

Report for an Application for Resource Consent under the Resource Management Act 1991

Restricted Discretionary Activity

1. Application Description

Council Reference	SD2200045 and PID165276
Applicant	HKRS Holdings Ltd
Description of Activity	The proposal is for a two stage subdivision. Stage 1A is proposed to create two lots and Stage 1 is proposed to create 20 light industrial allotments, three new roads, a private right of way, and a pedestrian walkway. Two drainage reserves and a local purpose reserve are also proposed to vest.
Site Address	551 Marsden Point Road, Ruakaka
Legal Description	Section 8 Block VII Ruakaka Survey (RT: NA1034/280) Section 45 Block VII and Section 46 Block VII Ruakaka Survey District and Section 34-35 Survey Office Plan 322547 (RT: 159507) Section 21, 23-24 Survey Office Plan 322547 and Section 41 Block VII Ruakaka Survey District (RT: 247490)
Relevant Interests on Title	9738099.1 Open Space Covenant pursuant to Section 22 Queen Elizabeth The Second National Trust Act 1977 (NA1034/280) 7301273.1 Notice pursuant to Section 94C Transit New Zealand Act 1989 declaring the adjoining State Highway 15A from State Highway 1 Intersection to Marsden Point to be a limited access road (NA1034/280 and 247490)
Site Area	63.84 ha (NA1034/280) 4480m ² (159507) 18.31 ha (24790) 82.598 ha (total)
Zoning/ Precinct/ Development Area	Appeals Version District Plan - Light Industrial Zone
Overlays	Flood Susceptible (part)
Other Notations	Priority Rivers Flood 50 and 100 Year (part), Acid Sulphate Soil Risk, High and Medium Effluent Unsuitability

2. Locality Plan



Figure 1: Site Location (Source: Whangarei District Council GIS)

3. The Proposal, Site and Locality Description

3.1 Proposal

Proposed Lots

The proposal is for a two stage subdivision at the subject site. The stages are named Stage 1A and Stage 1. Stage 1A will be a two lot subdivision of the titles comprised of NA103/280 and 159507. RT 247490 will not be subject to this stage. The lots are named Lot 2000 and Lot 2001.

Stage 1 will be a subdivision of Lot 2000 from Stage 1A and RT 247490 and is proposed to create 20 light industrial allotments, three new roads, a private right of way, and a pedestrian walkway. Two drainage reserves and a local purpose reserve are also proposed to vest.

Stage 1A will consist of the following allotments:

Table 1 - Summary of Stage 1A

Lot Number	Area	Comment
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2000	55.2800 ha	Balance lot of area containing the remaining area from NA103/280 and 159507. New lots to be created from further subdivision in Stage 1. The vehicle access will remain the same.
2001	8960m ²	New lot that will gain vehicle access directly from Marsden Point Road.

Stage 1 will consist of the following allotments:

Table 2 - Summary of Stage 1

Lot Number	Area	Comment
1	18,877m ² (1.88 ha)	Vacant lots for light industrial development that will gain vehicle access off Lot 1000 (lot to vest as road to Council).
2	4,035m ²	
3	2,176m ²	
4	2,189m ²	
5	1,999m ²	
6	2,731m ²	
7	2,023m ²	
8	1,776m ²	
9	2,039m ²	
10	2,040m ²	
11	6,337m ²	
12	3,110m ²	Vacant lots for light industrial development that will gain vehicle access off Lot 100 (privately owned access way). Lot 15 will also have access off Lot 1000.
13	3,715m ²	
14	2,660m ²	
15	2,871m ²	
16	2,430m ²	Vacant lots for light industrial development that will gain vehicle access off Lot 100 (lot to vest as road to Council).
17	2,323m ²	
18	6,904m ²	
19	10,000m ²	
20	9,960m ²	

21	60.4864ha	Balance lot. This lot will contain the existing consented Sand Mining operation, approved under WDC consent LU1900164.
100	746m ²	Privately owned access way to be held in four undivided one-quarter shares by the owners of Lots 12 to 15 as tenants in common.
101	191m ²	Road to vest to Council.
200	4,618m ²	Stormwater attenuation ponds that will provide stormwater attenuation from the roading network.
201	5,794m ²	
202	9,753m ²	Local purpose reserve to be vegetated in grass and will run along the frontage of the development on Marsden Point Road and behind Lot 2001.
1000	19,530m ²	Road to vest to Council.
1001	193m ²	Pedestrian walkway to be vested as road to Council.
20001	8960m ²	Lot created from Stage 1A to remain unchanged.

Proposed Amalgamation

Proposed Lot 100 will be a privately owned access way shared by Lots 12, 13, 14 and 15 and therefore requires an amalgamation condition to allow these lots to have a one fourth equal shares in the lot.

Land Information New Zealand provided correspondence to Whangarei District Council on 28/04/2022 stating that the amalgamation is approved by LINZ under the provisions of Section 220(3) Resource Management Act 1991 subject to it being expressed on the survey plan as follows:

“That Lot 100 hereon (legal access) be held as to four undivided one quarter shares by the owners of Lots 12 - 15 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith”.

The CSN request reference is 1785147.

Consent Notice

The applicant has proposed a consent notice for Lot 2001 that states no water connection will be provided until building consent stage. This has been accepted and is incorporated into the conditions of consent accordingly.

3.2 Site Description

Evan Cook of Whangarei Planning has provided a description of the subject site and surrounding environment in Section 2.0 of the Assessment of Environmental Effects (AEE) titled: “Resource Consent Application for HKRS Holdings Ltd 551 Marsden Point Road Ruakaka”, dated 04/04/2022.

Having undertaken a site visit on 14 April 2022, I concur with that description of the proposal. The following points are noted:

- *The site is comprised of three titles (NA1034/280, 159507, 247490) with a total area of 74.4846 ha.*
- *The site is bounded by Port Marsden Highway (SH15) to the west, Marsden Point Road to the East, and McEwan Rd to the North. To the southwest there is a stormwater detention pond related to the Marsden City property across SH15, and to the south is farmland.*
- *The land is currently vegetated in pasture and is generally flat in topography with some hummocky land to the north-eastern parts of the site along Marsden Point Road. The land drains to the southwest of the site via a network of farm drains and is part of the catchment to the Ruakaka River which is located some 1.3km south of the site.*
- *There is a small, perched wetland near the northern boundary of the site which is protected by a QEII covenant. This wetland is being restored and monitored by the applicants as a condition of their existing resource consents. The application has advised that this will be unaffected by this proposal. The lower flats are drained by a series of drainage channels that are seasonally wet, but there are no watercourses identified within the site.*
- *Current land use activities on the site are dairy farming and cropping. In the northern part of the site HKRS Holdings Ltd (the applicant) run a sand mining operation, providing sand to the construction industry. The sand mining operation is consented under WDC approval LU1900164 and will be located on proposed Lot 21 once the subdivision has been completed.*

The site has a recently approved resource consent from the Northland Regional Council to undertake the following activities that are associated with this development:

- Earthworks for site development including within a High-risk Flood Hazard Zone (NRC reference AUT.043297.01.01)
- Divert stormwater during land disturbance activities (NRC reference AUT.043297.02.01)
- Discharge stormwater to land during land disturbance activities (NRC reference AUT.043297.03.01)

The application has provided a copy of this consent.

4. Background

4.1 Specialist Input

The application has been supported by the following specialist input:

- Subdivision Scheme Plan – Macro Ventures
- Integrated Transport Assessment – Flow Transportation Specialists
- Ecological Report - Ecology North
- Site Suitability Geotechnical Report – TMC Consulting Engineers
- Integrated Three Waters Assessment – Three Waters Limited

The proposal has been reviewed and assessed by the following specialists:

- Jo Floyd - Development Engineer (WDC Consultant)
- Metis Consultants Limited – Assessment of Stormwater proposal on behalf of WDC
- Tonkin and Taylor – Geotechnical Assessment on behalf of WDC
- Sarah Brownie and Sarah Irwin – WDC Parks and Reserves
- Northland Transport Alliance – Rooding Assessment on behalf of WDC

4.2 Section 92 – Request for More Information

On 02/05/2022, a letter requesting more information was sent to the consultant pursuant to Section 92 of the RMA 1991 (the Act). The questions raised related to geotechnical and earthworks, electricity and telecommunications, roading, wastewater, stormwater management and reserves. Details of these questions raised can be found on Council file SD2200045.

On 26/05/2022, it was determined that all matters had been resolved and the application could continue to be processed. Where appropriate, the outcomes of these discussions and any consequential design changes to the proposal are referenced in the assessment of environmental effects assessment in Section 6 of this report.

5. Reasons for the Application

5.1 Subdivision Consent (s11)

5.1.1 Appeals Version Whangarei District Plan

Resource consent is required for the following reasons under the Appeals Version District Plan:

- **Rule SUB-R2 – Any Subdivision** – The proposal achieves compliance with SUB-R2. **Controlled Activity.**
- **Rule SUB-R9 - Subdivision in the Light Industrial Zone** – All allotments are greater than the minimum net site area of 500m² and therefore the proposal complies with this rule. **Controlled Activity.**

- **Rule Earth-R1 - Earthworks Associated with Subdivision** - The proposal achieves compliance with Rule EARTH-R1. **Controlled Activity.**
- **Rules TWM-R2-4 – Three Waters Management: Stormwater, Wastewater & Water Supply** – Resource consent is required as a restricted discretionary activity under the three waters rules for all subdivision applications. **Restricted Discretionary Activity.**
- **Rule TWM-R5 – Integrated Three Waters Assessments: Subdivision** – A subdivision that results in 8 or more additional allotments (excluding lots for the purposes of reserves, network utilities or transport corridors) from one parent allotment which existed at 4 June 2021 requires an Integrated Three Waters Assessment. The application has provided an Integrated Three Waters Assessment prepared by Three Waters Ltd that assesses the effects of the proposal on the water supply, wastewater and stormwater networks, identifies any compliance issues with the Environmental Engineering Standards, and recommends proposed solutions. The report also identifies any three waters assets that are to be vested in Council. **Controlled Activity.**
- **Rule TRA-R14 – Transport: Subdivision** – The application has demonstrated that the proposal will comply with this rule. **Controlled Activity.**
- **Rule TRA-R17 – Transport: Construction of Any New Public Road or Service Lane** – Any application under this rule must comply with information requirement TRA-REQ, which requires an Integrated Transport Assessment. The application has provided an ITA prepared by Flow Transportation Consultants Ltd in accordance with the TRA information requirements. **Restricted Discretionary Activity.**

5.2 Summary

The reasons for consent are considered together as a **restricted discretionary** activity overall.

6. Public Notification Assessment (sections 95A, 95C-95D)

Section 95A specifies the steps the council is to follow to determine whether an application is to be publicly notified. These steps are addressed in the statutory order below.

6.1 Step 1: Mandatory Public Notification in Certain Circumstances

No mandatory notification is required as:

- the applicant has not requested that the application is publicly notified (s95A(3)(a))
- there are no outstanding or refused requests for further information (s95C and s95A(3)(b)), and
- the application does not involve any exchange of recreation reserve land under s15AA of the Reserves Act 1977 (s95A(3)(c)).

6.2 Step 2: If not required by step 1, public notification precluded in certain circumstances

The application is not precluded from public notification as:

- the activities are not subject to a rule or national environmental standard (NES) which precludes public notification (s95A(5)(a)); and
- the application does not involve one or more of the activities specified in s95A(5)(b).

6.3 Step 3: If not precluded by step 2, public notification required in certain circumstances

The application is not required to be publicly notified as the activities are not subject to any rule or a NES that requires public notification (s95A(8)(a)).

The following assessment addresses the adverse effects of the activities on the environment, as public notification is required if the activities will have or are likely to have adverse effects on the environment that are more than minor (s95A(8)(b)).

Only those effects that relate to matters that are within the council's discretion under the rules TWM-R2-4 – *Three Waters Management: Stormwater, Wastewater & Water Supply* and Rule TRA-R17 – *Transport: Construction of Any New Public Road or Service Lane* are considered in this assessment. These matters are:

Rule TWM-R2: Stormwater

1. *Adverse effects on existing reticulated stormwater networks.*
2. *The capacity of existing reticulated stormwater networks and whether the servicing needs of the proposal require upgrades to existing infrastructure.*
3. *Feasibility of connection to and logical extension of the existing reticulated stormwater networks.*
4. *Adverse effects on the surrounding environment and neighbouring properties from the collection, treatment and disposal of stormwater.*
5. *The efficient provision of services to the land being subdivided and to nearby land that might be subdivided in the future.*
6. *The appropriate level of attenuation within the allotment based on surrounding and downstream flooding risks.*
7. *The ability of the stormwater system to ensure that the peak discharge flow rates from the allotment are not increased beyond the levels that exist prior to the proposed subdivision and future land uses (except in circumstances where that is not appropriate)*

Rule TWM-R3: Wastewater

1. *Adverse effects on existing reticulated wastewater networks.*

2. *The capacity of existing reticulated wastewater networks and whether the servicing needs of the proposal require upgrades to existing infrastructure.*
3. *Feasibility of connection to and logical extension of the existing reticulated wastewater networks.*
4. *Provision of wastewater collection, treatment and disposal.*
5. *Adverse effects on the surrounding environment and neighbouring properties from the collection, treatment and disposal of wastewater.*
6. *The efficient provision of services to the land being subdivided and to nearby land that might be subdivided in the future.*

Rule TMM-R4: Water Supply

1. *Adverse effects on existing reticulated water supply networks.*
2. *The capacity of existing reticulated water supply networks and whether the servicing needs of the proposal require upgrades to existing infrastructure.*
3. *Feasibility of connection to and logical extension of the existing reticulated water supply networks.*
4. *Provision of suitable drinking water.*
5. *The efficient provision of services to the land being subdivided and to nearby land that might be subdivided in the future.*

Rule TRA-R17: Construction of Any New Public Road or Service Lane

1. *The provision, design and construction of the road or service lane.*
2. *Effects on the sustainability, safety, efficiency, effectiveness and accessibility of the transport network.*
3. *Streetscape, urban design and amenity effects of the transport infrastructure.*
4. *Provision and encouragement of active and public modes of transport.*
5. *Integration with surrounding land uses and transport infrastructure.*
6. *Recommendations and proposed mitigation measures of the Integrated Transport Assessment and any further information provided through the consent process.*

No other effects have been taken into account in this assessment.

6.3.1 Adverse Effects Assessment (Sections 95A(8)(b) and 95D)

Effects that must be Disregarded

The council is to disregard any effects on the persons who own or occupy the land in, on, or over which the activities will occur, and on persons who own or occupy any adjacent land (s95D(a)). The land adjacent to the subject site is shown (as AP) in Figure 2 that follows:

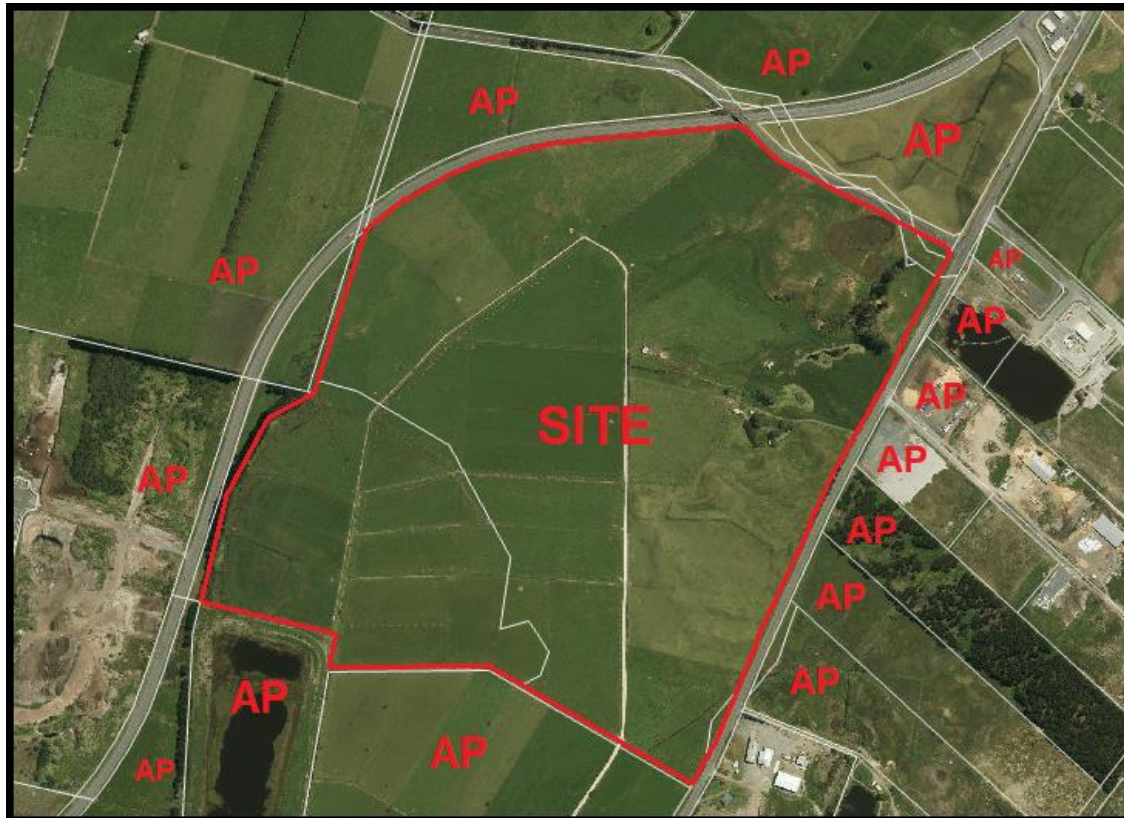


Figure 2: Site Location and Adjacent Properties

The council is to disregard any effects on a person who has given written approval to the application. No person has provided their written approval to the application in this instance.

Effects that may be Disregarded - Permitted Baseline

The permitted baseline refers to the effects of permitted activities on the subject site. The permitted baseline may be taken into account and the council has the discretion to disregard those effects where an activity is not fanciful. In this case, all subdivision applications require resource consent and therefore, the permitted baseline is not considered relevant to this subdivision.

Receiving Environment within which Effects are Assessed

The receiving environment beyond the subject site includes permitted activities under the relevant plans, lawfully established activities (via existing use rights or resource consent), and any unimplemented resource consents that are likely to be implemented. The effects of any

unimplemented consents on the subject site that are likely to be implemented (and which are not being replaced by the current proposal) also form part of this reasonably foreseeable receiving environment. This is the environment within which the adverse effects of this application must be assessed.

As detailed in the application, the receiving environment consists of a mix of activities with heavy industrial activities to the east, farmland to the north and south and some commercial and residential development to the southwest at the new Marsden City development. The nearest residential unit to the site is located some 250m from the southern boundary of the site. There are no lawfully established activities and unimplemented resource consents beyond the subject site that will affect this proposal.

Adverse Effects Assessment

Character and Amenity

The site is zoned for industrial uses and the proposed subdivision will allow for all lots to comply with the minimum required lot sizes for this zone. The lots are also all situated within an existing cluster of site used for industrial purposes. The subdivision will leave a large balance lot that will continue to operate under its existing land uses but has the potential to be subdivided further if there is increased demand for industrial development in the future. Therefore, it is considered that the future development of these lots will sit comfortably within the policy framework of the Light Industrial Zone and the proposed subdivision will not have an adverse effect on the character or amenity of the existing environment.

Stormwater

For Stage 1A, it is stated that a stormwater connection will be provided to Lot 2001 that is proposed to discharge to the existing drain. This drain is located on land owned by Marsden City Limited Partnership which includes the attenuation and treatment pond for the Marsden City development, and WDC has an existing easement. Attenuation and treatment will be required at building consent stage.

For Stage 1, the application has stated that stormwater connections will be provided to each vacant lot at the time of subdivision. Stage 1 proposes two drainage reserves to vest to provide treatment and attenuation for the roads to vest and the shared access (Lot 100).

Metis Consultants have reviewed the application and provided their feedback, requesting further information and clarification on several matters relating to the stormwater disposal of the subdivision. The information was received on 12 May 2022 and has been confirmed that all outstanding matters have been resolved. Conditions of consent were recommended to manage this stormwater connection and the applicant has reviewed and accepted these conditions.

In summary, all lots will be provided with a service connection to a new reticulated stormwater system with appropriate collection, treatment, and disposal. Therefore, the proposal is able to comply with rule TWM-R2 Stormwater, and any effects relating to stormwater connections and disposal will be less than minor.

Wastewater

For Stage 1A, the new Lot 2001 shall require on site effluent disposal as no connection to Council reticulation is available. The balance lot which will be further subdivided at Stage 1 has existing wastewater arrangements.

An engineering letter report compiled by TMC Consulting Engineers dated 18 March 2022 has been submitted in support of this application. This report states that, at the time of writing, TMC had not been provided with any details or development plans to embark the design of an onsite wastewater management system. However, they also state that provided Lot 2001 is not subdivided any further (unless after satisfactory Engineer review), they consider that there should be ample space on the property to provide onsite wastewater disposal.

This is accepted provided that at building consent stage, an onsite soil assessment and a general assessment of onsite effluent disposal capability for Lot 2001 will need to be carried out in accordance AS/NZS 1547: 2000 including effluent field slope gradient, soil category, overland flow path separation, water table depth, and recommended design options. The applicant has agreed to this upon review of the conditions of consent for this approval.

For Stage 1, the provided Integrated Three Waters Report includes nominal sizing to demonstrate that a compliant network extension is feasible, with detailed calculations and design to be carried out at Engineering Plan Approval (EPA) stage.

Council's Waste and Drainage Engineer has reviewed the wastewater proposal, and through further information received, it is determined that the proposal is able to comply with Rule TWM-R3 Wastewater and any potential effects will be less than minor and can be appropriately mitigated if required.

Water Supply

For Stage 1A, the applicant does not wish to provide a water supply connection for Lot 2001 at subdivision stage. The applicant has therefore proposed a consent notice to advise future owners that a water supply has not been provided and shall be required at building consent stage unless other onsite water supply is provided. This is accepted and has been imposed as a condition of consent on the Section 104 report accordingly.

The provided Integrated Three Waters Report includes nominal sizing for Stage 1 to demonstrate that a compliant water supply network extension is feasible, with detailed calculations and design to be carried out at Engineering Plan approval stage. It is stated that each lot will be provided with a service connection.

WDC Water Services has confirmed that they have no concerns regarding capacity of the existing reticulation or treatment capacity for Stage 1. It is accepted that the firefighting supply will be designed and provided at subdivision stage to meet SNZ PAS 4509 requirements at Engineering Plan Approval stage.

Overall, the application has demonstrated that it complies with rule TWM-R4 Water Supply and the effects relating to water supply will be less than minor.

Vehicle Access

For Stage 1A, Lot 2001 will gain direct access to Marsden Point Road. No specific vehicle crossing area is shown for this lot, therefore it is expected that a vehicle crossing will be required at building consent stage for any future development. The lot has adequate frontage to allow for compliant sight lines and it is expected that the proposed lot size and configuration can allow for a vehicle crossing to comply with Rules TRA-R5 and TRA-R6.

For Stage 1, Lots 1 to 11, 16 to 20 will all gain vehicle access via individual vehicle crossings off Lot 1000 (road to vest) which are to be constructed in accordance with of Council's current Environmental Engineering Standards for commercial/industrial crossings at building consent stage.

Lots 12 to 14 will gain vehicle access via the proposed jointly owned access lot (Lot 100) which is to be constructed in accordance with Table 3.1 category F and Sheet 2 of Council's Environmental Engineering Standards 2010 Edition. Lots 12 and 13 shall require individual vehicle crossings which are to be constructed in accordance with Sheet 19 of Council's Environmental Engineering Standards 2010 Edition at subdivision stage.

Lot 15 will gain vehicle access via an individual vehicle crossing which is to be constructed in accordance with Sheet 19 of Council's Environmental Engineering Standards 2010 Edition at subdivision stage. This lot will also have the potential for vehicle access off Lot 100.

Lot 201 and 202 (Drainage Reserves) will gain access via the proposed individual vehicle crossings which are to be constructed in accordance with Sheet 19 of Council's Environmental Engineering Standards 2010 Edition.

Overall, the application has demonstrated that all proposed lots will have appropriate vehicle access without creating any adverse effects on the new lots or any existing allotments.

Traffic / Rooding

Lot 2001 will have direct vehicle access to Marsden Point Road. Marsden Point Road is classified as a collector road with a sealed surface in the area of the proposed vehicle access with a recently posted speed limit of 60 km/h requiring sight lines of 90m. The proposed intersection with Marsden Point Road has complying sight lines.

The application includes a Traffic Effects Assessment compiled by Flow Transportation Specialists dated February 2022. This report investigates the existing roading network directly affected by this proposal and determines that the traffic effects relating to the proposal will be no more than minor with the proposed mitigation measures.

The ITA concludes that:

- *The surrounding transport network can accommodate the anticipated peak hour vehicle trips generated by the proposal.*
- *The proposal will have negligible effect on the safe and efficient operation of the site or the surrounding transport network.*
- *All proposed public roads will operate in a safe and efficient manner.*

The Flow report has assessed the proposal against rules TRA-R14 *Subdivision* and TRA-R17 *Construction of Any New Public Road or Service Lane* and provided information in accordance with rules TRA-REQ2 and TRA-REQ3 requirements. Overall, Council concurs with the conclusions in this assessment and it is considered that the proposal will have no more than minor adverse effects relating to the existing roading network.

The proposal includes three new roads to be vested with Council:

- Road 1 will be the main road and will form a new intersection with Marsden Point Road. This road will be designed as a main collector road with a 19m road reserve including a 3m shared path, a 4m northern berm (allowing for a future footpath), two 3.5m traffic lanes and a 3m wide parking lane (sized for heavy vehicles).
- Road 2 will eventually be a crescent road, intersecting Road 1 at both ends. This road will be a local industrial Road with a 20.6m road reserve, a 3m shared path on one side, and a 1.8m wide path on the other, including berms, a 2.5m wide parking lane and two 3.5m traffic lanes.
- Road 3 will be a 150m long cul-de-sac road. This road will be a public cul-de-sac road with a 19m road reserve, 11m carriageway including traffic lanes and parking, 1.8m wide footpaths on both sides and berms.

Both Road 1 and 2 will be cul-de-sacs at this stage until the next stages of development extends these roads to a crescent. As it is proposed that development shall span 5 to 10 years, it is recommended that the temporary turning head for Road 2 is sealed and that it is sized to enable heavy vehicles to turn.

The proposal also seeks to make changes to Marsden Point Road at the new intersection with Road 1 to accommodate a right-turn bay and flush median markings. There is also a proposed shared access lot (Lot 100) off Road 2.

It is noted that, as all of the roads are industrial, the minimum compliant road reserve width is 23m, with a minimum carriageway width of 14m. None of the proposed roads are able to comply with the Council's Environmental Engineering Standards, therefore Northern Transport Alliance approval is required to confirm that the proposal has potential effects that are considered acceptable and no more than minor.

Through review of the proposal and subsequent feedback from NTA, it was confirmed that the potential effects of the proposed access on the existing roading network are considered to be no more than minor in this case and this infringement can be accepted.

Natural Hazards

Approximately 60 percent of the site has a flood susceptible hazard designation identified on Council's Geographic Information System maps, and the Northland regional Council (NRC) maps indicate flooding will occur within the site for the 10, 50 and 100 year AEP storm events. The site is also identified within the coastal flooding hazard zones by NRC; however, the extents of this flood zone is encompassed within the river flooding zones, therefore addressing river flooding issues will also manage any coastal flooding issues.

The site also has an Acidic Sulphate Soil Risk designation identified on Council's GIS System maps, and the land is located adjacent to an area that has the designation of confirmed Acid Sulphate Soils.

Two reports prepared by TMC Consulting Engineers have been provided in support of the application, entitled "Preliminary Factual Geotechnical Report" reference S1660-JO4627 Rev 01 dated 2 September 2021, and "Subdivision Suitability Report" reference S1660-JO5009 dated 18 February 2022. A letter report prepared by TMC Consulting Engineers reference S1660-JO5009 dated 18 March 2022 has also been provided in support of the application.

The site falls outside of the stability hazard mapping areas on Council's Geographic Information System mapping. However, TMC has assessed the stability of the land based on historical information and ground investigations and conclude that no natural ground movement or evidence of natural instability are present. It is also stated that the unsuitable soils will be replaced with suitable soils from the site, or suitable imported materials.

The TMC letter report certifies that there are 100m² building areas within each allotment suitable to construct a building either in accordance with NZS 3604/2011, or with specific engineering design of foundations, and each lot can be provided with suitable vehicle access to the certified building areas.

Tonkin and Taylor (T&T) and the assigned Council Development Engineer have reviewed the TMC reports and application. Further information was requested and received on 12 May 2022, and T&T have confirmed that the response addressed the issues they raised, and it is considered that the applicant has appropriately addressed the potential effects relating to natural hazards on the site.

Therefore, it is considered that this proposal is considered to satisfy Section 106 of the Resource Management Act 1991 as the application has demonstrated that there will not be a significant risk from natural hazards, and any potential adverse effects relating to Flooding and Acid Sulphate Soils can be appropriately mitigated.

Earthworks

As mentioned, a large portion of the site is contained within a flood susceptible area. A significant volume of earthworks is required to provide suitable building sites that are above the flood plain, and for the construction of roads and two stormwater ponds, with volumes calculated to be cut 80,600m³ and fill 191,400m³ (well over the permitted activity earthworks threshold of 5,000m³ in the Northland Regional Plan). The flood plain will be partially filled to raise the new lots above the floodplain, thereby reducing the floodplain area.

Resource consent has been granted by the Northland Regional Council (NRC Reference AUT.043297.01.01) to carry out earthworks in the flood plain referenced. Once detailed design has been completed, it will be necessary to review the cut/fill plans to ensure that they are in general accordance with the plans approved by NRC.

Two reports prepared by a TMC Consulting Engineers have been provided in support of the application, entitled "Preliminary Factual Geotechnical Report" reference S1660-JO4627 Rev

01 dated 2 September 2021, and report entitled “Subdivision Suitability Report” reference S1660-JO5009 dated 18 February 2022.

Tonkin and Taylor reviewed the two reports prepared by TMC Consulting Engineers (previously mentioned) with regards to the earthworks and provided the following feedback:

“TMC (2022) indicate that “Engineered earthworks are proposed to raise the low-lying western and southern portions of the property above the existing flood hazard level.” Estimated earthworks area and required fill volume were provided in the report (2022) section 7.4. TMC (2022) also indicate that “detailed earthworks plan including an erosion and settlement control plan, and an ‘Acid Sulphate Soil Management Plan’ will be required.”

Retaining wall requirements were not mentioned in both TMC reports (2021 & 2022).

Up to 1.5 m of peat is noted to be present at the site. TMC has indicated that the peat is to be removed and replaced with engineer approved fill.

Cut/Fill plans indicate fill of the order of 3m and cuts the order of 3m are proposed, with respect to existing ground levels. Fills are likely to be thicker than 3m considering the requirement to undercut and replace peat”.

T&T wished to confirm that earthworks will be undertaken in general accordance with an approved specification and NZS 4431:1989. They note that a Geotechnical Completion Report is to be provided following earthworks confirming the suitability of earth fills in terms of NZS4431:1989, the suitability of land areas for building development and foundation design requirements.

T&T also requested preliminary suitable batter angles, and any required slope retention works for proposed cuts and fills are provided. They note that may change as part of detailed design and/or material used to facilitate the filling.

The further information was requested and received on 12 May 2022 and it is determined that all of the outstanding information requirements have been satisfied. Overall, the application has shown that the proposal can offset the flood displacement and manage the additional runoff onsite for the extent of the proposed works. The applicant has provided adequate evidence that there will be no significant offsite impacts with regard to flooding and the potential effects of the proposed earthworks are considered to be no more than minor in this case provided that the recommendations of the TMC reports (2021 and 2022) appended to the application are complied with.

Ecological Effects

It is noted that there is a small wetland in this area that is drained through the subject site. The wetland is more than 100m from the proposed subdivision and development and has been assessed in an Ecological Report prepared by Ecology North as part of the regional earthworks consent application that has been recently approved. The ecological report was provided with this application and concludes that *“based on the site characteristics, it is my opinion that the site is unlikely to fit the criteria of natural wetland, rather as per the NPS_FW definitions, an area of improved pasture subject to temporary rain-derived water pooling. Given the nature of*

the proposed development areas and distance from the closest identified area of natural wetland, it is my opinion that the development site should not be considered impacted by the National Environmental Standards – Freshwater (2020)”.

Furthermore, the existing open space covenant on the site will remain in the balance lot and will not be affected in any way. There is also no native vegetation removal on the site. Therefore it is considered that there will be less than minor adverse ecological effects as a result of this proposal.

Archaeological / Cultural

The site does not contain recorded archaeological sites in either the NZAA or WDC GIS systems. The applicant has consulted with Patuharakeke as part of the preparation for the recently approved earthworks consent. As a result of this consultation an accidental discovery protocol has been established for the site which will be triggered if koiwi or archaeological sites are discovered.

An email was provided to Council on 08/04/2022 from Juliane Chetham advising that Patuharakeke do not have any further comment on this proposal as they have already had discussions with the applicant. Therefore, it is considered that the potential archaeological and cultural effects have been addressed for this site and can be appropriately mitigated if such effects arise.

Adverse Effects Conclusion

Overall, it is considered that any actual or potential adverse effects relating to the proposed subdivision will be no more than minor.

6.4 Step 4: Public Notification in Special Circumstances

If an application has not been publicly notified as a result of any of the previous steps, then the council is required to determine whether special circumstances exist that warrant it being publicly notified (s95A(9)).

Special circumstances are those that are:

- Exceptional, abnormal or unusual, but something less than extraordinary or unique;
- Outside of the common run of applications of this nature; or
- Circumstances which make notification desirable, notwithstanding the conclusion that the activities will not have adverse effects on the environment that are more than minor.

In this instance I have turned my mind specifically to the existence of any special circumstances and conclude that there is nothing exceptional or unusual about the application, and that the proposal has nothing out of the ordinary run of things to suggest that public notification should occur.

6.5 Public Notification Conclusion

Having undertaken the s95A public notification tests, the following conclusions are reached:

- Under step 1, public notification is not mandatory.
- Under step 2, there is no rule or NES that specifically precludes public notification of the activities, and the application is for activities other than those specified in s95A(5)(b).
- Under step 3, public notification is not required as the application is for activities that are not subject to a rule that specifically requires it, and it is considered that the activities will not have adverse effects on the environment that are more than minor.
- Under step 4, there are no special circumstances that warrant the application being publicly notified.

It is therefore recommended that this application be processed without public notification.

7. Limited Notification Assessment (s95B, 95E-95G)

If the application is not publicly notified under s95A, the council must follow the steps set out in s95B to determine whether to limited notify the application. These steps are addressed in the statutory order below.

7.1 Step 1: Certain Affected Protected Customary Rights Groups must be Notified

There are no protected customary rights groups or customary marine title groups affected by the proposed activities (s95B(2)).

In addition, the council must determine whether the proposed activities are on or adjacent to, or may affect, land that is subject of a statutory acknowledgement under schedule 11, and whether the person to whom the statutory acknowledgement is made is an affected person (s95B(3)). There are no Statutory Acknowledgments that apply to land within the Whangarei District; or land within an adjoining District adjacent to the subject site.

7.2 Step 2: If not required by step 1, limited notification precluded in certain circumstances

The application is not precluded from limited notification as:

- the application is not for one or more activities that are exclusively subject to a rule or NES which preclude limited notification (s95B(6)(a)); and
- the application is not exclusively for a controlled activity (other than subdivision), that requires consent under a district plan (s95B(6)(b)).

7.3 Step 3: If not precluded by step 2, certain other affected persons must be notified

As this application is not for a boundary activity, there are no affected persons related to that type of activity (s95B(7)).

The following assessment addresses whether there are any affected persons that the application is required to be limited notified to (s95B(8)).

In determining whether a person is an affected person:

- a person is affected if adverse effects on that person are minor or more than minor (but not less than minor);
- adverse effects permitted by a rule in a plan or NES (the permitted baseline) may be disregarded;
- the adverse effects on those persons who have provided their written approval must be disregarded; and
- as a restricted discretionary activity, only those effects that fall within the matters of discretion restricted under the plan can be considered. These matters are listed in the public notification assessment section of this report.

7.3.1 Adversely Affected Persons Assessment (s95B(8) and s95E)

No persons are considered to be adversely affected by the proposal because:

- All of the proposed lots meet the minimum net site area requirement for the Light Industrial Zone.
- The proposed subdivision will not have an adverse effect on the character or amenity of the existing environment when considering the policy framework for the Light Industrial Zone.
- The application has shown that the proposal can offset the flood displacement and manage the additional runoff onsite for the extent of the proposed works without any adverse effects on adjacent sites.
- The proposal is able to comply with rules TWM-R2-4 (Stormwater, Wastewater and Water Supply) and any effects relating to these services can be managed without adverse effects on adjacent sites.
- The potential effects of the proposed access on the existing roading network are considered to be no more than minor and will not affect the vehicle access of any other lots.
- The applicant has consulted with Patuharakeke Iwi as part of the preparation for the recently approved earthworks consent and Patuharakeke have confirmed that they do not have any further comment on this proposal as they have already had discussions with the applicant.

7.4 Step 4: Further Notification in Special Circumstances

In addition to the findings of the previous steps, the council is also required to determine whether special circumstances exist in relation to the application that warrants it being notified to any other persons not already determined as eligible for limited notification (excluding persons assessed under section 95E as not being affected persons).

Special circumstances are those that are:

- Exceptional, abnormal or unusual, but something less than extraordinary or unique;
- outside of the common run of applications of this nature; or
- circumstances which make limited notification to any other person desirable, notwithstanding the conclusion that no other person has been considered eligible.

In this instance I have turned my mind specifically to the existence of any special circumstances under s95B(10) and conclude that there is nothing exceptional or unusual about the application, and that the proposal has nothing out of the ordinary run of things to suggest that notification to any other persons should occur.

7.5 Limited Notification Conclusion

Having undertaken the s95B limited notification tests, the following conclusions are reached:

- Under step 1, limited notification is not mandatory.
- Under step 2, there is no rule or NES that specifically precludes limited notification of the activities, and the application is for activities other than that specified in s95B(6)(b).
- Under step 3, limited notification is not required as it is considered that the activities will not result in any adversely affected persons.
- Under step 4, there are no special circumstances that warrant the application being limited notified to any other persons.

It is therefore recommended that this application be processed without limited notification.

8. Notification Recommendation

For the above reasons under section 95A this application may be processed without public notification.

In addition, under section 95B, limited notification is not required.

Accordingly, I recommend that this application is processed non-notified.



Ben Clearwater
Senior Planner
RMA Consents

Date: 2 June 2022

9. Notification Determination

Acting under delegated authority, and for the reasons set out in the above assessment and recommendation, under sections 95A and 95C to 95D, and 95B and 95E to 95G of the RMA this application shall be processed non-notified.



Roger Quinton
Acting Manager
RMA Consents

Date: 2 June 2022

Decision on an Application for Resource Consent under the Resource Management Act 1991

Restricted Discretionary Activity

Application Details

Council Reference	SD2200045 and PID165276
Applicant	HKRS Holdings Ltd
Site Address	551 Marsden Point Road, Ruakaka
Legal Description	Section 8 Block VII Ruakaka Survey (RT: NA1034/280) Section 45 Block VII and Section 46 Block VII Ruakaka Survey District and Section 34-35 Survey Office Plan 322547 (RT: 159507) Section 21, 23-24 Survey Office Plan 322547 and Section 41 Block VII Ruakaka Survey District (RT: 247490)

Proposal

The proposal is for a 2 stage subdivision. Stage 1A is proposed to create two lots and Stage 1 is proposed to create 20 light industrial allotments, three new roads, a private right of way, and a pedestrian walkway. Two drainage reserves and a local purpose reserve are also proposed to vest.

Reasons for Consent

Consent is required for the following reasons:

- Rule SUB-R2 – Any Subdivision – The proposal achieves compliance with SUB-R2. Controlled Activity.
- Rule SUB-R9 - Subdivision in the Light Industrial Zone – All allotments are greater than the minimum net site area of 500m² and therefore the proposal complies with this rule. Controlled Activity.
- Rule Earth-R1 - Earthworks Associated with Subdivision - The proposal achieves compliance with Rule EARTH-R1. Controlled Activity.
- Rules TWM-R2-4 – Three Waters Management: Stormwater, Wastewater & Water Supply – Resource consent is required as a restricted discretionary activity under the three waters rules for all subdivision applications. Restricted Discretionary Activity.
- Rule TWM-R5 – Integrated Three Waters Assessments: Subdivision – A subdivision that results in 8 or more additional allotments (excluding lots for the purposes of reserves, network utilities or transport corridors) from one parent allotment which existed at 4 June 2021 requires an Integrated Three Waters Assessment. The application has provided an Integrated Three Waters Assessment prepared by Three Waters Ltd that assesses the effects of the proposal on the water supply, wastewater and stormwater networks, identifies any compliance issues with the Environmental Engineering

Standards, and recommends proposed solutions. The report also identifies any three waters assets that are to be vested in Council. Controlled Activity.

- Rule TRA-R14 – Transport: Subdivision – The application has demonstrated that the proposal will comply with this rule. Controlled Activity.
- Rule TRA-R17 – Transport: Construction of Any New Public Road or Service Lane – Any application under this rule must comply with information requirement TRA-REQ, which requires an Integrated Transport Assessment. The application has provided an ITA prepared by Flow Transportation Consultants Ltd in accordance with the TRA information requirements. Restricted Discretionary Activity.

Recommendation

I recommend, under sections 104, 104C and Part 2 of the RMA, that this resource consent is **GRANTED**.

Decision

I have read the application, supporting documents, and the report and recommendations on the application for resource consent. I am satisfied that I have adequate information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on the application.

Acting under delegated authority, under sections 104, 104C and Part 2 of the RMA, the resource consent is **GRANTED**.

Reasons for Decision

The reasons for this decision are:

1. The application is for restricted discretionary resource consent, and as such under s104C only those matters over which council has restricted its discretion have been considered. Those matters are:

Rule TWM-R2: Stormwater

1. *Adverse effects on existing reticulated stormwater networks.*
2. *The capacity of existing reticulated stormwater networks and whether the servicing needs of the proposal require upgrades to existing infrastructure.*
3. *Feasibility of connection to and logical extension of the existing reticulated stormwater networks.*
4. *Adverse effects on the surrounding environment and neighbouring properties from the collection, treatment and disposal of stormwater.*
5. *The efficient provision of services to the land being subdivided and to nearby land that might be subdivided in the future.*

- 6. The appropriate level of attenuation within the allotment based on surrounding and downstream flooding risks.*
- 7. The ability of the stormwater system to ensure that the peak discharge flow rates from the allotment are not increased beyond the levels that exist prior to the proposed subdivision and future land uses (except in circumstances where that is not appropriate)*

Rule TWM-R3: Wastewater

- 1. Adverse effects on existing reticulated wastewater networks.*
- 2. The capacity of existing reticulated wastewater networks and whether the servicing needs of the proposal require upgrades to existing infrastructure.*
- 3. Feasibility of connection to and logical extension of the existing reticulated wastewater networks.*
- 4. Provision of wastewater collection, treatment and disposal.*
- 5. Adverse effects on the surrounding environment and neighbouring properties from the collection, treatment and disposal of wastewater.*
- 6. The efficient provision of services to the land being subdivided and to nearby land that might be subdivided in the future.*

Rule TMM-R4: Water Supply

- 1. Adverse effects on existing reticulated water supply networks.*
- 2. The capacity of existing reticulated water supply networks and whether the servicing needs of the proposal require upgrades to existing infrastructure.*
- 3. Feasibility of connection to and logical extension of the existing reticulated water supply networks.*
- 4. Provision of suitable drinking water.*
- 5. The efficient provision of services to the land being subdivided and to nearby land that might be subdivided in the future.*

Rule TRA-R17: Construction of Any New Public Road or Service Lane

- 1. The provision, design and construction of the road or service lane.*
- 2. Effects on the sustainability, safety, efficiency, effectiveness and accessibility of the transport network.*
- 3. Streetscape, urban design and amenity effects of the transport infrastructure.*
- 4. Provision and encouragement of active and public modes of transport.*
- 5. Integration with surrounding land uses and transport infrastructure.*
- 6. Recommendations and proposed mitigation measures of the Integrated Transport Assessment and any further information provided through the consent process.*

2. In accordance with an assessment under ss104(1)(a) and (ab) of the RMA, the actual and potential effects from the proposal will be acceptable as:
 - a. The proposed subdivision will allow for lots to all comply with the minimum required lot sizes for the Light Industrial Zone.
 - b. The future development of these lots will sit comfortably within the policy framework of the Light Industrial Zone and the proposed subdivision will not have an adverse effect on the character or amenity of the existing environment.
 - c. The proposal is able to comply with rules TWM-R2-4 (Stormwater, Wastewater and Water Supply) and any effects relating to stormwater, wastewater and water supply connections and disposal will be less than minor.
 - d. The application has demonstrated that all proposed lots will have appropriate vehicle access without creating any adverse effects on the new lots or any existing allotments, and the potential effects of the proposed access on the existing roading network are considered to be no more than minor in this case.
 - e. This proposal is considered to satisfy Section 106 of the Resource Management Act 1991 and any potential adverse effects relating to Flooding and Acid Sulphate Soils can be appropriately mitigated.
 - f. The applicant has provided adequate evidence that there will be no significant offsite impacts with regard to flooding and the potential effects of the proposed earthworks are considered to be no more than minor in this case provided that the recommendations of the TMC reports (2021 and 2022) appended to the application are complied with.
 - g. There will be less than minor adverse ecological effects as a result of this proposal.
 - h. Through consultation, the potential archaeological and cultural effects have been addressed for this site.
 - i. In terms of positive effects, the proposed subdivision and potential development will have a positive economic impact on the wider community. As detailed in the application, the proposed development will create employment opportunities for local residents both in terms of initial development and construction work, as well as providing ongoing permanent employment in the Business Hub when completed.
 - j. The application is also proposing a local purpose reserve that will provide an area of green space for workers and visitors to the Bream Bay Business Hub to enjoy. This reserve can be considered in a wider context as part of the network of existing and future green spaces in the surrounding area.
 - k. With reference to s104(1)(ab), there are no specific offsetting or environmental compensation measures proposed or agreed to by the applicant to ensure positive effects on the environment and/or within the relevant matters of discretion.
3. In accordance with an assessment under s104(1)(b) of the RMA the proposal is consistent with the relevant statutory documents, insofar as they relate to the matters over which

discretion is restricted. The proposal is considered to meet the objectives and policies of the Three Waters Management Chapter because the application and supporting documentation demonstrates that the proposal can be provided with appropriate collection, treatment, and disposal of stormwater, wastewater and water supply services with less than minor adverse effects.

The Integrated Transport Assessment report provided with the application has provided an assessment of the proposal against the objectives and policies of the Transport Chapter and concludes that the proposal will not be contrary to the objectives and policies of this chapter. Having read this report I concur with this assessment.

Although not related to the matters of discretion, the proposal is considered to not be contrary to the objectives and policies of the Light Industrial Zone. As detailed in the application, of particular relevance is objective LIZ-05 and policy LIZ-P6:

LIZ-05 - The supply of large allotments within the Light Industrial Zone is preserved by managing inappropriate fragmentation of land from subdivision.

LIZ-P6 - To avoid the fragmentation of Light Industrial Zone land where subdivision design and layout would not facilitate industrial and trade retail type activities.

The proposal meets these objectives and policies because the proposed subdivision provides for a range of allotment sizes that vary between 1,893m² and 18,887m². These lots are significantly larger than the minimum lot size for the zone (500m²) to facilitate the various types of activity that could be expected to locate in this zone. Furthermore, the subdivision scheme plan provides for lot sizes that will facilitate industrial and trade retail type activities.

Overall, I concur with the application, in that the proposal is consistent with the relevant objectives and policies of the Whangarei District Plan and will give effect to the provisions relating to subdivision in the Light Industrial Zone.

4. All applications that involve subdivision are subject to the provisions of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011. The regulation sets out the requirements for considering the potential for soil contamination, based on the HAIL (Hazardous Activities and Industries List) and the risk that this may pose to human health as a result of the proposed land use.

As detailed in the application, *“the NES has been considered in the context of this proposal. The application details that “The site was the subject of a Potentially Contaminated Site Property Search in August 2015 as part of a previous application (Application no PCS150055) which concludes that there is no evidence to suggest that the site currently, or ever has accommodated a HAIL activity. There are no records of potentially hazardous activities taking place on the site since the time this property search was conducted, and based on this information, it is highly unlikely that there will be a risk to human health if the proposed change in land use takes place. No further assessment is required under the NES for contaminated soils”.* Having reviewed this information it is agreed that the proposal is not contrary to the Resource Management (National Environmental Standard for Assessing

and Managing Contaminants in Soil to Protect Human Health) Regulations 2011, and no further assessment under this legislation is required.

5. In this case, it is not necessary to place any weighting on the operative Whangarei District Plan as there are no outstanding appeals relating to the rules, objectives and policies under the Urban and Services Plan Changes (Appeals Version) that affect this proposal and the outcomes of the two plans are the same.
6. As a restricted discretionary activity, the other matters that can be considered under s104(1)(c) of the RMA must relate to the matters of discretion restricted under the plan. In this case there are no other matters of relevance to the consideration of this application.

In the context of this restricted discretionary activity application subdivision, where the relevant objectives and policies and other relevant provisions in the relevant statutory documents were prepared having regard to Part 2 of the RMA, they capture all relevant planning considerations and contain a coherent set of policies designed to achieve clear environmental outcomes. They also provide a clear framework for assessing all relevant potential effects and there is no need to go beyond these provisions and look to Part 2 in making this decision as an assessment against Part 2 would not add anything to the evaluative exercise.

5. Overall, the proposal is acceptable and the actual and potential effects from this subdivision are considered to be no more than minor.

Conditions

Under sections 108, 108AA and 220 of the RMA, this consent is subject to the following conditions:

Stage 1A	
1.	That before the survey plan is certified pursuant to Section 223 of the Resource Management Act 1991, the following requirements are to be satisfied:
a.	The survey plan submitted for approval shall be in general accordance with the Scheme Plan prepared by Macro Ventures, entitled: "2 LOT SUBDIVISION OF SECTIONS 34,35 SO 322547 & SECTIONS 8, 45, 46 BLOCK VII RUAKAKA SURVEY DISTRICT 551 MARSDEN POINT ROAD, RUAKAKA" (Sheets 1-3 of 9) drawing references P0318-SC01-3 (Rev C), dated 15/02/2022. The survey plan submitted shall show: <ol style="list-style-type: none"> i. Schedule of existing easements in gross as shown on Sheets 2 and 3. ii. Memorandum of easements in gross as shown on Sheet 2. iii. Existing conservation covenant as shown on Sheet 3.
b.	The development shall proceed in accordance with the following documents:

	<ul style="list-style-type: none"> i. TMC Consulting Engineers entitled “Preliminary Factual Geotechnical Report” reference S1660-JO4627 Rev 01 dated 2 September 2021, ii. TMC Consulting Engineers Subdivision Suitability Report” reference S1660-JO5009 dated 18 February 2022, iii. TMC Consulting Engineers Letter Response ref S1660-J-05009 dated 12 May 2022.
c.	<p>The consent holder must submit a detailed set of engineering plans prepared in accordance with Council’s Environmental Engineering Standards 2010 Edition. The engineering plans are to be submitted to the Development Engineer for approval.</p> <p>It is to be noted that certain designs may only be carried out by Chartered Professional Engineer (CPEng) working within the bounds of their assessed competencies.</p> <p>All work needing design/certification by a CPEng will require completion of a producer statement (design) (EES-PS1 or similar).</p> <p>The Consent holder is to submit all documentation as required by Council “Quality Assurance/Quality Control Manual – Vested Assets”. This will include nomination of a site Engineer and an “Inspection and Test Plan” for approval by the Development Engineer before any works commence.</p> <p>Plans need to be prepared noting recommendations of the TMC Consulting Engineers geotechnical reports referenced in Condition 1(b) unless an alternative engineering report prepared by a suitably experienced Chartered Professional Engineer is approved in writing by Council.</p> <p>Plans are to be prepared in general accordance with plans and documentation submitted with the application:</p> <ul style="list-style-type: none"> – Macroventures Civil Engineering Design for Resource Consent, Project Ref P0318 plans revision D dated 11 May 2022. – Three Waters Limited Stage 1 Integrated Three Waters Report reference 210022.1 dated May 2022. <p>Plans are to be prepared in accordance with Northland Regional Council Conditions of Consent relating to Consents AUT.043297.01.01, AUT.043297.02.01 and AUT.043297.03.01.</p> <p>Plans are to include but are not limited to:</p> <ul style="list-style-type: none"> i. Design details of stormwater connection for Lot 2001 in accordance with Sheet 36 or 37 and Section 4 of Council’s Environmental Engineering Standards 2010 Edition.

	<p>ii. Design details of flood mitigation on Lot 2000 to mitigate the effects of the development on the flood plain in accordance with the conditions of Northland Regional Council consent AUT.043297.01.01.</p> <p>iii. Design details of the culvert and overland flow path proposed at the southeast corner of the site to convey flows from the existing 1200mm diameter culvert under Marsden Point Road, noting that it must be sized based on total design catchment flow (not the capacity of the current culvert) in line with WDC EES requirements.</p>
d.	The consent holder shall provide written confirmation from the telecommunications and power utility service operator of their consent conditions in accordance with Council's Environmental Engineering Standards 2010 Edition and show necessary easements on the survey plan to the approval of the Councils' Post Approval Officer or delegated representative.
e.	The consent holder must create easements over proposed and existing services to the approval of the Development Engineer or delegated representative.
f.	<p>The consent holder must create easements over any stormwater overland flow paths affected by the development or as directed by the Development Engineer.</p> <p>Areas of proposed development shall be designed to avoid these overland flowpaths and noted in the Site Suitability report.</p> <p>Note: Overland flow paths are to be assessed in accordance with Section 4 of Council's Environmental Engineering Standards 2010 Edition and are to be certified by a CPEng Engineer with relevant qualifications in stormwater design</p>
2.	Before a certificate is issued pursuant to Section 224(c) of the Resource Management Act 1991 the following requirements are to have been satisfied:
a.	The consent holder is to submit a Corridor Access Request application to Council's Road Corridor Co-ordinator and receive written approval for all works to be carried out within Council's Road Reserve in accordance with Council's Environmental Engineering Standards 2010 to the satisfaction of the Development Engineer or delegated representative (refer to the advisory clause below for the definition of a Corridor Access Request).
b.	<p>The consent holder shall notify Council, in writing, of their intention to begin works, a minimum of seven days prior to commencing works. Such notification shall be sent to the Development Engineer and include the following details:</p> <ul style="list-style-type: none"> • Name and telephone number of the project manager. • Site address to which the consent relates. • Activities to which the consent relates. • Expected duration of works.

	<p>A copy of the approved engineering plans and a copy of the resource consent conditions, Inspection and Test Plan, approved corridor access request and the above letter are to be held onsite at all times during construction. All personnel working on the site shall be made aware of and have access to the resource consent and accompanying documentation.</p>
c.	<p>A pre start meeting is required to be undertaken with the consent holder's representative, contractor(s) or agents for the consent holder and the Development Engineer prior to any works being undertaken on the site to the satisfaction of the Development Engineer or delegated representative.</p>
d.	<p>All work on the approved engineering plans in Condition 1(c) is to be carried out to the approval of the Development Engineer. Compliance with this condition shall be determined by;</p> <p>Site inspections undertaken as agreed in Council's engineering plan approval letter/ Inspection and Test Plan.</p> <p>Results of all testing, video inspection records of all wastewater and stormwater reticulation, PE pipeline pressure testing and weld data logging results.</p> <p>PS4 and approval of supporting documentation provided by the developer's representative/s including evidence of inspections by those persons, and all other test certificates and statements required to confirm compliance of the works as required by Council's QA/QC Manual and the Council's Environmental Engineering Standards 2010.</p> <p>"Certificate of Completion of Development Works" from the Contractor.</p> <p>No construction works are to commence onsite until the engineering plans required in Condition 1(b) have been approved.</p>
e.	<p>The consent holder must submit a certified and dated 'Asbuilt' plan of completed works and services in accordance with Council's Environmental Engineering Standards 2010 Edition. This condition shall be deemed satisfied once the as built has been approved by Council's Development Engineer or delegated representative.</p>
f.	<p>The consent holder must submit certified RAMM data for all new/upgraded Rooding infrastructure prepared by a suitably qualified person in accordance with Council's Environmental Engineering Standards 2010 Edition to the satisfaction of the Development Engineer or delegated representative.</p>
g.	<p>The consent holder shall submit written confirmation from power and telecommunication utility services operators that their conditions for this development have been satisfied in accordance with Council's Environmental Engineering Standards 2010 Edition to the approval of the Council's Post Approval Officer or their delegated representative.</p>

h.	The consent holder shall ensure that spoil from the site are not tracked out onto Council or State Highway Road formations to the satisfaction of the Development Engineer or delegated representative.
i.	Dust nuisance must be controlled onsite (by use of a water cart or similar) by the applicant so as not to cause "offensive or objectionable" dust at or beyond the boundary of the development.
j.	The consent holder must provide written confirmation from a Licensed Cadastral Surveyor that all services and accesses are located within the appropriate easement boundaries to the satisfaction of the Development Engineer or delegated representative.
k.	The consent holder must reinstate Council's footpath, kerb and channel, road carriageway formation, street berm and urban services where damage has been caused by the demolition and/or construction works associated with the subdivision or land use consent. The assets shall be reinstated in accordance with Council's Environmental Engineering Standards 2010 Edition at the expense of the consent holder and to the satisfaction of the Development Engineer or delegated representative.
l.	The consent holder must submit for approval a completed 'statement of professional opinion as to suitability of land for building development' (form EES-PO1) including a detailed site plan of any areas of or ground stabilisation, cut or fill, from a Chartered Professional Engineer. Any site restrictions shall be included and confirmation that the land is suitable for building development, to the satisfaction of the Development Engineer or delegated representative. This Form EES PO1 (and associated reports, plans and similar) will be registered against the relevant titles via a consent notice.'
m.	The consent holder shall submit written confirmation including a survey plan that mitigation measures have been constructed to the satisfaction of the Northland Regional Council to offset the floodplain volume taken up by the development.
n.	<p>Pursuant to Section 221 of the Resource Management Act 1991, a consent notice must be prepared and be registered on the Computer Freehold Register of Lot 2001 at the consent holder's expense, containing the following conditions which are to be complied with on a continuing basis by the subdividing owner and subsequent owners:</p> <ul style="list-style-type: none"> <li data-bbox="363 1653 1433 1933">i. Any development shall comply with the restrictions and recommendations identified in the TMC Consulting Engineers engineering report reference S1660-JO4627 Rev 01 dated 2 September 2021 and earthworks completion report PO1 provided on completion of this development provided under Condition 2(l) unless an alternative engineering report prepared by a suitably experienced Chartered Professional Engineer is approved in writing by Council.

	<p>ii. A lot-specific geotechnical assessment report shall also be submitted for Council review and approval as part of the building consent application process. Such lot-specific geotechnical assessment report shall confirm that the proposed design meets all relevant requirements of the Geotechnical Completion Report, or, outline alternative recommendations as appropriate. The lot-specific geotechnical assessment report shall be written and endorsed by a suitably qualified Chartered Professional Engineer and/or geo-professional as appropriate.</p> <p>iii. At the time of building consent provide suitable evidence/design to illustrate that, stormwater attenuation will be provided for all impervious surfaces to ensure compliance with Council's current Environmental Engineering Standards, to the satisfaction of the Building Officer.</p> <p>iv. At the time of building consent, the owner shall apply for a vehicle crossing permit. The vehicle crossing shall comply with Council's current Environmental Engineering Standards.</p> <p>v. The formation works shall be completed to the satisfaction of Councils' Roothing Corridor Coordinator or delegated representative prior to the Code Compliance Certificate being issued by Council for the first new building consent granted for Lot 2001.</p> <p>vi. At building consent stage, an Onsite soil assessment and a general assessment of onsite effluent disposal capability for lot 2001 will need to be carried out in accordance AS/NZS 1547: 2000 including effluent field slope gradient, soil category, overland flow path separation, water table depth, and recommended design options.</p> <p>vii. A wastewater treatment system capable of treating the wastewater generated by the development to a secondary standard, shall be installed and the treated wastewater shall be discharged to land by way of pressure compensating dripper irrigation unless an alternative system certified by a Geo-Professional is approved by Council's Building Consent officer.</p> <p>viii. A maintenance contract for the on-site wastewater system shall be in place at all times which includes inspections and maintenance of both the wastewater treatment and disposal systems.</p> <p>ix. The registered proprietor for the time being of the properties being Lots 2001 on the plan shall be responsible for and shall notify prospective purchasers thereof that the registered proprietors of such properties shall be responsible for the installation of a water connection including any necessary fire fighting facilities.</p> <p>In such an instance, the owner shall make all necessary applications to the Council and pay any fees or contributions that may be required at the time.</p>
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3.	<p>Duration of Consent</p> <p>Under section 125 of the RMA, this consent lapses five years after the date it is granted unless:</p> <ul style="list-style-type: none"> a. The consent is given effect to; or b. The council extends the period after which the consent lapses.
4.	<p>Review Condition</p> <p>Pursuant to s128 of the RMA, the consent authority may at six monthly intervals from the date of the grant of consent serve notice on the consent holder of its intention to review the conditions of this consent to deal with an effect on the environment which arises after the date of the grant of the consent where such effect is contrary to, or is otherwise not in accord with, the engineering/geo-technical assessments provided with the application for the consent.</p>

Stage 1	
5.	<p>That before the survey plan is certified pursuant to Section 223 of the Resource Management Act 1991, the following requirements are to be satisfied:</p>
a.	<p>The survey plan submitted for approval shall be in general accordance with the Scheme Plan prepared by Macro Ventures, entitled: “2 LOT SUBDIVISION OF SECTIONS 34,35 SO 322547 & SECTIONS 8, 45, 46 BLOCK VII RUAKAKA SURVEY DISTRICT 551 MARSDEN POINT ROAD, RUAKAKA” (Sheets 4-9 of 9), drawing references P0318-SC04-9 (Rev C), dated 15-02-2022. The survey plan submitted shall show:</p> <ul style="list-style-type: none"> – Lot 1000, 1001 & 101 to be vested as road. – Lot 200 & 201 to be vested as drainage reserve. – Lot 202 to be vested as local purpose reserve – Schedule of existing easements in gross as shown on Sheets 5-9 – Memorandum of easements in gross on as shown on Sheets 6 and 7 – Schedule of existing easements in gross as shown on Sheet 8
b.	<p>Pursuant to Section 220(3) of the RMA 1991 Lot 100 hereon (legal access) shall be held in four undivided one-quarter shares by the owners of lots 12 to 15 as tenants in common.</p>

	<p>LINZ has requested that this amalgamation is expressed on the survey plan as follows:</p> <p>“That Lot 100 hereon (legal access) be held as to four undivided one quarter shares by the owners of Lots 12 - 15 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith”.</p> <p>Please quote request number 1785147 when contacting Land Information New Zealand (LINZ).</p>
c.	<p>The development shall proceed in accordance with the following documents:</p> <ul style="list-style-type: none"> i. TMC Consulting Engineers entitled “Preliminary Factual Geotechnical Report” reference S1660-JO4627 Rev 01 dated 2 September 2021, ii. TMC Consulting Engineers Subdivision Suitability Report” reference S1660-JO5009 dated 18 February 2022, iii. TMC Consulting Engineers Letter Response ref S1660-J-05009 dated 12 May 2022.
d	<p>The consent holder must submit a detailed set of engineering plans prepared in accordance with Council's Environmental Engineering Standards 2010 Edition. The engineering plans are to be submitted to the Development Engineer for approval.</p> <p>It is to be noted that certain designs may only be carried out by Chartered Professional Engineer (CPEng) working within the bounds of their assessed competencies.</p> <p>All work needing design/certification by a CPEng will require completion of a producer statement (design) (EES-PS1 or similar).</p> <p>The Consent holder is to submit all documentation as required by Council “Quality Assurance/Quality Control Manual – Vested Assets”. This will include nomination of a site Engineer and an “Inspection and Test Plan” for approval by the Development Engineer before any works commence.</p> <p>Plans need to be prepared noting recommendations of the TMC Consulting Engineers geotechnical reports referenced in Condition 5(c) unless an alternative engineering report prepared by a suitably experienced Chartered Professional Engineer is approved in writing by Council.</p> <p>A stormwater flooding report is required to support detail design the confirm that all lots will have building sites outside the 100 year AEP flooding event and to confirm minimum finished floor levels required for building consent stage. The report should include an assessment of the capacity of the drainage channels and overland flow paths.</p> <p>Plans are to be prepared in general accordance with plans and documentation submitted with the application:</p>

- i. Macroventures Civil Engineering Design for Resource Consent, Project Ref P0318 plans revision D dated 11 May 2022.
- ii. Flow Transportation Specialists Plans reference MACX001-D-01 sheets 1 to 11 dated February 2022.
- iii. Three Waters Limited Stage 1 Integrated Three Waters Report reference 210022.1 dated May 2022.
- iv. Flow Transportation Specialists Integrated Transport Assessment reference P:\MACX\001 551 Marsden Point Road, Ruakaka\4.0 Reporting\R1C220221 551 Marsden Pt Rd ITA.docx dated February 2022.
- v. Flow Transportation Specialists letter response dated 10 May 2022.

Plans are to be prepared in accordance with Northland Regional Council Conditions of Consent relating to Consents AUT.043297.01.01, AUT.043297.02.01 and AUT.043297.03.01.

Plans are to include but are not limited to:

- i. Design details of the construction of Roads 1 and 2 to vest in accordance with the plans referenced above, Sheet 2 and Section 3 of Council's Environmental Engineering Standards 2010 Edition except where otherwise shown on the above Macroventures Plans referenced above. The details are to include pavement structural details, signage, intersection design, typical cross sections, earthworks cross sections, long sections, culverts, drainage flow paths, surfacing, pavement marking, and any proposed planting, landscaping, retaining and street furniture and a temporary turning head with easements in gross in favour of Whangarei District Council. The temporary turning head for Road 2 shall be designed to accommodate heavy vehicles turning and be sealed.

Any proposed recessed parking bays and tree pits within the road reserve shall be shown on the design plans. Proposed vehicle crossings shall be shown on the subdivision plans where recessed parking bays are proposed. Vehicle crossings shall be designed to be clear of recessed parking bays.

- ii. Design details of the construction of Road 3 to vest in accordance with the plans referenced above, Sheets 2 and 11 and Section 3 of Council's Environmental Engineering Standards 2010 Edition except where otherwise shown on the above Macroventures Plans referenced above. The details are to include pavement structural details, signage, intersection design, typical cross sections, earthworks cross sections, long sections, culverts, drainage flow paths, surfacing, pavement marking, and any proposed planting, landscaping, retaining and street furniture.
- iii. Design details of the upgrading of Marsden Point Road including a local widening and a right turn bay in accordance with Council's Environmental

	<p>Engineering Standards 2010 Edition requirements including a typical cross section, long section, culverts, drainage flow paths and overland flow except where otherwise shown on the above Macroventures Plans referenced above.</p> <p>iv. Design details of the construction of access lot in accordance with Table 3.1 Category F and Sheet 2 of Council’s Environmental Engineering Standards 2010 Edition requirements except where otherwise shown on the above Macroventures Plans referenced above. The details are to include a typical cross section, long section, culverts, drainage flow paths and overland flow.</p> <p>v. Design details for Road and Public Space lighting to be installed on Roads 1, 2 and 3 and the intersection with Marsden Point Road. Flag lighting is required on Marsden Point Road intersection, with PR4 standard to roads 1 and 2 and PR5 standard to road 3.</p> <p>“All materials, design and installation of Road and Public Space lighting shall comply with the requirements of the Northland Transportation Alliance Design Manual - Street Lighting Version 1_15/10/2020”.</p> <p>vi. Design details of the construction of new vehicle crossings for Lot 15 and Lots 200 and 201 (drainage reserves) in accordance with Sheet 19 Commercial Crossing also in accordance with Sheet 22 of Council’s Environmental Engineering Standards 2010 Edition. Entrance crossings are to be designed and constructed in such a manner that will control stormwater run-off entering a property from the road, and that likewise prevent stormwater and detritus, including gravel, dirt, and other materials, migrating onto the road reserve from a property. Urban accessways and private driveways sloping up from the road shall have a stormwater collection and disposal system at the boundary as detailed on Sheet 19.</p> <p>vii. Design details of temporary turning heads for Roads 1 and 2 within Lot 21. The temporary turning head on Road 2 shall be sealed and accommodate manoeuvring of heavy vehicles.</p> <p>viii. Design details of 1.8m wide interconnecting footpaths on Lots 101 and 1001 in accordance with section 3.4.8 of Councils Environmental Engineering Standards 2010 Edition, including fencing and landscaping.</p> <p>ix. Design details of a low-pressure sewerage mainline reticulation inclusive of any fittings, valves, and connections necessary to service to all lots, inclusive of calculations in accordance with Section 5 of Council’s Environmental Engineering Standards 2010 Edition.</p> <p>x. Design detail of the connection to the existing reticulation or direct to the Wastewater Treatment Plant. The connection will consist of one of the following options as agreed with the Waste and Drainage department in a meeting held on 9 May 2022 and as detailed in the email dated 13 May 2022:</p>
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	<p>Option 1: (Preferred) Utilising the old uPVC line as a duct for a pressure sewer rising main discharging directly to the WWTP, approx. 500m long.</p> <p>Option 2: (Less preferred) Connecting via the new 355 PE rising main currently under construction.</p> <p><i>If this option is adopted, a central municipal pumpstation may be required to avoid direct injection of pressure sewer system into the 355mm rising main.</i></p> <p><i>A connection point (Tee) will be installed on the new rising main being constructed by Council to enable the subdivision connection.</i></p> <p><i>Design calculations will be required to demonstrate that the connection will be hydraulically compatible with the pressure in the new 355 PE main. This information will be supplied at detail design stage.</i></p> <p>Option 3: Temporary Connection arrangement.</p> <p><i>This applies if Option 1 hasn't been finalised in time for connection of the rising main.</i></p> <p><i>This is a temporary connection of the subdivision's pressure sewer system to the 355mm PE rising main and utilises the Tee that is being installed by Council</i></p> <p><i>The connection will be changed over once Option 1 line is constructed and prior to connection of subsequent stages.</i></p> <p><i>Design calculations will be required to demonstrate that the connection will be hydraulically compatible with the pressure in the new 355 PE main. This information will be supplied at detail design stage.</i></p> <p>xi. Design details of sewer boundary kit connections for Lots 1 to 20 in accordance with Section 5 of Council's Environmental Engineering Standards 2010 Edition.</p> <p>xii. Design details of water connections for Lots 1 to 20 in accordance with Sheet 46 or 47 of Council's Environmental Engineering Standards 2010 Edition including firefighting coverage in accordance with Sheet 45 and Section 6.11.</p> <p>xiii. Design details of water main extensions inclusive of any valves, bulk water meters, fittings, and connections necessary to service all residential lots, inclusive of calculations in accordance with Section 6 of Council's Environmental Engineering Standards 2010 Edition.</p> <p>xiv. Design details of sufficient water supply for firefighting purposes for each lot by way of tank storage or other approved means including a "PSL" Round Thread Adaptor with a gate valve (Part number 58900), suitable access for firefighting appliances in accordance with Section 6.7.8 of Council's Environmental Engineering standards 2010 Edition and more particularly with "FENZ Fire Fighting Code of Practice SNZ PAS 4509: 2008. This is to</p>
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	<p>include a completed “FENZ Fire Fighting Facilities Checklist” approved by the Fire and Emergency NZ Service.</p> <p>xv. Design details of stormwater connections for Lots 1 to 20 in accordance with Sheet 36 or 37 and Section 4 of Council’s Environmental Engineering Standards 2010 Edition.</p> <p>xvi. Design details of stormwater mainline reticulation inclusive of any upgrades to the existing reticulation, sumps, manholes and connections necessary to service the development in accordance with Section 4 of Council’s Environmental Engineering Standards 2010 Edition. The design is to include evidence that</p> <p style="padding-left: 40px;">The existing public reticulation is capable of receiving the additional flows; and</p> <p style="padding-left: 40px;">The new system is capable of receiving stormwater from further upstream development (where applicable).</p> <p>xvii. Design details of two stormwater attenuation and treatment ponds to service the development in accordance with Section 4 of Council’s Environmental Engineering Standards 2010 Edition.</p> <p>xviii. Design details of flood mitigation on Lot 21 to mitigate the effects of the development on the flood plain in accordance with the conditions of Northland Regional Council consent AUT.043297.01.01.</p> <p>xix. Design details of proposed local purposes reserve including ground cover, plantings, footpaths, and facilities in accordance with Section 7 of Council’s Environmental Engineering Standards 2010 Edition.</p>
e.	<p>The consent holder must submit a stormwater flooding report to support detail design to confirm that all lots will have building sites outside the 100 year AEP flooding event and to confirm minimum finished floor levels required for building consent stage. The report shall include an assessment of the capacity of the drainage channels and overland flow paths.</p>
f.	<p>The consent holder shall provide written confirmation from the telecommunications and power utility service operator of their consent conditions in accordance with Council’s Environmental Engineering Standards 2010 Edition and show necessary easements on the survey plan to the approval of the Councils’ Post Approval Officer or delegated representative.</p>
g.	<p>The consent holder must create easements in gross over the proposed temporary turning heads to the satisfaction of the Development Engineer. The easements are to be sufficient to allow for the formal construction of the turning head and any associated underground services and footpaths should this become necessary. For clarity this consent provides for the cancellation of easements (turning heads) when the future stage(s) is/ are lodged for s223 approval.</p>

h.	The consent holder must create easements over proposed and existing services and rights of way to the approval of the Development Engineer or delegated representative.
i.	<p>The consent holder must provide Council with three proposed road and access names in writing for Roads 1, 2 and 3 and Access Lot 1 in accordance with Council's Road Naming Policy, and in order of preference, giving reasons for each proposed name, for approval by Council. A clear plan detailing the route of the proposed street/road/access shall also be submitted and any evidence of consultation relating to the proposed names.</p> <p>Please refer to the road naming policy and guidelines available on Council's website http://www.wdc.govt.nz/PlansPoliciesandBylaws/Policies/Pages/Road-Naming-Policy.aspx</p> <p><i>Note: This condition will not be deemed to be satisfied unless Council has approved the submitted names in writing.</i></p>
j.	The consent holder is to submit for approval a landscape plan, including road trees, drainage reserve plantings, and plantings for the local purpose reserve.

6.	Before a certificate is issued pursuant to Section 224(c) of the Resource Management Act 1991 the following requirements are to have been satisfied:
a.	<p>The consent holder is to submit a Construction Management Plan in accordance with Council's Environmental Engineering Standards to the approval of the Development Engineer or delegated representative. The plan will specifically address management requirements to ensure acid sulphate soil mitigation measures are constructed, inspected, and recorded.</p> <p>The construction management plan shall require that all construction works associated with the implementation of this resource consent shall only be carried out:</p> <ul style="list-style-type: none"> • Monday to Friday – between the hours of 7:00am and 7:00pm • Saturday – between the hours of 7:30am and 6:00pm
b.	<p>The consent holder is to submit a Corridor Access Request application to Council's Road Corridor Co-ordinator and receive written approval for all works to be carried out within Council's Road Reserve in accordance with Council's Environmental Engineering Standards 2010 to the satisfaction of the Development Engineer or delegated representative (refer to the advisory clause below for the definition of a Corridor Access Request).</p>
c.	<p>The consent holder shall notify Council, in writing, of their intention to begin works, a minimum of seven days prior to commencing works. Such notification shall be sent to the Development Engineer and include the following details:</p> <ul style="list-style-type: none"> • Name and telephone number of the project manager. • Site address to which the consent relates. • Activities to which the consent relates. • Expected duration of works. <p>A copy of the approved engineering plans and a copy of the resource consent conditions, Inspection and Test Plan, approved corridor access request and the above letter are to be held onsite at all times during construction. All personnel working on the site shall be made aware of and have access to the resource consent and accompanying documentation.</p>
d.	<p>A pre start meeting is required to be undertaken with the consent holder's representative, contractor(s) or agents for the consent holder and the Development Engineer prior to any works being undertaken on the site to the satisfaction of the Development Engineer or delegated representative.</p>

e.	<p>All work on the approved engineering plans in Condition 5(d) is to be carried out to the approval of the Development Engineer. Compliance with this condition shall be determined by;</p> <p>Site inspections undertaken as agreed in Council’s engineering plan approval letter/ Inspection and Test Plan.</p> <p>Results of all testing, video inspection records of all wastewater and stormwater reticulation, PE pipeline pressure testing and weld data logging results.</p> <p>Records of all inspections, material certificates, etc to confirm that acid sulphate soil mitigation measures have been constructed per approved plans.</p> <p>PS4 and approval of supporting documentation provided by the developer’s representative/s including evidence of inspections by those persons, and all other test certificates and statements required to confirm compliance of the works as required by Council’s QA/QC Manual and the Council’s Environmental Engineering Standards 2010.</p> <p>“Certificate of Completion of Development Works” from the Contractor.</p> <p>No construction works are to commence onsite until the engineering plans required in Condition 5(d) have been approved.</p>
f.	<p>The consent holder must submit a certified and dated ‘Asbuilt’ plan of completed works and services in accordance with Council’s Environmental Engineering Standards 2010 Edition. This condition shall be deemed satisfied once the as built has been approved by Councils’ Development Engineer or delegated representative.</p>
g.	<p>The consent holder must submit certified RAMM data for all new/upgraded Roding infrastructure prepared by a suitably qualified person in accordance with Council’s Environmental Engineering Standards 2010 Edition to the satisfaction of the Development Engineer or delegated representative.</p> <p>COC Documents and Electrical Certificates shall be provided for streetlights</p> <p>Warranty documents shall be transferred to Council for all streetlights installed.</p>
h.	<p>The consent holder shall submit written confirmation from power and telecommunication utility services operators that their conditions for this development have been satisfied in accordance with Council’s Environmental Engineering Standards 2010 Edition to the approval of the Councils’ Post Approval Officer or their delegated representative.</p>
i.	<p>The consent holder shall ensure that spoil from the site are not tracked out onto Council or State Highway Road formations to the satisfaction of the Development Engineer or delegated representative.</p>

j.	Dust nuisance must be controlled onsite (by use of a water cart or similar) by the applicant so as not to cause "offensive or objectionable" dust at or beyond the boundary of the development.
k.	The consent holder must provide written confirmation from a Licensed Cadastral Surveyor that all services and accesses are located within the appropriate easement boundaries to the satisfaction of the Development Engineer or delegated representative.
l.	The consent holder must reinstate Council's footpath, kerb and channel, road carriageway formation, street berm and urban services where damage has been caused by the demolition and/or construction works associated with the subdivision or land use consent. The assets shall be reinstated in accordance with Council's Environmental Engineering Standards 2010 Edition at the expense of the consent holder and to the satisfaction of the Development Engineer or delegated representative.
m.	The consent holder must supply and erect the Public street/road/access name for Roads 1, 2 and 3 in accordance with Sheet 24 of Council's Environmental Engineering Standards 2010 Edition, inclusive of the approved road name. The sign shall be in a position where it is most visible for road users to the satisfaction of the Development Engineer or delegated representative.
n.	The consent holder must supply and erect the Private access name for Access Lot 1 in accordance with Sheet 25 of Council's Environmental Engineering Standards 2010 Edition, inclusive of the approved access name. The sign shall be in a position where it is most visible for road users to the satisfaction of the Development Engineer or delegated representative.
o.	<p>The consent holder must submit for approval a completed 'statement of professional opinion as to suitability of land for building development' (form EES-PO1) including a detailed site plan of any areas of or ground stabilisation, cut or fill, from a Chartered Professional Engineer.</p> <p>A robust liquefaction assessment shall be undertaken as part of the Geotechnical Completion Report. Appropriate geotechnical foundation design recommendations shall be provided in the Geotechnical Completion Report based on an assessment of the liquefaction assessment results.</p> <p>Any site restrictions shall be included and confirmation that the land is suitable for building development, to the satisfaction of the Development Engineer or delegated representative. This Form EES PO1 (and associated reports, plans and similar) will be registered against the relevant titles via a consent notice.'</p>
p.	The consent holder shall submit written confirmation including a survey plan that mitigation measures have been constructed to the satisfaction of the Northland Regional Council to offset the floodplain volume taken up by the development.

<p>q.</p>	<p>Pursuant to Section 221 of the Resource Management Act 1991, a consent notice must be prepared and be registered on the Computer Freehold Register of Lots 1 to 20 at the consent holder's expense, containing the following conditions which are to be complied with on a continuing basis by the subdividing owner and subsequent owners:</p> <ul style="list-style-type: none"> i. Any development shall comply with the restrictions and recommendations identified in the TMC Consulting Engineers engineering report reference S1660-JO4627 Rev 01 dated 2 September 2021 and earthworks completion report PO1 provided on completion of this development provided under Condition 6(o) unless an alternative engineering report prepared by a suitably experienced Chartered Professional Engineer is approved in writing by Council. ii. A lot-specific geotechnical assessment report shall also be submitted for Council review and approval as part of the building consent application process. Such lot-specific geotechnical assessment report shall confirm that the proposed design meets all relevant requirements of the Geotechnical Completion Report or outline alternative recommendations as appropriate. The lot-specific geotechnical assessment report shall be written and endorsed by a suitably qualified Chartered Professional Engineer and/or geo-professional as appropriate. iii. At the time of building consent, the owner shall be responsible for the supply, installation, ongoing maintenance, and associated costs of a Council approved private sewage pumping station and pipeline connecting to the existing Council sewerage reticulation system to the satisfaction of Council's Waste and Drainage Department. The pump unit shall be approved by Councils Waste and Department. iv. At the time of building consent, the owner shall provide suitable evidence/design to illustrate that, stormwater attenuation will be provided for all impervious surfaces to ensure compliance with Council's current Environmental Engineering Standards, to the satisfaction of the Building Officer. v. At the time of building consent, the owner of Lots 1 to 11, 14, and 16 to 20 shall apply for a vehicle crossing permit. The vehicle crossing shall comply with Council's current Environmental Engineering Standards. vi. The formation works shall be completed to the satisfaction of Councils' Roading Corridor Coordinator or delegated representative prior to the Code Compliance Certificate being issued by Council for the first new building consent granted. vii. Any vehicle crossing shall be designed to minimise the loss of on-street parking where a parking bay has been constructed on the roadway adjacent to the Lot. The crossing shall be located to ensure that a minimum parking
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	<p>space length of 5.5 metres remains between the crossing and the end of the parking bay. The maximum width of the crossing shall be limited to 5.5m including the splays (unless a wider crossing is approved by WDC through the vehicle crossing permit process). The details of the crossing shall be submitted as part of the vehicle crossing permit application. The application shall be made prior to or in conjunction with the Building Consent application.</p>
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r.	<p>Pursuant to Section 221 of the Resource Management Act 1991, a consent notice must be prepared and be registered on the Computer Freehold Register of Lot 21 at the consent holder's expense, containing the following conditions which are to be complied with on a continuing basis by the subdividing owner and subsequent owners:</p> <ol style="list-style-type: none"> i. The existing overland flow paths are to be maintained to cater for the 1% (+20% allowance for climate change) Annual Exceedance Probability rainfall event flows. No modification of the existing ground profile, plantings, fencing or structures of any kind will be permitted within the overland flowpath unless a specific design has been done by a Chartered Professional Engineer which mitigates the effects of the obstruction and is approved in writing by the Development Engineering Officer. ii. Upon any further subdivision of Lot 21, a condition of consent must be imposed on the subdivision approval that that requires the consent holder to provide written confirmation from Waka Kotahi NZ Transport Agency that the following has been satisfied: <ul style="list-style-type: none"> • Crossing Place CP 46 shall be permanently closed, including reinstatement of any fence line, grassed areas, berm, highway drainage or kerb. Reinstatement works shall be consistent with the adjacent road reserve treatment, to the satisfaction of the NZ Transport Agency Network Manager. • The consent holder shall provide to Council, correspondence from the NZ Transport Agency confirming that works in the State Highway to remove the crossing place are to the NZ Transport Agency standards. <p>Advice Note</p> <ol style="list-style-type: none"> i. Before you undertake any physical work on the state highway, including the formation of any vehicle crossing, you are legally required to apply to Waka Kotahi for a Corridor Access Request (CAR) and for that request to be approved. ii. Please submit your CAR to the Waka Kotahi CAR Manager via Dale.Roberts@nzta.govt.nz a minimum of fourteen working days prior to the commencement of any works on the state highway; longer is advised for complex works. iii. As the property has access to a limited access road, once the works have been completed to the satisfaction of Waka Kotahi NZ Transport Agency's Network Manager, a crossing place cancellation notice per Section 91 of the Government Rounding Powers Act 1989 will be provided confirming the legal removal of the crossing place.
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7.	<p>Duration of Consent</p> <p>Under section 125 of the RMA, this consent lapses five years after the date it is granted unless:</p> <ul style="list-style-type: none"> a. The consent is given effect to; or b. The council extends the period after which the consent lapses.
8.	<p>Review Condition</p> <p>Pursuant to s128 of the RMA, the consent authority may at six monthly intervals from the date of the grant of consent serve notice on the consent holder of its intention to review the conditions of this consent to deal with an effect on the environment which arises after the date of the grant of the consent where such effect is contrary to, or is otherwise not in accord with, the engineering/geo-technical assessments provided with the application for the consent.</p>

Advice Notes

1. *For the purpose of compliance with the conditions of consent, “the council” refers to the council’s monitoring officer unless otherwise specified.*
2. *If you disagree with any of the above conditions, and/or disagree with the additional charges relating to the processing of the application(s), you have a right of objection pursuant to sections 357A and/or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of your receipt of this decision (for s357A) or receipt of the council invoice (for s357B).*
3. *Under section 120 an Applicant, Consent Holder or person who made a submission on an application can appeal to the Environment Court against the whole or any part of the decision of a consent authority for a resource consent. The scope of appeal within s120(1A) states if the consent was for a boundary activity then the decision cannot be appealed (unless the boundary activity is a non-complying activity).*
4. *The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.*
5. *The consent holder shall pay all charges set by Council under Section 36 of the Resource Management Act 1991, including any administration, monitoring and*

supervision charges relating to the conditions of this resource consent. The Applicant will be advised of the charges as they fall.

6. *Any works carried out within Council's Road reserve will require an approved Corridor Access Request.*
7. *A Corridor Access Request (CAR) is defined in the new "National Code of Practice (CoP) for Utilities access to the Transport Corridors ". This CoP has been adopted by Council. It provides a single application for Traffic Management Plans/Road Opening Notice applications. Enquiries as to its use may be directed to Council's Road Corridor Co-ordinator, ph 430 4230 ext. 8231.*
8. *Q.The WDC QA/QC Manual document can be located at the following link:
<http://www.wdc.govt.nz/BuildingandProperty/GuidelinesandStandards/Pages/default.aspx>*
9. *Building Consents may be required for retaining structures.*
10. *The discharge across boundaries, particularly with regard to the concentration of flows, shall be managed at all times, to avoid the likelihood of damage or nuisance to other properties in accordance with the Council Stormwater Bylaw.*
11. *All earthworks are required to comply with the Northland Regional Council Regional Water and Soil Plan for Northland noting Erosion & sediment control and dust suppression requirements.*
12. *All works to be carried out pursuant to Condition 5(d) above shall be undertaken on public land unless written right of entry is obtained from the owners of all private land upon which work is to be carried out. Where any necessary written right of entry has not been obtained, any such infrastructure work shall be re-routed to achieve compliance with this condition.*
13. *The applicant is advised that a further site inspection of completed works will be required if a period greater than 3 months has passed since the last Council inspection prior to Council issuing the 224(c) certificate.*
14. *Erosion and Sedimentation Control shall be designed and carried out in accordance with GD05 "Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region"*
15. *A copy of this consent should be held on site at all times during the establishment and construction phase of the activity.*
16. *All archaeological sites are protected under the provisions of the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence under that act to modify, damage or destroy any archaeological site, whether the site is recorded or not. The consent holder must stop works immediately and follow the accidental discovery protocol procedure detailed under "GENERAL PROCEDURES FOLLOWING THE DISCOVERY OF ARCHAEOLOGICAL MATERIAL, KOIWI OR TAONGA" found on*

Council file SD2200045. Application must be made to Heritage New Zealand for an authority to modify, damage or destroy an archaeological site(s).

17. *Please note the normal requirements of Land Information New Zealand relating to the issuing of amalgamated titles. These include requirements for the land to be held in the same ownership, and for any existing joint family home settlements to be cancelled or extended to include all the land being amalgamated.*

Decision prepared by:



Ben Clearwater

Date: 2 June 2022

Senior Planner

RMA Consents

Delegated decision maker:



Roger Quinton

Date: 2 June 2022

Acting Manager

RMA Consents