

FILE

16 December 1996

Please Quote: 6596111

Your Ref: JF4640

Doc No: 38565

Phipps Hawley
Surveyors
PO Box 190
ROTORUA

Attention: PJ Hawley

Dear Sir,

APPLICATION FOR SUBDIVISION CONSENT-JACKSON
OTONGA ROAD

At its meeting on 13 December 1996, Council resolved that the objection to delete condition (i) of consent 6596111 granted 13 September 1996, be upheld in terms of Section 357 of the Resource Management Act 1991

Yours faithfully



Todd Whittaker
Planner



RRD001R4MI

Document Number: RDC-248984

Date Registered: 20/3/2012

FILE

19 November 1996

Please Quote: 6596111

Doc No: 35993

Phipps Hawley
PO Box 190
ROTORUA

Attn: PJ Hawley

Dear Sir

**OBJECTION TO APPROVE CONDITION OF: JACKSON,
32 OTONGA ROAD SPRINGFIELD**

At its meeting on 18 November 1996 Council considered the objection received to condition i] of the original consent and the condition be amended to read:

- i] That a geothermal easement in Lot 2 be laid off as a schedule of easement in favour of Lot 1.

Yours faithfully

Joanne Watts
Planning Supervisor

Approved 18/11/96

**VARIATION TO CONDITION OF COUNCIL CONDITIONAL
SUBDIVISION CONSENT - PROPOSED SUBDIVISION OF LOT 48 DP 27272 -**

LH JACKSON SUBDIVISION: 32 OTONGA ROAD

Introduction

On 12 September 1996, Council approved the subdivision of one lot into two subject to five conditions. The condition to be varied reads:

- "i) That a geothermal easement in Lot 2 be laid off in favour of Lot 1".

Basis of Variation

This condition required that the existing house on Lot 1 is supplied with geothermal steam and water from a bore in an adjoining property which is piped through Lot 2. It was stated and shown on the Scheme Plan that the geothermal steam and water would be protected by an easement in favour of Lot 1.

A request has been made by Phipps Hawley Ltd, asking that requiring the laying off of a Geothermal Easement be reconsidered and deleted. The reason for this is that an easement required by Subdivision Consent is a Memorandum of Easement which then requires Council's consent to uplift. Alternatively, a schedule of easement is registered which does not require other than the private parties to agree.

Although the easement was referred to in the applicant's report, it is not essential to the Subdivision and can be deleted and treated as a Schedule of easement.

RECOMMENDATION

THAT CONDITION i) OF THE SUBDIVISION CONSENT BE AMENDED AS:

- i) **THAT A GEOTHERMAL EASEMENT IN LOT 2 BE LAID OFF IN A SCHEDULE OF EASEMENT IN FAVOUR OF LOT 1.**


Keith Pomare
Consent Engineer

November 18, 1996