

**CENTRAL OTAGO DISTRICT COUNCIL
S95A-F DECISION FOR RC240234
2500 Tarras-Cromwell Road (SH 8)**

INTRODUCTION

The application seeks Subdivision and land use consent to undertake a 2 lot subdivision creating new residential allotment and building platform in a rural resource area. at 2500 Tarras-Cromwell Road (SH 8). The applicant has provided a detailed description of the subject site, the resource consent background and the proposal in parts 3-5 of the report entitled 'Assessment of Environmental Effects, 2500 Tarras Cromwell Road, Tarras Richard James Hart' provided with the application. This description is considered accurate and is accepted for the purposes of this report.

In summary, the site is zoned Rural Resource Area and has an area of 2.1018 ha. Proposed Lot 1 will have an area of 0.82 ha and will contain the existing dwelling on the site. Lot 2 is proposed to have an area of 1.28 ha and a 1015m² building platform is sought. The site has an existing access and it is proposed to provide a Right of Way over Lot 1 to provide access to Lot 2. Water is available from an existing bore, onsite wastewater and stormwater are proposed. A connection is available for electricity, and it is proposed to use non-wired telecommunications. The proposed subdivision is shown below on figure 1.



Figure 1: The Proposed Subdivision (source: Application)

REASONS FOR APPLICATION

Central Otago District Plan

The site is located within an area identified as “Rural Residential” within the Rural Resource Area in the Central Otago District Plan. Consent is required for the following reasons;

Subdivision

- A **non-complying** activity pursuant to Rule 4.7.5(iii) for a subdivision creating allotments that are less than an average of 8ha and with a minimum area of less than 2ha. Proposed Lots 1 and will both have an average less than 8ha and will be less than 2ha.

Land use

- A **discretionary (restricted)** activity pursuant to Rule 4.7.3(i) for residential activities and building platforms that will not meet the standards set out in 4.7.6A(a) in respect of the required 25m boundary setbacks.
- A **discretionary (restricted)** activity pursuant to Rule 12.7.1(viii) for a breach to standards 12.7.1.i and 12.7.1.iii. Both standards require the access to be 200m from adjacent accesses on the same side of the road, whereas a separation of 130m is provided to the access to the south and 140m to the access to the north.

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

- A **controlled** activity pursuant to Regulation 9(3) of the NES-CS

Overall, the proposal is a **Non-Complying** activity

SECTION 95A NOTIFICATION

Step 1 – Mandatory public notification

Public notification has been requested by the applicant. Public notification of the application is required. (s95A(3)(a)).

OVERALL NOTIFICATION DETERMINATION

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

Service

Notice of the application is to be served on every prescribed person, as set out in clause 10(2) of the Resource Management (Forms, Fees and Procedure) Regulations 2003 as follows:

(2) The consent authority must serve that notice on -

- a) every person who, in the opinion of the consent authority, is an affected person within the meaning of section 95E in relation to the activity that is the subject of the application or review

The Following parties are considered affected in terms of Section 95E as follows:

New Zealand Transport Agency
Level 2, AA Centre
450 Moray Place Dunedin 9058

AT Priest (owner of Lot 1 DP 26229)
PO Box 401

Surfdale
Waiheke Island

LC and AJ Weatherall (owner of 2514 Tarras-Cromwell Road)
2514 Tarras-Cromwell Road
RD3 Cromwell 9383

Christchurch International Airport Limited (owner PT SEC 1 BLK XIV TARRAS SD)
Attn: Michael Singleton
PO Box 14001
Christchurch Airport
Christchurch 8544

MA and FC Hayman (owner 2750 Tarras-Cromwell Road)
2750 Tarras-Cromwell Road
RD3 Cromwell

Prepared by:



Tim Anderson
Team Leader Planning

Date: 31 October 2024



Tanya Copeland
Team Leader – Planning

Date: 1 November 2024