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Your Ref: 192725-R-P-C010

Doc No: OW-65043
Enquiries to: Joanne Watts

FILE

R32309

Lot 8
(23 Harris)

MTEC Consultants Ltd
PO Box 878
ROTORUA

Attention: Bart Yetsenga

RESOURCE CONSENT	
Approved	28/06/2006
Appn No	7393
Plan No	
Date	24/06/2006

Dear Bart,

NON-NOTIFIED APPLICATION FOR RESOURCE CONSENT
NOTICE OF DECISION

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 Section 93(1) of the Resource Management Act 1991, the Rotorua District Council resolves that as the application is for a controlled activity and the adverse effects of the proposal will be minor the application need not be notified. The Council is satisfied after taking into due consideration the requirements of Section 94, 94A(a) and Section 94B that all parties who, in the opinion of Council, may be adversely affected have provided their written consent to the proposal. Council is also satisfied that no special circumstances exist that require notification of the consent application in accordance with Section 94C(2) of the Resource Management Act 1991.
- (b) That pursuant to Sections 34(1), 104, 104A, 108, 220 and 221 of the Resource Management Act 1991, the Rotorua District Council resolves to grant consent to the application by Generation Developments Ltd to construct 48 dwellings prior to or concurrently with subdivision of the property at Harris St, Ariki St and Ngongotaha Rd legally described as Lots 1 – 3 DPs 79465 and Sec 1 SO 50280 into 48 residential lots:

This consent is subject to the following conditions:

General conditions

1. All conditions relating to this resource consent must be met in full and a Planning Compliance Certificate issued before occupation of any of the houses unless otherwise specified.
2. That the proposal proceeds in accordance with the application submitted numbered 192725-R-P-C015 and dated 27 April 2006 and the plans by Colin J Davis & Associates for houses on lots 1 – 42 as stamped 'approved' except where modified by any conditions of this consent.
3. That all engineering works required to be undertaken to satisfy the conditions of this consent shall be carried out in accordance with the Rotorua Civil Engineering Industry Standard (RCEIS) and the District Plan, to the satisfaction of the District Engineer.

3.117

4. That in carrying out the proposed works which includes construction of building platforms on each of the proposed lots no run off, silt, sediment or other materials shall be permitted to discharge off-site that could damage or disturb neighbouring properties, public roads or drains by installing and maintaining appropriate erosion and sediment controls, prior to and during the works and until the site is stabilised. The temporary stormwater control is required to achieve control of a 2% AEP storm event.

Prior to the commencement of any earthworks

5. That prior to the commencement of any earthworks associated with the excavation and filling of building platforms, a 'co-ordinated construction methodology' plan shall be provided to the satisfaction of the District Engineer that demonstrates that earthworks and associated access points are managed in a controlled way in association with the construction of the subdivision works that ensures the integrity of new roading and services is maintained without damage.
6. Written confirmation shall be provided from Environment Bay of Plenty Earthworks confirming that the proposed earthworks for the subdivision and building platform works do not require resource consent, mindful that the earthworks quantities will be cumulative.

Prior to construction of any dwellings

7. That the Engineering Plans and specifications required for the subdivision consent be approved prior to construction of the first house.
8. That survey pegs for the proposed lots be put in place in accordance with the subdivision consent or alternatively house locations be certified as being in accordance with the land use application plans and any amendments required by the subdivision consent & or engineering plan approval prior to foundation inspection.
9. That the existing abandoned sewer and stormwater mains shall be removed and the trenches backfilled and certified prior to construction of any house within the affected proposed lots.
10. That the minimum building platform level for each of the sites shall be 1.0 metres above the ground water level. The building platform shall be certified by a Chartered Professional Engineer as suitable for building prior to foundation inspection.
11. That the minimum finished floor level for any building requiring a building consent shall be 1.5 metres above the ground water level.
12. Stormwater disposal from any development on the Lots (roof, driveway and hard surfaces) shall be reticulated to the approved connection for that Lot and a secondary overland flow path formed to dispose of surface stormwater so that it discharges to the Council reticulated system.

Acoustic treatment of buildings

13. Any habitable buildings on Lots 9 – 16 & 28 & 29 shall comply with the appropriate NZS Standards for internal noise (NZS2107:2000) or latest version of the standard applicable at the time of building.

Prior to occupation of houses

14. That all roads, street lighting, sewerage, stormwater, water supply, electricity, and telecommunications facilities shall be provided to the standards required by Council as a service operator or other service operators in which the infrastructure will be vested. Certification from Council or other appropriate service operator that it is satisfied with the standard of the service provided, and that it will accept the particular service, shall be provided to Council as consent authority before it issues any Section 224 Certificates to enable a survey plan to be deposited and prior to occupation of any of the houses.

Access

15. That an on site turning area be provide for all lots where the vehicle entrance is 15m or less from any street intersection boundary (including the opposite side of a 'T' junction or where a vehicle entrance is 15m or less from any traffic calming or traffic control structure as required by Appendix 18 f1.2 of the District Plan.

Financial contribution

16. That the financial contribution for reserves and heritage purposes as set out in the subdivision consent conditions be paid to Council prior to occupation of the houses. The amount payable has been assessed at 5% of the value of the land area exclusive to 45 of the 48 additional dwelling less 50% of the land value of the Local Purpose Reserve to vest as part of the subdivision.

The reasons for this decision are that:

1. The site is zoned Residential B in the District Plan where the construction of additional houses to a density of one house per 450m² is a Controlled activity. This consent will allow construction of 48 houses along side construction of subdivision works which were approved on 19 May 2006.
2. As a controlled activity the Council is satisfied that there will not be any adverse effects which can not be avoided or remedied by the conditions of consent. Conditions require subdivision works to be carried out concurrently with housing construction so all is completed prior to occupation of any of the houses. This consent includes earthworks for building platforms hence conditions being placed within this consent which are ordinarily found within the subdivision consent.
3. There is a history of high Ground Water Level's (GWL), poor stormwater soakage disposal and ponding issues in the surrounding area. In addition, information contained in the subdivision application confirms the summer GWL is only 800mm Below Ground Level in some areas; it is expected this will be higher during winter conditions. Any particular limiting effects of the "saturated grey silt" and the perched water table (which is some 3 metres above lake level) as recorded by the preliminary borehole logs, should also be established. Subdivision consent conditions & condition of this consent require groundwater table investigation to ensure the proposed stormwater disposal system will provide adequate disposal prior to any construction.
4. Other conditions require those houses with boundaries adjacent to the State Highway and / or industrial zoned land to be acoustically designed to ensure residential amenity of a high standard is achieved for future residents.
5. The proposal is considered to be consistent with the relevant objectives & policies of the District Plan and the purposes and principles of the Resource Management Act 1991 given the land has been zoned for residential development.
6. A financial contribution is payable in accordance with Appendix U of the District Plan towards the development of existing, and purchase of additional, land to enhance the amenity and heritage value of reserves. Financial contribution conditions have been placed within the subdivision consent and will be required to be met at Sect 224 stage.

The applicants are advised that:

Engineering advice

- (a) In regard to the proposed water layout, Lots 9 & 10 does not meet the requirements for a rider in the access lot. Scour valves at the end of riders are not required. Riders can be flushed by demand and if necessary through the last connection. The link from the development to Ngongotaha Road (SH 36) is to be uPVC not mdpe.
- (b) There is an open drain in subdivision site behind properties fronting 52 – 58 Wikaraka Street that goes no where. This drain fills up and then overflows into the properties above. Suitable shaping of the contour will end this effect.
- (c) It is noted a piped reticulation system to collect the runoff from sites, hard surfacing, buildings and roads is proposed. Due to existing downstream pipe size constraints this will be a duplicate system discharging directly to the lake. An EBOP Discharge permit will be required.
- (d) This system is to be designed to cater for 2% (50 year) AEP flows within the pipe to minimise secondary flow effects on reserves, adjoining streets and property, although a 1% (100 year) AEP secondary flow path is also proposed.
- (e) The shaping of the lots and any filling will need to ensure that secondary flowpaths in relation to adjoining properties are provided for. A complaint regarding stormwater overflow from the subject site onto the rear of the properties at 52-58 Wikaraka Street has been received by Council.
- (f) Due to the nature of the site, more comprehensive ground water investigations is required, in particular to demonstrate that a satisfactory long term sub-soil ground water collection system can be installed within public areas that will maintain the winter water table at a minimum of 1 metre below the proposed roads. Council expects that an experienced Geotechnical Engineer would be consulted to confirm the suitability of the proposal.
- (g) Prior to any works in the road reserve, a Road Opening Notice must be obtained from Council. This is available free of charge, by contacting Tiki Galvin on Ext 8238.
- (h) The work on the public stormwater and sewer mains is to be carried out by an "approved" Council contractor.
- (i) Written confirmation is required from Environment Bay of Plenty Earthworks that the proposed works do not require resource consent, mindful that the earthworks will be cumulative.
- (j) The watermain location in the reserve is to be finalised as part of Engineering Plan approval.
- (k) The traffic safety audit is to look at vehicle crossing locations, in particular for the Lots 1, 17, 21, 33, 36, 45 and 48. The scale of the plans have made it difficult to assess but the report should also outline which additional Lots require on-site turning that have not been shown on the submitted plans for the Land Use Consent. Lots 17 and 33 have the vehicle access either sharing or particularly close to an access lot vehicle crossing.

Monitoring

- (l) Fulfilment of the conditions of this consent within the timeframe specified in the consent is necessary to carry out the proposal for which this consent relates. Your progress towards satisfying the conditions of consent will be monitored by Council's Monitoring & Compliance Officer. Please contact the Monitoring & Compliance Officer to schedule a final inspection when you have completed the conditions of consent so that a Planning Compliance Certificate can be issued.

Archaeological sites

- (m) Council has no records of an archaeological site on this property. This may be due to one of two factors. Either, there are no sites present or there has not been an archaeological survey undertaken. Please be advised that both known and unknown archaeological sites are protected under the Historic Places Act 1993. If during the exercising of this consent any archaeological site is uncovered work must stop and permission be obtained from the Historic Places Trust under the provisions of either Section 11 or 12 of the Historic Places Act 1993.

Right of objection

- (n) If you are dissatisfied with any aspect of the decision, you have a right of objection to Council under section 357 of the Resource Management Act 1991. Please advise Council in writing stating the reasons for the objection and the preferred outcome within 15 working days of receiving this decision. If no objection is received it will be assumed that the applicant accepts this decision.

Lapsing of consent

- (o) The above consent lapses on the expiry of 5 years after the date of receiving this letter, unless the consent is given effect to.

If you have any questions regarding this consent, please contact, **Joanne Watts**, Senior Resource Management Advisor or the Duty Planner.

Yours faithfully



Nigel Wharton
Director, Environmental Services