



TO THE MAYOR AND COUNCILLORS OF THE MACKENZIE DISTRICT COUNCIL

Membership of the Planning and Regulation Committee:

Cr Murray Cox (Chairman)
Claire Barlow (Mayor)
Cr Noel Jackson
Cr Evan Williams
Cr Russell Armstrong
Cr James Leslie
Cr Graham Smith

Notice is given of the Meeting of the Planning and Regulation Committee to be held on Tuesday 7 June 2016, following the conclusion of the Asset and Services Committee meeting.

VENUE: Council Chambers, Fairlie.

BUSINESS: As per agenda attached

WAYNE BARNETT
CHIEF EXECUTIVE OFFICER



PLANNING AND REGULATION COMMITTEE

Agenda for Tuesday 7 June 2016

APOLOGIES

DECLARATIONS OF INTEREST

CONFIRM MINUTES:

That the minutes of the Planning and Regulation Committee meeting held on 2 February 2016, be adopted and confirmed as the correct record of the meeting, including such parts as were taken in public excluded. **22**

REPORTS:

- | | |
|---|-----------|
| 1. Heritage Protection Fund Application (St Patricks Catholic Church) | 3 |
| 2. Heritage Protection Fund Application (Burkes Pass Heritage Trust) | 10 |
| 3. Resource Consent Objection | 17 |

PUBLIC EXCLUDED RESOLUTION:

Resolve that the public be excluded from the following part of the proceedings of this meeting namely:

- | | |
|---|-----------|
| 1. Previous Minutes of the Planning and Regulation Meeting held on 2 February 2016. | |
| 2. Dog Matter | 27 |

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Previous Minutes 2 February 2016	Maintain Legal Privilege	48(1)(a)(i)
Dog Matter	Maintain Legal Privilege	48(1)(a)(i)

This resolution is made in reliance on Section 48(1)(a)(i) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows: *Previous Minutes 2 February 2016 and Dog Matter under section 7(2)(g).*

ADJOURNMENTS: 12pm - Lunch

**MACKENZIE DISTRICT COUNCIL
MINUTES OF A MEETING OF THE PLANNING AND REGULATION
COMMITTEE HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON
TUESDAY, FEBRUARY 2, 2016, AT 12.44PM**

PRESENT:

Cr Murray Cox (Chairman)
Mayor Claire Barlow
Cr Graham Smith
Cr James Leslie
Cr Russell Armstrong
Cr Evan Williams

IN ATTENDANCE:

Wayne Barnett, Chief Executive Officer
Nathan Hole, Planning and Regulation Manager
Arlene Goss, Committee Clerk
Chris Hyde, Timaru Herald

APOLOGIES:

An apology was received from Cr Noel Jackson.

DECLARATIONS OF INTEREST:

There were no declarations of interest.

CONFIRM MINUTES:

Resolved that the minutes of the Planning and Regulation Committee meeting held on November 24, 2015, including those parts taken in public excluded, be confirmed and adopted as a correct record of the meeting.

Cr Armstrong/Cr Smith

REPORTS:

MANAGER'S REPORT ON PLANNING ACTIVITY:

Nathan Hole updated the committee on recent activity in the planning and regulation department.

The work of the department has increased, both in terms of LIMS and consents. Extra staff have been employed. Cr Leslie asked if it was possible to break down the activity by area or ward. Nathan Hole said the majority of the building consents for private dwellings come from Tekapo. Commercial activity includes the Meridian building in Twizel and others. LIMs indicated changes in the property market.

The chairman asked how much building consent work is contracted out. Most of the commercial building consents were contracted out. We have an arrangement with southern district councils allowing work to be shared.

The chairman asked for an update regarding the private plan change for Tekapo. Submissions close soon. To date two submissions have been received. This matter will be heard by a hearings commissioner.

Resolved: that the report be received.

Cr Williams/Mayor

LOCAL ALCOHOL POLICY:

The purpose of this report was to implement the Local Alcohol Policy. Nathan Hole says the date of implementation has been chosen to line up with the Timaru and Waimate councils.

Resolved:

1. That the report be received.

Cr Leslie/Cr Williams

2. That the Committee resolves that the Local Alcohol Policy will come into force on Thursday 24 March, 2016.

Cr Smith/Mayor

PUBLIC EXCLUDED RESOLUTION:

Resolve that the public be excluded from the following part of the proceedings of this meeting namely:

1. Dog Incident.

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Dog Incident	Maintain Legal Privilege	48(1)(a)(i)

This resolution is made in reliance on Section 48(1)(a)(i) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows: *Dog Incident under section 7(2)(g).*

Cr Williams/Cr Smith

The Planning and Regulation Committee continued in open meeting.

**THERE BEING NO FURTHER BUSINESS THE CHAIRMAN DECLARED THE
MEETING CLOSED AT 2.08PM**

CHAIRMAN: _____

DATE: _____

Unconfirmed

MACKENZIE DISTRICT COUNCIL

REPORT TO: PLANNING & REGULATIONS COMMITTEE

SUBJECT: HERITAGE PROTECTION FUND APPLICATION –
ST PATRICK'S CHURCH, FAIRLIE

MEETING DATE: 7 JUNE 2016

FROM: NATHAN HOLE, PLANNING & REGULATIONS MANAGER

PURPOSE OF REPORT:

For the committee to consider an application from St Patricks Parish for the proposed painting of the St Patricks Church windows and the previously undertaken plastering and painting of the exterior walls completed 30 November 2015.

STAFF RECOMMENDATIONS:

1. That the report be received.
2. That the Committee approves a grant to St Patrick's Parish for \$1,242 for the painting of the Church windows; and
3. That the Committee approves a grant to St Patrick's Parish for \$464.50 to contribute to the plastering work undertaken in November 2015.

WAYNE BARNETT
CHIEF EXECUTIVE OFFICER

ATTACHMENTS:

- Two quotes for the proposed painting of Church windows;
- Tax invoice for the plastering and painting of the exterior Church walls (completed 30 November 2015).

BACKGROUND:

St Patrick's Parish has sought financial assistance by application to the Heritage Protection Fund for the proposed painting of Church windows and the previously completed plastering and painting of the exterior walls of the Church. The works are being undertaken for the purposes of general maintenance of the building to aid in its preservation.

The Church is owned by the Roman Catholic Bishop of Christchurch, with the parish responsible for building works and maintenance.

St Patrick's Church, built in 1889, is classified by the District Plan as a Category Z heritage item. This classification is not expected to be altered by the District Plan Review.

POLICY STATUS:

Mackenzie District Council invites applications for financial assistance through the Heritage Protection Fund to assist and actively encourage property owners and members of the community to manage, maintain, preserve and enhance the heritage values of items or areas within the District. The Heritage Protection Fund aims to provide a partial contribution towards the cost of a specific project related to a building, item or place.

St Patrick's Church, Fairlie qualifies for the Heritage Fund due to its listing in the District Plan as a Category Z historic item.

The proposed and previously undertaken works are considered to be Enhancement / Management Projects in accordance with the Heritage Protection Fund Policy as maintenance work which will enhance the heritage value of the Church through the maintenance works deemed to be required.

SIGNIFICANCE OF DECISION:

This matter does not trigger Council's Significance and Engagement Policy.

ISSUES & OPTIONS:

The Heritage Protection Fund identifies that applications are eligible for a maximum grant of \$2,500 or a specified percentage of the sum required, based upon the classification of the heritage item. Category Z historic items qualify for 45% of the qualified amount.

Application has been made for the proposed painting of the windows, with the lowest quote totalling \$2,760 (including GST). St Patrick's Parish qualify for \$1,242 for the painting of the Church windows.

Application has also been made for financial contributions to works completed in November 2015 for the plastering and painting of the exterior of the Church. This work totalled \$20,512.55 (GST inclusive). On the merits of this application, St Patrick's Parish qualify for \$2,500 towards the works.

St Patrick's parish seek a total funding of \$2,500 towards the proposed works as well as those completed in November 2015.

CONCLUSION:

As the plastering work is retrospective, but still in accordance with the policy, it is recommended that a grant of \$464.50 be made towards this work, as well as \$1,242 towards work on the building windows, making a total contribution of \$1,706.50. With the other application being considered at this meeting, this means the total amount available of \$2,500 will have been distributed between two organisations.



MACKENZIE DISTRICT COUNCIL

APPLICATION FOR FUNDING FROM THE HERITAGE PROTECTION FUND

To: Mackenzie District Council
PO Box 52
FAIRLIE

Phone: (03) 685-9010
Fax: (03) 685-8533

DETAILS OF APPLICANT

Full Name ST PATRICKS PARISH
Postal Address 7 GALL ST FAIRLIE
Daytime Contact Person GRANT GIBSON
Telephone 03 685 8376 Fax 03 685 8376

DETAILS OF HERITAGE ITEM

Name of Item ST PATRICKS CATHOLIC CHURCH
Address/Location 7 GALL ST FAIRLIE
Legal Description CHURCH
Current Use CATHOLIC CHURCH

SIGNIFICANCE OF ITEM (attached further pages if necessary)

..... HERITAGE CLASS 2
.....
.....
.....

PROPOSED WORK FOR WHICH FUNDING IS SOUGHT

- 1) PLASTER AND PAINT EXTERIOR OF
CHURCH WALLS (COMPLETED 30 NOV 2015)
- 2) Quotes To prepare and paint church
windows (Quotes ATTACHED)

ALAN MOODY. PAINTER

CHETWYND
334 Cricklewood Road
RD 17
Fairlie 7987

Ph 03 685 5756
Fax 03 685 5756
Mobile027 537 6156

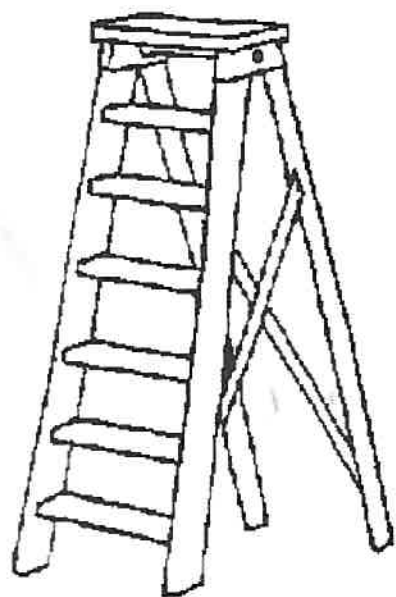
Church windows

Quotation

For Mr G Gibson
Main St
Fairlie

Date 24-Jan-2016
Quote No QU00275
Quote By Alan Moody
Quote For

Description	Quantity	Units	Sell Price	Price
To prepare and paint St Josephs church windows .Price allows to replace broken putty and includes all materials labour and scaffold	1		2,400.00	2,400.00
Total Before GST				2,400.00
GST				360.00
TOTAL				<u>\$2,760.00</u>



KOLOUR IT

CHRIS HAUGH PAINTING
38 GILLINGHAM STREET
FAIRLIE

03 685 6162

021 102 7771

kolourit@gmail.com

To Whom it may concern

Hi, here is the estimate to re-paint the exterior windows of the Fairlie Catholic Church.

Paint	\$ 531.90
Less 20 % on paint	-\$ 106.38
Labour	\$2160.00
Prep products	\$ 64.60
Plant Hire	\$ 180.00
Sub total	\$2830.12
G.S.T	\$ 424.52
Total	\$3254.64

All surfaces to be painted will be scraped, sanded, primed, filled where necessary and two coats of the appropriate paint applied.



TAX INVOICE

Date
30 November 2015

Elite Plaster Coatings Ltd
P O Box 810
Timaru

Invoice Number
INV-0852

St Patrick's Church
7 Gall Street
Fairlie
Fairlie 7925
New Zealand

Order Number:

Job No: J0452

Fairlie Church - Fairlie

*Paid on 29 Dec
chp. 100499*

✓

Supply materials and labour to complete work on church as per Quote No.0554 dated 9 September 2014.

Many thanks
Todd Mudie

	Amount
Plastering Services - Exterior - Quo.0554 - 9/9/15 - \$17,837.00+	17,837.00
Subtotal	17,837.00
GST	2,675.55
Total	20,512.55
Amount Due	20,512.55

.Due Date: 7 December 2015

GST 105-450-265

IF PAYING BY DIRECT CREDIT - BNZ 02-0888-0084699-00

PAYMENT TERMS: 20TH OF THE MONTH FOLLOWING INVOICE DATE

MACKENZIE DISTRICT COUNCIL

REPORT TO: PLANNING & REGULATIONS COMMITTEE
SUBJECT: HERITAGE PROTECTION FUND APPLICATION
MEETING DATE: 7 JUNE 2016
FROM: NATHAN HOLE, PLANNING & REGULATIONS MANAGER

PURPOSE OF REPORT:

For the Committee to consider an application from The Burkes Pass Heritage Trust for funding to remove trees that pose a threat to St Patrick's Church.

STAFF RECOMMENDATIONS:

1. That the report be received; and
2. That the Committee approves a grant of \$793.50 from Council's Heritage Protection Fund to The Burkes Pass Heritage Trust for the removal of trees and branches endangering the church building.

WAYNE BARNETT
CHIEF EXECUTIVE OFFICER

ATTACHMENTS:

The application including a quote for the proposed work.

BACKGROUND:

The Burkes Pass Heritage Trust has applied for financial assistance through the Heritage Protection Fund for works required to remove two large, deformed pine trees which are located approximately 3 metres from the west wall of the Church in addition to the removal of an overhanging branch from a third tree. The identified trees are considered to pose significant danger to the building as well as a hazard to visitors and users of the Church. The approximately 140 year old trees have been damaged by previous snow and other weather events and the Trust has been advised that they should be removed prior to winter.

The trees proposed to be removed are not recognised or protected by the District Plan.

The Church has been owned and maintained by the Burkes Pass Heritage Trust since 2001. Heritage New Zealand (New Zealand Historic Places Trust) have considered that the Church have sufficient significance to merit inclusion on the New Zealand Heritage List / Rārangi Kōrero as a Category I historic place effective 15 December 2011.

To inform the District Plan review currently being undertaken, Council commissioned a Heritage Assessment to be undertaken in 2014. This work involved a comprehensive assessment of all known heritage items in the Mackenzie District, including the St Patrick's Church, Burkes Pass. The assessment identified the Church as a category 'X' grading (highest recognition). This is an increased heritage status compared to the current 'Y' grading. This increase is in keeping with the findings of Heritage New Zealand in 2011 which identified the church as a Category I building.

The application and staff recommendation is based on the church being 'X' grading.

POLICY STATUS:

Mackenzie District Council invites applications for financial assistance through the Heritage Protection Fund to assist and actively encourage property owners and members of the community to manage, maintain, preserve and enhance the heritage values of items or areas within the District. The Heritage Protection Fund aims to provide a partial contribution towards the cost of a specific project related to a building, item or place.

St Patrick's Church, Burkes Pass qualifies for a Heritage Protection Fund application due to its listing in the Heritage Items Schedule as a Category Y heritage item. The trees which are to be felled / trimmed are not listed in the Protected Trees Schedule. The site is not a known archaeological or Waahi Tapu site as identified by Heritage New Zealand.

The proposed work is considered to be an Enhancement / Management Project in accordance with the Heritage Protection Fund Policy as maintenance work which will enhance the heritage value of the Church through the protective measures deemed to be required.

SIGNIFICANCE OF DECISION:

This does not trigger Council's Significance and Engagement Policy.

ISSUES & OPTIONS:

The Heritage Protection Fund identifies that applications are eligible for a maximum grant of \$2,500 or a specified percentage of the sum required, based upon the classification of the heritage item. The following are relevant to this application:

- Category X items: 75% – *totalling \$793.50*
- Category Y items: 60% – *totalling \$634.80*

As discussed earlier in this report, St Patrick's Church, Burkes Pass is currently identified as a Category Y item in the Heritage Items Schedule of the District Plan however the report commissioned by Council to inform District Plan Review, recommends that the Church be identified as a Category X item. This would be in alignment with the New Zealand Heritage Places Trust upgraded Category 1 classification. As the Church is owned by the Burkes Pass Heritage Trust and the New Zealand Heritage Places Trust has previously upgraded the classification, it is considered unlikely that a change to the classification within the District Plan will be contended. Additionally, the assessment by Davie Lovell-Smith suggesting a higher classification was undertaken and reported on in 2014, prior to application being made to the Heritage Protection Fund. As such, it is considered appropriate that the application be considered as relating to a Category X item and therefore qualify for a grant of 75% of the sum required. This would constitute a grant of \$793.50 to the Burkes Pass Heritage Trust to undertake the required tree felling work as applied for.

CONCLUSION:

It is recommended that Council consider approving funding to the total of \$793.50 for the required tree felling works to protect the Church from damage to the exterior of the building and ensure safety of the visitors to the site. Whilst this is based upon a higher classification than is currently afforded by the District Plan, the site is considered by Heritage New Zealand and the 2014 Council review to be of the highest classification. The increased classification equates to an additional \$178.70 in relation to the received application.



MACKENZIE DISTRICT COUNCIL

APPLICATION FOR FUNDING FROM THE HERITAGE PROTECTION FUND

To: Mackenzie District Council
PO Box 52
FAIRLIE

Phone: (03) 685-9010
Fax: (03) 685-8533

DETAILS OF APPLICANT

Full Name The Burkes Pass Heritage Trust
Postal Address c/o 41 Kirkwood Ave, Chch 8041
Daytime Contact Person Jane Batchelor
Telephone 03 3481531 Fax 03 3558283
Email janelbatch@gmail.com

DETAILS OF HERITAGE ITEM

Name of Item St Patrick's Church, Burkes Pass
Address/Location ²¹³³ Fairlie - Tekapo Rd, Burkes Pass
Legal Description Pt R3 6285 (CT CB 2/163), Cantyland District.
Current Use church, heritage centre, community meeting place.

SIGNIFICANCE OF ITEM (attached further pages if necessary)

- Category 1 historic place on register of NZ Historic Places Trust since 2011 (now known as Heritage NZ)
- Listed on MDC District Plan, 2004, Section 10 Heritage Items Schedule: 19 (46) St Patrick's Church (interdenom) qualifies as category X.

PROPOSED WORK FOR WHICH FUNDING IS SOUGHT

- To remove two large deformed pine trees situated approximately 3 metres from the west wall of the church as advised by arbourist to constitute significant danger to the building. Plus remove a large limb overhanging from nearby tree.
- The trees need careful deconstruction due to proximity to fragile wooden church & leadlight windows and Highway 8.

WHY THE PROPOSED WORK IS NECESSARY - To avoid hazard.

The pine trees are approximately 140 years old deformed by past snow damage, large branches break off each winter, they have been reduced in height 2x previously and now a significant danger to the building and visitors.

WHY FUNDING IS REQUESTED AND WHETHER OTHER FUNDING APPLICATIONS HAVE BEEN MADE OR CONSIDERED

The Heritage Trust does not have a budget for this work and believes on expert advice that the work has some urgency prior to snow falls this winter. The Trust is able to contribute 25% from savings.

QUOTES

I have enclosed a minimum of ~~two~~^{one} quotes providing a breakdown of labour and material costs for the work the funding would apply to. ☒

John Baxter from Baxter Tree Services is the only qualified arborist the Trust is aware of to deconstruct these trees & has worked on them previously.

AMOUNT REQUESTED FROM FUND

I request the following amount from the fund \$.....793.50.....

Signature of Applicant

Date14/05/16.....

Note: The Council will notify the applicant of its decision in writing following consideration of the application. Approved funding is paid as a reimbursement, once the work has been inspected and confirmed to be of a professional standard by a suitably qualified person.

For all enquiries please contact the Mackenzie District Council, PO Box 52, Fairlie.
Phone: (03) 685 9010
Fax: (03) 685 8533
Email: info@mackenzie.govt.nz

BAXTER TREE SERVICES LTD.

HAZELBURN HOMESTEAD

RD12 PLEASANT POINT

TEL 03 614 8865

QUOTATION

Mrs Jane Batchelor

QUOTATION VALID UNTIL 30th July 2016

41 Kirkwood Avenue

Christchurch 8041

For the felling of 2 large pine trees and removal of a large limb from another pine tree at St Patrick's Church, Burkes Pass

Cost of work \$ 920.00 + GST

All cut timber remains on site unless specified otherwise



Southern Regional Office
P O Box 4403
CHRISTCHURCH

20 December 2011

Jane Batchelor
Chair
Burkes Pass Heritage Trust
41 Kirkwood Avenue
Christchurch 8041

File Ref: 12004-228

Dear Jane

Final Registration of St Patrick's Union Church, Burkes Pass under the Historic Places Act 1993

Further to our previous correspondence, I can now confirm that the proposal to review the registration of St Patrick's Union Church, Burkes Pass, has been considered by the New Zealand Historic Places Trust (NZHPT) Board.

As this review was completed by agreement with yourselves as the owners, under section 32B of the Historic Places Act 1993, formal notification seeking submissions on the review was not required.

Following careful consideration of the review report, the Board varied the registration of St Patrick's Union Church, Burkes Pass, on 15 December 2011. The Board considered that St Patrick's Union Church, Burkes Pass, has sufficient significance to merit inclusion on the Register as a Category I historic place.

Please contact the Southern Regional Office if you have any questions relating to the registration or if, in the future, you propose to sell or make alterations to your property. Staff members are available to provide advice on heritage matters, free of charge.

Yours sincerely,

Robyn Burgess
Acting Area Manager

*Attachments: Final Report, Register Database Entry
cc. NZHPT Registrar*

MACKENZIE DISTRICT COUNCIL

REPORT TO: PLANNING & REGULATIONS COMMITTEE
SUBJECT: RESOURCE CONSENT OBJECTION
MEETING DATE: 7 JUNE 2016
REF: RM160029 - CALLAGHAN
FROM: NATHAN HOLE, PLANNING AND REGULATIONS MANAGER

PURPOSE OF REPORT:

The purpose of this report is to provide information for Committee to consider an objection to resource consent RM160029 to subdivide a property on Nixons Road, Fairlie.

STAFF RECOMMENDATIONS:

1. That the report be received; and
2. That the Committee either dismiss the objection and uphold Condition 4, or amend Condition 4 as recommended.

WAYNE BARNETT
CHIEF EXECUTIVE OFFICER

ATTACHMENTS:

The attached Planning Officer's report contains all the necessary detail.

SIGNIFICANCE OF DECISION:

This does not trigger Council's Significance and Engagement Policy.

Mackenzie District Council

Section 42A Planning Report on Section 357A

Objection to a Resource Consent Decision

REPORT TO Manager of Planning and Regulations

SUBJECT Resource Consent Application RM160029 – Objection to Condition 4

DATE 1 JUNE 2016

APPLICANT PETER CALLAGHAN

SITE Physical Location: Nixons Road, Fairlie
Legal Description: Lot 5 DP 83075 Rural Sec 21101 27665 28078 Lot 3 DP 83075 Block VI Tengawai SD-P
Valuation reference: 2528007302

ZONING Rural

RMA CRITERIA Section 357

PLANNING REPORT PREAMBLE

This report provides an analysis of the relevant resource management issues in respect to the objection.

The agent has, on behalf of the applicant, objected to the following condition:

- Condition 4 relating to electricity provision to the boundary of Lot 2, which is to be purchased by the neighbouring property owner.

THE OBJECTION

On 27 April 2016, Andrew Rabbidge, the agent for RM160029 – Callaghan, lodged an objection to the Mackenzie District under Section 357 of the Resource Management Act 1991 in relation to Council's decision on consent RM160029. The original application involved the subdivision of Lot 5 DP 83075 Rural Sec 21101 27665 28078 Lot 3 DP 83075 Block VI Tengawai SD-P at Nixons Road, Fairlie, to create two allotments. Proposed Lot 2 was to be purchased by the adjoining land owner, Hamish Lane, but not amalgamated with his existing properties. There is an existing dwelling on proposed Lot 1.

The objection to the Council's decision on that subdivision related to the following conditions imposed on the consent:

4. A separate connection for the supply of electricity shall be provided to the boundary of Lot 2. The connection from the overhead line into the property boundary shall be underground.

The applicant queried the need for this condition under Rule 6(d) (Section 6, Chapter 13) which does not require new allotments within the Rural Zone to be provided with electricity to the boundary of the allotment. The wording of this rule is as follows:

All new allotments in the Residential, Rural-Residential and Business Zones, other than allotments for access, roads, utilities and reserves, shall be provided with connections to electric supply and telephone systems to the boundary of the net area of the allotment. Refer to Part 15 Utilities Rules for standards relating to lines.

The applicant requests that condition 4 be deleted.

ASSESSMENT OF OBJECTION

1. The agent considers that condition 4 is not needed, according to Rule 6(b) (Section 6, Chapter 13). The agent is correct in saying that this rule does not specifically require an electrical connection to the boundary of a new Rural allotment; it is a matter that Council has discretion over.
2. The applicant states that power is available from the adjoining property, Lot 1 DP 74966, owned by Hamish Lane (who is purchasing proposed Lot 2). However, proposed Lot 2 will not be amalgamated with Lot 1 DP 74966 and therefore will not be held in the same certificate of title. If it was to be amalgamated, a separate electrical connection would not be required as the connection from Mr Lane's property would be sufficient. However, it will be a separately saleable section that has no existing electrical connection.
3. In accordance with Rule 4(b) (Section 4, Chapter 13) the subdivision was discretionary, so Council have full discretion to impose conditions. Furthermore, Council has control with regard to the adequacy and standard of electrical utility installation during subdivisions in accordance with Section 3 (Chapter 13) of the District Plan.
4. The policy relating to electrical services is as follows: *To require subdividers and developers to meet the costs of new or upgraded services (including head works), which are attributable to the impacts of the subdivision or development, including where applicable: roading and access; water supply; sewage disposal; stormwater disposal; trade waste disposal; provision of electricity; and provision of telecommunications.*
5. The above policy indicates that subdividers are required to meet the costs of installing new services, including electricity, to newly formed allotments. If Condition 4 is removed, or amended to become a consent notice, the cost of installing electricity may have to be met by a future owner instead of the subdivider.
6. The rules do not require electricity to be supplied to the boundary during subdivisions in the Rural Zone, but Council may use its discretion to do so and the nature of existing residential developments in that area should be taken into consideration.

7. The subdivision is located on Nixons Road, where 'lifestyle blocks' are becoming more popular. At the time the subdivision consent was granted, it was considered reasonable to require installation of electrical services to cater to any potential future residential development.
8. Overhead power lines are present on Nixons Road, servicing the dwelling on proposed Lot 1 and the dwelling on the opposite side of the road, so the potential to connect to these services exists.
9. In accordance with Rule 1.2(a) (Section 1, Chapter 16), all new lines shall be located underground in the Residential, Rural-Residential 1 and 2, Ruataniwha Rowing, Special Travellers Accommodation, Business, and Pukaki Village Zones. The proposed subdivision is within the Rural Zone, so this rule does not apply.
10. Considering the rural-residential nature of existing developments on Nixons Road, and the fact that the subdivision results in a separately saleable section, it is reasonable to request electricity within the boundary of Lot 2. However, there may be potential for this connection to remain overhead rather than be undergrounded. Alternatively, the condition may be altered to create a consent notice on the certificate of title requiring an electrical connection to be provided at the time of application for building consent for a dwelling.

RECOMMENDATION

With regards to Condition 4 of subdivision consent RM160029 it is recommended that Council do one of the following:

- Retain the condition as it was originally written; or
 - Amend the condition as shown below.
4. At the time of application for building consent for a dwelling, a separate connection for the supply of electricity shall be provided to the boundary of Lot 2. The connection from the overhead line into the property boundary shall be underground.

Pursuant to section 221 of the Resource Management Act 1991, this condition shall be registered as a consent notice on the certificate of title for Lot 2.

Report prepared by

Ashlee Dolamore
RESOURCE MANAGEMENT PLANNER

Report reviewed & endorsed by

Nathan Hole
MANAGER OF PLANNING & REGULATIONS

Report Dated: 1 June 2016