

FILE

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P14480


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P14427

Tachikawa Forest Products (NZ) Limited
P O Box 1697
ROTORUA

Attention: Russell Black

RESOURCE CONSENT	
Approved.....	12-1-05
App No.....	6557
Plan No.....	
Date.....	12-1-05



Dear Russell,

NON-NOTIFIED APPLICATION FOR RESOURCE CONSENT
NOTICE OF DECISION - TACHIKAWA FOREST PRODUCTS (NZ) LIMITED

I wish to advise that the following decision has been made under authority delegated to staff in respect of the above application:

(a) **Decision regarding non notification of the application**

That pursuant to Section 93(1)(b) of the Resource Management Act 1991, the Rotorua District Council resolves that the adverse effects of the proposal will be minor and the application need not be notified. The Council is satisfied after taking into due consideration the requirements of Section 94, 94A(a) and Section 94B that in the opinion of Council no persons are considered adversely affected by the proposal. Council is also satisfied that no special circumstances exist that require notification of the consent application in accordance with Section 94C(2) of the Resource Management Act 1991.

(b) **Decision on the application**

That pursuant to Sections 34A, 104, 104B, and 108 of the Resource Management Act 1991, the Rotorua District Council resolves to grant consent to the applications, with the activity status of discretionary activities, by Tachikawa Forest Products (NZ) Limited to construct an antispain treatment plant within an existing building and decommission the old plant currently used for antispain treatment, located 71 to 87 Vaughan Road, Lot 1 DPS 44114 being the land contained within Certificate of Title SA43C/266, Lot 1 DPS 38979 being the land contained within Certificate of Title SA54A/271, Lot 2 DPS 44114 being the land contained within Certificate of Title SA43C/267, Lot 1 DPS 714 being the land contained within Certificate of Title SA30C/130, and Part Lot 2 DP 2519 being the land contained within Certificate of Title SA30C/131.

This consent is subject to the following conditions:

1. The development shall be generally in accordance with the application documentation comprising:
 - (a) Application for Resource Consent by Tachikawa Forest Products (NZ) Limited dated 3 December 2004 and the additional information provided on 15 December 2004.

Noise

2. The average maximum noise level from any sources when measured at the boundary of any adjacent industrial site shall not exceed the following:

Noise receiver	At all times
Industrial B	60dBA L_{eq} 15 min

Dust Suppression

3. That during the construction and operation of the plant and use of the property is maintained in such a manner so as to minimise the levels of dust and prevent it creating a nuisance.

Hazardous Substances

- 4(a) The consent holder shall establish and maintains a register of any spillage incidents of the hazardous substances used or stored in the antisapstain plant and their mitigation. The incidents and their mitigation shall be reported to the Rotorua District Council immediately or no later than 24 hours of their occurrence, and Council staff can obtain a copy of the register or view it on demand;
- 4(b) The consent holder shall provide a written summary of any site remediation works to be undertaken within the existing building and area currently used for the treatment of timber with antisapstain chemicals shall by 1 March 2005 and provide written confirmation that the specified site remediation works have been completed by 1 July 2005.

Review of Conditions of Consent

5. Pursuant to section 128 of the Resource Management Act 1991, the Rotorua District Council, after consultation with the consent holder may undertake a review of the conditions of this consent within six months from the commencement date of the consent and thereafter within one month of the anniversary date of the commencement of this consent to address any adverse environmental effects created by the development with respect to traffic safety, noise, storage and use of hazardous substances and visual amenity. The consent holder shall pay the actual and reasonable costs incurred by Council when undertaking the review of the conditions of consent.

Monitoring

6. Pursuant to section 36 of the Resource Management Act 1991, consent holder shall pay the actual and reasonable costs incurred by the staff of the Rotorua District Council, when undertaking monitoring of the conditions of this consent.

Advice Note:

1. The consent holder need to obtain the necessary authorisations under the relevant provisions of the Hazardous Substances and New Organisms Act and regulations before operating the antisapstain facility on the subject site.

The reasons for this decision are that:

1. The adverse environmental effects and how they are to be avoided, remedied or mitigated when the antisapstain treatment facility is relocated to another building at the Tachikawa Forest Products (NZ) Limited's existing timber processing plant at Vaughan Road, Rotorua.

2. Council considered that the significant separation distances exist between existing non-industrial activities in the vicinity of the Tachikawa Forest Products (NZ) Limited's timber processing plant and the relocated antisapstain treatment facility would contribute to avoiding the potential for adverse environmental effects from the facility on residential activities located at least 230 metres from the site.
3. After having regard to the relevant matters in Section 104 & 104B of the Act, Council is satisfied that consent can be granted as Council is satisfied that any adverse effects of the proposal on the environment can be avoided or have been remedied or mitigated by the conditions of consent to the extent that they will be minor.
4. Council is also satisfied that the activity proposed is considered to be consistent with the relevant objectives & policies of the Industrial and Hazardous Substances sections of the District Plan.
5. No utility infrastructure operated or requiring to be upgraded by Council will be used by the operation of the antisapstain facility.

The applicants are advised that:

- (a) Fulfilment of the conditions of this consent within the timeframe specified in the consent is necessary to carry out the proposal for which this consent relates. Your progress towards satisfying the conditions of consent will be monitored by Council's Monitoring & Compliance Officer. Please contact the Monitoring & Compliance Officer to schedule a final inspection when you have completed the conditions of consent so that a Planning Compliance Certificate can be issued.
- (b) Council has no records of an archaeological site on this property. This may be due to one of two factors. Either, there are no sites present or there has not been an archaeological survey undertaken. Please be advised that both known and unknown archaeological sites are protected under the Historic Places Act 1993. If during the exercising of this consent any archaeological site is uncovered work must stop and permission be obtained from the Historic Places Trust under the provisions of either Section 11 or 12 of the Historic Places Act 1993.
- (c) If you are dissatisfied with any aspect of the decision, you have a right of objection to Council under section 357 of the Resource Management Act 1991. Please advise Council in writing stating the reasons for the objection and the preferred outcome within 15 working days of receiving this decision. If no objection is received it will be assumed that the applicant accepts this decision.
- (d) The above consent lapses on the expiry of 5 years after the date of receiving this letter, unless the consent is given effect to.

If you have any questions regarding this consent, please contact the **Duty Planner**.

Yours faithfully



Nigel Wharton
Director, Environmental Services