

MINUTES

TITLE: Environment & Planning Committee
DATE: Monday, 28 January 2008
TIME: 9.30 am
VENUE: Council Chamber, 189 Queen Street, Richmond

PRESENT: Cr S G Bryant (Chair), Crs M J Higgins and S J Borlase

IN ATTENDANCE: Principal Consent Planner (R Askew), Consultant Planner (G Rae), Consents Coordinator Subdivision (M D Morris), Administration Officer (B D Moore)

1. SUNNYCROFT LIMITED, 50 CHAMPION ROAD, RICHMOND - SUBDIVISION RM070757, LAND USE RM070758, STORMWATER DISCHARGE RM070760

1.1 Proposal

The applicant sought consent to subdivide Lot 1 DP 334154, CT 140104 into 22 allotments and land use consent to erect a single dwelling on each of the 19 residential allotments and discharged stormwater into an adjacent stream.

The Committee proceeded to hear the application, presentation of submissions and staff reports as detailed in the following report and decision.

The Committee reserved its decision.

RESOLUTION TO EXCLUDE THE PUBLIC

Moved Crs Bryant / Higgins
EP08/01/20

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

Sunnycroft Limited

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
Sunnycroft Limited	Consideration of a planning application	A right of appeal lies to the Environment Court against the final decision of Council.

Moved Crs Borlase / Higgins
EP08/01/21

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

CARRIED

2. SUNNYCROFT LIMITED, 50 CHAMPION ROAD, RICHMOND - SUBDIVISION RM070757, LAND USE RM070758, STORMWATER DISCHARGE RM070760

Moved Crs Higgins / Borlase
EP08/01/22

THAT pursuant to Section 104B of the Resource Management Act, the Committee GRANTS consent to Sunnycroft Limited for the Subdivision Consent RM070757 and Land Use Consent RM070758 and Discharge Permit RM070760 subject to conditions as detailed in the following report and decision.

CARRIED

**Report and Decision of the Tasman District Council
through its Hearings Committee Meeting
held in the Tasman Room, Richmond
on 28 January 2008,
commencing at 9.30 am**

A Hearings Committee ("the Committee") of the Tasman District Council ("the Council") was convened to hear the application lodged by **Sunnycroft Limited** ("the Applicant") to subdivide Rural Residential zoned land and associated Land Use Consents, and Discharge Permit (Stormwater). The application, made in accordance with the Resource Management Act 1991 ("the Act"), was lodged with the Council and referenced as RM070757 (Subdivision), RM070758 (Land Use), and RM070760 (Discharge Stormwater).

PRESENT:

Hearings Committee

Cr S G Bryant, Chairperson

Cr M J Higgins

Cr S J Borlase

APPLICANT:

Mr N McFadden (Legal Counsel)

Mr M Lowe, (Representative of the Applicant Company)

Mr D G Canton, (Services Design Engineer Consultant)

Mrs J M McNae, (Planning Consultant)

CONSENT AUTHORITY:

Tasman District Council

Mr G Rae, (Planning Consultant)

Mr M D Morris, Co-ordinator - Subdivision Consents

SUBMITTERS:

Mr R Rea

B and L Smith (tabled submission)

IN ATTENDANCE:

Mr R Askew, Principal Resource Consents Adviser –
Assisting the Committee
Mr B Moore – Committee Secretary

1. DESCRIPTION OF THE PROPOSED ACTIVITY

The applicant has sought resource consent to subdivide Lot 1 DP 334154 (CT 140104) into 22 allotments and land use consent to erect a single dwelling on each of the 18 newly created residential allotments and discharged stormwater into an adjacent stream.

The application is for the following consents:

RM070757

A subdivision consent to subdivide Lot 1 DP 334154 (CT 140104) into 22 allotments, comprising 19 residential allotments (Lots 1 – 19) ranging in size from 620 square metres to 1,220 square metres. Lot 19 will retain the existing dwelling and garage on the property. Lot 20 is proposed as Esplanade Reserve to vest in the Council, Lot 21 is proposed as a Walkway Reserve, and Lot 22 is proposed as Road to vest in the Council.

Consent is sought to stage the subdivision as follows:

- Stage 1 – Lot 19 and Balance Area
- Stage 2 - Lots 1-5, 16-18, 20 and Road to vest (Part Lot 22)
- Stage 3 – Lots 6-15, 21 and Road to vest (Part Lot 22)

RM070758

A land use consent to construct a single dwelling on each of the proposed Lots 1-18 of subdivision application RM070757. There is an existing dwelling on Lot 19. The application proposes that the Residential zone Permitted Activity rule criteria of the Proposed Tasman Resource Management Plan be applied to any dwelling erected on proposed Lots 1-18.

RM070760

A discharge permit to discharge stormwater collected from buildings, roads, and other hardstand areas associated with subdivision consent application RM070757 and land use consent application RM070758 to a stream adjacent to the western side of the property. Stormwater systems proposed include rain gardens for stormwater from road surfaces and piped stormwater from buildings. A term of 35 years is sought for this discharge permit.

The property is located at 50 Champion Road, Richmond.

The property has a house, accessory building, and gardens in the north eastern corner, (to be retained within proposed Lot 19) with the remainder of the site being in pasture.

The entire site slopes gently towards the north-west and there is an unnamed stream running to the west of the property.

2. PROPOSED TASMAN RESOURCE MANAGEMENT PLAN (“PTRMP”) ZONING, AREAS AND RULE(S) AFFECTED

According to the PTRMP the following apply to the subject property:

Zoning: Rural Residential Serviced
Area: Land Disturbance Area 2

The proposed subdivision does not comply with Controlled Activity Rule 16.3.10 of the PTRMP as the minimum lot size is less than 2,000 square metres and the activity is deemed to be a Discretionary Activity in accordance with Rule 16.3.11 of the PTRMP.

The proposed dwellings on Lots 1-18 inclusive, do not comply with the Permitted Activity Rule 17.6.4 of the PTRMP in that the proposed building site coverage could exceed 20% and the building setbacks could be less than 10 metres from road boundaries and 5 metres from internal boundaries. The activity is a Restricted Discretionary Activity in accordance with Rule 17.6.5 of the PTRMP.

The proposed discharge of stormwater from the development does not comply with the Permitted Activity Rule 36.4.2(2) of the PTRMP in that the discharge is to commence after 19 September 1998 and is a Restricted Discretionary Activity in accordance with Rule 36.4.4. of the PTRMP.

Notwithstanding two of the proposed activities (namely land use and discharge) fall to be Restricted Discretionary Activities (over which the Council has restricted the matters to be considered), the subdivision is a Discretionary Activity and is the most onerous consent status applicable to the suit of resource consents applied for and provides the overall status for considering the application.

A Discretionary Activity is one that the Council may grant or decline and if granting may include conditions.

3. NOTIFICATION AND SUBMISSIONS RECEIVED

The application was notified on 15 September 2007 pursuant to Section 93 of the Act. A total of five submissions were received, however three of those submissions were subsequently withdrawn prior to the hearing. The following is a summary of the two remaining submissions and the main issues raised:

i) Bevan and Lillian Smith (10 Regent Lane)

The submitters opposed the application but wished that the consent be granted. They stated that they are concerned that the subdivision will adversely affect their privacy and daylight on their property.

If consent was granted they wished to have conditions imposed requiring the dwellings and any other buildings on Lots 8 and 9 to be set back no less than 10 metres from their boundary.

The submitters wished to be heard but did not attend the hearing.

ii) Robert Rea (8 Regent Lane)

The submitter neither supported nor opposed the application and wished that the consent be granted. The submitter had the concerns regarding the potential for light spill from any consequential street lighting from the subdivision.

If consent is granted, the submitter requested that “full cut-off” luminaire optics be used in street lighting.

The submitter wished to be heard and addressed his submission at the hearing.

4. PROCEDURAL MATTERS

There were no procedural matters of any significance other than that the Committee noted that three of the five submitters to the application had withdrawn and that submitters B and L Smith had tabled a submission but did not attend the hearing.

5. EVIDENCE HEARD

The Committee heard evidence from the applicant, expert witnesses, submitters, and the Council’s reporting officer. The following is a summary of the evidence heard at the hearing.

5.1 Applicant’s Evidence

Mr N McFadden, Counsel for the applicant, tabled and read an opening submission. He referred to the Rural Residential zoning of the subject site and discussed the other subdivisions in this locality which had received consent to allow allotments with areas between 820 square metres and 1,240 square metres. Mr McFadden explained how the 2,000 square metres minimum subdivision allotment size in this rural residential zone is no longer a logical minimum. He added that the applicant’s proposal provides for allotments ranging in size from 805 square metres to 1,220 square metres. Mr McFadden said that three of the original five submissions being those of Wood, Anderson and Stillwater Gardens Retirement Village Limited had been withdrawn.

The applicant volunteered a condition of consent to satisfy the light spill concerns raised by submitter, Mr R Rea, and he also stated the concerns of Mr and Mrs Smith can be satisfied in part through appropriate conditions of consent. The applicant was volunteered a 5 metre set back for any dwelling on proposed Lot 9 adjacent to the boundary of the Smith property. Mr McFadden addressed the proposed conditions of consent suggested by the Council’s reporting officer.

The applicant’s representatives, Mr and Mrs Lowe, were present at the hearing. Mr M Lowe read a statement of evidence to describe how residential development now comprises the surrounding environment of the subject property which has caused some reverse sensitivity issues affecting his horticultural use of the land and forced a decision to subdivide his property.

Mr D G Canton read a statement of evidence in his capacity as Services Design Engineer for the proposed subdivision. Mr Canton referred to the proposed conditions of consent and advised that the primary piped stormwater system will be sized to cater for a one in five year storm event. The secondary flood route along the

proposed road and pedestrian walkway, to the adjoining stream, is to be designed to cater for a one in fifty year storm event. Construction of the proposed road as a secondary flood flow path will cut off a significant catchment currently contributing to stormwater flows across the site and into the adjoining properties to the north-west. The proposed filling as a recommended condition of consent by Council staff was therefore considered unnecessary.

Mr Canton sought that recommended Condition 13 of for RM070757 be deleted as the applicant is a party to a private legal agreement to ensure connection of the sewer system to the Council's sewerage reticulation system.

The applicant's Consultant, Mrs J M McNae, read a statement of evidence to address the planning issues. The applicant proposed to vest a walkway reserve in the Council, in addition to the required esplanade reserve provision adjacent to the stream located at the south of the subject property. The evidence suggested a 5 metre set back from the rear boundary for any habitable building on Lot 9. Mrs McNae added that a height restriction beyond the zone rule is clearly not required in addition to the recommended daylight angle condition. The evidence provided a proposed design of street lighting to avoid potential light spill and satisfied the concerns raised by Mr Rea, who has an astronomy observatory on his property.

Mrs McNae said that the proposal to vest the esplanade reserve as well as the proposal to vest the walkway reserve should be acknowledged in respect of the latter, through an offset on the reserve fund contribution, as what has been proposed, in respect of the walkway is beyond any mandatory requirement. Mrs McNae said there will be no adverse cumulative effects from the proposed subdivision as the Council's infrastructural services network has the ability to service the proposed subdivision. Attached to Mrs McNae's evidence was a comparative list of recommended subdivision and land use consent conditions.

5.2 Submitter's Evidence

Mr R Rea acknowledged that the applicant had suggested an acceptable street lighting proposal which appeared to satisfy his requirement for the lighting to be directed downwards.

Submitters, B and L Smith, provided a letter which was read at the hearing by Mr Askew. The submitters live on the southern side of the proposed subdivision. The submitters sought that there be no reflected sunlight from buildings or fences and no A-framed houses be built and that there be no strong artificial lights at night.

5.3 Council's Reporting Officer's Report and Evidence

Mr G Rae, Consultant Planner, spoke to his report and noted that three of the original submitters had subsequently withdrawn their submissions leaving only those of Mr and Mrs Smith and Mr Rea. Mr Rae agreed that the proposal is appropriate and that the proposed daylight recession plane and 7.5 metre height restrictions would be sufficient.

He referred to the proposed conditions of consent attached to the evidence from Mrs McNae and agreed that recommended Condition 34(ii) for RM070757 should refer to the minimum setback from the rear boundary for any habitable building on Lot 9 being 5 metres.

The Council's Coordinator Subdivisions Consents, Mr M D Morris, referred to the recommended conditions of consent and conveyed the agreement of the Council engineering staff to the proposed amended conditions. He said he had discussed the proposed walkway reserve to the esplanade reserve with Community Services Planner, Ms R Squire, and that she had said that as the walkway has a dual purpose being also for stormwater overland flows as well as a walkway, a 50% reduction should be made for the value of this 105 square metre walkway for reserve fund development impact levy purposes.

5.4 Applicant's Right of Reply

Mr McFadden responded for the applicant and noted that Mr Rea appeared happy with the proposed lighting specifications. He said that the applicant can meet the concerns of Mr and Mrs Smith through the use of daylight controls and a 5 metre setback and sought that this be in relation to a habitable building. Mr McFadden said that the proposed walkway was totally volunteered by the applicant and that it was considered by the applicant as unnecessary for the subdivision. He said that the applicant could just have the stormwater pipe and delete the walkway reserve should no credit be provided for reserve fund contribution purposes.

6. PRINCIPAL ISSUES

The principal issues were:

- a) would the potential subdivision and development have adverse effects on the rural-residential character and amenity?
- b) would the development be harmonious with existing and proposed subdivisions in both the Rural Residential and Residential zones?
- c) would the proposal be an efficient use of the land resource?
- d) are proposed conditions adequate to mitigate actual and potential adverse effects, both in a general sense and in regards to those persons that made submissions regarding adverse effects specific to them?

7. MAIN FINDINGS OF FACT

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

- a) the Committee considers that Rural Residential zone amenity has already been changed, with the more recent pattern of subdivision and land use having the characteristics of Residential zone development rather than Rural Residential. This pattern of subdivision and development has been subsequent to subdivision and development of surrounding land since the year 2000. The Committee also notes that the subject property adjoins, or is close to, Residential zoned land to the north and west.
- b) the Committee considers that there has been a number of preceding applications for resource consent to subdivide Rural Residential zoned land in the Champion Road, Hill Street North zoned area. Whilst a few earlier subdivisions in the Rural Residential zone have met the Controlled Activity

criteria for minimum lot size (2,000 square metres), several recent subdivisions have been granted to have allotment sizes and development that is more aligned with the Residential zone. The Committee also notes that former rural land to the eastern side of Champion Road, which lies within the Nelson City Council boundaries, is currently being developed for residential use.

- c) the Committee found that there has been a general acceptance by the Council to consider smaller residential sized allotments and higher density residentially used development of land in the Champion Road, Hill Street North Rural Residential Serviced zone. This fact is supported by recent decisions regarding subdivision and development, and that adherence to the Controlled Activity minimum lot size of 2,000 square metres (with expectations for use of land for rural residential/lifestyle purposes) would not be the most efficient use of the land for what has developed as a predominantly residential area.
- d) The Committee considers that, with a few exceptions, there was agreement between the applicant's advisers and the Council reporting staff regarding proposed conditions. Such consensus between parties and with the Committee's own deliberations on the matters is to conclude that the proposed conditions are reasonable, fair, adequate and appropriate for the proposed development and that any adverse effects of the proposal can be avoided, remedied or mitigated to be no more than minor.

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) Tasman Regional Policy Statement (TRPS);
- b) The Transitional Regional Plan (TRP);
- c) The Proposed Tasman Resource Management Plan (PTRMP);
- d) Resource Consents RM990481 (Midas Trust/Leger Trust – Ridings Grove), RM060753 (Richards/Leger Trust), and RM070749 (Ramsay – 51 Hill Street), RM070169 (Kearney – consent granted but appealed).

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 purpose of the Act as presented in Section 5.

9. DECISION

Pursuant to Section 104B of the Act, the Committee **GRANTS** the Subdivision Consent RM070757 and Land Use Consent RM070758 and Discharge Permit RM070760 subject to conditions.

10. REASONS FOR THE DECISION

The Committee noted that the Council has been consistent in approving subdivision and land use consents for residential development in the Champion Road, Hill Street North Rural Residential Serviced zone.

In this area precedence for smaller sized allotments has been established by the approval of the Midas Trust subdivision (now St Leger Group Limited) in May 2000 (RM990481), which created Park Drive and allowed for a relatively large number of smaller residential sections in the area. The approval of that subdivision has created the potential for more similar applications for residential subdivision within this zone and this has occurred.

A subdivision (RM060753) by Richards - St Leger Group Limited was approved for six lots ranging in size from 900 square metres to 1,100 square metres and is now referred to as "Perrendale Close". Isolated infill subdivision has also resulted in small lot sizes (such as the Ramsay subdivision on the corner of Hill Street and Champion Road – RM070749 which provided for a 475 square metres new lot with the balance remaining being 860 square metres).

More recently the Council granted consent for I F and N D Kearney and St Ledger Group to subdivide a slightly larger property into 18 residential allotments; however this decision is subject to appeal.

The Controlled Activity minimum lot size criteria is 2,000 square metres for the Rural Residential zone and any subdivision below 2000 square metres is a discretionary activity. There is no minimum area criterion below which subdivision is prohibited.

Previous subdivisions have also included provisions that the proposed building coverage for the development be a maximum of 33% which has had the effect of establishing the density of the built environment which is consistently more residential than rural residential in nature.

The Champion Road – Hill Street area therefore has developed as essentially residential in character, the main difference being the sections are in some cases larger than normal Residential zoned allotments, allowing a larger than normal house to be built on them.

The proposed subdivision will be fully serviced for water, wastewater and stormwater without adversely affecting the Council's servicing infrastructure. There are potential effects from stormwater overflows that can be addressed by provisions to allow for secondary stormwater flow paths. The Council's reporting officers concurred with the applicant's Services Design Engineer Consultant that the proposed road would serve as a secondary flow path for stormwater and that additional provisions for surface flows could be provided if stormwater calculations provided with engineering plans indicated any increase in stormwater flows would occur post development.

In the context of previously approved subdivisions in the area, the adverse effects of this proposed subdivision are no more than minor and it is not considered that this subdivision and development will be contrary to the policies and objectives of the PTRMP.

In regards to the concerns raised by Mr R Rea, the Committee noted that the volunteered condition by the Applicant for a specific design of street lighting would satisfy his concerns regarding the adverse effects that light spill could have on his astronomical work.

The submission by Mr and Mrs Smith was in regards to potential adverse effects of development on proposed Lots 8 and 9 of the subdivision. The applicant volunteered a condition to impose a minimum 5 metre setback for any dwelling on proposed Lot 9. The requested setback of 10 metres made by the submitter would exceed the permitted baseline for a building that could be erected 'as of right' in the Rural Residential zone, and therefore was considered an unreasonable imposition by the Committee. However it was noted that, with the additional controls imposed by the Residential zone building provisions, which includes daylight angle requirements, that such constraints would further mitigate the adverse effects of building development on those allotments. Other matters raised by the submitter which were tabled were beyond the matters raised in their original submission.

The Committee notes that whilst some matters regarding heights of buildings would be controlled by the PTRMP rules, that matters relating to building colour and cladding materials were not considered to be matters that were reasonable to impose as conditions under these resource consent but were matters that could be controlled by the Applicant through private covenants if it chose to. The matter of the height of trees bordering the proposed esplanade reserve could be dealt with by direct discussion with the Community Service Department of the Council.

11. COMMENTARY ON CONDITIONS OF CONSENT

Condition 22 of the subdivision consent (RM070757) provides for a specific design of street lighting that will minimise light pollution. This condition was volunteered by the applicant in response to the submission by Mr R Rea. Mr Rea, who was in attendance at the hearing, confirmed that the proposed lighting was acceptable.

Condition 33(a) of the subdivision consent (RM070757) provides that a deduction will be made from the financial contribution for reserves and community services in respect of 50% of the market value of Lot 21 (Walkway Reserve).

The Committee noted that the applicant requested 100% deduction in regards to Lot 21, however the Committee considered that the walkway served as a significant adjunct to the stormwater system by providing a secondary flow path. The walkway is also considered to have more direct benefit to the residents of the subdivision than the general public. Therefore, the Committee concluded that a 50% deduction was fair and reasonable in the circumstances.

Condition 34(a) of the subdivision consent (RM070757) and Condition 2 of land use consent (RM070758) provides for any dwelling erected on Lots 1-18 to comply with the building activity bulk, height and location provisions applicable in the Residential zone of the PTRMP. An exception is made in regards to Lot 9 which requires that any dwelling be setback from the boundary with Lot 1 DP18941 a minimum of 5.0 metres. Such a setback is the same as would apply for the Rural Residential zone and in addition the provisions of the consent notice provided by Condition 34 of subdivision consent (RM070757) and Condition 2 land use consent (RM070758) requires the use of the bulk and location provisions applicable to the Residential

zone, means that there will be an additional constraint affecting the height of any building through application of the daylight admission angle provisions of the PTRMP.

It was stated in evidence that, for a boundary having an angle of 29 degrees (as obtained when applying the Daylight Angle Admission Diagram to the boundary between Lot 1 DP 18941 and proposed Lot 9), the rule provides for a maximum height of 5.24 metres at a distance of 5 metres whereas there is no such rule provision for the Rural Residential zone which means a complying building for that zone could be 7.5 metres high at that distance.

12. LAPSING OF CONSENT

Pursuant to Section 125 of the Act, consents lapse in five years unless they are given effect to it before then. This includes discharge permit (070760). In the case of the subdivision consent (RM070757), this consent is given effect to when a Survey Plan is submitted to the Council for the subdivision under Section 223 of the Act. Once the Survey Plan has been approved by the Council under Section 223 of the Act, the consent lapses three years thereafter unless it has been deposited with the District Land Registrar as outlined in Section 224 of the Act.

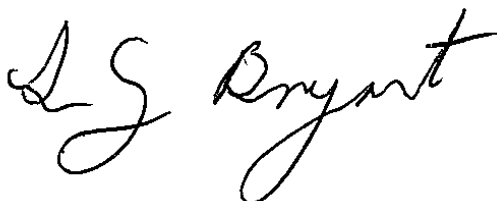
Land use consent (RM070758) will lapse five years after the issue of each of the certificates of title for the respective allotments (Lots 1 -18) inclusive. This is provided in Condition 1 of the consent.

13 EXPIRY OF CONSENTS

All land use consents have no expiry provided they are given effect to within the lapse period provided and also provided that the use is not discontinued for a continuous period of more than 12 months.

The discharge permit (RM070760) provided under this suite of consents expires in 35 years and the expiry date is stated on that consent. This term is the maximum provided in the Act for such consents and is considered appropriate as the activity is unlikely to change significantly once the development has been completed and there may be a Council stormwater reticulation provided within 35 years which would mean the discharge permit would no longer be required.

Issued this 13th day of February 2008

A handwritten signature in black ink, appearing to read 'S G Bryant', written in a cursive style.

Cr. S G Bryant
Chair of Hearings Committee



RESOURCE CONSENT

RESOURCE CONSENT NUMBER: RM070757

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

Sunnycroft Limited
(hereinafter referred to as “the Consent Holder”)

ACTIVITY AUTHORISED BY THIS CONSENT: To subdivide an existing title of 1.8794 hectares to create the following:

- Eighteen allotments (proposed Lots 1-18) of between 670 and 1,020 square metres.
- One allotment (proposed Lot 19) of 1,220 square metres containing an existing dwelling.
- Esplanade Reserve (proposed Lot 20) to vest of 1,440 square metres.
- Reserve/Walkway (proposed Lot 21) of 105 square metres.
- Road to vest (proposed Lot 22) of 2,550 square metres (proposed cul-de-sac).

LOCATION DETAILS:

Address of property: 50 Champion Road, Richmond.
Legal description: Lot 1 DP 334154
Certificate of title: CT 140104
Valuation number: 1961029500

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

CONDITIONS

General

1. The subdivision shall be undertaken in general accordance with the information submitted with the application for consent and in particular with the plan entitled “Resource Consent Application Plan” Job No. 10086 dated 14/06/2007, prepared by Staig and Smith Ltd, (copy attached to this consent as Plan A – RM070757). If there is any conflict between the information submitted with the consent application and any conditions of this consent, then the conditions of this consent shall prevail.

Advice Note:

Plans attached to this consent are reduced copies and therefore will not be to scale and may be difficult to read. Originals of the plans referred to are available for viewing at the Richmond Office of the Council.

Copies of Council Standards and Documents referred to in this consent are available for viewing at the Richmond Office of the Council.

Staging

2. The subdivision may occur in 3 stages as follows:
 - Stage 1 – Lot 19 & Balance Area
 - Stage 2 - Lots 1-5, 16-18, 20 & Road to vest (Part Lot 22)
 - Stage 3 – Lots 6-15, 21 & Road to vest (Part Lot 22)

Easements

3. Any services located outside the boundaries of the lots that they serve shall be protected by appropriate easements.
4. Easements shall be shown in a Schedule of Easements on the Survey Plan submitted for the purposes of Section 223 of the Act. Easements shall be shown on the Land Transfer title plan and shall be prepared by at the Consent Holder's expense.

Street Names and Numbers

5. Street names shall be submitted to the Council's Environment & Planning Manager, prior to the approval of the Survey Plan submitted for the purposes of Section 223 of the Act, together with reasons for each option.
6. The street numbers allocated are:

Lot 1 - 1 New road to vest	Lot 7 – 13 New road to vest	Lot 13 – 16 New road to vest
Lot 2 – 3 New road to vest	Lot 8 – 15 New road to vest	Lot 14 – 14 New road to vest
Lot 3 – 5 New road to vest	Lot 9 – 17 New road to vest	Lot 15 – 12 New road to vest
Lot 4 – 7 New road to vest	Lot 10 – 19 New road to vest	Lot 16 – 10 New road to vest.
Lot 5 – 9 New road to vest	Lot 11 – 20 New road to vest	Lot 17 – 8 New road to vest.
Lot 6 – 11 New road to vest	Lot 12 – 18 New road to vest	Lot 18 – 6 New road to vest.

7. The street numbers and street names shall also be shown on the engineering plans.
8. The cost of a name plate for any new street or private way sign shall be met by the consent holder on application to the District Council.

Road to Vest

9. The road to vest as detailed on Plan A – RM070757, (copy attached to this consent), shall have a minimum legal width of 11.4 metres, with a sealed carriageway width of 7.0 metres and a 1.4 metre footpath shall be constructed on the north-west side of the road separate from the road carriageway. The road surfacing shall be a minimum 2 coat chip seal (grade 3 following grade 5), and asphaltic surface on the turning areas in accordance with the Tasman District Council's Engineering Standards and Policies 2004.
10. Kerb, channels and sumps shall be installed in accordance with Tasman District Council's Engineering Standards and Policies 2004.

Access

11. A formed access crossing shall be constructed to each of lots 1-18 in accordance with Diagram 616 of the Council Engineering Standards and Policies 2004. Pram crossings shall be provided at the street intersections.

Water Supply

12. Full water reticulation, complete with all mains, valves, fire hydrants and associated fittings shall be installed and a water meter and approved housing box shall be provided for each of lots 1 – 18.

Advice Note:

Water connection fees will be payable under the Council's Long Term Community Council Plan for any new water connections prior to the signing of the Section 224(c) Certificate for the subdivision.

Sewer

13. Full sewer reticulation discharging to the Council's reticulated system shall be installed complete with any necessary manholes and a connection to each lot (including connecting the existing house on Lot 19).

The existing sewer line through Lot 10 DP 307871 (17 Antoine Grove) shall have a separate approval and testing via closed circuit television, pressure testing and gauging and verification of the pipe material & grade, prior to a Section 223 certificate for the Survey Plan being issues for Stage 2.

Advice Notes:

This may include work outside the subdivision to connect to or upgrade existing systems.

It is noted that the Consent Holder has a legal agreement with the owner of Lot 1 DP 17047 (60 Champion Road) to address access to the reticulated services network.

Stormwater

14. A full stormwater reticulation discharging to the Council's approved reticulated system shall be installed complete with all necessary manholes, sumps, inlets and a connection to each lot.

Advice Notes:

This may include work outside the subdivision to connect to or upgrade existing systems.

15. The rain garden proposal will require careful design and will not be permitted to be used or connected to the stormwater reticulation until the gardens have been established to the satisfaction of the Council.
16. The walkway reserve (Lot 21) shall be formed up to cater for a once in 50 years ("Q50") rainfall event. This shall require a concrete channel formed to an appropriate design shape and extend as far as the stream on the southern boundary. Because of the use as walkway access to the esplanade reserve, the final design shall be submitted to the Council's Reserves Manager and shall be to that officer's satisfaction, prior to commencement of any works.
17. The Road Reserve (Lot 22) shall be designed and formed as a secondary flow path designed for a Q50 rainfall event.
18. Stormwater calculations for the subdivision shall be provided with the Engineering Plans required by Condition 28 of this resource consent. If the calculations indicate that post development, either any damming or diversion of natural runoff of properties upstream may occur, or that an increase in stormwater flows onto adjoining properties downstream may occur, then appropriate provisions shall be included to accept such natural runoff from any upstream properties and/or to intercept any additional stormwater flows onto downstream properties into the Stormwater Design of the Engineering Plans.

Advice Note:

These measures are required to mitigate risk to the Council for the secondary stormwater flow path from the subdivision. One method would be the use of a swale to intercept flows over proposed stormwater pipes.

Cabling

19. Live telephone and electric power connections shall be provided to each lot and all wiring shall be underground to the standard required by the supply authority. The existing power and telephone connection to the existing house on Lot 19 shall be replaced with underground connections and this shall be completed as part of the stage 1 works.
20. Confirmation of compliance with Condition 19 of this resource consent shall be obtained from the relevant supply authority and a copy of the supplier's Certificate of Compliance shall be provided to the Council prior to issue of the Section 224(c) Certificate under the Act.

Electricity

21. Electricity substation sites shall be provided as required by the supply authority. Substation areas shall be shown as "**Road to Vest**" on the Survey Plan submitted for the purposes of Section 223, if such sites are adjacent to a road or road to vest.

Street Lighting

22. The consent holder shall provide street lighting in accordance with the Tasman District Council's Engineering Standards and Policies 2004. The lanterns shall be "Ely C 70W SON lantern" with "E" (flat) glazing.

Advice Note:

This lamp specification has been volunteered by the Consent Holder in order to keep light spill to a minimum.

Engineering Certification

23. At the completion of works, a suitably experienced chartered professional engineer or registered professional surveyor shall provide the Council's Engineering Manager, with written certification that the works have been constructed to the standards required by the Engineering Plans required by Condition 28 of this resource consent.
24. Certification that a site has been identified on each new lot (1-18) suitable for the erection of a residential building shall be submitted to the Council's Engineering Manager. The certificate shall be 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 each lot the area suitable for the erection of residential buildings.
25. Where fill material has been placed on any part of the site, a certificate shall be submitted to the Council's Engineering Manager from a suitably experienced chartered professional Engineer, certifying that the filling has been placed and compacted in accordance with NZS 4431:1989.

26. **Construction Earthworks**

a) **Placement of Spoil**

No spoil shall be placed in any watercourse, or where it may move or wash into a watercourse or onto adjoining land.

b) **Discharge of Sediments and Dust During or as a Result of Construction Works**

- i) All construction areas shall have adequate sedimentation mitigation or control measures to ensure that no stormwater discharge has a suspended solid level exceeding 100 grams per cubic metre of water.
- ii) A Sediment Management Plan, which shall be included in an Engineering Earthworks Plan, shall be provided prior to commencement of earthworks. The Sediment Management Plan shall also include structures and maintenance procedures for ensuring the ongoing effectiveness of sediment control measures. The Plan shall be to the satisfaction of the Council's Engineering Manager.

Advice Note:

All discharges from construction works will need to comply with the discharge standards under Section 36.2.4 of the Proposed Tasman Management Plan, unless authorised by a separate discharge permit.

- iii) All sedimentation mitigation or control measures shall be maintained by the consent holder for as long as there is a potential for sediment movement (resulting from earthworks) to affect off-site areas or natural water.
- iv) The site shall be watered as necessary to minimise dust from being blown across public roads and/or adjoining property.

c) Supervision

All earthworks (including stormwater control) shall be planned and supervised under the direction of a registered engineer experienced in large-scale earthworks and soils engineering.

d) Monitoring

The consent holder shall advise in writing the Council's Co-ordinator Compliance Monitoring and provide a copy of the approved Engineering Earthworks Plan s prior to the commencement of any earthworks on the site. All costs of monitoring and any subsequent remedial works shall be paid for by the applicant.

e) Archaeological Report

If any items of archaeological or historical significance are disturbed during construction or earthworks then works shall stop immediately and an archaeological survey shall be carried out by a suitably competent person. The local tangata whenua and the New Zealand Historic Places Trust shall be consulted. Any recommended remedial/restoration works shall be complied with.

Maintenance Performance Bond

27. The Consent Holder shall provide the Council's Engineering Manager with a bond to cover maintenance of any roads or services that will vest in the Council. The amount of the bond shall be \$1,000 per lot to a maximum of \$20,000 or a figure agreed by the Engineering Manager and shall held for two years after the date of issue of the Section 224(c) Certificate for the subdivision.

Engineering Plans

28. All engineering works for the subdivision shall be shown on Engineering Plans and shall be to the requirements set out in the Council's Engineering Standards and Policies 2004. The Engineering Plans shall include a Sediment Management Plan and Engineering Earthworks Plan as required by Condition 26 of this consent.

29. "As-Built" Engineering Plans detailing all completed engineering works and finished earthworks shall be provided for approval and signing by the Council's Engineering Manager. The "As-Built" Engineering Plan details shall be in accordance with the Council's Engineering Standards and Policies 2004.

A Certificate under Section 224(c) of the Act for the subdivision shall not be issued until the "As-Built" Engineering Plans have been approved and signed by the Council's Engineering Manager.

Commencement of Works and Inspection

30. The Council's Engineering Manager shall be contacted at least five working days prior to the commencement of any engineering works. In addition, five working days' notice shall be given to the Council's Engineering Manager when soil density testing, pressure testing, beam testing or any other major testing is undertaken.
31. No engineering works shall commence until the engineering plans required under condition 28 have been approved and signed by the Council's Engineering Manager.

Engineering Works

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

Financial Contributions

33. The Consent Holder shall prior to the issue of a completion certificate pursuant to Section 224(c), pay a financial contribution to Council's Community Services Manager for reserves and community services in accordance with following:
- a) The amount of the contribution shall be 5.5 per cent of the total market value (at the time subdivision consent is granted) of each of Lots 1-18. A deduction shall be made from the contribution, for 50% of the market value of Lot 21 (Walkway Reserve).
 - b) The Consent Holder shall request in writing to the Council's Consent Administration Officer (Subdivision) that the valuation be undertaken. Upon receipt of the written request the valuation shall be undertaken by the Council's valuation provider at the Council's cost.
 - c) If payment of the financial contribution is not made within two years of the granting of the resource consent, a new valuation shall be obtained in accordance with (b) above, with the exception that the cost of the new valuation shall be paid by the Consent Holder, and the 5.5 per cent contribution shall be recalculated on the current market valuation. Payment shall be made within two years of any new valuation.

Advice Note:

A copy of the valuation together with an assessment of the financial contribution will be provided by the Council to the Consent Holder.

Advice Note:

The Council will not issue a completion certificate pursuant to Section 224(c) of the Act in relation to this subdivision until all development contributions have been paid in accordance with the 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.

This consent will attract development contributions on eighteen allotments in respect of:

- Roding
- Wastewater
- Water
- Stormwater

Consent Notices

34. The following consent notice shall be registered on the certificate of title for Lot 1-18 pursuant to Section 221 of the Resource Management Act. The consent notices shall be prepared by the Consent Holder's solicitor and submitted to the Council for approval and signing. All costs associated with approval and registration of the consent notices shall be paid by the Consent Holder.

Dwellings erected on Lots 1 -18, shall comply with all the conditions of resource consent RM070758, which include restrictions in respect of the number of dwellings per allotment as well as their bulk, height and location.

GENERAL ADVICE NOTES**Council Regulations**

1. This resource consent is not a building consent and the Consent Holder shall meet the requirements of the Council with regard to all Building and Health Bylaws, Regulations and Acts.

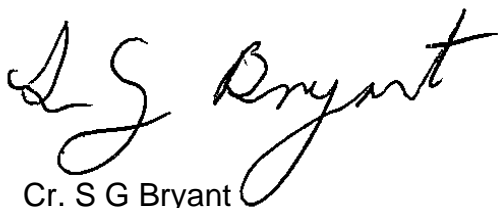
Other Proposed Tasman Resource Management Plan Provisions

2. Any activity not covered in this consent shall either comply with:
- a) the provisions of a relevant permitted activity rule in the Proposed Tasman Resource Management Plan; or
 - b) the conditions of separate resource consent for such an activity.
3. This consent is granted to the abovementioned Consent Holder but Section 134 of the Act states that such land use consents "attach to the land" and accordingly may be enjoyed by any subsequent owners and occupiers of the land. Therefore, any reference to "Consent Holder" in the conditions shall mean the current owners and occupiers of the subject land. Any new owners or occupiers should therefore

familiarise themselves with the conditions of this consent, as there may be conditions that are required to be complied with on an ongoing basis.

4. Access by the Council's Officers or its Agents to the property is reserved pursuant to Section 332 of the Resource Management Act 1991.
5. Monitoring of this resource consent is required under Section 35 and 36 of the Resource Management Act 1991, and a deposit fee is payable at this time. Should monitoring costs exceed this initial fee, the Council will recover the additional amount from the resource consent holder. Monitoring costs are able to be minimised by consistently complying with the resource consent conditions.
6. Pursuant to Section 127 of the Resource Management Act 1991, the Consent Holder may apply to the Consent Authority for the change or cancellation of any condition of this consent.
7. The Council draws your attention to the provisions of the Historic Places Act 1993. In the event of discovering an archaeological find during the earthworks (e.g. shell, midden, hangi or ovens, garden soils, pit depressions, occupation evidence, burials, taonga, etc) you are required under the Historic Places Act, 1993 to cease the works immediately until, or unless, authority is obtained from the New Zealand Historic Places Trust under Section 14 of the Historic Places Act 1993.

Issued this 13th day of February 2008



Cr. S G Bryant
Chair of Hearings Committee

PLAN A – RM070757

NOTES:

Warning
This Plan has been prepared for the purpose of a resource consent application only. It is not a precise survey plan. As such, it should not be relied upon for legal purposes. It should not be attached to sales or purchase agreements without an appropriate condition to cover such variations.

This Subdivision was approved as
Activity on theday of.....
20..... subject to the conditions noted in the file.

SUBDIVISION OFFICER

- STAGES:**
1. Lot 19
 2. Lots 1-5, 16-18 & 20
 3. Lots 6-15 & 21

Compared in: CT 146104

Applicants:
Sunnycroft Ltd.

Job Title:

Sunnycroft Ltd.
Champion Road
Richmond

Drawing Title:
**Resource Consent
Application Plan**

Plan Information

Scale	@ A3= 1: 1000
Size	20m x 20m x 20m x 40m
Map No.	100086
CAD File No.	10086-01
Sheet	1 of 1
Issue No.	Draft 3
Drawn	M. Graf
Date	14/06/2007
Authoriser	

Concept Developed by:

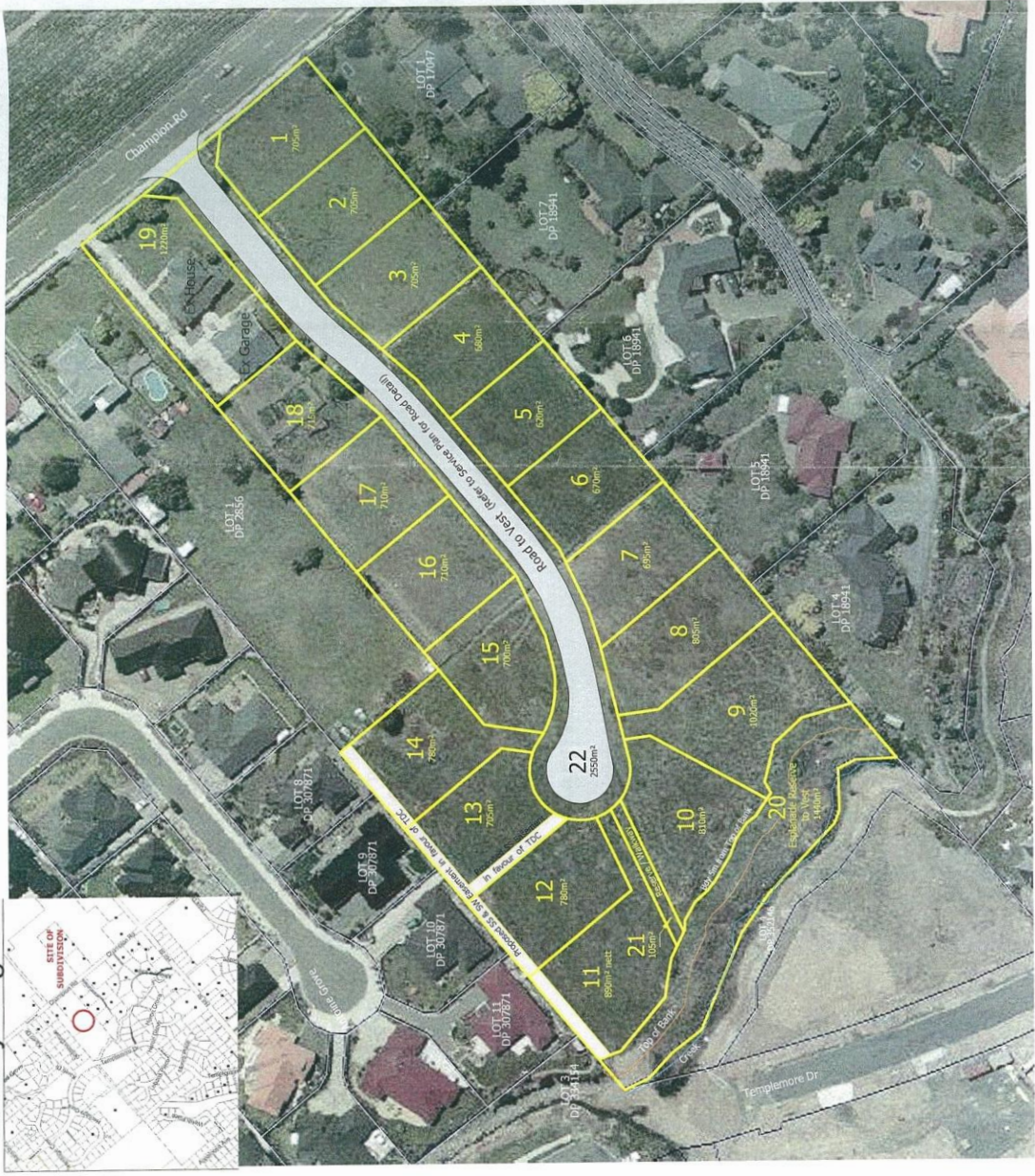
STAIG & SMITH
ENGINEERS & ARCHITECTS

83 Selwyn Place
PO Box 913 Nelson
Ph: 03 548 4422
Fax: 03 548 4427
e-mail: enquiries@staigsmith.co.nz

SURVEYING-PLANNING-ENGINEERING-RESOURCE MANAGEMENT



Locality Diagram



Lots 1 - 22 being Proposed Subdivision of Lot 1 DP 334154

RM070757



RESOURCE CONSENT

RESOURCE CONSENT NUMBER: RM070758

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

Sunnycroft Limited
(hereinafter referred to as “the Consent Holder”)

ACTIVITY AUTHORISED BY THIS CONSENT: To erect a dwelling on each of Lots 1-18 of subdivision resource consent RM070757.

LOCATION DETAILS:

Address of property:	50 Champion Road, Richmond.
Legal description:	Lot 1 DP 334154 (parent allotment being subdivided)
Certificate of title:	CT 140104 (parent title being subdivided)
Valuation number: 1	961029500 (parent valuation reference number being subdivided)

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

GENERAL

1. This consent shall not lapse until five years after the certificate of title of each of the allotments is issued.
2. Any dwelling erected on Lots 1-18 shall comply with the minimum relevant building activity provisions applicable for the Residential zone in the Proposed Tasman Resource Management Plane (“PTRMP”) as detailed in Appendix A attached, except that any dwelling on proposed Lot 9 shall have a minimum setback of 5 metres from Lot 4 DP 18941.

Advice Note:

For the avoidance of doubt an extract from the relevant Permitted activity rules applicable for the erection of a dwelling in the Residential zone are attached to this consent as Appendix A.

3. Any dwelling shall be subject to the relevant engineering conditions, if any, arising from the engineering reports submitted under Condition 24 of subdivision resource consent RM070757.
4. There shall be no more than one dwelling per title.

GENERAL ADVICE NOTES

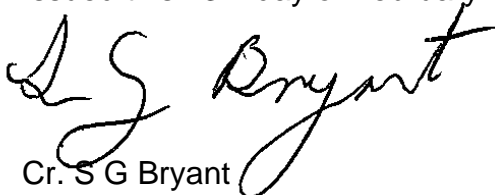
Council Regulations

1. This resource consent is not a building consent and the Consent Holder should meet the requirements of the Council with regard to all Building and Health Bylaws, Regulations and Acts.

Other Proposed Tasman Resource Management Plan Provisions

2. Any activity not covered in this consent shall either comply with:
 - a) the provisions of a relevant permitted activity rule in the Proposed Tasman Resource Management Plan; or
 - b) the conditions of separate resource consent for such an activity.
3. This consent is granted to the abovementioned Consent Holder but Section 134 of the Act states that such land use consents “attach to the land” and accordingly may be enjoyed by any subsequent owners and occupiers of the land. Therefore, any reference to “Consent Holder” in the conditions shall mean the current owners and occupiers of the subject land. Any new owners or occupiers should therefore familiarise themselves with the conditions of this consent, as there may be conditions that are required to be complied with on an ongoing basis.
4. Access by the Council’s Officers or its Agents to the property is reserved pursuant to Section 332 of the Resource Management Act 1991.
5. Monitoring of this resource consent is required under Section 35 and 36 of the Resource Management Act 1991, and a deposit fee is payable at this time. Should monitoring costs exceed this initial fee, the Council will recover the additional amount from the resource consent holder. Monitoring costs are able to be minimised by consistently complying with the resource consent conditions.
6. Pursuant to Section 127 of the Resource Management Act 1991, the Consent Holder may apply to the Consent Authority for the change or cancellation of any condition of this consent.
7. The Council draws your attention to the provisions of the Historic Places Act 1993. In the event of discovering an archaeological find during the earthworks (e.g. shell, midden, hangi or ovens, garden soils, pit depressions, occupation evidence, burials, taonga, etc) you are required under the Historic Places Act, 1993 to cease the works immediately until, or unless, authority is obtained from the New Zealand Historic Places Trust under Section 14 of the Historic Places Act 1993.

Issued this 13th day of February 2008


Cr. S G Bryant
Chair of Hearings Committee

APPENDIX A

BUILDING CONSTRUCTION OR ALTERATION BULK, HEIGHT AND LOCATION APPLICABLE FOR DWELLINGS UNDER RESOURCE CONSENTS RM070757 AND RM070758

Extract from Rule 17.1.4 of the PTRMP Permitted Activities (Building Construction or Alteration)

Building Coverage

- (d). Maximum building coverage is 33 percent, provided:
 - (i) that the maximum building coverage is reduced by 18 square metres if a garage is not provided on site.

Outdoor Living Space

- (j) Each dwelling has an area of outdoor living space for the exclusive use of the occupants of that dwelling which:
 - (i) has a minimum area of 60 square metres;
 - (ii) contains a circle with a diameter of at least six metres;
 - (iii) is located to receive sunshine in midwinter;
 - (iv) is readily accessible from a living area of the dwelling.

Balcony or Deck

- (l) A balcony or deck with a finished floor level above two metres high is no closer than four metres from site or internal boundaries.

Walls

- (m) An offset of at least 2.5 metres is required at intervals no greater than 15 metres along any wall.

Building Envelope – Daylight Over and Around

- (o) No building projects beyond a building envelope constructed by daylight admission lines commencing from points 2.5 metres above ground level from all side and rear boundaries. The angle to be used is to be determined using diagram A attached hereto.
- (p) For any roof with a slope of 15 degrees or greater and the roof ridge generally at right angles to the boundary, the end of the ridge may be up to 1.5 metres above the indicator plane and the end area up to 2.5 square metres when viewed in elevation.

Height

- (q) The maximum height is:
 - (iii) 7.5 metres on sites more than 400 square metre net area

Setbacks

- (r) Buildings are set back at least 4.5 metres from road boundaries, in the case of all buildings; except that buildings are at least:
 - (i) 5.5 metres from road boundaries in the case of garages if the vehicle door of the garage faces the road.
- (s) Buildings are set back at least 1.5 metres from the internal boundaries on one side and at least three metres from all other internal boundaries (side and rear), in the case of all buildings.
- (t) Buildings are set back at least 1 metre from any access located within the site if the access serves another site or dwelling

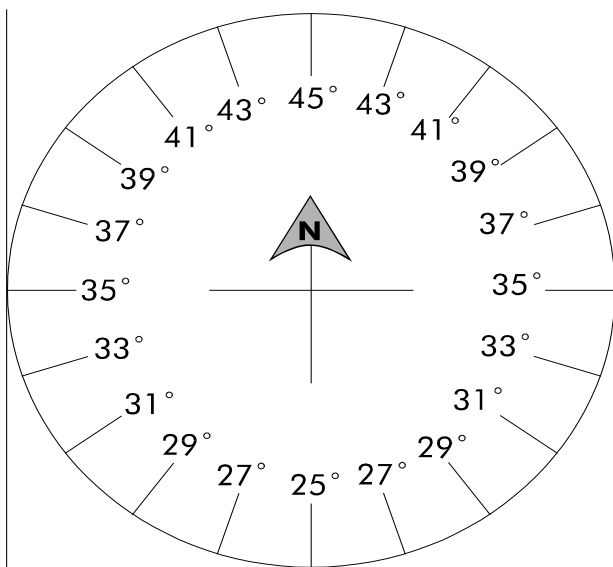
Schedule 17.1A: DAYLIGHT ADMISSION ANGLES

The angle of inclination over the site for daylight control planes is determined separately for each boundary of the site using the elevation calculator in the diagram below, in the following manner:

- a) Place the circumference of the elevation calculation disc on the inside of the boundary for which the calculation is required so that the north point indicator is aligned with the north point on the site plan.
- b) A separate calculation is required for each site boundary.
- c) Read off the elevation angle closest to the point of contact between the boundary line and the circumference of the elevation calculation disc. This is the maximum angle of elevation permitted along that boundary.

In the example below, the daylight control angle elevation for the western boundary of the site is 35 degrees. Note: The vertical line represent a site boundary

DAYLIGHT ADMISSION ANGLE DIAGRAM





RESOURCE CONSENT

RESOURCE CONSENT NUMBER: RM070760

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

Sunnycroft Limited
(hereinafter referred to as “the Consent Holder”)

ACTIVITY AUTHORISED BY THIS CONSENT: Discharge of stormwater from a subdivision development to the unnamed stream (being part of the Reservoir Creek catchment) lying to the immediate west of the subject site

LOCATION DETAILS:

Address of property:	50 Champion Road, Richmond.
Legal description:	Lot 1 DP 334154 (parent allotment being subdivided)
Certificate of title:	CT 140104 (parent title being subdivided)
Valuation number:	1961029500 (parent valuation reference number being subdivided)

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

GENERAL

1. The discharge of stormwater shall be carried out in accordance with the details contained in the application for resource consent RM070760 and in accordance with the plan entitled “Services Plan” Job No. 10086 dated 22/06/2007, prepared by Staig and Smith Ltd, (copy attached to this consent as Plan B – RM070760), unless otherwise approved by both the Council’s Co-ordinator Compliance Monitoring and the Council’s Engineering Services Manager.
In particular, these details include:
 - a) discharge of stormwater from residential allotments through a constructed piped system;
 - b) the use of rain-gardens to treat and attenuate stormwater flows from road surfaces;

Where there are any apparent conflicts or inconsistencies between the information provided and the conditions of this consent, the conditions shall prevail.

2. Engineering Plans as required by Condition 28 of resource consent RM070757 shall be provided to the Council's Engineering Manager and approved prior to the commencement of works on the proposed development. The specifications shall be in accordance with the requirements of Condition 1 of this resource consent.
3. The Consent Holder shall, in addition to the Sediment Management Plan and Engineering Earthworks Plan, required by Conditions 26 and 28 of resource consent RM070757, submit a Stormwater Management Plan to the Council's Co-ordinator Compliance Monitoring before any land excavation or construction works begin and such plan shall be to that officer's satisfaction.

The Stormwater Management Plan shall, as a minimum, include:

- a) design plans for the components of the stormwater system;
- b) details as to how the Sediment Management Plan, controls sediment discharge so that downstream aquatic ecosystems are protected from the deposition of sediment in accordance with the objectives and policies of the Proposed Tasman Resource Management Plan "PTRMP".
- c) a Spill Management Plan that addresses responses to incidences of spills or discharges of substances into the stormwater system that may be hazardous to aquatic or wetland ecosystems;
- d) a Maintenance Plan that describes the recommended long-term maintenance of the stormwater treatment and discharge system.

The stormwater system shall be managed in accordance with the Stormwater Management Plan.

4. A certificate signed by the person responsible for designing the stormwater management system or a similarly qualified or experienced person shall be submitted to the Council's Co-ordinator Compliance Monitoring annually for the duration of the construction phase on the subdivided site. This shall certify that the system components present are constructed and installed in accordance with the details of the application and the conditions of this consent.
5. The discharge of stormwater shall not, beyond a 10 metre radius from the point where the stormwater is discharged into the unnamed stream, cause any of the following in the receiving water:
 - a) the production of any visible oil or grease films, scums or foams, or conspicuous floatable or suspended material;
 - b) any emission of objectionable odour;
 - c) the rendering of freshwater unsuitable for bathing;
 - d) the rendering of freshwater unsuitable for consumption by farm animals; or
 - e) any adverse effect on aquatic life.

6. The discharge of stormwater shall not result in adverse scouring or sedimentation of any downstream waterbody.
7. Prior to constructing any works, the Consent Holder shall supply stormwater flow calculations as part of the Engineering Plans required by Condition 28 of resource consent RM070757 to the Council's Engineering Services Manager. Such calculations shall be to the Manager's satisfaction.
8. At any time when there are earthworks occurring on the site, sediment controls shall be implemented and maintained in effective operational order to minimise the amount of sediment running off the site and/or into the rain-gardens as far as is practicable. All such sediment and stormwater controls shall be to the satisfaction of the Council's Co-ordinator Compliance Monitoring.

Advice Note:

This condition provides for continuing control of sedimentation following the issue of a Certificate under Section 224(c) of the Act for subdivision consent RM070757.

9. The Consent Holder shall contact the Council's Co-ordinator Compliance Monitoring at least five working days notice prior to construction of roading, access, and building platforms commences, to enable monitoring of the effectiveness of stormwater sediment and erosion controls. The cost of monitoring and any subsequent remedial actions shall be borne by the Consent Holder.
10. The Council may, during the month of January each year, review the conditions of these consents pursuant to Section 128 of the Resource Management Act 1991, to:
 - a) to deal with any adverse effect on the environment which may arise from the exercise of this consent, and which it is appropriate to deal with at a later stage;
 - b) to require the Consent Holder to adopt the best practicable option to remove or reduce any adverse effect on the environment;
 - c) to allow, in the event of concerns about the quality or quantity of stormwater discharged, the imposition of compliance standards, monitoring regimes and monitoring frequencies and to alter these accordingly; or
 - d) to change the compliance standards imposed by conditions of this consent to standards that are consistent with any relevant Regional Plan, District Plan, National Environmental Standard, or Act of Parliament.

Duration of Consent (Pursuant to the provisions of Section 123 of the Resource Management Act 1991)

11. This resource consent expires on **31 January 2043**.

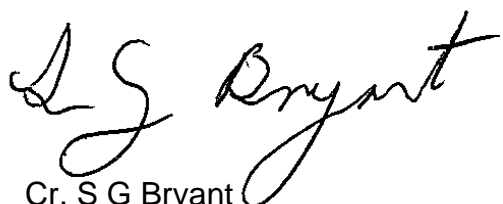
GENERAL ADVICE NOTES:

1. Access by the Council or its officers or agents to the property is reserved pursuant to Section 332 of the Resource Management Act.
2. The Consent Holder's attention is drawn to permitted rule 36.2.4 of the PTRMP, which permits the discharge of sediment or debris to water. No consent to breach

the conditions of this rule has been applied for and therefore the Consent Holder must meet the conditions of this consent during land disturbance activities or else a separate resource consent must be obtained.

3. The Council draws your attention to the provisions of the Historic Places Act 1993 that require you in the event of discovering an archaeological find (eg, shell, midden, hangi or ovens, garden soils, pit, depressions, occupation evidence, burials, taonga) to cease works immediately, and tangata whenua, the Tasman District Council and the New Zealand Historic Places Trust shall be notified within 24 hours. Works may recommence with the written approval of the Council's Environment & Planning Manager, and the New Zealand Historic Places Trust.
4. This resource consent only authorises the activities described above. Any matters or activities not referred to in these consents or covered by the conditions must either: 1) comply with all the criteria of a relevant permitted activity rule in the Proposed Tasman Resource Management Plan (PTRMP); 2) be allowed by the Resource Management Act; or 3) be authorised by a separate resource consent.
5. Monitoring of this resource consent may be required under Section 35 and 36 of the Resource Management Act 1991, and a deposit fee is payable at this time. Should monitoring costs exceed this initial fee, the Council will recover the additional amount from the Consent Holder. Monitoring costs are able to be minimised by consistently complying with the resource consent conditions.
6. Pursuant to Section 127 of the Resource Management Act 1991, the Consent Holder may apply to the Consent Authority for the change or cancellation of any condition of this consent.
7. Plans attached to this consent are reduced copies and therefore will not be to scale and may be difficult to read. Originals of the plans referred to are available for viewing at the Richmond Office of the Council.
8. Copies of any the Council Standards and Documents referred to in this consent are available for viewing at the Richmond Office of the Council.

Issued this 13th day of February 2008



Cr. S G Bryant
Chair of Hearings Committee

PLAN B – RM070760



Date Confirmed:

Chair: