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11 September, 1996

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Phipps Hawley
Surveyors
PO Box 190
ROTORUA

Attention: Paul Andrews

Dear Sir,

APPLICATION FOR SUBDIVISION CONSENT -
T.G.G. HARPER, PART KAWAHA 3E BLOCK,
GEMINI PLACE, ROTORUA

At its meeting on 9 September 1996, Council resolved that the application for the subdivision of Part Kawaha 3E Block XIII Rotoiti Survey District, be approved in terms of Section 105 of the Resource Management Act 1991, subject to the following conditions:

- i) That engineering plans and specifications for earthworks, roading and services in accordance with Council's Engineering Code of Practice are submitted to the District Engineer for approval, and such works are carried out to his satisfaction.
- ii) That all of the proposed lots are each provided with separate sanitary sewerage and stormwater connections in accordance with Council's Engineering Code of Practice and District Plan.
- iii) That the proposed Lots 5 - 12 are each provided with separate water connections in accordance with Council's Engineering Code of Practice and District Plan.
- iv) That all of the proposed lots are provided with underground power and telephone services in accordance with Council's Engineering Code of Practice and District Plan, and the requirements of Rotorua Electricity and Telecom.
- v) That a surface stormwater secondary flow path crossing Lot 1 is designed and constructed to contain surface flows and is protected by an easement to the satisfaction of the District Engineer.
- vi) That a Resource Consent is obtained from Environment BOP for the discharge of stormwater from the subdivision into either Lake Rotorua or the Waiowhiro Stream.
- vii) That the land is filled so that no portion of any building platform (being the area within each lot whereon a building can be located in terms of the provisions of the Proposed Rotorua District Plan) lies below a level of 281.1 (Moturiki Datum).

- viii) That a Consent Notice shall be registered against the titles of Lots 2 - 7 advising owners that no habitable buildings are to be erected on the proposed Lots with a floor level of less than 261.6 metres above Moturiki Datum.
- ix) That Lot 1 is filled and shaped to continue the Waiowhiro Stream cross section through from the existing Lots in Gemini Place to the lake edge and to a level not lower than 281.6 metres above Moturiki Datum, except for that portion containing the proposed overland flowpath.
- x) That the vehicle crossings to serve the proposed Lots 1 - 4, 14 & 15 are formed drained and constructed in accordance with Council's Engineering Code of Practice and District Plan.
- xi) That the existing sewer pipe crossing proposed Lot 14 is protected by a drainage easement 3m wide in favour of the Rotorua District Council.
- xii) That provision is made for sanitary sewerage connections to Lots 1 & 2 DPS 53522 and Lot 8 DPS 8460.
- xiii) That any public services crossing private property are protected by easements in favour of the Rotorua District Council.
- xiv) That the maintenance agreement for the proposed access lot (Lot 15) is submitted to the District Engineer for approval in order that he may ensure that adequate provision is made in the documentation for the maintenance and cost sharing of the proposed access lot by the various parties concerned.
- xv) That Lot 15 is formed using traffic control measures to reduce pedestrian conflict to the satisfaction of the District Engineer.
- xvi) That Lot 16 is vested as road.
- xvii) That the areas subject to building restrictions on Lots 8 - 14 are designated as restricted areas on the survey plan to the satisfaction of the District Engineer and that a Consent Notice is registered against the titles of Lots 8 - 14 advising owners to the effect that:
 - xviii) No buildings should be constructed within the restricted zone unless:
 - xix) The foundations extend to the underlying bedrock, and they are designed to withstand potential movement of the overlying soils, or
 - xx) A detailed stability analysis is undertaken of the proposed foundation system for any building, and it can be shown that acceptable factors of safety against instability can be obtained, or
 - xxi) The foundation system of any building is specifically designed to ensure acceptable factors of safety against the instability of the slope are achieved; and,
 - xxii) Any building foundation designs shall be certified by a registered Civil Engineer.
- xxiii) That a financial contribution for reserves and heritage purposes is calculated at twelve thirteens of 5% of the land value of a 850 m² land area within each of proposed Lots 1 to 12 inclusive and Lot 14 and that this sum less the land value of Lot 17 (Esplanade Reserve) & Lot 18 (Recreation Reserve) is paid to Council.
- xxiv) That Lot 17 be vested in Council as Esplanade Reserve, Lot 18 be vested in Council as Recreation Reserve and that Lot 16 be vested in Council as Road.

xxv) That Lots 13 & 14 are held in the same certificate of title.

xxvi) That Lot 15 (Access Lot) is held as to nine undivided one-ninth shares by the owners of Lots 5 to 12 inclusive and Lot 1 DPS 53522 as tenants in common in the said shares and that individual certificates of title are issued in accordance herewith.

Council further advises the applicant of the following by way of a rider to the decision:

- a) Council, at the above meeting also resolved under Section 321 3) c) of the Local Government Act 1974 that Council is satisfied that adequate access to proposed Lots 5 to 12 inclusive is provided by Lot 15 (Access lot) as shown on the submitted scheme plan to be shown as a memorandum on the survey plan.
- b) If the value of Lots 17 & 18 exceed the total calculated financial contribution for reserves & heritage purposes then Council will pay the difference to the applicant.
- c) Council will pay the agreed costs of providing the sewer connections in accordance with condition xii) of this consent.
- d) The overland flowpath should be wide enough to contain the estimated flow and any measures necessary to direct the water from Gemini Place and to protect Lots 1, 2 & 3.

You will be advised further regarding the reserves contribution upon receipt of the valuation of Lots 1-12 and Lots 14, 17 & 18 from Council's Valuer.

Yours faithfully

Joanne Watts
Planner

APPROVED

DATE 9/9/96

NOTE

Levels are in terms of
MSL Moturiki Datum.
Lots 13 and 14 will be
held in one certificate
of title.

Area subject
to building
restrictions

REDUCED COPY.
Not to scale shown

TOTAL AREA:

2.9859 ha

Note - Areas and measurements
Subject to final survey.

DRAWING NO.

2237/4

SCALE

1:1000

DATE

JULY, 1996



Phipps Hawkey Ltd.

REGISTERED SURVEYORS

20 Hauroko Street,
P.O. Box 190, P. M. H. A.
Phone (07) 476-995
Fax (07) 476-994

PROPOSED SUBDIVISION OF PART KAWAHIA 3E BLOCK.

PREPARED FOR G. HARPER CT 524/431 ROTORUA DISTRICT

