



R E P O R T	<b>TO</b>	HEARINGS COMMITTEE
	<b>FROM</b>	Joe Gray – Consultant Planner
	<b>FILE REF</b>	RC-15550 DOC 447081
	<b>DATE</b>	10 NOVEMBER 2008
	<b>SUBJECT</b>	<b>SUBDIVISION CONSENT APPLICATION TO CREATE TWO LOTS IN THE RURAL ZONE O Millar, 7743 State Highway 2, Mackaytown</b>

**DETAILS OF APPLICATION**

**Date Received:** 1 August 2008  
**Date Notified:** 19 September 2008  
**Submissions Closed:** 17<sup>th</sup> October 2008  
**Submitted By:** Land and Marine Surveying Limited  
**Applicant:** O R MILLAR  
**Subject Property:** Lot 1 DP 307966  
**Address:** 7743 State Highway 2, Mackaytown  
**Extent:** 11.7214 ha  
**Certificate of Title:** CFR 88858  
**Zoning:** Rural (District Plan – Map H)  
**Rule:** 10.1.5.4.B(e) – Lifestyle Lots in the Rural Zone  
**Application:** Section 88 of the Resource Management Act 1991  
**Discretionary Activity**  
**Recommendation:** Decline consent

**THE PROPOSAL**

The applicant proposes to subdivide Lot 1 DP 307966 and create two lots (one additional) as follows:

- Lot 1 – 5.9040 ha
- Lot 2 – 5.8174 ha

There is one existing dwelling on the subject property which is accessed via Pt Sect 16 Blk XIII Ohinemuri SD which is currently amalgamated with Lot 1 DP 307966 and contains an entranceway onto State Highway 2. The existing dwelling will be contained within proposed Lot 1 and will retain the existing access onto State Highway 2. It is proposed to amalgamate Lot 1 with Sect 261 & 262 Blk XIII Ohinemuri SD and PT Sect 16 Blk XIII creating a combined total area of 8.6430 ha that will comprise the second newly created title.

Lot 2 will be a vacant Lot. It is proposed to access Lot 2 via an entranceway that will traverse a partially formed section of Edwin Street that adjoins the southern corner of the subject property. It is proposed to amalgamate Lot 2 with Lot 5 DP 322255 that adjoins the south western boundary, to create a combined total area of 7.3530 ha that will comprise the newly created title.

Both sites can be serviced adequately for sewer, stormwater, electricity and telecommunications. Water can be provided via Council water mains within Rahu Road and Goldfields Road. There is an existing water easement that is located within Lot 4 DP 322255. The subdivision proposes to extend this easement (extension shown 'A' on the scheme plan) accordingly to service both of the proposed lots. (A separate water connection would need to be laid within the existing and new easement to serve Lot 2).

### **THE SITE AND LOCALITY**

The subject property (Lot 1 DP 307966) is contained within Certificate of Title that also contains Pt Sect 16 Blk XIII Ohinemuri SD, Sects 261 & 262 Blk XIII Ohinemuri SD and Lot 5 DP 322255. The title (CFR 88858) comprises a total area of 15.9960 ha.

The subject site is located just east of the intersection of Rahu Road and State Highway 2, on the northern outskirts of the Mackaytown Township. As noted, the site is currently accessed via State Highway 2 and an additional track has been formed within the road reserve of Edwin Street (proposed access to Lot 2).

Goldfields Road is an existing paper road that adjoins the entire south eastern boundary of the property. Goldfields Road intercepts the partially formed section of Edwin Street where the applicant proposes to access Lot 2.

The topography of the site is undulating, and rises toward the north eastern boundary. The soils within the site are considered to be poor and have a LUC Class of VI.

The subject site is zoned rural along with all of the adjoining sites. There are a number of smaller lots to the south and south west of the subject property that access Edwin Street and Rahu Road. These dwellings are considered to be part of the Mackaytown Township.

### **BACKGROUND**

The land comprising the subject property has been subject to subdivision on two separate occasions within the last 8 years. On 24 July 2001 consent was granted for the subdivision of land containing the subject property, creating the subject property (Lot 1 DP 307966) and three other lots to the south and south west. The subject property was amalgamated with one of the other newly created lots to the south west (Lot 4 DP 307966) at the same time.

Approximately 18 months later on 31 January 2003, the subject property was subdivided again which separated Lot 4 DP 307966 from the subject property (Lot 1 DP 307966) creating one additional lifestyle lot. The second subdivision that was granted on 31 January 2003 was determined on the grounds that the original subdivision created only four lots when five could have been created as a controlled activity. It was considered at the time that the proposed subdivision was still in accordance with the intentions of the lifestyle lot subdivision provisions of the District Plan.

It is also noted that there has been protracted mediation between the applicant and a tenant living on the subject property regarding 'sitting tenant' rights. This matter is considered to be a legal concern and separate to any resource management issues. Therefore the matter has not been given any weight when considering the application.

## **STATUS OF THE APPLICATION**

<b>Standard</b>	<b>Complies</b>	<b>Does not comply</b>	<b>N/A</b>	<b>Comment</b>
<b>Lifestyle Lots in the Rural Zone (District Plan Rule 10.1.5.4.B(e))</b>				
For each Certificate of Title that existed at 26 September 2000, or that was issued as a result of a Resource Consent granted on or before 26 September 2000, where the land to be subdivided has a Land Use Classification of Class IV-VI, the land may be subdivided		X		The parent property was granted subdivision consent on two occasions after 26 September 2000. First, on 24 July 2001 and then once more on 31 January 2003.
Lot size shall be a minimum of 5000m <sup>2</sup> on Class IV-VI land.	X			Both lots can comply with the minimum lot size requirement. The subject property is comprised of Class VI land.
Each lot shall have a residential area of not less than 5000m <sup>2</sup> with no dimension measuring less than 30m.	X			Lot 1 contains an existing dwelling. Lot 2 can provide a complying residential area.
The residential area shall not be liable to flooding, erosion, landslip or instability.	X			There are a number of suitable locations for a building platform within Lot 2.
Each lot shall have a minimum road frontage of 50m.	X			Both Lots 1 and 2 can comply however Lot 2 has over 50m of frontage to Goldfields Road which is unformed.
Access shall be provided from a sealed road.		X		Lot 1 has access to State Highway 2. It is proposed to access Lot 2 via the end of Edwin Street which is unformed.
<b>Performance Standards (District Plan Section 9)</b>				
<b>Bulk and Location of Buildings</b>	X			
<b>Infrastructure and Services</b>	X			
<b>Performance Matters</b>	X			

The subdivision can comply with all of the relevant performance standards but is unable to comply with the two of the lifestyle lot subdivision standards contained within Section 10 of the District Plan.

Rule 10.1.5.4.C states that all subdivision applications in any zone, which do not meet the minimum area, dimension, location or other standards specified for a subdivision to be a permitted or controlled activity in Rule 10.1.5.4A & B are a **Discretionary Activity**.

### **Resource Management Act 1991 (RMA)**

Section 93(1) states that a consent authority must notify an application for resource consent unless –

- (a) the application is for a controlled activity; or
- (b) the consent authority is satisfied that the adverse effects on the environment will be minor.

During the initial assessment of the application, it was found that the subdivision application could not meet the title date requirements for a subdivision of this type nor could it meet the requirement for access to be off a sealed road. Based on this, Council was not satisfied that the adverse effects on the environment would be no more than minor. As a result the application was publicly notified.

Section 93(2) states that the consent authority must notify the application by –

- (a) Publicly notifying it in the prescribed form; and
- (b) Serving notice of it on every person prescribed in regulations.

The application was publicly notified on 19 September 2008 in the Hauraki Herald.

#### Submissions Received

Two submissions were received before the closing date for submissions on 17 October 2008. One of the submissions was in support of the application and one neutral submission was received from the NZTA requesting that entranceway restrictions be imposed. A summary of the two submissions is provided below:

Name	Address	Support/Oppose	Comments
Tracey Lance	31 Rahu Road	Support	Supports the application because it will minimize disruption and provide an equitable solution for both parties involved. The tenant has refused to amalgamate the lots and this is the only option for the applicant to settle with the tenant.
NZ Transport Agency (NZTA)	PO Box 973 Hamilton	Neutral	NZTA considers that the proposal will have a no more than minor effect on State Highway 2 provided conditions that no new crossing places will be created that access the State Highway are imposed. NZTA wishes to have a consent notice registered against the title of Lot 2 requiring that all access to Lot 2 shall be from a local road.

The matters to be considered in assessing the application are set out in Part 2 and Section 104.

Section 104B states that a discretionary activity may be granted or refused consent to, and conditions may be imposed.

Section 106 sets out the circumstances in which a subdivision consent should not be granted. None of these circumstances apply to this application.

#### Hauraki Gulf Marine Park Act 2000

Section 9(4) requires a consent authority, when considering an application for a 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 recognise the national significance of the Gulf, its islands and catchments.

The subdivision does not conflict with any relevant matters in the above Act.

## **ENGINEERING COMMENTS**

Council's Consents Engineer has made the following comments with regard to engineering matters for the proposed subdivision if consent were to be granted:

### **Access**

The existing access to proposed Lot 1 can remain and no upgrading is required. No additional traffic movements will result from the proposed subdivision.

It is considered that the partially formed section of Edwin Street be upgraded in accordance with a Rural Right of Way standard servicing 1-2 lots. The Right of Way would need to extend across the Goldfields road reserve and into Lot 2. Sealing would not be required.

### **Water Supply**

It is noted that there is no requirement for any new property in the Rural Zone to connect to Council water reticulation.

The subject property is currently serviced for water via a water easement that traverses Lots 4 and 5 DP 322255. The applicant proposes to locate an additional water line within this easement, and then run the line across the Goldfields road paper road to the Lot 2 boundary for water supply to Lot 2.

Council's Consents Engineer notes that a newly relocated Council water main is located on the western side of Edwin Street that extends along the partially formed section of Edwin St into Goldfields Road. Council's Consents Engineer considers that connecting to this water supply for Lot 2 would be more practical than what has been proposed in the application.

### **Waste Water Disposal**

There are no details showing the location of the existing septic tank and tile lines for the existing dwelling located on Lot 1. The tile lines must be identified and relocated if these are positioned closer than 3m to the boundary of proposed Lot 2.

## **ASSESSMENT OF THE PROPOSAL**

### **General Criteria**

Section 104(1)(a) of the RMA requires that consideration be given to the actual and potential effects on the environment of allowing an activity, (b)(iv) any relevant provisions of the District Plan and (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.

An assessment of the environmental effects of the proposed activity is provided in the following sections of this report. In my opinion, it is considered that the creation of the lots as proposed will have more than a minor effect on the environment.

The relevant provisions (objectives, policies, performance standards and assessment criteria) of the District Plan are considered. The proposal is found to be inconsistent with the objectives and policies for the subdivision of lesser quality land (Class IV – VI) for lifestyle subdivision in the Rural Zone.

### **Effect on the Integrity of the Plan**

The other matter considered relevant to determining the application is the integrity of the District Plan. Consideration needs to be given as to what effect granting consent to the application, which does not comply with the title date limit for lifestyle subdivision, could have the integrity of the Plan and public confidence in its consistent administration.

In examining this issue, the circumstances that have given rise to the application and the date of the title of the subject site need to be taken into account.

As noted previously, two subdivision applications have been granted that have involved land contained within the title that is sought to be subdivided. Both applications were granted after the 'threshold' date of 26 September 2000. The only unusual circumstance surrounding the application is the situation involving a dispute between the applicant and his tenant. It is not considered that this is a matter that should be taken into account in the assessment of this application. The applicant has already subdivided the property once after the threshold date and now proposes to subdivide once more.

Given the above it is considered that the integrity of the District Plan title date provisions will be called into question should consent be granted to the proposed subdivision. There are no circumstances that have given rise to the date of the subject title that set it apart from other like applications that may be lodged in future.

The relevant rule is aimed at preventing multiple stage subdivision of recently subdivided rural properties which, if allowed to occur, might otherwise result in a cumulative reduction in rural character. In this case the site was not approved before 26 September 2000. The proposal represents exactly the type of subdivision that the title date restriction in the District Plan rules are designed to prevent. The establishment of the subdivision will thus contribute to a cumulative reduction in rural character in the District as a whole that the title date standard seeks to avoid.

Accordingly, the subdivision proposal does not satisfy the requirements of Section 104(1)(a) – (c) of the RMA.

## **Part II Resource Management Act 1991**

The matters in section 104 are subject to Part II of the RMA.

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)

It is considered that the proposed subdivision will compromise Section 5(1) whereby the purpose of the Act is to promote the sustainable management of natural and physical resources.

- (2) *In the Act, "sustainable management" means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while –*
- (a) *Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
  - (b) *Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
  - (c) *Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

The proposed subdivision will not promote the sustainable management of natural and physical resources. The subdivision will contribute toward a fragmentation of the rural land resource and a reduction in the rural character and amenity of the District as a whole.

It is not considered that there are any matters of national importance (Section 6), other matters (Section 7), or Treaty of Waitangi matters (Section 8) to be considered with regard to the application.

There are no matters under section 106 of the RMA that warrant refusal of consent to the proposed subdivision.

## **Objectives and Policies – Section 10.1.4 Subdivision**

### ***Objective 2***

*To encourage the continued use of rural land for rural activities appropriate to the land use capability of the land.*

**Policies for Objectives 1 and 2**

1. *Creating a lot size range that is compatible with and recognises the potential productivity of the land and preserves that potential in perpetuity.*
2. *Facilitating the aggregation of small parcels of land.*

It is considered that the proposed subdivision will result in the fragmentation of already small parcels of land. Although the proposed subdivision will create one additional lifestyle lot adjoining others on poorer class soils, the previous subdivisions that have been carried out have exhausted the opportunity for additional subdivision of the land. This type of development is not envisaged by the District Plan.

**Objective 4**

*To provide for a range and choice of rural living environments recognising the different lifestyle and cultural requirements of the District's inhabitants.*

**Policies**

2. *Providing for small lot lifestyle subdivision on less productive rural land, subject to ensuring that the rural character and amenity values are protected.*

As noted above the subject site is covered entirely by poorer class soils. However, it is considered that the subdivision when viewed in a wider context will contribute to a gradual reduction, not protection of, rural character and amenity values.

The subdivision represents multiple stage subdivision of a rural site that is not envisaged by the District Plan. Fragmentation of the original parent title has occurred under the lifestyle lot provisions by way of the subdivision approved in 2001 and then again in 2003. Any further fragmentation of the site would thus be inconsistent with the District Plan.

**Objective 5**

*To minimise the potential for activities in the rural area to impact upon one another in an incompatible manner.*

Consent to the subdivision would enable one additional dwelling and associated curtilage to be introduced into the area. The construction of a dwelling on Proposed Lot 2 will not foreseeably have adverse effects on neighbouring properties. The site is surrounded by marginal farmland to the east and south east and smaller lifestyle lots to the west. Given that there are few intensive farms within close proximity it is not considered that the proposal will lead to adverse reverse sensitivity effects.

**Objective 6**

*To minimise the use of natural and physical resources (including energy and space) in providing and maintaining the infrastructure associated with subdivision and subsequent development.*

**Policies**

1. *Requiring services to be installed to the stated standards as part of the subdivision process, thereby minimising costs, enabling authorities to work in together (e.g. trench sharing), minimising detrimental effects on the landscape and amenity of an area and reducing maintenance costs to Council once it accepts responsibility for any services.*
2. *Using financial contributions as a mechanism.*

Development contributions will be payable pursuant to the Local Government Act 2003 if consent is granted.

### **Assessment Criteria**

The relevant assessment criteria for Discretionary Activities in the Rural Zone (10.1.5.4C(b)) are considered below. There are no additional matters in the General Assessment Criteria (10.1.5.4B(p)) which are not addressed in the following assessment.

<b>Criteria (10.1.5.4C(b))</b>	<b>Comments</b>
2. <i>Whether the subdivision will result in or encourage the amalgamation of existing titles.</i>	The two lots will be amalgamated with adjoining parcels but the subdivision will still result in one additional title.
3. <i>Whether the cumulative effects of the subdivision will adversely affect:</i>  (a) <i>the open rural character and rural amenity of particular area;</i>  (b) <i>the use of the adjoining/surrounding properties for farming (rural) activities;</i>  (c) <i>the ability to adequately service the lots, particularly for road access; and</i>  (d) <i>the versatility and viability of the land to provide for the needs of present and future generations.</i>	(a) See comments under policy 2 of Objective 4 above.  (b) It is not considered that the subdivision will compromise the ability for adjoining rural lots to be used for rural activities.  (c) The lots could be adequately serviced for road access through the upgrading of Edwin Street.  (d) The site is not comprised of high quality soils. The proposed subdivision complies with the density and shape standards for lifestyle lot subdivision on lower quality soils and as such must be regarded as preserving the versatility and viability of the land for future generations.
4. <i>Whether the subdivision is designed to maintain and enhance the open rural character and rural amenity of the zone and locality, in terms of the proposed size, layout and number of lots and location of existing and/or likely buildings.</i>	It is not considered that the amenity values and rural character of the area will be compromised by the subdivision. There is already lifestyle development present in the general area, and while any dwelling constructed on the building site on Lot 2 will be visible from some public and private viewpoints, it will not generate an adverse visual effect that is more than minor.
5. <i>Whether traffic movements resulting from the subdivision will have a significant impact on the safe and efficient operation of any public road. Matters to be considered are:</i> <ul style="list-style-type: none"> <li>• <i>The carrying capacity, standard and status in the roading hierarchy;</i></li> <li>• <i>The ability of the site to accommodate the potential parking and on-site manoeuvring areas and;</i></li> <li>• <i>The means by which any likely traffic hazard can be avoided or mitigated.</i></li> </ul>	The traffic movements that will be generated by the subdivision will not have any adverse effects on the safety and efficiency of Edwin Street and Rahu Road. Both roads carry a low volume of traffic.  On-site parking and manoeuvring can be achieved on each lot.

<p>6. <i>The extent to which existing and/or new road access is required to serve the subdivision.</i></p>	<p>The formation / upgrading of Edwin Street and a small portion of Goldfields Road to a suitable access point onto Lot 2 is required. The upgrading of the extended portion of Edwin Street (and Goldfields Road) will need to be in accordance with the Right of Way standard that is for 1-2 lots in the Rural Zone (as per engineering comments).</p>
<p>7. <i>The degree to which the subdivision will create/lead to demands for uneconomic or premature upgrading or extension of public services, including roading.</i></p>	<p>The subdivision would require the extension of Edwin Street to serve the site. However the formation of the road would be undertaken by the applicant and thereafter would require only routine maintenance given the low traffic volume on Edwin Street.</p>
<p>8. <i>Whether any earthworks necessary to accommodate the subdivision would create a significant adverse visual impact.</i></p>	<p>It is not anticipated that a significant amount of earthworks would be required for a building platform on proposed Lot 2.</p>
<p>9. <i>The extent to which the lots to be created are self-contained, with regard to stormwater drainage, effluent disposal and water supply (except where reticulated services are provided).</i></p>	<p>Both of the proposed sites can be adequately serviced on-site, provided appropriate conditions are imposed if consent is granted. Council's Consents Engineer has noted that it is possible that the existing septic tank disposal system for Lot 1 may encroach into the boundary or boundary setbacks of Lot 2. A condition can be imposed to mitigate this if consent is granted.</p>
<p>10. <i>Whether features of the subdivision including the intended location of residential activities, design and location of access, stormwater and waste water management, the planting of trees and shrubs, and the shaping of earth avoids, remedies or mitigates any adverse effect on the existing landscape, and/or rivers and streams.</i></p>	<p>The form and features of the proposed subdivision will not create adverse effects on the existing landscape or any rivers and streams.</p>
<p>11. <i>The extent to which existing native bush, or other vegetation which contributes to visual amenity and provides a habitat for indigenous fauna is retained and the reasons why any clearance is proposed.</i></p>	<p>It is not foreseen that any vegetation will need to be cleared as a result of the subdivision.</p>
<p>12. <i>Whether the subdivision adjacent to any Conservation Zone or within the Karangahake Gorge Scenic Corridor Policy Area" creates a situation where likely buildings and activities have the potential to dominate or detract from the natural environment.</i></p>	<p>The site is not adjoining any Conservation Zone or within the Karangahake Gorge Scenic Corridor Policy Area.</p>
<p>13. <i>Whether the subdivision is designed to minimise conflicts that can arise between rural farming activities and lifestyle residents.</i></p>	<p>The creation of one additional lifestyle lot will not foreseeably lead to "lifestyle versus farming" conflict. This is because of the subject property's close vicinity to the Mackaytown Township and the lack of intensive farming on adjoining land.</p>
<p>14. <i>Whether the subdivision (or</i></p>	<p>There are no such features known on the subject site.</p>

<i>development of the lots resulting from it eg access) may affect known sites and/or features having heritage and cultural value.</i>	
<i>15. Whether the subdivision design and layout is determined by physical and/or legal constraints.</i>	There are no existing legal constraints such as easements or covenants affecting the design of the subdivision. Nor are there any physical constraints that appear to restrict the location of boundaries.

## **CONCLUSION**

The proposal complies with the relevant lot density and shape standards for lifestyle lot subdivision on Class IV-VI soils in the Rural Zone; however it fails to comply with the title date criteria and the requirement to gain access from a sealed road. The proposed subdivision is considered to be contrary to the relevant objectives and policies of the District Plan that seek to permit subdivision of lower quality land provided that amenity values and rural character are protected. Granting consent to the proposed subdivision will affect the integrity of the District Plan and public confidence in its consistent administration. Therefore pursuant to section 104B of the RMA, Council has the ability to decline consent.

## **RECOMMENDATION**

**THAT** pursuant to Section 104B of the Resource Management Act 1991 the Hauraki District Council decline consent to this non-notified discretionary activity application to subdivide Lot 1 DP 307966, located at 7743 State Highway 2, Mackaytown into two lots, for the following reasons:

- The proposed subdivision is contrary to the relevant policy of the Hauraki District Plan that seeks to facilitate subdivision of lower quality rural land while protecting amenity values and rural character. When viewed in isolation the effects of the proposed subdivision could be viewed as minor, however when viewed in a wider context the subdivision will contribute to a cumulative reduction in the rural character and amenity of the District as a whole.
- Consent to the proposed subdivision will adversely affect the integrity of Rule 10.1.5.4.B(e) of the Hauraki District Plan and public confidence in the consistent administration of the District Plan. The application that gave rise to the subject title was granted consent on 24 July 2001, approximately 10 months after the 'threshold' date, and one further subdivision was granted consent on 31 January 2003. While there are current disputes between parties that appear to generate the requirement for the subdivision, these factors are not in themselves sufficiently mitigating circumstances for Council to grant consent to the current application which represents a significant departure from the title date provision in Rule 10.1.5.4.B(e). While each application must be considered on its own merits, Council if adopting a consistent approach to administration of the District Plan would find it difficult to decline consent for subdivisions of other titles of a similar age if consent were granted to this application.

The following is a list of suggested conditions if Council decides to grant consent:

1. The subdivision shall be carried out generally in accordance with the Land and Marine Surveyors Scheme Plan ref. 0650\_Millar\_RC\_Rev B, dated 30 July 2008.
2. That Lot 1 hereon and Sections 261 and 262 and part Section 16 Block XIII Ohinemuri Survey District (part CR 88858) be held in the same computer register (CSN Request 783732).
3. That Lot 2 hereon and Lot 5 DP 322255 (residue CR 88858) be held in the same computer register (CSN Request 783732).
4. That the formation of Edwin Street shall be extended / upgraded by the subdivider to provide a suitable access point onto Lot 2. The extension / upgrading of the street shall be in accordance with the Right of Way standard that is for 1-2 lots in the Rural Zone as specified in Rule 9.3.19.3 of the District Plan. The following design measures shall be included in the construction of the formation:

- i) That a 4.0 metre wide metalled carriageway shall be incorporated into the design and formation of the access.
  - ii) That the formation shall extend into Lot 2 for a minimum distance of 8 metres.
  - iii) That **either** traversable metalled formation edges are incorporated into the design and formation of the access **or** a standard passing bay be incorporated into the design and formation of the access (the location of the passing bay shall be subject to the approval of the District Engineer, HDC at design plan stage).
  - iv) That the southern junction of the Right of Way linking with the existing sealed portion of Edwin Street be formed at right angles.
  - v) That the existing access point to Lot 2 DP 307966 be maintained / reinstated.
5. That a consent notice pursuant to Section 221 of the Resource Management Act 1991 be registered against the title of Lot 2 advising the owners that the access over the unformed road (Edwin Street) from the boundary to Lot 2 to the existing edge of the seal on Edwin Street be maintained in perpetuity by the owners of Lot 2 hereon.
  6. That a consent notice pursuant to Section 221 of the Resource Management Act 1991 be registered against the title of Lot 2 advising the owners that the access to Lot 2 shall be from Edwin Street.
  7. That the subdivider shall provide power and telephone connections to Lot 2 **or** written confirmation from the relevant supply authorities that these connections are available at the standard connection fee.
  8. That **either** the internal boundary separating Lot 1 from Lot 2 shall be located a distance greater than 3m from the existing septic disposal field within Lot 1 **or** the existing septic tank disposal field within Lot 1 shall be relocated a distance of greater than 3m from the internal boundary separating Lot 1 from Lot 2.
  9. That Engineering plans and specifications covering all engineering works shall be submitted to the Manager of Planning and Environmental Services for consideration and approval prior to the commencement of any work.
  10. That 3 copies of "as-built" plans be submitted to Council upon completion of construction, showing the details required by NZS 4404:2004 Schedule 1D.
  11. 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.
  12. 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.
  13. 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:

- The subdivider will be required to pay a total of \$3,752 plus GST as development contributions for the creation of one additional lot, in accordance with the Hauraki District Council Development Contributions Policy dated 1 July 2008. See schedule below:

Roading	Solid Waste	District Parks	Community Infa-Structure	Libraries	Water Supply	Waste water	Storm water	Land Drainage
\$2,623	\$ 11	\$ 209	\$ 207	\$67	\$636	\$0	\$0	\$0
<b>TOTAL</b>							<b>\$3,752</b>	

- A Council water supply is available for Lot 2, situated on the southern corner of Lot 2, located within the road reserve of the unformed Goldfields Road. A metered water connection can be installed by Council, at the cost of the person requiring the connection.
- 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.
- All work undertaken in the road reserve will require a street opening permit, traffic management plan and vehicle crossing permit to 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.

Joe Gray  
Consultant Planner