

APPENDIX 16 – COMPLETED KCDC CHECKLIST

DEVELOPMENT REQUIREMENTS CHECKLIST

Please include this checklist with your Resource Consent Application. The checklist includes requirements from the Council's Subdivision and Development Principles and Requirements (SDPR).

Item	✓ or N/A
General	
Preliminary consultation with KCDC undertaken.	✓
Applications include commentary on proposed land uses and factors influencing design.	✓
Regional Council requirements considered, including any Water Permits.	✓
Concept plan or plan showing total development.	✓
Scheme Plan. (Refer Part 2F(i) to (v) of the SDPR).	✓
Flood issues covered. (Refer Part 2C(v) of the SDPR).	✓
Possible conditions for any Section 106 issues.	✓
Information and plan concerning natural ecosystems. (Refer Part 3B(vii) of the SDPR).	✓
Developer's or Owner's Representative with appropriate qualifications appointed.	X
Suitably Qualified Persons agreed with Council.	X
Geotechnical and Earthworks	
Geotechnical reports. (Refer clause 2.3 of NZS 4404).	N/A
Extent of earthworks.	✓
Earthworks Management Plan. (Refer paragraph 3 of Part 4 Schedule 2 of the SDPR).	✓
Foundation soils report.	N/A
Iwi consulted.	✓
NZ Historic Places Trust Authority where archaeological site present or suspected.	N/A
Transportation and Roads	
Connectivity and Cycleway, Walkway, and Bridleway indicative network considered.	✓
Road safety audit report or exemption declaration. (Refer Part 3D (iv) of the SDPR).	X
Traffic management plan. (Refer clause 3.2.4 of NZS4404).	X
Roads and Rights of way meet District Plan and SDPR requirements.	✓
Off street parking requirements met.	✓
Pedestrian access ways legal width no less than 6 metres.	N/A
Stormwater	
Stormwater information/report. (Refer paragraph 1 of Part 4 Schedule 4 of the SDPR).	✓
Disposal and Quality considerations in accordance with Part 3E of the SDPR.	✓
Wastewater	
Council services available and demand effects considered.	✓
On-site waste water disposal report. (Refer to Part 3 F(vi)(c)).	N/A
Water Supply	
Council services available and demand effects considered.	✓
Fire fighting water supply meets NZ Fire Service Code of Practice SNZ PAS 4509:2003	✓
Landscape Design	
Landscape concept plan provided.	✓
Reserves	
Note any proposals towards reserve contributions (in accordance with Council policies).	✓
Power, Telecommunications, Gas	
Utilities confirm able to provide services.	✓
Alternative means proposed and have prior Council approval.	N/A
Design Guide Approach	
Design guides used noted and supporting information provided.	N/A

48 Riverbank Estates Ltd

Stuart Pritchard

From: Brian Warburton [b.warburton@pritchardgroup.co.nz]

Sent: Tuesday, December 19, 2006 1:24 PM

To: Stuart Pritchard

Subject: Council fees for Riverbank Road

Hi Stuart

According to my maths the Council processing fees total \$3425 and comprise:

Resource consent deposit = \$2390 (\$1250 + \$30 per lot)

Engineering assessment = \$1035 (\$180 + \$22.50 per lot).

\$3425.00

Brian Warburton

Planner

Pritchard Group Ltd

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Brian
we require a receipt please.
C. GST -



PLANNING REPORT

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

Non-Notified Application

APPLICANT:	Riverbank Estates Limited
SITE ADDRESS:	48 Riverbank Road, Otaki
LEGAL DESCRIPTION:	PT PAHIANUI B5B
PROPOSAL:	41 Lot Industrial Subdivision
OWNER:	Pritchard Group Ltd
ZONE:	Industrial/Service
ACTIVITY STATUS:	Discretionary

Delegated authority to process application without public notification pursuant to section 94 exercised by: Dean Raymond and Wayne Gair

1. SITE DESCRIPTION

The site is a 6.76 hectare property in the Industrial area of Riverbank Road, Otaki approximately 500 metres from the Otaki River and 700 metres from State Highway 1.

The site is basically vacant and has been used recently for grazing horses. The gently undulating site is covered with grass, with some piles of gorse and other weeds that have been recently cleared from the site. The site is fenced on all the boundaries, with a two metre fence along one part of the boundary with the residential zone. A fence has also been erected between part of the land designated as plantation reserve and the balance of the site. There are also several trees growing in this area. In two areas neighbouring industrial activities (car yard and recycling business) have encroached into the site.

The site is surrounded by other industrial properties to the northwest and southwest and residential properties to the northeast. There is a vacant property (zoned industrial) to the south of the application site. An area of Council owned reserve (plantation reserve) to the north of the site is zoned open space

The property has access from Miro Street and also off an unnamed street coming off Riverbank Road.

There is a designation for plantation reserve (approximately 12 metres wide) along the northeast boundary of the site.

There is a potential cycleway/walkway indicated along northeast, north and south boundaries of the site which are part of Council's CWB network.

The majority of the site is subject to flooding, as shown on Council's GIS database. The north and north-eastern area (approximately 1/3 of the site) is shown as overflow path. A small area adjacent to the access road off Riverbank Road is shown as residual overflow path, and the balance of the site is shown as either ponding or residual ponding.

2. PROPOSAL

It is proposed to subdivide the property into 41 lots, including two allotments to be vested in Council as reserves and one lot to be used only for parking. The development also includes road to vest of 1.6 hectares which would link Miro Street to Riverbank Road and also include three short cul-de-sacs. The proposed industrial lots range in size from 471m² to 2418m².

It is proposed to exercise the subdivision consent, if granted, in stages; Stage 1 which would include sub-stages of 1A, 1B and 1C, and Stage 2 with two sub-stages; 2A and 2B. Stage 1 is for the southern portion of the site that is not subject to overflow path. Stage 2 is proposed to be undertaken when the Chrystalls Bend stopbank upgrade work is completed (expected to be June 2008).

The applicant seeks some flexibility in the exact size and dimensions of the proposed allotments, as it is difficult to predetermine which lot sizes would be preferred by prospective purchasers.

A development plan has been submitted with the application illustrating how each lot can contain a building that complies with all the permitted activity standards. This plan shows potential development in terms of buildings, roads, parking spaces and planting.

Landscaping is proposed along the edge of the proposed roads in the development as well as within the proposed car parking lot. The land to be vested as plantation reserve will also be planted and provision can also be made for pedestrian access.

Earthworks are also proposed to create building platforms on each of the lots above the potential 100 year flood, and also for the purposes of road and access formation. The earthworks will involve changing the ground level by up to 0.9 metres and will total approximately 10,000m³ of compacted fill.

It is proposed to maintain a 50 metre wide overflow path through the development which would be clear of buildings or other development. This area would include plantation reserve, parking lot, road and a no-building area on some of the lots. This width is less than the current overflow path, but the applicant suggests it will be adequate to cope with the expected residual overflow path when the Chrystalls Bend stopbank is completed in June 2008.

3. DISTRICT PLAN

District Plan Objectives and Policies:

C.5.1 Industrial Zone; Objective 1

Sustain and enhance the character of the District's centres of industrial service activity including the amenity values of these areas and efficient use of the transport and service infrastructure and ensuring the adverse effects on the natural environment and on the amenity of nearby residential areas are avoided.

Policy 1 – Amenity Values

Ensure activities maintain and, wherever possible, enhance the amenity values of the industrial areas of the district as efficient and pleasant working environments by avoiding, remedying or mitigating the adverse effects of industrial activities.

Policy 2 – Industrial Fringe

Control the adverse effects of industry on adjacent residential and commercial/retail areas and arterial traffic routes. (Specific effects which must be addressed include flood hazards, and loss or enhancement of green space.)

C.7.3 Earthworks; Objective 1

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

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, practicality of drainage systems, minimum site buildings levels, drive on access to all lots and creation of practical reserve areas;
- The necessity for carrying out the works;
- 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.

C.15.1 Natural hazards

Policy 1

Permit subdivision and development where the effects of natural hazards can be avoided, remedied or mitigated

Policy 4

Ensure there are flood free building sites within newly created allotments

Policy 9

When assessing discretionary activities within a river corridor, ponding area or overflow path, consider the following:

- The effects of the development on existing flood mitigation structures
- The effects of the development on the flood hazard – in particular flood levels and flow
- Whether the development redirects floodwater onto adjoining sites or other parts of the floodplain
- Whether the development reduces storage capacity and causes adverse effects on adjoining sites or other parts of the floodplain
- Whether access to the site/development will adversely affect the flood hazard

Plan Change 50 includes the following additional policy:

Policy 10

Apply a higher level of control to subdivision and development in direct risk flooding areas, with a generally lesser level of restriction in residual overflow risk areas and no controls within residual ponding risk areas

Industrial Zone Rules and Standards

D.5.1.2 Controlled Activities

Subdivision which complies with the controlled activity standards for subdivision.

The matters over which Council reserves control for the purposes of assessment are:

- The design and layout of the subdivision including earthworks and the degree of compliance with the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005
- The imposition of financial contributions in accordance with Part E of this Plan
- The imposition of conditions in accordance with Section 220 of the Resource Management Act 1991

Plan Change 50 adds a new rule that earthworks and buildings within the residual overflow path are controlled activities. Council will consider the degree to which the earthworks or building will obstruct the flood path.

D.5.2.1 Permitted Activity Standards

Earthworks – No more than 20m³ in areas subject to ponding or overflow path, in other areas no more than 50m³ and in all areas no alteration of the ground level of more than 1 vertical metre.

In addition Plan Change 50 states that earthworks shall not be undertaken within overflow or residual overflow paths, but removes the above restriction in ponding areas.

Flood Storage and Ponding Areas

Development within ponding areas shall only occur where equivalent storage is created.

Note: this requirement is removed in Plan Change 50.

Parking – Compliance with Part J of the Plan (note Part J requires 2 parking spaces to be provided for every 100m² of gross floor area)

Siting of Buildings

Plan Change 50 adds a new standard that buildings shall not be sited within the overflow and residual overflow areas

D.5.2.2 Controlled Activity Standards

- (i) Subdivision shall be permitted where each new lot including the balance area shall be able to accommodate a building which complies with the permitted activity standards
This is shown on the development plan submitted with the application
- (ii) A development plan showing proposed buildings and landscaping shall be provided
Submitted with application
- (iii) Compliance with the esplanade reserve standards in Part H of this Plan
NA
- (iv) Each lot shall have a building site above the estimated 1% flood event
This will be provided via proposed earthworks on the site
- (v) Access to all lots shall comply with the standards in Part J of this Plan
Compliance is shown in the plans submitted with the application
- (vi) Stormwater Control: Surface water drains shall be of sufficient size for the full future development of the land within the affected catchment
Stormwater issues have been addressed in the application
- (vii) Underground Services: Where any subdivision of land involves the construction of a new street or the extension of an existing street the development shall, as a condition of subdivision consent, make provision for the underground reticulation of all electric, gas and telecommunication services to the land in the subdivision
Underground reticulation is proposed in this development

4. RESOURCE MANAGEMENT ACT 1991

Section 106 of the Resource Management Act 1991 gives Council discretion to either refuse or to approve subdivision consent subject to conditions if it considers that

- “(a) the land in respect of which a consent is sought, or any structure on the land, is or is likely to be subject to material damage by erosion, falling debris, subsidence, slippage, or inundation from any source; or*
 - (b) any subsequent use that is likely to be made of the land is likely to accelerate, worsen, or result in material damage to the land, other land, or structure by erosion, falling debris, subsidence, slippage, or inundation from any source; or*
 - (c) sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision.*
- (2) Conditions under subsection (1) must be—
- (a) for the purposes of avoiding, remedying, or mitigating the effects referred to in subsection (1); and*
 - (b) of a type that could be imposed under section 108.*

In considering the merits of an application, the provisions of Section 104 of the Resource Management Act 1991 must be considered. Section 104 sets out the matters that the Council must have regard to when considering an application for resource consent. The provisions of Section 104 that have the most relevance to this application include:

- (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 policy statement;*
 - (ii) *a New Zealand coastal policy statement;*
 - (iii) *a regional policy statement or proposed regional policy statement;*
 - (iv) *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 the plan permits an activity with that effect.*

5. CONSULTATION

Consultation has been undertaken with the following Council staff:

Matt Aitchison, Subdivision Engineer

Mr Aitchison has assessed the application and has recommended conditions to ensure compliance with the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005. These conditions also relate to issues raised by Blair Murray, Stormwater Engineer. I concur with these recommended conditions.

Mike Cardiff, Parks and Recreation Manager

Mr Cardiff has made the following comments on the proposed subdivision: “I have no concerns with the proposed 15 metre wide green belt along the north eastern boundary being included within the reserve contribution assessment. Regarding the proposed landscaping plan, I have a slight concern with the specified ‘excelsa’ variety of Pohutukawa.” Mr Cardiff goes on to explain that trees with a single leader standard type trunk would be better in terms of minimising intrusion into the street and footpath areas. He suggests the variety known as ‘Pohutukawa Maori Princess’ would be more appropriate in this place. A condition is proposed that the consent holder submit a landscape plan for approval by Council.

Linda Kerkmeester, CWB Network Coordinator (incorporating comments from Sara Bell, Landscape Architect)

Ms Kerkmeester has commented that the conceptual CWB link on the northeast side of the site is to be vested in Council as reserve. The CWB link to the on the southern boundary of the site should be left as grass. The CWB network shows a link into the street network at Miro Street. This could be achieved through the proposed carpark, which could fit this multi-modal purpose if reconfigured as a one-way system with cars along the opposite side, facing the street. The entry would need to be changed to come in at the Miro Street end and exit at the north-east end.

With regards to proposed planting, it would be desirable to substitute the proposed Karo (*Pittosporum crassifolium*) with a different species as Karo is known to be a prolific seeding species and invasive to the local indigenous plant population.

These issues could be dealt with by imposing a condition that a landscape plan be submitted prior to construction, for approval by KCDC's landscape advisor. The plan to include the following:

1. Planting plan showing plant species, location and spacings.
2. Layout and configuration of overflow parking, with CWB link to Miro Street.
3. Location of future CWB link along north-west boundary – to be grassed

In response to these comments I concur with the comments that a landscape plan should be submitted for approval. However it is considered to be onerous to require the applicant to keep other areas free from development, apart from the areas to be vested as reserve and as road. The proposed roads and reserve are considered to be an adequate contribution to the CWB network.

In addition the proposal has been discussed with representatives of local **Iwi, Te Runanga O Raukawa** who have indicated they have no concerns as long as the standard earthworks conditions are part of the consent.

The applicant has consulted with **Greater Wellington Regional Council** who have assessed the proposed subdivision. Correspondence from GW is included in the file, and includes the following comments:

- Compensatory storage in ponding areas is not needed
- Overflow paths and residual overflow paths must be preserved
- Predicted flood levels for the property are between 8.6 and 9.9 for a 50 year flood, and between 8.7 and 10.0 for a 100 year flood event
- GW has no concerns with Stage 1 of the Subdivision
- Stage 2 is based on the expected timing of improvements to flood protection in the area, and reasonably assesses the likely needs of the future residential overflow path.
- A 50 metre wide residual overflow path is an acceptable approach; the only issue is that the base area of the plantation reserve would need to be kept relatively open.

Also the **District Land Registrar** has been consulted regarding the practicality of conditions requiring one lot to be held in common ownership by the owners of other lots. Land Information New Zealand has advised that the conditions proposed are practical.

6. SECTION 93/94 ANALYSIS

On 25 January 2007, Council staff acting under authority delegated by the Council, resolved under Sections 93 and 94 of the Resource Management Act 1991 that the application need not be notified. The reasons for this decision were:

1. The effects of the activity will be no more than minor, for the reasons discussed below in the Assessment section.
2. It is considered that no persons will be adversely affected by the proposed development. The development of this land into industrial uses is an activity expected under the provisions of the District Plan.

3. No special circumstances exist in relation to the application that requires it to be notified.

7. ASSESSMENT

Methods of Analysis:

Methods of analysis to determine what will be the environmental effects of the activity have focused on site visits, studies of Council held data, feedback from other relevant Council departments and consultation with other agencies.

Earthworks

The effects of the proposed earthworks have been assessed in terms of District Plan Policy 1 (general assessment criteria). The site is not a prominent or visually sensitive landform, and there are no ridgelines, dunes, escarpments, significant native vegetation, wetlands or waterbodies on the site. Water quality can be maintained during the earthworks construction by the imposition of suitable conditions. The earthworks will be screened from the residential zone by the proposed plantation reserve. The proposed earthworks will provide for minimum site buildings levels and acceptable access and drainage systems. It is considered that the earthworks are necessary on this site to enable the land to be developed for industrial purposes.

Noise, dust other temporary effects of the earthworks are expected; however these effects are temporary and can be avoided or mitigated by the imposition of conditions.

Flood Hazard Issues

It is considered that the proposed earthworks will not increase the flood hazard in this catchment. The earthworks proposed will provide suitable building platforms for all the proposed lots. In line with comments received by GW it is not necessary to provide compensatory storage in ponding areas. The overflow and residual overflow paths are adequately maintained in the proposed development of the site.

The applicant proposes to start Stage 2 only after the flood hazard is reduced by the completion of Chrystalls Bend stopbank in 2008. A balance needs to be reached between providing a level of certainty for the developer that Stage 2 can in fact progress, and the requirement to assess the changed flood hazard when the flood protection work has been completed. A condition of consent has been proposed that Stage 2 can only proceed when Chrystalls Bend stopbank upgrade has been completed.

Subsequent industrial activities expected as a result of this subdivision

This land is zoned industrial and it is expected that some form of industrial development would occur on this land at some stage. The subdivision will allow for and facilitate the development and use of this land for industrial purposes, but it is not known at this stage what type of industry may locate into this area. Any industry that does locate here would need to comply with the permitted activity standards for the industrial zone. The effects of future development on this land include noise and visual effects. These effects in relation to the adjacent residential zone would be mitigated in part by the proposed landscaping of the site and by the vesting of a 15 metre wide plantation reserve which would provide a buffer area between the industrial sites and the residential zone.

The other effect expected from the future development of this property is traffic generation. The subdivision will generate additional traffic on Riverbank Road and the surrounding road network. It is considered that Riverbank Road has sufficient capacity to cope with the additional traffic and that any effects of additional traffic will be only minor.

Development and Reserves Contributions

Brian Whitaker has made an assessment of the land value of the lots to be created and has assessed the total value of additional lots to be created at \$2,999,000. In line with Council policy 10% of this amount, plus GST, is payable as reserves contribution. It has been calculated that 10% plus GST is \$337,387.50. Mr Whitaker has further assessed the value of the two lots to be vested in Council as reserves at \$63,000. The net amount of reserves contribution to be paid is thus \$274,387.50. It may be possible for the consent holder to pay this amount in stages, based on the stages of the subdivision.

Development contributions are also required to be paid in accordance with Council's Development Contributions Policy. The applicant is seeking full remittance of the roading component of the development contributions, suggesting that the proposed upgrading the access road off Riverbank Road be taken in lieu of financial contribution. However the need for the road to be upgraded is created solely by this proposed subdivision, and as such no subsidy is necessary. The adjoining properties at 46, 50 and 52 Riverbank Road have adequate access from the existing road.

8. CONCLUSION

Having regard to the above assessment I am of the opinion that the adverse effects of the proposed subdivision on the environment will be minor and that the proposed activity is not contrary to the objectives and policies of the District Plan. Any potential effects can be effectively mitigated by the imposition of appropriate conditions.

9. DECISION

That officers acting under delegated authority from Council and pursuant to Section 104 and 104B of the Resource Management Act 1991 GRANT consent for 38 lot industrial subdivision with road & reserve lots & landuse consent for associated earthworks at 48 Riverbank Road, Otaki (PT PAHIANUI B5B), carried out in stages, generally as shown on the Scheme Plans submitted with the application, subject to the following conditions:

1. The Title Plan or E-Survey Data Set shall be in accordance with the subdivision consent proposal shown on the plans drawn by Pritchard Group Ltd numbered REL Scheme Plan, REL Scheme Plan 1, and REL Scheme Plan 2 submitted with application RM060403 and stamped Final Approved Plans on 31 January 2007
2. Stage 2 of the development as depicted on the PGL plan REL Scheme Plan 2 shall not proceed until such time the Chrystalls stopbank upgrade has been completed, unless otherwise approved by Kapiti Coast District Council.
3. The consent holder shall pay Council Engineering Fees of \$450.00, plus \$270 per lot, (GST inclusive) for work that may be required for plan approvals, site inspections and

consent compliance monitoring prior to the Section 224(c) certification for each stage of the subdivision

Extra fees may apply in accordance with the Engineering Fees Schedule adopted by Council from 12 December 2002.

Note: The current charge out rate is \$90.00 (GST inclusive) per hour.

4. The consent holder shall pay \$274,387.50 as a reserves contribution prior to the issue of any Section 224(C) certificate for subdivision. This amount may be paid in stages based on the value of the Lots released in each stage.
5. The consent holder shall comply with the requirements of the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005.
6. The consent holder shall submit to Council for approval copies of the plans and specifications for the engineering development in accordance with Paragraph 1 of Schedule 1 contained in Part 4 of the Council's Subdivision and Development requirements. No work shall commence until the plans and specifications have been approved by the Council in writing.
7. The consent holder shall advise the names and their professional qualifications and experience of Suitably Qualified Persons required in terms of Clause B(iii) of Part 3 of the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005. If the Council considers any of the nominated persons are not acceptable then the consent holder shall nominate alternative persons, or the Council may require the consent holder to employ a specified Suitably Qualified Person or Persons at the consent holders cost. Suitably Qualified Persons are required for, but not necessarily limited to, the following areas:

Foundation recommendations
Stormwater and flood issues
8. The consent holder shall provide a copy signed by the consent holder's contractor of the Contractor Health and Safety Obligation Form as set out in Appendix 2 of Section 6 of the Council's Health and Safety Manual for those situations where connections are to be made to Council owned existing services or roads.
9. Earthworks shall comply with the requirements of the current issue of NZS 4431, unless otherwise specifically approved by the Council. At the completion of earthworks the consent holder shall provide a report and certificates in the form of Appendix A of NZS 4431 and Schedule 2A of NZS 4404 by a suitably qualified person.
10. The consent holder shall supply to Council a report by a suitably qualified person detailing site investigation work and findings together with recommendations for foundation design for lots 1 to 38.
If specifically designed foundations are required in accordance with the Building Act 2004, then the Council will issue a Consent Notice under Section 221 of the Resource Management Act recording that specifically designed foundations are required.

11. Should a waahi tapu or other cultural site be unearthed during earthworks the contractor and/or owner shall :-
- (a) cease operations;
 - (b) inform local iwi (Ngati Raukawa);
 - (c) inform the NZ Historic Places Trust (NZHPT) and apply for an appropriate authority if required;
 - (d) Take appropriate action, after discussion with the NZHPT, Council and iwi to remedy damage and/or restore the site.

Note:

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

12. Where the existing land or vegetative cover is disturbed, suitable ground cover shall be established as soon as practicable following earthworks or within 5 days of completion whichever shall occur first. For this condition "suitable ground cover" means application of basecourse, topsoil, grassing or mulch, or another type of application to the satisfaction of the Council.
13. The consent holder shall not remove soil support from adjacent lots.
14. All batters shall be self-supporting.
15. A topographical plan shall be provided showing contours at no greater than 1 metre intervals prior to and on completion of earthworks. The scale of the plan shall be 1:500 and two copies shall be provided. The plan shall also show the position and approximate level of all test locations including test borings. Where appropriate the plan should accompany any engineering reports by the suitably qualified person.

Note:

In situations where earthworks have been required to bring land to above recommended building levels, for flood mitigation purposes, as built contours and spot levels shall be at suitable detail to clearly show the extent of land brought above the recommended building levels and the levels of that land.

16. No building or structure, or part of any building or structure, shall be erected within the area shown as residual overflow path on the PGL plan REL Scheme Plan located within Lots 24 to 30 and 38. The area shall not be filled. No internal fence of a design which may dam water or trap debris shall be erected in or across the area. Pole structures or free standing signs may be erected within the residual overflow path, but only with the specific written consent of the Resource Consents Manager. The issue of a Building Consent under the Building Act 2004 shall not be regarded as written consent for the purposes of this requirement. No planting that would inhibit operation of the drainage pattern shall be established. The residual overflow path shall be defined on the face of the title plan.

Please Note: Upon the issue of the Certificate pursuant to Section 224 of the Resource Management Act 1991 or at such earlier time as may be required, a Consent Notice pursuant to Section 221 will be issued. The Consent Notice will specify the above Condition, to be registered against the Certificates of Title of Lots 24 to 30 and 38 and is to be complied with on an ongoing basis

17. Those new roads and rights-of-way that are required to be second coat sealed may have this requirement met by lodging a cash contribution with the Council calculated at \$6.50 per square metre of the area for first coat seal.
18. The consent holder shall provide all signs and install all road markings for compliance with Land Transport Safety Authority/Transit New Zealand Manual of Traffic Signs and Markings, unless otherwise approved by the Council. The associated costs of legalising any no stopping lines, give way and compulsory stops that are required shall be met by the consent holder.
19. The consent holder shall submit a road safety audit report in accordance with the Land Transport Safety Audit Policy and Procedures for the development when engineering drawings are submitted for approval. The audit shall be undertaken by a suitably qualified person and the audit recommendations incorporated into the works, unless otherwise approved by the Subdivision Engineer
20. The consent holder shall submit a stormwater disposal design in accordance with the principles contained in Part 3 Section E of the Council's Subdivision and Development Principles and Requirements, for approval by the Council. Construction shall be in accordance with the approved design.
21. Lots 1 to 38 will be required to have their own on-site stormwater disposal systems. These systems will be required to deal with all stormwater generated from the roof area on each individual site up to the 1% annual exceedance probability event. The balance paved area shall be designed to the 10% annual exceedance probability event with overflow to the street.

The consent holder shall provide a report by a suitably qualified person which provides design parameters for permanent on-site disposal systems which can be easily maintained. Recommendations for on-going maintenance requirements for the proposed systems shall be included in the report. Owners of the lots shall maintain the systems so that they operate at their designed capacity. In the event that owners do not maintain the systems then Council may carry out the required maintenance at the owners' expense.

A Consent Notice under section 221 of the Resource Management Act 1991 will be issued by the Council recording the requirements for on-site disposal. The consent notice will include reference to the owners' responsibility to maintain the system in accordance with the maintenance recommendations.

22. Easements are required over any rights of way and communal, private and public services where these pass through the lots in the subdivision.
Easement documents shall be prepared by solicitors at the consent holder's expense.
23. Lots 40 and 41 shall vest as plantation reserve and shall be fenced adjoining lots 15-17 and 24 in accordance with a plan submitted for approval to Council. Any fence which is higher than 1.5 metres shall be visually permeable above 1.5 metres.
24. The consent holder shall enter into a fencing covenant to ensure that Council shall not be liable for, or called upon to erect or maintain or contribute towards the cost of erection or maintenance of any fence along the reserve boundaries. The consent holder shall enter into a bond or cash deposit of \$500 per lot subject to the covenant on application for the Section 224(c) certificate. The bond will be refunded once evidence is submitted that the covenants have been registered on the appropriate titles.

25. Lot 28 shall be held with 35/100th undivided shares in Lot 39 and one certificate of title issued to include both parcels
- Lot 29 shall be held with 20/100th undivided shares in Lot 39 and one certificate of title issued to include both parcels
- Lot 30 shall be held with 12/100th undivided shares in Lot 39 and one certificate of title be issued to include both parcels
- Lot 31 shall be held with 10/100th undivided shares in Lot 39 and one certificate of title be issued to include both parcels
- Lot 32 shall be held with 13/100th undivided shares in Lot 39 and one certificate of title be issued to include both parcels
- Lot 33 shall be held with 10/100th undivided shares in Lot 39 and one certificate of title be issued to include both parcels
- Land Information New Zealand request reference 626037 applies to this condition.
26. The consent holder shall submit to the Council for approval a comprehensive Landscape Plan for the development covering Lots 39-41 and the areas to vest as road. Landscape work shall be completed in accordance with the approved Landscape Plan. Note: Council will accept a cash deposit or bond against the completion of the landscaping work.
27. The consent holder shall supply a copy of the Title Plan and shall list and indicate how each condition has been met to the satisfaction of the Council.

Reasons for Conditions

- The reason for Condition 1 is to ensure that the activity does not go beyond the scope of the application
- The reason for Condition 2 is to ensure that Stage 2 is not acted upon until the flooding hazard on the property is reduced
- The reason for Conditions 3, 26 and 27 is to ensure that compliance with the conditions of consent is achieved without cost to Council
- The reason for Condition 4 is to ensure a reserves contribution is paid to Council in line with Council policy on reserves contribution
- The reason for Conditions 5 to 23 is to ensure compliance with Council's Subdivision and Development Principles and Requirements 2005
- The reason for Condition 24 is to ensure that a suitable fence is established along the boundary of the reserve to be vested in Council
- The reason for Condition 25 is to ensure that adequate parking spaces are available for Lots 28 to 33

Advice Notes

- All costs arising from any of the above conditions shall be borne by the consent holder.

- This Land Use Consent incorporates the approval for Earthworks required under the Kapiti Coast District Council Earthworks Bylaw.
- The consent holder should not encroach onto adjacent land owned by others without having first obtained their written consent.
- Contravention of the Land Drainage Act is not permitted and natural drainage patterns are to be preserved.
- A separate application is required for a building consent if any earth-retaining structure is intended as part of this work and the wall is higher than 1.5 metres or is subject to surcharging. A building consent is also required to obtain a building consent before carrying out any alterations to existing services within the lots.
- Development Contributions will be required pursuant to section 198 of the Local Government Act 2002 and the 2006/2007 Council's Development Contributions Policy when creating new allotments. The contributions will be calculated and levied in accordance with the fees that apply at the time of uplifting the section 224 certificate:

There are 38 additional allotments created by this resource consent.
- Discussions shall be entered into to with the Sustainable Development Manager to facilitate the agreement of physical works in lieu of the roading component of the development contribution.
- The contributions must be paid prior to the issue of any certificate pursuant to Section 224(c) of the Resource Management Act 1991 (please refer also to Section 208 of the Local Government Act 2002).

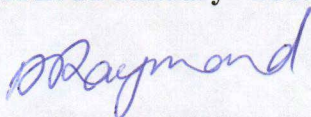
Reasons for Decision:

In accordance with Sections 104 and 104B of the Resource Management Act 1991 the actual and potential effects associated with the proposed activity have been assessed and are outlined in the report. It is considered that the adverse effects of the proposed activity on the environment will be minor, potential adverse effects can be avoided or mitigated by the imposition of conditions, and the proposed activity is not contrary to the relevant Objectives, Policies, and Assessment Criteria of the Kapiti Coast District Plan.

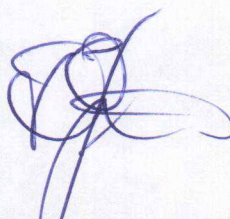
APPLICATION: Granted

RM060403

DATE: 31 January 2007



Dean Raymond
Resource Consents Planner



Wayne Gair
Principal Planner - Subdivisions

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

Non-Notified Application*Draft*

APPLICANT:	Riverbank Estates Limited
SITE ADDRESS:	48 Riverbank Road, Otaki
LEGAL DESCRIPTION:	PT PAHIANUI B5B
PROPOSAL:	41 Lot Industrial Subdivision
OWNER:	Pritchard Group Ltd
ZONE:	Industrial/Service
ACTIVITY STATUS:	Discretionary

Delegated authority to process application without public notification pursuant to section 94 exercised by: Dean Raymond and Wayne Gair

1. SITE DESCRIPTION

The site is a 6.76 hectare property in the Industrial area of Riverbank Road, Otaki approximately 500 metres from the Otaki River and 700 metres from State Highway 1.

The site is basically vacant and has been used recently for grazing horses. The gently undulating site is covered with grass, with some piles of gorse and other weeds that have been recently cleared from the site. The site is fenced on all the boundaries, with a two metre fence along one part of the boundary with the residential zone. A fence has also been erected between part of the land designated as plantation reserve and the balance of the site. There are also several trees growing in this area. In two areas neighbouring industrial activities (car yard and recycling business) have encroached into the site.

The site is surrounded by other industrial properties to the northwest and southwest and residential properties to the northeast. There is a vacant property (zoned industrial) to the south of the application site. An area of Council owned reserve (plantation reserve) to the north of the site is zoned open space

The property has access from Miro Street and also off an unnamed street coming off Riverbank Road.

There is a designation for plantation reserve (approximately 12 metres wide) along the northeast boundary of the site.

There is a potential cycleway/walkway indicated along northeast boundary of the site which is part of Council's CWB network.

The majority of the site is subject to flooding, as shown on Council's GIS database. The north and north-eastern area (approximately 1/3 of the site) is shown as overflow path. A small area adjacent to the access road off Riverbank Road is shown as residual overflow path, and the balance of the site is shown as either ponding or residual ponding.

2. PROPOSAL

It is proposed to subdivide the property into 41 lots, including two allotments to be vested in Council as reserves and one lot to be used only for parking. The development also includes road to vest of 1.6 hectares which would link Miro Street to Riverbank Road and also include three short cul-de-sacs. The proposed industrial lots range in size from 471m² to 2418m².

It is proposed to exercise the subdivision consent, if granted, in stages; Stage 1 which would include sub-stages of 1A, 1B and 1C, and Stage 2 with two sub-stages; 2A and 2B. Stage 1 is for the southern portion of the site that is not subject to overflow path. Stage 2 is proposed to be undertaken when the Chrystalls Bend stopbank upgrade work is completed (expected to be June 2008).

The applicant seeks some flexibility in the exact size and dimensions of the proposed allotments, as it is difficult to predetermine which lot sizes would be preferred by prospective purchasers.

A development plan has been submitted with the application illustrating how each lot can contain a building that complies with all the permitted activity standards. This plan shows potential development in terms of buildings, roads, parking spaces and planting.

Landscaping is proposed along the edge of the proposed roads in the development as well as within the proposed car parking lot. The land to be vested as plantation reserve will also be planted and provision can also be made for pedestrian access.

Earthworks are also proposed to create building platforms on each of the lots above the potential 100 year flood, and also for the purposes of road and access formation. The earthworks will involve changing the ground level by up to 0.9 metres and will total approximately 10,000m³ of compacted fill.

It is proposed to maintain a 50 metre wide overflow path through the development which would be clear of buildings or other development. This area would include plantation reserve, parking lot, road and a no-building area on some of the lots. This width is less than the current overflow path, but the applicant suggests it will be adequate to cope the expected residual overflow path when the Chrystalls Bend stopbank is completed in June 2008.

3. DISTRICT PLAN

District Plan Objectives and Policies:

C.5.1 Industrial Zone; Objective 1

Sustain and enhance the character of the District's centres of industrial service activity including the amenity values of these areas and efficient use of the transport and service infrastructure and

ensuring the adverse effects on the natural environment and on the amenity of nearby residential areas are avoided.

Policy 1 – Amenity Values

Ensure activities maintain and, wherever possible, enhance the amenity values of the industrial areas of the district as efficient and pleasant working environments by avoiding, remedying or mitigating the adverse effects of industrial activities.

Policy 2 – Industrial Fringe

Control the adverse effects of industry on adjacent residential and commercial/retail areas and arterial traffic routes. (Specific effects which must be addressed include flood hazards, and loss or enhancement of green space.)

C.7.3 Earthworks; Objective 1

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

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, practicality of drainage systems, minimum site buildings levels, drive on access to all lots and creation of practical reserve areas;
- The necessity for carrying out the works;
- 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.

C.15.1 Natural hazards

Policy 1

Permit subdivision and development where the effects of natural hazards can be avoided, remedied or mitigated

Policy 4

Ensure there are flood free building sites within newly created allotments

Policy 9

When assessing discretionary activities within a river corridor, ponding area or overflow path, consider the following:

- The effects of the development on existing flood mitigation structures
- The effects of the development on the flood hazard – in particular flood levels and flow

- Whether the development redirects floodwater onto adjoining sites or other parts of the floodplain
- Whether the development reduces storage capacity and causes adverse effects on adjoining sites or other parts of the floodplain
- Whether access to the site/development will adversely affect the flood hazard

Plan Change 50 includes the following additional policy:

Policy 10

Apply a higher level of control to subdivision and development in direct risk flooding areas, with a generally lesser level of restriction in residual overflow risk areas and no controls within residual ponding risk areas

Industrial Zone Rules and Standards

D.5.1.2 Controlled Activities

Subdivision which complies with the controlled activity standards for subdivision.

The matters over which Council reserves control for the purposes of assessment are:

- The design and layout of the subdivision including earthworks and the degree of compliance with the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005
- The imposition of financial contributions in accordance with Part E of this Plan
- The imposition of conditions in accordance with Section 220 of the Resource Management Act 1991

Plan Change 50 adds a new rule that earthworks and buildings within the residual overflow path are controlled activities. Council will consider the degree to which the earthworks or building will obstruct the flood path.

D.5.2.1 Permitted Activity Standards

Earthworks – No more than 20m³ in areas subject to ponding or overflow path, in other areas no more than 50m³ and in all areas no alteration of the ground level of more than 1 vertical metre.

In addition Plan Change 50 states that earthworks shall not be undertaken within overflow or residual overflow paths, but removes the above restriction in ponding areas.

Flood Storage and Ponding Areas

Development within ponding areas shall only occur where equivalent storage is created.

Note: this requirement is removed in Plan Change 50.

Parking – Compliance with Part J of the Plan (note Part J requires 2 parking spaces to be provided for every 100m² of gross floor area)

Siting of Buildings

Plan Change 50 adds a new standard that buildings shall not be sited within the overflow and residual overflow areas

D.5.2.2 Controlled Activity Standards

- (i) Subdivision shall be permitted where each new lot including the balance area shall be able to accommodate a building which complies with the permitted activity standards
This is shown on the development plan submitted with the application
- (ii) A development plan showing proposed buildings and landscaping shall be provided
Submitted with application
- (iii) Compliance with the esplanade reserve standards in Part H of this Plan
NA
- (iv) Each lot shall have a building site above the estimated 1% flood event
This will be provided via proposed earthworks on the site
- (v) Access to all lots shall comply with the standards in Part J of this Plan
Compliance is shown in the plans submitted with the application
- (vi) Stormwater Control: Surface water drains shall be of sufficient size for the full future development of the land within the affected catchment
Stormwater issues have been addressed in the application
- (vii) Underground Services: Where any subdivision of land involves the construction of a new street or the extension of an existing street the development shall, as a condition of subdivision consent, make provision for the underground reticulation of all electric, gas and telecommunication services to the land in the subdivision
Underground reticulation is proposed in this development

4. RESOURCE MANAGEMENT ACT 1991

Section 106 of the Resource Management Act 1991 gives Council discretion to either refuse or to approve subdivision consent subject to conditions if it considers that

- “(a) *the land in respect of which a consent is sought, or any structure on the land, is or is likely to be subject to material damage by erosion, falling debris, subsidence, slippage, or inundation from any source; or*
 - (b) *any subsequent use that is likely to be made of the land is likely to accelerate, worsen, or result in material damage to the land, other land, or structure by erosion, falling debris, subsidence, slippage, or inundation from any source; or*
 - (c) *sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision.*
- (2) *Conditions under subsection (1) must be—*
- (a) *for the purposes of avoiding, remedying, or mitigating the effects referred to in subsection (1); and*
 - (b) *of a type that could be imposed under section 108.*

In considering the merits of an application, the provisions of Section 104 of the Resource Management Act 1991 must be considered. Section 104 sets out the matters that the Council must

have regard to when considering an application for resource consent. The provisions of Section 104 that have the most relevance to this application include:

- (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 policy statement;*
 - (ii) *a New Zealand coastal policy statement;*
 - (iii) *a regional policy statement or proposed regional policy statement;*
 - (iv) *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 the plan permits an activity with that effect.*

5. CONSULTATION

Consultation has been undertaken with the following Council staff:

Matt Aitchison, Subdivision Engineer

Mr Aitchison has assessed the application and has recommended conditions to ensure compliance with the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005. I concur with these recommended conditions.

Mike Cardiff, Parks and Recreation Manager

Mr Cardiff has made the following comments on the proposed subdivision: "I have no concerns with the proposed 15 metre wide green belt along the north eastern boundary being included within the reserve contribution assessment. Regarding the proposed landscaping plan, I have a slight concern with the specified 'excelsa' variety of Pohutukawa." Mr Cardiff goes on to explain that trees with a single leader standard type trunk would be better in terms of minimising intrusion into the street and footpath areas. He suggests the variety known as 'Pohutukawa Maori Princess' would be more appropriate in this place. A condition is proposed that the consent holder submit a landscape plan for approval by Council.

Blair Murray, Stormwater Engineer

Sara Bell, Landscape Architect

Linda Kerkmeester, CWB Network Coordinator

In addition the proposal has been discussed with representatives of local **Iwi, Te Runanga O Raukawa** who have indicated they have no concerns as long as the standard earthworks conditions are part of the consent.

The applicant has consulted with **Greater Wellington Regional Council** who have assessed the proposed subdivision. Correspondence from GW is included in the file, and includes the following comments:

- Compensatory storage in ponding areas is not needed

- Overflow paths and residual overflow paths must be preserved
- Predicted flood for the property are between 8.6 and 9.9 for a 50 year flood, and between 8.7 and 10.0 for a 100 year flood event
- GW has no concerns with Stage 1 of the Subdivision
- Stage 2 is based on the expected timing of improvements to flood protection in the area, and reasonably assesses the likely needs of the future residential overflow path.
- A 50 metres wide residual overflow path is an acceptable approach; the only issue is that the base area of the plantation reserve would need to be kept relatively open.

Also the **District Land Registrar** has been consulted regarding the practicality of conditions requiring one lot to be held in common ownership by the owners of other lots. Land Information New Zealand has advised that the conditions proposed are practical.

6. SECTION 93/94 ANALYSIS

On 25 January 2007, Council staff acting under authority delegated by the Council, resolved under Sections 93 and 94 of the Resource Management Act 1991 that the application need not be notified. The reasons for this decision were:

1. The effects of the activity will be no more than minor, for the reasons discussed below in the Assessment section.
2. It is considered that no persons will be adversely affected by the proposed development. The development of this land into industrial uses is an activity expected under the provisions of the District Plan.
3. No special circumstances exist in relation to the application that requires it to be notified.

7. ASSESSMENT

Methods of Analysis:

Methods of analysis to determine what will be the environmental effects of the activity have focused on site visits, studies of Council held data, feedback from other relevant Council departments and consultation with other agencies.

Earthworks

The effects of the proposed earthworks have been assessed in terms of District Plan Policy 1 (general assessment criteria). The site is not a prominent or visually sensitive landform, and there are no ridgelines, dunes, escarpments, significant native vegetation, wetlands or waterbodies on the site. Water quality can be maintained during the earthworks construction by the imposition of suitable conditions. The earthworks will be screened from the residential zone by the proposed plantation reserve. The proposed earthworks will provide for minimum site buildings levels and acceptable access and drainage systems. It is considered that the earthworks are necessary on this site to enable the land to be developed for industrial purposes.

Noise, dust other temporary effects of the earthworks are expected; however these effects are temporary and can be avoided or mitigated by the imposition of conditions.

Flood Hazard Issues

It is considered that the proposed earthworks will not increase the flood hazard in this catchment. The earthworks proposed will provide suitable building platforms for all the proposed lots. In line with comments received by GW it is not necessary to provide compensatory storage in ponding areas. The overflow and residual overflow paths are adequately maintained in the proposed development of the site.

The applicant proposes to start Stage 2 only after the flood hazard is reduced by the completion of Chystalls Bend stopbank in 2008. A balance needs to be reached between providing a level of certainty for the developer that Stage 2 can in fact progress, and the requirement to assess the changed flood hazard when the flood protection work has been completed. A condition of consent has been proposed that Stage 2 can only proceed when Chystalls Bend stopbank upgrade has been completed.

Subsequent industrial activities expected as a result of this subdivision

This land is zoned industrial and it is expected that some form of industrial development would occur on this land at some stage. The subdivision will allow for and facilitate the development and use of this land for industrial purposes, but it is not known at this stage what type of industry may locate into this area. Any industry that does locate here would need to comply with the permitted activity standards for the industrial zone. The effects of future development on this land include noise and visual effects. These effects in relation to the adjacent residential zone would be mitigated in part by the proposed landscaping of the site and by the vesting of a 15 metre wide plantation reserve which would provide a buffer area between the industrial sites and the residential zone.

The other effect expected from the future development of this property is traffic generation. The subdivision will generate additional traffic on Riverbank Road and the surrounding road network. It is considered that Riverbank Road has sufficient capacity to cope with the additional traffic and that any effects of additional traffic will be only minor.

Development and Reserves Contributions

Brian Whitaker has made an assessment of the land value of the lots to be created and has assessed the total value of additional lots to be created at \$2,999,000. In line with Council policy 7.5% of this amount, plus GST, is payable as reserves contribution. It has been calculated that 7.5% plus GST is \$253,040. Mr Whitaker has further assessed the value of the two lots to be vested in Council as reserves at \$63,000. The net amount of reserves contribution to be paid is thus \$190,040.

Development contributions are also required to be paid in accordance with Council's Development Contributions Policy. The applicant is seeking full remittance of the roading component of the development contributions, suggesting that the proposed upgrading the access road off Riverbank Road be taken in lieu of financial contribution. This is a matter for the Sustainable Development Manager to negotiate with the developer.

8. CONCLUSION

Having regard to the above assessment I am of the opinion that the adverse effects of the proposed subdivision on the environment will be minor and that the proposed activity is not contrary to the objectives and policies of the District Plan. Any potential effects can be effectively mitigated by the imposition of appropriate conditions.

8. DECISION

That officers acting under delegated authority from Council and pursuant to Section 104 and 104B of the Resource Management Act 1991 GRANT consent for 38 lot industrial subdivision with road & reserve lots & landuse consent for associated earthworks at 48 Riverbank Road, Otaki (PT PAHIANUI B5B), subject to the following conditions: Should each stage have its own set of conditions?

1. The Title Plan or E-Survey Data Set shall be in accordance with the subdivision consent proposal shown on the plans drawn by Pritchard Group Ltd numbered REL Scheme Plan, REL Scheme Plan 1, and REL Scheme Plan 2 submitted with application RM060403 and stamped Final Approved Plans on x January 2007
2. Stage 2 of the development as depicted on the PGL plan REL Scheme Plan 2 shall not proceed until such time the Chrystalls stopbank upgrade has been completed, unless otherwise approved by Greater Wellington. Suggested condition relating to staging of consent?
3. The consent holder shall pay Council Engineering Fees of \$450.00, plus \$270 per lot, (GST inclusive) for work that may be required for plan approvals, site inspections and consent compliance monitoring prior to the Section 224(c) certification for each stage of the subdivision

Extra fees may apply in accordance with the Engineering Fees Schedule adopted by Council from 12 December 2002.

Note: The current charge out rate is \$90.00 (GST inclusive) per hour.

4. The consent holder shall pay \$190,040.00 as a reserves contribution prior to the issue of any Section 224(C) certificate for subdivision.
5. The consent holder shall comply with the requirements of the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005.
6. The consent holder shall submit to Council for approval copies of the plans and specifications for the engineering development in accordance with Paragraph 1 of Schedule 1 contained in Part 4 of the Council's Subdivision and Development requirements. No work shall commence until the plans and specifications have been approved by the Council in writing.
7. The consent holder shall advise the names and their professional qualifications and experience of Suitably Qualified Persons required in terms of Clause B(iii) of Part 3 of the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005. If the Council considers any of the nominated persons are not

acceptable then the consent holder shall nominate alternative persons, or the Council may require the consent holder to employ a specified Suitably Qualified Person or Persons at the consent holders cost. Suitably Qualified Persons are required for, but not necessarily limited to, the following areas:

Foundation recommendations
Stormwater and flood issues

8. The consent holder shall provide a copy signed by the consent holder's contractor of the Contractor Health and Safety Obligation Form as set out in Appendix 2 of Section 6 of the Council's Health and Safety Manual for those situations where connections are to be made to Council owned existing services or roads.
9. Earthworks shall comply with the requirements of the current issue of NZS 4431, unless otherwise specifically approved by the Council. At the completion of earthworks the consent holder shall provide a report and certificates in the form of Appendix A of NZS 4431 and Schedule 2A of NZS 4404 by a suitably qualified person.
10. The consent holder shall supply to Council a report by a suitably qualified person detailing site investigation work and findings together with recommendations for foundation design for lots 1 to 38.
If specifically designed foundations are required in accordance with the Building Act 2004, then the Council will issue a Consent Notice under Section 221 of the Resource Management Act recording that specifically designed foundations are required.
11. Should a waahi tapu or other cultural site be unearthed during earthworks the contractor and/or owner shall :-
 - (a) cease operations;
 - (b) inform local iwi (Ngati Raukawa);
 - (c) inform the NZ Historic Places Trust (NZHPT) and apply for an appropriate authority if required;
 - (d) Take appropriate action, after discussion with the NZHPT, Council and iwi to remedy damage and/or restore the site.

Note:

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

12. Where the existing land or vegetative cover is disturbed, suitable ground cover shall be established as soon as practicable following earthworks or within 5 days of completion whichever shall occur first. For this condition "suitable ground cover" means application of basecourse, topsoil, grassing or mulch, or another type of application to the satisfaction of the Council.
13. The consent holder shall not remove soil support from adjacent lots.
14. All batters shall be self-supporting.
15. A topographical plan shall be provided showing contours at no greater than 1 metre intervals prior to and on completion of earthworks. The scale of the plan shall be 1:500

and two copies shall be provided. The plan shall also show the position and approximate level of all test locations including test borings. Where appropriate the plan should accompany any engineering reports by the suitably qualified person.

Note:

In situations where earthworks have been required to bring land to above recommended building levels, for flood mitigation purposes, as built contours and spot levels shall be at suitable detail to clearly show the extent of land brought above the recommended building levels and the levels of that land.

- 16 The residual overflow path as depicted on the PGL plan REL Scheme Plan located within Lots 24 to 30 and 38 shall not be filled and no building or structure, or part of any building or structure, shall be erected within the area. No internal fence that is to be erected across the area shall be of a solid structure or of a design which may dam water or trap debris. No planting that would inhibit operation of the drainage pattern shall be established. The residual overflow path shall be defined on the face of the survey plan.

Please Note: Upon the issue of the Certificate pursuant to Section 224 of the Resource Management Act 1991 or at such earlier time as may be required, a Consent Notice pursuant to Section 221 will be issued. The Consent Notice will specify the above Condition, to be registered against the Certificates of Title of Lots 24 to 30 and 38, is to be complied with on an ongoing basis

17. Those new roads and rights-of-way that are required to be second coat sealed may have this requirement met by lodging a cash contribution with the Council calculated at \$6.50 per square metre of the area for first coat seal.
18. The consent holder shall provide all signs and install all road markings for compliance with Land Transport Safety Authority/Transit New Zealand Manual of Traffic Signs and Markings, unless otherwise approved by the Council. The associated costs of legalising any no stopping lines, give way and compulsory stops that are required shall be met by the consent holder.
19. The consent holder shall submit a road safety audit report in accordance with the Land Transport Safety Audit Policy and Procedures for the development when engineering drawings are submitted for approval. The audit shall be undertaken by a suitably qualified person and the audit recommendations incorporated into the works, unless otherwise approved by the Subdivision Engineer
20. The consent holder shall submit a stormwater disposal design in accordance with the principles contained in Part 3 Section E of the Council's Subdivision and Development Principles and Requirements, for approval by the Council. Construction shall be in accordance with the approved design.
21. Lots 1 to 38 will be required to have their own on-site stormwater disposal systems. These systems will be required to deal with all stormwater generated from impermeable surfaces on each individual site up to the 10% annual exceedance probability event where a secondary overflow path is available. If a secondary overflow path is not available then the stormwater system shall be designed to meet the 1% annual exceedance probability event.

The consent holder shall provide a report by a suitably qualified person which provides design parameters for permanent on-site disposal systems which can be easily maintained.

Recommendations for on-going maintenance requirements for the proposed systems shall be included in the report.

A Consent Notice under section 221 of the Resource Management Act 1991 will be issued by the Council recording the requirements for on-site disposal. The consent notice will include reference to the owners' responsibility to maintain the system in accordance with the maintenance recommendations.

22. Easements are required over any rights of way and communal, private and public services where these pass through the lots in the subdivision.
Easement documents shall be prepared by solicitors at the consent holder's expense.
23. Lots 40 and 41 shall vest as plantation reserve and shall be fenced adjoining lots 15-17, 24 and 39 in accordance with Part 8 of NZS4404 and Schedule 8 of the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005 and as approved by the Council.
24. The consent holder shall enter into a fencing covenant to ensure that Council shall not be liable for, or called upon to erect or maintain or contribute towards the cost of erection or maintenance of any fence along the reserve boundaries. The consent holder shall enter into a bond or cash deposit of \$500 per lot subject to the covenant on application for the Section 224(c) certificate. The bond will be refunded once evidence is submitted that the covenants have been registered on the appropriate titles.
25. Lot 28 shall be held with 35/100th undivided shares in Lot 39 and one certificate of title issued to include both parcels
Lot 29 shall be held with 20/100th undivided shares in Lot 39 and one certificate of title issued to include both parcels
Lot 30 shall be held with 12/100th undivided shares in Lot 39 and one certificate of title be issued to include both parcels
Lot 31 shall be held with 10/100th undivided shares in Lot 39 and one certificate of title be issued to include both parcels
Lot 32 shall be held with 13/100th undivided shares in Lot 39 and one certificate of title be issued to include both parcels
Lot 33 shall be held with 10/100th undivided shares in Lot 39 and one certificate of title be issued to include both parcels
Land Information New Zealand request reference 626037 applies to this condition.
26. The consent holder shall submit to the Council for approval a comprehensive Landscape Plan for the development covering Lots 39-41 and the areas to vest as road. Landscape work shall be completed in accordance with the approved Landscape Plan. Suggested condition; landscaping as shown on landscaping be established within 2 years...
27. The consent holder shall supply a copy of the Title Plan and shall list and indicate how each condition has been met to the satisfaction of the Council.

Reasons for Conditions

- The reason for Condition 1 is to ensure that the activity does not go beyond the scope of the application

- The reason for Condition 2 is to ensure that Stage 2 is not acted upon until the flooding hazard on the property is reduced
- The reason for Conditions 3, 26 and 27 is to ensure that compliance with the conditions of consent is achieved without cost to Council
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Advice Notes

- All costs arising from any of the above conditions shall be borne by the consent holder.
- This Land Use Consent incorporates the approval for Earthworks required under the Kapiti Coast District Council Earthworks Bylaw.
- The consent holder should not encroach onto adjacent land owned by others without having first obtained their written consent.
- Contravention of the Land Drainage Act is not permitted and natural drainage patterns are to be preserved.
- A separate application is required for a building consent if any earth-retaining structure is intended as part of this work and the wall is higher than 1.5 metres or is subject to surcharging. A building consent is also required to obtain a building consent before carrying out any alterations to existing services within the lots.
- Development Contributions will be required pursuant to section 198 of the Local Government Act 2002 and the 2006/2007 Council's Development Contributions Policy when creating new allotments. The contributions will be calculated and levied in accordance with the fees that apply at the time of uplifting the section 224 certificate:
There are 38 additional allotments created by this resource consent.
- Discussions shall be entered into to with the Sustainable Development Manager to facilitate the agreement of physical works in lieu of the roading component of the development contribution.
- The contributions must be paid prior to the issue of any certificate pursuant to Section 224(c) of the Resource Management Act 1991 (please refer also to Section 208 of the Local Government Act 2002).

Reasons for Decision:

In accordance with Sections 104 and 104B of the Resource Management Act 1991 the actual and potential effects associated with the proposed activity have been assessed and are outlined in the report. It is considered that the adverse effects of the proposed activity on the environment will be minor, potential adverse effects can be avoided or mitigated by the imposition of conditions, and the proposed activity is not contrary to the relevant Objectives, Policies, and Assessment Criteria of the Kapiti Coast District Plan.

APPLICATION: Granted

RM060403

DATE: January 2007

Dean Raymond
Resource Consents Planner

Wayne Gair
Principal Planner - Subdivisions



DECISION

060403

DECISION



FILE: RM060403

31 January 2007

Riverbank Estates Limited
C/- Pritchard Group Limited
20 Addington Road
RD1
Otaki

Dear Riverbank Estates Limited

RM060403: 38 LOT INDUSTRIAL SUBDIVISION WITH ROAD & RESERVE LOTS & ASSOCIATED EARTHWORKS AT 48 RIVERBANK ROAD, OTAKI

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 \$180.00 (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.

If you have any concerns or enquiries about the conditions please do not hesitate to contact me on (04) 2964 819.

Thank you for dealing with the Kapiti Coast District Council.

Yours sincerely

A handwritten signature in black ink, appearing to read "Dean Raymond", written over a light blue circular stamp.

Dean Raymond
Resource Consents Planner



**RESOURCE CONSENT UNDER PART IV OF THE
RESOURCE MANAGEMENT ACT 1991
CONSENT NO: RM060403**

APPLICANT:	Riverbank Estates Ltd
LOCATION OF ACTIVITY:	48 Riverbank Road Otaki
DESCRIPTION OF ACTIVITY:	41 Lot Industrial Subdivision

DECISION: Granted subject to conditions on 31 January 2007.

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

1. The Title Plan or E-Survey Data Set shall be in accordance with the subdivision consent proposal shown on the plans drawn by Pritchard Group Ltd numbered REL Scheme Plan, REL Scheme Plan 1, and REL Scheme Plan 2 submitted with application RM060403 and stamped Final Approved Plans on 31 January 2007
2. Stage 2 of the development as depicted on the PGL plan REL Scheme Plan 2 shall not proceed until such time the Chrystalls stopbank upgrade has been completed, unless otherwise approved by Kapiti Coast District Council.
3. The consent holder shall pay Council Engineering Fees of \$450.00, plus \$270 per lot, (GST inclusive) for work that may be required for plan approvals, site inspections and consent compliance monitoring prior to the Section 224(c) certification for each stage of the subdivision

Extra fees may apply in accordance with the Engineering Fees Schedule adopted by Council from 12 December 2002.

Note: The current charge out rate is \$90.00 (GST inclusive) per hour.

4. The consent holder shall pay \$274,387.50 as a reserves contribution prior to the issue of any Section 224(C) certificate for subdivision. This amount may be paid in stages based on the value of the Lots released in each stage.
5. The consent holder shall comply with the requirements of the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005.

Kapiti Coast District Council

Phone (04) 296 4700, Fax (04) 296 4830 175 Rimu Road, Private Bag 601, Paraparaumu 5254. Website www.kapiticoast.govt.nz

Me huri whakamuri, ka titiro whakamua

6. The consent holder shall submit to Council for approval copies of the plans and specifications for the engineering development in accordance with Paragraph 1 of Schedule 1 contained in Part 4 of the Council's Subdivision and Development requirements. No work shall commence until the plans and specifications have been approved by the Council in writing.
7. The consent holder shall advise the names and their professional qualifications and experience of Suitably Qualified Persons required in terms of Clause B(iii) of Part 3 of the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005. If the Council considers any of the nominated persons are not acceptable then the consent holder shall nominate alternative persons, or the Council may require the consent holder to employ a specified Suitably Qualified Person or Persons at the consent holders cost. Suitably Qualified Persons are required for, but not necessarily limited to, the following areas:

Foundation recommendations
Stormwater and flood issues
8. The consent holder shall provide a copy signed by the consent holder's contractor of the Contractor Health and Safety Obligation Form as set out in Appendix 2 of Section 6 of the Council's Health and Safety Manual for those situations where connections are to be made to Council owned existing services or roads.
9. Earthworks shall comply with the requirements of the current issue of NZS 4431, unless otherwise specifically approved by the Council. At the completion of earthworks the consent holder shall provide a report and certificates in the form of Appendix A of NZS 4431 and Schedule 2A of NZS 4404 by a suitably qualified person.
10. The consent holder shall supply to Council a report by a suitably qualified person detailing site investigation work and findings together with recommendations for foundation design for lots 1 to 38.

If specifically designed foundations are required in accordance with the Building Act 2004, then the Council will issue a Consent Notice under Section 221 of the Resource Management Act recording that specifically designed foundations are required.
11. Should a waahi tapu or other cultural site be unearthed during earthworks the contractor and/or owner shall :-
 - (a) cease operations;
 - (b) inform local iwi (Ngati Raukawa);
 - (c) inform the NZ Historic Places Trust (NZHPT) and apply for an appropriate authority if required;
 - (d) Take appropriate action, after discussion with the NZHPT, Council and iwi to remedy damage and/or restore the site.

Note:

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

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

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

14. All batters shall be self-supporting.

15. A topographical plan shall be provided showing contours at no greater than 1 metre intervals prior to and on completion of earthworks. The scale of the plan shall be 1:500 and two copies shall be provided. The plan shall also show the position and approximate level of all test locations including test borings. Where appropriate the plan should accompany any engineering reports by the suitably qualified person.

Note:

In situations where earthworks have been required to bring land to above recommended building levels, for flood mitigation purposes, as built contours and spot levels shall be at suitable detail to clearly show the extent of land brought above the recommended building levels and the levels of that land.

16. No building or structure, or part of any building or structure, shall be erected within the area shown as residual overflow path on the PGL plan REL Scheme Plan located within Lots 24 to 30 and 38. The area shall not be filled. No internal fence of a design which may dam water or trap debris shall be erected in or across the area. Pole structures or free standing signs may be erected within the residual overflow path, but only with the specific written consent of the Resource Consents Manager. The issue of a Building Consent under the Building Act 2004 shall not be regarded as written consent for the purposes of this requirement. No planting that would inhibit operation of the drainage pattern shall be established. The residual overflow path shall be defined on the face of the title plan.

Please Note: Upon the issue of the Certificate pursuant to Section 224 of the Resource Management Act 1991 or at such earlier time as may be required, a Consent Notice pursuant to Section 221 will be issued. The Consent Notice will specify the above Condition, to be registered against the Certificates of Title of Lots 24 to 30 and 38 and is to be complied with on an ongoing basis

17. Those new roads and rights-of-way that are required to be second coat sealed may have this requirement met by lodging a cash contribution with the Council calculated at \$6.50 per square metre of the area for first coat seal.
18. The consent holder shall provide all signs and install all road markings for compliance with Land Transport Safety Authority/Transit New Zealand Manual

of Traffic Signs and Markings, unless otherwise approved by the Council. The associated costs of legalising any no stopping lines, give way and compulsory stops that are required shall be met by the consent holder.

19. The consent holder shall submit a road safety audit report in accordance with the Land Transport Safety Audit Policy and Procedures for the development when engineering drawings are submitted for approval. The audit shall be undertaken by a suitably qualified person and the audit recommendations incorporated into the works, unless otherwise approved by the Subdivision Engineer
20. The consent holder shall submit a stormwater disposal design in accordance with the principles contained in Part 3 Section E of the Council's Subdivision and Development Principles and Requirements, for approval by the Council. Construction shall be in accordance with the approved design.
21. Lots 1 to 38 will be required to have their own on-site stormwater disposal systems. These systems will be required to deal with all stormwater generated from the roof area on each individual site up to the 1% annual exceedance probability event. The balance paved area shall be designed to the 10% annual exceedance probability event with overflow to the street.

The consent holder shall provide a report by a suitably qualified person which provides design parameters for permanent on-site disposal systems which can be easily maintained. Recommendations for on-going maintenance requirements for the proposed systems shall be included in the report. Owners of the lots shall maintain the systems so that they operate at their designed capacity. In the event that owners do not maintain the systems then Council may carry out the required maintenance at the owners' expense.

A Consent Notice under section 221 of the Resource Management Act 1991 will be issued by the Council recording the requirements for on-site disposal. The consent notice will include reference to the owners' responsibility to maintain the system in accordance with the maintenance recommendations.

22. Easements are required over any rights of way and communal, private and public services where these pass through the lots in the subdivision. Easement documents shall be prepared by solicitors at the consent holder's expense.
23. Lots 40 and 41 shall vest as plantation reserve and shall be fenced adjoining lots 15-17 and 24 in accordance with a plan submitted for approval to Council. Any fence which is higher than 1.5 metres shall be visually permeable above 1.5 metres.
24. The consent holder shall enter into a fencing covenant to ensure that Council shall not be liable for, or called upon to erect or maintain or contribute towards the cost of erection or maintenance of any fence along the reserve boundaries. The consent holder shall enter into a bond or cash deposit of \$500 per lot subject to the covenant on application for the Section 224(c) certificate. The bond will be refunded once evidence is submitted that the covenants have been registered on the appropriate titles.

25. Lot 28 shall be held with 35/100th undivided shares in Lot 39 and one certificate of title issued to include both parcels
- Lot 29 shall be held with 20/100th undivided shares in Lot 39 and one certificate of title issued to include both parcels
- Lot 30 shall be held with 12/100th undivided shares in Lot 39 and one certificate of title be issued to include both parcels
- Lot 31 shall be held with 10/100th undivided shares in Lot 39 and one certificate of title be issued to include both parcels
- Lot 32 shall be held with 13/100th undivided shares in Lot 39 and one certificate of title be issued to include both parcels
- Lot 33 shall be held with 10/100th undivided shares in Lot 39 and one certificate of title be issued to include both parcels
- Land Information New Zealand request reference 626037 applies to this condition.
26. The consent holder shall submit to the Council for approval a comprehensive Landscape Plan for the development covering Lots 39-41 and the areas to vest as road. Landscape work shall be completed in accordance with the approved Landscape Plan. Note: Council will accept a cash deposit or bond against the completion of the landscaping work.
27. The consent holder shall supply a copy of the Title Plan and shall list and indicate how each condition has been met to the satisfaction of the Council.

Reasons for Conditions

- The reason for Condition 1 is to ensure that the activity does not go beyond the scope of the application
- The reason for Condition 2 is to ensure that Stage 2 is not acted upon until the flooding hazard on the property is reduced
- The reason for Conditions 3, 26 and 27 is to ensure that compliance with the conditions of consent is achieved without cost to Council
- The reason for Condition 4 is to ensure a reserves contribution is paid to Council in line with Council policy on reserves contribution
- The reason for Conditions 5 to 23 is to ensure compliance with Council's Subdivision and Development Principles and Requirements 2005
- The reason for Condition 24 is to ensure that a suitable fence is established along the boundary of the reserve to be vested in Council
- The reason for Condition 25 is to ensure that adequate parking spaces are available for Lots 28 to 33

Advice Notes

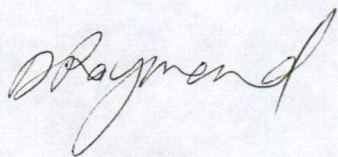
- All costs arising from any of the above conditions shall be borne by the consent holder.
- This Land Use Consent incorporates the approval for Earthworks required under the Kapiti Coast District Council Earthworks Bylaw.
- The consent holder should not encroach onto adjacent land owned by others without having first obtained their written consent.
- Contravention of the Land Drainage Act is not permitted and natural drainage patterns are to be preserved.
- A separate application is required for a building consent if any earth-retaining structure is intended as part of this work and the wall is higher than 1.5 metres or is subject to surcharging. A building consent is also required to obtain a building consent before carrying out any alterations to existing services within the lots.
- Development Contributions will be required pursuant to section 198 of the Local Government Act 2002 and the 2006/2007 Council's Development Contributions Policy when creating new allotments. The contributions will be calculated and levied in accordance with the fees that apply at the time of uplifting the section 224 certificate:

There are 38 additional allotments created by this resource consent.

- Discussions shall be entered into to with the Sustainable Development Manager to facilitate the agreement of physical works in lieu of the roading component of the development contribution.
- The contributions must be paid prior to the issue of any certificate pursuant to Section 224(c) of the Resource Management Act 1991 (please refer also to Section 208 of the Local Government Act 2002).

Reasons for Decision:

In accordance with Sections 104 and 104B of the Resource Management Act 1991 the actual and potential effects associated with the proposed activity have been assessed and are outlined in the report. It is considered that the adverse effects of the proposed activity on the environment will be minor and that the proposed activity is not contrary to the relevant Objectives, Policies and Assessment Criteria of the Kapiti Coast District Plan.



Dean Raymond
Resource Consents Planner



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

The Compliance Officer
Resource Consents
Kapiti Coast District Council
Private Bag 601
PARAPARAUMU
Fax: (04) 904 5815

Application No: RM060403

Site Address: 48 Riverbank Road, Otaki
PT PAHIANUI B5B

Proposal: 38 lot industrial subdivision with road & reserve lots &
landuse consent for associated earthworks.

Construction will take place on (date):

Owner's contact details

Name:

Telephone: **Mobile phone:**

Postal address:

Contractor's contact details (e.g. house relocation contractors)

Name:

Telephone: **Mobile phone:**

Signed:

Name:.....**Date:**.....

Record of Decision

Note: please refer to draft decision report for assessment of potential effects

1. Consent No.(s): 2M060403
Applicant: Riverbank estates
Location: 48 Riverbank Rd

2. Description of Activity: 41 Lot industrial subdivision

3. Is the activity [please tick]:

Operative Plan
Controlled ☐
Restricted discretionary ☐
Discretionary ☒
Non-complying ☐
Other ☐

4. Plan reference and relevant rules summary D.S.1-2
D.S.2-1
D.S.2-2

5. Identify the principal adverse effects on the environment of the activity:

[Note: For the purpose of identifying minor adverse effects the following definitions are used: "adverse" means standing opposite, hostile or injurious (Shorter Oxford English Dictionary, vol 1 p30; "minor" means comparatively small, unimportant]

Activity	Are the effects minor?			
<u>earthworks</u>	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
<u>flooding</u>	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
<u>visual</u>	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
<u>noise</u>	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

6. Identify persons who may be adversely affected by the granting of the resource consent.

[Note: When determining whether there are actual or potential adverse effects no account shall be taken of the effect of the activity on any person where written approval has been obtained.

[Note: For the purposes of this question the definition of "person" includes the Crown, a corporation sole and also a body of persons, whether corporate or incorporate].

	Written Approval			
<u>Nil</u>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

7. Is it unreasonable to require the written approval from any person? State reasons.

<u>N/A</u>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

.....	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
.....	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
.....	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
.....	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

8. Identify any special reasons why the application should be notified, despite the above.
State the circumstances

Nil

.....

.....

.....

.....

.....

.....

.....

.....

9. Has consultation been carried out with the Design Review Team or CWB Group?

No ☐ Yes ☒ Date: 31/07

10. Application to be:

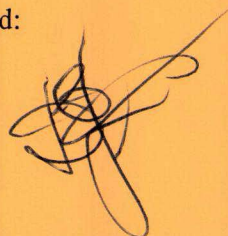
Notified	<input type="checkbox"/>
Non-notified under [tick one]	
Section 94(1) Controlled	<input type="checkbox"/>
Section 94(1A) Restricted Discretionary	<input type="checkbox"/>
Section 94(2) Discretionary/Non-complying	<input checked="" type="checkbox"/>
Section 94(3) No plan	<input type="checkbox"/>

Person authorised to determine whether notified:

Name: D Raymond

Signature: _____

Date: 25/1/07



Consent processed within statutory time?	Date Applicant was advised and method of communication	If consent not processed in statutory time or s37 extension used provide brief explanation.
YES NO S37 USED		
Signed by processing officer: _____ Date: _____		



MISCELLANEOUS

Kapiti Coast District Council
Private Bag 601
Paraparaumu 5254

Tel. (04) 296 4700
Fax (04) 296 4830

E: kapiti.council@kapiticoast.govt.nz
W: www.kapiticoast.govt.nz



April 18, 2007

File: **RM060403**

Riverbank Estates Limited
c/- Pritchard Group Limited
20 Addington Road
R D 1
Otaki

Attention: Brian Warburton

Dear Sir

Proposed Subdivision at 48 Riverbank Road, Otaki

I write in reference to your letter of April 13, 2007 and am happy to be able to advise that the proposed alteration of the common boundary between Lots 24 and 41 are acceptable to Council.

It is my view that any title plan or e-survey dataset that reflects the modification to the common boundary between Lots 24 and 41 as shown on the plan that accompanied your letter dated April 13, 2007 would be acceptable to Council and lie within the limits envisaged by virtue of the provisions of section 223 of the Resource Management Act 1991 as the plan would still be in conformity with the approved plans to an acceptable extent.

The effective transfer of an area that was largely to be subject to a restriction that would prevent building into a local purpose reserve, leaving Lot 24 with a site area of in the order of 1597m² is likely to improve the outcome of the subdivision process in a positive and constructive way.

If you wish to discuss this matter further, I may be contacted on one of the telephone numbers listed below.

Yours faithfully,

Wayne Gair
Principal Planner - Subdivisions

phone DDI: 04 9045782
 facsimile: 04 9045815
 mobile: 0274 435 100



PRITCHARD
GROUP LIMITED

Telephone (06) 364 7293
Facsimile (06) 364 5142
email: pgl@pritchardgroup.co.nz

20 Addington Road, RD1 Otaki, New Zealand



13 April 2007

The Resource Consents Team
Kapiti Coast District Council
Private Bag 601
Paraparaumu

Attn: Wayne Gair

Dear Wayne,

RM 060403 – RESOURCE CONSENT FOR SUBDIVISION AND LAND USE – 48 RIVERBANK ROAD, OTAKI

I write to follow up on the grant of these resource consent in January 2007, and subsequent discussions between council staff and Stuart Pritchard.

Stuart has decided there would be significant benefit if provision could be made for an area of land within the development to be set aside as a park. This would enable a facility to be established for passive recreation; for example, for staff of businesses within the development to use during lunchtimes. I understand he has discussed this concept with Mr Mike Cardiff who has viewed the idea favourably.

For this area to be set aside requires a minor amendment to the proposed subdivision layout involving a change in the alignment of the common boundary between Lot 24 and Lot 41. Lot 41 is shown on the approved plan as being reserve. With the amendment, the area of Lot 24 decreases from 2058 to 1597 square metres, and the area of Lot 41 would increase from 3411 to 3871 square metres. I've attached plans showing the intended amendment.

My view is that this revision represents a negligible change to the overall subdivision layout and is well within the scope of the proposal for which consent has been granted. In addition, it would result in beneficial environment effects, and no additional adverse effects.

Can you please consider the changes to the proposed subdivision outlined above, and confirm that the subdivision of the land is able to proceed on this basis?

If there is any further information you require, please do not hesitate to contact me.

Yours faithfully,

Brian Warburton
Planner
Pritchard Group Limited
Email: b.warburton@pritchardgroup.co.nz
Phone: (06) 364-7293

cc: M Cardiff
S Pritchard

RIVERBANK ESTATE LIMITED



No.	AMENDMENT	NAME	DATE
1	Amendment to common boundary between Lot 24 and Lot 41 (reserve)	BJW	13.04.07

NOTES:

- 1.
- 2.
- 3.
- 4.

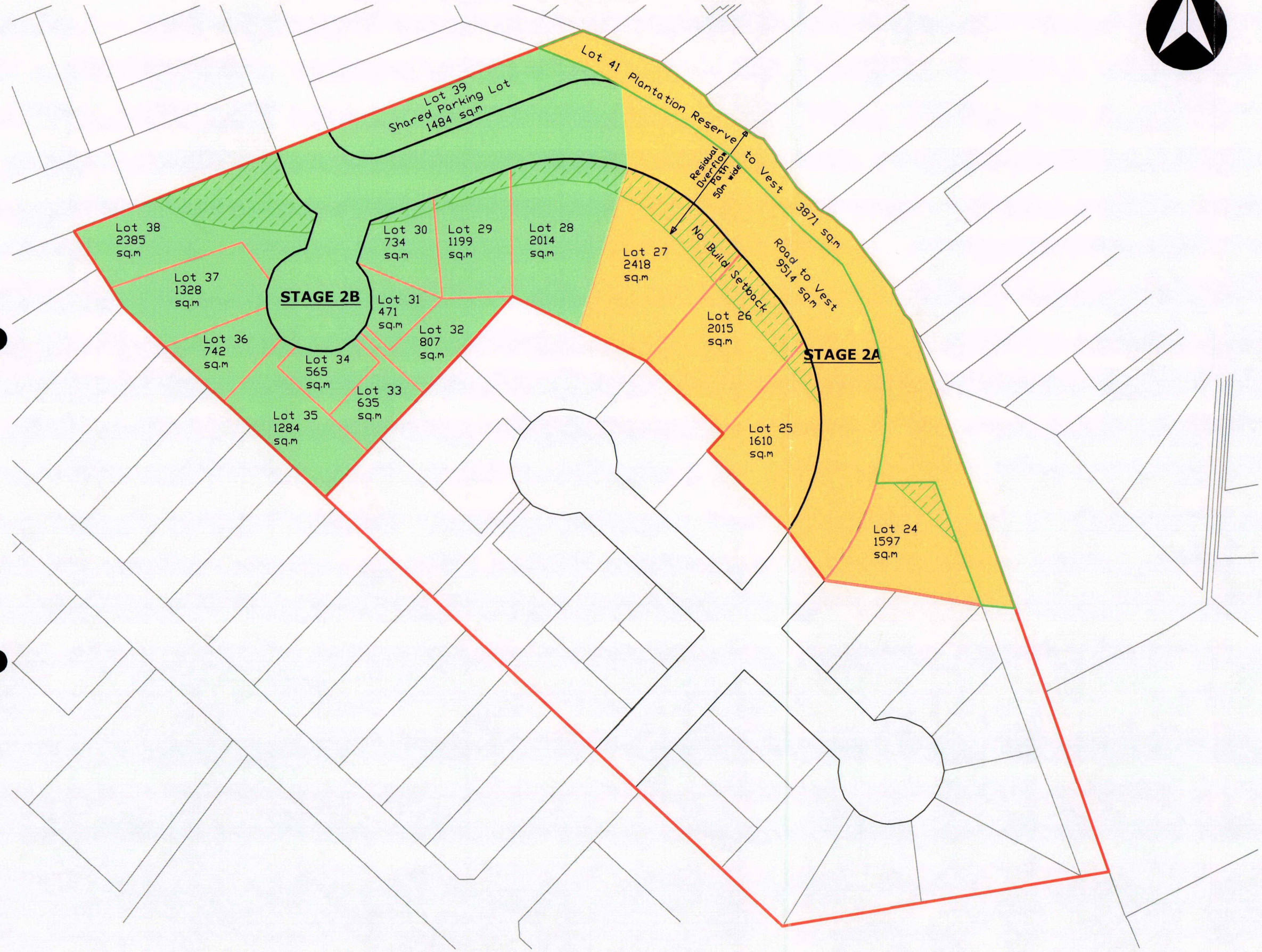
APPLICANT: Riverbank Estate Ltd

REGISTERED PROPRIETOR: Riverbank Estate Ltd

PREPARED BY: Pritchard Group Limited

SCALE: 1:1500 (A3) **DATE:** 13.12.06

DRAWING NUMBER: REL.Scheme Plan.2



PROPOSED SUBDIVISION PLAN - STAGE TWO 48 RIVERBANK ROAD, OTAKI



Telephone: (06) 364 7293

Facsimile: (06) 364 5142

e-mail: pgl@pritchardgroup.co.nz

web: www.pritchardgroup.co.nz

20 Addington Road, RD1 Otaki, New Zealand

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RIVERBANK ESTATE LIMITED



No.	AMENDMENT	NAME	DATE
1	Amendment to common boundary between Lot 24 and Lot 41 (reserve)	BJW	13.04.07

NOTES:

- 1.
- 2.
- 3.
- 4.

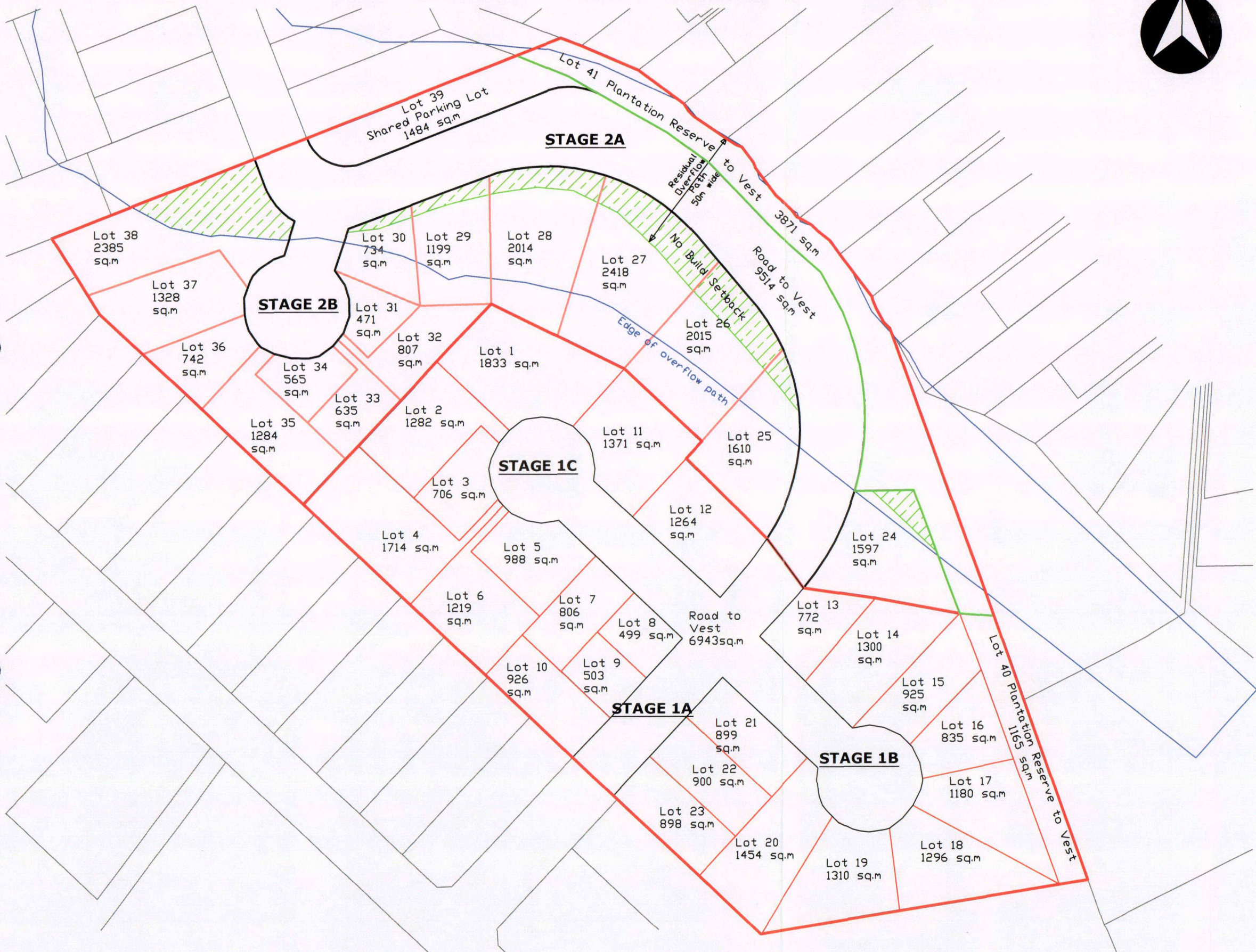
APPLICANT: Riverbank Estate Ltd

REGISTERED PROPRIETOR: Riverbank Estate Ltd

PREPARED BY: Pritchard Group Limited

SCALE: 1:1500 (A3) **DATE:** 13.12.06

DRAWING NUMBER: REL.Scheme Plan



PLAN OF OVERALL SUBDIVISION 48 RIVERBANK ROAD, OTAKI



Telephone: (06) 364 7293

Facsimile: (06) 364 5142

e-mail: pgl@pritchardgroup.co.nz

web: www.pritchardgroup.co.nz

20 Addington Road, RD1 Otaki, New Zealand

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KAPITI COAST DISTRICT COUNCIL
Resource Consent Monitoring Entry

No:	060403
Applicant:	Riverbank Estates Limited
Proposal:	38 lot industrial subdivision with road & reserve lots & landuse consent for associated earthworks.
Location:	48 Riverbank Road, Otaki

Officer: Justine Rankin

Type:

Result:

Required Date: 1/05/07

Done Date: *If monitoring not done, leave blank*

Notes: Cond's 1-27: Liase with Matt A

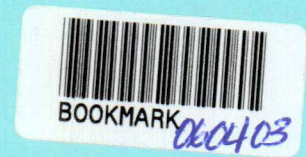
12/09/07 - HAVE JUST STARTED EARTHWORKS
RECHECK 3/12/07

[Delete This Note](#)

OK

Cancel

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Author: Lesley Marshall



SUBDIVISIONAL ENGINEER'S CONDITIONS

Dean Raymond

From: Linda Kerkmeester
Sent: Thursday, 25 January 2007 1:18 p.m.
To: Dean Raymond
Cc: Sara Bell
Subject: RM 060 403 Riverbank Estates

Hi Dean

Further to our discussion yesterday, there is a conceptual CWB link along the boundary shown as 'Plantation Reserve to vest'. There is a future conceptual link to the south-east so until this link is acquired, the CWB route on the applicant site could be left as grass. This would also fit with the stormwater overflow path which Blair Murray has commented on (could you forward this through to me).

The CWB network shows a link into the street network at Miro Street. This could be achieved through the proposed carpark, which could fit this multi-modal purpose if reconfigured as a one-way system with cars along the opposite side, facing the street. The entry would need to be changed to come in at the Miro Street end and exit at the north-west end.

With regards to proposed planting, it would be desirable to substitute the proposed Karo (*Pittosporum crassifolium*) with a different species as Karo is known to be a prolific seeding species and invasive to the local indigenous plant population.

These issues could be dealt with by imposing a condition that a landscape plan be submitted prior to construction, for approval by KCDC's landscape advisor. The plan to include the following:

1. Planting plan showing plant species, location and spacings.
2. Layout and configuration of overflow parking, with CWB link to Miro Street.
3. Location of future CWB link along north-west boundary – to be grassed.

Please contact me if you require any additional clarification.

Linda Kerkmeester

Cycleway Walkway Bridleway Planner
Kapiti Coast District Council
PO Box 601
PARAPARAUMU

ph: 04 296 4631



Memo

To: Dean Raymond
From: Subdivision Engineer FileRef:
Date: Thursday, 25 January 2007
Subject: **RM 060403 – Riverbank Estates**

The information contained in this memo is confidential information and may also be legally privileged. It is intended only for the individual or entity named above. If you are not the intended recipient, you are hereby notified that any use, review, dissemination or copying of this document is strictly prohibited. If you have received this document in error, please immediately notify us by telephone (call collect to the person above) and destroy the original message. Thank you.

I recommend the following conditions for this Resource Consent application to ensure compliance with Councils Subdivision and Development Principles and Requirements 2005:-

1. Stage 2 of the development as depicted on the PGL plan REL Scheme Plan shall not proceed until such time the Chrystalls stopbank upgrade has been completed, unless otherwise approved by Greater Wellington.
2. The consent holder shall pay Council Engineering Fees of \$450.00, plus \$270 per lot, (GST inclusive) for work that may be required for plan approvals, site inspections and consent compliance monitoring prior to the Section 224(c) certification for each stage of the subdivision. Extra fees may apply in accordance with the Engineering Fees Schedule adopted by Council from 12 December 2002.
Note: The current charge out rate is \$90.00 (GST inclusive) per hour.
3. Reserves contribution to be determined by planners.
4. The consent holder shall comply with the requirements of the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005.
5. The consent holder shall submit to Council for approval copies of the plans and specifications for the engineering development in accordance with Paragraph 1 of Schedule 1 contained in Part 4 of the Council's Subdivision and Development requirements. No work shall commence until the plans and specifications have been approved by the Council in writing.
6. The consent holder shall advise the names and their professional qualifications and experience of Suitably Qualified Persons required in terms of Clause B(iii) of Part 3 of the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005. If the Council considers any of the nominated persons are not acceptable then the consent holder shall nominate alternative persons, or the Council may require the consent holder to employ a specified Suitably Qualified Person or Persons at the consent holders cost. Suitably Qualified Persons are required for, but not necessarily limited to, the following areas:

Foundation recommendations
Stormwater and flood issues

7. The consent holder shall provide a copy signed by the consent holder's contractor of the Contractor Health and Safety Obligation Form as set out in Appendix 2 of Section 6 of the Council's Health and Safety Manual for those situations where connections are to be made to Council owned existing services or roads.

8. Earthworks shall comply with the requirements of the current issue of NZS 4431, unless otherwise specifically approved by the Council. At the completion of earthworks the consent holder shall provide a report and certificates in the form of Appendix A of NZS 4431 and Schedule 2A of NZS 4404 by a suitably qualified person.
9. The consent holder shall supply to Council a report by a suitably qualified person detailing site investigation work and findings together with recommendations for foundation design for lots 1 to 38.
If specifically designed foundations are required in accordance with the Building Act 2004, then the Council will issue a Consent Notice under Section 221 of the Resource Management Act recording that specifically designed foundations are required.
10. Should a waahi tapu or other cultural site be unearthed during earthworks the contractor and/or owner shall :-
 - (a) cease operations;
 - (b) inform local iwi (Ngati Raukawa);
 - (c) inform the NZ Historic Places Trust (NZHPT) and apply for an appropriate authority if required;
 - (d) Take appropriate action, after discussion with the NZHPT, Council and iwi to remedy damage and/or restore the site.

Note:

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

11. Where the existing land or vegetative cover is disturbed, suitable ground cover shall be established as soon as practicable following earthworks or within 5 days of completion whichever shall occur first. For this condition "suitable ground cover" means application of basecourse, topsoil, grassing or mulch, or another type of application to the satisfaction of the Council.
12. The consent holder shall not remove soil support from adjacent lots.
13. All batters shall be self-supporting.
14. A topographical plan shall be provided showing contours at no greater than 1 metre intervals prior to and on completion of earthworks. The scale of the plan shall be 1:500 and two copies shall be provided. The plan shall also show the position and approximate level of all test locations including test borings. Where appropriate the plan should accompany any engineering reports by the suitably qualified person.

Notes:

In situations where earthworks have been required to bring land to above recommended building levels, for flood mitigation purposes, as built contours and spot levels shall be at suitable detail to clearly show the extent of land brought above the recommended building levels and the levels of that land.

15. The residual overflow path as depicted on the PGL plan REL Scheme Plan located within Lots 24 to 30 and 38 shall not be filled and no building or structure, or part of any building or structure, shall be erected within the area. No internal fence that is to be erected across the area shall be of a solid structure or of a design which may dam water or trap debris. No planting that would inhibit operation of the drainage pattern shall be established.

Please Note:

Upon the issue of the Certificate pursuant to Section 224 of the Resource Management Act 1991 or at such earlier time as may be required, a Consent Notice pursuant to Section 221 will be

issued. The Consent Notice will specify the above Condition, to be registered against the Certificates of Title of lot 24 to 30 and 38, is to be complied with on an ongoing basis

16. Those new roads and rights-of-way that require to be second coat sealed may have this requirement met by lodging a cash contribution with the Council calculated at \$6.50 per square metre of the area for first coat seal.
17. The consent holder shall provide all signs and install all road markings for compliance with Land Transport Safety Authority/Transit New Zealand Manual of Traffic Signs and Markings, unless otherwise approved by the Council. The associated costs of legalising any no stopping lines, give way and compulsory stops that are required shall be met by the consent holder.
18. The consent holder shall submit a road safety audit report in accordance with the Land Transport Safety Audit Policy and Procedures for the development when engineering drawings are submitted for approval. The audit shall be undertaken by a suitably qualified person and the audit recommendations incorporated into the works, unless otherwise approved by the Subdivision Engineer
19. The consent holder shall submit a stormwater disposal design in accordance with the principles contained in Part 3 Section E of the Council's Subdivision and Development Principles and Requirements and also the requirements of the condition below, for approval by the Council. Construction shall be in accordance with the approved design.
20. Lots 1 to 38 will be required to have their own on-site stormwater disposal systems. These systems will be required to deal with all stormwater generated from the roof area on each individual site up to the 1% annual exceedance probability event. The balance paved area shall be designed to the 10% annual exceedance probability event with overflow to the street

The consent holder shall provide a report by a suitably qualified person which provides design parameters for permanent on-site disposal systems which can be easily maintained. Recommendations for on-going maintenance requirements for the proposed systems shall be included in the report. Owners of the lots shall maintain the systems so that they operate at their designed capacity. In the event that owners do not maintain the systems then Council may carry out the required maintenance at the owners expense.

A Consent Notice under section 221 of the Resource Management Act 1991 will be issued by the Council recording the requirements for on-site disposal. The consent notice will include reference to the owners' responsibility to maintain the system in accordance with the maintenance recommendations.

21. Easements are required over any rights of way and communal, private and public services where these pass through the lots in the subdivision.

Easement documents shall be prepared by solicitors at the consent holder's expense.

22. Lots 40 and 41 shall vest as plantation reserve and shall be fenced adjoining lots 15-17, 24 and 39 in accordance with Part 8 of NZS4404 and Schedule 8 of the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005 and as approved by the Council.
23. The consent holder shall enter into a fencing covenant to ensure that Council shall not be liable for, or called upon to erect or maintain or contribute towards the cost of erection or maintenance of any fence along the reserve boundaries. The consent holder shall enter into a bond or cash deposit of \$500 per lot subject to the covenant on application for the Section 224(c) certificate. The bond will be refunded once evidence is submitted that the covenants have been registered on the appropriate titles.

24. The consent holder shall submit to the Council for approval a comprehensive Landscape Plan for the development covering Lots 39-41 and the areas to vest as road. Landscape work shall be completed in accordance with the approved Landscape Plan.
25. The consent holder shall supply a copy of the Title Plan and shall list and indicate how each condition has been met to the satisfaction of the Council.

Advice Notes

All costs arising from any of the above conditions shall be borne by the consent holder.

This Land Use Consent incorporates the approval for Earthworks required under the Kapiti Coast District Council Earthworks Bylaw.

The consent holder should not encroach onto adjacent land owned by others without having first obtained their written consent.

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

A separate application is required for a building consent if any earth-retaining structure is intended as part of this work and the wall is higher than 1.5 metres or is subject to surcharging.

The consent holder is required to obtain a building consent before carrying out any alterations to existing services within the lots.

Development Contributions will be required pursuant to section 198 of the Local Government Act 2002 and the 2006/2007 Council's Development Contributions Policy when creating new allotments. The contributions will be calculated and levied in accordance with the fees that apply at the time of uplifting the section 224 certificate:

There are 38 additional allotments created by this resource consent.

Discussions shall be entered into to with the Sustainable Development Manager to facilitate the agreement of physical works in lieu of the roading component of the development contribution.

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



Matt Aitchison
Subdivision Engineer

Dean Raymond

From: Brian Warburton [b.warburton@pritchardgroup.co.nz]
Sent: Tuesday, 23 January 2007 12:18 p.m.
To: Dean Raymond
Subject: Application for Resource Consent - 48 Riverbank Road, Otaki - RM 060403

Hello Dean

I understand you are processing this application for subdivision consent.

I was wondering how your assessment was going. If you have any questions or aspects that need clarification please let me know.

In the meantime, it's come to my attention that one of the conditions of consent we proffered is maybe a little restrictive. I drafted Condition 8 hoping it would ensure that no buildings are erected that might impeded the overflow path through the northern part of the site. However, it might also be unnecessarily restrictive for such things as free standing signs. If you have any suggestions how the condition could be revised so pole like structures are not prevented this would be appreciated.

On a similar vane, please note that we would like the opportunity of reviewing and commenting on the draft conditions before the final decision is released. I look forward to receiving the draft.

Regards

Brian Warburton
Planner
Pritchard Group Ltd
ph: (06) 364-7293
fax: (06) 364-5142
email: b.warburton@pritchardgroup.co.nz

Dean Raymond

From: Robert Westley [Rwestley@linz.govt.nz]
Sent: Thursday, 18 January 2007 11:13 a.m.
To: Dean Raymond
Subject: request 626037 - your ref: RM060403

Thank you for your letter dated 4 January 2007.

I advise that the conditions proposed are practical.

Please refer to my request reference above in the conditions endorsed on the plan presented.

Regards

Robert Westley
Technical Advisor
Christchurch Processing Centre
Land Information New Zealand
195 Hereford Street
Private Bag 4721
Christchurch 8140
DX WP20033
ph 0800 ONLINE (665 463)
fax 03 366 6422
website:<http://www.linz.govt.nz>

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Thank you.



Memo

To: Dean Raymond
From: Subdivision Engineer FileRef:
Date: Friday, 12 January 2007
Subject: **RM 060403 – Riverbank Estates**

The information contained in this memo is confidential information and may also be legally privileged. It is intended only for the individual or entity named above. If you are not the intended recipient, you are hereby notified that any use, review, dissemination or copying of this document is strictly prohibited. If you have received this document in error, please immediately notify us by telephone (call collect to the person above) and destroy the original message. Thank you.

I recommend the following conditions for this Resource Consent application to ensure compliance with Councils Subdivision and Development Principles and Requirements 2005:-

1. Stage 2 of the development as depicted on the PGL plan REL Scheme Plan shall not proceed until such time the Chrystalls stopbank upgrade has been completed, unless otherwise approved by Greater Wellington.
2. The consent holder shall pay Council Engineering Fees of \$450.00, plus \$270 per lot, (GST inclusive) for work that may be required for plan approvals, site inspections and consent compliance monitoring prior to the Section 224(c) certification for each stage of the subdivision. Extra fees may apply in accordance with the Engineering Fees Schedule adopted by Council from 12 December 2002.
Note: The current charge out rate is \$90.00 (GST inclusive) per hour.
3. Reserves contribution to be determined by planners.
4. The consent holder shall comply with the requirements of the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005.
5. The consent holder shall submit to Council for approval copies of the plans and specifications for the engineering development in accordance with Paragraph 1 of Schedule 1 contained in Part 4 of the Council's Subdivision and Development requirements. No work shall commence until the plans and specifications have been approved by the Council in writing.
6. The consent holder shall advise the names and their professional qualifications and experience of Suitably Qualified Persons required in terms of Clause B(iii) of Part 3 of the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005. If the Council considers any of the nominated persons are not acceptable then the consent holder shall nominate alternative persons, or the Council may require the consent holder to employ a specified Suitably Qualified Person or Persons at the consent holders cost. Suitably Qualified Persons are required for, but not necessarily limited to, the following areas:

Foundation recommendations
Stormwater and flood issues

7. The consent holder shall provide a copy signed by the consent holder's contractor of the Contractor Health and Safety Obligation Form as set out in Appendix 2 of Section 6 of the Council's Health and Safety Manual for those situations where connections are to be made to Council owned existing services or roads.

8. Earthworks shall comply with the requirements of the current issue of NZS 4431, unless otherwise specifically approved by the Council. At the completion of earthworks the consent holder shall provide a report and certificates in the form of Appendix A of NZS 4431 and Schedule 2A of NZS 4404 by a suitably qualified person.
9. The consent holder shall supply to Council a report by a suitably qualified person detailing site investigation work and findings together with recommendations for foundation design for lots 1 to 38.
If specifically designed foundations are required in accordance with the Building Act 2004, then the Council will issue a Consent Notice under Section 221 of the Resource Management Act recording that specifically designed foundations are required.
10. Should a waahi tapu or other cultural site be unearthed during earthworks the contractor and/or owner shall :-
 - (a) cease operations;
 - (b) inform local iwi (Ngati Raukawa);
 - (c) inform the NZ Historic Places Trust (NZHPT) and apply for an appropriate authority if required;
 - (d) Take appropriate action, after discussion with the NZHPT, Council and iwi to remedy damage and/or restore the site.

Note:

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

11. Where the existing land or vegetative cover is disturbed, suitable ground cover shall be established as soon as practicable following earthworks or within 5 days of completion whichever shall occur first. For this condition "suitable ground cover" means application of basecourse, topsoil, grassing or mulch, or another type of application to the satisfaction of the Council.
12. The consent holder shall not remove soil support from adjacent lots.
13. All batters shall be self-supporting.
14. A topographical plan shall be provided showing contours at no greater than 1 metre intervals prior to and on completion of earthworks. The scale of the plan shall be 1:500 and two copies shall be provided. The plan shall also show the position and approximate level of all test locations including test borings. Where appropriate the plan should accompany any engineering reports by the suitably qualified person.

Notes:

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issued. The Consent Notice will specify the above Condition, to be registered against the Certificates of Title of lot 24 to 30 and 38, is to be complied with on an ongoing basis

16. Those new roads and rights-of-way that require to be second coat sealed may have this requirement met by lodging a cash contribution with the Council calculated at \$6.50 per square metre of the area for first coat seal.
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19. The consent holder shall submit a stormwater disposal design in accordance with the principles contained in Part 3 Section E of the Council's Subdivision and Development Principles and Requirements, for approval by the Council. Construction shall be in accordance with the approved design.
20. Lots 1 to 38 will be required to have their own on-site stormwater disposal systems. These systems will be required to deal with all stormwater generated from impermeable surfaces on each individual site up to the 10% annual exceedance probability event where a secondary overflow path is available. If a secondary overflow path is not available then the stormwater system shall be designed to meet the 1% annual exceedance probability event.

The consent holder shall provide a report by a suitably qualified person which provides design parameters for permanent on-site disposal systems which can be easily maintained. Recommendations for on-going maintenance requirements for the proposed systems shall be included in the report.

A Consent Notice under section 221 of the Resource Management Act 1991 will be issued by the Council recording the requirements for on-site disposal. The consent notice will include reference to the owners' responsibility to maintain the system in accordance with the maintenance recommendations.

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Easement documents shall be prepared by solicitors at the consent holder's expense.

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23. The consent holder shall enter into a fencing covenant to ensure that Council shall not be liable for, or called upon to erect or maintain or contribute towards the cost of erection or maintenance of any fence along the reserve boundaries. The consent holder shall enter into a bond or cash deposit of \$500 per lot subject to the covenant on application for the Section 224(c) certificate. The bond will be refunded once evidence is submitted that the covenants have been registered on the appropriate titles.

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Advice Notes

All costs arising from any of the above conditions shall be borne by the consent holder.

This Land Use Consent incorporates the approval for Earthworks required under the Kapiti Coast District Council Earthworks Bylaw.

The consent holder should not encroach onto adjacent land owned by others without having first obtained their written consent.

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

A separate application is required for a building consent if any earth-retaining structure is intended as part of this work and the wall is higher than 1.5 metres or is subject to surcharging.

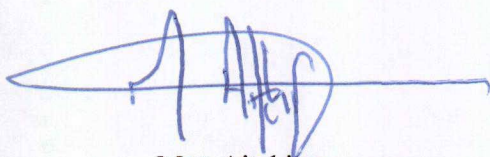
The consent holder is required to obtain a building consent before carrying out any alterations to existing services within the lots.

Development Contributions will be required pursuant to section 198 of the Local Government Act 2002 and the 2006/2007 Council's Development Contributions Policy when creating new allotments. The contributions will be calculated and levied in accordance with the fees that apply at the time of uplifting the section 224 certificate:

There are 38 additional allotments created by this resource consent.

Discussions shall be entered into to with the Sustainable Development Manager to facilitate the agreement of physical works in lieu of the roading component of the development contribution.

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



Matt Aitchison
Subdivision Engineer

Dean Raymond

From: Wayne Gair
Sent: Friday, 5 January 2007 7:57 a.m.
To: Dean Raymond
Cc: Mike Cardiff
Subject: FW: Riverbank Estates Ltd. Resource Consent Enquiry 060403

For your info when considering this application.....

Wayne Gair

Principal Planner - Subdivisions

Kapiti Coast District Council

Phones: DDI 04 2964 782 / Mob. 025 435 100

From: Mike Cardiff
Sent: Wednesday, 3 January 2007 4:32 p.m.
To: Wayne Gair
Subject: Riverbank Estates Ltd. Resource Consent Enquiry 060403

Hi Wayne .

Concerning the above matter, I would like to confirm that I have no concerns with the proposed 15 metre wide green belt along the north eastern boundary being included within the Reserve Contribution assessment. I assume that we will need to obtain our own land valuation report from Brian Whitaker?

Regarding the proposed Landscaping Plan, I have a slight concern with the specified "excelsa" variety of Pohutokawa that has been determined.

As there would be in excess of 60 of these trees, they should all be specified as being required to have a single leader standard type trunk. This would minimise intrusion into the street and onto the footpath areas. Perhaps we should also be looking at a less vigorous growing variety because of the proximity of the trees to the road and suggest they provide Pohutokawa Maori Princess, which is the variety we have just planted in The Rimu Road / Ihakara St upgrade.

Mike Cardiff

Parks & Recreation Asset Manager

Kapiti Coast District Council

04 296 4847 DDI

021 441 243 Cell

04 296 4637 Fax



ASSESSMENT - further information received

SITE VISIT REPORT

Responsible Officer: Dean Raymond

RM No: 060403

Applicant: Riverbank Estates Limited

Address of Activity: 48 Riverbank Road, Otaki

Summary of Activity: 38 lot industrial subdivision with road & reserve lots & landuse consent for associated earthworks.

Date and Time: 10 January 2007, 10.00am

Observations and site photos: Photos in file

Site gently undulating, covered mainly in grass, some piles of gorse and other weeds that have been recently cleared

Northern part of proposed plantation reserve is fenced separately. There are a few trees in this area. South of this area the boundary is a 2m high fence.

Area of wrecked cars on site (part of neighbouring operation) and what appears to be recycling depot on the site.

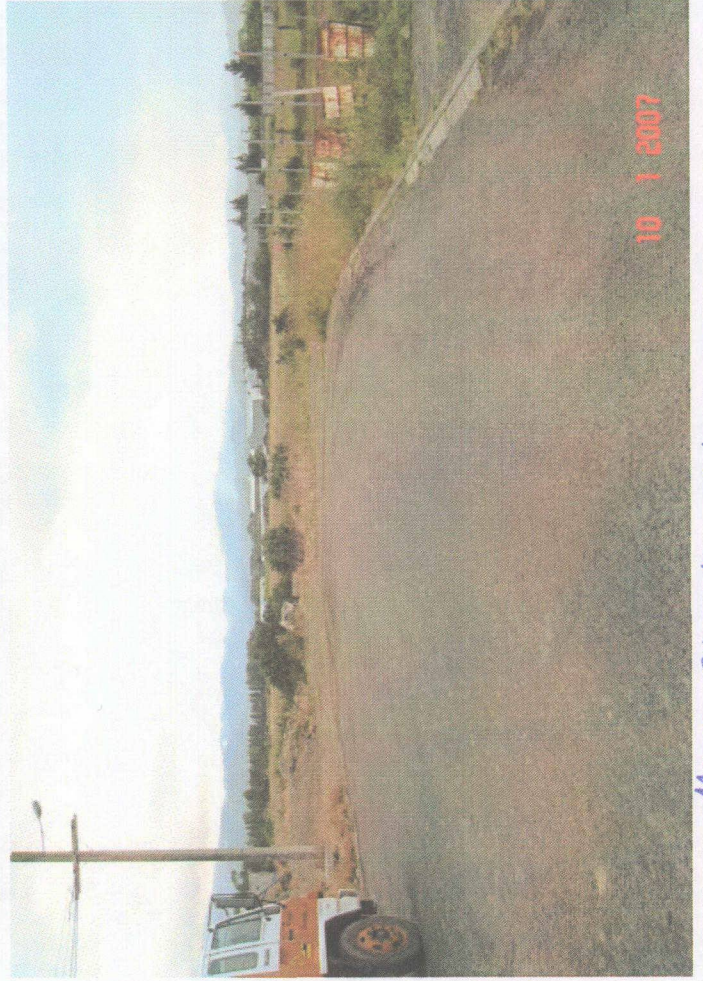
Some neighbouring industrial properties are as yet undeveloped.



wrecked cars on w. corner of property



Riverbank Rd entrance



Mino Street entrance



Pile of cleaned gorse etc



2m fence along eastern boundary



fenced Active Plantation Reserve



Recycling business near Riverbank Road entrance



Plantation Reserve area + adjoining properties

FILE NOTE

Consents & Compliance Division

FILE NUMBER: 060403

OFFICER: Dean R

DATE: 8/1/7

SUBJECT: initial assessment

GIS: industrial zone, Res to N.E. and also open Space Zone, partially within property. (8m x 18m appx)

- Designation along NE boundary, plantation Reserve (D1132), 12m wide

- CWB network along N, E, & S boundaries, land marked as "publicly owned land".

- flooding - overflow path when 1/3
 - Ponding & Residual ponding
 - Residual overflow near Rb Rd entrance.

- hazardous - chemical manufacture and tanks removed on adjoining sites.

- Sewer line within property (NE bary)

- aerial photos - vacant, appears to be grassed, vegetation along NE bary, appears to be encroachment of other industrial activities from neighbouring properties.

D.P. D.S.I.1 P.A.
D.S.I.2 C.A. (iii) Subd.
D.S.2.1 P.A.S. earthworks 20m³
in Ponding/overflow - flood hazard
- flood storage
D.S.2.2 C.A.S.

Signature:

- able to accommodate a building ✓
- devmt plan ✓
- Esplanade Reserves N/A

PTO

- building site above 1% flood ✓
 - Parking, loading + access ✓
 - stormwater control ✓
 - Underground services
-

Policies.

- c.s.i obj 1
- Policy 1 - amenity values
- Policy 2 industrial fringe
- Policy 7 Natural environment

Plan Change 50

- Refers to :
- earthworks within overflow path area
 - buildings not sited within overflow Path.

Check :

- Need another valuation? → don't think so.
- edge of overflow Path?
(difference between edge of overflow Path and no build setback on Lots 25-30)

Reserves contribution

- Total value of new Lots 1-38: \$2,999,000
- Value of lots vested as Reserves : \$63,000
- 7.5% incl gst : \$253,040
- balance due : \$190,040



Ref: RM060403

4 January 2007

Land Information New Zealand
Land Titles Services
PO Box 5014
Wellington

Dear Sir/Madam

The Kapiti Coast District Council has received an application for a 38 lot subdivision at 48 Riverbank Road, Otaki. Council is hereby consulting with the Registrar-General of Land as required under Section 220(3) of the Resource Management Act 1991.

I forward the plan of the proposed subdivision where the Council is likely to impose a condition in accordance with Section 220(1)(b)(iii) of the Resource Management Act 1991.

The proposal is for a 38 lot fee-simple subdivision with Lot 39 to be held in common ownership with certain of the other lots in the subdivision. It is proposed that the following conditions be imposed:

"Lot 28 shall be held with 35/100th undivided shares in Lot 39 and one certificate of title issued to include both parcels.

Lot 29 shall be held with 20/100th undivided shares in Lot 39 and one certificate of title issued to include both parcels

Lot 30 shall be held with 12/100th undivided shares in Lot 39 and one certificate of title issued to include both parcels

Lot 31 shall be held with 10/100th undivided shares in Lot 39 and one certificate of title issued to include both parcels

Lot 32 shall be held with 13/100th undivided shares in Lot 39 and one certificate of title issued to include both parcels

Lot 33 shall be held with 10/100th undivided shares in Lot 39 and one certificate of title issued to include both parcels"

Please advise as to whether you consider the conditions to be practicable. You can contact me by email: dean.raymond@kapiticoast.govt.nz

I look forward to hearing from you in due course.

Yours Sincerely

Dean Raymond
Resource Consents Planner

Kapiti Coast District Council

Phone (04) 296 4700, Fax (04) 296 4830 175 Rimu Road, Private Bag 601, Paraparaumu 5254. Website www.kapiticoast.govt.nz

Me huri whakamuri, ka titiro whakamua



Ref: 060403

4 January 2007

Greater Wellington Regional Council
PO Box 11646
Wellington 6142

Attention: Philip Purves

Dear Philip

38 Lot Industrial Subdivision With Road & Reserve Lots & Landuse Consent For Associated Earthworks at 48 Riverbank Road, Otaki

I enclose for your information a copy of an application for subdivision and associated earthworks at 48 Riverbank Road, Otaki. I am aware that the applicant has been in discussions with you regarding this proposal.

If you have any comments and/or conditions you would like to have imposed on this resource consent please forward them to myself before the 8th of February. If there are any questions please contact me on (04) 296 4819 or email me at the following address: dean.raymond@kapiticoast.govt.nz

Yours Sincerely

Dean Raymond
Resource Consents Planner