

MINUTES

TITLE: Environment & Planning Subcommittee
DATE: Monday, 9 October 2006
TIME: 9.30 am
VENUE: Council Chamber, 189 Queen Street, Richmond.

PRESENT: Crs E M O'Regan (Chair), S G Bryant and E E Henry.

IN ATTENDANCE: Consents Manager (J Hodson), Consent Planner Subdivision (D Hewett), Development Engineering (D Ley) and Administration Officer (B D Moore).

1. J AND V MARTIN & T AND N FRANCIS, 140 CHAMPION ROAD, RICHMOND, SUBDIVISION RM060019

The applicant sought consent to subdivide Certificate of Title NL124/55 of 8 094 m² into Lot 1 of 3 610 m² containing an existing dwelling and shed and Lot 2 of 4 480 m². The site is Rural 2 Zone at 140 Champion Road, Richmond and located about 1.4 kilometre from the intersection of Salisbury and Champion Road and is Lot 1 DP 5028.

The Committee reserved its decision at 2.35 pm.

RESOLUTION TO EXCLUDE THE PUBLIC

Moved Crs O'Regan / Henry
EP06/10/07

THAT the public be excluded from the following parts of the proceedings of this meeting, namely:

J and V Martin & T and N Francis

The general subject of the matter to be considered while the public is excluded, the reason for passing this resolution in relation to the matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for passing this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
J and V Martin & T and N Francis	Consideration of a planning application	A right of appeal lies to the Environment Court against the final decision of Council.

**Moved Crs Henry / O'Regan
EP06/10/08**

**THAT the open meeting be resumed and the business transacted during the time the public was excluded be adopted.
CARRIED**

- 2. J AND V MARTIN & T AND N FRANCIS, 140 CHAMPION ROAD, RICHMOND,
SUBDIVISION RM060019**

**Moved Crs Bryant / Henry
EP06/10/09**

THAT pursuant to Section 104B of the Act, the Committee GRANTS consent subject to conditions as detailed in the following report and decision:

Report and Decision of the Tasman District Council through its Hearings Committee

Meeting held in the Tasman Room, Richmond

on 9 October 2006, commencing at 9.30 am

A Hearings Committee ("the Committee") of the Tasman District Council was convened to hear the resource consent application(s) lodged by J and V Martin and T and N Francis relating to the proposed subdivision of 140 Champion Road, Richmond into two allotments being Lot 1 of 3,610 m2 and Lot 2 of 4,480 m2. The application, made in accordance with the Resource Management Act 1991 ("the Act"), was lodged with the Tasman District Council and referenced as RM 060019.

PRESENT: Hearings Committee
Cr O'Regan, Chairperson
Cr Henry
Cr Bryant

APPLICANT: J AND V MARTIN AND T AND N FRANCIS
Mrs J McNae, Planning Consultant, Staig and Smith

CONSENT AUTHORITY: Tasman District Council
Deborah Hewett- Consent Planner- Subdivision
Dugald Ley-Development Engineer

SUBMITTERS: Mr D W Taylor
Mr C Hager
Mr M Harvey

IN ATTENDANCE: Ms Jean Hodson- Manager Consents
Mr Brian Moore- Committee Secretary

1. DESCRIPTION OF THE PROPOSED ACTIVITY

To subdivide an existing certificate of title comprising 8,094 square metres into two titles. The two proposed titles would be:

- Lot 1 comprising 3,610 square metres (containing an existing dwelling and shed); and
- Lot 2 comprising 4,480 square metres

The application site is located at 140 Champion Road, Richmond, approximately 1.4 kilometres from the Salisbury and Champion Road intersection, at the base of the Richmond Hills (Barnicoat Range).

The legal description of the land is Lot 1 DP 5028, Certificate of Title NL124/55.

The site is zoned Rural 2 in the proposed Tasman Resource Management Plan (PTRMP).

The subdivision is considered to be a Discretionary Activity because the minimum allotment size for the Rural 2 zone is less than the 50 hectare minimum threshold required under controlled activity rule of the PTRMP.

2. PTRMP PLAN RULE(S) AFFECTED

The proposed activity does not comply with Controlled Activity Rule 16.3.8(b) of the Tasman Resource Management Plan and is deemed to be a discretionary activity in accordance with Rule 16.3.9 of the Tasman Resource Management Plan.

3. NOTIFICATION AND SUBMISSIONS RECEIVED

The application(s) was notified on 8 July 2006 pursuant to Section 93 of the Act. A total of nine submissions were received, three in support, three being conditionally in support, one submission is neutral and two are in opposition. In addition, the applicant has obtained the written consents of thirteen surrounding property owners.

The issues raised by the submissions includes:

- The land has no productive value or potential due to its size and topography
- The subdivision is in keeping with the rural residential environment that exists in Champion Road. The present Rural 2 zoning is not in keeping with the locality, which has smaller allotments; it is not a true Rural 2 zone (due to size). A rural residential zone is more appropriate
- The applicants have vastly improved the look of the area with their clean up of the site and removal of rubbish and cars
- Subdivision in the area should not occur until a long term plan (20 years) is developed for the area in line with the Hill Street East Study Recommendations and the Richmond Development Study, and the rezoning is reviewed.

- There will be a precedent effect of granting consent, which will open the floodgates for subdivision of Rural 2 land on the basis of underutilisation of land, attractive building sites and existing pattern of development. Intrusive high density development will compromise the environmental qualities of the backdrop to the Richmond foothills.
- Inequity in land values and rates between rural and rural residential zoned land where section sizes are similar/smaller
- Loss of views and privacy; and noise issues

Conditions of consent proposed by one or more submitters include:

- Dwelling not to exceed 5.8 metres above the existing natural ground level/single storey dwelling
- Building site/rear of the building site to be moved further forward
- Roof colour to blend with the bush surroundings (soft green colour)
- Shelter belt to be planted along the full length of the south-west boundary
- Solid border fence to be erected along the north western boundary near the new access.
- Large gum tree to be removed
- Existing stormwater problems need to be addressed

4. PROCEDURAL MATTERS

There are no procedural matters arising from the hearing requiring to be reported.

5. EVIDENCE HEARD

The Committee heard evidence from the applicant, submitters, and the Council's reporting officers. The following is a summary of the evidence heard at the hearing.

5.1 Applicant's Evidence

Planning Consultant Mrs J M McNae tabled and read evidence on behalf of the applicant. She addressed the concerns raised by submitters and outlined the levels of mitigation which the applicant had volunteered.

The proposed new dwelling is on the upper portion of the site and the access would be formed parallel to the neighbour's existing access at the north-western side of the site. The applicant intended to either prune or remove the large prominent blue gum tree located on the subject site. The evidence provided an assessment of effects on the environment and said that the subdivision of the site will not have any significant impact on the loss of productive rural land. The evidence outlined the major issue for the subdivision being the impact on character and amenity values. The applicants agreed to allow the colours of any proposed dwelling to be recessive and blend in

with the environment. The applicants volunteered a restriction of 6.5 metres in height above natural/existing ground level for the proposed new dwelling.

The applicants objected to the requirement to pay a development contribution for waste water as on site waste water treatment would occur and there is no Council proposal to provide a reticulated sewer in the next ten years. Stormwater disposal through the culvert beneath Champion Road is inadequate so the applicants proposed to provide on site stormwater management and detention to manage peak stormwater flows.

A geotechnical assessment of the proposed building area on Lot 2 confirmed its stability and suitability to construct a dwelling.

The evidence concluded that a grant of consent to the subdivision, subject to the imposition of appropriate conditions, is not contrary to the relevant objectives and policies of the PTRMP.

Mrs McNae said in her evidence that the subject proposal maintains a rural residential or low density residential density of development. As such, it will not create a contrary pattern to the reasonable option for zoning in the future. The evidence suggested that the subject area of land is inappropriately zoned as Rural 2. The land in the vicinity of the subject site has a distinctive rural residential character and there are few rural activities being undertaken. The evidence concluded that the subject proposal will have no more than minor effects on the environment and the area will still maintain a rural residential character and that the spatial separation between dwellings is still very generous, even with a new dwelling on proposed Lot 2.

Mrs McNae said the applicants are happy to accept the recommended conditions of consent outlined in the Officer's report, with exception of conditions relating to stormwater, the wording of the consent notice conditions for stormwater under 8.3 and in the proposed subdivision condition 8.8 for the culvert upgrade. The other exceptions related to the restriction on height to five metres, where the request of the applicants is that the restriction be 6.5 metres above natural ground level and that there be no restriction to the building being single-storey. The applicants suggested wording for a proposed consent notice for stormwater management.

Mr J Martin also spoke on behalf of the applicant and was accompanied at the Hearing by Mrs V Martin and Mr T Francis. Mr Martin referred to the large cleanup job which had occurred on the subject site and provided illustrations of before and after photographs. The four applicants had shared the cost of the purchase and the subdivision is required in order to accommodate a further dwelling and that the two families may legally separate ownership of each half of the subject site. Mr Martin explained the work which had been carried out to seek consent from neighbouring property owners and these efforts had largely been met with conditional support with only two of the nine submitters opposing the application.

5.2 Submitters Evidence

Mr D W Taylor spoke in support of the application and indicated agreement that controls should be applied to the colour of any future dwelling. He said that the prominent gum tree should be either pruned or removed.

Mr C Hager of 134 Champion Road spoke for the submission from Property Investments (South Pacific) Limited and expressed concern about potential effects on the rural appeal and rural usage of this submitter's property. He suggested some proposed conditions of consent such as a height restriction on any proposed new dwelling on Lot 2 and sought the construction of shelter belts and solid board fencing on the boundary. The submission also sought screening for any stormwater detention tank and control of stormwater run-off to avoid this flowing onto the submitter's property. Mr Hager also sought that a condition be applied regarding landscaping in order to preserve the rural appeal. Mr Hager said he wanted any new dwelling to be restricted to a height of 5.5 metres above mean ground level.

Mr M Harvey said he believed that his property was affected to the greatest degree by the application but nevertheless supported it as an effective use of this land. He said a solid fence or six metre high shelter belt would be out of character in this location. He said that any proposed house site should be either a single level or split level design with a maximum height of 6.5 metres from any point of the natural ground to the roof height.

5.3 Council's Reporting Officer's Report and Evidence

Consent Planner Subdivision D Hewett referred to the conclusions outlined in her report EP06/10/04 of 27 September 2006 contained within the agenda. She also said that approval of the subdivision will give rise to a precedent effect. Her report stated that should consent be granted, this may well lead to further applications of a similar nature but that may not necessarily be a bad thing. She said that the prominent blue gum tree adds significant amenity value to the site but the tree is not listed as protected. She suggested that the safety of the tree should be assessed by an arborist.

She suggested that the height of any new dwelling should be restricted to five metres above existing ground level. She referred to the definition and diagram for the calculation of maximum heights of buildings as described in Chapter 2 of the PTRMP.

Ms Hewett said that screening along the accessway on the northwest boundary would be incongruous with the rural landscape. She suggested that the southwest boundary of Lot 2 could be appropriately landscaped instead of the requirement for a screen fence or shelter belt.

Ms Hewett responded to questions from the Committee on the matters of landscaping, dwelling colours, fencing and the amenity value of the gum tree.

Development Engineer D Ley said that the subject site is included in the urban drainage area but that no reticulated sewer is planned to service this site in the next ten years. He said the subject site is also in the stormwater urban drainage area and that the applicant contour plan shows the drainage proposed to go to Champion Road and the Nelson City Council stormwater system. This is a substandard stormwater reticulation system and although stormwater detention may be provided on site, the pipe under Champion Road will require upgrading and the costs will be required to be paid by the applicant. He tabled an email from Nelson City Council Engineering requesting that on site stormwater detention system be required if the consent is to be granted.

6. PRINCIPAL ISSUES

The principal issues that were in contention were:

- Rural land productivity
- Rural character and amenity values
- Cross boundary and reverse sensitivity effects
- Fragmentation of rural land
- Access and service effects
- Hazard and geotechnical issues
- Earthworks effects
- Cumulative and precedent effects

Generally speaking, the Committee is concerned about the subdivision of rural land. The Plan policies seek to avoid the effects of fragmentation and the loss of all productive land which includes Rural 2 land. In this case the Committee was satisfied that the land had limited productive value due to the small size of the property.

In terms of rural character and amenity values, the application will result in one more dwelling in the area which is already has a rural residential character. The concerns of some adjoining and nearby property owners regarding the loss of privacy and rural amenity were considered by the Committee, however it was concluded that as the main vista of the existing dwellings was focused away from the new building site on Lot 2 and proposed landscaping will help to mitigate visual effects, that this effect would not be significant. It was considered that the location of the new dwelling on Lot 2 would still maintain the open space characteristics of the area with adequate separation between the building site and existing dwellings on adjoining properties.

The Committee considered the issue of restricting the building height and considered that the new dwelling on proposed Lot 2 should be limited to no higher than 6.5 metres above existing ground level. This would allow reasonable scope for design flexibility while not being too high in this reasonable prominent location. It was considered that limiting the height to 5.5 metres would be too restrictive and there would be no significant difference in the effects by allowing the additional metre in height. It was considered that landscaping was necessary in order to visually soften the new dwelling along the south-western boundary but that it was not necessary to provide any sort of screening or additional fencing along the edge of the driveway on the north-western boundary.

The Committee acknowledged the agreement of the applicants in terms of the controls imposed on colours for the dwelling which would ensure the house blended harmoniously with the surrounding environment. The Committee considered that the removal, trimming and management of the large gum tree on the property should be left up to the land owner and should not be controlled through conditions of this consent. Although the tree provides some amenity, it is not a tree which would meet the criteria for protection under the Council's rules. It was not considered that noise or shading would be a significant effect associated with a new dwelling in this location.

The adjoining land owner also raised concerns regarding loss of productive potential of their land as a result of a new dwelling on Lot 2 which would result in restrictions on the available planting area and also management regimes for future plantings. The Committee did not consider this to be a significant issue given the topography of the site and the fact that there is a duty to contain effects of agricultural/horticultural activities within the site.

In terms of the issue of fragmentation of rural land, generally this is a concern to Council but in this instance it is noted that the pattern of subdivision in this area has already resulted in a rural residential style environment and this application will not cause a fragmentation effect which is significant in this location.

The Committee considered that the access arrangements would not create any adverse traffic safety effects. In terms of servicing, the matter of on-site wastewater disposal had been investigated and conditions of consent would ensure that this could be adequately managed so that no adverse off site effects were created. In relation to stormwater disposal, the Committee heard that the culvert under Champion Road needed to be upgraded in order to be able to deal with any additional stormwater. It was considered that this upgrade should be undertaken by the developer and it is practical to do this at the time of the access formation as they are contiguous. It was also considered important to ensure that stormwater was managed in a way to minimise peak flows. The Committee agreed with staff advice that a detention tank would be the most practical method for this given the topography of the site. Clearly there should be no uncontrolled discharge of stormwater onto adjoining private land which would be other than the natural flow.

The Committee was satisfied that a suitable building site had been identified on Lot 2 which was safe in terms of the geotechnical conditions of the site and in the area and that future development could be managed provided the conditions recommended by the applicant's engineer were imposed and met. It was considered that the effects of the earthworks associated with the access and building site construction would be short term effects which would be able to be adequately managed.

The Committee heard about the matter of cumulative and precedent effects. It was considered that there would be no significant adverse cumulative effects as a result of the granting of this application and neither would there be any significant precedent effect.

7. MAIN FINDINGS OF FACT

The Committee considers that the following are the main facts relating to this application:

- Rural land productivity- No significant effect due to limited size of property
- Rural character and amenity values-No significant effect due to rural residential character of the area, adequate separation distance between dwellings, visual effects mitigated partly by landscaping and other restrictions on the new dwelling
- Cross boundary and reverse sensitivity effects- No significant effect due to topography and limited existing and potential productive uses of surrounding land.

- Fragmentation of rural land-No significant effect due to existing pattern of development.
- Access and service effects- Conditions will mean these effects can be managed with no significant adverse effect. Stormwater needs to be carefully managed.
- Hazard and geotechnical issues-No significant effect provided recommended conditions are imposed and met.
- Earthworks effects- No significant long term effects
- Cumulative and precedent effects- No significant cumulative or precedent effects.

8. RELEVANT STATUTORY PROVISIONS

8.1 Policy Statements and Plan Provisions

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

- a) the Tasman Regional Policy Statement (RPS);
- b) the Proposed Tasman Resource Management Plan

8.2 Part II Matters

In considering this application, the Committee has taken into account the relevant principles outlined in Sections 6, 7 and 8 of the Act as well as the overall the purpose of the Act as presented in Section 5.

9. DECISION

Pursuant to Section 104B of the Act, the Committee **GRANTS** consent subject to conditions.

10. REASONS FOR THE DECISION

The subdivision proposal seeks to create two rural-residential sized allotments of 3,610 m² and 4,480 m², on land zoned Rural 2 with subsequent construction of a dwelling on Lot 2; the hill site.

The productive value of the land is limited due to the size of the site and the topographical variation, the character of the area is more rural-residential than rural, and the amenity values will not change significantly as a result of the subdivision, and any minor effects can be managed through conditions of consent. Separation of residences will be maintained even though the creation of Lot 2 means the buffers of the proposed dwelling from the neighbouring property boundaries is reduced.

Fragmentation of rural land is a key TRMP issue and consideration in any application for subdivision in a rural zone. However, given the existing context of the site and locality (Rural 2 rectangle), the proposed subdivision will not have an adverse fragmentation effect on productive land values, rural character and amenity values.

The rural zone objectives and policies of the Proposed Plan seek to avoid the loss of potential of productive values of all rural land (objective 7.1.0), to provide opportunities to use rural land for activities other than soil based production where this does not compromise productive values and give rise to cross boundary effects (objective 7.2.20) and to avoid, remedy or mitigate adverse effects on rural character and amenity values (objective 7.3.0). Overall the subdivision is not inconsistent with these objectives and policies.

Having considered the relevant matters of discretion in Schedule 16.3A, the policies and objectives of the Plan and the purpose of the Act, the Committee are satisfied that consent should be approved.

11. CONDITIONS OF CONSENT

The Committee have imposed crucial conditions in relation to the building location area, height of the dwelling, landscaping and wastewater and stormwater management. These conditions have been imposed in order to avoid, remedy or mitigate adverse effects that may result from the subdivision.

RESOURCE CONSENT DECISION

Resource consent number: RM060019

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

J AND V MARTIN AND T AND N FRANCIS
(hereinafter referred to as "the Consent Holder")

Activity authorised by this consent: To subdivide an existing certificate of title comprising 8,094 square metres into two titles being:

- Lot 1 comprising 3,610 square metres (containing an existing dwelling and shed); and
- Lot 2 comprising 4,480 square metres

Location details:

Address of property:	140 Champion Road, Richmond
Legal description:	Lot 1 DP 5028
Certificate of title	NL124/55.
Valuation number	1961031100:

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

CONDITIONS

1. Subdivision Plan

The subdivision shall conform with the application Plan RM060019 dated 8 June 2006, Job No. 8694, Issue No. 3 prepared by Staig and Smith Ltd, and attached to this consent.

2. Building Location Plan

A building location plan for Lot 2, in accordance with the application plan RM060019 showing the location of the building area, shall be prepared by a registered professional surveyor that accurately defines the location of the building area by survey and shall be submitted to the Consent Planner, Subdivision for approval as part of the section 223 title plan.

The building location area shall be setback 5 metres from internal boundaries.

The building location area shall be shown on the section 223 plan.

3. Consent Notice

The following conditions for Lot 2 shall be complied with on a continuing basis by the subdividing owner and subsequent owners after the deposit of the survey plan and are therefore to be subject to a consent notice registered on the certificate of title for Lot 2 DPXXX pursuant to Section 221 of the Resource Management Act.

The consent notice shall be prepared by the applicant's solicitor and submitted to Council for approval and signing. All costs associated with approval and registration of the consent notices shall be paid by the consent holder.

Building Location Area

- a) That the construction of a dwelling and other buildings shall be restricted to the building location area shown on Lot 2 Title Plan DPand the dwelling and other buildings shall be fully contained within the area identified.

Advice Note:

This area has been defined on the basis of setbacks from observed areas of land instability present on the lot.

Building Height and Colour

- b) The maximum building height of the dwelling and associated accessory buildings shall be restricted to 6.5 metres above ground level (as defined in the Tasman Resource Management Plan).
- c) The external colour of the dwelling and associated accessory buildings, including the roof, shall be recessive and any exterior surfaces shall be non-reflective. The colours shall be shown on the building plans and submitted to the Council's Consent Planner, Subdivision for approval prior to the issue of the building consent.

Advice Note:

As a guide, the Council will generally approve colours that meet the following criteria:

Colour Group*	Walls	Roofs
Group A	A05 to A14 and reflectance value $\leq 50\%$	A09 to A14 and reflectance value $\leq 25\%$
Group B	B19 to B29 and reflectance value $\leq 50\%$	B23 to B29 and reflectance value $\leq 25\%$
Group C	C35 to C40, reflectance value $\leq 50\%$, and hue range 06-16	C39 to C40, reflectance value $\leq 25\%$, and hue range 06-16
Group D	D43 to D45, reflectance value $\leq 50\%$, and hue range 06-12.	Excluded
Group E	Excluded	Excluded
Finish	Matt or Low-gloss	Matt or Low-gloss

* Based on BS5252:1976 (British Standard Framework for Colour Co-ordination for Building Purposes). Where a BS5252 descriptor code is not available, the Council will compare the sample colour chip provided with known BS5252 colours to assess appropriateness.

The consent holder should engage the services of a professional to ensure the exterior cladding and colour selection are compatible with the long term durability of the building material in the subject environment and in accordance with the requirements under the Building Act 2004.

Building Works - Platform and Foundations

d) All foundations on cut ground shall be in accordance with NZS3604:1999.

Any foundations on filled ground shall be subject to specific engineering design, or shall penetrate the fill and be founded within the 'Good Ground' (as defined in NZS3604:1999) comprising competent, insitu highly weathered Moutere Gravel.

e) No placement of unretained fill shall be placed on slopes steeper than 1V:3H. Placement of fill shall include appropriate stripping, benching and under drainage. Any new fill on Lot 2 must be controlled engineered fill, sourced and placed in accordance with NZS 4431:1989 *Earthfill for Residential Development*. Where fill material has been placed on any part of the site, (including the backfilling of the original test pits) a Chartered Professional Engineer, practising in geotechnical engineering, shall certify that the filling has been placed and compacted in accordance with NZS 4431:1989 and this certification statement shall be provided to the Council's Engineering Manager in accordance with Appendix B Section 11 of the Tasman District Council Engineering Standards 2004.

Advice Note:

Formation of a building platform in cut should expose 'Good Ground' over much of its extent. The northwestern side of any platform will require lesser cuts, and some filling, and foundations may have to be locally deepened in order to found in 'Good Ground'. Table 1 identifies 'Good Ground'.

Table 1. Soil Strength Characteristics	
Scala Penetrometer Test	Depth (mm) to 'Good Ground' as defined by NZS3604:1999
SC2	350
SC4	900

Reference should be made to the letter entitled "Geotechnical Site Assessment – Lot 1 DP 5028, Champion Road, Richmond" prepared by TerraFirma Engineering Ltd dated 21 November 2005.

Earthworks, Retaining Walls and On-Site Access

- f) All temporary or permanent cuts greater than 1.2 metres high shall be specifically designed and investigated by a Chartered Professional Engineer practising in geotechnical engineering.
- g) Any buildings shall be set back from the base of any unretained cut batter a minimum distance of half the height of the batter.
- h) Any retaining walls over 1.2 metres in height, including those incorporated into the building structure shall be designed by a Chartered Professional Engineer practising in geotechnical engineering. All retaining walls shall be fully drained
- i) The planned driveway alignment, grade, cut batters and fills shall be investigated and designed or reviewed by a Chartered Professional Engineer practising in geotechnical engineering.

Vegetation and Planting Plan

- j) That prior to the issue of the building consent for the dwelling on Lot 2 a planting plan prepared by a suitably experienced person shall be submitted to the Council's Consent Planner, Subdivision that:
 - identifies the species, location and the height of species at maturity to screen the buildings on Lot 2 along the southwest boundary adjacent to the building location area,
 - identifies species of suitable trees and shrubs that provide support, including deep rooted varieties that are to be planted on the steep north facing slope below the building area,
 - shows how the proposed building will integrate with the site and landform,
 - Identifies a management and maintenance programme
- k) Planting in accordance with the approved planting plan shall be completed within two years of the issuing of the building consent for the dwelling on Lot 2. The completion of the work in accordance with the planting plan shall be confirmed by a suitably experienced person.
- l) The plantings shall be maintained in accordance with the planting plan.

Wastewater Treatment and Disposal

m) Treatment of domestic wastewater shall be by way of a system that consists, as a minimum, of a 4,500 litre capacity, two chamber septic tank which has an outlet filter installed. The treated wastewater shall be discharged to the disposal area(s) shown on Plan 05016 Figure 2, Revision B "Investigations Location Plan", prepared by TerraFirma Engineering Ltd, dated 29 May 2006 and attached to this consent. The disposal system shall consist of disposal beds which have a basal disposal area of not less than 150 square metres and shall be in accordance with point 2 f) of the letter report entitled "Geotechnical Site Assessment – Request for Further Information, Lot 1 DP 5028, Champion Road, Richmond" prepared by TerraFirma Engineering Ltd dated 30 March 2006. The disposal system shall incorporate dose loading to ensure even distribution of the wastewater to the disposal area.

As an alternative to the above, a treatment system which treats the wastewater to a secondary standard may be installed and the treated wastewater shall be discharged using pressure compensating drippers to any suitable part of the allotment provided a specific design report is prepared which allows for appropriate loading rates for the different soil types found on the property.

Advice Note:

Point 2 f) in the report refers to Plan 05016 Figure 2 Revision A. Please note this plan has been superseded by Revision B and is this attached to this consent.

- n) No buildings shall be constructed and no deep rooting vegetation such as trees shall be planted on the wastewater disposal and reserve areas. Stock shall be excluded from the wastewater disposal and reserve areas (if in use).
- o) During the excavation and construction of earthworks, a Chartered Professional Engineer practising in geotechnical engineering shall provide written confirmation to the Council's Resource Consent Co-ordinator that the subsoil is compatible with the subsoil conditions described in the letter report entitled "Geotechnical Site Assessment - Lot 1 DP 5028, Champion Road, Richmond" prepared by TerraFirma Engineering Ltd dated 21 November 2006 and the letter report "Geotechnical Site Assessment – Request for Further Information, Lot 1 DP 5028, Champion Road, Richmond" prepared by TerraFirma Engineering Ltd dated 30 March 2006. Where there is variation in the subsoil conditions a report shall be provided setting out the subsoil conditions and any recommended measures required to the wastewater disposal system to address the variations in subsoil conditions, where necessary.
- p) Lot 2 DPXXX and the associated dwelling shall be connected to the Council's reticulated wastewater system at such time that a reticulated wastewater network is extended along Champion Road. The cost of the installation and connection shall be paid by the land owner at that time.

Stormwater Disposal

- q) Stormwater from any roof, impermeable areas (e.g. driveways and paving etc), retaining wall drains, subsoil drains or water storage areas (e.g. swimming pools) shall be collected and piped to discharge into the axis of the stream course on the northern side of Champion Road, downslope from the house, via the upgraded culvert.

No uncontrolled discharge shall occur on the slopes below the building location area.

- r) The size of the holding tank shall be calculated using a 28 litre capacity for every square metre of permanent surface. The holding tank shall have an outlet orifice pipe of a maximum diameter of 40 millimetres.

That prior to the issue of a building consent for the dwelling on Lot 2 DPXXX a plan showing the design of the tank, including the size of the tank and outlet orifice, and the location of the holding tank shall be provided to the Council's Development Engineer for approval. The area of permanent surface shall also be specified.

Advice Note:

An example for calculating the capacity of the holding tank is that a 200 square metre permanent surface will require a 5.6 cubic metre tank; $200 \text{ m}^2 \times 28 \text{ litres} = 5.6 \text{ m}^3$.

Power and Telephone – Dwelling on Lot 2

- s) Separate underground live power and telephone connections shall be made to the dwelling on Lot 2.

Confirmation of the above from the line operator and a copy of the certificate of compliance shall be provided to the Council's Engineering Manager.

All servicing shall be in accordance with the Tasman District Engineering Standards and Policies 2004.

Water – Dwelling on Lot 2

- t) The dwelling on Lot 2 shall be connected to the Council's reticulated water system. The costs of connection shall be paid by the landowner.

4. Water

Full water reticulation complete with all laterals, valves and other necessary fittings shall be installed and a water meter and approved housing box shall be provided for Lot 2. A water connection shall be provided to the road reserve boundary of Lot 2.

Advice Note:

An application will need to be made to the Council's Engineering Department for connection to the Council's reticulated water system. The cost of the connection must be paid by the consent holder prior to the issue of the Section 224 certificate.

5. Power and Telephone

Full servicing for underground power and telephone shall be provided to the boundary of Lot 2. The relevant utility provider shall be required to provide written confirmation to the Tasman District Council Engineering Manager that live power and telephone connections have been made to the boundary.

Confirmation that these requirements have been met shall be provided in a written statement from the supply authority. A copy of the supplier's certificate of compliance shall be provided to the Tasman District Council Engineering Manager prior to a completion certificate being issued pursuant to Section 224(c) of the Resource Management Act 1991.

All servicing shall be accordance with Tasman District Engineering Standards and Policies 2004.

6. Easements

Easements are to be created over any services located outside the boundaries of the lots that they serve as easements-in-gross to the Tasman District Council for Council reticulated services or appurtenant to the appropriate allotment.

Reference to easements is to be included in the Council resolution on the title plan.

7. Vehicle Crossing and On- Site Access

- a) The vehicle access crossing on Lot 2 shall be a minimum carriageway width of 3.5 metres, and a minimum legal width of 4 metres, and shall be designed and constructed in accordance with Figure 1 with:
 - i) a formed and sealed surface between the edge of the seal of the carriageway of the road to the property boundary of Lot 2;
 - i) the first 6 metres in from the road carriageway formation shall be level with the road carriageway formation;
 - ii) an extension of the road surface standard of seal into Lot 2 for a distance of 10 metres
 - iii) adequate provision shall be made for the control and discharge of stormwater

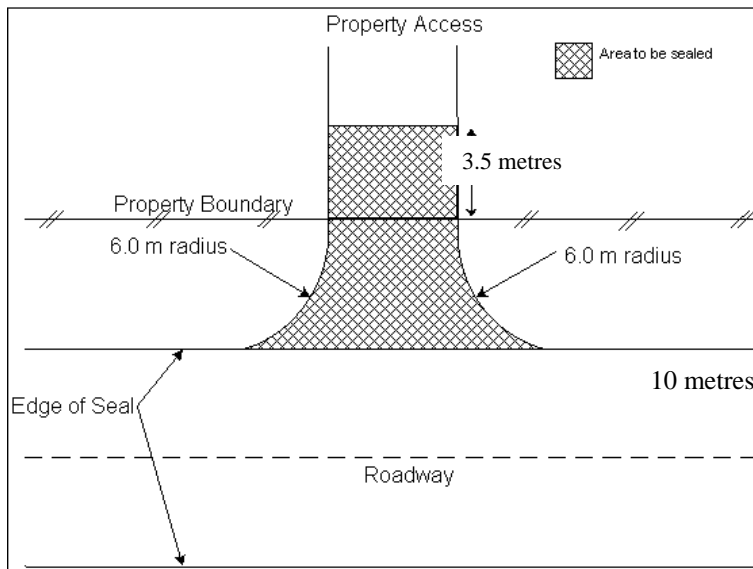


Figure 1 – Vehicle Crossing Design for Lot 2

For the purposes of this condition “sealed” shall mean a surface that has, as a minimum, a Grade 4 chip first coat, overlain by a Grade 6 void fill second coat.

8. Culvert Upgrade

The existing concrete culvert pipe at the northern corner of the site under Champion Road shall be upgraded to meet the Tasman District Council Engineering Standards 2004. The final size of the culvert pipe shall be approved by the Engineering Manager.

An engineering plan shall be submitted for approval prior to issue of the s223 certificate.

Advice Note:

A road opening permit will be required from the Council to undertake works within the road reserve.

9. Fence on Lot 1 and 2

The existing wire netting and warratah fence shall be removed from along the road reserve boundary but may be relocated to the boundary of the allotments.

Advice Note:

The location of this fence encroaches into road reserve and is a potential safety risk to pedestrians utilising the road reserve.

10. Street Numbers

The street numbers shall be those allocated below:

Lot 1	140 Champion Road
Lot 2	136 Champion Road

The street numbers shall be shown on the engineering plans.

11. Engineering Plans

Engineering plans detailing the culvert design and works (including size, location and gradient), for Lot 2, and all services are required to be submitted to the Tasman District Council Engineering Manager for approval prior to the commencement of any works. All engineering details are to be in accordance with the Tasman District Council Engineering Standards and Policies 2004. All necessary fees for engineering plan approval shall be payable.

As-built plans detailing the culvert and services shall be provided to the Tasman District Council Engineering Manager.

The Section 223 title plan shall not be submitted until the engineering plans have been approved by the Tasman District Council Engineering Manager, so that easement areas can be accurately determined.

12. Commencement of Works and Inspection

The Tasman District Council Engineering Department shall be contacted two working days prior to the commencement of any engineering works. In addition, two working days' notice shall be given to the Engineering Department Inspectors when soil density testing, pressure testing, beam testing or any other major testing is undertaken.

No works shall commence on-site until the engineering plans as required to be submitted for approval in accordance with Condition 11 of this consent have been approved by the Tasman District Council Engineering Manager.

13. Engineering Works

All works shall be constructed in strict accordance with the Tasman District Council Engineering Standards and Policies 2004 or to the Tasman District Council Engineering Manager's satisfaction.

14. Engineering Certification

- a) At the completion of works, a suitably experienced chartered professional engineer or surveyor shall provide the Tasman District Council Engineering Manager with written certification that the works have been constructed in accordance with the approved engineering plans, drawings and specifications and any approved amendments.
- b) Certification that the nominated building location area on Lot 2 is suitable for the erection of a residential building shall be submitted from a chartered professional engineer or geotechnical engineer experienced in the field of soils engineering (and more particularly land slope and foundation stability). The certificate shall define on Lot 2 the area suitable for the erection of residential buildings and shall be in accordance with Appendix B Section 11 of the Tasman District Engineering Standards 2004.

- c) Where fill material has been placed on any part of the site, a suitably experienced chartered professional engineer shall certify that the filling has been placed and compacted in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development. The certification statement of suitability of earth fill for residential development shall be made in accordance with Appendix A Section 11 of the Tasman District Engineering Standards and Policies 2004 and shall be provided to the Tasman District Council Engineering Manager.

15. Financial Contributions

Payment of financial contributions assessed as follows:

Reserves and Community Services

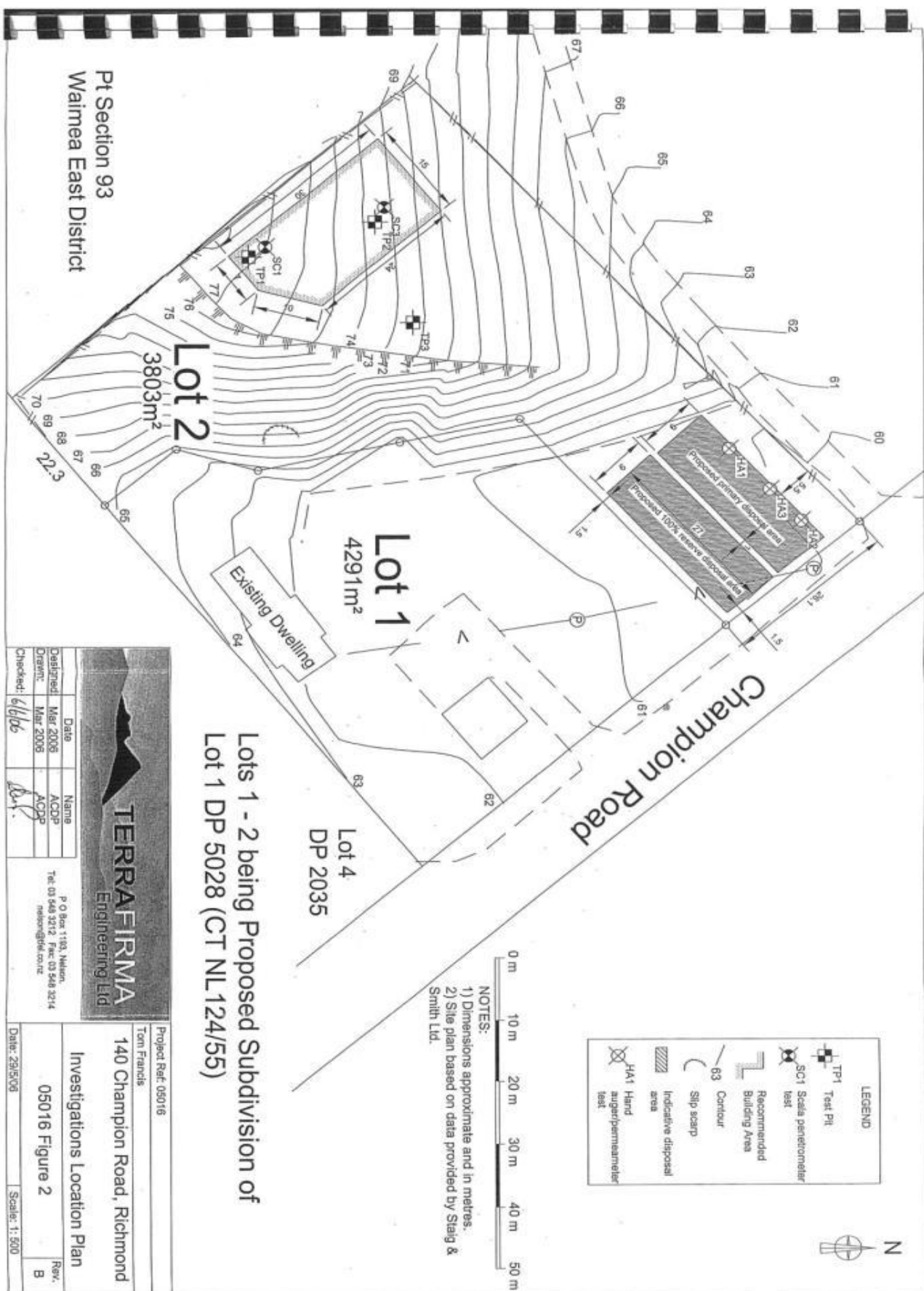
5.5% of the assessed market value of the identified 2,500 m² building site within Lot 2.

If payment is not made within two years of the granting of this resource consent, a revised valuation must be provided and the contribution recalculated. The cost of any valuation shall be paid by the consent holder.

Advice Note:

Council will not issue the Section 224(c) certificate in relation to this subdivision until all development contributions have been paid in accordance with Council's Development Contributions Policy under the Local Government Act 2002.

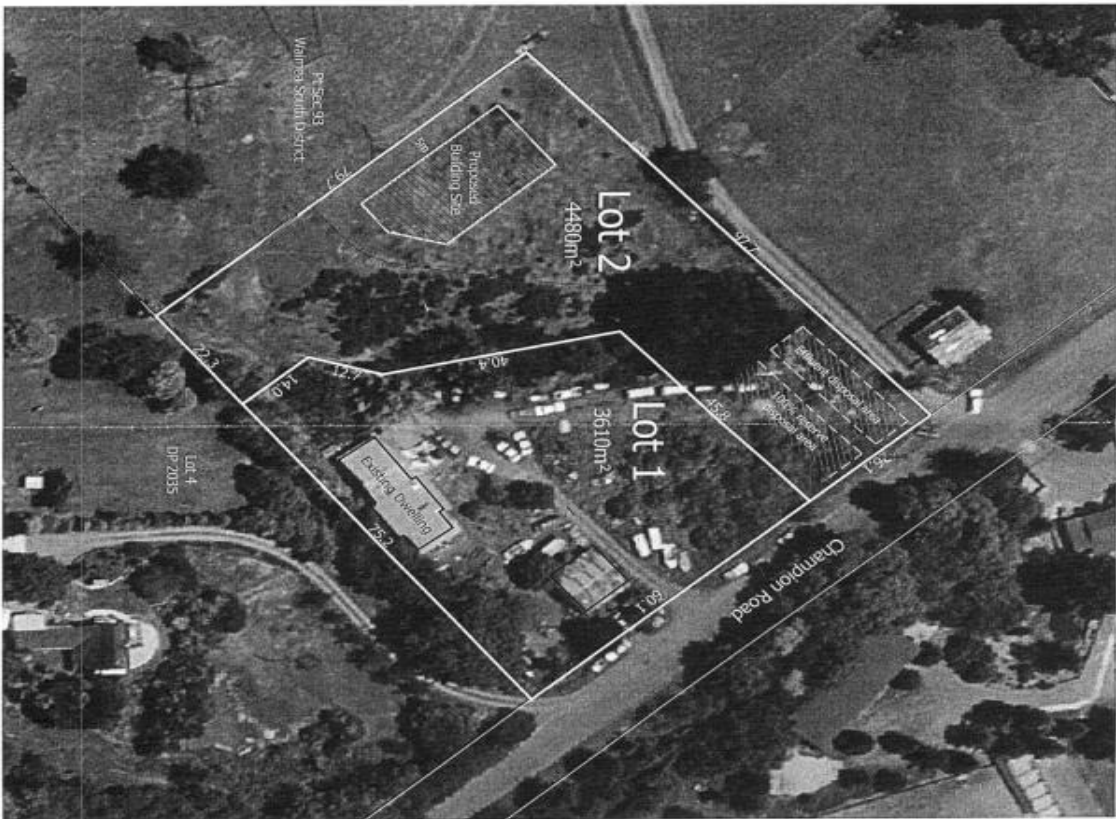
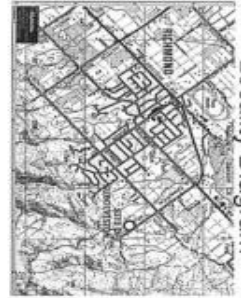
The Development Contributions Policy is found in the Long Term Council Community Plan (LTCCP) and the amount to be paid will be in accordance with the requirements that are current at the time the relevant development contribution is paid in full.



**Lots 1 - 2 being Proposed Subdivision of
Lot 1 DP 5028 (CT NL124/55)**

<table border="1"> <tr><th>Date</th><th>Name</th></tr> <tr><td>Designed: Mar 2006</td><td>ACDP</td></tr> <tr><td>Drafted: Mar 2006</td><td>ACDP</td></tr> </table>	Date	Name	Designed: Mar 2006	ACDP	Drafted: Mar 2006	ACDP	<table border="1"> <tr><th>Date</th><th>Name</th></tr> <tr><td>Checked: 6/1/06</td><td>[Signature]</td></tr> </table>	Date	Name	Checked: 6/1/06	[Signature]
Date	Name										
Designed: Mar 2006	ACDP										
Drafted: Mar 2006	ACDP										
Date	Name										
Checked: 6/1/06	[Signature]										
P O Box 1103, Nelson Tel: 03 548 3212 Fax: 03 548 3214 nelson@terrafirma.co.nz											
Project Ref: 05016 Tom Francis	140 Champion Road, Richmond Investigations Location Plan										
Date: 23/5/06	Rev: B 05016 Figure 2										
Scale: 1:500											

Locality Diagram



Lots 1 & 2 being Proposed Subdivision of Lot 1 DP 5028



COPIRIGHT

Warning
This plan has been prepared for the purpose of a resource consent application only. It is not a product survey plan. All details are for information only and are not to be used for any other purpose without the approval of the relevant authority.

This Subdivision was approved at
Activity on the day of
20.... subject to the conditions noted in the Plan.

SUBDIVISION OFFICER

Completed in: CT No. 23495
Applicant:
J & V Martin & J & N Francis

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Job Title:
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140 Champion Road
Richmond

Drawing Title:
Resource Consent Application Plan

Scale: 1:750
Date: 08/06/2006
Sheet: 1 of 1
Job No: 8694
M CH

Issue No: 3
Date: 08/06/2006

CARRIED

Date Confirmed:

Chair: