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district council

RM120752

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29 November 2012

K B Trout Properties Ltd
C/- Nikkel Surveying Ltd
PO Box 423
Motueka 7143

RECEIVED

04 DEC 2012

T.D.C. MOTUEKA

Dear Sir/Madam

**DECISION ON NON-NOTIFIED RESOURCE CONSENT APPLICATION NO. RM120752 –
K B TROUT PROPERTIES LTD – DISCHARGE OF STORMWATER TO LAND**

Pursuant to Section 114 of the Resource Management Act 1991 ("the Act"), please find enclosed a copy of the Council's decision on your application for resource consent referred to above.

Section 357A of the Act provides you with the right to lodge an objection with the Council in respect of this decision and/or any associated conditions. Any such objection must be made in writing setting out the reasons for the objection and must be lodged with the Council, together with a deposit fee of \$200.00 (GST inclusive), within 15 working days of receiving this letter.

At this stage the Council has not calculated the final costs of processing your application. Should the final costs exceed the deposit already paid, then as previously advised, you will be invoiced separately for these costs. Should the final costs be less than the deposit already paid, then you will receive a refund. Where the costs are equal to the deposit already paid, no further action is required. You will receive a letter shortly regarding the final costs of processing your application.

You may commence your activity immediately unless you lodge an objection to this decision. However, it is important that you check the conditions of your consent carefully as some of them may require you to provide information and/or plans to the Council before you may commence your activity. In addition, in some cases you may also require other permits or building consents for your activity and these must be obtained before you can commence your activity.

Please note that under Section 125 of the Act, your consent will lapse in 5 years unless you have given effect to it before then.

Please feel free to contact me if you have any questions regarding any aspect of your consent or its conditions. My contact details are listed at the top of this letter.

Yours faithfully

Michael Croxford
Consent Planner, Natural Resources

RESOURCE CONSENT DECISION

Resource consent number: RM120752

Pursuant to Section 104B of the Resource Management Act 1991 ("the Act"), the Tasman District Council ("the Council") hereby grants resource consent to:

K B Trout Properties Limited

(hereinafter referred to as "the Consent Holder")

Activity authorised by this consent: Discharge of Stormwater to Land on Proposed Lot 2 of Subdivision RM120437

Location details:

Address of property: 40 Wharf Road, Riwaka
Legal description: Lot 3 DP 2249
Certificate of title: NL88/60
Valuation number: 1933034600
Location co-ordinates: 2510593E 6014837N (New Zealand Map Grid Datum)

Pursuant to Section 108 of the Act, this consent is issued subject to the following conditions:

CONDITIONS

- 1 The Consent Holder shall ensure that all works are carried out in general accordance with the application submitted to Council dated 2 October 2012 unless inconsistent with the conditions of this consent, in which case these conditions shall prevail.
- 2 The Consent Holder shall show at the time of applying for building consent that the details of the proposed stormwater design for proposed Lot 2 meets Conditions 1 to 10 of this consent.
- 3 The stormwater from hard surfaces (including roofs) shall be piped to a soakage system located no more than 10 metres from the test pit as shown on Plan A attached. Soakage system dimensions required shall be nominated and certified by a Registered Engineer and submitted to Council for approval at the time of applying for building consent. The soakage system shall be designed in general accordance with the Council's Engineering Standards for a maximum soakage rate of 150 mm/minute determined for soakage through the base of the system only.

An alternative system may be installed provided that it is designed by a Registered Engineer and approved by Council's Engineering Department.
- 4 Run-off from hardstand areas not able to be directed to the soakage system and overflow from the soakage system shall be conveyed in a controlled manner to the roadside berm of Wharf Road.

- 5 The stormwater management system installed shall be maintained in good working order at all times.
- 6 All aspects of the stormwater systems shall be checked on a regular basis as required, but not less than once every year.
- 7 No part of the stormwater management system installed may be altered or removed without the prior approval of the Council's Engineering Department.
- 8 The discharge shall not cause or contribute to erosion of land.
- 9 The discharge shall not cause the production of conspicuous oil or grease films, scums or foams, or floatable or suspended material in any receiving water.
- 10 The quality of treated stormwater discharge authorised by this consent shall not exceed the following quality standards:
 - (a) Total petroleum hydrocarbons 15 milligrams per litre
 - (b) Total suspended solids 100 milligrams per litre
- 11 The Consent Holder shall ensure the consent is transferred to the new property owner. The transferor remains responsible for compliance with the terms and conditions of the consent until written notice of the transfer is given to the Council.

Review of Consent Conditions

- 12 The Council may, during the month of November each year, review any or all of the conditions of the consent pursuant to Section 128 of the Resource Management Act 1991 for all or any of the following purposes:
 - (a) to deal with any adverse effect on the environment which may arise from the exercise of the consent that was not foreseen at the time of granting of the consent, and which is therefore more appropriate to deal with at a later stage; and/or
 - (b) to require the Consent Holder to adopt the best practical option to remove or reduce any adverse effects on the environment resulting from the discharge; and/or
 - (c) to review the contaminant limits, loading rates and/or discharge volumes and flow rates of this consent if it is appropriate to do so; and/or
 - (d) to review the frequency of sampling and/or number of determinands analysed if the results indicate that this is required and/or appropriate;
 - (e) to require consistency with any relevant Regional Plan, District Plan, National Environmental Standard or Act of Parliament.

Expiry

- 13 Pursuant to Section 125 of the Act this consent shall lapse 10 years after the date this consent is granted unless either the consent is given effect to, or the Council has granted an extension pursuant to Section 125(1)(b) of the Act.
- 14 This resource consent expires on 27 November 2047.

ADVICE NOTES

- 1 Officers of the Council may also carry out site visits to monitor compliance with resource consent conditions.
- 2 The Consent Holder should meet the requirements of the Council with regard to all Building and Health Bylaws, Regulations and Acts.
- 3 Access by the Council or its officers or agents to the property is reserved pursuant to Section 332 of the Resource Management Act.
- 4 All reporting required by these consents should be made in the first instance to the Council's Co-ordinator Compliance Monitoring.
- 5 Council draws your attention to the provisions of the Historic Places Act 1993 that require you in the event of discovering an archaeological find (eg, shell, midden, hangi or ovens, garden soils, pit, depressions, occupation evidence, burials, taonga) to cease works immediately, and tangata whenua, the Tasman District Council and the New Zealand Historic Places Trust should be notified within 24 hours. Works may recommence with the written approval of the Council's Environment & Planning Manager, and the New Zealand Historic Places Trust.
- 6 These resource consents only authorise the activity described above. Any matters or activities not referred to in these consents or covered by the conditions must either:
 - (a) comply with all the criteria of a relevant permitted activity rule in the Tasman Resource Management Plan (TRMP);
 - (b) be allowed by the Resource Management Act; or
 - (c) be authorised by a separate resource consent.

REASONS FOR THE DECISION

Background to Proposed Activity

The applicant proposes to create an additional lot on which to construct a dwelling and associated buildings within the Residential Zone.

Soakage rates on the site have been assessed by Tasman Consulting Engineers and deemed adequate for the proposed level of development. Tidal influences on groundwater level have also been considered given the close proximity to the coastal environment.

For these reasons it is considered that the adverse effects on the environment will be less than minor.

Tasman Resource Management Plan ("TRMP") Area and Rules Affected

According to the TRMP the following apply to the application site:

Area(s):	Land Disturbance Area 1, Coastal Environment Area
Zone	Residential

The activity authorised by this resource consent does not comply with Permitted Activity Rule 36.4.2.1 of the TRMP and the land is zoned Residential. The discharge is deemed to be a **Restricted Discretionary Activity** in accordance with Rule 36.4.2.3 of the TRMP.

Overall, this consent is bundled with Subdivision Consent RM120437 and Land Use Consent RM120751 which are considered to be all **Discretionary Activities**.

Principal Issues (Actual and Potential Effects on the Environment)

The principal issue(s) associated with the proposed activity involve the actual and potential effects on the environment. For this application these were:

- (a) stormwater run-off onto adjoining road reserve;
- (b) reduction in water quality.

The Council considers that the adverse effects of the activity on the environment will be no more than minor for the following reasons:

- (a) the applicant has proposed a soakage method to control stormwater run-off. Conditions of consent require the installation of a soakage system to capture the stormwater and dispose to ground in a controlled manner;
- (b) the stormwater system is required to be designed in such a way that the effects of erosion and sedimentation will be less than minor.

Relevant Statutory Provisions

In considering this application, the Council has had regard to the matters outlined in Section 104 of the Act. In particular, the Council has had regard to the relevant provisions of the following planning documents:

- (a) the Tasman Regional Policy Statement (TRPS);
- (b) the Tasman Resource Management Plan (TRMP).

Most of the objectives and policies contained within the TRPS are mirrored in the TRMP. The activity is considered to be consistent with the relevant objectives and policies contained in Chapter 33 of the TRMP.

The proposed activity contravenes Section 15 of the Act, and therefore the Council has also had regard to the matters outlined in Section 105 of the Act and the Council is also satisfied that the activity will not give rise to the effects outlined in Section 107 of the Act.

Part II Matters

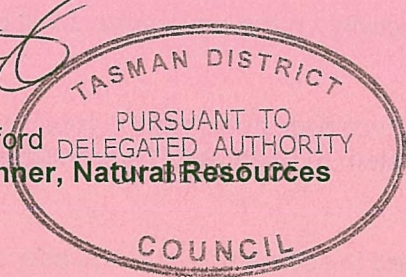
The Council has taken into account the relevant principles outlined in Sections 6, 7 and 8 of the Act and it is considered that granting this resource consent achieves the purpose of the Act as presented in Section 5.

Notification and Affected Parties

The adverse environmental effects of the activity are considered to be no more than minor. The Council's Resource Consents Manager has, under the authority delegated to him, decided pursuant to Section 95 of the Act that the application did not require public or limited notification.

This consent is granted on 29 November 2012 under delegated authority from the Tasman District Council by:


Michael Croxford
Consent Planner, Natural Resources





Plan A: Site Plan for RM120752 dated 29 November 2012
DELEGATED TO
ON BEHALF OF

