

4 May 1998

Messrs Gourdie & Ward
277 Hardy Street
NELSON

Dear Sir/Madam

Application For Resource Consent Under Section 88: Resource Management Act 1991:

Application No: 985135
Applicant: V and J Stewart
Property: 21 Douglas Road/209 Annesbrook Drive

Your application for subdivision of Certificate of Title 2B/1009 into two lots was considered by Officers acting under delegated authority on 28 April 1998.

Consent was granted subject to the following conditions:

1. **Reserves**
Reserve Fund Contribution required prior to the 224 Certificate payable on Lot 1 at the rate of 7.5% plus GST of the market value of the land.

If the contribution is not paid before Section 224 certification the subdivider will be required to enter into a bond (Section 108(1)(b) Resource Management Act 1991).

2. **Street Numbers**
The street numbers allocated are:

Lot 1 209 Annesbrook Drive
Lot 2 21 Douglas Road

**** Note:** These shall be shown on the final plan.

The street number for the existing house shall be changed and correctly displayed before the final plan is approved under Section 223. The cost of a name plate for any new private way shall be charged to the subdivider prior to installation.

Council resolves under Section 321(3)(c) local Government Act 1974 that the Right of Way 101299 provides adequate access to Lot 2 and that Section 321(1) of the Act shall not apply.

Lot 1 shall relinquish its right over the existing ROW as it is remote from the site.

3. **Access**

As the access to Lot 1 is steeper than 1 in 8, access shall be provided to a carparking area within the lots and complying with the District Plan. The access to Lot 1 shall be sealed to at least 2.0m onto the site and an access crossing formed.

4. **Sewerage Drainage**

A sewerage drain connection shall be provided to each lot/dwelling.

5. **Stormwater Drainage**

Stormwater Drain connection shall be provided from each lot/dwelling to an approved system. A cut off drain shall be installed up slope and with the top of Lot 1 and draining to an approved system.

6. **Water Supply**

A water supply connection shall be provided to each lot/dwelling.

7. **Cabling**

Live telephone and electric power connections shall be provided to each lot and all wiring shall be underground to the normal requirements of the Nelson City Council. Confirmation of the above from the certified installer, and a copy of the letter of compliance will be required prior to the release of a 224 Certificate.

8. **Engineering Requirements**

All work in the above mentioned items shall be completed by the subdivider to the Council's standard requirements for engineering works.

Easements /easements in gross will be required on services as required by the Council.

9. **Engineering Certificate**

Certification that there is a site on Lot 1 suitable for the erection of a residential building, and written in the standard form, shall be submitted from a Registered Engineer, experienced in the field of soils engineering (and more particularly land slope and foundation stability). The certificate shall define on Lot 1 the area suitable for the erection of residential buildings in accordance with NZS 4431:1989. This is required at the 224 Certificate stage. Further conditions may be imposed when this has been received, together with a statement of suitability for earth fill.

The small slip shown in the geotechnical report and on Figure 1 shall be removed and re-graded as set out in the report.

At the completion of the construction of the works a certificate (Construction Review) from an approved engineering professional is required certifying that the works have been constructed to the appropriate standard.

INFORMATION AND ADVICE TO APPLICANTS

Survey Plan (Section 223)

1. The final plan will be approved within 2 years of the consent date if the items marked ** are met.
2. The Section 223 endorsement on the final plan shall include the following:
 - a) Memorandum/schedule of easements in gross.
 - b) Conditional upon the granting or reserving of the easements shown in the memorandum endorsed hereon.
 - c) For access pursuant to Section 321(3)(c) Local Government Act 1974 (see)

Your status as applicant for this resource consent provides you with certain rights with regard to the Council's decision.

For your general guidance, Sections 127 and 357 of the Resource Management Act 1991 provide rights with respect to:

1) Objection to Certain Decisions and Requirements of Consent Authorities (Section 357)

If your consent was not publicly notified, or was notified **and** no submissions were received **or** any submissions received were withdrawn, you have the right to object to all or part of this decision. An objection must be lodged with the Council within 15 working days of your receipt (or receipt by the person who filed the application on your behalf) of the Council's formal decision. Reconsideration of the decision will require further assessment of costs incurred in accordance with Council processing charges.

2) Application for Change or Cancellation of Consent Conditions. (Section 127)

An application to change or cancel a consent condition can be made to the Council at any time. Such an application is treated in a similar manner to a resource consent application incurring normal Council processing charges. If the consent condition(s) you wish to have deleted or changed resulted from a resource consent application that was publicly notified, you should first obtain written consent from all those persons who made a submission on this application.

If you are intending to exercise your legal rights regarding the Council's decision and you are in any doubt as to how to proceed, it is strongly recommended that you consult your Agent/Lawyer.

You should note that a resource consent lapses on the expiry of **two years** after the date of commencement of that consent, unless the consent is given effect to, or after the expiry of such a shorter/longer period as is expressly provided for in the consent. Section 125 of the Resource Management Act 1991 details matters relating to the extension of consent duration.

This letter deals with certain Resource Management aspects of this proposal only and in no way indicates that the application satisfies the requirements of the Building Act 1991 with respect to drainage, retaining walls or any other structure subject to a consent pursuant to the Building Act 1991. A separate application for a building consent may be required.

If a building consent is required and you have not already done so, you should now apply for a building consent and await confirmation or otherwise that your proposal meets building code requirements.

Section 224(1)(c) Certificate

Written advice that all the conditions of the subdivision consent approval have been met (bonded or covered with a deposit) is required before the issue of the certificate is considered.

The costs incurred in processing this application will be invoiced following the issue of the Section 224 Certificate.

Yours faithfully

J S Pattison
Development Planner