

3 March 2026

SR & JA Clearwater  
C/- Callum Riddle  
Paterson Pitts Group  
PO Box 5933  
Dunedin 9054

Via email: [callum.riddle@patersons.co.nz](mailto:callum.riddle@patersons.co.nz)

Dear Callum

**RIGHT OF WAY APPLICATION:**

**RIGHT OF WAY: POL-2025-58  
LAND USE: LUC-2026-57  
17, 19, 21, 23 & 25 MCAULEY ROAD  
PORTOBELLO**

Your application for resource consent was processed on a non-notified basis in accordance with sections 95A to 95G of the Resource Management Act 1991. The application was considered by a Senior Planner, under delegated authority, on 3 March 2026.

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

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

You may object to this decision or any condition within 15 working days of the decision being received, by applying in writing to the Dunedin City Council at the following address:

Senior Planner - Enquiries  
Dunedin City Council  
PO Box 5045  
Dunedin 9054

You may request that the objection be considered by a hearings commissioner. The Council will then delegate its functions, powers and duties to an independent hearings commissioner to consider and decide the objection. Please note that you may be required to pay for the full costs of the independent hearings commissioner.

Alternatively, there may be appeal rights to the Environment Court. Please refer to section 120 of the Resource Management Act 1991. It is recommended that you consult a lawyer if you are considering this option.

Your application for the creation of rights of way over 17, 19, 21, 23 and 25 McAuley Road, Portobello, was processed under section 348 of the Local Government Act 1974. The application was considered by a Senior Planner, under delegated authority, on 3 March 2026

The Council has agreed to the creation of the rights of way with three conditions as follows:

1. That a survey standard plan be submitted to Council showing the rights of way. The easements must have a minimum legal width of 3.5m.
2. That the vehicle accesses and accessway within Rights of Way A to G must be formed to a minimum width of 3.0m, comprise an adequate all-weather surface and be adequately drained for its full duration.
3. The retaining wall must be constructed in accordance with the conditions of LUC-2026-57.

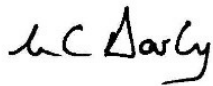
**You will need to advise the Council in writing when the condition has been complied with before a section 348 certificate can be issued.**

Please note the following:

1. A legal agreement should be drawn up between the owners and users of the rights of way regarding responsibility for maintenance.

Please feel free to contact me if you have any questions.

Yours faithfully

A handwritten signature in black ink, appearing to read 'LC Darby'.

Lianne Darby  
**Associate Senior Planner**

## **APPLICATION POL-2025-58 & LUC-2026-57: 17, 19, 21, 23 & 25 MCAULEY ROAD, PORTOBELLO**

Department: Resource Consents

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### **DESCRIPTION OF ACTIVITY**

Consent is sought for the creation of a new shared driveway with right of way easements as required. The proposal involves five subject sites:

- 17 McAuley Road: Lot 85 DP 193 (RT OT363/189)
- 19 McAuley Road: Lot 84 DP 193 (RT OT202/112)
- 21 McAuley Road: Lot 83 DP 193 (RT OT413/210)
- 23 McAuley Road: Lot 82 DP 193 (RT OT253/77)
- 35 McAuley Road: Lot 81 DP 193 (RT OT181/203).

The subject sites are held in common ownership, and are situated on the southeast side of the unformed section of McAuley Road. There is an existing dwelling straddling the boundary between Lots 85 and 84, and an ancillary building straddling the boundary between Lots 82 and 81.

The applicant has designed a loop access that branches off the end of the formed section of McAuley Road, passes through Lots 85 to 81 DP 193, loops around back through Lots 82 and 83 DP 193, and then returns to the start point via a proposed access within the unformed section of McAuley Road. The driveway will be one-way only and will have a legal width of 3.5m. The access will not be hard surfaced.

The applicant seeks to create reciprocal rights of way over the access within the private titles so that Lots 81 to 85 have legal access via the new driveway.

The applicant submitted revised plans and long sections on 3 February 2026 to address the levels of the proposed driveway and to show feasible building sites on 21, 23 and 35 McAuley Road. The plans also show a retaining wall supporting fill up to 1.9m high which will contravene boundary setbacks.

### **PLANNING ASSESSMENT**

#### **Affected Persons**

The application has not been submitted with any affected party approvals, and none are required. Section 348 of the Local Government Act 1974 does not require the Council to consider affected parties when processing an application for a new Right of Way. It is noted that the burdened and benefitted land is held in common ownership.

#### **District Plan Requirements**

Dunedin currently has two district plans: the Operative Dunedin City District Plan 2006 (the “District Plan 2006”, and the Proposed Dunedin City Second Generation District Plan. On 19 August 2024, the Proposed Dunedin City Second Generation District Plan became partially operative and now supersedes the District Plan 2006, except for limited specific provisions and identified areas that are still subject to appeal. Where these provisions and appeals are relevant, the District Plan 2006 must still be considered.

In this instance, there are no relevant appeals, and this application has been processed with reference to the 2024 Plan only.

## 2024 Plan

17, 19, and 21 McAuley Road are zoned **Township and Settlement**. 17 McAuley Road is within an **Archaeological Alert Layer**.

23 and 25 McAuley Road are zoned **Large Lot Residential 1** and are part of a **New Development Mapped Area**.

### City Wide

Rule 8A.3.2.2 lists earthworks – small scale as being a permitted activity for this zone subject to the earthworks – small scale thresholds.

Rule 8A.5.1.1 lists those circumstances where earthworks are always considered to be earthworks – small scale. The proposed earthworks do not fit into any of the listed categories.

Rule 8A.5.1.2 specifies that earthworks – small scale not listed in Rule 8A.5.1.1 must comply with Rule 8A.5.1.4 or 8A.5.1.5 to be considered earthworks – small scale. The proposed intersection earthworks will fail to comply with the following:

- Rule 8A.5.1.3.a.i specifies a maximum change in ground level of 1.5m. The earthworks will involve up to 1.9m of fill.

Rule 8A.5.1.2.a directs that earthworks which do not meet the thresholds for small scale earthworks are to be considered earthworks – large scale. Rule 8A.3.2.3 states that earthworks – large scale are considered to be a **restricted discretionary** activity.

- Rule 8A.5.4.1.b requires earthworks over 600mm high to be set back from boundaries by a distance at least equal to the height of the retaining wall. The retaining wall up to 1.9m high will be situated within the road boundary setback of 17 McAuley Road.

Activities which contravene this rule are considered to be a **restricted discretionary** activity pursuant to Rule 8A.5.4.2.

While part of the subject land is located in a New Development Mapped Area, the provisions of Rule 12.X.2 applying to restricted discretionary activities in NDMA's are entirely focussed on the assessment of subdivision activities.

### Land Use

The proposal falls under the definition of *parking, loading and access*. Under the 2024 Plan provisions, activities have both a land use activity and a development activity status.

#### *Land use*

In this instance, no land use rules are considered to be applicable to the proposal.

#### *Development*

Rule 15.3.4.24 lists parking, loading and access as being a permitted activity in the residential zones subject to compliance with the performance standards. The driveway and manoeuvring space will fail to comply with the following:

- Rule 15.6.12 requires parking, loading and access to comply with Rule 6.6.
- Rule 6.6.3.2.b.i requires a new vehicle access to have a minimum sight distance of 69m. The proposed vehicle crossings will not comply with this requirement.

Activities which contravene the rule are considered to be a **restricted discretionary** activity pursuant to Rule 6.6.3.2.f.

### Overall Status

Where an activity requires resource consent under more than one rule, and the effects of the activity are inextricably linked, the general principle from case law is that the different components should be bundled and the most restrictive activity classification applied to the whole proposal.

In this case, there is more than one rule involved, and the effects are linked. As a result, having regard to the most restrictive activity classification, the activity status of the application is determined by the 2024 Plan and is considered to be a **restricted discretionary** activity.

### Assessment

#### 1. Transportation

Council's Planner – Transport has considered the application. He notes that 17, 19, 21, 23 and 25 McAuley Road are currently provided with vehicle access via two metalled informal vehicle crossings from McAuley Road, with the first vehicle crossing extending down from McAuley Road into 17 McAuley Road and the second extending off the end of McAuley Road. The applicant proposes to improve the formation and gradient of both of these informal vehicle access locations as well as construct a dedicated and appropriately formed shared accessway within the overall subject site.

The applicant proposes to form each vehicle crossing and proposed Rights of Way A to G with a minimum formed width of 3.0m and a legal width of 3.5m. The proposal will also include earthworks to form a new retaining wall which will be partially located within the McAuley Road reserve and will vary in height between 0.5 and 1.9m. The access will operate as a one-way arrangement. The application is unclear as to which direction the traffic will flow. The plan and long-sections indicate that the route will be anti-clockwise, but the application itself describes a clockwise route. In order to avoid conflicting traffic at the northern end, a clockwise route is more logical but either direction is workable. Transport has assessed the proposal as an anticlockwise loop. Within legal road, however, it is noted that the access formation may be used by other traffic, travelling in both directions.

The applicant originally proposed extensive earthworks and changes in level to the existing McAuley Road carriageway which were not supported by Transport. The applicant has since revised their proposal to significantly scale back the extent to which changes are proposed to McAuley Road.

These changes are now limited to lowering a short section of McAuley Road near the northern vehicle crossing as well as increasing the height of the northern vehicle crossing to reduce the gradient of this formation. The first 5.0m of the vehicle crossing will now have a gradient in the order of 1 in 15 or 6.81%, transitioning to a maximum gradient of 1 in 5 or 20.31%. A retaining wall will need to be constructed along the eastern edge of the upgraded formation to achieve this. The wall will vary in height between 0.5m and 1.9m with the retaining wall height of 0.5m being located within Road Reserve. Overall, Transport is generally supportive of these changes to the proposal.

The 2024 Plan requires the provision of minimum sight distances from a new vehicle access. In this instance, a sight distance of at least 69.0m is required in both directions along McAuley Road with a posted speed limit of 50km/h. The sight distances are constrained as a result of the narrow carriageway width, which is effectively only a single lane, and the overall length/topography of McAuley Road such that compliant sight distances are unable to be provided. Although, on the basis that the proposed access arrangement will operate as a one-way arrangement, no further users rely on McAuley Road for access past these sites, and vehicle movements are expected to remain low (estimated average daily traffic of 22 vehicles per day according to MobileRoads) and at low speed

given the current carriageway constraints, the effects of this rule breach are considered to be less than minor.

McAuley Road is an unsealed gravel road and therefore the applicant is not required to hard surface the proposed rights of way. Overall, this is acceptable as long as the driveway is formed with an adequate all-weather surface with appropriate drainage. Transport recommends anti-slip skid resistance surfaces for any gradients that exceed 16%, noting that parts of the shared accessway will have a gradient of up to 20%. However, this is an improvement on the current gradient which is far steeper than this.

Rule 6.6.3.7.a requires that the maximum change in gradient without transition for driveways is 1 in 8 for summit grade changes or 1 in 6.7 for sag grade changes. In addition, Rule 6.6.3.7.b requires that the gradient of the first 5.0m measured from the road boundary into the site must be no greater than 1 in 8. As per the revised long section provided by the applicant, it is noted that the proposed upgraded vehicle crossings and the shared accessway within Rights of Way A to G will be formed to comply with this requirement and is acceptable.

It is recommended as a condition of consent that detailed engineering plans showing the details of the construction of the new retaining wall within McAuley Road should be submitted to and approved by the DCC Transport Group prior to construction. It is advised that any structure constructed on road reserve requires the consent of the Council's Transport Department, and is required to be designed by a qualified person. This information must be supplied to and approved by the Council prior to construction. It is also advised that the property owner will be responsible for the future maintenance of the retaining structure within road reserve and DCC Transport does not accept liability for the maintenance of any privately maintained structures that are either partly or wholly within the legal road corridor.

The vehicle accesses and accessway within Rights of Way A to G must be a minimum 3.0m formed width, comprise an adequate all-weather surface and be adequately drained for their full duration. It is recommended that a formal agreement be drawn up between the owners/users of all private accesses in order to clarify their maintenance responsibilities.

## **2. Earthworks – Large Scale (2024 Plan 8A.7.2.1 & 8A.6.3.2)**

The applicant intends to place fill over the proposed driveway up to a depth of approximately 1.9m in the vicinity of chainage 35.0 on 'Road 2' within 17 McAuley Road. A retaining wall is shown along the driveway's eastern edge between chainages 40.0 to 47.0 or so. This will cross the property boundary shared with McAuley Road.

### *Large scale earthworks – effects on visual amenity*

The proposed earthworks will have very limited visual impact as the retaining wall will be located towards the end of McAuley Road and will only be obvious from below road level. This largely limits effects on visual amenity to the subject site itself and possibly the neighbour to the north. A retaining wall will be built to support the fill and any adverse visual effects due to the change in ground level will be mitigated with the construction of the wall.

### *Large scale earthworks – effects on amenity of surrounding properties*

The works are expected to have some impact on the immediate neighbours due to potential noise, vibration and dust effects, as well as traffic effects. Any adverse noise, dust and/or vibration effects are a result of the construction works needed for the development of the site. Rule 4.5.4.1.a.i of the 2024 Plan deals with construction noise within the residential zones and specifies acceptable hours of works and volumes. It also addresses vibration from construction by setting performance standards. These are designed to minimise adverse effects on neighbours, and the applicant must comply with these requirements during the earthworks phase or obtain further resource consent.

Dust will need to be minimised by appropriate management by the construction workers. It is noted that neighbouring houses are some distance from the proposed works, with mature vegetation between the road and houses, and dust is unlikely to be a significant problem.

*Large scale earthworks— effects on the stability of land, buildings and structures*

The maximum change in ground level is expected to be approximately 1.9m. This will raise the driveway within 17 McAuley Road up to meet the existing ground level of McAuley Road, with some of the earthworks occurring within the road reserve itself in order to tie the driveway in with the road formation. As the retaining wall will be supporting fill, there will be no excavations to undermine the boundary or any structure including the existing road. The retaining wall will be required to have building consent prior to works commencing, so there is no expectation that the retaining wall supporting the fill will be inadequate for its purpose.

*Setback from Property Boundary*

The retaining wall will cross the road boundary of 17 McAuley Road, therefore contravening setback for a retaining wall supporting fill. Transport has assessed the proposal and has no issue with the proposed retaining wall subject to detailed design being submitted to and approved by Transport prior to works commencing. The proposed earthworks are not expected to have any adverse impact on the stability of McAuley Road in this location as the existing road will not be excavated and the proposed retaining wall will be required to have building consent.

## **CONCLUSION**

It is appropriate to approve the rights of way, with conditions.

### **Reasons**

1. The proposed rights of way will provide legal and physical access to the five titles. Currently, only legal access is provided through frontage to McAuley Road, and informal physical access.
2. The Council's Transport Department has reviewed the application and has agreed to the creation of the rights of way and the construction of the retaining wall.

## **NOTIFICATION ASSESSMENT**

### **Public Notification**

Section 95A of the Resource Management Act 1991 sets out a step-by-step process for determining public notification. Each step is considered in turn below.

#### Step 1: Mandatory public notification in certain circumstances

- Public notification has not been requested.
- There has been no failure or refusal to provide further information.
- There has been no failure to respond or refusal to a report commissioning request.
- The application does not involve the exchange of recreation reserve land.

#### Step 2: If not required by Step 1, public notification precluded in certain circumstances

- There are no rules or national environmental standards precluding public notification.
- The application does not involve: a controlled activity, nor a boundary activity. As a result, public notification is not precluded under Step 2.

Step 3: If not precluded by Step 2, public notification required in certain circumstances

- There are no rules or national environmental standards requiring public notification.
- The activity will not have, or be likely to have, adverse effects on the environment that are more than minor.

Step 4: Public notification in special circumstances

- There are no special circumstances that warrant the application being publicly notified. There is nothing exceptional or unusual about the application that makes public notification desirable.

**Limited Notification**

Section 95B of the Resource Management Act 1991 sets out a step-by-step process for determining limited notification. Each step is considered in turn below.

Step 1: Certain affected groups and affected persons must be notified

- The activity is not in a protected customary rights area; the activity is not an accommodated activity in a customary marine title area; and, the activity is not on or adjacent to, or might affect, land that is the subject of a statutory acknowledgement.

Step 2: If not required by Step 1, limited notification precluded in certain circumstances

- There are no rules or national environmental standards precluding limited notification.
- The application does not involve a controlled activity.

Step 3: If not precluded by Step 2, certain other affected persons must be notified

- The application does not involve a boundary activity.
- There are no persons where the activity's adverse effects on the person are minor or more than minor.

Step 4: Further notification in special circumstances

- There are no special circumstances that warrant the application being limited notified. There is nothing exceptional or unusual about the application that makes limited notification to any other persons desirable.

**SUBSTANTIVE DECISION ASSESSMENT****Effects**

In accordance with section 104(1)(a) of the Resource Management Act 1991, the actual and potential adverse effects associated with the proposed activity have been assessed and outlined above. It is considered that the adverse effects on the environment arising from the proposal are no more than minor.

**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.

**Objectives and Policies**

In accordance with section 104(1)(b) of the Resource Management Act 1991, the objectives and policies of the 2024 Plan were taken into account when assessing the application.

The proposal is considered to be consistent with the following objectives and policies:

- **Objective 6.2.1 and Policy 6.2.1.1 (Transport Section)**  
These seek to have transportation infrastructure designed and located to ensure the safety and efficiency of the transportation network.
- **Objective 6.2.3 and Policy 6.2.3.9 (Transport Section)**  
These seek to have land use and development activities where adverse effects on the safety and efficiency of the transportation network will be avoided.
- **Objective 6.2.4 and Policies 6.2.4.1 and 6.2.4.2 (Transport Section)**  
These seek to have parking, loading and access provide for the safe and efficient operation of both the internal area and transportation network.
- **Objective 8A.2.1 and Policy 8A.2.1.1 (Earthworks Section)**  
Earthworks necessary for permitted or approved land uses are enabled while avoiding or mitigation adverse effects.
- **Policy 8A.2.1.3 (Earthworks Section)**  
Earthworks exceeding the scale thresholds are only allowed where avoiding or adequately mitigating adverse effects.

The proposal is considered to be consistent with the objectives and policies of the 2024 Plan. It is noted that as with the rule provisions, objective 12.2.4 and the associated policies for new development mapped areas are concerned with subdivision activities. Accordingly, they are not relevant to this proposal.

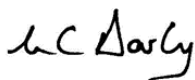
## Part 2

Based on the findings above, it is evident that the proposal would satisfy Part 2 of the Resource Management Act 1991. Granting of consent would promote the sustainable management of Dunedin's natural and physical resources.

## RECOMMENDATION

After having regard to the above planning assessment, I recommend that:

1. This application be processed on a non-notified basis, pursuant to sections 95A and 95B of the Resource Management Act 1991.
2. The Council grant consent to the proposed activity under delegated authority, in accordance with sections 104 and 104C of the Resource Management Act 1991.
3. That approval be granted to the creation of the right of way easement, with conditions.



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Lianne Darby  
**Associate Senior Planner**

Date: 3 March 2026.

**DECISION**

I have read both the notification assessment and substantive decision assessment in this report. I agree with both recommendations above.

Under delegated authority on behalf of the Dunedin City Council, I accordingly approve the granting of resource consent to the proposal:

**POL-2025-58**

*Pursuant to section 348 of the Local Government Act 1974, the Dunedin City Council **grants** approval for the creation of reciprocal rights of way over Lots 81 to 85 DP 193 (RsT OT181/203, OT253/77, OT413/210, OT202/112 and OT363/189) as detailed in the application POL-2025-58 received at Council on 10 December 2025 subject to the following conditions:*

- 1. That a survey standard plan be submitted to Council showing the rights of way. The easements must have a minimum legal width of 3.5m.*
- 2. That the vehicle accesses and accessway within Rights of Way A to G must be formed to a minimum width of 3.0m, comprise an adequate all-weather surface and be adequately drained for its full duration.*
- 3. The retaining wall must be constructed in accordance with the conditions of LUC-2026-57.*

**LUC-2026-57**

*Pursuant to Part 2 and sections 34A(1), 104 and 104C of the Resource Management Act 1991, and the 2024 Partial Operative Second Generation Dunedin City District Plan, the Dunedin City Council **grants** consent to a **restricted discretionary** activity being large scale earthworks, a retaining wall contravening boundary setback, and new vehicle accesses with insufficient sight distances, on the land legally described as Lots 81 to 85 DP 193 (RsT OT363/18, OT202/112, OT413/210, OT253/77, and OT181/203) at 17, 19, 21, 23 and 25 McAuley Road, Portobello, subject to conditions imposed under section 108 of the Act, as shown on the attached certificate*



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Campbell Thomson  
**Senior Planner**

Date: 3 March 2026.

**Consent Type:** Land Use Consent

**Consent Number:** LUC-2026-57

**Purpose:** Large scale earthworks, retaining wall contravening setback; insufficient sight distances from new vehicle accesses.

**Location of Activity:** 17, 19, 21, 23 and 25 McAuley Road, Portobello

**Legal Description:** Lots 81 to 85 DP 193 (RsT OT363/18, OT202/112, OT413/210, OT253/77, and OT181/203))

**Lapse Date:** 3 March 2031, unless the consent has been given effect to before this date.

#### **Conditions:**

1. *The proposed activity must be undertaken in general accordance with the approved plan and long sections prepared by Patersons Land Professionals, attached to this certificate as Appendix One, and the information provided with the resource consent application LUC-2026-57 received by the Council on 10 December 2025, except where modified by the following:*

*Conditions for earthworks to be met prior to works commencing:*

2. *Any walls retaining over 1.5m, or supporting a surcharge/slope, or neighbouring land, including terracing, must have design, specification and supervision by a suitably qualified person. This includes any retaining required for the support of the driveway within the subject sites not specifically identified by this consent.*
3. *That detailed engineering plans showing the details of the construction of the new retaining wall within McAuley Road and within the road setback must be prepared by a suitably qualified person, and must be submitted to the Council at [rcmonitoring@dcc.govt.nz](mailto:rcmonitoring@dcc.govt.nz) for certification by the Resource Consents Manager.*
4. *That building consent must be obtained for the retaining wall prior to works commencing.*
5. *The consent holder must provide notice to the resource consent monitoring team by email to [rcmonitoring@dcc.govt.nz](mailto:rcmonitoring@dcc.govt.nz) of the start date of the earthworks associated with the retaining wall. This notice must be provided for each stage at least five (5) working days before the works are to commence.*

*Conditions to be met at commencement of, or during, site works or construction:*

6. *The earthworks and retaining wall construction must be undertaken in accordance with the approved plans of condition 3 and the building consent of condition 4 above.*
7. *The consent holder must:*

- *be responsible for all contracted operations relating to the exercise of this consent; and*
  - *ensure that all personnel (contractors) working on the site are made aware of the conditions of this consent, have access to the contents of consent documents and to all associated erosion and sediment control plans and methodology; and*
  - *ensure compliance with land use consent conditions.*
8. *The consent holder's engineer must be engaged to determine any temporary shoring requirements at the site during earthworks construction and the consent holder must install any temporary shoring recommended by the engineer.*
  9. *The earthworks must be undertaken with the principles of industry best practice applied at all stages of site development including site stability, stormwater management, traffic management, along with dust and noise controls at the site.*
  10. *To ensure effective management of erosion and sedimentation on the site during earthworks and as the site is developed, measures are to be taken and devices are to be installed, where necessary, to:*
    - *divert clean runoff away from disturbed ground;*
    - *control and contain stormwater run-off;*
    - *avoid sediment laden run-off from the site'; and*
    - *protect existing drainage infrastructure sumps and drains from sediment run-off.*
  11. *Excavated slopes must be supported within one month of commencing the earthworks.*
  12. *No soil disturbance or soil shifting, unloading, loading will take place if wind speed is higher than 14 metres per second if the soil is dry and prone to becoming airborne, unless a dust suppressant is applied.*
  13. *All loading and unloading of trucks with excavation or fill material is to be carried out within the subject site.*
  14. *Surplus of unsuitable material is to be disposed of away from the site to a Council approved destination.*
  15. *Slopes may not be filled steeper than 2h:1v (27°) or be more than 2.0m high without specific engineering design and certification.*
  16. *Any modifications to stormwater flow or new culverts shall be designed by appropriately qualified person/s and ensure that overland stormwater flows are not interrupted and not increase any adverse effects from local ponding during storm rainfall events.*
  17. *Should the consent holder cease, abandon, or stop work on site for a period longer than 6 weeks, the consent holder must first take adequate preventative and remedial measures to control sediment discharge/run-off and dust emissions, and must thereafter maintain these measures for so long as necessary to prevent sediment discharge or dust emission from the site. All such measures must be of a type and to a standard which are to the satisfaction of the Resource Consent Manager.*

*Conditions to be met following the conclusion of site works or construction:*

18. *If at the completion of the earthworks operations, any public road, footpath, landscaped areas or service structures that have been affected/damaged by contractor(s), consent holder, developer, person involved with earthworks or building works, and/or vehicles and machineries used in relation to earthworks and construction works, must be reinstated to the satisfaction of Council at the expense of the consent holder.*

**Advice Notes:**

Earthworks

1. The following documents are recommended as best practice guidelines for managing erosion and sediment-laden run-off:
  - The Erosion & Sediment control Toolbox for Canterbury found on the ECan website link CRC Erosion & Sediment Control Toolbox <http://esccanterbury.co.nz>
  -

Transportation

2. It is recommended that all the owners and users of the shared access enter into a formal agreement so as to clarify maintenance responsibilities.
3. The vehicle crossing, between the road carriageway and the property boundary, is within legal road and will therefore require a separate Vehicle Entrance Approval from DCC Transport to ensure that the vehicle crossing is constructed/upgraded in accordance with the Dunedin City Council Vehicle Entrance Specification (note: this approval is not included as part of the resource consent process). Approval to form a driveway on legal road will also be required from Transport.
4. It is advised that the property owner will be responsible for the future maintenance of the retaining structure within road reserve and DCC Transport does not accept liability for the maintenance of any privately maintained structures that are either partly or wholly within the legal road corridor.

General

5. 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.
6. 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.
7. 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.
8. The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.

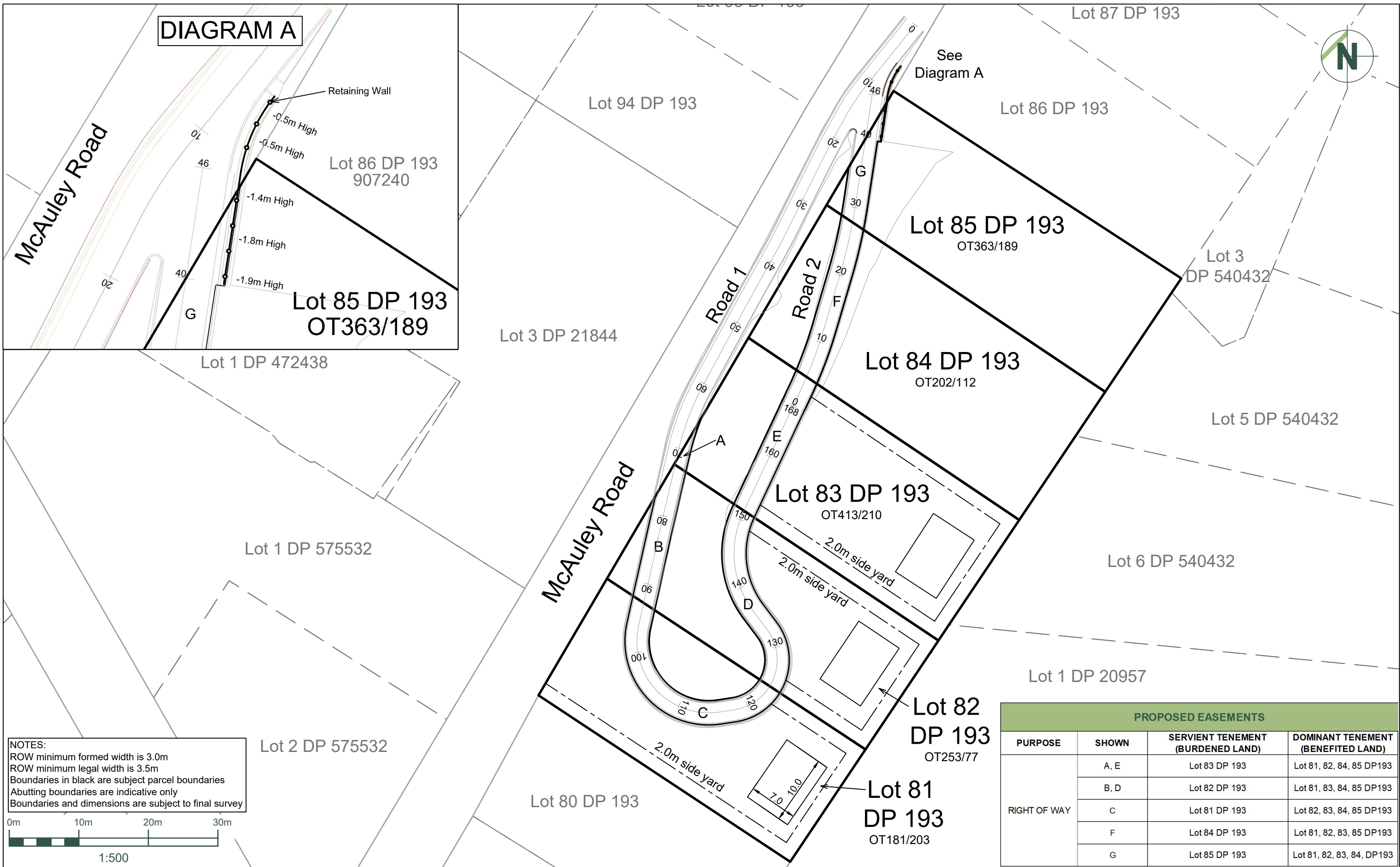
9. This is a resource consent. Please contact the Council's Building Services Department, about the building consent requirements for the work.

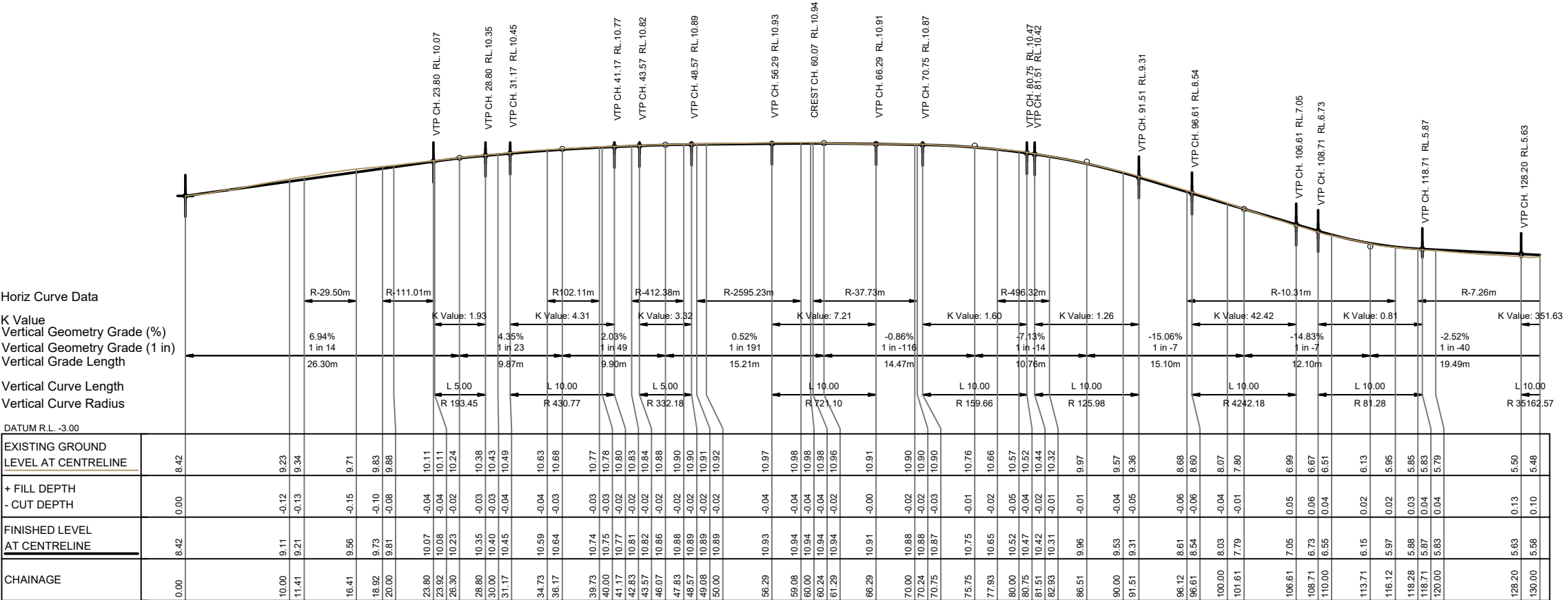
Issued at Dunedin on 3 March 2025.

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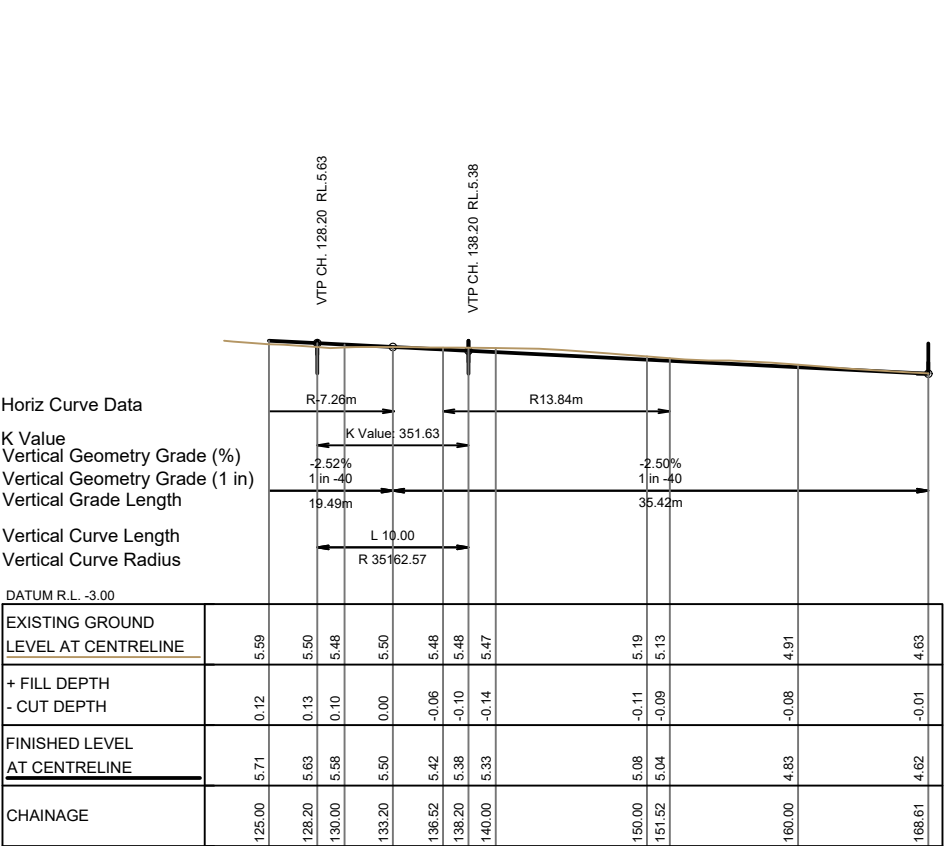
Lianne Darby  
**Associate Senior Planner**

Approved Plan for POL-2025-58 and LUC-2026-57 (scanned image, not to scale)

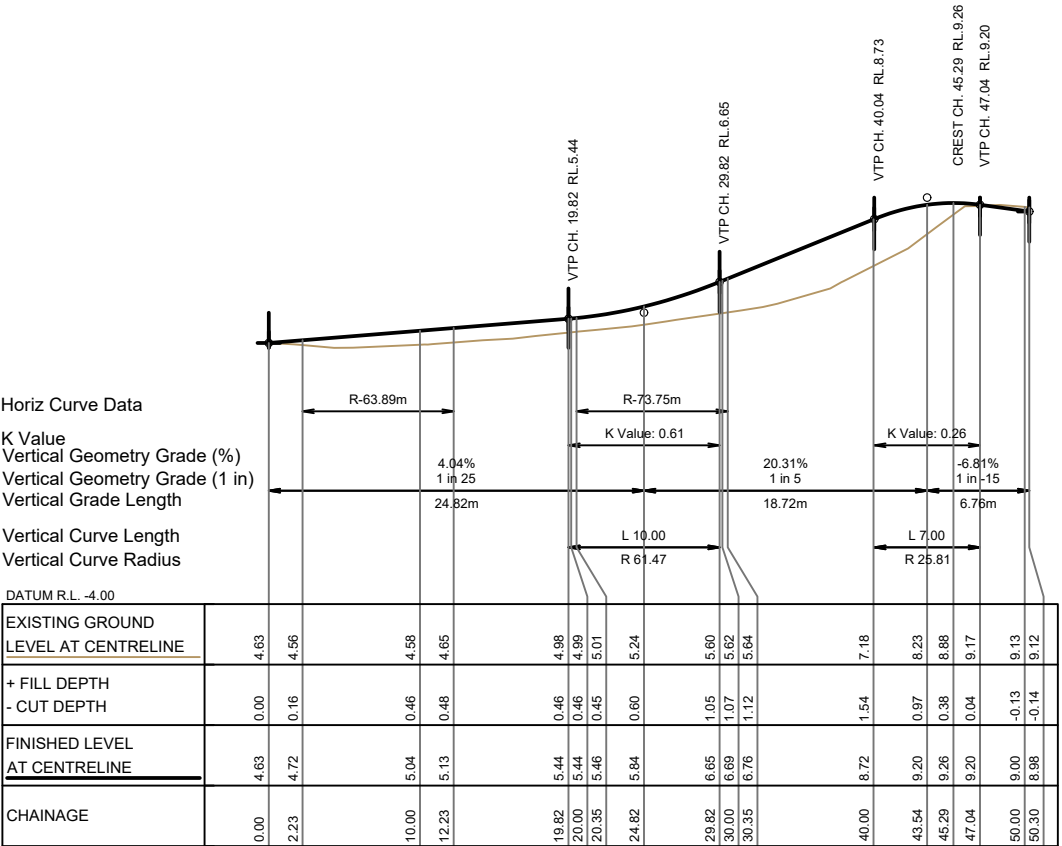




Road 1 - Longsection



Road 1 (Continued) - Longsection



Road 2 - Longsection