

28 July 1998

Please Quote: P00858

~~& P00859~~

Doc No: 93955v2

Martin McCaulay Morton Ltd
Surveyors
PO Box 878
ROTORUA



Attention: Luke Martin

Dear Sir

RESOURCE MANAGEMENT ACT 1991
NON-NOTIFIED APPLICATION FOR RESOURCE CONSENT
APPLICANT - BOSSTAN CORPORATION LTD

I wish to advise that the following decision has been made under authority delegated to staff in respect of the above application:

That pursuant to Sections 34(4), 94, 104, 105 and 108 of the Resource Management Act 1991, the Rotorua District Council grants consent in accordance with the submitted plans (numbered 1802/1) to the application by Bosstan Corporation for a variation of land use consent originally granted 18 November 1997 to establish and use six two-storey household units at 96-100 Pukuatua Street, legally described as Lot 1 of proposed subdivision of Lot 1 DPS 19165.

This consent is in the stages as follows and is subject to the following conditions:

- A. For Stage I, which comprises of Units 1 to 4, the following conditions shall apply -*
- 1. That vehicle access and manoeuvring areas required to serve all of the Stage I development are designed and constructed so that all egress from the property is to be in a forward direction in accordance with Appendix F of the Proposed District Plan.*
 - 2. Deleted (Appropriate at Stage II)*
 - 3. That all parking and manoeuvring areas required for Stage I shall be formed, surfaced and drained in accordance with the District Plan and Engineering Code of Practice to the satisfaction of the District Engineer.*
 - 4. That all storm water disposal from the site is in accordance with the Engineering Code of Practice and to the satisfaction of the District Engineer. Plans shall be submitted as part of the Building Consent for Engineering Approval.*
 - 5. That there shall be no off-site deposit of sediment or detritus from the area of works or into any water course or storm water drain.*
 - 6. That the existing fill is certified as suitable for the proposed development. That all additional filling for Stage I is to be in accordance with the District Plan and Engineering Code of Practice to the satisfaction of the District Engineer.*
 - 7. That an as built plan for the filling, in accordance with the requirements of the Engineering Code of Practice, be submitted to the Council at completion of the works.*

8. *That there shall be no off-site deposit of sediment or detritus from the area of works or into any water course or storm water drain.*
9. *That engineering plans and specifications of all connections to the public mains for Stage I are submitted for approval of the District Engineer in accordance to the requirements of the District Plan and Engineering Code of Practice.*
10. *That there is adequate storm water control during the earthworks for Stage I and during the period of reinstatement in accordance with the requirements of the Engineering Code of Practice and District Plan to the satisfaction of the District Engineer.*
11. *That the proposed development for Stage I shall meet the requirements in terms of sewerage disposal in accordance with the District Plan and Engineering Code of Practice to the satisfaction of the District Engineer.*
12. *That during the construction phase of the proposal, the builders shall operate their plant and equipment in accordance with NZS6803P Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work.*
13. *That a financial contribution for reserves and heritage purposes calculated at 5/6ths of 5% of the land value of proposed Lot 1 of a Scheme Plan of subdivision of Lot 1 DPS 19165 shall be paid to Council. It is noted that in this regard, the applicant paid \$18,571.43 at the time of uplifting the Building Consent for 14 household units and any credit will be transferred to the subdivision application to meet the requirements of Appendix U of the Proposed District Plan.*
14. *That all landscaping for Stage I shall comply with the landscaping plan submitted to the Council on 7 November 1997 and to the Council's Landscape Architect's satisfaction.*
15. *That all costs associated with complying with the conditions shall be met by the consent holder.*
16. *That provision shall be made by way of extension to stormwater drains and catchpits and/or recontouring of the site to prevent stormwater ponding and discharge over the southern boundary of proposed Lots 1 and 2. This work is to be completed within 14 days of this consent being issued.*
17. *That all low areas holding water on the proposed Lot 2 shall be drained, filled and graded so that the land slopes to an approved stormwater outlet on to the street. This work to be completed by 31 August 1998.*
18. *That the proposed Lot 2 and the future development area of proposed Lot 1 shall be sown in grass by 31 October 1998 to prevent dust nuisance over the summer months.*
19. *That the current live building consent shall be amended to take into consideration the smaller development now proposed.*
20. *That all conditions relating to this resource consent must be met in full and a Planning Compliance Certificate issued before the commencement of the proposed activity.*
21. *That the proposal proceeds in accordance with the application submitted.*

B. *For Stage II, which comprises of Units 5 and 6, the following conditions shall apply-*

1. *That vehicle access and manoeuvring areas to serve all of the Stage II development are designed and constructed so that all egress from the property is to be in a forward direction in accordance with Appendix F of the Proposed District Plan.*
2. *That the existing unused vehicle crossing be removed and the kerb and channel to be reinstated in accordance with the requirements of the Engineering Code of Practice and to the satisfaction of the District Engineer.*

3. *That all parking and manoeuvring areas for Stage II shall be formed, hard surfaced and drained in accordance with the District Plan and Engineering Code of Practice to the satisfaction of the District Engineer.*
4. *That all storm water disposal from the site is in accordance with the Engineering Code of Practice and to the satisfaction of the District Engineer. Plans shall be submitted as part of the Building Consent for Engineering Approval.*
5. *Deleted.*
6. *That all additional filling for Stage II is to be in accordance with the District Plan and Engineering Code of Practice to the satisfaction of the District Engineer.*
7. *That an as built plan for the filling, in accordance with the requirements of the Engineering Code of Practice, be submitted to the Council at completion of the works.*
8. *That there shall be no off-site deposit of sediment or detritus from the area of works or into any water course or storm water drain.*
9. *That engineering plans and specifications of all connections to the public mains for Stage II are submitted for approval of the District Engineer in accordance to the requirements of the District Plan and Engineering Code of Practice.*
10. *That there is adequate storm water control during the earthworks for Stage II and during the period of reinstatement in accordance with the requirements of the Engineering Code of Practice and District Plan to the satisfaction of the District Engineer.*
11. *That the proposed development for Stage II meets the requirements in terms of sewerage disposal in accordance with the District Plan and Engineering Code of Practice to the satisfaction of the District Engineer.*
12. *That during the construction phase of the proposal, the builders shall operate their plant and equipment in accordance with NZS6803P Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work.*
13. *Deleted (Financial contribution for reserves and heritage purposes paid in full at Stage I).*
14. *That all landscaping for Stage II shall comply with the landscaping plan submitted to the Council on 7 November 1997 and to the Council's Landscape Architect's satisfaction.*
15. *That all costs associated with complying with the conditions shall be met by the consent holder.*
16. *That all conditions relating to this resource consent must be met in full and a Planning Compliance Certificate issued before the commencement of the proposed activity.*
17. *That the proposal proceeds in accordance with the application submitted.*

The reasons for this decision are that:

- a) *The site is zoned Residential D and the proposal is a Discretionary Activity.*
- b) *The proposal is located in an area where the existing residential amenity values will not be adversely effected.*
- c) *The adverse effects of the proposal on the environment are minor, and the proposal is not be contrary to the objectives and policies of the Proposed District Plan.*
- d) *It is considered that the proposed activity will have no more than a minor potential adverse effect having regard to a complying activity development, and on this basis no person is deemed to be adversely affected.*
- e) *The Council is satisfied under Rule 7.4.2.1 that the 6 metre access width is adequate to deal with traffic movements in and out of the site.*
- f) *The proposal meets the performance standards outlined under Rule 7.2.*

- g) *A financial contribution is payable in accordance with the District Plan towards the development of existing, and purchase of additional land to enhance the amenity values and heritage value of reserves.*
- h) *The anticipated adverse effects on the adjoining landowners is deemed to be minor.*

Advice Notes:

1. *Access to the property is limited to the access from the parking area adjacent to the carriageway area and not direct from the carriageway of Pukuatua Street. There will be no change to the existing access points into the parking area.*
2. *There is a geothermal bore on the site, Environment Bay of Plenty will need to be contacted before any construction activities are undertaken on site.*
3. *The proposed units will need to be fire and noise separated along all boundaries both vertically and horizontally pursuant to the Building Act 1991.*
4. *Because of the unfinished nature of the southern portion of the development, stormwater ponding and runoff from the site has caused flooding of adjoining properties. It is essential that stormwater management measures be put in place immediately to prevent this re-occurring.*

If you have any questions, please contact JD Sholl.

Yours faithfully



P. Crawford
Director, Environmental Services

RESOURCE CONSENT	
Approved	29.7.98
Appn No.	1998/05NA
Plan No.	P00858 / P00859
Date	29.7.98

28 July 1998

Please Quote: P00858
& P00859

Doc No: 93955v2

Martin McCaulay Morton Ltd
Surveyors
PO Box 878
ROTORUA

Attention: Luke Martin

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RESOURCE MANAGEMENT ACT 1991
NON-NOTIFIED APPLICATION FOR RESOURCE CONSENT
APPLICANT - BOSSTAN CORPORATION LTD

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This consent is in the stages as follows and is subject to the following conditions:

- ← A. For Stage I, which comprises of Units 1 to 4, the following conditions shall apply -
1. That vehicle access and manoeuvring areas required to serve all of the Stage I development are designed and constructed so that all egress from the property is to be in a forward direction in accordance with Appendix F of the Proposed District Plan.
 2. Deleted (Appropriate at Stage II)
 3. That all parking and manoeuvring areas required for Stage I shall be formed, surfaced and drained in accordance with the District Plan and Engineering Code of Practice to the satisfaction of the District Engineer.
 4. That all storm water disposal from the site is in accordance with the Engineering Code of Practice and to the satisfaction of the District Engineer. Plans shall be submitted as part of the Building Consent for Engineering Approval.
 5. That there shall be no off-site deposit of sediment or detritus from the area of works or into any water course or storm water drain.
 6. That the existing fill is certified as suitable for the proposed development. That all additional filling for Stage I is to be in accordance with the District Plan and Engineering Code of Practice to the satisfaction of the District Engineer.
 7. That an as built plan for the filling, in accordance with the requirements of the Engineering Code of Practice, be submitted to the Council at completion of the works.

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13. *That a financial contribution for reserves and heritage purposes calculated at 5/6ths of 5% of the land value of proposed Lot 1 of a Scheme Plan of subdivision of Lot 1 DPS 19165 shall be paid to Council. It is noted that in this regard, the applicant paid \$18,571.43 at the time of uplifting the Building Consent for 14 household units and any credit will be transferred to the subdivision application to meet the requirements of Appendix U of the Proposed District Plan.*
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17. *That all low areas holding water on the proposed Lot 2 shall be drained, filled and graded so that the land slopes to an approved stormwater outlet on to the street. This work to be completed by 31 August 1998.*
18. *That the proposed Lot 2 and the future development area of proposed Lot 1 shall be sown in grass by 31 October 1998 to prevent dust nuisance over the summer months.*
19. *That the current live building consent shall be amended to take into consideration the smaller development now proposed.*
20. *That all conditions relating to this resource consent must be met in full and a Planning Compliance Certificate issued before the commencement of the proposed activity.*
21. *That the proposal proceeds in accordance with the application submitted.*

B. *For Stage II, which comprises of Units 5 and 6, the following conditions shall apply-*

1. *That vehicle access and manoeuvring areas to serve all of the Stage II development are designed and constructed so that all egress from the property is to be in a forward direction in accordance with Appendix F of the Proposed District Plan.*
2. *That the existing unused vehicle crossing be removed and the kerb and channel to be reinstated in accordance with the requirements of the Engineering Code of Practice and to the satisfaction of the District Engineer.*

3. *That all parking and manoeuvring areas for Stage II shall be formed, hard surfaced and drained in accordance with the District Plan and Engineering Code of Practice to the satisfaction of the District Engineer.*
4. *That all storm water disposal from the site is in accordance with the Engineering Code of Practice and to the satisfaction of the District Engineer. Plans shall be submitted as part of the Building Consent for Engineering Approval.*
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6. *That all additional filling for Stage II is to be in accordance with the District Plan and Engineering Code of Practice to the satisfaction of the District Engineer.*
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11. *That the proposed development for Stage II meets the requirements in terms of sewerage disposal in accordance with the District Plan and Engineering Code of Practice to the satisfaction of the District Engineer.*
12. *That during the construction phase of the proposal, the builders shall operate their plant and equipment in accordance with NZS6803P Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work.*
13. *Deleted (Financial contribution for reserves and heritage purposes paid in full at Stage I).*
14. *That all landscaping for Stage II shall comply with the landscaping plan submitted to the Council on 7 November 1997 and to the Council's Landscape Architect's satisfaction.*
15. *That all costs associated with complying with the conditions shall be met by the consent holder.*
16. *That all conditions relating to this resource consent must be met in full and a Planning Compliance Certificate issued before the commencement of the proposed activity.*
17. *That the proposal proceeds in accordance with the application submitted.*

The reasons for this decision are that:

- a) *The site is zoned Residential D and the proposal is a Discretionary Activity.*
- b) *The proposal is located in an area where the existing residential amenity values will not be adversely effected.*
- c) *The adverse effects of the proposal on the environment are minor, and the proposal is not be contrary to the objectives and policies of the Proposed District Plan.*
- d) *It is considered that the proposed activity will have no more than a minor potential adverse effect having regard to a complying activity development, and on this basis no person is deemed to be adversely affected.*
- e) *The Council is satisfied under Rule 7.4.2.1 that the 6 metre access width is adequate to deal with traffic movements in and out of the site.*
- f) *The proposal meets the performance standards outlined under Rule 7.2.*

- g) *A financial contribution is payable in accordance with the District Plan towards the development of existing, and purchase of additional land to enhance the amenity values and heritage value of reserves.*
- h) *The anticipated adverse effects on the adjoining landowners is deemed to be minor.*

Advice Notes:

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2. *There is a geothermal bore on the site, Environment Bay of Plenty will need to be contacted before any construction activities are undertaken on site.*
3. *The proposed units will need to be fire and noise separated along all boundaries both vertically and horizontally pursuant to the Building Act 1991.*
4. *Because of the unfinished nature of the southern portion of the development, stormwater ponding and runoff from the site has caused flooding of adjoining properties. It is essential that stormwater management measures be put in place immediately to prevent this re-occurring.*

If you have any questions, please contact JD Sholl.

Yours faithfully


P. Crawford
Director, Environmental Services

RESOURCE CONSENT	
Approved.....	21.7.98
Appn No.....	1998/05/A
Plan No.....	P00858 / P00859
Date.....	29.7.98

27 July 1998

Please Quote: 6598108

Your Ref: 96393/S

Doc No: 93957

Martin McCaulay Morton Ltd
Surveyors
PO Box 878
ROTORUA

COPY TO: P00858
P00859
FILE

Attention: Bart Yetsenga

Dear Sir,

RESOURCE MANAGEMENT ACT 1991
NON-NOTIFIED APPLICATION FOR SUBDIVISION CONSENT
BOSSTAN CORPORATION LTD, 96-100 PUKUATUA STREET

I wish to advise that the following decision has been made under authority delegated to staff in respect of the above application.

A. That pursuant to Sections 33(4), 94, 104, 105, 108 and 220 of the Resource Management Act 1991, the Rotorua District Council grants consent to the subdivision application by Bosstan Corporation, to subdivide Lot 1 DPS 19165 located at 96 - 100 Pukuatua Street, Rotorua Central into two freehold lots, subject to the following conditions:-

- 1. That the sewer and geothermal easement along the southern boundary of proposed Lot 2 be increased in width to follow the proposed building footprints at a width of 2.6 to 3.0 metres, as appropriate.***
- 2. That the sewer and geothermal easement along the southern boundary of proposed Lot 1 shall follow the proposed building footprints at a width of 2.6 to 3.0 metres, as appropriate.***
- 3. That a reserves and heritage contribution of 5% of the land value of Lot 2 is paid to Council, less any credit from the moneys already paid at the time Building Consent was obtained for the 14 household units, less that taken on the application for variation of land use consent.***
- 4. That a separate metered water connection is provided to proposed Lot 2 in accordance with the Engineering Code of Practice and the District Plan.***
- 5. That a separate sewer connection is provided for proposed Lot 2 in accordance with the Engineering Code of Practice and the District Plan.***
- 6. That the proposed concrete block wall footings on the southern boundary have a pile foundation to sewer invert level, and that the toe of the footing is south of the boundary, such being to the satisfaction of the District Engineer.***

B. That pursuant to Sections 33(4), 94, 104, 105, 108 and 220 of the Resource Management Act 1991, the Rotorua District Council grants consent to the subdivision application by Bosstan Corporation, to subdivide Lot 1 of proposed subdivision of Lot 1 DPS 19165 located at 96 - 100 Pukuatua Street, Rotorua Central by way of Unit Titles, subject to the following condition being undertaken for Stage I:-

- 1. That a report certified by a Soils Engineer be provided for the filling placed under Units 1 to 4 on proposed Lot 1.***

The reasons for this decision are that:

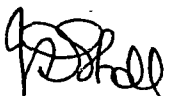
- 1. The site is zoned Residential D in the Proposed District Plan and the proposal in relation to the Unit Titling is a Non-Complying Activity and in relation to the two freehold titles is a Controlled Activity.***
- 2. The proposal is in accordance with the provisions and requirements of the Proposed District Plan for a Unit Title development in a Residential D zone, being able to meet the density requirements of that Plan.***
- 3. The proposal is in addition in accordance with the provisions and requirements of the Proposed District Plan for a two lot freehold subdivision in a Residential D zone.***
- 4. The subdivision application is in accordance with the Land Use consent for the development to which a variation has been granted consent.***
- 5. The proposal is not contrary to the objectives and policies of the Proposed District Plan.***
- 6. The land use consent was granted on the basis that that proposal had no detrimental effects on adjoining property owners/occupiers and this subdivision proposal likewise has no detrimental effects on adjoining property owners/occupiers.***

Advice Note:

- a) Should you wish to object to any of the conditions of the resource consent then you are reminded that you have 15 working days from the granting of the resource consent in which to make an objection to the Council.***
- b) The Land Use consent for the same proposal has been varied in accordance with the two stages proposed by the applicant. The conditions attached to each of the two stages should be complied with to satisfy each Unit Title Stage.***
- c) It is not acceptable for the geothermal pipeline to be within 1.5 metres of the public sewer main, unless it is strapped to the concrete block boundary wall. There is insufficient access provided to the sewer main by the proposed 2 metre easement.***
- d) A Bond is acceptable for the Lot 2 sewer and water connections.***

You will be advised further regarding the reserves contribution upon receipt of the valuation of Lots 1 & 2 from Council's Valuer.

Yours faithfully



J.D. Sholl
Principal Planner



Approvals

Registered Owners

Address of Body Corporate
96 - 100 Pukuatua Street, Rotorua

Memorandum of Easements in Gross

Purpose	Serv. Ten.	Shown	Grantee
Right to Drain Sewage	Lot 1 hereon	(A) (A2)	Rotorua District Council
	Lot 2 hereon	(B) (B2)	

Schedule of Proposed Easements

Purpose	Serv. Ten.	Shown	Dom. Ten.
Right to Convey Geothermal Steam	Lot 2 hereon	(C) (A2)	Sec. 16 SO13178
	Lot 2 hereon	(C) (B2) (B)	Lot 1 hereon
	Lot 1 hereon	(D) (A2)	Lot 2 hereon

AREAS AND MEASUREMENTS ARE
SUBJECT TO SURVEY.**REDUCED COPY
NOT ORIGINAL SCALE**Total Area 3035m²

Comprised in CT. 18A/197

I. BART YETSENGA

Registered Surveyor and holder of an annual practising certificate for who may act as a registered surveyor pursuant to section 25 of the Survey Act 1986 hereby certify that this plan has been made from surveys executed by me or under my directions, that both plan and survey are correct and have been made in accordance with the Survey Regulations 1972 or any regulations made in substitution thereof.

Dated at this day
of 19 Signature

Field Book p. Traverse Book p.
Reference Plans DPS19165

Examined Correct

Approved as to Survey

..... / Chief Surveyor

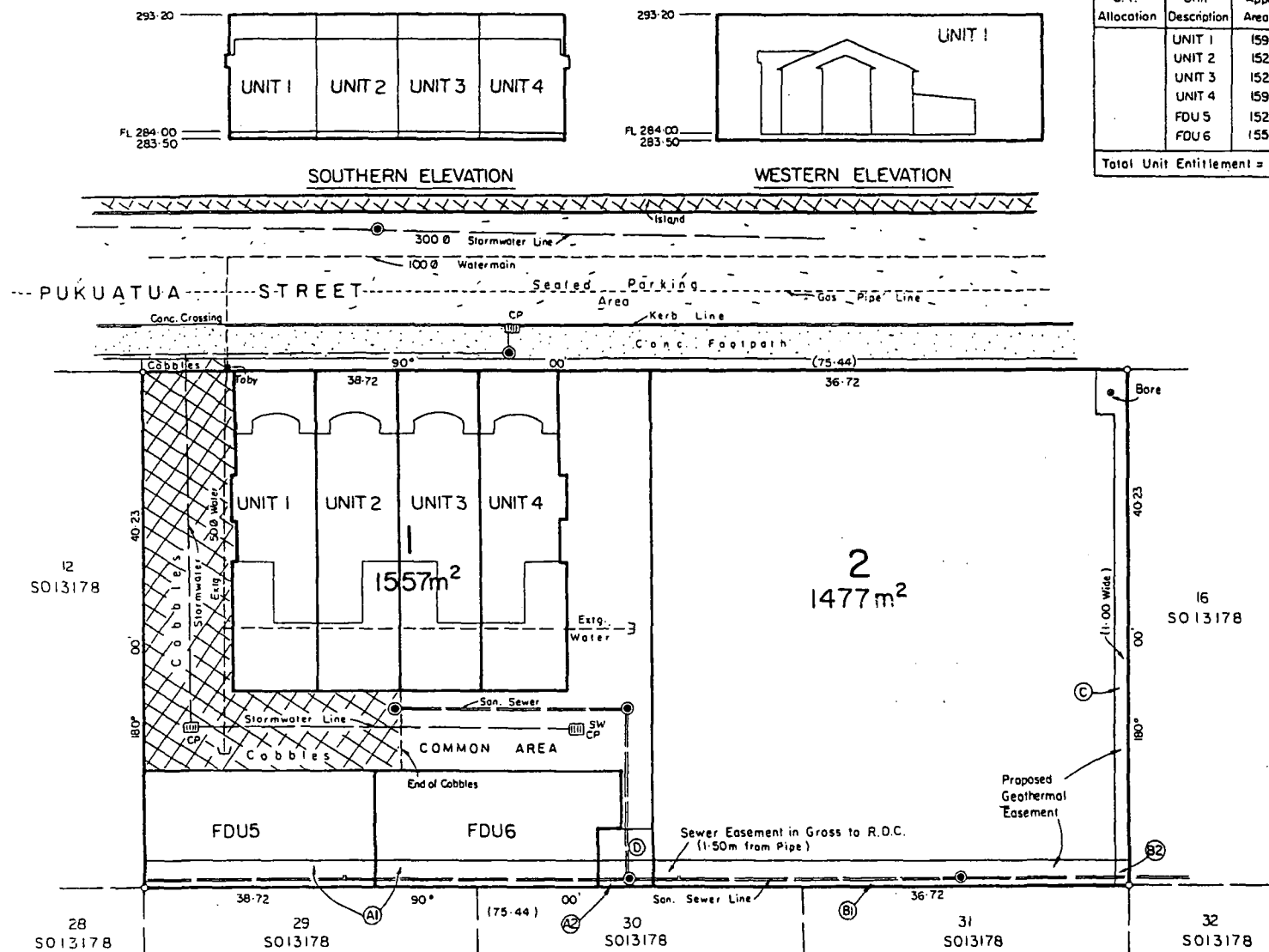
Deposited this day of 19

District Land Registrar

File
Received
Instructions

96393/P

Schedule					
C.T. Allocation	Unit Description	Approx. Area (m ²)	Unit Entitlement	Height Limits	
				Upper	Lower
	UNIT 1	159		293.20	283.50
	UNIT 2	152		293.20	283.50
	UNIT 3	152		293.20	283.50
	UNIT 4	159		293.20	283.50
	FDU 5	152		293.20	283.50
	FDU 6	155		293.20	283.50
Total Unit Entitlement =					



Scheme Plan

LAND DISTRICT SOUTH AUCKLAND
SURVEY BLK. & DIST. 1 TARAWERA 50-07
NZMS 261 SHT U16 RECORD MAP No 50-06

UNITS ON LOT 1 DPS19165 AND SUBDIVISION THEREOF

TERRITORIAL AUTHORITY ROTORUA DISTRICT
Surveyed by MARTIN McCAULAY MORTON LTD.
Scale 1:250 Date JULY 1998

District Land Registrar

96393/P

RESOURCE CONSENT APPLICATIONAPPLICATION TYPE: DISCRETIONARY 1998/SNA PLANNER: _____**APPLICANT DETAILS**Name: Bosstan Corporation LtdRECEIVED: 6.7.98Contact/Agent Address: Martin McCaulay MortonTARGET DATE: 3.8.98

Agent Reference: _____

APPLICATIONSite Location: 96 - 100 Pukuhua Street Zoning: Residential DLocality: Rotorua Central Map No: 26Legal Description: P1 LOT 1 DPS 19165Valuation Roll No: 06500/729.00 - 06500/731.00Description of Application: Variation to Resource Consent 167,
to erect and use six household units (apartments).**FEES:**Fee: 552 for subd Date: _____ Initial: _____

Invoice: _____ Date: _____

Receipt: _____ Date: _____

RESERVE CONTRIBUTION

To Valuer: _____ To Applicant: _____

Assessed Value: _____

Received: _____

Paid: _____

VETTING**Planning**Information Requested: /Information Received: /**Resource Engineer**Information Requested: /Information Received: /

Acknowledgement Letter: _____

NOTIFICATION

Application to be Non-Notified/Notified: _____

Reasons: No adverse env effects
that are more than minorSection 94 Assessment Required: Yes/No**INFORMATION**Complete Resource Consent
Application (Section 88) ☒Complete Assessment/Effects
Fourth Schedule ☒**DETAILS OF AFFECTED PERSONS**Location Plan ☒Adjoining property owners confirmed by
Council records at time of application:_____

_____Received pursuant to Section 88(4) of the
Resource Management Act 1991:Date: 21/7/98 Signed: [Signature]

Non-Notified Resource Consent Approval Form

Consent No 1802 Planning file No: 1998/054A Ass No: 06500/729 & 731

Street address 96-100 Pukuatua Street

Legal address Pt Lot 1 DPS 19165

Locality: Rotorua Central

Property File No's 00858
 00859

Applicant Name Bosstan Corporation Ltd

Application Type Land Use

Due Date 03/08/1998

Description of Variation to Resource Consent 167, to erect and use six household units
Application (apartments).

I certify that this application can be considered under delegated authority as per Council's Delegation Manual

Planner Officer: John Sholl

Signed: _____ Dated 24/7/98

Supervisor / Peer Reviewer: _____

Signed: _____ Dated 23/7/98

Approved: _____
Manager / Director / District Manager

Signed: _____ Dated 27/7/98

- do we have amended plans showing units 1-6 to approve? Yes
- what happens with the other 8? do they no longer want the consent to apply to 14 units only 6? Yes
- does the parking & manoeuvring work within lot 1 for all units? Yep.

need to discuss

File No: 00858

00859

RESOURCE CONSENT VETTING AND FIELD NOTES

APPLICANT: Bosstan Corporation DATE RECEIVED: 6.7.98

ADDRESS: 96-100 Pulcatusa Street

Rotoma Central

TARGET DATE: 3.8.98

VETTING

Further Information Req. [Eng] YES/NO/.....

Further Information Req. [Plan] YES/NO

VETTING AND SITE NOTES

Bosstan - Additional Conditions

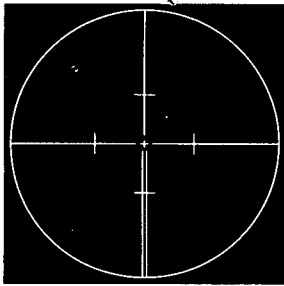
Land Use Consent:

Recommended Engineering Conditions:

- 1) That provision be made by way of extension to stormwater drains and catchpits and/or recontouring of the site to prevent stormwater ponding and discharge over the southern boundary of proposed Lots 1 & 2.
This work to be completed by ~~31 August 1998~~ ^{within 14 days of this consent being issued.}
- 2) That all ~~low~~ low areas holding water on the proposed Lot 2 be drained, filled and graded so that the land slopes to an approved stormwater outlet on the street.
This work to be completed by 31 August 1998.
- 3) That any rubbish, timber and rubble be removed from the proposed Lot 2 by 31 August 1998.
- 4) That the proposed Lot 2 and the ^{future development} balance area of proposed Lot 1 be sown in grass by the 31 October 1998 to prevent dust nuisance over the summer months.

Advice Notes:

- a) Because of the unfinished nature of the southern portion of the development, stormwater ponding and runoff from the site has caused flooding of adjoining properties. It is essential that stormwater management measures be put in place immediately to prevent this recurring.



MARTIN McCAULAY MORTON LTD

SURVEYORS ENGINEERS PLANNERS RESOURCE MANAGERS

ROTORUA
QUADRANT HOUSE
1277 HAUPAPA STREET
P.O. BOX 878
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TELEPHONE 0-7-573 7717
FAX 0-7-573 5617

MOUNT MAUNGANUI
12 GIRVEN ROAD
P.O. BOX 10009
MT MAUNGANUI
TELEPHONE 0-7-575 2859
FAX 0-7-575 0833

OPOTIKI
40 KING STREET
P.O. BOX 94
OPOTIKI
TELEPHONE 0-7-315 6127
FAX 0-7-315 6128

DIRECTORS:
L.S. MARTIN
Dip.Surv. F.N.Z.I.S M.N.Z.P.I.
M.P.L.E.I.N.Z
REGISTERED SURVEYOR
TOWN PLANNER
REGISTERED PROPERTY MANAGER

A.M. MORTON
B.E. (Hons). M.I.P.E.N.Z
REGISTERED CIVIL ENGINEER

J.R. LEWIS
B.Surv. M.N.Z.I.S
REGISTERED SURVEYOR

ASSOCIATE
B.YETSENGA
B.Surv. M.N.Z.I.S
REGISTERED SURVEYOR

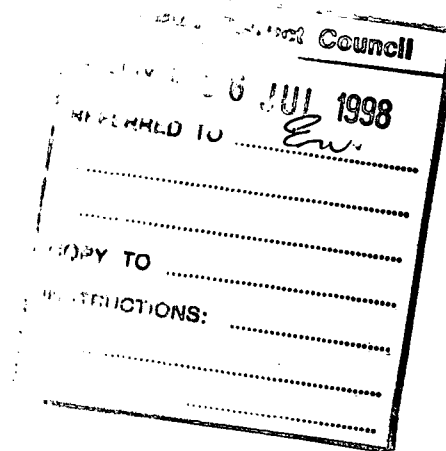
CONSULTANT
A.W.R. McCAULAY
M.N.Z.I.S
REGISTERED SURVEYOR

96393/P

1 July 1998

The District Manager
Rotorua District Council
Private Bag
ROTORUA

Attention: Mr J D Sholl



Dear Sir

re: APPLICATION FOR VARIATION TO LAND USE CONSENT

P.00858

APPLICANTS: BOSSTAN CORPORATION LIMITED

LOCATION: 96 - 100 PUKUATUA STREET

ZONING: RESIDENTIAL D

Please find enclosed an application for a variation to the above Resource Consent.

Enclosed with the formal application and plans is a brief planning report.

Rdc\bostnapp

JS.H



We would be pleased therefore if you would consider and process the variation as soon as practicable.

Yours faithfully
MARTIN McCAULAY MORTON LTD



L S Martin
Dip., Surv., F.N.Z.I.S., M.N.Z.P.I., M.P.L.E.I.N.Z.
Registered Surveyor/Town Planner



Rdc\bostnapp

96393/P

REG 8(1)

FORM 5

RESOURCE MANAGEMENT ACT 1991

LAND USE CONSENT

The District Manager
Rotorua District Council
Private Bag
ROTORUA

We, THE BOSSTAN CORPORATION LTD hereby apply for the
Resource Consent described below:

1. The names and addresses of the Applicant, Owner and Occupier of
the land to which the application relates are as follows:
 - (i) OWNERS: APPLICANTS
 - (ii) APPLICANTS: BOSSTAN CORPORATION LTD,
C/- MR R BOS, P O BOX 1133,
ROTORUA.

(iii) OCCUPIERS: Applicants.

2. The location to which this application relates is:

(i) LEGAL DESCRIPTION: Lot 1 of proposed subdivision of Lot 1
DPs 19165 comprised in Certificate of
Title 18A/197 and containing 1557m².

(ii) LOCATION: South side of Pukuatua Street
(Nos 96 - 100 Pukuatua Street).

(iii) ZONING: The subject land is zoned
Residential D (Special Provisions
applying) on Map 26 of the Proposed
District Plan of the Rotorua District
Council.

3. The type of Resource Consent sought is for a Non Notified Activity to permit the establishment and use of six, two storey household units (apartments), to ultimately be unit titled, together with a total of six off street car parks.

4. A subdivision consent is required at this time.

5. Attached hereto is a set of plans showing the proposal.



6. The Councils environmental check list is enclosed.

BOSSTAN CORPORATION LTD

By their Authorised Agent
MARTIN McCAULAY MORTON LTD



L S Martin
Dip., Surv., F.N.Z.I.S., M.N.Z.P.I., M.P.L.E.I.N.Z.
Registered Surveyor/Town Planner

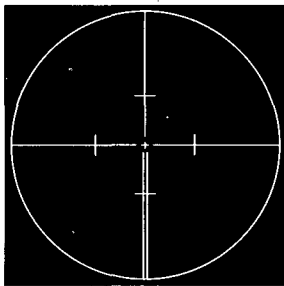
2nd

Dated at ROTORUA this day of JULY 1998

ADDRESS FOR SERVICE

Martin McCaulay Morton Ltd
Quadrant House
77 Haupapa Street
P O Box 878
Ph: (07) 3477 840
Fax: (07) 3476 191
ROTORUA





MARTIN McCAULAY MORTON LTD

SURVEYORS ENGINEERS PLANNERS RESOURCE MANAGERS

ROTORUA
QUADRANT HOUSE
1277 HAUPAPA STREET
P.O. BOX 878
TELEPHONE 0-7-347 7840
FAX 0-7-347 6191

TE PUKE
KINGS BUILDING
77 JELICOE STREET
P.O. BOX 301
TELEPHONE 0-7-573 7717
FAX 0-7-573 5617

MOUNT MAUNGANUI
12 GIRVEN ROAD
P.O. BOX 10009
MT MAUNGANUI
TELEPHONE 0-7-575 2859
FAX 0-7-575 0833

OPOTIKI
40 KING STREET
P.O. BOX 94
OPOTIKI
TELEPHONE 0-7-315 6127
FAX 0-7-315 6128

DIRECTORS:
L.S. MARTIN
Dip.Surv. F.N.Z.I.S M.N.Z.P.I.
M.P.L.E.I.N.Z
REGISTERED SURVEYOR
TOWN PLANNER
REGISTERED PROPERTY MANAGER

A.M. MORTON
B.E. (Hons). M.I.P.E.N.Z
REGISTERED CIVIL ENGINEER

J.R. LEWIS
B.Surv. M.N.Z.I.S
REGISTERED SURVEYOR

ASSOCIATE
B YETSENGA
B.Surv. M.N.Z.I.S
REGISTERED SURVEYOR

CONSULTANT
A.W.R. McCAULAY
M.N.Z.I.S
REGISTERED SURVEYOR

96393/P

VARIATION TO RESOURCE CONSENT

TO

ERECT AND USE SIX HOUSEHOLD

UNITS (APARTMENTS)

ON

LOT 1 OF PROPOSED SUBDIVISION OF

LOT 1 DPS 19165

AT

96 - 100 PUKUATUA STREET

FOR

BOSSTAN CORPORATION LTD

REFER CONSENT P 00858



Lsm\bosstnrpt2

1. INTRODUCTION

- 1.1 Bosstan Corporation obtained Council consent in November 1997 to construct a 14 unit apartment block development on Lot 1 DPs 19165. (Refer P 00858).
- 1.2 Due to recent economic downturns the Applicants wish to split the development into two parts to avoid future and ongoing complications with a staged Unit Title Development and fulfilment of conditions.
- 1.3 Accordingly the freehold of the property is being split into two near equal lots and the completed 4 of 6 units on proposed Lot 1 (the subject of the variation), have been completed in accordance with a building consent previously issued.
- 1.4 On inspection of the plans it can be seen that the buildings comply with the performance criteria of the Proposed District Plan and that in terms of site density the rules are met in all respects.
- 1.5 The Proposed District Plan makes provision for both Tourist Accommodation, and Additional Household Units in the rules and in this instance, because the proposal complies in all respects with these rules and with the performance criteria related to the rules, it is contended that the variation may be granted approval.



2. PROPOSAL

- 2.1 The proposed subject site has 38.72 metre frontage to Pukuatua Street and a depth of 40.2 metres and drains out to the street frontage as shown.
- 2.2 The units remain unchanged from those shown on plans 9709/1, 01 - 05 and recently completed.
- 2.3 In general terms the units are of a superior quality and finish and enhance the general residential amenity in the immediate vicinity.
- 2.4 Features of the plans are:
- (i) A total of 6 two storey, two bedroom household units are proposed with enclosed lockup garages and the ability to park a further vehicle outside the garage without encroachment into the accessway.
 - (ii) Site access will be from vehicle crossings at the eastern and western ends of the site with paved access extending along the rear of the front units and the front of the rear units.
 - (iii) Units 1 - 4 have pedestrian frontage to Pukuatua Street and vehicle access at the rear.
 - (iv) Units 5 and 6 are rear units with internal access.
 - (v) The applicants intend to unit title the individual apartments.



3. PROPOSED DISTRICT PLAN - PART SEVEN - REFERS

- 3.1 Consent was granted on 18 November 1997 to a discretionary activity to allow a 14 unit development on the whole of the applicants land.
- 3.2 Consent to the variation is to reduce the impacts of development even further by providing for 6 units on half the site.
- 3.3 Council was satisfied with the earlier application that all aspects of the land use rules including the following were met by the proposal.

Rules 7.3.3.8 Density, 7.2.2 Height/Daylighting, 7.2.3 Buffers,
7.2.4 Site Coverage, 7.3.2.1 Landscaping, 7.3.2.3/4 Parking,
7.3.2.5 Adverse Effects, 7.3.3.8 Additional Household Units.

It is contended that the variation remains similarly complying.

5. SUBMISSION

In view of the foregoing it is requested that Council consider and approve the application for variation on the grounds that:

- 4.1 The site is zoned and suitable for the nature and style of residential development being sought.



- 4.2 That no adverse environmental effects will be created by the development and accordingly that no written consents of potentially affected parties are required.
- 4.3 That the proposal complies in entirety with the objectives, policies and rules, and if it were to be undertaken in stages could be considered as a permitted activity with no requirement for consideration of Section 94 matters.
- 4.4 That the proposal will enhance the matters of importance contained in Sections 6 and 7 of the Act.

We would be pleased therefore if you would examine and approve the proposal as soon as practicable.

Yours faithfully
MARTIN McCAULAY MORTON LTD



L S Martin
Dip., Surv., F.N.Z.I.S., M.N.Z.P.I., M.P.L.E.I.N.Z.
Registered Surveyor/Town Planner



RESOURCE MANAGEMENT ACT 1991**ENVIRONMENTAL EFFECT CHECKLIST
FOR LAND USE CONSENTS**

The effects of your proposed activity will be one of the key considerations when your application is assessed. This checklist has been compiled to assist you to prepare an application which will meet the requirements of the *Resource Management Act 1991*. Your application must be accompanied by this completed checklist.

Through consultation with Council staff and with affected parties, you should be able to identify the significant environmental effects which should be addressed in your application. We strongly recommend that you consult at an early stage. The formal process of the statutory application will be much smoother if you have done so.

Should you answer YES to any of the following questions, you may be required to provide an assessment of the effects from a professional person experienced in assessing the effects of your proposed activity, eg soil engineer, or environmental health expert. This assessment should also accompany the application. If there is any doubt, discussions with Council staff may assist.

Note: Unless the question is clearly not applicable to the application, it is unacceptable to claim without any reason that the proposed activity will have no effect on the environment. Applications with such incomplete assessments will not be processed until the relevant information is provided.

The assessment should include but not be limited to:

- (a) the type of effect (positive/negative/cumulative);
- (b) the extent of the effect (geographic spread/duration/volume); and
- (c) possible actions to reduce (avoid, remedy or mitigate) adverse effects.

1. Are any of the following natural constraints or hazards present on the site?

- | | |
|--|---------------------|
| Is there any stormwater or flood-flow path? | YES /NO |
| Is the land unstable or on a slope greater than 20°? | YES /NO |
| Is the site in or adjacent to a gully? | YES /NO |
| Is the site within 20 metres of a permanent watercourse? | YES /NO |
| Are there any geothermal features on the site? | YES /NO |
| Are there any geothermal bores on the site? | YES/ NO |
| Has the site been subject to landfill? | YES/ NO |
| Are there any other natural constraints to the site? | YES /NO |
| (If YES, what are they?) | SHOW ON PLAN |

2. Is there any waahi tapu or archaeological site present which may be affected by the proposed development?

~~YES~~/NO

Is there any historic or significant building, tree, object or site affected by the proposed development?

~~YES~~/NO

Note 1: The District Plan contains registers of the above features for reference, see Appendix A.

Note 2: If the above feature is registered under the *Historic Places Act 1993* the consent of the Historic Places Trust will be required. In addition a survey of archaeological sites, including registered, non-registered and NZAA listed and previously unlisted sites may be required to be undertaken.

DESCRIBE THE EFFECT OF THE PROPOSAL ON THE ABOVE FEATURE.

Has the value of any of the above items been assessed ~~and relevant parties consulted?~~
YES/~~NO~~

Does the proposed development affect tangata whenua?
YES/~~NO~~

If YES outline how you have taken account of the principles of the Treaty of Waitangi. See Part Five of the District Plan for an explanation of these principles.

SHOW ON PLAN

3. Does the site or neighbouring site contain:

Any wildlife habitat, wetland or area of indigenous vegetation that could be affected by the proposed activity?
YES/~~NO~~

Any trees that will be affected by the proposed activity?
YES/~~NO~~
SHOW ON PLAN

4. Will the proposed development generate:

any additional utility service requirements? YES/~~NO~~
any additional vehicular traffic? YES/~~NO~~
any additional noise? YES/~~NO~~
any dust that can drift beyond the site? YES/~~NO~~
any odour beyond the site? YES/~~NO~~
will the above be during the construction period? YES/~~NO~~
will the above be when the development is completed? YES/~~NO~~

5. Will the property have direct access to a State Highway? YES/~~NO~~


If YES, the following provisions will apply:

- (a) An applicant will serve a copy of the application on Transit New Zealand (as an affected party) and Transit New Zealand will have the opportunity of supplying its comments in writing to both the applicant and Council within 20 working days of service (the notice period);
- (b) In the event of Transit New Zealand requesting further information from the applicant within 7 working days following service of the application, the notice period will be extended to enable the supply of the further information by the applicant and its evaluation and consideration by Transit New Zealand. Such extension shall be to a date 15 working days after the further information has been served upon Transit New Zealand.

- (c) If written comments from Transit New Zealand are not received by Council within the notice period, Council shall forthwith determine whether or not the application will be notified. If, however, Transit New Zealand's comments are received within the notice period, Council shall advise the applicant of such comments and if Transit New Zealand does not consent to the application or indicates consent only in terms unacceptable to the applicant, the application shall be notified.

6. Will the development produce any waste materials? ~~YES~~/NO
7. Will you be applying for a liquor licence in relation to this activity? ~~YES~~/NO
8. Will you be storing, using, transporting or disposing of any hazardous substance or contaminant? ~~YES~~/NO
9. Will the scale/size/use of your development have any adverse effect on the environment or the amenities of the neighbourhood and the resources and services already provided to support such a use? ~~YES~~/NO
10. Describe the visual effects of the proposed development. +VE .

To the best of my knowledge the answers on this form are correct. Where the answer is "YES" I have included an assessment from a recognised professional or addressed the issue in consultation with Council staff and have shown on a plan of the site those particular features.


Signature of ~~applicant~~ or agent for applicant

1-7-98.
DATE



Approvals

Registered Owners

Address of Body Corporate
96 - 100 Pukuatua Street, Rotorua

Memorandum of Easements in Gross

Purpose	Serv. Ten.	Shown	Grantee
Right to Drain Sewage	Lot 1 hereon	(A) (A2)	Rotorua District Council
	Lot 2 hereon	(B) (B2)	

Schedule of Proposed Easements

Purpose	Serv. Ten.	Shown	Dom. Ten.
Right to Convey Geothermal Steam	Lot 2 hereon	(C) (B2)	Sec. 16 S013178
	Lot 2 hereon	(C) (B2) (B)	Lot 1 hereon
	Lot 1 hereon	(D) (A2)	Lot 2 hereon

AREAS AND MEASUREMENTS ARE
SUBJECT TO SURVEY.**REDUCED COPY
NOT ORIGINAL SCALE**Total Area 3035 m²

Comprised in CT 18A/197

I, BART YETSENGA
Registered Surveyor and holder of an annual practising certificate (or who may act as a registered surveyor pursuant to section 25 of the Survey Act 1986) hereby certify that this plan has been made from surveys executed by me or under my directions, that both plan and survey are correct and have been made in accordance with the Survey Regulations 1972 or any regulations made in substitution thereof.
Dated at this day
of 19 Signature

Field Book p. Traverse Book p.
Reference Plans DPS 19165
Examined Correct

Approved as to Survey

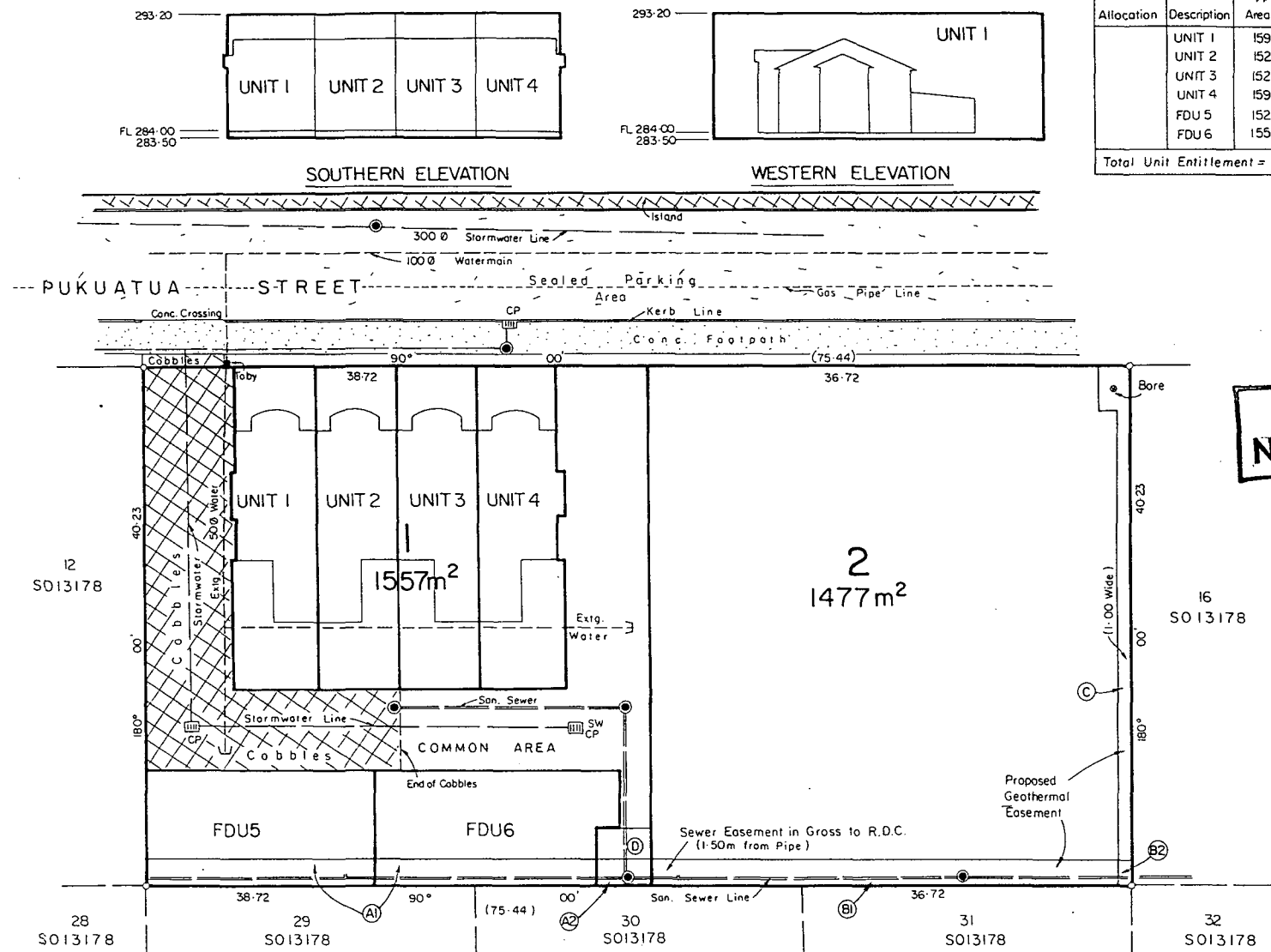
..... / / Chief Surveyor
Deposited this day of 19

District Land Registrar

File
Received
Instructions

96393/P

Schedule					
C.T. Allocation	Unit Description	Approx Area (m ²)	Unit Entitlement	Height Limits	
				Upper	Lower
	UNIT 1	159		293.20	283.50
	UNIT 2	152		293.20	283.50
	UNIT 3	152		293.20	283.50
	UNIT 4	159		293.20	283.50
	FDU 5	152		293.20	283.50
	FDU 6	155		293.20	283.50
Total Unit Entitlement =					



Scheme Plan

LAND DISTRICT SOUTH AUCKLAND
SURVEY BLK. & DIST. 1 TARAWERA
NZMS 261 SHT U16 RECORD MAP No 50.07
50.06

UNITS ON LOT 1 DPS19165 AND SUBDIVISION THEREOF


TERRITORIAL AUTHORITY ROTORUA DISTRICT
Surveyed by MARTIN McCaULAY MORTON LTD.
Scale 1:250 Date JULY 1998

FILE
FACSIMILE

FAXED

DATE: 20 APRIL 1998	File No: N/A P 00858	Doc No: 86256
ATTENTION:	BETH MILLARD	
COMPANY:	EVES REAL ESTATE	
FAX NO:	347 2690	
TELEPHONE NO:		
FROM:	TED HANSEN	
SUBJECT:	PALMS APARTMENTS	

ROTORUA DISTRICT COUNCIL



Private Bag RO3029
Rotorua
New Zealand
Phone 07 348 4199
Fax 07 350 0184


Number of Pages Including this one (Error! Bookmark not defined.)

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I visited the apartments yesterday for personal interest, and you indicated that the courts across from the apartments were to be taken away and the area landscaped.

Any substantial work on Kuirau Parks in on present planning is at least 7 or 8 years away and the concept of removing the courts is merely an idea some people suggested. Firm planning will not take place until much closer to the time of actually doing the physical work.

Someone from the Daily Post talked to my Parks Manager and he indicated the above to that enquiry.



A.E. Hansen
District Manager

Carry Page - Put this on relevant
file so we have
evidence of having
discussed it with them.