
HAURAKI
DISTRICT COUNCIL

The site is within the Residential Zone, as are the adjoining properties to the west, east and north. To the south the site adjoins a site within the Reserve (Passive) Zone and another zoned Reserve (Active). Approximately 150 metres north east of the site runs the Ohinemuri River.

Proposed Lot 1 contains an existing shed and established vegetation including some native species. The site has an uneven contour and a possible building site has been identified on the southern end of the site, being a relatively flat area. A telecom overhead phone line runs along the western boundary however on site discussions with the applicant have outlined that this may be buried under ground in the future.

Proposed Lot 2 does not contain any buildings and also contains substantial areas of established vegetation. The site generally slopes downwards from the southern boundary towards Terrace Road. A potential building platform has been identified on the eastern side of the site, earthworks will be required to create a level building platform.

Proposed Lot 3, being the balance site, contains several buildings including a number of small sheds, a chicken pen, netted vegetable garden and 2 bedroom temporary dwelling (converted garage). The site previously contained a 3 bedroom dwelling, however this was relocated off site in 2006. The site contains established gardens which includes native vegetation and has a uneven contour with the land from the centre of the site generally sloping downwards to the west. No building platform has been identified, however there are several areas which would be suitable sites.

STATUS OF THE APPLICATION

Standard		Complies	Does not comply	N/A	Comment
Residential Subdivision (District Plan Rule 10.1.5.4.B(h))					
Min. area	350m²	X			Lot 1: 2353² Lot 2: 1758m² Lot 3: 8820m²
Min. shape factor	10mx15m excluding yards	X			
Min. frontage	3.5m	X			
Variety of allotments for subdivisions of 4 lots or more	Half the lots to be greater than 700m^2			X	
Performance Standards (District Plan Section 9)					
Bulk and Location of Buildings		X			

Infrastructure and Services		X		Domestic Effluent: Proposed Lots 1 and 2 are not to be connected to a reticulated sewer system and have an area of less than 2500m² Sight Distances: Lot 2 requires 65 metre sight distances, achieves 60 metres to the north and 55 metres to the west Street and Road Design: Unformed legal road, (with which Lot 1 and 2 have direct frontage) is not proposed to be upgraded to urban road standards
Performance Matters			X	

Under Rule 10.1.5.4.C of the District Plan, subdivision proposals that do not comply with the above requirements are provided for as a Discretionary activity.

Thus this application is to be considered as a *Discretionary Activity*.

RESOURCE MANAGEMENT ACT 1991 (RMA)

Section 93(1)(b) states that an application can be processed without public notification if the adverse effects of the subdivision on the environment will be minor. Section 94 further states that Council is not required to serve notice of the application on any persons, if all persons who may be adversely affected by the proposal have given their written approval. At the time of initial assessment the effects of the proposal were considered to be no more than minor.

Taking into account the above no persons were considered to be adversely affected. A decision was therefore made under delegated authority to process the application without notification.

The matters to be considered in assessing the application are set out in Part II and Section 104.

HAURAKI GULF MARINE PARK ACT 2000

Section 9(4) requires a consent authority, when considering an application for resource consent for the catchments of the Hauraki Gulf, to have regard to sections 7 and 8 of the Act.

- **Recognition of national significance of Hauraki Gulf**
- ***Management of Hauraki Gulf*** *– objectives to recognize the national significance of the Gulf, its islands and catchments.*

COMMENTS

Engineering Comments

I have been on site. I have assumed that the proposed sewer disposal design by Duffill Watts is acceptable. The Duffill Watts storm water calculations are incorrect and are not in terms with E1 specifications.

The proposed access treatment for Lots 1 and 3 requires the Roading Asset manager approval. The current access via the 10m wide paper road shall be upgraded to a residential ROW standard (sealed). The existing informal turn around at the end shall be formed into a sealed hammer head turning facility (minimum treatment).

The following request was made to the HDC Roading Asset manager:

"As discussed briefly yesterday I need your direction on the access treatment for the above sub division (Staples/ Lobb properties) via the existing 60m long dead end paper road located off County Rd. This I need before I can complete the RCA application.

Background:

- *Existing road reserve width is 10m and this does not quite meet minimum road legal widths.*
- *Zone is residential*
- *Current metal access track servicing 2 properties is 2.7m unsealed*
- *An additional Lot will service down this ROW*
- *An informal 9m gravel turning head is located at the end*

Information Required

- *Does HDC require this existing track to be upgraded to a road standard (5m seal width)?*
- *Is a cul de sac head required? i.e. 19m diameter however land is required to achieve this*
- *Does HDC want to maintain this access if a road standard is constructed?*

Discussion:

- *This short dead end road can not be extended*
- *The adjacent land owners using this existing access track do not want a public road. They prefer a gated (chain) entry at the County Rd junction*
- *The sealing of the existing track is acceptable by the adjacent landowners*
- *Retaining the status quo in terms of the existing turning head*

My preference (to be conditioned if approved):

- *The upgrade of this track to be treated as a residential ROW serving up to 3 Lots*
- *Seal the existing track to a half road width standard to include a 3m seal width*
- *Modified class C entrance standard*
- *Upgrade longitudinal drainage with a 300mm dia culvert draining an existing low point (puddling occurs)*
- *Sealed hammer head turning facility at end incorporated into existing/ new driveway/ entrances*
- *ROW users to be responsible for all future maintenance."*

The HDC Roading Asset Manager has since responded to this request and agrees with my preferred solution detailed above

Vehicle Crossings – Sight Distance 9.3.3

District Plan requires:
65m for 50km/h urban speeds
Application proposes: for Lot 2 60m to the north and 55m to the west (measured on sight)
Is there more than one location on the frontage of the proposed lot/s where the required sight distance can be achieved?
No
Is the proposed vehicle crossing location, while not meeting the required sight distance, acceptable? Are any works required to achieve acceptable sight distance?
Yes as the design speed along this section of Terrace St is around 35km/h and this equates to 30 to 35m sight distance required
Is there a better location for the proposed vehicle crossing than that which is proposed?
No

Comments/ Reasons (eg. Local speed environment, etc):
35km/h

Recommendation:

Approve	Decline
Approve subject to conditions√	

Conditions:

ASSESSMENT CRITERIA: See section 9.3.3.4 of DP

Vehicle Crossings – Dimensions/Construction/Gradient 9.3.3

What Class of crossing is required?
Class F
District Plan requires:
Class F
Application proposes:
Not discussed
Is the proposed design/construction/gradient acceptable?
Reasonably steep uphill slope
Water channel culvert is required
Comments/ Reasons:

Recommendation:

Approve	Decline
Approve subject to conditions√	

Conditions:

ASSESSMENT CRITERIA: See section 9.3.3.4 of DP

Sewer 9.3.7

District Plan requires:
Application proposes: effluent reports
Specifically designed effluent (septic tank) disposal systems
Can the proposed lots be provided with sewer connections (eg can fall be achieved, can the public sewer be extended to serve the lot, is the lot outside the sewerage scheme area)?
No
If the public sewer is required to be extended, will

a) the applicant be responsible for the total works, or
b) Council carry out the work with the applicant required to contribute?

Comments:
The system requires peer reviewing by Council

Recommendation:

Approve	Decline
Approve subject to conditions√	

Conditions:

ASSESSMENT CRITERIA: See section 9.3.7.4 of DP

Water Connections 9.3.9

District Plan requires:
Individual meters to NZS4404:2004
Application proposes:
New meters and connections for all 3 Lots
Can a water connection be provided from the existing reticulation? (refer to “Hauraki Head” layer on GIS)
Yes
If the water reticulation is required to be extended, will

c) the applicant be responsible for the total works, or
d) Council carry out the work with the applicant required to contribute?

Are any hydrants required?
No

Comments:

Recommendation:

Approve	Decline
Approve subject to conditions√	

Conditions:

ASSESSMENT CRITERIA: See section 9.3.9.4 of DP

Roading Contributions 10.2.7

District Plan requires (see rule 10.2.7.3.B)

Application proposes:
Not discussed
Are there any plans by Council to upgrade/seal the road (10 year plan)?
What is the amount of contribution based on the formula in rule 10.2.7.3?

Comments:
Conditions:
Lots 1 and 3
Upgrade existing track to a 3m sealed access track to half road standards. A culvert would be required in the low point and the existing swale drain on the south side will require regarding to accommodate this new culvert

Lot 2
Seal extension contribution along Terrace St assuming 5m seal width involving minor earthworks, drainage and pavement works.
ADT (RAMM) is 40 per day
Length approximately 200m

18a County Rd Karangahake (Lobb)

Contribution = IC x AV / (AV + PV) (from HDC District Plan)
IC = cost of improving affected portion of road as per services development plan.
AV = additional AADT
PV = existing AADT

IC =	$ 34,000.00
AV =	7
PV =	40

From "Guide to Geometric Standards for Rural Roads"
Require 5.0 m seal
Cost per metre2 to upgrade. $34.00/metre²

From RAMM

Length	200	m
Width	5	m
Calculated area	1000	m2
Vehicle count/date	0	
cost/metre2	34	$

Calculation for IC

IC = length x width x cost/metre2

$ 34,000.00 (Total cost for Seal)

therefore contribution =

$5,063.83

ENGINEERING COMMENTS/ CONDITIONS

Documentation:

The following engineering conditions have been based on inter alia the information contained within the following report:

- Land Marine Surveying: RC scheme application document (reference 0550-Lobb) dated 9th January 2007.
- Duffill Watts Consulting Group: Geotechnical Inspection Report, reference 42044, dated 8th February 2007
- Duffill Watts Consulting Group: On Site Effluent Disposal Report for **Lot 2**, reference 42044, dated 8th February 2007
- Duffill Watts Consulting Group: On Site Effluent Disposal Report for **Lot 1**, reference 215872, dated 11th March 2008

This includes:

Water

1) That the subdivider shall provide Lots 1 and 3 with a metered water connection at the road frontage, in accordance with NZS 4404: 2004. The meter shall be installed on the existing paper road frontage approximately 0.5m from the property boundary. Both meters should be clear of all potential future vehicle wheel track paths. The connection shall be reticulated into the body of the Lot then end capped and marked by a peg. All reticulation, including meters, is to be installed by HDC at the cost of the developer.

2) That the subdivider shall provide Lot 2 with a metered water connection in accordance with NZS 4404: 2004. The meter shall be installed on the road frontage just inside the road reserve, offset approximately 0.5m from the property boundary and clear. The meter shall also be clear of all potential future vehicle wheel track paths. All reticulations, including meters, are to be installed by HDC at the cost of the developer.

Sewer

3) That a consent notice pursuant to section 221 of the Resource Management Act 1991 be registered against the title of Lot 1 advising that sewerage disposal shall be in accordance with the proposed design as detailed in the Duffill Watts Consulting Group: On Site effluent Disposal Report, reference 42044, dated 8th February 2007 and the requirements of NZS 4404: 2004, performance standard 9.3.7 of the District Plan or an alternative design by an approved suitably qualified person. This is required at the building consent stage.

4) That a consent notice pursuant to section 221 of the Resource Management Act 1991 be registered against the title of Lot 2 advising that sewerage disposal shall be in

accordance with the proposed design as detailed in the Duffill Watts Consulting Group: On Site effluent Disposal Report, reference 215872, dated 11th March 2008 and the requirements of NZS 4404: 2004, performance standard 9.3.7 of the District Plan or an alternative design by an approved suitably qualified person. This is required at the building consent stage.

5) That a consent notice pursuant to section 221 of the Resource Management Act 1991 be registered against the title of Lot 3 that a specifically designed effluent disposal system that complies with Environment Waikato's activity rules. The design shall be certified by an approved Chartered Professional Engineer or an approved suitably qualified person and comply with the requirements of NZS 4404: 2004, NZS 1547:1998 and performance standard 9.3.7 of the District Plan. This is required at the building consent stage.

Drainage

6) That a consent notice pursuant to section 221 of the Resource Management Act 1991 be registered against the title of Lots 1, 2 and 3 advising that stormwater from the lot shall be disposed by an on site system as designed by a suitably qualified person in accordance with the requirements of the New Zealand Building Code EI or as approved by the HDC District Engineer. This is required at the time of building consent. *(Note: The original in ground soakage calculation have assumed the wrong design parameters)*

Access

7) The existing public road currently servicing this development (Lots 1 and 3) from County Rd does not comply with minimum roading standards due to deficient legal and roadway widths. To mitigate any effects associated with this non-compliance, Councils District Engineer has recommended that the following design measures be included in the construction of these Rights of Way:

   (a) That the existing access be upgraded to a half road standard in accordance with NZS 4404: 2004 requirements. This will include a 3m seal width with formed/ grassed swale drains.
   (b) That existing grassed strip located centrally within the existing driveway be removed, including all organic materials and back filled with a suitable pavement structure
   (c) That the existing metalled turning area be upgraded and sealed to form a suitable turning facility as approved by the HDC District Engineer
   (d) All stormwater from the upgraded (sealed) entrance shall be intercepted and disposed of into the existing water channels along County Rd.
   (e) That the proposed sealed edges are contoured to ensure that the edges are traversable.
   (f) That the final design treatment of the above be as approved by the HDC District Engineer

Earthworks: General

8) That pursuant to section 221 of the Resource Management Act 1991 a consent notice be registered on the title of each Lot (1 to 3) advising that a geotechnical investigation of the subdivision has been undertaken (Duffill Watts Consulting Group: Geotechnical

Inspection Report, reference 42044, dated 8th February 2008). This report sets out general foundation requirements.

9) That pursuant to section 221 of the Resource Management Act 1991 a consent notice be registered on the title of Lot 2 advising that foundations (and retaining walls) for any building will require engineering design by a Chartered Professional Engineer, experienced in Geotechnical investigation, in accordance with NZS4404:2004, Schedule 2A and NZS 4431:1989, as steep terrain is encountered within this Lot.

Engineering: General

10) That Engineering drawings and specifications covering all engineering works shall be submitted to the Manager of Planning and Environmental Services prior to commencement of any work for consideration and approval by the District Engineer, HDC

11) That copies of "as built" plans shall be submitted to Council upon completion of construction. As-built drawings of all works are to comply with NZS 4404: 2004, Schedule 1D, and all normal requirements as per Section 1.5.2. Attention is drawn to the requirement for co-ordination of all utility surface features. All co-ordinates (water meters) are to be presented in New Zealand Transverse Mercator Projection. A digital copy of the as built drawings in dxf format is to be provided on CD/ DVD

Power and Telephone

12) That the subdivider shall provide a telephone connection to Lots 1 and 2, or written confirmation from the respective supply authorities that this connection is available at the standard connection fee.

Roading Contribution

13) That the subdivider shall pay $5,063 +GST as a capital contribution toward the cost of improving (sealing) Terrace St, in accordance with Rule 10.2.7.3.B(a) of the District Plan.

ADVICE NOTE:

1) That Council is not responsible for the future ongoing maintenance of the access track as detailed in Engineering Condition 6.

Steve Lye
Consents Engineer

ASSESSMENT OF THE PROPOSAL

District Plan

Assessment Criteria

The following general assessment criteria for subdivision in section 10.1.5.4.B (p) of the District Plan are relevant to this application:

- *Whether the area and shape of all lots is appropriate to their specified purposes and intended use(s), taking into account any relevant performance and/or formation standards specified in the plan.*

The shape and size of the lots are considered appropriate for their intended use as residential sites. All existing buildings will continue to comply with the relevant bulk and location requirements of the District Plan after the subdivision and possible building platforms and outdoor living courts have been identified for both Lots 1 and 2 with ample space to meet the relevant setback requirements. Terracing is likely to be required for Lot 2 to achieve a complying outdoor living court. An advice note to this effect is recommended to be included on the consent.

Lots 1 and 2 are both smaller than 2500m². Therefore the applicant has supplied reports for each site, prepared by Duffill Watts outlining appropriate effluent disposal design. They have confirmed that these systems comply with Environment Waikato's permitted activity requirements for improved on-site domestic sewage treatment and disposal systems.

Thus given the above, it is considered that the lots will have sufficient space provided to cater for the needs of future owners with particular regards to open space, servicing and amenity.

- *Whether each new boundary is practically located taking into account the following factors:*

  - *Topography*

As shown by the contour lines on the scheme plan and observed when a site visit was undertaken, this site has a relatively uneven topography. The new boundary between Lot 2 and Lot 3 appears to have been chosen with topography in mind as the southern boundary roughly follows the ridgeline where the site begins to slope down to the north. No other topographical constraints appear to dictate the proposed boundary alignment.

  - *Practical management of existing and potential activities on the site*

The main activity undertaken on site are residential activities. The proposed boundaries will not prevent such activities from being continued.

  - *Protection of the land from flooding, erosion and instability*

A geotechnical report prepared by Duffill Watts has been submitted as part of this application and a consent notice condition is recommended to be included in the decision, referring to its recommendations.

  - *The location of existing buildings, roads, fence lines, drains, shelter belts/hedges, streams and rivers, internal roading and other physical features.*

As noted above, all existing buildings comply with the boundary setbacks with regard to the proposed boundaries. There are no other physical features that would dictate the location of the proposed boundaries.

  - *Surface and ground water conditions, including the quality and quantity of the water, the direction of the water flow and the effects that the subdivision may have on them*

Council's engineer has not highlighted any concerns in terms of ground water conditions.

- *Local climatic conditions, especially the orientation of the lots in a manner that will allow buildings to be positioned to take advantage of solar energy, for heating and lighting and for buildings to act as a windbreak from prevailing winds*

As each site is relatively large for sites in the residential zone (the smallest being 1758m²) it is considered that provision can be made for future buildings to be orientated according to the local climatic conditions.

- *Environmental features that have been identified as requiring protection from development*

There are no environmental features that have been identified as requiring protection from development.

- *Where on site disposal of stormwater and septic tank effluent is required from existing and potential developments, is there sufficient area of the type of land required for servicing purposes, within each lot*

As noted above Lots 1 and 2 are both smaller than 2500m². The applicant has subsequently supplied reports for each site, prepared by Duffill Watts outlining appropriate effluent disposal design. They have confirmed that these systems comply with Environment Waikato's permitted activity requirements for improved on-site domestic sewage treatment and disposal systems. The application has been reviewed by Council's Engineer who has indicated that stormwater is to be managed on site. At 8820m² it is considered that Lot 3 will have sufficient space to continue to be serviced on site.

- *Any existing resource consents and the conditions attached to them that need to be accommodated within any lot.*

There are no existing resource consents that relate to this site.

- *Whether the subdivision (or development of the lots resulting from it e.g. access) may affect known sites and/or features having heritage and cultural value.*

No areas of heritage or cultural value are identified as being located on or near this site. Furthermore a site visit did not reveal such sites.

<u>Performance Standards</u>

The application complies with all of the performance standards of the District Plan as shown above except that the minimum area for domestic effluent disposal is not met, the sightlines are not achieved and the applicant does not wish to upgrade the legal road that serves Lot 1 and 3 to urban standards. Thus the following assessment criteria are considered relevant.

Domestic Effluent Disposal

1. *The extent to which the nature of the soil, the distance from open waterways or other factors are such that the effluent can satisfactorily be treated in a lesser area.*
2. *Whether the effluent can be disposed of on more than one area of land, but the separate areas still give the total useable area required.*

3. *Whether an alternative system of effluent disposal (eg composing toilet) is to be used (which has been approved by Council), which therefore requires a lesser area of land.*
4. *Whether the proposed design of the sewerage system can meet the maximum potential demand arising from likely development of the land as permitted in accordance with this District Plan.*
5. *Any relevant assessment criteria contained in Part 4 of the Code of Practice.*
6. *Whether the sewerage facilities are designed, located and constructed to allow relatively easy operation, cleaning, inspection and maintenance, as well as:*
    - *Minimising any risk to the environment or to public health through contamination of water or the ground.*
    - *Minimising any loss of enjoyment and /or development of lots as a result of the facilities location.*
    - *Enabling the individual connections to be readily made to the existing reticulated system.*
7. *Whether the sewerage system is constructed to have a design life that will not require substantial maintenance in the future. As a guide, sewerage systems should be designed to have a minimum life of 50 years.*

As discussed above, the applicant has supplied a report prepared by Duffill Watts recommending an effluent disposal system design for Lots 1 and 2. This was reviewed by Council's engineer. Duffill Watts have confirmed that this system is in accordance with Environment Waikato's permitted activity requirements for improved on-site effluent systems. Thus the system proposed is considered to be an acceptable mean of effluent disposal and satisfies the criteria above.

Vehicle Access and Crossings

1. *In determining the location, number, configuration and gradient of vehicular accesses onto any road or street, regard shall be had to whether they:*
    - *Give rise to traffic hazards through factors such as inadequate visibility and unsafe stopping distances.*

Council's engineer has indicated that while the sight distances are not met the proposed vehicle crossing location for Lot 2 is acceptable as the design speed of Terrace Street is around 35km/hr (speed limit is 50km/hr) which equates to sightlines of 30 to 35 metres. It is not considered that the proposed crossing location will give rise to traffic hazards, provided that it is located on the apex of the corner. A consent notice can be imposed to restrict the location of access.

Street and Road Design

1. *Whether the width, alignment, strength and surfacing of any carriageway is sufficient to accommodate in a safe and efficient manner the volume and type of traffic likely to use it, including service and emergency vehicles in local residential streets and heavy trucks in industrial streets.*
2. *The adequacy of provision for the movement of pedestrians, cyclists and the disabled.*
3. *The adequacy of provision within the street reserve for car parking spaces relative to the existing and potential developments on adjoining land.*
4. *Whether the carriageway, kerb, channel, footpath and associated works such as street lighting will be constructed so as to have a design life that will not require premature maintenance or replacement. As a guide, construction and materials should have a minimum design life of 25 years.*

5. *The degree to which the extension to an existing, a new or an upgraded street or road "matches" the rest of the existing street or roading network (eg levels, design, construction).*
6. *The degree to which the design and construction of the road has been developed to allow for ease of cleaning and maintenance, for example the clearing of stormwater channels and drains.*
7. *Whether the design and construction of the street or road allows for easy installation and maintenance of network utility services and amenity street tree planting.*

As discussed above, Council's engineer has outlined that upgrading of the paper road to right of way standards will be sufficient in this instance, instead of requiring it to be formed to urban road standards. While zoned residential, the site has a rural residential character and the paper road will serve 3 sites only, therefore the volume of traffic using the road will be low. Thus formation to right of way standards will provide for safe and efficient movement of vehicles (including service and emergency vehicles) and is consistent with the design and construction of its surrounds. It is considered that it will adequately service these sites and will satisfy the criteria above. Maintenance of the access will be the responsibility of Lots 1 and 3 as well as the other existing user (Lot 2 DPS 84771). The owners of Lot 2 DPS 84771 have agreed in writing to the road not being upgraded to road standard.

Objectives and Polices

Objective 7
To promote urban amenity as part of subdivision design.

Policies

Objective 7 will be achieved by implementation of the following policies:
1. *Encourage developers to alter designs, include additional lighting, carry out street tree planting, use a variety of construction materials (eg paving, coloured chip) and other works, as part of subdivision design.*
2. *Ensure an adequate level of amenity (eg landscaping, street lighting, street design) is provided.*

While this site is within the Residential Zone, the character and amenity of the surrounding area cannot be described as urban, and has more of a rural lifestyle character. Features such as street trees or street lighting are not common place within the Karangahake settlement. Thus while no such design features have been proposed as part of this subdivision it is not considered that they would be appropriate. Thus while this application is not directly consistent with these objective and policies, it is considered that it is not contrary to the overall intent to protect the amenity of the area.

Actual and Potential Effects

Section 104(1) (a) of the RMA requires that consideration be given to the actual and potential effects on the environment of allowing the subdivision. It is considered that the proposed subdivision has no adverse effects that will be more than minor as the development is consistent with other development in the area.

Part II

The matters in section 104 are subject to Part II of the RMA. The application complies with the majority of subdivision standards of the District Plan and is deemed to be appropriate development of the lots. The subdivision is in accordance with the development anticipated for the zone.

Section 5	-	Purpose
Section 6	-	Matters of National Importance (which shall be recognised and provided for in achieving the purpose)
Section 7	-	Other matters (that shall be had regard to)
Section 8	-	Treaty of Waitangi (its principles are to be taken into account)

The proposal will not compromise the provisions of Part II of the Act.

Section 106

There are no matters under section 106 of the RMA meaning that consent should not be granted.

Hauraki Gulf Marine Park Act 2000

The proposed subdivision will have no adverse effects on the significance of the Hauraki Gulf, or on the relationship of tangata whenua with the Hauraki Gulf.

CONCLUSION

The effects of the proposed subdivision are considered to be no more than minor, provided appropriate conditions are imposed. It is considered that the proposed development is generally consistent with the performance standards, assessment criteria and subdivision requirements of the District Plan, as well as with the surrounding environment.

The reduced sightlines are not regarded as having the potential to increase traffic hazard that would be more than minor within the context of Terrace Road taking into account the actual speed environment, and the effluent systems recommended are considered appropriate for Lot 1 and 2 which have an area of less than 2500m². The effects of departing from the requirement to upgrade the "unformed" road to full road standard are considered to be no more than minor in this instance as the road will be used by three lots only, and the existing users of the access have agreed to the road not being upgraded to a full road.

Consent should therefore be granted.

RECOMMENDATION

That pursuant to Section 104B of the Resource Management Act 1991 the Hauraki District Council grant consent to this discretionary activity application to subdivide Section 74 Blk XIII Ohinemuri SD (CT SA5A/231) and Lot 1 DPS 86120 and Sec 245 Blk XIII Ohinemuri SD (CT SA 67D/903), located at 18B County Road, Karangahake, into three residential allotments, and to depart from the minimum site size of Lot 1 hereon and Lot 2 hereon for sites to be serviced by on-site domestic effluent systems (as specified in Section 9.3.7.3 – 1), to allow reduced sightlines for the access point to Lot 2 (as specified in Section 9.3.3.3 – A) and to depart from the requirement to upgrade

the unformed legal road to urban road standards (as specified in Section 9.3.17.3 – A) of the District Plan on the grounds that:

- The proposed subdivision has no adverse effects on the environment that are more than minor;
- The sites can all be independently and appropriately serviced for sewer, water, stormwater, telecommunications, electricity and access;
- The proposal is consistent with the intensity, form and character of the surrounding residential activities in the area.

Subject to the following conditions:

1. The subdivision shall be carried out generally in accordance with Land & Marine Surveying Ltd. Scheme plan reference 0550_Lobb_RC_Rev B dated 10 January 2008 except as amended by the conditions below.

2. That a Community Recreation Facilities Contribution of $1,529.26 plus GST be paid to Council for the creation of one additional lot (Paeroa Ward).

3. That the subdivider shall pay $5,063.83 + GST as a capital contribution toward the cost of improving (sealing) Terrace Road, in accordance with Rule 10.2.7.3.B(a) of the District Plan.

Water

4. That the existing water connection serving Lot 3 hereon from Terrace Road be disconnected and capped, and utilised for Lot 2.

5. That the subdivider shall provide Lot 1 hereon and Lot 3 hereon each with a metered water connection at the road frontage, in accordance with NZS 4404: 2004. The meter shall be installed on the existing paper road frontage approximately 0.5m from the property boundary. Both meters should be clear of all potential future vehicle wheel track paths. All reticulation, including meters, is to be installed by HDC at the cost of the developer (see advice note).

6. That the existing dwelling on Lot 3 hereon be connected to the new water connection required in condition 5 above.

Sewer

7. That a consent notice pursuant to section 221 of the Resource Management Act 1991 be registered against the title of Lot 1 hereon advising that on-site effluent disposal shall be in accordance with the proposed design as detailed in the Duffill Watts Consulting Group: On Site Effluent Disposal Report, reference 42044, dated 8th February 2007 and performance standard 9.3.7 of the District Plan or an alternative design by an approved suitably qualified person that meets the requirements of Environment Waikato rule for 3.5.7.6 for new improved systems.

8. That a consent notice pursuant to section 221 of the Resource Management Act 1991 be registered against the title of Lot 2 hereon advising that sewerage disposal shall be in accordance with the proposed design as detailed in the Duffill Watts Consulting Group: On Site Effluent Disposal Report, reference 215872, dated 11th March 2008 and performance

standard 9.3.7 of the District Plan or an alternative design by an approved suitably qualified person that meets the requirements of Environment Waikato rule 3.5.7.6 for new improved systems.

Stormwater

9. That a consent notice pursuant to section 221 of the Resource Management Act 1991 be registered against the titles of Lot 1 hereon and Lot 2 hereon advising that stormwater from any buildings on the lots shall be disposed to an on-site system designed by a suitably qualified person in accordance with the requirements of the New Zealand Building Code EI and as approved by the HDC District Engineer. Please note Council holds a report prepared by Duffill Watts Consulting Group: On Site Effluent Disposal Report, reference 215872, revision 2.0, dated 11th March 2008 which outlines soakage details and stormwater disposal options for Lot 1.

Access

10. That the existing access to Lots 1 and 3 hereon be upgraded to a half road standard in accordance with NZS 4404: 2004 requirements. This shall include the following:

    a. A 3 metre seal width with formed/grassed swale drains.
    b. The existing grassed strip located centrally within the existing driveway be removed, including all organic materials and back filled with a suitable pavement structure
    c. That the existing metalled turning area be upgraded and sealed to form a suitable turning facility as approved by the HDC District Engineer
    d. All stormwater from the upgraded (sealed) road shall be intercepted and disposed of into the existing water channels along County Rd.
    e. That the seal edges are contoured to ensure that the edges are traversable.
    f. That the final design treatment of the above be as approved by the HDC District Engineer

11. That a modified Class F (Standard Residential Unkerbed Vehicle Entrance) as specified in Rule 9.3.3.3.E of the District Plan be constructed by the subdivider to Lots 1 and 3 at the location shown on the scheme plan. A 300mm dia minimum concrete entrance culvert shall be placed in the existing water channel or as approved by the HDC District Engineer. This culvert shall meet minimum cover strength requirements. A 3 to 1 maximum traversable feather edge slope shall be constructed around this entrance to provide suitable mowing slopes.

12. That pursuant to section 221 of the Resource Management Act 1991 a consent notice be registered on the titles of Lots 1 and 3 hereon advising that the access to the lots on the public road is not maintained by Council. Maintenance will be the responsibility of the owners of Lots 1 and 3.

13. That pursuant to section 221 of the Resource Management Act 1991 a consent notice be registered on the title of Lot 2 hereon advising that a vehicle crossing may only be constructed at the apex of the corner, with the location to be approved prior to construction by the District Engineer. The crossing shall be a class F (Standard Residential Unkerbed Vehicle Entrance) as specified in Rule 9.3.3.3.E of the District Plan.

Earthworks: General

14. That pursuant to section 221 of the Resource Management Act 1991 a consent notice be registered on the title of Lot 2 hereon stating that a geotechnical investigation of the subdivision has been undertaken (Duffill Watts Consulting Group: Geotechnical Inspection Report, reference 42044, dated 8th February 2007) and that foundations (and retaining walls) for any building will require engineering design by a Chartered Professional Engineer.

Engineering: General

15. That Engineering drawings and specifications covering all engineering works shall be submitted to the Manager of Planning and Environmental Services prior to commencement of any work for consideration and approval by the District Engineer, HDC

16. That copies of "as built" plans shall be submitted to Council upon completion of construction. As-built drawings of all works are to comply with NZS 4404: 2004, Schedule 1D, and all normal requirements as per Section 1.5.2. Attention is drawn to the requirement for co-ordination of all utility surface features. All co-ordinates (water meters) are to be presented in New Zealand Transverse Mercator Projection.

Power and Telephone

17. That the subdivider shall provide a power and telephone connection to Lot 1 hereon and Lot 2 hereon, or written confirmation from the respective supply authorities that the connections are available at the standard connection fee.

Other

18. That pursuant to Section 36(1)(b) of the Resource Management Act 1991, the Applicant shall pay Council charges for receiving, processing and granting the Resource Consent.

19. That pursuant to Section 36(1) (c) of the Resource Management Act 1991 the applicant shall pay an administration fee of $95.00 for administration of the consent.

20. That pursuant to Section 36(1) (c) of the Resource Management Act 1991 the applicant shall pay all Council's costs for monitoring this consent including all costs associated with the consideration and certification of plans and details associated with the consent as appropriate.

Advice Notes:

- No work may be undertaken by private contractors on the public water main.
- Any internal drainage work is to be carried out under a Building Consent.
- Any work undertaken in the road reserve will require a street opening permit and traffic management plan be submitted for approval before work commences. Any enquiries regarding this procedure may be directed to Janet Tee at the Paeroa offices, Tel 07-862 8609.

- The construction of the vehicle entrance will require a vehicle crossing permit. Please contact Janet Tee at the Paeroa office on ph 07 862 8609 to proceed with the application of the permit before commencement of any work on the entrance.
- Please note that your street address may change as a result of the subdivision of your property. You will be advised at a later date if this is to be the case. Hauraki District Council follows the Standard New Zealand regulation governing the numbering of all rural and urban properties. This is to ensure the effective and efficient delivery of services and amongst them, emergency services such as fire, ambulance and police etc. Should you have any further queries regarding this matter, please contact the Hauraki District Council.
- It is recommended that a single water main be constructed within the unformed road, to serve Lots 1 and 3.
- To achieve an outdoor living court complying with rule 9.2.5 of the district plan on Lot 2, terracing may be required.

Julia Fox
Consents Officer - Planning