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01 December 2025

Lorraine Joy Cargill

LAND INFORMATION MEMORANDUM (LIM)

The attached LIM provides you with information about 104 Raukawa Road, Peka Peka.

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

Finally, if you have any questions about your LIM, please don't hesitate to contact us at 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:

104 Raukawa Road, Peka Peka

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

Applicant	Lorraine Joy Cargill
LIM number	L251253
Application date	24/11/25
Issue date	01/12/25

Property details

Property address	104 Raukawa Road, Peka Peka
Legal description	LOT 6 DP 362593 C/T 255394
Area (hectares)	2.0104

Valuation information

Valuation number	1489005014
Capital value	\$1,480,000
Land value	\$700,000
Improvements value	\$780,000

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

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.

Current rates year	Current Rates Year 2025 to 2026
Annual rates	The annual rates for 2025/26 rating year are \$4,382.22 This includes Greater Wellington Regional Council rates
Next instalment date	09/12/25
Arrears for previous years	\$0.00
Water rates	Not Applicable
Water balance due	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

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

- | | |
|----------|--|
| 02/02/18 | BUILDING CONSENT 170863: Addition to dwelling including bathroom & inbuilt fireplace: Code Compliance Certificate issued 20/05/21 |
| 26/08/10 | BUILDING CONSENT 100637: Stage 1 of 2; build implement shed with bedroom/ensuite, and a separate studio/kitchen with living accommodation including bedroom, bathroom: Code Compliance Certificate issued 12/12/13
AMENDMENT 100637A: Installation of kitchen to studio. Change of use: workshop replaced with bedroom and ensuite. |

Code Compliance Certificate is issued for the complete building consent, and this includes any amendments to that building consent.

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

No pool registered to this property.

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

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

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:

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](https://www.kapiticoast.govt.nz/Operative-District-Plan-2021) ([kapiticoast.govt.nz](https://www.kapiticoast.govt.nz/))

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/.

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 General Rural in the Operative District Plan (2021).

This property is located within PREC48 - Rural Dunes Precinct. There are specific provisions in the Operative District Plan (2021) for this Precinct.

This property was created via subdivision in 2006 under resource consent number RM050063. A copy of the Decision, Deposited Plan (DP 362593) and Record of Title is provided with this LIM.

This property is subject and/or appurtenant to a right of way, a right to convey telecommunications and computer media, an electricity easement, and drainage rights.

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

A Section 221 Consent Notice was imposed as part of this subdivision which requires certain conditions to be complied with on an on-going basis. For detail refer to the attachments provided with this LIM.

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

For information about the resource consents for surrounding properties refer to the Resource Consents map and Summary Details Report provided with this LIM.

RESOURCE CONSENT 050063: Rural hamlet subdivision and related earthworks at Ruakawa Rd, Peka Peka.

RESOURCE CONSENT 100123: Earthworks for housesite exceeding 100m³ and cut height more than 1m at 104 Raukawa Road, Peka Peka.

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 contains a specific feature that is recorded in the Operative District Plan (2021).

This feature is:

Special Amenity Feature or Landscape - distinctive highly valued landscape or landform. SAL23 Te Hapua Dunes (The prominent dune landforms and interdunal wetlands off Te Hapua Road).

This property is adjacent to a property which contains a specific feature that is recorded in the Operative District Plan (2021).

This feature is:

High Voltage Electricity Transmission Lines - there are restrictions on any development on this property within 20 metres each side of the centreline of the high voltage transmission lines.

These restrictions mean that any addition or construction of buildings (excluding accessory buildings) or structures within that area on this property will require a resource consent.

The transmission lines are subject to the Ministry for the Environment National Environmental Standard for Electricity Transmission Activities.

This standard sets out a framework of permissions and consent requirements for activities on existing electricity transmission lines, for example a network utility operator can operate, maintain and upgrade the existing lines.

More detail can be found on the Ministry for the Environment website: www.mfe.govt.nz
Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992.

All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation.

Activities should be checked for compliance even if they are permitted by the District Plan. Please contact Transpower or a suitably qualified engineer for assistance with clearance requirements in NZECP 34:2001.

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

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/search-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. 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/.

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 area's 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/.

Other Information

No information located.

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

6. Other land and building classifications

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

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 or to a soak pit soak pit(s)

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

8. Drinking water supply

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

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

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

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-Kapiti-Coast-District-Council)

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

104 Raukawa Road, Peka Peka (LOT 6 DP 362593 C/T 255394)



0 40 80 Metres

Scale @ A4 - 1:2,000

Date Printed: November 25, 2025

Kāpiti Coast District Council accepts no responsibility for incomplete or inaccurate information contained on this map. Use of this website is subject to, and constitutes acceptance of the conditions set out in our disclaimer. This publication is copyright reserved by the Kāpiti Coast District Council. Cadastral and Topographic information is derived from Land Information New Zealand, CROWN COPYRIGHT RESERVED.



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



R.W. Muir
Registrar-General
of Land

Constituted as a Record of Title pursuant to Sections 7 and 12 of the Land Transfer Act 2017 - 12 November 2018

Identifier **255394**
Land Registration District **Wellington**
Date Issued 20 July 2006

Prior References
242775

Estate Fee Simple
Area 2.0104 hectares more or less
Legal Description Lot 6 Deposited Plan 362593
Original Registered Owners
Tasman Lakes Estate Limited

Interests

Appurtenant hereto are drainage rights created by Transfer 79201
6338384.4 Mortgage to Westpac Banking Corporation - 8.3.2005 at 9:00 am
6338384.5 Mortgage to CML Nominees Limited - 8.3.2005 at 9:00 am
6956596.5 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 20.7.2006 at 9:00 am
Subject to a right of way over part marked B on DP 362593 created by Easement Instrument 6956596.8 - 20.7.2006 at 9:00 am
Appurtenant hereto is a right of way created by Easement Instrument 6956596.8 - 20.7.2006 at 9:00 am
The easements created by Easement Instrument 6956596.8 are subject to Section 243 (a) Resource Management Act 1991
Subject to a right to convey telecommunicatins and computer media in gross over part marked B on DP 362593 i n favour of Telecom New Zealand Limited created by Easement Instrument 6956596.9 - 20.7.2006 at 9:00 am
The easements created by Easement Instrument 6956596.9 are subject to Section 243 (a) Resource Management Act 1991
Subject to a electricity easement in gross over part marked B on DP 362593 in favour of Electra Limited created by Transfer 6956596.10 - 20.7.2006 at 9:00 am
The easement created by Transfer 6956596.10 is subject to Section 243 (a) Resource Management Act 1991
6956596.13 Transfer to Tasman Lakes Estate Limited - 20.7.2006 at 9:00 am
Land Covenant in Transfer 6956596.13 - 20.7.2006 at 9:00 am
Fencing Covenant in Transfer 6956596.13 - 20.7.2006 at 9:00 am
7095691.1 Application pursuant to Section 99A Land Transfer Act 1952 vesting Mortgage 6338384.4 in Westpac New Zealand Limited - 2.11.2006 at 9:00 am
7243665.1 Discharge of Mortgage 6338384.4 - 21.2.2007 at 9:00 am
7243665.2 Discharge of Mortgage 6338384.5 - 21.2.2007 at 9:00 am
7243665.3 Transfer to Lorraine Joy Cargill and CMS Trustees Limited - 21.2.2007 at 9:00 am

7358425.1 Mortgage to Origin Mortgage Management Services Limited - 8.5.2007 at 3:12 pm

7829850.1 Discharge of Mortgage 7358425.1 - 29.5.2008 at 12:26 pm

7829850.2 Mortgage to ANZ National Bank Limited - 29.5.2008 at 12:26 pm

9790589.1 Discharge of Mortgage 7829850.2 - 5.8.2014 at 3:53 pm

9790589.2 Transfer to LJC TRUSTEES LIMITED - 5.8.2014 at 3:53 pm

9790589.3 Transfer to LJC TRUSTEES LIMITED - 5.8.2014 at 3:53 pm

9790589.4 Mortgage to ANZ Bank New Zealand Limited - 5.8.2014 at 3:53 pm



Digital Title Plan - DP 362593

Survey Number	DP 362593
Surveyor Reference	Tasman Lakes Hamlet
Surveyor	Robert Graham Longley
Survey Firm	Pritchard Group Limited (Otaki)
Surveyor Declaration	I Robert Graham Longley, being a person entitled to practise as a licensed cadastral surveyor, certify that - (a) The surveys to which this dataset relates are accurate, and were undertaken by me or under my direction in accordance with the Cadastral Survey Act 2002 and the Surveyor-General's Rules for Cadastral Survey 2002/2; (b) This dataset is accurate, and has been created in accordance with that Act and those Rules. Declared on 26/01/2006.

Survey Details

Dataset Description	Lots 1-9 being Subdivision of Lot 3 DP 359656		
Status	Deposited		
Land District	Wellington	Survey Class	Class II Cadastral Survey
Submitted Date	26/01/2006	Survey Approval Date	31/01/2006
		Deposit Date	20/07/2006

Territorial Authorities

Kapiti Coast District

Comprised In

CT 242775

Created Parcels

Parcels	Parcel Intent	Area	CT Reference
Marked J Deposited Plan 362593	Easement		
Lot 1 Deposited Plan 362593	Fee Simple Title	1.1500 ha	255389
Lot 2 Deposited Plan 362593	Fee Simple Title	1.0474 ha	255390
Lot 3 Deposited Plan 362593	Fee Simple Title	1.1261 ha	255391
Lot 4 Deposited Plan 362593	Fee Simple Title	2.1027 ha	255392
Lot 5 Deposited Plan 362593	Fee Simple Title	1.1837 ha	255393
Lot 6 Deposited Plan 362593	Fee Simple Title	2.0104 ha	255394
Lot 7 Deposited Plan 362593	Fee Simple Title	1.8400 ha	255395
Lot 8 Deposited Plan 362593	Fee Simple Title	21.6630 ha	255396
Lot 9 Deposited Plan 362593	Vesting on Deposit for Road	0.6354 ha	
Marked A Deposited Plan 362593	Easement		
Marked B Deposited Plan 362593	Easement		
Marked C Deposited Plan 362593	Easement		
Marked D Deposited Plan 362593	Land Covenant		
Marked E Deposited Plan 362593	Land Covenant		
Marked F Deposited Plan 362593	Land Covenant		
Marked G Deposited Plan 362593	Land Covenant		
Marked H Deposited Plan 362593	Land Covenant		



Digital Title Plan - DP 362593

Created Parcels

Parcels	Parcel Intent	Area	CT Reference
Marked I Deposited Plan 362593	Land Covenant		
Marked K Deposited Plan 362593	Easement		
Marked L Deposited Plan 362593	Easement		
Marked M Deposited Plan 362593	Land Covenant		
Total Area		<hr/> 32.7587 ha	

Plan Number

DP 362593

Proposed Easements in Gross			
Purpose	Shown	Servient Tenement	Grantee
Electricity Supply	A	Lot 7 DP 362593	Electra Limited
	B	Lot 6 DP 362593	
	C	Lot 5 DP 362593	

Proposed Easements in Gross			
Purpose	Shown	Servient Tenement	Grantee
Telecommunications and Computer Media	A	Lot 7 DP 362593	Telecom New Zealand Limited
	B	Lot 6 DP 362593	
	C	Lot 5 DP 362593	

Certifying parties must sign or initial this box

Plan Number

DP 362593

Proposed Easements			
Purpose	Shown	Servient Tenement	Dominant Tenement
R.O.W.	A	Lot 7 DP 362593	Lots 5 & 6 DP 362593
R.O.W.	B	Lot 6 DP 362593	Lots 5 & 7 DP 362593
R.O.W.	C	Lot 5 DP 362593	Lots 6 & 7 DP 362593

Proposed Easements in Gross			
Purpose	Shown	Servient Tenement	Grantee
Stormwater Drainage	J	Lot 1 DP 362593	Kapiti Coast District Council
	K	Lot 2 DP 362593	
	L	Lot 8 DP 362593	

Subject to Existing Drainage Rights created by T.79201

Areas D, E, F, G, H, are subject to Consent Notice 6692956.4

Areas I and M to be subject to Land Covenants

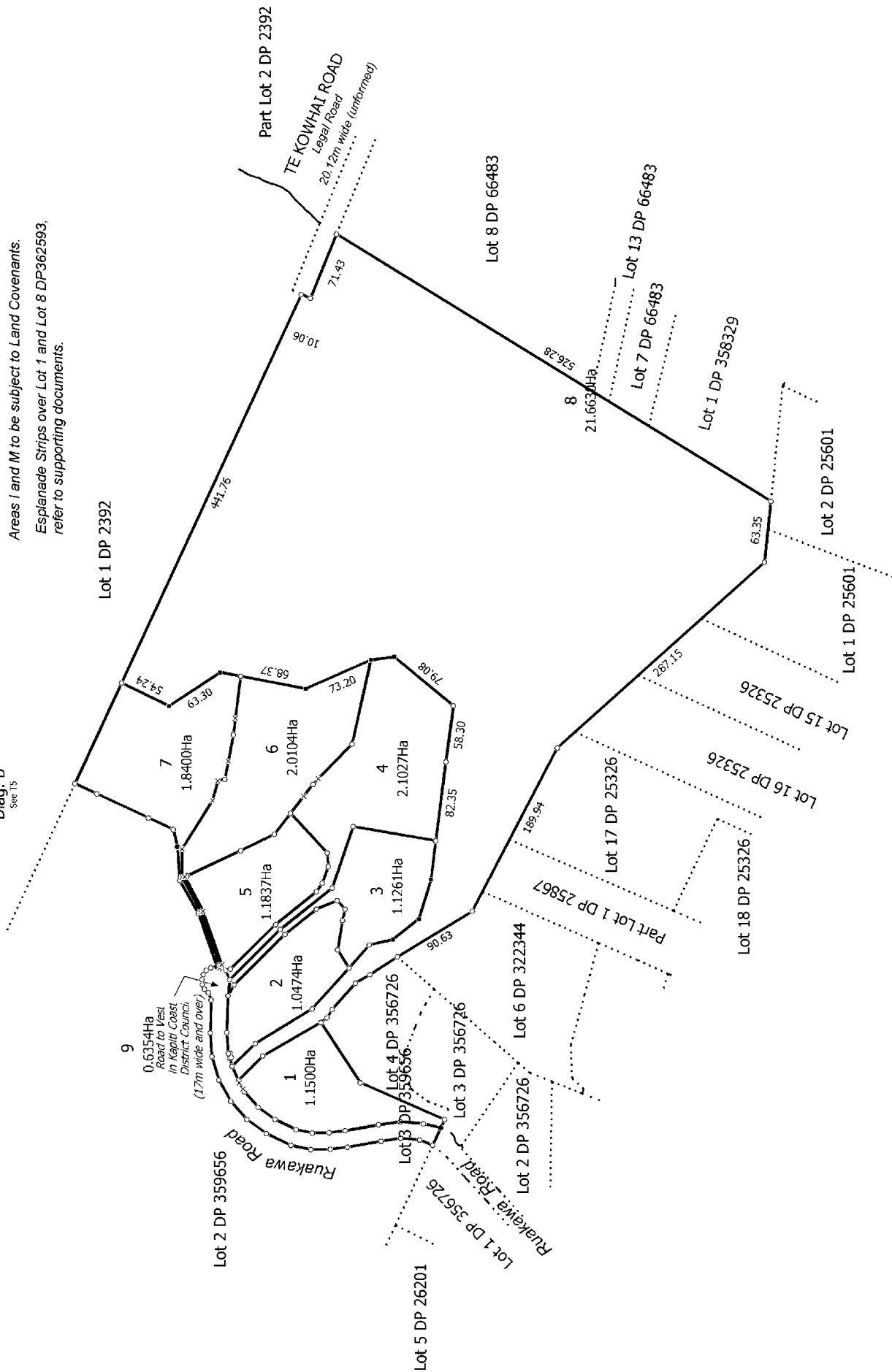
Certifying parties must sign or initial this box



NOTE: Subject to drainage rights created by T.79201
Areas D, E, F, G, H are subject to Consent Notice 6692956.4
Areas I and M to be subject to Land Covenants.
Esplanade Strips over Lot 1 and Lot 8 DP362593,
refer to supporting documents.

Diag. A
See T2

Diag. B
See T5



T 1/8

Land District Wellington

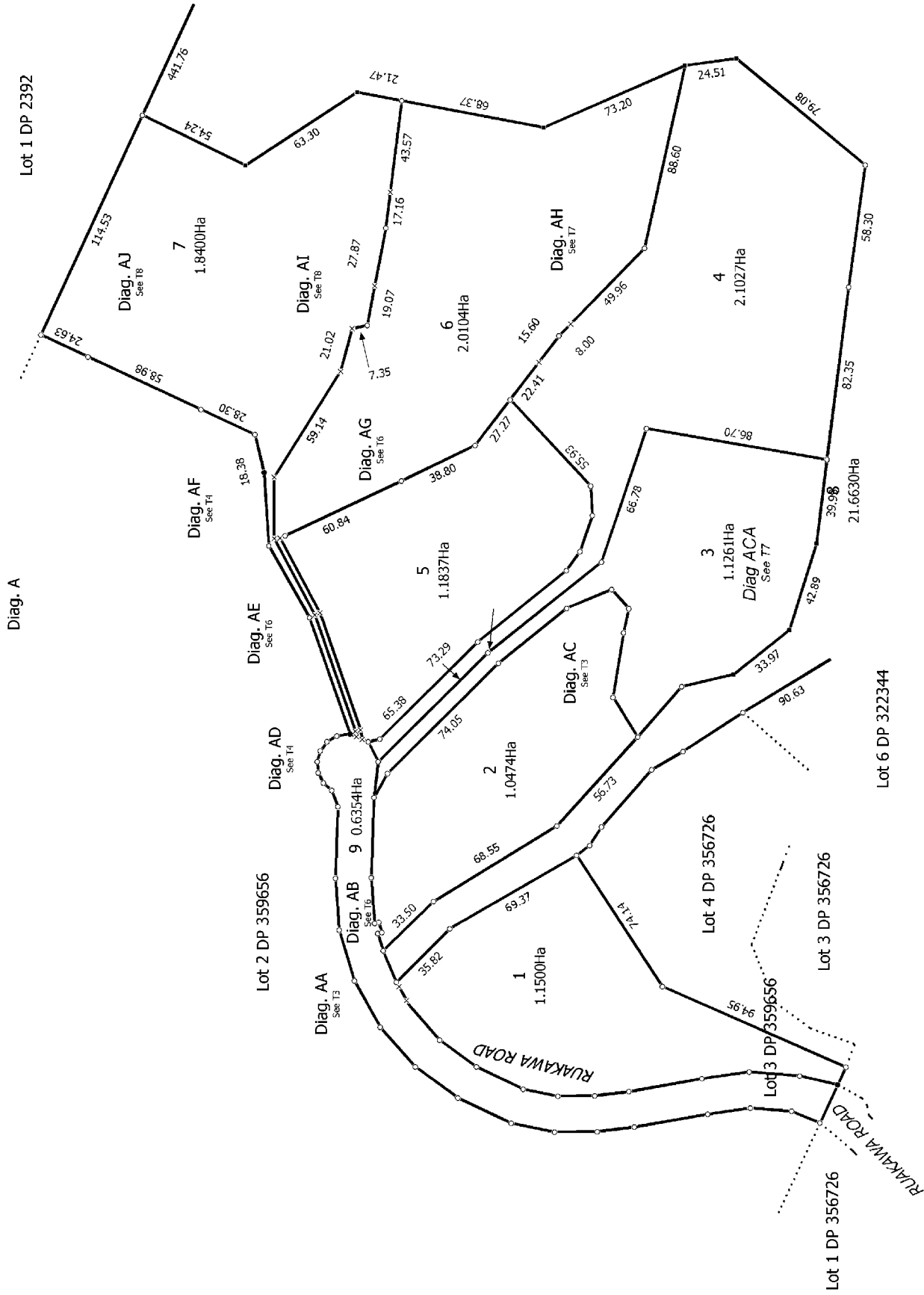
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Generated on: 11/08/2006 2:27pm Page 6 of 13

Lots 1-9 being Subdivision of Lot 3 DP 359656

Surveyor: Robert Graham Longley
Firm: Pritchard Group Limited (Orlky)

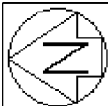
Digital Title Plan
DP 362593

Deposited on: 20/07/2006



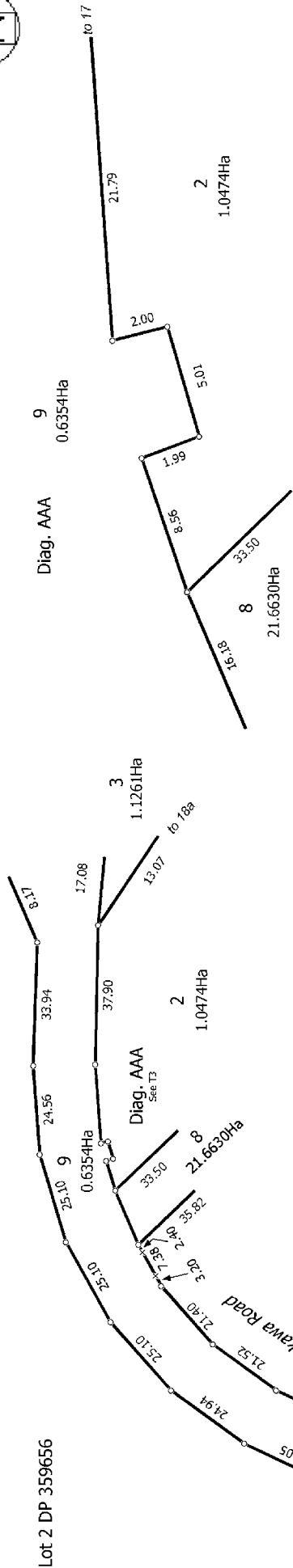
T 2/8

Land District Wellington	Lots 1-9 being Subdivision of Lot 3 DP 359656		Digital Title Plan DP 362593	Deposited on: 20/07/2006
Digitally Generated Plan Generated on: 11/08/2006 2:27pm Page 7 of 13	Surveyor: Robert Graham Longley Firm: Pritchard Group Limited (Orlky)			



Diag. AA

Lot 2 DP 359656



Diag. AAA

9
0.6354Ha

2
1.0474Ha

3
1.1261Ha

2
1.0474Ha

8
21.6630Ha

Diag. AC

1
1.1500Ha

1
1.1500Ha

2
1.0474Ha

5
1.1837Ha

4
2.1027Ha

Diag. ACA
Sec 17

Lot 4 DP 356726

Lot 4 DP 356726

Lot 3 DP 356726

Lot 6 DP 322344

8
21.6630Ha

T 3/8

Land District Wellington

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Lots 1-9 being Subdivision of Lot 3 DP 359656

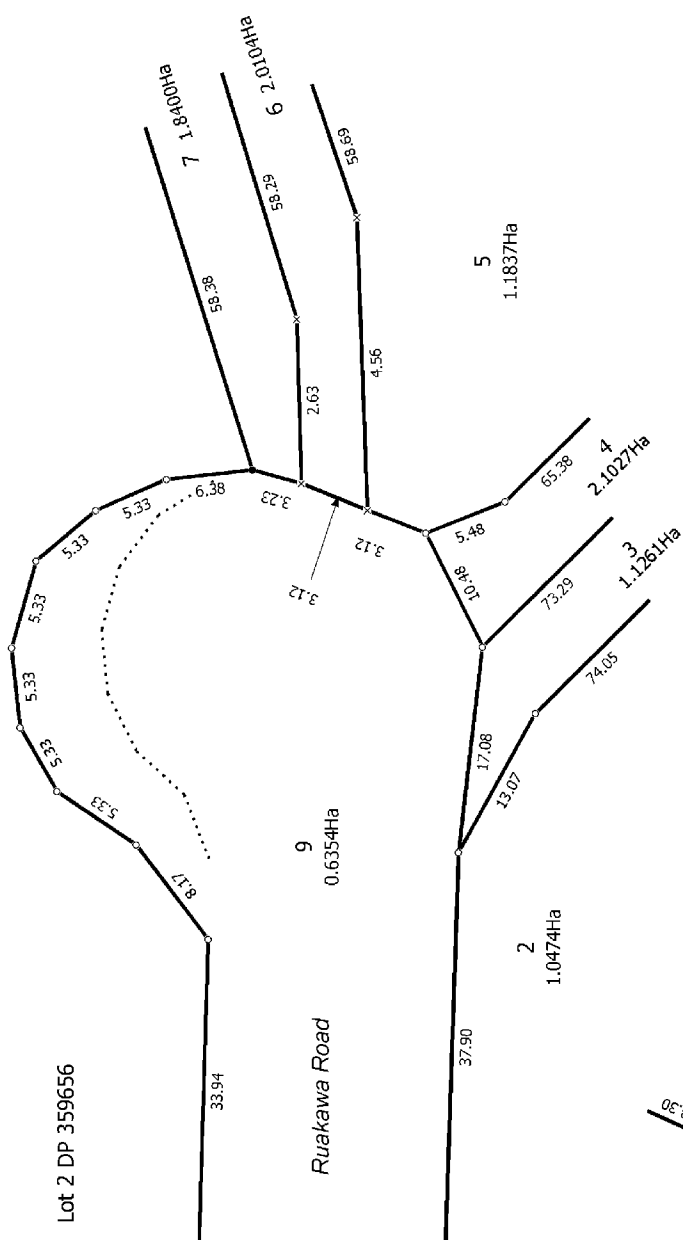
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Firm: Pritchard Group Limited (Orlaky)

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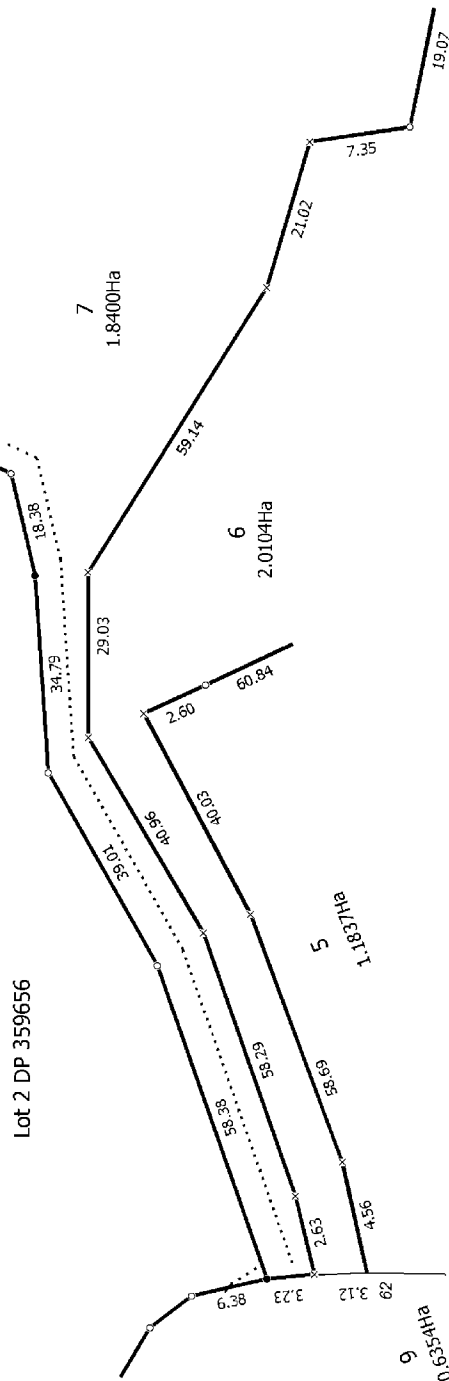
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Diag. AD

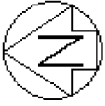


Diag. AF

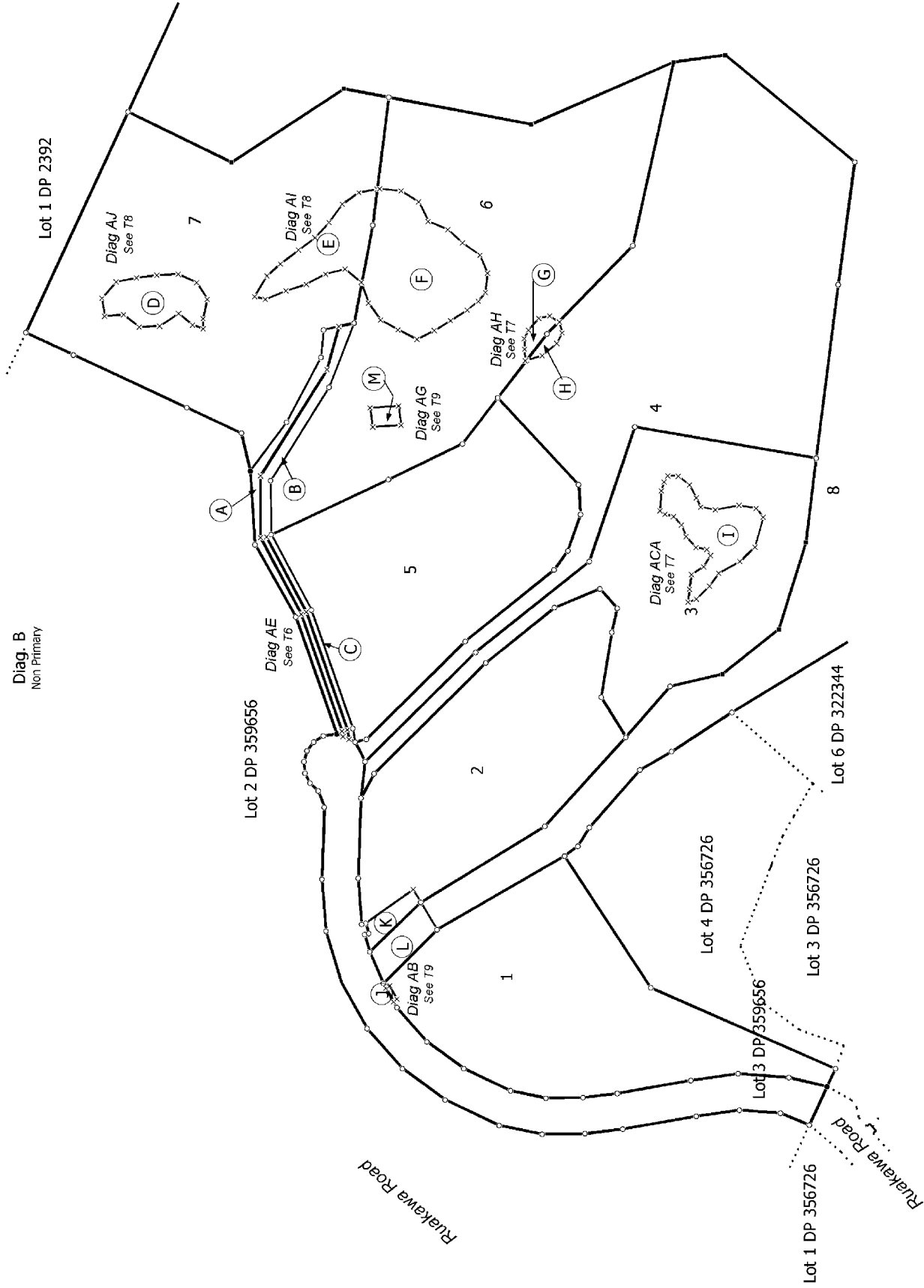


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Land District Wellington	Lots 1-9 being Subdivision of Lot 3 DP 359656	Surveyor: Robert Graham Longley Firm: Pritchard Group Limited (Orakei)	Digital Title Plan DP 362593 Deposited on: 20/07/2006
Digitally Generated Plan Generated on: 11/08/2006 2:27pm Page 9 of 13			



Diag. B
Non Primary



T 5/8

Land District Wellington

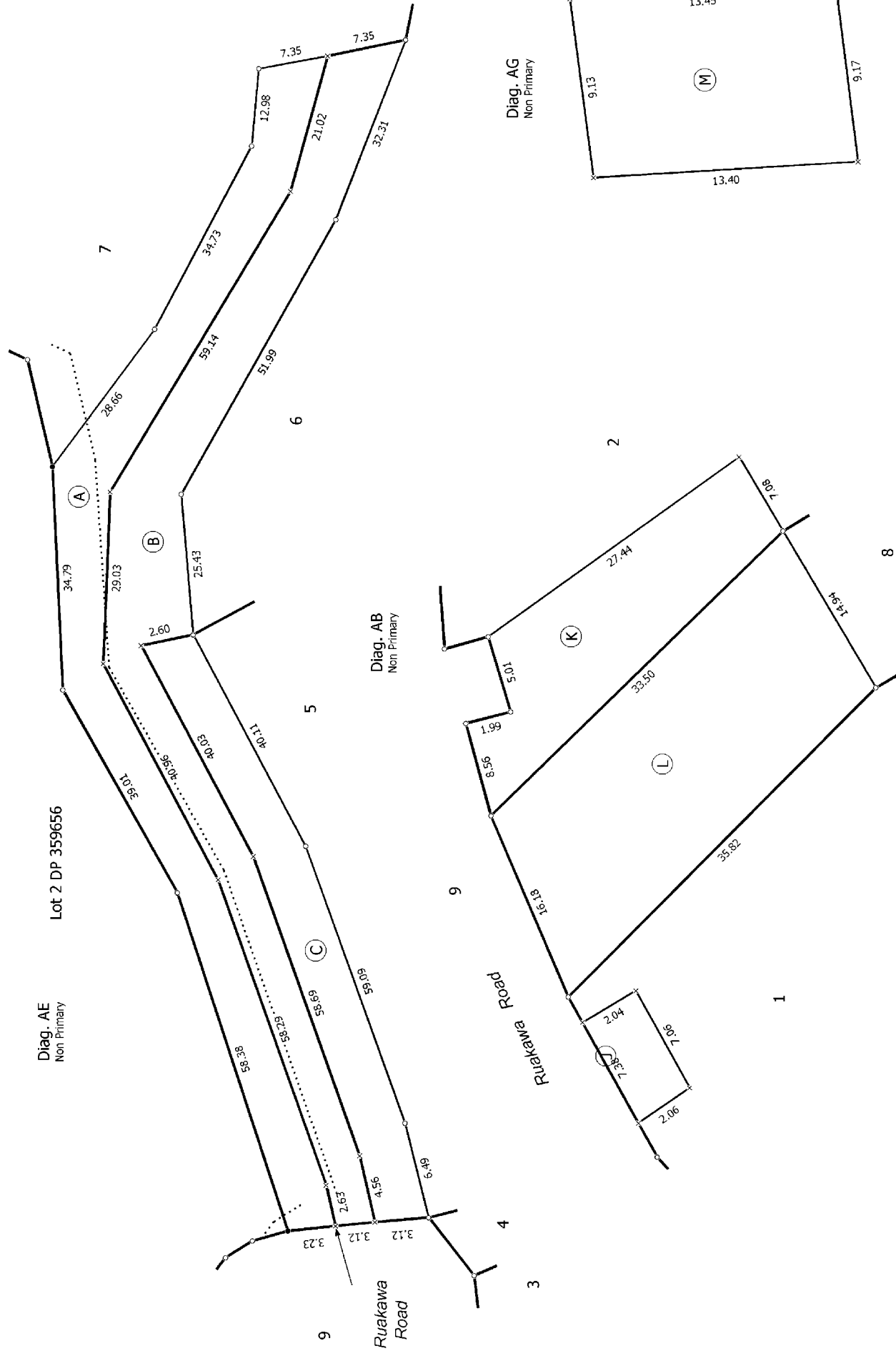
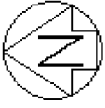
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Lots 1-9 being Subdivision of Lot 3 DP 359656

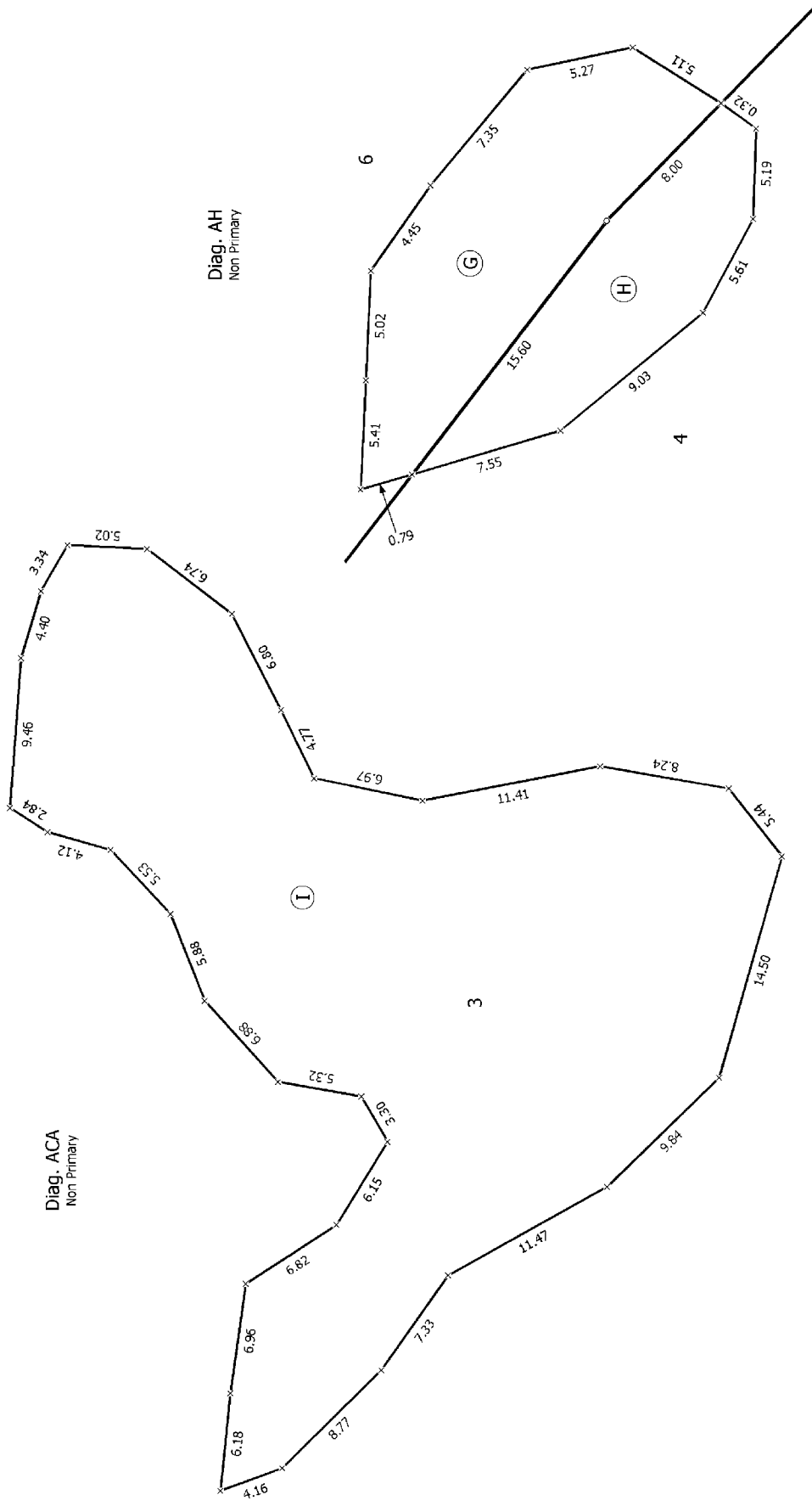
Surveyor: Robert Graham Longley
Firm: Pritchard Group Limited (Orlky)

Digital Title Plan
DP 362593

Deposited on: 20/07/2006



Land District Wellington		Lots 1-9 being Subdivision of Lot 3 DP 359656		Surveyor: Robert Graham Longley Firm: Pritchard Group Limited (Orakei)	6	8/8
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Land District Wellington

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Lots 1-9 being Subdivision of Lot 3 DP 359656

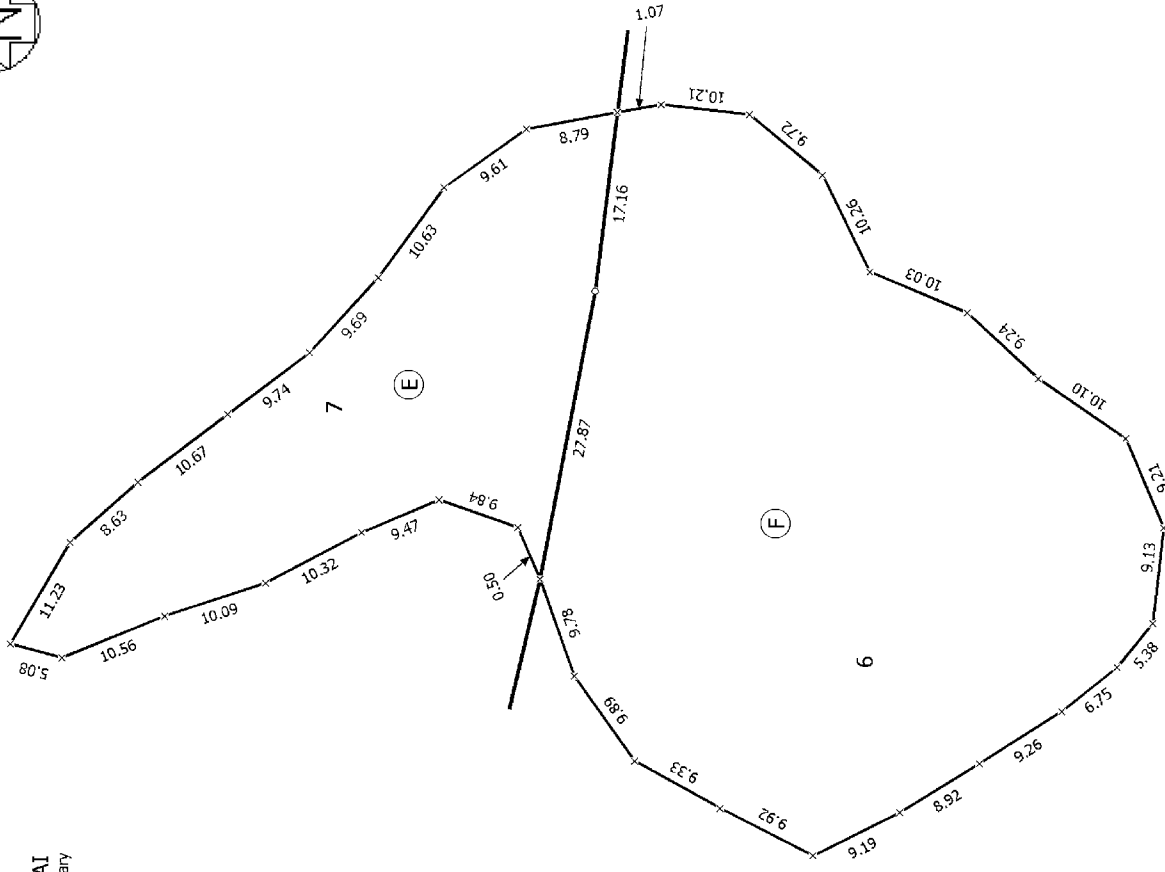
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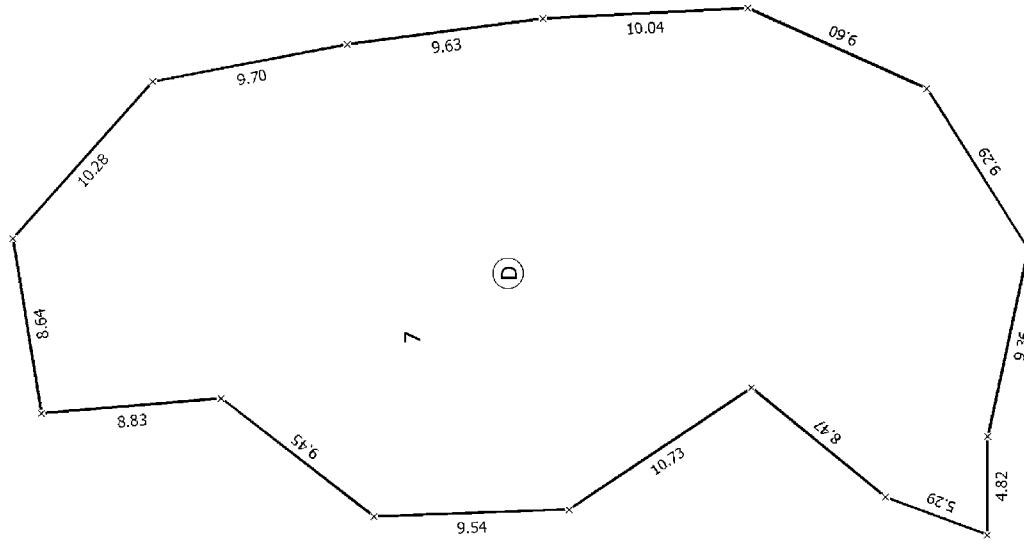
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Diag. AI
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Diag. AJ
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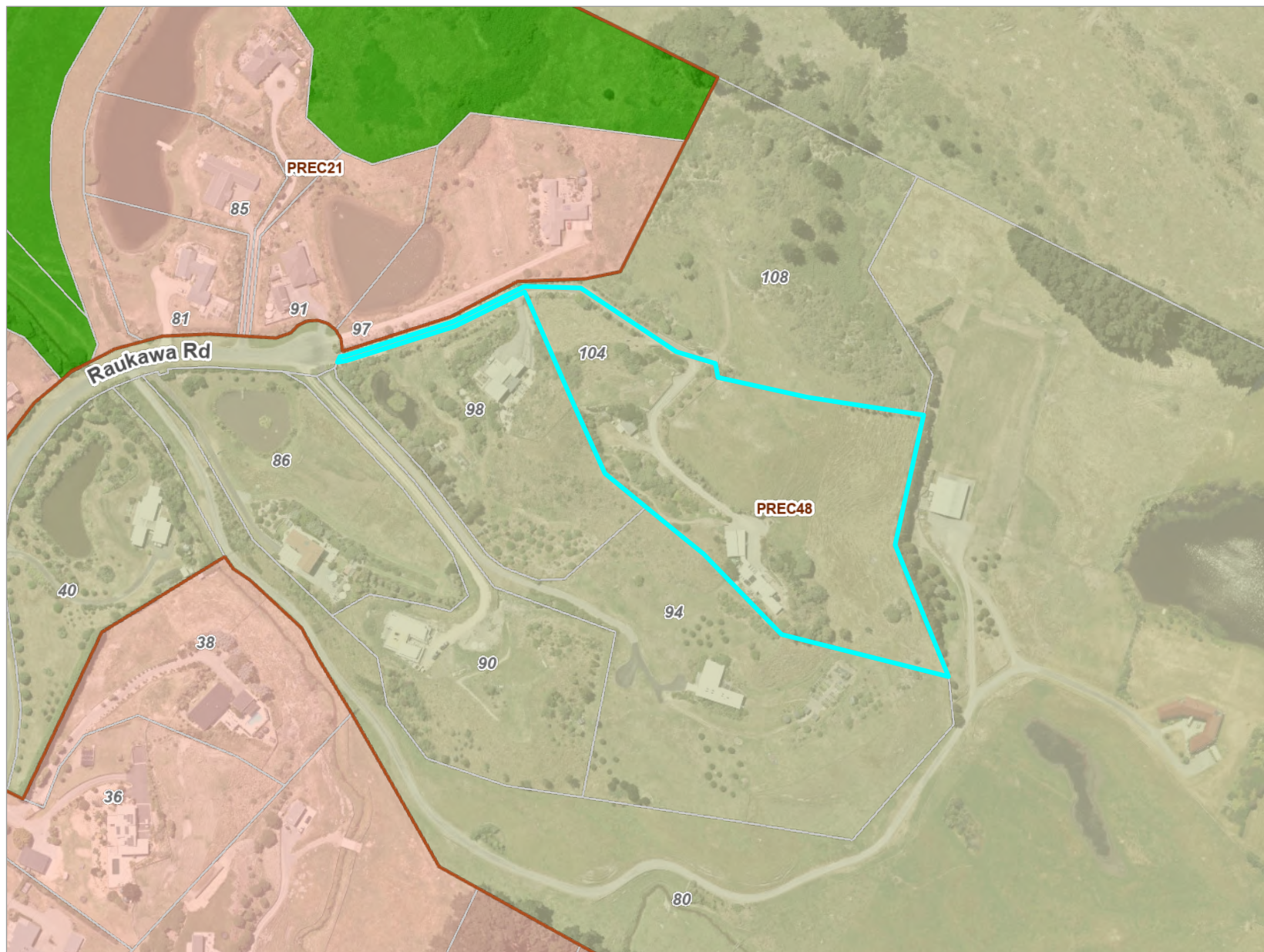


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Land District Wellington	Lots 1-9 being Subdivision of Lot 3 DP 359656	Surveyor: Robert Graham Longley Firm: Pritchard Group Limited (Orakei)	Digital Title Plan DP 362593 Deposited on: 20/07/2006
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Operative District Plan 2021 - Zones and Precincts

104 Raukawa Road, Peka Peka (LOT 6 DP 362593 C/T 255394)



Key to map symbols

-  Precinct
-  General Rural Zone
-  Rural Lifestyle Zone
-  Natural Open Space Zone

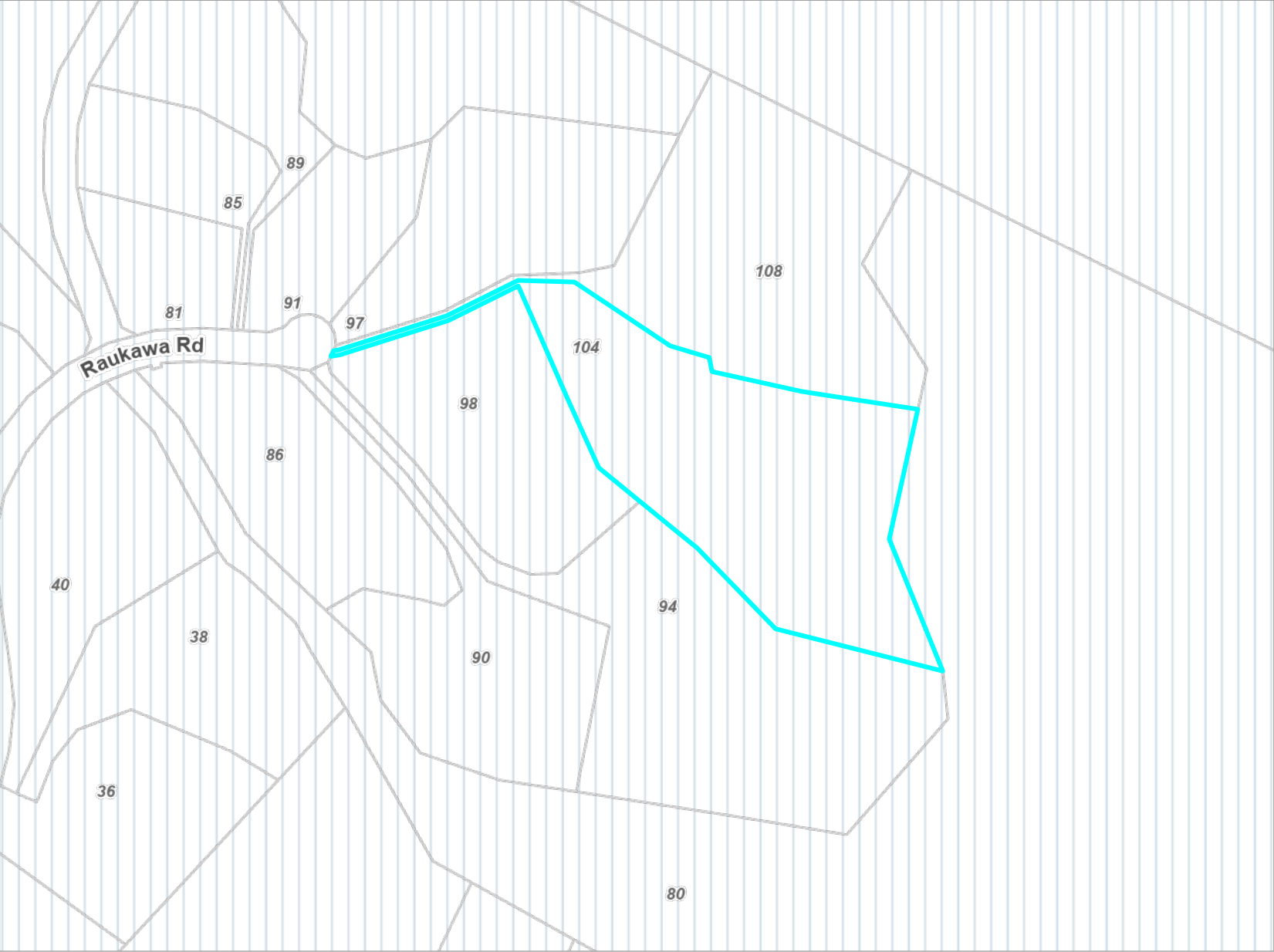


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Scale @ A4 - 1:3,000


Date Printed: November 25, 2025

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Operative District Plan 2021 - Historical, Cultural, Infrastructure & Districtwide
104 Raukawa Road, Peka Peka (LOT 6 DP 362593 C/T 255394)



Key to map symbols

 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.



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Operative District Plan 2021 - Designations & Miscellaneous Features

104 Raukawa Road, Peka Peka (LOT 6 DP 362593 C/T 255394)



Key to map symbols

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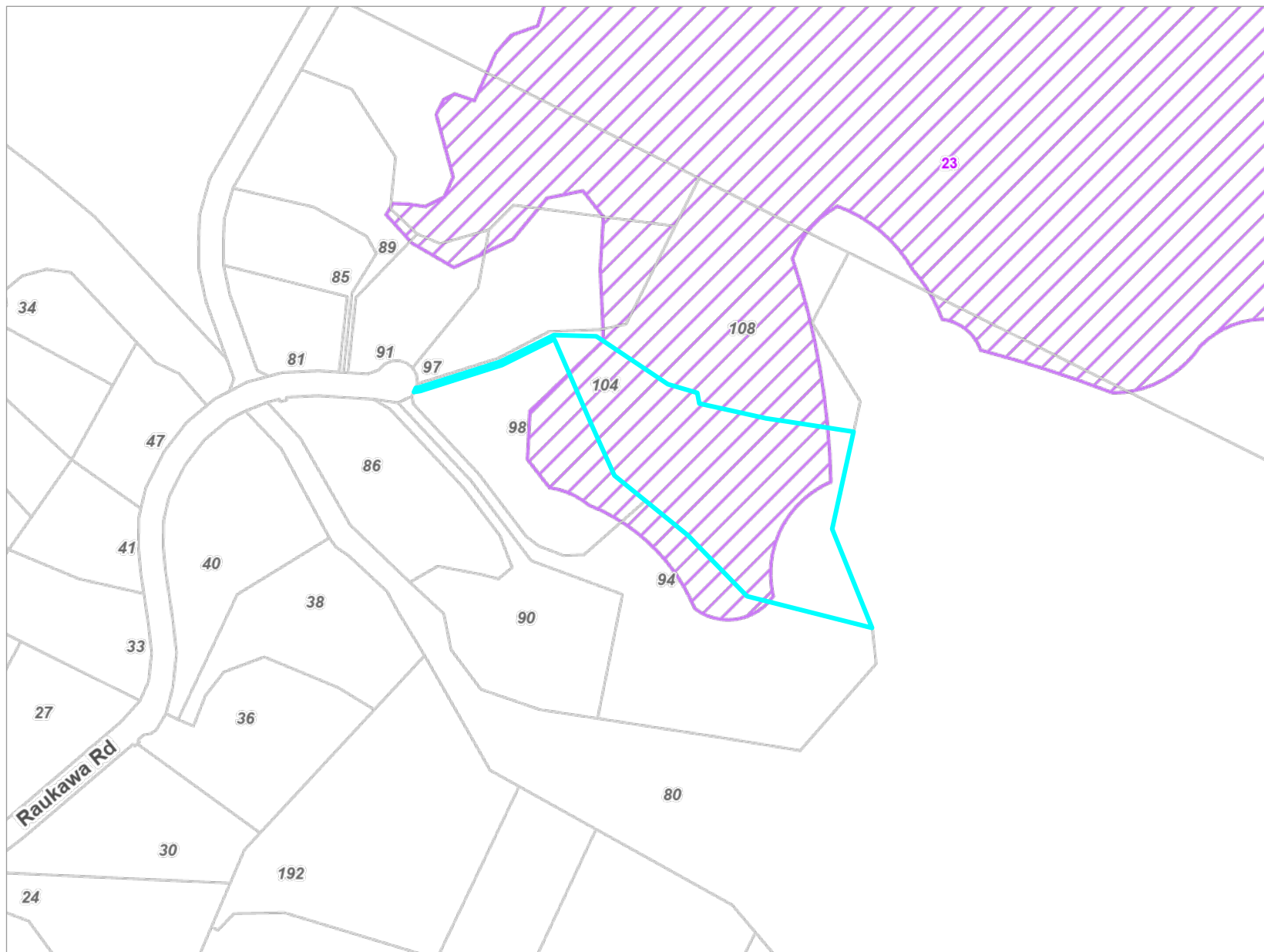
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Operative District Plan 2021 - Natural Features

104 Raukawa Road, Peka Peka (LOT 6 DP 362593 C/T 255394)



Key to map symbols

 Special Amenity Landscapes

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Operative District Plan 2021 - Natural Hazards

104 Raukawa Road, Peka Peka (LOT 6 DP 362593 C/T 255394)



Key to map symbols

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Latest Flood Hazards

104 Raukawa Road, Peka Peka (LOT 6 DP 362593 C/T 255394)



Key to map symbols

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Resource Consents Map

104 Raukawa Road, Peka Peka (LOT 6 DP 362593 C/T 255394)



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.



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Scale @ A4 - 1:2,200

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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
070226	80 Raukawa Road, Peka Peka	1489002104	Lot 8 DP 362593 C/T 255396	LD	Earthworks for excavation of amenity lake and deposition of	N	N	Decision Issued	3/8/2007	20/7/2007
060228	38 Raukawa Road, Peka Peka	1489005004	LOT 4 DP 356726	LD	Earthworks for building site	N	N	Decision Issued	24/8/2006	9/8/2006
100123	104 Raukawa Road, Peka Peka	1489005014	LOT 6 DP 362593 C/T 255394	LD	Earthworks for housesite exceeding 100m3 and cut height more	N	N	Decision Issued	3/8/2010	16/7/2010
120099	98 Raukawa Road, Peka Peka	1489005012	LOT 5 DP 362593 C/T 255393	LD	Earthworks for new dwelling at 98 Raukawa Road, Peka Peka	N	N	Decision Issued	13/9/2012	3/8/2012
160260	86 Raukawa Road, Peka Peka	1489005007	LOT 2 DP 362593 C/T 255390	LN	Commercial activity (cattery) within the Rural Zone	N	N	Decision Issued	29/11/2016	4/11/2016
170314	90 Raukawa Road, Peka Peka	1489005008	LOT 3 DP 362593 C/T 255391	LD	Earthworks that do not meet the permitted activity standards	N	N	Decision Issued	9/1/2018	20/11/2017
PB210015	38 Raukawa Road, Peka Peka	1489005004	LOT 4 DP 356726 C/T 231289	PB	Construct an accessory building (non-habitable) that	N	N	Decision Issued	9/4/2021	10/3/2021

Health and Alcohol Licenses

104 Raukawa Road, Peka Peka (LOT 6 DP 362593 C/T 255394)



Key to map symbols

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.



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Services Network

104 Raukawa Road, Peka Peka (LOT 6 DP 362593 C/T 255394)



Key to map symbols

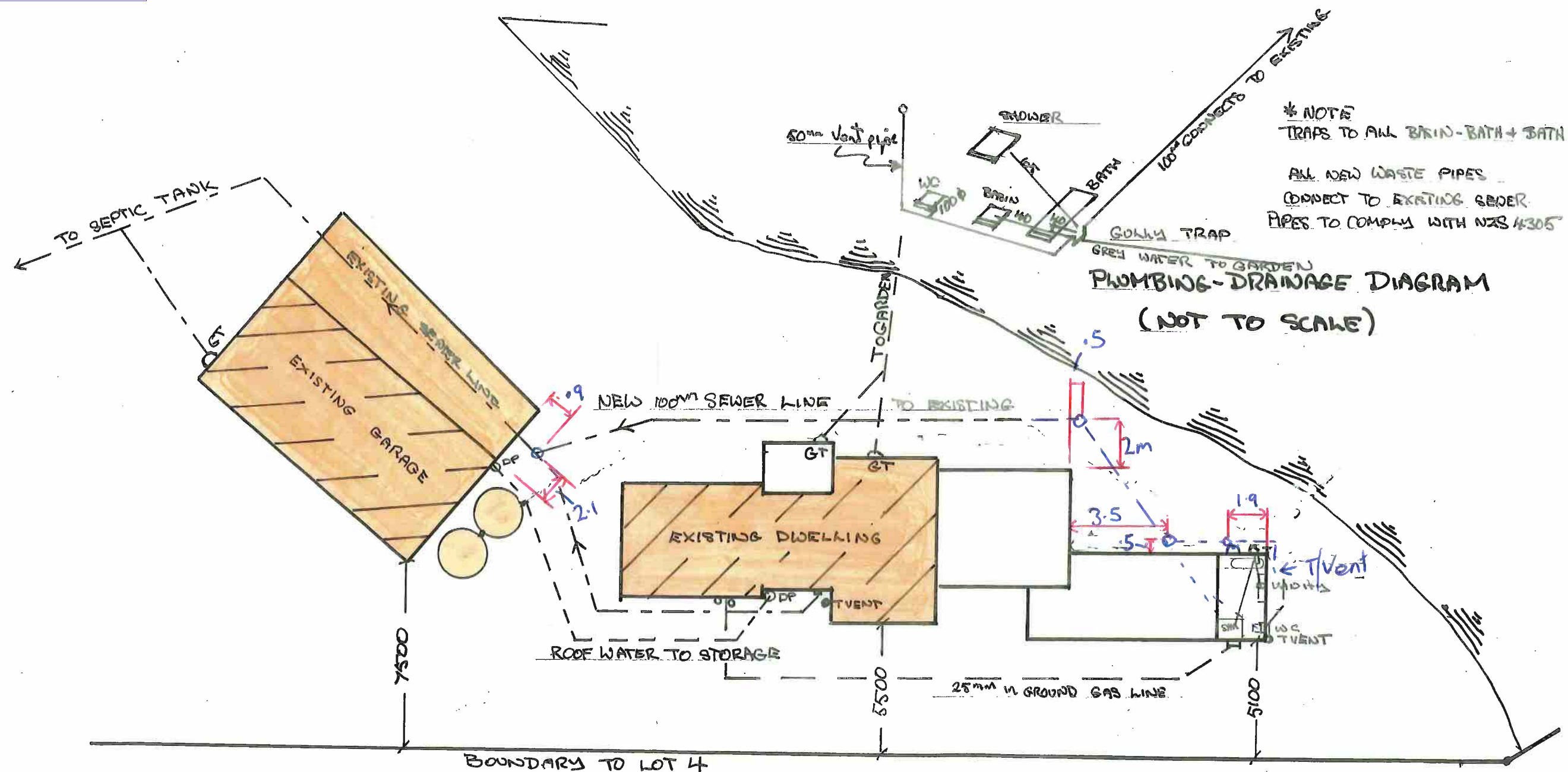
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PLUMBING AND DRAINAGE PLAN 1:200

NOTE:
PIPE SIZES NEED TO COMPLY WITH NZS 4305
TABLE 5
THE SANITARY DRAINAGE AND WASTE PIPE SYSTEMS
SHALL BE INSTALLED TO SATISFY COMPLIANCE WITH
THE RELATIVE PERFORMANCE, PROVISIONS AND CONDITIONS
OF AS/NZS 3500.2.2003
WATER SERVICES SHALL COMPLY WITH THE NZ BUILDING CODE G12/AS1
HOT WATER SHALL BE AT A TEMPERATURE THAT SHALL NOT EXCEED 55°

**KAPITI COAST DISTRICT COUNCIL
DECISION REPORT FOR LANDUSE AND SUBDIVISION CONSENT**

Non-Notified Application: Delegated Authority to Process Application Without Public Notification Pursuant To Section 94 of the RMA 1991 Exercised By: Trevor Garnett and Rob Williams

APPLICANT:	Pritchard Group Limited
LOCATION:	Raukawa Road, Peka Peka
LEGAL DESCRIPTION:	Lot 4 DP 2392 (Lot 3 RM040295)
ZONE:	Rural Coastal Dune Policy Area Outstanding Landscape
TYPE OF CONSENT:	Landuse for roading, earthworks and subdivision consent.
ACTIVITY STATUS:	Discretionary
SCHEME PLAN:	Plans prepared by Pritchard Group Ltd Titled 'Tasman Lakes Rural Hamlet' Scale 1:4000(A3), Drawing No. SC.2a.TL.3 Dated: 14.03.05 Titled 'Tasman Lakes Rural Hamlet Earthworks Plan' Scale 1:5000(A1), Drawing No. THL.EW.01 Dated: 12.04

SITE DESCRIPTION

The site is located at the end of Raukawa Road, Peka Peka. Raukawa Road is located on the northern side of Peka Peka Road. The site is located within the Rural zone and within the Rural Residential subdivision and development area of the Kapiti Coast District Plan. The site is reflective of its location approximately 800-900 meters from the Kapiti Coastline.

The site is legally described as Lot 4 DP 2392 and encompasses a little over 71 hectares. The entire site is located within the Coastal Dune Policy area and the western quarter is identified on the District Plan maps as an Outstanding Landscape. Characteristic of the coastal environment in which it is found, the site includes lower lying plains, low, medium and high consolidated secondary dunes, which gives an undulating profile.

The Kowhai Streams runs east to west through the site with its mouth in the north-west corner boundary of the subject site. In the applicants site description this creek was also referred to as the Hadfield Creek. Of note also is that there are a number of farm drains and channels found onsite, however the site is not considered to be subject to any flooding.

There are no existing buildings located on the site, and it has been noted that there is no community based sewage system in this area and no reticulated water supply available within

the Raukawa Road vicinity. There are high voltage lines crossing the rear of lot 8 in addition to the supporting tower being located approximately 360m from the northern boundary.

Adjoining properties to the south and west are zoned residential, with all remaining properties zoned rural, and within the rural-residential development area.

PROPOSAL

The applicant has proposed to create eight new titles from the proposed lot 3 RM040295. The lots will be created with the surrounding rural area in mind, providing for suitable small-scale rural use and living.

As a part of the proposal the applicant has aimed to provide flexibility to future development, while maintaining the surrounding rural amenity, this has been achieved through building and/or earthworks exclusion areas as identified in part of RM040295, which the applicant has submitted will be registered in the form of a consent notice.

Each lot will have access via an extension to Raukawa Road proposed in RM040263. The proposed road will have a legal width of 17 metres and will be formed as a cul-de-sac, a side to this consent application is the inclusion of a culvert providing access across Te Kowhai Stream with the consent application lodged with Greater Wellington Regional Council.

As part of this development, earthworks will be required on site to:

- Achieve functional levels for road formation
- To construct right of ways
- To provide trenching for underground services
- To provide practicable driveways
- For lake excavation with possible storm water storage configuration and
- For culvert installation

The earthworks will require both cut and fill activities. Fill material will be obtained on site as detailed in the submitted earthworks plan. The applicant considers that the earthworks design will achieve a cut/fill balance on site, with any excess material not required for subdivision construction will be used on sites for landscaping purposes.

DISTRICT PLAN

The land use is a *Controlled Activity* by rule D.2.1.2(vi) for roading and a *Discretionary Activity* by rule D.2.1.3(B)(i) for Earthworks. The subdivision is a *Discretionary Activity* and is controlled by the Discretionary Activity Rule D.2.1.3(B)(xii):

"Subdivision where all the discretionary activity standards for subdivision are complied with."

The Discretionary Activity Standards for subdivision in Rural Hamlets and Farmlets in the Coastal Dune Areas are:

"D.2.2.3 (B) Discretionary Activity Standards SUBDIVISION

- (i) *Lots in the Coastal Dune Policy Area: Rural Hamlets*
The subdivision of coastal dune land into rural hamlets shall be a discretionary activity provided that subdivision complies with the following standards.

- (a) The land shall be within the coastal dune policy area as shown on the Rural subdivision and development maps.
- (b) Lot Area and cluster size:
- The minimum lot area shall be 4000m²
 - The average size of lots including the balance lot shall not be less than 4ha.
 - The subdivision of any lot exceeding 22ha shall comprise a cluster of rural hamlet lots with a balance farm lot of at least 20ha.
 - The subdivision of any lot more than 15ha and less than 22ha shall comprise a cluster of rural hamlets lots with a balance lot area of at least 10ha.
 - The balance farm lot may be in separate ownership or owned in common by the holders of the cluster titles, or vested to the Kapiti Coast District Council.
 - The maximum number of rural hamlet lots in any one cluster shall be 12.
 - The house site for a balance farm lot may be located within the rural hamlet cluster.
 - The parent title shall be greater or equal to 15ha.
 - The cluster is a grouping of the lots in one part of the subdivision with, the remainder retained as open space. Where the topography dictates more than one cluster of rural hamlet lots in the subdivision, the hamlet lots shall be grouped together, as far as practicable, and each group shall accommodate at least three dwellings.
- (c) Protection Against Further Subdivision
- Each new lot, including balance farm lots created under these rules, shall carry a covenant prohibiting further subdivision of that title or Council will issue a consent notice under section 221 of the Resource Management Act 1991 prohibiting further subdivision of the land.
- (d) Location and siting of Buildings and access Roads.
- Each cluster may have a common nominated access appropriate to the number of cluster lots it contains.
 - Each lot shall have a nominal dwelling site and access sited and designed so that all buildings and other improvements are compatible with and blend in with the natural environment and visual character of the area.
 - Compliance with the Siting of Building standards **D.2.2.1.**
- (e) Protection of Balance Farm Lots
- If balance land is held in common, a legal body corporate shall be established to properly manage and maintain the common land in perpetuity through annual assessment on the joint owners, and ensure its legal status can only be altered with their unanimous consent.
- (f) Compliance with General Standards **D.2.2.2 Subdivision (iii)** on Page 257.

The relevant objectives and policies for this application are:

RURAL ZONE

C.2.1 Objectives & Policies

OBJECTIVE 1.0 - GENERAL

ENSURE THAT ANY ADVERSE EFFECTS OF ACTIVITIES ON THE NATURAL AND PHYSICAL ENVIRONMENT OF RURAL AREAS AND OF RURAL BASED ACTIVITIES BEYOND THIS ENVIRONMENT ARE AVOIDED, REMEDIED OR

**MITIGATED WITH PARTICULAR REGARD TO SUSTAINING THE LIFE
SUPPORTING CAPACITY OF THE RESOURCES OF THE LAND TO MEET THE
NEEDS OF FUTURE GENERATIONS.**

The Resource Management Act 1991 (RMA) requires Council to promote the sustainable management of the district's natural and physical resources. Sustainable management means managing rural activities so that they both meet peoples social, economic and cultural needs and the adverse effects on the environment are avoided, remedied or mitigated. This requires a balanced approach so that both requirements can be met.

The qualities of the Kapiti Coast District's rural environment have encouraged a diversity of activities with varying impacts on the environment. While they are interrelated, the environmental effects, for example, of horticultural land use are distinct from the effects of quarries and forestry operations. The effects can also vary greatly in scale between and for particular activities. For example, the effects of lifestyle developments can range from the immediate visual impacts of one dwelling to the cumulative impact of many such buildings on a larger scale on the landscape and associated open space values. A single horticultural enterprise can have impacts on a neighbouring residence through spray drift of hazardous chemicals. A large number of horticultural units together can have adverse impacts on the groundwater resource of an area. The environmental effects of some rural activities are interrelated to and are inseparable from issues of conflicting land resource requirements for other activities. The development of non-productive land uses, such as dwellings on land with good soils can result in this finite resource being reduced or damaged or unavailable to meet the foreseeable economic needs of future generations of the District's communities.

To achieve this objective, Council will implement the following policies (refer to C.7.2):

POLICY 1(A) -NATURAL ENVIRONMENT - IDENTIFICATION AND PROTECTION
Identify and protect areas of significant indigenous vegetation and significant habitats of indigenous fauna.

POLICY 1(B) -NATURAL ENVIRONMENT- USE AND DEVELOPMENT
Ensure the adverse effects of rural use and development on the natural environment are avoided, remedied or mitigated.

POLICY 2 - OUTSTANDING LANDSCAPES
Maintain, enhance and protect the district's outstanding landscapes in the Rural Zone from inappropriate subdivision, use and development.

TANGATA WHENUA

C.6.1 Objectives & Policies

OBJECTIVE 1.0 - TREATY OF WAITANGI

TAKE INTO ACCOUNT THE PRINCIPLES OF THE TREATY OF WAITANGI WHEN MANAGING THE RESOURCES OF THE KAPITI COAST, HAVE PARTICULAR REGARD TO KAITIAKITANGA IN THE MANAGEMENT OF THE DISTRICT'S RESOURCES AND ENSURE THE RELATIONSHIP OF THE TANGATA WHENUA WITH THE NATURAL ENVIRONMENT IN THE DISTRICT IS RECOGNISED AND PROVIDED FOR.

This objective is based on sections 6(e), 7(a) and 8 of the Resource Management Act 1991. These provisions furnish considerable scope for a distinctive Maori perspective to be incorporated throughout the District Plan. These provisions specifically include:

- *a requirement to recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga (section 6(e));*
- *a requirement to have particular regard to kaitiakitanga (section 7(a));*
- *a requirement to take into account the principles of the Treaty of Waitangi (section 8);*
- *a requirement to consult with iwi in the preparation of plans and policies (First Schedule).*

To achieve this objective, Council will implement the following policies:

POLICY 1 - REPRESENTATION

Recognise Te Runanga o Toa Rangatira Inc., Te Runanga o Raukawa Inc, and Ati Awa ki Whakarongotai Inc. as the authorised voices of the Tangata Whenua

POLICY 3 - KAITIAKITANGA

Have particular regard to the exercise of Kaitiakitanga by Tangata Whenua in the management of the District's resources.

POLICY 4 -WAAHI TAPU, SITES OF CULTURAL IMPORTANCE AND OTHER TAONGA.

Protect waahi tapu, sites of cultural importance and other taonga from desecration.

POLICY 5 - RELATIONSHIP WITH THE NATURAL ENVIRONMENT

Recognise and provide for the desire of Tangata Whenua to maintain and enhance their traditional relationship with the natural environment.

POLICY 7 - COASTAL ENVIRONMENT

Protect those characteristics of the coastal environment of special value to Tangata Whenua.

SUBDIVISION AND DEVELOPMENT

C.7.2 Objectives & Policies

Rural Subdivision

OBJECTIVE 1.0 - GENERAL

ENSURE THAT SUBDIVISION AND CONSEQUENT DEVELOPMENT MAINTAINS AND ENHANCES THE ENVIRONMENTAL CHARACTER AND ASSOCIATED AMENITY VALUES OF RURAL AREAS, LIFE SUPPORTING CAPACITY OF RESOURCES TO MEET THE NEEDS OF FUTURE GENERATIONS AND AVOIDS, REMEDIES OR MITIGATES ADVERSE EFFECTS ON THE NATURAL AND PHYSICAL ENVIRONMENT, PARTICULARLY, THE COASTAL ENVIRONMENT.

To achieve this objective Council will implement the following policies (refer also C.2, C.9, C.10 and C.11):

POLICY 2

Ensure the Coastal Dune environment is not adversely affected by intensive development and associated adverse environmental effects resulting from the subdivision of land including natural areas and open spaces into multiple allotments.

POLICY 3

Ensure areas of visually sensitive open space and natural areas in the Coastal Dune environment are retained in large allotments while allowing for more intensive development where there is undulating topography and where development can be accommodated in a sensitive manner within the Coastal environment.

POLICY 7

Ensure the comprehensive development and servicing (including roads) of areas suitable for residential expansion (Rural Subdivision Maps 1 & 2) are not jeopardised by the effects of sporadic subdivision within these areas into inappropriately located and sized lots.

POLICY 8

Ensure any adverse effects, including cumulative adverse effects, resulting from inappropriate subdivision on outstanding landscapes and ecological features, including the coastal environment, wetlands, rivers, lakes and their margins, native vegetation and cultural and heritage features are avoided, remedied or mitigated (refer to District Wide Zone Maps 1-9 showing outstanding landscapes).

POLICY 10

Ensure that 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.

POLICY 12

Protect the natural character of the coastal environment by ensuring no buildings consequent to subdivisions are obtrusively visible from the beach.

POLICY 13

Protect the natural contour of the land, including the substantially unmodified features of the landscape, sites of ecological significance, coastal sand dunes, wetlands and interdunal hollows from the adverse effects of subdivision and consequent development.

COASTAL DUNE ENVIRONMENT:

The Coastal Dune environment comprises the sand country including the coastal foredune, consolidated sanddunes, interdune sandplains and wetlands. The topography is undulating with slopes of up to 25 degrees, is prone to salt laden winds and is generally unsuitable for horticulture and intensive agriculture. It is important how development is accommodated in such a sensitive visual and ecological environment. It is also important that wetlands are protected.

A principal reason for rural subdivision objectives, policies and methods is to ensure that the existing open space rural character of the Coastal Plains are maintained and that the character is not lost through intensive development resulting from inappropriate subdivision. The adverse effects of subdivision on outstanding landscapes, ecological and cultural features and the coastal environment need to be avoided, remedied or mitigated. Buildings should not be visible from the beach, and there should be minimal disturbance to the natural contours and any significant ecological features. A density of 4ha per dwelling has been established as the discretionary standard after extensive consultation with the community through reviews of the rural subdivision controls, discussion papers, District Plan changes and release of a Draft and Proposed District Plan. The subdivision standards in the Coastal Dune environment address the above and allow for the following:

RURAL HAMLETS: The Council considers that subdivision should be allowed in the Coastal Dune environment to enable people wishing to live in a non urban environment close to recreation and amenity space. This, however, needs to be balanced against the retention of land suitable for open space and protection of the Coastal Dune environment from inappropriate subdivision, use and development. The rural hamlet subdivision standards protect this sensitive environment by allowing the grouping of dwellings in the interdune hollows and the retention of open space and significant natural areas in larger lots. These larger lots may be held in separate or common ownership for the benefit of neighbouring properties.

EARTHWORKS

C.7.3 Objectives & Policies

OBJECTIVE 1.0

TO MAINTAIN THE DISTRICT'S NATURAL LANDFORMS BY ENSURING ANY ADVERSE EFFECTS OF EARTHWORKS ON THE NATURAL, PHYSICAL AND CULTURAL ENVIRONMENT ARE AVOIDED, REMEDIED OR MITIGATED.

To achieve this objective Council will implement the following policies:

POLICY 1 - GENERAL ASSESSMENT CRITERIA

Ensure the adverse effects of earthworks on the environment are avoided, remedied or mitigated when considering applications for resource consents for earthworks by taking into account the following:

- The extent to which any earthworks may impact on prominent or visually sensitive landforms, including the coastal marine area, ridgelines, dunes, escarpments, native vegetation, wetlands and waterbodies and the effects of earthworks on water quality;

- The extent to which any cut or fill can be restored or treated to resemble natural landforms. Council will seek to avoid the creation of unnatural scar faces;
- The extent of screening by vegetation;
- The extent to which any cut or fill will remove existing vegetation, alter existing landforms, affect water quality through siltation or affect existing natural features such as waterbodies;
- The provision of acceptable roading gradients, practicability of drainage systems, minimum site building levels, drive on access to all lots and creation of practical reserve areas;
- The necessity for carrying out the works; and
- Whether the earthworks proposed increase or decrease flood hazards
- The outcome of consultation with Tangata Whenua in accordance with the requirements contained in the Fourth Schedule of the Resource Management Act 1991.

POLICY 3 - WAAHI TAPU AND CULTURAL SITES

Protect sites of significance to Tangata Whenua from inadvertent destruction caused by earthworks.

A site of significance to Tangata Whenua can include but is not limited to, waahi tapu, urupa or mahinga kai. To prevent destruction of these sites inadvertently from earthworks it is important that a mechanism exists to protect these sites from further damage if discovered during earthworks.

COASTAL ENVIRONMENT

C.9.1 Objectives & Policies

OBJECTIVE 1.0 PROTECTION OF NATURAL COASTAL VALUES

TO PROTECT AND ENHANCE THE NATURAL CHARACTER, NATURAL VALUES AND ASSOCIATED AMENITY VALUES OF THE COASTAL ENVIRONMENT.

To achieve this objective, Council will implement the following policies:

POLICY 1

Ensure protection of significant landforms, dune complexes, wetlands, significant indigenous vegetation and habitats for indigenous flora.

POLICY 2

Discourage the development of buildings and other significant assets in areas which may be prone to Coastal erosion or the effects of sea level rise, unless the structures:

- **have a significant community benefit and need to be located in the coastal environment; and**
- **do not adversely effect the natural character of the coastal environment; and**

- are relocatable

POLICY 3

In respect of residential buildings, control the location of buildings within areas subject to coastal erosion

POLICY 5

Ensure that new buildings, structures and earthworks in the coastal environment are designed and located so that they will not be visually dominant within the landscape (e.g. below the ridgelines of prominent sandhills and dunes where practicable).

POLICY 6

Encourage developers to design buildings to blend in with the character of the coastal landscape and natural environment.

POLICY 7

Ensure new buildings are not generally visible from the beach in the rural zone, to protect the wilderness character of the coastal environment.

POLICY 8

Ensure there is a minimum disturbance to the natural contour of the land and ensure that disturbance is assessed against the effect on natural character, vegetation and other heritage matters.

OBJECTIVE 3.0 TANGATA WHENUA

TO RECOGNISE AND PROVIDE FOR THE RELATIONSHIP OF TANGATA WHENUA WITH THE COASTAL ENVIRONMENT.

To achieve this objective, Council will implement the following policies:

POLICY 1

Provide for Tangata Whenua input into the decision-making process, regarding proposals affecting policies and the coastal resources of importance to Tangata Whenua.

POLICY 2

Compile a register of waahi tapu and other cultural sites of importance to Tangata Whenua and ensure their protection.

POLICY 3

Recognise and provide for Kaitiakitanga by Tangata Whenua in the management of the Coastal Environment.

LANDSCAPE

C.10.1 Objectives & Policies

OBJECTIVE 1.0

THAT THE DISTRICT'S OUTSTANDING LANDSCAPES ARE IDENTIFIED AND PROTECTED FROM THE ADVERSE ENVIRONMENTAL EFFECTS OF SUBDIVISION, USE AND DEVELOPMENT.

To achieve this Objective, Council will implement the following policies:

POLICY 1

Ensure new buildings, structures, services and earthworks within outstanding landscapes are located so that they will not be visually dominant. (e.g. below the dominant ridge line where practicable).

POLICY 2

Encourage landowners to design and clad their buildings to blend in with the rural landscape.

POLICY 3

Ensure no dune or landform modification takes place within outstanding landscapes of the open space, rural and residential zones, except to the minimum necessary for roading, access, provision of services, building site and farming purposes.

POLICY 4

Ensure the following outstanding landscapes are protected from inappropriate subdivision, use and development through controls on subdivision and land uses.

- **The foredune and consolidated sand dunes.**
- **The foothills of the Tararua Ranges including Pukehou hill.**
- **The wavecut escarpments behind Paraparaumu and Paekakariki.**
- **Kapiti Island and associated Islands.**
- **The river landscapes of the Otaki and Waikanae Rivers.**
- **Ecological areas shown on the Planning Maps.**

In addition to considering compliance with the objectives and policies of the District Plan, Council has regard to, but is not limited to the following when determining whether to approve a resource consent and what conditions will be imposed:

- The matters set out in section 104 of the Resource Management Act 1991;
- The provisions made for complying with the Permitted and Discretionary Activity Standards;
- The impact of the proposal on the natural and physical environment;
- The design and external appearance of any structure and the visual impact of the proposal on the landscape;
- The impact of the proposal on Maori ancestral lands, water, sites, waahi tapu and other taonga;
- The scale of the proposed development and the impact on the character of the locality;
- The regard given to the avoidance or mitigation of natural hazards;
- The provisions made to mitigate any adverse effects the proposal may have on the environment;
- The Council may, if approval is given, place further conditions on a resource consent for a discretionary activity which:
 - Avoids, remedies or mitigates any effects resulting from the matters stated above;
 - Limit the duration of the consent;

- Allow the effects of the activity to be monitored and the consent to be reviewed.

It is considered that this proposal would maintain the integrity of the above objectives and policies contained with the Kapiti Coast District Plan. The assessment criteria and the relevant objectives and policies are considered in the assessment section of this report.

NOTIFICATION ASSESSMENT

Section 93

Pursuant to section 93(1) of the Resource Management Act 1991 a consent authority must notify an application for resource consent unless the application is for a controlled activity or the consent authority is satisfied that the adverse effects on the environment will be minor.

Following a detailed assessment of the proposal, I consider that the adverse effects on the environment will be no more than minor. Due to the large size of the proposed lots, I believe that any effects on the coastal environment which would result from this proposal would be no more than minor.

In addition to the above objectives and policies, it is important to consider the guidance provided by Part F.2.3 (6) of the Kapiti Coast District Plan which states that applications for resource consent for Discretionary activities will generally be required to be processed as publicly notified applications for consent, unless Council is satisfied that the effects on the environment are minor and the written consent of all affected persons has been obtained.

After a thorough assessment of the application I am satisfied that although there are many issues relating to the identified objectives and policies of the plan, the effects on the environment will be no more than minor and suitable conditions of consent would ensure that the proposal would not be contrary to the relevant objectives and policies of the district plan identified above.

Section 94

Pursuant to Section 94(2) of the Act a consent authority is not required to serve notice of the application under subsection (1) if all persons who, in the opinion of the consent authority, may be adversely affected by the activity have given their written approval to the activity.

Transpower have given their consent for the development; however have requested that conditions relating to the high voltage lines and tower found in Lot 8 be incorporated. The applicant has agreed to these conditions.

Since further information was requested the applicant responded that they are prepared to have conditions included in the resource consent which in their view would mitigate any potential adverse effects on persons who maybe affected by the proposal. This includes a 30m no build area along the southern boundary of the lots extending approximately 820m in length from the beach and a no build and earthworks area on land above 32.5msl. This would ensure that there was no development along the high points of the ridgeline seen from a public place such as at the end of Raukawa Road. There is also a proposed restriction on land that could in the future be used for a road.

These restrictions go well beyond the current District Plan requirements such as the 100m coastal yard and the restriction on building more than 3m above the dominant ridgeline. The 30m restriction is six times the minimum setback yard requirement.

A letter seeking comments on this application was sent out on the 1st of April 2005 following a public meeting on the 24th of February 2005. There have been no concerns raised during this consultation.

Following a detailed assessment of the application, in my opinion the proposed subdivision with these additional restrictions will ensure that there are no adverse environmental effects on neighbouring properties and as such that there are no persons who may be adversely affected by the activity.

Therefore the application is to be processed on a non-notified basis.

ASSESSMENT OF APPLICATION

Part II of the Resource Management Act 1991

Sections 6, 7 and 8 of the Resource Management Act are the background to assessing effects of an activity. Those sections can be summarised as follows:

Section 6 – Matters of National Importance

This section seeks the protection and preservation of the natural environment. In particular it seeks the protection of those places that are significant either as a habitat or as a landscape or because they have historical values and in particular Maori association.

The subject site of this activity does not have any values that could be described as having 'national importance'.

Section 7 – Other Matters

This section requires applicant's to have particular regard to the way land is and could be managed by Maori (in terms of Kaitiakitanga) and for future generations. In this way it requires consideration to be given to whether the development is an efficient use of the resource, including energy resource. It also seeks to protect amenity and intrinsic values and the overall quality of the environment. A recent amendment requires that consideration be given to the effects of climate change also.

The amenity and intrinsic values of the site lie in its rural and open space characteristics. These values will change as the land will be subdivided into significantly smaller lots than the current land holdings. However, the density of the subdivision is consistent with the intention of the District Plan which has zoned the land for rural subdivision.

The two relevant iwi in a previous consent (RM040269) did not identify this site in terms of being its 'kaitiaki'. Therefore, it is not necessary to give this special attention.

Section 8 – Treaty of Waitangi

Take into account the principles of the Treaty of Waitangi.

The Council consulted with both Te Runanga o Raukawa and Te Ati Awa ki Whakarongotai to determine whether they hold special kaitiaki status over this land. As noted above the land is not considered special to iwi in any way, unless a cultural suite is found. In which case,

already agreed protocol will be followed and this will be specified as a condition of the resource consent.

Compliance with Objective, Policies, Rules and Standards

The subdivision complies with the Discretionary Activity Subdivision Standards for Rural subdivision. The subdivision complies with all the General Standards listed above.

Effects of the Proposal on the Environment

Impact on the Natural and Physical Environment

The physical impact on the environment will be limited to the modification of some of the sand dunes and modification to the vegetation. The dominant and large sand dunes will not be affected and the modification to the existing vegetation of pasture grasses and weeds as a result of the land use change will be beneficial. With rural subdivisions come the planting of extensive gardens which encourage wildlife and the removal of weed species.

Visual Impact

The proposed subdivision is similar to that of what is occurring within the Peka Peka region at present. The development will change the visual character of the area significantly, but no more than what has been anticipated by the District Plan.

The visual change that would result from the proposal would arise mainly from the formation of the road and the dwellings on the lots. The visual effects of additional dwellings will largely be dependent upon their siting within the allotments.

Section 106 – Avoidance or Mitigation of Natural Hazards

According to Regional Council records, this site is not subject to inundation. Nor is the site subject to any other natural hazard. Access is available via a proposed road and right of way for Lots 1-8. As such, the proposal satisfies the requirements of Section 106 of the Resource Management Act 1991.

Development Impact Fees

The following development contributions are required for every new rural lot pursuant to section 198 of the Local Government Act 2002 and the 2004/2005 Council's Development Contributions Policy:

Community Facilities \$949.50 per lot

Roads \$1573.00 per lot

Reserves Contribution

The Council's Sustainable Development Manager, Parks and Recreation Manager and Acting Resource Consents Manager have agreed to accept esplanade strips in lieu of reserves contribution. A suitable condition will be imposed.

CONCLUSION

Having assessed the application in terms of notification against section 94(2) of the Resource Management Act, the application was processed on a non-notified basis.

The application was assessed in terms of section 104 of the Resource Management Act including having regard to the matters set out in Part II of the Act, taking into account the objectives, policies, rules and standards of the District Plan and considering the effects on the environment.

The application is consistent with the intention of the District Plan for this area which is zoned for rural subdivision. The subdivision will follow the extended Raukawa road. House sites will comply with the Council's code for subdivision and development and the District Plan's permitted activity standards.

Given all these factors, the proposed subdivision will have only minimal environmental effects. Rural character will not be adversely affected as this density of subdivision has been intended for this area.

It is concluded from the assessment above that section 106 of the Resource Management Act will be met, the sites created would be large enough to accommodate complying houses and that adequate servicing of the site can be provided, there would be no conflict with any provision of the District Plan. I consider that the proposal is not contrary to the relevant objectives and policies of the District Plan. The proposal will not create any adverse effects that are more than minor. Having had regard to the matters in Section 104, I consider this application can be approved, subject to suitable conditions.

DECISION

That officers acting under delegated authority from Council and pursuant to section 104B of the Resource Management Act 1991, **GRANT** consent to 8 rural hamlets with associated earthworks and roading at Raukawa Road, Peka Peka (Lot 3 RM040245) subject to the following conditions:

Plan

1. The title plan or e-survey data must conform to the subdivision consent proposal shown on Pritchard Group Limited Drawing No, SC.2a.TL.3, dated 14.03.05, submitted with application no. RM050063. Except that Lot 10 must be included in Lot 8.
2. The road and earthworks activity shall be in accordance with the plans drawn by Pritchard Group Limited, Drawing No, SC.2a.TL.3, dated 14.03.05 and as described within the documents submitted with application no, RM050063.
3. The consent holder shall notify the Council's Compliance officer in writing 48 hours before the consent is carried out. The consent holder shall fill out and return by fax (04 904 5815 or post to Private Bag 601, Paraparaumu) the form attached to the decision letter.
4. That 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 the supervision of the resource consent as set in accordance with section 36 of the Resource Management Act 1991.

* 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.

Engineering

5. The consent holder shall pay Council Engineering fees of \$562.50, plus \$216 per lot, (total \$2290.50) for work that may be required for plan approvals, site inspections and consent compliance monitoring prior to the section 224(c) certification of the

subdivision. Extra fees may apply in accordance with the engineering fees schedule adopted by Council from 12 December 2002

Note: The current charge out rate is \$72.00 (GST inclusive) per hour.

6. The consent holder shall comply with the requirements of the Kapiti Coast District Council Code of practice for Subdivision and Development unless alternative means of compliance with requirements are submitted by the consent holder and approved subdivision engineer.
7. The consent holder shall submit to Council for approval three copies of the plans and specifications for the engineering development. No work shall commence until the plans and specifications have been approved by the Subdivision Engineer in writing.
8. The consent holder shall employ a suitably qualified person experienced in soils engineering to supervise, test and certify any compaction, filling, slopes and batters.

- The Council's Subdivision Engineer shall be advised of the intended suitably qualified person. If that person is not acceptable then Council shall have the right to employ a specified suitably qualified person at the consent holder's cost.

9. The consent holder shall either:-

(a) Certify that a building site is available on each allotment on which buildings of the type permitted may be erected using foundations not requiring specific design in terms of the Building Act 1991.

This certification shall be in the form of Schedule 2A NZS 4404:2004, Land Development and Subdivision Engineering, and confirm that a safe bearing pressure of soil supporting foundations is not more than 600mm below the surface level of the ground. The certificate shall be accompanied by the site investigation report by the suitably qualified person.

Or

(b) Supply to Council a report by the suitably qualified person detailing site investigation work and findings together with recommendations for foundation design for each allotment.

In cases within the provisions of the clause (b) above, a Consent Notice under Section 221 of the Resource Management Act 1991 will be issued by Council recording the soil conditions and foundation recommendations on the certificate of title.

10. A bench mark, level reference point, with respect to mean sea level (Wellington) shall be provided within close vicinity of the subdivision to the approval of the Subdivision Engineer.
11. Adequate provision shall be made for the control of stormwater run-off during the construction period to the satisfaction of the subdivision Engineer. Silt retaining structures or ponding areas shall be constructed and maintained throughout the duration of the works to the satisfaction of the Subdivision Engineer.

Note: The consent holder's attention is drawn to the Wellington Regional Council Publication "Erosion and Sediment Control Guidelines for the

Wellington Region.” Applying the appropriate recommended treatments from this publication is a means of compliance with this consent.

12. All lots shall have a suitable building site above Reduced Level 5.5 mean sea level(m.s.l) unless otherwise approved by council’s subdivision engineer.

Please note:

Upon the issue of the Resource Management Act 1991 or at such earlier time as may be required, a consent Notice pursuant to Section 221 will be issued. The Consent Notice will specify the above to be registered against the Certificate of Title to issue in respect to Lots 1 to 8.

13. Earthworks shall be kept to a minimum to ensure the least disturbance to the landform.

14. Earthworks shall comply with the requirements of the current issue of NZS 4431.

15. Where the existing land or vegetative cover is disturbed, suitable ground cover shall be established as soon as practicable following earthworks or within 5 days of completion whichever shall occur first. For this condition “suitable ground cover” means application of basecourse, topsoil, grassing or mulch, or another type of application to the satisfaction of the Subdivision Engineer

16. Should there be potential for wind-blown sand, soil or other material to be transported onto other properties the consent holder shall erect suitable fabric fencing (sarlon cloth or similar) or take other acceptable mitigation measures, to the satisfaction of the Subdivision Engineer

Note: The consent holder shall not use water from Council watermains for mitigation measures

17. The consent holder shall not remove soil support from adjacent lots

18. All batters shall be self-supporting

19. Should a waahi tapu or other cultural site be unearthed during earthworks the operator and/or owner shall :-

- (a) cease operations;
- (b) inform local iwi (Ngati Raukawa);
- (c) inform the NZ Historic Places Trust (NZHPT) and apply for an appropriate authority if required;
- (d) Take appropriate action, after discussion with the NZHPT, Council and iwi to remedy damage and/or restore the site.

Note:

In accordance with the Historic Places Act 1993, where an archaeological site is present (or uncovered), an authority from the NZ Historic Places Trust is required if the site is to be modified in any way.

20. The consent holder shall notify iwi in writing a minimum of 48 hours prior to undertaking any earthworks on the site and shall facilitate the observation by iwi of those earthworks.

21. Lot 9 shall vest as road, it shall be formed metalled and second coat sealed to Council standard requirements. The sealed carriageway shall be a minimum of 6.0 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 \$6.50 (GST inclusive) per square metre of the area of first coat seal.
22. Rights-of-way shall be formed and metalled. The entrance at the road berm shall be formed, metalled and sealed in accordance with a design included within the engineering drawings to be submitted to Council for the Subdivision Engineer's approval.
23. A rural numbering post shall be provided for each lot. This condition will be satisfied by the payment of \$40.00 (GST inclusive) per lot.
24. The consent holder shall submit a stormwater disposal design for approval by the Subdivision Engineer. Construction shall be in accordance with the approved plan

Either

The culvert installation within the road to vest shall be designed to cater for the Q10 (10% annual probability) storm event. Galvanised steel culverts will not be permitted.

Additional calculations shall be provided to determine the headwater depth arising from the Q100 storm event and the effect that this will have on the culvert installation including possible overland flow. Stilling basins maybe required at outlets to reduce scour velocities.

Or

The culvert installation within road to vest shall be designed to cater for the Q100 (1% annual probability) storm event. Galvanised steel culverts will not be permitted. If insitu concrete head and tail walls are to be installed these will require a building consent and specific design by a suitably qualified person if the head/tail walls exceed 1 metre in height from the top of the apron to the top of the wall.

Safety rails shall be provided at each end of the culverts within future roads to vest in compliance with clause F4 of the NZ Building Code for low risk areas. Debris arrestors shall be installed if calculated stream velocities transport stone or soil particles.

25. A report shall be provided to Council by a suitably qualified person which addresses the suitability of on site wastewater treatment and disposal for each lot. The form of wastewater treatment and 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 wastewater treatment and disposal. The recommendations for and constraints on the provision of wastewater treatment and disposal [may/shall] be included in a consent notice to be issued by Council pursuant to section 221 of the Resource Management Act 1991. The consent notice shall include

reference to the owners' responsibility to maintain and monitor their wastewater disposal so that any adverse effects on the environment are minor

26. On-site wastewater treatment and disposal system shall be designed, constructed and operated to meet the following performance criteria:

- (i) It shall be designed with sufficient wastewater retention time to enable adequate treatment in relation to any constraints identified in the site investigation;
- (ii) The wastewater shall be evenly distributed to the entire filtration surface of the disposal field;
- (iii) The bottom of the wastewater disposal system shall be sufficiently above the groundwater at its highest level, in relation to any constraints identified in the site investigation, to prevent any contamination of groundwater;

The area available for on-site treatment shall be appropriate for the volume of the discharge and any constraints identified in the site investigation.

27. 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 that provides a minimum storage of 30,000 litres, or other minimum storage approved by the Subdivision Engineer. The recommendations for and constraints on the provision of water supply shall be included in a consent notice to be issued by Council pursuant to section 221 of the Resource Management Act 1991. The consent notice shall include reference to the owners' responsibility to maintain and monitor their water supply so that any adverse effects on the environment are minor.

28. A 4,500 litre concrete water tank readily located and easily identifiable shall be provided in the road reserve for fire fighting purposes.

29. Power and telecommunication services to each lot shall be provided to the approval of the Subdivision Engineer.

Legal

30. The 'Building and Earthworks exclusion zone' shall be defined on the title sheet of the survey plan in such a way as to be defined on site by normal survey methods. The 'Building and Earthworks exclusion zone' shall be identified by numbers and/or letters to facilitate precise identification on each title to issue. The 'Building and Earthworks exclusion zone' shall generally conform with the proposal shown Pritchard Group Limited Plan NO. SC.2a.TL.3 dated 14.03.05 submitted with application RM050063 by right lining the Building exclusion zones as highlighted on the plan.

Upon the issue of the Certificate pursuant to Section 224(c) of the Resource Management Act 1991 or at such earlier time as may be required, a Consent Notice pursuant to section 221 will be issued. The Consent Notice will specify that no part of any building or structure shall be located within the areas identified as 'Building and Earthworks exclusion zone' depicted on the survey plan.

31. Pursuant to the Rural Zone Coastal Dune hamlets subdivision standards (i) (c) further subdivision if Lots 1 to 8 (other than boundary adjustments) shall be prohibited.

Please note:

Upon the issue of the Resource Management Act 1991 or at such earlier time as may be required, a consent Notice pursuant to Section 221 will be issued. The Consent Notice will specify the above to be registered against the Certificate of Title to issue in respect to Lots 1 to 8.

Transmission Lines

32. Prior to construction, the consent holder must submit to Kapiti Coast District Council (and a copy to Transpower) a certificate from a suitably qualified electrical engineer confirming that any building or structure on proposed Lot 8, located to the south of Tower 226 of the Bunnythorpe-Haywards B transmission line complies with the minimum safe distances as specified in Table 3 of the NZECP 34:2001.

33. Buildings and structures, or any part of a building or structure proposed on Lot 8, located to the north of Tower 226 of the Bunnythorpe-Haywards B must not be located within 11 Metres vertically and 22.5 metres horizontally of the conductors on allowance for climatic conditions (i.e. Maximum conductor swing and sag).

Please note:

Upon the issue of the Resource Management Act 1991 or at such earlier time as may be required, a consent Notice pursuant to Section 221 will be issued. The Consent Notice will specify the above to be registered against the Certificate of Title to issue in respect to Lot 8.

34. Where any part of a building or structure needs to be constructed within this restricted area, the consent holder must submit to Kapiti Coast District Council (and a copy to Transpower) a certificate from a suitably qualified electrical engineer confirming that the buildings or structures comply with the minimum safe distances specified in Table 3 of the NZECP 34:2001.

Please note:

Upon the issue of the Resource Management Act 1991 or at such earlier time as may be required, a consent Notice pursuant to Section 221 will be issued. The Consent Notice will specify the above to be registered against the Certificate of Title to issue in respect to Lot 8.

35. Buildings or any part of a building on Lot 8 must not be located within 12 metres of the closest visible edge of any high voltage transmission line support structure foundation.

Please note:

Upon the issue of the Resource Management Act 1991 or at such earlier time as may be required, a consent Notice pursuant to Section 221 will be issued. The Consent Notice will specify the above to be registered against the Certificate of Title to issue in respect to Lot 8.

36. All machinery and mobile plant operated on Lot 8 must maintain a minimum clearance distance of 4 metres from the Bunnythorpe-Haywards B line conductors at all times.

Please note:

Upon the issue of the Resource Management Act 1991 or at such earlier time as may be required, a consent Notice pursuant to Section 221 will be issued. The Consent Notice will specify the above to be registered against the Certificate of Title to issue in respect to Lot 8.

37. All buildings, structures and vegetation located on Lot 8 must not be located to preclude existing vehicle access to the existing support structure on site. In the case of any tower supporting any conductor, no person may excavate or otherwise interfere with any land:

- a) At a depth greater than 300mm within 6 metres of the outer edge of the visible foundations of the tower; or,
- b) At a depth greater than 3 metres, between 6 metres of the outer edge of the visible foundation of the tower; or,
- c) In such a way as to create an unstable batter.

Please note:

Upon the issue of the Resource Management Act 1991 or at such earlier time as may be required, a consent Notice pursuant to Section 221 will be issued. The Consent Notice will specify the above to be registered against the Certificate of Title to issue in respect to Lot 8.

38. Excavated or other material must not be deposited under or near the Bunnythorpe-Haywards B line so as to reduce the vertical distance from the ground to the conductors to a distance less than:

- a) 7.5 metres vertically, across or along driveways or on any other land traversable by vehicles: or,
- b) 6.0 Metres vertically on any land not traversable by vehicles due to inaccessibility; and
- c) 4.5 metres in any distance other than vertical on all land.

Please note:

Upon the issue of the Resource Management Act 1991 or at such earlier time as may be required, a consent Notice pursuant to Section 221 will be issued. The Consent Notice will specify the above to be registered against the Certificate of Title to issue in respect to Lot 8.

39. Prior to the commencement of the activity on the site, the consent holder must submit a Dust Management Plan for the activity for the approval of the Resource Consents Manager, Kapiti Coast District Council. In particular, the Dust Management Plan shall specify the potential sources of dust and particulate matter emissions and the mitigation measures to be implemented to

minimise dust and particulate matter in order to protect the existing Bunnythorpe-Haywards B 220kV high voltage transmission line.

40. In accordance with the Dust Management Plan, the consent holder shall ensure that the activities occurring on site do not create any dust of particulate matter hazard or nuisance Bunnythorpe-Haywards B 220kV high voltage transmission line.

Esplanade strips

41. Esplanade strips generally not less than 5 metres in width are to be shown on the survey plan along the full length of the Kuku Tuaki/Kowhai/Hadfield Stream within Lot 1 and Lot 10 (Lot 10 is to be shown as part of Lot 8). The final esplanade strips from Lot 9 (to vest as road) to Lot 13 DP66483 (Local Purpose Reserve Road that adjoins 90 Gary Road) must have practical Cycleway, Walkway and Bridleway access. The instrument to be registered in accordance with Section 232 of the Act shall include the provisions of Clause 1 and 5 of the Tenth Schedule. The instrument shall also make provision for the on-going maintenance of the strips by the owner. Approval of the provisions contained within the instrument and final layout of esplanade strips must be obtained from the Council's parks and Recreation Manager, the Sustainable Development Manager and the Resource Consents Manager. Please note: These esplanade strips will cover the reserves contribution for this subdivision.

General

42. The consent holder shall supply a copy of the title plan and shall list and indicate how each condition has been met to the satisfaction of the Resource Consents Manager.
43. All costs arising from any of the above conditions shall be borne by the consent holder.

Notes

1. The title plan or e-survey data must be certified in accordance with Section 223 within 5 years of the granting of this consent, or within such extended period of time pursuant to Sections 125 and 37, as Council may allow.
2. A certificate pursuant to section 224 will be issued following compliance with all of the conditions of subdivision consent set out above, and payment of all relevant changes and levies.
3. Rights of objection to the conditions specified above may be exercised pursuant to Section 357(2) by the consents holder, Any objection shall be made in writing, setting out the reasons for the objection within 15 working days if this notification or within such extended period as Council in any special case may allow.
4. The following development contributions are required for every new rural lot pursuant to section 198 of the Local Government Act 2002 and the 2004/2005

Council's Development Contributions Policy:

Community Facilities \$949.50

Roads \$1,507.00

The above contributions must be paid prior to the issue of any certificate pursuant to section 224(c) of the Resource Management Act 1991 (please also refer to section 208 of the Local Government Act 2002). The consent holder should not encroach onto adjacent land owned by others without having first obtained their written consent.

5. 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.
6. All landuse activities, including earthworks, located on Lots 8 must comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP 34:2001.
7. All landuse activities, including earthworks, located on Lot 8 must comply with the Electricity (Hazards and Trees) Regulations 2003.
8. This consent incorporates the approval for earthworks required under the Kapiti Coast District Council Earthworks Bylaw.
9. The consent holder should not encroach onto adjacent land owned by others without having first obtained their written consent.

Reasons for the Decision

1. The adverse effects of the proposal on the environment will be no more than minor and will be mitigated through conditions of consent, and no persons will be adversely affected.
2. This proposal is in accordance with the relevant objectives, policies and assessment criteria of the Kapiti Coast District Plan.

DECISION: APPROVED

RM050063

DATED: 1 June 2005



Trevor Garnett
ACTING RESOURCE
CONSENTS MANAGER



Rob Williams
GROUP MANAGER- COMMUNITY
ASSETS AND SERVICES

TASMAN LAKES RURAL HAMLET

KEY:

Lot Boundaries
External boundaries
ROW

Contour Lines

Esplanade Strip/Reserve

Te Kowhai Stream

Building exclusion zone

Proposed lake

Cultural site identified KCDC GIS

RM 05.0063
FINAL APPROVED PLANS
2.6.05.

Building exclusion
zone above 32.5msl



AREA SCHEDULE:

Lot 1	1.13ha
Lot 2	0.94ha
Lot 3	1.15ha
Lot 4	2.45ha
Lot 5	0.99ha
Lot 6	1.89ha
Lot 7	1.84ha
Lot 8	21.67ha
Area of esplanade reserve 2.3ha	

NOTES:

1. Contours at 2.5m intervals
2. Contour data sourced from KCDC LIDAR data
3. Subject to RM 040295
4. Title area subject to final survey

SCHEDULE OF EXISTING EASEMENTS

PURPOSE	SHOWN	SER. & DOM. TEN.	CREATED BY

PROPOSED MEMORANDUM OF EASEMENTS

PURPOSE	SHOWN	SERVIENT & DOMINANT TENEMENTS
ROW	A	Lots 4, 5, 6, 7

SCHEDULE OF EASEMENTS

PURPOSE	SHOWN	SERVIENT TENEMENTS	GRANTEE

APPLICANT: Pritchard Group Limited

REGISTERED PROPRIETOR: Pritchard Group Limited

COMPRISED IN: 8D/1072

PREPARED BY: Pritchard Group Limited

SCALE: 1:4000 (A3) **DATE:** 14.03.05

DRAWING NUMBER: SC.2a.TL.3



Telephone: (06) 364 7293

Facsimile: (06) 364 5142

e-mail: pgl@pritchardgroup.co.nz

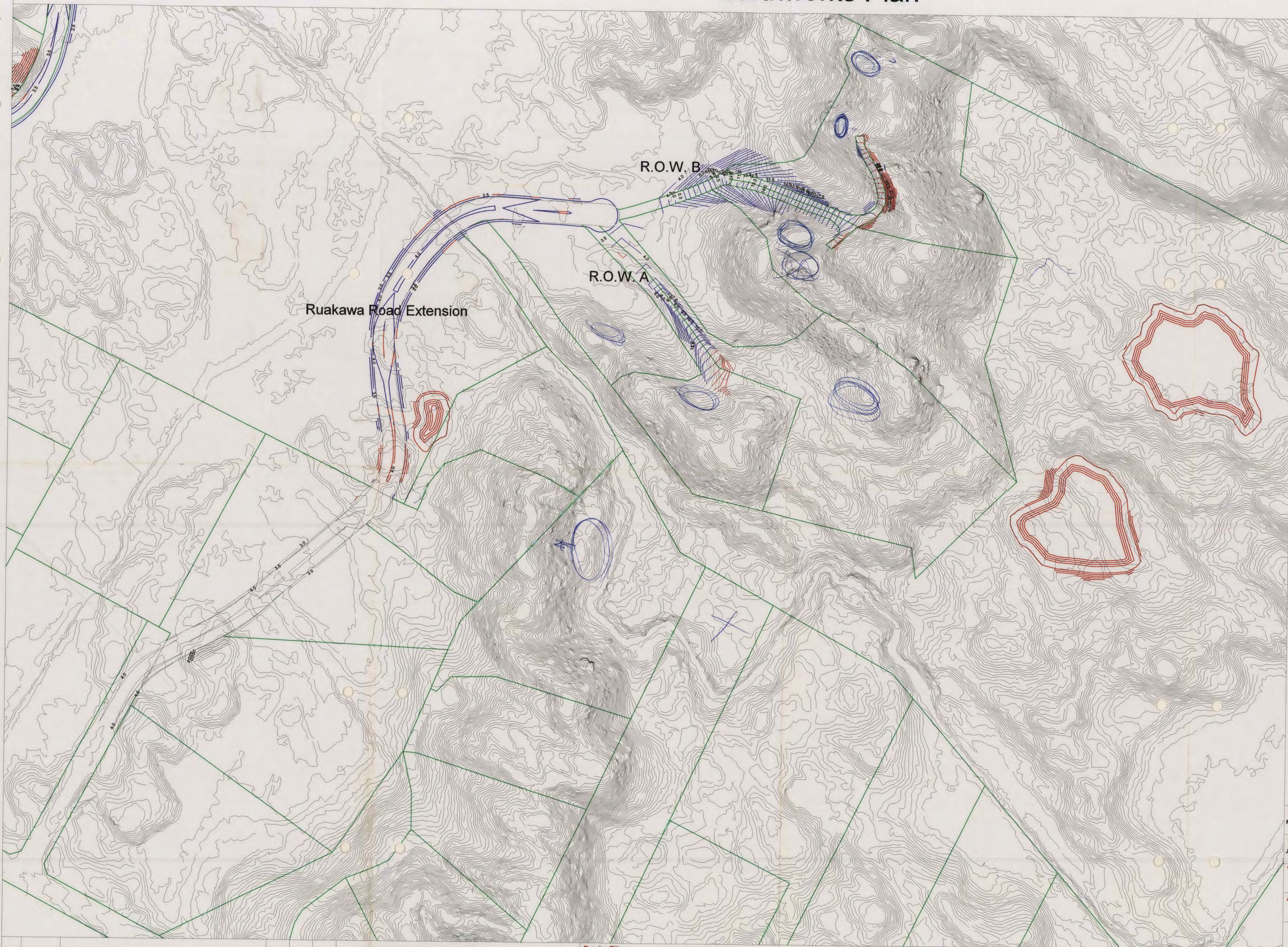
web: www.pritchardgroup.co.nz

20 Addington Road, RD1 Otaki, New Zealand

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**APPLICATION UNDER SECTION 88 RESOURCE MANAGEMENT ACT 1991 FOR SUBDIVISION CONSENT
PROPOSED SUBDIVISION OF PROPOSED LOT 3 RM 040295 of LOT 4 DP 2392**

TASMAN LAKES RURAL HAMLET Earthworks Plan



LEGEND

Existing and Proposed Boundaries

Existing Contours

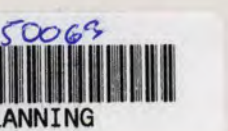
Proposed Cut Contours

Proposed Fill Contours

CUT & FILL QUANTITIES

Item	Cut	Fill
Ruakawa Road Extension	1045m ³	4760m ³
Right-of-Way A	280m ³	1337m ³
Right-of-Way B	968m ³	10176m ³
Total	2293m ³	16273m ³

05 0063
RM FINAL APPROVED PLANS
21/6/05



Drawn MJB	Signed	Date 01/05
Designed JD	Signed	Date 12/04
Verified	Signed	Date
Approved	Signed	Date

Project No.
TL003

Scale
1:1500 (A1)

Drawing No.
TLH-EW-01

Rev.
0



20 Addington Road
RD1 Otaki
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web: www.pritchardgroup.co.nz

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Drawing Title:

Earthworks Plan

Project:

Tasman Lakes Rural
Hamlet

Rev.	Date	Revision Details	By	Ver.	App.
------	------	------------------	----	------	------

M. Pritchard/Tasman Lakes Earthworks Plan Mon Mar 14 16:25:12 2005 Dated.



FILE: RM050063

2 June 2005

Tasman Lakes Estate Ltd
c/- Pritchard Group Ltd
20 Addington Road
RD 1
OTAKI

Dear Sir/Madam

**RM050063: LAND USE AND SUBDIVISION CONSENT AT RAUKAWA ROAD,
PEKA PEKA**

We are pleased to enclose your Resource Consent for the above planning application.

As you will see from the Resource Consent 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 object and have the matter considered by Hearing Commissioners. This is done by lodging an objection in accordance with Section 357 of the Resource Management Act 1991. Please note that, if you do wish to object, you must advise the Resource Consents Manager within 15 working days from the date of receiving this consent.

The deposit for an objection is \$370 (including GST) plus an extra \$144 if Council's Subdivisional Engineer will be involved. Other staff time and costs will also be charged unless waived by the Hearing Commissioners. If an objection is upheld the deposit will be refunded in full; if upheld in part then half the deposit will be refunded.

Please note also that land use and subdivision consent will expire unless your representative gives effect to the land use or submits a survey plan to Council within 5 years (unless a longer period is specified in the consent conditions).

You may apply for an extension before the consent lapses pursuant to section 125 of the Resource Management Act 1991. Council may grant an extension after taking into account the criteria set out in Section 125.

Once Council has approved the survey plan, you then have 3 years to deposit the survey plan with Land Information New Zealand. Before the plan can deposit, your representative will have to obtain a certificate from Council which states that you have complied with all the conditions of the consent. Again, the consent will expire unless this timetable is met.

Kapiti Coast District Council

Phone (04) 904 5700, Fax (04) 904 5830
RM050063

175 Rimu Road, Private Bag 601, Paraparaumu. Website www.kcdc.govt.nz
Tasman Lakes Estate Ltd
2-6-05

You are also advised that before development can take place, you will need to obtain all other necessary consents and permits, including those under the Building Act 1991, and comply with all relevant Council Bylaws.

If you have any concerns or enquiries about the conditions please do not hesitate to contact the writer on 9045-856.

Thank you for dealing with the Kapiti Coast District Council.

Yours sincerely

A handwritten signature in black ink, reading "Trevor M. Garnett". The signature is written in a cursive style with a large, stylized 'H' at the end.

Trevor Garnett
ACTING RESOURCE CONSENTS MANAGER



RESOURCE CONSENT NUMBER: RM050063

That pursuant to section 104B of the Resource Management Act 1991, the Kapiti Coast District Council (hereinafter called "the Council") does hereby grant a Land Use and Subdivision Resource Consent to:

TASMAN LAKES ESTATE LTD, C/- PRITCHARD GROUP LTD, 20 ADDINGTON ROAD, OTAKI

to create 8 rural hamlets with associated earthworks and roading at Raukawa Road, Peka Peka (Lot 3 RM040245) subject to the following conditions:

Plan

1. The title plan or e-survey data must conform to the subdivision consent proposal shown on Pritchard Group Limited Drawing No, SC.2a.TL.3, dated 14.03.05, submitted with application no. RM050063. Except that Lot 10 must be included in Lot 8.
2. The road and earthworks activity shall be in accordance with the plans drawn by Pritchard Group Limited, Drawing No, SC.2a.TL.3, dated 14.03.05 and as described within the documents submitted with application no, RM050063.
3. The consent holder shall notify the Council's Compliance officer in writing 48 hours before the consent is carried out. The consent holder shall fill out and return by fax (04 904 5815 or post to Private Bag 601, Paraparaumu) the form attached to the decision letter.
4. That 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 the supervision of the resource consent as set in accordance with section 36 of the Resource Management Act 1991.

* 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.

Engineering

5. The consent holder shall pay Council Engineering fees of \$562.50, plus \$216 per lot, (total \$2290.50) for work that may be required for plan approvals, site inspections and consent compliance monitoring prior to the section 224(c) certification of the subdivision. Extra fees may apply in accordance with the engineering fees schedule adopted by Council from 12 December 2002

Note: The current charge out rate is \$72.00 (GST inclusive) per hour.

6. The consent holder shall comply with the requirements of the Kapiti Coast District Council Code of practice for Subdivision and Development unless alternative means of compliance with requirements are submitted by the consent holder and approved subdivision engineer.
7. The consent holder shall submit to Council for approval three copies of the plans and specifications for the engineering development. No work shall commence until the plans and specifications have been approved by the Subdivision Engineer in writing.
8. The consent holder shall employ a suitably qualified person experienced in soils engineering to supervise, test and certify any compaction, filling, slopes and batters.
 - The Council's Subdivision Engineer shall be advised of the intended suitably qualified person. If that person is not acceptable then Council shall have the right to employ a specified suitably qualified person at the consent holder's cost.
9. The consent holder shall either:-
 - (a) Certify that a building site is available on each allotment on which buildings of the type permitted may be erected using foundations not requiring specific design in terms of the Building Act 1991.

This certification shall be in the form of Schedule 2A NZS 4404:2004, Land Development and Subdivision Engineering, and confirm that a safe bearing pressure of soil supporting foundations is not more than 600mm below the surface level of the ground. The certificate shall be accompanied by the site investigation report by the suitably qualified person.

Or
 - (b) Supply to Council a report by the suitably qualified person detailing site investigation work and findings together with recommendations for foundation design for each allotment.
In cases within the provisions of the clause (b) above, a Consent Notice under Section 221 of the Resource Management Act 1991 will be issued by Council recording the soil conditions and foundation recommendations on the certificate of title.
10. A bench mark, level reference point, with respect to mean sea level (Wellington) shall be provided within close vicinity of the subdivision to the approval of the Subdivision Engineer.
11. Adequate provision shall be made for the control of stormwater run-off during the construction period to the satisfaction of the subdivision Engineer. Silt retaining structures or ponding areas shall be constructed and maintained throughout the duration of the works to the satisfaction of the Subdivision Engineer.

Note: The consent holder's attention is drawn to the Wellington Regional Council Publication "Erosion and Sediment Control Guidelines for the Wellington Region." Applying the appropriate recommended treatments from this publication is a means of compliance with this consent.

12. All lots shall have a suitable building site above Reduced Level 5.5 mean sea level(m.s.l) unless otherwise approved by council's subdivision engineer.

Please note:

Upon the issue of the Resource Management Act 1991 or at such earlier time as may be required, a consent Notice pursuant to Section 221 will be issued. The Consent Notice will specify the above to be registered against the Certificate of Title to issue in respect to Lots 1 to 8.

13. Earthworks shall be kept to a minimum to ensure the least disturbance to the landform.
14. Earthworks shall comply with the requirements of the current issue of NZS 4431.
15. Where the existing land or vegetative cover is disturbed, suitable ground cover shall be established as soon as practicable following earthworks or within 5 days of completion whichever shall occur first. For this condition "suitable ground cover" means application of basecourse, topsoil, grassing or mulch, or another type of application to the satisfaction of the Subdivision Engineer
16. Should there be potential for wind-blown sand, soil or other material to be transported onto other properties the consent holder shall erect suitable fabric fencing (sarlun cloth or similar) or take other acceptable mitigation measures, to the satisfaction of the Subdivision Engineer
Note: The consent holder shall not use water from Council watermains for mitigation measures
17. The consent holder shall not remove soil support from adjacent lots
18. All batters shall be self-supporting
19. Should a waahi tapu or other cultural site be unearthed during earthworks the operator and/or owner shall :-

- (a) cease operations;
- (b) inform local iwi (Ngati Raukawa);
- (c) inform the NZ Historic Places Trust (NZHPT) and apply for an appropriate authority if required;
- (d) Take appropriate action, after discussion with the NZHPT, Council and iwi to remedy damage and/or restore the site.

Note:

In accordance with the Historic Places Act 1993, where an archaeological site is present (or uncovered), an authority from the NZ Historic Places Trust is required if the site is to be modified in any way.

20. The consent holder shall notify iwi in writing a minimum of 48 hours prior to undertaking any earthworks on the site and shall facilitate the observation by iwi of those earthworks.
21. Lot 9 shall vest as road, it shall be formed metalled and second coat sealed to Council standard requirements. The sealed carriageway shall be a minimum of 6.0 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 \$6.50 (GST inclusive) per square metre of the area of first coat seal.

22. Rights-of-way shall be formed and metalled. The entrance at the road berm shall be formed, metalled and sealed in accordance with a design included within the engineering drawings to be submitted to Council for the Subdivision Engineer's approval.
23. A rural numbering post shall be provided for each lot. This condition will be satisfied by the payment of \$40.00 (GST inclusive) per lot.
24. The consent holder shall submit a stormwater disposal design for approval by the Subdivision Engineer. Construction shall be in accordance with the approved plan

Either

The culvert installation within the road to vest shall be designed to cater for the Q10 (10% annual probability) storm event. Galvanised steel culverts will not be permitted.

Additional calculations shall be provided to determine the headwater depth arising from the Q100 storm event and the effect that this will have on the culvert installation including possible overland flow. Stilling basins maybe required at outlets to reduce scour velocities.

Or

The culvert installation within road to vest shall be designed to cater for the Q100 (1% annual probability) storm event. Galvanised steel culverts will not be permitted. If insitu concrete head and tail walls are to be installed these will require a building consent and specific design by a suitably qualified person if the head/tail walls exceed 1 metre in height from the top of the apron to the top of the wall.

Safety rails shall be provided at each end of the culverts within future roads to vest in compliance with clause F4 of the NZ Building Code for low risk areas. Debris arrestors shall be installed if calculated stream velocities transport stone or soil particles.

25. A report shall be provided to Council by a suitably qualified person which addresses the suitability of on site wastewater treatment and disposal for each lot. The form of wastewater treatment and 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 wastewater treatment and disposal. The recommendations for and constraints on the provision of wastewater treatment and disposal [may/shall] be included in a consent notice to be issued by Council pursuant to section 221 of the Resource Management Act 1991. The consent notice shall include reference to the owners' responsibility to maintain and monitor their wastewater disposal so that any adverse effects on the environment are minor
26. On-site wastewater treatment and disposal system shall be designed, constructed and operated to meet the following performance criteria:

- (i) It shall be designed with sufficient wastewater retention time to enable adequate treatment in relation to any constraints identified in the site investigation;
- (ii) The wastewater shall be evenly distributed to the entire filtration surface of the disposal field;
- (iii) The bottom of the wastewater disposal system shall be sufficiently above the groundwater at its highest level, in relation to any constraints identified in the site investigation, to prevent any contamination of groundwater;

The area available for on-site treatment shall be appropriate for the volume of the discharge and any constraints identified in the site investigation.

- 27. 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 that provides a minimum storage of 30,000 litres, or other minimum storage approved by the Subdivision Engineer. The recommendations for and constraints on the provision of water supply shall be included in a consent notice to be issued by Council pursuant to section 221 of the Resource Management Act 1991. The consent notice shall include reference to the owners' responsibility to maintain and monitor their water supply so that any adverse effects on the environment are minor.
- 28. A 4,500 litre concrete water tank readily located and easily identifiable shall be provided in the road reserve for fire fighting purposes.
- 29. Power and telecommunication services to each lot shall be provided to the approval of the Subdivision Engineer.

Legal

- 30. The 'Building and Earthworks exclusion zone' shall be defined on the title sheet of the survey plan in such a way as to be defined on site by normal survey methods. The 'Building and Earthworks exclusion zone' shall be identified by numbers and/or letters to facilitate precise identification on each title to issue. The 'Building and Earthworks exclusion zone' shall generally conform with the proposal shown Pritchard Group Limited Plan NO. SC.2a.TL.3 dated 14.03.05 submitted with application RM050063 by right lining the Building exclusion zones as highlighted on the plan.

Upon the issue of the Certificate pursuant to Section 224(c) of the Resource Management Act 1991 or at such earlier time as may be required, a Consent Notice pursuant to section 221 will be issued. The Consent Notice will specify that no part of any building or structure shall be located within the areas identified as 'Building and Earthworks exclusion zone' depicted on the survey plan.

- 31. Pursuant to the Rural Zone Coastal Dune hamlets subdivision standards (i) (c) further subdivision if Lots 1 to 8 (other than boundary adjustments) shall be prohibited.

Please note:

Upon the issue of the Resource Management Act 1991 or at such earlier time as may be required, a consent Notice pursuant to Section 221 will be issued. The Consent Notice will specify the above to be registered against the Certificate of Title to issue in respect to Lots 1 to 8.

Transmission Lines

32. Prior to construction, the consent holder must submit to Kapiti Coast District Council (and a copy to Transpower) a certificate from a suitably qualified electrical engineer confirming that any building or structure on proposed Lot 8, located to the south of Tower 226 of the Bunnythorpe-Haywards B transmission line complies with the minimum safe distances as specified in Table 3 of the NZECP 34:2001.
33. Buildings and structures, or any part of a building or structure proposed on Lot 8, located to the north of Tower 226 of the Bunnythorpe-Haywards B must not be located within 11 Metres vertically and 22.5 metres horizontally of the conductors on allowance for climatic conditions (i.e. Maximum conductor swing and sag).

Please note:

Upon the issue of the Resource Management Act 1991 or at such earlier time as may be required, a consent Notice pursuant to Section 221 will be issued. The Consent Notice will specify the above to be registered against the Certificate of Title to issue in respect to Lot 8.

34. Where any part of a building or structure needs to be constructed within this restricted area, the consent holder must submit to Kapiti Coast District Council (and a copy to Transpower) a certificate from a suitably qualified electrical engineer confirming that the buildings or structures comply with the minimum safe distances specified in Table 3 of the NZECP 34:2001.

Please note:

Upon the issue of the Resource Management Act 1991 or at such earlier time as may be required, a consent Notice pursuant to Section 221 will be issued. The Consent Notice will specify the above to be registered against the Certificate of Title to issue in respect to Lot 8.

35. Buildings or any part of a building on Lot 8 must not be located within 12 metres of the closest visible edge of any high voltage transmission line support structure foundation.

Please note:

Upon the issue of the Resource Management Act 1991 or at such earlier time as may be required, a consent Notice pursuant to Section 221 will be issued. The Consent Notice will specify the above to be registered against the Certificate of Title to issue in respect to Lot 8.

36. All machinery and mobile plant operated on Lot 8 must maintain a minimum clearance distance of 4 metres from the Bunnythorpe-Haywards B line conductors at all times.

Please note: Upon the issue of the Resource Management Act 1991 or at such earlier time as may be required, a consent Notice pursuant to Section 221 will be issued. The Consent Notice will specify the above to be registered against the Certificate of Title to issue in respect to Lot 8.

37. All buildings, structures and vegetation located on Lot 8 must not be located to preclude existing vehicle access to the existing support structure on site. In the case of any tower supporting any conductor, no person may excavate or otherwise interfere with any land:
- a) At a depth greater than 300mm within 6 metres of the outer edge of the visible foundations of the tower; or,
 - b) At a depth greater than 3 metres, between 6 metres of the outer edge of the visible foundation of the tower; or,
 - c) In such a way as to create an unstable batter.

Please note:

Upon the issue of the Resource Management Act 1991 or at such earlier time as may be required, a consent Notice pursuant to Section 221 will be issued. The Consent Notice will specify the above to be registered against the Certificate of Title to issue in respect to Lot 8.

38. Excavated or other material must not be deposited under or near the Bunnythorpe-Haywards B line so as to reduce the vertical distance from the ground to the conductors to a distance less than:
- a) 7.5 metres vertically, across or along driveways or on any other land traversable by vehicles: or,
 - b) 6.0 Metres vertically on any land not traversable by vehicles due to inaccessibility; and
 - c) 4.5 metres in any distance other than vertical on all land.

Please note:

Upon the issue of the Resource Management Act 1991 or at such earlier time as may be required, a consent Notice pursuant to Section 221 will be issued. The Consent Notice will specify the above to be registered against the Certificate of Title to issue in respect to Lot 8.

39. Prior to the commencement of the activity on the site, the consent holder must submit a Dust Management Plan for the activity for the approval of the Resource Consents Manager, Kapiti Coast District Council. In particular, the Dust Management Plan shall specify the potential sources of dust and particulate matter emissions and the mitigation measures to be implemented to minimise dust and particulate matter in order to protect the existing Bunnythorpe-Haywards B 220kV high voltage transmission line.

40. In accordance with the Dust Management Plan, the consent holder shall ensure that the activities occurring on site do not create any dust of particulate matter hazard or nuisance Bunnythorpe-Haywards B 220kV high voltage transmission line.

Esplanade strips

41. Esplanade strips generally not less than 5 metres in width are to be shown on the survey plan along the full length of the Kuku Tuaki/Kowhai/Hadfield Stream within Lot 1 and Lot 10 (Lot 10 is to be shown as part of Lot 8). The final esplanade strips from Lot 9 (to vest as road) to Lot 13 DP66483 (Local Purpose Reserve Road that adjoins 90 Gary Road) must have practical Cycleway, Walkway and Bridleway access. The instrument to be registered in accordance with Section 232 of the Act shall include the provisions of Clause 1 and 5 of the Tenth Schedule. The instrument shall also make provision for the on-going maintenance of the strips by the owner. Approval of the provisions contained within the instrument and final layout of esplanade strips must be obtained from the Council's parks and Recreation Manager, the Sustainable Development Manager and the Resource Consents Manager. Please note: These esplanade strips will cover the reserves contribution for this subdivision.

General

42. The consent holder shall supply a copy of the title plan and shall list and indicate how each condition has been met to the satisfaction of the Resource Consents Manager.
43. All costs arising from any of the above conditions shall be borne by the consent holder.

Notes

1. The title plan or e-survey data must be certified in accordance with Section 223 within 5 years of the granting of this consent, or within such extended period of time pursuant to Sections 125 and 37, as Council may allow.
2. A certificate pursuant to section 224 will be issued following compliance with all of the conditions of subdivision consent set out above, and payment of all relevant changes and levies.
3. Rights of objection to the conditions specified above may be exercised pursuant to Section 357(2) by the consents holder, Any objection shall be made in writing, setting out the reasons for the objection within 15 working days if this notification or within such extended period as Council in any special case may allow.
4. The following development contributions are required for every new rural lot pursuant to section 198 of the Local Government Act 2002 and the 2004/2005

Council's Development Contributions Policy:

Community Facilities \$949.50

Roads \$1,507.00

The above contributions must be paid prior to the issue of any certificate pursuant to section 224(c) of the Resource Management Act 1991 (please also refer to section 208 of the Local Government Act 2002). The consent holder should not encroach onto adjacent land owned by others without having first obtained their written consent.

5. 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.
6. All landuse activities, including earthworks, located on Lots 8 must comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP 34:2001.
7. All landuse activities, including earthworks, located on Lot 8 must comply with the Electricity (Hazards and Trees) Regulations 2003.
8. This consent incorporates the approval for earthworks required under the Kapiti Coast District Council Earthworks Bylaw.
9. The consent holder should not encroach onto adjacent land owned by others without having first obtained their written consent.

Reasons for the Decision

1. The adverse effects of the proposal on the environment will be no more than minor and will be mitigated through conditions of consent, and no persons will be adversely affected.
2. This proposal is in accordance with the relevant objectives, policies and assessment criteria of the Kapiti Coast District Plan.

ISSUED: 2 June 2005



Trevor Garnett
ACTING RESOURCE CONSENTS MANAGER



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

**IN THE MATTER OF A PLAN LODGED FOR DEPOSIT UNDER
NUMBER 362593
AND RESOURCE CONSENT N^o. RM050063**

**(BEING THE SUBDIVISION OF LOT 3 DP 359656),
AT RAUKAWA ROAD, PEKA PEKA
FOR TASMAN LAKES ESTATE LIMITED**

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 Lots 1 to 7 only (unless otherwise nominated below) the following conditions are to be complied with on a continuing basis:

1. The following works shall take into account the findings and recommendations contained within the Engineering report prepared by Hamish Wells entitled "Tasman Lakes Rural Residential – Ruakawa Road, Peka Peka Beach" dated 7 November 2005 and submitted to Council in relation to application no. RM0050063:

- Foundation design and construction for any new building or additions and alterations to any building;
- The provision, maintenance and monitoring of any on site water supply system that provides a minimum storage capacity of 30,000 litres or other minimum storage approved by the Subdivision Engineer in a manner that ensures that any adverse effects on the environment from the operation of the system are minor; and
- The installation and ongoing management of any on site wastewater system in a manner that ensures that any adverse effects on the environment from the operation of the system are minor

Note: It shall be the responsibility of the owner of the land to maintain and monitor the wastewater disposal system and to ensure that any adverse effects on the environment are minor. The On-site waste water treatment and disposal systems shall be designed, constructed and operated to meet the following criteria:

- a) It shall be designed with sufficient wastewater retention time to enable adequate treatment in relation to any constraints identified in the site investigation;

Kapiti Coast District Council

Phone (04) 904 5700, Fax (04) 904 5830 175 Rimu Road, Private Bag 601, Paraparaumu. Website www.kapiticoast.govt.nz

- b) The wastewater shall be evenly distributed to the entire filtration surface of the disposal field;
- c) The bottom of the wastewater disposal system shall be sufficiently above the groundwater at its highest level, in relation to any constraints identified in the site investigation, to prevent any contamination of groundwater;
- d) The area available for on-site treatment shall be appropriate for the volume of the discharge and any constraints identified in the site investigation

Note: Refer to Rule 7 of the Regional Plan for Discharges to Land, Wellington Regional Council

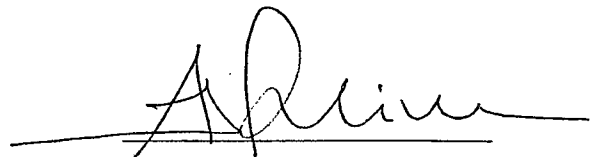
A copy of the Hamish Wells report relating to items specified above is available on file RM0050063 in the Office of Kapiti Coast District Council at any time the office is open to the public.

- 2. All Lots must have a suitable building site above reduced level 5.5 metres above mean sea level, unless otherwise approved by the Kapiti Coast District Council Subdivision Engineer.
- 3. Further subdivision of the allotments will NOT be permitted, with the exception of boundary adjustments.
- 4. With respect to Lots 3, 4, 6 and 7: No part of any building or structure shall be located in or earthworks carried out in the following areas identified on DP362593:
 - that part of Lot 3 shown as area "I"
 - that part of Lot 4 shown as area "H"
 - that part of Lot 6 shown as areas "F" and "G"
 - that part of Lot 7 shown as areas "D" and "E"

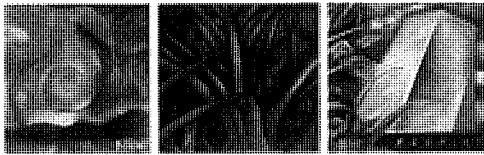
Issued in respect of application No. RM050063 on this 16th day of February, 2006.



Wayne Gair
AUTHORISED OFFICER



Aidan Robinson
AUTHORISED OFFICER



Kāpiti Coast District Council

Private Bag 60 601
Paraparaumu 5254
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kapiti.council@kapiticoast.govt.nz ■
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4 August 2010

William Cargill
23 Paetawa Road
PEKA PEKA

Dear William

**RM100123:EARTHWORKS EXCEEDING 100M³ AND CUT HEIGHT MORE THAN 1M
AT 104 RAUKAWA ROAD, PEKA PEKA**

We are pleased to enclose your Resource Consent for the above planning application.

As you will see from the Resource Consent 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 object and have the matter considered by Hearing Commissioners. This is done by lodging an objection in accordance with Section 357 of the Resource Management Act 1991. Please note that, if you do wish to object, you must advise the Resource Consents Manager within 15 working days from the date of receiving this consent.

There is no deposit for an objection. However, a fee of \$200.00 (including GST) is required if Council's Subdivisional Engineer is involved. Time and costs will also be charged unless waived by the Hearing Commissioners and if an objection is upheld there will be no charges; if upheld in part then a proportion of costs will be charged.

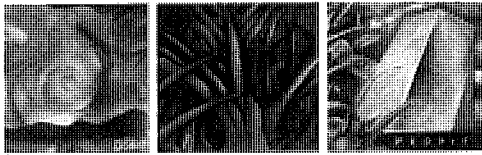
Please note also that this consent will lapse within 5 years of the date of issue of this decision unless it is given effect to within that time. You may apply for an extension of the consent before the consent lapses. Council may grant an extension if it is satisfied that the criteria set out in Section 125 of the Resource Management Act 1991 are met.

If you have any concerns or enquiries about the conditions please do not hesitate to contact me on (04) 2964 700.

Thank you for dealing with the Kapiti Coast District Council.

Yours sincerely

Ross Goodman
Resource Consents - Planner



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RESOURCE CONSENT UNDER PART VI OF THE RESOURCE MANAGEMENT ACT 1991 CONSENT NO: RM100123

APPLICANT:	William Cargill
LOCATION OF ACTIVITY:	23 Paetawa Road, Peka Peka (Lot 6 DP362593)
DESCRIPTION OF ACTIVITY:	Earthworks exceeding 100m ³ and cut height more than 1metre (retrospective)

DECISION:

Granted subject to conditions on 4 August 2010.

The following conditions were imposed under Section 108 of the Resource Management Act 1991:

Conditions:

Monitoring and Review

1. The consent holder shall notify the Council's 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 fax (04) 2964-830 or by post to Private Bag 60601, Paraparaumu) the form that is attached to the decision letter.
2. 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.

General

3. The proposed activity shall be undertaken in accordance with the plans titled "Stage One: Bedroom – Studio Implement Shed – Workshop for Paetawa Trust" date stamped final approved plans on 4 August 2010 and specifications lodged with the application RM100123 except where modified by conditions of consent. Any proposed amendments to the earthworks plan shall be submitted to the Council for approval. If approved, then the amended earthworks plan shall become the approved plan.
 - 3 Where the existing land or vegetative cover has been disturbed, suitable ground cover shall be established as soon as practicable following earthworks or within 5 days of completion whichever shall occur first. For this condition "suitable ground cover" means application of basecourse, topsoil, grassing or mulch, or another type of application to the satisfaction of the Council.
 - 4 All batters shall be self-supporting.
 - 5 Should a waahi tapu or other cultural site be unearthed during earthworks the contractor and/or owner shall :-
 - (a) cease operations;
 - (b) inform local iwi (Ngati Raukawa);
 - (c) inform the NZ Historic Places Trust (NZHPT) and apply for an appropriate authority if required;
 - (d) Take appropriate action, after discussion with the NZHPT, Council and iwi to remedy damage and/or restore the site.
- Note:** In accordance with the Historic Places Act 1993, where an archaeological site is present (or uncovered), an authority from the NZ Historic Places Trust is required if the site is to be modified in any way.
- 6 If any further works are to be conducted on site that Iwi are notified immediately and prior to the works occurring.
 - 7 The consent holder shall confirm in writing within three weeks of completion of the work that all the earthworks conditions of this Land Use consent have been met.

Reasons for Conditions:

- The reason for Conditions 1 and 2 is to ensure that compliance with the conditions of this resource consent is conducted effectively and without cost to the Council.
- The reason for Condition 3 is to ensure that the activity does not go beyond the scope of the application.
- The reason for Conditions 4– 9 is to ensure compliance with the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005.

Advice Notes:

- 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.
- When building consent approvals are sought the applicant will need to demonstrate compliance with the Section 221 Notice of the Resource Management Act 1991.
- All costs arising from any of the above conditions shall be borne by the consent holder.
- The consent holder should not encroach onto adjacent land owned by others without having first obtained their written consent.
- Contravention of Land Drainage Act is not permitted and natural drainage pattern are to be preserved.
- If any further earthworks are to be conducted on site
- A separate application is required for a building consent for the earth retaining structures that are higher than 1.5 metres or are subject to surcharging.

Reasons for Decision:

In accordance with Sections 104 and 104B 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 no more than minor and that the proposed activity is not contrary to the Objectives and Policies of the Kapiti Coast District Plan.



Ross Goodman

Resource Consents - Planner



3 August 2010

Kāpiti Coast District Council

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KAPITI COAST DISTRICT COUNCIL NOTIFICATION & SECTION 104 DECISION REPORT

Applicant:	William Cargill
Site Address:	104 Raukawa Road, Peka Peka
Legal Description:	LOT 6 DP 362593 C/T 255394
Site Area:	2.0104 hectares
Applicant's Address for Service:	23 Paetawa Road, Peka Peka
Proposal:	Retrospective consent to undertake earthworks exceeding 100m ³ and over 1m in height.
Land Owner:	Lorraine Cargill and CMS Trustees Limited
Zone:	Rural
Activity Status:	Discretionary

Report prepared by: Ross Goodman, Resource Consents Officer
Report peer reviewed by: Colin Bridges, Principal Planner – Land use

Date consent application received: 16 July 2010

1. PREAMBLE

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 100123

2. SITE AND SURROUNDING ENVIRONMENT

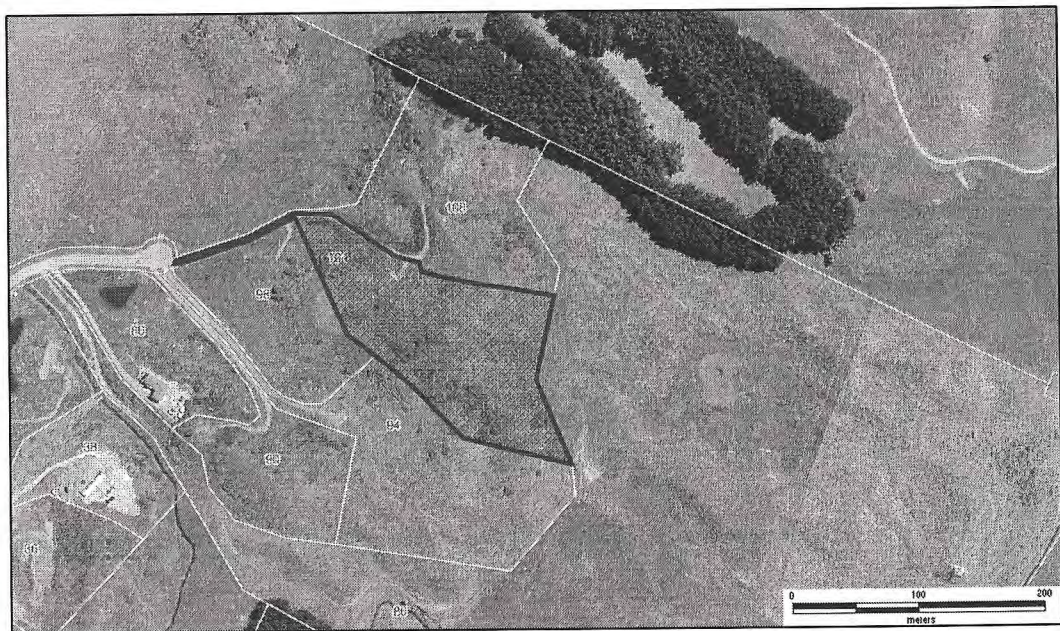


Figure 1: Locality Plan

2.1 Site Description and Immediate Environment

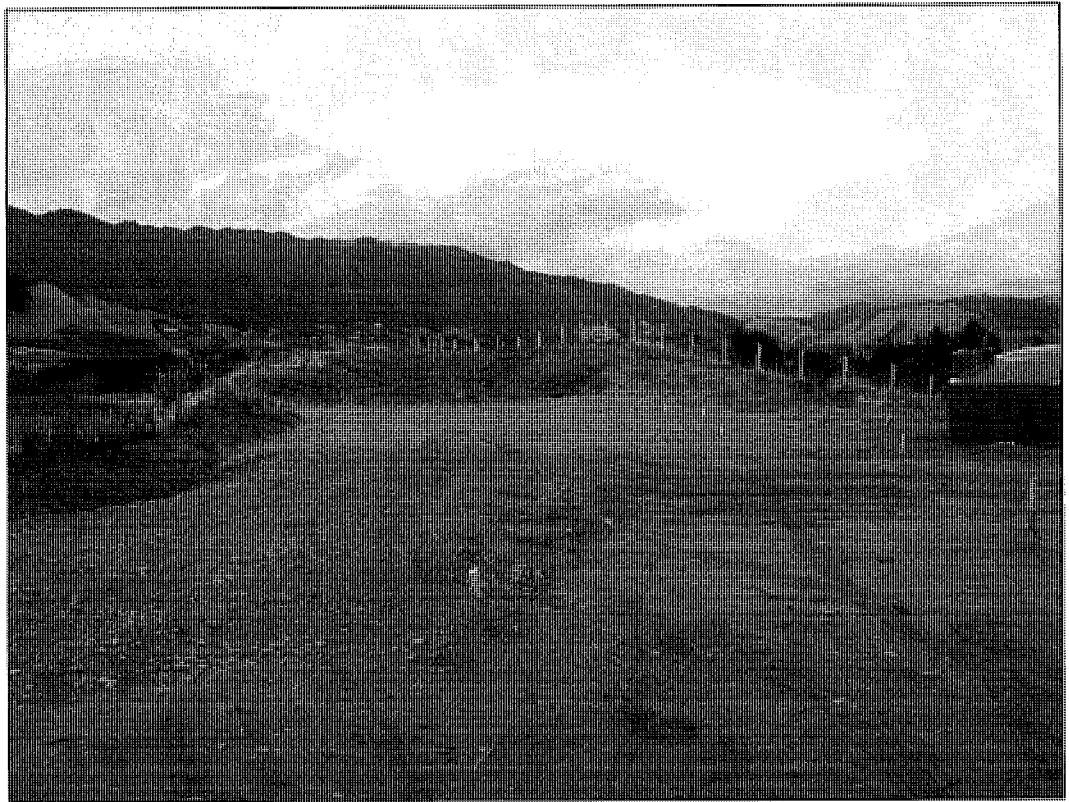


Figure 2: Earthworks undertaken on site facing south east



Figure 3: Earthworks below ridge at 30m amsl.

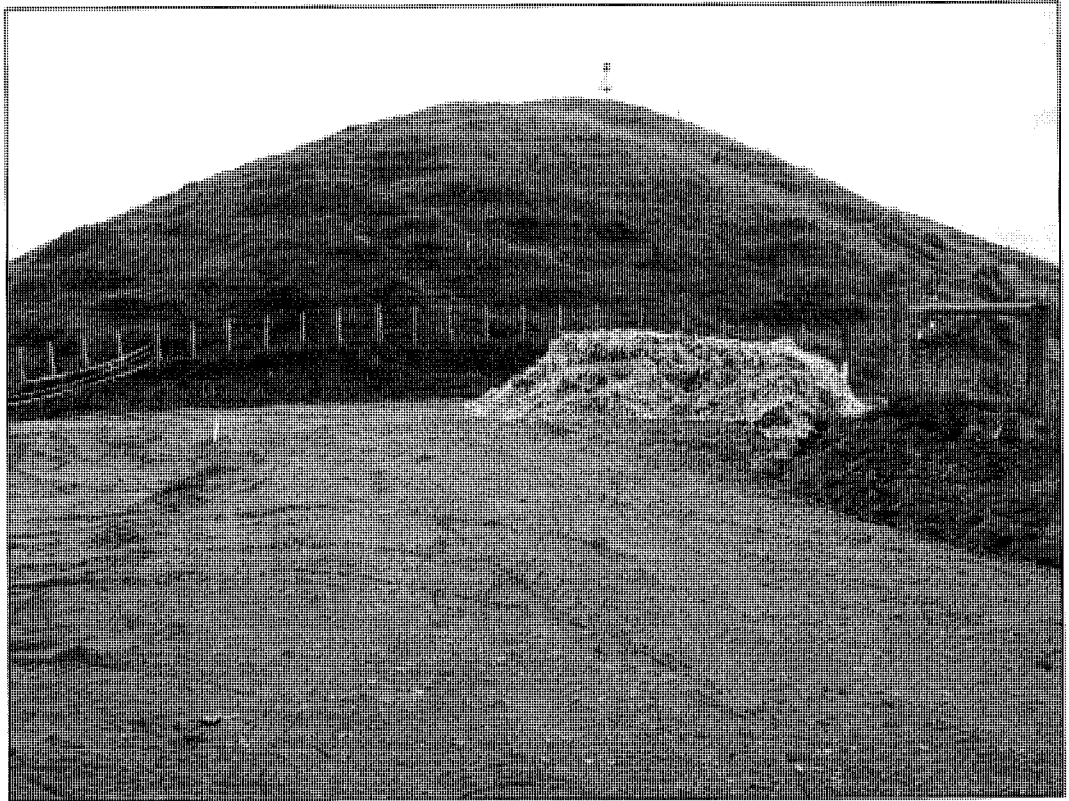


Figure 4: Earthworks below trig at 37.7m amsl.

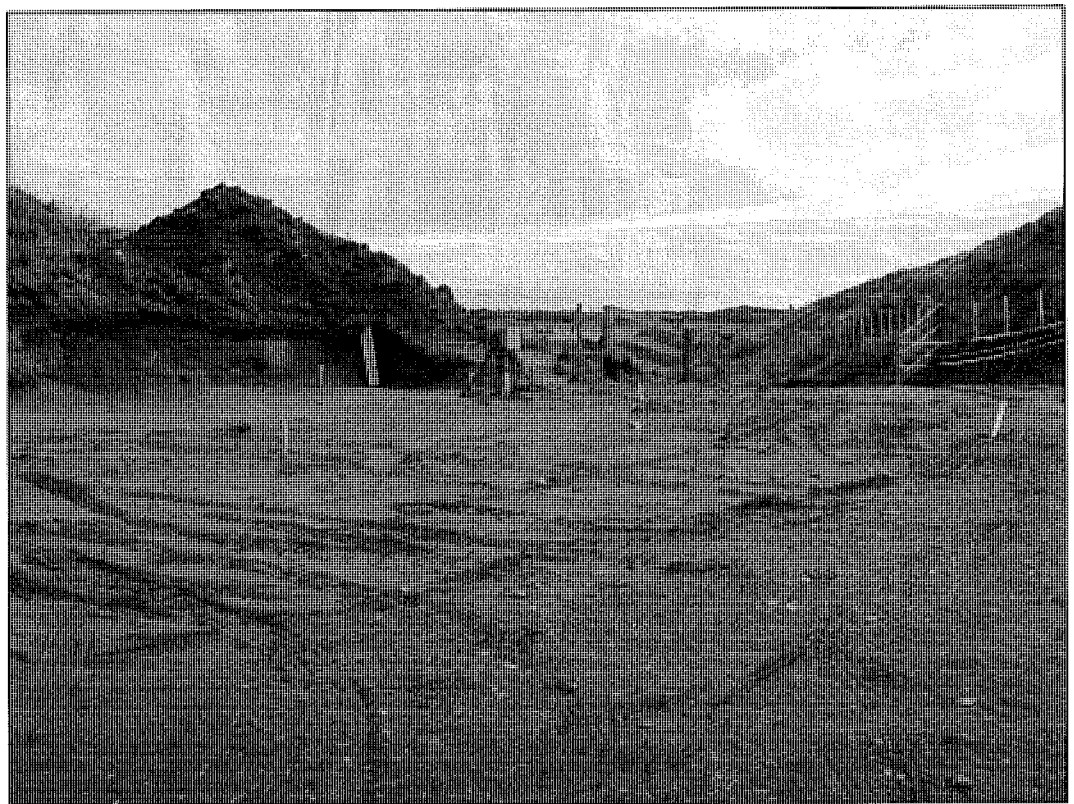


Figure 5: Earthworks undertaken and material being stored on site



Figure 6: Trees and vegetation to be planted on site

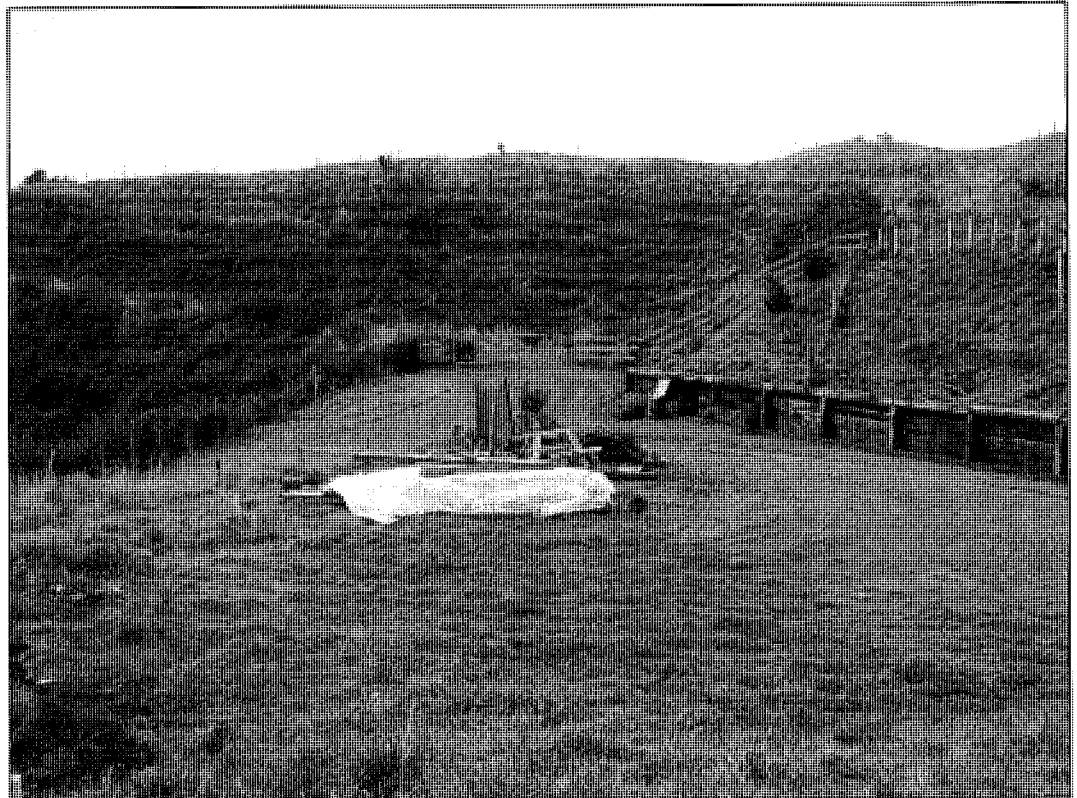


Figure 7: Retaining walls constructed on site



Figure 8: Vehicle access to site



Figure 9: View towards Pacific Ocean

The application site known as 104 Raukawa Road, Peka Peka with a legal description of Lot 6 DP 362593 is shown to contain an area of 2.0104 hectares. Certificate of title 255394 is subject a section 221 Notice. The notice relates to the resource consent granted under RM050063 condition 4 of the consent notice and reads:

- 4 *With respect to Lots 3, 4, 6 and 7: No part of any building or structure shall be located in or earthworks carried out in the following areas identified on DP362593:*
- *that part of Lot 3 shown as area "I"*
 - *that part of Lot 4 shown as area "H"*
 - *that part of Lot 6 shown as areas "F" and "G"*
 - *that part of Lot 7 shown as areas "D" and "E".*

The site is located at the end of Raukawa Road, Peka Peka.

Raukawa Road is located on the northern side of Peka Peka Road. The site is located within the Rural zone.

The site is characteristic of the coastal environment which gives it an underlating profile.

The site is predominantly covered with sand dunes. The application states that a boxthorn hedge has been removed and extensive planting of native species has commenced in an attempt to encourage the return of birdlife to the area.

2.2 Surrounding Environment

The surrounding environment is characterised by a mixture of rural residential properties that have been established as life style blocks. Dwellings and/or utility buildings are visible on a number of surrounding properties.

The area contains significant land dunes and there is a trig station as can be seen in figure 4 which is shown to be 37.5m above mean sea level. There are secondary ridge lines on site as can be seen in figure 3 which is 30m amsl.

2.3 Written Approvals

No written approvals were submitted with the application.

2.4 Consent History

Resource consent 050063	Land Use consent for roading, earthworks and subdivision consent	Granted 1 June 2005
-------------------------	--	---------------------

3 THE PROPOSAL

3.1 Description of Proposal

This application seeks retrospective resource consent approval to **undertake earthworks** to remove a total of 164m³ of sand to create a level building platform which will enable the applicant to build an implement shed and separate bedroom/studio.

The works involved cutting a bench from 0 to 0.6m over 80% of the area and an excavation of 0.6m to 1.0m over an area of 45m². This amounts to a volume of 126m³.

A cut of 0.8m to 1.9m was undertaken for the siting of the implement that will be retained by concrete block of the shed. This involved the removal of 38m³ of spoil.

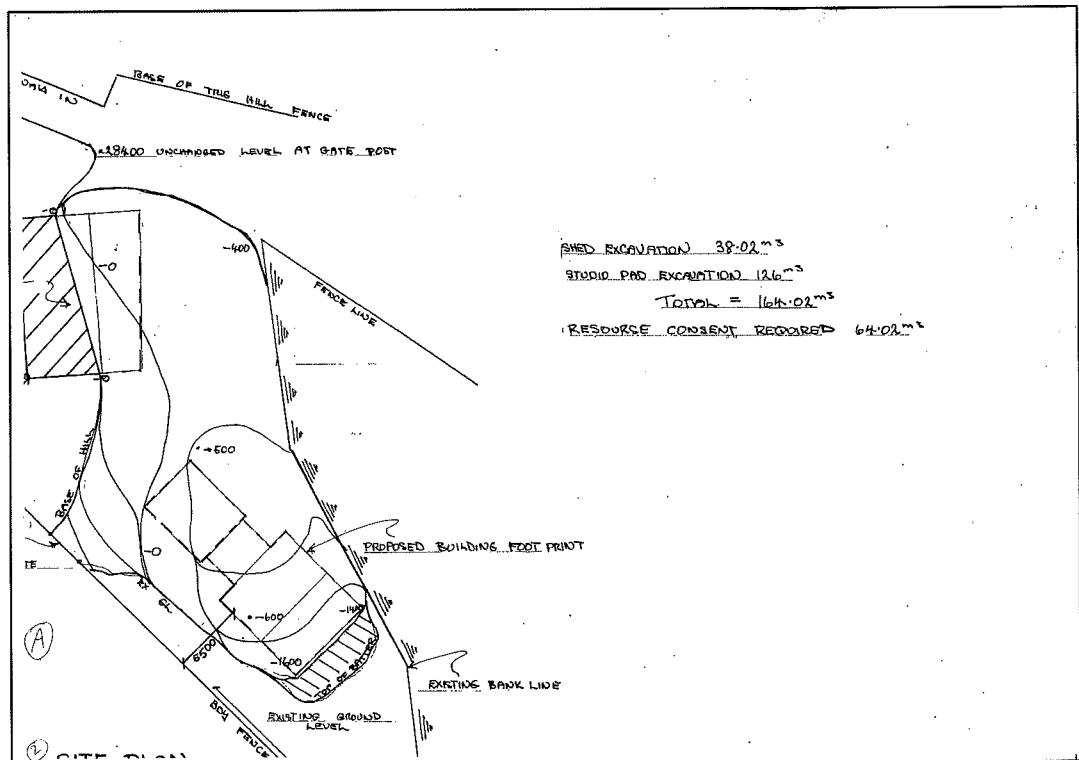


Figure 10: Site plan

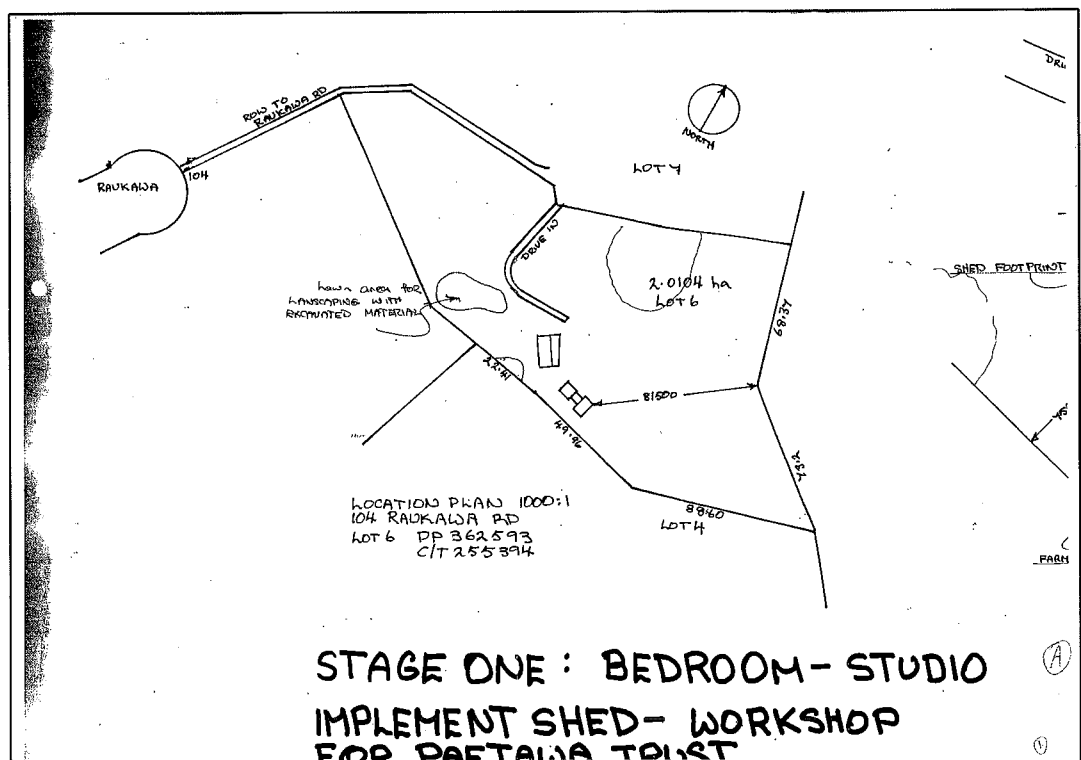


Figure 11: Site plan

The application explains that all the surplus sand will be retained on site and used for landscaping purposes to build up an existing hollow area to create a lawn intended gardens and native planting areas. This is then to be covered with topsoil and bark.

The works are clear of the earthworks exclusion zones.

3.2 Applicant's Assessment of Effects

The applicant has provided an assessment of effects of the activity on the environment (AEE).

The AEE concludes that the effects on the environment will be less than minor.

4 DISTRICT PLAN PROVISIONS

4.1 Kapiti Coast 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.

4.2 Zoning and Overlays

The property is zoned Rural under the Kapiti Coast District Plan.

4.3 Relevant Rules and Standards

The Rules and Standards, which have the most relevance to this application are:

D.2.2 Rural Zone Provisions

D.2.2.1 Permitted Activity Standards

EARTHWORKS

The following standards apply when carrying out earthworks for any activity such as constructing new buildings and relocating buildings, building roads and access ways to building sites, subdivision lots, parks and parking areas. These standards do not apply, however, to road maintenance activities within road reserves and private farm tracks which are ancillary to permitted farming activities and are not within outstanding landscapes shown on the District Wide Zone Maps.

(i) Earthworks shall not be undertaken:

- *On slopes of more than 28 degrees.*
- *Within 20 metres of a waterbody, including wetlands and coastal water, except that this standard shall not apply in respect of earthworks associated with maintenance of the watercourse or stormwater control.*

- (iii) In all other areas, no earthworks shall involve the disturbance of more than 100m³ (volume) of land and alter the existing ground level by more than 1.0 metre, measured vertically, in any 12 month period.

A clause in the contract for any earthworks shall contain the following:

Should a waahi tapu or other cultural site be unearthed during earthworks the operator and/or owner shall:

- (a) cease operations;
- (b) inform local iwi;
- (c) inform the NZ Historic Places Trust (NZHPT) and apply for an appropriate authority if required;
- (d) take appropriate action, after discussion with NZHPT, Council and Tangata Whenua, remedy damage and/or restore the site.

Note: In accordance with the Historic Places Act 1993, where an archaeological site is present (or uncovered), authority from the NZ Historic Places

4.4 Activity Status

The activity is a Discretionary Activity under Rule D.2.1.3 (B)(i). It has this status because it is unable to comply with Permitted Activity Standard D.2.2.1 Earthworks.

4.5 Relevant Objectives and Policies

The following Objectives and Policies apply to this application.

C.2.1 Rural Zone Objectives & Policies

Objective 1.0 – General

Ensure that any adverse effects of activities on the natural and physical environment of rural areas and of rural based activities beyond this environment are avoided, remedied or mitigated with particular regard to sustaining the life supporting capacity of the resource of the land to meet the needs of future generations.

Policy 1(A) – Natural Environment – Identification and Protection

Identify and protect areas of significant indigenous vegetation and significant habitats of indigenous fauna.

Policy 1(B) – Natural Environment – Use and Development

Ensure the adverse effects of rural use and development on the natural environment are avoided, remedied or mitigated.

C.7.3 EARTHWORKS

Objective 1.0

To maintain the district's natural landforms by ensuring any adverse effects of earthworks on the natural, physical and cultural environment are avoided, remedied or mitigated.

To achieve this objective Council will implement the following policies:

Policy 1 – General Assessment Criteria

Ensure the adverse effects of earthworks on the environment are avoided, remedied or mitigated when considering applications for resource consents for earthworks by taking into account the following:

- The extent to which any earthworks may impact on prominent or visually sensitive landforms, including the coastal marine area, ridgelines, dunes, escarpments, native vegetation, wetlands and waterbodies and the effects of earthworks on water quality;
- The extent to which any cut or fill can be restored or treated to resemble natural landforms. Council will seek to avoid the creation of unnatural scar faces;
- The extent of screening by vegetation;
- The extent to which any cut or fill will remove existing vegetation, alter existing landforms, affect water quality through siltation or affect existing natural features such as waterbodies;
- The provision of acceptable roading gradients, practicability of drainage systems, minimum site building levels, drive on access to all lots and creation of practical reserve areas;
- The necessity for carrying out the works; and
- Whether the earthworks proposed increase or decrease flood hazards
- The outcome of consultation with Tangata Whenua in accordance with the requirements contained in the Fourth Schedule of the Resource Management Act 1991.

5 RELEVANT NATIONAL ENVIRONMENTAL STANDARDS

There are no National Environmental Standards that apply to this application.

6 RELEVANT NATIONAL POLICY STATEMENTS

The New Zealand Coastal Policy Statement (NZCPS) is relevant to this application. The NZCPS *“is interested in the preservation of the natural character of the coastal environment. The protection of the coastal environment which is vulnerable to modification, in particular foredunes, is a national priority”*.

This application concerns earthworks to formulate a building platform within a subdivision created to provide for such occurrences. The works are clear of the exclusion zones on the consent notice and will not significantly alter the landform (refer to AEE below). As such, it is considered that the proposal is not contrary to the NZCPS.

7 RELEVANT STATUTORY PROVISIONS

In considering whether or not notification is required, Sections 95A to 95F of the Resource Management Act 1991 must be considered. Sections 95A to 95F are:

- ***95A Public Notification of consent application at consent authority's discretion***
- ***95B Limited notification of consent application***
- ***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***
- ***95F Consent authority decides if person is affected order holder***

In considering the merits of an application, Section 104 of the Resource Management Act 1991 must be considered. Sections 104A-104D set out particular restrictions on determining applications for controlled, restricted discretionary, discretionary, or non-complying activities. The relevant provisions of Section 104 are listed below:

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

8 SECTIONS 95A-F & 104 ASSESSMENT

8.1 Adequacy of information

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 with the application for Council to determine the application.

8.2 Actual or potential effects on the environment

Sections 95A-95F & 104(1)(a) 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 actual and potential effects on the environment of allowing the activity.

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.

Amenities

The earthworks have been undertaken within a rural-residential property that is adjoined by other sites of a similar size and topography. The application explains that the earthworks were undertaken to provide a level building platform to enable the construction of an implement shed and a separate bedroom/studio.

The earthworks have been undertaken clear of the areas identified as "F" and "G" for Lot 6 on DP 362593 where buildings and earthworks may not be located.

Although the construction of buildings does not form a part of this assessment it is acknowledged that approval of building platforms could be perceived as granting tacit approval. This is not the case, as any proposal for a building will be assessed at the building consent stage for compliance with the consent notice and District Plan.

Notwithstanding the above, the location of buildings on this site at this location is an expected outcome of the 2005 resource consent as granted.

It is considered that because of the nature of the topography and the planting that has been established along the boundaries of this site that the effects upon the amenity of the surrounding environment will be less than minor.

Dust

The generation of dust from earthworks is expected when work of this nature is undertaken in the drier months.

There is a large distance to the nearest habitable buildings which is considered sufficient to ensure that dust is unlikely to reach/affect them in significant quantities should it be blown in that direction. The applicant has undertaken a significant amount of planting around the perimeter of the property which will also assist in the mitigation of wind blown dust effects by providing a partial windbreak/dust trap.

Overall, it is considered that while there will be dust emissions, any such effects will be temporary and localised; and the scale and intensity will be less than minor.

Ecological Effects

It is anticipated that a property of this size would accommodate a dwelling and that earthworks may be required to provide a suitable building platform.

The effects of the earthworks and associated retaining walls upon the environment will be remedied through the revegetation of the exposed areas of soil, the established planting along the boundaries of the site and the future planting that will surround the building platforms.

The installation of these features in conjunction with revegetation of exposed areas of soil will ensure that the effects resulting from erosion and sediment run-off once the earthworks have been completed will be minimal.

As explained by the applicant all the surplus material will be retained on site and used to assist in the planting of native species thus benefiting the local ecology.

Noise Effects

Noise generated by machinery undertaking the earthworks is an inevitable occurrence. The earthworks undertaken were sited some distance from the existing dwellings in the surrounding area and did not generate any complaints in terms of noise.

Positive effects

Granting retrospective resource consent to this application enables the applicants to establish a relatively flat building site on a site that already has consent that anticipates lifestyle development.

The earthworks, cut and filling allows the re-contouring and improvement of a part of the property that was previously being under utilised.

I consider that the overall effects of the proposal on the environment will be less than minor and the effects on/off site can be mitigated by the imposition of appropriate conditions.

8.3 Relevant NES, regulations, policy statements, plans or proposed plans

Section 104(1)(b) 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 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.

Regard was had to the provisions of the Kapiti Coast District Plan and the NZCPS in the assessment of this proposal.

8.4 Other relevant 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.

Regard was had to the contents of the LTCCP during the assessment of this proposal.

9 NOTIFICATION DECISION

NB: Please refer to Section 8.2 'Actual or Potential Affects on the Environment' for the assessment upon which the notification decision is based.

9.1 Public Notification Decision

NB: Please refer to Section 8.2 'Actual or Potential Affects on the Environment' for the assessment upon which the notification decision is based.

2.1 Public Notification Decision

Council staff acting under authority delegated by the Council, have decided under Sections 95A and 95D of the Resource Management Act 1991 that the application need not be publicly notified. The reasons for this decision are:

1. The applicant did not request that the application be publicly notified;
2. The effects of the activity will be minor, for the reasons discussed below under the heading "Assessment of Environmental Effects";
3. Special circumstances exist/do not exist in relation to the application that requires it to be notified; and
4. Council has/has not exercised its discretion to publicly notify the application;

Recommendation:

That the application **need not be publicly notified** in accordance with Sections 95A and 95D of the Resource Management Act 1991.

Reported and Recommended by: 
Ross Goodman Resource Consents - Planner

Decision:

"That the above recommendation be adopted."

Delegated Officer (Peer Reviewer): 
Colin Bridges Principal Planner – Land Use

2.2 Limited Notification Decision

Council staff acting under authority delegated by the Council, have decided under Sections 95B, 95E and 95F of the Resource Management Act 1991 that notice of the application need not be served on any person/must be served on the following persons:

The reasons for this decision were:

1. There are no affected persons or order holders.

Recommendation:

That the application be processed on a **non-notified** basis in accordance with Sections 95B, 95E and 95F of the Resource Management Act 1991.

Reported and Recommended by: 
Ross Goodman Resource Consents - Planner

Decision:

"That the above recommendation be adopted."

Delegated Officer (Peer Reviewer): 
Colin Bridges Principal Planner – Land Use

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 better utilisation of a rural site.

10.2 Section 6-Matters of National Importance

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

It is considered that there are no matters of national importance of relevance to this proposal.

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.

Particular regard was had to the provisions of Sections 7(b), (c), and (f) in the AEE of this report.

10.4 Section 8-Treaty of Waitangi

Consultation was undertaken with Caleb Royal of Ngati Raukawa and the standard earthworks conditions are to be applied to the consent to ensure that if any further works are to be conducted on site that iwi are notified prior to the works occurring.

10.5 Conclusion on Part 2 matters

Overall, the proposal is consistent with Part 2 matters because it allows for the better utilisation of a rural property.

11 CONDITIONS

The applicant volunteered no conditions.

The proposal does not trigger the requirement for a financial contribution or a development contribution.

12 CONSULTATION

Consultation has been undertaken with Council's Subdivisional Engineer-Rita O'Brien who has recommended approval subject to appropriate conditions.

These conditions are to ensure compliance with Council's Subdivision and Development Principles and Requirements 2005. I concur with her recommendation.

13 CONCLUSION

The volume of earthworks undertaken was 164m³ of sand and was to create a level building platform to enable the applicants to build an implement shed and separate bedroom/studio.

All of the surplus sand has been retained on site and used for landscaping purposes to build up an existing hollow area to create a lawn, intended gardens and native planting areas.

The earthworks have been undertaken in areas that are not within the no build areas as defined on DP 362593 and the main visual land forms have not been changed or altered to any significant degree.

The excavation site is situated below the dominant ridge lines on the property and due to the topography of the surrounding area will be screened from the public beach and adjoining road.

On completion of the earthworks, exposed areas will be covered with topsoil and bark.

The building platforms created will accommodate future buildings that will need to be sited to comply with all of the permitted activity standards and consent notice clauses relating to the bulk and location requirements for properties zoned rural.

The undertaking of earthworks in association with the location of buildings within the site is an expected outcome of the subdivision that created this rural property.

The site contains varying topography and the applicant has undertaken extensive planting of native species that will screen the works and any future buildings.

It is considered that the erosion and sediment control measures to be undertaken by the applicant on site will adequately control sediment run-off and ensure that the environmental effects are less than minor and the visual effects from the earthworks will be only temporary in nature.

Consent may be granted on a non-notified basis subject to conditions.

14 DECISION

That acting under authority delegated from the Council and pursuant to Sections 104 and 104B of the Resource Management Act 1991 **grant** retrospective consent to undertake earthworks exceeding 100m³ and over 1m in height at 104 Raukawa Road, Peka Peka (Lot 6 DP 362593).

Conditions:

Monitoring and Review

1. The consent holder shall notify the Council's 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 fax (04) 2964-830 or by post to Private Bag 60601, Paraparaumu) the form that is attached to the decision letter.
2. 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.

General

3. The proposed activity shall be undertaken in accordance with the plans titled "Stage One: Bedroom – Studio Implement Shed – Workshop for Paetawa Trust" date stamped final approved plans on 4 August 2010 and specifications lodged with the application RM100123 except where modified by conditions of consent. Any proposed amendments to the earthworks plan shall be submitted to the Council for approval. If approved, then the amended earthworks plan shall become the approved plan.
4. Where the existing land or vegetative cover has been disturbed, suitable ground cover shall be established as soon as practicable following earthworks or within 5 days of completion whichever shall occur first. For this condition "suitable ground cover" means application of basecourse, topsoil, grassing or mulch, or another type of application to the satisfaction of the Council.
5. All batters shall be self-supporting.
6. Should a waahi tapu or other cultural site be unearthed during earthworks the contractor and/or owner shall :-
 - (a) cease operations;
 - (b) inform local iwi (Ngati Raukawa);
 - (c) inform the NZ Historic Places Trust (NZHPT) and apply for an appropriate authority if required;
 - (d) Take appropriate action, after discussion with the NZHPT, Council and iwi to remedy damage and/or restore the site.

Note: In accordance with the Historic Places Act 1993, where an archaeological site is present (or uncovered), an authority from the NZ Historic Places Trust is required if the site is to be modified in any way.

7. If any further works are to be conducted on site that iwi are notified immediately and prior to the works occurring.
8. The consent holder shall confirm in writing within three weeks of completion of the work that all the earthworks conditions of this Land Use consent have been met.

Reasons for Conditions:

- The reason for Conditions 1 and 2 is to ensure that compliance with the conditions of this resource consent is conducted effectively and without cost to the Council.
- The reason for Condition 3 is to ensure that the activity does not go beyond the scope of the application.
- The reason for Conditions 4–8 is to ensure compliance with the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005.

Advice Notes:

- 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.
- When building consent approvals are sought the applicant will need to demonstrate compliance with the Section 221 Notice of the Resource Management Act 1991.
- All costs arising from any of the above conditions shall be borne by the consent holder.
- The consent holder should not encroach onto adjacent land owned by others without having first obtained their written consent.
- Contravention of Land Drainage Act is not permitted and natural drainage pattern are to be preserved.
- If any further earthworks are to be conducted on site
- A separate application is required for a building consent for the earth retaining structures that are higher than 1.5 metres or are subject to surcharging.

Reasons for Decision:

In accordance with Sections 104 and 104B 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 no more than minor and that the proposed activity is not contrary to the Objectives and Policies of the Kapiti Coast District Plan.

"That the above recommendation be adopted under delegated authority"



Ross Goodman
Resource Consents – Planner



Colin Bridges
Principal Planner – Land Use

4 August 2010