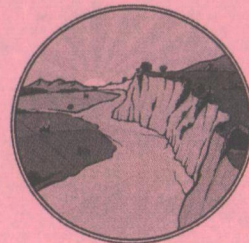


Rangitikei District Council
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Rangitikei
UNSPOILT...



8th May 2006

File: SU1/559
Ref: 060003

MJ & SC O'Leary
C/- Harrison & O'Sullivan
PO Box 4136
WANGANUI

1087

Dear M J & S C O'Leary

Resource Consent 060002 Decision Notification
Rural Subdivision: 4363 Haunui Road, Otakapu

I enclose the Council's decision on the Resource Consent Application 060003 that you lodged for Rural Subdivision at 4363 Haunui Road, Otakapu.

Costs associated with the processing of this application were \$350. An invoice is attached.

Information: This decision has been made under the authority delegated from Council. Further details, including reasons for the decision, are provided in the enclosed officers' report. You are advised that you have the right of objection to the consent authority pursuant to Section 357 of the Resource Management Act 1991, in respect of the above decision, within 15 working days of the receipt of this decision. Should you wish to object to this decision please advise in writing to this office, setting out the reasons for the objections, within the above time.

The applicant is further advised, pursuant to section 125 of the Resource Management Act 1991, that this consent will lapse on the expiry of five years after the date of commencement of the consent unless the consent is given effect to within that period.

Yours faithfully

Vanessa Jones
Planning Consultant

RESOURCE MANAGEMENT ACT 1991

RESOURCE CONSENT 060003

In terms of the Resource Management Act 1991 and pursuant to Delegated Authority from the Rangitikei District Council, the application from:

M J & S C O'Leary

FOR

Rural Subdivision

AT

4363 HAUNUI ROAD, OTAKAPU
LOT 2 DP 66248 BLK XII IKITARA S.D.

BE GRANTED

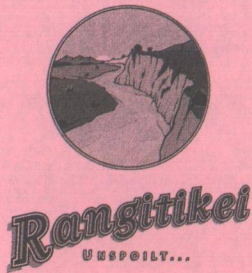
Pursuant to sections 104C and 108 of the Resource Management Act 1991, this application has been granted under delegated authority by Council Officers, subject to the following conditions:

- (A) The activity be generally in accordance with the application lodged with the Rangitikei District Council on 4 January 2006 and amended plan submitted on the 28 April 2006.
- (B) That a vehicular access to proposed Lot 2 be constructed to the standards specified in Part 23 and Figure 23.1 of the Rangitikei District Plan.
- (C) That all easements be duly created and reserved.
- (D) Fees will be charged to recover actual and reasonable costs incurred in monitoring the conditions of this consent.

The reasons for granting this application are that: the proposal is not contrary to the objectives and policies of the District Plan and the granting of the application is in accordance with the Purpose and Principles of the Resource Management Act 1991. Further details are provided in the officers' report.

.....
Dorstan Hayman
ENVIRONMENTAL AND REGULATORY SERVICES MANAGER
Authorised Officer

Dated at Marton this 8th May 2006



Rangitikei District Council

High Street
Marton
Private Bag 1102
Marton
Telephone
(06) 327-8174
Facsimile
(06) 327-6970

Tax Invoice

MJ & SC O'Leary
C/- Harrison & O'Sullivan
PO Box 4136
Wanganui

Tax Invoice GST Reg. No 51-668-596

Issue Date: 9/05/06

Customer Number **RM060003**
Tax Invoice **26317**

Qty	Description	Rate	Amount
	Subdivision Applications		350.00 *
(* Incl GST	\$38.89)	Total	\$350.00 =====

TOTAL NOW DUE

RDC Invoice EC02

Please detach here and send this portion with your remittance



Private Bag 1102
Marton

Receipts for mail remittances issued on request only

Rangitikei District Council

Debtor Number: **RM060003**
Name: **MJ & SC O'Leary**



TOTAL NOW DUE

350.00

Amount Paid if Different
from Total Due \$ _____

Payment Method

Please tick appropriate box

☐ Cheque

☐ Cash

☐ EftPos

IN THE MATTER

of an application for
subdivision resource
consent pursuant to
Section 94 of the
Resource Management
Act 1991.

BETWEEN

MJ & SC O'Leary
C/: Harrison & O'Sullivan
Applicant

AND

Rangitikei District
Council

Consent Authority

Consent No:

RM 060003

FOR THE ENVIRONMENTAL AND REGULATORY SERVICES MANAGER

RESOURCE MANAGEMENT ACT 1991 SUBDIVISION CONSENT RM060003

- 1.0 **For:** The Environmental and Regulatory Services Manager.
- 1.1 **Report:** Compiled by Vanessa Jones, Planning Consultant.
- 1.2 **File:** SUI/559
- 1.3 **Proposal:** Rural Subdivision
- 1.4 **Location:** 4363 Haunui Road, Otakapu
- 1.5 **Legal Description:** Lot 2 DP 66248 Blk XII Ikitara S.D.
- 1.6 **Valuation Reference:** 13470/13502
- 1.7 **Zone:** Rural Rangitikei District Plan
- 1.8 **Status of Application:** Limited Discretionary Activity, Rangitikei District Plan

2.0 In this report I provide the following:

- A brief outline of the proposal and site
- A summary of the further information requested
- A summary of consultation
- An analysis of the statutory considerations
- An assessment of the effects of the proposal
- A recommendation, including conditions

3.0 **The Application**

- 3.1 The applicants run a large dairy farm in the Ruatangata Road and Haunui Road area. They have several certificates of titles within the area as the applicants purchase any land that comes up for sale in the area of their farming operation. The result of this leaves them with a number of dwellings on the properties of which they have no use for. It is therefore necessary to subdivide the properties into smaller lots in order for these surplus dwellings to be sold.
- 3.2 This application will be to subdivide a rural property located on Haunui Road, Otakapu. There is an existing dwelling and shed on proposed Lot 1. Proposed Lot 1 will be 2410m² in size. There is an existing septic tank system installed on the site with the effluent drainage system being within the boundaries of the allotment. Water supply is tank supply. The dwelling is already connected to electricity and telecommunication services. Access to the site will be via an existing metalled drive and sealed access. The Assets Department of the Rangitikei District Council has indicated that this access is acceptable.
- 3.3 Proposed Lot 2 is the site that will be retained by the applicants. The size of the lot will be 8.42ha. It has been indicated that the lot will be used primarily for farming purposes, no dwellings are intended to be constructed on the site. Therefore no

services have been proposed for the lot. It has been indicated by the applicant that they wish to establish an access to the site, however it has not been specified whether this will be located.

4.0 **Summary of the Further Information Requested**

- 4.1 A letter requesting further information was sent on the 30th January 2006. This letter requested that the applicant confirm whether the septic tank disposal unit would be contained wholly within the boundaries of proposed Lot 1. In addition, a site visit established that the subdivision would fail to comply with the building setback requirements of the Rangitikei District Plan. On the 28th of April 2006, the applicant resubmitted a scheme plan showing amendments to the originally proposed boundaries in order for the application to comply with the building setback standards. The applicants also confirmed that the septic tank disposal system and effluent drainage field would be contained wholly within the boundaries of Lot 1.

5.0 **Consultation**

- 5.1 As the persons affected by this subdivision are a party to it, no consultation with neighbours was considered necessary in the processing of this application.
- 5.2 Council's Assets Department was consulted for comment on the subdivision. Their comments related to vehicular access points to both proposed lots and sewage disposal for proposed Lot 1. The Assets Department have indicated that the existing vehicle access for proposed Lot 1 is constructed to an acceptable standard. Further, the department have indicated that the proposed new access for proposed Lot 2 will be required to comply with Rule 23.1.2 and be constructed to the standards specified in Figure 23.1 of the Rangitikei District Plan.

6.0 **Statutory Considerations**

Notification

- 6.1 The application has been treated as a non-notified application in terms of Section 93 of the RMA.
- 6.2 Section 93 states:-
- (1) *"A consent authority must notify an application for a resource consent unless –*
- (b) The consent authority is satisfied that the adverse effects on the environment of the activity for which consent is sought will be minor."*

Section 94 goes on to state:-

- (1) *"If notification is not required under section 93(1), the consent authority must serve notice of the application on all persons who, in the opinion of the consent authority, may be adversely affected by the activity, even in some of those persons have given their written approval to the activity."*
- (2) *"However, a consent authority is not required to serve notice of the application under subsection (1) if all persons who, in the opinion of the consent authority, may be adversely affected by the activity have given their written approval to the activity."*
- 6.3 The environmental effects of the proposal are considered to be minor. It is considered that any persons affected by this proposal are a party to it. Therefore both notification and written approval from affected parties are not deemed necessary.

6.4 Section 104(1) of the Act directs a consent authority, subject to Part II, to have regard to certain matters when considering a resource consent application.

6.5 The relevant matters with regard to this application are:

6.2.1 *Any actual and potential effects on the environment of allowing the activity; and*

6.2.2 *Any relevant plan or proposed plan; and*

6.2.3 *Any other matters the consent authority considers relevant and reasonably necessary to determine the application.*

6.2.4 *Part II of the Act relates to the purpose of promoting the sustainable management of natural and physical resources.*

6.6 This application was assessed against the Rangitikei District Plan which was made operative on the 9th of July 1999.

6.7 The plan contains a number of objectives and policies that are relevant in the consideration of this application. Of particular relevance are:

OBJECTIVE 7 Provision for activities in the rural environment in a way that maintains and enhances environmental amenity, and community health, safety, and convenience.

OBJECTIVE 8 Provision for a range of allotments suitable to support diverse rural production and rural communities.

POLICY 8.1 Ensure that all new subdivided allotments are able to make provision for:

- Water supply to the allotment;
- Disposal of sewage effluent from any residential dwelling that might reasonably be expected to be erected on the allotment in the future; and
- Essential network utilities including electricity supply and telecommunications.

OBJECTIVE 11 Avoidance and, where necessary, mitigation or remediation of the adverse effects of natural hazards on human life, property and the natural environment.

POLICY 11.1 Where land is proposed to be subdivided and the land is intended or expected to be used for human occupation, ensure that the land is protected from material damage caused by: erosion, subsidence, slippage, debris flow, surface water flooding and tsunamis.

OBJECTIVE 15 Protection of the natural character of wetlands, lakes, rivers, and their margins; from inappropriate subdivision use and development and; appropriate management of riparian margins of waterways to protect the in-stream values, water quality, natural habitat values, and landscape values of water bodies.

POLICY 15.1 Promote responsible care of the riparian margins including land management practices which improve the quality and natural functioning of water bodies.

OBJECTIVE 21 Achieve an adequate land transport infrastructure to efficiently and safely support the people and economic activity of Rangitikei District.

POLICY 21.2 Ensure that all subdivisions and developments of land provide for future connections to existing roads consistent with the roading hierarchy.

- POLICY 21.7 Require all proposed allotments to have access from a public road suitable for the safe and efficient carriage of vehicles, cyclists, and pedestrians.
- OBJECTIVE 23 Protection of the safety and efficiency of the land transport infrastructure from the adverse effects of land use activities
- POLICY 23.1 Ensure that activities do not give rise to adverse effects, including increased traffic or changed traffic type, which could compromise the safe and efficient operation of any road; or the safe and convenient movement of pedestrians and cyclists on public roads.
- POLICY 23.2 Ensure vehicle crossing places and vehicle entrances from public roads are safely located, constructed, and maintained to standards appropriate to the function of the road and the circumstances of traffic volume, pedestrian movement, and speed environment of each road.

It is considered that the land is sustainable at present. Activities on proposed Lot 2 will remain status quo. The applicants have no use for additional dwellings for their farming business, therefore the subdivision will make good use of existing dwellings in the area. It has been considered that the proposed subdivision will have no more than a minor effect on the surrounding environment.

Relevant Rules

This site lies within the rural zone specified in the Rangitikei District Plan.

- 6.8 The District Plan lists subdivision of land as a controlled activity. However, as the proposed subdivision will not provide for electricity and telecommunications services, or sewage disposal and water supply to proposed Lot 2, the application must be treated as a Limited Discretionary Activity. The matters over which Council has reserved its control with regard to this subdivision as a limited discretionary activity are contained in the rules in sections 15.2, 15.5 of the Plan together with parts 21, 22 and 23.
- 6.9 There are no rules of relevance in part 22 of the District Plan to this subdivision application and the relevant rules from Sections 15.2, 15.3, 15.4 and parts 21 and 23 are as follows:

- | | |
|---------|------------------------|
| 15.2.10 | Water Supply |
| 15.2.11 | Waste Disposal |
| 15.2.12 | Surface Water Disposal |
| 15.2.14 | Vehicle Access |
| 21.1.3 | Water Supply |
| 21.1.4 | Sewage Waste Disposal |
| 21.1.5 | Surface Water Disposal |
| 21.1.6 | Electricity Supply |
| 21.1.7 | Telecommunications |

7.0 Assessment of Effects

7.1 Services

- Water Supply
Existing water supply for proposed Lot 1 is from a water tank supply located on the property. There is no intention to supply proposed Lot 1 as the land will be used for farming purposes only.

- **Sewage Disposal**

Proposed Lot 1 has an existing on-site sewage and effluent disposal system. The system is contained wholly within the boundaries of site. Proposed Lot 2 has no sewage disposal system currently in place, however an on-site septic tank and effluent disposal unit will be able to be located within its boundaries if necessary for future use.

7.2 Vehicle Access

Proposed Lot 1 has an existing sealed vehicular access off Haunui Road. The driveway to the existing dwelling is metalled. The access has been assessed by the Assets Department of the Council and has been considered that the standard of this access point is acceptable.

The applicants have indicated that a new access point will be constructed for proposed Lot 2. However, the submitted site plan does not show the location of the proposed access for the site. The Assets department have therefore specified that any new access proposed for the lot will be required to comply with Rule 23.1.2 and be constructed to the standards outlined in Figure 23.1 of the Rangitikei District Plan.

7.3 Electricity and Telecommunications

The dwelling on proposed Lot 1 is already connected to electricity and telecommunication services. The intended use of land of proposed Lot 2 is for farming purposes only, therefore the applicant does not propose to establish either electricity or telecommunication services to the site at this stage. Therefore comments from Telecom and Powerco have not been sought for this application.

7.5 Allotment Size and Shape

The proposed allotments are of sufficient size to sustain the activities that currently take place on them and could sustain the activities listed as permitted for the rural zone.

8. **Summary of Effects**

8.1 Conditions imposed on the granting of consent will be required to ensure that the subdivision is consistent with the application.

8.2 Provided conditions are attached to this subdivision consent there will be no significant adverse effects arising from the proposal.

9. **Recommendation**

9.1 It is recommended that this application be granted, pursuant to Section 104C of the Resource Management Act 1991 and in accordance with Section 220 subject to the following conditions:

(A) The activity be generally in accordance with the application lodged with the Rangitikei District Council on 4 January 2006 and amended plan submitted on the 28 April 2006.

(B) That a vehicular access to proposed Lot 2 be constructed to the standards specified in Part 23 and Figure 23.1 of the Rangitikei District Plan.

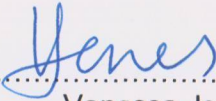
(C) That all easements be duly created and reserved.

(D) Fees will be charged to recover actual and reasonable costs incurred in monitoring the conditions of this consent.

10. **Reasons For The Recommendation**

10.1 It is considered the proposed subdivision of this property is consistent with all-relevant rules, policies and objectives of the District Plan.

The subdivision will enable people to provide for their social and economic well-being, while providing for those matters specified in Section 5(2)(a), (b) and (c) of the Resource Management Act 1991.



Vanessa Jones

PLANNING CONSULTANT

8 May 2006

For Dorstan Hayman

ENVIRONMENTAL AND REGULATORY SERVICES MANAGER