

7 April 2022

Murray & Jennifer Searle  
C/- Tom Bland - Land Matters Limited  
20 Addington Road  
RD 1  
Otaki 5581  
By email to: [tom@landmatters.nz](mailto:tom@landmatters.nz) and [bryce@landmatters.nz](mailto:bryce@landmatters.nz)

Dear Murray & Jennifer Searle

**RM200115: To undertake earthworks within a waahi tapu site that do not meet the permitted activity standards**

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

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

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

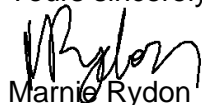
If you have any concerns regarding the conditions please contact me prior to lodging an objection to discuss on (04) 2964 700 as it may be possible to make minor amendments or corrections outside of the objection process.

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

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

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

Yours sincerely



Marnie Rydon  
**Consultant Planner**

**RESOURCE CONSENT UNDER PART VI OF THE  
RESOURCE MANAGEMENT ACT 1991  
CONSENT NO: RM200115**

<b>APPLICANT:</b>	Murray & Jennifer Searle
<b>LOCATION OF ACTIVITY:</b>	Te Moana Road, Waikanae
<b>DESCRIPTION OF ACTIVITY:</b>	To undertake earthworks within a waahi tapu site that do not meet the permitted activity standards

**DECISION**

That officers, acting under authority delegated from the Council and pursuant to Sections 104 and 104C of the Resource Management Act 1991, hereby **grant** consent to undertake earthworks within a waahi tapu site that do not meet the permitted activity standards at Te Moana Road, Waikanae (being Lot 1 DP 88064) subject to the following conditions which were imposed under Section 108 of the Resource Management Act 1991 on 7 April 2022.

**Conditions:**

General

1. The proposed activity shall be undertaken in general accordance with the Land Matters Limited plans:
  - Erosion and Sediment Control Measures Plan, Drawing No. J610-ENG-100, Rev. E
  - Driveway – Earthworks Plan, Drawing No. J101-ENG-101, Rev. D
  - New Driveway, Drawing No. J610-ENG-102, Rev. D
  - Driveway – Typical cross Section, Drawing No. J610-ENG-103, Rev. C
  - Driveway Long Section Page 1 of 2, Drawing No J610-ENG-104, Rev. A
  - Driveway Long Section Page 2 of 2, Drawing No. J610-ENG-105, Rev. A

All stamped as 'Final Approved Plans' on 7 April 2022 and the information and specifications lodged with the application RM200115 and the further information

supplied by Land Matters Limited on 29 September and 7 December 2021 and 3 March 2022 except where modified by conditions of consent.

**Note:** Amendments can be made to plan J610-ENG-102 where this is agreed by Council's Access and Transport Manager and where these amendments are considered to be in general accordance with the resource consent approved plans.

2. Notice of proposed land disturbance must be provided to Heritage New Zealand Pouhere Taonga at least 10 working days prior to work commencing.
3. Earthworks shall comply with the requirements of NZS 4431:1989 unless otherwise specifically approved in writing by the Council's Development Engineer. Within 20 working days of the completion of the earthworks, the consent holder shall provide a report and a certificate in the form of Appendix A of NZS 4431:1989 by the inspecting engineer to the Council's Development Engineer.
4. All permanent batters shall be self-supporting and shall not exceed maximum of 30 degrees as per the recommendation of Hamish Well within the Further information response supplied dated 4 Nov 2021.
5. A stormwater disposal design for the site shall be provided as per the Land Matters plan *Erosion and Sediment Control Measures Plan, Drawing No. J610-ENG-100, Rev. E* and in accordance with the principles contained in Part 3 Section E of the Kapiti Coast District Council's Subdivision and Development Principles and Requirements, 2012 (SDPR), for consideration and acceptance by the Development Engineer.
6. Earthworks shall be undertaken as per the requirements of the approved Earthworks and Sediment Control Plan (ESCP) supplied with consent application and dated June 2020. Any proposed amendments to the ESCP shall be submitted to the Council's Development Engineer for consideration and approval. No work shall commence until amendments to the ESCP has been approved by the Council's Development Engineer.
7. Following works required by conditions 11 and 12 an agreement is to be entered into (with Council) in respect of the vehicular access within unformed legal road being constructed and maintained by the applicant. This condition will not apply in the event that a legal road is formed, and Council assumes responsibility for its maintenance.
8. The earthworks will ensure that the gradient of the access shown on the Land Matters plan *New Driveway, Drawing No. J610-ENG-102, Rev. D* can comply with NZS 4404:2010, and where the access is on legal road the gradient must be no steeper than 1 in 8 and comply with the ground clearance templates in the Operative District Plan 2021.
9. The gradient from the legal road boundary into the site must be no more than 1 in 8 for a distance 10m and must comply with the ground clearance templates in the Operative District Plan 2021.
10. Any damage to the legal road or the access on legal road caused by the earthworks and associated vehicles and vehicle movements must be rectified at the expense of the applicant to the satisfaction of Council's Access and Transport Manager.
11. Prior to use of the new driveway within Lot 1 DP 88064, an access and heavy-duty vehicle crossing must be provided. The access and crossing must be formed to construction standards and comply with Roading Standard Drawing KCDC-RD-006.

**Note:** It is recommended to the applicant in undertaking design works that this design considers both existing activities and those anticipated with granted application RM190176A.

12. Prior to the use of the new driveway within Lot 1 DP 88064, a sealed passing place within the legal road to the east of 54 Te Moana Road in accordance with NZS 4404:2010 and the SDPR to address safety concerns and prevent conflict between the earthworks trucks and vehicles associated with the existing dwelling and expected development at 54 Te Moana Road.

**Advice Notes:**

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

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

- Under Section 125 of the Resource Management Act 1991, this resource consent will lapse in five years, unless it is given effect to within that time.
- It is the consent holder's responsibility to comply with any conditions imposed on this resource consent prior to and during (as applicable) exercising this resource consent.
- Please note that a resource consent is not a consent to build. A building consent must be issued prior to any building work being undertaken.
- If you disagree with any of the above conditions or disagree with the additional charges relating to the processing of the application, you have a right of objection pursuant to sections 357A or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of notification of the decision.
- The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety in Employment Act 1992), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.
- This consent does not permit any earthworks being undertaken within 5m of the ecological site, or the removal of any protected native vegetation.
- 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.

- Works within the legal road will only be approved where they comply with Council procedures and processes which are set out below:
  - a. Before undertaking work in the legal road you must make a Corridor Access Request (CAR) and receive a Works Access Permit (WAP) from us. Some examples of activities requiring a permit are:
    - trenching works;
    - footpaths and entranceways;
    - work within the berm or shoulder of the road; and
    - tree work scaffolding and crane work.
  - b. Before any excavations are undertaken a "Before U Dig" inquiry must be made to check for locations of any underground services. This is a web based service that you or your contractor use to get plans and information emailed out to you. This also provides the mechanism for you to make a Corridor Access Request and provide us with a Traffic Management Plan to protect your site, contractors, and the public during operations. Corridor Access Requests require 5 working days' notice before work can commence and Traffic Management Plans for road closures and events must be received 42 working days in advance of the closure or event. Please note: The "Before U Dig" service has no information on council's buried water, wastewater or stormwater assets. Our mapping tools show the location of the buried council assets.
  - c. Work must be undertaken in accordance with Councils guides and standard drawings. Examples of forms, guides and standards drawings (engineering plans) are available for download or print from the Council website and examples include:
    - Vehicle Installation Information;
    - Vehicle Crossing Application Form;
    - Roding Standard Drawings; and
    - Vehicle Crossing Guidelines.
- Evidence of archaeological sites may include kōiwi (human skeletal remains), taonga Māori (Māori artefacts), oven stones, charcoal, shell middens, ditches, banks, pits and old building foundations. If any archaeological site(s) are uncovered during physical works, Ātiawa ki Whakarongotai Charitable Trust will require the contractor to adopt the following protocols:
  - a. Work shall cease immediately within 100 metres of the site of discovery.
  - b. The contractor and subcontractor(s) must shut down all machinery, isolate and secure the site, and advise the project manager.
  - c. No materials relating to the artefacts or site shall be removed.
  - d. The project manager shall promptly advise Ātiawa ki Whakarongotai Charitable Trust.
  - e. If skeletal remains are uncovered, the project manager will also advise New Zealand Police.
  - f. An archaeologist approved by Ātiawa ki Whakarongotai Charitable Trust shall be employed at the expense of the contractor to examine and record the site.

- g. Ātiawa ki Whakarongotai Charitable Trust will at their discretion contact other iwi groups and organise a site inspection by appropriate tangata whenua advisors and the archaeologist.
- h. If as a result of the site inspection and investigation there is a need for an appropriate ceremony, Ātiawa ki Whakarongotai Charitable Trust will arrange such at the contractor's expense.
- i. Materials discovered will be handled and removed by the Ātiawa ki Whakarongotai Charitable Trust representatives responsible for the tikanga appropriate to their removal and preservation, or re-interment.
- j. Works affecting the archaeological site shall not resume until Ātiawa ki Whakarongotai Charitable Trust, and the New Zealand Police in the case of skeletal remains, have given the appropriate consent, approval or authority for work to continue. The contractor and subcontractor(s) will allow representatives of Ātiawa ki Whakarongotai Charitable Trust and the archaeologist all reasonable access to the site to carry out their respective responsibilities or activities under this protocol.

Contact details for iwi representatives are as follows:

Ātiawa ki Whakarongotai Charitable Trust

PO Box 509

Waikanae 5250

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

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

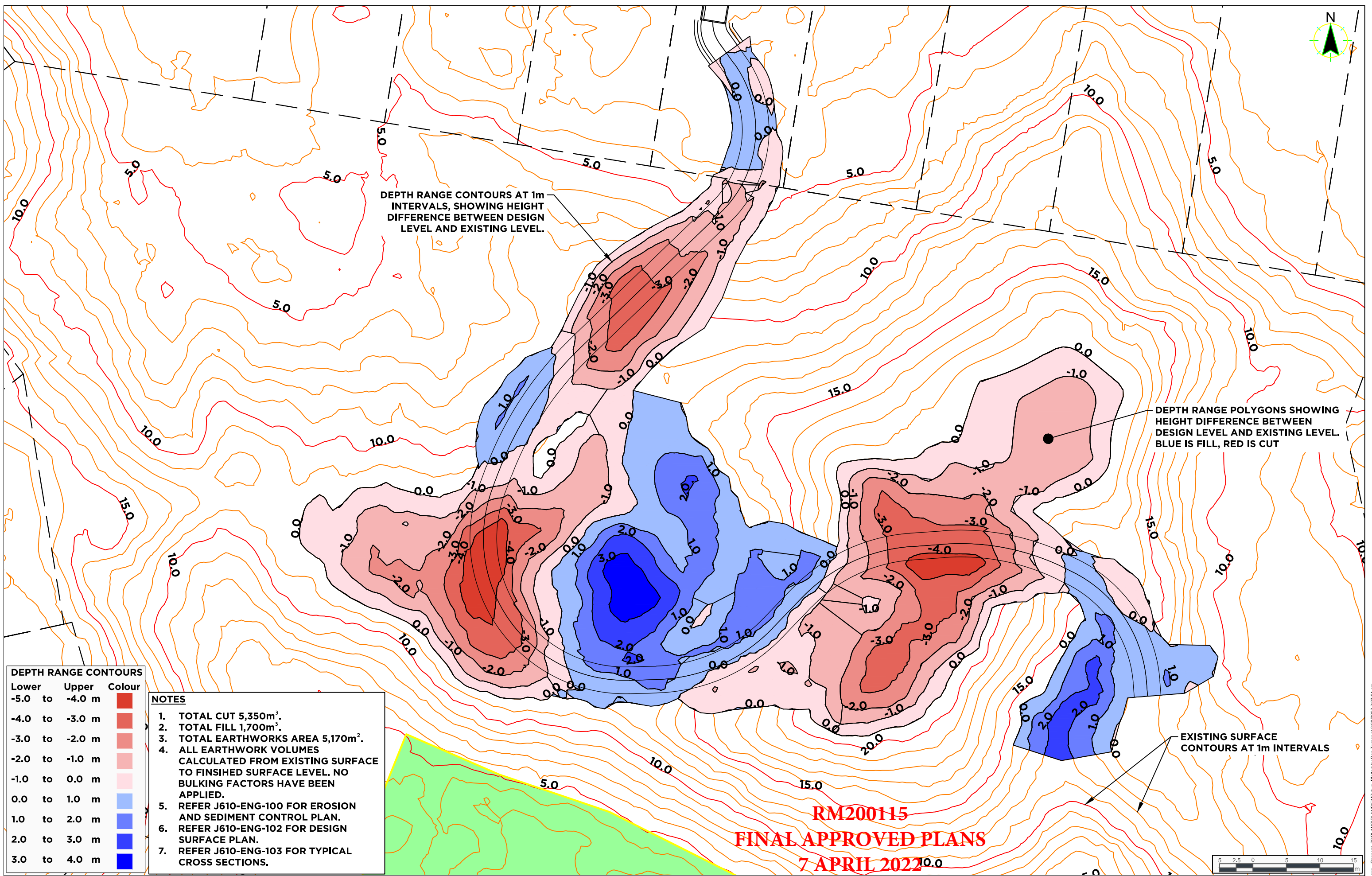
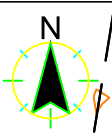
I consider that the adverse effects of the proposed activity on the environment will be less than minor and that the proposed activity is not contrary to the Objectives and Policies of the Kapiti Coast Operative and Proposed District Plans.



Sarah Banks

**Senior Resource Consents Planner**





DEPTH RANGE CONTOURS AT 1m INTERVALS, SHOWING HEIGHT DIFFERENCE BETWEEN DESIGN LEVEL AND EXISTING LEVEL.

DEPTH RANGE POLYGONS SHOWING HEIGHT DIFFERENCE BETWEEN DESIGN LEVEL AND EXISTING LEVEL. BLUE IS FILL, RED IS CUT

EXISTING SURFACE CONTOURS AT 1m INTERVALS

DEPTH RANGE CONTOURS		
Lower	Upper	Colour
-5.0 to	-4.0 m	
-4.0 to	-3.0 m	
-3.0 to	-2.0 m	
-2.0 to	-1.0 m	
-1.0 to	0.0 m	
0.0 to	1.0 m	
1.0 to	2.0 m	
2.0 to	3.0 m	
3.0 to	4.0 m	

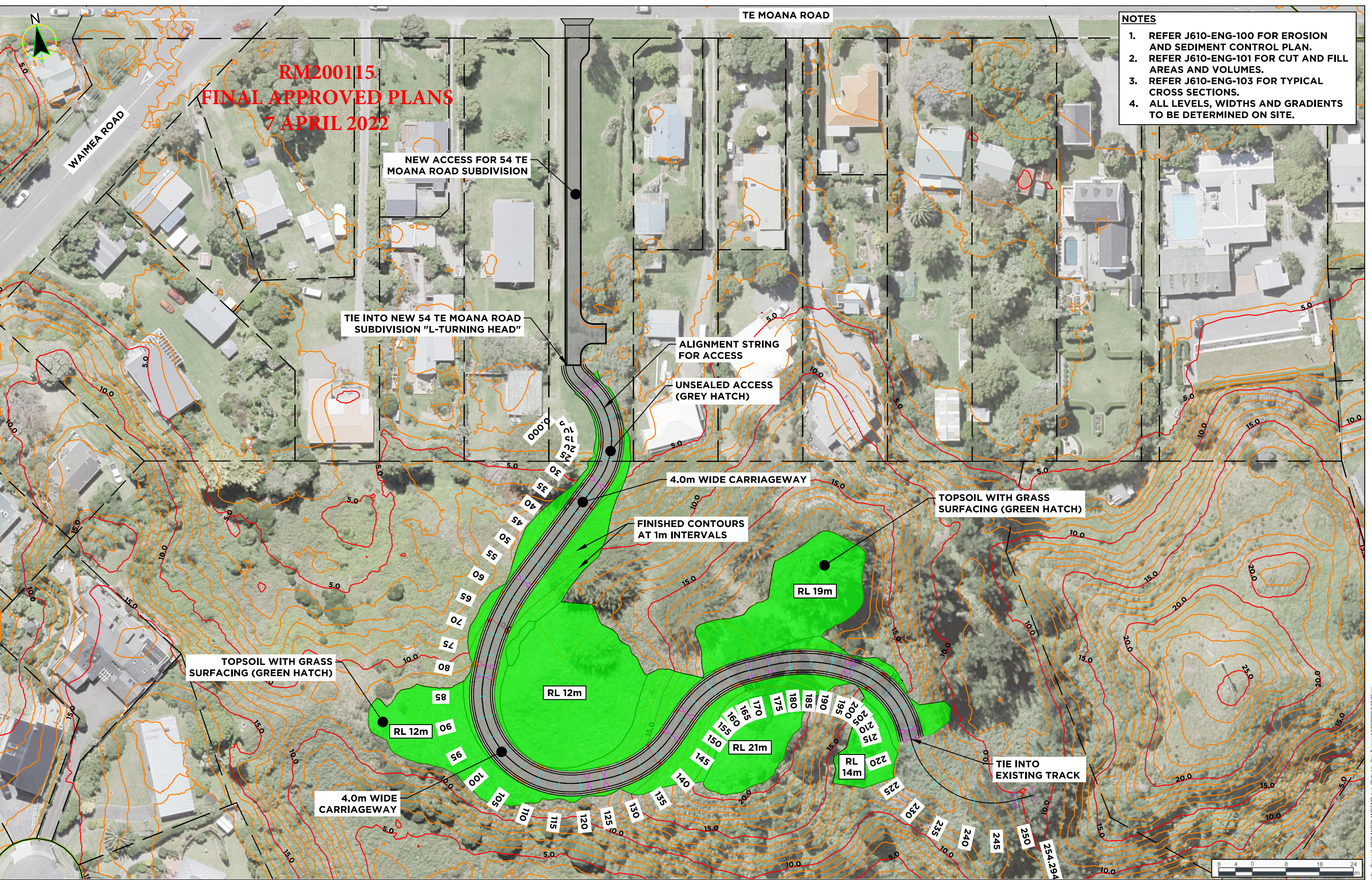
- NOTES**
1. TOTAL CUT 5,350m<sup>3</sup>.
  2. TOTAL FILL 1,700m<sup>3</sup>.
  3. TOTAL EARTHWORKS AREA 5,170m<sup>2</sup>.
  4. ALL EARTHWORK VOLUMES CALCULATED FROM EXISTING SURFACE TO FINISHED SURFACE LEVEL. NO BULKING FACTORS HAVE BEEN APPLIED.
  5. REFER J610-ENG-100 FOR EROSION AND SEDIMENT CONTROL PLAN.
  6. REFER J610-ENG-102 FOR DESIGN SURFACE PLAN.
  7. REFER J610-ENG-103 FOR TYPICAL CROSS SECTIONS.

**RM200115**  
**FINAL APPROVED PLANS**  
**7 APRIL 2022**



PREPARED BY 	CLIENT	PROJECT	DRAWING TITLE	DATE	PROJECT NO.
	MURRAY SEARLE	CONSENT	DRIVEWAY - EARTHWORKS PLAN	02/03/22	610
				SCALE	REV
				1:250 @ A1	
				1:500 @ A3	
				DRAWING NO.	D
				J101-ENG-101	

C:\1205\msh\14\DATA\610 - Murray Searle - Consent\_67\PLANS\PLANS\EMP.dwg, Plotted by Dan Turner at 3/03/2022 8:27:01 am



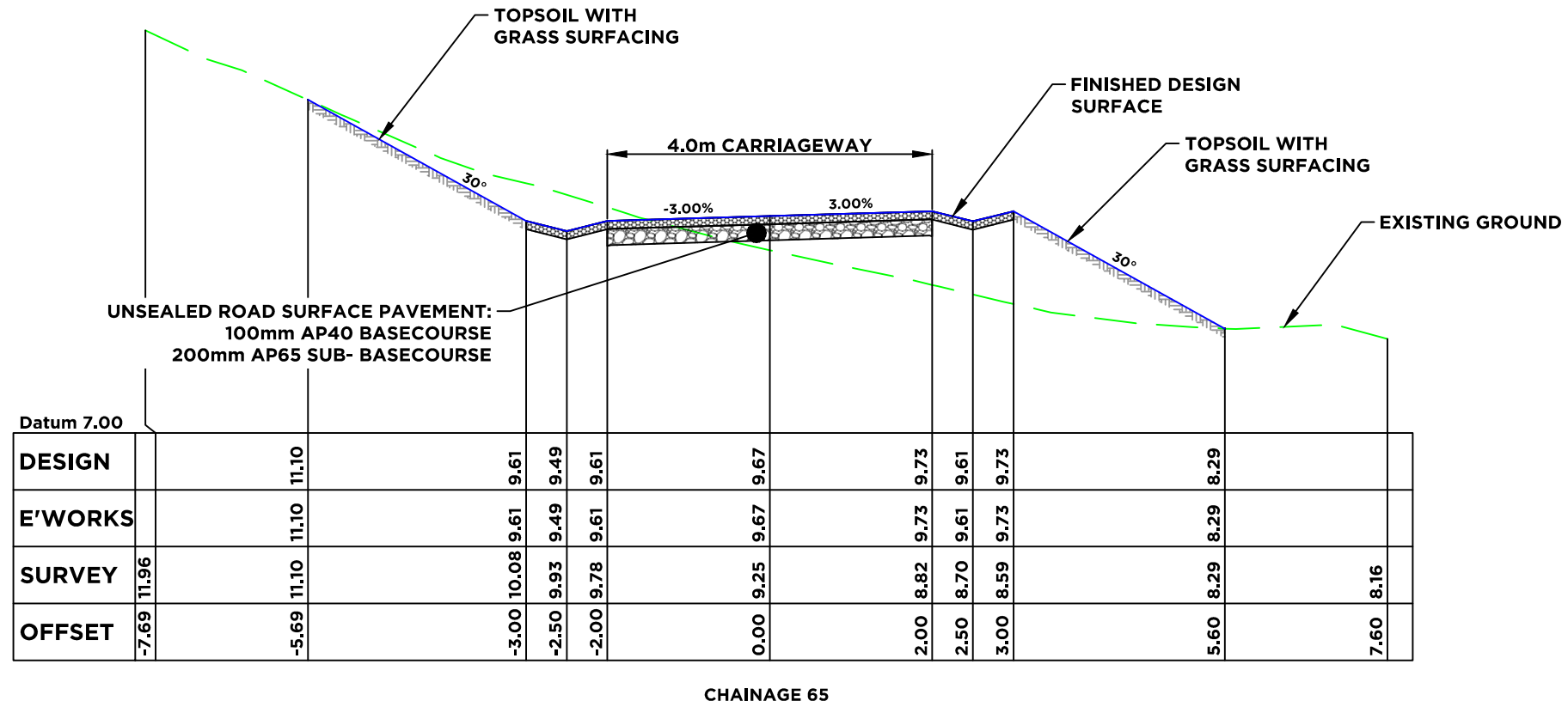
- NOTES**
1. REFER J610-ENG-100 FOR EROSION AND SEDIMENT CONTROL PLAN.
  2. REFER J610-ENG-101 FOR CUT AND FILL AREAS AND VOLUMES.
  3. REFER J610-ENG-103 FOR TYPICAL CROSS SECTIONS.
  4. ALL LEVELS, WIDTHS AND GRADIENTS TO BE DETERMINED ON SITE.

**RM200115**  
**FINAL APPROVED PLANS**  
**7 APRIL 2022**

<p>PREPARED BY</p>	<p>CLIENT</p> <p><b>MURRAY SEARLE</b></p>	<p>PROJECT</p> <p><b>CONSENT</b></p>	<p>DRAWING TITLE</p> <p><b>NEW DRIVEWAY</b></p>	<p>DATE 02/03/22</p> <p>PROJECT NO. 610</p> <p>SCALE 1:400 @ A1 1:800 @ A3</p> <p>DRAWING NO. J610-ENG-102</p> <p>REV D</p>
--------------------	---	--------------------------------------	---	---

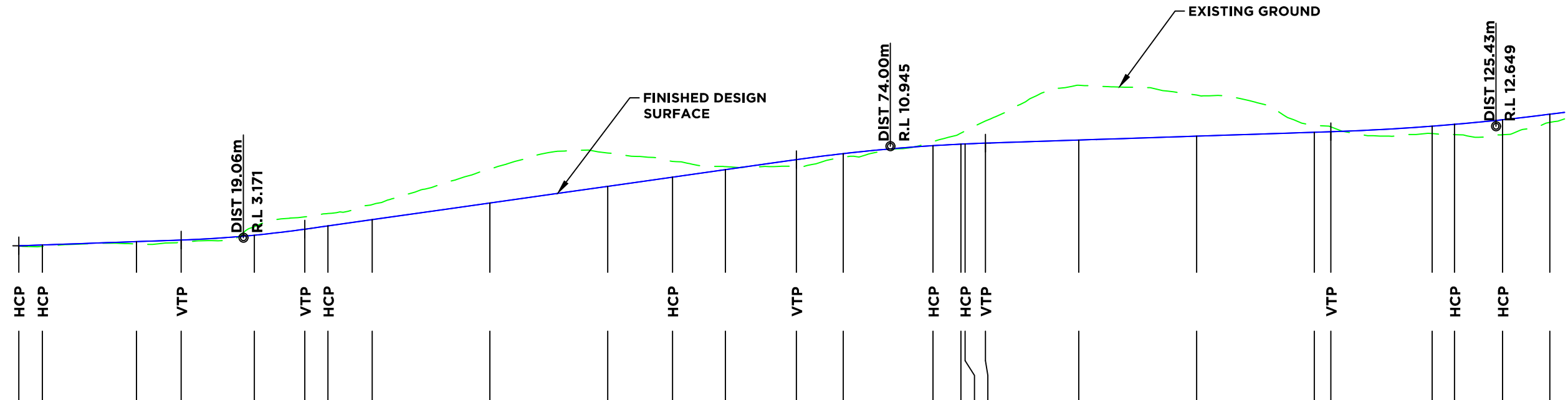
C:\1205\Mapa\LD\DATA\610 - Murray Searle - Consent\67\PLANS\PLANS\EMP.dwg, Plotted by Dan Turner at 30/03/2022 8:27:08 am

**RM200115**  
**FINAL APPROVED PLANS**  
**7 APRIL 2022**



- NOTES**
1. REFER J610-ENG-100 FOR EROSION AND SEDIMENT CONTROL PLAN.
  2. REFER J610-ENG-101 FOR CUT AND FILL AREAS AND VOLUMES.
  3. REFER J610-ENG-102 FOR TYPICAL CROSS SECTION PLAN LOCATION.

**RM200115**  
**FINAL APPROVED PLANS**  
**7 APRIL 2022**



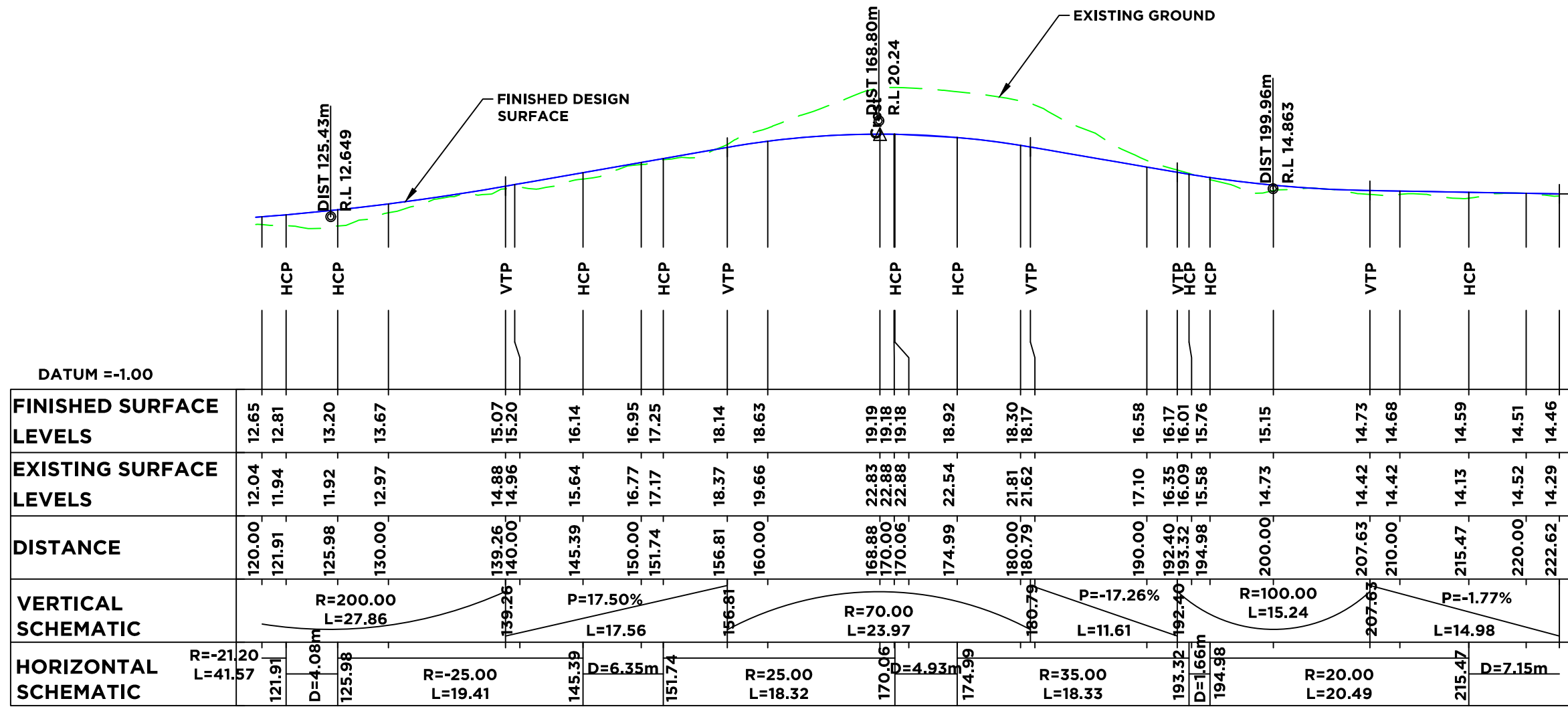
DATUM =-11.00	
<b>FINISHED SURFACE LEVELS</b>	2.50 2.57 2.85 2.99 3.40 3.91 4.19 4.72 6.13 7.55 8.33 8.96 9.81 10.32 11.00 11.13 11.15 11.21 11.48 11.81 12.14 12.18 12.65 12.81 13.20 13.67
<b>EXISTING SURFACE LEVELS</b>	2.50 2.44 2.65 2.80 4.11 4.96 5.24 6.00 9.01 10.38 9.66 9.22 9.16 10.04 11.34 12.07 12.25 13.10 16.13 15.30 12.73 12.62 12.04 11.94 11.92 12.97
<b>DISTANCE</b>	0.00 2.00 10.00 13.79 20.00 24.29 26.26 30.00 40.00 50.00 55.50 60.00 66.02 70.00 77.63 80.00 80.34 82.07 90.00 100.00 110.00 111.39 120.00 121.91 125.98 130.00
<b>VERTICAL SCHEMATIC</b>	P=3.52% L=13.79 R=100.00 L=10.49 P=14.15% L=41.73 R=150.00 L=16.05 P=3.31% L=29.33 R=200.00 L=27.86
<b>HORIZONTAL SCHEMATIC</b>	D=2m 0.00 2.00 R=17.00 L=24.26 26.26 D=29.25m 55.50 R=-50.00 L=22.13 77.63 D=4.71m 80.34 R=-21.20 L=41.57 121.91 D=4.08m 125.98 R=-25.00 L=19.41

**LONGITUDINAL SECTION ACCESS TRACK - PAGE 1 OF 2**  
**SCALE HORIZ=1:500 VERT=1:500 (A3)**

- NOTES**
- REFER J610-ENG-100 FOR EROSION AND SEDIMENT CONTROL PLAN.
  - REFER J610-ENG-101 FOR CUT AND FILL AREAS AND VOLUMES.
  - REFER J610-ENG-102 FOR PLAN ALIGNMENT STRING.

C:\1205\Sub\LAH\DATA\610 - Murray Searle - Consent\_L67\PLANS\PLANS\EMP.dwg, Plotted by Dan Turner at 3/03/2022 8:27:16 am

**RM200115**  
**FINAL APPROVED PLANS**  
**7 APRIL 2022**



**LONGITUDINAL SECTION ACCESS TRACK - PAGE 2 OF 2**  
**SCALE HORIZ=1:500 VERT=1:500 (A3)**

**NOTES**

1. REFER J610-ENG-100 FOR EROSION AND SEDIMENT CONTROL PLAN.
2. REFER J610-ENG-101 FOR CUT AND FILL AREAS AND VOLUMES.
3. REFER J610-ENG-102 FOR PLAN ALIGNMENT STRING.

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

**TO:**

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

<b>Application No:</b>	<b>RM200115</b>
<b>Site Address:</b>	<b>Te Moana Road, Waikanae LOT 1 DP 88064 CT 495921</b>
<b>Proposal:</b>	<b>To undertake earthworks within a waahi tapu site that do not meet the permitted activity standards</b>

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

**Owner's Contact Details**

Name:

Postal Address:

Telephone:

Mobile:

**Contractor's Contact Details (e.g. earthworks)**

Name:

Telephone:

Mobile:

**SIGNED:**

.....  
NAME

.....  
DATE