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3 September 2025

Jemma McLean

### **LAND INFORMATION MEMORANDUM (LIM)**

The attached LIM provides you with information about 6 Hadfield Road, Te Horo.

The information provided in this LIM has been gathered from all the information the Council holds on this property, as at the date of your application.

It is important to note that the Council has not undertaken an on-site inspection of the property and there may be information which is not known to Council - for example, illegal or unauthorised building or works on the property.

If you have any future plans to develop this property please contact us for advice about how to proceed and the process for obtaining the necessary approvals.

In addition to the information in this LIM you may be interested to find out more about the Kapiti Coast District. Information and advice on council services and our District Plan are available on our website: [www.kapiticoast.govt.nz](http://www.kapiticoast.govt.nz)

Finally, if you have any questions about your LIM, please don't hesitate to contact us at [kapiti.council@kapiticoast.govt.nz](mailto:kapiti.council@kapiticoast.govt.nz) or 0800 486 486.



Steve Cody  
**Building Team Manager**

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# Land Information Memorandum (LIM)

Prepared by Kāpiti Coast District Council for the property located at:

**6 Hadfield Road, Te Horo**



### Document information

This Land Information Memorandum (LIM) has been prepared for the purpose of section 44A of the Local Government Official Information and Meetings Act 1987 (LGOIMA). It is a summary of the information that we hold on the property. Each heading or 'clause' in this LIM corresponds to a part of section 44A of LGOIMA.

The information provided is based on a search of Council database records as at the date of your application and not an inspection of the property. There may be other information relating to the land which is unknown to Council, for example, illegal or unauthorised building or works on the property. Any person obtaining a LIM is solely responsible for ensuring that the land is suitable for a particular purpose.

Third party reports included in this LIM are for information only. We recommend independent advice before relying on them.

### Application details

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<b>Applicant</b>	Jemma McLean
<b>LIM number</b>	L250922
<b>Application date</b>	27/08/25
<b>Issue date</b>	03/09/25

### Property details

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<b>Property address</b>	6 Hadfield Road, Te Horo
<b>Legal description</b>	LOT 3 DP 531543
<b>Area (hectares)</b>	1.2149

### Valuation information

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<b>Valuation number</b>	1490005601
<b>Capital value</b>	\$1,400,000
<b>Land value</b>	\$580,000
<b>Improvements value</b>	\$820,000

Please note that these values are intended for rating purposes only.

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### Attachments

- Glossary of Terms and Maps
- Aerial Photograph
- Deposited Plan/Record of Title
- District Plan Zones
- District Plan Precincts and other overlays
- District Plan Features
- District Plan Natural Hazards – Active Faults
- District Plan Natural Hazards – Flooding
- Latest Flood Hazards
- Resource Consents - Maps and Summary Detail (if applicable)
- Health and Alcohol Licenses
- Services Network
- As Built Drainage Plan (if applicable)
- Resource Consent documents (if applicable)
- Earthquake-Prone Building documents (if applicable)

### 1. Rates

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*In this section: information relating to any rates owing in relation to the property.*

Rates are charged in four instalments for the period commencing 1 July and ending 30 June each year. Amounts stated are inclusive of GST.

<b>Current rates year</b>	Current Rates Year 2025 to 2026
<b>Annual rates</b>	The annual rates for 2025/26 rating year are \$4,313.47 This includes Greater Wellington Regional Council.
<b>Next instalment date</b>	09/09/25
<b>Arrears for previous years</b>	\$0.00
<b>Water rates</b>	Not Applicable
<b>Water balance due</b>	Not Applicable

For further information on this section, contact the Rates Team on 0800 486 486.

## 2. Consents, Certificates, Notices, Orders or Requisitions affecting the land and buildings

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*In this section: information concerning any consent, certificate, notice, order, or requisition affecting the land or any building on the land previously issued by Council; information required to be provided to a territorial authority under section 362T(2) of the Building Act 2004; and information concerning any certificate issued by a building certifier pursuant to the Building Act 1991 or the Building Act 2004.*

### Building Consents

- 06/04/21 BUILDING CONSENT 210166 : Construct new garage :  
No Code Compliance Certificate has yet been issued
- 14/09/19 BUILDING CONSENT 190682 : New 5 bedroom, 2 bathrooms, 4 toilets, 2  
living areas, double internal garage :  
Code Compliance Certificate issued 31/03/20

To date not all inspections for Building Consent 210166 have been undertaken and a Code Compliance Certificate has not been issued. Under the Building Act 2004 a new owner inherits the responsibility, including any outstanding fees, for this consent and any additional work that may be required before the Code Compliance Certificate can be issued. Please contact Council for further information.

### Engineer's report

Further building may require an Engineer's soil report and, if necessary, a foundation design.

### Wind

Indicative wind zones can be found at [BRANZ Map](#). Wind zones should be determined in accordance with the New Zealand Building Code.

For further information on this section, contact the Building Team on 0800 486 486.

### Swimming Pools: Compliance with the Building Act 2004

SW2309: It has not been possible to undertake an inspection of the property at this time to determine if the pool is fenced in accordance with the Building Act 2004. The Council cannot comment on the status of the swimming pool fencing.

Swimming pools are inspected on a 3 yearly cycle to ensure their compliance with the Building Act 2004. This information was accurate at the time of the last inspection.

For further information on this section, contact the Building Team on 0800 486 486.

### Registered Environmental Health Premises and Licences

No information located.

For further information on this section, contact the Environmental Health Team on 0800 486 486.

### 3. Weathertightness

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*In this section: information notified to the Council under section 124 of the Weathertight Homes Resolution Services Act 2006.*

The Council has received no correspondence from the Ministry of Business, Innovation and Employment in relation to this property.

### 4. Land use and Conditions

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*In this section: information relating to the use to which that land may be put, and conditions attached to that use.*

#### **Planning/Resource Management**

District Plan Zone/Precinct/Development Area: Rural Lifestyle

The District Plan maps provided with this LIM provide a useful visual overview of the planning information provided in this LIM. However, the planning information provided is not exhaustive and reference to the Operative District Plan (2021) is recommended.

Full details of the relevant zone, precinct or development area requirements are contained within the Operative District Plan (2021) on our website [Operative District Plan 2021 \(kapiticoast.govt.nz\)](https://www.kapiticoast.govt.nz/Operative-District-Plan-2021)

There may be policies or rules in the Greater Wellington Regional Council's Natural Resources Regional Plan (and/or a proposed change to that Plan) that regulate land use on this property. This Plan is available from the Greater Wellington Regional Council website [www.gw.govt.nz/](http://www.gw.govt.nz/).

Questions about the impact of that Plan on this property should be made to the Greater Wellington Regional Council on 0800 496 734.

#### **District Plan Features and Overlays**

The Operative District Plan (2021) records which properties in the District have these special features and overlays located on them. Each feature and overlay is given a unique reference number or title. There are specific restrictions on development within or around many of these features. The District Plan Features Map provided with this LIM displays whether any of these features are on, or adjacent to, this property.

This property is zoned Rural Lifestyle in the Operative District Plan (2021).

This property was created via subdivision in 2019 under resource consent number RM180182. A copy of the Decision is provided with this LIM.

Section 221 Consent Notices were imposed as part of this subdivision and previous subdivision of the underlying Lot (Parent Title) which require certain conditions to be complied with on an on-going basis. For detail refer to the attachments provided with this LIM.

This property is subject and appurtenant to water supply rights. Copies of the Deposited Plan (DP 531543) and Record of Title are provided with this LIM.

It is recommended that the Record of Title is checked for any interests registered against the property such as easements or covenants.

Below is a list of resource consents issued in relation to this property and further detail can be found in the decision letters provided with this LIM.

RESOURCE CONSENT RM190160: To undertake earthworks for the construction of a dwelling that exceeds permitted activity standards within the Rural Zone.

RESOURCE CONSENT RM180182: Undertake a three lot rural residential subdivision. (Found on related property: 1490005600).

RESOURCE CONSENT RM950038: 10 additional lots at Octavius Rd, Peka Peka.

There is no record of any further resource consents for this property. For information about any resource consents for surrounding properties refer to the Resource Consents map and Summary Details Report provided with this LIM.

If you are interested in reading the full resource consent file then these can be viewed at the Council administration building at 175 Rimu Road, Paraparaumu. Note: some resource consent files may be archived offsite; however these can be retrieved for you. Please call the Resource Consents Team on 0800 486 486 to check the availability of the files.

This property is adjacent to land which is shown to contain a specific feature on it that is recorded in the Operative District Plan (2021).

This feature is:

Designation: land required for infrastructure or other public purposes.

(KRH-001) (Old reference D0301) Railway purpose, railway through the Kapiti Coast District.

(NZTA-005) (Old reference D0108) Construction, operation, and maintenance of the Mackays to Peka Peka Expressway, MacKays to Peka Peka Expressway.

This property contains and is adjacent to land which is shown to contain a specific feature on it that is recorded in the Operative District Plan (2021).

This feature is:

Transportation Noise Effects Route - which includes designations for both State Highway No.1 (D0101) and Railway (D0301). This requires an acoustic design to new residential buildings or major additions.

There is no record of any identified cultural or archaeological sites contained on this site.

For further information on this section, contact the Resource Consents Team on 0800 486 486.

## 5. Special Features and Characteristics of the land

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*This section identifies information held by Council about:*

- *natural hazards and the impacts of climate change that exacerbate natural hazards;*
- *potential natural hazards and potential impacts of climate change that exacerbate natural hazards; and*
- *information about other special features or characteristics of the land concerned, including information about the likely presence of hazardous contaminants that are known to Council, but are not apparent from its District Plan under the Resource Management Act 1991.*

### **Climate Change**

Any available information regarding the potential impacts of climate change is currently contained in the natural hazard section.

### **Contaminated Sites**

Greater Wellington Regional Council holds information on properties with a history of hazardous activity or industry. Refer to the Selected Land Use Register available on the Greater Wellington Regional Council website [Greater Wellington - Search Selected Land Use Register \(gw.govt.nz\)](https://www.gw.govt.nz/selected-land-use-register).

### **Natural Hazards**

A Natural hazard is defined as any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affects human life, property, or other aspects of the environment.

If this property has been the subject of a Resource Consent or Building Consent since 1 July 2020 a geotechnical assessment may have been supplied with that application. A geotechnical report may contain advice about ground conditions at that site including liquefaction, slope stability assessment as well as commentary on ground bearing capacity. All available Building Consent geotechnical assessments are located in attached building files. Where available Resource Consent geotechnical assessments are referenced in attached resource consent decision documents, for further information contact the Resource Consents Team on 0800 486 486.

### **Coastal Erosion and Inundation Hazards**

Council holds a number of reports that assess the possibility that areas of the Kāpiti Coast District shoreline may be susceptible to current and future coastal erosion and inundation. The available information on coastal hazards that are specific to the District are available on the following link: [www.kapiticoast.govt.nz/coastal-science](https://www.kapiticoast.govt.nz/coastal-science). The science of coastal erosion and inundation continues to develop as national and international best practice changes, and new information is released. The information received by Council will therefore outline different perspectives.

Currently, information specific to the Kapiti Coast District includes:

- Council-commissioned assessments by Jacobs NZ Ltd, including coastal area-specific risk assessments, a hazard and susceptibility assessment, and the coastal hazards GIS map viewer allowing you to assess how any particular property may be affected.
- A community commissioned coastal hazard risk assessment report by Dr Willem de Lange and related predicted shoreline maps.
- Advice from the Ministry for the Environment and the Department of Conservation on coastal hazard risk identification and management of coastal risks.

Council will consider the information and its possible impact on Kāpiti properties, as part of its review of coastal provisions in the Council's Operative District Plan. On 30 January 2025 Council resolved that this work is a priority to progress.

### Earthquakes

Greater Wellington Regional Council holds information on earthquake risks in the Kapiti Coast District. This information, along with associated Earthquake Risk Maps, can be found on the Greater Wellington Regional Council website [www.gw.govt.nz/](http://www.gw.govt.nz/).

Earthquake fault traces within the Kapiti Coast are mapped in the Operative District Plan (2021). These are shown (if applicable) on the District Plan Features Map provided with this LIM and are available on our website [Operative District Plan 2021 \(kapiticoast.govt.nz\)](http://Operative District Plan 2021 (kapiticoast.govt.nz)).

### Fire

Due to its climate and geographical features, the Kapiti Coast District can be susceptible to risks of fire, including wildfire. More information on this risk can be found in the [District Plan](#), while mapping of the rural wildfire fire risk across the Wellington Region on the Greater Wellington Regional Council website ([GWRC rural wildfire risk](#)).

### Liquefaction

Due to its geographic location and soil typology, the Kapiti Coast District may be susceptible to liquefaction in the event of an earthquake. More information on this risk can be found in the [District Plan](#), while mapping of [combined earthquake risk](#) including liquefaction, can be found on the Greater Wellington Regional Council website.

### Tsunami Evacuation Zones

Tsunami Evacuation Zone Maps have been developed by the Greater Wellington Regional Council to assist emergency preparedness by identifying the areas residents may need to evacuate in the event of a tsunami.

Each map has three evacuation zones: red, orange and yellow. The updated tsunami evacuation maps for Kapiti can be viewed at the Council's website at [www.kapiticoast.govt.nz/our-district/cdem/get-prepared/tsunami-zones/](http://www.kapiticoast.govt.nz/our-district/cdem/get-prepared/tsunami-zones/).



### Other Information

The adjacent road carriageway (State Highway No.1) is shown to be subject to flood hazards in the Operative District Plan (2021), and the latest Flood Hazard Maps.

The flood hazard identified on the maps provided with this LIM is based on the projected future flooding risk to the property including climate change projections.

The maps show the projected flood extent arising from the 1% AEP or 1% Annual Exceedance Probability Flood Event (that is, a flood event that has a 1% probability of occurring in any one year, often referred to as a 1 in 100 year storm), incorporating the projected 2090 climate change impacts, in conjunction with a 20 year return period high tide.

The nature of the controls imposed by the District Plan depends on where individual sites are located within the 1 in 100 year flood extent; which flood hazard map (operative or latest) is referenced in legislation or the District Plan, and which flood hazard category applies.

The adjacent road carriageway (State Highway No.1) is shown to be subject to ponding on the Operative District Plan (2021) Flood Hazard Maps, and the latest Flood Hazard Maps.

Ponding are areas where slower-moving flood waters could pond either during or after a flood event. A Ponding Area may be affected by a direct flood risk. Ponding can be associated with rivers and streams as well as the piped stormwater network. Ponding is a direct risk.

The adjacent road carriageway (State Highway No.1) is shown to be subject to a stream corridor on the Operative District Plan (2021) Natural Hazard Maps, and the latest Flood Hazard Maps.

A stream corridor flood hazard is the minimum area able to contain a flood of up to a 1% AEP event magnitude and enable flood water to safely pass to the stream confluence or the sea. It includes flood and erosion prone land immediately adjacent to the stream.

The adjacent road carriageway (State Highway No.1) is shown to be subject to flood storage areas on the Operative District Plan (2021) Flood Hazard Maps, and the latest Flood Hazard Maps.

Flood storage areas are areas that provides flood water storage either during or after a flood event. Flood Storage Areas are located on local streams only. They include land that has been identified as flood prone where loss of storage due to mitigating measures, or filling, will cause flooding elsewhere. Any proposal for development of these areas (including filling) will need to provide compensatory storage below set ponding levels.

For further information on flood hazards please contact the Stormwater and Coastal Asset Manager on 0800 486 486.

Greater Wellington Regional Council holds flood hazard information relating to the major rivers and streams in the District. For further information on these flood hazards, please contact the Greater Wellington Regional Council (Flood Control Department) on 0800 496 734.

For information on minimum floor levels for buildings and the potential implications for building consents on this property please contact the Building Team on 0800 486 486.

For further information on this section, contact the Resource Consents Team on 0800 486 486.

### 6. Other land and building classifications

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*In this section: This is information which, in terms of any other Act, has been notified to the Council by any statutory organisation having the power to classify land or buildings for any purpose.*

No information located.

### 7. Private and Public stormwater and sewerage drains

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*In this section: Information on private and public stormwater and sewerage drains as shown in the Council's records.*

Sewerage runs to a private on-site septic tank and effluent disposal field. An as-built plan of private drainage and site plan are provided with this LIM

Stormwater discharges are via the water re-use tank(s) installed in accordance with the Council District Plan Water Demand Management Solution. Overflow from water re-use tank(s) is confined to site.

For further information on this section, contact the Plumbing & Drainage Team on 0800 486 486.

### 8. Drinking water supply

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*In this section: information on whether the land is supplied with drinking water and if so, whether the supplier is the owner of the land or a networked supplier; any conditions that are applicable; and any information the Council has about the supply.*

There is no Council water supply system available. Water will be privately supplied. Private storage tank(s) should be a minimum of 30,000 litres.

For further information on this section, contact the Plumbing & Drainage Team on 0800 486 486.

### 9. Network utility information

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*In this section: information which has been notified to the Council by any network utility operator pursuant to the Building Act 1991 or the Building Act 2004.*

Contact Electra for power availability and Vector for gas availability.

### 10. Other information about the property

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*In this section: information concerning the land and the property that the Council has the discretion to include if it considers it to be relevant.*

#### **Cultural and Archaeological**

The settlement history of the Kapiti Coast suggests that there are still an unknown number of unidentified cultural and archaeological sites within the District and indeed these are still being discovered during earthworks from time to time. The Heritage NZ Pouhere Taonga Act 2014 provides for substantive penalties for unauthorised destruction or modification of an archaeological site.

More detail on what to look for and who to contact can be found on our website:

[www.kapiticoast.govt.nz/Our-District/Tangata-Whenua](http://www.kapiticoast.govt.nz/Our-District/Tangata-Whenua)

#### **Development Impact Fees**

Development Impact Fees consist of a combination of development contributions and financial contributions (including Reserves Contributions) from all new developments e.g. a new residential dwelling or a subdivision as well as new or expanded non-residential buildings.

Further information on the range of Development Impact Fees can be found on [Development impact fees - Kāpiti Coast District Council \(kapiticoast.govt.nz\)](http://www.kapiticoast.govt.nz/Development-impact-fees)

## Glossary of Terms and Maps attached

### **Aerial Photograph**

A birds-eye view in colour of the property and its surrounds.

### **Deposited Plan**

Sometimes referred to as a 'Flats Plan' or 'Title Plan'. A Deposited Plan covers more than one lot (or property) and has a diagram showing the boundary distances and the land area. A Record of Title relates to a specific property and shows current owner and interests (such as mortgages, encumbrances and easements).

### **Building Information** (if requested)

This includes any information Council holds about any structure that is on the lot (property), e.g. plumbing, drainage and floor plans and elevation drawings of the building and any alterations or additions to it, together with any code compliance certificates.

### **Services Network Map**

Information on private and public stormwater and sewerage drains on the property as shown in Council's records.

### **Location of Health and Alcohol Licenses**

This map shows the location of registered businesses in the neighbourhood that hold health and alcohol licenses.

### **Resource Consents**

Included with this LIM are Reports and Maps of resource consents (if applicable that relate to the property) and a list of resource consents in the neighbourhood of the property that have been notified. The District Plan contains rules about different types of activities in different parts of the district. Anything not permitted by the Plan requires a resource consent. When a resource consent application is received the Council determines whether or not to notify it on the basis of the environmental effects under Section 95A-F of the Resource Management Act 1991.

### **Designation(s)** (if applicable)

A designation is a planning technique used by Ministers of the Crown, councils and network utility operators approved as requiring authorities under section 167 of the Resource Management Act 1991. It provides for 'spot zoning' over a site, area or route in a district plan which authorises the requiring authority's work and activity on the site, area or route without the need for a land use resource consent.

### **District Plan**

Every city and district council is required to have a District Plan under the [Resource Management Act 1991](#). The District Plan plays a big part in how Kapiti develops. The rules in the Plan determine what you can and can't do on your property without permission from Council - whether it be subdividing, renovating, building a new garage or deck, or starting a home business. This LIM includes maps which show the Zone, Precinct, or Development Area (if relevant), the Features, Overlays and the Natural Hazards that relate to the rules in the District Plan.

### **Latest Flood Hazards**

To better understand the extent of the flood hazard risk in the District and to assist in the potential mitigation of this risk, Council has over the years undertaken a number of floodplain management investigations. This map shows the latest flood hazard information; these are not necessarily included in the Operative District Plan (2021). This information is particularly relevant if you are considering subdividing the land or constructing a building.



# Aerial Photography

6 Hadfield Road, Te Horo (LOT 3 DP 531543)



0 30 60 Metres

Scale @ A4 - 1:1,500

Date Printed: August 28, 2025

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



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** **867911**  
**Land Registration District** **Wellington**  
**Date Issued** 05 April 2019

**Prior References**  
WN47C/822

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**Estate** Fee Simple  
**Area** 1.2149 hectares more or less  
**Legal Description** Lot 3 Deposited Plan 531543  
**Original Registered Owners**  
Geoffrey William Fleetwood Thompson and Janette Daphne Thompson

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**Interests**

B498339.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 25.1.1996 at 3.54 pm  
Subject to a right of water supply over part marked D on DP 531543 created by Easement Certificate B498339.7 - 25.1.1996 at 3.54 pm  
Appurtenant hereto is a right of water supply created by Easement Certificate B498339.7 - 25.1.1996 at 3.54 pm  
Land Covenant in Transfer B578225.2 - 26.3.1997 at 11.45 am  
B602098.1 Variation of Land Covenant in Transfer B578225.2 - 12.6.1997 at 2.30 pm  
Land Covenant in Transfer B710982.2 - 10.3.1999 at 10.36 am  
5330548.3 Mortgage to Bank of New Zealand - 30.8.2002 at 1:59 pm  
11407246.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 5.4.2019 at 1:35 pm  
11415847.1 Discharge of Mortgage 5330548.3 - 24.4.2019 at 2:06 pm  
11415847.2 Transfer to Adam James Beattie and Laura Michelle Beattie - 24.4.2019 at 2:06 pm  
11415847.3 Mortgage to ANZ Bank New Zealand Limited - 24.4.2019 at 2:06 pm





# Title Plan - DP 531543

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**Survey Number** DP 531543  
**Surveyor Reference** 2275 Geoff Thompson  
**Surveyor** Paul William Turner  
**Survey Firm** Landlink Ltd  
**Surveyor Declaration** I Paul William Turner, being a licensed cadastral surveyor, certify that:  
(a) this dataset provided by me and its related survey are accurate, correct and in accordance with the Cadastral Survey Act 2002 and the Rules for Cadastral Survey 2010, and  
(b) the survey was undertaken by me or under my personal direction.  
Declared on 02 Apr 2019 05:00 PM

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## Survey Details

<b>Dataset Description</b>	Lots 3 and 4 being Subdivision of Lot 1 DP 81236		
<b>Status</b>	Deposited		
<b>Land District</b>	Wellington	<b>Survey Class</b>	Class B
<b>Submitted Date</b>	02/04/2019	<b>Survey Approval Date</b>	04/04/2019
		<b>Deposit Date</b>	05/04/2019

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## Territorial Authorities

Kapiti Coast District

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## Comprised In

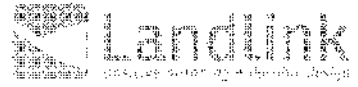
RT WN47C/822

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## Created Parcels

Parcels	Parcel Intent	Area	RT Reference
Lot 4 Deposited Plan 531543	Fee Simple Title	1.7842 Ha	867910
Lot 3 Deposited Plan 531543	Fee Simple Title	1.2149 Ha	867911
Area D Deposited Plan 531543	Easement		
<b>Total Area</b>		2.9991 Ha	

# Schedule / Memorandum



Land Registration District

Wellington

Plan Number

DP 531543

Territorial Authority

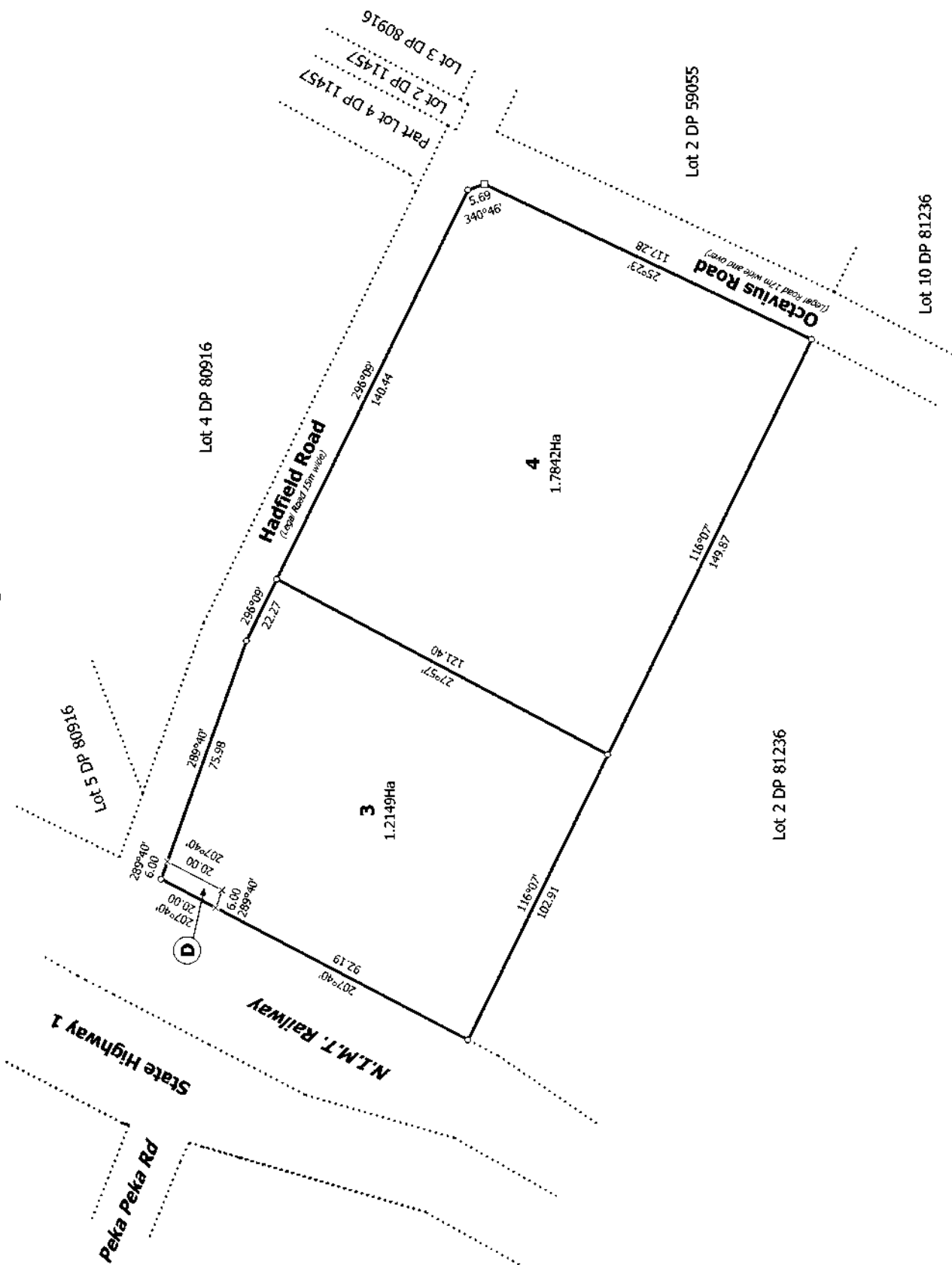
Kapiti Coast District Council

Schedule of Existing Easements			
Purpose	Shown	Burdened Land	Created by
a right of water supply.	D	Lot 3 DP 531543	EC B498339.7

LL File: 2275 Thompson  
TA File: RM180182



Diag. A



T 1/1

Land District: Wellington

Digitally Generated Plan

Generated on: 15/04/2019 08:01 am Page 3 of 3

Lots 3 and 4 being Subdivision of Lot 1 DP 81236

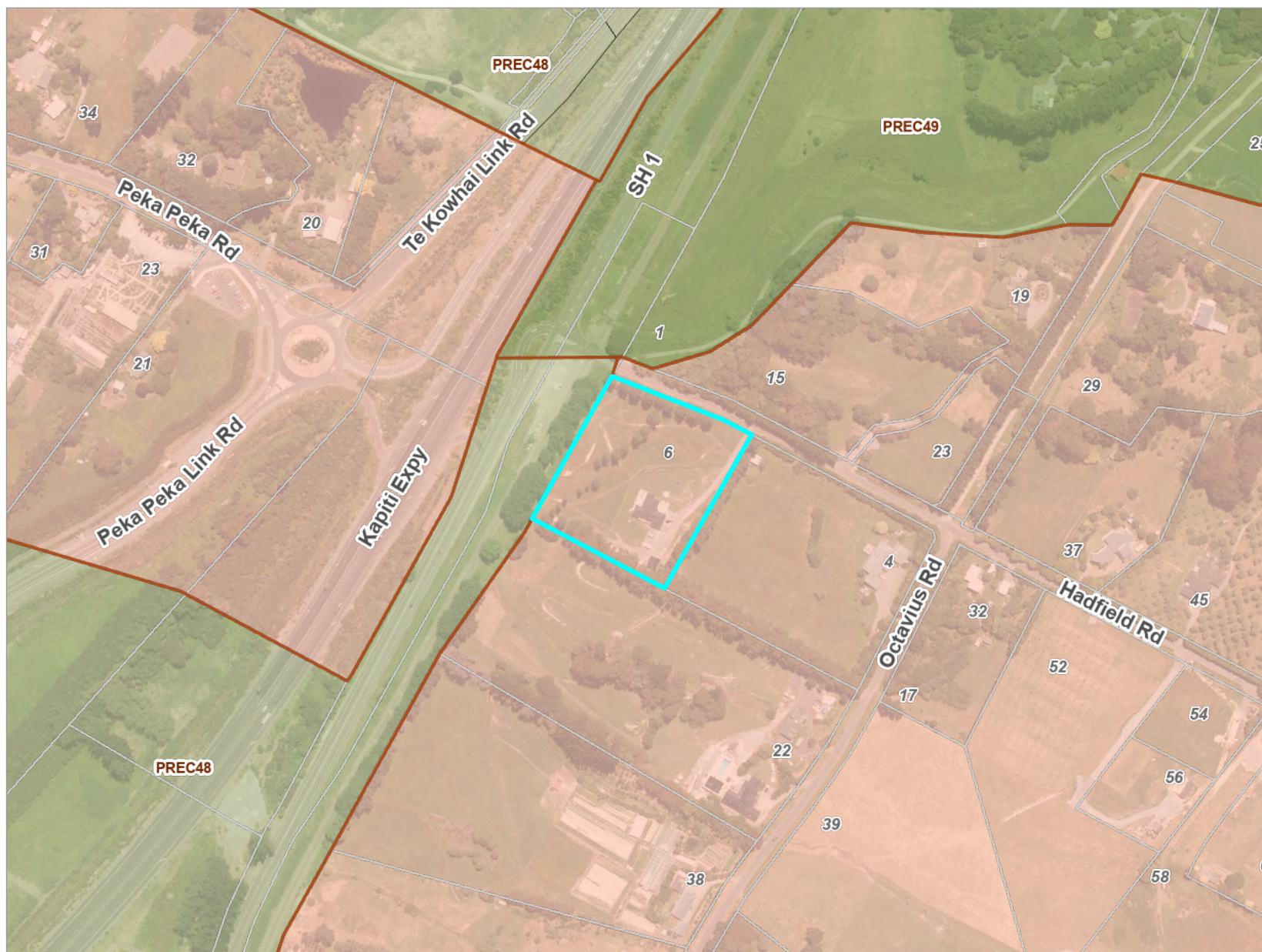
Surveyor: Paul William Turner  
Firm: Landlink Ltd

Title Plan  
DP 531543





Deposited on: 5/04/2019

# Operative District Plan 2021 - Zones and Precincts

6 Hadfield Road, Te Horo (LOT 3 DP 531543)



## Key to map symbols

-  Precinct
-  General Rural Zone
-  Rural Production Zone
-  Rural Lifestyle Zone



0 90 180 Metres

Scale @ A4 - 1:4,000

Date Printed: August 28, 2025

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# Operative District Plan 2021 - Historical, Cultural, Infrastructure & Districtwide

## 6 Hadfield Road, Te Horo (LOT 3 DP 531543)



### Key to map symbols

-  Strategic Arterial Routes (or SH1)
-  Local Community Connectors
-  Historic Heritage Places
-  Noise Corridor
-  Coastal Environment

The 'Key to map symbols' column above will be empty if no relevant District Plan Features are present in the area shown on this map.



0 90 180 Metres  
Scale @ A4 - 1:4,000

Date Printed: August 28, 2025

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# Operative District Plan 2021 - Designations & Miscellaneous Features

6 Hadfield Road, Te Horo (LOT 3 DP 531543)



## Key to map symbols

 Designation

The 'Key to map symbols' column above will be empty if no relevant District Plan Features are present in the area shown on this map.



0 90 180 Metres

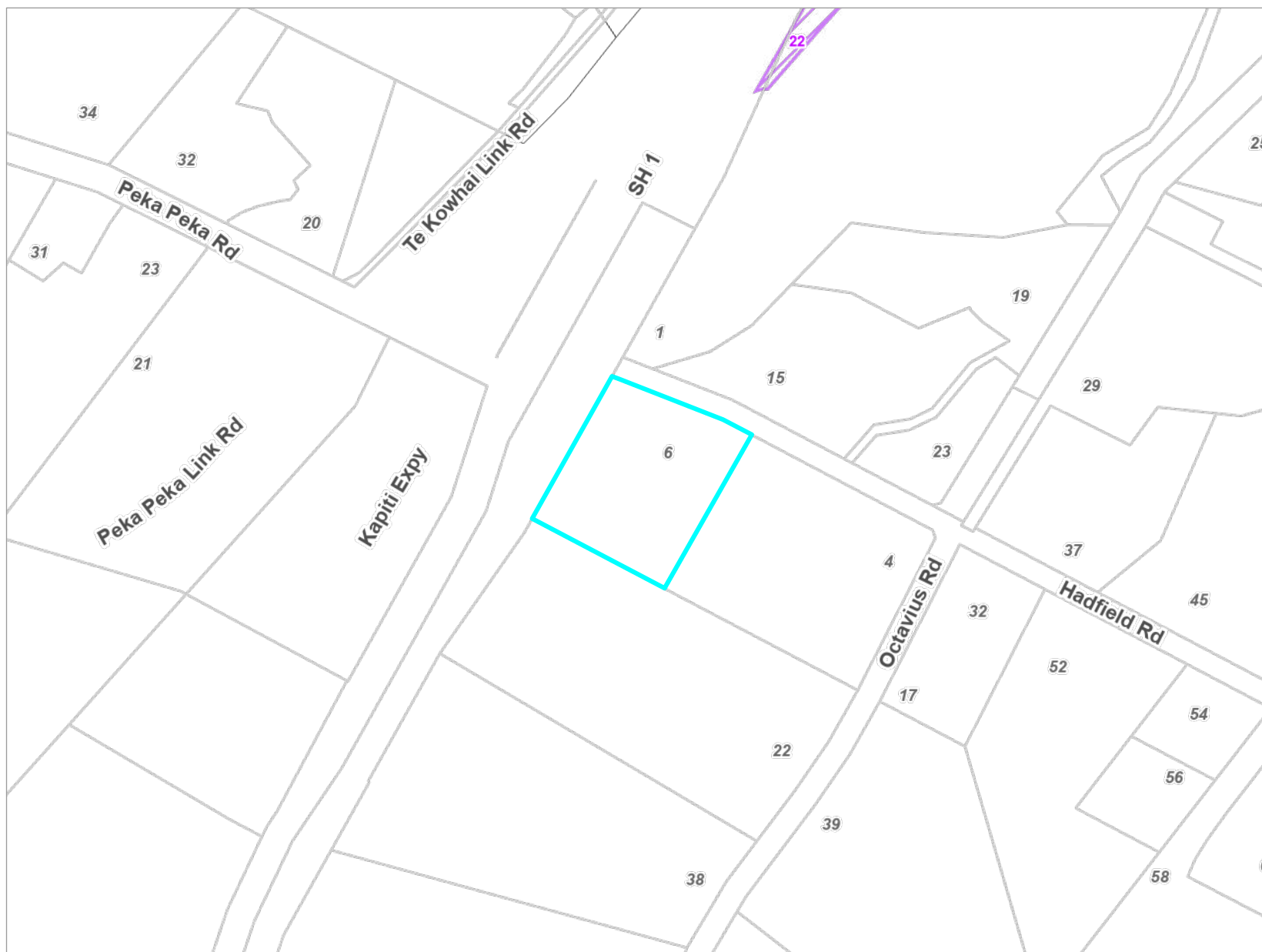
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# Operative District Plan 2021 - Natural Features

6 Hadfield Road, Te Horo (LOT 3 DP 531543)



## Key to map symbols

 Special Amenity Landscapes

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0 90 180 Metres

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# Operative District Plan 2021 - Natural Hazards

6 Hadfield Road, Te Horo (LOT 3 DP 531543)



## Key to map symbols

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0 90 180 Metres

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# Latest Flood Hazards

6 Hadfield Road, Te Horo (LOT 3 DP 531543)



## Key to map symbols

- Stream Corridor
- Storage
- Ponding

The 'Key to map symbols' column above will be empty if no Flood Hazards are present in the area shown on this map.



0 240 480 Metres  
Scale @ A4 - 1:10,000

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# Resource Consents Map

6 Hadfield Road, Te Horo (LOT 3 DP 531543)



## Key to map symbols

 Resource Consents

The 'Key to map symbols' column above will be empty if no Resource Consents are present in the area shown on this map.



0 70 140 Metres  
Scale @ A4 - 1:3,000

Date Printed: September 1, 2025

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## Resource Consents Report

Resource Consent Number	Location	Valuation Number	Property Legal Description	Consent Type	Consent Proposal	Notified Yes/No	Hearing Yes/No	Consent Status	Decision Date	App.Date
040316	22 Octavius Road, Waikanae	1490005602	LOT 2 DP 81236	LD	Earthworks to create building platform and	N	N	Decision Issued	10/12/2004	28/10/2004
070195	38 Octavius Road, Waikanae	1490005603	LOT 3 DP 81236	LD	Construct a 6 x 9 metre garage 7.50 metres from the road	N	N	Decision Issued	9/7/2007	25/6/2007
060030	4 Octavius Road, Waikanae	1490005600	LOT 1 DP 81236	LD	Earthworks to create building platform and	N	N	Decision Issued	22/2/2006	2/2/2006
190150	6 Hadfield Road, Te Horo	1490005601	LOT 3 DP 531543	LC	To undertake earthworks that exceeds the permitted	N	N	Application Returned incomplete		28/6/2019
180182	4 Octavius Road, Waikanae	1490005600	LOT 1 DP 81236 C/T 47C/822	SN	Undertake a three lot rural residential subdivision.	N	N	s.224 Issued	14/9/2018	22/8/2018
190160	6 Hadfield Road, Te Horo	1490005601	LOT 3 DP 531543	LDR	To undertake earthworks for the construction of a dwelling	N	N	Decision Issued	2/8/2019	10/7/2019
220031	19 Hadfield Road, Te Horo	1490003213	LOT 1 DP 579669	LDR	A three lot subdivision and cancelation of a consent notice	N	N	s.224 Issued	16/5/2022	9/2/2022
240014	23 Hadfield Road, Te Horo	1490003214	LOT 2 DP 579669	LDR	Undertake earthworks not meeting permitted activity	N	N	Decision Issued	1/7/2024	9/2/2024
950038	38 Octavius Road, Waikanae	1490005603	LOT 3 DP 81236	SC	10 additional lots at Octavius Rd, Peka Peka	N	N	s.224 Issued	22/5/1995	20/3/1995
950350	19 Hadfield Road, Te Horo	1490003213	LOT 1 DP 579669	LC	RELOCATION OF EXISTING HOUSE FROM LOWER HUTT TO	N	N	Decision Issued	27/10/1995	20/10/1995

Resource Consent Number	Location	Valuation Number	Property Legal Description	Consent Type	Consent Proposal	Notified Yes/No	Hearing Yes/No	Consent Status	Decision Date	App.Date
950307	32 Hadfield Road, Te Horo	1490003201	LOT 2 DP 59055 CT 32A/558	LC	GROWING AND SELLING GARDEN PLANTS FROM	N	N	Decision Issued	25/10/1995	19/9/1995
980501	4 Octavius Road, Waikanae	1490005600	LOTS 1 2 6 DP 81236	LD	PREPARATION OF BUILDING SITE/MISCELLANEOUS EARTHWORKS AND	N	N	Letter sent	18/12/1998	24/11/1998

# Health and Alcohol Licenses

6 Hadfield Road, Te Horo (LOT 3 DP 531543)



## Key to map symbols

■ Health

The 'Key to map symbols' column above will be empty if no Health and Alcohol Licences are present in the area shown on this map.



0 90 180 Metres

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# Services Network

6 Hadfield Road, Te Horo (LOT 3 DP 531543)



## Key to map symbols

- SW Point
- SW Pipe

The 'Key to map symbols' column above will be empty if no Services are present in the area shown on this map.



0 90 180 Metres

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# DRAINAGE PLAN NOTES:

- All Plumbing and Drainage to be in accordance with AS/NZS 3500.2 for ground floor systems and for single stack systems
- Plumber/drainlayer to fill out producer statement and return to council with an as built drainage plan
- pipes to be inspected before covering with sand
- A tempering valve is required to be installed on the hot water service
- No pipes at any point exceed 10m in length from dn 100 vented drain
- Non-potable supply appropriately protected from cross connection hazards & is identified by appropriate signage
- HWC to be no less than 65 degrees at the cylinder to prevent against legionella bacteria.
- Water temperature delivered to sanitary fixtures to be no more than 55 degrees in compliance with G12

## PIPE GRADIENTS

- Minimum grades for drains and discharge pipes
- 65° & less = 1 in 40
- 80° & 100° = 1 in 60

## HOT & COLD WATER

- All hot & cold water pipes in house to be run in Dux Secura Polybutylene plumbing system
- 20mm for Main and to HWC
- 15mm to all other branches
- 15mm to exterior taps
- Kitchen hot water supply pipe to be 10mm if over 12m in length but must be under 25m long

OVERFLOW RELIEF GULLY HEIGHT CLEARANCE TO COMPLY WITH AS3500.2 CL 4.6.6.6 & CL 4.6.6.7

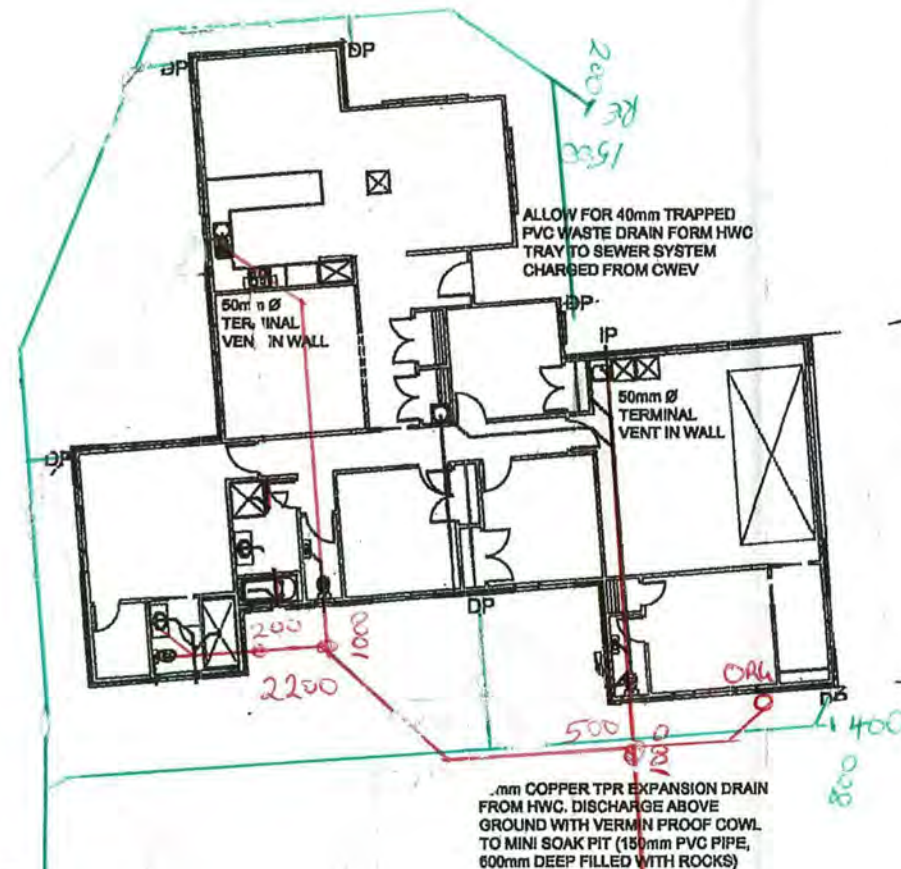
150mm BELOW THE LOWEST FIXTURE & 75mm ABOVE THE IMPERMEABLE SURFACE

Laid by  
STREAMLINE PLUMBING  
AND DRAINAGE  
DANIEL HOLLAND  
REV # 240  
ON 9/10/2019  
IN 100mm S&B  
PVC PIPE.

## NOTES:

ALL SEWER & STORMWATER PIPES TO BE 100mm Ø  
ALL PIPE WORK ABOVE SLAB TO BE 40mm Ø  
WC WASTE PIPE TO BE 100mm Ø

ALL EXPOSED HOT & COLD WATER PIPES TO BE LAGGED IF IN FROST PRONE AREA



NOTE:  
WATER SUPPLY TO HOUSE  
VIA A PURETEC HYBRID  
WATER FILTER SYSTEM

2 x 25000lt STORMWATER  
TANKS WITH DIVERTRON  
1200x SUBMERSIBLE PUMP

OVERFLOW FROM TANKS TO  
NATURAL SWALE.  
OUTFALL SHALL BE VIA ROCK  
DISSIPATER TO REMOVE THE  
VELOCITY & DAMAGE ASSOCIATED  
WITH FAST MOVING WATER

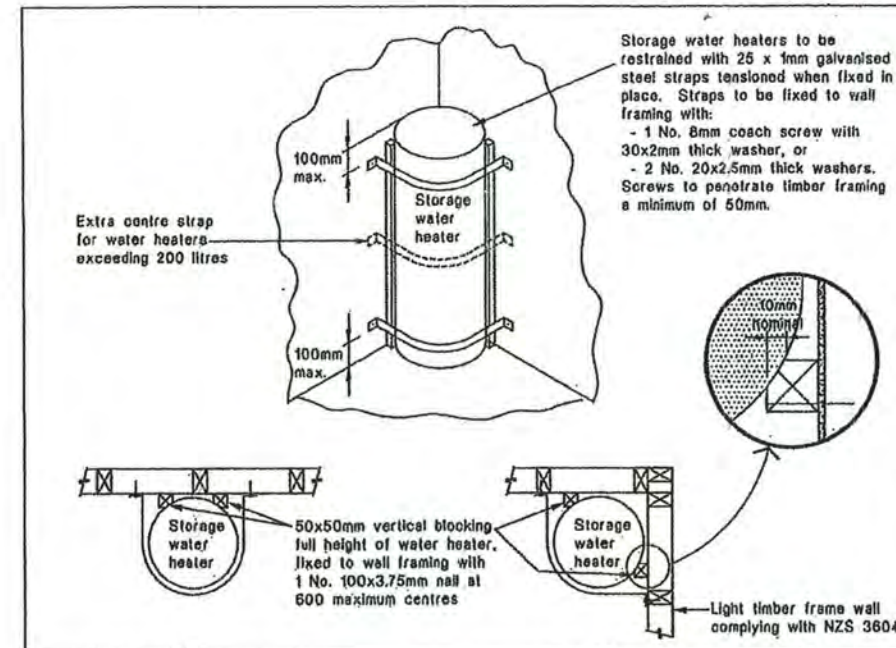
1 x 30000lt STORMWATER TANK FOR FIRE  
FIGHTING REQUIREMENTS (ADDITIONAL  
WATER FOR FIRE FIGHTING SUPPLIED FROM  
COMMUNITY FIRE FIGHTING TANK ON ROAD).  
OVERFLOW TO HOUSE TANKS

NOTE:  
THE FIRE FIGHTING HYDRANT IS TO BE  
POSITIONED 6m MIN FROM DWELLING TO  
ENABLE FIREMEN ACCESS TO THE HYDRANT  
SHOULD THE BUILDING ITSELF BE ON FIRE

NOTE:  
DRIVEWAY TO BE FORMED WITH  
PERMEABLE MATERIAL

ALLOW FOR 4.5m x 11m HARD  
STANDING AREA IN FRONT OF GARAGE  
FOR FIRE FIGHTING APPLIANCES

HARD METAL ACCESS  
FOR FIRE TRUCK



## Revisions:

AUGUST 2 / 2019 rev A  
SEPTEMBER 6 / 2019 rev B

## CONSENT PLANS

Project:  
**NEW  
DWELLING**  
LOT 3 HADFIELD ROAD  
PEKA PEKA

Client:  
**BEATTIE**

Drawing Title:  
**DRAINAGE PLAN**

Designer:  
**COASTAL  
ARCHITECTURE LTD.**  
11 Kodex Place  
Paraparaumu  
New Zealand  
Tel: 04 296 1248  
e-mail: coastarchdesign@gmail.com

Design:  
MB  
Drawn:  
BF  
Scale:  
as shown

Job:  
980060  
Page of:  
2  
Rev:  
B



**G.J. Gardner** HOMES  
New Zealand's favourite home builders

All work shall be in accordance with the NZBC. If in doubt ASK The Contractor must verify all dimensions on the job before commencing any work or shop drawings. Figures dimensions are to be used, scaled dimensions must be verified. This drawing and concept are copyright of M and L Barke Construction Ltd. Kapiti / Wellington Franchisee for G.J. Gardner Homes. The recipient of this document is prohibited from disclosing its content for any purpose without the prior written consent of M and L Barke Construction Ltd. Kapiti / Wellington Franchisee for G.J. Gardner Homes



14 September 2018

RM180182

FINAL APPROVED PLAN

KAPITI COAST DISTRICT COUNCIL

14 September 2018

Geoff Thompson  
C/- Landlink  
PO Box 170  
Waikanae 5254  
Attn: Olivia Campbell

Dear Geoff,

**RM 180182: Undertake a three lot rural residential subdivision.**

We are pleased to enclose the decision on your Resource Consent application.

**As you will see from the decision, there are a number of conditions that need to be complied with.**

If you do not agree with the conditions of your consent you may lodge an objection with the Council in accordance with Section 357 of the Resource Management Act 1991. The objection would be heard by Hearing Commissioners. Please note that, if you do wish to object, you must advise the Resource Consents Manager no later than 15 working days from the date of receiving this consent.

If you have any concerns regarding the conditions please contact me prior to lodging an objection to discuss on (04) 2964 885 as it may be possible to make minor amendments or corrections outside of the objection process.

If the deposit paid at the time of lodging your resource consent application has not been sufficient to cover the Council's costs of considering your application you will receive an invoice in the next few weeks.

Please note that this consent will lapse within 5 years of the date of issue of this decision unless it is given effect to within that time. You may apply for an extension of the consent before the consent lapses. Please contact the Council to find out more if you wish to do this.

The Resource Consents Team is continually working to improve the service we provide and would appreciate your feedback. We would be grateful if you could please take the time to complete an online survey.

Yours sincerely



Louise White  
**Resource Consents Planner**  
14 September 2018

14 September 2018

RM180182

FINAL APPROVED PLAN

KAPITI COAST DISTRICT COUNCIL

## RESOURCE CONSENT UNDER PART VI OF THE RESOURCE MANAGEMENT ACT 1991 CONSENT NO: RM180182

<b>APPLICANT:</b>	Geoff Thompson
<b>LOCATION OF ACTIVITY:</b>	4 Octavius Road, Waikanae
<b>DESCRIPTION OF ACTIVITY:</b>	Undertake a three lot rural residential subdivision.

### DECISION:

**Granted subject to conditions** on 14 September 2018.

That officers, acting under authority delegated from the Council and pursuant to Sections 104 and 104B, with reference to section 104D and section 106 of the Resource Management Act 1991, hereby **grant** consent for a three lot rural residential subdivision at 4 Octavius Road, Waikanae (LOT 1 DP 81236 held in computer freehold register 47C/822), subject to the following conditions which were imposed under Sections 108 and 220 of the Resource Management Act 1991.

### Conditions:

#### General

1. The e-survey dataset shall be in general conformity with the Landlink plan titled "Scheme Plan – Proposed Subdivision of Lot 1 DP 81236", drawing number 2275-P1-001, Revision B stamped as 'Final Approved Plans' on 14 September 2018, and the information lodged with the application for RM180182, except where modified by conditions of consent.
2. The proposed subdivision shall be completed in general accordance with the plans, information and specifications lodged with the application supplied by the consent holder and held on the file RM180182 except where modified by conditions of consent, with reference to the following plans stamped as 'Final Approved Plans' on 14 September 2018:
  - Landlink plan titled 'Scheme Plan – Proposed Subdivision of Lot 1 DP 81236', drawing number 2275-P1-001, Revision B dated 7/2/2018



14 September 2018

RM180182

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Landlink plan titled 'Development/Engineering Plan – Proposed Subdivision of Lot 5 DP 81236, drawing number 2275-p1-002, Revision B, dated 7/2/2018

Easements

3. Easements are required over any rights of way and communal, private and public services where these pass through the lots in the subdivision. The Council may require other easements. Easement documents shall be prepared by solicitors at the consent holder's expense. This consent is conditional on the easements being granted or reserved and they must be subject to section 243 of the Resource Management Act 1991.

Fees, Levies and Contributions

4. A Reserve Contribution is payable and has been assessed at \$13,649.74 (i.e \$6,824.87 per allotment) inclusive of GST.

The contribution must be paid prior to the issue of any certificate pursuant to section 224(c) of the Resource Management Act 1991.

5. The consent holder shall pay Council Engineering Fees of \$612.00 plus \$306.00 per lot (total \$1224.00 GST inclusive) for work that may be required for plan approvals, site inspections and consent compliance monitoring, plus any further monitoring charge or charges to recover the actual and reasonable costs that have been incurred to ensure compliance with the conditions attached to this consent.

***Note:*** Prior to the issue of any certificate pursuant to section 224(c) of the Resource Management Act 1991, the engineering fee shall be paid and the consent holder will be advised of further monitoring charge or charges as they fall due. Such further changes are to be paid prior to the issue of any certificate pursuant to section 224(c) of the Resource Management Act 1991.

Prior to works commencing:

6. The consent holder shall comply with the requirements of the Kapiti Coast District Council's (KCDC's) Subdivision and Development Principles and Requirements 2012 (SDPR: 2012), unless alternatives are proposed by the consent holder and accepted by the Council's Development Engineer.
7. The consent holder shall submit to Council for certification copies of the plans and specifications for the engineering development in accordance with Paragraphs 1 to 5 of Schedule 1 contained in Part 4 of the KCDC's SDPR: 2012.
8. The consent holder shall supply a site plan and information to the Council's Development Engineer for approval, detailing:
  - The two new accesses including visibility splays;
  - The extent of vegetation removal required to meet sightlines for the two new accesses;
  - A 'traffic management plan' if vegetation is required to be removed from the grass verge of the legal road to meet sightlines for the two new accesses.

No work shall commence until the plans, information and specifications for the engineering development have been approved by the Council's Development Engineer in writing.

***Note:*** Engineering drawings shall contain sufficient detail to clearly illustrate the



14 September 2018

RM180182

FINAL APPROVED PLAN

KAPITI COAST DISTRICT COUNCIL

proposal to enable assessment of compliance with the KCDC's SDPR: 2012 and to enable accurate construction.

The consent holder shall advise Council's Development Engineer the names of the Developer's or Owner's Representative(s) appointed in terms of Clause B(ii) of Part 3 of the KCDC's SDPR: 2012.

10. The consent holder shall advise the names and professional qualifications of any Suitably Qualified Persons required in terms of Clause B(iii) of Part 3 of the Kapiti Coast District Council's Subdivision and Development Principles and Requirements 2012. Suitably Qualified Persons are required for, but not necessarily limited to, the following areas:

- foundation recommendations;
- on site stormwater attenuation;
- civil works.

**Note:** If the Council considers any of the nominated persons are not acceptable then the consent holder shall nominate alternative persons, or the Council may require the consent holder to employ a specified Suitably Qualified Person or Persons at the consent holders cost.

Prior to sitework commencing:

11. The consent holder shall notify Council's Development Engineer prior to commencement of the following stages of work, so that the Council's Development Engineer, or their authorised representative, are present on site to inspect certain stages of the works. These stages are as follows:
- commencement of works or recommencement after a substantial lapse;
  - completed earthworks and prepared driveway subgrade;
  - finished base course before the commencement of driveway sealing;
  - driveway during Benkelman Beam testing;
  - road sealing – waterproof and final seal coat;
  - final inspection.

Earthworks

12. The consent holder shall not remove soil support from adjacent lots.
13. All batters shall be self-supporting.
14. Earthworks to establish the culverts shall only occur when no water is flowing or contained within the stream within the subject site.
15. Land disturbed by earthworks, trenching or subdivision construction activities shall ensure that dust nuisance is maintained within the site.
16. The consent holder shall ensure that all vehicles exiting the site do not track material onto the road.
17. If some contaminant material is tracked on to the road, the consent holder shall clean and repair the road back to its original condition. In doing this, the consent holder shall ensure that no material washes or is swept into any stormwater drains or natural drainage system.

14 September 2018

RM180182

FINAL APPROVED PLAN

KAPITI COAST DISTRICT COUNCIL

#### Culverts

18. Both culverts shown on the application plan referenced in condition 2 shall be designed and constructed in accordance with NZS4404:2010 Cl.4.3.9.6 & SDPR Part 4 Schedule 4 Cl.4.3.9.6.

#### Foundations

19. The present holder or future owners of Lot 2 and Lot 3 shall undertake earthworks associated with the Engineering Report by Landlink supplied with the application and dated 21 August 2018 in accordance with Section 2 of NZS4404:2010 (except where altered by Schedule 2 of the Subdivision and Development Principles and Requirements 2012) unless otherwise agreed with the Council Development Engineer in writing. Upon completion of the earthworks a Schedule 2A form (NZS4404:2010) shall be signed and submitted by the geo-professional to the Council's Development Engineer.

**Note:** A Consent Notice under Section 221 of the Resource Management Act will be issued to facilitate the recording of this condition which is to be complied with on an on-going basis.

#### Accesses for Lots 2 and 3

20. Access for proposed Lot 2 and Lot 3 shall be sealed to the boundary and the rural vehicle crossings (including visibility splays and culverts) to be constructed and maintained in accordance with KCDC standard drawing KCDC-RD-017.

**Note:** A Consent Notice under Section 221 of the Resource Management Act will be issued to facilitate the recording of this condition which is to be complied with on an on-going basis

21. Vegetation shall be trimmed and maintained in accordance with the plan that is to be submitted to and approved by the Council's Development Engineer under condition 8 in order to preserve adequate sightlines for vehicles exiting proposed Lot 2 and Lot 3.

**Note:** A Consent Notice under Section 221 of the Resource Management Act will be issued to facilitate the recording of this condition which is to be complied with on an on-going basis

#### Wastewater

22. On-site wastewater treatment and disposal for Lots 1, 2 and 3 shall comply with the requirements and intent of the Engineering Report prepared by Landlink dated 21 August 2018.

**Note:** A Consent Notice under Section 221 of the Resource Management Act will be issued to facilitate the recording of this condition, which is to be complied with on an on-going basis. The Consent Notice shall include reference to the following:

- the recommendations for and constraints on the provision of wastewater treatment and disposal as outlined in the accepted on-site wastewater treatment and disposal report;
- the owners' responsibility to maintain and monitor their wastewater disposal so that any adverse effects on the environment are minor.



14 September 2018

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Water Supply

23. Onsite water storage and supply for Lot 2 and Lot 3 shall be a minimum of 30,000 litres (with 50,000 litres recommended) as per KCDC's SDPR: 2012.

It shall be the on-going responsibility of the owners of Lot 2 and Lot 3 to provide, maintain and monitor the installation and operation of the individual household water supply in accordance with the Ministry of Health's publication 'Household water supplies, the selection, operation, and maintenance of individual household water supplies' (revised April 2006) that provides a minimum storage capacity of 30,000 litres include where council supply is not available.

**Note:** a Consent Notice under Section 221 of the Resource Management Act will be issued to facilitate the recording of this condition, which is to be complied with on an on-going basis.

24. Fire-fighting requirements shall comply with the New Zealand Fire Service Fire-fighting Water Supplies Code of Practice SNZ PAS 4509:2008.

**Note:** A Consent Notice under Section 221 of the Resource Management Act will be issued to facilitate the recording of this condition which is to be complied with on an on-going basis.

Power and Telecommunications

25. New underground power and telecommunication services shall be provided to the boundary for Lot 2 and Lot 3 unless alternative methods of providing telecommunication services are approved by the Council Development Engineer prior to installation.

**Note:** Services shall be installed in accordance with NZS: 4404:2010

As-built information upon completion of works

26. Completion documentation, including operation and maintenance manuals, shall be submitted in support of an application for s224c certification in accordance with Part 1 of NZS4404 and Part 4, Schedule 1 of the KCDC's SDPR: 2012

Plans and meeting of conditions

27. The consent holder shall supply a copy of the title sheets of the e-survey dataset and shall list and indicate how each condition has been met to the satisfaction of the Council.

**Advice notes:**

- All costs arising from any of the above conditions shall be borne by the consent holder.
- It is the consent holder's responsibility to comply with any conditions imposed on this resource consent prior to and during (as applicable) exercising this resource consent.
- Under Section 125 of the Resource Management Act 1991, this resource consent will lapse in five years, unless it is given effect to within that time.

14 September 2018

RM180182

FINAL APPROVED PLAN

KAPITI COAST DISTRICT COUNCIL

Contravention of the Land Drainage Act is not permitted and natural drainage patterns are to be preserved.

The allocation of street addresses is the responsibility of local authorities under section 319B of the Local Government Act 1974. In order to achieve clear and unambiguous street addresses, street numbers may be changed for a section of or for the entire street rather than just for a single property in accordance with Council's Street Numbering and Naming Policy. This is to ensure that numbering maintains a logical sequence to assist the delivery of mail and the response of emergency services.

- Should a waahi tapu or other cultural site be unearthed during earthworks the contractor and/or owner shall:
  - cease operations;
  - inform local Iwi (*Insert name of local iwi – Ngati Raukawa, Te Ati Awa ki Whakarongotai, Ngati Toa or Ngati Haumia*);
  - inform the Heritage NZ and apply for an appropriate authority if required;
  - Take appropriate action, after discussion with Heritage NZ, Council and Iwi to remedy damage and/or restore the site.

**Note:** In accordance with the Heritage New Zealand Pouhere Taonga Act 2014, where an archaeological site is present (or uncovered), an authority from Heritage NZ is required if the site is to be modified in any way.

- The consent holder should not encroach onto adjacent land owned by others without having first obtained their written consent.
- A separate application is required for a building consent if any earth-retaining structure is intended as part of this work and the wall is higher than 1.5 metres or is subject to surcharging.
- If you disagree with any of the above conditions or disagree with the additional charges relating to the processing of the application, you have a right of objection pursuant to sections 357A or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of notification of the decision.
- Additional fees will be required by the Council with the application(s) for the Section 223 and 224 certificates. The section 224 certificate will be issued following compliance with all conditions of consent set out above, and payment of any development contribution that may be payable.
- Development Contributions will be required pursuant to Section 198 of the Local Government Act 2002 and the Council's 2018/2019 Development Contribution Policy when creating new allotments. The contributions will be calculated and levied for each additional allotment created by this resource consent in accordance with the fees that apply at the time consent is lodged. The fees are listed below:

Items	Fees including GST(NZD)
Roading – District	\$1,974.00
Stormwater – District	\$490.00



14 September 2018

RM180182

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KAPITI COAST DISTRICT COUNCIL

Community Infrastructure - District

\$1,678.00

**Total**

**\$4,142.00 (per lot)**

There are 2 additional lots created by this Resource Consent.

The contributions must be paid prior to the issue of any certificate pursuant to Section 224(c) of the Resource Management Act 1991 (please refer also to Section 208 of the Local Government Act 2002).

#### **Reasons for Decision:**

In accordance with Sections 104, 104B and with reference to 104D and 106, of the Resource Management Act 1991, the actual and potential effects associated with the proposed activity have been assessed and are outlined above.

I consider that the adverse effects of the proposed activity on the environment will be less than minor and that the proposed activity is not contrary to the Objectives and Policies of the Kapiti Coast Operative and Proposed District Plans.

**A full copy of the reasons for granting consent is contained in the decision report.**

Louise White  
**Resource Consents Planner**  
14 September 2018

14 September 2018

KAPITI COAST DISTRICT COUNCIL  
FINAL APPROVED PLAN  
RM180182

**POST OFFICE EMAIL THIS COMPLETED PAGE AT LEAST 48 HOURS  
BEFORE CONSTRUCTION TAKES PLACE**

**TO:**

The RMA Compliance Officer  
Kāpiti Coast District Council  
Private Bag 60601  
PARAPARAUMU

Email: [compliance.dutyofficer@kapiticoast.govt.nz](mailto:compliance.dutyofficer@kapiticoast.govt.nz)

<b>Application No:</b>	RM180182
<b>Site Address:</b>	4 Octavius Road, Waikanae LOT 1 DP 81236 C/T 47C/822
<b>Proposal:</b>	Undertake a three lot rural residential subdivision.

**Construction will take place on (date):**

**Owner's Contact Details**

Name:

Postal Address:

Telephone:

Mobile:

**Contractor's Contact Details (e.g. house relocation contractors)**

Name:

Telephone:

Mobile:

**SIGNED:**

.....  
NAME

.....  
DATE



NOTES

- Plan is in terms of [New Zealand Geodetic Datum 2000 ([NAME] Circuit) / New Zealand Transverse Mercator]
- Levels are in terms of [DESCRPTION]
- Origin of levels is [NAME]
- Boundaries are from [SOURCE]
- Aerial photography is from [SOURCE] and approximate only
- Underground services are from [SOURCE] and indicative only

Revision	A	Original Issue	-	Name	-	Date	-
Comment							



Mahara House ~ 3 Ngaio Road ~ PO Box 370 ~ Waikeanae 5250  
www.landlink.co.nz ~ contactus@landlink.co.nz ~ P 04 902 6161

Client

Geoff Thompson

Title

SCHEME PLAN – Proposed  
Subdivision of Lot 1 DP 81236

Project

4 Hadfield Road, Peka Peka

Approved	-	-	-
Checked	-	-	-
Drawn	HD	07/02/2018	
Designed	-	-	-
Surveyed	-	-	-
Scale	1:1000 @ A3		
Drawing Number:	Revision:		

2275-P1-001

B







NOTES

- Plan is in terms of [New Zealand Geodetic Datum 2000 (NAME)] Circuit) / New Zealand Transverse Mercator]
- Levels are in terms of [DESCRPTION]
- Origin of levels is [NAME]
- Boundaries are from [SOURCE]
- Aerial photography is from [SOURCE] and approximate only
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
LEGEND



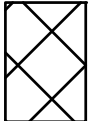
- Site Access



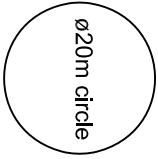
- Percolation / Penetrometer location



- Culvert



- Building Exclusion Area



- 20m Diameter circles

Revision	Comment	Name	Date
A	Original Issue	-	-



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Client

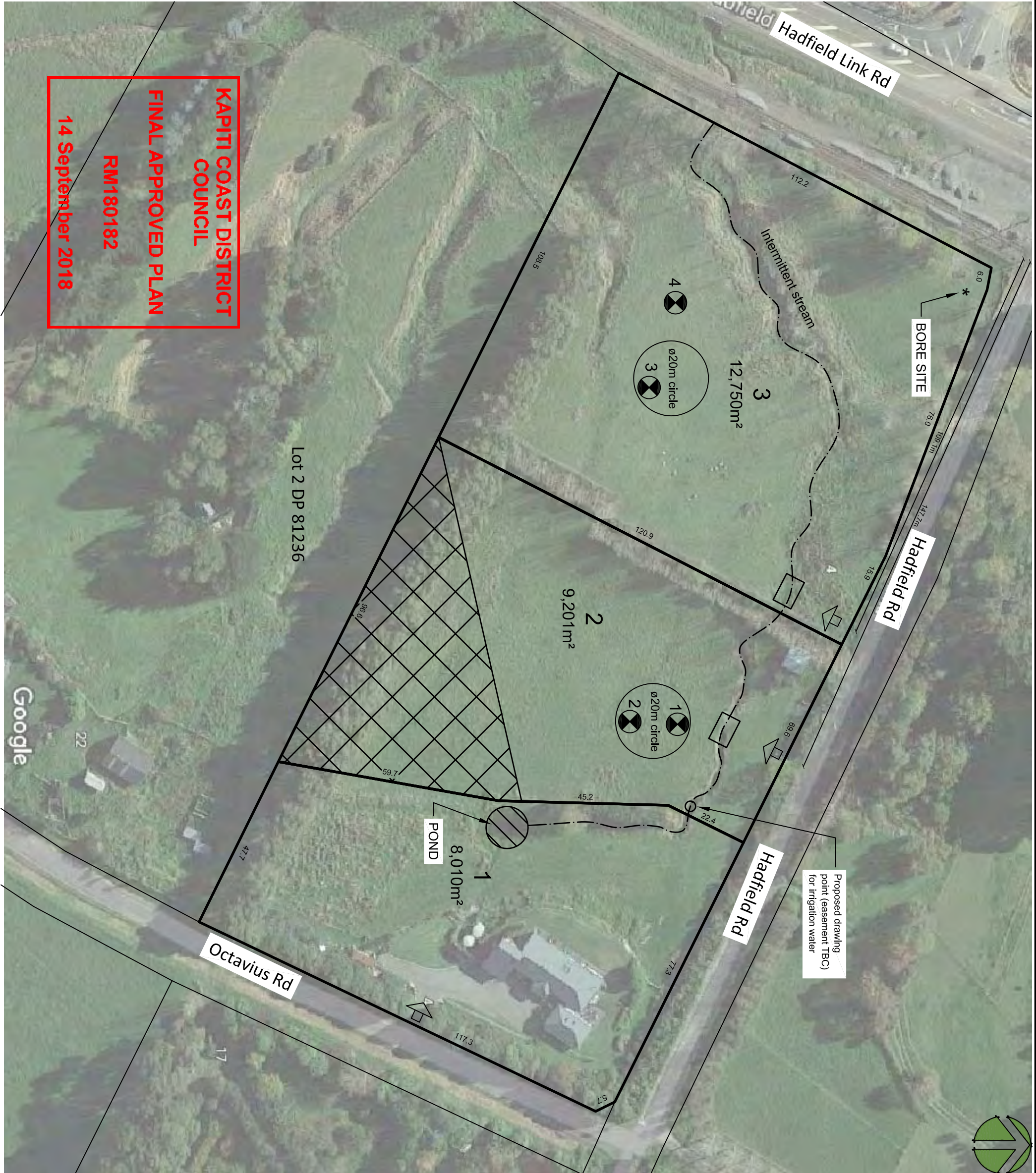
Geoff Thompson

Title  
DEVELOPMENT / ENGINEERING  
PLAN - Proposed Subdivision  
of Lot 1 DP 81236  
Project

4 Hadfield Road, Peka Peka

Approved	-	-	-
Checked	-	-	-
Drawn	HD	07/02/2018	
Designed	-	-	-
Surveyed	-	-	-
Scale	1:1000 @ A3		
Drawing Number:	Revision:		

2275-P1-002 B



KAPITI COAST DISTRICT COUNCIL  
FINAL APPROVED PLAN  
RM180182  
14 September 2018



14 September 2018

**Notification and s104 report for resource consent(s) under the Resource Management Act 1991(RMA)**

<b>Application No.:</b>	RM180182
<b>Applicant:</b>	Geoff Thompson
<b>Site Address:</b>	4 Octavius Road, Waikanae
<b>Legal Description:</b>	LOT 1 DP 81236 held in computer freehold register 47C/822
<b>Site Area:</b>	2.9990ha
<b>Applicant's Address for Service:</b>	C/- Landlink PO Box 370 Waikanae 5250
<b>Proposal:</b>	Undertake a three lot rural residential subdivision.
<b>Operative District Plan Zone:</b>	Rural (Rural Hills)
<b>Proposed District Plan Zone:</b>	Rural Residential
<b>Activity Status:</b>	Subdivision - Non-complying

Report prepared by: Louise White, Resource Consents Planner

Report peer reviewed by: Wayne Gair, Principal Resource Consents Planner

**Date consent application received:** 22 August 2018

## 1 EXECUTIVE SUMMARY

This report provides an analysis of the resource management issues relating to notification status and the Council's Section 104 decision for the activity proposed under resource consent application RM180182. The decisions at sections 7 and 12 are to:

- Consider the proposed development on a non-notified basis (section 7);
- Grant consent to the proposed activity subject to the conditions set out at the end of this report (section 12).

### 1.1 Application documents (plans and reference documents)

The following information has been provided with the application:

- Application form and Assessment of Environmental Effects prepared by Olivia Campbell of Landlink dated September 2018.
- The AEE concludes that the effects of the proposed subdivision are less minor.
- Computer Freehold Register and a copy of all interests listed on the title
- Subdivision Plans prepared by Landlink Limited, titled:
  - Landlink plan titled 'Scheme Plan – Proposed Subdivision of Lot 1 DP 81236', drawing number 2275-P1-001, Revision B dated 7/2/2018
  - Landlink plan titled 'Development/Engineering Plan – Proposed Subdivision of Lot 1 DP 81236, drawing number 2275-P1-002, Revision B, dated 7/2/2018
- Engineering report dated 21 August 2018 by Landlink that addresses the following matters:
  - Geotechnical conditions;



- Identified hazards and features;
- Specific building site assessments;
- Water supply and suitability of rainwater collection.

## 2 THE PROPOSAL

### 2.1 Description of Proposal

The applicant is proposing to subdivide a 2.99ha property located at 4 Octavius Road, Waikanae into 3 allotments, as follows:

Lot Number	Area (m <sup>2</sup> )	Description:
1	8,010	Proposed lot with existing dwelling, servicing and landscaped gardens. Existing access is off Octavius Road.
2	9,201	Proposed new lot. A new dwelling is proposed for this lot and a new access off Hadfield Road is proposed and a culvert for the intermittent stream is proposed to create access into the lot.
3	12,750	Proposed new lot. A new dwelling is proposed for this lot and a new access off Hadfield Road is proposed and a culvert for the intermittent stream is proposed to create access into the lot.
<b>Total Area:</b>	<b>29,961</b>	

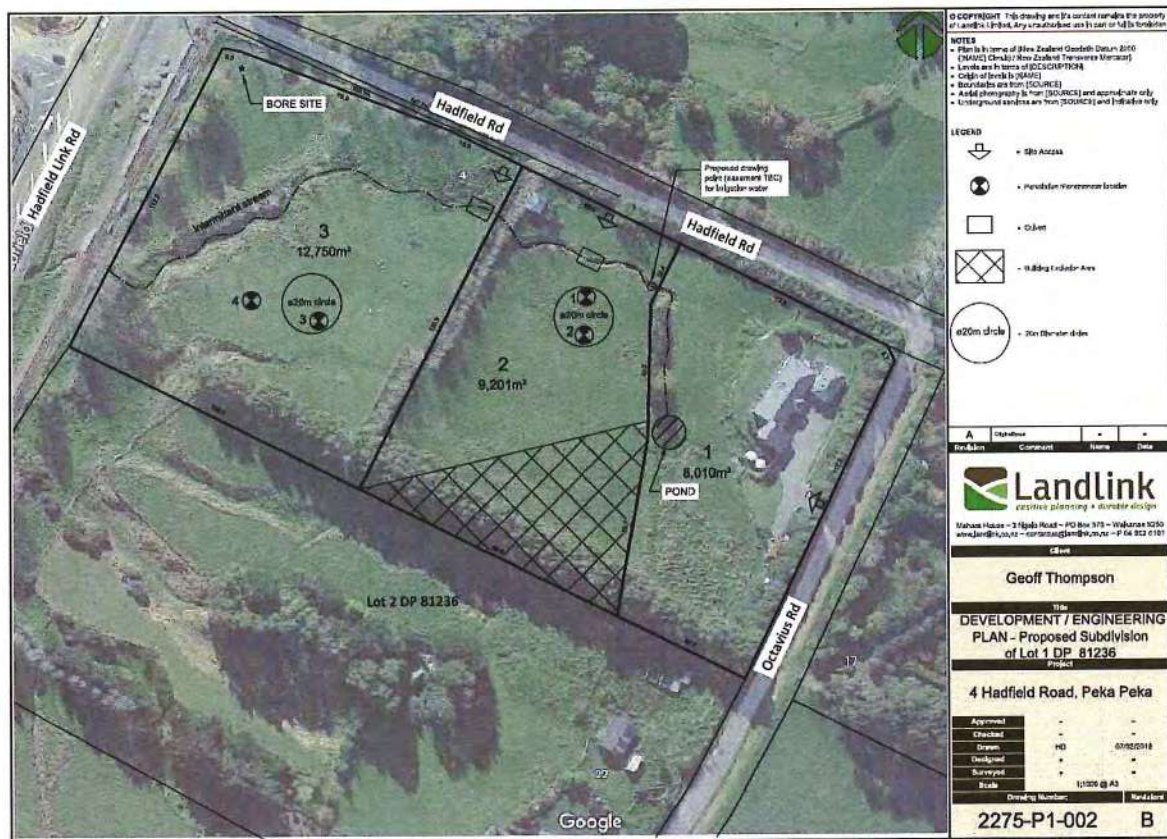
Table 1: Extracted from the application document and added to.

A plan of the proposed subdivision is shown below in figure 1.



Figure 1 –Plan of the proposed subdivision





The works and services proposed for the establishment of the allotments (extracted from the application document and added to) are:

**Access and parking:** Vehicle crossings will be constructed for Lots 2 and 3, from Hadfield Road as shown in the indicative Development Plan below. They will be constructed to comply with the council's Subdivision and Development Principles and Requirements 2012. Given the straight nature of Hadfield Road, clear sightlines can be obtained from both vehicle crossing locations, with appropriate removal of vegetation as a condition of consent.

**Stormwater Management:** Any future development on proposed lots 2 and 3 will likely store stormwater as a potable water supply and/or dispose of stormwater to land, to achieve hydraulic neutrality. The viability of this has been assessed by the engineer Dave Munro based on site investigations that are detailed in his report prepared for this application. The report suggests that an attenuation tank or a Rainsmart Soak Pit could be viable options for achieving hydraulic neutrality for Lots 2 and 3. No changes to the existing stormwater drainage on lot 1 are proposed.

**Wastewater Management:** Proposed Lot 1 has an existing on-site wastewater disposal system for which the disposal field for proposed Lot 1 is located within proposed Lot 2. It is proposed to locate a new disposal field within proposed Lot 1's boundaries. Any future development on proposed lots 2 and 3 will require a specifically designed wastewater treatment and disposal system. The viability of this has been assessed by the engineer Dave Munro based on site investigations that are detailed in his report prepared for this



application. Mr Munro recommends (based on assumed drip irrigation at 3.5mm per day) that a disposal field of approximately 285m<sup>2</sup> would be required with no reserve area needed.

**Water:** The dwelling on proposed Lot 1 has an existing potable water supply and no change is proposed to this. Any future dwelling on Lots 2 and 3 will have a water supply system designed when it is constructed and the exact nature of this will depend on the roof area of the proposed dwelling and the likely number of occupants. Most likely this will comprise roof water collection and storage in compliance with the relevant Drinking Water Standards for New Zealand 2005 (Revised 2008). The viability of this has been assessed by the engineer Dave Munro based on site investigations that are detailed in his report prepared for this application. No changes to the existing water collection, storage and treatment system on lot 1 are proposed. A bore site exists at the lower end of proposed lot 3 to be retained and held within the lot once the subdivision is finalised.

**Firefighting water provisions** will be installed for proposed Lot 2 and 3 that meets the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008. A condition will be recommended on that basis with on-going effect.

**Electricity infrastructure and telecommunications:** Scanpower, as an approved contractor for Electra, have confirmed that an electricity connection can be reticulated for the proposed subdivision.

The Subdivision Group (TSG) at Chorus have confirmed that a copper telecommunication connection can be reticulated for the proposed subdivision.

### **3 SITE AND SURROUNDING ENVIRONMENT**

#### **3.1 Site Description and site history**

The applicant has adequately described the site in the Assessment of Environmental Effects provided with the application and the Engineering Report and I adopt these descriptions for the purposes of this report. The key points are as follows:

- 4 Octavius Road, Peka Peka is a rural residential property having an area of 2.99ha and is located on the southern side of Hadfield Road. It has a rectangular shape with a road frontage of approximately 245m to Hadfield Road, and a road frontage of approximately 117m to Octavius Road.
- There is an existing dwelling at the eastern end of the property within proposed Lot 1 where existing access is off Octavius Road.
- The site rises moderately from the western boundary adjoining the rail corridor at 15m AMSL to 40m AMSL at the boundary with Octavius Road, as shown on the contour plan below.
- The remainder of the section currently provides intermittent grazing for a number of livestock. Stock loading yards and an accessory building are to be retained within proposed Lot 2.
- An intermittently flowing stream traverses the site in an east to westerly direction fed by an existing manmade pond in front of the existing dwelling (spring fed). The lower reaches of the stream traverse north south over the site with no associated ecological value associated with the stream alignment. The site has been grazed and contains only exotic vegetation and shelterbelt screening between paddocks.
- The Engineering report provided with the application describes the soil as 'alluvial material incorporating gravel deposits interspersed with fine grained silts and clays overlain with Loess'.

The site also has the below interests registered on the title (extracted from title) which have been provided by the applicant in full.

**Interests**

B498339.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 25.1.1996 at 3.54 pm

Subject to a right of water supply over part marked D on DP 81236 specified in Easement Certificate B498339.7 - 25.1.1996 at 3.54 pm

Appurtenant hereto is a right of water supply specified in Easement Certificate B498339.7 - 25.1.1996 at 3.54 pm

Land Covenant in Transfer B578225.2 - 26.3.1997 at 11.45 am

B602098.1 Variation of Land Covenant in Transfer B578225.2 - 12.6.1997 at 2.30 pm

Land Covenant in Transfer B710982.2 - 10.3.1999 at 10.36 am

5330548.3 Mortgage to Bank of New Zealand - 30.8.2002 at 1:59 pm

The applicant's AEE has described the interests on the title and site history as follows which is adopted with additional comments:

- **Consent notice B498339.2:** Approval for Subdivision.
- **Easement certificate B498339.7:** Right to Water Supply.
- **Land Covenant in Transfer B602098.1:** Extension of area contained in Land Covenant, and 7 metre ref changed to 10 metres.
- **Variation of Land Covenant in Transfer B578225.2:** Growth of trees, or structures not to be any higher than 7 metres.
- **Land Covenant in Transfer B710982.2:** Terms and conditions re land and dwellings.

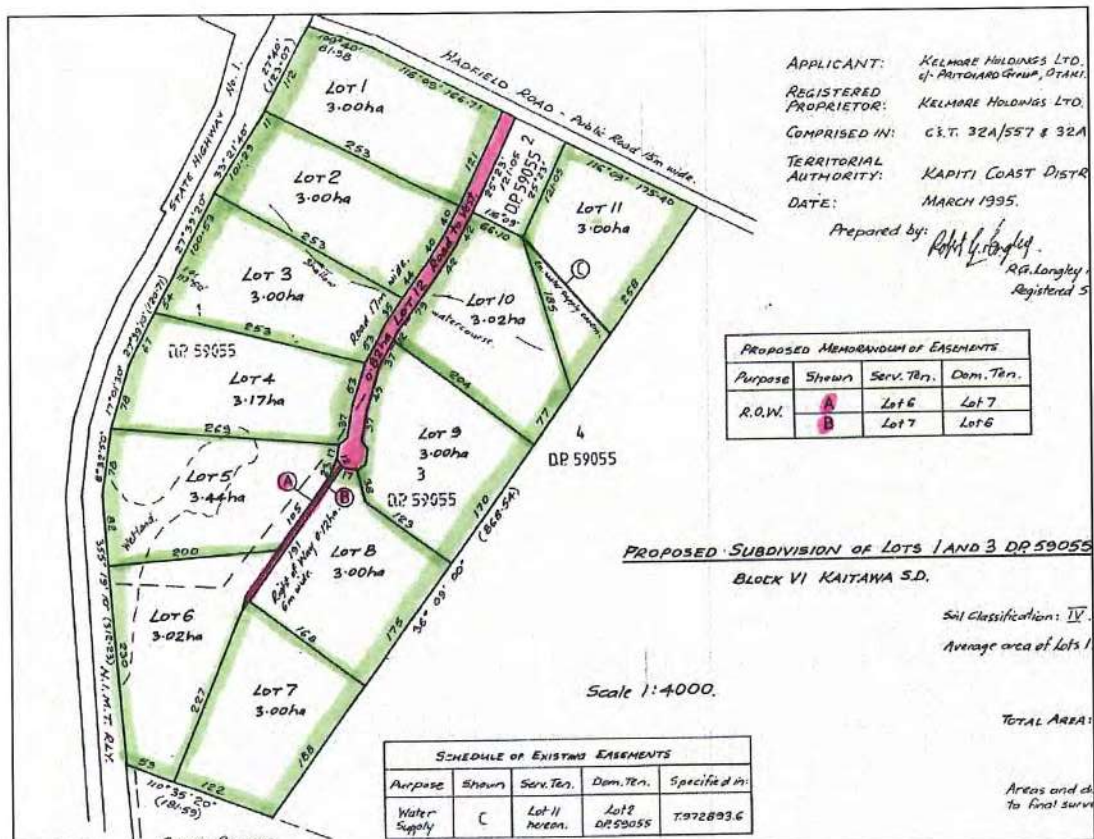
The following resource consents have been issued for the subject site:

- RM060030: Earthworks to create building platform and driveway: decision issued 22/02/06
- RM980501: Preparation of building site/miscellaneous earthworks and access construction. Small lake: decision issued 18/12/98

**Additional comments:**

- RM950038: A six lot subdivision was approved on 17/1/96 (with s224(c) certification issued on 17/1/96) which created the subject site. The plan of this subdivision is shown in figure 3 below. It should be noted that reference to the wetland mentioned in the consent notice registered on the title does not relate to the subject site but rather other allotments within the subdivision approved under RM950038.
- The water supply easement mentioned below is shown as the bore/well on the applicant's development plan and shown on the survey plan as easement area 'D'.





1. That a specific engineering design will be required for on site effluent disposal for dwellings on each allotment to determine the method of disposal environmentally suitable for the specific house size and requirements on each lot.
2. That the wetland and the existing watercourses and drainage flowpaths within the allotments including the required drainage ditch and swale formations be maintained and shall not be altered except with the prior approval of Council.
3. That Dwellings on Lots 1 to 6 shall be located above the level of the railway embankment. Floor levels may be required to be elevated as a requirement of building consent to minimise the consequences of any overland stormwater flows.

Figure 3 –Proposed subdivision plan under RM950039 which shows the location of the wetland referred to in the consent notice (B498339.2) conditions extracted above in Figure 4. Wetland is located within Lots 4 to 6.

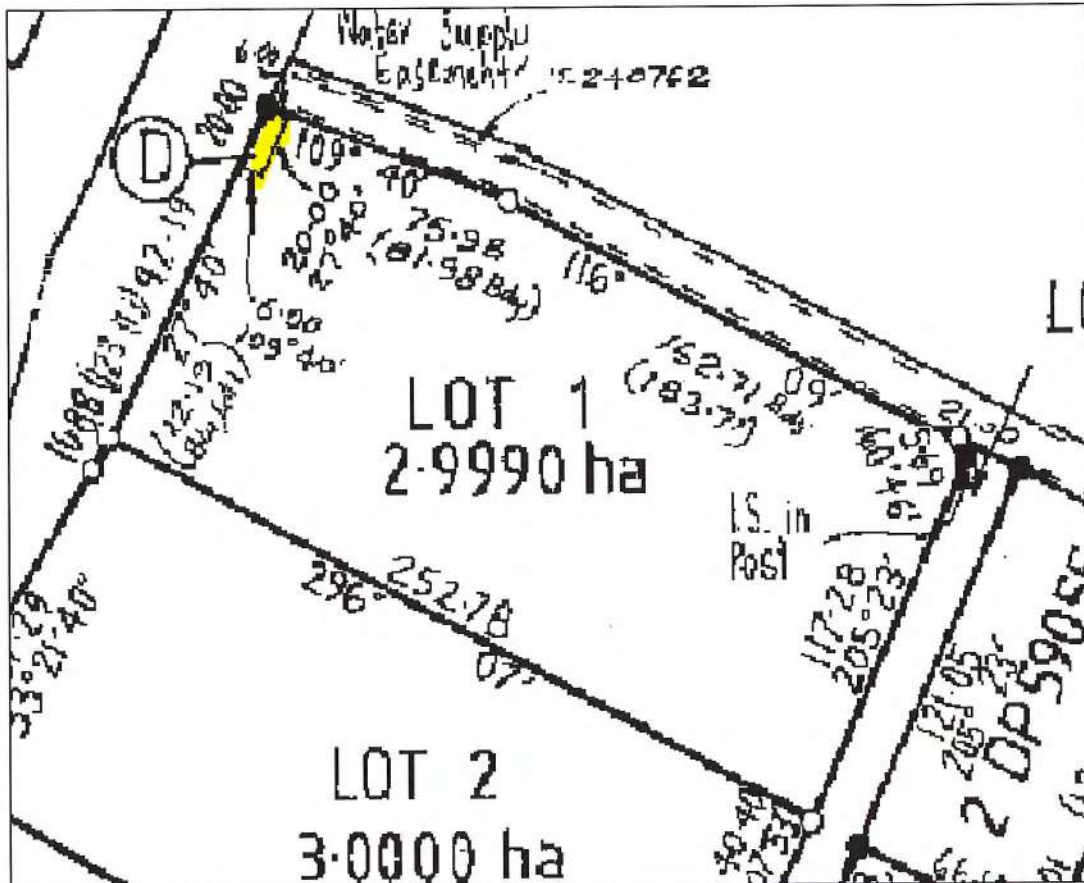
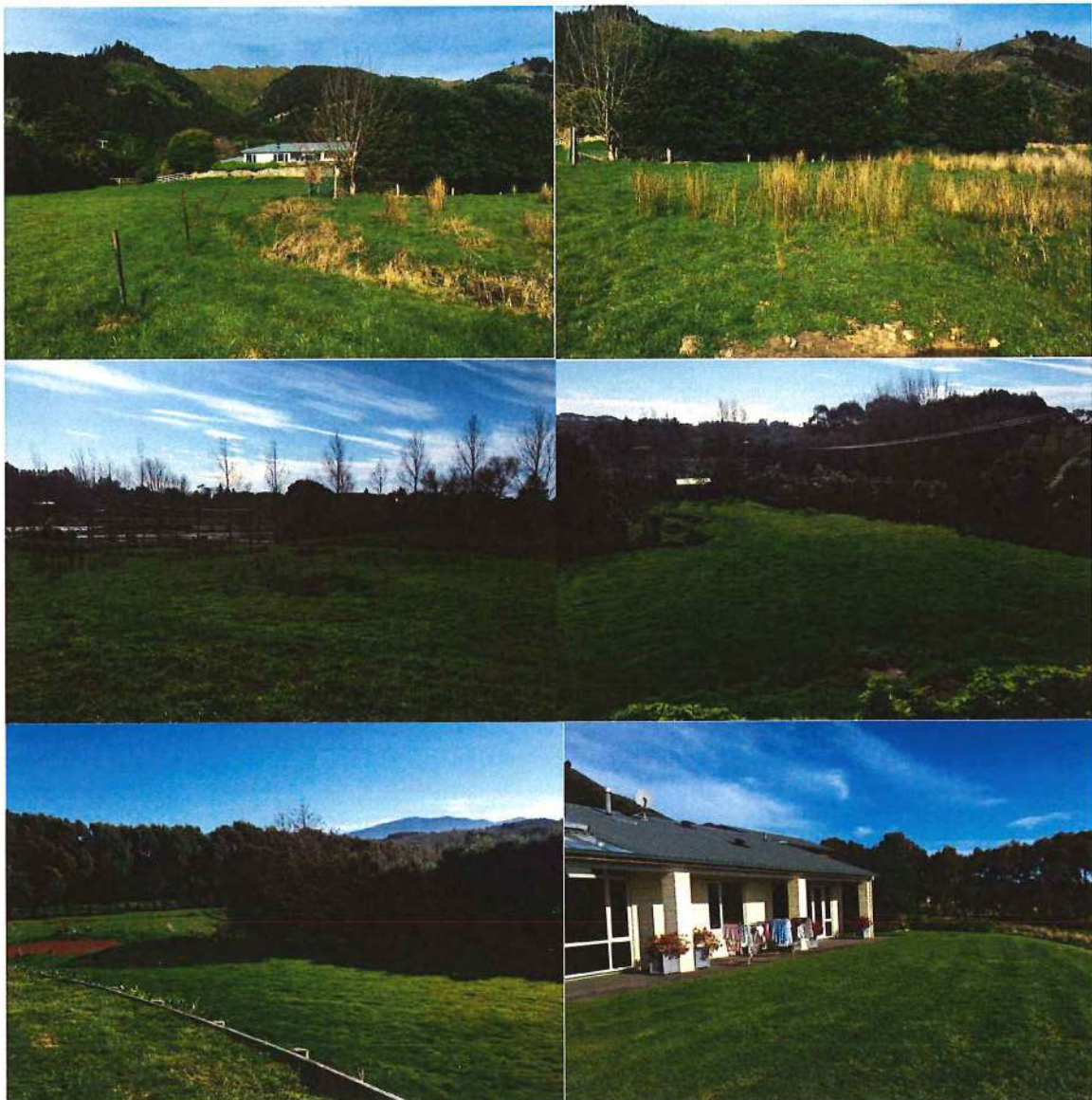


Figure 5 and 6 - Survey Plan from current title showing water supply easement D and aerial photo from GWRC GIS system showing number of resource consents regarding subject property. The photo shows one water take consent recorded which likely relates to the bore on-site.





*Figure 6 – Site visit photos*



### 3.2 Surrounding Environment

The surrounding area comprises rural residential lifestyle blocks of similar size to the subject site, each containing a large dwelling, landscape gardens, paddocks and accessory buildings.

It should be noted that after undertaking a speed limit review, the Kapiti Coast District Council has now reduced the speed limit along Hadfield Road from 80km/hr to 60km/hr. This reduction in speed has resulted in the distance between the proposed new accesses for proposed lot 2 and lot 3 being compliant with the Proposed District Plan whereas if the speed limit had been 80 km/hr the accesses would have been non-compliant and required consent.

In addition to the above observation and comments, the applicant's description of the surrounding environment is adopted as accurate as follows:

*The land to the south of the property consists of rural lifestyle blocks, with access from Octavius Road. The land to the north of the property consists of rural lifestyle blocks at 1 and 19 Hadfield Road. The land to the east of the property consists of rural lifestyle blocks, with access from Hadfield Road. The western boundary of the site adjoins the main trunk railway line, Old SH1 slip road to Waikanae Town Centre and the M2PP Expressway northbound Peka Peka exit.*

*The surrounding area is generally characterised by rural lifestyle blocks, which have been rezoned as Rural Residential in the Proposed District Plan Appeals Version 2012. As is evident from the aerial below, these rural residential sites typically contain a dwelling and associated accessory buildings, with the remainder of the site either grazed as hobby farms or extensively landscaped.*

An aerial photo of the site and surrounding area is presented below



Figure 7 – Aerial photo of subject site (outlined in blue) in context of surrounding properties and expressway

### 3.3 Written Approvals

No written approvals have been provided with the application.

### 3.4 External Consultation

No comments were sought on this proposal.

## **4 DISTRICT PLANS**

In November 2012, Council notified the Proposed District Plan (PDP). Following submissions, hearings and the releasing of decisions on 22 November 2017, there was an appeals period. The appeals period closed on 25 January 2018.

As of 26 January 2018, any provisions of the PDP not appealed can be treated as operative and the corresponding provisions of the Operative District Plan (ODP) 1999 fall away. The ODP Objectives, Policies and maps still have legal effect and must be considered when processing applications.

The District Plans are assessed below.

## **5 OPERATIVE DISTRICT PLAN PROVISIONS**

### **5.1 Kapiti Coast Operative District Plan**

The Kapiti Coast District Plan sets out the status of the activity within rules, that is whether they are permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited. The Objectives and Policies contained in the District Plan are also important in decision making as they are to be taken into account in the evaluation of the activities.

### **5.2 Operative District Plan Zoning and Overlays**

The property is zoned Rural (Hills) under the Kapiti Coast Operative District Plan. The subject site is subject to the following annotations/overlays:

- Noise corridor

## **6 PROPOSED KAPITI COAST DISTRICT PLAN DECISIONS VERSION**

### **6.1 Proposed District Plan Zoning and Overlays**

The property is zoned Rural Residential under the Kapiti Coast Proposed District Plan (Appeals Version 2018) and is subject to the 'noise corridor' overlay.



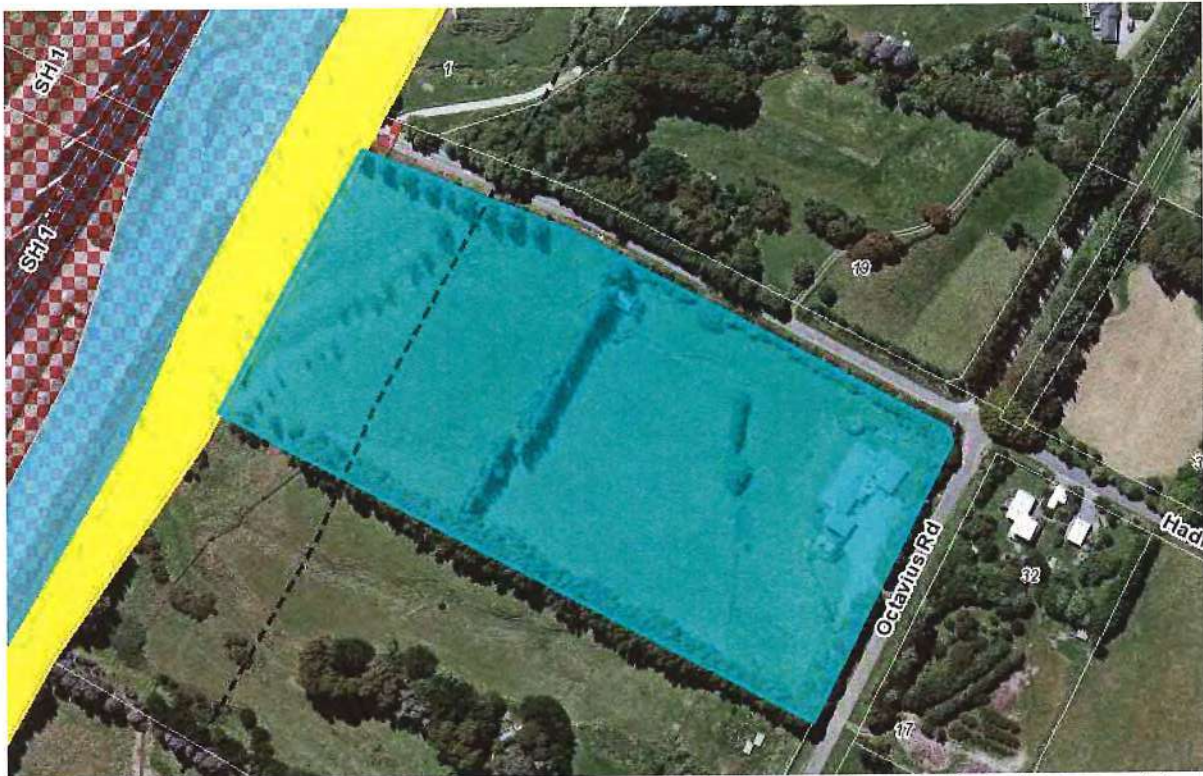


Figure 8 – Aerial photo of subject site (coloured blue) with noise corridor shown as black dashed line

## 6.2 Proposed District Relevant Rules and Standards

The following rules in the Proposed Plan are relevant to this application:

- 7A.3.2 – Subdivision in all rural zones except the Future Urban Development Zone and subdivision which are controlled activities – **restricted discretionary activity**.

### 2. Additional Standards for rural residential zones

Minimum average lot size across subdivision = 1ha

Minimum lot size = 4000m<sup>2</sup>

The proposed subdivision does not meet the minimum average lot size across the subdivision of 1ha. The average lot size for the three lots will be 9,870m<sup>2</sup> which is a shortfall of 130m<sup>2</sup> per allotment.

- 7A.5 – Non-complying activities (3) subdivision of land in any rural zone that does not comply with one or more of the restricted activity standards 2-7 in Rule 7A.3.2 or standards 1, 2 and 4 in Rule 7A.3.7.

The proposed subdivision does not meet standard 2 in Rule 7A.3.2 and is therefore a **non-complying activity**.

### 11.4.3 – Managing Demand on Water Supply, Sanitation and Drainage



- *11B.3.2 – Subdivision of land creating new lots in the rural zone that comply with all restricted discretionary activity rules and standards under Rules 7A.3.2 and 8A.3.3 – **restricted discretionary activity**.*

The proposal meets all of the standards contained in 11B.3.2 with respect to water supply, sanitation and drainage.

### 6.3 Activity Status

The proposal is a **non-complying activity** under Rules 7A.5.3. It has this status as the subdivision fails to comply with the restricted discretionary activity standards with regards to average lot size.

## 7 NOTIFICATION

In considering whether or not notification is required, Sections 95A to 95F of the Resource Management Act 1991 must be considered. Sections 95F and G are not relevant to this application. Sections 95 to 95D are referenced below:

*95 Time limit for public notification or limited notification*

*95A Public notification of consent applications*

*95B Limited notification of consent applications*

*95C Public notification of consent application after request for further information or report*

*95D Consent authority decides if adverse effects likely to be more than minor*

*95E Consent authority decides if person is affected person*

For the full text of the above provisions, please refer to the Resource Management Act 1991.

### 7.1 Effects that must be disregarded

Effects on persons who are owners and occupiers of the land in, on or over which the application relates, or of land adjacent to that land or who have provided written approval must be disregarded.

The adjacent land includes the following properties:

- 22 Octavius Road

No written approvals have been provided for this application.

### 7.2 Effects that may be disregarded – permitted baseline assessment

The permitted baseline refers to the adverse effects of permitted activities on the subject site. All subdivisions on the Kapiti Coast require a resource consent, it is therefore considered that the effects cannot be considered part of the permitted baseline and require assessment.

### 7.3 Receiving environment

The receiving environment is made up of:

- Hadfield Road, Octavius Road and State Highway 1
- Resource consents that have been granted and likely to be implemented on adjacent sites;
- Permitted activities that can be carried out as of right on surrounding properties;

- The existing dwelling and accessory buildings on the site; and
- Rural residential properties, of varying sizes, containing dwellings, gardens and accessory buildings.

This is the reasonably foreseeable environment within which the adverse effects of the proposal are considered.

#### **7.4 Adverse Effects**

As the subdivision is a non-complying activity, Council's ability to assess and control the proposal is not restricted to any matters. However, as the subdivision complies with all of the other restricted discretionary activity standards for subdivisions the key point for consideration is the effects resulting from the non-compliance with the average lot size standard. The effects from this relate predominantly to amenity, character and visual effects on the rural residential zone. This is assessed below, along with the effects on transport, infrastructure and services.

#### **Applicant's AEE**

The applicant's assessment is considered accurate and is adopted below in addition to further comments and assessment:

##### *Changes to character, landscape impacts and amenity*

*Resource consent is required for all subdivision consents as these applications influence the way that land can be developed, enabling and restricting certain types of development. The resultant change brought about by this can affect character and amenity values associated with the rural residential zone.*

*It is considered that the landscape and visual effects of the proposed subdivision of Lot 1 DP 81236 will be negligible and there will be no adverse effects on the applicant's immediate neighbours or the wider landscape. The underlying site is considered to be large enough to accommodate two further dwellings while having less than minor effects. The increased density is not out of character in the rural residential environment.*

*The creation of two additional allotments will facilitate separate occupation and ownership of the three proposed Lots. The density of the development will not increase beyond that could be realistically expected in the rural residential zone and in the longer term, the only identifiable effects which can be directly attributable to the subdivision of the land are related to the mode of tenure and the separate ownership of the three resulting allotments.*

*A hashed area is shown on proposed Lot 2 which has been proposed by the applicant as a private covenant notation to prevent construction of a dwelling within the nominated area. The applicant wishes to retain ownership and occupancy of proposed lot 1 and the proposed building exclusion zone will utilise the existing screening of mature hedging between proposed lots 1 and 2 to avoid overlooking from the existing dwelling onto a new dwelling on lot 2, and maintains a reasonable level of privacy and rural amenity for both parties. It is not expected that Council will condition this building exclusion zone as a s221 consent notice item given it is not a resource management issue or PDP requirement, rather a private matter shown for completeness and transparency only.*



*The subdivision layout also utilises existing fence lines and shelterbelts as new internal boundary alignments which is in keeping with best practise for rural landscape subdivision design minimising the visual impact of new development on the landscape.*

*Therefore it is considered that the effects of this three lot subdivision, regarding density of the rural residential zone, will not be out of character with the rural residential environment.*

*In light of this, the effects to character and amenity are considered to be less than minor.*

#### *Servicing and Construction effects*

*The effects related to the construction of the vehicle access and the installation of services to facilitate the subdivision will be of relatively short duration and are an expected consequence of any development in a rural residential zone. It is considered to be feasible to service the additional allotments from the available infrastructure within the immediate vicinity in accordance with the Council's Subdivision and Development Principles and Requirements 2012.*

*Any adverse construction effects associated with the proposal such as noise, dust and increased traffic movements will be temporary. The existing servicing for Lot 1 will remain unchanged. In light of the above, the effects are considered to be less than minor.*

#### *Traffic effects*

*The proposed subdivision will result in additional vehicle movements to and from proposed Lots 2 and 3, most likely resulting from the occupation of a future dwelling.*

*The vehicle access point for Lots 2 and 3 of the proposed subdivision is access onto/from Hadfield Road.*

*The entranceways will be constructed to comply with the council's Subdivision and Development Principles and Requirements 2012.*

*The vehicle access point for Lot 1 of the proposed subdivision is existing access to/from Octavius Road. The entranceway will be inspected by a suitably qualified civil engineer, and if necessary, upgraded to comply with drawing KCDC-RD-016-R4 as well as the council's Subdivision and Development Principles and Requirements 2012.*

*Hadfield Road, in particular, will be affected by additional vehicle movements to and from the site created by two additional dwellings.*

*Table 8.10 of the NZ Transport Agency research report 453 titled 'Trips and parking related to land use' dated November 2011 provides data based on 85% figures from available surveys indicating that dwelling houses in NZ generate 10.7 vehicles per day and 1.3 vehicles per hour (peak).*

*This is considered to be the likely increase in traffic resulting from the subdivision. The entrance to the proposed properties are from a typical rural road comprising a sealed carriageway of varying width over 4.3 metres and grassed/metalled or planted shoulders, some containing swales. The speed limit is 'open road'. Sightlines in both directions are in excess of 100 metres.*

*The payment of development contributions and the de minimus number of anticipated vehicle movements are considered to ensure that adverse social and economic effects are*



*less than minor. Therefore, the expected effects from the additional vehicle movements resulting from two additional dwelling units will be less than minor.*

#### **Additional Comments/Assessment:**

##### Amenity, Character and Visual Effects

While all three proposed lots that will be created from this subdivision will meet the minimum lots size of 4,000m<sup>2</sup> (Lot 1, containing the existing dwelling, will have an area of 8,010m<sup>2</sup>; proposed Lot 2 will have an area of 9,201m<sup>2</sup> and Lot 3 adjoining the railway line will have an area of 12,750m<sup>2</sup>) the subdivision does not meet the minimum average lot size over the three lots of 1ha.

The minimum average lot size standard is included in the Plan to ensure that the low density of development in the rural residential area is maintained. This is to ensure that the character of the zone remains rural residential in nature and that there are no adverse amenity and character effects on neighbouring properties or adverse visual effects from locations within the District. The rural residential zone consists of land within close proximity to urban amenities and provides a buffer between fully rural and higher density residential zones.

As the minimum lot size will be met, the effects of the increase in density that will be caused by the subdivision as a result of the development not meeting the average lot size needs to be assessed.

The subdivision of 1 lot into 3 lots means that the newly created lots will be able to have dwellings constructed on them without further resource consent approvals (provided the dwelling meets the relevant standards). Therefore, the effects of the likely subsequent development of proposed Lot 2 and 3 need to be included in the assessment of the activity.

##### Assessment on 22 Octavius Road

It is considered that the parties most likely to be affected by the potential for an additional residential dwelling on the newly created lots are the owners/occupiers of the property that immediately adjoins proposed Lots 2 and 3 being 22 Octavius Road.

The effects on other properties, and the wider environment, must also be considered. An assessment by the processing planner was undertaken on the visual effect of the development of a potential new dwelling on proposed Lot 2 and 3 from a number of locations, including from locations along Hadfield Road and from the Old State Highway looking towards the site. These locations were considered to be the most likely to have a view of the proposed building sites on Lot 2 and 3.

Given the topography of the site, and the fact that proposed Lot 2 and 3 are located at a lower elevation on the site, any proposed development will not be visually prominent in respect to the larger landscape.

When viewed from 22 Octavius Road any proposed dwelling will be largely obscured from sight by the existing mature vegetation which borders the site. In addition to this:

- The shortfall of 130m<sup>2</sup> per average allotment of 1ha would not be overly discernible for adjacent sites because there is sufficient space to meet setbacks and;



- The additional vehicle movements for proposed Lot 2 and Lot 3 are occurring off Hadfield Road which is a considerable buffer distance of 120 from the common boundary with 22 Octavius Road.

In addition to the above assessment, it should be noted that the minimum lot size for the sites will be met, and that there is not an expectation in the rural residential zone that dwellings will be constructed at locations where they cannot be seen from other dwellings or public places. A number of the existing dwellings on Octavius Road are visually significantly more prominent, from both other private properties and public areas than dwellings constructed on proposed Lot 2 and 3 will be.

To determine the adverse visual effects of the proposed activity on the wider landscape the property was viewed from the old State Highway One. Any future dwellings on this site will not be out of character with the surrounding development of the hillside and will not be the most visually dominant dwellings in the area due to the existence of dwellings higher up on the hillside. It is also an expectation that adjacent properties (which are zoned rural residential) could be further subdivided into two additional allotments each, as controlled activities, meaning a new character for the area could be created with the presence of additional dwellings being viewed from the Old State Highway.

While it is considered that continued intensity of development in this area may have a cumulative adverse effect on character and amenity values, this particular proposal has been assessed within the context of the existing environment and the effects of this activity are considered to be less than minor when compared to the current landscape.

While continued subdivision of land in this area could result over time in cumulative adverse effects, the cumulative effects on possible subdivision in the future cannot be considered as an adverse effect under this application and precedent effects should not be afforded weight for determining the application as this is too speculative.

#### Effects on Transport, Access and Parking

The applicant has been assessed by the Council's Transportation Planner and the Council's Transportation Engineer who visited the site. They considered that the access onto Hadfield Road is adequate for two additional lots and that the sightlines are adequate in both directions with the imposition of conditions regarding vegetation clearance and maintenance.

#### Effects on Infrastructure

The dwelling on proposed Lot 1 is already fully serviced and these arrangements will not change. As discussed above, the servicing to proposed Lot 2 and Lot 3 will be constructed when a dwelling is built on these sites. On-site storm water and wastewater disposal is considered to be appropriate for the site which has the land area to provide for both disposal fields. It is proposed that roof collection and storage tanks will be used for both potable water and fire-fighting water supply. Conditions will be recommended ensure that these are provided in accordance with the relevant standards.

#### Earthworks

Permitted earthworks, which are still a matter of control regarding subdivisions, are required to create the subdivision include establishing the two new accesses off Hadfield Road along with stream crossings within proposed Lot 2 and Lot 3 in the form of culverts for the driveway accesses. To minimize disruption to the watercourse and avoid any discharge to water, a



condition will be recommended that in-stream works only occur when the watercourse/stream is dry and does not contain water. Additional earthwork performance type conditions to ensure that sediment and nuisance effects are managed so that adverse effects are avoided will be recommended.

## **7.5 Conclusion on Adverse Effects**

Based on the above assessment of effects, I conclude that the effects associated with the proposed subdivision will be less than minor.

## **7.6 s95A Public Notification**

*(1) A consent authority must follow the steps set out in this section, in the order given, to determine whether to publicly notify an application for a resource consent.*

### **Step 1: mandatory public notification in certain circumstances**

*(2) Determine whether the application meets any of the criteria set out in subsection (3) and,—*

- (a) if the answer is yes, publicly notify the application; and*
- (b) if the answer is no, go to step 2.*

*(3) The criteria for step 1 are as follows:*

- (a) the applicant has requested that the application be publicly notified;*
- (b) public notification is required under section 95C;*
- (c) the application is made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977.*

### **Step 2: if not required by step 1, public notification precluded in certain circumstances**

*(4) Determine whether the application meets either of the criteria set out in subsection (5) and,—*

- (a) if the answer is yes, go to step 4 (step 3 does not apply); and*
- (b) if the answer is no, go to step 3.*

*(5) The criteria for step 2 are as follows:*

- (a) the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes public notification;*
- (b) the application is for a resource consent for 1 or more of the following, but no other, activities:*
  - (i) a controlled activity;*
  - (ii) a restricted discretionary or discretionary activity, but only if the activity is a subdivision of land or a residential activity;*
  - (iii) a restricted discretionary, discretionary, or non-complying activity, but only if the activity is a boundary activity;*
  - (iv) a prescribed activity (see section 360H(1)(a)(i)).*

*(6) In subsection (5), residential activity means an activity that requires resource consent under a regional or district plan and that is associated with the construction, alteration, or use of 1 or more dwellinghouses on land that, under a district plan, is intended to be used solely or principally for residential purposes.*

### **Step 3: if not precluded by step 2, public notification required in certain circumstances**

*(7) Determine whether the application meets either of the criteria set out in subsection (8) and,—*

- (a) if the answer is yes, publicly notify the application; and*
- (b) if the answer is no, go to step 4.*

*(8) The criteria for step 3 are as follows:*

- (a) the application is for a resource consent for 1 or more activities, and any of those activities is subject to a rule or national environmental standard that requires public notification;*
- (b) the consent authority decides, in accordance with section 95D, that the activity will have or is likely to have adverse effects on the environment that are more than minor.*

### **Step 4: public notification in special circumstances**

(9) Determine whether special circumstances exist in relation to the application that warrant the application being publicly notified and,—

(a) if the answer is yes, publicly notify the application; and

(b) if the answer is no, do not publicly notify the application, but determine whether to give limited notification of the application under section 95B.

**Recommendation:**

That the application **need not be publicly notified** in accordance with the steps above and Sections 95A and 95C-95D of the Resource Management Act 1991. While public notification is not precluded the effects of the subdivision are considered to be less than minor and no special circumstances apply.

**Reported and Recommended by:**



Louise White  
Resource Consent Planner

**Decision:** "That the above recommendation be adopted."

**Delegated Officer (Peer Reviewer):**



Wayne Gair  
Principal Resource Consent Planner

**7.7 s95B Limited Notification**

(1) A consent authority must follow the steps set out in this section, in the order given, to determine whether to give limited notification of an application for a resource consent, if the application is not publicly notified under section 95A.

**Step 1: certain affected groups and affected persons must be notified**

(2) Determine whether there are any—

(a) affected protected customary rights groups; or

(b) affected customary marine title groups (in the case of an application for a resource consent for an accommodated activity).

(3) Determine—

(a) whether the proposed activity is on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11; and

(b) whether the person to whom the statutory acknowledgement is made is an affected person under section 95E.

(4) Notify the application to each affected group identified under subsection (2) and each affected person identified under subsection (3).



**Step 2: if not required by step 1, limited notification precluded in certain circumstances**

- (5) Determine whether the application meets either of the criteria set out in subsection (6) and,—
- (a) if the answer is yes, go to step 4 (step 3 does not apply); and
  - (b) if the answer is no, go to step 3.
- (6) The criteria for step 2 are as follows:
- (a) the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes limited notification;
  - (b) the application is for a resource consent for either or both of the following, but no other, activities:
    - (i) a controlled activity that requires consent under a district plan (other than a subdivision of land);
    - (ii) a prescribed activity (see section 360H(1)(a)(ii)).

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

- (7) Determine whether, in accordance with section 95E, the following persons are affected persons:
- (a) in the case of a boundary activity, an owner of an allotment with an infringed boundary; and
  - (b) in the case of any activity prescribed under section 360H(1)(b), a prescribed person in respect of the proposed activity.
- (8) In the case of any other activity, determine whether a person is an affected person in accordance with section 95E.
- (9) Notify each affected person identified under subsections (7) and (8) of the application.

**Step 4: further notification in special circumstances**

- (10) Determine whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined to be eligible for limited notification under this section (excluding persons assessed under section 95E as not being affected persons), and,—

- (a) if the answer is yes, notify those persons; and
- (b) if the answer is no, do not notify anyone else.

**Recommendation:**

That the application be processed on a **non-notified** basis in accordance with Sections 95B and 95E of the Resource Management Act 1991. No parties are considered to be affected by the proposal, other than those that have provided their written approval to the application and there are no special circumstances.

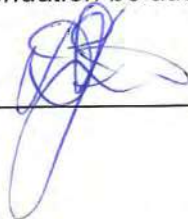
**Reported and Recommended by:**



Louise White  
Resource Consent Planner

**Decision:** "That the above recommendation be adopted."

**Delegated Officer (Peer Reviewer):**



Wayne Gair  
Principal Resource Consent Planner

**8 SECTION 104 ASSESSMENT**

In considering the merits of an application, Section 104 of the Resource Management Act 1991 must be considered. Section 104 is set out below:

#### **104 Consideration of applications**

- (1) When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to—
  - (a) any actual and potential effects on the environment of allowing the activity; and
  - (ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and
  - (b) any relevant provisions of—
    - (i) a national environmental standard;
    - (ii) other regulations;
    - (iii) a national policy statement;
    - (iv) a New Zealand coastal policy statement;
    - (v) a regional policy statement or proposed regional policy statement;
    - (vi) a plan or proposed plan; and
  - (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.
- (2) When forming an opinion for the purposes of subsection (1)(a), a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect.
- (2A) When considering an application affected by section 124 [or 165ZH(1)(c)], the consent authority must have regard to the value of the investment of the existing consent holder.
- (2B) When considering a resource consent application for an activity in an area within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011, a consent authority must have regard to any resource management matters set out in that planning document.
- (2C) Subsection (2B) applies until such time as the regional council, in the case of a consent authority that is a regional council, has completed its obligations in relation to its regional planning documents under section 93 of the Marine and Coastal Area (Takutai Moana) Act 2011.
- (3) A consent authority must not,—
  - (a) when considering an application, have regard to—
    - (i) trade competition or the effects of trade competition; or
    - (ii) any effect on a person who has given written approval to the application;
  - (b) [Repealed]
  - (c) grant a resource consent contrary to—
    - (i) section 107, 107A, or 217;
    - (ii) an Order in Council in force under section 152;
    - (iii) any regulations;
    - (iv) wāhi tapu conditions included in a customary marine title order or agreement;
    - (v) section 55(2) of the Marine and Coastal Area (Takutai Moana) Act 2011;
  - (d) grant a resource consent if the application should have been notified and was not.
- (4) A consent authority considering an application must ignore subsection (3)(a)(ii) if the person withdraws the approval in a written notice received by the consent authority before the date of the hearing, if there is one, or, if there is not, before the application is determined.
- (5) A consent authority may grant a resource consent on the basis that the activity is a controlled activity, a restricted discretionary activity, a discretionary activity, or a non-complying activity, regardless of what type of activity the application was expressed to be for.
- (6) A consent authority may decline an application for a resource consent on the grounds that it has inadequate information to determine the application.
- (7) In making an assessment on the adequacy of the information, the consent authority must have regard to whether any request made of the applicant for further information or reports resulted in further information or any report being available.



Sections 104A-104D set out particular restrictions on determining applications for controlled, restricted discretionary, discretionary, or non-complying activities. The relevant provisions are summarised below:

**104B Determination of applications for discretionary or non-complying activities**

Section 104B states that after considering an application for a resource consent for a discretionary or non-complying activity, a consent authority-

- (a) May grant or refuse the application; and
- (b) if it grants the application, may impose conditions under section 108.

**104D Particular restrictions for non-complying activities**

Section 104D(1) states that despite any decision made for the purpose of Section 93 in relation to minor effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either-

- (a) The adverse effects of the activity on the environment (other than any effect to which 104(3)(b) applies) will be minor; or
- (b) The application is for an activity that will not be contrary to the objectives and policies of-
  - (i) The relevant plan, if there is a plan but no proposed plan in respect of the activity; or
  - (ii) The relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or
  - (iii) Both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.

Section 104D(2) states that to avoid doubt, Section 104(2) applies to the determination of an application for a non-complying activity.

Section 104(6) allows the consent authority to decline a consent application if it has inadequate information to determine the application.

Adequate information was provided to process the application.

## **8.1 Internal Consultation**

### Development Engineer

The Council's Development Engineer has reviewed the application and has recommended a number of conditions which will be included at the end of this report to ensure that the development is undertaken in accordance with the Kapiti Coast District Council's Subdivision and Development Principles and Requirements 2012.

### Transportation Planner

The Council's Transportation Planner assessed the application and is satisfied that the proposal will not have any adverse effects on traffic safety or roading infrastructure provided that the accesses to proposed Lots 2 and 3 are constructed and maintained in accordance with Council standards and that vegetation is managed along Hadfield Road to not obstruct sight lines for vehicles using the new accesses. Consent conditions will be recommended to ensure these matters are complied with.

## **8.2 Actual or potential effects on the environment**

Section 104(1)(a) of the RMA requires the council to have regard to any actual and potential effects on the environment of allowing the activity. This includes both the positive and the adverse effects.



Methods of analysis to determine the actual or potential environmental effects of the activity have focused on site visits, studies of Council held data and feedback from other relevant Council departments.

Almost all of the effects related to the proposed development have been discussed in detail above at section 9 of this report. Aspects which have not already been covered are discussed below.

### **8.3 Positive Effects**

The development of two new allotments in the rural residential area, close to services and established townships, will contribute to an increased housing choice within the Kapiti Coast District and enable the applicant to provide for their social and economic wellbeing.

### **8.4 Summary of Actual and Potential Effects**

Overall it is concluded that the adverse effects associated with this application will be less than minor.

### **8.5 National Policy Statements – s104(1)(b)(iii)**

The following National Policy Statements exist and should be considered for their relevancy to the proposal:

- **National Policy Statement for Urban Development Capacity 2016.** This document is considered relevant and is discussed below.
- **National Policy Statement for Freshwater Management (amended 2017).** This national policy statement provides a National Objectives Framework to assist regional councils and communities to more consistently and transparently plan for freshwater objectives. Not relevant as no water body in the vicinity of the site.
- **National Policy Statement for Renewable Electricity Generation 2011.** Not relevant as there is no requirement for renewable forms of electricity in regards to the proposal.
- **National Policy Statement on Electricity Transmission 2008.** Not relevant as no transmission activities proposed and the development is not in the vicinity of high voltage transmission lines.
- **New Zealand Coastal Policy Statement 2010.** Not relevant because the site is not in the Coastal Dominance area meaning that it has been determined that this higher order planning document does not apply.

#### **National Policy Statement on Urban Development Capacity (NPSUDC)**

The National Policy Statement on Urban Development Capacity 2016 (NPSUDC) sets out the objectives and policies for providing development capacity under the Resource Management Act 1991.

The NPSUDC came into effect on 1 December 2016.

The proposal will result in two new rural residential allotments being added to the property market where existing roading infrastructure is located.

The proposal is consistent with the Objectives and Policies of the NPSUDC as it will open up otherwise underutilised land in an existing residential environment and provide for the social, economic, cultural and environmental wellbeing of the community.

## **8.6 National Environmental Standards – s104(1)(b)(ii)**

The following National Environmental Standards exist and should be considered for their relevancy to the proposal:

- **National Environmental Standard for Electricity Transmission Activities 2010.** Not relevant as the development is not in the vicinity of any existing high voltage transmission lines.
- **National Environmental Standard for Sources of Drinking Water 2008.** Not relevant as the development is not located within the Rural Water Policy Collection Area.
- **National Environmental Standard for Air Quality 2004.** Not relevant because the development does not require any air discharge permit consents and any future building consents for wood burners is outside the scope of what is being applied for.
- **National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health National Environmental Standard.** Not relevant to this application as the subject site has not been identified as a SLUR site on the Greater Wellington Regional Council database nor has been flagged as having HAIL activities potentially occurring on the land
- **National Environmental Standards for Plantation Forestry 2018.** Not relevant as no forestry activities are proposed.

## **8.7 Wellington Regional Policy Statement – s104(1)(b)(v)**

The Wellington Regional Policy Statement (RPS) sets out the strategic framework for managing the use, development and protection of the natural and physical resources of the Wellington region in an integrated and co-ordinated manner.

The RPS provides an overview of the resource management issues for the region (within the regional council's functions under s.30 of the RMA), and states the policies and methods required to achieve the integrated management of the region's natural and physical resources. I am of the opinion that none of the Policies and Objectives of the RPS are relevant to this proposal as the site is not subject to natural hazards and the watercourse that runs through the site is intermittent.

## **8.8 Plan or Proposed Plan – s104(1)(b)(vi)**

### Operative District Plan

The relevant Objectives and Policies of the District Plan are listed below. The policies seek to provide for rural residential subdivision on land which is not suitable for residential development, near urban areas and land that has already been closely subdivided, while maintaining the environmental character and associated amenity values of rural areas.

Overall, I am of the opinion that the proposal is considered consistent with the relevant Objectives and Policies and assessment criteria of the Operative District Plan. The intensity and character of the development is in keeping with the surrounding property sizes and land uses. The proposal, with appropriate conditions, is consistent with the Council's Subdivision and Development Principles and Requirements, and will have appropriate and safe legal and physical access to all Lots.



## 8.9 Operative District Plan Relevant Objectives and Policies

The following Objectives and Policies apply to this application:

- C.2.1 Rural Zone – Objective 1.0 – General
  - Policy 1A – Natural Environment – Identification and Protection
  - Policy 1B – Natural Environment – Use and Development
- C.6.1 Tangata Whenua – Objective 1.0 – Treaty of Waitangi
  - Policy 6 – Water Management
- C.7.1 Rural Subdivision – Objective 1.0 – Density
  - Objective 1.0 – General*
  - Policy 6(a) – Rural Residential*
  - Policy 8 – Cumulative Effects*
  - Policy 9 – Sustainability of water quantity and quality
  - Policy 10 – On site wastewater disposal
  - Policy 11 – Rural residential potable water supply
  - Policy 13 – Land protection
- C.7.2 Rural Subdivision and Development – Objective 1 – General
  - Policy 9 – Ensure subdivision and resultant activities do not jeopardise the sustainability of water quantity and quality
  - Policy 10 – Ensure density and maintenance of on-site sewage systems is such that human health is not jeopardised by contamination of soil, groundwater or recreational and shellfish gathering water
  - Policy 11 – Ensure that rural residences can access adequate quantities of potable water to avoid risks to human health and amenity in the absence of community reticulated water
- C.7.4 Subdivision and Development Principles and Requirements – Objective 1.0
  - Policy 1 – Subdivision and Development Design
  - Policy 2 – Watercourse Management, with particular reference to (b) Riparian Buffer/Landscape Amenity and (c) Open Space
- C.11.1 Ecology – A Natural Environment – Objective 1.0 Protect and enhance the natural environment and ecological integrity of the district
  - Policy 2 – Mitigation of effects from subdivision, use and development
  - Policy 11 – Maintain and enhance natural landscape values
- C.12.1 Open Spaces and Reserves
  - A. General – Objective 1.0 – Provision for future reserves needs
  - Policy 7 – Reserves Contributions

### Proposed District Plan

The relevant objectives and policies of the Proposed District Plan are listed below. The proposed subdivision is considered to be consistent with the relevant Objectives and Policies of the Proposed District Plan as it is located within an established rural residential zone, meets the minimum lot size for the zone and is in keeping with the surrounding environment, will not adversely affect the visual amenity of the wider area, as viewed from surrounding properties and keys areas of the District, and will add to the District's housing stock.

Policy 7.2 specifically refers to rural character and states that subdivision, use and development in rural areas will be undertaken in a manner that maintains the general sense of openness, natural landforms and the overall low density of development. It is considered that this proposal is not inconsistent with this, or any of the other, relevant policies pertaining to development in the rural residential area.

### **Objectives:**

2.3 – Development management  
2.11 – Character and amenity  
2.13 – Infrastructure  
DW1 – Growth management  
DW4 – Managing intensification

**Rural Zones Policies:**

7.2 – Rural character  
7.8 – Growth management  
7.11 – Rural Residential Zone

**Open Space and Private Recreation and Leisure Zones Policies:**

8.1 – Reserve Contributions

**Infrastructure, services and associated resource use policies:**

11.7 – Infrastructure and growth management  
11.11 – Quality of infrastructure design and services  
11.17 – Stormwater quantity and quality  
11.19 – Water supply  
11.20 – Wastewater

**General Provisions:**

12.1 – Provision of reserves and public open spaces

For the full text of the above provisions, reference can be made to the Proposed Plan.

**8.9.1 Summary**

As the outcomes are the same under the Operative and Proposed Plan frameworks, no weighting is considered necessary.

Wellington Regional Proposed Natural Resources Plan

The Proposed Natural Resources Plan for the Wellington Region was notified on 31 July 2015. I am of the opinion that, in this particular case, none of the provisions of the plan are relevant. The wastewater treatment and disposal system for the site will be designed in accordance with the relevant standards and is unlikely to require a resource consent as there is enough land to locate the effluent disposal fields more than 20m from the existing bore within proposed Lot 3 and the subdivision is not located within a community drinking water supply protection area (relates to Regional Council rule below):



**Rule R75: New or upgraded on-site wastewater systems – permitted activity**

The discharge of domestic wastewater onto or into land and the associated discharge of odour from a new or upgraded on-site domestic wastewater treatment and discharge system is a permitted activity provided the following conditions are met:

- (a) the discharge shall occur within the boundary of the property, and
- (b) the on-site domestic wastewater treatment and discharge system design shall meet the requirements of *AS/NZS 1547:2012 – On-site Domestic Wastewater Management*, and
- (c) the flow allowance used to calculate the system design flow must be no less than 145L per person per day where the water supply is provided by roof water collection, or no less than 180L per person per day for other sources of water supply, and
- (d) the discharge shall consist only of contaminants normally associated with domestic sewage, and
- (e) the discharge is not located within:
  - (i) 20m of a surface water body, coastal marine area, gully or bore used for water abstraction for potable supply, or
  - (ii) 20m of the boundary of the property unless the land application system consists of a pressure compensating drip irrigation system where the boundary set-back is 5m, or
  - (iii) 0.1m of the soil surface unless it is covered permanently with a minimum of 0.1m of mulch or similar cover material, or
  - (iv) a community drinking water supply protection area as shown on Map 26, Map 27a, Map 27b or Map 27c, and
- (f) the on-site domestic wastewater treatment and discharge system is operated and maintained in accordance with the system design specification for maintenance or, if there is no design specification, Section 6.3 and Appendices T and U of *AS/NZS 1547:2012 – On-Site Domestic Wastewater Management*, and
- (g) the discharge shall not exceed 14,000L/week or a maximum daily volume of 2,000L, and

## 8.10 Section 104D Assessment

Section 104D of the Act is a threshold test, and both limbs of the test must be considered when assessing applications for non-complying activities even if they are being processed on a limited or non-notified basis.

Consent may only be granted if at least one of the following tests is passed:

- (a) the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or
- (b) the application is for an activity that will not be contrary to the objectives and policies of—
  - (i) the relevant plan, if there is a plan but no proposed plan in respect of the activity; or
  - (ii) the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or

- (iii) *both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.*

I consider that the adverse effects of the activity on the environment (other than any effect to which Section 104(3)(a)(ii) applies) will be less than minor (section 10.6 above).

I consider that the application is for an activity that will not be contrary to the Objectives and Policies of the Kapiti Coast Operative and Proposed District Plans (section 10.10 above).

The application passes the 104D tests and consent may be granted under Section 104B.

### **8.11 Any Other Matters**

Section 104(1)(c) provides that when considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to any other matter the consent authority considers relevant and reasonably necessary to determine the application.

There are no other matters that are relevant to this application that need to be considered.

## **9 OTHER RELEVANT RESOURCE MANAGEMENT ACT SECTIONS**

### **9.1 Section 106 of the Resource Management Act 1991**

Section 106 provides for the consent authority to refuse consent in certain circumstances or to impose conditions to mitigate the effects which may arise from a series of natural hazards. Section 106 also deals with matters related to the provision of satisfactory access to allotments. Section 106 is set out below:

#### **106 Consent authority may refuse subdivision consent in certain circumstances**

- (1) *A consent authority may refuse to grant a subdivision consent, or may grant a subdivision consent subject to conditions, if it considers that—*
- (a) *there is a significant risk from natural hazards; or*
  - (b) *[Repealed]*
  - (c) *sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision.*
- (1A) *For the purpose of subsection (1)(a), an assessment of the risk from natural hazards requires a combined assessment of—*
- (a) *the likelihood of natural hazards*
  - (b) *of a type that could be imposed under section 108.*
  - (c) *any likely subsequent use of the land in respect of which the consent is sought that would accelerate, worsen, or result in material damage of the kind referred to in paragraph (b)*
- (2) *Conditions under subsection (1) must be—*
- (a) *for the purposes of avoiding, remedying, or mitigating the effects referred to in subsection (1); and*
  - (b) *of a type that could be imposed under section 108.*

Adequate legal and physical access can be provided for the proposal.

As demonstrated in the Applicant's Engineer Report, the proposal will not result in an increased risk from natural hazards to any person or property meaning the proposal meets the tests under Section 106 and can be considered for approval.



## **9.2 Conditions of Resource Consents – s108 or s220**

- (1) A consent authority must not include a condition in a resource consent for an activity unless—
- (a) the applicant for the resource consent agrees to the condition; or
  - (b) the condition is directly connected to 1 or both of the following:
    - (i) an adverse effect of the activity on the environment;
    - (ii) an applicable district or regional rule, or a national environmental standard; or
  - (c) the condition relates to administrative matters that are essential for the efficient implementation of the relevant resource consent.
- (2) Subsection (1) does not limit this Act or regulations made under it.
- (3) This section does not limit section 77A (power to make rules to apply to classes of activities and specify conditions), 106 (consent authority may refuse subdivision consent in certain circumstances), or 220 (condition of subdivision consents).
- (4) For the purpose of this section, a district or regional rule or a national environmental standard is applicable if the application of that rule or standard to the activity is the reason, or one of the reasons, that a resource consent is required for the activity.
- (5) Nothing in this section affects section 108(2)(a) (which enables a resource consent to include a condition requiring a financial contribution).

A number of conditions have been recommended by the Council's Development Engineer and Transportation Planner. These conditions will be included in the recommendation below. The applicant has reviewed the set of draft conditions and advised that they are acceptable.

## **9.3 Review Condition – s128**

No review condition is recommended.

## **9.4 Financial Contribution Conditions**

Financial contributions (Reserve Contributions) for two additional allotments is applicable to this consent and are set out in condition 2 (reserve contribution) and in the advice notes (development contributions) recommended below.

## **9.5 Monitoring**

As the proposal incorporates a subdivision Council officers will be present to undertake inspections of the existing and proposed services.

Section 223 and 224(c) certifications are required for the subdivision to be completed.

## **10 PART 2 MATTERS**

Any consideration under Section 104(1) is subject to Part 2 of the Act. Part 2 sets out the purpose and principles of the Act. In addition, Part 2 requires the Council to recognise and provide for matters of national importance (Section 6); have particular regard to other matters (Section 7); and to take into account the principles of the Treaty of Waitangi (Section 8).

### **10.1 Section 5-Purpose**

Section 5(1) states that the purpose of the Act is to promote the sustainable management of natural and physical resources.

I consider the proposal to be in accordance with the purpose of the Act as it will enable low level rural residential intensification in an area close to urban amenities and transport, which is consistent with the surrounding patterns of development and maintains the minimum lots size for the zone without have any adverse effect on visual character and amenity.

### **10.2 Section 6-Matters of National Importance**

Section 6 establishes eight matters which must be recognised and provided for by all persons exercising functions and powers under the Act.

There are no relevant Matters of National Importance.

### **10.3 Section 7-Other Matters**

Section 7 establishes eleven matters which all persons exercising functions and powers under the Act shall have particular regard to.

The proposed subdivision will allow for the low level intensification of the rural residential area in Kapiti with effects that are less than minor. This is considered an efficient use of natural and physical resources. Amenity values in the rural area will be maintained as will the existing character of the surrounding environment.

### **10.4 Section 8-Treaty of Waitangi**

The proposal is considered to be in accordance with the principles of te Tiriti o Waitangi as the site is not identified as having cultural significance.

### **10.5 Conclusion on Part 2 matters**

Overall, the proposal is consistent with Part 2 matters because this proposal allows for the creation of a new allotment for future residential development, without having a detrimental effect on the surrounding environment.

## **11 RECOMMENDATION**

That the undersigned officer, acting under authority delegated from the Council and pursuant to Sections 104 and 104B, with reference to section 104D and section 106 of the Resource Management Act 1991, hereby **grant** consent for a three lot rural residential subdivision at 4 Octavius Road, Waikanae (LOT 1 DP 81236 held in computer freehold register 47C/822), subject to the following conditions which were imposed under Sections 108 and 220 of the Resource Management Act 1991.

### **Conditions:**

#### General

1. The e-survey dataset shall be in general conformity with the Landlink plan titled "Scheme Plan – Proposed Subdivision of Lot 1 DP 81236", drawing number 2275-P1-001, Revision B stamped as 'Final Approved Plans' on 14 September 2018, and the information lodged with the application for RM180182, except where modified by conditions of consent.
2. The proposed subdivision shall be completed in general accordance with the plans, information and specifications lodged with the application supplied by the consent holder and held on the file RM180182 except where modified by conditions of consent,



with reference to the following plans stamped as 'Final Approved Plans' on 14 September 2018:

- Landlink plan titled 'Scheme Plan – Proposed Subdivision of Lot 1 DP 81236', drawing number 2275-P1-001, Revision B dated 7/2/2018
- Landlink plan titled 'Development/Engineering Plan – Proposed Subdivision of Lot 1 DP 81236, drawing number 2275-p1-002, Revision B, dated 7/2/2018

### Easements

3. Easements are required over any rights of way and communal, private and public services where these pass through the lots in the subdivision. The Council may require other easements. Easement documents shall be prepared by solicitors at the consent holder's expense. This consent is conditional on the easements being granted or reserved and they must be subject to section 243 of the Resource Management Act 1991.

### Fees, Levies and Contributions

4. A Reserve Contribution is payable and has been assessed at \$13,649.74 (i.e \$6,824.87 per allotment) inclusive of GST.

The contribution must be paid prior to the issue of any certificate pursuant to section 224(c) of the Resource Management Act 1991.

5. The consent holder shall pay Council Engineering Fees of \$612.00 plus \$306.00 per lot (total \$1224.00 GST inclusive) for work that may be required for plan approvals, site inspections and consent compliance monitoring, plus any further monitoring charge or changes to recover the actual and reasonable costs that have been incurred to ensure compliance with the conditions attached to this consent.

**Note:** Prior to the issue of any certificate pursuant to section 224(c) of the Resource Management Act 1991, the engineering fee shall be paid and the consent holder will be advised of further monitoring charge or charges as they fall due. Such further changes are to be paid prior to the issue of any certificate pursuant to section 224(c) of the Resource Management Act 1991.

### Prior to works commencing:

6. The consent holder shall comply with the requirements of the Kapiti Coast District Council's (KCDC's) Subdivision and Development Principles and Requirements 2012 (SDPR: 2012), unless alternatives are proposed by the consent holder and accepted by the Council's Development Engineer.
7. The consent holder shall submit to Council for certification copies of the plans and specifications for the engineering development in accordance with Paragraphs 1 to 5 of Schedule 1 contained in Part 4 of the KCDC's SDPR: 2012.
8. The consent holder shall supply a site plan and information to the Council's Development Engineer for approval, detailing:
  - The two new accesses including visibility splays;
  - The extent of vegetation removal required to meet sightlines for the two new accesses;
  - A 'traffic management plan' if vegetation is required to be removed from the grass verge of the legal road to meet sightlines for the two new accesses.

No work shall commence until the plans, information and specifications for the engineering development have been approved by the Council's Development Engineer in writing.

**Note:** *Engineering drawings shall contain sufficient detail to clearly illustrate the proposal to enable assessment of compliance with the KCDC's SDPR: 2012 and to enable accurate construction.*

9. The consent holder shall advise Council's Development Engineer the names of the Developer's or Owner's Representative(s) appointed in terms of Clause B(ii) of Part 3 of the KCDC's SDPR: 2012.
10. The consent holder shall advise the names and professional qualifications of any Suitably Qualified Persons required in terms of Clause B(iii) of Part 3 of the Kapiti Coast District Council's Subdivision and Development Principles and Requirements 2012. Suitably Qualified Persons are required for, but not necessarily limited to, the following areas:

- foundation recommendations;
- on site stormwater attenuation;
- civil works.

**Note:** *If the Council considers any of the nominated persons are not acceptable then the consent holder shall nominate alternative persons, or the Council may require the consent holder to employ a specified Suitably Qualified Person or Persons at the consent holders cost.*

Prior to sitework commencing:

11. The consent holder shall notify Council's Development Engineer prior to commencement of the following stages of work, so that the Council's Development Engineer, or their authorised representative, are present on site to inspect certain stages of the works. These stages are as follows:
  - commencement of works or recommencement after a substantial lapse;
  - completed earthworks and prepared driveway subgrade;
  - finished base course before the commencement of driveway sealing;
  - driveway during Benkelman Beam testing;
  - road sealing – waterproof and final seal coat;
  - final inspection.

Earthworks

12. The consent holder shall not remove soil support from adjacent lots.
13. All batters shall be self-supporting.
14. Earthworks to establish the culverts shall only occur when no water is flowing or contained within the stream within the subject site.
15. Land disturbed by earthworks, trenching or subdivision construction activities shall ensure that dust nuisance is maintained within the site.
16. The consent holder shall ensure that all vehicles exiting the site do not track material onto the road.
17. If some contaminant material is tracked on to the road, the consent holder shall clean and repair the road back to its original condition. In doing this, the consent holder shall ensure that no material washes or is swept into any stormwater drains or natural drainage system.



### Culverts

18. Both culverts shown on the application plan referenced in condition 2 shall be designed and constructed in accordance with NZS4404:2010 Cl.4.3.9.6 & SDPR Part 4 Schedule 4 Cl.4.3.9.6.

### Foundations

19. The consent holder or future owners of Lot 2 and Lot 3 shall undertake earthworks associated with the Engineering Report by Landlink supplied with the application and dated 21 August 2018 in accordance with Section 2 of NZS4404:2010 (except where altered by Schedule 2 of the Subdivision and Development Principles and Requirements 2012) unless otherwise agreed with the Council Development Engineer in writing. Upon completion of the earthworks a Schedule 2A form (NZS4404:2010) shall be signed and submitted by the geo-professional to the Council's Development Engineer.

**Note:** A Consent Notice under Section 221 of the Resource Management Act will be issued to facilitate the recording of this condition which is to be complied with on an on-going basis.

### Accesses for Lots 2 and 3

20. Access for proposed Lot 2 and Lot 3 shall be sealed to the boundary and the rural vehicle crossings (including visibility splays and culverts) to be constructed and maintained in accordance with KCDC standard drawing KCDC-RD-017.

**Note:** A Consent Notice under Section 221 of the Resource Management Act will be issued to facilitate the recording of this condition which is to be complied with on an on-going basis

21. Vegetation shall be trimmed and maintained in accordance with the plan that is to be submitted to and approved by the Council's Development Engineer under condition 8 in order to preserve adequate sightlines for vehicles exiting proposed Lot 2 and Lot 3.

**Note:** A Consent Notice under Section 221 of the Resource Management Act will be issued to facilitate the recording of this condition which is to be complied with on an on-going basis

### Wastewater

22. On-site wastewater treatment and disposal for Lots 1, 2 and 3 shall comply with the requirements and intent of the Engineering Report prepared by Landlink dated 21 August 2018.

**Note:** A Consent Notice under Section 221 of the Resource Management Act will be issued to facilitate the recording of this condition, which is to be complied with on an on-going basis. The Consent Notice shall include reference to the following:

- the recommendations for and constraints on the provision of wastewater treatment and disposal as outlined in the accepted on-site wastewater treatment and disposal report;
- the owners' responsibility to maintain and monitor their wastewater disposal so that any adverse effects on the environment are minor.

### Water Supply

23. Onsite water storage and supply for Lot 2 and Lot 3 shall be a minimum of 30,000 litres (with 50,000 litres recommended) as per KCDC's SDPR: 2012.

It shall be the on-going responsibility of the owners of Lot 2 and Lot 3 to provide, maintain and monitor the installation and operation of the individual household water supply in accordance with the Ministry of Health's publication 'Household water supplies, the selection, operation, and maintenance of individual household water supplies' (revised April 2006) that provides a minimum storage capacity of 30,000 litres include where council supply is not available.

**Note:** a Consent Notice under Section 221 of the Resource Management Act will be issued to facilitate the recording of this condition, which is to be complied with on an on-going basis.

24. Fire-fighting requirements shall comply with the New Zealand Fire Service Fire-fighting Water Supplies Code of Practice SNZ PAS 4509:2008.

**Note:** A Consent Notice under Section 221 of the Resource Management Act will be issued to facilitate the recording of this condition which is to be complied with on an on-going basis.

### Power and Telecommunications

25. New underground power and telecommunication services shall be provided to the boundary for Lot 2 and Lot 3 unless alternative methods of providing telecommunication services are approved by the Council Development Engineer prior to installation.

**Note:** Services shall be installed in accordance with NZS: 4404:2010

### As-built information upon completion of works

26. Completion documentation, including operation and maintenance manuals, shall be submitted in support of an application for s224c certification in accordance with Part 1 of NZS4404 and Part 4, Schedule 1 of the KCDC's SDPR: 2012

### Plans and meeting of conditions

27. The consent holder shall supply a copy of the title sheets of the e-survey dataset and shall list and indicate how each condition has been met to the satisfaction of the Council.

### **Advice notes:**

- All costs arising from any of the above conditions shall be borne by the consent holder.
- It is the consent holder's responsibility to comply with any conditions imposed on this resource consent prior to and during (as applicable) exercising this resource consent.
- Under Section 125 of the Resource Management Act 1991, this resource consent will lapse in five years, unless it is given effect to within that time.
- Contravention of the Land Drainage Act is not permitted and natural drainage patterns are to be preserved.



- The allocation of street addresses is the responsibility of local authorities under section 319B of the Local Government Act 1974. In order to achieve clear and unambiguous street addresses, street numbers may be changed for a section of or for the entire street rather than just for a single property in accordance with Council's Street Numbering and Naming Policy. This is to ensure that numbering maintains a logical sequence to assist the delivery of mail and the response of emergency services.
- Should a waahi tapu or other cultural site be unearthed during earthworks the contractor and/or owner shall:
  - cease operations;
  - inform local Iwi (*Insert name of local iwi – Ngati Raukawa, Te Ati Awa ki Whakarongotai, Ngati Toa or Ngati Haumia*);
  - inform the Heritage NZ and apply for an appropriate authority if required;
  - Take appropriate action, after discussion with Heritage NZ, Council and Iwi to remedy damage and/or restore the site.

**Note:** In accordance with the Heritage New Zealand Pouhere Taonga Act 2014, where an archaeological site is present (or uncovered), an authority from Heritage NZ is required if the site is to be modified in any way.

- The consent holder should not encroach onto adjacent land owned by others without having first obtained their written consent.
- A separate application is required for a building consent if any earth-retaining structure is intended as part of this work and the wall is higher than 1.5 metres or is subject to surcharging.
- If you disagree with any of the above conditions or disagree with the additional charges relating to the processing of the application, you have a right of objection pursuant to sections 357A or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of notification of the decision.
- Additional fees will be required by the Council with the application(s) for the Section 223 and 224 certificates. The section 224 certificate will be issued following compliance with all conditions of consent set out above, and payment of any development contribution that may be payable.
- Development Contributions will be required pursuant to Section 198 of the Local Government Act 2002 and the Council's 2018/2019 Development Contribution Policy when creating new allotments. The contributions will be calculated and levied for each additional allotment created by this resource consent in accordance with the fees that apply at the time consent is lodged. The fees are listed below:

<u>Items</u>	<u>Fees including GST(NZD)</u>
Roading – District	\$1,974.00
Stormwater – District	\$490.00
Community Infrastructure - District	\$1,678.00
<b>Total</b>	<b>\$4,142.00 (per lot)</b>

There are 2 additional lots created by this Resource Consent.

The contributions must be paid prior to the issue of any certificate pursuant to Section 224(c) of the Resource Management Act 1991 (please refer also to Section 208 of the Local Government Act 2002).

## 12 DECISION

**That the above recommendation be adopted under delegated authority.**

### **Reasons for Decision:**

In accordance with Sections 104, 104B and with reference to 104D and 106, of the Resource Management Act 1991, the actual and potential effects associated with the proposed activity have been assessed and are outlined above.

I consider that the adverse effects of the proposed activity on the environment will be less than minor and that the proposed activity is not contrary to the Objectives and Policies of the Kapiti Coast Operative and Proposed District Plans.



Louise White  
Resource Consents Planner  
14 September 2018



Wayne Gair  
Principal Resource Consents Planner



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- NOTES
- Plan is in terms of (New Zealand Geodetic Datum 2000)
  - (NZE) Christchurch New Zealand Transverse Mercator
  - (NZE) Christchurch New Zealand Transverse Mercator
  - Origin of levels is (NAME)
  - Boundaries are from (SOURCE)
  - Aerial photography is from (SOURCE) and approximate only
  - Underground services are from (SOURCE) and indicative only

LEGEND



- Site Access



- Percolation/Pervelometer location



- Culvert



- Building Excavation Area



- 20m Diameter circles

Revision

A

Original Issue

Comment

Name

Date



positive planning + durable design

Mahara House - 3 Ngaho Road - PO Box 370 - Waiwaka 5550  
www.landlink.co.nz - contactus@landlink.co.nz - P 04 922 5161

Client

Geoff Thompson

Title  
DEVELOPMENT / ENGINEERING  
PLAN - Proposed Subdivision  
of Lot 1 DP 81236

Project

4 Hadfield Road, Peka Peka

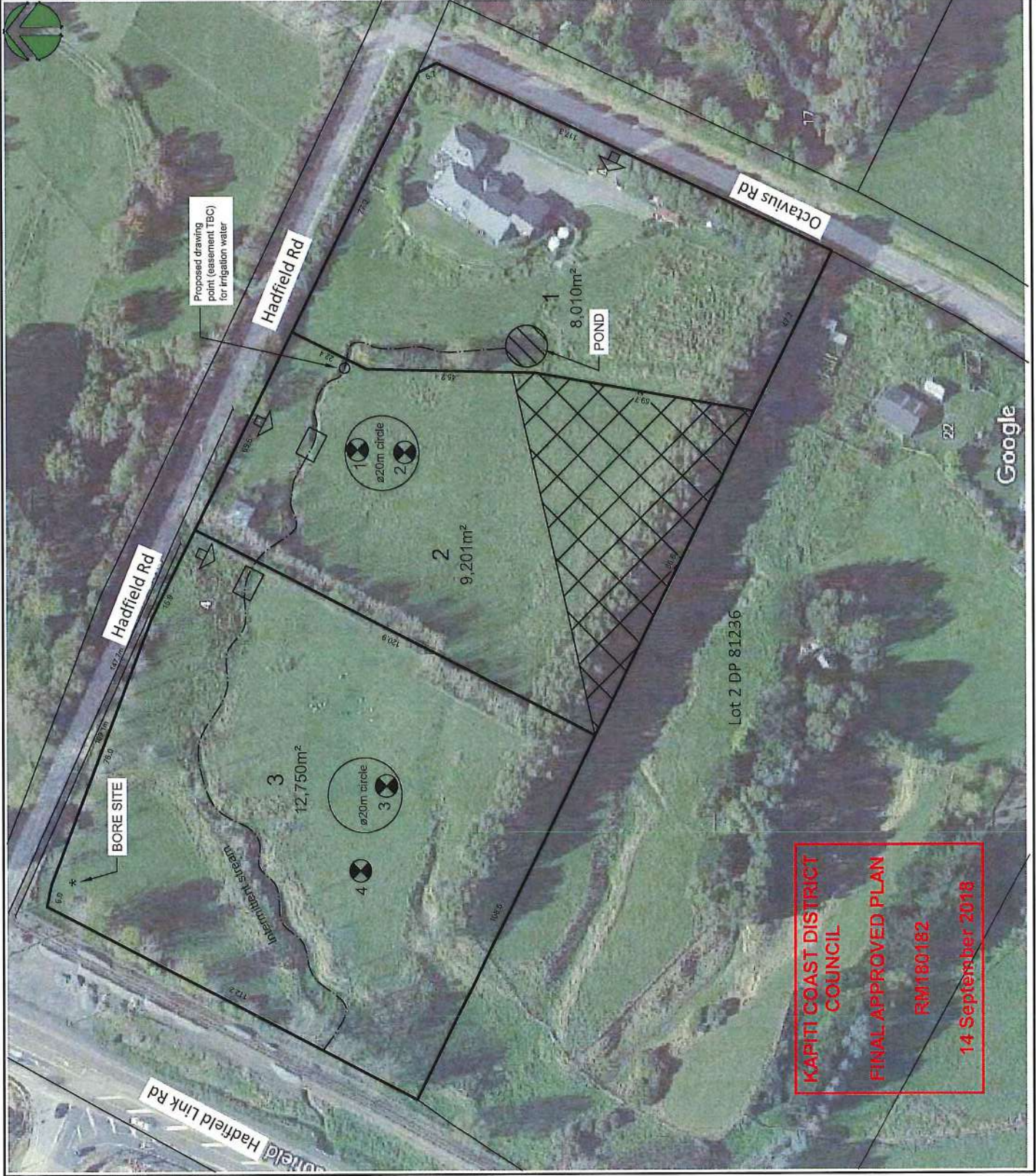
Approved	-	-
Checked	-	-
Drawn	HD	07/02/2018
Designed	-	-
Surveyed	-	-
Scale	1:1000 @ A3	

Drawing Number:

2275-P1-002

Revisions:

B









02 August 2019

Adam & Laura Beatie  
C/- GJ Gardner Homes Kapiti/Wellington  
kapiti  
gjgardner.co.nz

Dear Adam & Laura Beatie

**RM190160: To undertake earthworks for the construction of a dwelling that exceeds permitted activity standards within the Rural Zone**

We are pleased to enclose the decision on your Resource Consent application.

As you will see from the decision, there are a number of conditions that need to be complied with.

If you do not agree with the conditions of your consent you may lodge an objection with the Council in accordance with Section 357 of the Resource Management Act 1991. The objection would be heard by Hearing Commissioners. Please note that, if you do wish to object, you must advise the Resource Consents Manager no later than 15 working days from the date of receiving this consent.

If you have any concerns regarding the conditions please contact me prior to lodging an objection to discuss on (04) 2964 759 as it may be possible to make minor amendments or corrections outside of the objection process.

If the deposit paid at the time of lodging your resource consent application has not been sufficient to cover the Council's costs of considering your application you will receive an invoice in the next few weeks.

Please note that this consent will lapse within 5 years of the date of issue of this decision unless it is given effect to within that time. You may apply for an extension of the consent before the consent lapses. Please contact the Council to find out more if you wish to do this.

The Resource Consents Team is continually working to improve the service we provide and would appreciate your feedback. We would be grateful if you could please take the time to complete an online survey.

Yours sincerely



Amy Camilleri  
**Resource Consents Planner**

**RESOURCE CONSENT UNDER PART VI OF THE  
RESOURCE MANAGEMENT ACT 1991  
CONSENT NO: RM190160**

<b>APPLICANT:</b>	Adam & Laura Beatie
<b>LOCATION OF ACTIVITY:</b>	6 Hadfield Road, Te Horo
<b>DESCRIPTION OF ACTIVITY:</b>	To undertake earthworks for the construction of a dwelling that exceeds permitted activity standards within the Rural Zone

**Decision:**

That the undersigned officers, acting under authority delegated from the Council and pursuant to Sections 104 and 104C of the Resource Management Act 1991, hereby **grant** consent to undertake earthworks for the construction of a dwelling that exceeds permitted activity standards within the Rural Zone at 6 Hadfield Road, Te Horo (Lot 3 DP 531543) subject to the following conditions which were imposed under Section 108 of the Resource Management Act 1991.

**Conditions:**

General

1. The proposed activity shall be undertaken in general accordance with the GJ Gardner Homes Ltd plans titled 'New Dwelling Lot 3 Hadfield Road, Peka Peka' and specifications lodged with the application RM190160 and the further information supplied by Julieanne Mollett of GJ Gardner Homes Ltd via email on 30<sup>th</sup> July 2019 except where modified by conditions of consent.
  - a. Site Plan, Dated 10<sup>th</sup> July 2019, Job number 980060 page 1 rev A
  - b. Earthworks Plan, Dated 10<sup>th</sup> July 2019, Job number 980060 page 1 rev A
  - c. Elevations, Dated 10<sup>th</sup> July 2019, Job number 980060 page 3 rev AAll stamped as 'Final Approved Plans' on 1<sup>st</sup> August 2019, except where modified by conditions of consent.
2. Prior to works commencing, the consent holder shall provide the Council's Development Engineer with the names of the Developer's or Owner's Representative(s) appointed in terms of Clause B(ii) of Part 3 of the Kapiti Coast District Council's Subdivision and Development Principles and Requirements, 2012.



3. The consent holder shall undertake earthworks in accordance with Part 3C & Part 4 Schedule 2 of the Subdivision and Development Principles and Requirements 2012 and Section 2 of NZS4404:2010 unless otherwise agreed with the Council's Development Engineer in writing. Upon completion of the earthworks the consent holder shall provide a certificate in the form of Schedule 2A of NZS4404:2010 by the geo-professional to the Council's Development Engineer.
4. The consent holder shall comply with the requirements of the approved EMP. Any proposed amendments to the EMP shall be submitted to the Council's Development Engineer for consideration and approval. No work shall commence until amendments to the EMP has been approved by the Council's Development Engineer.
5. No nuisance effect may be caused by discharge of material beyond the boundary of the subject site.  
**Note:** *For the avoidance of doubt, material includes but is not limited to silt, sediment, vegetation, aggregate and excess stormwater.*

**Advice Notes:**

- The consent holder shall notify the Council's RMA Compliance Officer of the start and completion dates of the works in writing 48 hours before the works are carried out. The consent holder shall fill out and return (by email to the duty compliance officer at [compliance.dutyofficer@kapiticoast.govt.nz](mailto:compliance.dutyofficer@kapiticoast.govt.nz), or by fax to (04) 2964 830 or by post to Private Bag 60601, Paraparaumu) the form that is attached to the decision letter.
- The consent holder shall pay to the Kapiti Coast District Council the actual and reasonable costs associated with the monitoring of conditions (or review of consent conditions), or supervision of the resource consent as set in accordance with Section 36 of the Resource Management Act 1991. These costs\* may include site visits, correspondence and the actual costs of materials or services which may have to be obtained.  
  
\*Please refer to Kapiti Coast District Council's current schedule of Resource Management fees for guidance on the current hourly rate chargeable for Council's staff.
- Under Section 125 of the Resource Management Act 1991, this resource consent will lapse in five years, unless it is given effect to within that time.
- It is the consent holder's responsibility to comply with any conditions imposed on this resource consent prior to and during (as applicable) exercising this resource consent.
- Please note that a resource consent is not a consent to build. A building consent must be issued prior to any building work being undertaken.
- If you disagree with any of the above conditions, or disagree with the additional charges relating to the processing of the application, you have a right of objection pursuant to sections 357A or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of notification of the decision.

- Should a waahi tapu or other cultural site be unearthed during earthworks the contractor and/or owner is required under the Heritage New Zealand Pouhere Taonga Act 2014:-
  - cease operations;
  - inform local Iwi (Te Ati Awa ki Whakarongotai and );
  - inform the Heritage New Zealand and apply for an appropriate authority if required;
  - take appropriate action, after discussion with Heritage New Zealand, Council and Iwi to remedy damage and/or restore the site.

**Note:** In accordance with the Heritage New Zealand Pouhere Taonga Act 2014, where an archaeological site is present (or uncovered), an authority from Heritage New Zealand is required if the site is to be modified in any way.

#### **Reasons for Decision:**

In accordance with Sections 104 and 104C of the Resource Management Act 1991, the actual and potential effects associated with the proposed activity have been assessed and are outlined above.

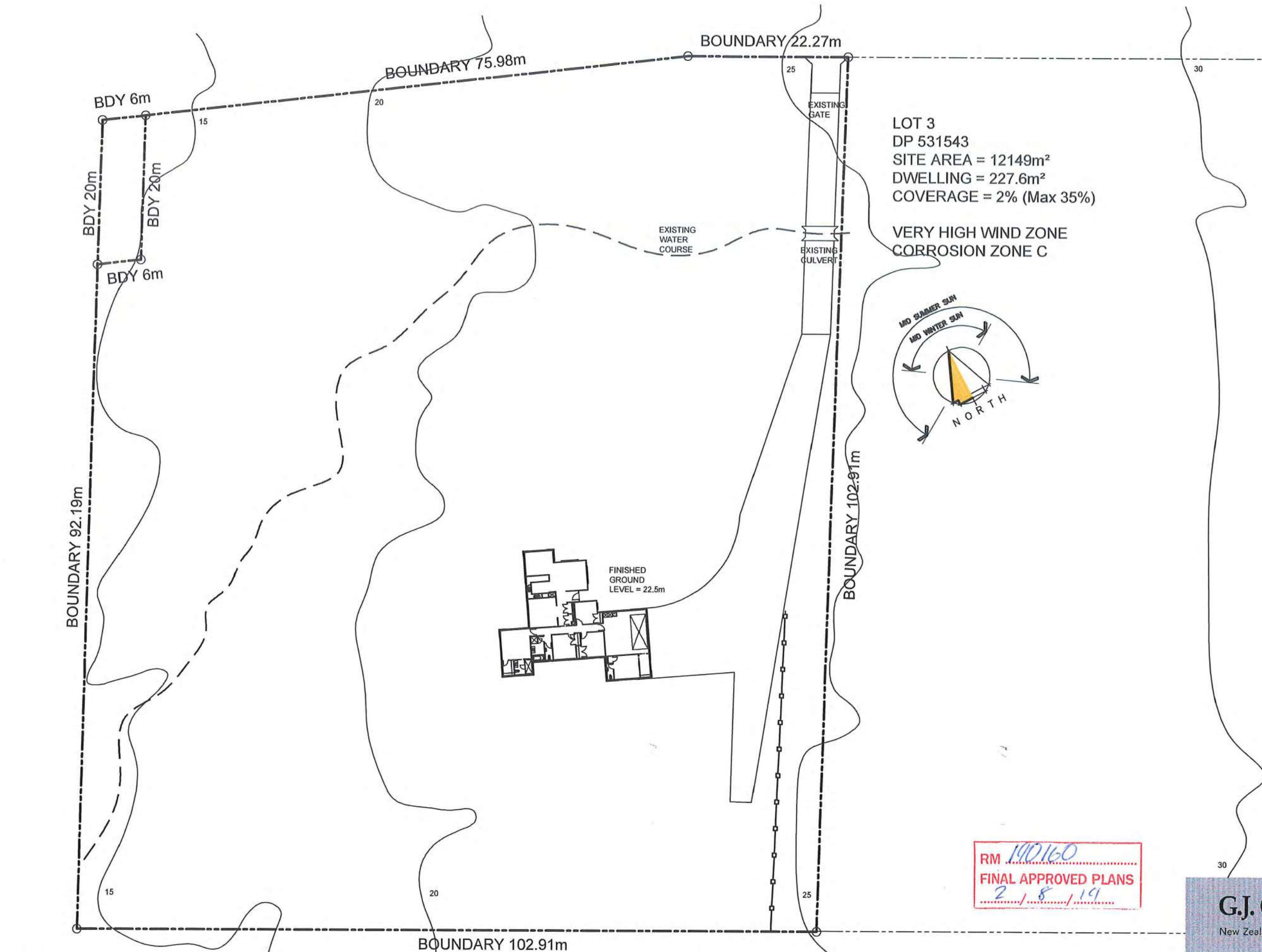
I consider that the adverse effects of the proposed activity on the environment will be less than minor and that the proposed activity is not contrary to the Objectives and Policies of the Kapiti Coast Operative and Proposed District Plans.

A full copy of the reasons for granting consent is contained in the decision report.



Amy Camilleri  
**Resource Consents Planner**





# SITE PLAN

SCALE 1:500

NOTE: SITE CONCEPT ONLY. SUBJECT TO ENGINEERING APPROVAL

Revisions:  
JULY 10 / 2019 rev A

Client Sign:

Client Sign:

Builder Sign:

Date:

## CONTRACT PLANS

Project:

NEW DWELLING

LOT 3 HADFIELD ROAD  
PEKA PEKA

Client:

BEATTIE

Drawing Title:

SITE PLAN

Designer:

COASTAL  
ARCHITECTURE LTD.

11 Kodex Place  
Paraparaumu  
New Zealand

Tel: 04 296 1248  
e-mail : coastarchdesign@gmail.com

Design:  
MB

Drawn:  
BF

Scale:  
as shown

Job:  
980060

Page of:  
1

Rev:  
A



G.J. Gardner. HOMES  
New Zealand's favourite home builders

All work shall be in accordance with the NZBC. If in doubt ASK The Contractor must verify all dimensions on the job before commencing any work or shop drawings. Figured dimensions are to be used, scaled dimensions must be verified. This drawing and concept are copyright of M and L Barke Construction Ltd. - Kapiti / Wellington Franchisee for G.J. Gardner Homes. The recipient of this document is prohibited from disclosing its content for any purpose without the prior written consent of M and L Barke Construction Ltd. - Kapiti / Wellington Franchisee for G.J. Gardner Homes



20m  
CONTOUR  
LINE

25m  
CONTOUR  
LINE

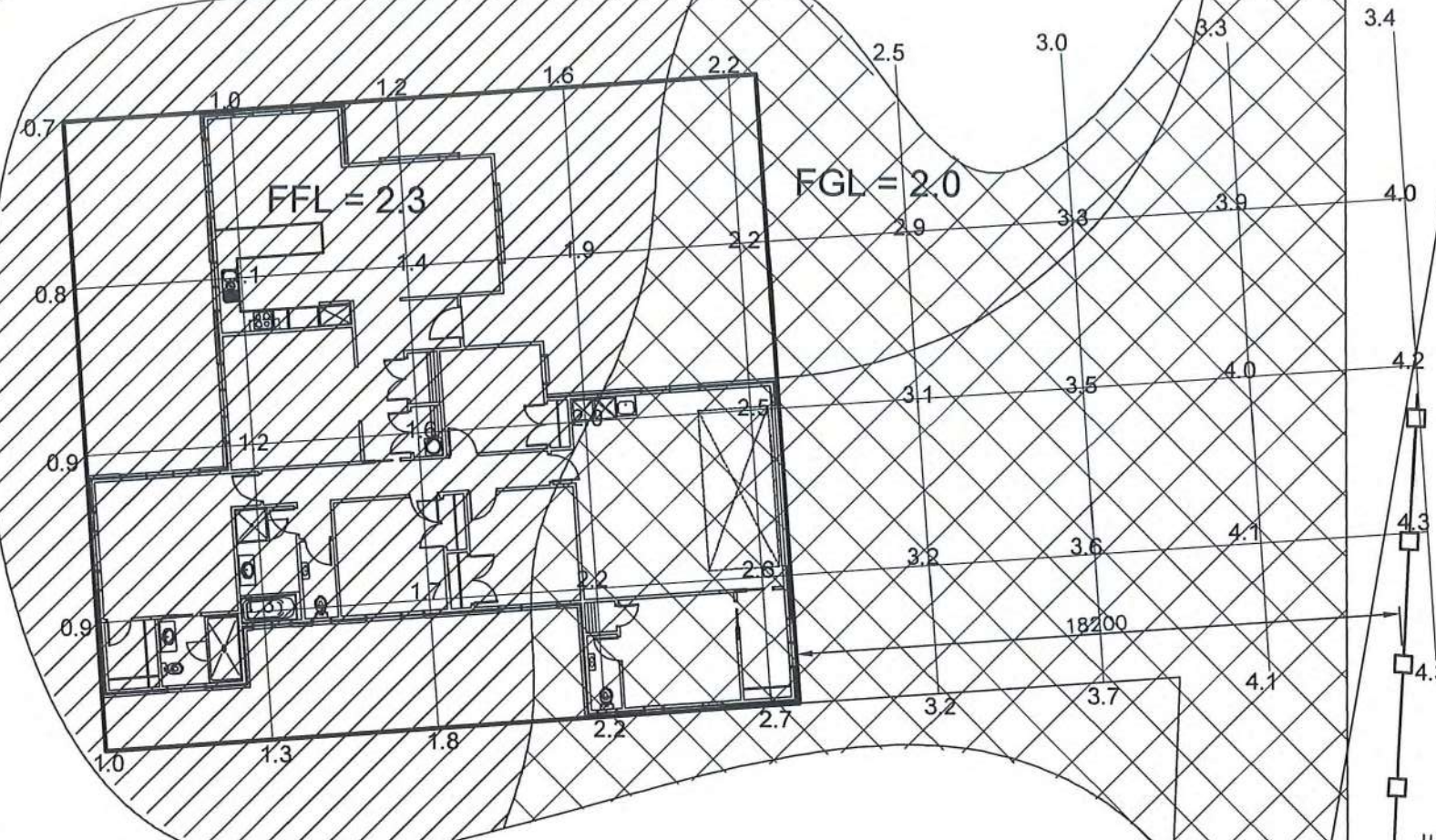
FINISHED GROUND LEVEL  
FOR BUILDING IS 22.5m

AREA SHOWN CROSS  
HATCHED DENOTES  
BACKFILL = 100m<sup>3</sup>

AREA SHOWN  
HATCHED DENOTES  
EXCAVATION = 100m<sup>3</sup>

DATUM IS  
DRIVEN PEG = 0.0

SILT FENCE IN  
ACCORDANCE WITH  
WELLINGTON GREATER  
REGIONAL COUNCIL  
BYLAWS, TO REMAIN IN  
PLACE UNTIL SEEDS



BACKFILL FROM 21m TO 22.5m

BACKFILL FROM 22.5m TO 24m

EXISTING FENCE

BOUNDARY

Revisions:	
JULY 10 / 2019	rev A
Client Sign:	
Client Sign:	
Builder Sign:	
Date:	

## CONTRACT PLANS

Project:  
**NEW  
DWELLING**  
LOT 3 HADFIELD ROAD  
PEKA PEKA

Client:  
BEATTIE

Drawing Title:  
**EARTHWORKS  
PLAN**  
Designer:

**COASTAL**  
ARCHITECTURE LTD.  
11 Kodex Place  
Paraparaumu  
New Zealand  
Tel: 04 296 1248  
e-mail : coastarchdesign@gmail.com

Design:	Drawn:
MB	BF
	Scale:
	as shown

Job:	Page of:	Rev:
980060	1	A



**G.J. Gardner. HOMES**  
New Zealand's favourite home builders

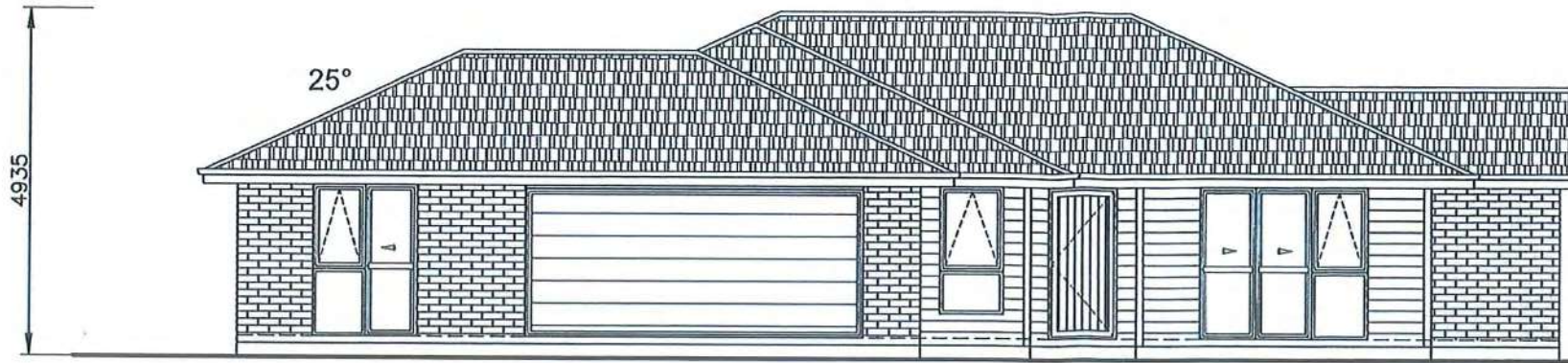
All work shall be in accordance with the NZBC. If in doubt ASK The Contractor must verify all dimensions on the job before commencing any work or shop drawings. Figured dimensions are to be used, scaled dimensions must be verified. This drawing and concept are copyright of M and L Barke Construction Ltd - Kapiti / Wellington Franchisee for G.J. Gardner Homes. The recipient of this document is prohibited from disclosing its content for any purpose without the prior written consent of M and L Barke Construction Ltd - Kapiti / Wellington Franchisee for G.J. Gardner Homes

# EARTHWORKS PLAN

SCALE 1:200

RM 190160  
FINAL APPROVED PLANS  
2 / 8 / 19





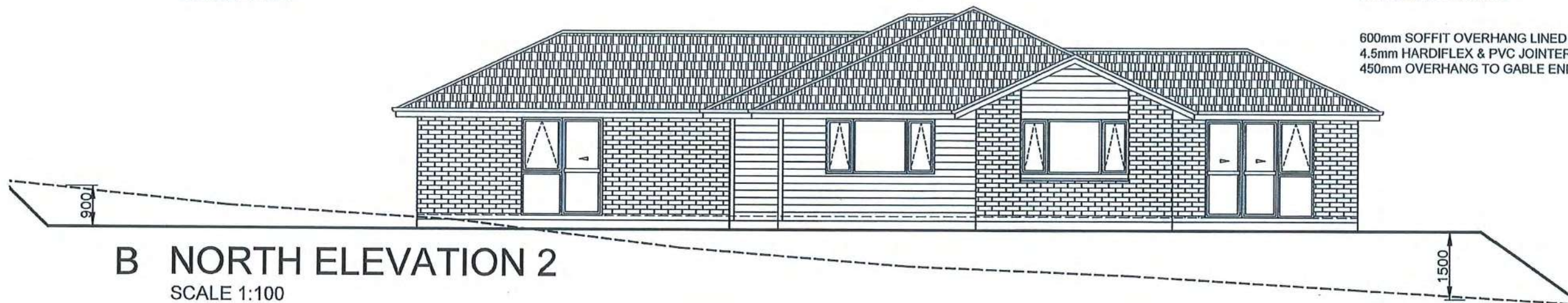
NOTE:  
CUSTOMER TO PLEASE CONFIRM  
ALL JOINERY IS SHOWING AS  
EXPECTED. IF NOT PLEASE SPEAK  
WITH YOUR SALES CONSULTANT

POWDER COATED  
ALUMINIUM JOINERY

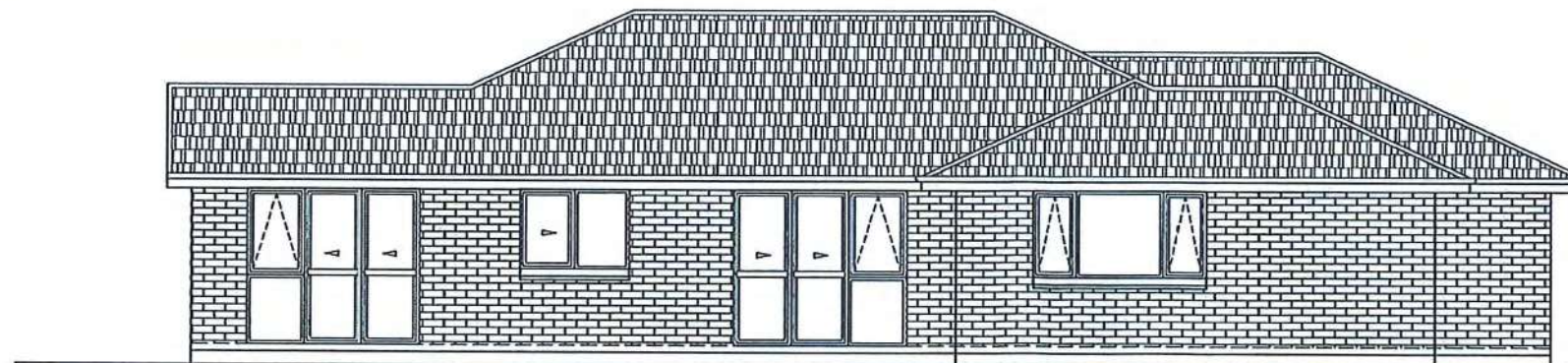
LINEA WEATHERBOARD  
CLADDING ON CAVITY SYSTEM  
WITH BOXED CORNERS

600mm SOFFIT OVERHANG LINED WITH  
4.5mm HARDIFLEX & PVC JOINTERS.  
450mm OVERHANG TO GABLE ENDS

**A EAST ELEVATION 1**  
SCALE 1:100



**B NORTH ELEVATION 2**  
SCALE 1:100



COLOURSTEEL EXTERNAL  
SPOUTING & FASCIA SYSTEM

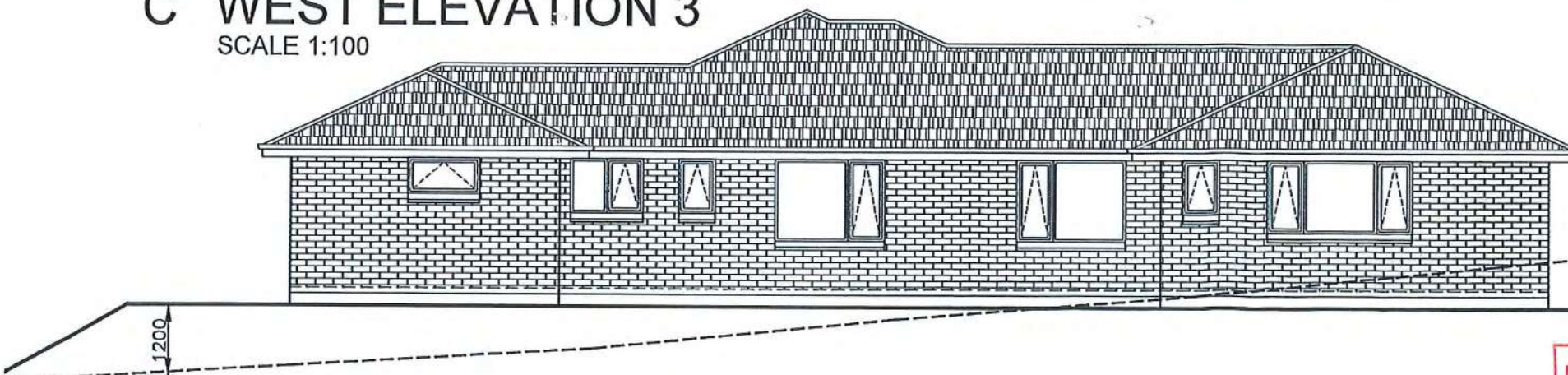
70 SERIES BRICK VENEER  
EXTERIOR CLADDING

GERARD METAL ROOF TILES WITH  
SATIN FINISH OVER TILE BATTENS TO  
MANUFACTURERS SPECIFICATION

BUILDING WRAP - TEKTON  
ROOFING UNDERLAY - THERMAKRAFT 215

INSULATION (Excluding Garage):  
R3.2 BATTS TO CEILINGS  
R2.2 BATTS TO EXTERIOR WALLS

**C WEST ELEVATION 3**  
SCALE 1:100



**D SOUTH ELEVATION 4**  
SCALE 1:100

Revisions:  
JULY 10 / 2019 rev A

Client Sign:

Client Sign:

Builder Sign:

Date:

## CONTRACT PLANS

Project:  
**NEW  
DWELLING**  
LOT 3 HADFIELD ROAD  
PEKA PEKA

Client:  
BEATTIE

Drawing Title:  
**ELEVATIONS**

Designer:  
**COASTAL**  
ARCHITECTURE LTD.  
11 Kodex Place  
Paraparaumu  
New Zealand  
Tel: 04 296 1248  
e-mail: coastarchdesign@gmail.com

Design:  
MB  
Drawn:  
BF  
Scale:  
as shown

Job: 980060  
Page of: 3  
Rev: A



**G.J. Gardner. HOMES**  
New Zealand's favourite home builders

RM 190160  
**FINAL APPROVED PLANS**  
2/8/19

All work shall be in accordance with the NZBC. If in doubt ASK The Contractor must verify all dimensions on the job before commencing any work or shop drawings. Figured dimensions are to be used, scaled dimensions must be verified. This drawing and concept are copyright of M and L Burke Construction Ltd - Kapiti / Wellington Franchisee for G.J. Gardner Homes. The recipient of this document is prohibited from disclosing its content for any purpose without the prior written consent of M and L Burke Construction Ltd - Kapiti / Wellington Franchisee for G.J. Gardner Homes



**POST OR FAX THIS COMPLETED PAGE AT LEAST 48 HOURS  
BEFORE CONSTRUCTION TAKES PLACE**

TO:

The RMA Compliance Officer  
Kāpiti Coast District Council  
Private Bag 60601  
PARAPARAUMU  
Email: [compliance.dutyofficer@kapiticoast.govt.nz](mailto:compliance.dutyofficer@kapiticoast.govt.nz)

<b>Application No:</b>	RM190160
<b>Site Address:</b>	6 Hadfield Road, Te Horo LOT 3 DP 531543
<b>Proposal:</b>	To undertake earthworks for the construction of a dwelling that exceeds permitted activity standards within the Rural Zone

Construction will take place on (date):

**Owner's Contact Details**

Name:

Postal Address:

Telephone:

Mobile:

**Contractor's Contact Details (e.g. house relocation contractors)**

Name:

Telephone:

Mobile:

**SIGNED:**

.....  
NAME

.....  
DATE



2 August 2019

**Notification and s104 report for resource consent(s) under the Resource Management Act 1991(RMA)**

<b>Application No.:</b>	RM190160
<b>Applicant:</b>	Adam & Laura Beatie
<b>Site Address:</b>	6 Hadfield Road, Te Horo
<b>Legal Description:</b>	LOT 3 DP 531543
<b>Site Area:</b>	12,149 m <sup>2</sup>
<b>Applicant's Address for Service:</b>	C/- GJ Gardner Homes Kapiti/Wellington kapiti gjjardner.co.nz
<b>Proposal:</b>	To undertake earthworks for the construction of a dwelling that exceeds permitted activity standards within the Rural Zone
<b>Operative District Plan Zone:</b>	Rural
<b>Proposed District Plan Zone:</b>	Rural Residential
<b>Activity Status:</b>	Land Use - Restricted Discretionary

Report prepared by: Amy Camilleri, Resource Consents Planner  
Report peer reviewed by: Wayne Gair, Principal Resource Consents Planner

**Date consent application received:** 10<sup>th</sup> July 2019  
**Further Information Requested:** 30<sup>th</sup> July 2019  
**Further Information Received:** 30<sup>th</sup> July 2019

## 1 EXECUTIVE SUMMARY

This report provides an analysis of the resource management issues relating to notification status and the Council's Section 104 decision for the activity proposed under resource consent application RM190160. The decisions at sections 7 and 12 are to:

- Consider the proposed development on a non-notified basis (section 7); and
- Grant consent to the proposed activity to undertake earthworks for the construction of a dwelling that exceeds permitted activity standards within the Rural Zone (section 12) subject to a number of conditions as set out at the end of this report.

### 1.1 Application documents (plans and reference documents)

The following information has been provided with the application:

- Application form and Assessment of Environmental Effects prepared by GJ Gardner Homes Wellington/Kapiti and dated 10<sup>th</sup> July 2019. The AEE concludes that the effects on the environment will be less than minor.
- Plans prepared by GJ Gardner Homes and dated 10<sup>th</sup> July 2019
- Record of title 867911
- Soil report prepared by Hamish Wells and dated 27<sup>th</sup> June 2019

- Further Information for amended earthworks plan

## 2 THE PROPOSAL

### 2.1 Description of Proposal

The applicant seeks resource consent to undertake earthworks for the construction of a dwelling on a site that does not meet the permitted activity standards of the Proposed District Plan in the following respects:

- Exceeding earthworks within a rural zone 3A.1.8.

The proposed earthworks exceeds the permitted activity standard for earthworks within the rural zone through the excavation of  $100\text{m}^3$  of land with a depth of  $1.8\text{m}$  and  $100\text{m}^3$  of fill with a depth of  $1.5\text{m}$ . The earthworks are to create a building platform for a proposed dwelling.

The following plans were attached with the application;

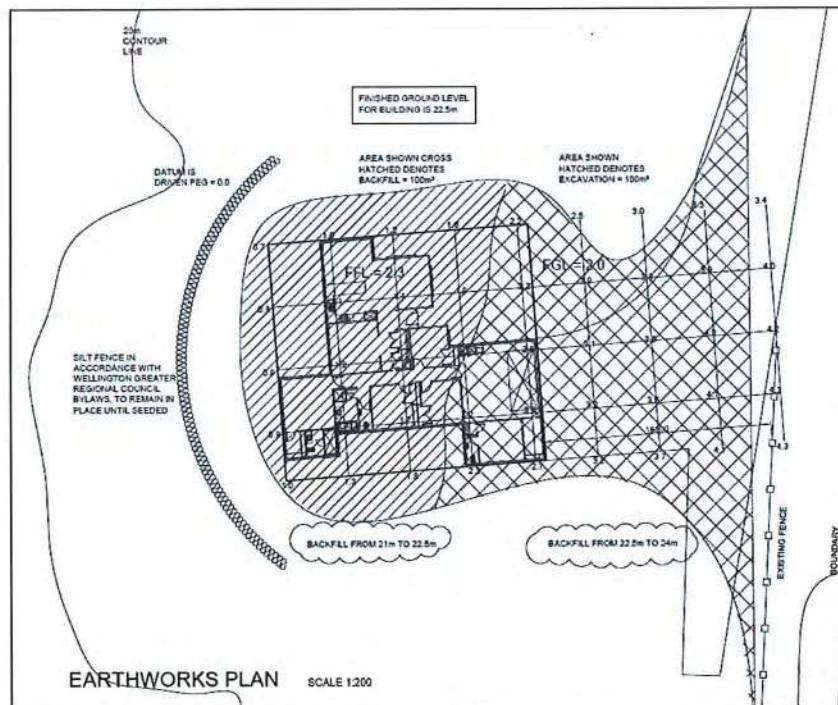


Figure 1: Proposed Earthworks cut and fill





Figure 2: Proposed elevations and cross sections

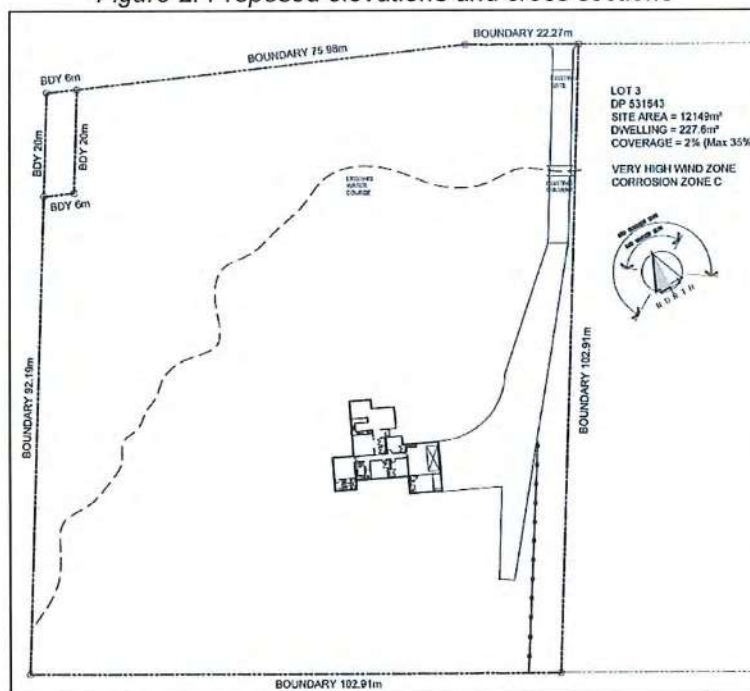


Figure 3: proposed site plan

### 3 SITE AND SURROUNDING ENVIRONMENT

#### 3.1 Site Description

The subject site is known as 6 Hadfield Road, Te Horo, legally described as Lot 3 DP 531543 and held in Record of Title 867911 and shown to contain an area of 12,149m<sup>2</sup>. There are a number of interests registered to the title of the property one of which is relevant to the proposal. There is a consent notice which contains conditions from previous subdivision that created the subject site that have ongoing effect.

The consent notice sets out conditions of which can be checked at the time a building consent is lodged that relates to building foundation design, wastewater treatment,

telecommunication connections, fire-fighting requirements, trimming of vegetation and vehicular access.

The site is accessed via an existing vehicle crossing directly onto Hadfield Road as can be seen in below in figure 4 meeting the requirements of the consent notice. The site gradually slopes towards the boundary adjoining state highway 1 the site is vacant with an existing water course running through the property. No vegetation is proposed to be altered as part of this application and the works are in association with the proposed dwelling to be located.



Figure 1: Aerial image showing the contours of the subject site

### 3.2 Surrounding Environment

The surrounding environment is consistent with other rural properties neighbouring the subject site with varying densities due to the different rural zoning, there is also a mixture of newer and older subdivisions creating vacant and developed sites.



Figure 2: Image showing area where earthworks are proposed to be undertaken looking from Hadfield Road towards 22 Octavius Road



### 3.3 Consent History

The following resource consents have been lodged for the subject site:

Application Number	Proposal	Decision Date
RM180182	Undertake a three lot rural residential subdivision	s.224 Issued 1/04/19
RM190150	To undertake earthworks that exceeds the permitted activities	Application Returned incomplete 3/07/19

### 3.4 External Consultation

#### Local Iwi

The application site is located within a territorial overlap between two local iwi, being Te Ātiawa and Ngā Hapu, as such the application was circulated to both iwi and was returned with no concerns and to include the accidental discovery protocol as a condition of consent.

## 4 DISTRICT PLANS

In November 2012, Council notified the Proposed District Plan (PDP). Following submissions, hearings and the releasing of decisions on 22 November 2017, there was an appeals period. The appeals period closed on 25 January 2018.

As of 26 January 2018, any provisions of the PDP not appealed become operative and the corresponding provisions of the Operative District Plan (ODP) 1999 fall away. The ODP objectives, policies and maps still have legal effect and must be considered when processing applications.

The District Plans are assessed below.

## 5 OPERATIVE DISTRICT PLAN PROVISIONS

### 5.1 Kapiti Coast Operative District Plan

The Kapiti Coast District Plan sets out the status of the activity within rules, that is whether they are permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited. The Objectives and Policies contained in the District Plan are also important in decision making as they are to be taken into account in the evaluation of the activities.

### 5.2 Operative District Plan Zoning and Overlays

The property is zoned Rural under the Kapiti Coast District Plan. The subject site is not affected by any flood hazards or shown to have any features as per the District Planning Maps.

## 6 PROPOSED KAPITI COAST DISTRICT PLAN 2012

### 6.1 The 'Proposed Plan'

On 29 November 2012, the Council publicly notified the Proposed District Plan 2012 (the Proposed Plan). The Proposed Plan included a full review of the Operative Plan provisions, and marks a major shift in the Council's approach to resource management in the District.

## 6.2 Proposed District Plan Zoning and Overlays

The property is zoned Rural Residential under the Kapiti Coast Proposed District Plan. The subject site is not affected by flood hazards and is shown to be subject to a noise corridor as per the District Planning Maps.

## 6.3 Proposed District Plan Rules and Standards

### *Chapter 3 Natural Environment*

#### *Table 3A.1 Permitted Activities*

6. Earthworks, excluding those listed in Rule 3A.1.8, in all areas except areas subject to flood hazards, outstanding natural features and landscapes, ecological sites, geological features, areas of outstanding natural character, areas of high natural character.

#### *Standards*

1. Earthworks must not be undertaken:

- a. on slopes of more than 28 degrees; or
- b. within 20 metres of a waterbody, including wetlands and coastal water.

2. In all other areas except as provided for in Standard 3, earthworks must not:

- a. disturb more than 50m<sup>3</sup> (volume) of land per site in living zones, working zones and open space zones within a 5 year period;
- b. disturb more than 100m<sup>3</sup> (volume) of land per site in rural zones within a 5 year period; and
- c. alter the original ground level by more than 1 metre, measured vertically.

#### *Table 3A.3 Restricted Discretionary Activities*

4. Earthworks not complying with one or more of the permitted activity standards in Rule 3A.1.6 or Rule 3A.1.8.

#### *Matters over which Council will restrict its discretion*

- 1. The degree of compliance with the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2012.
- 2. The effects on water collection areas.
- 3. The degree of compliance with any applicable Environmental Management Plan or Structure Plan applicable to the development.
- 4. Ecological effects.
- 5. Visual and amenity effects.

## 6.4 Activity Status

The proposed earthworks are a **restricted discretionary** activity pursuant to rule 3A.3.4 as they will alter the ground level by a combined height of 3.3m and involve the disturbance of 200m<sup>3</sup>.

## 7 NOTIFICATION

In considering whether or not notification is required, Sections 95A to 95E of the Resource Management Act 1991 must be considered. Sections 95F and G are not relevant to this application. Sections 95 to 95E are referenced below:

**95 Time limit for public notification or limited notification**

**95A Public notification of consent applications**

**95B Limited notification of consent applications**

**95C Public notification of consent application after request for further information or report**

**95D Consent authority decides if adverse effects likely to be more than minor**

**95E Consent authority decides if person is affected person**

For the full text of the above provisions, please refer to the Resource Management Act 1991.



### **7.1 Effects that must be disregarded**

Effects on persons who are owners and occupiers of the land in, on or over which the application relates, or of land adjacent to that land must be disregarded.

The adjacent land includes the following properties:

- 1, 4, 19 Hadfield Road, Te Horo
- 22 Octavius Road, Te Horo
- State Highway 1

Any effect on a person who has given written approval to the application must also be disregarded. No written approvals were provided with the application.

### **7.2 Effects that may be disregarded – permitted baseline assessment**

The permitted baseline refers to the adverse effects of permitted activities on the subject site.

Given the volume of the proposed earthworks, none of the effects associated with the proposal can be disregarded under the permitted baseline.

### **7.3 Receiving environment**

The effects of the activity are also required to be assessed against the “existing environment”. This includes existing use rights, existing activities carried out under existing consents and resource consents which have been granted where it appears those consents will be implemented. The concept of the existing environment refers to “a state of affairs which a consent authority must determine and take into account when assessing the effects of allowing an activity; by contrast, the permitted baseline provide the authority with an optional means of measuring – or more appropriately excluding – adverse effects of that activity which would otherwise be inherent in the proposal.”

The receiving environment is comprised of other rural residential development including dwellings and the vacant adjoining site created as part of the same subdivision that created the subject site.

This is the reasonably foreseeable environment within which the adverse effects of the proposal are considered.

### **7.4 Adverse Effects**

As the proposal is for a restricted discretionary activity, only the matters outlined in the District Plan can be assessed as discussed below:

The degree of compliance with the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2012

Council's Development Engineer has reviewed the application and the Earthworks Management Plan (EMP) supplied to be signed off by a suitably qualified person as required by the SDPR. This has been provided and with the imposition of conditions in respect to the SDPR and compliance with the EMP provided with the application, the proposed earthworks are considered to be in accordance with the SDPR.

#### The effects on water collection areas

The proposed earthworks will not be undertaken in a water collection area, therefore there are no adverse effects in respect to water collection areas.

#### The degree of compliance with any applicable Environmental Management Plan or Structure Plan applicable to the development

There is no application Environmental Management Plan or Structure Plan.

#### Ecological effects

The proposed earthworks will not be undertaken within or in close proximity of an ecological site. The proposed

#### Visual and amenity effects

The proposed earthworks will alter the ground level overall by 3.3m, this is a cut depth of 1.8m and a fill depth of 1.5m in to be located in approximately the centre of the site to create a flat building platform for the construction of a dwelling. The works will alter the finish ground level varying from 21m to 24m above mean sea level (A.M.S.L) Wellington Datum 1953, to a proposed finish ground level of 22.5m A.M.S.L. The works are proposed to be battered off with no proposed retaining wall structures to be located on the site. Once the works are completed it will be screened by a dwelling and be grassed out. All material is to be retained on site and the cut material will create the fill for the building platform and as a result, the activity will not exceed 100 vehicle movements to and from the property.

During the works, there will be adverse visual effects through the movement of earth to create the building platform; however, as these will be temporary in nature they are considered to be less than minor.

Following completion of the works a dwelling is proposed to be constructed for which a building consent is yet to be obtained. The application document notes that the remaining areas where earthworks have been undertaken will be grassed or planted out so as to effectively integrate into the surrounding rural character.

Overall, the adverse visual and amenity effects are considered to be less than minor.

### **7.5 Conclusion on Adverse Effects**

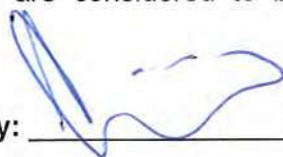
Overall, the adverse effects associated with the proposed earthworks are considered to be less than minor and there are no affected parties.

### **7.6 s95A Public Notification**

#### **Recommendation:**

That the application **need not be publicly notified** in accordance with Sections 95A and 95C-95D of the Resource Management Act 1991 as the proposal is for restricted discretionary rural activity and is therefore not precluded however, there are no effected parties and the adverse effects are considered to be less than minor and no special circumstances apply.

**Reported and Recommended by:**



Amy Camilleri  
Resource Consents Planner



**Decision:** "That the above recommendation be adopted."

**Delegated Officer (Peer Reviewer):**  Wayne Gair  
Principal Resource Consents Planner

## 7.7 s95B Limited Notification

**Recommendation:**

That the application be processed on a **non-notified** basis in accordance with Sections 95B and 95E of the Resource Management Act 1991 as the adverse effects are considered to be less than minor, there are no affected parties and no special circumstances apply.

**Reported and Recommended by:**  Amy Camilleri  
Resource Consents Planner

**Decision:** "That the above recommendation be adopted."

**Delegated Officer (Peer Reviewer):**  Wayne Gair  
Principal Resource Consents Planner

## 8 SECTION 104 ASSESSMENT

In considering the merits of an application, Section 104 of the Resource Management Act 1991 must be considered. Section 104 is set out below:

### 104 Consideration of applications

- (1) When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to—
  - (a) any actual and potential effects on the environment of allowing the activity; and
  - (ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and
  - (b) any relevant provisions of—
    - (i) a national environmental standard;
    - (ii) other regulations;
    - (iii) a national policy statement;
    - (iv) a New Zealand coastal policy statement;
    - (v) a regional policy statement or proposed regional policy statement;
    - (vi) a plan or proposed plan; and
  - (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.
- (2) When forming an opinion for the purposes of subsection (1)(a), a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect.
- (2A) When considering an application affected by section 124 [or 165ZH(1)(c)], the consent authority must have regard to the value of the investment of the existing consent holder.
- (2B) When considering a resource consent application for an activity in an area within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011, a consent authority must have regard to any resource management matters set out in that planning document.
- (2C) Subsection (2B) applies until such time as the regional council, in the case of a consent authority that is a regional council, has completed its obligations in relation to its regional planning documents under section 93 of the Marine and Coastal Area (Takutai Moana) Act 2011.

- (3) A consent authority must not,—
  - (a) when considering an application, have regard to—
    - (i) trade competition or the effects of trade competition; or
    - (ii) any effect on a person who has given written approval to the application;
  - (b) [Repealed]
  - (c) grant a resource consent contrary to—
    - (i) section 107, 107A, or 217;
    - (ii) an Order in Council in force under section 152;
    - (iii) any regulations;
    - (iv) wāhi tapu conditions included in a customary marine title order or agreement;
    - (v) section 55(2) of the Marine and Coastal Area (Takutai Moana) Act 2011;
  - (d) grant a resource consent if the application should have been notified and was not.
- (4) A consent authority considering an application must ignore subsection (3)(a)(ii) if the person withdraws the approval in a written notice received by the consent authority before the date of the hearing, if there is one, or, if there is not, before the application is determined.
- (5) A consent authority may grant a resource consent on the basis that the activity is a controlled activity, a restricted discretionary activity, a discretionary activity, or a non-complying activity, regardless of what type of activity the application was expressed to be for.
- (6) A consent authority may decline an application for a resource consent on the grounds that it has inadequate information to determine the application.
- (7) In making an assessment on the adequacy of the information, the consent authority must have regard to whether any request made of the applicant for further information or reports resulted in further information or any report being available.

Sections 104A-104D set out particular restrictions on determining applications for controlled, restricted discretionary, discretionary, or non-complying activities. The relevant provisions are summarised below:

#### **104C Particular restrictions for restricted discretionary activities**

Section 104C states:

- (1) When considering an application for a resource consent for a restricted discretionary activity, a consent authority must consider only those matters over which —
  - (a) a discretion is restricted in national environmental standards or other regulations;
  - (b) it has restricted the exercise of its discretion in its plan or proposed plan.
- (2) The consent authority may grant or refuse the application.
- (3) However, if it grants the application, the consent authority may impose conditions under section 108 only for those matters over which —
  - (a) A discretion is restricted in national environmental standards or other regulations;
  - (b) It has restricted the exercise of its discretion in its plan or proposed plan.

Section 104(6) allows the consent authority to decline a consent application if it has inadequate information to determine the application.

Adequate information was provided to process the application.

## **8.1 Internal Consultation**

### Development Engineer

Council's Development Engineers assessed the application and are satisfied with the information provided which has been conditioned accordingly.

## **8.2 Actual or potential effects on the environment**

Section 104(1)(a) of the RMA requires the council to have regard to any actual and potential effects on the environment of allowing the activity. This includes both the positive and the adverse effects.



Methods of analysis to determine the actual or potential environmental effects of the activity have focused on site visits, studies of Council held data and feedback from other relevant Council departments.

Almost all of the effects related to the proposed development have been discussed in detail above at section 7 of this report. Aspects which have not already been covered are discussed below.

### **8.3 Positive Effects**

The earthworks will create a suitable building platform for the construction of a dwelling.

### **8.4 Summary of Actual and Potential Effects**

The actual and potential effects of the proposal can be adequately avoided, remedied or mitigated by the imposition of the conditions outlined in the assessment above to ensure they are less than minor.

### **8.5 National Environmental Standards – s104(1)(b)(i)**

There are currently six operative National Environmental Standards, these relate to the air quality, sources of drinking water, telecommunication facilities, electricity transmission activities, contaminants in soil and plantation forestry.

None of these are considered relevant to the proposal.

### **8.6 National Policy Statements – s104(1)(b)(iii)**

There are currently five operative National Policy Statements, these relate to the Coastal Environment, Urban Development Capacity, Freshwater Management, Renewable Electricity Generation and Electricity Generation.

None of these are considered relevant to the proposal.

### **8.7 Wellington Regional Policy Statement – s104(1)(b)(v)**

The Wellington Regional Policy Statement (RPS) sets out the strategic framework for managing the use, development and protection of the natural and physical resources of the Wellington region in an integrated and co-ordinated manner.

The RPS provides an overview of the resource management issues for the region (within the regional council's functions under s.30 of the RMA), and states the policies and methods required to achieve the integrated management of the region's natural and physical resources. I am of the opinion that none of the Policies and Objectives of the RPS are relevant to this proposal.

### **8.8 Plan or Proposed Plan – s104(1)(b)(vi)**

#### Operative District Plan

The following Objectives and Policies apply to this application:

#### **C.2 Rural Zone**

##### **C.2.1 Objective & Policies**

##### **Objective 1.0 – General**

*Policy 1(A) – Natural Environment - Identification and Protection*  
*Policy 1(B) – Natural Environment - Use and Development*

**C.6 Tangata Whenua**

**C.6.1 Objectives & Policies**

*Objective 1.0 – Treaty of Waitangi*  
*Policy 1 – Representation*  
*Policy 4 – Waahi Tapu, Sites of Cultural Importance and Other Taonga*  
*Policy 5 – Relationship with the Natural Environment*  
*Policy 9 – Treaty of Waitangi*

**C.7 Subdivision and Development**

**C.7.2 Rural Subdivision and Development**

*Objective 1.0 – General*  
*Policy 1 – Alluvial Plains*

**C.7.3 Earthworks**

*Objective 1.0 – General*  
*Policy 1 – General Assessment Criteria*  
*Policy 3 – Waahi Tapu and Cultural Sites*

**C.7.4 Subdivision and Development Principles and Requirements**

*Objective 1.0 – General*  
*Policy 1 – Subdivision and Development Design*

See the Operative District Plan for the complete text of the above Objectives and Policies.

**Proposed District Plan Appeals Version**

The following Objectives and Policies of the Proposed Plan are of particular relevance to this application:

**Objectives:**

*2.1 – Tangata Whenua*  
*2.3 – Development Management*  
*2.11 – Character and Amenity Values*  
*2.12 – Housing Choice and Affordability*

**Natural Environment Policies:**

*3.10 – Tangata Whenua*  
*3.14 – Earthworks*

**Rural Zone Policies:**

*7.2 – Rural Character*  
*7.10 – Household Units and Buildings*  
*7.11 – Rural Residential Zone*

For the full text of the above provisions, reference can be made to the Proposed Plan.

**8.8.1 Summary**

The Objectives and Policies of both the Operative and Proposed District Plans endeavour to ensure that the character and amenity of the surrounding environment is maintained.

The proposed earthworks are considered to be consistent with the intent and the intent of the relevant Objectives and Policies. The earthworks will enable for the construction of a dwelling on a property that was created via a recent subdivision for this purpose.



## Wellington Regional Proposed Natural Resources Plan

The Proposed Natural Resources Plan for the Wellington Region was notified on 31 July 2015. I am of the opinion that in respect to the proposed earthworks, none of the provisions of the Proposed Natural Resources Plan are relevant.

### **8.9 Any Other Matters**

Section 104(1)(c) provides that when considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to any other matter the consent authority considers relevant and reasonably necessary to determine the application.

There are no other matters that are relevant to this application that need to be considered.

## **9 OTHER RELEVANT RESOURCE MANAGEMENT ACT SECTIONS**

### **9.1 Conditions of Resource Consents – s108 or s220**

*S.108AA Requirements of conditions of resource consents*

*(1) A consent authority must not include a condition in a resource consent for an activity unless—*

*(a) the applicant for the resource consent agrees to the condition; or*

*(b) the condition is directly connected to 1 or both of the following:*

*(i) an adverse effect of the activity on the environment;*

*(ii) an applicable district or regional rule, or a national environmental standard; or*

*(c) the condition relates to administrative matters that are essential for the efficient implementation of the relevant resource consent.*

*(2) Subsection (1) does not limit this Act or regulations made under it.*

*(3) This section does not limit section 77A (power to make rules to apply to classes of activities and specify conditions), 106 (consent authority may refuse subdivision consent in certain circumstances), or 220 (condition of subdivision consents).*

*(4) For the purpose of this section, a district or regional rule or a national environmental standard is applicable if the application of that rule or standard to the activity is the reason, or one of the reasons, that a resource consent is required for the activity.*

*(5) Nothing in this section affects section 108(2)(a) (which enables a resource consent to include a condition requiring a financial contribution).*

Conditions will be imposed in respect to undertaking the works in accordance with the information provided with the application, including the earthworks management plan, compliance with the SDPR and reinstatement of disturbed land.

The proposed conditions are considered to be in accordance with s108AA of the RMA as they mitigate adverse effects, relate to standards in the District Plan or administrative matters.

### **9.2 Review Condition – s128**

No review condition is recommended.

### **9.3 Financial Contribution Conditions**

No financial contributions are applicable to this consent as these were paid at the time of subdivision.

### **9.4 Monitoring**

Monitoring is required in the form of providing a Schedule 2A certificate as required by NZS4404:2010.

## **10 PART 2 MATTERS**

Any consideration under Section 104(1) is subject to Part 2 of the Act. Part 2 sets out the purpose and principles of the Act. In addition, Part 2 requires the Council to recognise and provide for matters of national importance (Section 6); have particular regard to other matters (Section 7); and to take into account the principles of the Treaty of Waitangi (Section 8).

### **10.1 Section 5-Purpose**

Section 5(1) states that the purpose of the Act is to promote the sustainable management of natural and physical resources.

The proposal is in accordance with Section 5 of the Act as it allows for the undertaking of earthworks for the construction of a dwelling without having a detrimental impact on the residential environment or any neighbouring properties.

### **10.2 Section 6-Matters of National Importance**

Section 6 establishes eight matters which must be recognised and provided for by all persons exercising functions and powers under the Act.

There are no relevant Matters of National Importance.

### **10.3 Section 7-Other Matters**

Section 7 establishes eleven matters which all persons exercising functions and powers under the Act shall have particular regard to.

The proposal allows for the efficient use and development of a finite resource with reference to parts (b), (c) and (f) because this proposal allows for the undertaking of earthworks for the construction of a dwelling without having a detrimental impact on the surrounding environment.

### **10.4 Section 8-Treaty of Waitangi**

The proposal is considered to be in accordance with the principles of te Tiriti o Waitangi as the site is not identified as having cultural significance.

### **10.5 Conclusion on Part 2 matters**

Overall, the proposal is consistent with Part 2 matters because this proposal allows for the undertaking of earthworks for the construction of a dwelling without having a detrimental effect on the surrounding environment.

## **11 RECOMMENDATION**

That the undersigned officers, acting under authority delegated from the Council and pursuant to Sections 104 and 104C of the Resource Management Act 1991, hereby **grant** consent to undertake earthworks for the construction of a dwelling that exceeds permitted activity standards within the Rural Zone at 6 Hadfield Road, Te Horo (Lot 3 DP 531543) subject to the following conditions which were imposed under Section 108 of the Resource Management Act 1991.



## Conditions:

### General

1. The proposed activity shall be undertaken in general accordance with the GJ Gardner Homes Ltd plans titled 'New Dwelling Lot 3 Hadfield Road, Peka Peka' and specifications lodged with the application RM190160 and the further information supplied by Julieanne Mollett of GJ Gardner Homes Ltd via email on 30<sup>th</sup> July 2019 except where modified by conditions of consent.
  - a. Site Plan, Dated 10<sup>th</sup> July 2019, Job number 980060 page 1 rev A
  - b. Earthworks Plan, Dated 10<sup>th</sup> July 2019, Job number 980060 page 1 rev A
  - c. Elevations, Dated 10<sup>th</sup> July 2019, Job number 980060 page 3 rev AAll stamped as 'Final Approved Plans' on 1<sup>st</sup> August 2019, except where modified by conditions of consent.
2. Prior to works commencing, the consent holder shall provide the Council's Development Engineer with the names of the Developer's or Owner's Representative(s) appointed in terms of Clause B(ii) of Part 3 of the Kapiti Coast District Council's Subdivision and Development Principles and Requirements, 2012.
3. The consent holder shall undertake earthworks in accordance with Part 3C & Part 4 Schedule 2 of the Subdivision and Development Principles and Requirements 2012 and Section 2 of NZS4404:2010 unless otherwise agreed with the Council's Development Engineer in writing. Upon completion of the earthworks the consent holder shall provide a certificate in the form of Schedule 2A of NZS4404:2010 by the geo-professional to the Council's Development Engineer.
4. The consent holder shall comply with the requirements of the approved EMP. Any proposed amendments to the EMP shall be submitted to the Council's Development Engineer for consideration and approval. No work shall commence until amendments to the EMP has been approved by the Council's Development Engineer.
5. No nuisance effect may be caused by discharge of material beyond the boundary of the subject site.

**Note:** For the avoidance of doubt, material includes but is not limited to silt, sediment, vegetation, aggregate and excess stormwater.

### Advice Notes:

- The consent holder shall notify the Council's RMA Compliance Officer of the start and completion dates of the works in writing 48 hours before the works are carried out. The consent holder shall fill out and return (by email to the duty compliance officer at [compliance.dutyofficer@kapiticoast.govt.nz](mailto:compliance.dutyofficer@kapiticoast.govt.nz), or by fax to (04) 2964 830 or by post to Private Bag 60601, Paraparaumu) the form that is attached to the decision letter.
- The consent holder shall pay to the Kapiti Coast District Council the actual and reasonable costs associated with the monitoring of conditions (or review of consent conditions), or supervision of the resource consent as set in accordance with Section 36 of the Resource Management Act 1991. These costs\* may include site visits, correspondence and the actual costs of materials or services which may have to be obtained.

\*Please refer to Kapiti Coast District Council's current schedule of Resource Management fees for guidance on the current hourly rate chargeable for Council's staff.

- Under Section 125 of the Resource Management Act 1991, this resource consent will lapse in five years, unless it is given effect to within that time.
- It is the consent holder's responsibility to comply with any conditions imposed on this resource consent prior to and during (as applicable) exercising this resource consent.
- Please note that a resource consent is not a consent to build. A building consent must be issued prior to any building work being undertaken.
- If you disagree with any of the above conditions, or disagree with the additional charges relating to the processing of the application, you have a right of objection pursuant to sections 357A or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of notification of the decision.
- Should a waahi tapu or other cultural site be unearthed during earthworks the contractor and/or owner is required under the Heritage New Zealand Pouhere Taonga Act 2014:-
  - cease operations;
  - inform local Iwi (Te Ati Awa ki Whakarongotai and );
  - inform the Heritage New Zealand and apply for an appropriate authority if required;
  - take appropriate action, after discussion with Heritage New Zealand, Council and Iwi to remedy damage and/or restore the site.

**Note:** In accordance with the Heritage New Zealand Pouhere Taonga Act 2014, where an archaeological site is present (or uncovered), an authority from Heritage New Zealand is required if the site is to be modified in any way.

## 12 DECISION

**That the above recommendation be adopted under delegated authority.**

### Reasons for Decision:

In accordance with Sections 104 and 104C of the Resource Management Act 1991, the actual and potential effects associated with the proposed activity have been assessed and are outlined above.

I consider that the adverse effects of the proposed activity on the environment will be less than minor and that the proposed activity is not contrary to the Objectives and Policies of the Kapiti Coast Operative and Proposed District Plans.



Amy Camilleri  
**Resource Consents Planner**



Wayne Gair  
**Principal Resource Consents Planner**

2<sup>nd</sup> August 2019



7 June, 1995

Willow Park Developments Ltd  
Addington Road  
RD1  
OTAKI

10 JUL 1995

Dear Sirs

**SCHEME PLAN W950038 PROPOSED SUBDIVISION AT HADFIELD ROAD, PEKA  
PEKA FOR KELMORE HOLDINGS LTD**

I advise that pursuant to Section 105 of the Resource Management Act 1991, Council approve Scheme Plan W950038 subject to the following conditions:

1. The Developer's Representative is to supply a copy of the title and survey data plans and is to list and indicate how each condition has been met to the satisfaction of Regulatory Services Manager.
2. Plans and specifications for engineering development of the subdivision shall be submitted and approved by Council prior to the commencement of the engineering work. Approved engineering plans shall be supplied in triplicate and as-built plans supplied in duplicate.
3. The payment of Council engineering fees of \$171 (GST inclusive) per new lot created.
4. The payment of road inspection fee of \$165.40 (GST inclusive).
5. The payment of \$3970 (GST inclusive) contribution towards the upgrading of Hadfield Road.
6. Lot 12 is to vest as road, shall be 20 metres wide, and be formed, metalled and two coat sealed to Council standard requirements. The sealed carriageway shall be 5.5 metres wide and a turning circle shall be provided. One metre wide shoulders shall be provided each side of the sealed carriageway.

The requirement for a second coat seal shall be met by lodging a cash contribution with Council calculated at \$2.25 (GST inclusive) per sqm of the area of first coat seal subject to the Transit NZ subsidy otherwise \$3.94 per sqm.

A prime/seal coat and asphaltic concrete paving may be approved by the Subdivisional Engineer.



7. A sign post and/or name plate shall be provided and this shall be satisfied by the payment of the appropriate fee. The new road name is to be shown on the survey plan. (Refer to Clause B.3.2, Code of Practice).

Three road names per street shall be forwarded to Council for approval.

8. Stormwater disposal shall be to the satisfaction of the Subdivisional Engineer.

The recommendations contained in the report from Connell Wagner dated 1 May 1995 (CW Ref 182900CC) shall be complied with and stormwater calculations shall be provided to confirm culvert capacities.

9. The corner of Lot 1 is to be splayed 4 metres and vest as road.
10. Where the existing land form or vegetative cover is disturbed, ground cover is to be established immediately following earthworks and with a minimum of delay to ensure the erosion of soil, sand or other material does not become a nuisance.
11. All sections shall have drive-on access no steeper than 1 in 5.
12. Power and telecommunication services shall be provided to the satisfaction of the Subdivisional Engineer.
13. The right-of-way shall be made a memorandum of easement and shall be formed and metalled. The entrance at the road reserve shall be formed, metalled and sealed to the satisfaction of the Subdivisional Engineer.
14. Any easements required by Council for drainage or other services shall be shown on the land transfer title plan. Easements are to be shown over any communal services where these pass through the lots in the subdivision.

Any easement that is required by the Subdivisional Engineer is to be prepared by solicitors at the owner's expense.

15. A consent notice shall be issued pursuant to Section 221 of the Resource Management Act 1991 noting the following requirements:
  1. That a specific engineering design will be required for on site effluent disposal for dwellings on each allotment to determine the method of disposal environmentally suitable for the specific house size and requirements on each lot.
  2. That the wetland and the existing watercourses and drainage flowpaths within the allotments including the required drainage ditch and swale formations be maintained and shall not be altered except with the prior approval of Council.
  3. That Dwellings on Lots 1 to 6 shall be located above the level of the railway embankment. Floor levels may be required to be elevated as a requirement of building consent to minimise the consequences of any overland stormwater flows.

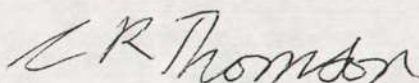


16. An access strip or easement shall be created from the end of the road to vest (Lot 12) to the scenic reserve to enable pedestrian access to the reserve. The access strip or easement shall be registered in accordance with either Section 237B or 220(f) of the Resource Management Act 1991 as appropriate. The Developers representative shall consult with Council to determine the most practicable legal form for this access.

Appropriate reference shall be included in the consent notice (condition 15) if required.

17. The subdivider shall enter into a fencing covenant to ensure that Council shall not be liable for, or called upon to erect or maintain or contribute towards the cost of erection or maintenance of any fence along the reserve boundary(ies).
18. A 4,500 litre concrete water tank is to be provided in the road reserve in the vicinity of the Lot 3/4 for fire fighting purposes, readily located and easily identifiable.
19. The turning head for the road to vest shall be widened if necessary to accommodate space for parking by the general public clear of entranceways to Lots 5 to 8.
20. All costs arising from any of the above conditions shall be at the expense of the subdivider.

Yours faithfully



C Thomson  
PLANNER, INVESTIGATIONS

NL



5. The Committee recognised that the areas of significant native bush and the sea cliff landscape feature identified by the Department of Conservation are to be protected and the likely development of the proposed lots would not impact adversely on the protected areas.
6. The Committee noted that upgrading of the Hadfield Road intersection with State Highway 1 would be in consultation with Transit NZ and in conformity with the relevant standards of this authority.

**RESOLVED (Hill/Cherrington)**

That pursuant to Section 105 of the Resource Management Act 1991 Council hereby consents to the application by Kelmore Holdings Limited to subdivide Part Lots 1, 4 and 5 DP 11457 and Lot 1 DP 8379, Hadfield Road and State Highway 1, Peka Peka, subject to the following conditions:

1. The Developer's Representative is to supply a copy of the title and survey data plans and is to list and indicate how each condition has been met to the satisfaction of Regulatory Services Manager.
2. Plans and specifications for engineering development of the subdivision shall be submitted and approved by Council prior to the commencement of the engineering work. Approved engineering plans shall be supplied in triplicate and as-built plans supplied in duplicate.
3. *Rg* The payment of Council engineering fees of \$171.00 (GST inclusive) per new lot created.
4. *Rds* The developer's representative is to supply a plan showing nominated building sites on all lots (except for lot 10).
5. The subdivider shall pay financial contribution not exceeding 50% of the total costs toward the costs of upgrading Hadfield Road to the State Highway including the installation of a warning system at the Railway Crossing (crossing bells estimated cost \$60,000 plus GST) and a flaglight at the State Highway 1 intersection. *mfw*



7. The existing crossing place (Transit Ref No 154) onto State Highway 1 for lot 1 DP 8379 shall be formed, metalled and sealed between State Highway 1 and the railway line and the existing gate to the satisfaction of the Subdivisional Engineer in consultation with Transit NZ.

8. Crossing places Nos 152 and 153 onto State Highway 1 shall be cancelled.

9. Stormwater disposal shall be to the satisfaction of the Subdivisional Engineer. An analysis and report on the effects of stormwater discharge on the subdivision shall be provided by a suitably qualified and experienced person. Culvert installations shall be supported by catchment calculations. The applicant should consult with Wellington Regional Council regarding appropriate standards as resource consents may be required by the Regional Council for culverting. The Developers representative shall provide information to demonstrate that all nominated building sites required by Condition 4 are above potential flood levels and clear of overflow paths.

10. The corner of lot 4 with right of way C is to be splayed 4 metres.

11. All sections shall have drive-on access no steeper than 1 in 5.

12. Power and telecommunication services shall be provided to the satisfaction of the Subdivisional Engineer.

13. A report shall be provided to Council by a suitably qualified person which addresses the means of providing, maintaining and monitoring a water supply for each lot and the suitability of on site effluent disposal. The form of sewage disposal on site that will be approved shall be practicable and environmentally acceptable. Site investigations and tests shall relate to the nominated building site on each lot. The report shall include recommendations for the preferred method(s) of on site sewage disposal. The recommendations for and constraints on the provision of water supply and effluent disposal shall be included in a consent notice to be



issued by Council pursuant to section 221 of the Resource Management Act 1991.

The Council will accept as compliance an effluent treatment and disposal system designed and constructed in accordance with the appropriate New Zealand Standard.

The consent notice shall include reference to the owners' responsibility to maintain and monitor their water supply and effluent disposal and reference to relevant standards for drinking water and potential risks of contamination.

14. The right-of-way shall be made a memorandum of easement and shall be formed and metalled. The entrance at the road reserve shall be formed, metalled and sealed to the satisfaction of the Subdivisional Engineer.

Culverts shall be installed and passing bays provided as required. The existing sealed right of way is to be upgraded to an acceptable standard. The right of way designation which serves lots 7, 8 and 9 and the balance area is to be extended approximately 120 metres to ensure that the main watercourse is culverted and provides suitable drive-on access for these lots.

15. A consent notice pursuant to section 221 of the Resource Management Act 1991 shall be issued by Council noting that any development within 20 metres of the centre-line of any high voltage transmission lines shall require evidence of consultation with Transpower NZ prior to the development commencing (or any Council consent being granted where required).

16. A consent notice pursuant to section 221 of the Resource Management Act 1991 shall be issued noting that:

- (a) No building shall be erected on the proposed lot 1 within 20 metres of the eastern boundary.
- (b) No trees shall be planted on the southern half of the flatter part of lot 1 that may exceed 7 metres high at maturity.

*MPW*



(c) No building shall be erected on lots 4, 5, 6 and 7 within 20 metres of the top edge of the sea cliff.

17. The access to lot 1 containing 21.6 ha will require a notice under section 93 of the Transit New Zealand Act 1989.

18. The letter boxes and vegetation south of the State Highway 1/Hadfield Road intersection shall be relocated and the area kept clear to the satisfaction of the Subdivisional Engineer.

19. A covenant shall be placed on the new title of the 21.6 ha lot to the effect of:

- Indicating that the allotment has no legal road frontage and that physical access is over the NIMT Railway pursuant to a terminating Deed of Grant between NZ Rail and the property owner.

The parcel cannot be further subdivided unless alternative legal and physical access is provided and it complies with the District Plan requirements for rural subdivision.

20. Earthworks for the subdivision (including the right of way) shall be kept to a minimum. A consent notice shall be issued pursuant to section 221 of the Resource Management Act 1991 noting that earthworks for accessways and dwellinghouse sites shall be kept to a minimum in compliance with the Kapiti Coast District Council General Bylaw (Clause 6.4 Earthworks) to the satisfaction of the Regulatory Services Manager.

21. Any easements required by Council for drainage or other services shall be shown on the land transfer title plan. Easements are to be shown over any communal services where these pass through the lots in the subdivision.

Any easement that is required by the Subdivisional Engineer is to be prepared by solicitors at the owner's expense.

MPL



22. All remnant indigenous vegetation shall be protected from felling, cutting, burning or removal, including the deleterious effect of grazing stock, through a legal covenant and fencing of all unfenced areas of vegetation to the satisfaction of the Regulatory Services Manager. The legal covenant shall take the form of either a consent notice issued by Council pursuant to section 221 of the Resource Management Act 1991, a QEII Trust Open Space Covenant or a conservation covenant between the landowner and the Department of Conservation under the Reserves Act 1977. *Particular*
23. A consent notice pursuant to section 221 of the Resource Management Act 1991 shall be issued by Council noting that no further titles shall be created from land within proposed lots 1 - 6 and that no dwelling shall be built on the utility lot 10. Lot 10 shall be amalgamated with the balance area of Part Lot 1 DP 11457 and Lot 1 DP 8379 and held in one certificate of title.
24. Reports required by some of these conditions may result in the Council issuing further consent notices under section 221 of the Resource Management Act 1991 to give effect to restrictions or requirements which will apply on a continuing basis. *Check*
25. The subdivider shall provide for continuing potable water supply and easement to the existing spring for the adjoining landowners, Mr and Mrs Bushell. *1-15*
26. All costs arising from any of the above conditions shall be at the expense of the subdivider.

APPROVED BY THE KAPITI  
COAST DISTRICT COUNCIL

*M. P. Weir*

M P Weir  
REGULATORY SERVICES MANAGER

DATED AT PARAPARAUMU THIS *twenty sixth* DAY OF *June* 1995





The Chairperson and Members  
**SUBDIVISIONS MEETING**

**SCHEME PLAN W950038 PROPOSED SUBDIVISION AT HADFIELD ROAD, PEKA  
PEKA FOR KELMORE HOLDINGS LTD**

Scheme Plan W950038 attached shows a proposed subdivision of a 34.58ha property (comprising two existing titles) into 11 lots, all of which are between 3.00ha and 3.44ha in size. The land is zoned Rural Limited in the Transitional District Plan (Horowhenua County District Scheme). The proposal complies with the rules and criteria of Change 64A for subdivision of farmlets. The land is Class IV in terms of the land use capability classification with a general slope between 7 to 11 degrees. Lots 2 to 10 will have frontage to a new side road from Hadfield Road.

The access off the end of the new road should be extended to enable public access to the scenic reserve adjoining the property.

The reserve is virtually landlocked but is used by the public for recreation. Provision for pedestrian access from the end of the road to vest would be sufficient if the turning head design of the road provided for adequate parking space.

A report has been provided on the suitability of the subdivision in terms of on site effluent disposal, stormwater discharge and drainage and water supply. The report identifies the site constraints with respect to these factors and confirms the suitability of the subdivision on the proviso of engineering works being undertaken to control drainage and restrictions with respect to subsequent building development.

**RECOMMENDATION**

That pursuant to Section 105 of the Resource Management Act 1991, Council approve Scheme Plan W950038 subject to the following conditions:

1. The Developer's Representative is to supply a copy of the title and survey data plans and is to list and indicate how each condition has been met to the satisfaction of Regulatory Services Manager.
2. Plans and specifications for engineering development of the subdivision shall be submitted and approved by Council prior to the commencement of the engineering work. Approved engineering plans shall be supplied in triplicate and as-built plans supplied in duplicate.
3. The payment of Council engineering fees of \$171 (GST inclusive) per new lot created.
4. The payment of road inspection fee of \$165.40 (GST inclusive).
5. The payment of \$3970 (GST inclusive) contribution towards the upgrading of Hadfield Road.



6. Lot 12 is to vest as road, shall be 20 metres wide, and be formed, metalled and two coat sealed to Council standard requirements. The sealed carriageway shall be 5.5 metres wide and a turning circle shall be provided. One metre wide shoulders shall be provided each side of the sealed carriageway.

The requirement for a second coat seal shall be met by lodging a cash contribution with Council calculated at \$2.25 (GST inclusive) per sqm of the area of first coat seal.

A prime/seal coat and asphaltic concrete paving may be approved by the Subdivisional Engineer.

7. A sign post and/or name plate shall be provided and this shall be satisfied by the payment of the appropriate fee. The new road name is to be shown on the survey plan. (Refer to Clause B.3.2, Code of Practice).

Three road names per street shall be forwarded to Council for approval.

8. Stormwater disposal shall be to the satisfaction of the Subdivisional Engineer.

The recommendations contained in the report from Connell Wagner dated 1 May 1995 (CW Ref 182900CC) shall be complied with and stormwater calculations shall be provided to confirm culvert capacities.

9. The corner of Lot 1 is to be splayed 4 metres and vest as road.
10. Where the existing land form or vegetative cover is disturbed, ground cover is to be established immediately following earthworks and with a minimum of delay to ensure the erosion of soil, sand or other material does not become a nuisance.
11. All sections shall have drive-on access no steeper than 1 in 5.
12. Power and telecommunication services shall be provided to the satisfaction of the Subdivisional Engineer.
13. The right-of-way shall be made a memorandum of easement and shall be formed and metalled. The entrance at the road reserve shall be formed, metalled and sealed to the satisfaction of the Subdivisional Engineer.
14. Any easements required by Council for drainage or other services shall be shown on the land transfer title plan. Easements are to be shown over any communal services where these pass through the lots in the subdivision.

Any easement that is required by the Subdivisional Engineer is to be prepared by solicitors at the owner's expense.

15. A consent notice shall be issued pursuant to Section 221 of the Resource Management Act 1991 noting the following requirements:



1. That a specific engineering design will be required for on site effluent disposal for dwellings on each allotment to determine the method of disposal environmentally suitable for the specific house size and requirements on each lot.
2. That the wetland and the existing watercourses and drainage flowpaths within the allotments including the required drainage ditch and swale formations be maintained and shall not be altered except with the prior approval of Council.
3. That Dwellings on Lots 1 to 6 shall be located above the level of the railway embankment. Floor levels may be required to be elevated as a requirement of building consent to minimise the consequences of any overland stormwater flows.

- NS 16. An access strip shall be created from the end of the road to vest (Lot 12) to the scenic reserve to enable pedestrian access to the reserve. An easement shall be registered in accordance with Section 237B or 220(f) of the Resource Management Act 1991 as appropriate.

Appropriate reference shall be included in the consent notice (condition 15) if required.

17. The subdivider shall enter into a fencing covenant to ensure that Council shall not be liable for, or called upon to erect or maintain or contribute towards the cost of erection or maintenance of any fence along the reserve boundary(ies).
18. A 4,500 litre concrete water tank is to be provided in the road reserve in the vicinity of Lot 5 for fire fighting purposes, readily located and easily identifiable.
19. The turning head for the road to vest shall be widened if necessary to accommodate space for parking by the general public clear of entranceways to Lots 5 to 8.
20. All costs arising from any of the above conditions shall be at the expense of the subdivider.

Report prepared by :



C Thomson  
PLANNER, INVESTIGATIONS

22 May 1995





APPLICATION UNDER SECTION 88 RESOURCE MANAGEMENT ACT 1991 FOR  
SUBDIVISION CONSENT

APPLICANT: KELMORE HOLDINGS LTD.  
C/- PRITCHARD GROUP, OTAKI.  
REGISTERED PROPRIETOR: KELMORE HOLDINGS LTD. (transfer pending)  
COMPRISED IN: C.S.T. 32A/557 & 32A/559.  
TERRITORIAL AUTHORITY: KAPITI COAST DISTRICT COUNCIL.  
DATE: MARCH 1995.

Prepared by: *Robert G. Longley*  
R.G. Longley M.N.Z.S.  
Registered Surveyor.

PROPOSED MEMORANDUM OF EASEMENTS.			
Purpose	Shown	Serv. Ten.	Dom. Ten.
R.O.W.	A	Lot 6	Lot 7
	B	Lot 7	Lot 6

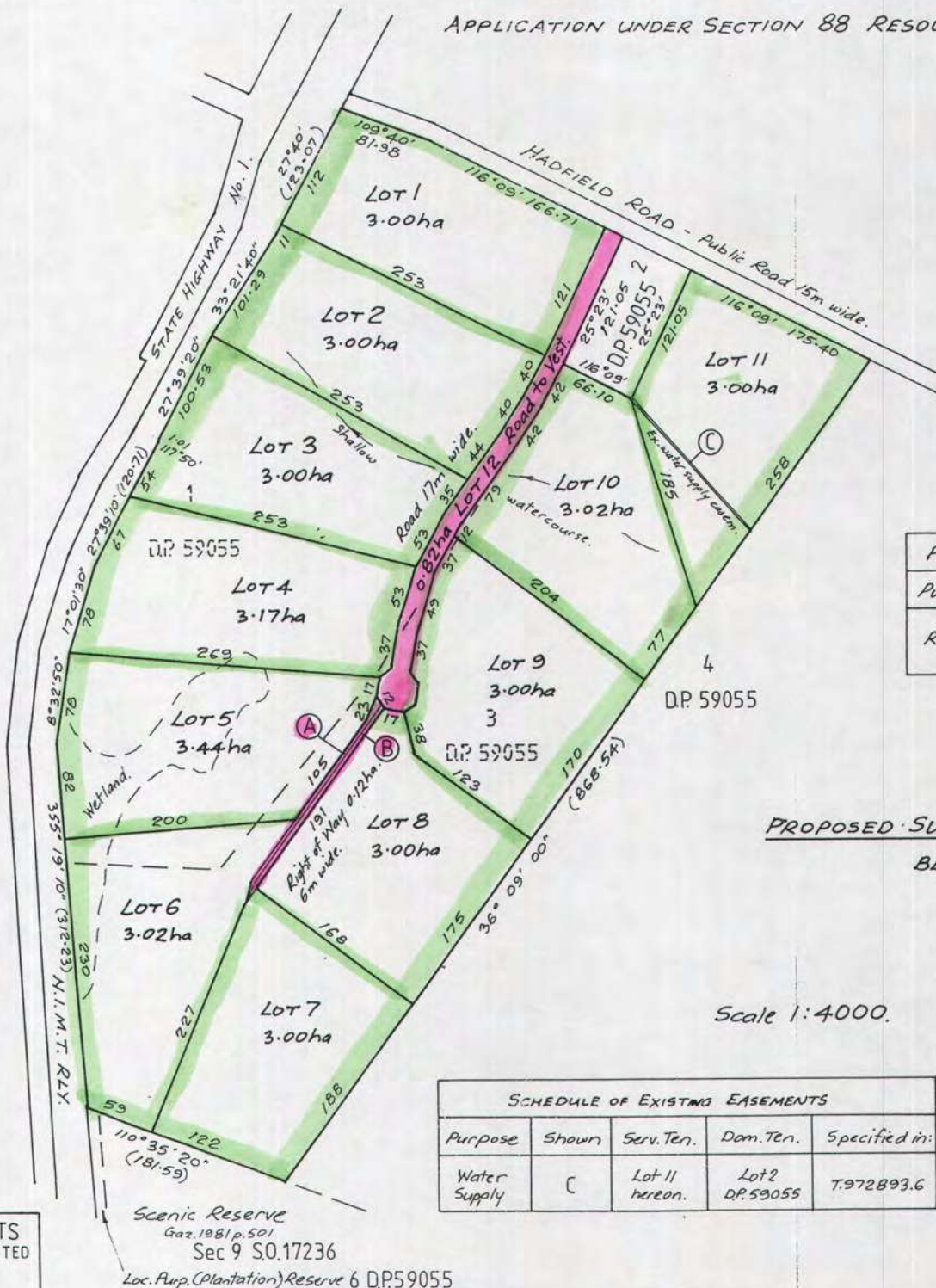
PROPOSED SUBDIVISION OF LOTS 1 AND 3 DP 59055  
BLOCK VI KAITAWA S.D.

Soil Classification: IV.  
Average area of Lots 1 to 11: 3.06 ha.

TOTAL AREA: 34.5761 ha.

Areas and dimensions subject to final survey.

AWATEA SOUTH  
RGL 14.3.95



SCHEDULE OF EXISTING EASEMENTS				
Purpose	Shown	Serv. Ten.	Dom. Ten.	Specified in:
Water Supply	C	Lot 11 hereon.	Lot 2 DP 59055	T.972893.6



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

**IN THE MATTER OF A PLAN LODGED FOR  
DEPOSIT UNDER NUMBER 531543  
AND RESOURCE CONSENT NO. RM 180182**

(being the subdivision of Lot 1 DP 81236),  
at 4 Octavius Road for G Thompson

The Regional Regulatory Titles Officer at Wellington

**PURSUANT** to Section 221 of the Resource Management Act 1991 the Kapiti Coast District Council hereby gives notice that it has consented to the subdivision and that, **with respect to Lot 3**, the following conditions are to be complied with on a continuing basis:

1. The vehicular access from the carriageway in Hadfield Road shall be sealed to the property boundary (including visibility splays) and maintained in accordance with the Kapiti Coast District Council Standard drawing KCDC-RD-017.
2. Vegetation shall be kept trimmed and maintained in accordance with Landlink plan number 2275-E1-001 Revision A. A copy of the plan is available in Council's Office at any time the office is open to the public and is stored electronically under reference number 5178001.
3. On-site wastewater treatment and disposal shall comply with the requirements and intent of the Engineering Report prepared by Landlink Limited dated 21 August 2018 and which was submitted to Council in relation to application No. RM180182. A copy of the report is available in Council's Office at any time the office is open to the public and is stored electronically under reference no. 5208794. It shall be the ongoing responsibility of the landowner to maintain and monitor their wastewater disposal system so that any adverse effects on the environment are minor.
4. On-site water storage and supply shall be a minimum of 30,000 litres (with 50,000 recommended) in accordance with the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2012. It shall be the ongoing responsibility of the landowner to maintain and monitor the installation and operation of the individual household water supply in accordance with the Ministry of Health's publication 'Household Water Supplies, the selection, operation and maintenance of individual household water supplies' (revised April 2006).
5. Fire-fighting requirements shall be provided and maintained in compliance with the New Zealand Fire Service Fire-fighting Water Supplies Code of Practice SNZ PAS 4509:2008.

6. There is no hard wired telecommunications connection to the allotment and the owner is therefore required to provide their own alternate means of telecommunications on a continuing basis.
7. Foundation design and construction for any new building or additions and alterations to a building shall take into account the findings and recommendations within the Engineering Report prepared by Landlink Limited dated 21 August 2018 and which was submitted to Council in relation to application No. RM180182. A copy of the report is available in Council's Office at any time the office is open to the public and is stored electronically under reference no. 5208794.

Issued in respect of application No. RM 180182 on this 29<sup>th</sup> day of March, 2019.



David Wayne Gair  
AUTHORISED OFFICER



Eloise Carstens  
AUTHORISED OFFICER





**KAPITI COAST DISTRICT COUNCIL**  
**CONSENT NOTICE PURSUANT TO SECTION 221**  
**OF THE RESOURCE MANAGEMENT ACT 1991**  
**FOR THE DEPOSIT OF LAND TRANSFER PLAN 81236**  
**THE SUBDIVISION OF LOT 1 & 3 DP 59055**  
**RM950038 : KELMORE HOLDINGS LTD, HADFIELD ROAD, PEKA PEKA**

**TO: The District Land Registrar at Wellington**

Pursuant to Section 221 (1) of the Resource Management Act 1991, the Kapiti Coast District Council hereby certifies that it has consented to the subdivision on the following condition/s to be complied with on a continuing basis:

1. That a specific engineering design will be required for on site effluent disposal for dwellings on each allotment to determine the method of disposal environmentally suitable for the specific house size and requirements on each lot.
2. That the wetland and the existing watercourses and drainage flowpaths within the allotments including the required drainage ditch and swale formations be maintained and shall not be altered except with the prior approval of Council.
3. That Dwellings on Lots 1 to 6 shall be located above the level of the railway embankment. Floor levels may be required to be elevated as a requirement of building consent to minimise the consequences of any overland stormwater flows.

Dated at Paraparaumu this *17th* day of *January* 1995

*M. P. W.*  
for **GENERAL MANAGER**



NDZ\_0033396

RECALL FILE LABEL



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COM

13.54 25.JAN96 B 498339-2

PARTICULARS ENTERED IN REGISTER

LAND REGISTRY WELLINGTON

GT

