence, Mr Woodward opined that the opinion that the proposal promotes the sustainable management of natural and physical resources as contemplated by section 5 of the RMA. The site contains two, established buildings, both capable of accommodating long term residents, in a District experiencing substantial growth. This proposal provides for the wellbeing of present and future landowners while ensuring that any adverse environmental effects are avoided, remedied or in this particular case, mitigated. Accordingly, the Panel accept Mr Woodward's position that the proposal is consistent with the purpose and principles of the Resource Management Act 1991.

DECISION

Having regard to the reasons detailed above, the Panel resolve, pursuant to sections 104, 104B, 104D and section 108 of the Resource Management Act 1991 to grant the subdivision consent, subject to the conditions set out in the attached certificate.

REASONS FOR THE DECISION

The Panel finds that:

1. Provided that the recommended conditions of consent are implemented, the likely adverse effects of the proposed activity can be adequately mitigated and will be no more than minor.

2. There is no additional built form proposed for the lots beyond the proposed garage/storage building which is assumed to be a permitted activity.
3. The creation of the residential building platforms are a limiting method intended to confine development within the site rather than an enabling mechanism which would provide for additional development. The introduction of the building platforms is deemed unlikely to give rise to adverse effects on those elements of the Rural Residential Resource Area that the District Plan seeks to protect.
4. Both Lots are to be individually serviced in respect of water and wastewater as set out in the conditions. There is an existing adequate water supply which will be split across the two lots.
5. The applicant provided a report as part of pre-circulated evidence titled "*Suitability for on-site wastewater disposal*" prepared by Wastewater Central dated 11 June 2026. The lots can be adequately serviced for wastewater and stormwater disposal without adverse effect on the environment.
6. Legal access to Lot 2 is to be formed in accordance with the conditions. The Panel note that the extinguishment of the ROW over Area 'C' DP 356255 will not unduly limit access to the site
7. The proposal does not trigger any National Environmental Standard.
8. The proposal is considered to be generally consistent with the objectives and policies of the Central Otago District Plan
9. The proposal is not contrary to the objectives and policies of the Regional Policy Statements for Otago.
10. The proposal is not contrary to the objectives and policies of the NPS-NH.
11. The proposal does not trigger the NPS-HPL.
12. The proposal is considered to meet both 'limbs' of the Section 104D 'gateway test'. Consideration can therefore be given to the granting of consent to the proposal.
13. The granting of the consent will not set an undesirable precedent nor will it threaten the integrity of the District Plan.
14. No offsetting or compensation is required.
15. The policy direction given by the District Plan and the higher order planning instruments is certain and complete in respect of this application and, as such, there is no need to revert to Part 2 of the RMA.



Tracy Paterson
Hearing Panel Chair

Date: 21 August 2026

A handwritten signature in blue ink, appearing to read 'McPherson', with a stylized, cursive script.

Martin McPherson
Hearing Panel Member

Date: 21 August 2026

A handwritten signature in blue ink, appearing to read 'Browne', with a stylized, cursive script.

Sarah Browne
Hearing Panel Member

Date: 21 August 2026

Consent Type: Subdivision and Land Use Consent

Consent Number: RC 250374

Purpose: Subdivision and land use consent for a two-lot subdivision in a rural resource area

Location of Activity: 126 Pearson Road, Cromwell

Legal Description: Lot 2 DP 356255 (Record of Title 229404).

Lapse Date: 21 August 2031, unless the consent has been given effect to before this date.

SUBDIVISION CONDITIONS:

- 1 The activity must be undertaken in general accordance with the approved plans attached to this certificate as Appendix One, and the information provided with the resource consent application received by the Council on 19 December 2025, and further information received on 12 February 2026 and the information presented at the hearing dated Tuesday 14 July 2026, except where modified by the following conditions.
2. The consent holder shall pay to the Council all required administration charges fixed by the Council pursuant to section 36 of the Act in relation to:
 - a) Administration, monitoring and inspection relating to this consent; and
 - b) Charges authorised by regulations.
3. Esplanade requirements are waived in accordance with section 230 of the Act.
4. Unless modified by other conditions, all designs and approvals are to be in accordance with the NZS 4404 based CODC land development and subdivision code of practice.

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

5. Prior to commencement of any physical work occurring on site approved by this subdivision consent, the consent holder must:
 - a) Apply for and receive council Engineering Acceptance (EA) via the CODC online portal at: *CODC Home > Services > Planning > Land Development and Subdivision Engineering*. The EA application must include:
 - Confirmation who their representative is for the design and execution of the engineering work.
 - Provision of design reports, calculations, specifications, schedules, and drawings, as applicable.
 - b) Producer Statements/Certificates, where appropriate, must be submitted as per NZS 4404:2004 in the form of:

- Schedule 1A,
 - Schedule 1B,
 - Standalone Schedule 1B for 3 waters work, and
 - Schedule 1C
- c) As-built drawings must be lodged with the Council in accordance with clause 1.5.10(b) of NZS 4404:2004 and must comply with Council's "Specifications for as-built drawing documentation version 3.1". The as-built drawings must be provided in *.dxf or *.12da, and in *.pdf file format. New Zealand Vertical Datum (NZVD2016) must be used.
- d) Install all practicable measures to mitigate erosion and to control and contain sediment-laden stormwater run-off and dust from the site during any stages of site disturbance that may be associated with this subdivision.

Prior to certification under 223 of the RMA

6. Prior to certification of the survey plan, pursuant to section 223 of the Resource Management Act 1991, the subdivider must ensure the following:
- a) If a requirement for any easements for access and services, including private drainage, is incurred during the survey then those easements must be granted or reserved and included in a Memorandum of Easements on the cadastral dataset.
 - b) Right of Way A, B, C & E must be duly granted or reserved and shown in a Memorandum of Easements on the cadastral dataset.
 - c) Right of Way shown as area 'C' DP 356255 must be surrendered.
 - d) Registration of the residential building platforms as detailed in the site plan of Latchford Surveying dated 25 June 2026.

Prior to certification under 224c of the RMA

7. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the subdivider must complete the following:
- a) Provide either a CODC letter of full Engineering Acceptance (EA) or a CODC exemption letter that EA approval is not required..

Water

- b) An adequate working water supply must be provided individually to each of the proposed Lots 1 and 2 from the Pearson Road Irrigation Society's scheme in accordance with the CODC Addendum, including Clause 6.3.15 Small Rural Water Supplies, and other relevant provisions of NZS 4404:2004, with the following specific requirements:
 - i) Quality. Resolution of any non-compliance, through installation of point-of-use remedial treatment, must be confirmed by being retested fully compliant.

- ii) Connection. Standard water connections must be installed to the boundary of the proposed Lots 1 and 2 including a standard valve and meter and/or restrictor assembly located at or within the Lot boundary.
- iii) Documentation. An updated, as appropriate, operation and maintenance manual including a description of the water supply system and as-built drawings of the reticulation layout, and formal ownership and management documentation, must be provided to Council for the network water supply system.
- iv) Access. Necessary easements must be in place for pipework and access to water sources to, or within the boundary of, each lot.

Firefighting

- c) Firefighting provisions to serve the dwelling on Lot 2 must be constructed in accordance with the following requirements: minimum domestic water and firefighting storage is to be provided by a standard 30,000 litre tank. Of this total capacity, a minimum of 20,000 litres must be always maintained as a static firefighting reserve. Alternatively, an 11,000-litre firefighting reserve is to be made available to the building in association with a domestic sprinkler system installed in the building to an approved standard. A firefighting connection from the static firefighting designated water is to be located within 90 metres of any proposed building on the site. To ensure that connections are compatible with Fire and Emergency New Zealand (FENZ) equipment the fittings are to comply with the following standards:
 - i) Either: For flooded sources, a 70 mm Instantaneous Couplings (Female) NZS 4505 or, for suction sources, a 100 mm and 140 mm Suction Coupling (Female) NZS 4505 (hose tail is to be the same diameter as the threaded coupling e.g. 100 mm coupling has 100 mm hose tail), provided that the consent holder must provide written approval of Fire and Emergency New Zealand to confirm that the couplings are appropriate for firefighting purposes.
 - ii) All connections must be capable of providing a flow rate of 25 litres per second at the connection point.
 - iii) The connection must have a hardstand area adjacent to it to allow a Fire and Emergency New Zealand appliance to park on it. The hardstand area must be located at the centre of a clear working space with a minimum width of 4.5 metres. Access must be always maintained to the hardstand area.
 - iv) Underground tanks or tanks that are partially buried (provided the tank is no more than 1 metre above ground) may be accessed by an opening in the top of the tank, removing the need for couplings.
 - v) Any new water tank must be coloured dark green/grey/brown or similar, and located to ensure it is not visible against the skyline when viewed from any public place.

- d) Firefighting water supply may be provided by alternative means to the above with written approval of FENZ

Wastewater

- e) A separate on-site wastewater disposal system must be designed and installed by a suitably qualified and experienced person to serve each of Lots 1 and 2. The system must be designed and constructed in accordance with Clauses 5.5(b), (c), (d), and (e) of Council's July 2008 Addendum to NZS 4404:2004, the 2012 version of AS/NZS 1547, and all relevant Otago Regional Council requirements, including required setbacks from watercourses and water supply bores. The disposal field, including any reserve area, must be located entirely within the boundaries of the titled property and meet all required separation distances.

Electricity and telecommunications

- f) Operational underground power and telecommunication services must be provided to Lots 1 and 2. Alternatively, evidence can be provided that telecommunications is via wireless technology.

Access

- g) The existing vehicle entranceway/crossing from Pearson Road to the right-of-way to serve Lots 1 and 2 must be demonstrated to be in compliance with, or upgraded in accordance with the requirements of Part 29 of Council's Roading Policies January 2015. For crossings onto sealed roads an upgraded crossing must include a cutout 300mm into the sealed road or until the full thickness of the sealed road is reached, whichever is greater. The interface must have tape seal banding over all joins for new asphalt crossings, and at least 150mm chip seal overlap for new chip seal crossings. Chip seal crossings must be two coat.
- h) The Right-of-Way (ROW) extending off Pearson Road to serve Lots 1 and 2 must be constructed in accordance with the ROW requirements of Table 3.2 (a) of Council's July 2008 Addendum to NZS 4404:2004, and with the following specific requirements:
 - i) Minimum formed carriageway width of 4.5 metres. ii) Minimum road reserve / legal width of 10.0 metres.
 - ii) Camber of 5-8%.
 - iii) Subgrade >CBR of 7.
 - iv) Durable well-bound wearing course to be constructed over pit-run base to provide all-weather traction and prevent surface ravelling.
 - v) Shallow trafficable side-drains / water channels over level sections (>10%).
 - vii)
 - vi) Rock armouring of side channels over steeper sections.
 - vii) Stormwater discharging to soak pits within the ROW or to natural water courses.
 - viii) Accessway/crossings to Lots 1 and 2 must be provided off the ROW in compliance with Part 29 of Council's Roading Policies January 2015

Financial Contributions

- i) Payment of a reserves contribution of \$2,522.00 (exclusive of Goods and Services Tax) calculated in terms of Rule 15.6.1(1)(a)(i) of the Operative District Plan on the basis of one additional dwelling equivalent.

To Be Included on a Consent Notice Pursuant to s221

- 8. Pursuant to Section 221 of the Resource Management Act 1991, consent notices must be prepared for registration on each of the certificates of title for Lots 1 and 2 hereon, for the following ongoing conditions:

Minor residential units

- a) No Minor Residential Units are permitted to be established on Lots 1 and 2.

Residential building platforms

- b) All future residential buildings and ancillary buildings must be contained within the residential building platforms registered on the records of titles.

Stormwater

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

Wastewater

- d) On-site wastewater disposal system must be operated and maintained in accordance with the system designer's recommendations and manufacturer's specifications for the lifetime of the system. The system must be regularly serviced by a suitably qualified and experienced person to ensure it continues to function effectively and in compliance with Council and Otago Regional Council requirements. The property owner is responsible for all ongoing maintenance, inspections, and renewals as required.

Reverse Sensitivity

- e) All purchasers, lessees, licences or tenants and any other users having an interest in Lot 1 are advised that:
 - i) Horticultural, viticultural and agricultural activities can occur as of right in the Rural Resource Area, and
 - ii) The usual incidence of these activities including (but not limited to) stock handling, hay making, chemical spraying, pest control (including by use of poison, night shooting and helicopters) deer stag roaring, irrigations, frost control and bird scaring may have amenity effects beyond the boundaries of adjoining properties, and

- iii) Appropriate siting, design, and screening of dwellings and other sensitive land uses to mitigate adverse effects associated with noise (including frost fans) and spray drift from adjacent horticultural activities is required.

LAND USE CONDITIONS:

1. Residential activity is approved for the existing building on Lot 2 of RC 250374 in accordance with the plans attached Appendix 1 and the information contained in the consent application and supporting documents received by Council on 19 December 2025, and further information received on 12 February 2026, and the information presented at the hearing dated Tuesday 14 July 2026, except where modified by the following conditions.
2. All future residential buildings and ancillary buildings must be contained within the residential building platforms shown on the plans attached Appendix 1 and as registered on the records of titles for Lots 1 and 2 RC250374.
3. RC 180151 must be surrendered in writing within 30 days of residential activity authorised by this consent commencing.
4. Any external lighting must be directed away from adjacent sites and roads and must be directed downwards.

Water

5. An individual and adequate working water supply must be provided to each residential unit in accordance with the CODC Addendum, including Clause 6.3.15 Small Rural Water Supplies, and other relevant provisions of NZS 4404:2004, with the following specific requirements:
 - a) Quality. Resolution of any non-compliance, through installation of point-of-use remedial treatment, must be confirmed by being retested fully compliant.
 - b) Isolation. Isolating valves must be installed within the property boundary such that the water supply to each building can be separately controlled and isolated.

Firefighting

6. Firefighting provisions to serve the dwellings must be demonstrated to be in compliance with or be upgraded in accordance with the following: minimum domestic water and firefighting storage is to be provided by a standard 30,000 litre tank. Of this total capacity, a minimum of 20,000 litres must be always maintained as a static firefighting reserve. Alternatively, an 11,000-litre firefighting reserve is to be made available to the building in association with a domestic sprinkler system installed in the building to an approved standard. A firefighting connection from the static firefighting designated water is to be located within 90 metres of any proposed building on the site. To ensure that connections are compatible with Fire and Emergency New Zealand (FENZ) equipment the fittings are to comply with the following standards:
 - a) Either: For flooded sources, a 70 mm Instantaneous Couplings (Female) NZS 4505 or, for suction sources, a 100 mm and 140 mm Suction Coupling (Female) NZS 4505 (hose tail is to be the same diameter as the threaded coupling e.g. 100 mm

coupling has 100 mm hose tail), provided that the consent holder must provide written approval of Fire and Emergency New Zealand to confirm that the couplings are appropriate for firefighting purposes.

- b) All connections must be capable of providing a flow rate of 25 litres per second at the connection point.
 - c) The connection must have a hardstand area adjacent to it to allow a Fire and Emergency New Zealand appliance to park on it. The hardstand area must be located at the centre of a clear working space with a minimum width of 4.5 metres. Access must be always maintained to the hardstand area.
 - d) Underground tanks or tanks that are partially buried (provided the tank is no more than 1 metre above ground) may be accessed by an opening in the top of the tank, removing the need for couplings.
 - e) Any new water tank must be coloured dark green/grey/brown or similar, and located to ensure it is not visible against the skyline when viewed from any public place.
7. Firefighting water supply may be provided by alternative means to the above with written approval of FENZ.

Wastewater

8. Individual on-site wastewater treatment must be provided for each dwelling in full compliance with AS/NZS 1547:2012.

Access

9. The existing vehicle entranceway/crossing from Pearson Road must be demonstrated to be in compliance with, or upgraded in accordance with the requirements of Part 29 of Council's Roading Policies January 2015. For crossings onto sealed roads an upgraded crossing must include a cutout 300mm into the sealed road or until the full thickness of the sealed road is reached, whichever is greater. The interface must have tape seal banding over all joins for new asphalt crossings, and at least 150mm chip seal overlap for new chip seal crossings. Chip seal crossings must be two coat.

Stormwater

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

Fencing

11. Fencing along any boundary, must be no higher than 1.2m three-rail Macrocarpa post and rail fencing or 1.2m post and wire netting fence. Rabbit netting is permitted (at the discretion of the Consent Holder) to contain pets and allow for plant establishment (rabbit protection if necessary).

Financial Contributions

12. Payment of a reserves contribution of \$2,522 (exclusive of Goods and Services Tax) calculated in terms of Rule 15.6.1(1)(a)(i) of the Operative District Plan on the basis of one additional dwelling equivalent.
13. The consent holder shall pay to the Council all required administration charges fixed by the Council pursuant to section 36 of the Act in relation to:
 - a) Administration, monitoring and inspection relating to this consent; and
 - b) Charges authorised by regulations.

ADVICE NOTES:

Earthworks

1. All earthworks to develop and/or landscape each lot shall comply with Rule 4.7.6J of the Central Otago District Plan or additional resource consent will be required.
2. The Otago Regional Council also has rules regarding residential earthworks and the consent holder is advised to ensure that they do not require approvals from the Regional Council.
3. If during any site disturbance, the consent holder or subsequent owners:
 - a) discovers koiwi tangata (human skeletal remains), waahi taoka (resources of importance), waahi tapu (places or features of special significance) or other Maori artefact material, the consent holder or subsequent owner must without delay:
 - i) notify the Consent Authority, Tangata whenua and Heritage New Zealand and in the case of skeletal remains, the New Zealand Police.
 - ii) stop work within the immediate vicinity of the discovery to allow a site inspection by Heritage New Zealand and the appropriate runanga and their advisors, who must determine whether the discovery is likely to be extensive, if a thorough site investigation is required, and whether an Archaeological Authority is required.

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

- b) discovers any feature or archaeological material that predates 1900, or heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder must without delay:
 - i) stop work within the immediate vicinity of the discovery or disturbance; and

- ii) advise the Consent Authority, Heritage New Zealand, and in the case of Maori features or materials, the Tangata whenua, and if required, must make an application for an Archaeological Authority pursuant to Heritage New Zealand Pouhere Taonga Act 2014; and
- iii) arrange for a suitably qualified archaeologist to undertake a survey of the site.

Site work may recommence following consultation with the Consent Authority.

Water, Wastewater and Firefighting

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

Financial Contributions

7. All charges incurred by the Council relating to the administration, inspection and supervision of conditions of subdivision consent must be paid prior to Section 224(c) certification.
8. Development contributions of \$2,183.48 (exclusive of goods and services tax) are payable for reserves (rural), transport and community infrastructure accordance with Council's Policy on Development and Financial Contributions effective from 1 July 2025 and updated \$/HUE rates published in CODC's Schedule of Fees and Charges 2025/2026.
9. Development contributions must be paid by the due dates in the table below.

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

10. Ontime payment is important because, until the development contributions have been paid in full, Council may:

- Prevent the commencement of a resource consent.
- Withhold a certificate under section 224(c) of the RMA.
- Withhold a code compliance certificate under section 95 of the Building Act 2004.
- Withhold a service connection to the development.
- Withhold a certificate of acceptance under section 99 of the Building Act 2004

Access

11. It is the consent holder's responsibility to obtain all necessary Temporary Traffic Management Plans, Corridor Access Requests or any other approvals to undertake works within the road reserve. These approvals should be obtained prior to the works commencing.

Rural Development

12. Building colours and material are to be consistent with Rule 4.7.6D of the Central Otago District Plan.

General

13. In addition to the conditions of a resource consent, the Resource Management Act 1991 establishes through sections 16 and 17 a duty for all persons to avoid unreasonable noise, and to avoid, remedy or mitigate any adverse effect created from an activity they undertake.
14. Resource consents are not personal property. The ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.
15. It is the responsibility of any party exercising this consent to comply with any conditions imposed on the resource consent prior to and during (as applicable) exercising the resource consent. Failure to comply with the conditions may result in prosecution, the penalties for which are outlined in section 339 of the Resource Management Act 1991.
16. The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.
17. This is a resource consent. Please contact the Council's Building Services Department, about the building consent requirements for the work.



Tracy Paterson
Hearing Panel Chair

Date: 21 August 2026

Appendix 1: Approved Plans for RC250374

