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29 January 2026

Jacqueline Mavis Fawcett

LAND INFORMATION MEMORANDUM (LIM)

The attached LIM provides you with information about 91 Aston Road, Paraparaumu.

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:

91 Aston Road, Paraparaumu

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	Jacqueline Mavis Fawcett
LIM number	L260070
Application date	21/01/26
Issue date	29/01/26

Property details

Property address	91 Aston Road, Paraparaumu
Legal description	LOT 7 DP 84600 C/T 52A/947
Area (hectares)	1.2710

Valuation information

Valuation number	1515012407
Capital value	\$1,280,000
Land value	\$530,000
Improvements value	\$750,000

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 \$4,987.84
This includes Greater Wellington Regional Council rates

Next instalment date 09/03/26

Arrears for previous years \$0.00

Water rates \$291.73 last year (2024/25)

For the 2025/2026 rating year, all water used is charged at a volumetric rate of \$1.72 (incl GST) per cubic metre (1000 litres) on the water rates invoice, and a fixed annual charge of \$318.60 (incl GST) per separately used or inhabited part of a rating unit, is charged on the property rates invoice.

Water balance due \$0.00

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

- 04/01/23 BUILDING CONSENT 221050: Upgrade septic tank system and install drainage field. Disconnect from Waikanae Downs Ltd Sewerage scheme : Code Compliance Certificate issued 01/03/23
- BUILDING CONSENT 220915: Installation of new septic tank drip line field of existing septic tank: Cancelled 19/12/22
- 04/06/13 BUILDING CONSENT 130237: New Lounge extension. New Bedroom & Ensuite extension. New Shed. Clad in plywood & batten & corrugated iron. Corrugated: Code Compliance Certificate issued 02/07/14
- 09/11/00 BUILDING CONSENT 001391: NEW DWELLING : Code Compliance Certificate issued 09/05/01

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: Rural Plains Precinct/Rural Production Zone

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

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

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

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

District Plan Features and Overlays

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

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

This property is located within PREC24 - Rural Hills Precinct. There are specific provisions in the Operative District Plan (2021) for this Precinct.

This property was created via subdivision in 1997 under resource consent number RM960325. A copy of the Decision, Deposited Plan (DP 84600) and Record of Title is provided with this LIM.

This property is subject and/or appurtenant to a right of way, water supply, electricity, telephone, and sewage drainage rights, and a right to enable termination of biomass disposal connection.

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 and subsequent Variations of the Section 221 Consent Notice were imposed as part of this subdivision and further consents which require 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 130018: Proposed change to the building platform at 91 Aston Road, Paraparaumu.

RESOURCE CONSENT 010051: Earthworks and relocation of a nominated building site - retrospective consent - variation of consent notice.

RESOURCE CONSENT 990459: Road extension and associated earthworks Aston Road Waikanae Downs.

RESOURCE CONSENT 950325: Rural subdivision creating 40 additional rural Lots Waikanae Downs.

If you are interested in reading the full resource consent file then these can be viewed at the Council administration building at 175 Rimu Road, Paraparaumu.

Note: some resource consent files may be archived offsite; however these can be retrieved for you. Please call the Resource Consents Team on 0800 486 486 to check the availability of the files.

This property is adjacent to a property which contains some specific features on it that are recorded in the Operative District Plan (2021).

These features are: Ecological Site: an area with significant native vegetation or habitat for native fauna. (K071) Narn's Bush (Kohekohe-Titoki-Tawa forest, Kamahi forest, Kanuka scrub). (K072) Reikorangi Road Bush A (Kohekohe-Titoki-Tawa forest). (K075) Reikorangi Road Bush C (Titoki-Tawa-Rewarewa forest). (K077) Waikanae Gorge Bush (Kohekohe-Tawa forest).

Designation: land required for infrastructure or other public purposes. (WRC-002) (Old reference D0402) Wellington Metropolitan Water Supply and Conservation Area, 400 hectares lying within the Upper Whakatiki River catchment.

Special Amenity Feature or Landscape - distinctive highly valued landscape or landform. SAL24 Lower Waikanae River Special Amenity Landscape (Mid to lower reaches of the Waikanae River from the Reikorangi/Ngatiawa/Rangiora River Forks to the Waikanae Estuary).

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/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

The adjacent land is shown to be subject to flood hazards in the Operative District Plan (2021), and the latest Flood Hazard Maps.

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

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

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

The adjacent land is shown to be subject to a river corridor on the Operative District Plan (2021) Natural Hazard maps, and the latest Flood Hazard Maps.

The river corridor is the minimum area able to contain a flood of up to a 1% AEP event magnitude and enable flood water to safely pass to the sea. It includes flood and erosion prone land immediately adjacent to the river, where the risk to people and development is significant.

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

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

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

The adjacent land is subject to the Ohariu fault - 2 - uncertain - constrained and Gibbs fault - 3 - uncertain - constrained earthquake fault avoidance zones.

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 discharge is confined to site. There is no record of any Council services running through the property.

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.

Council has a potable water supply system available with a rural restricted flow metered water supply of 1,000 litres per day. The location of the Council service valve (manifold/toby) is shown on the services network plan provided with this LIM. There is no public fire fighting provision available. A private water storage tank is required on site to store the water. The minimum tank size should be 5,000 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

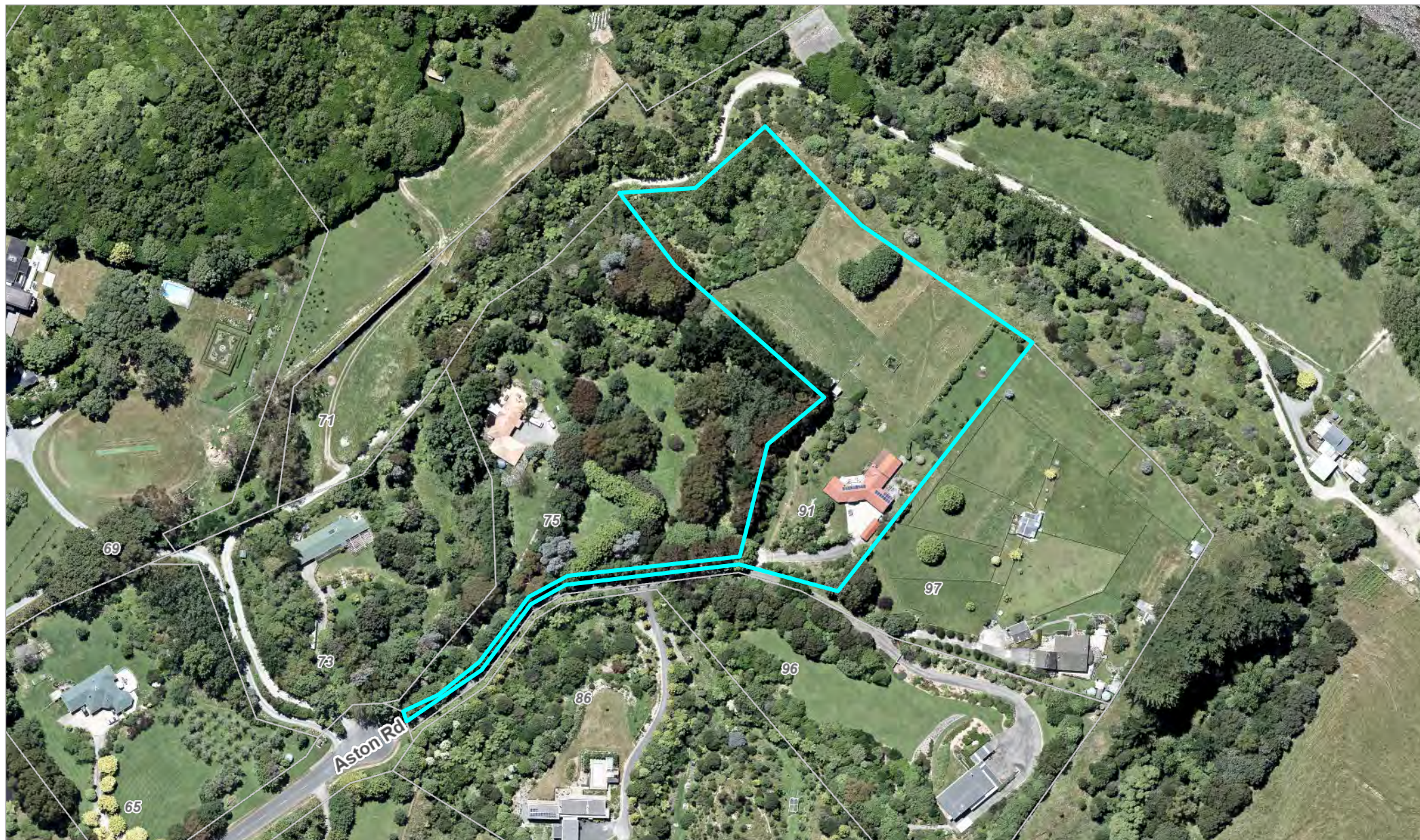
Every city and district council is required to have a District Plan under the [Resource Management Act 1991](#). The District Plan plays a big part in how Kapiti develops. The rules in the Plan determine what you can and can't do on your property without permission from Council - whether it be subdividing, 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

91 Aston Road, Paraparaumu (LOT 7 DP 84600 C/T 52A/947)



0 40 80 Metres

Scale @ A4 - 1:2,000

Date Printed: January 22, 2026

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 **WN52A/947**
Land Registration District **Wellington**
Date Issued 24 November 1997

Prior References
WN48A/857

Estate Fee Simple
Area 1.2710 hectares more or less
Legal Description Lot 7 Deposited Plan 84600

Original Registered Owners
Neil Michael Weaver and Regan Jan West

Interests

Appurtenant hereto are rights of way created by Transfer 210608 (affects parts formerly contained in CT WN363/4)

Appurtenant hereto are rights of way created by Transfer 774937 (affects parts formerly contained in CT WN363/4)

B639026.12 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 - 24.11.1997 at 3.45 pm

Appurtenant hereto are rights of way specified in Easement Certificate B639026.16 - 24.11.1997 at 3.45 pm

Subject to a right of way over part marked C on DP 84600 specified in Easement Certificate B639026.16 - 24.11.1997 at 3.45 pm

The easements specified in Easement Certificate B639026.16 are subject to Section 243 (a) Resource Management Act 1991

Appurtenant hereto are water supply, electricity, telephone and sewage drainage rights specified in Easement Certificate B639026.17 - 24.11.1997 at 3.45 pm

Subject to water supply and sewage drainage rights over parts marked C and E, electricity and telephone rights over parts marked C, E and G on DP 84600 specified in Easement Certificate B639026.17 - 24.11.1997 at 3.45 pm

Subject to an electricity right (in gross) over parts marked C, E and G on DP 84600 in favour of Horowhenua Energy Limited created by Transfer B639026.19 - 24.11.1997 at 3.45 pm

Subject to a right to enable termination of biomass disposal connection (in gross) in favour of Waikanae Downs Limited created by Transfer B639026.21 - 24.11.1997 at 3.45 pm

Land Covenant in Transfer B639026.23 - 24.11.1997 at 3.45 pm

Fencing Covenant in Transfer B733730.2 - 14.7.1999 at 3.55 pm

B799022.3 Mortgage to The National Bank of New Zealand Limited - 25.8.2000 at 3.13 pm

5118530.1 Variation of Consent Notice B639026.12 pursuant to Section 221(5) Resource Management Act 1991 - 3.12.2001 at 1:50 pm

5349017.1 Discharge of Mortgage B799022.3 - 20.9.2002 at 9:00 am

5349017.2 Mortgage to ASB Bank Limited - 20.9.2002 at 9:00 am

8830922.1 Discharge of Mortgage 5349017.2 - 26.8.2011 at 4:52 pm

8830922.2 Transfer to Christopher Alan Fawcett, Jacqueline Mavis Fawcett and Catherine Ann Freear - 26.8.2011 at 4:52 pm

8830922.3 Mortgage to Bank of New Zealand - 26.8.2011 at 4:52 pm

10610857.1 Variation of Consent Notice B639026.12 pursuant to Section 221(5) Resource Management Act 1991 - 4.11.2016 at 10:33 am

13245842.1 Discharge of Mortgage 8830922.3 - 19.3.2025 at 4:24 pm

13245842.2 Transfer to Christopher Alan Fawcett and Jacqueline Mavis Fawcett - 19.3.2025 at 4:24 pm

Reference:
Prior CT: 48A/857
Document No.: B639026.15



REGISTER

LT69

52A/947

CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT 1952

This Certificate dated the 24th day of November One Thousand Nine Hundred and Ninety Seven under the seal of the District Land Registrar of the Land Registration District of WELLINGTON

WITNESSETH that BIPROC HOLDINGS LIMITED

is seised of an estate in fee simple (subject to such reservations, restrictions, encumbrances and interests as are notified by memorial endorsed hereon) in the land hereinafter described, delineated on the plan hereon, be the several admeasurements a little more or less, that is to say: All that parcel of land containing 1.2710 hectares, more or less being LOT 7 DEPOSITED PLAN 84600



Appurtenant to the parts formerly contained in CT 363/4 are rights of way over part of the land on DP 5575(CT 612/21) (a) shown coloured yellow on DP 10063 created by Transfer 210608 and (b) shown coloured blue on DP 28740 created by Transfer 774937.

DISCHARGED

B535218.2 Mortgage to Bank of New Zealand - 22.8.1996 at 10.57

B639026.12. Consent Notice under Section 221(1) Resource Management Act 1991 by Kapiti Coast District Council

B639026.16. Easement certificate affecting Lots on DP 84600

NATURE	SERVIENT LAND	DOMINANT LAND
Right of way	5-A CT 52A/945	7
	6-B CT 52A/946	7
	7-C	4,5,6 C'ST 52A/944-946

The above easements will be subject to Section 243(a) Resource Management Act 1991 when created

B639026.17 Easement certificate affecting Lots on DP84600

NATURE	SERVIENT LAND	DOMINANT LAND
Water	5-A	7
supply,electricity, telephone,sewage drainage.	6-B,D	7
	7-C,E	4,5,6,8 and 1 DP 84599
	8-F CT 52A/948	7
Electricity,telephone	7-G	1-DP84599 CT52A/939

Subject to an electricity easement in gross over the part herein marked C,E and G DP 84600 to Horowhenua Energy Limited created by Transfer B639026.19.

Subject to an easement in gross to enable termination of biomass disposal connection, created by Transfer B639026.21 to Wikihoua Downs Limited

Land covenant in Transfer B639026.23 -all 24.11.1997 at 3.45

B733730.2 Transfer to Dale Edward Pfeiler and Iran Kathleen Pfeiler

Fencing covenant in Transfer B733730.2

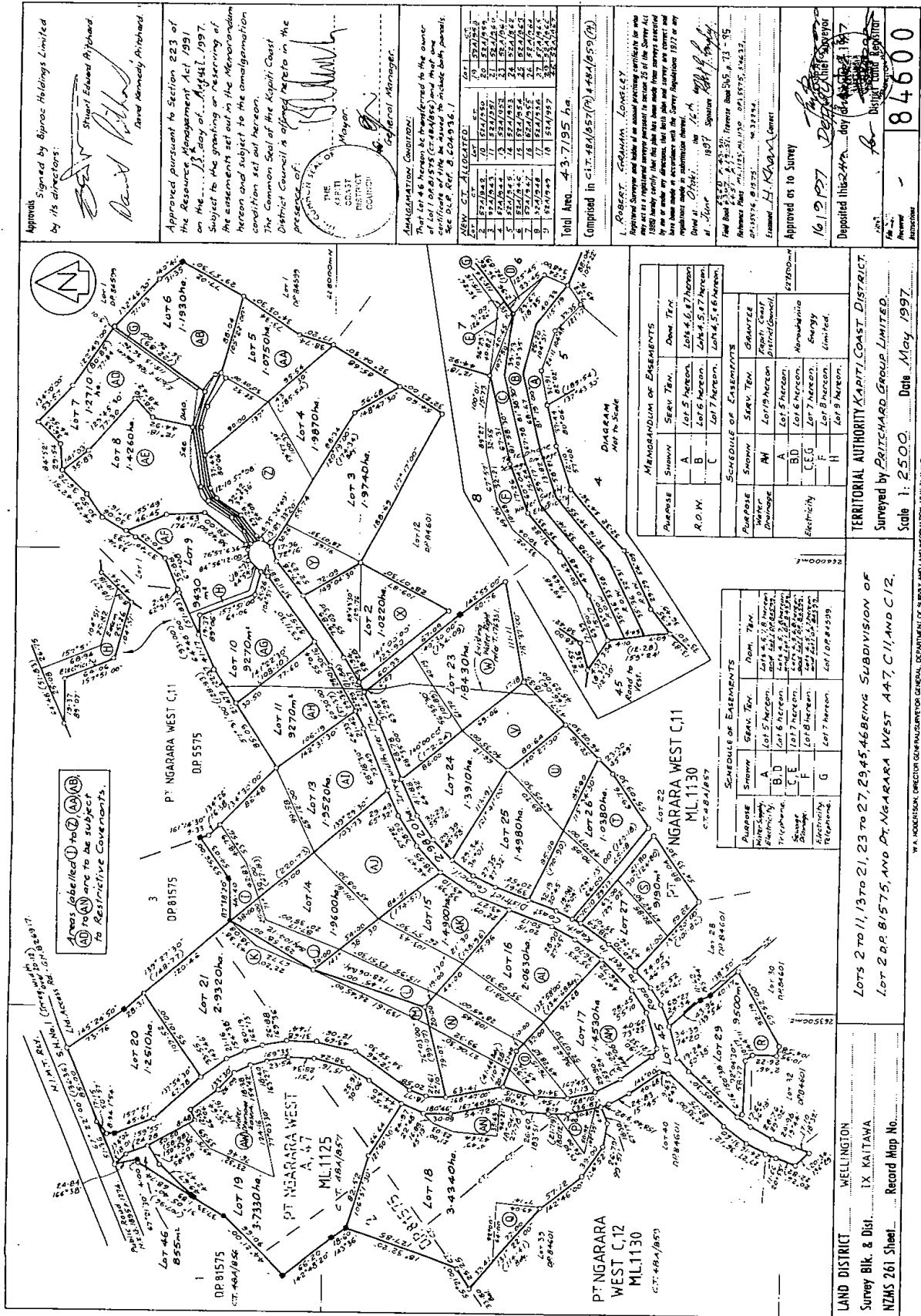
B733730.3 Mortgage to Bank of New Zealand all 14.7.1999 at 3.55

Yam
for RGL

for RGL

OVER

52A/947



Approved by Bypass Holdings Limited by its directors:
 Stuart Edward Aitken
 David Kennedy Aitken

Approved pursuant to Section 223 of the Resource Management Act 1991 on the 13th day of August 1997.
 Subject to the granting or reserving of the easements set out in the Memorandum hereon and subject to the amalgamation condition set out hereon.
 The Common Seal of the Kaitiaki District Council is affixed hereto in the presence of:
 Mayor
 General Manager

MEMORANDUM OF EASEMENTS

Area	Shown	Serv. Ten.	Dom. Ten.
A	Lot 5 hereon	Lot 5 hereon	Lot 5 hereon
B	Lot 6 hereon	Lot 6 hereon	Lot 6 hereon
C	Lot 7 hereon	Lot 7 hereon	Lot 7 hereon

SCHEDULE OF EASEMENTS

Purpose	Shown	Serv. Ten.	Dom. Ten.
Water	AM	Lot 19 hereon	Lot 19 hereon
Drainage	BD	Lot 6 hereon	Lot 6 hereon
Electricity	CEG	Lot 7 hereon	Lot 7 hereon
Telephone	F	Lot 7 hereon	Lot 7 hereon

Approved as to Survey
 16/12/97
 Deposited this 24th day of August 1997
 84600

TERMINAL AUTHORITY KAITIAKI COAST DISTRICT
 Surveyed by PRITCHARD GROUP LIMITED
 Scale 1:2500 Date May 1997

DSU Form D13

52A/947

B799022.2 Transfer to Neil Michael Weaver
and Regan Jan West

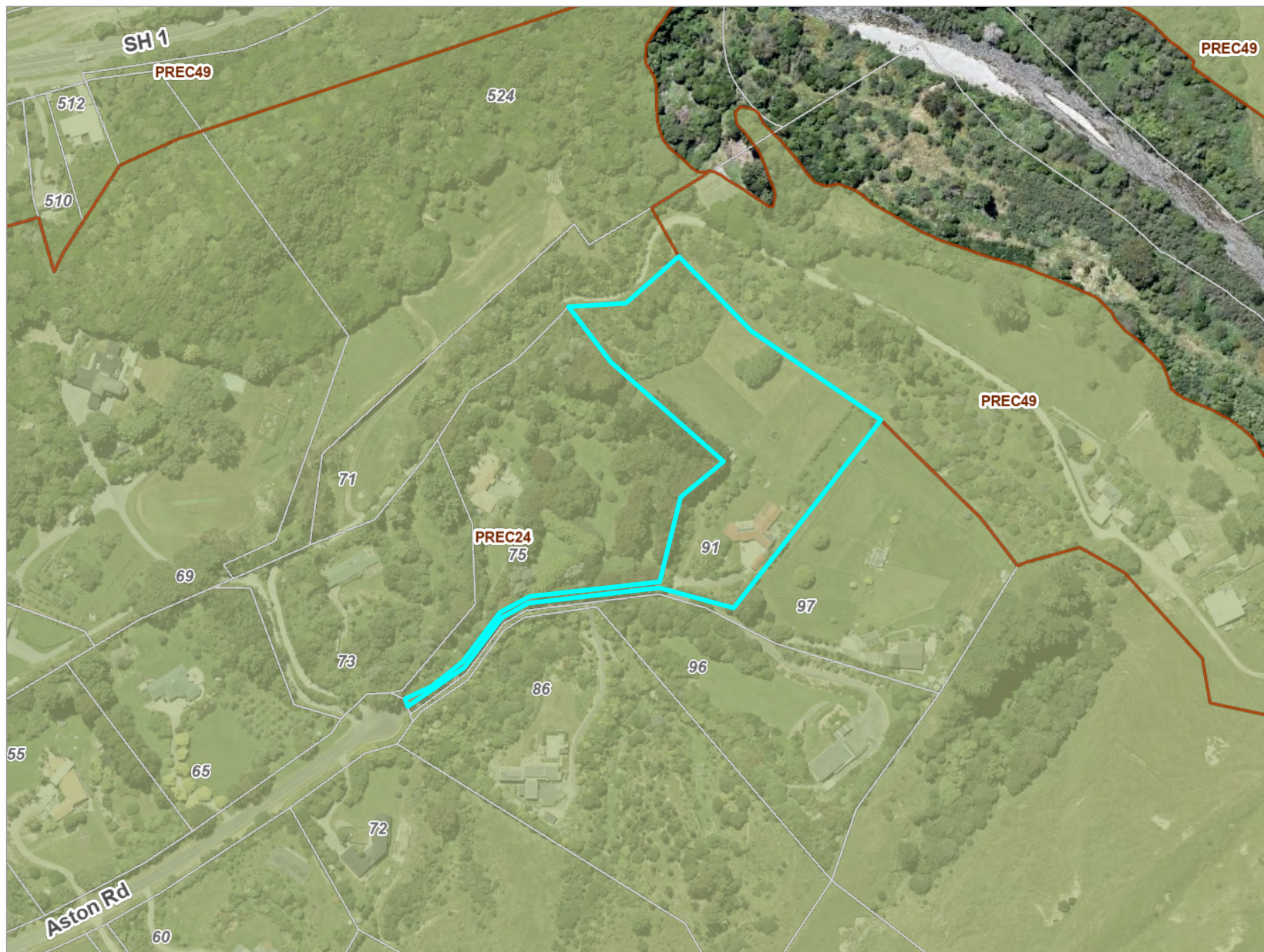
B799022.3 Mortgage to The National Bank
of New Zealand Limited
all 25.8.2000 at 3.13

Maugh
for RGL





Operative District Plan 2021 - Zones and Precincts

91 Aston Road, Paraparaumu (LOT 7 DP 84600 C/T 52A/947)



Key to map symbols

-  Precinct
-  Rural Production Zone



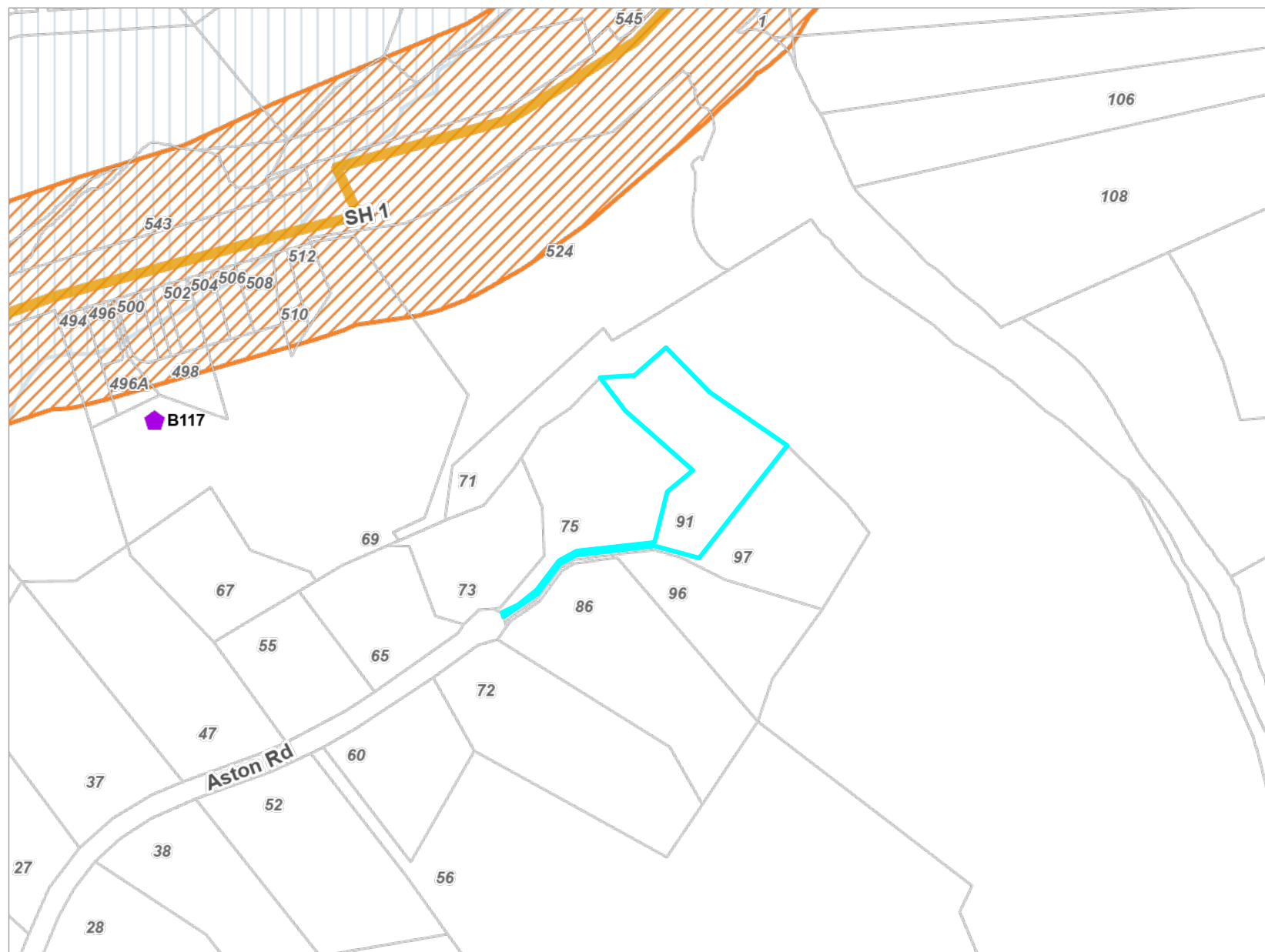
0 70 140 Metres
Scale @ A4 - 1:3,000

Date Printed: January 22, 2026

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

91 Aston Road, Paraparaumu (LOT 7 DP 84600 C/T 52A/947)



Key to map symbols

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

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



0 120 240 Metres
Scale @ A4 - 1:5,000

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Operative District Plan 2021 - Designations & Miscellaneous Features

91 Aston Road, Paraparaumu (LOT 7 DP 84600 C/T 52A/947)



Key to map symbols

 Designation

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



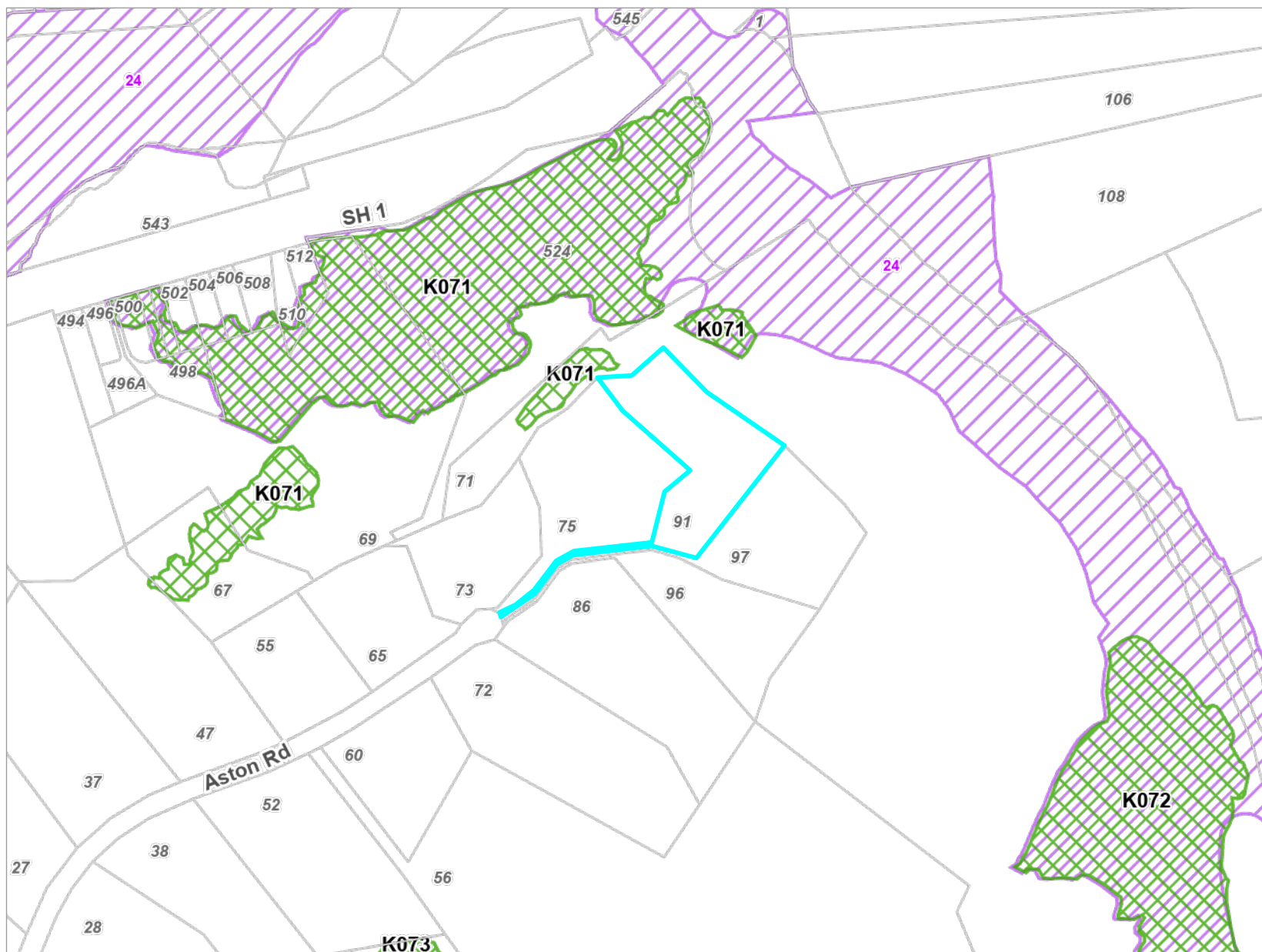
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Scale @ A4 - 1:5,000

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Operative District Plan 2021 - Natural Features

91 Aston Road, Paraparaumu (LOT 7 DP 84600 C/T 52A/947)



Key to map symbols

-  Ecological Sites
-  Special Amenity Landscapes

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.



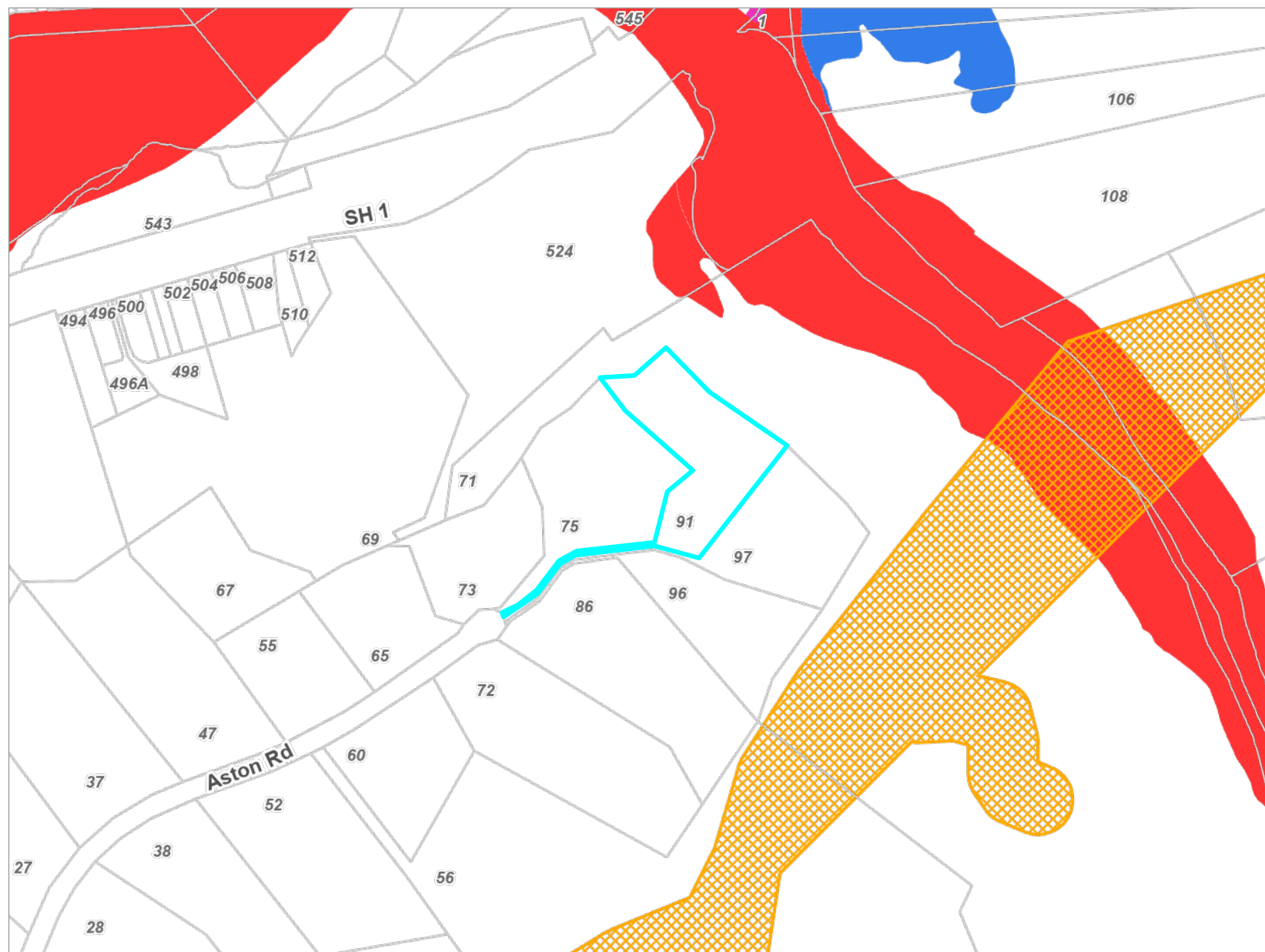
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Operative District Plan 2021 - Natural Hazards

91 Aston Road, Paraparaumu (LOT 7 DP 84600 C/T 52A/947)



Key to map symbols

-  Uncertain Constrained
-  River Corridor
-  Stream Corridor
-  Ponding Area

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.



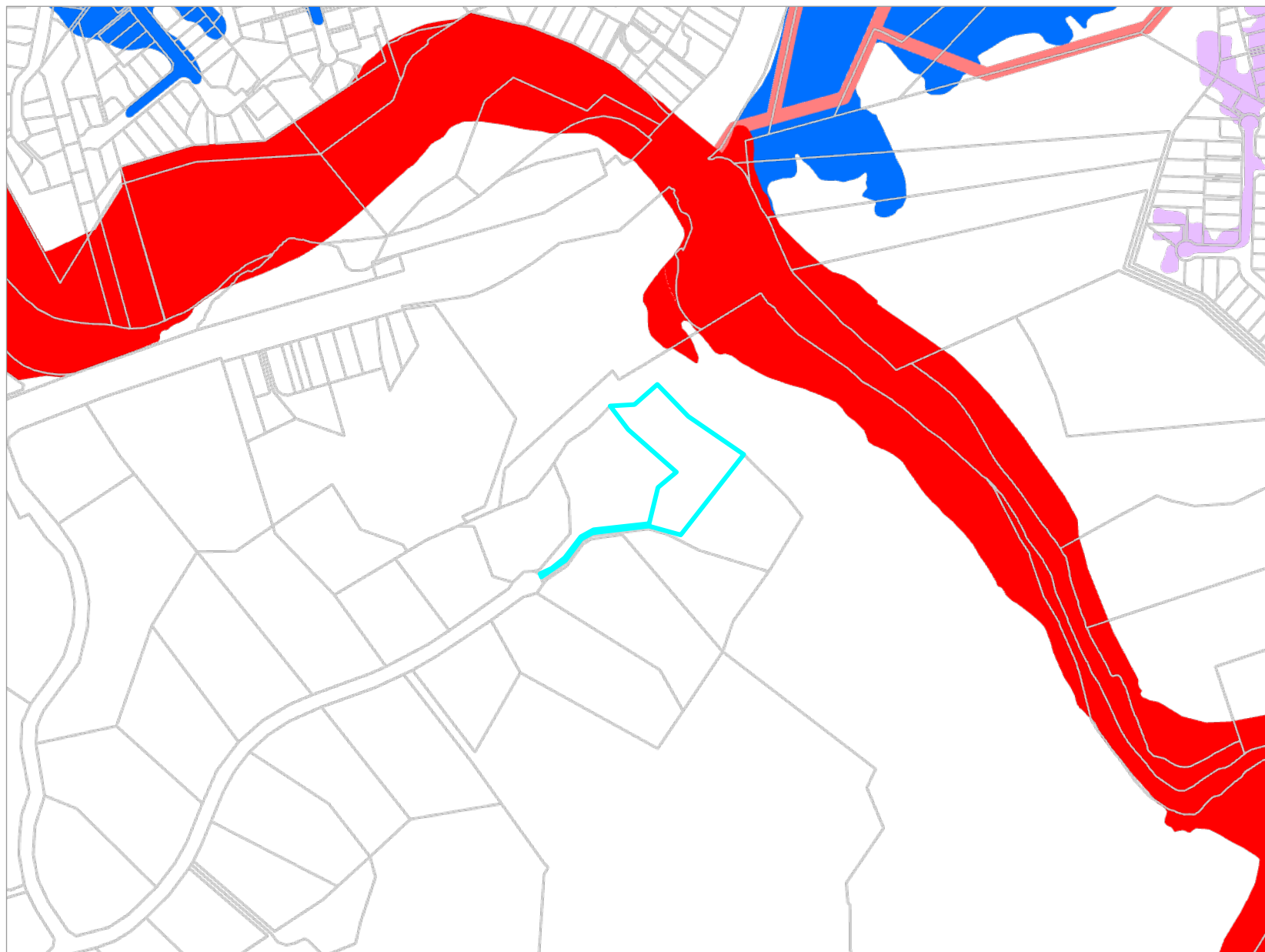
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Latest Flood Hazards

91 Aston Road, Paraparaumu (LOT 7 DP 84600 C/T 52A/947)



Key to map symbols

- River Corridor
- Stream Corridor
- Ponding
- Shallow Surface Flow

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



0 170 340 Metres
Scale @ A4 - 1:7,000

Date Printed: January 22, 2026

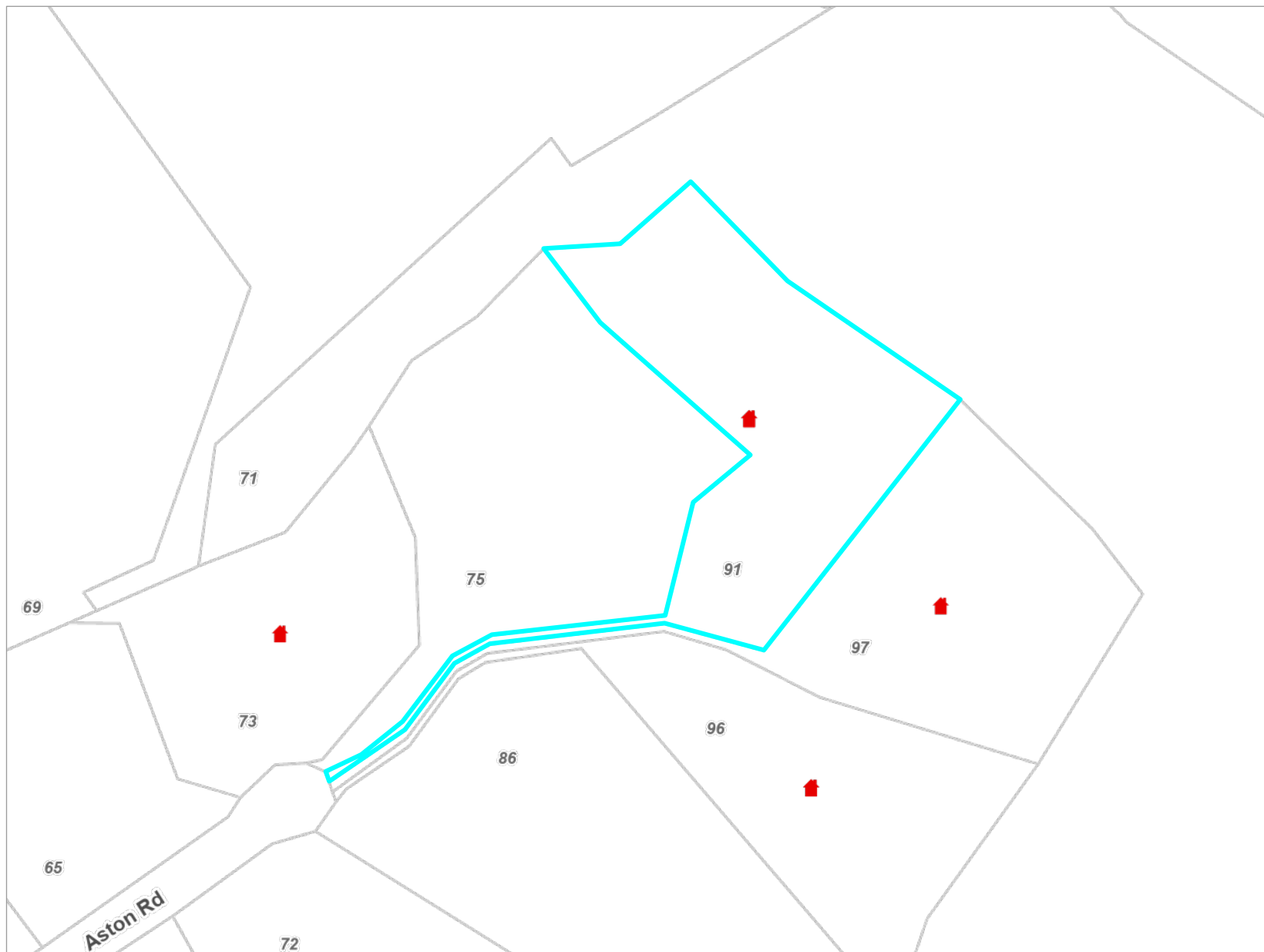
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Resource Consents Map

91 Aston Road, Paraparaumu (LOT 7 DP 84600 C/T 52A/947)

Key to map symbols

 Resource Consents



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



0 50 100 Metres

Scale @ A4 - 1:2,250

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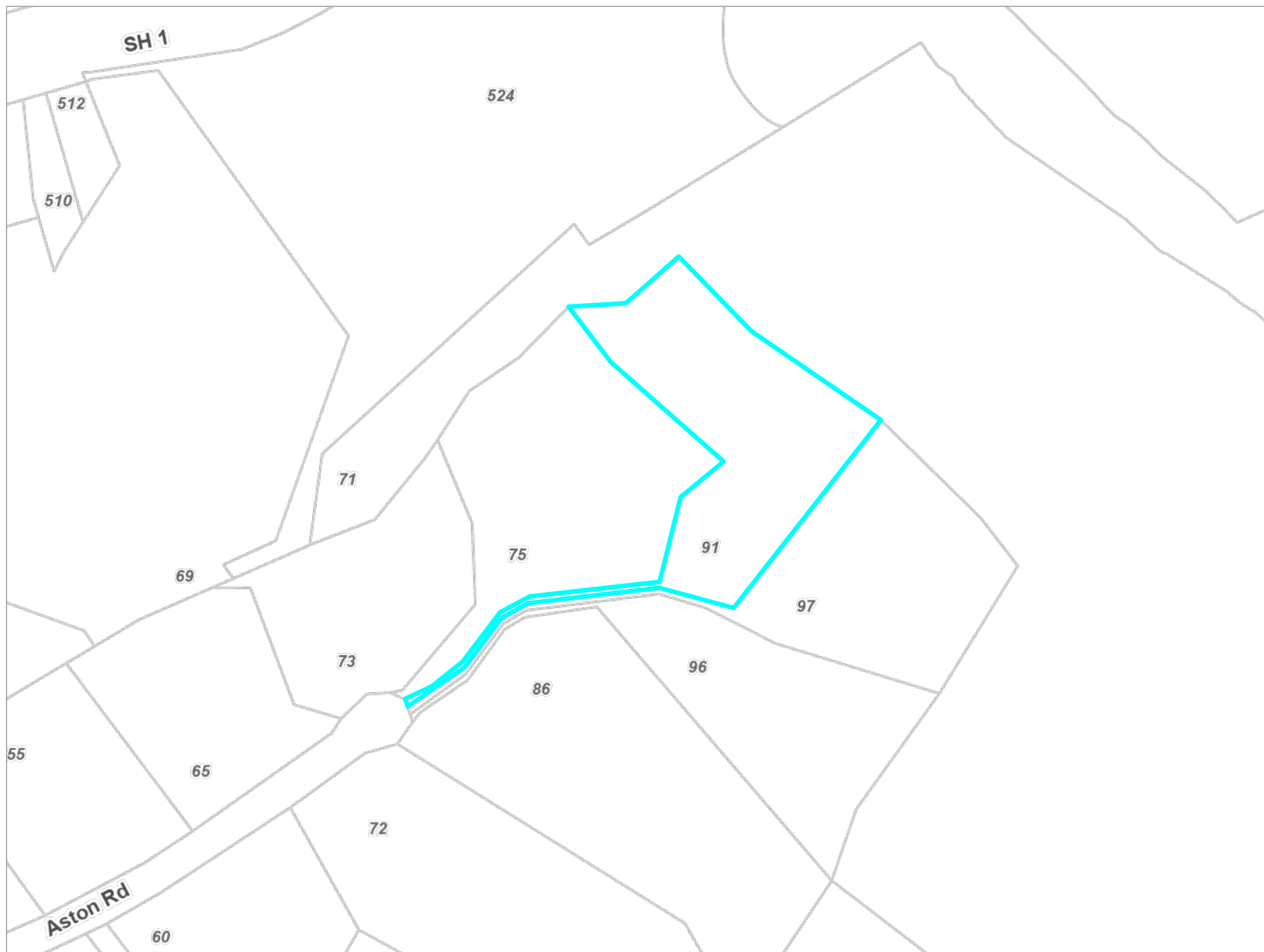
Resource Consents Report

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
010051	91 Aston Road, Paraparaumu	1515012407	LOT 7 DP 84600	LD	EARTHWORKS AND RELOCATION OF A NOMINATED BUILDING	N	N	Decision Issued	31/8/2001	23/4/2001
010227	97 Aston Road, Paraparaumu	1515012406	LOT 6 DP 84600	LD	PROPOSED DWELLING OUTSIDE NOMINATED BUILDING SITE	N	N	Decision Issued	3/9/2001	28/8/2001
030041	96 Aston Road, Paraparaumu	1515012510	LOT 5 DP 84600	LD	Earthworks to construct a suitable building	N	N	Decision Issued	20/3/2003	17/2/2003
050120	60 Aston Road, Paraparaumu	1515012402	LOT 2 DP 84600 CT 52A/942	LD	Earthworks to create building platform, also	N	N	Decision Issued	3/6/2005	17/5/2005
110087	96 Aston Road, Paraparaumu	1515012510	LOT 5 DP 84600	LD	To install a farm windmill and pump at 96 Aston Road North,	N	N	Decision Issued	10/6/2011	20/5/2011
130018	91 Aston Road, Paraparaumu	1515012407	LOT 7 DP 84600 C/T 52A/947	LD	Proposed change to the building platform at 91 Aston Road,	N	N	Letter sent	19/3/2003	19/2/2013
180177A	524 State Highway 1, Paraparaumu	1515013802	LOT 1 DP 535543	SD	Change of Consent Conditions due to an internal boundary	N	N	Decision Issued	12/9/2019	21/8/2019

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
970344	55 Aston Road, Paraparaumu	1515012411	LOT 11 DP 84600	LC	EARTHWORKS FOR LEVEL HOUSE PAD AND TWO SMALL WILDLIFE PONDS	N	N	Decision Issued	24/11/1997	17/10/1997
980030	73 Aston Road, Paraparaumu	1515012409	LOT 9 DP 84600	SD	RIGHT OF WAY UNDER S 348 LGA 1974	N	N	Decision Issued	11/3/1998	22/12/1997
990459	60 Aston Road, Paraparaumu	1515012402	LOT 2 DP 84600 CT 52A/942	LD	ROAD EXTENSION AND ASSOCIATED EARTHWORKS ASTON ROAD	N	N	Decision Issued	14/12/1999	11/11/1999

Health and Alcohol Licenses

91 Aston Road, Paraparaumu (LOT 7 DP 84600 C/T 52A/947)



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.



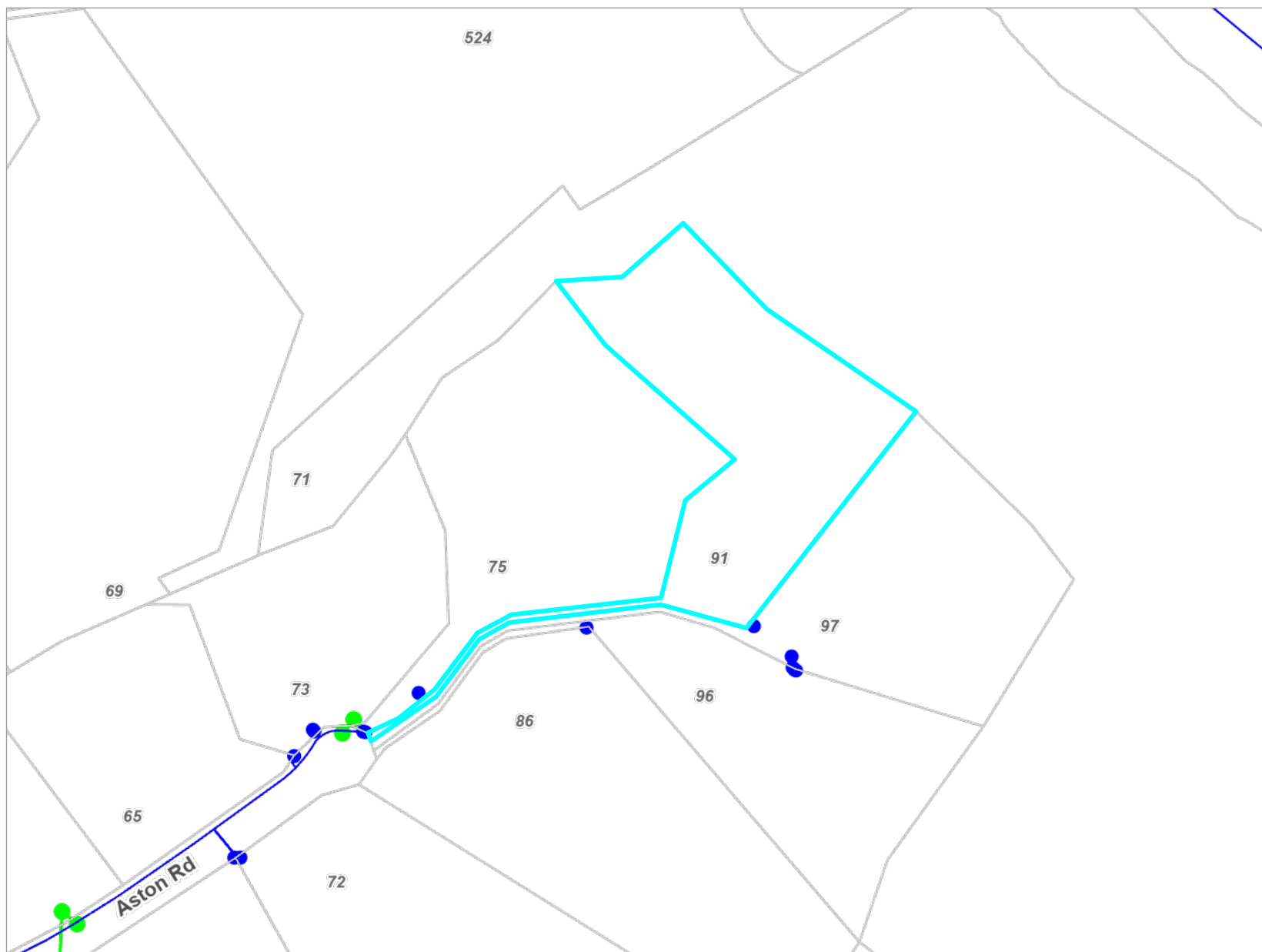
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Services Network

91 Aston Road, Paraparaumu (LOT 7 DP 84600 C/T 52A/947)



Key to map symbols

- WS Node
- WS Pipe
- SW Point
- SW Pipe

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

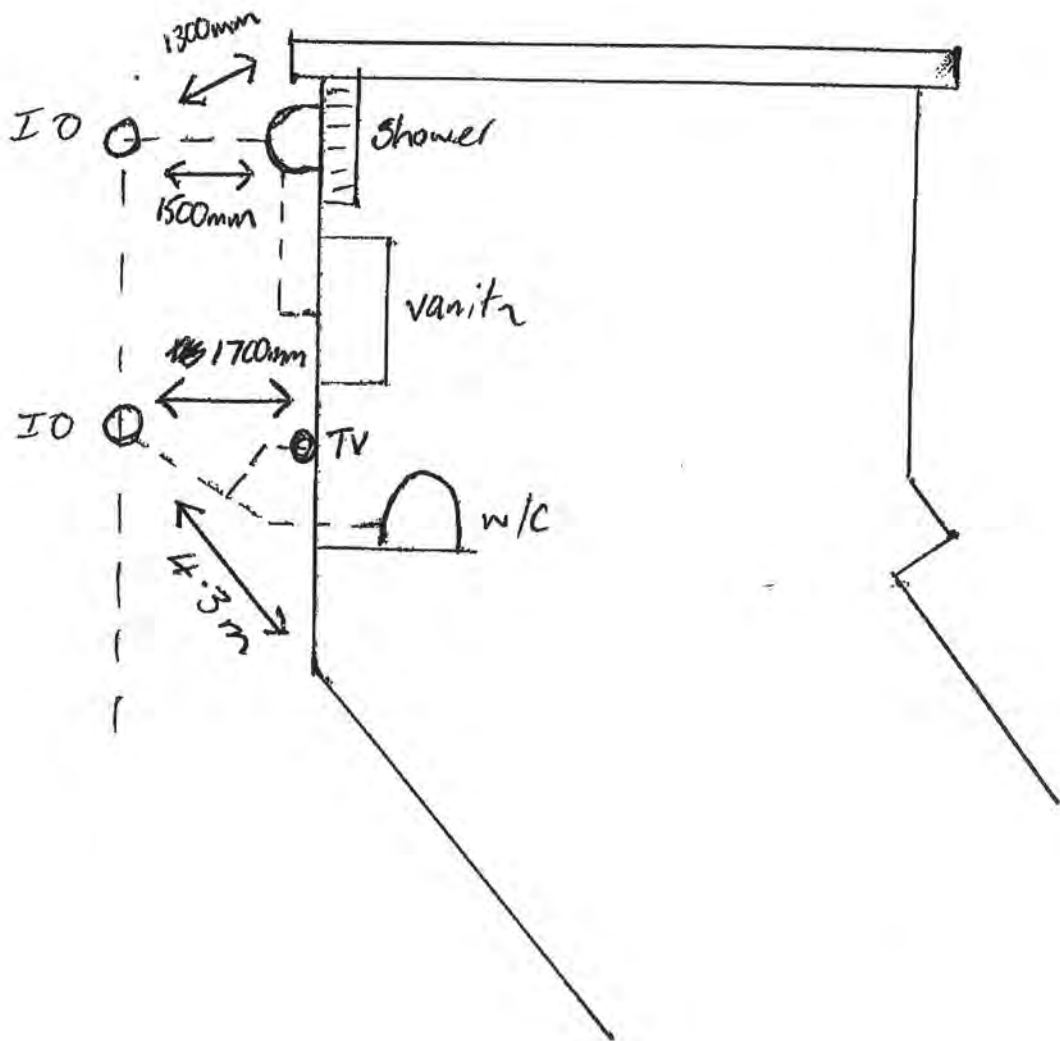


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Scale @ A4 - 1:2,600

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Drainage Plan 91 Ashton RD
Addition



DRAINAGE PLAN NOTES:

- All Plumbing and Drainage to be in accordance with AS/NZS 3500 PART 2.2 for ground floor systems and for single stack systems
- Plumber/drainlayer to fill out producer statement and return to council with an as built drainage plan
- Check PIM information for service connections
- Pipes to be inspected before covering with sand
- A tempering valve is required to be installed on the hot water service
- Builder to ensure that proposed floor level will allow satisfactory fall of drains to sewer connections

PIPE GRADIENTS

- Minimum grades for drains and discharge pipes
- 650 & less = 1 in 40
- 800 & 1000 = 1 in 60

DEPTH OF DRAINS

- Under driveways & right of ways - 500mm
- Under grassed area - 300mm
- Under buildings - 25mm between drain and reinforced concrete slab

INSPECTION POINTS - drainage

- Inspection Points shall comply with NZBC G13/AS2 5.7.4.
- Inspection Points shall be located
 - Immediately prior to drain outlets
 - Immediately inside the boundary of the property served
 - At the junction of every drain with another drain except that no access point is required where the branch drain is less than 2.0m long and only serves a gully trap
 - Every change in horizontal direction of greater than 45°
 - Every change in gradient greater than 45°
 - At intervals (on straight lines) of no less than:
 - 50m where rodding points are used
 - 100m where access chambers are used
 - Within 2.0m outside the building where a drain enters or exits from under a building
 - At the base of the discharge stack where it meets the discharge pipe

INSPECTION POINTS - stormwater

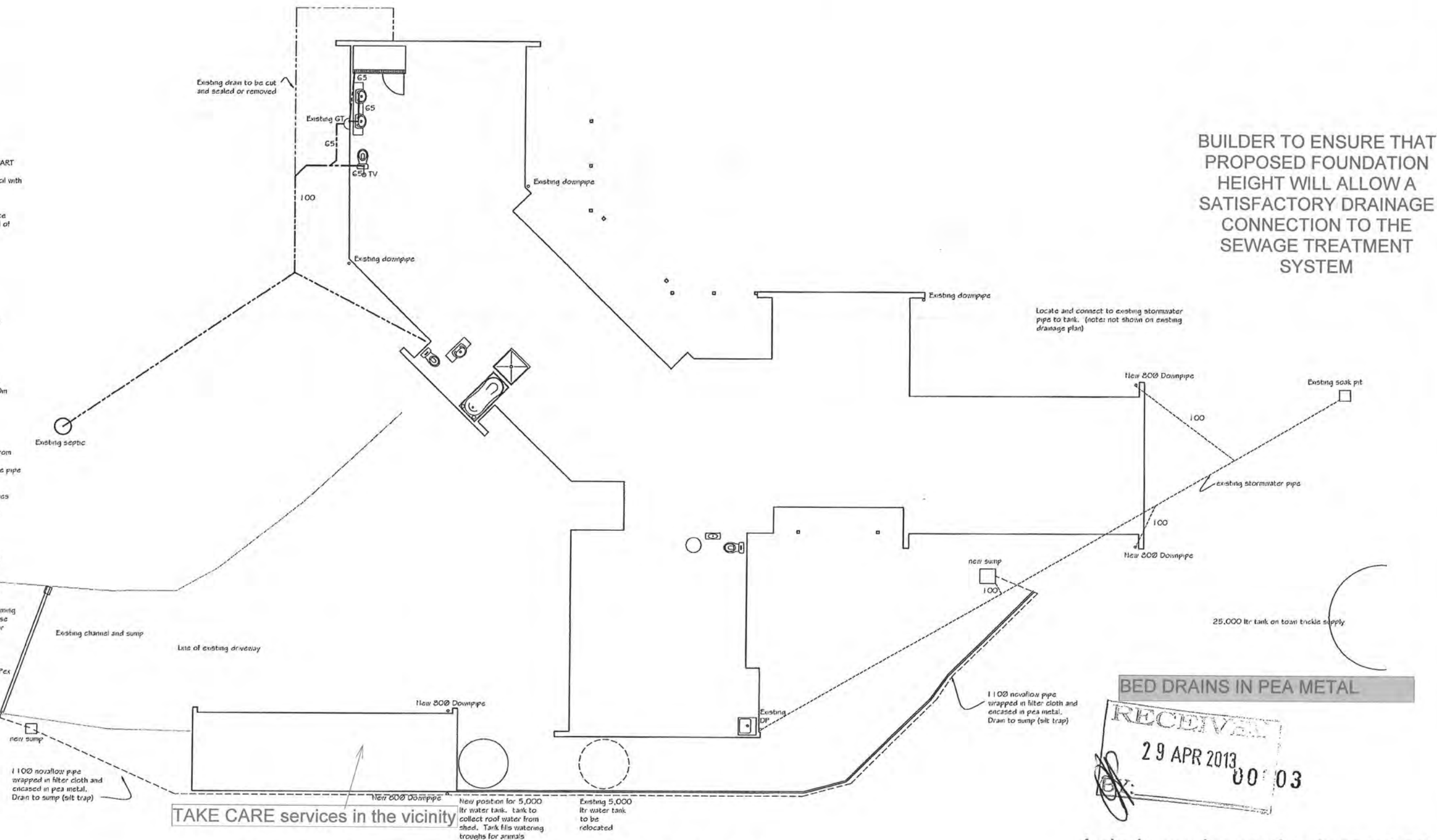
- Inspection points for the inspection & maintenance of stormwater pipes shall comply with NZBC E1/AS1 clause 3.7
- Allow for a 90° inspection point at the end of each stormwater line
- Inspection points shall be located
 - At no more than 50m intervals
 - Changes in direction greater than 45°
 - Changes in gradient greater than 45°
 - Junctions with other drains - unless the drain is serving a single downpipe and is less than 2m long

VENTS

- Vents shall be 500 open vents and shall terminate in the open air in accordance with NZS3600:5 clause 4.33.7 and figure 4.10.
- Vents shall be located where practical in internal non-load bearing framing that does not contain bracing units. Where this cannot be avoided use the BRANZ approved (number 570) Thru-brackets (Thru Top Plate) for timber framing - note limited to one bracket per stud bay.

HOT & COLD WATER

- All pipe work in house to be cross linked polyethylenes (PE-X) Kembla Pex or similar
- 20mm for Man, to bath and to HWC
- 15mm to all other branches
- 15mm to exterior taps



BUILDER TO ENSURE THAT
PROPOSED FOUNDATION
HEIGHT WILL ALLOW A
SATISFACTORY DRAINAGE
CONNECTION TO THE
SEWAGE TREATMENT
SYSTEM

A drainage inspection is required

KAPITI ARCHITECTURAL DESIGN LTD

Phone: (04) 905 7380
Mobile: 0275 114 744
Email: rochelle@kapitidesign.co.nz
P O Box 296, Waikanae 5036
www.kapitidesign.co.nz

DO NOT SCALE OF DRAWINGS

These drawings are copyright.

Drawings are to be read in conjunction with specification, contract documentation & other consultants drawings and specifications.

Contractor to verify all dimensions on site prior to commencing work. Contact designer if in doubt.

**Proposed Addition & Garage
For Mr & Mrs Fawcett
At 91 Aston Road
Waikanae Downs
BUILDING CONSENT**

Revisions:

A 15/03/13 Building consent

Designer:

R Dennis

Date:

October 2012

Scale:

1:100

Revision: A

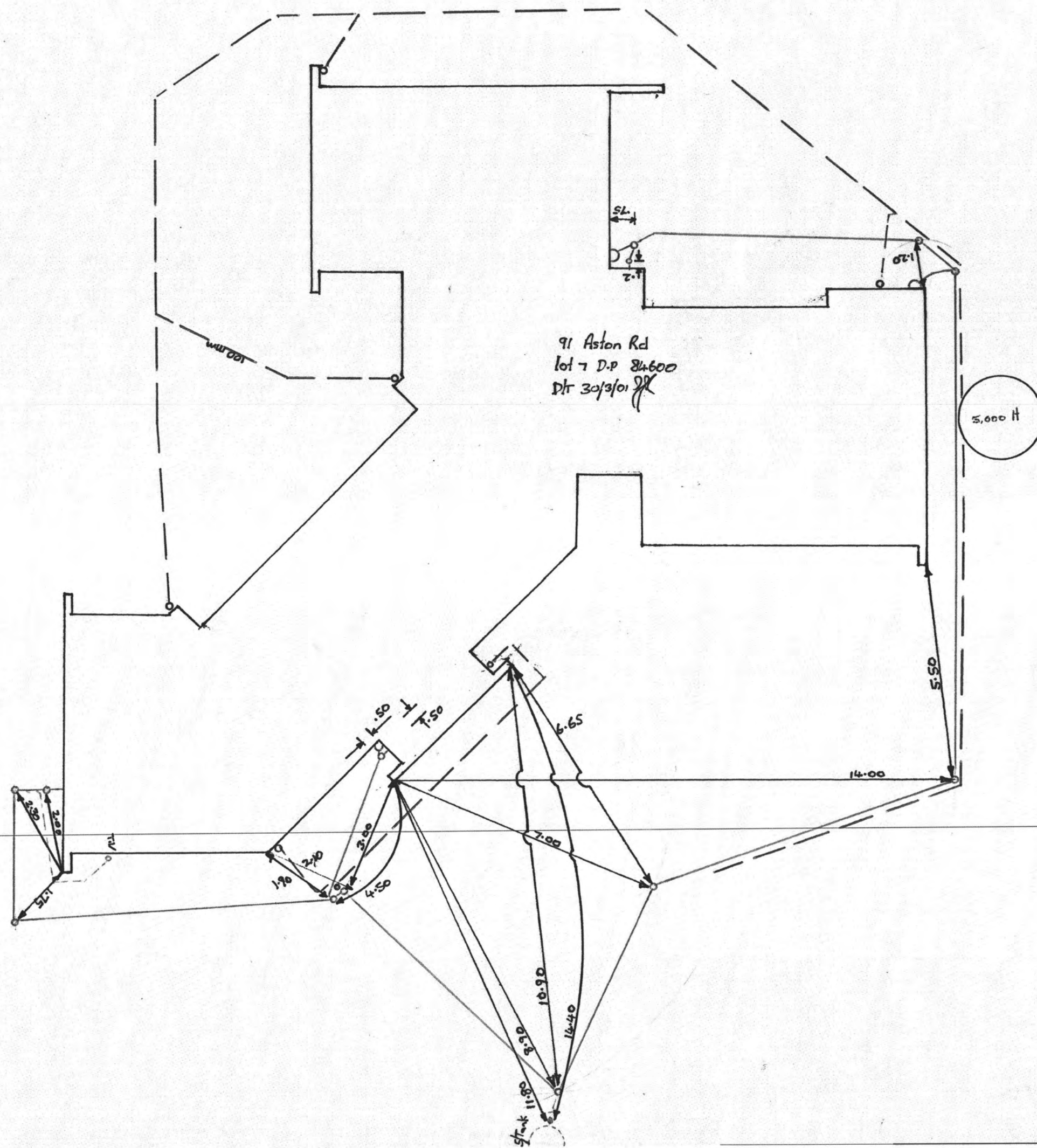
Project Number:

294

Drawing Number:

2

Of 17
(A2 Original)



NEIGHBOURS APPROVAL

By: R. C. Hartman

On: 9th June 2013

I give my approval for the project to proceed as
sented on these plans.

By: R. C. Hartman

10/6/2013

- NO WATER WAYS
- NO ISSUE WITH WATER TABLE.

300m DRIP
IRRIGATION
PLANTED/MULCHED

RESGROB-
AREA

DEVAN INTEGRA S 15
SEPTIC TANK LOCATION

SITE PLAN

Scale: 1:500

addition & Garage
& Mrs Fawcett
Aston Road
nae Downs
CE CONSENT

Revisions:
A PROPOSAL/REVISIONS

Designer:
R Dennis

Date:
October 2012

Scale:
1:5000; 1:500

Revision: A

Project Number:

294

Drawing Number:

1

Of 4

(A2 Original)

**APPLICATION FOR RESOURCE CONSENT NON-NOTIFIED
PURSUANT TO SECTION 88 OF THE RESOURCE MANAGEMENT ACT 1991**

APPLICANT: Spectrum Homes Limited

LOCATION: 91 Aston Road, Paraparaumu (Waikanae Downs
Subdivision)

LEGAL DESCRIPTION: Lot 7 DP 84600

OWNER: Neil Weaver & Regan West

ZONE: Rural

ACTIVITY STATUS: Discretionary Activity (Earthworks) and (Amendment of a
Consent Notice relating to Nominated Building Sites)

DATE CONSIDERED: 31st August 2001

NEIGHBOURS CONSENT:
Ms S Dutton - No.97 Aston Road

PERSON WHO DETERMINED APPLICATION AS NON-NOTIFIED:
Dan Rodie and Chris Shaw

PROPOSAL:

This retrospective resource consent application relates to the construction of a dwelling on Lot 7 DP 84600 at a location different from the nominated building site for this lot and for the associated earthworks. The conditions of consent to the subdivision which created Lot 7 DP84600 required that dwellings and associated buildings on Lot 7, and other lots, be sited in accordance with nominated buildings sites identified for each lot affected on the scheme plan of the parent subdivision. Both the original nominated building site and the new site are below the 60-metre contour line so the subdivision consent condition relating to the colour of the cladding of buildings is not applicable to this application.

The subdivision consent relating to the parent subdivision contained a condition that specified that a resource consent would need to be obtained from Council to locate a dwelling outside the nominated building site for each site. A recent declaration from the Environment Court has clarified the validity of this condition. Resource consent is required for the earthworks associated with the construction of the driveway and building platform as well.

It should be noted that as the dwelling and associated earthworks have been completed this consent is being assessed on a retrospective basis. In accordance with established resource management process the assessment must be carried out as if the works have not taken place e.g. the effects must be assessed as if the site was vacant and unmodified.

DISTRICT PLAN

The proposed siting of the dwelling and accessory buildings is not contrary to the standards for siting of buildings under the Kapiti Coast District Council's District Plan. The associated earthworks do exceed the permitted activity standards for the Rural Zone so a discretionary activity consent is required.

The subdivision creating Lot 22 was a non-complying activity under the Transitional District Plan and Proposed District Plan and was approved as a publicly notified resource consent in January of 1997. The siting of buildings was fundamental to the subdivision design and assessment of effects and consideration by Council.

As mentioned previously one of the consent conditions which is to be complied with on an on-going basis via consent notices registered on the titles of all the allotments, requires a further consent if buildings are to be located outside the nominated building sites. While this is not a requirement of the District Plan the outcome of the recent Environment Court declaration in respect to Council's ability to amend such consent notice conditions means a resource consent needs to be obtained for this aspect of the proposal.

SECTION 94 ANALYSIS

The earthworks carried out and dwelling constructed have had little or no adverse effects on the environment beyond those that would have occurred if the dwelling had been built within the nominated building site.

The proposed dwelling is single storey and has a maximum height of approximately 4.5 metres. The dwelling has been located only 2 – 3 metres above the contour level at the nominated building site and only a short distance to the south-east of this site. It will have no greater visual impact than a dwelling and associated buildings on the nominated site that were built to the full extent of the rural zone permitted activity standards i.e. a dwelling of up to 10 metres in height.

The only party that may be adversely affected by the altered location for the dwelling is the owner of the adjoining property to the east. The written approval of this owner has been obtained. The property to the west is distant and across a gully and in any case the dwelling has moved slightly further from this property.

Consultation has been undertaken with representatives from a local environmental organisation (Kapiti Environmental Action Inc.). As result of this consultation the applicant has agreed to plant shrubs and trees at strategic locations to screen the dwelling to some extent when it is viewed from the surrounding area. A draft copy of this report and the recommended consent conditions were circulated to KEA. No adverse comments were received.

On the basis that the only affected party has given written approval to the proposal and we have determined that the effects on the environment will be minimal we have decided that public notification of this application is not warranted.

ASSESSMENT

In reaching its decision on the subdivision consent it was anticipated by Council that dwellings and associated buildings could be permitted to be sited at alternative locations to the nominated building sites. This was clearly indicated in the conditions of consent.

The purpose of the nominated building sites was to provide some certainty that the subdivision would not result in significant adverse effects on the environment as a consequence of subsequent development of the new lots created. These sites were only ever defined as notional sites. It was accepted that alternative sites might be approved via resource consent if the alternative site was such that the visual and environmental effects of the proposed siting were no greater than the nominated site.

In this case, as the dwelling has been constructed, the visual effects of building within a different location than the nominated building site can be readily determined. As previously mentioned the dwelling has a maximum height of 4.5 metres. The associated earthworks were required to form a driveway and level the building platform.

In respect to the dwelling it is my opinion that the effects are less than those that would have been created by a dwelling built to the full extent of the rural zone permitted activity standards. The screen planting that the owner proposes to undertake will further reduce any visual effects associated with the dwelling.

The earthworks to create the drive were located on the side of a gully and are not visible from the surrounding area. The earthworks to create the building platform involved the provision of a level area surrounding the dwelling. This has resulted in the existing ground level being altered by up to approximately 1.5 – 1.0 metres. In the context of the surrounding topography these works are not significant and they have not resulted in an unacceptable change to the landform.

The alternative building site location is not in a significantly different location than the nominated building site and due to the topography of the site any accessory building will most likely have to be located within the nominated site. However, it will be necessary to amend the consent notice registered on the certificate of title for the site to refer to the new location.

In conclusion it is considered that effects associated with both the dwelling as constructed on a different building site and the associated earthworks are no more than minor. It is also considered that the effects of the dwelling are less than those that would have occurred through the construction of a dwelling to the full extent of the permitted activity standards within the nominated site. On this basis it is considered that granted of consent to this proposal will not be contrary to the intent of the conditions of the parent subdivision nor the objectives and policies of the District Plan.

RECOMMENDATION 1

That pursuant to Section 105 and in consideration of Sections 104 and 108 of the Resource Management Act 1991, the Kapiti Coast District Council **Grant** land use consent to Neil Weaver & Regan West to locate a dwelling at an alternative location to the nominated building site within Lot 7 DP84600, 91 Aston Road, Paraparaumu as specified within the subdivision consent granted in relation to application No. RM960325 subject to the following condition:

1. The dwelling shall be located as depicted within the plans date stamped as approved by Council on 31-8-01 and the information submitted with application No. RM010051. Any further buildings to be constructed within the site shall be located within the amended nominated site unless a further approval from Council is obtained. It should be noted that nominated building site is restricted to 500 m² in area.
2. The consent notice registered against the certificate of title for Lot 7 DP 84600 shall be amended to refer to the provisions of condition 1 above. Council will prepare the amended consent notice for the consent holder to execute and will ensure it is registered against the certificate of title.
3. Group planting of native trees and shrubs of varieties specified within the publication "Growing Native Plants in Kapiti" shall be undertaken along the eastern and northern boundaries of the site. As a minimum a group of trees and shrubs shall be planted along the eastern boundary adjoining the dwelling for the length of the dwelling and at least three groups of trees along the northern boundary of at least 6 metres long and 1 metre in width.

RECOMMENDATION 2

That pursuant to Section 105 and in consideration of Sections 104 and 108 of the Resource Management Act 1991, the Kapiti Coast District Council **Grant** land use consent to Neil Weaver & Regan West to carry out earthworks to create a driveway and construct a building platform dwelling at Lot 7 DP 84600, 91 Aston Way, Paraparaumu in accordance with the plans and information submitted with resource consent application No. 010051, subject to the following conditions:

1. The earthworks shall be carried out in accordance with the plans date stamped as approved by Council on 31-8-01 and the other information submitted with application No. RM 010051.
2. Encroachment onto adjacent land owned by others, is not permitted without having first obtained their written consent. This evidence shall be provided to Council prior to the commencement of any earthworks.
3. The removal of soil support from adjacent lots is not permitted.
4. All batters shall be self-supporting.
5. Stability of batter slopes shall be certified in writing to Council by a suitably qualified person experienced in soils engineering. Council is to be advised of the intended suitably qualified person. If that person is not acceptable to Council, then Council shall have the right to require the applicant to employ the services of someone who is, at the applicant's cost.
6. The natural drainage patterns shall be preserved and contravention of the Land Drainage Act is not permitted.

Evidence shall be provided that the slot drain and small sump across the concrete driveway effectively intercepts surface water run-off. If surface water bypasses or breaches this slot drain and sump, it shall be upgraded and replaced if necessary with one that is sufficient and effective.

7. Where the existing land or vegetative cover is disturbed, suitable ground cover is to be established immediately following earthworks and with a minimum of delay to ensure the wind erosion of soil, sand and other material does not become a nuisance.
8. The payment of an engineering fee of \$90.00 (GST incl.) within one month of the date of this approval.

9. A suitably qualified person experienced in soils engineering, who is acceptable to Council, shall confirm in writing that all conditions of this consent have been met within one month of the date of this approval.

REASONS FOR DECISION:

Pursuant to Section 113 of the Resource Management Act 1991, the reasons for this non-notified discretionary activity consent decision are as follows:

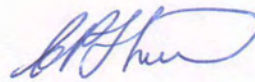
1. There are considered to be little or no adverse effects relating to the proposal
2. Granting of the consent will not contravene the Act's focus of sustainable management of natural and physical resource.

Report Prepared By: Dan Rodie

APPROVED



Dan Rodie
Resource Consents Planner



Chris P Shaw
Resource Consents Manager

31 August 2001

Neil Weaver and Regan West
91 Aston Road
Paraparaumu

Dear Neil and Regan,

RM010051: LAND USE CONSENT TO CARRY OUT EARTHWORKS TO FORM A DRIVEWAY AND BUILDING PLATFORM AND TO RELOCATE THE NOMINATED BUILDING SITE AT 91 ASTON ROAD, PARAPARAUMU.

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 a written 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 \$90 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 this consent will expire unless you give effect to the consent within 2 years (unless a longer period is specified in the consent conditions). Alternatively, you have until 3 months after the expiry of the consent to apply for an extension of the consent. 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.

You are also advised that 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.

Thank you for dealing with the Kapiti Coast District Council.

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'Dan Rodie', written in a cursive style.

Dan Rodie
Senior Resource Consents Planner



RESOURCE CONSENT NUMBER: RM 010051

That pursuant to section 105 of the Resource Management Act 1991, the Kapiti Coast District Council (hereinafter called "the Council") does hereby grant Land Use Consents to:

Neil Weaver and Regan West, 91 Aston Road, Paraparaumu

as follows:

DECISION 1:

to locate a dwelling at an alternative location to the nominated building site within Lot 7 DP84600, 91 Aston Road, Paraparaumu as specified within the subdivision consent granted in relation to application No. RM960325 subject to the following condition:

1. The dwelling shall be located as depicted within the plans date stamped as approved by Council on 31-8-01 and the information submitted with application No. RM010051. Any further buildings to be constructed within the site shall be located within the amended nominated site unless a further approval from Council is obtained. It should be noted that nominated building site is restricted to 500 m² in area.
2. The consent notice registered against the certificate of title for Lot 7 DP 84600 shall be amended to refer to the provisions of condition 1 above. Council will prepare the amended consent notice for the consent holder to execute and will ensure it is registered against the certificate of title.
3. Group planting of native trees and shrubs of varieties specified within the publication "Growing Native Plants in Kapiti" shall be undertaken along the eastern and northern boundaries of the site. As a minimum a group of trees and shrubs shall be planted along the eastern boundary adjoining the dwelling for the length of the dwelling and at least three groups of trees along the northern boundary of at least 6 metres long and 1 metre in width.

DECISION 2:

to carry out earthworks to create a driveway and construct a building platform dwelling at Lot 7 DP 84600, 91 Aston Way, Paraparaumu in accordance with the plans and information submitted with resource consent application No. 010051, subject to the following conditions:

1. The earthworks shall be carried out in accordance with the plans date stamped as approved by Council on 31-8-01 and the other information submitted with application No. RM 010051.
2. Encroachment onto adjacent land owned by others, is not permitted without having first obtained their written consent. This evidence shall be provided to Council prior to the commencement of any earthworks.
3. The removal of soil support from adjacent lots is not permitted.
4. All batters shall be self-supporting.
5. Stability of batter slopes shall be certified in writing to Council by a suitably qualified person experienced in soils engineering. Council is to be advised of the intended suitably qualified person. If that person is not acceptable to Council, then Council shall have the right to require the applicant to employ the services of someone who is, at the applicant's cost.
6. The natural drainage patterns shall be preserved and contravention of the Land Drainage Act is not permitted.

Evidence shall be provided that the slot drain and small sump across the concrete driveway effectively intercepts surface water run-off. If surface water bypasses or breaches this slot drain and sump, it shall be upgraded and replaced if necessary with one that is sufficient and effective.

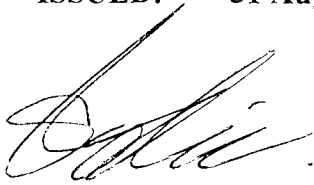
7. Where the existing land or vegetative cover is disturbed, suitable ground cover is to be established immediately following earthworks and with a minimum of delay to ensure the wind erosion of soil, sand and other material does not become a nuisance.
8. The payment of an engineering fee of \$90.00 (GST incl.) within one month of the date of this approval.
9. A suitably qualified person experienced in soils engineering, who is acceptable to Council, shall confirm in writing that all conditions of this consent have been met within one month of the date of this approval.

REASONS FOR DECISION:

Pursuant to Section 113 of the Resource Management Act 1991, the reasons for this non-notified discretionary activity consent decision are as follows:

1. There are considered to be little or no adverse effects relating to the proposal
2. Granting of the consent will not contravene the Act's focus of sustainable management of natural and physical resource.

ISSUED: 31 August 2001

A handwritten signature in black ink, appearing to read 'Dan Rodie', is written over a horizontal line.

Dan Rodie
Senior Resource Consents Planner

19 March 2013

Christopher & Jacqueline Fawcett
91 Aston Road
Waikanae

Dear Christopher & Jacqueline

RM130018:PROPOSED CHANGE TO THE BUILDING PLATFORM AT 91 ASTON ROAD, PARAPARAUMU

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 \$221.00 (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 621.

Thank you for dealing with the Kapiti Coast District Council.

Yours sincerely



Ross Goodman
Resource Consents Planner

**RESOURCE CONSENT UNDER PART VI OF THE
RESOURCE MANAGEMENT ACT 1991
CONSENT NO: RM130018**

APPLICANT:	Christopher & Jacqueline Fawcett
LOCATION OF ACTIVITY:	91 Aston Road, Paraparaumu
DESCRIPTION OF ACTIVITY:	Proposed change to building platform

DECISION:

Granted subject to conditions on 19 March 2013.

The following decisions were made under the Resource Management Act 1991:

Decision A

That the undersigned officers, acting under authority delegated from the Council and pursuant to Section 221(3)(a) of the Resource Management Act 1991 grant consent to variation of consent notice at 91 Aston Road, Paraparaumu (Lot 7 DP 84600 C/T 52A/947).

From

- 3 *All buildings above the 60 metre contour line shall be clad or finished in earthtone colours and all buildings shall be located so that they are no further uphill of the relocated nominated house site as shown on the plans date stamped as approved by Council on 31-08-01 that the accompanied application RM 010051. Any further buildings to be constructed within the site shall be located within the amended nominated site unless a further approval from Council is obtained. It should be noted that nominated building site is restricted to 500m² in area. Buildings shall not be located closer than 5 metres to a waterbody or within 20 metres of the centreline of any high tension 110kv transmission lines.*

19 March 2013

**KAPITI COAST DISTRICT COUNCIL
NOTIFICATION & SECTION 104 DECISION REPORT**

Applicant:	Christopher & Jacqueline Fawcett
Site Address:	91 Aston Road, Paraparaumu
Legal Description:	LOT 7 DP 84600 C/T 52A/947
Site Area:	1.271 hectares
Applicant's Address for Service:	91 Aston Road, Paraparaumu
Proposal:	Proposed change to the building platform at 91 Aston Road, Paraparaumu
Land Owner:	Christopher Alan Fawcett
Zone:	Rural
Activity Status:	Discretionary

Report prepared by: Ross Goodman Resource Consents Planner

Report peer reviewed by: Wayne Gair Senior Resource Consents Planner

Date consent application received: 19 February 2013

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 RM130018.

2. SITE AND SURROUNDING ENVIRONMENT

2.1 Site Description

The property is described as an L Shaped site of 1.2710 hectares, located to the northern extent of Aston Road. The dwelling on site is located on the Southern side of the property which is flat with a bank rising approximately 1 metre along the eastern boundary. The footprint of the existing dwelling is approximately 183.8m².

To the north of the current building, the land slopes upward. At the top of the slope the land slopes down at a gradual rate before reaching the northern boundary of the application site.

The west of the site is defined by a significant number of trees along the boundary. Directly west of the current building the land extends down a bank before reaching the Western boundary.



Map 1: Site and surrounds



Photograph 1: Existing dwelling on site



Photograph 2: Western wall area of proposed extension



Photograph 3: North end of existing dwelling



Photograph 4: Eastern boundary location of proposed garden shed



Photograph 5: Area of proposed retaining wall

2.2 Immediate Environment

The immediate and surrounding environment consists of rural properties of a similar size to the application site which have been developed to be characteristic of a rural residential area.

2.3 Written Approvals

The following people have provided written approval to the activity:

Name of owner/occupier	Address
C & R Whiteman	97 Aston Road, Paraparaumu

2.4 Consent History

Resource Consent RM960325: Rural subdivision creating 40 additional rural lots at Waikanae Downs: Decision issued 25 November 1996.

Resource consent RM010051: Earthworks and relocation of a nominated building site – retrospective consent –variation of consent notice Decision issued 31/08/01.

In 2001 land use consent was sought and granted for the relocation of the nominated building site subject to the following conditions:

- 1 The dwelling shall be located as depicted within the plans date stamped as approved by Council on 31-8-01 and the information submitted with application RM010051. Any further buildings to be constructed within the site shall be located within the amended nominated site unless a further approval from Council is obtained. It should be noted that nominated building site is restricted to 500m² in area.*
- 2 The consent notice registered against the certificate of title for Lot 7 DP 84600 shall be amended to refer to the provisions of condition 1 above. Council will prepare the amended consent notice for the consent holder to execute and will ensure it is registered against the certificate of title.*
- 3 Group planting of native trees and shrubs of varieties specified within the publication "Growing Native Plants in Kapiti" shall be undertaken along the eastern and northern boundaries of the site. As a minimum a group of trees and shrubs shall be planted along the eastern boundary adjoining the dwelling for the length of the dwelling and at least three groups of trees along the northern boundary of a least 6 metres long and 1 metre in width.*

As a result of the above decision there was a Variation of Consent Notice under Section 221(3) of the Resource Management Act 1991 for Lot 7 DP 84600;CT 52A/947 to read:

The owners of Lot 7 DP 84600, Neil Weaver and Regan West; and the Kapiti Coast District Council hereby agree to change the condition so that it reads as follows:

- "3. All buildings above the 60 metre contour line shall be clad or finished in earthtone colours and all buildings shall be located so that they are no further uphill of the relocated nominated house site as shown on the plans date stamped as approved by Council on 31-08-01 that the accompanied application RM 010051. Any further buildings to be constructed within the site shall be located within the amended nominated site unless a further approval from Council is obtained. It should be noted that nominated building site is restricted to 500m² in area. Buildings shall not be located closer than 5 metres to a waterbody or within 20 metres of the centreline of any high tension 110kv transmission lines.*

The plans submitted to Council date stamped 31-08-01 follow the footprint of the current dwelling situated at 91 Aston Road. As such any additions to the current dwelling will extend beyond the nominated building and contravene the above condition.

3. THE PROPOSAL

3.1 Description of Proposal

It is proposed to amend the nominated building site for the property to allow a number of extensions and additions to the current building. Two extensions are proposed for the existing dwelling as well as an addition of a small garden shed. The first of these additions is a 14.9m² extension to the western end of the existing dwelling in line with the current building envelope. This will enable an enlarged bedroom space and wardrobe and more space for the existing bathroom.

The second addition is a 40.3m² extension proposed for the northern end of the existing dwelling. This addition will extend out from the current lounge and dining area. This will create space for a larger lounge and offer a new room for a study.

The third addition will comprise of a garden shed along the eastern boundary of the property approximately 2 metres from the south eastern wall of the existing building. It is proposed that this garden shed will be situated within the 5 metre yard requirement (but outside the 3m easement). This shed will be 24.4m².

It is also proposed to erect a small (0.4m high) retaining wall to the east of the existing patio. It is also proposed to erect a further 1m high retaining wall at the bottom of the existing bank to the east of the garage in order to tidy up this area. Both retaining walls it is said will complement the existing eastern bank.

The new total site area of buildings will be 263.6m² (including the garden shed).

The written consent of the adjoining landowners of 97 Aston Road has been obtained.

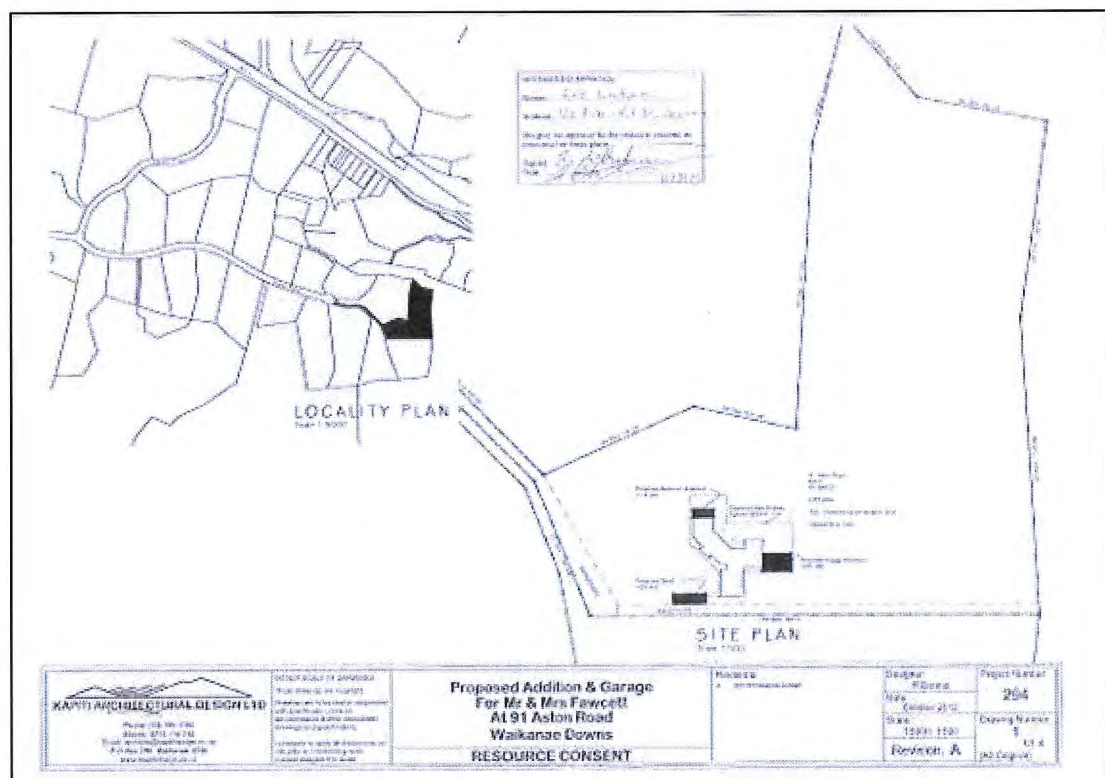


Figure 1: Site plan showing additions and new nominated building site

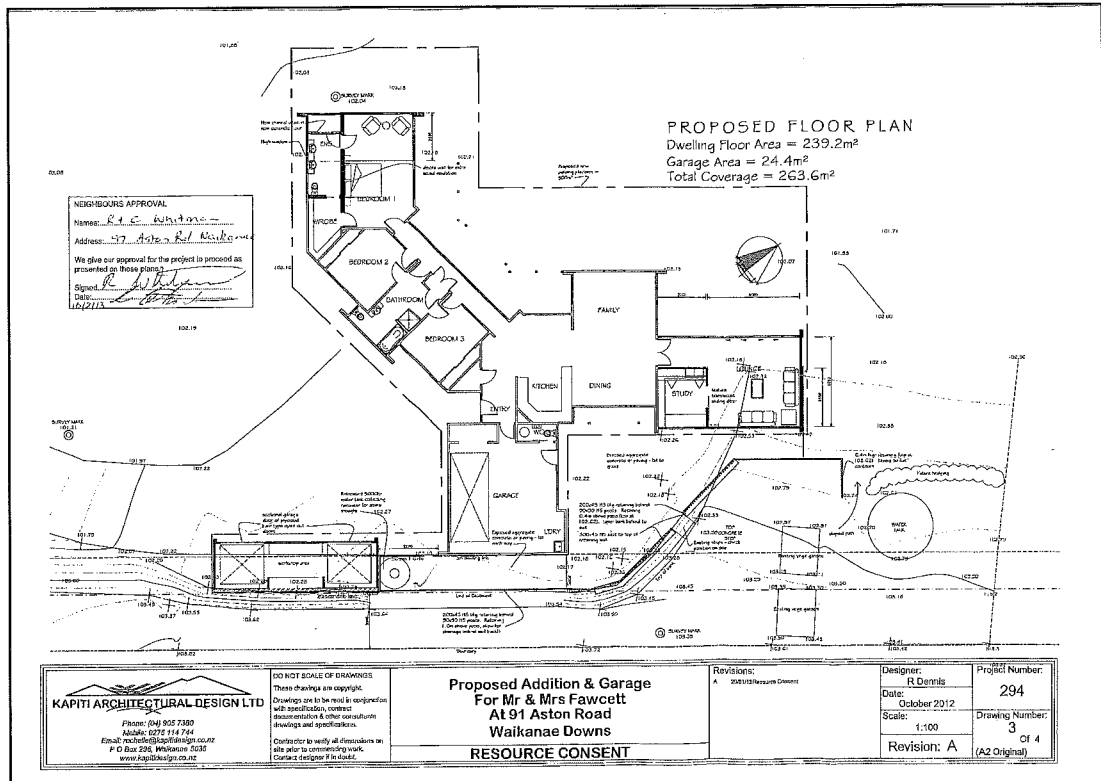


Figure 2: Proposed floor plan

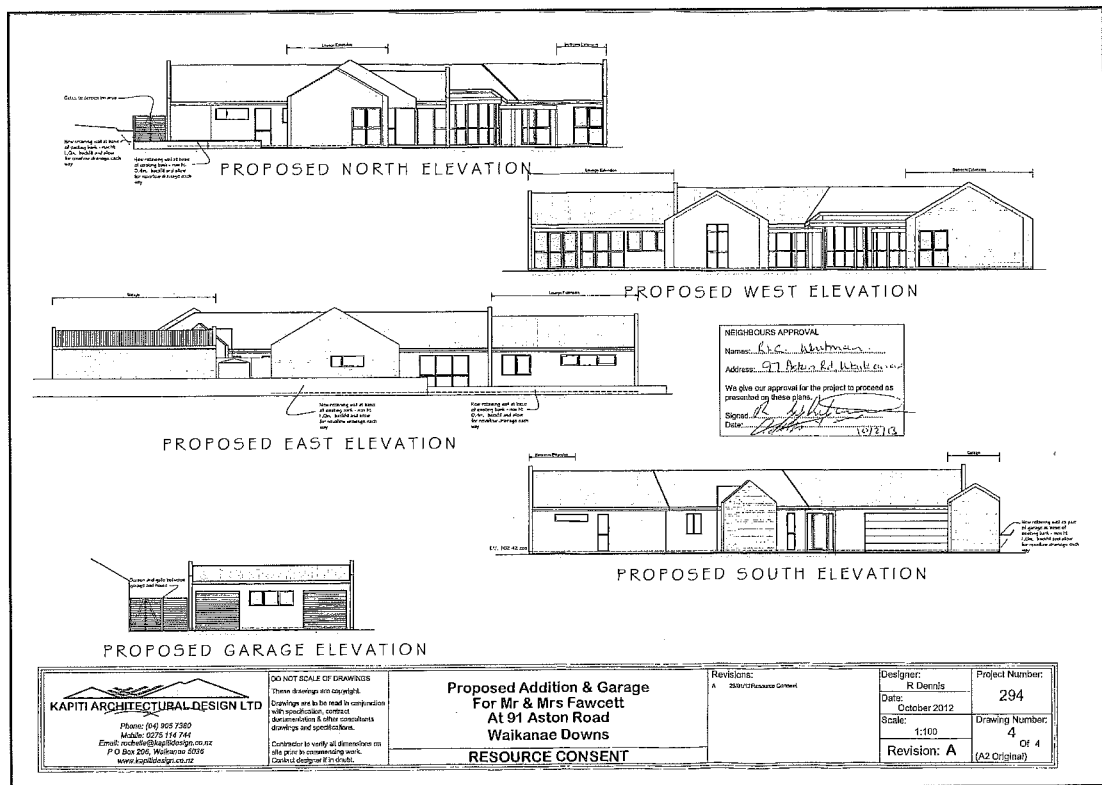


Figure 3: Proposed elevations

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 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. The site is within the area identified as Outstanding Landscape. There HV transmission lines on the property. For subdivisional purposes the property is within the Hill Country Policy Area.

4.3 Relevant Rules and Standards

The Rules and Standards that apply to this application are:

D.2.1.1 Permitted Activities

D.2.2.1 Permitted Activity Standards for the siting of buildings

4.4 Activity Status

Pursuant to section 221(3)(a) of the Resource Management Act 1991 'at any time after the deposit of the survey plan the owner may apply to the territorial authority to vary or cancel a condition specified in a consent notice. Sections 88 to 121 and 127(4) to 132 apply, with all necessary modifications in relation to an application made or review conducted under subsection (3)'.

Pursuant to section 127 of the RMA a change in consent condition will be assessed as a discretionary activity.

4.5 Relevant Objectives and Policies

The following Objectives and Policies apply to this application:

C.2.2.1 Objectives and Policies for the Rural Zone

Objective 1.0 General

Policy 1(B) Natural Environment Use and Development

Policy 2 Outstanding Landscape

5. RELEVANT NATIONAL ENVIRONMENTAL STANDARDS

There are no National Environmental Standards apply to this application:

6. RELEVANT NATIONAL POLICY STATEMENTS

There are no National Policy Statements apply to this application:

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 set out below:

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. Section 104 is set out below:

104 Consideration of applications

- (1) *When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to—*
 - (a) *any actual and potential effects on the environment of allowing the activity; and*
 - (b) *any relevant provisions of—*
 - (i) *a national environmental standard;*
 - (ii) *other regulations;*
 - (iii) *a national policy statement;*
 - (iv) *a New Zealand coastal policy statement;*
 - (v) *a regional policy statement or proposed regional policy statement;*
 - (vi) *a plan or proposed plan; and*
 - (c) *any other matter the consent authority considers relevant and reasonably necessary to determine the application.*
- (2) *When forming an opinion for the purposes of subsection (1)(a), a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect.*
- (2A) *When considering an application affected by section 124, the consent authority must have regard to the value of the investment of the existing consent holder.*
- (3) *A consent authority must not,—*

- (3) A consent authority must not,—
 - (a) when considering an application, have regard to—
 - (i) trade competition or the effects of trade competition; or
 - (ii) any effect on a person who has given written approval to the application:
 - (c) grant a resource consent contrary to—
 - (i) section 107, 107A, 107E, or 217:
 - (ii) an Order in Council in force under section 152:
 - (iii) any regulations:
 - (iv) a Gazette notice referred to in section 26(1), (2), and (5) of the Foreshore and Seabed Act 2004:
 - (d) grant a resource consent if the application should have been notified and was not.
- (4) A consent authority considering an application must ignore subsection (3)(a)(ii) if the person withdraws the approval in a written notice received by the consent authority before the date of the hearing, if there is one, or, if there is not, before the application is determined.
- (5) A consent authority may grant a resource consent on the basis that the activity is a controlled activity, a restricted discretionary activity, a discretionary activity, or a non-complying activity, regardless of what type of activity the application was expressed to be for.
- (6) A consent authority may decline an application for a resource consent on the grounds that it has inadequate information to determine the application.
- (7) In making an assessment on the adequacy of the information, the consent authority must have regard to whether any request made of the applicant for further information or reports resulted in further information or any report being available.

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

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

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

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

Section 127 of the Act refers to the change or cancellation of consent conditions of resource consent.

127. Change or cancellation of consent condition on application by consent holder

- (1) The holder of a resource consent may apply to a consent authority for a change or cancellation of a condition of the consent, subject to the following:

- (a) The holder of a subdivision consent must apply under this section for a change or cancellation of the consent before the deposit of the survey plan (and must apply under section 221 for a variation or cancellation of a consent notice after deposit of the survey plan); and
 - (b) no holder of any consent may apply for a change or cancellation of a condition on the duration of the consent.
- (2) Repealed
- (3) Sections 88 to 121 apply, with the necessary modifications, as if –
- (a) the application was an application for a resource consent for a discretionary activity; and
 - (b) the references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.
- (4) For the purposes of determining who is adversely affected by the change or cancellation, the local authority must consider, in particular, every person who
- (a) made a submission on the original application; and
 - (b) may be affected by the change or cancellation

The consent holder may apply for a change or cancellation of conditions for any subdivision at any time before the deposit of the survey plan, but no facility is given in the Resource Management Act 1991 for the addition of conditions after the decision is issued.

Section 221(3) Territorial authority to issue a consent notice

- (3) At any time after the deposit of the survey plan,
- (a) the owner may apply to a territorial authority to vary or cancel any condition specified in a consent notice
 - (b) the territorial authority may review any condition specified in a consent notice and vary or cancel the condition
- (3a) Sections 88 to 121 and 127(4) to 132 apply, with all the necessary modifications in relation to an application made or review conducted under subsection (3).

8. SECTION 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 submitted with the application for determination.

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.

The assessment of environmental effects submitted with the application sets out the following.

Visual Amenity

As 91 Aston Road is located within the an area identified as Outstanding landscape the visual effects of the proposal has been identified as the most important potential effect. Section C.10 of the District Plan sets out the objectives and policies relating to Outstanding Landscapes. This section makes it clear that development should not modify significant landforms or be visually dominant, with particular clear emphasis on protecting the wavecut escarpments behind Paraparaumu and the foothills of the Tararua Ranges.

Aston Road is located upon foothills whereby structures have the potential to negatively affect visual amenity. The current building is set well back from any major ridgelines and therefore is not visually dominant. The proposed extension to the west of the building and the southern garden shed will not compromise this status as they will still be masked by the existing hills and vegetation surrounding the current building.

It is noted the buildings northern rooftop is visible from parts of State Highway One just north of the Waikanae River Bridge. It is not expected that the rooftop of the proposed extension will be any more visible than what can be seen currently. The extension will be in line with the existing building, therefore, it will not look any larger from SH1.

The building additions to the dwelling and the proposed garden shed have been designed to be in keeping with the original design of the dwelling.

The proposed building works has the potential to affect owners of nearby properties in terms of visual amenity. The well established trees and shrubs that line much of the western and southern boundaries of the application site provide a significant visual screen.

The primary property whereby the proposed extensions will be visible is 97 Aston Road. Whilst existing vegetation will screen the proposed garden shed, parts of both the western and northern extensions will be visible. Consultation has been undertaken with the owners of 97 Aston Road and their written approval has been obtained.

As such, the effects on the visual amenity are considered to be minor.

Earthworks

Very minor earthworks will be undertaken to erect the proposed retaining wall. This activity will be undertaken in accordance with the permitted activity standards for sites zoned Rural. Earthworks will not exceed 100m³ and will not alter the ground level by more than 1 vertical metre. The construction of the retaining wall will have a positive effect as it will reduce the possibility of erosion.

Temporary Effects

There will be temporary effects associated with construction noise. To mitigate these effects building construction will be limited to weekdays 7.30am to 5pm.

Summary

Reading through documentation held in Council files it would appear that the purpose of the nominated building sites was to provide some certainty that the subdivision (RM960325) which granted consent to a 40 lot rural subdivision would not result in significant adverse effects on the environment as a consequence of development to be undertaken on the new lots created.

In respect to the proposed building additions proposed I am of the opinion that the effects are less than those that would have been created by buildings built to the in compliance with the rural permitted activity standards and utilising the full extent of the 500m2 area.

The screen planting that has been undertaken on site has significantly reduced the visual impact of the construction of buildings on site.

The alterations to the nominated building site in my opinion are not considered significant and the proposed design of the alterations will be in keeping with the existing buildings on site.

I consider that granting to consent to this application will not be contrary to the intent of the conditions of the parent subdivision nor the objectives and policies of the District Plan.

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.

The relevant provisions of the Kapiti Coast District Plan were taken into consideration when determining this application.

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.

There are no other relevant matters in respect to this application.

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

Council staff acting under authority delegated by the Council, 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 were:

1. The effects of the activity will be minor, for the reasons discussed below under the heading "Assessment of Environmental Effects";
2. Special circumstances do not exist in relation to the application that requires it to be notified; and
3. 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):  Wayne Gair
Senior Resource Consents Planner

9.2 Limited Notification Decision

Council staff acting under authority delegated by the Council, 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

1. There are no affected order holders.
2. The written approval of all affected persons has been obtained.

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):



Wayne Gair

Senior Resource Consents Planner

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.

This proposal is in keeping with the purpose of the Act.

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.

There are no matters of national importance relating to this application.

10.3 Section 7-Other Matters

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

The amendment allows for the undertaking of building works that better utilises the site without having a detrimental impact on the surrounding area.

10.4 Section 8-Treaty of Waitangi

The proposal is in accordance with the principles of the Treaty.

10.5 Conclusion on Part 2 matters

Overall, the proposal is consistent with Part 2 matters because it allows better utilisation of the property without having a detrimental impact on the environment.

11. CONDITIONS

No conditions were volunteered by the applicant.

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

12. CONCLUSION

The variation to the consent notice relates to the location of the nominated building site and does not alter the 500m² restriction referred to in the original Subdivision Consent (RM960325) and reiterated by the land use consent conditions of RM010051.

The alteration to the footprint is to maximise the use of the site.

The affected party has had the opportunity to consider the proposal and has given their written approval.

There are significant distances from the proposed dwelling additions and those of other dwellings erected on the surrounding properties.

A substantial amount of planting has been undertaken on the property to screen the existing dwelling and the proposed additions.

13. RECOMMENDATION/DECISION

Decision A

That the undersigned officers, acting under authority delegated from the Council and pursuant to Section 221(3)(a) of the Resource Management Act 1991 grant consent to variation of consent notice at 91 Aston Road, Paraparaumu (Lot 7 DP 84600 C/T 52A/947).

From

- 3 *All buildings above the 60 metre contour line shall be clad or finished in earthtone colours and all buildings shall be located so that they are no further uphill of the relocated nominated house site as shown on the plans date stamped as approved by Council on 31-08-01 that the accompanied application RM 010051. Any further buildings to be constructed within the site shall be located within the amended nominated site unless a further approval from Council is obtained. It should be noted that nominated building site is restricted to 500m² in area. Buildings shall not be located closer than 5 metres to a waterbody or within 20 metres of the centreline of any high tension 110kv transmission lines.*

To Read:

- 3 *All buildings above the 60 metre contour line shall be clad or finished in earthtone colours and all buildings shall be located so that they are no further uphill of the relocated nominated house site as shown on the plans date stamped as approved by Council on 19 March 2013 that the accompanied application RM130018. Any further buildings to be constructed within the site shall be located within the amended nominated site unless a further approval from Council is obtained. It should be noted that nominated building site is restricted to 500m² in area. Buildings shall not be located closer than 5 metres to a waterbody or within 20 metres of the centreline of any high tension 110kv transmission lines.*

Decision B

That officers acting under delegated authority from Council and pursuant to Section 127 of the Resource Management Act 1991 grant consent to the application to change condition 1 of RM010051 to read

- 1 *The dwelling shall be located as depicted within the plans date stamped as approved by Council on 19 March 2013 and the information submitted with application RM130018. Any further buildings to be constructed within the site shall be located within the amended nominated site unless a further approval from Council is obtained. It should be noted that nominated building site is restricted to 500m² in area.*

**DECISION : Granted subject to conditions
RM130018**

"That the above recommendation be adopted under delegated authority"


Ross Goodman
Resource Consents Planner
19 March 2013


Wayne Gair
Senior Resource Consents Planner

IN THE MATTER OF THE RESOURCE
MANAGEMENT ACT 1991 AND AN APPLICATION
UNDER SECTION 88 OF THAT ACT FOR CONSENT
TO A DISCRETIONARY AND NON-COMPLYING
ACTIVITY

NAME OF APPLICANT: BIPROC HOLDINGS LTD

DETAILS OF APPLICATION: SUBDIVISION OF 36 HAMLET LOTS, 4 BALANCE
FARM AREAS AND 4 RURAL WATER COLLECTION
LOTS.

LOCATION: THE HILL COUNTRY, UPPER VALLEY AND RIVER
TERRACES SOUTH OF THE WAIKANAE RIVER
ROAD AND RAIL OVERBRIDGES. (LOT 2 DP 81575
AND PART NGARARA WEST C11, C12 AND A47)

ZONING: RURAL AND RURAL WATER COLLECTION -
KAPITI COAST TRANSITIONAL DISTRICT PLAN
(KAPITI BOROUGH DISTRICT SCHEME REVIEW
NO. 1)
RURAL - KAPITI COAST PROPOSED DISTRICT
PLAN

FILE NO: PA196 (960325)

DATE OF APPLICATION: 14 AUGUST 1996

DATE OF HEARING: 4 NOVEMBER 1996
18 DECEMBER 1996

PRESENT: Crs Ferrier (Chair)
Ammundsen
Jack
Mansell
Matthews
Pope
Thomas (4 November 1996)

IN ATTENDANCE: A Guerin (Senior Planner)
D Bly (Subdivisional Engineer)
A Talbot (Planner, Subdivision - 5
November 1996)
Robyne Cranshaw (Planning Administrator - 18
December 1996)
J Kwant (Executive Officer, Planning -
5 November 1996)
Rob Longley (Surveyor)
David/Stuart Pritchard (Applicant)

B D Gawn	(TSE - Engineer for Applicant)
David Heron	(IGNS - Geologist for Applicant - 18 December 1996)
Mr A R Edwards	
J Port	
Daphne Steel	(Kapiti Environmental Action)
Alison Pierce	(Kapiti Environmental Action)
Carolyn Lewis	} (Wellington Regional Council)
Nicola Stitt	
Robyn Gay	(Department of Conservation)
Rachael Peuntener	(Department of Conservation)
Ian Mckenzie	(Transit NZ)
J Topliff	(Otaihanga Progressive Assn)
W Cransen	
Lowell Manning	(Kapiti Alliance Local Issues Group and L & V Manning)
Annaka Simpson	(Hutt Valley Health)

DATE CONSIDERED: 14 NOVEMBER 1996

DECISION OF COMMITTEE: CONSIDERATIONS

(Acting under delegated authority pursuant to Section 105 of the Resource Management Act 1991 in accordance with a Council resolution dated 3 October 1991.)

1. The Committee, having given consideration to the evidence submitted at the hearing and visited the subject site, was satisfied that subject to appropriate conditions the application could be approved pursuant to Section 105 of the Resource Management Act as one of the threshold tests (minor environment effect) would be met.
2. The Committee accepted that the site the subject of this application is unique with respect to topography, area and proximity to the Waikanae community. The landform, apart from small areas adjacent to SH1 and the floor of the inland valley, comprises steep-sided ridges with limited depth of soil mantle and categorised as marginal in terms of the land use capability classification.

3. The Committee recognised that the main issues to be addressed if the application is approved, were visual impacts as they affect the coastal plain including Waikanae; the need to identify more precisely the location of faults in determining the position of roading and building sites; the feasibility of safe and effective disposal of sewage effluent on-site, and engineering measures to deal with the inherent instability of the overlying soil mantle.
4. A positive consequence of permitting the proposed subdivision will be the protection of indigenous vegetation including fencing of significant areas of native bush which is strongly supported by the Department of Conservation.
5. While noting rural policies in both the Transitional (Kapiti Borough) and Proposed District Plans encouraging the productive use of all suitable land for farming (and forestry), the Committee concluded that much of the steep land has a marginal land use capability and therefore limited potential for farming other than forestry.
6. The Committee were not satisfied that all the lots were capable of disposing of the household effluent on the site without significant adverse environmental effects. Conditions have been imposed to require acceptable disposal on each site to be confirmed by the applicant.

Where the lots cannot provide acceptable on-site disposal they are to be deleted from the proposal. Alternatively a communal household septic tank effluent collection and disposal system may be installed to deal with the effluent from septic tanks from future developments on the land or a gravity piped system complete with pumping chamber and pressure line to discharge into Council's reticulation be provided.

7. As both the Transitional and Proposed District Plans place considerable emphasis on visual amenity, the Committee have imposed additional requirements to ensure any adverse effects of earthworks and the sitting of buildings are either avoided, remedied or mitigated. In particular,

buildings on the proposed lots adjacent to SH1 will be confined to the relatively level land at the foot of the fore-ridge and building locations on the west facing secondary ridge will be confined to the nominated building sites unless they are located less visibly, eg further down slope. In this regard, it was noted that no opposition had been received from residents of Elizabeth Street, Waikanae.

8. The Committee were satisfied on the evidence relating to the intersection of the proposed access road with SH1, particularly the submission by Transit NZ, that any adverse effects to traffic safety will be minimised.

RESOLVED (Pope/Mansell)

That pursuant to Section 105 of the Resource Management Act 1991 the Planning and Environment Committee hereby consents to the application by Biproc Holdings Ltd being the proposed subdivision of Lot DP 81575 and Part Ngarara West C11, C12 and A47 situated to the south of the Waikanae River road and rail overbridges subject to the following conditions:

1. The Developer's Representative is to supply a copy of the title and survey data plans and is to list and indicate how each condition has been met to the satisfaction of the Consents Manager.
2. (a) On-site investigations shall be carried out for all lots within the proposed development (excluding Lots 31, 41, 42, 43 and 44) to determine the practicality and effectiveness of on-site disposal of sewage effluent to the satisfaction of Council's Subdivision Engineer and such investigations shall be carried out at an early stage to enable any acceptable alternatives to the methods proposed should that be necessary. In addition the disposal of effluent onto proposed lots adjacent to or located above waterways, for example Lots 6 & 7 shall be the subject of special investigation as recommended in the Gawn report.

The constraints on the effluent disposal systems shall be included in consent notices

to be issued by Council pursuant to Section 221 of the Resource Management Act. The consent notices shall include reference to the owners' and subsequent owners' responsibility to maintain and monitor their effluent disposal system.

Except for Lots 31, 41, 42, 43 and 44 all lots will require specific design for on-site effluent disposal systems by a suitably qualified person. The design requirements will be included in a consent notice pursuant to Section 221 of the Resource Management Act for each individual lot.

Control testing of water courses leaving the subdivision shall be carried out to compare with future monitoring and to determine the effectiveness of the systems.

Any lots that are unsuitable shall be deleted and the land amalgamated with the adjoining lot(s).

ALTERNATIVELY

- (b) An approved, community on-site disposal system shall be provided to dispose of effluent from individual household septic tanks which must demonstrate that any adverse effect on the environment is minor, to the satisfaction of the Subdivisional Engineer.

This will include obtaining all necessary consents from the Wellington Regional Council for discharges to land, water and/or air;

OR

- (c) A conventional, gravity, disposal system including pipes, manholes, pumping chambers and pressure pipelines, shall be provided to dispose of wastewater to discharge into Council's existing sewerage network, all to the approval of Council

Any adverse effect on the existing reticulation shall be mitigated or remedied to the satisfaction of the Subdivisional Engineer.

3. Any future dwelling shall be capable of discharging wastewater to the approved system.

Council shall issue a consent notice pursuant to Section 221 of the Resource Management Act 1991 recording that specific foundation design is required for all lots except lots 31, 41, 42, 43 and 44.

4. Nominated building sites shall be located on proposed lots that are visible from the coastal plain so that they are not visually obtrusive. They shall be located by establishing sight profiles from prominent (elevated) points on the coastal plain, including at the end of Greendale Drive, Otaihangā and Te Moana Road, Waikanae, and such sites shall be approved by Council. The selection of building sites to be shown on the approved scheme plan shall have regard to distance and on-site screening to be planted before sale of the lots to the satisfaction of the Consents Manager. This process may require adjustment to the boundaries of proposed lots or amalgamation of some lots. Any subsequent re-location of approved building sites shall be the subject of resource consents.

5. The Developer shall obtain notice of consent of the Minister of Transport under Section 93 of the Transit New Zealand Act 1989 to the subdivision of land which has frontage to a limited access State Highway.
6. The Developer shall demonstrate to the satisfaction of the Consents Manager that the land:
 - (a) is not subject to erosion, subsidence, falling debris, slippage or inundation; or
 - (b) can be protected against erosion, subsidence, falling debris, slippage or inundation, in terms of Section 106 of the Resource Management Act.

7. Plans and specifications for engineering development of the subdivision (or development) shall be submitted to Council. No work shall commence until the Council has authorised in writing that it is permitted. Engineering plans which are acceptable to Council shall be supplied in triplicate and as-built plans supplied in duplicate.
8. The payment of Council engineering fees of \$171 (GST inclusive) per new lot created.
9. The payment of road inspection fee of \$165.40 (GST inclusive).
10. A financial contribution of \$326.50 for every new lot created (excluding Lots 31, 41, 42 43 and 44) towards the upgrading of the bulk water supply for Waikanae, Paraparaumu and Raumati.
11. Lot 45 is to vest as road, shall be 17 metres wide, and be formed, metalled and two coat sealed to Council standard requirements. The sealed carriageway shall be 5.5 metres wide and turning circles shall be provided where required. One metre wide shoulders shall be provided each side of the sealed carriageway. In some locations, Council may require that the sealed width be 6 metres.

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

A prime/seal coat and asphaltic concrete paving may be approved by the Subdivisional Engineer. Lot 46 shall also vest as road and shall be constructed to Council standards to the point where the right of way for Lots 41, 42, 43, and 44 intersects with it. The turning circle shall be provided in this vicinity. The remaining length of Lot 46 shall be a Local Purpose Reserve (Road) to vest in the Kapiti Coast District Council.

The location of the road to vest (Lot 45 and part of Lot 46) and the Local Purpose Reserve (Road) to vest (Part Lot 46) shall be amended as required to provide long-term stable batter slopes and pavements. Recommendations in the Connell

Wagner report dated 29 August 1995 entitled "Geotechnical Appraisal - Feasibility of Road Formation, Waimahoe Farm" shall be complied with.

The Developer is required to employ the services of a suitably qualified person, experienced in soils engineering, for both design and construction of the proposed cut and fill batters and road pavements including the rights of way. This person will be required to certify in writing that the earthworks have been carried out in accordance with his or her recommendations. The suitably qualified person shall be acceptable to Council.

The intersection of the proposed road to vest with SH1 shall be provided with acceleration and deceleration speed tapers and widened as required to the satisfaction of the Consents Manager. The Developer's representative shall discuss these details with Transit NZ and obtain that Authority's approval before submitting the plans for Council's consideration.

12. A sign post and/or name plate shall be provided and this shall be satisfied by the payment of the appropriate fee. The new road name is to be shown on the survey plan. (Refer to the Code of Practice for Subdivision and Development).

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

13. Vehicle access to Lots 4, 9, 12, 22, 30 and all rights of way designations shall be formed, metalled and sealed between the edge of seal of the road to vest and the lot frontages.

14. Stormwater disposal shall be to the satisfaction of the Subdivisional Engineer. Catchment calculations shall be provided to demonstrate that culvert capacities and pipelines can cater for the 10% annual probability storm event. The consequences and extent of the 1% per annum storm event shall also be analysed prior to the submission of engineering plans for the consideration of Council.



15. Where the existing land form or vegetative cover is disturbed, ground cover is to be established immediately following earthworks and with a minimum of delay to ensure the wind or scour erosion of soil, sand or other material does not become a nuisance. All cut batters shall be hydroseeded and a satisfactory vegetative cover shall be established on all cut and fill batters.
16. Earthworks shall comply with the requirements of the current issue of NZS 4431. In addition to protect Maori heritage sites from inadvertent destruction caused through earthworks, a clause of the contract for any earthworks shall contain the following should a waahi tapu or other cultural site be unearthed:
 - (a) cease operations
 - (b) inform local Iwi operations
 - (c) inform the New Zealand Historic Places Trust (NZHPT)
 - (d) take appropriate action, after discussion with the NZHPT, Council and Tangata whenua, to remedy damage etc.
17. All sections shall have drive-on access no steeper than 1 in 5.
18. Access legs to single rear lots or rights of way shall be formed and sealed if necessary to ensure that they do not cause a discharge of tailings, silt, sludge, stormwater or any other deleterious substances at the road frontage.
19. Underground power and telecommunication services shall be provided to the satisfaction of the Subdivisional Engineer together with the installation of streetlighting standards and lamps. The streetlighting layout shall comply with NZS 6701:1983 unless a lower standard is approved for streetlighting subsidy by Transit NZ. Transformer sites shall be specifically provided for by recessing the front boundary of lots and including the area within road reserve.



20. The subdivision shall be reticulated for a restricted public water supply. This supply shall be a low-flow supply of approximately 1000 litres per day per lot and shall be approved by Council.
21. The rights-of-way shall be made a memorandum of easement and shall be formed and metalled. The entrance at the road reserve shall be formed, metalled and sealed to the satisfaction of the Subdivisional Engineer. Passing bays shall be provided at regular intervals. The location and geometry of right of way designations may be affected and require amendment by the Council, having due regard for the Connell Wagner report dated the 29th August 1995 entitled "Geotechnical Appraisal - Feasibility of Road Formation - Waimahoe Farm".
22. Any easements required by Council for drainage or other services shall be shown on the land transfer title plan. Easements are to be shown over any communal services where these pass through residential lots.
- Any easement that is required by the Subdivisional Engineer is to be prepared by solicitors at the owner's expense.
23. The existing ROW easement crossing the Waikanae River through Mr J Port's property to Elizabeth Street, Waikanae shall be cancelled to the satisfaction of the Consents Manager.
24. The boundaries of any entranceway to a rear lot and right of way are to be designed to the satisfaction of the Subdivisional Engineer. (Refer to Section J Diagram 3 Kapiti Coast District Plan).
25. The native bush shown as E73, E74, E75 and E78 on the scheme plan and the native bush on Lots 1 and 18 and the mature pine and macrocarpa trees straddling lots 24 and 25 shall be protected from felling, burning, cutting or removal. E74 shall be fenced with a 7 wire and post/batten fence to prevent stock access.

The bush shall be protected by either a S.221 consent notice, QEII Covenant or Conservation

Covenant to the satisfaction of the Consents Manager.

26. An esplanade strip or conservation covenant shall be created along the existing fence line adjacent to the Waikanae River to provide for public access, protection of the native bush and access by Council for the purpose of the maintenance of the Waikanae River, to the satisfaction of the Consents Manager. The existing fence may need to be upgraded to ensure that it is stock proof.
27. The bed of the Waikanae River adjoining Lots 1, 41, 42 and 43 is to be vested in Council (Kapiti Coast District Council) and the survey plan endorsed accordingly.
28. Dwellings and associated buildings and temporary accommodation such as caravans shall not be built or located on proposed Lots 31, 41-44. The planting of plantation forestry shall also be prohibited as per the attached plan and shall not be planted within 50 metres of covenanted/protected areas of native bush.

Council shall issue a consent notice pursuant to Section 221 of the Resource Management Act to ensure compliance with this condition.
29. "As built" plans of all services adequately dimensioned to show the relationship of such services to the lot boundaries shall be supplied by the Developer and to the approval of the Subdivisional Engineer.
30. A 4,500 litre concrete water tank is to be provided in the road reserve in the vicinity of Lots 40 and 23 for fire fighting purposes, readily located and easily identifiable. Where a public water supply is available valves, boxes, overflow pipes and other ancillary equipment shall be installed.
31. The Developer shall comply with the requirements of the Kapiti Coast District Council Code of Practice for Subdivision and Development.
32. The Developer's Representative is required to provide Council with an itemised schedule of quantities and costs, for those services and assets

which are to vest in Council. This will involve water supply, stormwater and roading assets including street lights.

33. High tension, overhead power lines shall have not less than 7.5 metres vertical clearance from the surface of any road pavement.
34. Areas of earthworks on cut and fill slopes shall be set aside for reafforestation as recommended by Connell Wagner in the report dated the 29th August 1995 entitled "Geotechnical Appraisal - Feasibility of Road Formation - Waimahoe Farm".
35. All nominated house sites shall be located so as to be protected against erosion, falling debris, subsidence or inundation or slippage.
36. Buildings built above the 60 metre contour line shall be clad or "finished" in earthtone colours and shall not be built on ridgelines, shall be located so that they are not further uphill of the nominated house sites as shown on the approved scheme plan except that sites on lots that are visible from the coastal plain shall be determined in accordance with condition 4, and shall not be located closer than 5 metres of a water body and within 20 metres of the centreline of the high tension 110kv transmission lines. Council shall issue a consent notice pursuant to Section 221 of the Resource Management Act 1991 to ensure compliance with this condition.
37. Restrictive covenants shall be registered against the titles for Lots 1-44 inclusive noting that further subdivision of Lots 1-44 inclusive shall be prohibited.
38. All costs arising from any of the above conditions shall be at the expense of the Developer.

NOTE: This consent only applies to subdivision. Refer attached for earthworks consent.

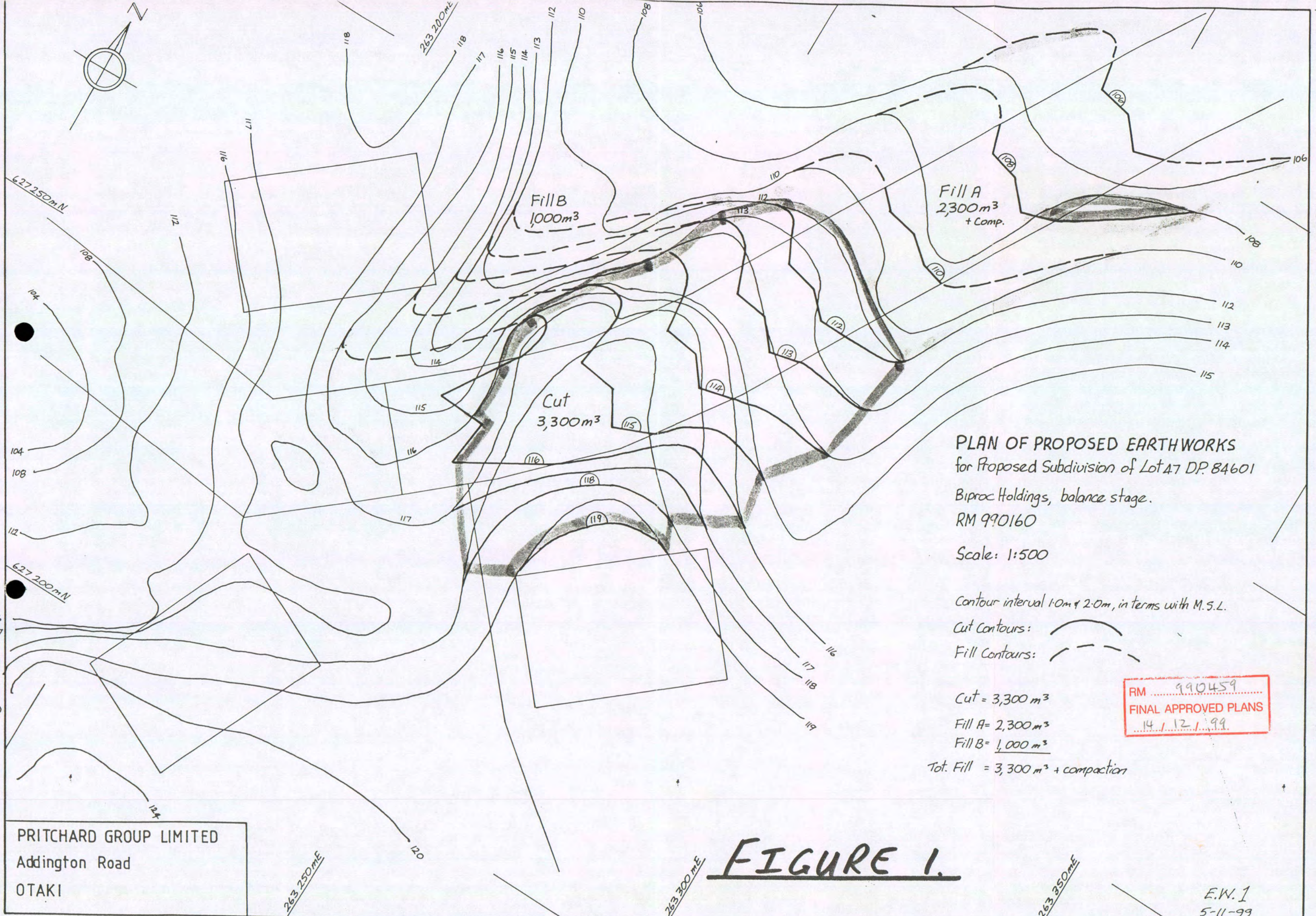
APPROVED BY THE KAPITI COAST DISTRICT COUNCIL


A GUERIN
DISTRICT PLANNER

Dated at Paraparaumu this 17th day of January 1997.

Note: Cr Thomas due to this absence at the reconvened hearing took no part in the consideration of this consent.


A handwritten signature, possibly of the name "GJ", is located in the bottom right corner of the page.




PLAN OF PROPOSED EARTHWORKS
for Proposed Subdivision of Lot 47 DP 84601
Biproc Holdings, balance stage.
RM 990160

Scale: 1:500

Contour interval 1.0m & 2.0m, in terms with M.S.L.

Cut Contours: 

Fill Contours: 

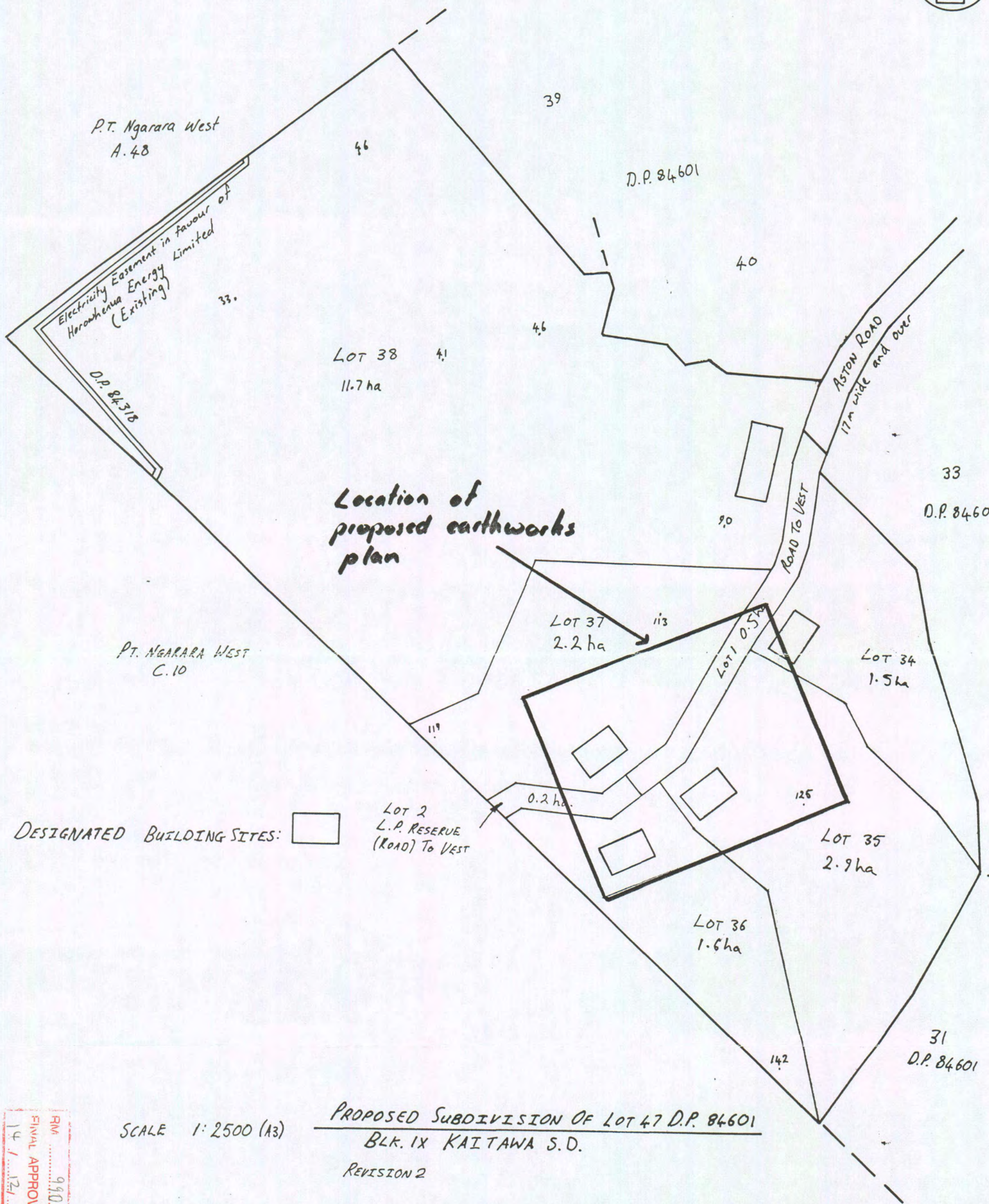
Cut = 3,300 m³
Fill A = 2,300 m³
Fill B = 1,000 m³
Tot. Fill = 3,300 m³ + compaction

RM 990459
FINAL APPROVED PLANS
14.12.99

PRITCHARD GROUP LIMITED
Addington Road
OTAKI

FIGURE 1.

E.W. 1
5-11-99



Location of
proposed earthworks
plan

DESIGNATED BUILDING SITES:



LOT 2
L.P. RESERVE
(ROAD) TO VEST

SCALE 1:2500 (A3)

PROPOSED SUBDIVISION OF LOT 47 D.P. 84601
BLK. IX KAITAWA S.D.
REVISION 2

TOTAL AREA: 20.7 ha.

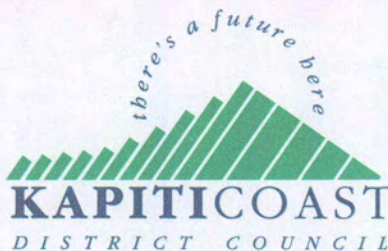
Areas and dimensions subject to final
survey. Spot heights shown: ¹²⁵ in terms of
M.S.L.

FIGURE 2

BIPROC HOLDINGS
BALANCE STAGE
RM 990160
R.O.P. 28-7-99

PRITCHARD GROUP LIMITED
Addington Road
OTAKI

RM 990459
FINAL APPROVED PLANS
14 / 12 / 99



13 December, 1999

File: RM 990459

REPORT
ON
APPLICATION FOR LAND USE CONSENT PURSUANT TO SECTION 88 OF THE
RESOURCE MANAGEMENT ACT 1991

FILE: RM 990459

PROPOSAL: Earthworks of 3300m³ cut and 3300m³ fill on an existing access route to construct a road extension of Aston Road in the Waikanae Downs development.

PLAN: Pritchard Group Ltd "EW 1 5-11-99"

APPLICANT: Pritchard Group Ltd

LANDOWNER: Pritchard Group Ltd

LOCATION: End of Aston Road, Waikanae Downs, Paraparaumu

LEGAL DESCRIPTION: Lot 47 DP 84601

ZONE: Proposed: Rural

TYPE OF CONSENT: Earthworks
New road

ACTIVITY STATUS: Discretionary activity

DETERMINED AS NON-NOTIFIED BY: Mike Jacobson and Dan Rodie

PROPOSAL & SITE

This is a proposal for earthworks in excess of 100m³ to construct a road along an existing access route to the required Council standards.

The road is more or less along the alignment proposed for the road extension at the time of the subdivision in 1996, but that consent has expired.

The site is on the escarpment in an area with generally a high sensitivity to earthworks disturbance. However, the road alignment runs behind a spur that screens most or all of the earthworks from viewpoints along State Highway 1 and nearby residential areas.

A further issue is the relationship of these roadworks to the proposed re-subdivision of the land (Lot 47). However, the applicant has advised that the proposal is not predicated on the grant of a further subdivision consent, ie that the earthworks will not jeopardise the subdivision already granted consent.

I have also established that the filling of the small farm dam does not jeopardise stormwater management; it was not a condition of earlier consents that it remain and it does not serve any necessary purpose.

PROPOSED DISTRICT PLAN

Creation of new roads is a controlled activity under the District Plan, with Council reserving control over the route of the road, financial contributions, and imposition of conditions in accordance with Section 220 of the Resource Management Act 1991.

The proposal is a discretionary activity under the District Plan because more than 100m³ of earthworks is proposed.

Because it is a discretionary activity, the proposed road must be assessed against the policies related to outstanding landscapes as well as the general earthworks assessment criteria:

C.2 RURAL ZONE OBJECTIVES AND POLICIES:

POLICY 2 - OUTSTANDING LANDSCAPES

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

The district's rural landscape is an important element of character of the Kapiti Coast. The rural landscape contributes to people's appreciation of the area and the quality of life experienced by both rural and town dwellers. The Kapiti Coast has a number of areas of landscape value which could be at risk from inappropriate subdivision, use and development, in particular from obtrusive building development. This needs to be controlled to protect the landscapes (Refer to Part C.10 landscapes for list of outstanding landscapes and the Planning Maps).

C.7.3 EARTHWORKS OBJECTIVES AND 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 2 - OUTSTANDING LANDSCAPES

Avoid, remedy or mitigate the adverse effects of earthworks on outstanding landscapes, and have regard to the extent to which the earthworks maintain and affect:

- (i) The integrity and character of the underlying landform;**
- (ii) The visual character, including legibility (clear definition) and coherence (continuity of pattern which gives the landscape a sense of unity);**
- (iii) The cultural heritage values, including special meanings of sites and resources of the landscape to Maori;**
- (iv) Indigenous vegetation, habitats and biological processes;**
- (v) Access and recreational opportunities;**
- (vi) Views towards the landscape.**

C.7.3.1 Anticipated Environmental Outcomes

(iii) The impact of earthworks on outstanding landscapes is minimised.

SECTION 94 ANALYSIS

Section 94 of the Resource Management Act 1991 defines which resource consent applications do not require notification under Section 93. As the application is for a discretionary activity, it need not be notified if the Council considers the environmental effects are minor and if written approval is obtained from any adversely affected party.

Kapakapanui discussed the application with Council but have not subsequently advised any concerns.

It is considered that the application need not be notified as the road is generally along the existing alignment in the location approved as part of the subdivision in 1996 (and hence will be no surprise to any nearby landowners), and the effects of the earthworks will be minor.

ASSESSMENT

The cut and fill earthworks required to convert the existing track to a road formation meeting Council standards will not be extensive or obtrusively visible from the many viewpoints west of the escarpment.

The road is little different in alignment and no different in effects to the road already considered and approved by Council in 1996, but now expired.

Lastly, the small changes in alignment do not preclude proceeding with either the originally approved subdivision or the new subdivision scheme now being applied for.

In the light of these circumstances, and despite the general sensitivity of the site as a whole on the escarpment and in the Outstanding Landscape area, it is considered that the effects of the proposal are acceptable as a part of the overall Waikanae Downs development.

With appropriate conditions, the activity represents a development of the lot that is in accord with the sustainable management of the land. The application warrants approval in relation to the assessment criteria and other provisions of the Proposed District Plan and the requirements of the Resource Management Act 1991.

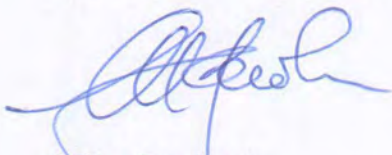
RECOMMENDATION


That officers acting under Delegated Authority from Council and pursuant to section 105 of the Resource Management Act 1991 **GRANT** land use consent to Pritchard Group Ltd for the earthworks at the end of Aston Road, Waikanae Downs, Paraparaumu (Lot 47 DP 84601) to undertake earthworks involving 3300m³ cut and 3300m³ fill on an existing access route to construct an extension to Aston Road in the Waikanae Downs development, as described in the application documents (RM 990459) and shown on Pritchard Group Ltd plan "EW 1 5-11-99", subject to the following conditions:

1. The works shall be undertaken as described in the application documents (RM 990459) and shown on the plans accompanying the application.
2. All batters shall be self-supporting.
3. Testing and certification of compaction/filling and the stability of batter slopes shall be carried out by a suitably qualified person experienced in soils engineering.
4. Earthworks shall comply with the requirements of the current issue of NZS 4431.
5. Where the existing land or vegetative cover is disturbed, suitable ground cover is to be established immediately following earthworks and with a minimum of delay to ensure the erosion of soil, wind-blown sand and other material does not become a nuisance. Hydro seeding of the cut batter slopes shall be completed as soon as possible.
6. If there is any likelihood of water courses or ground water being contaminated or diverted, discussions are to be entered into with the Wellington Regional Council to ascertain whether or not a resource consent is required.
7. The payment of an engineering fee of \$90.00 (GST inclusive).
8. Plans shall be submitted to Council for the proposed road to vest. No work shall commence until the Council has authorised in writing that it is permitted. Engineering plans which are acceptable to Council shall be supplied in triplicate and as-built plans supplied in duplicate.
9. All sections shall have drive-on access no steeper than 1 in 5.
10. Culvert capacity shall be confirmed by catchment calculations and these shall be submitted to Council.

Report prepared by: Mike Jacobson

DECISION: APPROVED


Mike Jacobson
 Resource Consent Planner


Dan Rodie
 Resource Consent Planner

14 December 1999

Biproc Holdings Ltd
C/- Pritchard Group Ltd
RD1
Addington Road
OTAKI

Dear Sir/Madam

RM990459: LAND USE CONSENT TO CARRY OUT EARTHWORKS AT THE END OF ASTON ROAD, WAIKANAE DOWNS, PARAPARAUMU.

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 a written 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 \$250 (including GST) plus an extra \$90 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 this consent will expire unless you give effect to the consent within 2 years (unless a longer period is specified in the consent conditions). Alternatively, you have until 3 months after the expiry of the consent to apply for an extension of the consent. 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.

You are also advised that 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.

Thank you for dealing with the Kapiti Coast District Council.

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

Yours faithfully

A handwritten signature in black ink, appearing to be 'Dan Rodie', written over a horizontal line.

Dan Rodie
RESOURCE CONSENTS PLANNER

for

Chris Shaw
RESOURCE CONSENTS MANAGER



RESOURCE CONSENT NUMBER: RM 990459

That pursuant to section 105 of the Resource Management Act 1991, the Kapiti Coast District Council (hereinafter called "the Council") does hereby grant a Land use Resource Consent to:

BIPROC HOLDINGS LTD, C/- PRITHCARD GROUP LTD, RD1, ADDINGTON ROAD, OTAKI

to undertake earthworks involving 3300 m³ cut and 3300 m³ fill on an existing access route to construct an extension to Aston Road in the Waikanae Downs development (Lot 47 DP 84601), as described in the application documents (RM 990459) and shown on Pritchard Group Ltd plan "EW 1 5-11-99", subject to the following conditions:

1. The works shall be undertaken as described in the application documents (RM 990459) and shown on the plans accompanying the application.
2. All batters shall be self-supporting.
3. Testing and certification of compaction/filling and the stability of batter slopes shall be carried out by a suitably qualified person experienced in soils engineering.
4. Earthworks shall comply with the requirements of the current issue of NZS 4431.
5. Where the existing land or vegetative cover is disturbed, suitable ground cover is to be established immediately following earthworks and with a minimum of delay to ensure the erosion of soil, wind-blown sand and other material does not become a nuisance. Hydro seeding of the cut batter slopes shall be completed as soon as possible.
6. If there is any likelihood of water courses or ground water being contaminated or diverted, discussions are to be entered into with the Wellington Regional Council to ascertain whether or not a resource consent is required.
7. The payment of an engineering fee of \$90.00 (GST inclusive).
8. Plans shall be submitted to Council for the proposed road to vest. No work shall commence until the Council has authorised in writing that it is permitted. Engineering plans which are acceptable to Council shall be supplied in triplicate and as-built plans supplied in duplicate.
9. All sections shall have drive-on access no steeper than 1 in 5.
10. Culvert capacity shall be confirmed by catchment calculations and these shall be submitted to Council.

ISSUED: 14 December 1999

Dan Rodie
RESOURCE CONSENTS PLANNER

for

Christopher P Shaw
RESOURCE CONSENTS MANAGER



KAPITI COAST DISTRICT COUNCIL
CONSENT NOTICE PURSUANT TO SECTION 221
OF THE RESOURCE MANAGEMENT ACT 1991
FOR THE DEPOSIT OF LAND TRANSFER PLAN 85481,
THE SUBDIVISION OF PART NGARARA WEST C11, C12
BLOCK IX & X KAITAWA SURVEY DISTRICT,
STATE HIGHWAY 1, WAIKANAE
FOR BIPROC HOLDINGS LTD

The District Land Registrar 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 the following condition is to be complied with on a continuing basis:

1. Dwellings and associated buildings and temporary accommodation such as caravans shall not be built or located on Lots 42, 43 & 44 Land Transfer Plan No. 85481. The planting of plantation forestry on Lots 42, 43 & 44 shall be prohibited within the specified areas of these allotments as defined within the plans held at Council being part of Resource Consent RM 960325, and shall not be planted within 50 metres of covenanted/protected areas of native bush.
2. Further subdivision of Lots 42, 43 & 44 Land Transfer Plan No. 85481 shall be prohibited.

Issued in respect of Application No. RM 960325.

Dated this 11th day of August 1998.


AUTHORISED OFFICER


AUTHORISED OFFICER

**VARIATION TO CONSENT NOTICE
PURSUANT TO SECTION 221(3)
OF THE RESOURCE MANAGEMENT ACT 1991**

**IN THE MATTER OF DP 84600 INsofar AS IT RELATES TO LOT 7
AND RESOURCE CONSENT RM 130018**

To: the Regional Regulatory Titles Officer at Wellington

PURSUANT to Section 221(3) of the Resource Management Act 1991 the Kapiti Coast District Council hereby gives notice that it has agreed to vary consent notice B639026.12 dated 01.09.01 with respect to Lot 7 DP 84600 only by:

Deleting the existing condition 3 that reads as follows:

3. *All buildings above the 60 metre contour line shall be clad or finished in earthtone colours and all buildings shall be located so that they are no further uphill of the relocated nominated house site as shown on the plans date stamped as approved by Council on 31-08-01 that the accompanied application RM 010051. Any further buildings to be constructed within the site shall be located within the amended nominated site unless a further approval from Council is obtained. It should be noted that nominated building site is restricted to 500m² in area. Buildings shall not be located closer than 5 metres to a waterbody or within 20 metres of the centreline of any high tension 110kv transmission lines.*

And replacing that condition 3 with the following new condition:

3. *All buildings above the 60 metre contour line shall be clad or finished in earthtone colours and all buildings shall be located so that they are no further uphill of the relocated nominated house site as shown on the plans date stamped as approved by Council on 19 March 2013 that the accompanied application RM130018. Any further buildings to be constructed within the site shall be located within the amended nominated site unless a further approval from Council is obtained. It should be noted that nominated building site is restricted to 500m² in area. Buildings shall not be located closer than 5 metres to a waterbody or within 20 metres of the centreline of any high tension 110kv transmission lines.*

For the avoidance of doubt, it is confirmed that no changes whatsoever are to be made with respect to the consent notice B639026.12 dated 01.0901 insofar as it is registered against the titles for any other allotment shown on Deposited Plan DP 84600.

Issued by the Kapiti Coast District Council in respect of RM 130018
this 19th day of March, 2013


Ross Henry Goodman
Authorised Officer


David Wayne Gair
Authorised Officer

On Behalf of Christopher & Jacqueline Fawcett
Date:



KAPITI COAST DISTRICT COUNCIL

CONSENT NOTICE PURSUANT TO SECTION 221

OF THE RESOURCE MANAGEMENT ACT 1991

FOR THE DEPOSIT OF LAND TRANSFER PLANS 84599, 84600
and 84601

THE SUBDIVISION OF LOT 2 DP 81575 AND PART NGARARA
WEST C11, C12 & A47 BLOCK IX KAITAWA SURVEY
DISTRICT,

STATE HIGHWAY 1, WAIKANAЕ

FOR BIPROC HOLDINGS LTD

The District Land Registrar 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 the following condition is to be complied with on a continuing basis:

1. That specific foundation design by a registered engineer will be required for any new dwelling on Lot 1 Land Transfer Plan No. 84599 and Lots 2 to 30, 32, 33, 39 and 40 on Land Transfer Plan No.s 84600 and 84601.
2. On site effluent disposal for Lot 1 Land Transfer Plan No. 84599 and Lots 2 to 30, 32, 33, 39 and 40 on Land Transfer Plan No.s 84600 and 84601 shall be in accordance with Wellington Regional Council Discharges to Land Plan, Rule 7 and Appendix 6 and shall comply with the recommendations contained in the Ormiston Associates Limited report titled "Wastewater Disposal Assessment for Biproc Holdings Subdivision, at State Highway 1, Waikanae", except for Option (ii) Item 3 on page 14 under the heading "9 Conclusions and Recommendations" which is unacceptable to Council.

Owners shall be responsible for the ongoing maintenance and monitoring of the effluent disposal system in accordance with the systems maintenance specifications.

3. Buildings built above the 60 metre contour line shall be clad or "finished" in earthtone colours and shall not be built on ridgelines, shall be located so that they are not further uphill of the nominated house sites as shown on the approved scheme plan held at Council except that sites on lots that are visible from the coastal plain shall be determined in accordance with condition 4 of the subdivision consent granted and shall not be located closer than 5 metres of a waterbody and within 20 metre of the centreline of the high tension 110kv transmission lines.
4. Dwellings and associated buildings and temporary accommodation such as caravans shall not be built or located on Lots 31, 41 to 44. The planting of plantation forestry on Lots 31; 41 to 44 shall be prohibited as per plans held at Council and shall not be planted within 50 metres of covenanted/protected areas of native bush.
5. Further subdivision of Lot 1 Land Transfer Plan No. 84599 and Lots 2 to 44 on Land Transfer Plan No.s 84600 and 84601 shall be prohibited.

Dated this 14th day of November 1997.



AUTHORISED OFFICER