

Land Information Memorandum

LIM Number **LIM20250143**

Application Date: 10/03/2025

Issue Date: 25/03/2025

Applicant Details

Applicant Name: Mint Realty

Attention: Nic Goodman

Postal Address: PO Box 8799
HAVELOCK NORTH 4157

Client: Vicki & Steve Fiet

Property Details

Location: Eskridge Drive
NAPIER 4182

Property ID: 101739

Valuation Number: 0954010039

Legal Description 32 DP 362557 CT 255251
and Area (hectares):

Introduction

This document is in two parts:

- **Part A** contains the information which the Council must disclose in a Land Information Memorandum (LIM) under Section 44A(2) of the *Local Government Official Information and Meetings Act 1987* (LGOIMA).
- **Part B** contains further information which the Council believes may be relevant to the purpose for which you have requested this LIM. This information is made available under Section 44A(3) of LGOIMA.

The information in this document is based on information Hastings District Council holds about the property, some of which has been provided by third parties. There may be limits on the extent to which reliance can be placed on some of the information because of the way in which a LIM is prepared and/or the reliability of the information itself.

In particular please note that:

- No site survey or physical inspection of any buildings or other improvements on the property has been undertaken in order to prepare this LIM. Any plans supplied with this LIM should be checked for accuracy;
- A LIM is compiled solely by reference to Council's documented records. It will not therefore include information which may be known to a Council officer but has not been written down and filed on the property records;
- Council records may not disclose the existence of any unauthorised building works or unlawful land uses on the property;
- This LIM does not include information held by the Council relating to the electricity, telecommunication and gas networks for this property. Enquiries about the availability and capacity of those utilities should be made to the relevant network utility operator;
- Part B in particular may contain material supplied to the Council by third parties which is evaluative in nature or material which the Council thinks may be reliable but has not officially verified.
- Property information for this property may also be held by other organisations, such as Hawke's Bay Regional Council;

We are happy to answer any questions you may have about the information in this LIM. However you must make your own judgments as to the value of the material and the extent to which it may be relied upon for your particular purposes. **We recommend that you seek appropriate professional advice regarding the interpretation and specific application of the information to your circumstances.**



Andrea Miller
Senior Building Technician
andream@hdc.govt.nz

Part A

The information below is provided under Section 44A(2) of LGOIMA.

1. Special Features or Characteristics

Note - HDC is aware that additional information relating to the potential for hazards is publicly available on-line on the CDEMG Hazard Information portal at <https://www.hbemergency.govt.nz/hazards/hazards-in-hawkes-bay/>. A copy of any relevant maps for this property are attached for convenience of reference. If you require any further information about any potential risk as it may affect this property you can locate further property specific information at <https://gis.hbrc.govt.nz/hazards/>

Note - If part of this site is identified as being within a potential hazard area, Sections 71 - 74 of the *Building Act 2004* may apply if consent is sought to undertake building work within the identified area. We recommend that you seek advice on the potential application and effect of those sections of the Act.

Note - The Toka Tū Ake EQC Natural Hazards Portal contains information relating to natural hazard risk and how these might impact properties. It also contains information relating to EQC claims relating to land and/or buildings. The Portal may contain information relevant to this property and Hastings District Council recommends that you visit the Portal and review the information relevant to this property and the surrounding area. The Portal can be accessed at <https://www.naturalhazardsportal.govt.nz/s/>.

1.1 Erosion, avulsion or alluvion

None known.

1.2 Falling debris or slippage

This property is subject to:

- potential falling debris or
- slippage in the form of bedrock landslide, or
- steep slopes that may be subject to shallow land sliding or
- is lacustrine geology (old lake bed) or
- other land with a risk of liquefaction in some earthquake events.

1.3 Liquefaction

The Council holds information on liquefaction risk in the district, contained in an October 2017 report for the Hawke's Bay Regional Council by GNS Science (the report).

According to the report, this property is located within an area indicated as:

- Liquefaction unlikely (very low to low liquefaction vulnerability)

Please refer to the report for a full explanation of the methodology used and qualifications applying to the information. The report is available on the CDEMG hazard portal

<https://www.hbemergency.govt.nz/assets/Hazard-Information-Portal/CR-2015-186.pdf> and

<https://www.hbemergency.govt.nz/assets/Hazard-Information-Portal/CR-2015-186-Appendices.pdf>

1.4 Subsidence (fill or other doubtful ground)

This property is subject to potential subsidence through the presence of engineered fill or other ground of doubtful bearing capacity. Refer to attached Tonkin & Taylor Geotechnical Certification for Stage 2 (Lots 25 to 33 only), Eskridge Subdivision.

1.5 Ground Shaking

None known.

1.6 Fault Lines

None known.

1.7 Flooding

None known.

1.8 Ponding

None known.

1.9 Inundation

None known.

1.10 Likely presence of Hazardous contaminants

None known.

2. Sewer and Stormwater Drains

No drainage records located.

2.1 Sewer

The property is not within the HDC wastewater service area.

If the property is outside the HDC service area the operation or use of a septic tank may be subject to conditions imposed by Hawke's Bay Regional Council.

2.2 Stormwater

The property is not within the HDC storm water service area.

3. Water Supply

The property is connected to the public supply.

4. Rates

Rate Qualifiers:	Cyclone Gabrielle Charge Cyclone Gabrielle Rate Community & Resource Management General Rate - Residential Other Uniform Annual General Charge Water Rate
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Land Value:	\$1,040,000.00
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Improved Value:	\$0.00
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Capital Value:	\$1,040,000.00
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Date of Valuation:	1 July 2023
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Annual Rates:	Rates 2024/25 \$3,253.78
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Amount outstanding at date of issue:	\$931.25
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This property is subject to a Metered Water Supply and we confirm there are no outstanding charges.

Note – The information above relates to rates levied on the property by Hastings District Council and does not include information on rates levied separately for this property by Hawke's Bay Regional Council.

5. Consents, Certificates, Notices, Orders and Requisitions

5.1 Health/Alcohol Registrations and Licences

None recorded.

5.2 Resource Consents

A Resource Consent applies to this property allowing an activity that may be subject to conditions. Copy of decision/s attached.

Application ID	Description	Date Issued
RMA20020539	to undertake earthworks	07/01/2003
RMA20030123	to undertake earthworks requiring greater than a 2 metre exposed vertical cut within a Rural Residential Zone and located within Significant Landscape Area	09/04/2003
RMA20030605	to subdivide to create a 36 Lot Farm Park	16/03/2004
RMA20040197	To delete the second bullet point from condition 1 and insert two new bullet points under condition 32 of the resource consent (RMA20030605) dated 11/3/2004	12/05/2004
RMA20050265	To vary RMA 20040197 (by adding a bullet point to condition 31)	08/06/2005
RMA20050272	To vary RMA 20040197 by amending stages 1, 2 and 3, which alters the staging and roading levy conditions	13/06/2005
RMA20040471	To erect a stable waiving the front yard requirement	25/07/2005
RMA20060053	To vary to location of Lot 28 of RMA20040197, being the Eskridge Farmpark	28/02/2007
RMA20080608	Extension to the lapse period of RMA20030605	11/02/2009
RMA20100079	variation to RMA20080608	16/09/2010

5.3 Building Consents/Permits/Code Compliance Certificates

None recorded.

Note - Some of the Council's historic permit records are stored under the name of the applicant rather than under the property address. Where necessary we have used information from the title search to try and find the relevant record/s. However, the fact that a permit has not been located for a building does not necessarily mean that a permit was not granted.

Note – New Zealand government owned departments were not required to obtain a building permit prior to the 1995 amendment to the Building Act 1991. The building work was still required to meet technical standards relevant at the time.

5.4 Notification of Waiver or Modification of the Building Code

None recorded.

5.5 Owner/Builder Exemptions: Statutory Declarations

None recorded.

5.6 Schedule One Exemptions, Building Act 2004

None recorded.

5.7 Certificate of Acceptance

None recorded.

5.8 Certificates for Public Use

None recorded.

5.9 Compliance Schedule

None recorded.

5.10 Amended Compliance Schedule

None recorded.

5.11 Infringement Notices

None recorded.

5.12 Notices to Fix

None recorded.

5.13 Earthquake-Prone Buildings under Subpart 6A of the Building Act 2004

No buildings on this property are subject to Subpart 6A - Special Provisions for Earthquake-prone Buildings of the Building Act 2004.

5.14 Dangerous Building Notices

None recorded.

5.15 Insanitary Building Notices

None recorded.

5.16 Affected Building Notices

None recorded.

5.17 Swimming and Spa Pool Fencing

There are no pools known to Council on this property.

5.18 Information provided by building contractor under s362T(2) of the Building Act 2004

No information has been received.

5.19 Information concerning certificates issued by a building certifier under the Building Act 1991 or the Building Act 2004

There is no record of the Council receiving any information concerning certificates issued by a building certifier relating to this property.

5.20 Notifications under s 124 of the Weathertight Homes Resolution Services Act 2006

None received.

5.21 Other Notices, Orders and Requisitions

A Consent Notice is registered on the title of this site. Refer to attached.

6. Land Use

Note: The Hastings District Plan is now fully Operative and has legal effect from 12 July 2024. Further information regarding the District Plan, and any plan changes can be found online via this link: <http://www.hastingsdc.govt.nz/sections/district-plan>

6.1 Zoning

This property is located within the Rural Residential zone of the *Operative Hastings District Plan (July 2024)*.

6.2 Other Relevant District Plan Provisions

This property; is located within:

- a Natural Hazard Area (Landslide).

6.3 Other Considerations Affecting Land Use

None recorded.

7. Classification of Land or Buildings

None recorded.

8. Information Notified by a Network Utility Operator

None recorded.

Part B

The information below is provided under Section 44A(3) of LGOIMA.

9. Hazardous Activities on Land

The Hawke's Bay Regional Council has a list identifying land on which hazardous activities may have been carried out in the past.

If any such information is held relating to this site, it can be accessed by contacting the Hawke's Bay Regional Council.

10. Fire Fighting Water Supply

The property is located within an area serviced by Hastings District Council's firefighting supply (135m of a Council fire hydrant providing a minimum of FW2 fire protection under Standard *NZ PAS 4509:2008*).

11. Water Meter & Backflow Devices

The property has a water meter installed. Council's water meter charges may apply.

The property is considered an "Extraordinary Supply" under Council's water services by-law. The property has no record of a backflow prevention device being installed at the point of supply.

Note: Should the property undertake any activity that is considered hazardous, a backflow prevention device will be required to be installed and maintained at the cost of the property owner.

12. Proposed Public Works

None known.

13. Current Resource Consents on Surrounding Properties

Refer to attached map for details.

14. Surrounding Property Designations

None recorded.

15. Development Contributions

Development contributions are not payable for this property.

16. Other Correspondence or Documents

- Wastewater Notice for Eskridge Drive. *Refer to attached.*
- Tonkin & Taylor Geotechnical Report dated 30 October 2009. *Refer to attached.*

Hastings District Council - LIM Maps

Address: Eskridge Drive NAPIER 4182
 Property No: 101739
 Legal Description: LOT 32 DP 362557

**HERETAUNGA
HASTINGS** DISTRICT COUNCIL

Printed: Monday 24 Mar 2025

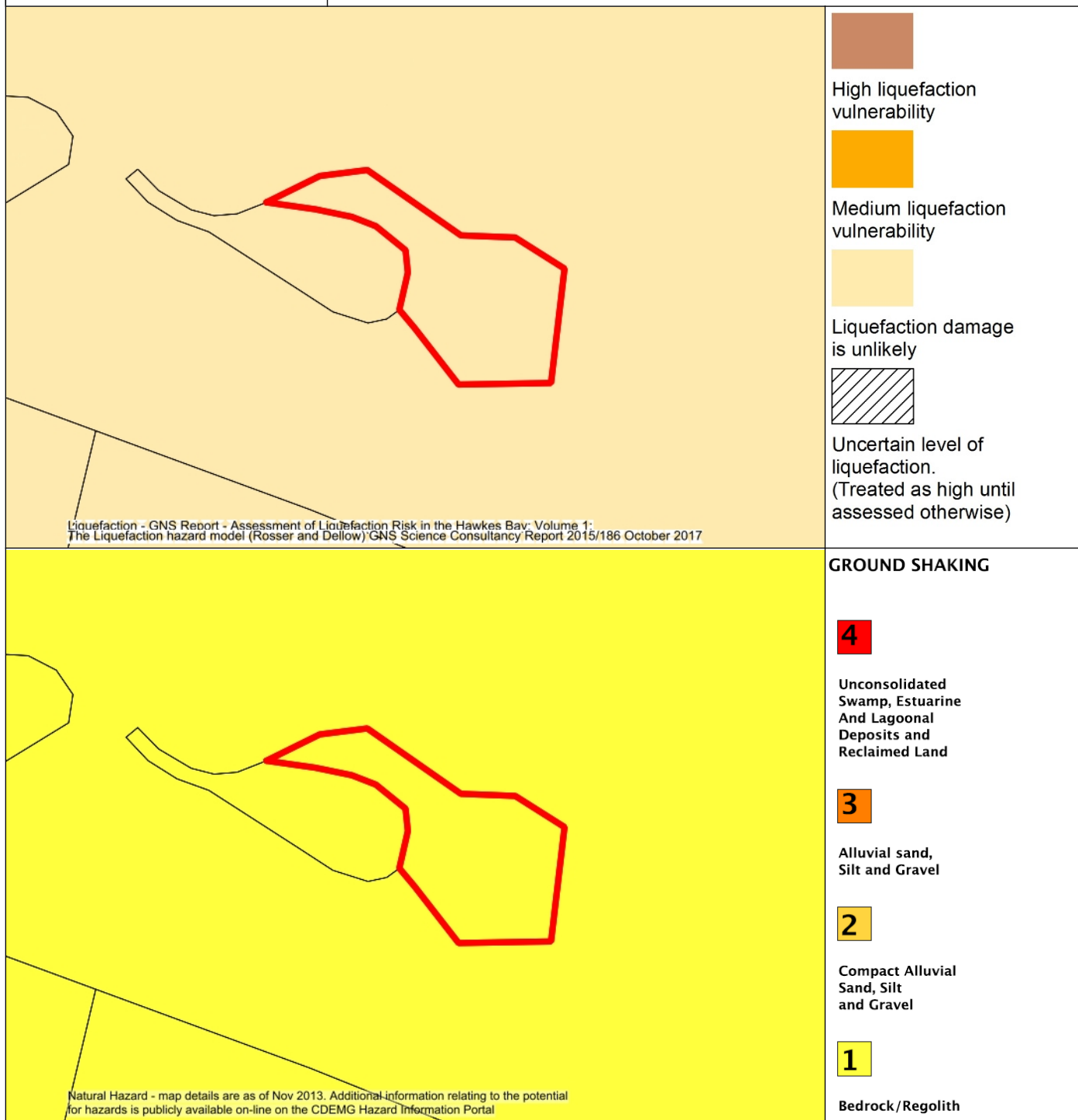


	Air Valve		Backsump		Aeration Tank		Water
	Hydrant		Headwall		Chamber		Stormwater
	Meter		Manhole		Manhole		Sewer
	Non Return Valve		Pump		Pump		Kerblines
	Pump		Roding Eye		Roding Eye		
	Supply Valve		Sump		Valve		

Valuation No: 0954010039
Area (Hectares): 0.4746
Total Rates: \$3253.78
Capital Value: \$1,040,000
Rateable Land: \$0
Land Value: \$1,040,000
Water – Sewer Units: 1.0 - 0.0
Usage – Primary: 99

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LIM Maps – Property No 101739 - Hastings District Council



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- Flood risk areas
- Low risk areas
- Not in study area

Data Source from the Hawke's Bay Regional Council.
For more information, please refer to the Hawke's Bay Hazard Information Portal.
<https://gis.hbrc.govt.nz/hazards/>

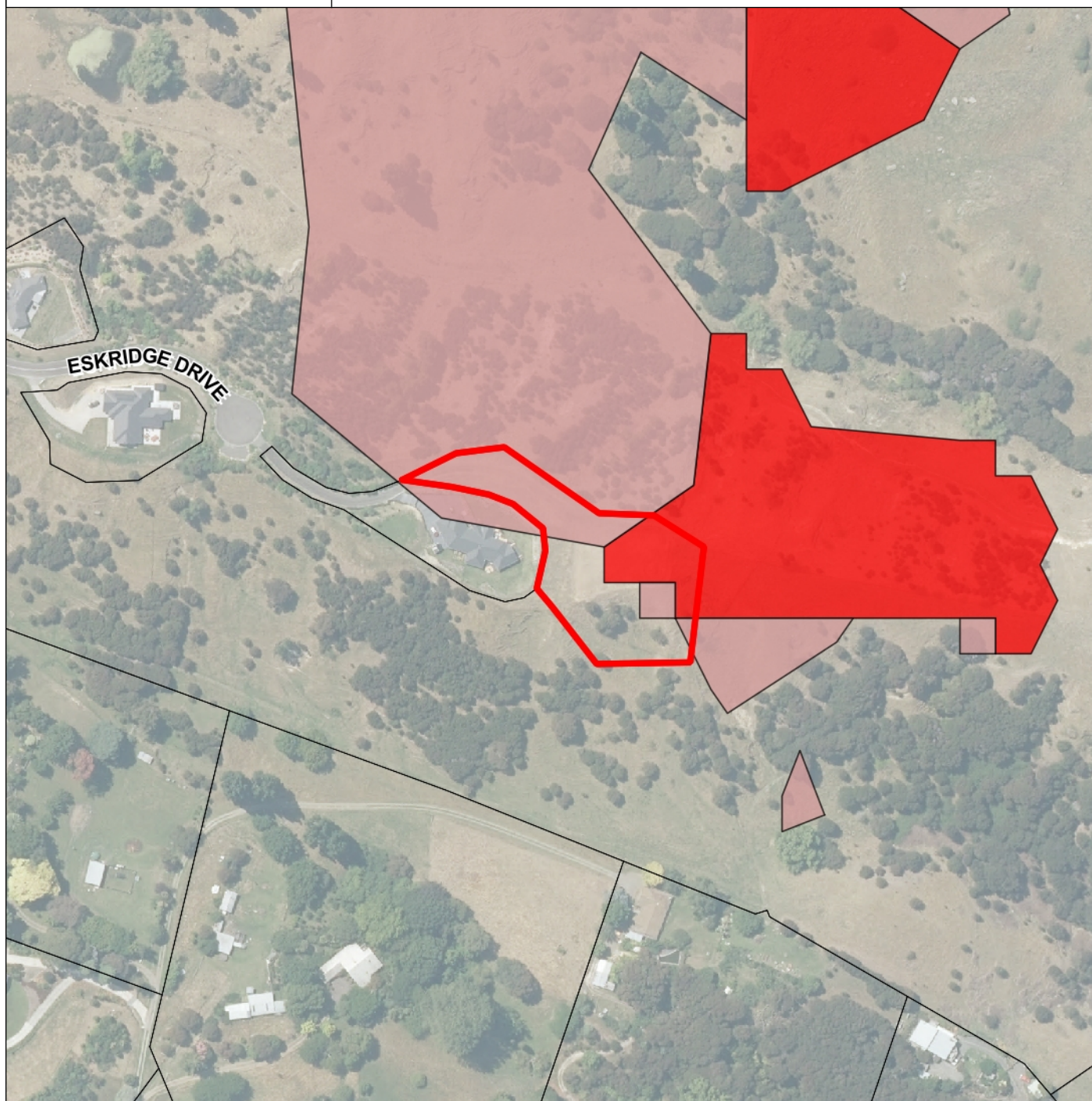
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- | | | |
|---|--|---|
| High landslide risk - delivery to stream | Moderate earthflow risk | Gully risk |
| High landslide risk - non delivery to stream | Severe earthflow risk | |

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SUSPECTED FILLING AND PONDING

Eskridge Drive NAPIER 4182



- Suspected Fill Areas
- Suspected Dump Sites
- Engineered Fill
- Actual Dump Sites



- 22-08-1979
- 24/25-08-1981
- 26-07-1985
- 1986
- 13-03-1986
- 1988
- 9-03-1988
- 30-07-1990
- 23-08-1990
- 1992
- 22-07-1992
- 1993
- 1994
- 1995
- 8-04-1995
- October 1995
- 1996
- 4-07-1996
- 1996/2006
- 1997
- October 1998
- 6-07-2006
- Flooding Areas
- Historic Ponding
- Ponding Areas
- Problem Areas

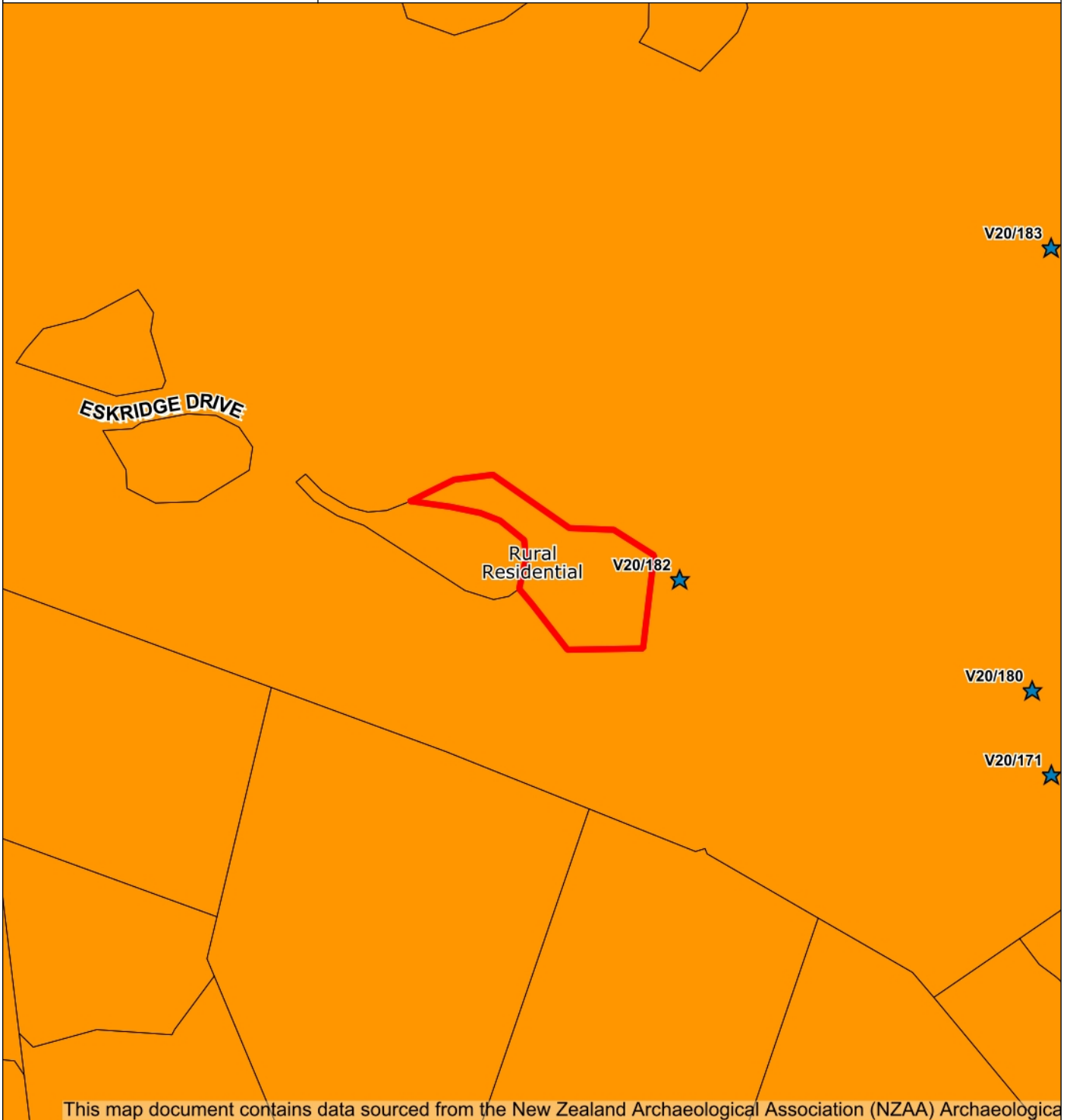
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This map document contains data sourced from the New Zealand Archaeological Association (NZAA) Archaeological

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— National
 — Arterial
 — Primary Collector
 — Secondary Collector
 — Access
 — Low Volume

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Eskridge Drive NAPIER 4182



★ Archaeological Sites
 Potential Archaeological Sites

The Archaeological Site locations contains data sourced from the New Zealand Archaeological Association Incorporated's (NZAA's) ArchSite. Use of that data is subject to the ArchSite Terms of Use on its website: <https://nzaa-archsite.hub.arcgis.com/>. This data was sourced from NZAA's ArchSite on 01/10/2024.

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High Voltage Transmission Pylons



Unison Low Voltage Overhead Conductor



High Voltage Transmission Lines



Unison High Voltage Overhead Conductor

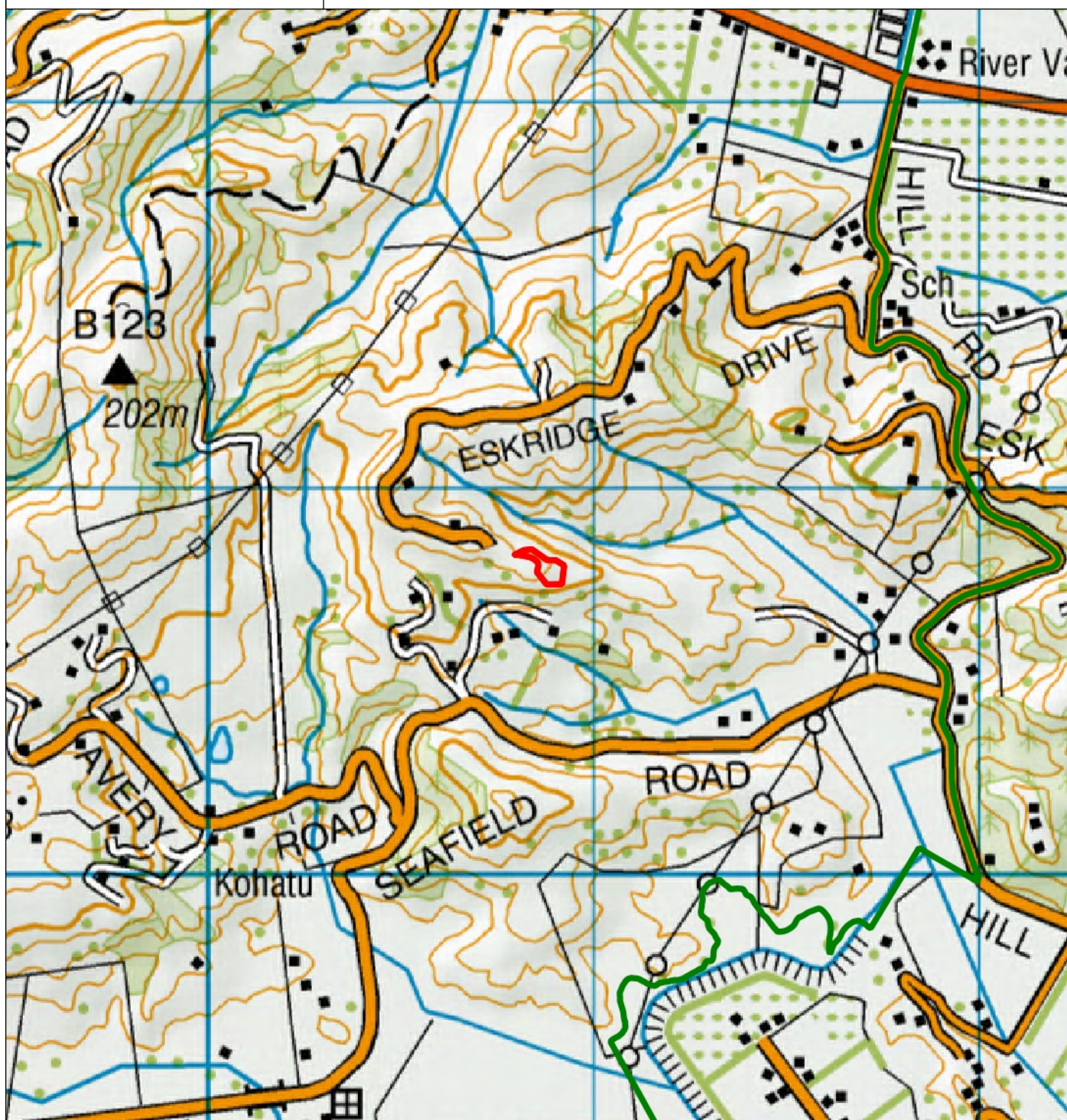
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Topo Maps downloaded from Land Information NZ (February 2016)

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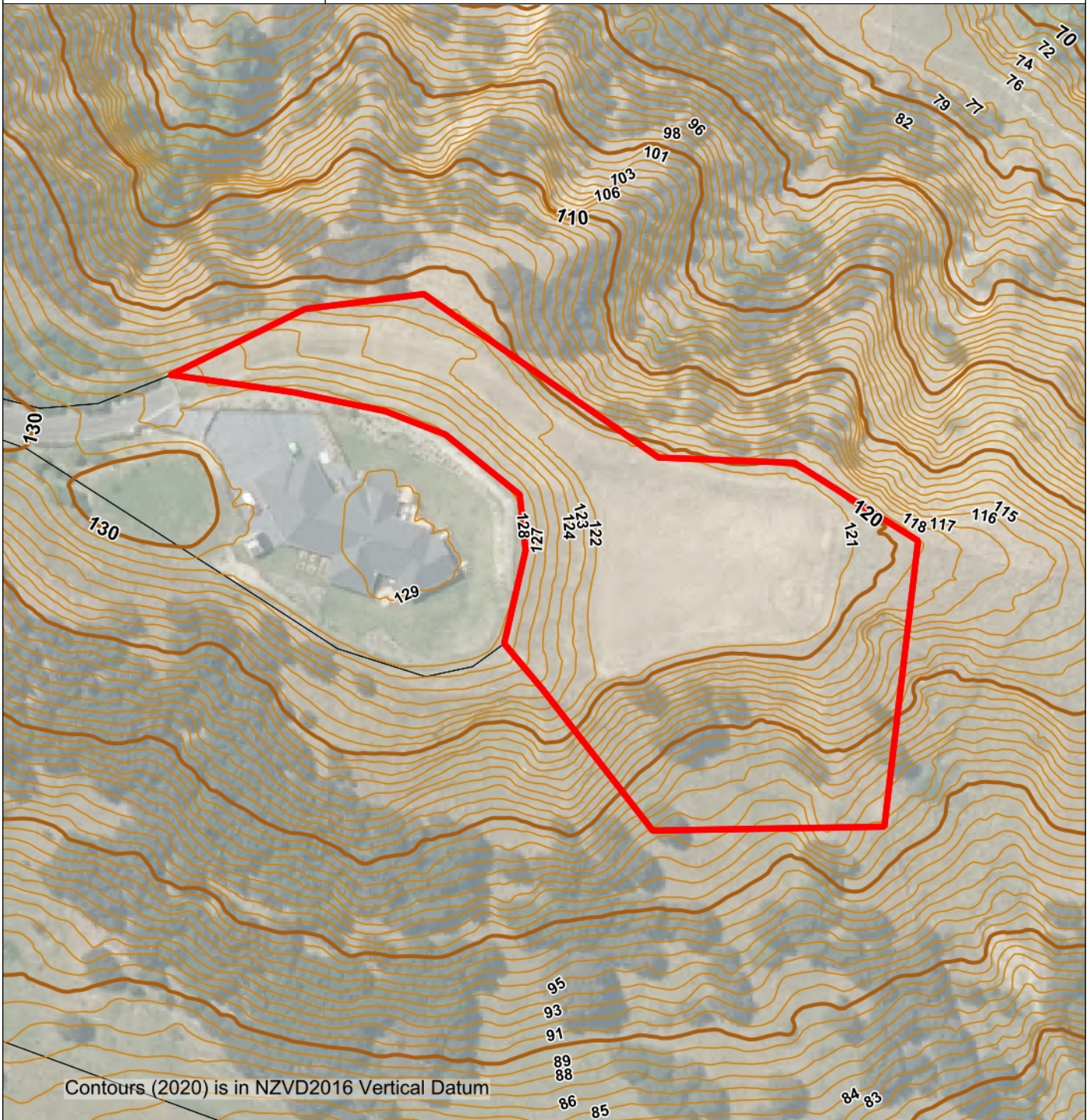
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LIM Maps – Property No 101739 - Hastings District Council



1m Contours

— 1m Intervals — 10m Intervals

10m Contours

— 10m Intervals — 50m Intervals

20m Contours

— 20m Intervals — 100m Intervals

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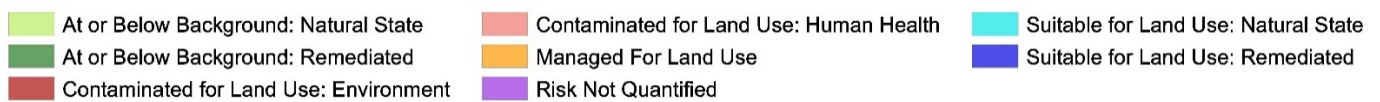
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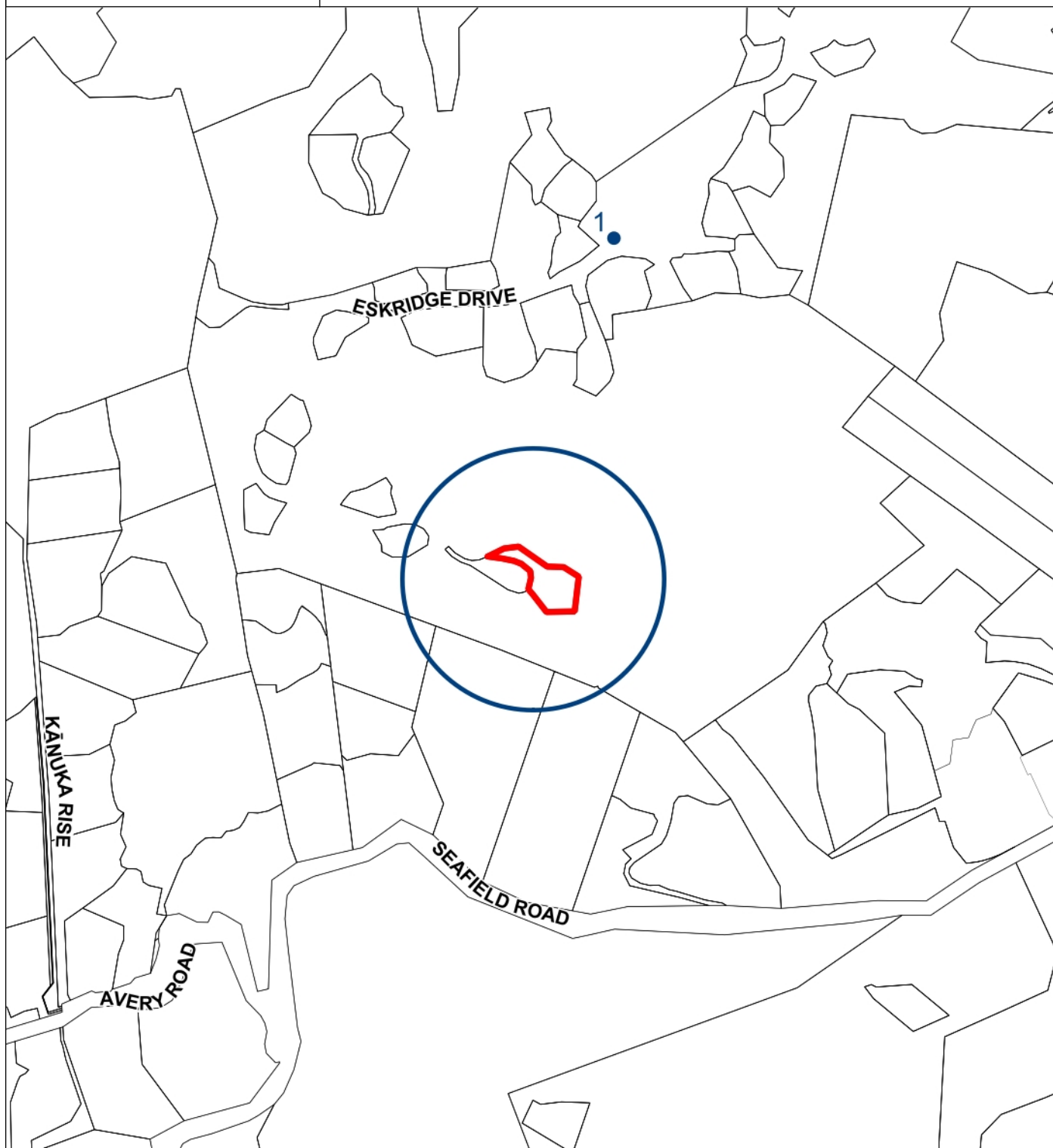
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RMA CONSENTS ON NEARBY PROPERTIES













Map Reference	RMA Description
1	98968 - RMA20070246 - Erect Pavilion for tennis courts in SLCA 2 - Granted 98968 - RMA20080446 - To vary condition 1 of RMA20070246 - Granted 98968 - RMA20210541 - Proposed boundary adjustment with Land Use Consent for side yard reductions and earthworks for access and platform construction in the Rural Residential Zone. - 223/224 98968 - RMA20220021 - Proposed a new storage shed infringing boundary in the Rural Residential Zone - Complete

HASTINGS DISTRICT COUNCIL OPERATIVE DISTRICT PLAN

Residential Zones

-  Regional Hospital
-  General Residential
-  Hastings City Living
-  Character Residential
-  Flaxmere Community Residential
-  Clive-Whakatu Residential
-  Waimarama Coastal Settlement
-  Coastal Settlement
-  Plains Settlement
-  Rural Residential
-  Deferred Residential

Commercial Zones

-  Central Commercial
-  Residential Commercial
-  Suburban Commercial
-  Large Format Retail
-  Commercial Service
-  Havelock North Village Centre Business
-  Havelock North Village Centre Mixed
-  Havelock North Village Centre Retail
-  Flaxmere Commercial
-  Flaxmere Commercial Service
-  Clive - Whakatu Suburban Commercial
-  Haumoana - Te Awanga Suburban Commercial
-  Bridge Pa Suburban Commercial

Industrial Zones

-  Light Industrial
-  General Industrial
-  Whirinaki Industrial
-  Havelock North Village Centre Industrial
-  Tomoana Food Industry
-  Deferred General Industrial





Rural / Plains Zones

-  Plains Production
-  Rural



Open Space Zones

-  Hawkes Bay Regional Sports Park
-  Deferred Regional Sports Park
-  Open Space

Special Character Zones

-  Nature Preservation Zone
-  Iona Special Character Zone
-  Te Mata Special Character Zone
-  Tuki Tuki Special Character Zone

Cultural / Heritage

-  Archaeological Sites (* See Note below re accuracy)
-  Notable Trees

Wāhi Taonga (W)

-  Historic/Heritage Features (HB)
-  Queen Street East Historic Area
-  Russell Street Historic Area
-  Oak Avenue / Green Hill Historic Area

Riparian Land Management

-  Riparian Areas
-  List 1
-  List 2
-  Recommended Areas for Protection

Landscape Areas / Features

-  Coastal Landscape Character Area
-  Outstanding Natural Feature
-  Outstanding Natural Landscape Area
-  Rural Landscape Character Area
-  Significant Amenity Landscape Area














Overlays and Precincts

-  Breadalbane Avenue Special Character Area
-  Toop Street Character Area
-  Central Character Precinct
-  Te Mata Restricted Building Area
-  Restricted Building Area - Havelock North Character Residential
-  Te Mata Lifestyle Area
-  Te Awanga Lifestyle Area Limit
-  Rois Hill Winegrowing Area

Aquifer

-  Heretaunga Plains Unconfined Aquifer

Other

-  Designation (D)
-  Scheduled Activities (S)
-  Contaminated Sites
-  River Hazard
-  National Grid Structure
-  National Grid Line
-  Bridge Pa Noise Contours
-  Pan Pac Noise Contours
-  Prohibited Development Area
-  Coastal Environmental Boundary
-  Hastings District Boundary
-  Prohibited Building Area (Te Mata Eastern Escarpment)
-  Brookvale Structure Plan (Stormwater Management Areas)

*This map document contains data sourced from the New Zealand Archaeological Association (NZAA) Archaeological Site Recording Scheme. Archaeological site data shown has been recorded between 1979 and 2015. The accuracy of an archaeological site is recorded only to within 100m of a site and must only be used as a guide. To ascertain the exact location, nature and extent of any archaeological site shown on a property, NZAA advise that the user arrange on-site verification by a qualified archaeologist. NZAA gives no warranty in relation to the data (including accuracy, reliability, completeness or suitability) and accepts no liability, without limitation, liability in negligence) for any loss, damage or costs relating to any use of the data. The archaeological site data on Council's GIS system is updated every 3 months and therefore contains the most up-to-date information on the location of sites recorded under the NZAA Archaeological Site Recording Scheme.

Decision:

RC NO. 20020539

Pursuant to Ordinance 9.9.3 of the Hawke's Bay Section of the Hastings District Plan (Transitional) and Rule 12.2.7.2 of the Proposed Hastings District Plan as amended by decisions on submissions (July 2000), and Section 105(1)(a) of the Resource Management Act 1991, consent is Granted to **DEZIGN WORKS** To undertake earthworks requiring a greater than 2 metre exposed vertical cut within a Rural Residential Zone and located within a Significant Landscape Area at Hill Road, Bay View, being Lot 1 DP 11707 (CT C2/1164), Lot 1 DP 11810 (CT C3/964) and Lot 2 DP 11810 (CT C3/964).

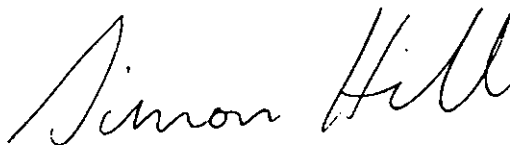
Subject to the Following Conditions:

1. That the development shall proceed substantially in accord with the plans and information submitted in the application to the satisfaction of the Manager, Resource Management, Hastings District Council (Ref: Resource Consent RMA 20020539, Application Dated 13/12/02).
2. That the disturbed areas shall be re-vegetated within 12 months of the earthworks being undertaken.
3. That no earthworks shall be undertaken except in accordance with the recommendations of the geotechnical report prepared by Dezygn Works submitted as part of the application.
4. That the applicant shall submit Form 4-3 "Statement of Professional Opinion as to Compliance of the Subdivision with the Subdivision Consent Conditions for Geotechnical Works" (Appendix 4.0-1 of the Proposed Hastings District Plan as Amended by Decisions on Submissions (July 2000) from a registered and professionally qualified engineer, to the Manager, Resource Management, Hastings District Council, on the completion of the engineering works.
5. That a monitoring fee of \$135 (incl. GST) shall be payable to cover the reasonable costs of monitoring compliance with the above conditions in accordance with Council's schedule of charges. In the event of non-compliance being detected by monitoring or justified complaint, the costs to Council of any additional monitoring shall be paid by the consent holder in accordance with the Council's advertised schedule of fees

With the Reasons for this Decision Being:


1. Conditions 1 and 2 ensure that the visual intrusion of the exposed cuts will be remedied
2. Conditions 3 and 4 ensure that the proposed earthworks will be stable, and will not result in any additional landslides.
3. Condition 5 ensures compliance with the approved plans
4. The proposal is consistent with the assessment criteria in that:
 - Due to the contours of the land and existing vegetation the work would not be highly visible by traffic along Hill Road.
 - There are no earthwork volume threshold limits that apply in the Rural Residential Zone.
 - The majority of the work will be the modifying of the existing access way, therefore minimising the cutting across hill faces and spurs.
 - That exposed earthworks will be re-grassed, therefore minimising the visual intrusion of the exposed cuts.

5. The proposal is consistent with the objectives, policies and other provisions of the Proposed District Plan in that any adverse visual effects created by the development will be avoided, mitigated or remedied.
6. The application meets the requirements of the Resource Management Act 1991.



Recommended by:

Simon Hill
ENVIRONMENTAL PLANNER (CONSENTS)



Decision issued under Delegated
Authority by:

Ian Macdonald
ENVIRONMENTAL MANAGER
RESOURCE MANAGEMENT

Date:

7 January, 2003

Advisory Note for Information Purposes

1. To ensure smooth processing at the time of lodging any proposed subdivision of this site, you may wish to check the proposed access way designs with Council's Roading Engineer Rob Bramley.

Decision:

Pursuant to Ordinance 9.9.3 of the Hawke's Bay Section of the Hastings District Plan (Transitional) and Rule 12.2.7.2 of the Proposed Hastings District Plan as amended by decisions on submissions (July 2000), and Section 105(1)(a) of the Resource Management Act 1991, consent is Granted to *DEZIGN WORKS* to undertake earthworks requiring a greater than 2 metre exposed vertical cut within a Rural Residential Zone and located within a Significant Landscape Area at Hill Road, Bay View, being Lot 1 DP 11707 (CT C2/1164), Lot 1 DP 11810 (CT C3/964) and Lot 2 DP 11810 (CT C3/964).

Subject to the Following Conditions:

1. That the development shall proceed substantially in accord with the plans and information submitted in the application to the satisfaction of the Manager, Resource Management, Hastings District Council (Ref: Resource Consent RMA 20030123, Application Dated 19/3/03).
2. That the disturbed areas shall be re-vegetated within 12 months of the earthworks being undertaken.
3. That no earthworks shall be undertaken except in accordance with the recommendations of the geotechnical report prepared by DeSIGN Works submitted as part of the application.
4. That the applicant shall submit Form 4-3 "Statement of Professional Opinion as to Compliance of the Subdivision with the Subdivision Consent Conditions for Geotechnical Works" (Appendix 4.0-1 of the Proposed Hastings District Plan as Amended by Decisions on Submissions (July 2000) from a registered and professionally qualified engineer, to the Manager, Resource Management, Hastings District Council, on the completion of the engineering works.
5. That a monitoring fee of \$135 (incl. GST) shall be payable to cover the reasonable costs of monitoring compliance with the above conditions in accordance with Council's schedule of charges. In the event of non-compliance being detected by monitoring or justified complaint, the costs to Council of any additional monitoring shall be paid by the consent holder in accordance with the Council's advertised schedule of fees.

With the Reasons for this Decision Being:

1. Conditions 1 and 2 ensure that the visual intrusion of the exposed cuts will be remedied
2. Conditions 3 and 4 ensure that the proposed earthworks will be stable, and will not result in any additional landslides with adverse visual effects.
3. Condition 5 ensures compliance with the approved plans
4. The proposal is consistent with the assessment criteria in that:
 - There are no earthwork volume threshold limits that apply in the Rural Residential Zone.
 - Only 75 metres of the track will require a greater than 2 metre vertical cut.
 - The majority of the entire track will be located just below the ridge line in order to minimise cuttings across hill faces.
 - The exposed earthworks will be re-grassed, therefore minimising the visual intrusion of the exposed cuts.

5. The proposal is consistent with the objectives, policies and other provisions of the Proposed District Plan in that any adverse visual effects created by the development will be avoided, mitigated or remedied.
6. The application meets the requirements of the Resource Management Act 1991.

Recommended by:


Simon Hill
ENVIRONMENTAL PLANNER (CONSENTS)

Decision issued under Delegated
Authority by:


Ian Macdonald
ENVIRONMENTAL MANAGER
RESOURCE MANAGEMENT

Date:

4 April, 2003

Advisory Note for Information Purposes

1. To ensure smooth processing at the time of lodging any proposed subdivision of this site, you may wish to check the proposed access way designs with Council's Roading Engineer Rob Bramley.

HASTINGS DISTRICT COUNCIL

DECISION RELATING TO:-

A NON-NOTIFIED APPLICATION TO CREATE A FARM PARK WITH 36 RESIDENTIAL SITES ALONG HILL ROAD, BAY VIEW (RMA20030605) SEAFIELD FARMS LTD

RESOLVED BY THE HEARINGS COMMITTEE - AT A MEETING HELD ON MONDAY, 8 MARCH 2004

A. That pursuant to Rules 15.1.7.3 and 7.7.2 of the Hastings District Plan (Operative June 2003) and Section 104B of the Resource Management Act 1991, consent be GRANTED to *SEAFIELD FARMS LTD* to:

- **Subdivide to create a farmpark along Hill Road, Bay View**
- **Establish residential dwellings 15 metres from external boundaries of the farmpark**
- **Establish residential dwellings 5 metres from all other internal boundaries**

SUBJECT TO THE FOLLOWING CONDITIONS:

General Landuse Condition

1. That the development shall proceed substantially in accordance with the plans and information submitted in the application (resource consent RMA 20030605, amended plan dated Dec 2003) specifically but not exclusively:
 - Section 3.2 of the landscaping assessment from Boffa Miskell, dated November 2003.
 - The requirement for all owners of residential sites to become members of a Society (under the Incorporated Societies Act 1908) and own an undivided share in the balance sites.

Roading

2. The consent holder shall submit an engineering design of the proposed vehicular access on road reserve (inclusive of drainage, signage, road marking and lighting) serving the proposed internal access road to the Manager, Resource Management, Hastings District Council, for approval prior to the commencement of any work on the site.
3. The consent holder shall construct the proposed vehicular access on road reserve serving the proposed internal access road, in accordance with the Hastings District Council Engineering Code of Practice (November 1997), or the approved design where this varies from the Code of Practice.

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4. The consent holder shall submit an engineering design of the internal access roads to the Manager, Resource Management, Hastings District Council, for approval prior to the commencement of any work on the site.
5. The consent holder shall construct the proposed internal access roads, in accordance with the Hastings District Council Engineering Code of Practice (November 1997), or the approved design where this varies from the Code of Practice.
6. The consent holder shall design and construct the proposed internal access and vehicular access on road reserve serving the proposed internal access road so that stormwater does not drain onto the public road, in accordance with the Hastings District Council Engineering Code of Practice (November 1997), to the satisfaction of the Manager, Resource Management, Hastings District Council.
7. The consent holder shall undertake all works associated with the construction of the vehicular access on road reserve and internal access roads in accordance with the recommendations of a suitably qualified engineer or other appropriately qualified person.
8. A report detailing the recommendations of the suitably qualified engineer or other appropriately qualified person referred to in Condition 7 shall be submitted to the Manager, Resource Management, Hastings District Council, for approval. The report shall demonstrate the geotechnical suitability of the route of the internal access roads for the stated purpose. The works shall be carried out in accordance with the approved report.
9. The consent holder shall submit as-built plans, in accordance with the requirements of Section 2.7.6 of the Hastings District Council Engineering Code of Practice (Nov 1997), of the proposed vehicular access on road reserve, internal access roads and all associated works to Council once construction is completed.
10. That the as-built plans supplied in accordance with Condition 9 are to be a complete and correct record by a chartered engineer or other appropriately qualified person, to the satisfaction of the Manager, Resource Management, Hastings District Council. These as-built plans shall be submitted prior to a Certificate pursuant to Section 224 of the Resource Management Act 1991 being issued.

Earthworks Controls

11. That while the earthworks are being undertaken and prior to re-vegetation, areas of exposed earth shall be regularly dampened with water to ensure that no wind borne dust is able to be deposited outside the property boundaries.
12. That all areas of earthworks shall be re-grassed or planted prior to a 224 Certificate being released.
13. That earthworks operations shall be limited to the hours of between 8.00 am - 5.00 pm Monday – Friday, and 9.00 am – 12.00 noon Saturday.

Cont'd...3/

14. That there shall be no off-site deposit of sediment or detritus from the area of the works and no deposit of sediment or detritus into any watercourse or stormwater drain.
15. That the applicant shall submit a sediment control plan by an appropriately qualified person to council, for approval by the Manager, Resource Management, prior to the commencement of any work on the site. The plan shall detail how sediment and erosion controls will be carried out at the site in accordance with current engineering best practice. A statement shall be included with the plan stating the author's qualifications and experience in this area.
16. That the applicant shall install sediment and erosion controls in accordance with the approved plan prior to the commencement of the earthworks and that these controls shall be maintained throughout the period of the works.
17. Any areas of fill shall be grassed immediately on completion of the earthworks and maintained until stabilised.
18. The location and dimensions of any area of fill shall be identified and advised to the Hastings District Council.
19. That only clean fill shall be used as fill material.
20. That a Chartered Engineer shall submit Form 4-6 ("Statement of Professional Opinion As to Suitability of Land for Building Development") to the Manager, Resource Management, Hastings District Council on the completion of the engineering works.
21. That earthworks operations shall be so conducted as to comply with the provisions of New Zealand Standard NZS 6803P "Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work."
22. That no earthworks, building development or associated works, services or structures shall be undertaken except in accordance with the recommendations of the preliminary geotechnical report prepared by Tonkin and Taylor, dated December 2002, to the satisfaction of the Manager, Resource Management, Hastings District Council (this report is held by the Hastings District Council).

Easements

23. That suitable right of way easements shall be granted and reserved as a Memorandum of Easements on the face of the Land Transfer Plan,

OR

the applicant shall satisfy the Council that appropriate legal access is available.

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Roading Fees**Roading Fees Stage One (Lots 1 to 7 and 11 to 15)**

24. That the subdivider shall pay Council a District Roding Fee of \$3,291.75 (incl. GST) prior to the issue of a certificate pursuant to Section 224 of the Resource Management Act 1991.

Roading Fees Stage Two (Lots 16 to 25)

25. That the subdivider shall pay Council a District Roding Fee of \$2,992.50 (incl. GST) prior to the issue of a certificate pursuant to Section 224 of the Resource Management Act 1991.

Roading Fees Stage Three (Lots 33 to 36)

26. That the subdivider shall pay Council a District Roding Fee of \$1,197.00 (incl. GST) prior to the issue of a certificate pursuant to Section 224 of the Resource Management Act 1991.

Roading Fees Stage Four (Lots 26 to 32)

27. That the subdivider shall pay Council a District Roding Fee of \$2,094.75 (incl. GST) prior to the issue of a certificate pursuant to Section 224 of the Resource Management Act 1991.

Roading Fees Stage Five (Lots 8 and 9)

28. That the subdivider shall pay Council a District Roding Fee of \$598.50 (incl. GST) prior to the issue of a certificate pursuant to Section 224 of the Resource Management Act 1991.

Approved Landscaping Plan

29. That a detailed landscaping plan shall be submitted for Council's approval in accordance with the recommendations of Landscaping Assessment from Boffa Miskell, dated November 2003, prior to the application for the Section 224(c) Certificate for Stage One.
30. That in regard to Condition 29 above, the landscaping shall be maintained to the satisfaction of the Manager, Resource Management, Hastings District Council.

Balance Site

31. That a Consent Notice pursuant to Section 221 of the Resource Management Act 1991 be issued by Council and registered against the certificate of title to be issued for all non-residential sites (Surveyors Reference 182213/20, dated Dec 2003). The notice shall be registered at the subdivider's expense and shall read as follows:
- That the development shall proceed substantially in accordance with the plans and information submitted in the application (Resource Consent RMA 20030605) to the satisfaction of the Manager, Resource Management.
 - No residential buildings shall occur on-site.

Cont'd...5/

- That the applicant shall plant the site in accordance with the approved landscaping plan to the satisfaction of the Manager, Resource Management, Hastings District Council.
- That no further subdivision of the balance area shall be permitted.

Residential Sites

32. That a Consent Notice pursuant to Section 221 of the Resource Management Act 1991 be issued by Council and registered against the certificate of title to be issued for all residential sites (identified as Lots 1 to 36, Surveyors Reference 182213/20, dated Dec 2003). The notice shall be registered at the subdivider's expense and shall read as follows:

- That all development shall be carried out in accordance with the landscaping provisions of the Hastings District Plan as per SLC2.
- That the development shall proceed substantially in accordance with the plans and information submitted in the application (resource consent RMA 20030605) to the satisfaction of the Manager, Resource Management.
- That the applicant shall plant the site in accordance with the approved landscaping plan to the satisfaction of the Manager, Resource Management, Hastings District Council.
- All owners of residential sites become members of the proposed farmpark Society (under the Incorporated Societies Act 1908) and own an undivided share in the balance site.
- This property is located in a productive rural area where agricultural management practices such as agrochemical spraying, use of farm machinery, the operation of bird scarers and other similar activities may occur.

Where landuse activities in the surrounding area are carried out in accordance with the relevant district plan requirements, the property owner, or their successor in title shall not:

Bring any proceedings for damages, negligence, nuisance, trespass or interference arising from the use of that land; or

- (I) Make nor lodge; nor
- (II) Be party to; nor
- (III) Finance nor contribute to the cost of;

Any application, proceeding or appeal (either pursuant to the Resource Management Act 1991 or otherwise) designed or intended to limit, prohibit or restrict the continuation of the operations of any rural activity on surrounding land, including without limitation any action to require the surrounding landowners/occupiers to modify the rural operations carried out on their land.

Cont'd...6/

Serving Conditions (Only applicable should sites connect to Council's reticulated water network)

33. That the applicant enters into a supply agreement with HDC to extend the public water supply proposed for Hill Road to service the area.
34. That the applicant shall submit to council a design, including construction drawings, detailing the water services within the subdivision for approval by the Manager, Resource Management, prior to construction.
35. That the design of the water services (including separate connections to the individual lots) shall be in accordance with the Council's Engineering Code Of Practice (November 1997, and amendments to the date of this approval), unless an alternative design has been approved by the Manager, Resource Management.
36. That the engineering design for water services shall be undertaken by a registered and professionally qualified engineer experienced in water services design and construction.
37. The designer shall issue a producer statement for the services design and the applicant shall supply this statement to council.
38. That the applicant shall construct the water services (including separate connections to the individual lots) in accordance with the approved design.
39. The contractor(s) shall issue a producer statement for the services construction and the applicant shall supply this statement to Council.
40. That the water services shall be tested in accordance with the Council's Engineering Code of Practice in the presence of a Council officer.
41. That as-built plans and data, in accordance with the requirements of Section 2.7.6 of the Council's Engineering Code of Practice (November 1997, and amendments to the date of this approval), shall be submitted to Council once construction is completed and shall be certified as a complete and correct record by a registered and professionally qualified Engineer. Data on water assets is required to be submitted to Council in electronic format and that an electronic data book (e-book) is available for this purpose. As-built data shall be submitted to council prior to application for a Section 224 Certificate.
42. That a registered and professionally qualified Engineer shall certify that the works have been designed and constructed in accordance with the approved design.
43. The project engineer shall issue a producer statement for the supervision of the services construction, the completeness and accuracy of the as-built data, and the applicant shall supply this statement to Council.

Cont'd...7/

- 44. That the applicant shall submit Form 4-5 "Certification of Construction and Completion of Engineering Works for Subdivision" (Appendix 4.0-1 of the Hastings District Plan) from a registered and professionally qualified engineer, to the Manager, Resource Management, on the completion of the engineering works.**
- 45. That the connection of the subdivision water services with existing services the area will be made at the applicants expense as provided in the supply agreement and constructed by a contractor approved by Hastings District Council for constructing connection to its networks.**

WITH THE REASONS FOR THIS DECISION BEING:

- 1. The proposal is unlikely to have any adverse effects on the environment, in that:**
 - a. Development will only occur on stable platforms.**
 - b. The sites are not at risk from natural hazards.**
 - c. The sites can be adequately serviced.**
 - d. Safe and efficient accesses can be provided to each residential site.**
 - e. The adverse effects on the amenity levels (beyond that which could if the applicant chose to subdivide the site into 1 hectare lifestyle sites) will be no more than minor.**
 - f. Subject to conditions, it is unlikely that there will be any reverse sensitivity or cross boundary effects generated by this proposal.**
 - g. Historic Places Trust and the local hapu have consented to the proposal.**
 - h. Given the Rural Residential zoning of the land, the proposal will not adversely affect the soil resource.**
- 2. The proposal is generally consistent with the objectives, policies and other provisions of the Hastings District Plan, in that:**
 - a. The proposal does not create any significant adverse effects on the soil resource.**
 - b. The balance site will be suitable for a wide range of uses as provided for in the District Plan.**
 - c. The development will allow for the sustainable management of the land resource.**
 - d. Any adverse effects of the proposal can be avoided, or mitigated by conditions of the consent.**
 - e. The proposal is unlikely to create any reverse sensitivity or cross boundary effects.**
 - f. The balance site will not be capable of further subdivision.**

Cont'd...8/

- g. Subject to the recommendations from Boffa Miskell Limited, the proposal will not adversely affect the significant landscape character of the area.
 - h. The balance site will be managed more efficiently and with a greater area compared to the applicant subdividing off 1-hectare lifestyle sites under the Rural Residential subdivision provisions of the District Plan.
 - i. The residential sites will be clustered allowing the balance site to have more efficient shapes for managing.
 - j. Safe and efficient access can be provided to the farmpark.
 - k. The site contains no significant indigenous fauna (including wetlands) or geological sites as identified by the District Plan. The dominant species (kanuka) will be retained, protected and encouraged.
 - l. Local hapu and Historic Places Trust have consented to the proposal and the removal of V20/179.
 - m. Subject to conditions the farmpark can provide stable building platforms.
 - n. All sites can be suitably serviced.
3. That the application meets the requirements of Part II of the Resource Management Act 1991, in that:
- a. The adverse effects of the proposal will be no more than minor.
 - b. The application is consistent with the principle of the sustainable management of resources as promoted by the Act.
 - c. The significant landscape character of the area will be protected.
 - d. The life supporting capacity of the soil is limited.
 - e. The potential adverse effects can be avoided, remedied or mitigated.
 - f. Local hapu have consent to the proposal.
 - g. Due to the Rural Residential zoning of the site, it is considered the farm park is an efficient use of the land.
4. No parties are considered affected by the proposal.
5. Condition 1 ensures the farmpark development is created in accordance with the plans that Council has approved.
6. Conditions 2 to 10 ensure that the sites will be safely and efficiently integrated into the District Roding Network.
7. Conditions 11 to 22 ensure that the effects created by earthworks will have a minimal affect on the surrounding landowners.

Cont'd...9/

8. **Condition 22 ensures that each residential site created will have legal access onto Council's roading network.**
9. **Condition 23 ensures that Council will have access for maintenance of any on site water pipes.**
10. **Conditions 24 to 28 helps to meet demands on the district roading infrastructure from traffic generated by the creation of additional sites capable of further residential development.**
11. **Conditions 29 and 30 ensure that landscaping of the balance site will be to a suitable standard.**
12. **Conditions 31 and 32 ensure compliance with the approved farmpark design and that any potential reverse sensitivity affects will be no more than minor.**
13. **Conditions 33 to 45 ensure that if the applicant connects to Council's future reticulated water network that the services shall be to a satisfactory standard.**
14. **Condition 43 ensures that the applicant helps meet the demands for establishing reticulated water in the area.**

ADVISORY NOTES FOR INFORMATION PURPOSES:

1. **In regard to the landscaping conditions, the maintenance of the landscaping means the replacement of any dangerous, dead or dying matter, and the general preservation of the landscaping to a healthy standard.**
2. **The road marking and signage required by Conditions 2 and 3 should be designed in accordance with the Hastings District Council Engineering Code of Practice (November 1997) and the Manual of Traffic Signs and Markings Parts 1 and 2, Ministry of Land Transport.**
3. **The District Roding Fees payable to meet Condition 24 above were calculated as follows:**

District Roding Fee = \$266 x 11 = \$2,926+ GST = \$3,291.75 (incl GST).
4. **The District Roding Fees payable to meet Condition 25 above were calculated as follows:**

District Roding Fee = \$266 x 10 = \$2,660 + = \$ 2,992.50 (incl GST).
5. **The District Roding Fees payable to meet Condition 26 above were calculated as follows:**

District Roding Fee = \$266 x 4 = \$1,064 + GST = \$1,197 (incl GST).
6. **The District Roding Fees payable to meet Condition 27 above were calculated as follows:**

District Roding Fee = \$266 x 7 = \$2,926+ GST = \$ 2,094.75 (incl GST).

Cont'd... 10/

7. The District Roding Fees payable to meet Condition 28 above were calculated as follows:

District Roding Fee = \$266x 2 = \$532 + GST = \$598.50 (incl GST).

8. At the time of applying for Certification under Sections 223 and 224(c) insert others required of the Resource Management Act 1991, the following fees may be payable under Council's Schedule of Resource Management Fees and Charges (*Please Note:* These fees are correct at the date of the consent, and are subject to change): (delete the following as required)

- Section 223 certification – Sealing of Survey Plans \$55
- Section 224 certification – Survey Plans (where 223 and 224 certification are applied for together, this fee will also apply): (delete the following as required)
 - For Subdivisions of more than 10 \$200
 - Consent Notice (Section 221 of RMA) \$65 (per notice)
- Bond Administration Fee \$125
- Roding Engineer Check for 224(c) Certificate:
 - For Subdivisions of between 3 and 10 lots \$180
 - For Subdivisions of more than 10 lots (actual cost based on hourly rates will be charged) \$180 (deposit)
- East Water Engineer Check for 224(c) Certificate: (delete the following as required)
 - For Subdivisions of between 3 and 10 lots \$180
 - For Subdivisions of more than 10 lots (actual cost based on hourly rates will be charged) \$180 (deposit)

4. Clean fill is defined as: “natural materials such as clay, soil rock and such other materials as concrete, brick, old asphalt or demolition products that are free of:

- Combustible or putrescible components apart from up to 10% by volume untreated timber in each load;
- Hazardous substances or materials (such as municipal waste) likely to create leachate by means of biological or chemical breakdown;
- Any products or materials derived from hazardous waste treatment, stabilisation or disposal processes.”

CERTIFIED BY

I MACDONALD
ENVIRONMENTAL MANAGER
RESOURCE MANAGEMENT
11 March 2004

Decision:

Pursuant to Rule 15.1.7.3 of the Hastings District Plan (Operative June 2003) and Sections 104B and 127 of the Resource Management Act 1991, Resource Consent RMA 20030605 (Ref: PID 50822, Dated 11/3/2004) is hereby varied and the conditions shall read as follows where the deleted conditions are shown as stuck out and the added conditions are shown as italics and underlined:

SUBJECT TO THE FOLLOWING CONDITIONS:

General Landuse Condition

1. That the development shall proceed substantially in accordance with the plans and information submitted in the application (resource consent RMA 20030605, amended plan dated Dec 2003) specifically but not exclusively:
 - Section 3.2 of the landscaping assessment from Boffa Miskell, dated November 2003.
 - The requirement for all owners of residential sites to become members of a Society (under the Incorporated Societies Act 1908) and own an undivided share in the balance sites.

Roading

2. The consent holder shall submit an engineering design of the proposed vehicular access on road reserve (inclusive of drainage, signage, road marking and lighting) serving the proposed internal access road to the Manager, Resource Management, Hastings District Council, for approval prior to the commencement of any work on the site.
3. The consent holder shall construct the proposed vehicular access on road reserve serving the proposed internal access road, in accordance with the Hastings District Council Engineering Code of Practice (November 1997), or the approved design where this varies from the Code of Practice.

- 4. The consent holder shall submit an engineering design of the internal access roads to the Manager, Resource Management, Hastings District Council, for approval prior to the commencement of any work on the site.**
- 5. The consent holder shall construct the proposed internal access roads, in accordance with the Hastings District Council Engineering Code of Practice (November 1997), or the approved design where this varies from the Code of Practice.**
- 6. The consent holder shall design and construct the proposed internal access and vehicular access on road reserve serving the proposed internal access road so that stormwater does not drain onto the public road, in accordance with the Hastings District Council Engineering Code of Practice (November 1997), to the satisfaction of the Manager, Resource Management, Hastings District Council.**
- 7. The consent holder shall undertake all works associated with the construction of the vehicular access on road reserve and internal access roads in accordance with the recommendations of a suitably qualified engineer or other appropriately qualified person.**
- 8. A report detailing the recommendations of the suitably qualified engineer or other appropriately qualified person referred to in Condition 7 shall be submitted to the Manager, Resource Management, Hastings District Council, for approval. The report shall demonstrate the geotechnical suitability of the route of the internal access roads for the stated purpose. The works shall be carried out in accordance with the approved report.**
- 9. The consent holder shall submit as-built plans, in accordance with the requirements of Section 2.7.6 of the Hastings District Council Engineering Code of Practice (Nov 1997), of the proposed vehicular access on road reserve, internal access roads and all associated works to Council once construction is completed.**
- 10. That the as-built plans supplied in accordance with Condition 9 are to be a complete and correct record by a chartered engineer or other appropriately qualified person, to the satisfaction of the Manager, Resource Management, Hastings District Council. These as-built plans shall be submitted prior to a Certificate pursuant to Section 224 of the Resource Management Act 1991 being issued.**

Earthworks Controls

- 11. That while the earthworks are being undertaken and prior to re-vegetation, areas of exposed earth shall be regularly dampened with water to ensure that no wind borne dust is able to be deposited outside the property boundaries.**
- 12. That all areas of earthworks shall be re-grassed or planted prior to a 224 Certificate being released.**
- 13. That earthworks operations shall be limited to the hours of between 8.00 am - 5.00 pm Monday – Friday, and 9.00 am – 12.00 noon Saturday.**
- 14. That there shall be no off-site deposit of sediment or detritus from the area of the works and no deposit of sediment or detritus into any watercourse or stormwater drain.**
- 15. That the applicant shall submit a sediment control plan by an appropriately qualified person to council, for approval by the Manager, Resource Management, prior to the commencement of any work on the site. The plan shall detail how sediment and erosion controls will be carried out at the site in accordance with current engineering best practice. A statement shall be included with the plan stating the author's qualifications and experience in this area.**
- 16. That the applicant shall install sediment and erosion controls in accordance with the approved plan prior to the commencement of the earthworks and that these controls shall be maintained throughout the period of the works.**
- 17. Any areas of fill shall be grassed immediately on completion of the earthworks and maintained until stabilised.**
- 18. The location and dimensions of any area of fill shall be identified and advised to the Hastings District Council.**
- 19. That only clean fill shall be used as fill material.**
- 20. That a Chartered Engineer shall submit Form 4-6 (“Statement of Professional Opinion As to Suitability of Land for Building Development”) to the Manager,**

Resource Management, Hastings District Council on the completion of the engineering works.

21. That earthworks operations shall be so conducted as to comply with the provisions of New Zealand Standard NZS 6803P “Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work.”
22. That no earthworks, building development or associated works, services or structures shall be undertaken except in accordance with the recommendations of the preliminary geotechnical report prepared by Tonkin and Taylor, dated December 2002, to the satisfaction of the Manager, Resource Management, Hastings District Council (this report is held by the Hastings District Council).

Easements

23. That suitable right of way easements shall be granted and reserved as a Memorandum of Easements on the face of the Land Transfer Plan,

OR

the applicant shall satisfy the Council that appropriate legal access is available.

Roading Fees

Roading Fees Stage One (Lots 1 to 7 and 11 to 15)

24. That the subdivider shall pay Council a District Roding Fee of \$3,291.75 (incl. GST) prior to the issue of a certificate pursuant to Section 224 of the Resource Management Act 1991.

Roading Fees Stage Two (Lots 16 to 25)

25. That the subdivider shall pay Council a District Roding Fee of \$2,992.50 (incl. GST) prior to the issue of a certificate pursuant to Section 224 of the Resource Management Act 1991.

Roading Fees Stage Three (Lots 33 to 36)

26. That the subdivider shall pay Council a District Roding Fee of \$1,197.00 (incl. GST) prior to the issue of a certificate pursuant to Section 224 of the Resource Management Act 1991.

Roading Fees Stage Four (Lots 26 to 32)

27. That the subdivider shall pay Council a District Roding Fee of \$2,094.75 (incl. GST) prior to the issue of a certificate pursuant to Section 224 of the Resource Management Act 1991.

Roading Fees Stage Five (Lots 8 and 9)

28. That the subdivider shall pay Council a District Roding Fee of \$598.50 (incl. GST) prior to the issue of a certificate pursuant to Section 224 of the Resource Management Act 1991.

Approved Landscaping Plan

29. That a detailed landscaping plan shall be submitted for Council's approval in accordance with the recommendations of Landscaping Assessment from Boffa Miskell, dated November 2003, prior to the application for the Section 224(c) Certificate for Stage One.

30. That in regard to Condition 29 above, the landscaping shall be maintained to the satisfaction of the Manager, Resource Management, Hastings District Council.

Balance Site

31. That a Consent Notice pursuant to Section 221 of the Resource Management Act 1991 be issued by Council and registered against the certificate of title to be issued for all non-residential sites (Surveyors Reference 182213/20, dated Dec 2003). The notice shall be registered at the subdivider's expense and shall read as follows:

- That the development shall proceed substantially in accordance with the plans and information submitted in the application (Resource Consent RMA 20030605) to the satisfaction of the Manager, Resource Management.
- No residential buildings shall occur on-site.
- That the applicant shall plant the site in accordance with the approved landscaping plan to the satisfaction of the Manager, Resource Management, Hastings District Council.
- That no further subdivision of the balance area shall be permitted.

Residential Sites

32. That a Consent Notice pursuant to Section 221 of the Resource Management Act 1991 be issued by Council and registered against the certificate of title to be issued for all residential sites (identified as Lots 1 to 36, Surveyors Reference 182213/20, dated Dec 2003). The notice shall be registered at the subdivider's expense and shall read as follows:

- That all development shall be carried out in accordance with the landscaping provisions of the Hastings District Plan as per SLC2.
- That the development shall proceed substantially in accordance with the plans and information submitted in the application (resource consent RMA 20030605) to the satisfaction of the Manager, Resource Management.
- That the applicant shall plant the site in accordance with the approved landscaping plan to the satisfaction of the Manager, Resource Management, Hastings District Council.
- All owners of residential sites become members of the proposed farmpark Society (under the Incorporated Societies Act 1908) and own an undivided share in the balance site.

- **That no further subdivision of the residential sites shall be permitted**
- **That no residential site created by this subdivision consent shall be transferred to any other party unless the Certificate of Title to that allotment is already subject to an encumbrance requiring that any transferee is a member of the Esk Ridge Residents Society Incorporated and bound by the terms of the constitution.**
- This property is located in a productive rural area where agricultural management practices such as agrochemical spraying, use of farm machinery, the operation of bird scarers and other similar activities may occur.

Where landuse activities in the surrounding area are carried out in accordance with the relevant district plan requirements, the property owner, or their successor in title shall not:

Bring any proceedings for damages, negligence, nuisance, trespass or interference arising from the use of that land; or

(I) Make nor lodge; nor

(II) Be party to; nor

(III) Finance nor contribute to the cost of;

Any application, proceeding or appeal (either pursuant to the Resource Management Act 1991 or otherwise) designed or intended to limit, prohibit or restrict the continuation of the operations of any rural activity on surrounding land, including without limitation any action to require the surrounding landowners/occupiers to modify the rural operations carried out on their land.

Serving Conditions (Only applicable should sites connect to Council's reticulated water network)

- 33. That the applicant enters into a supply agreement with HDC to extend the public water supply proposed for Hill Road to service the area.**

- 34. That the applicant shall submit to council a design, including construction drawings, detailing the water services within the subdivision for approval by the Manager, Resource Management, prior to construction.**
- 35. That the design of the water services (including separate connections to the individual lots) shall be in accordance with the Council's Engineering Code Of Practice (November 1997, and amendments to the date of this approval), unless an alternative design has been approved by the Manager, Resource Management.**
- 36. That the engineering design for water services shall be undertaken by a registered and professionally qualified engineer experienced in water services design and construction.**
- 37. The designer shall issue a producer statement for the services design and the applicant shall supply this statement to council.**
- 38. That the applicant shall construct the water services (including separate connections to the individual lots) in accordance with the approved design.**
- 39. The contractor(s) shall issue a producer statement for the services construction and the applicant shall supply this statement to Council.**
- 40. That the water services shall be tested in accordance with the Council's Engineering Code of Practice in the presence of a Council officer.**
- 41. That as-built plans and data, in accordance with the requirements of Section 2.7.6 of the Council's Engineering Code of Practice (November 1997, and amendments to the date of this approval), shall be submitted to Council once construction is completed and shall be certified as a complete and correct record by a registered and professionally qualified Engineer. Data on water assets is required to be submitted to Council in electronic format and that an electronic data book (e-book) is available for this purpose. As-built data shall be submitted to council prior to application for a Section 224 Certificate.**
- 42. That a registered and professionally qualified Engineer shall certify that the works have been designed and constructed in accordance with the approved design.**

- 43. The project engineer shall issue a producer statement for the supervision of the services construction, the completeness and accuracy of the as-built data, and the applicant shall supply this statement to Council.**
- 44. That the applicant shall submit Form 4-5 “Certification of Construction and Completion of Engineering Works for Subdivision” (Appendix 4.0-1 of the Hastings District Plan) from a registered and professionally qualified engineer, to the Manager, Resource Management, on the completion of the engineering works.**
- 45. That the connection of the subdivision water services with existing services the area will be made at the applicants expense as provided in the supply agreement and constructed by a contractor approved by Hastings District Council for constructing connection to its networks.**

- 1. The proposed variation will not in anyway change the intent of any of the original conditions of consent.**
- 2. The application meets the requirements of the Resource Management Act 1991.**

Environmental Planner (Consents)

Decision issued under Delegated

Authority by: Philip McKay

TEAM LEADER – ENVIRONMENTAL PLANNING

Resource Management

Date: 24th of May 2004

Decision:

Pursuant to Rule 15.1.7.3 of the Hastings District Plan (Operative June 2003) and Sections 104B and 127 of the Resource Management Act 1991, Condition 31 of Resource Consent RMA 20030605 (Ref: PID 50822, Dated 11/3/2004) is hereby varied and the conditions shall read as follows where the deleted conditions are shown as stuck out and the added conditions are shown as italics and underlined:

SUBJECT TO THE FOLLOWING CONDITIONS:**Balance Site**

37. That a Consent Notice pursuant to Section 221 of the Resource Management Act 1991 be issued by Council and registered against the certificate of title to be issued for all non-residential sites (Surveyors Reference 182213/20, dated Dec 2003). The notice shall be registered at the subdivider's expense and shall read as follows:

- That the development shall proceed substantially in accordance with the plans and information submitted in the application (Resource Consent RMA 20030605) to the satisfaction of the Manager, Resource Management.
- No residential buildings shall occur on-site.
- That the applicant shall plant the site in accordance with the approved landscaping plan to the satisfaction of the Manager, Resource Management, Hastings District Council.
- That no further subdivision of the balance area shall be permitted.
- *Lot 37 can only be owned by the Eskridge Residents Society Incorporated.*

With the Reasons for this Decision Being:

1. The proposed variation will not in anyway change the intent of any of the original conditions of consent.
2. The application meets the requirements of the Resource Management

Recommended by:

James Witham
ENVIRONMENTAL PLANNER (CONSENTS)

**Decision issued under Delegated
Authority by:**

Ian Macdonald
ENVIRONMENTAL MANAGER
RESOURCE MANAGEMENT

Date:

02/06/2005

Decision:

Pursuant to Rule 15.1.7.3 of the Hastings District Plan (Operative June 2003) and Sections 104B and 127 of the Resource Management Act 1991, Conditions 25 and 26 of Resource Consent RMA 20050272 (Ref: PID 50822, Dated 9/6/2005) is hereby varied and the conditions shall read as follows:

Roading Fees Stage Two (Lots 16 to 24)

25. That the subdivider shall pay Council a District Roding Fee of \$2,693.25 (incl. GST) prior to the issue of a certificate pursuant to Section 224 of the Resource Management Act 1991.

Roading Fees Stage Three (Lots 24, and 33 to 36)

26. That the subdivider shall pay Council a District Roding Fee of \$1,496.25 (incl. GST) prior to the issue of a certificate pursuant to Section 224 of the Resource Management Act 1991.

With the Reasons for this Decision Being:

1. The proposed variation will not in anyway change the intent of any of the original conditions of consent.
2. No additional sites are created or existing sites altered in terms of size, shape, or location.

Recommended by:

James Witham
ENVIRONMENTAL PLANNER (CONSENTS)

Decision issued under Delegated Authority by:

Ian Macdonald
ENVIRONMENTAL MANAGER
RESOURCE MANAGEMENT

Date:

9 June 2005

Decision:

Pursuant to Rule 7.7.3 of the Hastings District Plan (Operative June 2003) and Section 104C of the Resource Management Act 1991, consent is Granted to Seafield Farm HB Limited to erect a building 2.5 metres from the front boundary in lieu of the 7.5 metre minimum front yard at 323 Hill Road, BAY VIEW, being Lot 1 DP 307153 (CT 27745).

Subject to the Following Conditions:

1. That the development shall proceed in accordance with the plans and information submitted in the application and that the building be erected no closer than 2.5 metres from the front boundary (Reference: Resource Consent RMA 20040471, Application Received 23rd September 2004).
2. That landscaping shall be planted:
 - Approximately one metre from the front boundary of the property;
 - Along the entire length of the building (fronting Hill Road); and
 - With species with a minimum mature height of 2 metres

During the next planting season, to the satisfaction of the Manager, Resource Management, Hastings District Council and in accordance with the Landscaping Plan supplied (Amended Landscaping Plan TRIM Ref: 50822#094)

3. That in regard to Condition 2 above, the landscaping shall be maintained to the satisfaction of the Manager, Resource Management, Hastings District Council.
4. That a monitoring deposit of \$135.00 (including GST) shall be payable to cover the reasonable costs of monitoring compliance with the above conditions in accordance with Council's schedule of charges.

In the event of non-compliance being detected by monitoring or justified complaint and/or the costs of monitoring consent exceeding the deposit, the costs to Council of any additional monitoring shall be paid by the consent holder in accordance with the Council's advertised schedule of fees.

With the Reasons for this Decision Being:

1. Conditions 1, 2 and 3 ensure that the visual effects of the building will be lessened, thus maintaining the amenity of the immediate area.
2. Affected persons consent has been obtained.

3. The adverse effects of this proposal are minor, in that:
- the building will still be setback 2.5 metres from Hill Road;
 - the road will provide a form of separation between those sites directly opposite Hill Road and the proposed building; and
 - the adjoining landuses are similar to that of the subject site, lifestyle residential and stock grazing and as such any potential conflicts between adjoining landuses are avoided.
4. The proposal is consistent with the relevant outcomes of the Hastings District Plan, in that:
- The open character and amenity of the Rural-Residential Zone will be maintained.
 - Buildings will be separated from adjoining sites to ensure that potential conflicts between adjoining landuses are avoided.
4. The application meets the requirements of the Resource Management Act 1991.

Recommended by:

Sara Nicholson
ENVIRONMENTAL PLANNER (CONSENTS)

**Decision issued under Delegated
Authority by:**

Philip McKay
TEAM LEADER ENVIRONMENTAL POLICY
RESOURCE MANAGEMENT

Date:

25 July 2005

Advisory Notes for Information Purposes

1. RURAL-RESIDENTIAL ZONE

This property is located in the Rural-Residential Zone which is located close to productive rural areas. Residents live in an environment where agricultural management practices such as agrichemical spraying, use of farm machinery, the seasonal operation of bird scarers, traffic movements, dust generation, odour, and night harvesting occur.

2. SIGNIFICANT LANDSCAPE CHARACTER AREA RESOURCE MANAGEMENT UNIT (RMU)

This area has been identified as a Significant Landscape Character Area. Certain activities, including building development, earthworks and plantations, may have an adverse effect on this landscape. The community seeks to ensure that a range of different landscape types, best representing each of the inland and coastal landscape units identified for the Hastings District, are retained and enhanced.

Decision:

Pursuant to Rule 15.1.7.3 of the Hastings District Plan (Operative June 2003) and Sections 127 and 104B of the Resource Management Act 1991, consent is Granted to Seafield Farm HB Limited to vary the location of Lot 28 of RMA 20040197, being Lot 10 DP 341271 (CT 169740) (323 Hill Road, Bay View) as shown on the scheme plan provided (Surveyor's Reference: 2007/8, Dated: December 2005; RMA20060053) and the conditions shall now read as follows (varied conditions in bold).

Subject to the Following Conditions:General Landuse Condition

1. That the development shall proceed substantially in accordance with the plans and information submitted in the application (resource consent RMA 20030605, amended plan dated Dec 2003, **and the amended location of Lot 28 consented to as part of RMA20050053**) specifically but not exclusively:
 - Section 3.2 of the landscaping assessment from Boffa Miskell, dated November 2003.
 - ~~The requirement for all owners of residential sites to become members of a Society (under the Incorporated Societies Act 1908) and own an undivided share in the balance sites.~~

Roading

2. The consent holder shall submit an engineering design of the proposed vehicular access on road reserve (inclusive of drainage, signage, road marking and lighting) serving the proposed internal access road to the Manager, Resource Management, Hastings District Council, for approval prior to the commencement of any work on the site.
3. The consent holder shall construct the proposed vehicular access on road reserve serving the proposed internal access road, in accordance with the Hastings District Council Engineering Code of Practice (November 1997), or the approved design where this varies from the Code of Practice.
4. The consent holder shall submit an engineering design of the internal access roads to the Manager, Resource Management, Hastings District Council, for approval prior to the commencement of any work on the site.
5. The consent holder shall construct the proposed internal access roads, in accordance with the Hastings District Council Engineering Code of Practice (November 1997), or the approved design where this varies from the Code of Practice.
6. The consent holder shall design and construct the proposed internal access and vehicular access on road reserve serving the proposed internal access road so that stormwater does not drain onto the public road, in accordance with the Hastings District Council Engineering Code of Practice (November 1997), to the satisfaction of the Manager, Resource Management, Hastings District Council.
7. The consent holder shall undertake all works associated with the construction of the vehicular access on road reserve and internal access roads in accordance with the recommendations of a suitably qualified engineer or other appropriately qualified person.
8. A report detailing the recommendations of the suitably qualified engineer or other appropriately qualified person referred to in Condition 7 shall be submitted to the Manager, Resource Management, Hastings District Council, for approval. The report shall demonstrate the geotechnical suitability of the route of the internal access roads for the stated purpose. The works shall be carried out in accordance with the approved report.

9. The consent holder shall submit as-built plans, in accordance with the requirements of Section 2.7.6 of the Hastings District Council Engineering Code of Practice (Nov 1997), of the proposed vehicular access on road reserve, internal access roads and all associated works to Council once construction is completed.
10. That the as-built plans supplied in accordance with Condition 9 are to be a complete and correct record by a chartered engineer or other appropriately qualified person, to the satisfaction of the Manager, Resource Management, Hastings District Council. These as-built plans shall be submitted prior to a Certificate pursuant to Section 224 of the Resource Management Act 1991 being issued.

Earthworks Controls

11. That while the earthworks are being undertaken and prior to re-vegetation, areas of exposed earth shall be regularly dampened with water to ensure that no wind borne dust is able to be deposited outside the property boundaries.
12. That all areas of earthworks shall be re-grassed or planted prior to a 224 Certificate being released.
13. That earthworks operations shall be limited to the hours of between 8.00 am - 5.00 pm Monday – Friday, and 9.00 am – 12.00 noon Saturday.
14. That there shall be no off-site deposit of sediment or detritus from the area of the works and no deposit of sediment or detritus into any watercourse or stormwater drain.
15. That the applicant shall submit a sediment control plan by an appropriately qualified person to council, for approval by the Manager, Resource Management, prior to the commencement of any work on the site. The plan shall detail how sediment and erosion controls will be carried out at the site in accordance with current engineering best practice. A statement shall be included with the plan stating the author's qualifications and experience in this area.
16. That the applicant shall install sediment and erosion controls in accordance with the approved plan prior to the commencement of the earthworks and that these controls shall be maintained throughout the period of the works.
17. Any areas of fill shall be grassed immediately on completion of the earthworks and maintained until stabilised.
18. The location and dimensions of any area of fill shall be identified and advised to the Hastings District Council.
19. That only clean fill shall be used as fill material.
20. That a Chartered Engineer shall submit Form 4-6 ("Statement of Professional Opinion As to Suitability of Land for Building Development") to the Manager, Resource Management, Hastings District Council on the completion of the engineering works.
21. That earthworks operations shall be so conducted as to comply with the provisions of New Zealand Standard NZS 6803P "Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work."
22. That no earthworks, building development or associated works, services or structures shall be undertaken except in accordance with the recommendations of the preliminary geotechnical report prepared by Tonkin and Taylor, dated December 2002, to the satisfaction of the Manager, Resource Management, Hastings District Council (this report is held by the Hastings District Council).

Easements

23. That suitable right of way easements shall be granted and reserved as a Memorandum of Easements on the face of the Land Transfer Plan,

OR

the applicant shall satisfy the Council that appropriate legal access is available.

Roading Fees

Roading Fees Stage One (Lots 1 to 7 and 11 to 15)

24. That the subdivider shall pay Council a District Roding Fee of \$3,291.75 (incl. GST) prior to the issue of a certificate pursuant to Section 224 of the Resource Management Act 1991.

Roading Fees Stage Two (Lots 16 to 25)

25. That the subdivider shall pay Council a District Roding Fee of \$2,992.50 (incl. GST) prior to the issue of a certificate pursuant to Section 224 of the Resource Management Act 1991.

Roading Fees Stage Three (Lots 33 to 36)

26. That the subdivider shall pay Council a District Roding Fee of \$1,197.00 (incl. GST) prior to the issue of a certificate pursuant to Section 224 of the Resource Management Act 1991.

Roading Fees Stage Four (Lots 26 to 32)

27. That the subdivider shall pay Council a District Roding Fee of \$2,094.75 (incl. GST) prior to the issue of a certificate pursuant to Section 224 of the Resource Management Act 1991.

Roading Fees Stage Five (Lots 8 and 9)

28. That the subdivider shall pay Council a District Roding Fee of \$598.50 (incl. GST) prior to the issue of a certificate pursuant to Section 224 of the Resource Management Act 1991.

Approved Landscaping Plan

29. That a detailed landscaping plan shall be submitted for Council's approval in accordance with the recommendations of Landscaping Assessment from Boffa Miskell, dated November 2003, prior to the application for the Section 224(c) Certificate for Stage One.
30. That in regard to Condition 29 above, the landscaping shall be maintained to the satisfaction of the Manager, Resource Management, Hastings District Council.

Balance Site

31. That a Consent Notice pursuant to Section 221 of the Resource Management Act 1991 be issued by Council and registered against the certificate of title to be issued for all non-residential sites (Surveyors Reference 182213/20, dated Dec 2003, **and the amended location of Lot 28 consented to as part of RMA20050053**). The notice shall be registered at the subdivider's expense and shall read as follows:
- That the development shall proceed substantially in accordance with the plans and information submitted in the application (Resource Consent RMA 20030605, **and the amended location of Lot 28 consented to as part of RMA20050053**) to the satisfaction of the Manager, Resource Management.
 - No residential buildings shall occur on-site.
 - That the applicant shall plant the site in accordance with the approved landscaping plan to the satisfaction of the Manager, Resource Management, Hastings District Council.
 - That no further subdivision of the balance area shall be permitted.

- Lot 37 can only be owned by the Eskridge Residents Society Incorporated

Residential Sites

32. That a Consent Notice pursuant to Section 221 of the Resource Management Act 1991 be issued by Council and registered against the certificate of title to be issued for all residential sites (identified as Lots 1 to 36, Surveyors Reference 182213/20, dated Dec 2003, **and the amended location of Lot 28 consented to as part of RMA20050053**). The notice shall be registered at the subdivider's expense and shall read as follows:
- That all development shall be carried out in accordance with the landscaping provisions of the Hastings District Plan as per SLC2.
 - That the development shall proceed substantially in accordance with the plans and information submitted in the application (resource consent RMA 20030605, **and the amended location of Lot 28 consented to as part of RMA20050053**) to the satisfaction of the Manager, Resource Management.
 - That the applicant shall plant the site in accordance with the approved landscaping plan to the satisfaction of the Manager, Resource Management, Hastings District Council.
 - All owners of residential sites become members of the proposed farmpark Society (under the Incorporated Societies Act 1908) and own an undivided share in the balance site.
 - That no further subdivision of the residential sites shall be permitted
 - That no residential site created by this subdivision consent shall be transferred to any other party unless the Certificate of Title to that allotment is already subject to an encumbrance requiring that any transferee is a member of the Esk Ridge Residents Society Incorporated and bound by the terms of the constitution.
 - This property is located in a productive rural area where agricultural management practices such as agrochemical spraying, use of farm machinery, the operation of bird scarers and other similar activities may occur.

Where landuse activities in the surrounding area are carried out in accordance with the relevant district plan requirements, the property owner, or their successor in title shall not:

Bring any proceedings for damages, negligence, nuisance, trespass or interference arising from the use of that land; or

(I) Make nor lodge; nor

(II) Be party to; nor

(III) Finance nor contribute to the cost of;

Any application, proceeding or appeal (either pursuant to the Resource Management Act 1991 or otherwise) designed or intended to limit, prohibit or restrict the continuation of the operations of any rural activity on surrounding land, including without limitation any action to require the surrounding landowners/occupiers to modify the rural operations carried out on their land.

Serving Conditions (Only applicable should sites connect to Council's reticulated water network)

33. That the applicant enters into a supply agreement with HDC to extend the public water supply proposed for Hill Road to service the area.
34. That the applicant shall submit to council a design, including construction drawings, detailing the water services within the subdivision for approval by the Manager, Resource Management, prior to

construction.

35. That the design of the water services (including separate connections to the individual lots) shall be in accordance with the Council's Engineering Code Of Practice (November 1997, and amendments to the date of this approval), unless an alternative design has been approved by the Manager, Resource Management.
36. That the engineering design for water services shall be undertaken by a registered and professionally qualified engineer experienced in water services design and construction.
37. The designer shall issue a producer statement for the services design and the applicant shall supply this statement to council.
38. That the applicant shall construct the water services (including separate connections to the individual lots) in accordance with the approved design.
39. The contractor(s) shall issue a producer statement for the services construction and the applicant shall supply this statement to Council.
40. That the water services shall be tested in accordance with the Council's Engineering Code of Practice in the presence of a Council officer.
41. That as-built plans and data, in accordance with the requirements of Section 2.7.6 of the Council's Engineering Code of Practice (November 1997, and amendments to the date of this approval), shall be submitted to Council once construction is completed and shall be certified as a complete and correct record by a registered and professionally qualified Engineer. Data on water assets is required to be submitted to Council in electronic format and that an electronic data book (e-book) is available for this purpose. As-built data shall be submitted to council prior to application for a Section 224 Certificate.
42. That a registered and professionally qualified Engineer shall certify that the works have been designed and constructed in accordance with the approved design.
43. The project engineer shall issue a producer statement for the supervision of the services construction, the completeness and accuracy of the as-built data, and the applicant shall supply this statement to Council.
44. That the applicant shall submit Form 4-5 "Certification of Construction and Completion of Engineering Works for Subdivision" (Appendix 4.0-1 of the Hastings District Plan) from a registered and professionally qualified engineer, to the Manager, Resource Management, on the completion of the engineering works.
45. That the connection of the subdivision water services with existing services the area will be made at the applicants expense as provided in the supply agreement and constructed by a contractor approved by Hastings District Council for constructing connection to its networks.

With the Reasons for this Decision Being:

1. **No parties are considered to be affected by the proposal variation of Lot 28.**
2. **The effects of the new location of Lot 28 will be no more than minor and the proposal is consistent with the provisions of the Plan in that:**
 - **The new location of Lot 28 is located outside of the Significant Landscape Character Area,**
 - **the platform has already been formed and grassed,**
 - **the platform is located off the ridge line and has a formed earth bund as a back drop,**

- a consent notice will be registered on the title controlling building design and colour,
 - Lot 28 will continue to comply with the minimum site size requirements of the Plan.
3. The proposed subdivision meets the requirements of the Resource Management Act 1991.

Recommended by:

Simon Hill
ENVIRONMENTAL PLANNER (CONSENTS)

Decision issued under Delegated

Authority by:

Ian Macdonald
ENVIRONMENTAL MANAGER
RESOURCE MANAGEMENT

Date:

16th February 2006

Advisory Notes for Information Purposes:

1. At the time of applying for Certification under Sections 223 and 224(c) of the Resource Management Act 1991, the following fees may be payable under Council's Schedule of Resource Management Fees and Charges (*Please Note: These fees are correct at the date of the consent, and are subject to change*):
 - Section 223 certification – Sealing of Survey Plans \$60
 - Section 224 certification – Survey Plans (where 223 and 224 certification are applied for together, this fee will also apply):
 - For Subdivisions of 10 or less lots \$90
 - For Subdivisions of more than 10 \$212
 - Consent Notice (Section 221 of RMA) \$70 (per notice)
 - Roding Engineer Check for 224(c) Certificate:
 - For Subdivisions of 2 or less lots \$90
 - For Subdivisions of between 3 and 10 lots \$180
 - For Subdivisions of more than 10 lots (actual cost based on hourly rates will be charged) \$180 (deposit)
 - East Water Engineer Check for 224(c) Certificate:
 - For Subdivisions of 2 or less lots \$90
 - For Subdivisions of between 3 and 10 lots \$180
 - For Subdivisions of more than 10 lots (actual cost based on hourly rates will be charged) \$180 (deposit)

In respect of any charges under the Resource Management Act 1991, charges shown above shall be applicable to any additional charge payable in terms of Section 36(3) of the Act, where the actual and reasonable costs incurred exceed the standard charge paid.

2. If it is intended to make any changes to the easements, staging or scheme plan approved by the Council as part of this resource consent, a new approval may be required. If you have

any doubts as to whether or not a new application will be required, please contact one of Council's Environmental Consent Planners.

Decision:

Pursuant to Section 125(1) and Section 37(1) of the Resource Management Act 1991, the lapse date for Resource Consent RMA 20030605 is hereby extended until 11th March 2014.

With the Reasons for this Decision Being:

1. Substantial progress has been made towards giving effect to Resource Consent RMA20030605
2. Given the zoning and provisions of the Plan have not changed since the consent was granted, no persons are considered affected by the extension to the lapse date.
3. There has been no change to rules and standards surround farm parks.

Recommended by:

Simon Hill
Environmental Planner (Consents)

**Decision issued under Delegated:
Authority by:**

Ian Macdonald
Environmental Manager

Date:

11th February 2009

Decision:

Pursuant to Sections 104B and 127 of the Resource Management Act 1991, conditions 1, 26, 27, 31 and 32 of Resource Consent RMA 20030605 (Ref: PID 50822, Dated 11 June 2004) are hereby varied so that they now read (changes in bold and under lined):

- 1a. That, except as specifically required by way of the conditions of resource consent RMA20030605 (as amended by variations RMA20030605, RMA20040197, RMA20060053 and RMA20070533, **RMA20100079**), the development shall proceed substantially in accordance with the plans and information submitted within the application. In doing so specific attention must also be given to Section 3.2 of the landscaping assessment from Boffa Miskell, dated November 2003.
- 1b. **That the Land Transfer Plan to give effect to this subdivision consent shall be consistent with the approved plan prepared by Surveying the Bay (from here on it shall be referred to as Stage 3b, being a new stage created between stages 3 and 4), Surveyors Reference: 2823/2, submitted with application RM20100079. A copy of the approved plan is attached, including the following amalgamation conditions:**
- 1) **That Lots 8, 9 & 39 hereon be amalgamated and that one Computer Freehold Register be issued to include these parcels.**
 - 2) **That Lot 37 hereon be transferred to the owners of Lot 37 DP 362557 (CFR 255253), Lot 37 DP 398061 & Lot 37 DP 349975 (CFR 394068) and that one Computer Freehold Register be issued to include these parcels.**

LINZ Reference: 904838

- 1c. **That the required landscaping of the entire balance site shall be completed to the satisfaction of the Group Manager, Planning and Regulatory Services, Hastings District Council before Council sign off on the final 224c for stage 5. (Please note that this condition does not mean that the required landscaping does not have to be done if stages 4 and 5 are never implemented – see landscaping requirements of consent notices in condition 31 below)**
- 1d. **That a monitoring deposit of \$150 (including GST) shall be payable to cover the reasonable costs of monitoring compliance with the above conditions in accordance with Council's schedule of charges.**

In the event of non-compliance being detected by monitoring or justified complaint and/or the costs of monitoring consent exceeding the deposit, the costs to Council of any additional monitoring shall be paid by the consent holder in accordance with the Council's advertised schedule of fees.

- 25b. **Roading fees stage 3b**
There shall be no roading fees payable for stage 3b

Roading Fees Stage Four (Lots 34 to 36)

- 26 That the subdivider shall pay Council a District Roding Fee of \$897.75(incl. GST) prior to the issue of a certificate pursuant to Section 224 of the Resource Management Act 1991.

Roading Fees Stage Three (Lots 25 to 33)

27 That the subdivider shall pay Council a District Roothing Fee of \$2693.25(incl. GST) prior to the issue of a certificate pursuant to Section 224 of the Resource Management Act 1991.

31 **This condition shall apply to stage 3b:** That a Consent Notice pursuant to Section 221 of the Resource Management Act 1991 be issued by Council and registered against the certificate of title to be issued for all non-residential sites within the subdivision. The notice shall be registered at the subdivider's expense and shall read as follows:

- That the development shall, to the satisfaction of the Manager, Resource Management, proceed substantially in accordance with the plans and information submitted in the application for resource consent RMA20030605 as amended by the subsequent applications for variations referenced RMA20040197, RMA20060053 and RMA20070533, **RMA20100079**).
- No residential buildings shall occur on-site.
- That the applicant shall plant the site in accordance with the approved landscaping plan to the satisfaction of the Manager, Resource Management, Hastings District Council.
- That no further subdivision of the balance area beyond that approved by way of Resource Consent RMA20030605 (as amended by variations RMA20030605, RMA20040197, RMA20060053 and RMA20070533, **RMA20100079**). shall be permitted.
- Lot 37 can only be owned by the Eskridge Residents Society Incorporated

32 **This condition shall apply to stage 3b:** That a Consent Notice pursuant to Section 221 of the Resource Management Act 1991 be issued by Council and registered against the certificate of title to be issued for all residential sites. The notice shall be registered at the subdivider's expense and shall read as follows:

- That all development shall be carried out in accordance with the landscaping provisions of the Hastings District Plan as per SLC2.
- That the development shall, to the satisfaction of the Manager, Resource Management, proceed substantially in accordance with the plans and information submitted in the application for resource consent RMA20030605 as amended by the subsequent applications for variations referenced RMA20040197, RMA20060053 and RMA20070533, **RMA20100079**).
- That the applicant shall plant the site in accordance with the approved landscaping plan to the satisfaction of the Manager, Resource Management, Hastings District Council.
- All owners of residential sites become members of the proposed farmpark Society (under the Incorporated Societies Act 1908) and own an undivided share in the balance site.
- That no further subdivision of the residential sites shall be permitted
- That no residential site created by this subdivision consent shall be transferred to any other party unless the Certificate of Title to that allotment is already subject to an encumbrance requiring that any transferee is a member of the Esk Ridge Residents Society Incorporated and bound by the terms of the constitution.
- This property is located in a productive rural area where agricultural management practices such as agrichemical spraying, use of farm machinery, the operation of bird scarers and other similar activities may occur.

Where landuse activities in the surrounding area are carried out in accordance with the relevant district plan requirements, the property owner, or their successor in title shall not:

Bring any proceedings for damages, negligence, nuisance, trespass or interference arising from the use of that land; or

- (I) Make nor lodge; nor
- (II) Be party to; nor
- (III) Finance nor contribute to the cost of;

Any application, proceeding or appeal (either pursuant to the Resource Management Act 1991 or otherwise) designed or intended to limit, prohibit or restrict the continuation of the operations of any rural activity on surrounding land, including without limitation any action to require the surrounding landowners/occupiers to modify the rural operations carried out on their land.

With the Reasons for this Decision Being:

1. The proposed variation will not cause any significant increase in the adverse effects of the activity and will be consistent with the Objectives, Policies and other provisions of the Hastings District Plan, in that:
 - The proposal and future consent notices will in no way change the overall layout or required landscaping
 - No new titles or development rights will be created or moved
3. No parties were considered affected by the changes to these conditions.
4. The application is consistent with the purpose of the Resource Management Act 1991.

Recommended by:

**Simon Hill
ENVIRONMENTAL PLANNER (CONSENTS)**

**Decision issued under Delegated
Authority by:**

**Katrina Burton
ENVIRONMENTAL CONSENTS MANAGER
RESOURCE MANAGEMENT**

Date:

10th of September 2010

Our ref: 13/1

14/08/2012



Hastings District Council
Private Bag 9002
HASTINGS 4156

Dear Sir/Madam

WASTEWATER NOTICE FOR ESKRIDGE DRIVE

Please may it be noted that the following undeveloped properties of Eskridge Drive have been identified as sites which may potentially have issues with their wastewater discharge:

Lot 3 DP 349975	Lot 22 DP 349975
Lot 4 DP 349975	Lot 23 DP 349975
Lot 5 DP 349975	Lot 24 DP 349975
Lot 7 DP 349975	Lot 25 DP 362557
Lot 11 DP 349975	Lot 27 DP 362557
Lot 13 DP 349975	Lot 28 DP 362557
Lot 15 DP 349975	Lot 29 DP 362557
Lot 16 DP 349975	Lot 30 DP 362557
Lot 17 DP 349975	Lot 31 DP 362557
Lot 18 DP 349975	Lot 32 DP 362557
Lot 21 DP 349975	Lot 33 DP 362557

The restricted suitable area available for the discharge of domestic on-site wastewater means that specialist advice and design may be required for the on-site wastewater treatment system.

Contact Hawke's Bay Regional Council for further information.

Yours sincerely



Wendy Robinson
Consents Officer
RESOURCE MANAGEMENT GROUP
Phone: (06) 833 8022
Email: wendyr@hbrc.govt.nz



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**




R.W. Muir
Registrar-General
of Land

Identifier **255251**
Land Registration District **Hawkes Bay**
Date Issued 27 November 2009

Prior References
204507

Estate Fee Simple
Area 4746 square metres more or less
Legal Description Lot 32 Deposited Plan 362557

Registered Owners

Stephen Paul Fiet and Victoria Margaret Fiet

Interests

Appurtenant hereto is a right to convey water, electricity, telecommunications and computer media created by Easement Instrument 6302409.26 - 7.2.2005 at 9:00 am

8304138.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 27.11.2009 at 10:27 am

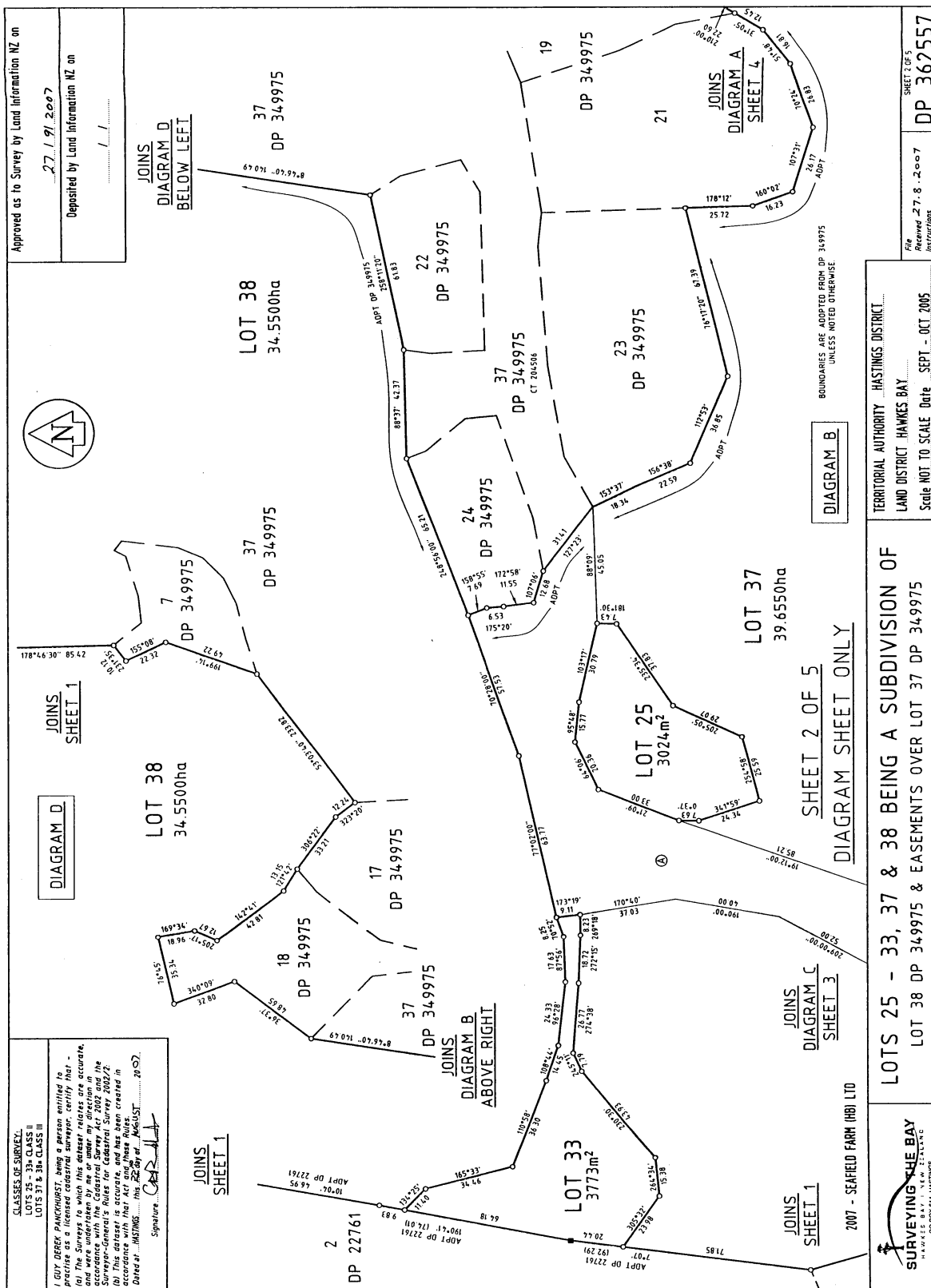
Appurtenant hereto is a right of way, and a right to convey water, electricity, telecommunications and computer media created by Easement Instrument 8304138.7 - 27.11.2009 at 10:27 am

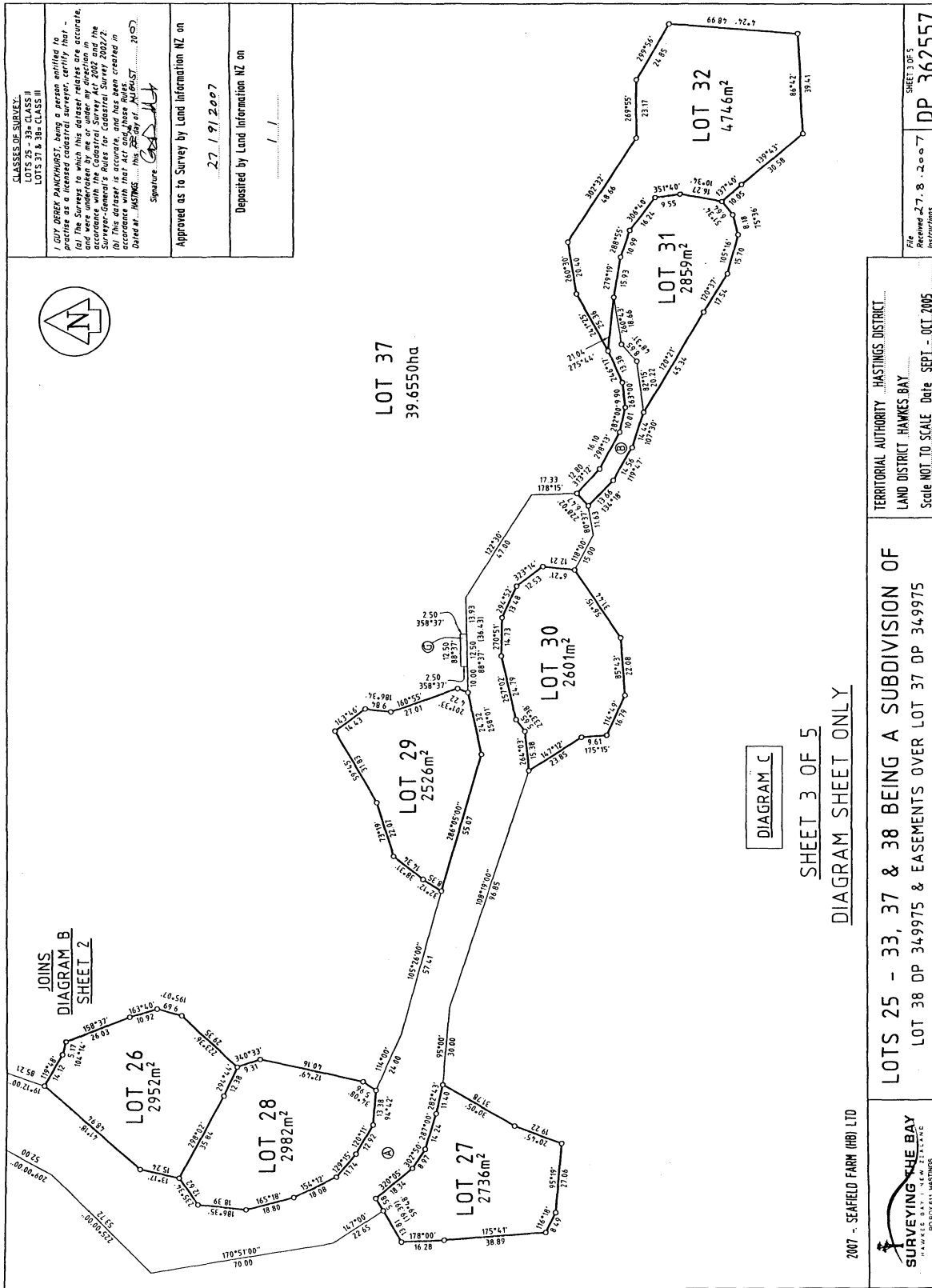
Land Covenant in Transfer 8304138.8 - 27.11.2009 at 10:27 am

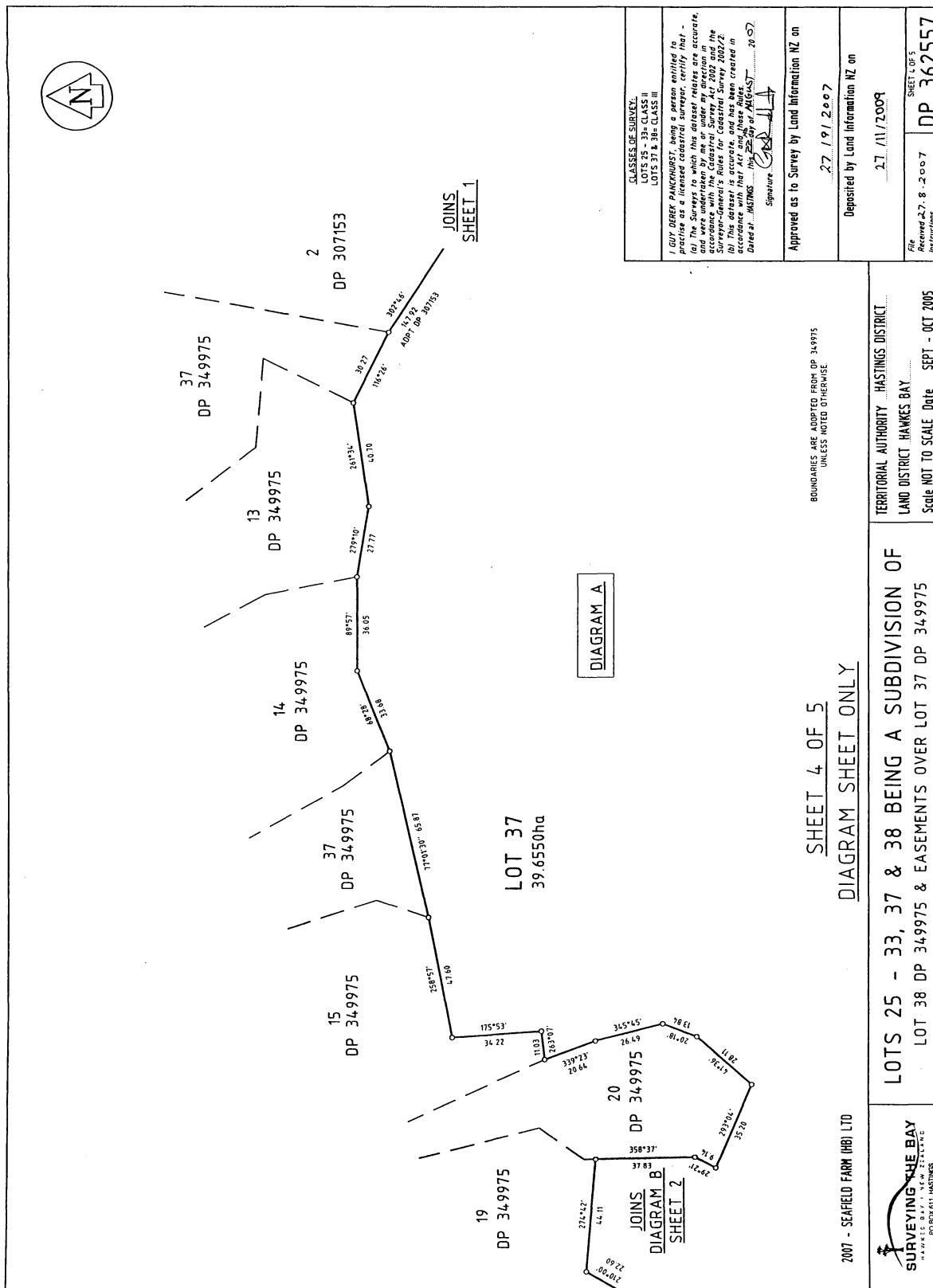
Land Covenant in Transfer 9461419.1 - 30.7.2013 at 4:41 pm

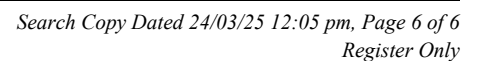
12067166.2 Mortgage to Westpac New Zealand Limited - 31.3.2021 at 4:05 pm

Search Copy Dated 24/03/25 12:05 pm, Page 2 of 6
Register Only









View Instrument Details



Instrument No	8304138.2
Status	Registered
Date & Time Lodged	27 November 2009 10:27
Lodged By	Yeatts, Glenda Merle
Instrument Type	Consent Notice under s221(4)(a) Resource Management Act 1991



Toitū Te Whenua
Land Information
New Zealand

Affected Computer Registers Land District

204507

Hawkes Bay

Annexure Schedule: Contains 2 Pages.

Signature

Signed by John Anthony McAra as Territorial Authority Representative on 27/11/2009 09:53 AM

*** End of Report ***

If calling ask for Simon Hill

TRIM/File Ref 50822#0035
Our Ref: RMA 20030605 (Stage 3)



**HASTINGS
DISTRICT
COUNCIL**

HASTINGS. THE LIFESTYLE OF CHOICE.
A PLACE OF OPPORTUNITIES

25 November 2009

**CONSENT NOTICE PURSUANT TO
SECTION 221 OF THE RESOURCE MANAGEMENT ACT 1991**

IN THE MATTER OF LT 362557

AND

IN THE MATTER OF Consent Notice pursuant to
Section 221 of the Resource
Management Act 1991.

I hereby certify that under delegated authority the **Hastings District Council**, in approving LT 362557 imposed a Condition on Lots 25 to 33, pursuant to Section 221 of the Resource Management Act 1991.

CONDITIONS:

- That no earthworks, building development or associated works, services or structures shall be erected/installed except in accordance with the recommendations of the:
 - geotechnical report (dated the 30th of October 2009) prepared by Tonkin Taylor, (Reference Number: 19393.002) and
 - comments made on Hastings District Council's Form 4-6 (signed by Tonkin and Taylor on 2/11/2009)
 to the satisfaction of the Manager, Resource Management, Hastings District Council (these reports are held by the Hastings District Council; TRIM 50822#00027).
- That all development shall be carried out in accordance with the landscaping provisions of the Hastings District Plan as per SLC2.
- That the development shall, to the satisfaction of the Manager, Resource Management, proceed substantially in accordance with the plans and information submitted in the application for resource consent RMA20030605 as amended by the subsequent applications for variations referenced RMA20040197, RMA20060053 and RMA20070533.
- That the applicant shall plant the site in accordance with the approved landscaping plan to the satisfaction of the Manager, Resource Management, Hastings District Council.
- All owners of residential sites become members of the proposed fampark Society (under the Incorporated Societies Act 1908) and own an undivided share in the balance site.
- That no further subdivision of the residential sites shall be permitted

PLANNING AND REGULATORY SERVICES

Private Bag 9002, HASTINGS 4156
DX MA75020
Phone 06 878 0500 Fax 06 878 0515
www.hastingsdc.govt.nz

- That no residential site created by this subdivision consent shall be transferred to any other party unless the Certificate of Title to that allotment is already subject to an encumbrance requiring that any transferee is a member of the Esk Ridge Residents Society Incorporated and bound by the terms of the constitution.
- This property is located in a productive rural area where agricultural management practices such as agrichemical spraying, use of farm machinery, the operation of bird scarers and other similar activities may occur.

Where landuse activities in the surrounding area are carried out in accordance with the relevant district plan requirements, the property owner, or their successor in title shall not:

Bring any proceedings for damages, negligence, nuisance, trespass or interference arising from the use of that land; or

- (I) Make nor lodge; nor
- (II) Be party to; nor
- (III) Finance nor contribute to the cost of;

Any application, proceeding or appeal (either pursuant to the Resource Management Act 1991 or otherwise) designed or intended to limit, prohibit or restrict the continuation of the operations of any rural activity on surrounding land, including without limitation any action to require the surrounding landowners/occupiers to modify the rural operations carried out on their land.

DATED AT HASTINGS this 25th day of November 2009.

SIGNED BY:



Phil Evans
AUTHORISED OFFICER
TEAM LEADER ENVIRONMENTAL CONSENTS
PLANNING AND REGULATORY SERVICES

T&T Ref : 19393.002
30 October 2009

Seafield Farms
c/- Pegasus Civil Ltd
PO Box 7052
Taradale
Napier 4141

Attention: Dan Heaps

Dear Dan

**Geotechnical Certification for
Stage 2 (Lots 25 to 33 only), Eskridge Subdivision**

1 Introduction

This letter confirms that we were involved with this project initially in the role of geotechnical investigators and subsequently with limited (approximately fortnightly) construction inspections of earthworks in 2004 and 2005. Opus International Consultants Ltd (OIC) initially carried out detailed site inspections and in situ earthworks testing but was subsequently replaced as the geotechnical inspector/tester by Jacka Consulting Ltd (JCL) in late 2004.

Site observation and in situ testing data was supplied to us by OIC and subsequently JCL for our review. This letter describes our conclusions from that review.

2 Technical review

In situ vane shear strength and air voids testing for compliance with the earthworks specification were conducted by OIC and JCL. Twenty eight **Shear Strength** and sixty four **Nuclear Densometer** (Air voids) tests were carried out during the construction period. The attached results showed that the shear strengths comfortably exceeded the minimum specification of 140 kPa and below the maximum requirement air voids of 10%. Table 1 below summarises these results.

Table 1 – Summary of in situ earthworks testing

	Shear Strength	Air Voids
Average	194 kPa	4.2%
10 th Percentile	124 kPa	9.5%
90 th Percentile	>225 kPa	0.1%

Note: Shear strength readings >225 kPa were assumed to be 225kPa

The only non-complying results were a zone of fill about 3 m beneath finished ground level on Lot 28. This material recorded an average shear strength of 130 kPa compared with the specified minimum of 140 kPa. As the strength was only marginally less than specified and all the air voids achieved the specification, it was judged that this zone of fill did not require replacement. All other test results were acceptable.

3 Conclusions

Based on our site limited inspections and review of site test data provided by others, we conclude that the construction works have been carried out in general accordance with the recommendations of our preliminary geotechnical report 19393 dated august 2003. There are, however, some fill slopes adjacent to the access tracks for Lots 28 and 33 that are steeper than the 2H:1V maximum recommended in the report. **In addition, some engineered fill was placed at the head of the northern slope of Lot 32.** The natural slope below Lot 32 is greater than 2H:1V. It is possible that some instability may occur in these fill slopes during extreme weather or earthquake events. Accordingly, we recommend that the generic building setback (from the break in slope) is increased for Lot 28 and Lot 32 and this is discussed in Section 4 below.

We also conclude that, based on our construction inspections and the review of the as built plans, earthworks on the main access road and internal access roads have been carried out in accordance with the recommendations in our investigation report dated August 2003. The alignment is effectively as shown on DeSign Works (HB) Limited drawing INT 04 C01 'Earthworks and Roding Site Plan' with appropriate minor site modifications to suit the localised topography and ground conditions. From our site inspections, we consider the final alignment to be suitable from engineering considerations.

From our observations and review, it appears that only clean fill has been used a fill material and the earthworks have been carried out in accordance with acceptable engineering standards. Copies of the cut and fill contour plan and final as-built drawing have been provided by Surveying the Bay and are attached to this letter.

To summarise, from our inspections and review of the site testing data, we are satisfied that the works have been undertaken in accordance with Conditions 8, 19, 20 and 22 of the Resource Consent.

4 Building development

Attached is Form 4-6: "Statement of Professional Opinion as to Suitability of Land for Building Development Subdivision". On the form, we have indicated that specific design is required for building foundations within 8 m of the head of slopes exceeding 15° with the exception of Lot 28 which as described in Section 3.0, requires a 10 m setback (without specific design) due to a steep fill slope on the access track. We also recommend that a 14m setback (without specific design) is applied to Lot 32 due to fill being placed at the head of the steep natural slope. The recommended setback distance is necessary to allow for potential instability on the outer edge of slopes during seismic events and also for downslope creep of soil near the edge of building platforms during static conditions. Accordingly, any foundations constructed within this zone require specific design to allow for this potential instability. All foundations should be founded a minimum of 600 mm beneath adjacent ground level to minimise the effect of seasonal shrink/swell effects. At this depth, an allowable bearing pressure of 100 kPa (150 kPa Ultimate Limit State) is expected to be available.

It must be stressed that stormwater control is particularly important to slope stability. Under no circumstances should concentrated stormwater flows be discharged over the adjacent slopes and final site contouring should deflect stormwater flows away from houses. In general terms, all runoff from house roofs and hard stand areas should be collected and piped to the base of the slopes.

5 Observation

The Eskridge subdivision was constructed in 2004 and 2005; the engineered fill slopes have performed with minimal instability in the subsequent years during numerous extreme rainfall events and earthquakes. It should be noted that during these weather events, many significant landslips have occurred in flatter natural sloping ground in the Hawkes Bay region.

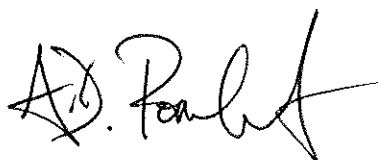
6 Applicability

This report has been prepared for the benefit of Seafield Farms with respect to the particular brief given to us and it may not be relied upon in other contexts or for any other purpose without our prior review and agreement. To undertake this assessment we have relied upon test results provided to us by others.

During excavation and construction, the site should be examined by an engineer or engineering geologist competent to judge whether the exposed subsoil's are compatible with the inferred conditions on which the report has been based. However, it is important that we be contacted if there is any variation in subsoil conditions from those described in this summary report.

We trust this meets your requirements. Please do not hesitate to contact us if you require any further information or assistance

Yours faithfully




Grant Loney
Project Director

Encl. Site Plan with as built contours and location of building platforms: F01
Site plan with Existing Cut & Fill Contours: F02
Cross-Sections showing extent of building zones: F03
In situ test results
Hastings District Council Form 4.6

3-Nov-09
GAL:rmt
p:\19393\19393.002\workingmaterial\gal301009.1eL.doc

To: Hastings District Council
Private Bag 9002
HASTINGS

Statement of Professional Opinion As to
Suitability of Land for
Building Development

Subdivision: Eskridge Stage 2
Owner/Developer: Seafield Farms
Location: Hill Road, Esk Valley, Hawkes Bay
I, Grant Alan Loney
(full name)
of Tonkin + Taylor, Carlton Gore Rd, Newmarket, Auckland
(address)

hereby confirm that:

1. I am a suitably qualified professional experienced in the field of Geotechnical Engineering and was retained by the owner/developer in this regard on the above subdivision. My qualifications are BE Civil-Inst, CPENG, INTPE, NIPEN 2
2. The extent of my inspections during construction, and the results of all tests carried out are described in my report dated the attached letter, as built plans and test results.
3. In my professional opinion, not to be construed as a guarantee, I consider that:
 - * a. The earth fills shown on the attached Plan No 19393.002-F02 have been placed in compliance with the Code of Practice of the Hastings District Council.
 - * b. The completed works give due regard to the land slope and foundation stability considerations.
 - * c. The filled ground is suitable for the erection thereon of residential buildings not requiring specific design in terms of NZS 3604 and related documents providing that:
 - (i) All buildings foundations within 8m of the head of slopes exceeding 15° be subjected to specific design (Lots 25-27, 29-33)
 - (ii) Lot 28 - foundations within 10m of the head of slopes exceeding 15° be subjected to specific design.
 - * d. The original ground not affected by filling is suitable for the erection thereon of residential buildings not requiring specific design in terms of NZS 3604 and related documents providing that:
 - (i) All building foundations within 8m of the head of slopes exceeding 15° be subjected to specific design (Lots 25-27, 29-33 only)
 - (ii) Lot 28 - foundations within 10m of the head of slopes exceeding 15° be subjected to specific design
4. This professional opinion is furnished to the Council and the owner/developer for their purposes alone, on the express conditions that it will not be relied upon by any other person and does not remove the necessity for the normal inspection of foundation conditions at the time of erection of any dwelling.

Signed Grant Alan Loney PT & T Date 2/11/09

* Delete items not applicable

(iii) Lot 32 - foundations within 16m of the head of the northern slope be subjected to specific design