



Internal Memo

To:	Adrian Ramage
From:	Jenny Grimmatt
Subject:	RC6818 - Minor amendment under Condition 1 to Enable Minor Boundary Adjustment

Resource consent for subdivision and land use (PCC Reference: RC6818 - SL0001/15) was granted on 6 March 2015 to Pikarere Farm Limited approving the creation of five rural-residential allotments in two stages, and the future construction of dwellings on those allotments at 320-380 Pikarere Street, Colonial Knob (being Lots 1-3 DP 63408, Lot 3 DP 373530 & Lot 7 DP 373530). Stage 1 is to be completed within five years of the issue of the consent and Stage 2 within 10 years of the issue of consent.

A further application to make small changes to the approved scheme plan and correct some minor errors was granted on 3 August 2016 (PCC Reference: RC6818 – SB0014/16). This approved the amendment of Conditions 1, 7, 8, 9, 10, 25(c) and (d), and 29 to facilitate the minor amendments and corrections.

The landowner/consent holder has recently identified that a small stock dam, shown on the approved Scheme Plan as being mainly within Lot 5, should be within Lot 4. A minor amendment under Condition 1 of Resource Consent RC6818 has therefore been requested¹ to reflect a revised scheme plan showing a revised internal boundary between Lots 4 and 5 so that the stock dam is entirely within Lot 4. The applicant also requests confirmation that the proposal is "in general accordance" (IGA) with the existing resource consent.

The latest version of Condition 1 of Resource Consent RC6818 (as amended by SB0014/16) is as follows:

1. That the development be in general accordance with the information and plans submitted with the application stamped Approved Plans for Resource Consent RC6818 and held on Council file RC6818 (*Development Plan Rural Residential Subdivision and Boundary adjustment, Drawing No. DP PIK1 Rev 05, and Stage 1: Subdivision of Lots 1, 2, & 3 DP 62408 into Lots 1, 2, 3, 4, 8, 10 and of lot 3 DP 373530 into Lots 11 and 12, Stage 2 – Subdivision of Lot 2 (stage 1) into Lots 1 & 2- Drawing No. DP PIK1 Rev 06*), although minor alterations may be approved upon request providing the development is not materially different, the scale and intensity of adverse effects will be no greater, and no approval from affected persons is needed.

¹ Letter dated 26 October 2017 sent by email dated 26 October by Anna Carter of Land Matters Limited.

Background

The originally approved development required resource consent because subdivision was proposed, and several of the proposed allotments were under 5 hectares, despite these being amalgamated to create land parcels of at least 5 hectares in area. This was required to be assessed as a Non-Complying Activity under the Rural Zone Rules. The provision for future construction on the approved allotments also required a land use consent as a Discretionary Activity because the earthworks to create access to the proposed building sites exceeded the Permitted Activity Conditions for the Rural Zone and because of earthworks for Lot 5 which was also within a Landscape Protection Area. The development was assessed overall as a Non-Complying Activity and conditions were imposed setting out future building platforms and design requirements for future buildings on the approved lots.

Revised Plans

The revised proposal (a minor boundary adjustment between Lots 4 and 5) is shown on the plans prepared by LandMatters, titled and numbered as follows:

“Project: Development Plan Rural Residential Subdivision and Boundary Adjustment - Lodged as “IGA” by Applicant:

Stage 1 – Subdivision of Lots 1, 2, 3 DP 62408 into Lots 1, 2, 3, 4, 5, 8, 10 and of Lot 3 DP373530 into Lots 11 and 12.

Stage 2 – Subdivision of Lot 2 (Stage 1) into Lots 1 & 2”.

- Drawing No. DP PIK1 – Rev 05[B] dated 24/10/17; and
- Drawing No. DP PIK1 – Rev 06[B] dated 24/10/17.

The new plan titles include the same references to stages and lots as the references on the originally approved plans, but have updated drawing numbers and dates and the text “Lodged as “IGA” by Applicant” has been added to the plan face.

Assessment of Effects of Proposed Change

The revised proposal the subject of this memorandum does not alter any of the approved lot areas below 5 hectares, the applicant has confirmed that the proposed minor boundary adjustment between Lots 4 and 5 will ensure these lots remain 5 hectares in area, there will be no increase in the number of allotments and the users of the Right of Way easement denoted as “1” on the scheme plan remain unaltered. The proposed boundary adjustment will ensure that there is a water storage dam available for stock on each of Lots 4 and 5.

I therefore consider that the proposed minor boundary adjustment between Lots 4 and 5 is a practical improvement to the utility of Lots 4 and 5 and will not result in any discernible effects on the environment compared with the originally approved scheme plan.

Overall, I am satisfied that the effects of the alteration to the approved plans will not be materially different and the scale and intensity of adverse effects will be no greater. I am also satisfied that

no affected person's approval is required as a result for this alteration. I am also satisfied that the minor alteration proposed is in general accordance with the existing resource consent.

Recommendation

That the alteration to the boundary between Lots 4 and 5 as shown on the plans prepared by LandMatters, titled and numbered as follows:

*"Project: Development Plan Rural Residential Subdivision and Boundary Adjustment -
Lodged as "IGA" by Applicant:*

Stage 1 – Subdivision of Lots 1, 2, 3 DP 62408 into Lots 1, 2, 3, 4, 5, 8, 10 and of Lot 3 DP373530 into Lots 11 and 12.

Stage 2 – Subdivision of Lot 2 (Stage 1) into Lots 1 & 2".

- Drawing No. DP PIK1 – Rev 05[B] dated 24/10/17; and
- Drawing No. DP PIK1 – Rev 06[B] dated 24/10/17,

be approved as a minor alteration in accordance with Condition 1 of RC 6818 for the reasons above.



Jenny Grimmett
CONSULTANT PLANNER

Agreed



Adrian Ramage
**MANAGER RESOURCE CONSENTS
POLICY, PLANNING & REGULATORY SERVICES**

EXISTING SCHEDULE OF EASEMENTS

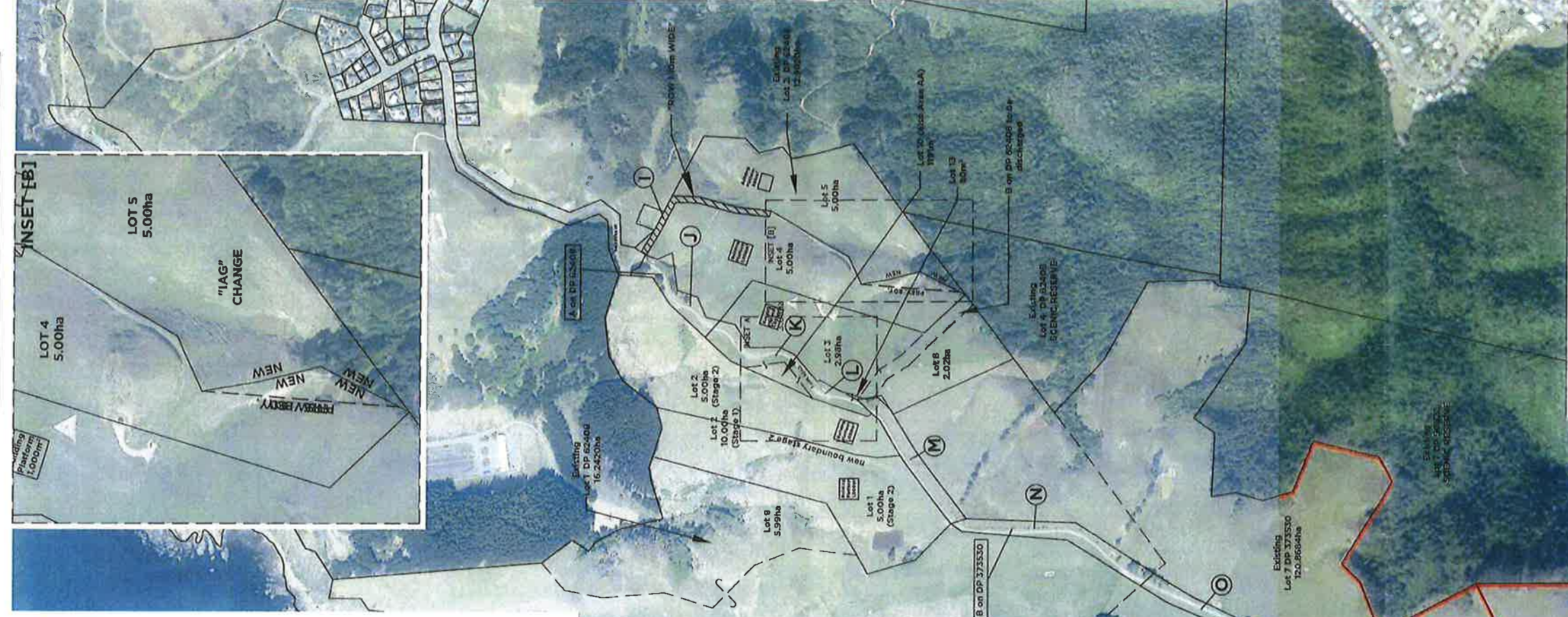
PURPOSE	SHOWN AS	SERVIENT TENEMENT	DOMINANT TENEMENT	NOTES
ROW	A ON DP 62408	LOT 3 DP 62408	LOT 7 DP 373530, LOTS 1, 2, 4 DP 373530	ROW A to be discharged and replaced with new ROW J and K
ROW	B ON DP 62408	Lot 3	Lot 4 DP 62408	ROW B to be discharged in its entirety
ROW	A ON DP 373530	Lot 7 DP 373530	Lot 1 DP 373530	Retain
ROW	B on DP 373530	Lot 3 on DP 62508	Lot 1, 2, 3, 4 & 7 on DP 373530	ROW B to be discharged and replaced with new ROWS L, M AND N
ROW	C on DP 373530	Lot 7 DP 373530	Lot 1, 2, 3, 4 on DP 373530	replaced with ROWS O and P

AMENDMENTS TO DATE

ADDITIONAL LOT AND BOUNDARY SUBDIVISION AND BOUNDARY ADJUSTMENT DATE STAMPED "FINAL APPROVED PLAN" DATE 22/02/15	50 PIKI REV 02 22/02/15	1 ADDITIONAL LOT AND BOUNDARY SUBDIVISION AND BOUNDARY ADJUSTMENT DATE STAMPED "FINAL APPROVED PLAN" DATE 22/02/15
REVISION TO CONSIDER FUTURE RESERVE ROAD PLAN TO WIDEN MAIN ACCESS TO LOT 3	DP PIKI REV 05 04/07/16	REVISION TO CONSIDER FUTURE RESERVE ROAD PLAN TO WIDEN MAIN ACCESS TO LOT 3
REVISION TO CONSIDER FUTURE RESERVE ROAD PLAN TO WIDEN MAIN ACCESS TO LOT 3	DP PIKI REV 06 04/07/16	REVISION TO CONSIDER FUTURE RESERVE ROAD PLAN TO WIDEN MAIN ACCESS TO LOT 3
REVISION TO CONSIDER FUTURE RESERVE ROAD PLAN TO WIDEN MAIN ACCESS TO LOT 3	DP PIKI REV 06 04/07/16	REVISION TO CONSIDER FUTURE RESERVE ROAD PLAN TO WIDEN MAIN ACCESS TO LOT 3
REVISION TO CONSIDER FUTURE RESERVE ROAD PLAN TO WIDEN MAIN ACCESS TO LOT 3	DP PIKI REV 06 24/07/17	REVISION TO CONSIDER FUTURE RESERVE ROAD PLAN TO WIDEN MAIN ACCESS TO LOT 3
REVISION TO CONSIDER FUTURE RESERVE ROAD PLAN TO WIDEN MAIN ACCESS TO LOT 3	DP PIKI REV 08 24/07/17	REVISION TO CONSIDER FUTURE RESERVE ROAD PLAN TO WIDEN MAIN ACCESS TO LOT 3
REVISION TO CONSIDER FUTURE RESERVE ROAD PLAN TO WIDEN MAIN ACCESS TO LOT 3	DP PIKI REV 08 24/07/17	REVISION TO CONSIDER FUTURE RESERVE ROAD PLAN TO WIDEN MAIN ACCESS TO LOT 3
REVISION TO CONSIDER FUTURE RESERVE ROAD PLAN TO WIDEN MAIN ACCESS TO LOT 3	DP PIKI REV 08 24/07/17	REVISION TO CONSIDER FUTURE RESERVE ROAD PLAN TO WIDEN MAIN ACCESS TO LOT 3
REVISION TO CONSIDER FUTURE RESERVE ROAD PLAN TO WIDEN MAIN ACCESS TO LOT 3	DP PIKI REV 08 24/07/17	REVISION TO CONSIDER FUTURE RESERVE ROAD PLAN TO WIDEN MAIN ACCESS TO LOT 3
REVISION TO CONSIDER FUTURE RESERVE ROAD PLAN TO WIDEN MAIN ACCESS TO LOT 3	DP PIKI REV 08 24/07/17	REVISION TO CONSIDER FUTURE RESERVE ROAD PLAN TO WIDEN MAIN ACCESS TO LOT 3

PROPOSED SCHEDULE OF EASEMENTS

PURPOSE	SHOWN AS	STAGE 1		SERVIENT TENEMENT	DOMINANT TENEMENT	SERVIENT TENEMENT	DOMINANT TENEMENT
		SERVIENT TENEMENT	DOMINANT TENEMENT				
ROW, TELECOMMUNICATIONS, POWER	I	Lot 4	Lot 5	No change from Stage 1		No change from Stage 1	
ROW, TELECOMMUNICATIONS, POWER, RIGHT TO CONVEY WATER	J	Lot 1	Lots 2 (stage 1), 3, 4 (in respect of telecommunications and power only), 6, 8, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530	Lot 1 (stage 1)	Lots 1 and 2 (stage 2), 3, 4 (in respect of telecommunications and power only), 6, 8, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530	Lot 1 (stage 1)	Lots 1 and 2 (stage 2), 3, 4 (in respect of telecommunications and power only), 6, 8, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530
ROW, TELECOMMUNICATIONS, POWER, RIGHT TO CONVEY WATER	K	Lot 1	Lots 2 (stage 1), 3, 6, 8, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530	Lot 1 (stage 1)	Lots 1 and 2 (stage 2), 3, 6, 8, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530	Lot 1 (stage 1)	Lots 1 and 2 (stage 2), 3, 6, 8, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530
ROW, TELECOMMUNICATIONS, POWER, RIGHT TO CONVEY WATER	L	Lot 1	Lots 2 (stage 1), 6, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530	Lot 1 (stage 1)	Lots 1 and 2 (stage 2), 6, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530	Lot 1 (stage 1)	Lots 1 and 2 (stage 2), 6, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530
ROW, TELECOMMUNICATIONS, POWER, RIGHT TO CONVEY WATER	M	Lot 1	Lots 2 (stage 1), 6, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530	Lot 1 (stage 1)	Lots 1 (stage 2)	Lot 1 (stage 1)	Lots 1 (stage 2)
ROW, TELECOMMUNICATIONS, POWER, RIGHT TO CONVEY WATER	N	Lot 1	Lots 6, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530	No change from Stage 1	Lots 6, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530	No change from Stage 1	Lots 6, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530
ROW, TELECOMMUNICATIONS, POWER	O	Lot 7 on DP 373530	Lot 6, 11 and 12 and Lots 1, 2 and 4	No changes from Stage 1	Lot 6, 11 and 12 and Lots 1, 2 and 4	No changes from Stage 1	Lot 6, 11 and 12 and Lots 1, 2 and 4
ROW, TELECOMMUNICATIONS, POWER	P	Lot 7 on DP 373530	Lots 11 and 12 and Lots 1, 2 and 4 on DP 373530	No changes from Stage 1	Lots 11 and 12 and Lots 1, 2 and 4 on DP 373530	No changes from Stage 1	Lots 11 and 12 and Lots 1, 2 and 4 on DP 373530



Stage 1 - Subdivision of lots 1, 2, 3 DP 62408 into lots 1, 2, 3, 4, 5, 8, 10 and of lot 3 DP 373530 into lots 11 and 12.

Stage 2 - Subdivision of lot 2 (stage 1) into lots 1 and 2.

PREPARED BY

LAND MATTERS

CLIENT

PIKARERE FARM LIMITED

PROJECT

DEVELOPMENT PLAN
RURAL RESIDENTIAL SUBDIVISION
AND BOUNDARY ADJUSTMENT

Lodged as "IGA" by Applicant

DATE

24/10/17

PROJECT NO.

J271

SCALE

1:4,000 @ A1

DRAWING NO.

1-8,000 @ A3

REV

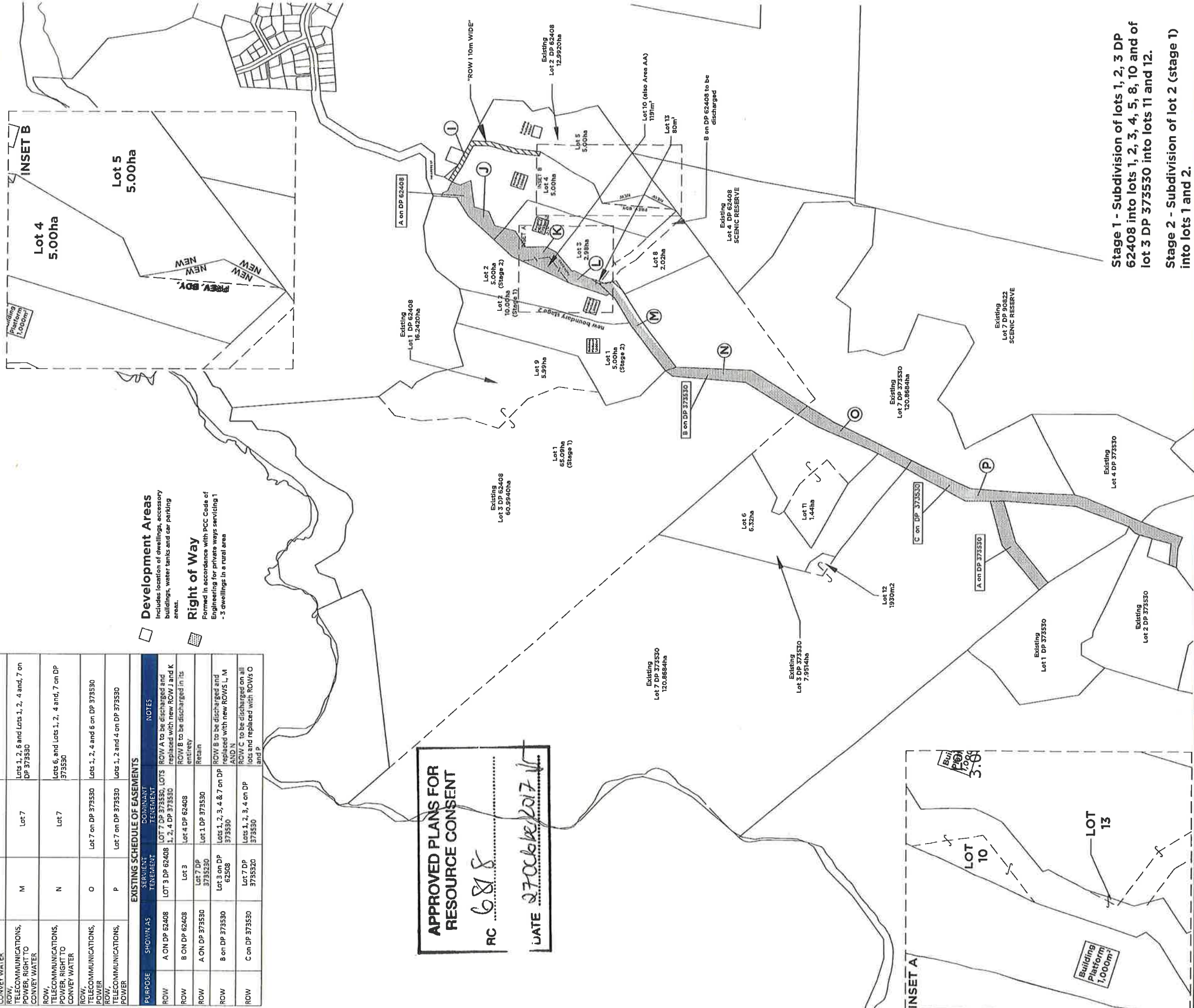
DP PIKI - 05 [B]

PROPOSED SCHEDULE OF EASEMENTS		SHOWN AS	SERVIENT TENEMENT	DOMINANT TENEMENT
ROW, TELECOMMUNICATIONS, POWER	I	Lot 4	Lot 5	
ROW, TELECOMMUNICATIONS, POWER, RIGHT TO CONVEY WATER	J	Lot 7	Lots 1, 2, 3, 4 (in respect of telecommunications and power only), 6, and Lots 1, 2, 4 and 7 on DP 373530	
ROW, TELECOMMUNICATIONS, POWER, RIGHT TO CONVEY WATER	K	Lot 7	Lots 1, 2, 3, 6, and Lots 1, 2, 4 and 7 on DP 373530	
ROW, TELECOMMUNICATIONS, POWER, RIGHT TO CONVEY WATER	L	Lot 7	Lots 1, 2, 6, and Lots 1, 2, 4 and 7 on DP 373530	
ROW, TELECOMMUNICATIONS, POWER, RIGHT TO CONVEY WATER	M	Lot 7	Lots 1, 2, 6 and Lots 1, 2, 4 and 7 on DP 373530	
ROW, TELECOMMUNICATIONS, POWER, RIGHT TO CONVEY WATER	N	Lot 7	Lots 6, and Lots 1, 2, 4 and 7 on DP 373530	
ROW, TELECOMMUNICATIONS, POWER	O	Lot 7 on DP 373530	Lots 1, 2, 4 and 6 on DP 373530	
ROW, TELECOMMUNICATIONS, POWER	P	Lot 7 on DP 373530	Lots 1, 2 and 4 on DP 373530	

EXISTING SCHEDULE OF EASEMENTS		SHOWN AS	SERVIENT TENEMENT	DOMINANT TENEMENT	NOTES
ROW	A ON DP 62408	LOT 3 DP 62408	LOT 7 DP 373530, LOTS 1, 2, 4 DP 373530	LOT 7 DP 373530, LOTS 1, 2, 4 DP 373530	ROW A to be discharged and replaced with new ROW J and K
ROW	B ON DP 62408	Lot 3	Lot 4 DP 62408	Lot 4 DP 62408	ROW B to be discharged in its entirety
ROW	A ON DP 373530	Lot 7 DP 373530	Lot 1 DP 373530	Lot 1 DP 373530	Retain
ROW	B on DP 373530	Lot 3 on DP 62508	Lots 1, 2, 3, 4 & 7 on DP 373530	Lots 1, 2, 3, 4 & 7 on DP 373530	ROW B to be discharged and replaced with new ROWS L, M AND N
ROW	C on DP 373530	Lot 7 DP 373530	Lots 1, 2, 3, 4 on DP 373530	Lots 1, 2, 3, 4 on DP 373530	ROW C to be discharged on all lots and replaced with ROWS O and P

APPROVED PLANS FOR RESOURCE CONSENT
 RC 6818
 DATE 27/06/2017

AMENDMENTS TO DATE	
SCHEME	SC PIK 1 REV 02/26/17/3
ADRIAL OVER SCHEME	DP PIK 1 REV 05/04/07/8
SCHEME	DP PIK 1 REV 08/04/07/8
ADRIAL OVER SCHEME	DP PIK 1 REV 08/24/07/7
ADRIAL OVER SCHEME	DP PIK 1 REV 08/24/07/7



Development Areas
 Includes location of dwellings, accessory buildings, water tanks and car parking areas.

Right of Way
 Formed in accordance with PCC Code of Engineering for private ways servicing 1 - 3 dwellings in a rural area

Stage 1 - Subdivision of lots 1, 2, 3 DP 62408 into lots 1, 2, 3, 4, 5, 8, 10 and of lot 3 DP 373530 into lots 11 and 12.

Stage 2 - Subdivision of lot 2 (stage 1) into lots 1 and 2.

In reply please quote:
For enquiries please contact:
Email:
Direct Dial:

RC6818 – SB0014/16
Robinson Dembetembe
rdembetembe@pcc.govt.nz
04 237 3820



3 August 2016

Pikarere Farm Ltd
C/o- Land Matters Ltd
20 Addington Road
RD1
Otaki 5581
Attn. Anna Carter

Dear Anna

CHANGE OF CONDITIONS OF RESOURCE CONSENT TO UNDERTAKE A SUBDIVISION TO CREATE FIVE 'RURAL – RESIDENTIAL ALLOTMENTS' AND A LAND USE CONSENT FOR THE FUTURE CONSTRUCTION OF DWELLINGS AT 320 - 380 PIKARERE STREET, COLONIAL KNOB (BEING LOTS 1- 3 DP 62408, LOT 3 DP 373530 & LOT 7 DP 373530).

I refer to your application as described above.

The application was considered under delegated authority on 3 August 2016 and the following decision was made:

That the request for change of conditions 1, 7, 8, 9, 10, 25(c) & (d), 29 from original decision of resource consent RC6818 pursuant to Section 127 of the Resource Management Act 1991 be approved to read as follows:

1. **That the development be in general accordance with the information and plans submitted with the application stamped Approved Plans for Resource Consent RC6818 and held on Council file RC6818 (*Development Plan Rural Residential Subdivision and Boundary adjustment, Drawing No. DP PIK1 Rev 05, and Stage 1: Subdivision of Lots 1, 2, & 3 DP 62408 into Lots 1, 2, 3, 4, 8, 10 and of lot 3 DP 373530 into Lots 11 and 12, Stage 2 – Subdivision of Lot 2 (stage 1) into Lots 1 & 2- Drawing No. DP PIK1 Rev 06*), although minor alterations may be approved upon request providing the development is not materially different, the scale and intensity of adverse effects will be no greater, and no approval from affected persons is needed.**
7. **Individual certifications pursuant to sections 223 and 224(c) of the RMA may be issued for this subdivision in a series of stages as follows:**
 - **Stage I – Lots 1-5, 8, 9, 10 & 13 and subdivision of Lot 3 DP 373530 into Lots 6, 11 & 12. Then the following lots will be amalgamated to be held in one Computer Freehold Register: Lots 1, 9 and 10 and 13 to be held in one CFR, Lots 3 & 8 to be held in one CFR, and Lots 7 DP 373530 and Lots 11 & 12 to be held together in one CFR**
 - **Stage II – Subdivision of Lot 2 in Stage 1 into two Lots 1 & 2;**

provided that:

- Each individual allotment must be consistent with the proposal as approved;
 - All conditions pertaining to the specific allotments shown in the particular stage on the survey plan must be satisfied prior to the execution of a certificate pursuant to section 224(c) of the RMA in respect of that stage.
8. Prior to approval under Section 223 of the Resource Management Act 1991, the easements specified on the approved scheme plan DP PIK1 Rev 6 shall be created or reserved for the purpose specified and endorsed in a memorandum on the Land Transfer Plan.
 9. Prior to approval under section 223 of the Resource Management Act 1991 the identified development areas shown on Drawing Number DP PIK1 Rev 6 dated 22/7/16 drawn by Land Matters Property Consultants shall be surveyed and marked on the Land Transfer Plan.
 10. That pursuant to section 220(1)(b)(i) & (ii) of the Resource Management Act 1991, that;
 - “Lots 1, 9, 10 and 13 are held together in one CFR;
 - Lots 3 and 8 are held together in one CFR;
 - Lot 7 DP 373530 and Lots 11 and 12 are held together in one CFR.”
 (Request number in the condition is 1383375). This shall be recorded on the Transfer Plan submitted for this stage under Section 223 of the Resource Management Act.
 - 25(c). Proposed Right of Ways identified as “I” on Land Matters Plan DP PIK1 Rev 6 shall be formed and drained in accordance with the PCC Code of Land Development and Subdivision 2010, Land Development and Subdivision Infrastructure - NZS 4404: 2010, and Part H of the District Plan.
 - 25(d) Due to the age and condition of the existing access A on DP 62408, the formation of ROW J, K & L shall be reconstructed where required in order to achieve uniform, consistent continuous surface, and then metalled in compliance with the Land Development and Subdivision Engineering - NZS 4404: 2004, PCC's Code of Land Development and Subdivision 2010 and all works shall be to the satisfaction of the General Manager, Environment and Regulatory Services.
 29. That the development be in general accordance with the information and plans submitted with the application stamped Approved Plans for Resource Consent RC6818 and held on Council file RC6818 (*Development Plan Rural Residential Subdivision and Boundary adjustment, Drawing No. DP PIK1 Rev 05, and Stage 1: Subdivision of Lots 1, 2, & 3 DP 62408 into Lots 1, 2, 3, 4, 8, 10 and of lot 3 DP 373530 into Lots 11 and 12, Stage 2 – Subdivision of Lot 2 (stage 1) into Lots 1 & 2- Drawing No. DP PIK1 Rev 06*), although minor alterations may be approved upon request providing the development is not materially different, the scale and intensity of adverse effects will be no greater, and no approval from affected persons is needed.

PLANNING REPORT

CHANGE OF CONDITIONS OF RESOURCE CONSENT TO UNDERTAKE A SUBDIVISION TO CREATE FIVE 'RURAL – RESIDENTIAL ALLOTMENTS' AND A LAND USE CONSENT FOR THE FUTURE CONSTRUCTION OF DWELLINGS AT 320 - 380 PIKARERE STREET, COLONIAL KNOB (BEING LOTS 1- 3 DP 62408, LOT 3 DP 373530 & LOT 7 DP 373530).

RESOURCE CONSENT RC6818 – SB0014/16

Applicant	Pikarere Farm Ltd
Application Received	6/07/2016
Reporting Planner	Robinson Dembetembe

1.0 DESCRIPTION OF PROPOSAL

The applicant has requested an amendment to the original resource consent conditions such that conditions 1, 7, 8, 9, 10, 25(c) & (d), 29, and the recommendation under Section 243 referencing the amended easements be changed from the original decision RC6818 granted on 6 March 2015.

The applicant was granted a resource consent to subdivide Lots 1 - 3 DP 62408, Lot 3 DP 373530 & Lot 7 DP 373530 at 320- 380 Pikarere Street, and land use consent for the future construction of buildings including dwellings on the five rural-residential sites that are proposed to be created as part of the application. The applicant is not seeking to change the approved identified development areas that were shown on the original plans. The proposed changes will not create any additional allotments more than what was previously approved.

The applicant is seeking the following;

“Correcting Errors in the approved Scheme Plan

- i. Show the area of Lot 8 which is held together with Proposed Lot 3;*
- ii. Amend the area of Lot 1 less the area within lots 8, 10 and 13;*
- iii. Show lots 9, 10, 11 and 12 as stand-alone lots to indicate separate lots being “held together” under amalgamation conditions;*
- iv. Delete Lot 7 (stage 1) 121.70 ha and retain Lot 7 DP 373530. Lots 11 and 12 (stage 1) will be “held together” with the existing Lot 7 DP 373530.*

NEW –

- i. Widening the Main farm Access (ROW) in parts to ensure an even width of 25 metres along its width. This requires two further boundary adjustments. The area within lot 13 is to be excluded from Lot 3 and held as part of the main farm track (being lot 1) and lot 8 boundaries are to be varied slightly from what was currently approved.*
- ii. Lot 3 to be accessed directly from the main farm track (ROWS “J” and “K”) and not from the old farm access track (ROW “I”). Shorten the ROW “I” so it*

2.0 RELEVANT PLANNING PROVISIONS

2.1 Section 127 RMA

Section 127 of the Resource Management Act provides for the change or cancellation of conditions of a resource consent as follows:

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

- (1) The holder of a resource consent may apply to a consent authority for a change or cancellation of a condition of the consent, subject to the following:
 - (a) the holder of a subdivision consent must apply under this section for a change or cancellation of the consent before the deposit of the survey plan (and must apply under section 221 for a variation or cancellation of a consent notice after the deposit of the survey plan); and*
 - (b) no holder of any consent may apply for a change or cancellation of a condition on the duration of the consent.**
- (2) [Repealed]*
- (3) Sections 88 to 121 apply, with all necessary modifications, as if—
 - (a) the application were an application for a resource consent for a discretionary activity; and*
 - (b) the references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.**
- (3A) If the resource consent is a coastal permit authorising aquaculture activities to be undertaken in the coastal marine area, no aquaculture decision is required in respect of the application if the application is for a change or cancellation of a condition of the consent and does not relate to a condition that has been specified under section 186H(3) of the Fisheries Act 1996 as a condition that may not be changed or cancelled until the chief executive of the Ministry of Fisheries makes a further aquaculture decision.*
- (4) For the purposes of determining who is adversely affected by the change or cancellation, the consent authority must consider, in particular, every person who—
 - (a) made a submission on the original application; and*
 - (b) may be affected by the change or cancellation.**

3.0 ASSESSMENT

It is the effects of the change that are relevant. The appropriate comparison is between any adverse effects from the activity in its original form and any adverse effects that would arise from the proposal in its varied form.

- (v) *Deleting or surrendering ROW B on DP373530 is proposed so that replacement ROW L, M, N, O & P can be segmented into parts more appropriate for the location of the various dominant tenements along the easement and creating a more logical division of responsibility. The proposal is a practical approach to the allocation of future responsibilities for maintenance of the ROW.*
- (vi) *The memorandum inclusion of a water easement probably has no real effect at this stage since there is no water supply proposed but is acceptable practice to establish such easements well in advance of their need.*

Mr Phillip Rhodes is satisfied with the proposed changes which include the widening of the main farm access, lot 3 to be accessed from the main farm access and establishment of easements for water supply.

4.0 CONCLUSION

I consider that the provisions of Section 127 of the Resource Management Act 1991 have been met, and that it would be appropriate to change conditions 1, 7, 8, 9, 10, 25(c) & (d), 29 of the original resource consent RC6818 in this instance as requested by the applicant.

5.0 RECOMMENDATION

On the above grounds, it is recommended that the Manager Resource Consents - Policy, Planning and Regulatory Services approve the proposal:

That the request for change of conditions 1, 7, 8, 9, 10, 25(c) & (d), 29 from original decision of resource consent RC6818 pursuant to Section 127 of the Resource Management Act 1991 be approved to read as follows:

1. That the development be in general accordance with the information and plans submitted with the application stamped Approved Plans for Resource Consent RC6818 and held on Council file RC6818 (*Development Plan Rural Residential Subdivision and Boundary adjustment, Drawing No. DP PIK1 Rev 05, and Stage 1: Subdivision of Lots 1, 2, & 3 DP 62408 into Lots 1, 2, 3, 4, 8, 10 and of lot 3 DP 373530 into Lots 11 and 12, Stage 2 – Subdivision of Lot 2 (stage 1) into Lots 1 & 2- Drawing No. DP PIK1 Rev 06*), although minor alterations may be approved upon request providing the development is not materially different, the scale and intensity of adverse effects will be no greater, and no approval from affected persons is needed.
7. Individual certifications pursuant to sections 223 and 224(c) of the RMA may be issued for this subdivision in a series of stages as follows:
 - Stage I – Lots 1-5, 8, 9, 10 & 13 and subdivision of Lot 3 DP 373530 into Lots 6, 11 & 12. Then the following lots will be amalgamated to be held in one Computer Freehold Register: Lots 1, 9 and 10 and 13 to be held in one CFR, Lots 3 & 8 to be held in one CFR, and Lots 7 DP 373530 and Lots 11 & 12 to be held together in one CFR
 - Stage II – Subdivision of Lot 2 in Stage 1 into two Lots 1 & 2;

6.0 CONCLUSION AND RECOMMENDATION UNDER SECTION 243 OF THE RESOURCE MANAGEMENT ACT

As discussed in the planning report it is appropriate to cancel the easement identified as 'B' on DP 62408. Easements 'A' on DP 62408 and 'B' on DP 373530 and 'C' on DP 373530 be replaced with easements 'J', 'K', 'L', 'M', 'N', 'O', and 'P' as discussed above. It is therefore recommended that Council grants approval to surrender easements identified as 'A' and 'B' on DP 62408, and easements 'B' and 'C' on DP 373530 and sends a Notice of Cancellation to the District Land Registrar advising that the easements have been fully cancelled.



Robinson Dembetembe
RESOURCE CONSENTS PLANNER

8/8/16
Date

Decision of Council

That conditions 1, 7, 8, 9, 10, 25(c) & (d), 29 be changed from the original decision granted 6 March 2015 as stated in the above recommendation in Section 5.0.

The application to surrender easements identified as 'A' and 'B' on DP 62408, and easements 'B' and 'C' on DP 373530 and a certificate be signed by the Resource Consents Manager - Policy, Planning & Regulatory Services pursuant to Sections 243(a) & (e) of the Resource Management Act 1991.



Adrian Ramage
**MANAGER RESOURCE CONSENTS
POLICY, PLANNING & REGULATORY SERVICES
under Delegated Authority**

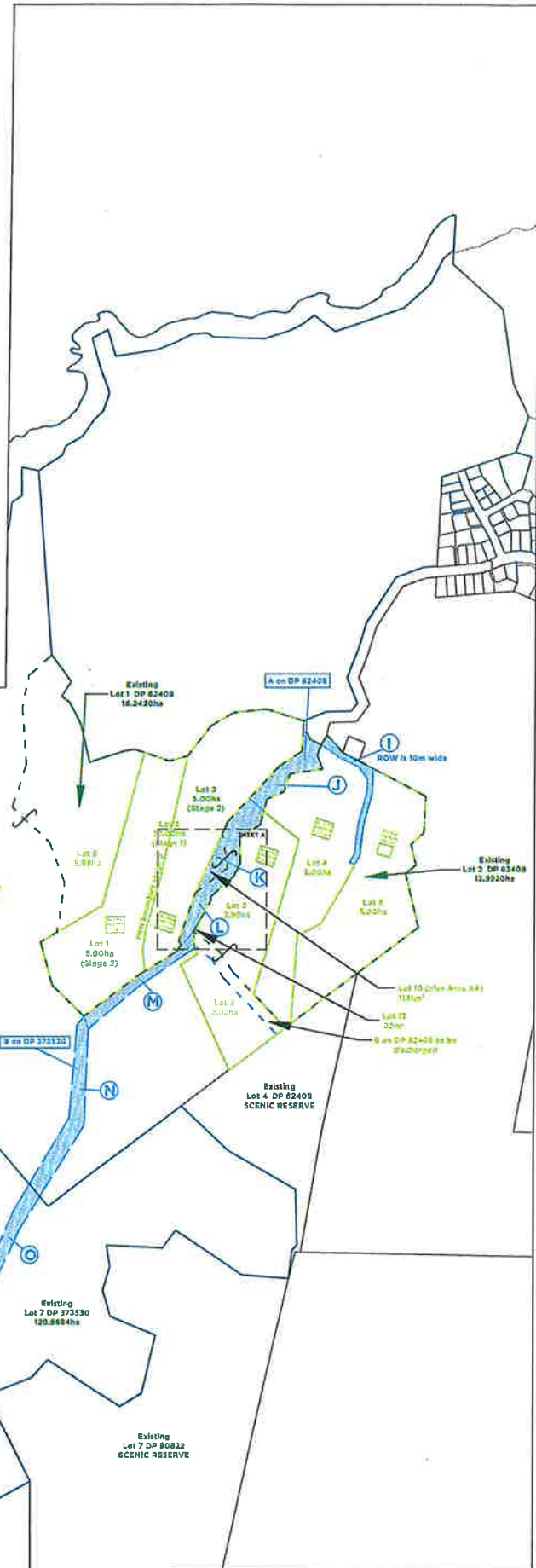
3/8/16
Date

EXISTING SCHEDULE OF EASEMENTS

PURPOSE	SHOWN AS	SERVIENT TENEMENT	DOMINANT TENEMENT	NOTES
ROW	A on DP 62408	Lot 3 DP 62408	Lot 7 DP 373530, Lots 1, 2, 4 DP 373530	ROW A to be discharged and replaced with new ROW J and K
ROW	B on DP 62408	Lot 8	Lot 4 DP 62408	ROW B to be discharged in its entirety
ROW	A on DP 373530	Lot 7 DP 373530	Lot 1 DP 373530	Retain
ROW	B on DP 373530	Lot 3 on DP 62508	Lots 1, 2, 3, 4 & 7 on DP 373530	ROW B to be discharged and replaced with new ROWS L, M AND N
ROW	C on DP 373530	Lot 7 DP 373530	Lots 1, 2, 3, 4 on DP 373530	ROW C to be discharged on all lots and replaced with ROW O and P

PROPOSED SCHEDULE OF EASEMENTS

PURPOSE	SHOWN AS	STAGE 1		STAGE 2	
		SERVIENT TENEMENT	DOMINANT TENEMENT	SERVIENT TENEMENT	DOMINANT TENEMENT
ROW, TELECOMMUNICATIONS, POWER	J	Lot 4	Lot 5	No change from Stage 1	
ROW, TELECOMMUNICATIONS, POWER, RIGHT TO CONVEY WATER	J	Lot 1	Lots 2 (Stage 1), 3, 4 (in respect of telecommunications and power only), 6, 8, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530	Lot 1 (Stage 2)	Lots 1 and 2 (Stage 2), 3, 4 (in respect of telecommunications and power only), 6, 8, 9, 10, 11, 12, 13 and Lots 1, 2, 4, 7 ON DP 373530
ROW, TELECOMMUNICATIONS, POWER, RIGHT TO CONVEY WATER	X	Lot 1	Lots 2 (Stage 1), 3, 6, 8, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530	Lot 1 (Stage 1)	Lots 1 and 2 (Stage 2), 3, 6, 8, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530
ROW, TELECOMMUNICATIONS, POWER, RIGHT TO CONVEY WATER	L	Lot 1	Lots 2 (Stage 1), 6, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530	Lot 1 (Stage 1)	Lots 1 and 2 (Stage 2), 6, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530
ROW, TELECOMMUNICATIONS, POWER, RIGHT TO CONVEY WATER	M	Lot 1	Lots 2 (Stage 1), 6, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530	Lot 1 (Stage 1)	Lots 1 (Stage 2), 6, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530
ROW, TELECOMMUNICATIONS, POWER, RIGHT TO CONVEY WATER	N	Lot 1	Lots 6, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530	No change from Stage 1	
ROW, TELECOMMUNICATIONS, OR	O	Lot 7 on DP 373530	Lot 6, 11 and 12 and Lots 1, 2 and 4	No changes from Stage 1	
TELECOMMUNICATIONS, POWER	P	Lot 7 on DP 373530	Lots 11 and 12 and Lots 1, 2 and 4 on DP 373530	No changes from Stage 1	



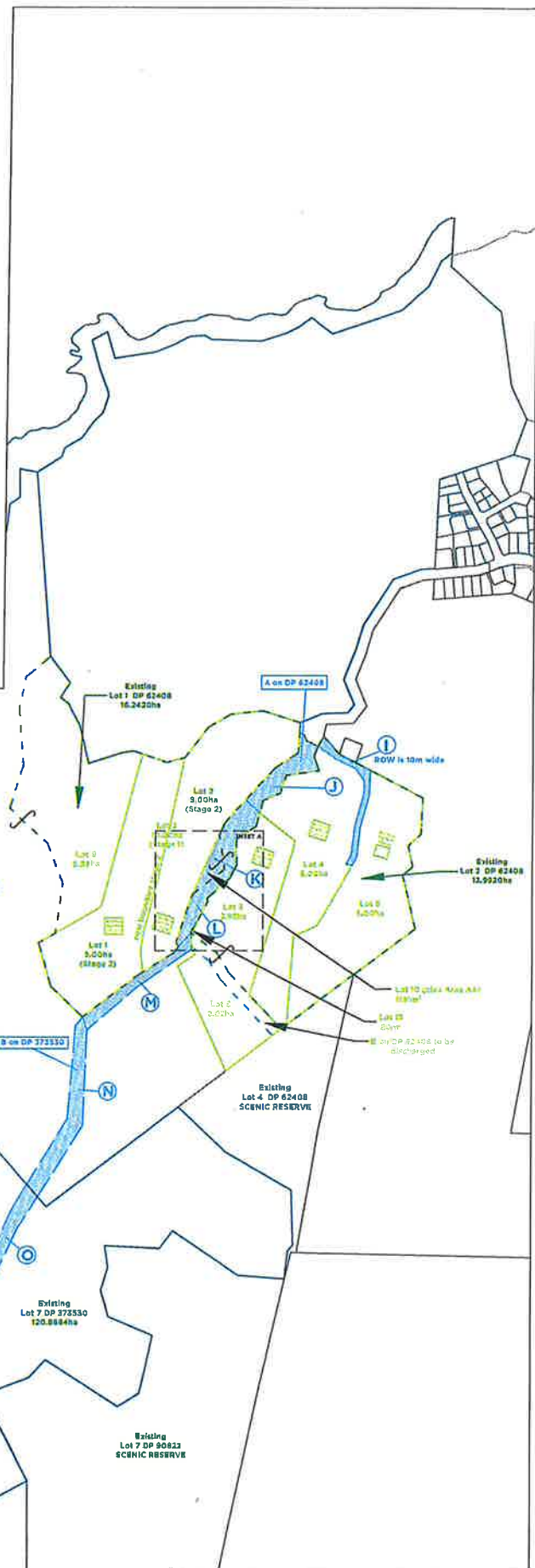
Stage 1 - Subdivision of lots 1, 2, 3 DP 62408 into lots 1, 2, 3, 4, 5, 8, 10 and of lot 3 DP 373530 into lots 11 and 12.
 Stage 2 - Subdivision of lot 2 (stage 1) into lots 1 and 2.

EXISTING SCHEDULE OF EASEMENTS

PURPOSE	SHOWN AS	SERVIENT TENEMENT	DOMINANT TENEMENT	NOTES
ROW	A on DP 62408	Lot 3 DP 62408	Lot 7 DP 373530, Lots 1, 2, 4 DP 373530	ROW A to be discharged and replaced with new ROW J and K.
ROW	B on DP 62408	Lot 8	Lot 4 DP 62408	ROW B to be discharged in its entirety. Retain.
ROW	A on DP 373530	Lot 7 DP 373530	Lot 1 DP 373530	
ROW	B on DP 373530	Lot 3 on DP 62508	Lots 1, 2, 3, 4 & 7 on DP 373530	ROW B to be discharged and replaced with new ROWS L, M AND N.
ROW	C on DP 373530	Lot 7 DP 373530	Lots 1, 2, 3, 4 on DP 373530	ROW C to be discharged on all lots and replaced with ROWS O and P.

PROPOSED SCHEDULE OF EASEMENTS

PURPOSE	SHOWN AS	STAGE 1		STAGE 2	
		SERVIENT TENEMENT	DOMINANT TENEMENT	SERVIENT TENEMENT	DOMINANT TENEMENT
ROW, TELECOMMUNICATIONS, POWER	I	Lot 4	Lot 5	No change from Stage 1	
ROW, TELECOMMUNICATIONS, POWER, RIGHT TO CONVEY WATER	J	Lot 1	Lots 2 (stage 1), 3, 4 (in respect of telecommunications and power only), 6, 8, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530	Lot 1 (stage 2)	lots 1 and 2 (stage 2), 3, 4 (in respect of telecommunications and power only), 6, 8, 9, 10, 11, 12, 13 and Lots 1, 2, 4, 7 ON DP 373530
ROW, TELECOMMUNICATIONS, POWER, RIGHT TO CONVEY WATER	K	Lot 1	Lots 2 (stage 1), 3, 6, 8, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530	Lot 1 (stage 1)	lots 1 and 2 (stage 2), 3, 6, 8, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530
ROW, TELECOMMUNICATIONS, POWER, RIGHT TO CONVEY WATER	L	Lot 1	Lots 2 (stage 1), 6, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530	Lot 1 (stage 1)	lots 1 and 2 (stage 2), 6, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530
ROW, TELECOMMUNICATIONS, POWER, RIGHT TO CONVEY WATER	M	Lot 1	Lots 2 (stage 1), 6, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530	Lot 1 (stage 1)	lots 1 (stage 2), 6, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530
ROW, TELECOMMUNICATIONS, POWER, RIGHT TO CONVEY WATER	N	Lot 1	Lots 6, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530	No change from Stage 1	
ROW, TELECOMMUNICATIONS, POWER	O	Lot 7 on DP 373530	Lot 6, 11 and 12 and Lots 1, 2 and 4	No changes from Stage 1	
ROW, TELECOMMUNICATIONS, POWER	P	Lot 7 on DP 373530	Lots 11 and 12 and Lots 1, 2 and 4 on DP 373530	No changes from Stage 1	



Stage 1 - Subdivision of lots 1, 2, 3 DP 62408 into lots 1, 2, 3, 4, 5, 8, 10 and of lot 3 DP 373530 into lots 11 and 12.

Stage 2 - Subdivision of lot 2 (stage 1) into lots 1 and 2.

CLIENT

PIKARERE FARM LIMITED

PROJECT

DEVELOPMENT PLAN
RURAL RESIDENTIAL SUBDIVISION
AND BOUNDARY ADJUSTMENT

DATE: 22/7/16 PROJECT NO: J271
SCALE: 1:4,000 @ A1
1:8,000 @ A3
DRAWING NO: REV DP PIK1 - 06



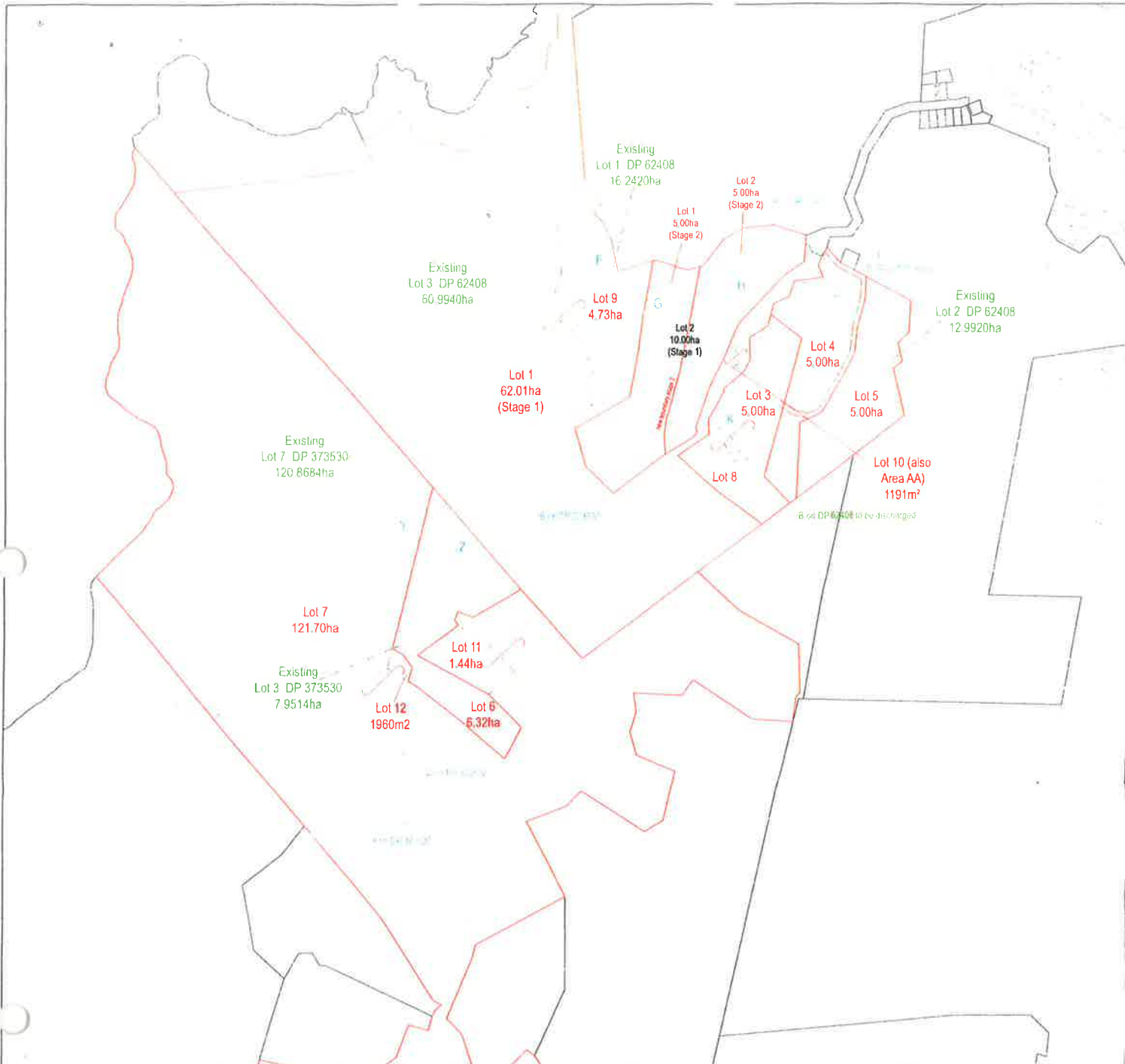
Development Areas

Includes location of dwellings, accessory buildings, water tanks and car parking areas.

Right of Way

Formed in accordance with PCC Code of Engineering for private ways servicing 1 - 3 dwellings in a rural area.

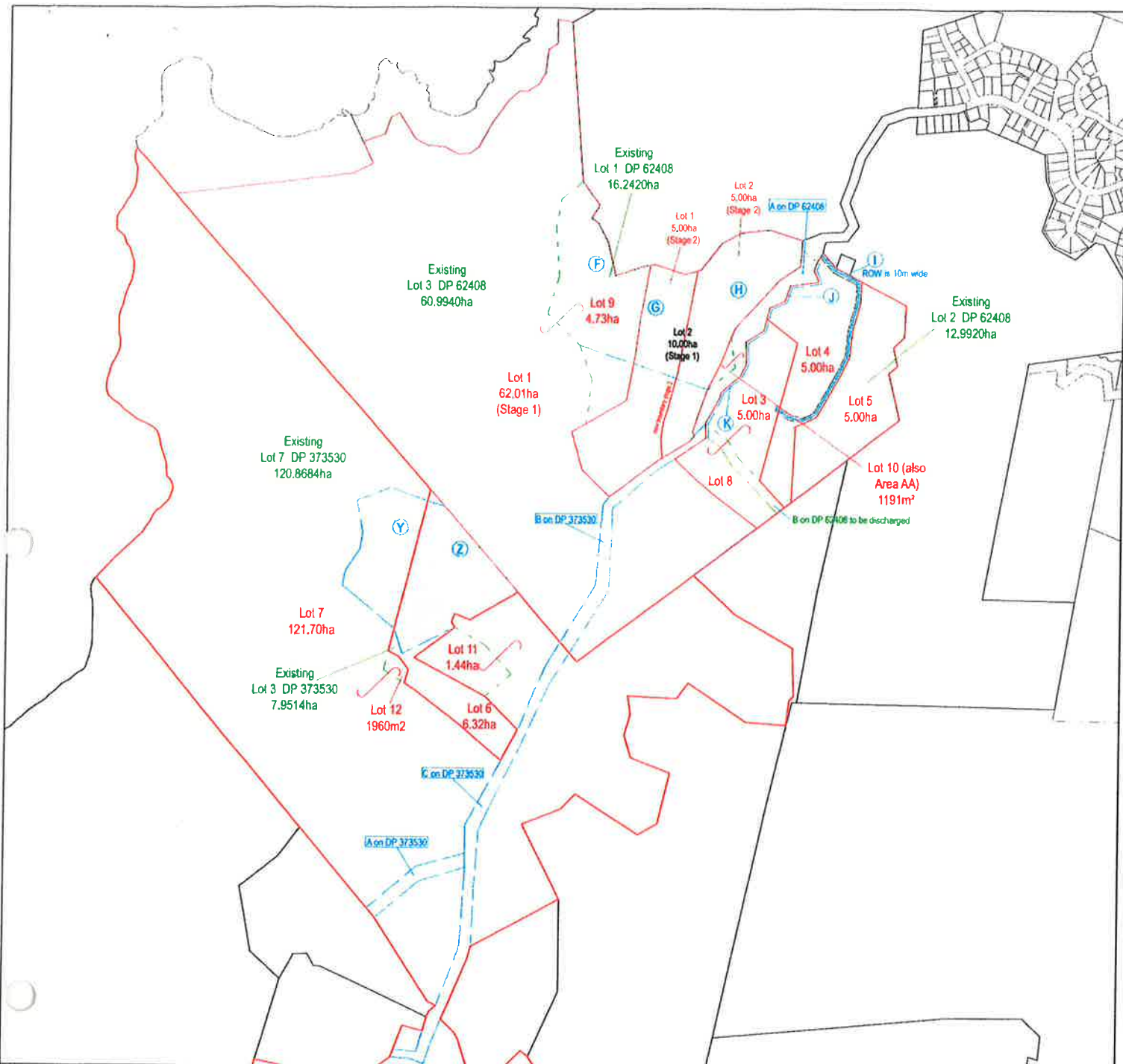




MEMORANDUM OF EASEMENTS

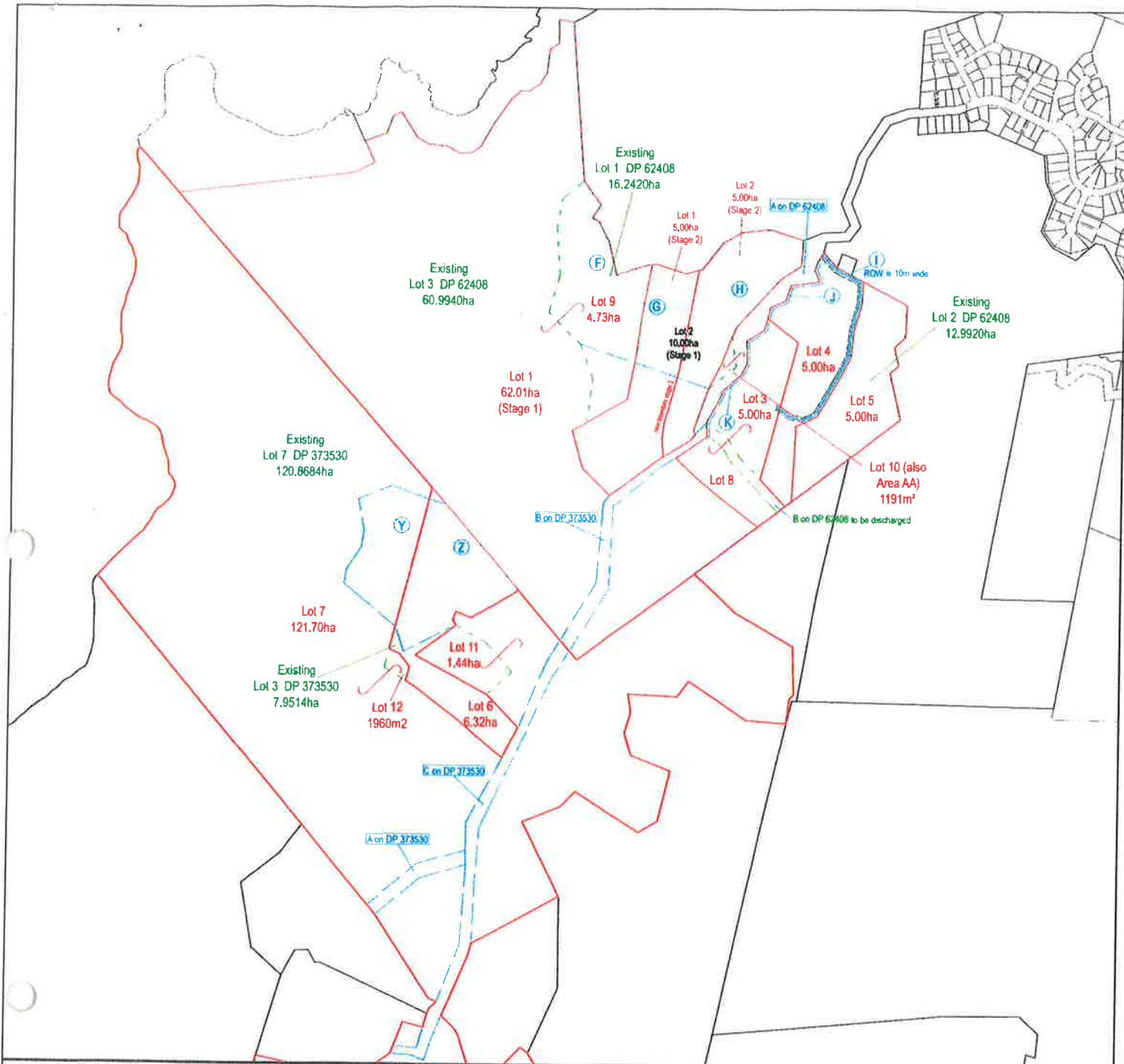
PURPOSE	SHOWN	SERV TEN	DOM TEN	EXISTING/NEW
RIGHT OF WAY	A on DP 62408	LOT 1	LOT 2 (& LOTS 1 AND 2 STAGE 2), LOT 6 & 7, & LOTS 1, 2, 4 DP 373530	EXISTING & NEW
	B on DP 373530	LOT 1	LOT 1, 2 (Lots 1 & 2 stage 2) Lot 6 & 7 and Lots 1, 2, & 4 DP 373530	
	C on DP 373530	LOT 7	LOT 6 & Lots 1, 2, 4 DP 373530	
	A on DP 373530	LOT 7	LOT 1	
RIGHT OF WAY	I	LOT 4	LOT 3, 5	NEW
RIGHT OF WAY	AA	LOT 10	LOT 2 (& LOTS 1 AND 2 STAGE 2), LOT 6 & 7, & LOTS 1, 2, 4 DP 373530	NEW

TELECOMMUNICATIONS	J	LOT 4	TBC	NEW
	K	LOT 3	TBC	
AREAS SUBJECT TO COVENANT				
AREAS F, G AND H ARE SUBJECT TO A RESTRICTIVE COVENANT				
AREAS Y AND Z ARE SUBJECT TO A CONSERVATION COVENANT				
LOTS 1, 2, 3, 4 & 5 ARE SUBJECT TO A RESTRICTIVE BUILDING COVENANT				
AMALGAMATION SCHEDULE				
LOT 1 (stage 1) and 9	Lots 1 and 9 are held together in one CFR			
LOT 3 & 8	Lots 3 and 8 are held together in one CFR			
LOT 7, 11 & 12	Lots 7, 11 and 12 are held together in one CFR			



MEMORANDUM OF EASEMENTS

MEMORANDUM OF EASEMENTS					TELECOMMUNICATIONS				
PURPOSE	SHOWN	SERV TEN	DOM TEN	EXISTING/NEW	J	LOT 4	TBC	NEW	
RIGHT OF WAY	A on DP 62408	LOT 1	LOT 2 (& LOTS 1 AND 2 STAGE 2), LOT 6 & 7, & LOTS 1, 2, 4 DP 373530	EXISTING & NEW	AREAS SUBJECT TO COVENANT				
	B on DP 373530	LOT 1	LOT 1, 2 (Lots 1 & 2 stage 2) Lot 6 & 7 and Lots 1, 2, & 4 DP 373530		AREAS F, G AND H ARE SUBJECT TO A RESTRICTIVE COVENANT				
	C on DP 373530	LOT 7	LOT 6 & Lots 1, 2, 4 DP 373530		AREAS Y AND Z ARE SUBJECT TO A CONSERVATION COVENANT				
	A on DP 373530	LOT 7	LOT 1		LOTS 1, 2, 3, 4 & 5 ARE SUBJECT TO A RESTRICTIVE BUILDING COVENANT				
AMALGAMATION SCHEDULE									
RIGHT OF WAY	I	LOT 4	LOT 3, 5	NEW	LOT 1 (stage 1), 9 and 10	Lots 1 and 9 are held together in one CFR			
RIGHT OF WAY	AA	LOT 10	LOT 2 (& LOTS 1 AND 2 STAGE 2), LOT 6 & 7, & LOTS 1, 2, 4 DP 373530	NEW	LOT 3 & 8	Lots 3 and 8 are held together in one CFR			
					LOT 7, 11 & 12	Lots 7, 11 and 12 are held together in one CFR			



MEMORANDUM OF EASEMENTS

PURPOSE	SHOWN	SERV TEN	DOM TEN	EXISTING/NEW	TELECOMMUNICATIONS	J	LOT 4	TBC	NEW
						K	LOT 3	TBC	
RIGHT OF WAY	A on DP 62408	LOT 1	LOT 2 (& LOTS 1 AND 2 STAGE 2), LOT 6 & 7, & LOTS 1, 2, 4 DP 373530	EXISTING & NEW	AREAS SUBJECT TO COVENANT				
	B on DP 373530	LOT 1	LOT 1, 2 (Lots 1 & 2 stage 2) Lot 6 & 7 and Lots 1, 2, & 4 DP 373530		AREAS F, G AND H ARE SUBJECT TO A RESTRICTIVE COVENANT				
	C on DP 373530	LOT 7	LOT 6 & Lots 1, 2, 4 DP 373530		AREAS Y AND Z ARE SUBJECT TO A CONSERVATION COVENANT				
	A on DP 373530	LOT 7	LOT 1		LOTS 1, 2, 3, 4 & 5 ARE SUBJECT TO A RESTRICTIVE BUILDING COVENANT				
					AMALGAMATION SCHEDULE				
					LOT 1 (stage 1), 9 and 10	Lots 1 and 9 are held together in one CFR			
					LOT 3 & 8	Lots 3 and 8 are held together in one CFR			
RIGHT OF WAY	I	LOT 4	LOT 3, 5	NEW	LOT 7, 11 & 12	Lots 7, 11 and 12 are held together in one CFR			
RIGHT OF WAY	AA	LOT 10	LOT 2 (& LOTS 1 AND 2 STAGE 2), LOT 6 & 7, & LOTS 1, 2, 4 DP 373530	NEW					

In reply please quote:
For enquiries please contact:
Email:
Direct Dial:

RC6818 – SL0001/15
Robinson Dembetembe
rdembetembe@pcc.govt.nz
237 5089



6 March 2015

Pikarere Farm Ltd
C/o- Land Matters Ltd
20 Addington Road
RD1
Otaki 5581
Attn. Anna Carter

Dear Anna

APPLICATION TO UNDERTAKE A SUBDIVISION AND A LAND USE CONSENT AT 320 - 380 PIKARERE STREET, COLONIAL KNOB (BEING LOTS 1- 3 DP 62408, LOT 3 DP 373530 & LOT 7 DP 373530).

That the application by **Pikarere Farm Ltd** for subdivision and land use resource consents:

1. To Subdivide the properties at 320- 380 Pikarere Street, Colonial Knob (Being Lots 1- 3 DP 62408, Lot 3 DP 373530 & Lot 7 DP 373530) to create 3 additional titles with minimum area of 5 hectares in each title.
2. For Land Use for earthworks and dwellings on Lots 1 and 2 (stage 2 of the subdivision) and Lots 3-5 (stage 1 of the subdivision),

be considered as a non-notified application under sections 95A, 95D and 95E and that resource consent **be granted** for a non-complying activity pursuant to sections 104, 104B, 104D and 108 and 220 of the Resource Management Act 1991 for the following reasons:

1. It is considered that the activity will not - have or be likely to have adverse effects on the environment that are more than minor beyond the subject land and adjacent land.
2. The effects are considered to be less than minor such that no persons have been identified as potentially affected.
3. That due regard has been given to the objectives and policies of the District Plan and it is not inconsistent with those provisions.
4. The proposal meets both the gateway tests of Section 104D of the Resource Management Act.

The Subdivision consent shall be subject to the conditions listed under A and the Land Use Consent shall be subject to the conditions listed under B below:

A-Subdivision Consent Conditions

1. **That the development be in general accordance with the information and plans submitted with the application stamped Approved Plans for Resource Consent RC6818 and held on Council file RC6818 (*Development Plan Rural Residential Subdivision and Boundary adjustment, Drawing No. SC Pik1 Rev 02, and Stage 1: Subdivision of Lots 1, 2, & 3 DP 62408 into Lots 3-5, 8, 9 & 10 Subdivision of Lots***

3 & 7 DP 373530 into Lots 6, 7, 11 and 12, Drawing Number DP Pik1 Rev 04), although minor alterations may be approved upon request providing the development is not materially different, the scale and intensity of adverse effects will be no greater, and no approval from affected persons is needed.

2. In carrying out subdivision works, the consent holder shall follow all relevant recommendations contained within the Geotechnical Report prepared by Abuild Consulting Engineers Ltd, REF 9924; dated December 2014 REV B held on Council File RC6818.
3. In carrying out subdivision works, the consent holder shall follow all relevant recommendations contained within the Pikarere Farm Landscape and Visual Assessment Report dated December 2014 prepared by Linda Kerkmeester held on Council File RC6818.

Prior to commencement of construction:

4. Prior to the commencement of any works on the site, the applicant shall provide evidence to the Resource Consent Monitoring and Enforcement Team that a suitably qualified chartered engineer has been appointed to carry out the design and supervision of earthworks.
5. Prior to the commencement of works, a services plan showing the layout and position of any services to be reticulated (eg roading), and any site works and construction (other than residential buildings), shall be submitted for Pre Engineering Acceptance to the satisfaction of the General Manager Asset Management and Operations. All works shall be carried out in accordance with the approved plan.

During Construction:

6. The consent holder shall take all practicable steps to ensure that all storm water run-off from the site is treated so that sediment is retained on site and the discharge does not cause adverse effects on the environment by entering a natural watercourse.

General – Applying to all Stages:

7. Individual certifications pursuant to sections 223 and 224(c) of the RMA may be issued for this subdivision in a series of stages as follows:
 - Stage I – Lots 1-5, 8, 9 & 10 and subdivision of Lots 3 & 7 DP 373530 into Lots 6, 7, 11 & 12. Then the following lots will be amalgamated to be held in one Computer Freehold Register: Lots 1, 9 and 10 in one CFR, Lots 3 & 8 in one CFR, and Lots 7, 11 & 12 in one CFR
 - Stage II– Subdivision of Lot 2 in Stage 1 into two Lots 1 & 2;

provided that:

- Each individual allotment must be consistent with the proposal as approved;

- All conditions pertaining to the specific allotments shown in the particular stage on the survey plan must be satisfied prior to the execution of a certificate pursuant to section 224(c) of the RMA in respect of that stage.

Prior to certification under Section 223:

8. Prior to approval under Section 223 of the Resource Management Act 1991, the easements specified on the approved scheme plan DP PIK1 Rev 04 shall be created or reserved for the purpose specified and endorsed in a memorandum on the Land Transfer Plan.
9. Prior to approval under section 223 of the Resource Management Act 1991 the identified development areas shown on Drawing Number SC Pik 1 Rev 02 dated 22/12 drawn by Land Matters Property Consultants shall be surveyed and marked on the Land Transfer Plan.
10. That pursuant to section 220(1)(b)(i) & (ii) of the Resource Management Act 1991, that;
 “Lots 1, 9 and 10 are held together in one CFR;
 Lots 3 and 8 are held together in one CFR;
 Lots 7, 11 and 12 are held together in one CFR.”
 (Request number in the condition is 1269838). This shall be recorded on the Transfer Plan submitted for this stage under Section 223 of the Resource Management Act.

Conditions to be registered as consent notices

11. The consent holder or future owners of Lots 1 & 2, Stage II and Lots 3, 4 and 5 (lot 3 being held together with lot 8), Stage I may construct future dwellings, accessory buildings, water tanks, car parking and associated earthworks without the need to apply a resource consent provided that:
 - They are proposed to be constructed wholly within the development areas identified on the Land Transfer Plan and;
 - Any such future development can be demonstrated to comply with all consent notice requirements that are imposed on the Computer Freehold Registers.

Note: Full Rural Zone provisions will apply to any proposal to develop outside of an identified development area including the need to apply for a resource consent (if applicable at the time). Consent notices required by conditions 13 - 22 of RC6818 will still apply to any such development.

PROTECTION OF SKYLINE

13. The consent holder or future owners shall ensure that within each lot, no part of any building shall extend at or above the relative contour levels described below for an area described as a ‘building exclusion zone’ for the purpose of avoiding

buildings being built on the skyline. The levels are relative to a recognised datum.

- i. within Lot 1 – stage II the skyline exclusion zone is RL190m
- ii. within Lot 2 – stage II the skyline exclusion zone is RL 185m
- iii. within Lot 3 & Lot 8 (to be amalgamated) – stage I the skyline exclusion zone is RL 176m
- iv. within Lot 4 – stage I the skyline exclusion zone is RL 167m
- v. within Lot 5 – stage I the skyline exclusion zone is RL 160m

and, at the time of building consent, plans are to be supplied to the satisfaction of the General Manager, Environment & Regulatory Service, that all parts of all buildings are located below the Skyline Exclusion zone relative to a recognised datum.

BUILDING DESIGN CONDITION

14. The consent holder or future owners shall ensure that buildings (and for the purpose of this condition buildings include water tanks and retaining walls) within Lots 1 and 2 – Stage II and Lots 3 (Lot 3 being held together with lot 8) and 4– Stage I shall be designed as follows:

- i. That no part of any building shall be higher than 6.5m above finished ground level and all buildings, shall be located below the building exclusion zone;

Note: finished ground level means the level of the ground after completion of all earthworks.

- ii. That the roof on any building, including a dwelling shall be of a low pitch with an angle of 30 degrees or less;
- iii. That a building, including a dwelling, any accessory building, and any retaining walls shall be finished in materials (including the exterior paint or stain) that has a reflectivity value of 60% R_v or less as per BS5252 colour chart, in muted tones within greyness Groups A to B. Roof to be of a generally darker shade than the walls and preference to be given to natural materials and colours found in the surrounding landscape such as timber, stone and earth.
- iv. That any retaining wall greater than 1.5m in height which is not screened by a dwelling or accessory building, shall be screened by

vegetation that will grow to at least the height of the retaining wall within 5 years.

CONDITIONS IN RESPECT OF LOT 5 – STAGE I

15. The consent holder or future owners shall ensure the following shall apply to any developments on proposed lot 5;

- i. That no part of the dwelling shall be higher than 5m above finished ground level and broken down into differing heights (to reduce the visual bulk of the structure) and all parts of the building to be located below the Building Exclusion Zone.**

Note: finished ground level means the level of the ground after completion of all earthworks.

- ii. That the roof on any building, including a dwelling shall be of a low pitch and have an angle no greater than 30 degrees;**
- iii. That a building, including a dwelling and associated landscaping including retaining walls shall be finished in materials (including the exterior paint or stain) that has a reflectivity value of 60% RV or less as per BS5252 colour chart, using muted tones within greyness Groups A to B. Roof shall be of a generally darker shade than the walls and preference to be given to materials and colours found in the natural landscape such as timber, stone and earth. Non-permeable surfaces (such as driveway and parking areas) shall use low-reflective colours or materials;**
- iv. That any retaining wall greater than 1.5m in height which is not screened by a dwelling or accessory building, shall be screened by vegetation that will grow to at least the height of the retaining wall within 5 years.**
- v. A landscaping plan shall be submitted to the Council prior to the commencement of any works begun as part of a Building Consent issued under the Building Act on Lot 5, to mitigate any adverse visual effects that might result due to the proposed dwelling, buildings, earthworks including retaining walls and shall be subject to the approval of the Council's Landscape Architect. Planting and works related to the landscaping plan shall be undertaken as soon as seasonally practicable (April-September) after the construction works but must be within twelve months of the works associated with the Building Consent being completed. The objective of the landscape plan is to minimise the effect the development has on the surrounding rural landscape.**

EARTHWORKS CONDITION (FOR LOTS 1 and 2 – STAGE II AND LOTS 3, 4 AND 5 – STAGE I)

16. The consent holder or future owners shall ensure the following shall apply to any earthworks associated within Lots 1 and 2 – stage II and Lots 3, 4 and 5 – Stage I;
- i. That all earthworks within Lots 1 and 2 – stage II and Lots 3, 4 and 5 – Stage I shall be stabilised with either metal (if it is for a right of way and/or access); or planted out with grass-seed or other suitable vegetation within 3 months of the earthworks being completed and stabilised within 12 months of the earthworks being undertaken;
 - ii. Earthworks construction shall ensure that safe batter slopes are formed. In the short term cut batters which are less than 3.0 metres high through very stiff silty soils shall not exceed 50 degrees to the horizontal. Higher short term cut batters will require specific engineering input and may require temporary support in the form of anchors. Long term cuts should be reduced to profiles of 40 degrees to horizontal.
 - iii. All fills shall be compacted in accordance with the Code of Practice for Earth Fill for Residential Development, NZS 4431:1989. Within 6 months of completion of the earthworks hereby consented, plans shall be supplied to the satisfaction of the General Manager, Environment & Regulatory Services showing the location of all compaction tests, together with a certificate prepared by an inspecting chartered engineer stating the suitability of the earthworks for residential development.
 - iv. Retaining walls, other than those not requiring building consent, shall be designed by a suitably qualified engineer and any design shall take into account appropriate surcharge loads and seismic loads as required. Depending on the proposed dwelling layout suitable retaining walls could comprise standalone timber pole walls, or concrete block walls which are incorporated as an integral part of any dwelling.

PROTECTION OF DEVELOPMENT AGAINST SLOPE FAILURE

17. The consent holder or future owners shall ensure the following shall apply to any developments within Lots 1 and 2 – stage II and Lots 3, 4 and 5 – Stage I;
- i. No buildings or earthworks within Lots 1 and 2 – stage II and Lots 3, 4 and 5 – Stage I shall be located within 4m (horizontally) from the crest of gully slopes that exceed 30 degrees to horizontal upon unless they have specific foundations (in respect of buildings) and/or retaining walls (in respect of both buildings and earthworks);

- ii. The suitability of any exposed foundation soils, within Lots 1 and 2 – stage II and Lots 3, 4 and 5 – Stage I, shall be confirmed by an experienced engineer who shall verify that actual ground conditions are consistent with the Abuild Consulting Engineers Ltd Report (titled, “Geotechnical investigation proposed subdivision Pikarere Elsdon, Porirua. Rev B” dated December 2014 Reference 9924)
- iii. Vegetation cover shall be maintained over sloping ground at the site to reduce erosion potential and the potential for slope instability. Sloping ground which is clear of vegetation during construction shall be replanted to bind surface soils together and reduce erosion and slip potential. A suitably qualified landscape gardener shall be consulted to select the most appropriate plant species for both the slope and soil conditions at the site.

FENCING

- 18. The consent holder or future owners shall ensure that boundary fences (excluding right of way boundaries) shall be restricted to standard 7 wire farm fencing or up to 2m deer fencing, with any temporary wind cloth only to be used as required for plant establishment.
- 19. Prior to approval under Section 224 of the Resource Management Act, the consent holder shall enter into a registerable agreement with the Council, specifying that the Porirua City Council shall only contribute to the cost of erecting or maintaining any fence along a boundary of any land owned by the Council to the rural standard specified in the Fencing Act 1978.

SERVICES

- 20. The consent holder or future owners of proposed Lots 1 & 2 (stage 2) Lots 3 – 5 (stage 1) shall comply with the following:

“Any on-site water supply (which may be from roof rainwater collection) including treatment systems for individual dwellings, shall be to the satisfaction of the General Manager, Environment & Regulatory Services. A minimum of 2 x 25,000 litre water tanks per dwelling shall be installed prior to the occupation of any dwelling on each allotment. These tanks shall meet internationally recognised standards for use as a potable water storage vessel and shall be located such that there is driving access to the tanks to provide access by fire fighting appliances and water supply delivery trucks.”

- 21. The consent holder or future owners of proposed Lots 1 & 2 (stage 2) Lots 3 – 5 (stage 1) shall comply with the following:

That any dwelling erected on the land shall be connected to its own individual and specifically designed system for the treatment and disposal of household sewage and waste water which shall prior to its installation be supported by the submission to the Porirua City Council of the site investigation information on soil suitability for the type of effluent disposal system proposed

22. The consent holder or future owners of proposed Lots 1 & 2 (stage 2) Lots 3 – 5 (stage 1) shall comply with the following:

"At the time of application for building consent for a new dwelling on Lots 1& 2 (stage 2) Lots 3 – 5 (stage 1), details of the proposed method of stormwater disposal from the lot shall be submitted for approval to Council's General Manager, Environment and Regulatory Services. The information submitted shall show by way of an appropriate design carried out by a suitably qualified engineer experienced in stormwater disposal that the lot is capable of complying with Building Code E1 – On-site Storm Water Disposal. Stormwater disposal shall then be in accordance with the approved method.

23. The consent holder or future owners of proposed Lots 1 & 2 (stage 2) Lots 3 – 5 (stage 1) shall comply with the following site's development criteria as outlined in Section 9.3 – 9.9 of the Abuild held on Council File RC6818;

- a) Proposed development of sites
- b) Foundations and Settlement
- c) Earthworks and safe batter slopes
- d) Retaining
- e) Subsoil Permeability
- f) Right of Ways and Driveways
- g) Drainage and Erosion

24. Conditions 12 - 23 above shall be the subject of consent notices under Section 221 of the Resource Management Act registered against the new Certificate of Title for Lots 1-5 inclusive as appropriate and will be prepared by Council at the cost of the consent holder. All costs associated with the preparation and registration of the consent notices shall be met by the consent holder.

Prior to certification under Section 224:

GENERAL 224 CONDITIONS

25. All conditions pertaining to the specific allotments shown in the particular stage on the survey plan must be satisfied prior to the execution of a certificate pursuant to section 224(c) of the RMA in respect of that stage of the subdivision as follows:
- a. All utility services shall be installed underground and the consent holder shall provide confirmation from the service providers of energy and communication services to the subdivision stating that their requirements have been met.
 - b. All related works shall comply with New Zealand Standard: Land Development, Subdivision Engineering NZS 4404:2004, and the PCC Code of Land Development and Subdivision Engineering 2010 and the Wellington Water Regional Standard for Water Services 2012.
 - c. Proposed Right of Ways identified as "I" on Land Matters plan DPPik1 Rev 03 shall be formed and drained in accordance with the PCC Code of Land Development and Subdivision 2010, Land Development and

Subdivision Infrastructure - NZS 4404: 2010, and Part H of the District Plan.

- d. Due to the age and condition of the existing access A on DP 32408, the formation shall be reconstructed where required in order to achieve uniform, consistent continuous surface, and then metalled in compliance with the Land Development and Subdivision Engineering - NZS 4404: 2004, PCC's Code of Land Development and Subdivision 2010 and all works shall be to the satisfaction of the General Manager, Environment and Regulatory Services.
26. The consent holder shall construct a new vehicle crossing at the end of Pikarere Street entrance to ROW "I" with a sealed formation between the existing cul de sac seal and a point 5m inside the lot all in compliance with PCC's Code of Land Development and Subdivision 2010 and PCC specification 12b as outlined at <http://www.pcc.govt.nz/DownloadFile/A-Z-Services/Roading/Vehicle-Crossing-Specifications>.
27. The lapsing period pursuant to section 125 of the RMA for stage I of the subdivision shall be 5 years from the date of the consent being granted;
28. That the lapsing period pursuant to section 125 of the RMA for stage II of the subdivision shall be 10 years from the date of the consent being granted.

B-Land Use Consent Conditions

29. That the development be in general accordance with the information and plans submitted with the application stamped Approved Plans for Resource Consent RC6818 and held on Council file RC6818 (*Development Plan Rural Residential Subdivision and Boundary adjustment, Drawing No. SC Pik1 Rev 02, and Stage 1: Subdivision of Lots 1, 2, & 3 DP 62408 into Lots 3-5, 8, 9 & 10 Subdivision of Lots 3 & 7 DP 373530 into Lots 6, 7, 11 and 12, Drawing Number DP Pik1 Rev 04*) although minor alterations may be approved upon request providing the development is not materially different, the scale and intensity of adverse effects will be no greater, and no approval from affected persons is needed.

Prior to commencement of construction for the land use consents:

30. That the consent holder shall contact the Council's compliance monitoring officer at least 48 hours prior to any physical work commencing on the site and advise the officer of the date upon which such works will commence.
31. Prior to the commencement of any works on the site, the applicant shall provide evidence to the Resource Consent Monitoring and Enforcement Team that a suitably qualified chartered engineer has been appointed to carry out the design and supervision of earthworks.
32. The consent holder shall provide a copy of this consent and any documents referred to in this consent to each operator or contractor undertaking works authorised by this consent, before that operator or contractor starts any works.

33. The consent holder shall ensure that a copy of this consent is kept in the office on site at all times and presented to any Porirua City Council officer on request.
34. Prior to the commencement of the earthworks, the consent holder shall submit an Erosion and Sediment Control Plan to the satisfaction of the General Manager, Environment and Regulatory Services. The consent holder and agents shall comply with the plan submitted. The plan shall include:
 - i) Details of methods proposed to treat sediment on site,
 - ii) Erosion control; and
 - iii) Details of proposed monitoring measures.

Building sites

35. That any development within Lots 1 and 2 – stage II and Lots 3, 4 and 5 – Stage I, associated with the construction of a building/dwelling, which includes earthworks, an accessory building, water tanks or retaining walls will be limited to that area identified on the Land Matters Ltd Plan titled, ‘Development Plan Pikarere Land Use Consent.

“Any dwelling/building on the above allotments shall be located within the development areas identified as areas (insert letters for Lots 1 & 2 (stage 2), Lots 3 – 5 (stage 1) identified on Land Transfer Plan as required by Condition 9) identified on Deposited Plan (insert DP number).”

During construction of the subdivision works:

36. During construction of the subdivision, the consent holder shall follow all the recommendations contained within the Geotechnical Report prepared by Abuild Consulting Engineers Ltd, REF 9924; dated December 2014 REV B held on Council File RC6818.
37. During construction of the subdivision, the consent holder shall follow all the recommendations contained within the Pikarere Farm Landscape and Visual Assessment Report dated December 2014 prepared by Linda Kerkmeester held on Council File RC6818.
38. The consent holder shall ensure that all culvert outlets are attached to an outlet sock. The socks are to help to reduce water velocities and erosion at the culvert outlet.
39. Mufflers shall be used on all earthworking machinery to reduce the noise emanating from these machines and thus the effect on residents.
40. The consent holder shall take all practicable steps to ensure that all storm water run-off from the site is treated so that sediment is retained on site and the discharge does not cause adverse effects on the environment by entering a natural watercourse.

41. All fills shall be designed and constructed under the supervision of a suitably qualified chartered engineer. The consent holder shall follow all the recommendations contained within Abuild Report (Abuild Report Ref 9924 dated December 2014 Rev B) held on Council File RC6818.

If accordance with the earthworks design is achieved and/or limitations need to be raised with future property owners the consent holder shall apply for consent notices at the time of Section 224 certification. The limitations and ability to identify the limitations on consent notices will be considered by Council at the time of Section 224 certification and the General Manager, Environment and Regulatory Services shall retain discretion of whether consent notices are applicable in this regard.

After construction of the subdivision works:

42. Upon completion of the earthworks (or, if deemed necessary by Council, during the earthworks period) the consent holder shall provide to the satisfaction of the General Manager, Environment & Regulatory Services, a report from a chartered engineer with geotechnical experience addressing the stability of the constructed cut and fill batters. This report shall give specific reference to section C2.6 of Porirua City Council's Code of Land Development 2010.
43. If cuts are stabilised by a retaining wall within 6 months of completion of the earthworks hereby consented or application for Section 224 certification whichever occurs first then the requirement for a report from a chartered engineer with geotechnical experience shall not apply (as per condition 20). Where retained cuts are over 1.5m in height, a producer statement – construction review PS4 for the retaining wall shall be provided to the satisfaction of the General Manager- Environment and Regulatory Services.
44. Land disturbed by earthworks, trenching or building activities shall be regularly wetted to ensure that dust nuisance is maintained within the site.
45. All areas exposed by earthworks, trenching or building activities are to be re-grassed/hydro-seeded at the earliest possible opportunity following excavation or at the latest within 3 months after completion of the earthworks.
46. The consent holder shall generally conform to the Wellington Regional Council Erosion and Sediment Control Guidelines for the Wellington Region, September 2002, when designing sediment control options for the earthworks on this site.

General land use

47. Prior to the commencement of construction of each of the proposed dwellings on Lots 1 & 2 (stage 2) Lots 3 – 5 (stage 1), the consent holder shall pay to Council a Recreation and Civic Development contribution of \$ 1621.48 incl GST pursuant to Part E1.3.2 (a)(ii) of the Porirua City District Plan (being 25% of the maximum amount under this clause of the District Plan).

6.0 CONCLUSION AND RECOMMENDATION UNDER SECTION 243 OF THE RESOURCE MANAGEMENT ACT

As discussed in Section 5 of this report it is appropriate to cancel easement identified as 'B' on DP 62408. It is therefore recommended that Council grants approval to surrender an easement identified as 'B' on DP 62408, and sends a Notice of Cancellation to the District Land Registrar advising that the easement has been partially cancelled.

Section 357

Under section 357 of the Resource Management Act 1991 you have the right to object in writing to all or part of this decision. Notice of this objection must be received by the Council within 15 working days of your receipt of this decision letter.

Building Act

This is NOT a Building Consent. The Building Act 2004 contains provisions relating to the construction, alteration, and demolition of buildings. The Act requires building consents to be obtained where relevant, and for all such work to comply with the building code.

Section 125

This consent is subject to section 125 of the Resource Management Act 1991 which states that a resource consent lapses on the expiry of 5 years after the commencement of the consent, unless an extension on time is granted by the Council prior to lapsing of the consent.

Earthworks

The consent holder should generally conform with the Wellington Regional Council Erosion and Sediment Control Guidelines for the Wellington Region September 2002, when designing sediment control options for any earthworks on the site.

Traffic Management Plan

If the intended work that is covered by this consent includes any activities within the road reserve, then a Temporary Traffic Management Plan is to be prepared by a person who is certified in accordance with 'Temporary Traffic Management for Local Roads – Supplement to NZTA COPTTM', and submitted to the Manager Roading – Asset Management and Operations Group for review and approval before any physical works within the road reserve are started.

Fees and charges

Should any additional fees charged for the processing of this application or any financial contributions, levies or bonds required by conditions of this consent not be paid within the deadlines set either through invoicing or consent conditions, this could ultimately lead to Council seeking to recover money owed through the debt collection agency. Should the need arise to use a debt collection agency then the consent holder will be liable for and charged any extra expense that the debt collection service incurs.

All relevant documents can be viewed at the Council's office, please find the full planning report attached.

Yours Sincerely



Robinson Dembetembe
RESOURCE CONSENT PLANNER
 for **GENERAL MANAGER**
ENVIRONMENT AND REGULATORY SERVICES

PLANNING REPORT

PROPOSAL TO UNDERTAKE A SUBDIVISION TO CREATE FIVE 'RURAL – RESIDENTIAL ALLOTMENTS' AND A LAND USE CONSENT FOR THE FUTURE CONSTRUCTION OF DWELLINGS AT 320 - 380 PIKARERE STREET, COLONIAL KNOB (BEING LOTS 1- 3 DP 62408, LOT 3 DP 373530 & LOT 7 DP 373530).

RESOURCE CONSENT RC6818 – SL0001/15

Applicant	Pikarere Farm Ltd
Application Received	23/12/2014
Reporting Planner	Robinson Dembetembe
Site Inspection	29/01/2015

1.0 DESCRIPTION OF PROPOSAL

Summary of Proposal:

The applicant seeks subdivision consent to subdivide Lots 1 - 3 DP 62408, Lot 3 DP 737530 & Lot 7 DP 373530 at 320- 380 Pikarere Street which are currently held in five certificates of title into 12 allotments for the purposes of creating five rural-residential sites and three balance allotments. As part of the proposed subdivision various allotments will be amalgamated such that all sites will have a minimum total area of 5 hectares. The proposed subdivision will overall result in a total of 8 sites. The subdivision is proposed to be undertaken in two stages.

The applicant is seeking land use consent for the future construction of buildings including dwellings on the five rural-residential sites that are proposed to be created as part of this application. The future buildings will be constructed within the identified development areas shown on the site plan. The applicant has volunteered suite of recommendations contained in the submitted two supporting technical reports which are discussed below, to be imposed as consent notices on the Freehold Registers to provide sufficient control over future development on the proposed five rural-residential sites. The applicant is not proposing to construct dwellings as part of the proposed subdivision. There are no specific house plans for these future dwellings, and the applicant is not proposing to undertake earthworks associated with the creation of building platforms on these development areas for future buildings as part of the subdivision.

Subdivision

Stage 1

Stage 1 will involve subdividing Lots 1 - 3 DP 62408 into proposed Lots 1 - 5, 8, 9, & 10 and Lots 3 & 7 DP 373530 into proposed Lots 6, 7, 11 & 12. As part of this, by way of proposed amalgamation conditions, Lots 1 & 9 are to be held in one Computer Freehold Register (CFR), Lots 3 & 8 in one CFR, and Lots 7, 11 & 12 in one CFR.

The proposed allotment sizes are as follows:

- a) Lot 1: 62.01 hectares
- b) Lot 2: 10 hectares

- c) Lot 3: will be amalgamated with an adjoining proposed Lot 8 to give a total of 5 hectares.
- d) Lot 4: 5 hectares
- e) Lot 5: 5 hectares
- f) Lot 6: 6.32 hectares
- g) Lot 7: will be amalgamated with adjoining proposed lots 11 & 12 to give a total of 121.70 hectares.
- h) Lot 10: Area AA to provide Right of Way to Lots 1, 2 (stage1),4, 6,7 &.10

Stage2

The second stage of the subdivision involves the subdivision of proposed Lot 2 created in stage 1 into two lots (proposed lots 1 & 2) each having 5 hectares.

Access

Proposed Lots 3, 4 and 5 will be accessed by a right of way (easement I) which will be 10m legal width, and will be formed to a standard specified in the Porirua City Council's Code of Land Development and Subdivision 2010. Access to all the other proposed lots will be via a right of way to be created over the existing main farm track which commences at the end of Pikarere Street. The lower lots of the proposed subdivision will be accessed over the proposed right of ways shown as "A", "B", "C" DP 373530 on the submitted Scheme Plan. All the proposed right of ways will be formed to a standard specified in the Porirua City Council's Code of Land Development and Subdivision 2010, as part of the subdivision to provide legal and physical access to each proposed site.

Plans Submitted:

The proposal is shown on various plans prepared by Land Matters Property Consultants as follows:

- *Development Plan Rural Residential Subdivision and Boundary adjustment, Drawing SC Pik1 Rev 2 dated 22/12.*
- *Stage 1: Subdivision of Lots 1,2, & 3 DP 62408 into Lots 3-5, 8, 9 & 10 Subdivision of Lots 3 & 7 DP 373530 into Lots 6, 7, 11 and 12*

Stage 2: Subdivision of former Lot 1 DP 62408 (Lot 2) into Lots 1 & 2, Drawing No DP Pik1 Rev 03.

The applicant has provided two supporting technical reports. ABuild Consulting Engineers Ltd has prepared a report addressing earthworks, site suitability for rural residential development, on-site effluent and stormwater disposal, and the provision of potable water. This report also assessed the suitability for rural residential development for five proposed building sites shown on the submitted plans as "development areas". The submitted ABuild report section relating to the development areas is only applicable to those development areas identified on the site plan, and any future developments outside the designated "development areas" apart from vehicle access construction associated with the subdivision works will require a new resource consent application.

The applicant's landscape architect, Linda Kerkmeester, Report made recommendations on following matters;

- Building exclusion zone and structures to be sited as to avoid skyline effects;
- To minimise the potential impact of earthworks, and to avoid the need for retaining walls.
- Higher retaining walls over 1.5m are to be screened.
- To restrict building height and promote single storey, or step down in split level form, roof pitch, colour of external cladding and roof.
- Boundary fencing styles and gates to match the existing post and wire fencing.
- Landscaping to mitigate earthworks, retaining walls, vehicle access and parking.

The building exclusion zones stated by the applicant on the proposed five rural-residential sites are to protect the main ridgeline/skyline. The building exclusion zone has also been termed skyline exclusion zone in the condition offered by the applicant. The building exclusion zones restrict any building above stated contour lines on Lots 1 & 2, stage II and Lots 3, 8, 4 & 5 Stage I of the subdivision. These building exclusion zones recommended by the applicant's landscape architect to be imposed as consent condition are to keep future buildings below the main ridgeline so as to avoid skyline effects.

The applicant's landscape architect comments relate to development anywhere on the proposed five rural-residential sites that are proposed to be created as part of this application. It should be noted that although the applicant's landscape architect's report only refers to lot 3, the recommendations/restrictions also include that part being Lot 8 to be amalgamated with Lot 3 to create a 5 hectare site (post amalgamation).

Conditions offered by the applicant

The applicant has volunteered/offered the recommendations in the above provided two supporting technical reports to be imposed as consent conditions to mitigate adverse effects that may result due to the proposed subdivision, and also to provide sufficient control over future development such that it will not be necessary to control the future land use consents provided that development occurs within the highlighted development areas.

Earthworks and future rural dwellings (Land Use Components)

The applicant is not proposing to construct any dwellings as part of the proposed subdivision. The applicant has shown designated development areas on each proposed rural-residential site. There are no specific plans for proposed dwellings or any other buildings on these sites. The applicant is seeking land use consent for the future construction of dwellings to be constructed on proposed Lots 1 & 2 (to be created in Stage 2 of the subdivision) and lots 3, 4 & 5 of stage 1 subdivision. The applicant is seeking land use consent so that future landowners will not have to apply for resource consent for future dwellings, accessory buildings, water tanks, car parking and earthworks provided that;

1. These elements are proposed to be constructed wholly within the identified development areas that are covered by the Abuild Consulting Engineers Report referred to above.

2. Any such future development can be demonstrated to comply with all consent notice requirements that are imposed on the Computer Freehold Titles including (but not limited to) those associated with the Abuild Consulting Engineers recommendations, and the applicant's Landscape Architect, Linda Kerkmeester.

Earthworks will be undertaken as part of the subdivision to form the proposed right of ways to a standard specified in the Porirua City Council's Code of Land Development and Subdivision 2010.

Easement to be discharged

The application is to also to surrender easement "B" on DP 62408 registered for a Right of Way in favour of the Council. This was previously agreed by Council as part of the Sale and Purchase agreement to access a piece of Porirua Scenic Reserve.

Amalgamation of the proposed lots

Consultation with the Office of the Registrar in pursuant to Section 220(3) of Resource Management Act 1991 has been undertaken. The request was approved, and the request number in the condition is 1269838.

2.0 DESCRIPTION OF SITE & SURROUNDINGS

The land that is the subject of the application is contained in five CFR's being Lot 1 DP 62408 having 16.242 hectares, Lot 2 DP 62408 having 12.992 hectares, Lot 3 DP 62408 having 60.994 hectares, Lot 3 DP 373530 having 7.9514 hectares and Lot 7 DP 373530 having 120.868 hectares. The application site is part of Pikarere Farm, and it is presently being used as agricultural farmland. The application site is located at the end of Pikarere Street, and contains a farm track which runs through it. Adjoining to the north is the Porirua Sewer Treatment Plant, and to the east is the Porirua Scenic Reserve. Adjacent to the north-west is the Tasman Sea. The application site is situated to the north of Colonial Knob. The topography of the application site is undulating, and the surrounding area is zoned rural apart from Porirua Scenic Reserve which is zoned Open Space. It is also noted that further to the north along Pikarere Street are residential dwellings which have a zoning of Suburban.

There are several existing land covenants and consent notices registered on the CFR's. As outlined in the applicant's AEE, the land covenants and consent notices will not be affected by the proposal. *"There are four ecological sites identified within the titles that are the subject of this application – three are 101a, b and c and the fourth is the Queen Elizabeth II covenanted area within proposed lot 6 – stage I. The covenanted area is fenced and managed under the agreement with the National Trust. The remaining three ecological sites are located to the north of proposed lot 1 – stage I and lots 1 and 2 – stage II. They are located in steep gullies and are not accessible by stock".*¹ The covenanted areas are identified on the scheme plan as areas "F, G, H, Y & Z". The covenanted bush areas are proposed to be retained and neither any of the proposed building sites or future earthworks are within these areas.

¹ AEE Page 34 Objectives comments



3.0 RELEVANT PLANNING PROVISIONS

3.1 Operative District Plan

The application site is within the Rural Zone of the Porirua City District Plan (which became operative on 1 November 1999). The effects of activities and buildings within the Zone are managed through the use of rules and standards. Where a proposal is unable to comply with one of these, a resource consent is required. It is noted that once the need for a resource consent is triggered, rules and activity standards act as guidelines only.

3.2 Reasons for Resource Consent

In the case of this application, the proposal is treated as two applications for resource consent:

1. Subdivision Consent (Fee Simple)
2. Land Use Consent

Subdivision

In the Rural Zone, subdivision creating allotments between 5 hectares and 40 hectares is a discretionary activity under Rule D4.1.4 (ii):

D4.1.4 Discretionary activities

Any one or more of the following are discretionary activities:

- (ii) *Subdivision where any of the resultant allotments are 5 hectares or more in area and less than 40 hectares.*

In this case however several of the allotments are under 5ha based on the definition contained in S218(2) of the Act which is what the District Plan relies on². This is despite them being amalgamated such that the resultant sites created will be a minimum of 5ha.

The subdivision application falls for consideration as a Non-Complying Activity in terms of Rule D4.1.5 of the District Plan which states:

“Any one or more of the following are non-complying activities: ...

(vi) Any subdivision which would result in any allotment of less than 5Ha (except as provided for in Rule D4.1.2(vii)).”

Land use consent

The applicant is seeking land use consent for the future construction of dwellings on the five rural-residential sites that are proposed to be created as part of this application. The applicant is seeking land use consent so that future landowners will not have to apply for resource consent for future dwellings, accessory buildings, water tanks, car parking and earthworks provided that;

1. These elements are proposed to be constructed wholly within the identified development areas that are covered by the Abuild Consulting Engineers Report referred to above.
2. Any such future development can be demonstrated to comply with all consent notice requirements that are imposed on the Computer Freehold Titles including (but not limited to) those associated with the Abuild Consulting Engineers recommendations, and the applicant's Landscape Architect, Linda Kerkmeester.

As part of the subdivision, earthworks will be undertaken to construct right of ways to access proposed sites.

Earthworks as part of a subdivision are not listed as a permitted activity in the Rural Zone, and are also not listed as a controlled, limited discretionary, non-complying or prohibited activity. Proposed Lot 5 is within Landscape Protection Area, and construction of a dwelling on Lot 5 will be a discretionary activity under Section D4.1.4 (iii) of District Plan. Construction of dwellings on other lots will be a controlled activity under Section D4.1.2 (i) of District Plan. It is the most onerous activity status to be applied to the land use application. The construction of the dwelling on proposed Lot 5 and earthworks therefore fall for consideration as a discretionary activity, in accordance with Rule D4.1.4(i):

D4.1.4 Discretionary activities

Any one or more of the following are discretionary activities:

² Allotment shall have the same meaning as set out in section 218 of the Resource Management Act 1991.

- (i) *All activities which are not a permitted, controlled, limited discretionary, or prohibited activity, and are not specified in D4.1.5 (ii), (iii) or (v) as a non-complying activity.*

Overall, it is concluded that the proposal is a non-complying activity.

4.0 THE RESOURCE MANAGEMENT ACT 1991

Section 104 of the Resource Management Act provides that:

- (1) *When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part II, have regard to the following relevant matters*
 - (a) *any actual and potential effects on the environment of allowing the activity; and*
 - (b) *any relevant provisions of*
 - (i) *a national 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.*
- (3) *A consent authority must not –*
 - (a) *when considering an application, have regard to –*
 - (ii) *any effect on a person who has given written approval to the application:*

The actual and potential effects of the proposal, and the relevant provisions of the District Plan, will be discussed in detail below in section 5.

Section 104B of the Resource Management Act provides that:

After considering an application for a resource consent for a discretionary activity or non-complying activity, a consent authority –

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

104D Particular restrictions for non-complying activities

(1) Despite any decision made for the purpose of section 95A(2)(a) in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either—

- (a) *the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or*
- (b) *the application is for an activity that will not be contrary to the objectives and policies of—*

- (i) the relevant plan, if there is a plan but no proposed plan in respect of the activity; or*
- (ii) the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or*
- (iii) both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.*

(2) To avoid doubt, section 104(2) applies to the determination of an application for a non-complying activity.

Section 95A of the Resource Management Act provides that:

- (1) A consent authority may, in its discretion, decide whether to publicly notify an application for a resource consent for an activity.*
- (2) Despite subsection (1), a consent authority must publicly notify the application if—*
 - (a) it decides (under section 95D) that the activity will have or is likely to have adverse effects on the environment that are more than minor; or*
 - (b) the applicant requests public notification of the application; or*
 - (c) a rule or national environmental standard requires public notification of the application.*
- (3) Despite subsection (1), a consent authority must not publicly notify the application if—*
 - (a) a rule or national environmental standard precludes public notification of the application; and*
 - (b) subsection (2)(a) and (b) do not apply.*

Section 95B of the Resource Management Act provides that:

- (1) If a consent authority does not publicly notify an application for a resource consent for an activity, it must decide (under section 95E and 95F) if there are any affected persons or affected order holders in relation to the activity.*
- (2) The consent authority must give limited notification of the application to affected person unless a rule or national environmental standard precludes limited notification of the application.*

Section 95D of the Resource Management Act provides that:

A consent authority that is deciding, for the purpose of section 95A(2)(a), whether an activity will have or is likely to have adverse effects on the environment that are more than minor –

- (a) must disregard any effects on persons who own or occupy –*
 - (i) the land in, on, or over which the activity will occur; and*
 - (ii) any land adjacent to that land; and*
- (b) may disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect; and*
- (c) in the case of a controlled activity or restricted discretionary activity, must disregard an adverse effect of the activity that does not relate to a matter for which a rule or national environmental standard reserves*

- control or restricts discretion; and*
- (d) must disregard trade competition and the effects of trade competition; and*
- (e) must disregard any effect on a person who has given written approval to the relevant application.*

Section 95E of the Resource Management Act provides that:

- (1) A consent authority must decide that a person is an affected person, in relation to an activity, if the activity's adverse effects on the person are minor or more than minor (but are not less than minor).*
- (2) The consent authority, in making its decision, -*
 - (a) may disregard an adverse effect of the activity on the person if a rule or national environmental standard permits an activity with that effect; and*
 - (b) in the case of a controlled or restricted discretionary activity, must disregard an adverse effect of the activity on the person that does not relate to a matter for which a rule or national environmental standard reserves control or restricts discretion; and*
 - (c) must have regard to every relevant statutory acknowledgement made in accordance with an Act specified in Schedule 11.*
- (3) Despite anything else in this section, the consent authority must decide that a person is not an affected person if -*
 - (a) the person has given written approval to the activity and has not withdrawn the approval in a written notice received by the authority before the authority has decided whether there are any affected persons;*

Section 243 of the Resource Management Act 1991 sets out the process for cancelling an easement. This section states:

243 Survey plan approved subject to grant or reservation of easements

Where a subdivision consent is granted [or any certificate of title is issued] subject to a condition that any specified easements be granted or reserved, the following provisions apply:

- (a) No such easement shall—*
 - (i) Be surrendered by the owner of the dominant tenement; or*
 - (ii) In the case of an easement in gross, be surrendered by the grantee of the easement; or*
 - (iii) Be merged by transfer to the owner of the [dominant or] servient tenement; or*
 - (iv) Be varied—*

except with the written consent of the territorial authority:

- (e) The territorial authority may at any time, whether before or after the survey plan has been deposited in the Land Registry Office or the Deeds Register Office, revoke the condition in whole or part:*
- (f) When a territorial authority cancels a condition in whole or in part, then—*
 - (i) Where the survey plan has not been approved by the Chief Surveyor, a memorandum of the cancellation shall be endorsed on the survey plan:*
 - (ii) Where the survey plan has been approved by the Chief Surveyor or deposited, the territorial authority must forward to the District Land Registrar or Registrar of Deeds a certificate signed by the [chief executive] or other authorised officer of the territorial authority to the effect that the condition has been cancelled in whole or in part, and the District Land Registrar or the Registrar of Deeds must note the records accordingly.*

In this case it is not considered necessary to publicly notify this application or serve notice of this application on any person because;

- (a) It is not considered that the activity will have or is likely to have adverse effects on the environment that are more than minor beyond the subject land and adjacent land.
- (b) The effects are considered to be less than minor such that no persons have been identified as potentially affected.

The following reasons are given as justification for the answers to (a) and (b) above.

- Any potentially adverse environmental effects can be avoided, remedied or mitigated through the imposition of appropriate conditions. In particular the following is noted with regard to the avoidance and/or mitigation of potential and actual adverse effects:
 - A consent notice is recommended (as volunteered by the applicant and supported by the Council's Manager Land Use & Subdivision Engineering) to be imposed to require a suitably qualified engineer to specifically design water supply by way of roof collection including treatment systems for individual dwellings at the time of building consent application stage.
 - A consent notice is recommended to be imposed (as volunteered by the applicant and supported by the Council's Manager Land Use & Subdivision Engineering) to require a suitably qualified engineer to specifically design on-site storm water and wastewater disposal systems on the proposed lots at the time of building consent application stage.
 - Proposed Lot 5 will be located within the Landscape Protection Area, and more stringent controls are recommended by the applicant for any development on this lot. A planting plan is also recommended by the applicant for this lot to largely mitigate any development such as a future dwelling, earthworks, retaining walls, vehicle access and parking areas. Furthermore development restrictions are recommended (by the applicant's landscape architect, and supported by the Council's Leisure Assets and Services, Landscape Architect, Andrew Gray and Resource Planner, Jaydine Keenan) to be imposed on matters such as building design, location and appearance on all proposed lots where dwellings are being proposed. In my opinion this will provide sufficient control over future development such that it will not be necessary to control the future land use consents provided that development occurs within the highlighted development areas.
 - Recommendations in the submitted Abuild Report have been offered by the applicant to be imposed as consent notices in regard to the following matters as discussed in Section 5 of this report;
 - a) Developing sites within the constraints provided by the existing site topography and in accordance with the engineering recommendations outlined in Section 9.2 of the Abuild Report.
 - b) A suitably qualified engineer to design, supervise and certify the earthworks, retaining walls and batter slopes.

- c) A suitably qualified engineer to design, and certify the proposed dwelling foundations.
- d) Right of Ways and Driveways recommended to be constructed as outlined in Section 9.8 of the Abuild Report, and to comply with Porirua City Council's Code of Land Development and Subdivision 2010, Land Development and Subdivision Engineering NZS 4404:2004.
- e) During and after construction drainage (stormwater) is recommended to be designed as specified in Section 9.9 of the Abuild Report so not to trigger slope instability.

And Council's Manager Land Use & Subdivision Engineering is satisfied with these recommendations in the Abuild Report.

- The provided Geotechnical Report was prepared by a suitably qualified engineer from Abuild Consulting Engineers Ltd who indicated that the subject site can be developed for rural residential use provided the recommendations in the report are complied with in regard to any developments on the subject site. This is satisfactory to the Council's Manager Land Use & Subdivision Engineering, Phillip Rhodes. A condition will be imposed if consent is granted that any developments on the subject site are to follow the recommendations outlined in the submitted Abuild Stability Report dated December 2014.
- Subject to the imposition of the recommended conditions of consent as advised by the Council's Manager Land Use & Subdivision Engineering, the proposed lots will be self-sufficient in terms of potable water supply, wastewater disposal and storm water drainage such that the adverse effects will be less than minor on environment.
- Council's Manager Land Use & Subdivision Engineering Phillip Rhodes (MLSE) is satisfied that any traffic, safety and access effects on Pikarere Street to be less than minor as a result of this proposal as discussed in Section 5.1 of this report. MLSE has advised that the proposal will provide adequate access to each proposed lot provided the recommended conditions are imposed as discussed in Section 5.1 of this report, in regard to formation and to metal accesses to comply with Porirua City Council's Code of Land Development and Subdivision 2010, Land Development and Subdivision Engineering NZS 4404:2004.
- The adjoining site to the east is Council's Reserve Land owned by Porirua City Council, and managed by Leisure Assets and Services Business Unit. Council's Leisure Assets and Services Resource Planner and Landscape Architect have considered the adverse effects of the proposal to be less than minor on the adjoining reserve, as discussed in Section 5 of this report.
- There are no non compliances in regard to the subject site property boundaries, and the applicant is not proposing to construct dwellings on the created lots to the south and west, and therefore do not consider the owners of the adjoining property to the west and south to be adversely affected by the proposal.

- The adjoining site to the north is Council's land, and contains Porirua Sewage Plant. The designated building sites on the proposed lots will not be viewed from this adjoining site to the north due to pine trees that screen the subject site.
- The visual separation distance of more than 300m from the residential areas of Titahi Bay will largely mitigate any adverse visual effects of the proposed development when viewed from those sites.
- It is noted that the future owners of the dwellings on proposed development areas on Lots 1 & 2 (stage 2) will be in full view of each other. The applicant is aware of this and it is considered that the applicant is the only affected party as a result of this reduced amenity, in my opinion.
- As part of the proposed subdivision various allotments will be amalgamated such that all sites will have a minimum total area of 5 hectares. The proposed subdivision will not be out of character with the pattern of development in the rural area where other rural sites have been subdivided down to 5 hectares as a Discretionary Activity. The District Plan envisages rural allotments of 5 hectares in appropriate locations where the subdivision maintains the character and quality of the rural environment. Furthermore the five proposed designated development areas are situated so that the dwellings will be set into the existing landscape and will not sit above the ridgeline. The designated development areas are also supported by the Council's Landscape Architect.
- With the imposing of the above recommendations in the submitted Abuild Report and Landscape Report as consent notices to be registered on the proposed Lots, any adverse visual, amenity, earthworks, stability, access effects are considered to be mitigated to a level that is less than minor on the environment, in my opinion. The adverse effects on the adjoining neighbors will be less than minor, and therefore do not consider owners of the adjoining and adjacent properties to be adversely affected by the proposal.
- I am therefore satisfied with the imposing of the suite of recommendations contained in the Abuild Consulting Engineers Ltd and from the applicant's landscape architect, the adverse effects will be contained within the subject site and will not adversely affect the owners of the adjoining or adjacent properties, and the adverse effects will be less than minor on them. The suite of the recommended consent notices will ensure that the effects of future development on the proposed development areas can be appropriately controlled to a level that is less than minor without the need to consider future development proposals on the 5 proposed rural residential sites via future resource consent application processes.
- Adjoining to the north is the Porirua Sewage Treatment Plant, and there is potential for odour from it drifting in the direction of the subject site. Council's Manager Land Use & Subdivision Engineering (MLSE), Phillip Rhodes on behalf of AMO has made the following conclusion; *"Overall, it is considered that there is not a direct relationship between the location of odours at the treatment plant and the proposed house sites. Many other*

factors exist that combine to present a low risk of odours from the plant reaching the lots. The conditions under which this subdivision is being promoted and designed seem therefore to be acceptable.” Given that the Sewage Treatment Plant is under the control of Council’s Asset Management and Operations Group, and that the MLSE who works for that group has made the above comments, I consider that, any reverse sensitivity effects on the Sewage Treatment Plant will be less than minor, and it is therefore not necessary to identify AMO as potentially affected party.

5.0 SECTION 104 MATTERS TO BE CONSIDERED

5.1 Environmental Effects

The relevant objectives and policies of the District Plan for the Rural Zone provide guidance for assessing the relevant effects of the proposal. The actual and potential effects of the proposal are related to effects on the amenity and character of the neighbouring properties.

Amenity Values

Section 2 RMA, defines amenity values as meaning a number of interrelated factors: *“those natural and physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes”*.

The District Plan refers to “pleasantness and character” as being constituents of amenity. Because of their broad application, amenity values can be affected by such things as daylight entry and shading effects, visual dominance of structures near the site boundary, levels of privacy, general visual appearance effects, lighting levels, background noise levels and traffic effects. The local combination of these sets the character and atmosphere that residents come to “expect” in their neighbourhood.

In the case of this application, visual and amenity effects, traffic, servicing and stability effects and earthworks are considered relevant.

Visual and Amenity Effects:

Subdivision

As part of the proposed subdivision various allotments will be amalgamated such that all sites will have a minimum total area of 5 hectares. The proposed subdivision will not be out of character with the pattern of development in the rural area where other rural sites have been subdivided down to 5 hectares as a Discretionary Activity allowing rural life style blocks. The District Plan envisages rural allotments of 5 hectares in appropriate locations where the subdivision maintains the character and quality of the rural environment. The rural zone is also characterised by rural lifestyle properties and rural dwellings have been constructed on these lifestyle properties.

The proposal will increase the visual intensification of the application site but is in line with other sites within the Rural Zone. In this case the proposed design, layout of the subdivision and density of development is consistent with the character of the rural environment. In saying this, it is acknowledged that this rural zone area in the west of Porirua City is somewhat isolated from the balance of the Rural Zone. However with the controls over future development proposed by the applicant it is

considered that visual and amenity effects on the adjoining and adjacent properties and the wider environment will be appropriately avoided, remedied or mitigated. I therefore consider the design and layout of the proposed subdivision to be appropriate in this case.

Future construction of dwellings on the five rural-residential sites and earthworks

The applicant has shown potential house sites on the scheme plan. The applicant is seeking consent to construct future dwellings on the five rural-residential sites within 5 years of issuing of individual titles of each lot. In case the future owners want to construct dwellings/buildings outside the shown building sites a resource consent will be required.

The applicant's Landscape Architect, Linda Kerkmeester, made the following analysis and recommendations in the submitted report as part of this application;

- “30. *Given the sloping topography, some earthworks will be required to create building platforms and outdoor living areas associated with construction of dwellings. Earthworks that cannot be finished to resemble natural landforms and regrassed or screened with planting will be visually prominent and should be avoided. Retaining walls would need to be kept to a minimum (both height and length) and use natural materials and colours or screened with planting to allow them to recede into the landscape.*
31. *House sites for proposed Lots 1 and 2 Stage II are proposed relatively close to the top of a broad, open ridge. There is potential for these new dwellings to have a skyline effect where the building silhouette is seen against a sky backdrop. This effect will be more pronounced (attract the eye) if the roofline is pointed with a steep pitch and is light in colour or highly reflective. Hence a low-pitched roof with darker, muted colours is preferable to help recede the structure into the landscape. A planted backdrop would also assist in reducing any skyline effect and should be considered in these instances.*
32. *It will be important that any boundary fencing remains rural in character, using post and wire fencing and timber gates to match the existing style of fencing with vegetation for screening rather than solid timber fences. Planting will also help to screen any retaining walls or earthwork cuts that cannot be blended back into the surrounding landform.*
33. *Shelter planting around existing dwellings is also part of the existing rural character. It is expected that shelter planting will be a priority around the living areas of houses and that this will be balanced against the desire to retain coastal views. Over time it is expected that new patterns of vegetation would be established that would follow the existing patterns as they occur in gullies and around dams where there is more shelter and moisture for successful plant establishment. This will help reduce the visual effects of any new structures and earthworks so they will gradually recede and blend into the rural landscape.*

34. *This gradual planting approach from initial shelter to a more diverse planting pattern, is likely to occur on all lots over time - as has occurred around the current homestead with it's associated cluster of farm buildings. In the case of Lot 5 - Stage I within the Landscape Protection area, it will be important that this occurs in a planned manner to provide greater certainty of planting occurring in a reasonably short time frame as part of the site development. Any planting for Lot 5 - Stage I should seek to extend the bush up towards the house so that it appears as a continuation of the reserve vegetation. This would help blend the new dwelling into it's surroundings, thus minimizing effects on rural character.*
35. *The existing established exotic trees on and around the site form part of the rural character of the area and would be appropriate to continue some planting of shelterbelts along the boundaries in some areas, as this would reinforce the rural character of the surrounding farm.*"³

Landscape Architect, Linda Kerkmeester has suggested the following potential mitigation measures to be implemented;

- Building exclusion zone and structures to be sited as to avoid skyline effects;
- Minimising the potential impact of earthworks, and to avoid the need for retaining walls.
- Retaining walls which are over 1.5m in height are to be screened.
- To restrict building height and promote single storey, or step down in split level form, roof pitch, colour of external cladding and roof.
- Boundary fencing styles and gates to match the existing post and wire fencing.
- Landscaping to mitigate earthworks, retaining walls, vehicle access and parking.

Council's Leisure Assets and Services, Landscape Architect, Andrew Gray and Resource Planner, Jaydine Keenan have reviewed this application and made the following comments;

“Reserves

The proposal involves the subdivision of three lots (1, 2 and 3 DP 62408 which are adjoining the Council's land (Stuart Park, Porirua Scenic Reserve and the wastewater treatment plant).

The reserves will not be adversely affected as a result of this proposal as the house sites are well setback from the reserve's boundaries.

Any proposed lots with boundaries against the Council's land should include a fencing covenant that excludes Council from contributing to the cost of fencing along the boundary.

Landscape

³ Landscape Architect, Linda Kerkmeester - Landscape & Visual Effects Assessment page 9 paragraph 30-35

In principle we agree with the visual assessment methodology and recommendations and the proposed house sites. However minor aspects of the proposed conditions could be improved.

- 1. From a visual aspect the proposed house sites for lots 1 to 4 could be shown slightly larger to give future owners slightly more flexibility. However the site should only be extended down or slightly sideways along the contour where not sensitive, but should not rise up the contour. Note there may be engineering requirements that limit the parameters.*
- 2. From the visual assessment Lot 5 is more sensitive and so the current parameters are appropriate.*

Suggest condition (from page 35 of application) is changed from "no building shall extend at or above the relative contour line...." to "no part of the building shall extend at or above the relative contour line...." "This is to avoid confusion if the condition is intended to be measured from the ground plane of the building site or any part of the building. There should also be a note that this condition applies to the roof line of the building but there is flexibility for chimneys and tv aerials outside of this condition.

We would prefer the first set of conditions offered as they are more concise, achieve the desired outcome, give the future owners more certainty and are more measurable for the Council to assess.

There could be issues with the IB conditions as some of the existing pine trees located around this area are stunted by the local micro climate and exposure at the site. So meeting the tight planting requirements that the planting has to meet the height of the house in five years could be difficult for future owners to easily obtain and introduces buildings above the skyline that might or might not be adequately visual mitigated.

The proposed conditions for the design of the houses are appropriate and supported.

Recommendation

- Prior to approval under Section 224 of the Resource Management Act, the consent holder shall enter into a registerable agreement with the Council, specifying that the Porirua City Council shall not be responsible for the cost of erecting or maintaining any fence along a boundary of any land owned by the Council.*
- Suggest condition is changed from "no building shall extend at or above the relative contour line...." to "no part of the building shall extend at or above the relative contour line...."*
- Advice note included- that this condition (above) applies to the roof line of the building but there is flexibility for normal chimneys and tv aerials outside of this condition.*

- *The proposed house sites for lots 1 to 4 could be shown slightly larger to give future owners slightly more flexibility. However the site should only be extended down or slightly sideways along the contour where not sensitive, but should not rise up the contour.*
- *That the first set of conditions offered by the applicant if used- they are more concise, achieve the desired outcome, give the future owners more certainty and are more measurable for Council to assess.*

The first 2 points raised above by the Council's Landscape Architect and Resource Planner will be imposed as consent conditions, and the first set of conditions offered by the applicant will be used, and the third point will be imposed as advice note as suggested above.

In terms of point 4, the development areas will not be enlarged on the subject site as the findings and recommendations of the ABuild report would not be applicable beyond the areas identified in that report.

As assessed above, the first set of conditions offered by the applicant in terms of restricting the location of future buildings will be imposed as consent conditions, if consent is granted because they are more concise, achieve the desired outcome, give the future owners more certainty and are more measurable for Council to assess

The visual separation distance of more than 300m from the residential areas of Titahi Bay will largely mitigate any adverse visual effects of the proposed development when viewed from those sites.

As discussed above, the AEE includes a number of design principles such as minimising the visual impact of dwellings, siting of buildings in accordance with site topography, screening and re-grassing of any cut areas. In line with the application a number of consent conditions are recommended as offered by the applicant to restrict building form, building height and fencing and to require painting of buildings in recessive colours and a low reflectivity standard, to mitigate potential adverse visual and amenity effects. The proposed house sites and recommended land use restrictions outlined in the application are to maintain a coastal outlook from each site and keeping building sites below the main ridgeline to avoid skyline effects if viewed from beyond the subject site.

The proposed building sites on the five additional rural-residential sites will comply with the yard setback requirements of the District Plan for Rural Zone, and the proposed development areas sites on each proposed lot will avoid skyline effects provided the maximum recommended building heights in the application are adhered to. The proposal promotes single storey or step down in split form dwellings to reduce visibility of structures from adjacent residences and public places.

Planting and grassing is to be recommended as a consent notice as offered by the applicant on proposed lots as a mitigation measure to blend the proposed future dwellings, and earthworks into the surrounding landscape.

Conditions will be imposed as consent notices on the proposed lots as recommended by the applicant's landscape architect and supported by the Council's landscape architect as stated above, in order to mitigate adverse visual and amenity effects, and earthworks effects to a level that is less than minor on the environment, and on the owners of the adjoining and adjacent properties. It is noted that the Council's Landscape Architect and Resource Planner agree with the recommendations in the applicant's landscape architect report.

Visual and Amenity effects Conclusion

The low reflectivity of building cladding, low roof pitch, height restrictions, building exclusion zone will largely mitigate the visual effects and the potential obtrusiveness of the future dwellings on each proposed lot if viewed from the adjoining and adjacent properties or the wider environment.

It is noted that the future owners of the dwellings on proposed development areas on Lots 1 & 2 (stage 2) will be in full view of each other. The applicant is aware of this and it is considered that the applicant is the only affected party as a result of this reduced amenity, in my opinion.

Proposed Lot 5 is within the landscape protection area and more stringent controls are recommended for any development on this lot. A planting plan is recommended to be implemented for this lot to largely mitigate any development such as a dwelling, earthworks, retaining walls, vehicle access and parking areas on this lot.

The proposed designated development areas and building restrictions are to avoid skyline effects by keeping future buildings below the main ridgeline. Future dwellings on the proposed Lots will be designed or restricted to be set into the existing landscape. Considering comments from the Council's Leisure Assets and Services, and recommendations from the applicant's landscape architect to be imposed as consent notices as stated above, and the visual separation distance from the adjoining properties, no one besides the applicant is considered to be adversely affected by the proposal. Any potential adverse visual and amenity effects on any owners of the neighbouring properties and the wider environment are considered to be less than minor, in my opinion. I am therefore satisfied that the proposal will not have detrimental effects on the amenity values associated with this rural area provided the recommended consent notices are registered as discussed above in this report. In my opinion this will provide sufficient control over future development such that it will not be necessary to control the future land use consents provided that development occurs within the highlighted development areas.

As part of the proposed subdivision various allotments will be amalgamated such that all sites will have a minimum total area of 5 hectares. The District Plan envisages rural allotments of 5 hectares in appropriate locations where the subdivision will maintain the character and quality of the rural environment. The proposed character and intensity of development is consistent with the density of development envisaged by the District Plan in the Rural Zone, in my opinion.

Traffic Effects, Servicing Effects, and Stability Effects

The proposal will create additional traffic on Pikarere Street. Proposed Lots 3, 4 and 5 will be accessed by a right of way (easement I) which will be 10m wide, and all the other proposed lots will be accessed via a right of way to be created over the existing main farm track at the end of Pikarere Street.

Council's Manager Land Use & Subdivision Engineering, Phillip Rhodes has made the following comments;

- (i) *“With regard to the traffic impacts of the development, the effects are related to creating 5 additional lots only – while the application seeks consent for twelve lots the balance of 7 are mainly related to farm activities and create no additional impacts on the roading network.*

The road network leading up to the Pikarere farm is a local road and ends in a typical rural cul de sac turning head. The points of access onto the turning area are well positioned in terms of visibility and manoeuvring. The crossing location of the proposed new right of way is a just a cattle crossing at present but the grades and alignment are very well placed for upgrading and future access for the new lots.

The addition of 5 new lots is equivalent to about 50 additional vehicle movements per day on the external local roading network. This is well within the capacity of the network for the additional loading.

- (ii) *Access. The existing main farm access road leads through the subdivision to give access to proposed lots 1 and 2 and access to lots 3, 4 and 5 will be provide over a new Right of way along an existing farm track formation starting at the end of Pikarere St. Table 3.2 (Rural road standards) in the Code of land Development outlines formation standards for 1 to 3 lots as a single lane with shoulders, metalled overall 4.5m wide carriageway. The formation of the right of way to lots 3 to 5 is wide enough for this carriageway already so no earthworks are required, only surfacing so a condition of consent to require the construction of the road in accordance with the Code should be sufficient. There will be no issues with road drainage in this case as the catchment is the same and there are large areas of grassed paddock downstream from the road that will handle all stormwater. Table 3.2 also covers road standards for when an access serves 4 plus properties and an increased formation width is required at 5.0m. In this case the main farm road is approximately 3 to 4m wide and is sufficient for all access needs for this application. Right of way “I” serves lots 3, 4 and 5 with a 10m wide boundary width which complies with the Code. The existing rights of way along the main farm track are 8m minimum and acceptable for all servicing needs for the subdivision.*

- (iii) *The applicant advises that confirmation from service providers for power and telecom are still being sought and a condition of consent seeking evidence that these services will suffice.*

- (iv) *The ABuild report has covered the issues of wastewater disposal, stormwater disposal and suitability of the building sites as indicated on the*

scheme plans in sufficient depth for Council to be satisfied that the 5 sites are suitable for dwellings and can be serviced adequately subject to professional design. The report findings indicate that the building sites have been chosen well with suitable flanks at low to moderate grades for wastewater disposal fields and stormwater disposal areas. It would not be advisable to depart from the selected building sites due to the variable topography and the possibility of changing ground conditions and slopes that might make the findings and recommendations of the ABuild report not applicable. I suggest a consent notice condition that anyone building follow the recommendations of the ABuild report which will cover all geotech issues relating to retaining, batters, earthworks, stormwater disposal and wastewater disposal. An additional condition requiring compliance with the Code of LD will cover any other issues with regard to geotech."

Traffic & access

Overall Council's Manager Land Use & Subdivision Engineering is satisfied that Pikarere Street is capable of and has the capacity to absorb any additional traffic generated by the applicant's proposed subdivision. He is satisfied that any adverse access and traffic implications of the proposal will be less than minor on the safe and efficient operation of adjoining Pikarere Street.

The proposed Right of Ways within the subject site are wide enough to sufficiently provide accesses to the proposed lots provided they are all formed to a standard specified in the Porirua City Council's Code of Land Development and Subdivision 2010. A consent condition will be imposed in regard to this. For the above reasons I am therefore satisfied that access and traffic implications of the proposal will be less than minor provided the recommended conditions are imposed as discussed above.

Power and telecom

A condition will be imposed to ensure power and telecom services are available prior to issuing of the Section 224 of the RMA.

On-site Storm water Disposal, On-site wastewater treatment and disposal, and On-site water supply

As the application site is within the Rural Zone, the new lots are required to be self-sufficient in terms of potable water supply, wastewater disposal and stormwater drainage. If these services are not adequately provided for, they can result in adverse health effects and adverse effects on neighbouring properties.

The submitted ABuild Report has concluded that;

- *“Soakage pits are considered appropriate for on-site stormwater disposal;*
- *On-site wastewater systems will require specific engineering design due to soil conditions;*
- *A cost effective solution for on-site water supply is likely to comprise roof collection and treatment systems for individual dwellings”.*⁴

⁴ Abulid Report Page 18 Rev B 09.12.2014

The Council's Manager Land Use & Subdivision Engineering is satisfied with the Abuild Report conclusions and therefore the following should be imposed as consent notices if consent is granted;

- (a) A consent notice be imposed with regard to requiring an appropriately qualified engineer to specifically design water supply by way of roof collection including treatment systems for individual dwellings.
- (b) A consent notice be imposed with regard to requiring a geotechnical engineer to specifically design On-site storm water and wastewater disposal systems on the proposed lots at the time of building consent application stage. The geotechnical engineer to confirm the permeability for on-site disposal for waste and storm water and a plan be provided showing the location and size of the soakage field.

The specific details of waste water systems, storm water disposal and particular requirements for potable water supply would be reviewed when a building consent for specific dwellings is applied for. A consent notice will be imposed to ensure that the proposed lots are self-sufficient in terms of potable water supply, wastewater disposal and storm water drainage. Subject to the imposition of the above recommended consent notices, I am satisfied that the proposed lots will be self-sufficient in terms of potable water supply, wastewater disposal and stormwater drainage such that the adverse effects will be less than minor on the environment and on the neighbouring properties.

The submitted Abuild Report assessed the suitability of the subject site for the proposed development. The report concluded that rural residential development on the proposed Lots is feasible provided the development is carried out in accordance with the engineering recommendations outlined in the report, and Council's Manager Land Use & Subdivision Engineering is satisfied with these recommendations. The development recommendations are outlined with the following headings in the Abuild Report in Section 9.3 – 9.9;

- **Proposed development of sites**
- **Foundations and Settlement**
- **Earthworks and safe batter slopes**
- **Retaining**
- **Subsoil Permeability**
- **Right of Ways and Driveways**
- **Drainage and Erosion**

Conditions are recommended as consent notices to be imposed if consent is granted to ensure that any rural residential development on the application site is carried out in accordance with the recommendations outlined in the Abuild Consulting Engineers Engineering Report held on Council's file RC6818. Any stability, drainage, access, and earthworks effects will be adequately addressed provided the recommendations of the Abuild Report are imposed as consent notices, and these consent notices are complied with when the sites are further developed.

Conditions as consent notices are recommended to be imposed on this consent for the design, supervision and certification of earthworks and retaining walls, by a suitably qualified chartered professional engineer, to address issues related to stability,

subsidence, slippage, and erosion as advised by the Council's Manager Land Use & Subdivision Engineering. I am therefore satisfied that the effects of the earthworks will be less than minor on the environment as they can be appropriately managed provided the recommended consent notices above are imposed if consent is granted and they are complied with.

Staging and extension to give effect to the consent

The applicant has requested that the subdivision is to be undertaken in two stages as shown on the submitted subdivision Scheme Plan *DP PIK1 REV 03*. The applicant is seeking a term of ten years in which to give effect to the consent rather than the standard five years. It is considered appropriate to provide for a term of ten years, as the conditions of consent will not be rendered inadequate in that period, and the project needs time to be implemented as it will be done in two stages. This will give the applicant an opportunity to seek approval for the certification of the approved subdivision in stages.

It is noted that the boundaries of each stage are positioned so that each stage will be able to be adequately serviced independently of the works within the other stages. Also all the necessary accesses or right of ways would be in place. I am therefore satisfied that the request for staging is appropriate, in this case.

Reverse sensitivity Issue:

Adjoining to the north is the Porirua Sewage Treatment Plant and there is potential for odour drifting in the direction of the subject site.

Council's Manager Land Use & Subdivision Engineering, on behalf of AMO - City Infrastructure Development made the following comments;

"The predominant wind in Porirua is the north westerly wind. With the almost north/south alignment of the plant valley, wind will tend to enter this valley at a slight angle and swirl along and upwards through the pine tree filters with the updraft forced by the elevation change and pine trees helping to disperse any smelly air, forcing swirling air upwards into the overhead air that is flowing across the smoother hills to right and left. There is another phenomenon that often happens with the air/land interface – the smooth hills allow air to accelerate and with slower moving air coming up from the valley there are good topographical conditions for air to mix rapidly.

There is a distinctive valley to the east of the plant that allows for an easy escape route for the main body of lower air that lies in a south east direction well away from the house sites. This is seen as an advantage for encouraging the wide dispersal of air coming from around the plant. There is also a wide valley to the immediate west of lots 1 and 2 that will help to direct air from lower elevations away from the building sites and encourage dispersal.

Having regard to the significant change in elevation from the treatment plant to the house sites, the distance between sites and the plant, the variable landform above and to the south of the pine tree shelter belt and the valley systems to each side of the house sites, the conditions for dispersal of north westerly flowing air is considered to be reasonably significant under most wind conditions which will help to avoid odours

at the sites marked on the plans, and any that are experienced are likely to be brief and of low intensity and duration. The intensity of odours crossing the plant site boundary is very low to very low under most conditions. In low wind speed conditions it could be expected that smelly air will reach the house sites – this can never be ruled out, but the frequency of low wind conditions along this coast line is low so it could be expected that any incidence of odour laden air reaching the house site is a rare event and of short duration.

NIWA wind data shows at the Mana Island recording station that approximately 50% of the time wind speeds are in excess of 33 knots for the period from 2012 to 2014. Wind speeds vary considerably throughout the year and vary from 5 knots to 15knots on a daily basis with wind gusts recorded up to 45knots. The northerly quarter wind direction of the highest gusts appears to be reasonably constant across this period from between 149 to 183 degrees consistent with a north westerly flow. The direction from the plant building to the house site of lot 2 is 180 degrees and for lot 1 it is 185 degrees so the lot 2 house site is on the edge of the main wind direction downwind from the plant, the house on lot 1 just outside the main wind flow. The mean wind speed for the years 2012 to 2014 is 15 knots which is the speed which generates up to 1 metre high sea waves with numerous whitecaps and is relatively windy conditions.

Hadley Bond, the plant manager at Wellington Water, and Des Scrimgeour have advised that there have never been an odour complaint relating to the plant. Complaints have been made in the past but were found to be related to strong odours from other parts of the network eg the Titahi Bay sewer tunnel on the Titahi Bay side and pump stations around Porirua experiencing low flows and also from rotting vegetation such as seaweed and sea lettuce on the beaches. Hadley does advise also that the owner of the farm has noticed smells from time to time and it would be expected that this would be in very low wind conditions and he does not know the actual location of the smell identification. One measure of odour is offensiveness and at the plant the odour could not be considered by most to be offensive, its more like unpleasant and that seems to be a common observation among those associated with the plant.

To summarise, the smell at the plant is considered to be low intensity as it disappears quickly with distance from the building. The wind conditions show that the two sites are not directly downwind of the plant building, but at the edge and just off the edge, the concentration of the smell in air must be low as it disappears quickly, the strong and regular winds provide effective and immediate mixing at an exposed coastal site, the topography means that additional mixing is promoted and dispersed rapidly, the frequency of low wind conditions that might permit odour laden air to reach the house sites is considered to be low to very low and the duration of any unpleasant smell lingering is considered to be low at highly exposed house sites nears the top of the hills.

Overall, it is considered that there is not a direct relationship between the location of odours at the treatment plant and the proposed house sites. Many other factors exist that combine to present a low risk of odours from the plant reaching the lots. The conditions under which this subdivision is being promoted and designed seem therefore to be acceptable.”

Porirua Sewage Treatment Plant is located on a considerably lower elevation than the subject site. There are pine trees located on the southern side of the Treatment Plant, and these provide mitigation of windblown odour from the Treatment Plant. The Treatment Plant is more than 225m from the common boundary shared with the subject site. The area adjoining the Porirua Sewer Treatment Plant site to the north on the subject site is covenanted, and no buildings will be constructed in the covenanted area or earthworks undertaken. The proposed development areas on the subject site are well removed from the common boundary shared with Porirua Sewer Treatment Plant site.

Taking all the above matters into consideration, any reverse sensitivity effects are considered to be less than minor on the environment and on any future owners of the proposed subdivision.

Easement to be discharged:

Council's Leisure Assets and Services, Resource Planner, Jaydine Keenan, has made the following comments in relation to the ROW easement to be discharged;

"A ROW easement is to be discharged from Lot 3 DP 623408. This was previously agreed by Council as part of the Sale and Purchase agreement to access a piece of Porirua Scenic Reserve. The access is no longer needed by the Council."

The removal of the existing easement "B" on DP 62408 will not result in any adverse environmental effects, since access to the adjoining reserve to the east will not be required over the application site. The Council's reserves now have access from Pikarere Street, as advised above by the Council's Leisure Assets and Services Resource Planner, Jaydine Keenan.

Overall:

I consider that the activity will not have or be likely to have adverse effects on the environment that are more than minor beyond the subject land and adjacent land. Further, I consider that any potential adverse effects on the subject land or adjacent land will be less than minor.

5.2 Plan Provisions - Objectives & Policies

The rural zone of the Operative Plan has a number of objectives and policies that require consideration in assessing a discretionary activity.

C4.1 OBJECTIVE

TO IDENTIFY A RURAL ZONE AND CONTINUE ITS MANAGEMENT SO AS TO AVOID, REMEDY OR MITIGATE THE EFFECTS OF THE ACTIVITIES WITHIN IT.

C4.1.3 Policy

To ensure that activities within the Rural Zone do not detract from the character or quality of the rural environment.

C4.1.6 Policy

To ensure that non-primary production activities do not make it necessary to upgrade rural roads beyond the level needed to service rural and recreational activities.

C4.1.8 Policy

To protect the long term potential of the rural land resource by ensuring that the new allotments for which a certificate of title can be issued are capable of accommodating a range of primary production activities.

The proposed subdivision would maintain the contrast between the rural and urban areas of Porirua City by creating sites of at least 5ha in area. The proposed lot sizes would maintain a degree of openness and maintain the character and quality of the rural environment. The proposed lot sizes would not unduly restrict primary production activities from occurring on them. Given the sizes of the allotments proposed, the long-term potential of the rural land resource would not be significantly compromised. Council's Manager Land Use & Subdivision Engineering has not advised it to be necessary to upgrade rural roads beyond the level needed to service rural activities. Overall, I consider that the proposal would not be inconsistent with the above objective and associated policies.

C4.2 OBJECTIVE
TO AVOID OR REDUCE THE ADVERSE EFFECTS OF ACTIVITIES ON ECOSYSTEMS AND THE CHARACTER OF THE RURAL ZONE.

C4.2.3 Policy

To require a high standard of wastewater disposal at all times.

C4.2.4 Policy

To encourage the maintenance and enhancement of the ecological integrity and natural character of the Rural Zone.

The potential visual effects of future dwellings being located on the proposed building sites have been assessed to be less than minor on the environment, provided the recommended consent conditions are imposed as discussed above in this report. Conditions of consent would be imposed to ensure high standard of wastewater disposal would be achieved on the proposed new lots. Overall, I consider that the proposal would not be inconsistent with the above objective and associated policies.

Objectives and policies relating to Subdivision are also relevant to this application and are considered below.

C6.1 OBJECTIVE
TO PROMOTE A PATTERN OF LAND OWNERSHIP WHICH ENHANCES THE OPPORTUNITIES FOR THE SUSTAINABLE MANAGEMENT OF RESOURCES.

C6.1.5 Policy

To protect the long-term potential of the rural land resource by controlling subdivision which does not directly contribute to the long-term sustainable management of the rural resource.

As stated above although some of the proposed allotment areas will be less than 5 hectares, the proposed resultant land title areas are a minimum of 5 hectares with the proposed amalgamations and would maintain a degree of openness and maintain the character and quality of the surrounding rural environment. The proposed land title areas would not unduly restrict primary production activities from occurring on them. I consider that the proposal would not compromise the long-term potential of the rural land resource. It is my opinion that the subdivision would be consistent with the principle of sustainable management.

C7.1 OBJECTIVE

TO ACHIEVE A SAFE AND EFFICIENT TRANSPORTATION NETWORK THAT ENABLES THE PEOPLE OF THE CITY AND THE WIDER COMMUNITY TO PROVIDE FOR THEIR SOCIAL AND ECONOMIC WELL-BEING WITHOUT CREATING SIGNIFICANT ADVERSE ENVIRONMENTAL EFFECTS.

C7.1.2 Policy

To ensure that the adverse effects of land use and development on the efficiency and safety of the transportation network are taken into account, and any intersection or frontage conflicts are avoided or minimised or remedied as appropriate.

As assessed in section 5.1 of this report, any potential adverse traffic, access and safety effects of the proposal will be less than minor on the safe and efficient operation of adjoining Roading network.

Overall:

Therefore the proposal is not inconsistent with District Plan Objectives and Policies, in my opinion.

5.3 Section 106 Assessment.

Section 106 of the Resource Management Act 1991 provides that:

"(1) A consent authority may refuse to grant a subdivision consent, or may grant a subdivision consent subject to conditions, if it considers that –

- (a) 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."*

Section 5.1 of this report has discussed the Section 106 matters applicable to the development, these being ground stability and legal and physical access.

As stated above, the applicant has provided a Geotechnical Investigation & Assessment report from ABuild Consulting Engineers Ltd dated December 2014. The report assessed the suitability of the subject site for the proposed earthworks and future rural residential development on proposed Lots 1-5. This report contains a series of recommendations relating to the undertaking of the earthworks and geotechnical matters and the applicant has proposed to include these as consent conditions that would be applied through consent notices. It is considered that imposing these consent conditions, and monitoring compliance with these conditions, will ensure that any stability issues will be avoided.

The applicant has advised that the land is not or is not likely to be subject to material damage by erosion, falling debris, subsidence, slippage, or inundation from any source. And that no subsequent use that is likely to be made of the land subject to this application will 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.

As discussed above, sufficient provision will be made for legal and physical access to each proposed allotment to be created by this subdivision. A condition will be imposed in this regard. Overall, I consider that there is no reason why Council could not grant consent based on Section 106 of the RMA, provided conditions of consent are imposed as discussed in Section 5.1 of this report.

5.4 Comments from Other Departments

This application has been circulated for comment to Council's Asset Management and Operations Group. Council's Manager Land Use & Subdivision Engineering recommended a number of conditions of consent. These conditions have been included.

In addition to the comments discussed in the body of the report, Council's Leisure Assets Services Resource Planner (Jaydine Keenan) has made the following comments;

"Reserves

Any proposed lots with boundaries against the Council's land should include a fencing covenant that excludes Council from contributing to the cost of fencing along the boundary.

Recreation and Civic Development Contribution

A Recreation and Civic Development Contribution of \$1621.48 (incl GST) shall be payable for each new dwelling to be constructed. Rural dwellings are only charged

25% of the amount charged for a new dwelling in the Suburban Zone, to reflect the fact that residents in the Rural Zone place less pressure on the City's recreation resources."

The above recommended conditions are relevant and will be imposed if consent is granted.

5.5 Regional Policy Statement

Section 104(b) requires regard to be had to the Regional Policy Statement and Proposed Regional Policy Statement. The second generation Regional Policy Statement for the Wellington region (RPS) was made operative on 24 April 2013. There are various policies within the Proposed Regional Policy Statement and the following are considered relevant and regard should be had to them in assessing this resource consent application:

Policy 15: Minimising the effects of earthworks and vegetation clearance

Policy 41 – Minimising the effects of earthworks and vegetation disturbance

These policies are intended to minimise erosion and silt and sedimentation effects associated with many small scale earthworks in urban areas – such as driveways and retaining walls – can cumulatively contribute large amounts of silt and sediment to stormwater and water bodies.

The applicant has provided a report from Abuild outlining measures to control earthworks effects to ensure that silt and sediment runoff is retained on the subject site and does not enter surrounding sites and water bodies. The recommendations in the Abuild are to be imposed as consent conditions. Council's Manager, Land Use and Subdivision Engineering, Phillip Rhodes has reviewed the submitted Abuild Report and has confirmed they are satisfactory. It is therefore considered the proposal is consistent with the above policies.

Policy 42 – Minimising contamination in stormwater from development

The policy is to reduce adverse effects of subdivision and development on the quantity and quality of stormwater. The proposal is only to create 5 additional lots and the amount of stormwater discharged as a result of the proposed impervious surfaces will be minimal on the receiving environments such as Porirua harbour and the adjacent ocean to the north. Furthermore, conditions as consent notices are recommended to be imposed on the resource consent if granted to mitigate potential adverse effects associated with silt/sediment runoff, and stormwater effects, to a level that is less than minor on the surrounding environment.

Policy 57 – Integrating landuse and transportation

This policy seeks to ensure subdivision, use and development of land makes progress towards achieving the key outcomes of the Wellington Regional Land Transport Strategy. Of particular relevance to this proposal is *"whether traffic generated by the proposed development can be accommodated within the existing transport network*

and the impacts on the efficiency, reliability or safety of the network". As assessed the proposal will have adverse effects that are less than minor on the surrounding road network. Therefore the proposal is not inconsistent with above policy.

Overall it is considered that the proposal is not inconsistent with the provisions of the Regional Policy Statement.

6.0 CONCLUSION

The earlier analysis has established:

- The environmental effects, adverse or otherwise, of allowing the activity to proceed, beyond the subject land and adjacent land will not be more than minor
- The proposal is not inconsistent with the relevant objectives and policies of the Porirua City District Plan.

In addition, assessment of the proposal in terms of the relevant provisions of the regional policy statement and regional plans has been carried out. It is concluded that the proposal would not be inconsistent with any of these instruments. Additionally, there are no other matters relevant to this application.

It is therefore considered that the proposal meets the 'gateway' tests set under section 104D of the Act in that the effects of the activity on the environment are less than minor provided the recommended conditions are imposed if consent is granted, and that it is not contrary to the relevant District Plan objectives and policies. In addition an assessment of the proposal in terms of any relevant provisions of a national policy statement, the New Zealand Coastal Policy Statement, a regional policy statement or proposed regional policy statement, has been carried out. It is concluded that the proposal would not be inconsistent with any of these instruments.

Part II of the Act

Part II of the Act sets out the Purpose (Section 5) and Principles of the Act which is the sustainable management of natural and physical resources:

5 Purpose

- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *In this Act, **sustainable management** means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while—*
 - (a) *Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) *Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
 - (c) *Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

As previously assessed in Section 5 of this report, the proposal is not inconsistent with the Resource Management Act Part II matters in Section 5 above, in my opinion.

6 Matters of national importance

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
- (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- (f) the protection of historic heritage from inappropriate subdivision, use, and development:*
- (g) the protection of protected customary rights.*

7 Other matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

- (a) kaitiakitanga:*
 - (aa) the ethic of stewardship:*
- (b) the efficient use and development of natural and physical resources:*
 - (ba) the efficiency of the end use of energy:*
- (c) the maintenance and enhancement of amenity values:*
- (d) intrinsic values of ecosystems:*
- (e) [Repealed]*
- (f) maintenance and enhancement of the quality of the environment:*
- (g) any finite characteristics of natural and physical resources:*
- (h) the protection of the habitat of trout and salmon:*
- (i) the effects of climate change:*
- (j) the benefits to be derived from the use and development of renewable energy.*

8 Treaty of Waitangi

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

In regard to Section 7 of the Resource Management Act 1991, the proposal promotes the efficient use and development of natural and physical resources. The adverse visual effects will be less than minor and the potential adverse effects of the proposal will be at acceptable level provided recommended conditions to provide mitigation measures are imposed. In this case the proposal will continue to maintain the quality of the environment expected in the Rural Zone. The proposal is not inconsistent with the relevant matters under section 7 of the Resource Management Act in my opinion.

The proposed subdivision will not be out of character with the pattern of development in the rural area where other rural sites have been subdivided down to 5 hectares as a Discretionary Activity. The District Plan envisages rural allotments of 5 hectares in appropriate locations where the subdivision can maintain the character and quality of the rural environment. Furthermore the five proposed designated development areas are situated so that the dwellings will be set into the existing landscape and will not sit above the ridgeline. The proposal leads to a better or more efficient use of the subject site and is considered an efficient use and development of this physical resource (Section 7(b)) as it will allow for the use of the site without adversely affecting the environment. The proposal is not considered to have any effects on Matters of National Importance (Section 6) nor is it a site of significance to Tangata Whenua (Sections 7(a) and 8). It is considered that the principles of the Treaty of Waitangi have been satisfactorily taken into account with respect to this application and that there will be no adverse effects on Tangata Whenua as a result of this application.

Conclusion:

On the above grounds, it is therefore recommended that the General Manager - Environment and Regulatory Services grant approval to the resource consent application as it is considered that the activity will not have or be likely to have adverse effects on the environment that are more than minor beyond the subject land and adjacent land, any potential adverse effects on the subject land or adjacent land will be less than minor, the proposal is not contrary to the relevant objectives and policies and it meets the tests set out under Part II of the Act in terms of being a sustainable use of an existing physical resource.

7.0 RECOMMENDATION

That the application by **Pikarere Farm Ltd** for subdivision and land use resource consents:

1. To Subdivide the properties at 320- 380 Pikarere Street, Colonial Knob (Being Lots 1- 3 DP 62408, Lot 3 DP 373530 & Lot 7 DP 373530) to create 3 additional titles with minimum area of 5 hectares in each title.
2. For Land Use for earthworks and dwellings on Lots 1 and 2 (stage 2 of the subdivision) and Lots 3-5 (stage 1 of the subdivision),

be considered as a non-notified application under sections 95A, 95D and 95E and that resource consent **be granted** for a non-complying activity pursuant to sections 104, 104B, 104D and 108 and 220 of the Resource Management Act 1991 for the following reasons:

1. It is considered that the activity will not - have or be likely to have adverse effects on the environment that are more than minor beyond the subject land and adjacent land.
2. The effects are considered to be less than minor such that no persons have been identified as potentially affected.
3. That due regard has been given to the objectives and policies of the District Plan and it is not inconsistent with those provisions.
4. The proposal meets both the gateway tests of Section 104D of the Resource Management Act.

The Subdivision consent shall be subject to the conditions listed under A and the Land Use Consent shall be subject to the conditions listed under B below:

A-Subdivision Consent Conditions

1. That the development be in general accordance with the information and plans submitted with the application stamped Approved Plans for Resource Consent RC6818 and held on Council file RC6818 (*Development Plan Rural Residential Subdivision and Boundary adjustment, Drawing No. SC Pik1 Rev 02, and Stage 1: Subdivision of Lots 1, 2, & 3 DP 62408 into Lots 3-5, 8, 9 & 10 Subdivision of Lots 3 & 7 DP 373530 into Lots 6, 7, 11 and 12, Drawing Number DP Pik1 Rev 04*), although minor alterations may be approved upon request providing the development is not materially different, the scale and intensity of adverse effects will be no greater, and no approval from affected persons is needed.
2. In carrying out subdivision works, the consent holder shall follow all relevant recommendations contained within the Geotechnical Report prepared by Abuild Consulting Engineers Ltd, REF 9924; dated December 2014 REV B held on Council File RC6818.
3. In carrying out subdivision works, the consent holder shall follow all relevant recommendations contained within the Pikarere Farm Landscape and Visual Assessment Report dated December 2014 prepared by Linda Kerkmeester held on Council File RC6818.

Prior to commencement of construction:

4. Prior to the commencement of any works on the site, the applicant shall provide evidence to the Resource Consent Monitoring and Enforcement Team that a suitably qualified chartered engineer has been appointed to carry out the design and supervision of earthworks.
5. Prior to the commencement of works, a services plan showing the layout and position of any services to be reticulated (eg roading), and any site works and construction (other than residential buildings), shall be submitted for Pre

Engineering Acceptance to the satisfaction of the General Manager Asset Management and Operations. All works shall be carried out in accordance with the approved plan.

During Construction:

6. The consent holder shall take all practicable steps to ensure that all storm water run-off from the site is treated so that sediment is retained on site and the discharge does not cause adverse effects on the environment by entering a natural watercourse.

General – Applying to all Stages:

7. Individual certifications pursuant to sections 223 and 224(c) of the RMA may be issued for this subdivision in a series of stages as follows:

- Stage I – Lots 1-5, 8, 9 & 10 and subdivision of Lots 3 & 7 DP 373530 into Lots 6, 7, 11 & 12. Then the following lots will be amalgamated to be held in one Computer Freehold Register: Lots 1, 9 and 10 in one CFR, Lots 3 & 8 in one CFR, and Lots 7, 11 & 12 in one CFR
- Stage II– Subdivision of Lot 2 in Stage 1 into two Lots 1 & 2;

provided that:

- Each individual allotment must be consistent with the proposal as approved;
- All conditions pertaining to the specific allotments shown in the particular stage on the survey plan must be satisfied prior to the execution of a certificate pursuant to section 224(c) of the RMA in respect of that stage.

Prior to certification under Section 223:

8. Prior to approval under Section 223 of the Resource Management Act 1991, the easements specified on the approved scheme plan DP PIK1 Rev 04 shall be created or reserved for the purpose specified and endorsed in a memorandum on the Land Transfer Plan.
9. Prior to approval under section 223 of the Resource Management Act 1991 the identified development areas shown on Drawing Number SC Pik 1 Rev 02 dated 22/12 drawn by Land Matters Property Consultants shall be surveyed and marked on the Land Transfer Plan.
10. That pursuant to section 220(1)(b)(i) & (ii) of the Resource Management Act 1991, that;
“Lots 1, 9 and 10 are held together in one CFR;
Lots 3 and 8 are held together in one CFR;
Lots 7, 11 and 12 are held together in one CFR.”

(Request number in the condition is 1269838). This shall be recorded on the Transfer Plan submitted for this stage under Section 223 of the Resource Management Act.

Conditions to be registered as consent notices

11. The consent holder or future owners of Lots 1 & 2, Stage II and Lots 3, 4 and 5 (lot 3 being held together with lot 8), Stage I may construct future dwellings, accessory buildings, water tanks, car parking and associated earthworks without the need to apply a resource consent provided that:

- They are proposed to be constructed wholly within the development areas identified on the Land Transfer Plan and;
- Any such future development can be demonstrated to comply with all consent notice requirements that are imposed on the Computer Freehold Registers.

Note: Full Rural Zone provisions will apply to any proposal to develop outside of an identified development area including the need to apply for a resource consent (if applicable at the time). Consent notices required by conditions 13 - 22 of RC6818 will still apply to any such development.

PROTECTION OF SKYLINE

13. The consent holder or future owners shall ensure that within each lot, no part of any building shall extend at or above the relative contour levels described below for an area described as a 'building exclusion zone' for the purpose of avoiding buildings being built on the skyline. The levels are relative to a recognised datum.

- i. within Lot 1 – stage II the skyline exclusion zone is RL190m
- ii. within Lot 2 – stage II the skyline exclusion zone is RL 185m
- iii. within Lot 3 & Lot 8 (to be amalgamated) – stage I the skyline exclusion zone is RL 176m
- iv. within Lot 4 – stage I the skyline exclusion zone is RL 167m
- v. within Lot 5 – stage I the skyline exclusion zone is RL 160m

and, at the time of building consent, plans are to be supplied to the satisfaction of the General Manager, Environment & Regulatory Service, that all parts of all buildings are located below the Skyline Exclusion zone relative to a recognised datum.

BUILDING DESIGN CONDITION

14. The consent holder or future owners shall ensure that buildings (and for the purpose of this condition buildings include water tanks and retaining walls) within Lots 1 and 2 – Stage II and Lots 3 (Lot 3 being held together with lot 8) and 4– Stage I shall be designed as follows:

- iv. That any retaining wall greater than 1.5m in height which is not screened by a dwelling or accessory building, shall be screened by vegetation that will grow to at least the height of the retaining wall within 5 years.
- v. A landscaping plan shall be submitted to the Council prior to the commencement of any works begun as part of a Building Consent issued under the Building Act on Lot 5, to mitigate any adverse visual effects that might result due to the proposed dwelling, buildings, earthworks including retaining walls and shall be subject to the approval of the Council's Landscape Architect. Planting and works related to the landscaping plan shall be undertaken as soon as seasonally practicable (April-September) after the construction works but must be within twelve months of the works associated with the Building Consent being completed. The objective of the landscape plan is to minimise the effect the development has on the surrounding rural landscape.

EARTHWORKS CONDITION (FOR LOTS 1 and 2 – STAGE II AND LOTS 3, 4 AND 5 – STAGE I)

- 16. The consent holder or future owners shall ensure the following shall apply to any earthworks associated within Lots 1 and 2 – stage II and Lots 3, 4 and 5 – Stage I;
 - i. That all earthworks within Lots 1 and 2 – stage II and Lots 3, 4 and 5 – Stage I shall be stabilised with either metal (if it is for a right of way and/or access); or planted out with grass-seed or other suitable vegetation within 3 months of the earthworks being completed and stabilised within 12 months of the earthworks being undertaken;
 - ii. Earthworks construction shall ensure that safe batter slopes are formed. In the short term cut batters which are less than 3.0 metres high through very stiff silty soils shall not exceed 50 degrees to the horizontal. Higher short term cut batters will require specific engineering input and may require temporary support in the form of anchors. Long term cuts should be reduced to profiles of 40 degrees to horizontal.
 - iii. All fills shall be compacted in accordance with the Code of Practice for Earth Fill for Residential Development, NZS 4431:1989. Within 6 months of completion of the earthworks hereby consented, plans shall be supplied to the satisfaction of the General Manager, Environment & Regulatory Services showing the location of all compaction tests, together with a certificate prepared by an inspecting chartered engineer stating the suitability of the earthworks for residential development.
 - iv. Retaining walls, other than those not requiring building consent, shall be designed by a suitably qualified engineer and any

- i. That no part of any building shall be higher than 6.5m above finished ground level and all buildings, shall be located below the building exclusion zone;

Note: finished ground level means the level of the ground after completion of all earthworks.

- ii. That the roof on any building, including a dwelling shall be of a low pitch with an angle of 30 degrees or less;
- iii. That a building, including a dwelling, any accessory building, and any retaining walls shall be finished in materials (including the exterior paint or stain) that has a reflectivity value of 60% RV or less as per BS5252 colour chart, in muted tones within greyness Groups A to B. Roof to be of a generally darker shade than the walls and preference to be given to natural materials and colours found in the surrounding landscape such as timber, stone and earth.
- iv. That any retaining wall greater than 1.5m in height which is not screened by a dwelling or accessory building, shall be screened by vegetation that will grow to at least the height of the retaining wall within 5 years.

CONDITIONS IN RESPECT OF LOT 5 – STAGE I

15. The consent holder or future owners shall ensure the following shall apply to any developments on proposed lot 5;

- i. That no part of the dwelling shall be higher than 5m above finished ground level and broken down into differing heights (to reduce the visual bulk of the structure) and all parts of the building to be located below the Building Exclusion Zone.

Note: finished ground level means the level of the ground after completion of all earthworks.

- ii. That the roof on any building, including a dwelling shall be of a low pitch and have an angle no greater than 30 degrees;
- iii. That a building, including a dwelling and associated landscaping including retaining walls shall be finished in materials (including the exterior paint or stain) that has a reflectivity value of 60% RV or less as per BS5252 colour chart, using muted tones within greyness Groups A to B. Roof shall be of a generally darker shade than the walls and preference to be given to materials and colours found in the natural landscape such as timber, stone and earth. Non-permeable surfaces (such as driveway and parking areas) shall use low-reflective colours or materials;

design shall take into account appropriate surcharge loads and seismic loads as required. Depending on the proposed dwelling layout suitable retaining walls could comprise standalone timber pole walls, or concrete block walls which are incorporated as an integral part of any dwelling.

PROTECTION OF DEVELOPMENT AGAINST SLOPE FAILURE

17. The consent holder or future owners shall ensure the following shall apply to any developments within Lots 1 and 2 – stage II and Lots 3, 4 and 5 – Stage I;
- i. No buildings or earthworks within Lots 1 and 2 – stage II and Lots 3, 4 and 5 – Stage I shall be located within 4m (horizontally) from the crest of gully slopes that exceed 30 degrees to horizontal upon unless they have specific foundations (in respect of buildings) and/or retaining walls (in respect of both buildings and earthworks);
 - ii. The suitability of any exposed foundation soils, within Lots 1 and 2 – stage II and Lots 3, 4 and 5 – Stage I, shall be confirmed by an experienced engineer who shall verify that actual ground conditions are consistent with the Abuild Consulting Engineers Ltd Report (titled, “Geotechnical investigation proposed subdivision Pikarere Elsdon, Porirua. Rev B” dated December 2014 Reference 9924)
 - iii. Vegetation cover shall be maintained over sloping ground at the site to reduce erosion potential and the potential for slope instability. Sloping ground which is clear of vegetation during construction shall be replanted to bind surface soils together and reduce erosion and slip potential. A suitably qualified landscape gardener shall be consulted to select the most appropriate plant species for both the slope and soil conditions at the site.

FENCING

18. The consent holder or future owners shall ensure that boundary fences (excluding right of way boundaries) shall be restricted to standard 7 wire farm fencing or up to 2m deer fencing, with any temporary wind cloth only to be used as required for plant establishment.
19. Prior to approval under Section 224 of the Resource Management Act, the consent holder shall enter into a registerable agreement with the Council, specifying that the Porirua City Council shall only contribute to the cost of erecting or maintaining any fence along a boundary of any land owned by the Council to the rural standard specified in the Fencing Act 1978.

SERVICES

20. The consent holder or future owners of proposed Lots 1 & 2 (stage 2) Lots 3 – 5 (stage 1) shall comply with the following:

“Any on-site water supply (which may be from roof rainwater collection) including treatment systems for individual dwellings, shall be to the satisfaction of the General Manager, Environment & Regulatory Services. A minimum of 2 x 25,000 litre water tanks per dwelling shall be installed prior to the occupation of any dwelling on each allotment. These tanks shall meet internationally recognised standards for use as a potable water storage vessel and shall be located such that there is driving access to the tanks to provide access by fire fighting appliances and water supply delivery trucks.”

21. The consent holder or future owners of proposed Lots 1 & 2 (stage 2) Lots 3 – 5 (stage 1) shall comply with the following:

That any dwelling erected on the land shall be connected to its own individual and specifically designed system for the treatment and disposal of household sewage and waste water which shall prior to its installation be supported by the submission to the Porirua City Council of the site investigation information on soil suitability for the type of effluent disposal system proposed

22. The consent holder or future owners of proposed Lots 1 & 2 (stage 2) Lots 3 – 5 (stage 1) shall comply with the following:

“At the time of application for building consent for a new dwelling on Lots 1 & 2 (stage 2) Lots 3 – 5 (stage 1), details of the proposed method of stormwater disposal from the lot shall be submitted for approval to Council’s General Manager, Environment and Regulatory Services. The information submitted shall show by way of an appropriate design carried out by a suitably qualified engineer experienced in stormwater disposal that the lot is capable of complying with Building Code E1 – On-site Storm Water Disposal. Stormwater disposal shall then be in accordance with the approved method.

23. The consent holder or future owners of proposed Lots 1 & 2 (stage 2) Lots 3 – 5 (stage 1) shall comply with the following site’s development criteria as outlined in Section 9.3 – 9.9 of the Abuild held on Council File RC6818;

- a) Proposed development of sites
- b) Foundations and Settlement
- c) Earthworks and safe batter slopes
- d) Retaining
- e) Subsoil Permeability
- f) Right of Ways and Driveways
- g) Drainage and Erosion

24. Conditions 12 - 23 above shall be the subject of consent notices under Section 221 of the Resource Management Act registered against the new Certificate of Title for Lots 1-5 inclusive as appropriate and will be prepared by Council at the cost of the consent holder. All costs associated with the preparation and registration of the consent notices shall be met by the consent holder.

GENERAL 224 CONDITIONS

Prior to certification under Section 224:

25. All conditions pertaining to the specific allotments shown in the particular stage on the survey plan must be satisfied prior to the execution of a certificate pursuant to section 224(c) of the RMA in respect of that stage of the subdivision as follows:
 - a. All utility services shall be installed underground and the consent holder shall provide confirmation from the service providers of energy and communication services to the subdivision stating that their requirements have been met.
 - b. All related works shall comply with New Zealand Standard: Land Development, Subdivision Engineering NZS 4404:2004, and the PCC Code of Land Development and Subdivision Engineering 2010 and the Wellington Water Regional Standard for Water Services 2012.
 - c. Proposed Right of Ways identified as "I" on Land Matters plan DPPik1 Rev 03 shall be formed and drained in accordance with the PCC Code of Land Development and Subdivision 2010, Land Development and Subdivision Infrastructure - NZS 4404: 2010, and Part H of the District Plan.
 - d. Due to the age and condition of the existing access A on DP 32408, the formation shall be reconstructed where required in order to achieve uniform, consistent continuous surface, and then metalled in compliance with the Land Development and Subdivision Engineering - NZS 4404: 2004, PCC's Code of Land Development and Subdivision 2010 and all works shall be to the satisfaction of the General Manager, Environment and Regulatory Services.
26. The consent holder shall construct a new vehicle crossing at the end of Pikarere Street entrance to ROW "I" with a sealed formation between the existing cul de sac seal and a point 5m inside the lot all in compliance with PCC's Code of Land Development and Subdivision 2010 and PCC specification 12b as outlined at <http://www.pcc.govt.nz/DownloadFile/A-Z-Services/Roading/Vehicle-Crossing-Specifications>.
27. The lapsing period pursuant to section 125 of the RMA for stage I of the subdivision shall be 5 years from the date of the consent being granted;
28. That the lapsing period pursuant to section 125 of the RMA for stage II of the subdivision shall be 10 years from the date of the consent being granted.

B-Land Use Consent Conditions

29. That the development be in general accordance with the information and plans submitted with the application stamped Approved Plans for Resource Consent RC6818 and held on Council file RC6818 (*Development Plan Rural Residential Subdivision and Boundary adjustment, Drawing No. SC Pik1 Rev 02, and Stage 1: Subdivision of Lots 1, 2, & 3 DP 62408 into Lots 3-5, 8, 9 & 10 Subdivision of Lots 3 & 7 DP 373530 into Lots 6, 7, 11 and 12, Drawing Number DP Pik1 Rev 04*) although minor alterations may be approved upon request providing the development is not materially different, the scale and intensity of adverse effects will be no greater, and no approval from affected persons is needed.

Prior to commencement of construction for the land use consents:

30. That the consent holder shall contact the Council's compliance monitoring officer at least 48 hours prior to any physical work commencing on the site and advise the officer of the date upon which such works will commence.
31. Prior to the commencement of any works on the site, the applicant shall provide evidence to the Resource Consent Monitoring and Enforcement Team that a suitably qualified chartered engineer has been appointed to carry out the design and supervision of earthworks.
32. The consent holder shall provide a copy of this consent and any documents referred to in this consent to each operator or contractor undertaking works authorised by this consent, before that operator or contractor starts any works.
33. The consent holder shall ensure that a copy of this consent is kept in the office on site at all times and presented to any Porirua City Council officer on request.
34. Prior to the commencement of the earthworks, the consent holder shall submit an Erosion and Sediment Control Plan to the satisfaction of the General Manager, Environment and Regulatory Services. The consent holder and agents shall comply with the plan submitted. The plan shall include:
- i) Details of methods proposed to treat sediment on site,
 - ii) Erosion control; and
 - iii) Details of proposed monitoring measures.

Building sites

35. That any development within Lots 1 and 2 – stage II and Lots 3, 4 and 5 – Stage I, associated with the construction of a building/dwelling, which includes earthworks, an accessory building, water tanks or retaining walls will be limited to that area identified on the Land Matters Ltd Plan titled, 'Development Plan Pikarere Land Use Consent.

“Any dwelling/building on the above allotments shall be located within the development areas identified as areas (insert letters for Lots 1 & 2 (stage 2), Lots 3 – 5 (stage 1) identified on Land Transfer Plan as required by Condition 9) identified on Deposited Plan (insert DP number).”

During construction of the subdivision works:

36. During construction of the subdivision, the consent holder shall follow all the recommendations contained within the Geotechnical Report prepared by Abuild Consulting Engineers Ltd, REF 9924; dated December 2014 REV B held on Council File RC6818.
37. During construction of the subdivision, the consent holder shall follow all the recommendations contained within the Pikarere Farm Landscape and Visual Assessment Report dated December 2014 prepared by Linda Kerkmeester held on Council File RC6818.
38. The consent holder shall ensure that all culvert outlets are attached to an outlet sock. The socks are to help to reduce water velocities and erosion at the culvert outlet.
39. Mufflers shall be used on all earthworking machinery to reduce the noise emanating from these machines and thus the effect on residents.
40. The consent holder shall take all practicable steps to ensure that all storm water run-off from the site is treated so that sediment is retained on site and the discharge does not cause adverse effects on the environment by entering a natural watercourse.
41. All fills shall be designed and constructed under the supervision of a suitably qualified chartered engineer. The consent holder shall follow all the recommendations contained within Abuild Report (Abuild Report Ref 9924 dated December 2014 Rev B) held on Council File RC6818.

If accordance with the earthworks design is achieved and/or limitations need to be raised with future property owners the consent holder shall apply for consent notices at the time of Section 224 certification. The limitations and ability to identify the limitations on consent notices will be considered by Council at the time of Section 224 certification and the General Manager, Environment and Regulatory Services shall retain discretion of whether consent notices are applicable in this regard.

After construction of the subdivision works:

42. Upon completion of the earthworks (or, if deemed necessary by Council, during the earthworks period) the consent holder shall provide to the satisfaction of the General Manager, Environment & Regulatory Services, a report from a chartered engineer with geotechnical experience addressing the stability of the constructed cut and fill batters. This report shall give specific

reference to section C2.6 of Porirua City Council's Code of Land Development 2010.

43. If cuts are stabilised by a retaining wall within 6 months of completion of the earthworks hereby consented or application for Section 224 certification whichever occurs first then the requirement for a report from a chartered engineer with geotechnical experience shall not apply (as per condition 20). Where retained cuts are over 1.5m in height, a producer statement – construction review PS4 for the retaining wall shall be provided to the satisfaction of the General Manager- Environment and Regulatory Services.
44. Land disturbed by earthworks, trenching or building activities shall be regularly wetted to ensure that dust nuisance is maintained within the site.
45. All areas exposed by earthworks, trenching or building activities are to be re-grassed/hydro-seeded at the earliest possible opportunity following excavation or at the latest within 3 months after completion of the earthworks.
46. The consent holder shall generally conform to the Wellington Regional Council Erosion and Sediment Control Guidelines for the Wellington Region, September 2002, when designing sediment control options for the earthworks on this site.

General land use

47. Prior to the commencement of construction of each of the proposed dwellings on Lots 1 & 2 (stage 2) Lots 3 – 5 (stage 1), the consent holder shall pay to Council a Recreation and Civic Development contribution of \$ 1621.48 incl GST pursuant to Part E1.3.2 (a)(ii) of the Porirua City District Plan (being 25% of the maximum amount under this clause of the District Plan).

6.0 CONCLUSION AND RECOMMENDATION UNDER SECTION 243 OF THE RESOURCE MANAGEMENT ACT

As discussed in Section 5 of this report it is appropriate to cancel easement identified as 'B' on DP 62408. It is therefore recommended that Council grants approval to surrender an easement identified as 'B' on DP 62408, and sends a Notice of Cancellation to the District Land Registrar advising that the easement has been partially cancelled.

THE APPLICANT IS TO NOTE:

Advice Note.

A recreation and civic development contribution will be payable to the Council when a house is built on the new proposed Lots.

Section 357

Under section 357 of the Resource Management Act 1991 you have the right to object in writing to all or part of this decision. Notice of this objection must be received by the Council within 15 working days of your receipt of this decision letter.

Building Act

This is NOT a Building Consent. The Building Act 2004 contains provisions relating to the construction, alteration, and demolition of buildings. The Act requires building consents to be obtained where relevant, and for all such work to comply with the building code.

Section 125

This consent is subject to section 125 of the Resource Management Act 1991 which states that a resource consent lapses on the expiry of 5 years after the commencement of the consent, unless an extension on time is granted by the Council prior to lapsing of the consent.

Earthworks

The consent holder should generally conform with the Wellington Regional Council Erosion and Sediment Control Guidelines for the Wellington Region September 2002, when designing sediment control options for any earthworks on the site.

Traffic Management Plan

If the intended work that is covered by this consent includes any activities within the road reserve, then a Temporary Traffic Management Plan is to be prepared by a person who is certified in accordance with 'Temporary Traffic Management for Local Roads – Supplement to NZTA COPTTM', and submitted to the Manager Roading – Asset Management and Operations Group for review and approval before any physical works within the road reserve are started.

Fees and charges

Should any additional fees charged for the processing of this application or any financial contributions, levies or bonds required by conditions of this consent not be paid within the deadlines set either through invoicing or consent conditions, this could ultimately lead to Council seeking to recover money owed through the debt collection agency. Should the need arise to use a debt collection agency then the consent holder will be liable for and charged any extra expense that the debt collection service incurs.



Robinson Dembetembe
RESOURCE CONSENTS PLANNER

6/03/15

Date



John Harold
MONITORING AND ENFORCEMENT OFFICER

6/3/15

Date

Decision of Council

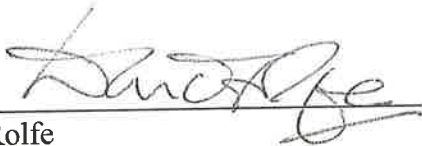
The consent be granted and be subject to the conditions specified in the above recommendation.

The application to surrender easement identified as 'B' on DP 62408 and, a certificate be signed by the General Manager – Environment & Regulatory Services pursuant to Sections 243(a) & (e) of the Resource Management Act 1991.



Adrian Ramage
MANAGER RESOURCE CONSENTS

6/3/15
Date



D. Rolfe
**GENERAL MANAGER
ENVIRONMENT & REGULATORY SERVICES
under Delegated Authority**

6.3.15
Date



ABUILDTM

Consulting Engineers Ltd

Structural and Civil Engineers

**GEOTECHNICAL INVESTIGATION
PROPOSED SUBDIVISION
PIKARERE STREET
ELSDON, PORIRUA**

For:
Pikarere Farm Limited
c/- Land Matters NZ Limited

OUR REF 9924
December 2014
REV B

**GEOTECHNICAL INVESTIGATION
PROPOSED SUBDIVISION
PIKARERE STREET
ELSDON, PORIRUA**

**Prepared by:
Ashlin Tucker
BSc (Geo Eng) MSc (Renewable Energy)
Engineering Geologist**

**Reviewed by:
Richard Skilton
BE (Hons) (Civil) NZCE (Civil)
MIPENZ
Director**

December 09, 2014

<u>CONTENTS</u>	Page #
1.0 INTRODUCTION	4
2.0 INVESTIGATION	4
3.0 PROPOSED DEVELOPMENT	5
4.0 SITE DESCRIPTION	6
5.0 GEOLOGICAL SETTING AND FAULTING	7
6.0 SUBSURFACE CONDITIONS	7
6.1 Subsoil Profile	7
6.2 Groundwater	8
7.0 SITE STABILITY SETTING	8
8.0 GEOTECHNICAL ASSESSMENT	9
8.1 Engineering Parameter Values	9
8.2 Slope Stability Assessment	10
9.0 ENGINEERING CONSIDERATIONS	10
9.1 General	10
9.2 Suitability of Development	11
9.3 Proposed Development of Sites	11
9.4 Foundations and Settlement	12
9.5 Earthworks and Safe Batter Slopes	13
9.6 Retaining	14
9.7 Subsoil Permeability	14
9.8 Right of Ways and Driveways	17
9.9 Drainage and Erosion	17
10.0 CONCLUSIONS	18
11.0 LIMITATIONS	19
12.0 REFERENCES	19

Attachments:

Appendix A

Site Investigation Location Plan
Testpit/ Scala Penetrometer Probe Logs

9924-S1A
TP1/P1 – TP5A/P5A

1.0 INTRODUCTION

This report presents the results of a geotechnical investigation carried out at Pikarere Farm, located at the end of Pikarere Street, in Elsdon, Porirua (Lots 1-3 DP 62408). The purpose of the investigation was to assess the suitability of the site for five proposed building sites for a residential subdivision.

This report confirms the scope of the site investigation, the implications for proposed access roads, foundation design and the suitability of on-site stormwater and wastewater treatment and disposal. Comments are also made on options for providing water supply for the proposed house sites 1 to 5.

The investigation was undertaken at the request of Ms Anna Carter of Land Matters NZ Limited on behalf of the owner, Dan Stevenson. A signed and returned copy of a Shortform Agreement sets out the terms and conditions and the planned scope of work that was described in ABUILD™ Consulting Engineers Limited's (ABUILD™) proposal letter dated October 28, 2014.

To assist in our geotechnical assessment we were provided with a Porirua City Council (PCC) aerial map showing existing PCC topographical contours with the five proposed building areas identified, drawing A103-02 prepared by Land Matters.

2.0 INVESTIGATION

A site investigation was carried out on November 27, 2014 under the direction of a geotechnical engineer from our office and comprised the following scope of work:

1. The excavation of eight (8) testpits (TP1, TP2 - TP2A, TP 3, TP4 - TP4A, and TP5 - TP5A) to depths of between 0.5 and 3.3 metres below existing ground levels using a 7-tonne excavator operated by John Everiss Contractors of Plimmerton, Wellington.
2. The putting down of eight (8) Scala penetrometer probes (P1, P2 - P2A, P3, P4 - P4A, and P5 - P5A) to depths of between 0.3 and 2.4 metres below existing ground levels to assess the extent of subsoils across the proposed building sites 1- 5.
3. Geomorphic and engineering geological reconnaissance of the site.

The proposed building sites were staked prior to our investigation and the testpits located using a handheld GPS unit.

A Site Investigation Location Plan (sheet 9924-S1A) showing test locations and the proposed building sites with PCC contours and an aerial photograph overlay is presented in Appendix A together with the logs. Selected site photographs are presented on the logs

To assist with our site investigation a desk study was carried out which comprised a review of the 1:50,000 geological map (Begg & Mazengarb, 1996) of the Wellington area, and review of online aerial photographs of the site dated 2002 to 2014.

3.0 PROPOSED DEVELOPMENT

The proposed development at the site is understood to comprise the subdivision of the site into five (5) proposed lots of approximately 5 ha each.

There is a single proposed building site identified within each lot on the provided plan (building sites 1 - 5 on sheet 9924-S1A). The building sites are described as follows:

- Building site 1 - Comprises gently sloping ground with a northwest aspect and measured profile of approximately 9° to horizontal on top of a steep northwest trending ridgeline with apparent slopes of 20° in the south portion of Lot 1;
- Building site 2 - Comprises a low hillock and gently sloping ground with a northwest aspect and measured profile of approximately 10° to horizontal on top of a northwest trending ridgeline in the south portion of Lot 2;
- Building site 3 - Comprises relatively flat to gently sloping ground with a northwest aspect below the moderately steeply sloping west flank of a relatively conical hill in the north portion of Lot 3;
- Building site 4 - Comprises gently sloping hillside topography with a northwest aspect and measured profile of approximately 14° to horizontal above the main access track and a bowl shaped gully head with apparent creep terracettes in the north portion of Lot 4;

- Building site 5 - Comprises gently to moderately steep sloping hillside topography with a northwest aspect and measured profile of approximately 11° to horizontal above the secondary access track and above a small dam in the central portion of Lot 5;

The investigation concentrated on the proposed building sites and immediate topography only, although comments are made on the general ground conditions.

4.0 SITE DESCRIPTION

The proposed subdivision covers an area of roughly 303 ha of grass covered gently to steeply sloping north to northwest facing topography in the hills above Titahi Bay. The hill topography rises above the existing end of Pikarere Road and extends to the south for a distance of approximately 0.7 kilometres along the north end of an existing metalled right of way designated Farm Road.

The hilly terrain is typically gently undulating to moderately steeply rolling with narrow rounded ridges with profiles of approximately 10° to the horizontal and rounded gullies with slope profiles of approximately 20° to 30° to the horizontal. Occasionally steeper slopes up to 40° to horizontal are present near the tops of ridges and gullies.

An existing overgrown metalled secondary access track branches off Farm Road that leads between Lots 4 and 5, before looping around the front of the hillside topography to connect with the existing paved end of Pikarere Street.

The slopes are generally northeast trending to the east of the track in Lot 5, and northwest trending in the main body of the overall site in Lots 1 - 4 (west of the track).

There are several small dams/ponds located within gullies around the site. Two of these ponds are located downhill and to the southwest of Building Site 1 and north of Building Site 5.

5.0 GEOLOGICAL SETTING AND FAULTING

The generalised geology for the site has been obtained from the 1:50,000 geological map of the Wellington area (Begg & Mazengarb, 1996). The geological map indicates that the site is underlain by minor geologically recent loess, alluvium, and colluvium overlying a regional erosional surface (K-surface) of Permian to Triassic age bedded sandstone and siltstone [Wellington Belt Greywacke]. Nearby the site bedrock is mapped as striking approximately north-northeast and dipping very steeply to the west and east (overturned).

The likely source of shaking for the design earthquake is the northeast trending Ohariu Fault, which is mapped as "well defined" and passing approximately 1.9 to 2.2 kilometres to the southeast of the site according to Greater Wellington Regional Council online maps. The Ohariu Fault is an active strike-slip fault with a dextral fault sense (movement to the right). The estimated earthquake magnitude of this fault has been described in the 'Geology of the Wellington Area' as 7.6, with an estimated single event strike-slip (horizontal) displacement ranging from 3 to 5 metres (Begg & Johnston, 2000). The fault is categorized by GNS Science as a Class II fault with a recurrence interval of between 2000 and 3500 years, an elapsed time since the last earthquake of between 930 and 1050 years, a mean horizontal slip rate of 1-2 mm/year and a mean single event horizontal displacement of 3.7 metres (Litchfield et al., 2004 & Litchfield et al. 2006).

An unnamed northwest trending secondary fault trace is inferred as passing approximately 400 metres to the north of the site. This fault is not designated as being active.

6.0 SUBSURFACE CONDITIONS

6.1 Subsoil Profile

Site testing typically encountered an initial layer of stiff silt topsoil generally 0.2 metres thick, underlain by competent, very stiff to hard fine grained loess (windblown) subsoils, which is in turn typically underlain by weathered greywacke rock at variable depths of between 0.4 to 3.1 metres below ground surface.

TP4A encountered uniformly graded, clean dense alluvial sand at 1.7 metres below ground surface, and some minor fine to medium dense gravel colluvial soils were encountered underneath the surficial loess soils and overlying the bedrock in TP5A.

All testpits were terminated in underlying greywacke bedrock, with the exception of Testpits TP4 and TP4A which did not encounter greywacke rock within the exploration depths of 2.7 to 3.3 metres. Probes were terminated in competent materials inferred as underlying greywacke rock or hard surficial loess subsoils. The probe results generally coincide with the results of the testpit excavations.

The fine grained loess soils mantling the site were generally described in testpits and from nearby exposures as being clayey silts that are typically yellow brown and leached within the surface 0.4 - 0.6 metres before becoming moist and orange brown with depth.

Greywacke is exposed at the ground surface in small outcrops and in cut batters along hillsides at several places at the site and where exposed is described as ranging from completely to slightly weathered sandy siltstone that is typically very closely fractured. The rock encountered in the base of testpits was generally described as highly to moderately weathered, weak and having a relatively planar interface (K-surface) with overlying soils. In TP3 the rock appeared thinly bedded.

6.2 Groundwater

No free groundwater or active seepage was encountered in testing during our investigation; however subsoils were typically moist below depths of 0.4 - 0.6 metres.

Groundwater appears to draw down site slopes along the soil/rock interface at variable depths towards the shallow gully features on site, however, fine grained site soils may artificially elevate groundwater levels and groundwater will be subject to seasonal fluctuations.

The land around the base of the dams at the site was typically moist and swampy.

7.0 SITE STABILITY SETTING

Our reconnaissance of the site and a review of historical aerial photographs were unable to detect any obvious topographical evidence of deep-seated or incipient global instability on site that may otherwise preclude development. We note that evidence of minor active soil creep and shallow seated instability of fine grained surficial soils on the crest of steep slope faces and the top of gullies was observed in the form of terracettes/steep low height stepped shallow-seated land slips as shown on Sheet 9924-S1A. The slip scarps are typically approximately 1.0 to 1.5 metres in height at profiles of 75° to 85° to horizontal.

Online photographs do not indicate any significant changes to the site over the past decade.

The slips generally consist of shallow-seated rotational type failures that were likely triggered by uncontrolled stormwater runoff during extreme storm events following removal of the original vegetation.

Some relatively minor previous shallow-seated instability and surficial slumping of overlying soils was observed in the secondary access track cut batter in the south portion of Lot 4. The cut batter is very steep at profiles of approximately 70° to horizontal and generally exposes greywacke rock underneath a shallow depth of soil for up to approximately 3.5 metres height. The instability is generally confined to the exposed weathered rock surface upon relaxed defect planes in the form of ravelling and frittering erosion and indicates some general deterioration.

8.0 GEOTECHNICAL ASSESSMENT

8.1 Engineering Parameter Values

Engineering parameter values for the soil and rock at the site will be required for design of retaining walls and temporary support as necessary. These parameters have been assessed using field descriptions and our understanding of these parameter values in similar materials. Detailed laboratory testing has not been carried out and the parameter values outlined in Table 1 are indicative only. For simplicity some soil layers have been omitted.

Table 1: Engineering Parameter Values for Pikarere Street Subdivision, Elsdon

Material Description	c' (kPa)	ø' (Degrees)	γ (kN/m ³)
VERY STIFF TO HARD FINE GRAINED SOILS	6	32	20
HIGHLY TO MODERATELY WEATHERED GREYWACKE	10 - 30	35	24

The recommended engineering parameter values for site soils have been based on very stiff soils, however if weak soils are revealed, it is reasonable to assume that the cohesion component of the soil strength will be less.

The strength of greywacke rock has been assessed on the basis of previous experience and on the work by Pender (1980) based upon confined rock with closed and tight defect planes. Experience indicates that there is often relaxation of a weak and closely jointed rock mass when steeply cut and unconfined. Relaxation may lead to a significant reduction or a total loss of cohesion, in which case the weathered closely jointed rock may behave as an equivalent frictional soil with the following soil strength parameters:

c' (cohesion)	=	0 kPa
ϕ' (angle of internal friction)	=	48°
γ (bulk density)	=	24 kN/m

8.2 Slope Stability Assessment

The presence of fine grained subsoils and steep site slopes presents a risk of shallow seated land slips.

By inspection and a brief analysis of the slope profiles, the existing steep access track cut batters observed and the near surface soils overlying the crest of slopes exceeding approximately 30° are likely to be in a state of marginal stability under static conditions.

We consider instability may be triggered following saturation during extreme precipitation, uncontrolled stormwater runoff, earthquake induced ground shaking, or following any steep cutting. Any slope instability is likely to be confined to the surficial soils and given the relatively thin depth of soils exposed in profile, any slippage is expected to be shallow seated and confined to steeper slopes where slope gradients are approximately 30° to horizontal or greater.

Any development at the site will need to take into consideration potential shallow-seated instability upon the flanks of adjacent gully slopes and be located a suitable distance way, or include appropriate mitigation measures.

9.0 ENGINEERING CONSIDERATIONS

9.1 General

Opinions and recommendations contained in this report are based on our site investigation and observations. Inferences about subsurface conditions away from the test sites are made but it must be appreciated that actual ground conditions may vary from the assumed profile.

9.2 Suitability of Development

Based on our investigation we believe that residential development at the site is feasible in accordance with Porirua City Council Land Development and Subdivision Engineering Guidelines (February 2010) provided that this development is carried out in accordance with the engineering recommendations outlined below.

Any development must take account of adjacent steeper slopes and either be located a suitable setback from potential slope instability or comprise suitable stabilisation works to mitigate any affects.

We recommend a setback distance of 4.0 metres (horizontally) from the crest of gully slopes exceeding 30° to horizontal that no development should encroach upon without specific foundations and retaining works.

9.3 Proposed Development of Sites

9.3.1 Lot 1

The top of the ridgeline at building site 1 is considered suitable with adjacent slopes relatively shallow and an assessed low risk for slope instability.

The proposed site rolls over to the west onto a steep slope that exposes rock at a profile of approximately 55° for 3.0 metres height above an existing dam. This slope is likely to produce acceptable factors of safety with respect to typical residential criteria for stability, however, may be prone to erosion and minor dropouts over time and any development should take this into account and either be located 3.0 metres distance from the slope or comprise stabilisation works and retaining to mitigate any affects.

The proposed site is bounded on the east side by a moderately steeply sloping gully. There is evidence of localised active creep of surficial soils and growth indicating possible groundwater seepage/discharge in the base of the gully which should be taken account of.

9.3.2 Lot 2

We consider the proposed building site 2 is suitable for development with an assessed low risk for slope instability. We understand that the existing low hillock may be levelled off to form a building platform. Any earthworks should ensure that safe cut batter slopes are formed or retained.

Any development must take account adjacent gully slopes to the west and north and either be located a suitable setback from potential slope instability or comprise suitable stabilisation works to mitigate any affects.

9.3.3 Lot 3

We consider building site 3 is suitable for development with relatively flat slopes and an assessed very low risk of slope instability.

The proposed building site is located below a moderately sloping hillside and although no evidence of seepage was observed we would recommend a cut-off drain be installed above the building area to intercept any groundwater flow.

9.3.4 Lot 4

We consider building site 4 is suitable for development with an assessed low risk for slope instability.

It is likely that the gully slopes to the northwest of the site may continue to erode and experience further shallow instability in the form of shallow slips and gradual creep-like movement of the soils over time. However, building site 4 is located a suitable distance away to avoid any affects.

9.3.5 Lot 5

We consider building site 5 is suitable for development with an assessed low risk for slope instability.

It is likely that the gully slopes below and to the northeast of the site above the existing dam may continue to erode and experience further shallow instability in the form of shallow slips and gradual creep-like movement of the soils over time. However, building site 5 is located a suitable distance away to avoid any affects.

9.4 Foundations and Settlement

Beneath the thin layer of topsoil blanketing the site, the fine grained site soils may be considered "good ground" and shallow foundations in accordance with NZS 3604:2011 are considered suitable.

The suitability of any exposed foundation soils must be confirmed by an experienced engineer who shall verify that actual ground conditions are consistent with the report assumptions.

Fine grained soils are subject to strength loss upon wetting and reworking and care should be taken to ensure that foundations are placed promptly with minimal disturbance to subgrades.

Testing and the approval of the integrity of any exposed subgrade should be made by an experienced geotechnical engineer. The undrained shear strength of exposed fine grained soils should not be less than $S_u = 120$ kPa, and an acceptable Scala probe reading should not be less than 5 blows/100mm driven for a depth of 300 mm.

9.5 Earthworks and Safe Batter Slopes

It is anticipated that cuts may be required to form building platforms or driveways but depending on the development.

Earthworks construction should ensure that safe batter slopes are formed.

In the short term cut batters which are less than 3.0 metres high through very stiff silty soils should not exceed 50° to the horizontal. Higher short term cut batters will require specific engineering input and may require temporary support in the form of anchors. Long term cuts should be reduced to profiles of 40° to horizontal.

All finished batter slopes should be protected by hydroseeding and planting.

All filling must be carried out in accordance with the criteria detailed in NZS 4431:1989 entitled "Code of Practice for Earth Fill for Residential Development".

Excavated soils are likely to be fine grained and are not ideally suited for fill soils. Satisfactory placement and control of moisture content of fine grained soils for filling can be very difficult to achieve, especially if the weather is poor. Depending on the extent it may be more practical to use imported hardfill for any filling.

All filling on sloping ground must be benched into the existing slope.

The standard of filling should be confirmed by testing in accordance with the above standard. Testing shall be carried out at the frequency determined by the engineer and depending on the extent is likely to comprise:

- Primary testing shall comprise the measurement of fill soil density by nuclear densometer to establish the relative compaction of fill soils. The relative compaction of the bulk earthworks shall not be less than 95% of the maximum density achieved at optimum water content.

- Secondary testing may comprise Scala penetrometer probe testing to measure the relative density of a granular fill soil. Typically a target penetration value of 8 to 10 blows/150 mm should be achieved everywhere in the filling, however the appropriateness of the probe testing will depend on the soil type.
- Secondary testing may comprise the measurement of the undrained shear strength of any fine grained filling using a hand held shear vane, as appropriate.

As stated, frequent testing will be required in order to confirm the standard of compaction achieved in the filling. Earthworks inspections and testing would be summarised in a 'Statement of Suitability' that would be compiled by the inspecting engineer at the conclusion of the bulk earthworks. This information will be required by Council to assist with the permitting process for the proposed subdivision.

9.6 Retaining

Retaining walls, other than those not requiring building consent, should be designed by a suitably qualified engineer and any design should take into account appropriate surcharge loads and seismic loads as required. Depending on the proposed dwelling layout suitable retaining walls could comprise standalone timber pole walls, or concrete block walls which are incorporated as an integral part of any dwelling.

Given the short term batter slopes outlined above, the force acting on any retaining wall supporting soil at the site will mainly be derived from the granular backfill behind the wall. The design of any retaining walls supporting cuts in soil may be based on the granular backfill shear strength parameter values outlined below:

$$\begin{aligned}c' &= 0 \text{ kPa} \\ \phi' &= 32^\circ \\ \gamma &= 20 \text{ kN/m}^3\end{aligned}$$

9.7 Subsoil Permeability

The site soils are predominantly fine grained and underlain by hard siltstone at relatively shallow depth. As a result, percolation rates are low and the suitability of the ground to receive and dispose of water is relatively poor.

We have assessed the indicative soakage rate, S_r , in accordance with the New Zealand Building Code (1996) of site soils based on our experience with similar soils and in accordance with AS/NZS 1547:2012.

We consider a soil category 5 (weakly structured light clay) in accordance with AS/NZS 1547:2012 is appropriate for the loess soils with an indicative permeability, K_{sat} , of < 0.06 m/day and 'poorly drained' indicative drainage class.

9.7.1 On-site Stormwater Disposal

On-site stormwater disposal shall comply with Capacity Infrastructure Services Regional Standard for Water Services policy document developed for Porirua, Lower Hutt, Upper Hutt and Wellington City Councils (2012) and AS/NZS 1547:2012 'On-site domestic wastewater management'.

The soakage rate is considered relatively low in concurrence with the fine grained nature of the site soils and we note that in soils with soakage rates of less than 500 mm/hour, storage becomes the dominant factor in the disposal of surface water runoff in accordance with AS/NZS 1547:2012.

Based on observations there appears to be relatively flat areas below each proposed building site with slopes of less than 18° to horizontal that appear suitable for stormwater disposal in accordance with the aforementioned guidelines and standard.

A suitable solution could be provided by a specifically designed storage system with a controlled maximum discharge to a subsoil dissipation outlet into a vegetated slope below, depending on Council requirements.

We would recommend any stormwater disposal system be specifically designed by an experienced professional once the proposed site design is confirmed.

Reduced pavement areas, permeable pavements and swales should be utilized to reduce concentrated stormwater discharge.

9.7.2 On-site Wastewater Treatment and Disposal

On-site wastewater disposal shall comply with Wellington Regional Council's 'Guidelines for On-Site Sewage Systems in the Wellington Region' (December, 2000) and AS/NZS 1546.1:2008 'On-site domestic wastewater treatment units - Septic Tanks'.

Based on the site drainage characteristics, the site will require a specially designed system due to the site's poor draining soils.

Soakage treatment areas should be designed in accordance with buffer distances from existing surface water bodies, property boundaries, and farm drains as described in Wellington Regional Council's 'Guidelines for On-Site Sewage Systems in the Wellington Region' (December, 2000).

Soils with low permeability (poor drainage) can only cope with effluent if it is applied at very low application rates (less than 5 mm per day).

We would recommend any wastewater treatment system be specifically designed by an experienced professional once the proposed site design is confirmed.

Alternatively it may be feasible to reticulate wastewater to the Council infrastructure in Pikarere Street, depending on costs and capacity. Council will have to be consulted if this is proposed.

9.7.3 On-Site Water Supply

On-site water supply systems shall comply with Capacity Infrastructure Services Regional Standard for Water Services policy document developed for Porirua, Lower Hutt, Upper Hutt and Wellington City Councils (2012).

The existing dams are unlikely to be suitable to supply potable water to dwellings due to potential health issues and will require treatment systems and pumping to building sites that will have associated significant costs.

The Council water reservoir is located just below the property. Construction of a pumping station and small reservoir above the sites with a reticulation system to each lot would be possible. The responsibility for maintenance could be vested with Council, or in agreement between individual parties. This option is likely to have relatively significant infrastructure costs.

We consider roof water collection, storage and treatment systems for individual dwellings would be the most appropriate cost effective solution, and offer the advantage of keeping maintenance responsibilities within each lot but depending on Council approval.

9.8 Right of Ways and Driveways

The existing access tracks, including the Farm Road and overgrown track, appear in relatively good condition with no significant rutting or damage observed, and are considered suitable as access roads.

To be used as access roads for any subdivision, the following is recommended:

- Remove surface growth and reinstate a pavement surface. This may require 120 mm of compacted AP40 basecourse or similar depending on final design.
- Grade to crossfall to shed surface water.
- Grade side drains to control surface water and prevent ponding with regular discharge to limit erosion.
- Soak pits or swales could be utilised to manage collected surface water, or alternatively permeable surfaces could be considered to limit surface water collection.

Most sites appear to be easily accessed from the proposed access roads with relatively flat gradients and minimal earthworks.

The proposed house site 4 is likely to be accessed via the road to the east and will require excavation of a driveway with batters or retaining.

9.9 Drainage and Erosion

During construction all stormwater from any earthworked surface should be channelled and not allowed to discharge onto the site or the sloping ground below in accordance with Greater Wellington Regional Council's 'Small Earthworks - Erosion and Sediment Control for Small Sites' guidelines (2006). After construction all stormwater from any roof, paved area or impermeable surface should not be allowed to discharge down over sloping ground as this may trigger instability.

Soakage pits should not be located on the steep sloping ground at the site as infiltrating water could increase saturation within slope soils and trigger slope instability.

Vegetation cover should be maintained over sloping ground at the site to reduce erosion potential and the potential for slope instability. Sloping ground which is cleared of vegetation during construction should be replanted to bind surface soils together and reduce erosion and slip potential. A suitably qualified landscape gardener or garden centre should be consulted to select the most appropriate plant species for both the slope and soil conditions at the site.

10.0 CONCLUSIONS

The investigation has shown that:

- Development of the site is feasible within constraints provided by the existing site topography;
- Site soils are typically fine grained, competent and poorly drained and underlain by weathered rock at depths ranging from 0.4 to 3.1+ metres;
- There is evidence of shallow seated instability of soils upon the crest of steep slopes and ongoing relaxation and fretting erosion in the steep cut batter slopes adjacent to the access tracks and any development will need to take this into account and be located a suitable distance away or include appropriate mitigation measures
- Foundations may comprise shallow spread footings in accordance with NZS 3604;
- Earthworks should ensure that safe batter slopes are formed or retained;
- Any filling should be properly benched into sloping ground and placed in accordance with NZS 4431:1989
- Excavated soils will likely be difficult to reuse as filling and may require extensive conditioning to be in accordance with NZS 4431
- Soakage pits are considered appropriate for on-site stormwater disposal;
- On-site wastewater systems will require specific engineering design due to soil conditions;
- A cost effective solution for on-site water supply is likely to comprise roof collection storage and treatment systems for individual dwellings.

11.0 LIMITATIONS

This report has been prepared solely for you as our client with respect to the brief provided. Data or opinions contained in this report may not be used in other contexts or for any other purpose without our prior review and agreement.

It is in all parties' interests that we be retained to examine the site during foundation preparation and construction work so that exposed subsoil and actual site conditions can be compared with the report assumptions. In all circumstances, however, if variations in the subsoil occur which differ from that described or are assumed to exist, then the matter should be referred back to us.

12.0 REFERENCES

1. AS/NZS 1546.1:2008 Australian/New Zealand Standard Onsite Domestic Wastewater Treatment Units, Part 1: Septic Tanks. Standards Australia/New Zealand.
2. AS/NZS 1547:2012 Australian/New Zealand Standard Onsite Domestic Wastewater Management. Standards Australia/New Zealand.
3. Begg J.G. & Mazengarb C. 1996. Geology of the Wellington area, Scale 1:50,000 Institute of Geological and Nuclear Sciences geological map 22, 1 sheet + 128 p; Lower Hutt, New Zealand: Institute of Geological and Nuclear Sciences Limited.
4. Capacity Infrastructure Services, 2012. Regional Standard for Water Services, Wellington City Council policy document developed for Porirua, Lower Hutt, Upper Hutt and Wellington City Councils. 130p.
5. Crawford, S. & Millar, P. 1998. The Design of Permanent Slopes for Residential Development, EQC Research Project 95/183, NZ Geomechanics News, New Zealand Geotechnical Society.
6. Hoek & Bray, 1974. Rock Slope Engineering, Revised 3rd Edition, Institution of Mining and Metallurgy (U.K.), Taylor & Francis, New York.
7. Greater Wellington Regional Council 2006. Small Earthworks - Erosion and Sediment Control for Small Sites, Wellington, New Zealand.
8. Litchfield, N.J.; Van Dissen, R.J.; Langridge, R.M.; Heron, D.W.; Prentice, C. 2004. Timing of the Most Recent Surface Rupture Event On The Ohariu Fault Near Paraparaumu, New Zealand, New Zealand Journal of Geology and Geophysics, 47(1), pp.123-127.
9. Litchfield, N.J.; Van Dissen, R.J.; Heron, D.W.; Rhoades, D.A. 2006. Constraints on the Timing of the Three Most Recent Surface Rupture Events and Recurrence Interval for the Ohariu Fault: Trenching Results from MacKay's Crossing, Wellington, New Zealand, New Zealand Journal of Geology and Geophysics, 49(1), pp. 57-61.

10. Porirua City Council, February 2010. Land Development and Subdivision Engineering Guidelines, Asset Management and Operations, PCC #544499-v1, ISBN 978-1-877548-21-5.
11. Standards New Zealand 2004. NZS 1170.5:2004, Structural Design Actions, Part 5 - Earthquake Actions - New Zealand, Standards New Zealand, Wellington.
12. Standards New Zealand 2010. NZS 3604:2011 Timber Framed Buildings, Standards New Zealand, Wellington.
13. Standards New Zealand 2010. NZS 4431:1989, Code of Practice for Earth Fill for Residential Development, Standards New Zealand, Wellington.
14. Wellington Regional Council, 2000. Guidelines for On-Site Sewage Systems in the Wellington Region, WRC/RP-G-00/47, Wellington.

Yours faithfully
ABUILD™ Consulting Engineers Limited

Prepared by:
Ashlin Tucker
Engineering Geologist



Richard Skilton
BE (Hons) MIPENZ CPEng
Chartered Professional Engineer
Director

NOTES:

1. DIMENSIONS AND LOCATIONS ARE APPROXIMATE ONLY.
2. CADASTRAL INFORMATION AND INSET FROM LINZ DATA, CONTOURS FROM PORIRUA CITY COUNCIL GIS DATA, AERIAL IMAGERY FLOWN 2012.

Rev	Date	By	Reason	Approv

Job GEOTECHNICAL INVESTIGATION
 Job Address PIKARERE STREET ELSDON
 Client LAND MATTERS LTD
 Owner PIKARERE FARM LIMITED



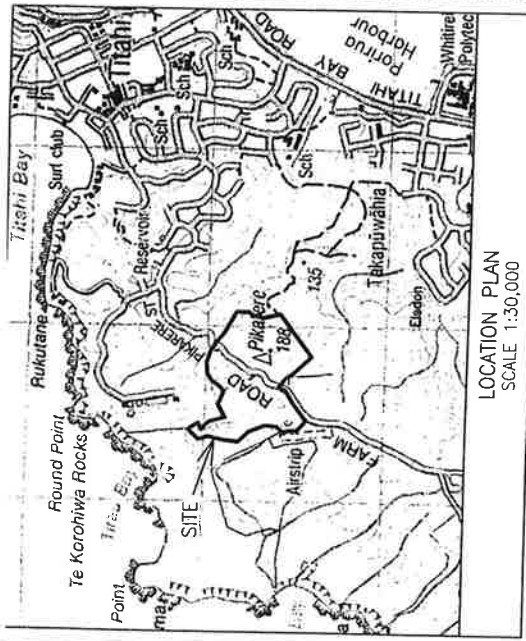
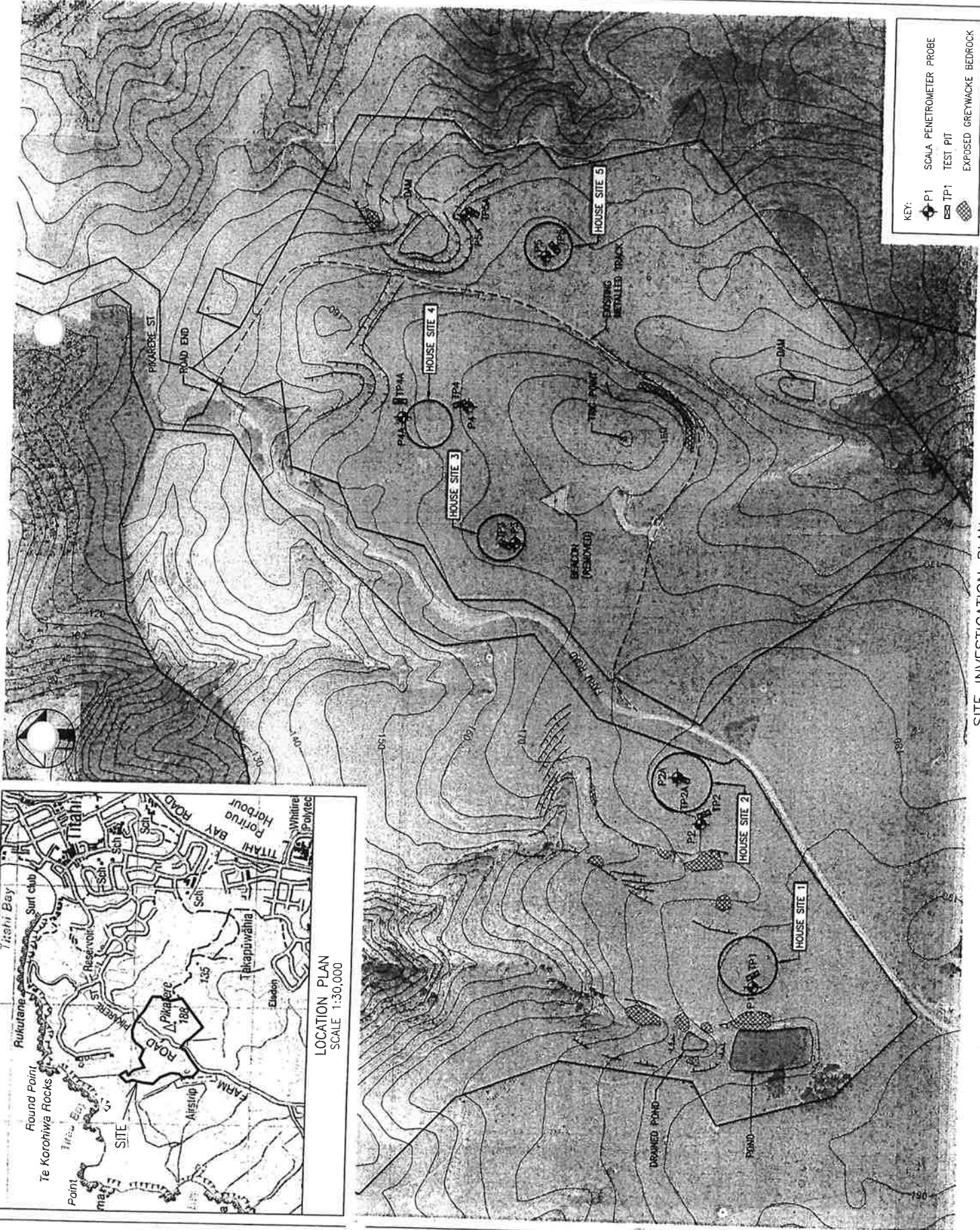
Member of the Association of Consulting Engineers NZ
 Box 13, 273 Johnsonville, Wellington
 Phone (04) 478 3929
 Fax (04) 478 3424

Drawn RNS
 Checked
 Traced
 Scale AS SHOWN AT A3
 Date 03/12/14

Sheet Title

SITE INVESTIGATION LOCATION PLAN

Job No 9924
 Sheet S1
 Rev A



LOCATION PLAN
 SCALE 1:30,000

SITE INVESTIGATION PLAN
 APPROXIMATE SCALE 1:2,500

APPENDIX A

INVESTIGATION LOG

Job No.: 9924

No.: TP1/P1

Sheet: 1 of 1

Date: 27/11/14

Client:
Pikarere Farm Limited

Coordinates:
2662515mE, 6008264mN (NZMG)

Ground Level:
190

Project:
Geotechnical Investigation

Location:
Pikarere Farms, Elsdon

Geological Interpretation	Samples	Depth (m)	Legend	Hand Shear Vane (Corrected)	Scala Penetrometer (Blows / 100mm)		Water
					2	4	
[300mm TOPSOIL] SILT; greyish brown. Stiff; dry.		0.2	TS			3	
[LOESS] Clayey SILT; Light yellowish brown (leached). Very stiff to hard; dry. Becomes moist & orange brown at 0.4m; hard.		0.4		SV: 0.30m, SV1 153/84 kPa		4	
		0.4		SV: 0.40m, SV2 200+ kPa		8	
		0.6				8	
		0.6				12	
		0.8				5	
		0.8				4	
		1.0				7	
		1.0				7	
		1.2				7	
		1.2				4	
[WELLINGTON BELT GREYWACKE] Moderately to highly weathered, yellow grey, SANDY SILTSTONE; moderately strong; closely fractured with steep dipping defects. EOH: 1.5m		1.4				6	
		1.4				6	
		1.4				5	
		1.6				7	
		1.6				7	
		1.8				7	
		1.8				9	
		2.0				11	
		2.2				12	
		2.2				14	

Remarks

Backfilled and compacted with bucket upon completion.



Investigation Type

- Hand Auger
- Test Pit

Produced with Core-GS

Contractor:
John Everiss

Rig/Plant Used:
7T Excavator

Logged By:
AT

Checked By:
RS

Hole Depth:
1.50 m

INVESTIGATION LOG

Job No.:
9924

No.:
TP2A/P2A

Sheet:
1 of 1

Date: 27/11/14

Client:
Pikarere Farm Limited

Coordinates:
2662650mE, 6008316mN (NZMG)

Ground Level:
185

Project:
Geotechnical Investigation

Location:
Pikarere Farms, Elsdon

Geological Interpretation	Samples	Depth (m)	Legend	Hand Shear Vane (Corrected)	Scala Penetrometer (Blows / 100mm)		Water
[200mm TOPSOIL] SILT with minor Gravel (coarse); greyish brown. Stiff; dry. Cobbles, angular, MW Greywacke origin.		0.2	TS		5		Groundwater Not Encountered
[LOESS] Clayey SILT; orange brown. Inferred very stiff to hard; moist.		0.4			9		
[WELLINGTON BELT GREYWACKE] Moderately to highly weathered, yellow grey, SANDY SILTSTONE; moderately strong; closely fractured with steep dipping defects. EOH:1.0m		0.6			16		
		0.8					
		1.0					
		1.2					
		1.4					
		1.6					
		1.8					
		2.0					
		2.2					
		2.4					
		2.6					
		2.8					
		3.0					
		3.2					
		3.4					





Remarks

Rock is gently sloping in downhill direction to NW and varies from 0.3 to 0.45 metres depth across width of testpit.

Backfilled and compacted with bucket upon completion.

Investigation Type

Hand Auger

Test Pit

Produced with Core-GS

Contractor: John Everiss	Rig/Plant Used: 7T Excavator	Logged By: AT	Checked By: RS	Hole Depth: 1.00 m
------------------------------------	--	-------------------------	--------------------------	------------------------------

INVESTIGATION LOG

Job No.: 9924

No.: TP3/P3

Sheet: 1 of 1

Date: 27/11/14

Client:
Pikarere Farm Limited

Coordinates:
2662831mE, 6008398mN (NZMG)

Ground Level:
171

Project:
Geotechnical Investigation

Location:
Pikarere Farms, Elsdon

Geological Interpretation	Samples	Depth (m)	Legend	Hand Shear Vane (Corrected)	Scala Penetrometer (Blows / 100mm)		Water
					2	4 6 8 10 12 14 16 18	
[100mm TOPSOIL] SILT; greyish brown. Stiff, dry.		0.0				4	
[LOESS] Clayey SILT; Light yellowish brown (leached). Very stiff, dry. Becomes damp at 0.3m and increasingly moist & orange brown with depth; hard. Low to moderate plasticity.		0.2				5	
		0.4		SV: 0.40m, SV1 200+ kPa		6	
		0.6				6	
		0.8		SV: 0.70m, SV2 200+ kPa		5	
		1.0		SV: 0.80m, SV3 200+ kPa		4	
		1.2				8	
		1.4				5	
[WELLINGTON BELT GREYWACKE] Highly weathered, yellow grey, thinly bedded SANDY SILTSTONE; weak; closely fractured with steep dipping defects.		1.6				10	
		1.8				9	
		2.0				8	
		2.2				8	
		2.4				6	
		2.6				8	
		2.8				7	
		3.0				6	
		3.2				9	
		3.4				16	

~1.2m: with minor Gravel(fine)/rip up clasts of Silstone.

EOH: 1.8m

Remarks

Backfilled and compacted with bucket upon completion.



Investigation Type

- Hand Auger
- Test Pit

Contractor:
John Everiss

Rig/Plant Used:
7T Excavator

Logged By:
AT

Checked By:
RS

Hole Depth:
1.80 m

Produced with Core-GS

INVESTIGATION LOG

Job No.:
9924

No.:
TP4/P4

Sheet:
1 of 1

Date: 27/11/14

Client:
Pikarere Farm Limited

Coordinates:
2662909mE, 6008478mN (NZMG)

Ground Level:
162

Project:
Geotechnical Investigation

Location:
Pikarere Farms, Elsdon

Geological Interpretation	Samples	Depth (m)	Legend	Hand Shear Vane (Corrected)	Scala Penetrometer (Blows / 100mm)									Water		
					2	4	6	8	10	12	14	16	18			
[100mm TOPSOIL] SILT; greyish brown. Stiff; dry.		0.2	SV: 0.17m, SV1 130/81 kPa		5											
[LOESS] Clayey SILT; Light yellowish brown (leached). Very stiff to hard; dry.		0.4	SV: 0.30m, SV2 130/75 kPa		6											
Becomes damp & orange brown at 0.4m; increasingly moist to 1.3m.		0.6	SV: 0.40m, SV3 200+ kPa		8											
Moderately plastic.		0.8	SV: 0.65m, SV4 143/91 kPa		10											
		1.0	SV: 0.90m, SV5 149/65 kPa		6											
		1.2	SV: 1.20m, SV6 166/123 kPa		7											
		1.4			6											
		1.6			5											
		1.8			6											
Occasionally with trace Sand (fine).		2.0			8											
		2.2			7											
		2.4			9											
		2.6			8											
		2.8			7											
		3.0			12											
		3.2			11											
		3.4			10											
		3.6			12											
EOH:3.3m					16											

Groundwater Not Encountered

Remarks

Backfilled and compacted with bucket upon completion.



Investigation Type

- Hand Auger
- Test Pit

Produced with Core-GS

Contractor: John Everiss	Rig/Plant Used: 7T Excavator	Logged By: AT	Checked By: RS	Hole Depth: 3.30 m
------------------------------------	--	-------------------------	--------------------------	------------------------------

INVESTIGATION LOG

Job No.:
9924

No.:
TP4A/P4A

Sheet:
1 of 1

Date: 27/11/14

Client:
Pikarere Farm Limited

Coordinates:
2662910mE, 6008520mN (NZMG)

Ground Level:
153

Project:
Geotechnical Investigation

Location:
Pikarere Farms, Elsdon

Geological Interpretation	Samples	Depth (m)	Legend	Hand Shear Vane (Corrected)	Scala Penetrometer (Blows / 100mm)		Water
[100mm TOPSOIL] SILT; greyish brown. Stiff, dry.		0.0 - 0.2	TS		6		
[LOESS] Clayey SILT; Light yellowish brown (leached). Hard; dry.		0.2 - 0.4	X		5		
Becomes damp & orange brown at 0.4m; increasingly moist to 1.0m.		0.4 - 0.6	X		10		
Very stiff.		0.6 - 0.8	X		18		
		0.8 - 1.0	X		14		
		1.0 - 1.2	X				
		1.2 - 1.4	X				
		1.4 - 1.6	X				
		1.6 - 1.8	X				
[ALLUVIUM] SAND (medium); brown. Densely packed; moist. Uniformly graded; trace of Silt.		1.8 - 2.0	•				
		2.0 - 2.2	•				
		2.2 - 2.4	•				
		2.4 - 2.6	•				
EOH:2.7m		2.6 - 2.8	•				
		2.8 - 3.0	•				
		3.0 - 3.2	•				
		3.2 - 3.4	•				

Remarks

Backfilled and compacted with bucket upon completion.



Investigation Type

- Hand Auger
- Test Pit

Contractor:
John Everiss

Rig/Plant Used:
7T Excavator

Logged By:
AT

Checked By:
RS

Hole Depth:
2.70 m

Produced with Core-GS

INVESTIGATION LOG

Job No.: 9924

No.: **TP5A/P5A**

Sheet: 1 of 1

Date: 27/11/14

Client:
Pikarere Farm Limited

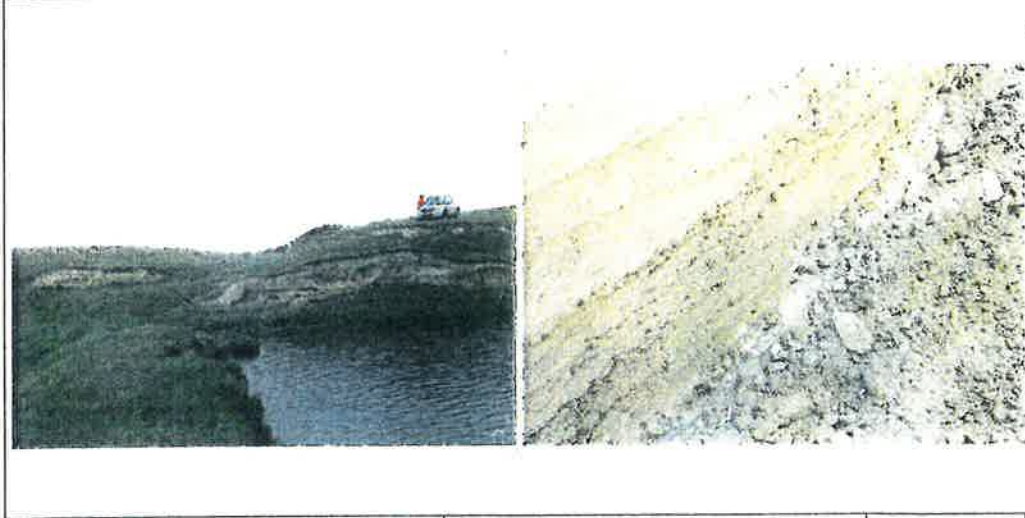
Coordinates:
2663043mE, 6008472mN (NZMG)

Ground Level:
150

Project:
Geotechnical Investigation

Location:
Pikarere Farms, Elsdon

Geological Interpretation	Samples	Depth (m)	Legend	Hand Shear Vane (Corrected)	Scala Penetrometer (Blows / 100mm)		Water											
					2	4		6	8	10	12	14	16	18				
<p>[100mm TOPSOIL] SILT with trace Gravel (coarse); greyish brown, Stiff, dry. Clayey SILT; Light yellowish brown (leached), Very stiff to hard; dry. Becomes damp & orange brown at 0.4m.</p>		0.2	TS			4												
		0.4				6												
		0.6			SV: 0.50m, SV1 200+ kPa	8												
		0.8				11												
		1.0				10												
		1.2				10												
		1.4				8												
		1.6				5												
		1.8				4												
		2.0				5												
<p>[COLLUVIUM] GRAVEL (fine to medium); brown. inferred dense; moist. Gravel, angular; trace of Silt.</p>		2.2				5												
		2.4				7												
		2.6				5												
		2.8				5												
		3.0				7												
		3.2				5												
		3.4				5												
<p>[WELLINGTON BELT GREYWACKE] Moderately weathered, yellow grey, SANDY SILTSTONE; Moderately strong; closely fractured with steep dipping defects. EOH:1.5m</p>		3.6																
		3.8																
		4.0																
		4.2																
		4.4																
		4.6																
		4.8																
		5.0																
		5.2																
		5.4																



Remarks
Gravel soil overlying greywacke rock absent in west wall of testpit.
Backfilled and compacted with bucket upon completion.

Investigation Type
 Hand Auger
 Test Pit

Produced with Core-GS

Contractor: John Everiss	Rig/Plant Used: 7T Excavator	Logged By: AT	Checked By: RS	Hole Depth: 1.50 m
------------------------------------	--	-------------------------	--------------------------	------------------------------

PIKARERE FARM



Landscape and Visual Assessment of the 5 Rural-Residential Lots Proposed In the subdivision of Pikarere Farm

Prepared by
Linda Kerkmeester
LANDSCAPE ARCHITECT
PO BOX 57 157
MANA, PORIRUA

For:
Pikarere Farm Ltd,
Titahi Bay
PORIRUA

December 2014

TABLE OF CONTENTS

LANDSCAPE AND VISUAL EFFECTS ASSESSMENT

Background	2
Site Context	3
The Proposal	4
Planning Policies relevant to Landscape	5
Natural Character of the Coastal Environment	6
Visual Effects of Proposal	7
Site visibility	7
Effects on Rural Character	8
Potential Mitigation Measures	10
Recommended Conditions	10
Conclusion	13

APPENDIX One

Photographs from site and surrounding areas to illustrate visual impact of proposal.

PIKARERE FARM
Proposed 5 Rural-Residential Lots Subdivision
Pikarere Street, Titahi Bay, Porirua

Landscape and Visual Effects



BACKGROUND

1. This report has been commissioned by Pikarere Farm Limited to provide an assessment of landscape effects as part of an application for subdivision under the Porirua District Plan. The proposal is for a subdivision of five existing lots to create a total of 8 new lots. Of the eight new lots, two involve an adjustment of boundaries and I have not been asked to provide a landscape assessment in respect of those lots (being lots 6 and 7 – Stage I) as no development is proposed at this stage on those lots. Of the remaining six lots, five will be new rural-residential lots (no less than 5ha in size) and one will be a large balance lot. I have not been asked to prepare a landscape assessment in respect of the balance lot (being Lot 1 – Stage I) as no development is proposed for that lot. This assessment is for the 5 new rural-residential lots proposed as all will have potential for dwellings with visual effects of these to be addressed under the District Plan rules and standards for the Rural Zone. One of the lots is entirely within the Landscape Protection layer of the District Plan.

I understand that the Applicant is seeking to stage the subdivision as follows: Stage 1 being the subdivision of Lot 3 DP 62408 and Lot 2 DP 62408 to create Lots 1 (being the large balance lot less land required for proposed lot 3) and Lots 3, 4 and 5 (being the subdivision of Lot 2 DP 62408 and the three lots located to the east of the main farm track). Proposed lot 2 is the balance area associated with Lot 1 DP 62408 which will be the second stage of the subdivision.

I understand that Stage II will be the subdivision of the newly created lot 2 into proposed lots 1 and 2 (being the two lots located to the west of the main farm track).

2. The report has been prepared by Linda Kerkmeester, a registered landscape architect consultant with over 25 years experience in the landscape profession, working in local government and private practice within New Zealand. Linda has reviewed and prepared numerous landscape assessments for development proposals and has prepared reports and presented expert evidence to assist Councils in deciding on these matters.

3. This assessment has been informed by the following
- *Site visits 13th October and 14th November 2014 with the applicants (Dan and Sam Stevenson) and their consultants (planning, engineering) to Pikarere Farm to view the subdivision site, potential house locations and surrounding context;*
 - *Site visits to areas beyond the site to assess the Ovisibility and potential landscape effects of the proposal as seen from surrounding areas;*
 - *Background correspondence between the applicant and PCC (dated 21 October & 6 December 2011);*
 - *Porirua City District Plan Maps, Subdivision Objectives and Policies (C6), Rules and Standards for the rural zone (D4); and*
 - *Background knowledge of the area from landscape assessment for a PCC background study to the Rural Review of the District Plan between 2008 and 2011.*

SITE CONTEXT

4. Pikarere Farm is located on the upper western hills above Porirua City, overlooking Titahi Bay and Mana Island, with extensive coastal views including to the South Island and Kapiti Island. Access to the site is via Pikarere Rd which winds up through the residential area of Titahi Bay. Pikarere Farm was cleared and established prior to the residential area being developed in the 1950's (known as the Austrian houses) on the northern slopes below the existing farm. It covers 810 hectares on several separate titles. It employs a full-time farm manager to run the sheep and beef farm with 5,500 stock units. It is a family-owned operation with the farm being held in the Stevenson family since 1950, spanning over 4 generations.
5. The farm extends from the main ridgeline which runs in a north-south direction, extending from the southern boundary of the Porirua City district and dropping down towards Titahi Bay at its northern boundary. The southern boundary adjoins the Colonial Knob reserve with the transmitter station being located at the highest point of the ridge at 460m. The highest point of Pikarere Farm at the southern boundary is around 335m elevation, extending down to the coast with 5km of coastline forming the western boundary of the farm.
6. The farm drops from its highest elevation along the ridgeline which broadens out towards the north to an elevation of 140m metres at the farm gate. The elevation at the northern boundaries of Lots 1 and 5 drop down to 80m and 125 m respectively. To put it in context, the nearest housing areas near the top of Pikarere St bus turnaround are at around 110m elevation, thus at a similar level to the proposed lots at

their northern boundaries, though house sites of the proposed subdivision are higher, as outlined further in the description of the proposal.

7. Proposed lots 1 –Stage 1 and Lot 1 and 2 – Stage II adjoin the Porirua City Council waste water treatment plant on their northern boundaries. This land was subdivided off Pikarere Farm some years ago and as part of that subdivision, building restrictions with 'no-build' lines were placed on the adjoining Pikarere Farm titles with the intention to control potential reverse sensitivity effects relating to the plant operation. An established pine tree plantation on the treatment plant site provides a buffer between the plant and the farm. Further details and their implications of building restrictions on the proposed lots are outlined in the application.
8. The proposed subdivision is located at the northern end of the farm, with access directly off the currently used farm track for the 3 proposed western lots – including the large balance lot. The remaining 3 proposed lots will be accessed from a private right-of-way to be regraded and metalled along an original track. This was the main farm track prior to 1952 when the existing farm homestead was constructed and the current farm track was formed.
9. The current landuse is pastoral farming with small pockets of regenerating native scrub in the steeper gullies and slopes within the farm. The steep-sided slope with native bush cover and pines to the east of the farm extends down to the residential area of Elsdon and forms part of the Porirua Scenic Reserve. This was once part of the farm but was transferred to PCC as a reserve contribution for an earlier subdivision around the mid-1990's. It is fenced from stock along this eastern boundary.
10. Several of the gullies with regenerating vegetation on the western slopes have been identified as ecological sites in the District Plan with Ecosites (101a, b and c) located within Lot 1 – Stage 1 and Lot 1 – Stage II of the application. Another significant ecological site (E57a) on the adjoining titles to the south includes a kohekohe forest remnant. This was registered by the current owners as a QEII Covenant for protection in 2009. These are not all currently fenced from stock but provide potential for an ecological framework that could be extended to other parts of the farm as part of any future development.

THE PROPOSAL

11. The proposal is for the creation of three new lots by undertaking a subdivision of three existing lots creating five rural-residential sized lots at the north-eastern corner of the farm in the area closest to the existing farm gate with one large balance lot to the south. Proposed lots 3, 4 and 5 – Stage I and proposed lots 1 and 2 – Stage II will be a minimum 5 ha in area with the balance lot 1 – Stage 1 being 62.01ha Each lot will have their own access off a shared private right-of-way as shown on the Scheme

Plan. The three western lots (lot 1 – Stage I and lots 1 and 2 – Stage II) will have access off the current farm track. The eastern lots (3, 4 and 5 – stage II) will have access off the original farm track which will need to be widened in parts to create passing bays along its width.

12. Earthworks to widen and upgrade this former access track from the farm gate at the end of Pikarere Road will require minimal cutting as it has largely been formed to the width required. It would require the removal of some topsoil and forming of drainage channels prior to being spread with metal and compacted to provide vehicle access to the lots as indicated on the Scheme Plan. Other than some pasture removal, there would be no vegetation clearance (native or exotic) required in the formation of this access.
13. Potential house sites are as indicated on the Scheme Plan in the application. These sites were selected by the applicants in consultation with their planning, landscape and engineering advisors. In selecting the house sites, consideration was given to maintaining a coastal outlook from each site and keeping sites below the main ridgeline to avoid skyline effects as seen from beyond the site. Other considerations included ease of access and construction and the ability for each building site to have suitable foundations and an on-site effluent disposal system.
14. In order to construct dwellings and associated private driveways and outdoor living areas, earthworks will be required when lots are developed by future owners. These earthworks are not shown in the scheme plan but proposed house sites are indicated and their potential visual effects are assessed as seen from each site (looking out) as well as distant views from beyond the site (looking in).
15. Further comment on the visibility of potential dwellings and their locations is provided further in this report. Commentary is also provided along with photographs at **Appendix One** (attached) to illustrate the visual effects for each lot. Visibility of the sites from surrounding areas has been assessed with recommendations for minimising any potential effects.

PLANNING POLICIES RELEVANT TO LANDSCAPE

16. The land has a rural zoning in the Porirua City District Plan. As such, resource consent is required from Porirua City Council relating to subdivision of the existing 3 titles to create 6 new lots (of between 5 and 40 hectares) in the rural zone where the location of dwellings and earthworks are controlled activities. One of the lots (Lot 5 – Stage I) is in a Landscape Protection Area where new buildings are a discretionary activity, which in this case, is due to the high visibility of the site near the top of an elevated ridgeline facing towards Porirua City and surrounding residential areas. This ridge and east-facing

slopes form a prominent rural backdrop as seen from the town centre and the residential areas around Porirua Harbour to the north east, including the SH1 corridor between Aotea and Paremata.

17. Sections of the District Plan relevant to landscape matters in this case are covered by section C6 - Subdivision Objectives and Policies and section D4 - Rural Zone Rules and Standards. Thus, in the rural zone, subdivision of rural land between 5 and 40 ha is a discretionary activity, where dwellings are limited to one per title with Council having control over the location of dwelling, earthworks and clearance of native vegetation (D4.1.2 (i) (a-c). This is the case for Lots 1, 2 and 3 – Stage I and lots 1 and 2 – Stage II.
18. In the case of Lot 5 – Stage I which is entirely within a Landscape Protection Area, the construction of any new buildings is a discretionary activity requiring landuse consent. In considering whether to grant consent, Council can impose conditions on such matters as building design, location and appearance where it is considered to have adverse effects to address those specific matters.
19. The specific criteria that Council have discretion over whether to grant consent and what, if any, conditions to impose requires assessment of the following criteria :
 - impact on the natural character of the coastal environment,
 - effects on rural character
 - values associated with a Landscape Protection Area; and
 - visibility from residences and public places.

Natural Character of the the Coastal Environment

20. On the first matter of the coastal environment, the area is not considered technically as being within the 'coastal environment' as defined in the NZ Coastal Policy Statement (NZCPS). This defines the inland extent of the coastal edge as the area up to the first ridgeline, which in this case would be up to the top of the rocky cliff face immediately above the coast. There is no doubt that the site has a strong coastal influence and vice versa, that the rising contours of the farm immediately above the rocky cliffs are an important component of the views from sea, up to the main ridge. This could arguably include lots 1 and 2 – Stage II and Lot 1 – Stage I as being within a zone of coastal influence but not technically within the coastal environment as described in the NZCPS. It does not feasibly include Lots 3, 4 and 5 – Stage I as

they lie beyond the main ridge, but could still be seen as part of the coastal environment from parts of Porirua Harbour and surrounding areas.

21. The entire farm is within a zone of active coastal influence which gradually diminishes with distance from the coast. The prevailing coastal north-west winds have a strong influence on the site and it is visible from the sea and coastal edges, given its location on a headland which overlooks the sea and the inner harbour on all but its southern boundary. As such, views from the coastal area need to be assessed with consideration given to avoiding or mitigating any adverse effects as seen from the coast as well as inland rural character. The natural character is largely restricted to the immediate coastal edge as the upper slopes are predominantly pasture except for pockets of native vegetation remnants and regenerating gullies. The natural character of the coastal environment is therefore not considered technically relevant in this case for reasons as described above.
22. The three remaining criteria; effects on rural character, values associated with this specific Landscape Protection Area and visibility from residences and public places are outlined in the following section.

VISUAL EFFECTS OF PROPOSAL

23. The landscape and visual effects of the proposal will result mainly from potential dwellings and associated earthworks to create building platforms, outdoor living areas, vehicle access and associated buildings for each lot. Further landscape elements such as fences, shelter planting and amenity planting also have potential visual effects to a greater or lesser extent with potential for adverse visual effects when these are undertaken counter to the patterns of landform and vegetation associated with the rural character of the area.

Site visibility

24. The visual catchment of the site extends to residential areas of Titahi Bay in a northerly and easterly direction and includes views from the sea towards Mana Island in the west and those areas around the inner harbour to the east towards Paremata and Aotea. These areas have views to the site as it forms an elevated backdrop on the hills from views across the harbour. This elevated backdrop with bush vegetation rising up to open pasture on the skyline characterise the rural values on which the Landscape Protection Area is based.
25. Seen in context, the residential areas that branch off Pikarere Street, including Moki St and Raukihau Place at around 100m elevation, rise up to levels that come relatively close to the Pikarere Farm gate levels and Lot 5 – Stage I (at elevations of 140m and 150m respectively). The nearest houses from

these upper residential areas are at a distance of 500m from the proposed house site of Lot 5 – Stage I. Thus there is not much spatial separation between the rural and residential zones at this point. (Refer Photographs 6 and 7). Houses in this area are generally oriented to take advantage of coastal views, thus generally facing away from Lot 5 – Stage I with views of this site limited to their backyards.

26. The elevated, open pastoral nature of Pikarere Farm in general makes it highly visible from those areas with a direct view towards the site. These views are generally limited and relatively distant given the varied topography of the site with localised ridges and knolls providing some landform separation between the proposed lots so that only one or two sites will be visible at any one time. Lot 5 – Stage I in the Landscape Protection Area is visible from a larger visual catchment than the other sites and accordingly the District Plan applies greater controls on the design and visual appearance of any structures. Planting should therefore be part of any mitigation considerations to blend the dwelling and earthworks into the surrounding patterns of landscape and vegetation for Lot 5 – Stage I.
27. Views towards the site are possible from residential areas at the northern end of Titahi Bay (upper Dimock Street and Richard Street, Humphreys Grove, Mapplebeck and Rothwell Streets and Gloaming Hill areas – Refer Photographs 8 and 10) with views towards the proposed Lot 5 house site of between 1.8 and 2.5 km distance. More distant views of Lot 5 – Stage I are possible from distances of 2.5 to 4km from eastern harbour areas of Aotea, Papakowhai and Paremata, including Seascape View (refer Photographs 11, 12 and 13). Far distant views towards the site are also possible, though largely insignificant, from areas of Plimmerton, Hongoeka Bay at 5.5 to 6km distance (refer Photographs 14 and 15).
28. Photographs have been taken from representative views in the near, middle and far distance and included in Appendix One to illustrate visual effects from these locations. The above describe views from residential areas. Views from public areas are possible from the stretch of SH1 between Aotea and Paremata, including the NIMT railway where views towards Lot 5 are possible at a distance of 3 km (refer Photograph 12). A limited view from the northern end of Titahi Beach is also possible (refer Photograph 9) but further views from the beach are obscured by the rising landform. Views from the sea were not directly assessed but it is expected that Lots 3 and 4 – Stage I and Lots 1 and 2 – Stage II would be visible from some distance out but not the immediate coastline due to the steeply rising landform at the coastal edge (refer Photographs 1 to 5).

Effects on Rural Character

29. The main visual elements of this proposal will be from earthworks and dwellings that may appear intrusive in this open, pastoral landscape. Any visual effects will be more prominent if they do not fit with

the existing pattern of development due to their scale, placement, form, colour or materials. This includes fencing, landform, planting, structures and vehicle access.

30. Given the sloping topography, some earthworks will be required to create building platforms and outdoor living areas associated with construction of dwellings. Earthworks that cannot be finished to resemble natural landforms and regrassed or screened with planting will be visually prominent and should be avoided. Retaining walls would need to be kept to a minimum (both height and length) and use natural materials and colours or screened with planting to allow them to recede into the landscape.
31. House sites for proposed Lots 1 and 2 – Stage II are proposed relatively close to the top of a broad, open ridge. There is potential for these new dwellings to have a skyline effect where the building silhouette is seen against a sky backdrop. This effect will be more pronounced (attract the eye) if the roofline is pointed with a steep pitch and is light in colour or highly reflective. Hence a low-pitched roof with darker, muted colours is preferable to help recede the structure into the landscape. A planted backdrop would also assist in reducing any skyline effect and should be considered in these instances.
32. It will be important that any boundary fencing remains rural in character, using post and wire fencing and timber gates to match the existing style of fencing with vegetation for screening rather than solid timber fences. Planting will also help to screen any retaining walls or earthwork cuts that cannot be blended back into the surrounding landform.
33. Shelter planting around existing dwellings is also part of the existing rural character. It is expected that shelter planting will be a priority around the living areas of houses and that this will be balanced against the desire to retain coastal views. Over time it is expected that new patterns of vegetation would be established that would follow the existing patterns as they occur in gullies and around dams where there is more shelter and moisture for successful plant establishment. This will help reduce the visual effects of any new structures and earthworks so they will gradually recede and blend into the rural landscape.
34. This gradual planting approach from initial shelter to a more diverse planting pattern, is likely to occur on all lots over time – as has occurred around the current homestead with its associated cluster of farm buildings. In the case of Lot 5 – Stage I within the Landscape Protection area, it will be important that this occurs in a planned manner to provide greater certainty of planting occurring in a reasonably short time frame as part of the site development. Any planting for Lot 5 – Stage I should seek to extend the bush up towards the house so that it appears as a continuation of the reserve vegetation. This would help blend the new dwelling into its surroundings, thus minimising effects on rural character.

35. The existing established exotic trees on and around the site form part of the rural character of the area and it would be appropriate to continue some planting of shelterbelts along boundaries in some areas, as this would reinforce the rural character of the surrounding farm.

POTENTIAL MITIGATION MEASURES

36. In seeking to retain the rural character of the site, a number of measures have been outlined that could be applied to this proposal. Those that have a primary influence on rural character include the siting of structures to avoid skyline effects and minimising the potential impact of earthworks, as recognised in the District Plan policies for the rural zone.
37. In addition to the building location, some consideration should be given to building height and form to promote single storey and low, horizontal forms that 'hug' the contour, or step down in split level form rather than tall, bulky structures. Earthworks should be able to blend back into natural forms, minimising the need for retaining walls. Higher retaining walls (i.e those over 1.5m) should be screened behind dwellings or vegetation. Fencing styles and gates would match the existing post and wire or deer netting fence with windcloth used for temporary shelter for plant establishment rather than solid timber fences as they are more in keeping with the existing rural character.
38. In the case of Lot 5 – Stage I, more certainty with respect to total site planning is required given its location within a highly visible landscape protection area. It is recommended that a landscape plan should be submitted for approval that considers all exterior elements including earthworks, retaining walls, vehicle access and parking. Such plan to demonstrate an integrated design response between the house and any additional earthworks and planting. If retaining structures are used, they should be concealed by planting or integrated as part of the structure of the building and ensure some continuity with surrounding vegetation patterns, whether grassed or planted.

RECOMMENDED CONDITIONS

39. The following conditions are recommended to give effect to the above landscape mitigation measures:

Protection of Skyline Conditions

1. *That within each lot, a building exclusion zone be identified by survey in the e.survey data set and included in the approved survey plan and that a consent notice pursuant to section 221 of the RMA is registered against the title of each lot restricting any building above the contour line defining the exclusion zone as follows:*
 - i. *within Lot 1 – Stage II the building exclusion zone is RL190m*

- ii. within Lot 2 – Stage II the building exclusion zone is RL 185m
- iii. within Lot 3 – Stage I the building exclusion zone is RL 176m
- iv. within Lot 4 – Stage I the building exclusion zone is RL 167m
- v. within Lot 5- Stage I the building exclusion zone is RL 160m

That these restrictions are registered on the title via a consent notice pursuant to section 221 of the RMA.

OR

1A

1. That within the following lots, a building exclusion zone be identified by survey in the e.survey data set and included in the approved survey plan and that a consent notice pursuant to section 221 of the RMA is registered against the title of each lot restricting any building above the contour line defining the exclusion zone as follows:

- i. within Lot 3 – Stage I the building exclusion zone is RL 176m
- ii. within Lot 4- Stage I the building exclusion zone is RL 167m
- iii. within Lot 5- Stage I the building exclusion zone is RL 160m

1B For lots 1 and 2 – Stage II, if any part of a building, including any dwelling, accessory building, water tank and/or retaining wall, extends beyond RL 190m for Lot 1- Stage II and RL 185m for Lot 2 – Stage II (or being visible on the skyline) a landscape plan shall be submitted for the reasonable approval by the Manager, Resource Consents at the time of a building consent being lodged. The objective of the landscape plan is to ensure planting is undertaken to avoid any effects on the skyline. The landscape plan shall show the following:

- i. Planting that extends, for a minimum, the full length of the building that is located on the skyline when viewed from the upper northern streets of the residential area of Titahi bay;
- ii. The planting shall grow to the full height (or higher) of the proposed building; and
- iii. The planting shall be maintained for the life of the building (allowing for replacement planting to be phased over time).

The approved landscape plan shall be implemented within 12 months of the final completion certificate issued for the dwelling with planting growing to the height required for screening within 5 years of being planted That these restrictions are registered on the title via a consent notice pursuant to section 221 of the RMA.

House Design Condition (for Lots 3 and 4 – Stage I and Lots 1 and 2 – Stage II)

That buildings (and for the purpose of this condition buildings include water tanks and retaining walls) within Lots 3 and 4 – Stage I and Lots 1 and 2 – Stage II be designed as follows

1. That no part of the dwelling be higher than 6.5m above finished ground level and all buildings, and [in respect of lots 2, 3 and 4 – Stage I] parts thereof shall be located outside the building exclusion zone;
2. That the roof on any building, including a dwelling be of a low pitch with an angle of 30 degrees or less;
3. That a building, including a dwelling, any accessory building, and any retaining walls be finished in materials (including the exterior paint or stain) that has a reflectivity value of 60% R_V or less as per BS5252 colour chart, in muted tones within greyness Groups A to B. Roof to be of a generally darker shade than the walls and preference to be given to natural materials and colours found in the surrounding landscape such as timber, stone and earth.
4. That any retaining wall greater than 1.5m in height which is not screened by a dwelling or accessory building, shall be screened by vegetation that will grow to the height of the retaining wall within 5 years.

That these restrictions be registered on the title of each of the Lots 3 and 4 – Stage I and Lots 1 and 2 – Stage II via a consent notice pursuant to section 221 of the RMA.

Landscaping Conditions (for Lots 3 and 4 – Stage I and Lots 1 and 2 – Stage II only)

1. That boundary fences (excluding right of way boundaries) be restricted to standard 8 wire fence or up to 2m deer fencing, with any temporary windcloth only to be used as required for plant establishment.

That this restriction be registered on the title of each of the Lots 3 and 4 – Stage I and Lots 1 and 2 – Stage II via a consent notice pursuant to section 221 of the RMA.

Earthworks Condition (for Lots 3 and 4 and 5 – Stage I and Lots 1 and 2 – Stage II)

1. That all earthworks within (for Lots 3 and 4 and 5 – Stage I and Lots 1 and 2 – Stage II) shall be stabilised with either metal (if it is for a right of way and/or access); or planted out with grass-seed or other suitable vegetation within 1 month of the earthworks being completed and stabilised within 12 months of the earthworks being undertaken.

That this restriction be registered on the title of each of the Lots 3 and 4 and 5 – Stage I and Lots 1 and 2 – Stage II via a consent notice pursuant to section 221 of the RMA.

Conditions in Respect of Lot 5 – Stage I

1. That no part of the dwelling be higher than 5m above finished ground level and broken down into differing heights (to reduce the visual bulk of the structure) and all parts of the building to be located below the Building Exclusion Zone.
2. That the roof on any building, including a dwelling be of a low pitch and have an angle no greater than 30 degrees;
3. That a building, including a dwelling and associated landscaping including retaining walls be finished in materials (including the exterior paint or stain) that has a reflectivity value of 60%

RVor less as per BS5252 colour chart, using muted tones within greyness Groups A to B. Roof to be of a generally darker shade than the walls and preference to be given to materials and colours found in the natural landscape such as timber, stone and earth. Non-permeable surfaces (such as driveway and parking areas) shall use low-reflective colours or materials;

4. *That any retaining wall greater than 1.5m in height which is not screened by a dwelling or accessory building, shall be screened by vegetation that will grow to the height of the retaining wall within 5 years.*
5. *That a landscape plan that gives effect to conditions 1 – 5 above be prepared by a suitably qualified landscape professional. The landscape plan shall be submitted for the reasonable approval by the Manager, Resource Consents at the time of a building consent. The objective of the landscape plan is to minimise the effect development has on the surrounding rural landscape. The approved landscape plan shall be implemented within 12 months of the final completion certificate issued for the dwelling.*

That these restrictions are registered on the title for Lot 5 – Stage I via a consent notice pursuant to section 221 of the RMA.

CONCLUSION

40. The proposal has been assessed against the relevant landscape and visual assessment criteria listed in the district plan relating to the design, appearance and effect on rural character. The proposal is considered appropriate and in keeping with the rural character and amenity of the area, but earthworks and any structures will initially have some visual effects as seen from the residential areas on the upper northern slopes of Titahi Bay as well as immediately below the site on streets around and including upper Pikarere Street.
41. The effects on rural landscape character and amenity is considered to be less than minor on the wider area provided the mitigation measures with respect to building locations and design are effectively implemented. Furthermore, it will be important to adopt appropriate treatment methods for finished earthworks to avoid retaining walls unless screened by building form and ensure any visible earthworks are reshaped and contoured to resemble natural landforms.
42. In conclusion, the proposed subdivision is considered to be of an appropriate scale for its rural setting, with visual effects limited by distance and the varied topography of the site resulting not all dwellings being visible at once. Some potential visual effects of house construction and associated earthworks can be mitigated by selective placement of buildings in locations as proposed and design that ensures building form and materials will recede into the hillside backdrop with minimal effect on the skyline. The recommended conditions include limits on building heights that promote predominantly single storey

dwellings to reduce the potential for skyline effects that may occur until vegetation may be established to reduce these effects in the longer term.

43. The effects on rural landscape character and amenity is considered to be less than minor on the wider area provided earthworks can be effectively minimised by careful house design and building platform levels to follow existing contours with minimal cut or fill required. Landscape and visual effects can be further mitigated with appropriate planting that extends existing patterns of vegetation - using a mixture of native and exotic species (locally indigenous planting in gullies) to further help blend houses into the surrounding landscape over time.
44. It is concluded that that any adverse landscape and visual effects of the proposal on the surrounding rural character will be no more than minor and can be mitigated with appropriate measures including sensitive location to minimise earthworks and skyline effects and site responsive design as outlined in the proposed mitigation measures.

Linda Kerkmeester
Registered NZILA LANDSCAPE ARCHITECT
21 December 2014

Appendix One:

Photographs (1-15) from site and surrounding areas to illustrate visual impact of proposal.

APPENDIX ONE:

Photographs from site and surrounding areas to illustrate visual impact of proposal.

Photograph 1: Lot 1

Photograph 2: Lot 2

Photograph 3: Lot 3

Photograph 4: Lot 4

Photograph 5: Lot 5 Panorama

Photograph 6: End Pikarere Street

Photograph 7: Pikarere Street (No's 95-97)

Photograph 8: Richard St, Titahi Bay

Photograph 9: Titahi Bay Beach

Photograph 10: Humphreys Grove, Titahi Bay

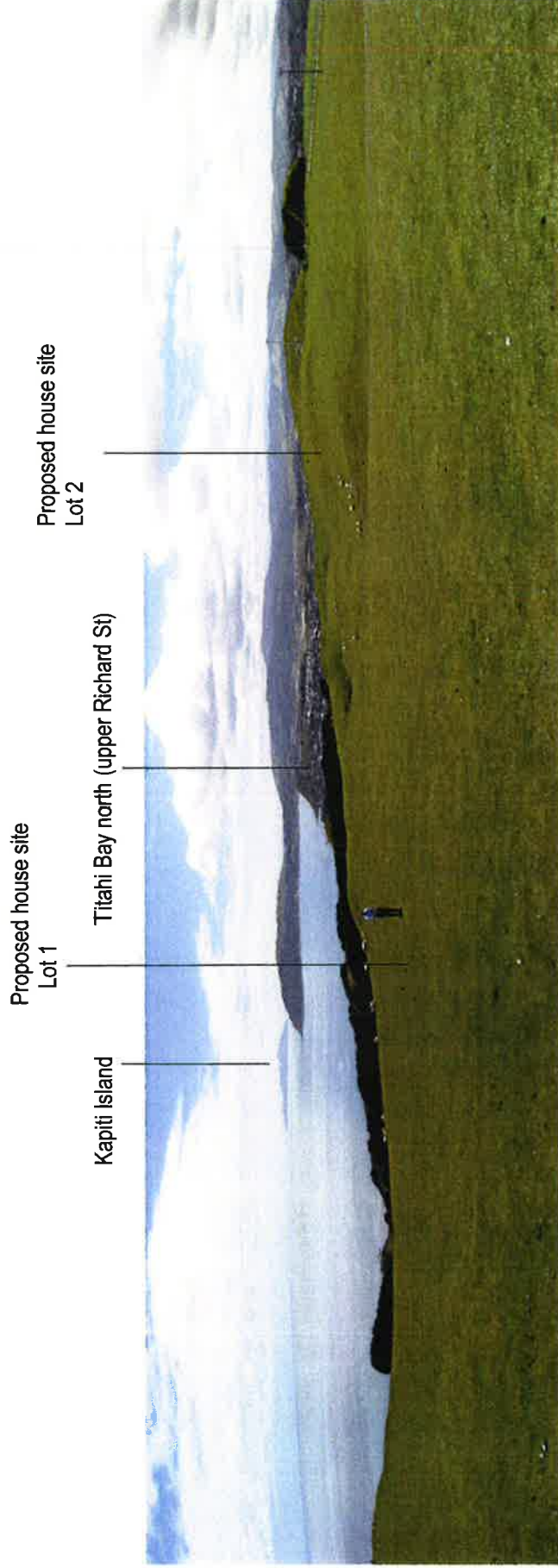
Photograph 11: Aotea Block, John Burke Drive

Photograph 12: SH1

Photograph 13: Seascapes View, Paremata

Photograph 14: The Track, Plimmerton

Photograph 15: Moana Rd, Karehana Bay



Photograph 1: **Lot 1**

Looking north (Kapiti Island and Hongoeka in distance) with proposed Lot 1 house site in foreground (person standing at approximate house site elevation of 185m RL). A gully separates proposed Lots 1 and 2 – with potential for planting to screen views between lots.

This photo illustrates that Lot 1 would be visible from some northern parts of Titahi Bay (Richard St, upper Dimock St approx. 2.8-3.0km away) and Hongoeka Bay, near Plimmerton in the far distance – 6 km away. Lot 2 house site would be less visible from a distance as it is 5m lower in elevation and partially screened by the knoll in the distance to the right of the photograph.

Views from the sea are possible at some distance from the coast but not the coastal edge immediately below the site, nor from Titahi Bay beach due to the angle of view and being screened by the rising landform.

Lot 1



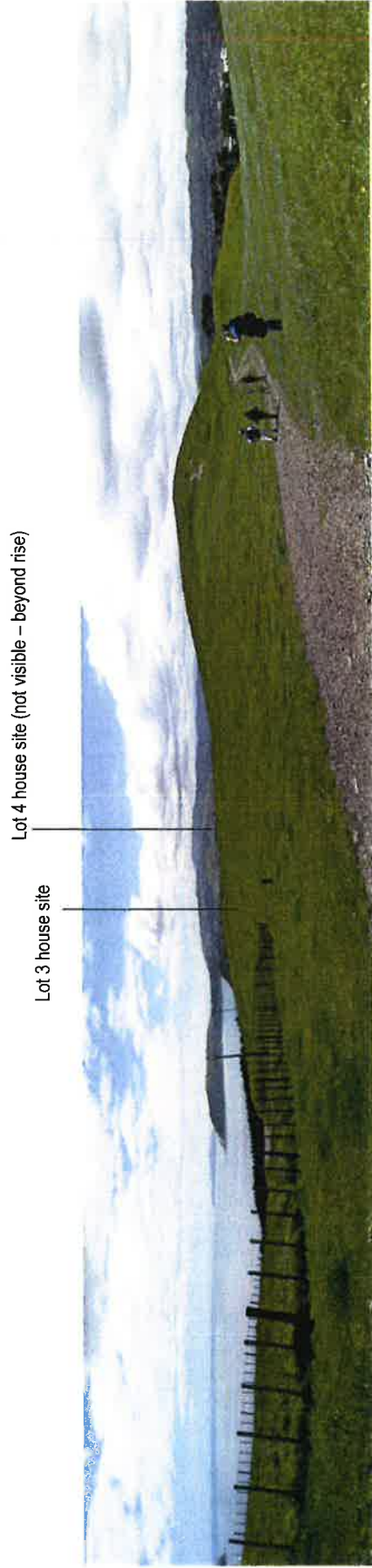
Lot 2

Photograph 2: Lot 2

Photograph taken from Lot 2 looking west toward Lot 1.

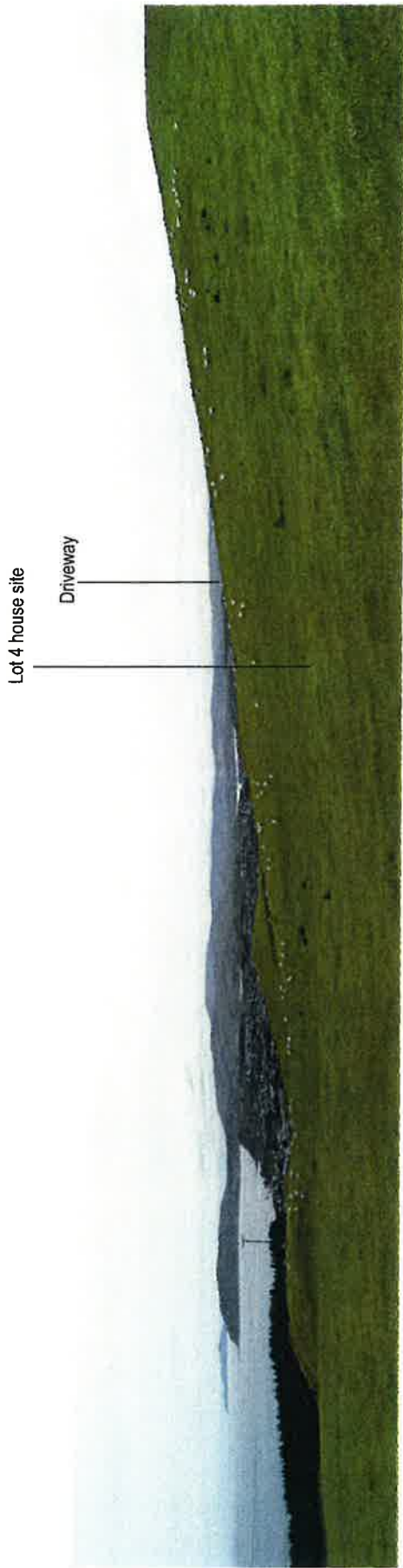
A gully separates the two lots with approximately 90 m separating the house sites. Thus there is potential for planting on both sides of the gully and within the gully to provide screening and visual separation between the two sites as seen from within the sites and from a distance.

Planting of the gully and behind the houses would blend into existing patterns of shelterbelts and gully planting, in keeping with the rural character.



Photograph 3: **Lot 3**

Looking towards Lot 3 with Lot 4 just over the rise with distant views towards Titahi Bay and Hongoeka. Refer to Photographs 8 and 10 for potential views of house sites from residential areas in the upper north area of Titahi Bay.

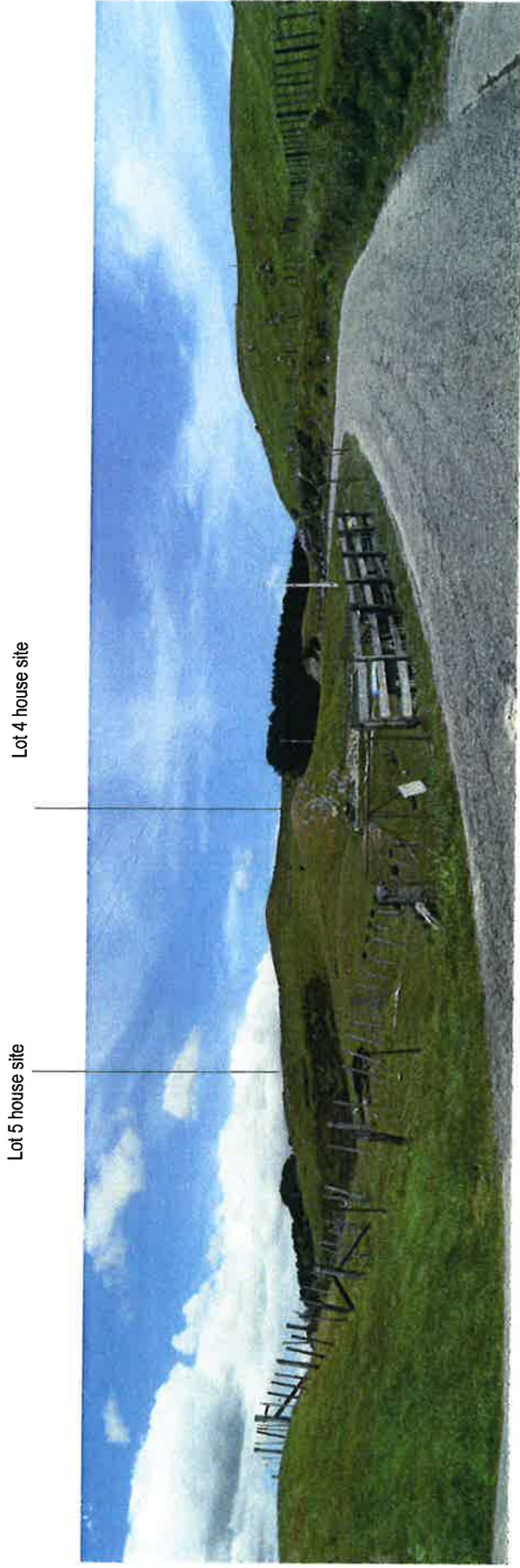


Photograph 4: **Lot 4**

Looking towards Lot 4 house site (in foreground) with distant views towards Titahi Bay and Hongoeka. Views from Paremata and Aotea are screened by the rising landform beyond the site - existing fenceline visible on ridge would be Lot 4 boundary. New driveway access would be formed at the point in the ridge as indicated, with minimal earthworks required.



Photograph 5: **Panorama from Lot 5 looking north**
 Showing north-west panorama with views towards Titahi Bay, Paremata, Porirua Harbour and Aotea subdivision.
 Note people standing in foreground near dam below house site with existing bush on Council reserve to the right of the photograph.



Photograph 6: **End Pikarere Street (bus turnaround)** – looking towards site.
 (Distance from Lot 5 house site: 500m. Photo taken at approx. elevation 110m)

Lot 5 house site and part of Lot 4 would be visible from this viewpoint. This view would be similar to those from the backyards of houses at the end of Pikarere Street where the main focus would be to seawards to the north, rather than south towards the site. (see Photograph 7)

There is potential for at Lot 5 dwelling to be seen against the skyline thus design controls on building height, form and colour will be important to blend into surrounding landforms and minimise skyline effect. Planting on the ridge behind would reduce the visual effect over time.

New planting below the site of Lot 5 dwelling would help screen the proposed dwelling and provide a visual link with the wider landscape. Planting to be similar to the existing native vegetation in the reserve to the left below the site.



Photograph 7 : **Pikarere Street**– looking along driveway between 95-97 Pikarere Street residences.
 (Distance from Lot 5 house site: 500m)

Lot 5 dwelling and part of Lot 4 dwelling would be visible from this viewpoint, with some skyline effect possible. These houses have views towards the site from their backyards (south side) with the main focus to seaviews from front yards (facing north), thus not towards the site.

Lot 5 Lot 4 Lots 1 & 2



Photograph 8: **Richard St, Titahi Bay, north**– looking towards site from upper end (north) of Richard St.
(Distance from site: 2.2km)

Distant view towards the site - proposed dwellings would be visible from here, close to the skyline seen in context with other houses and at lesser density than existing housing patterns at the top of Pikerere and Moki Streets.

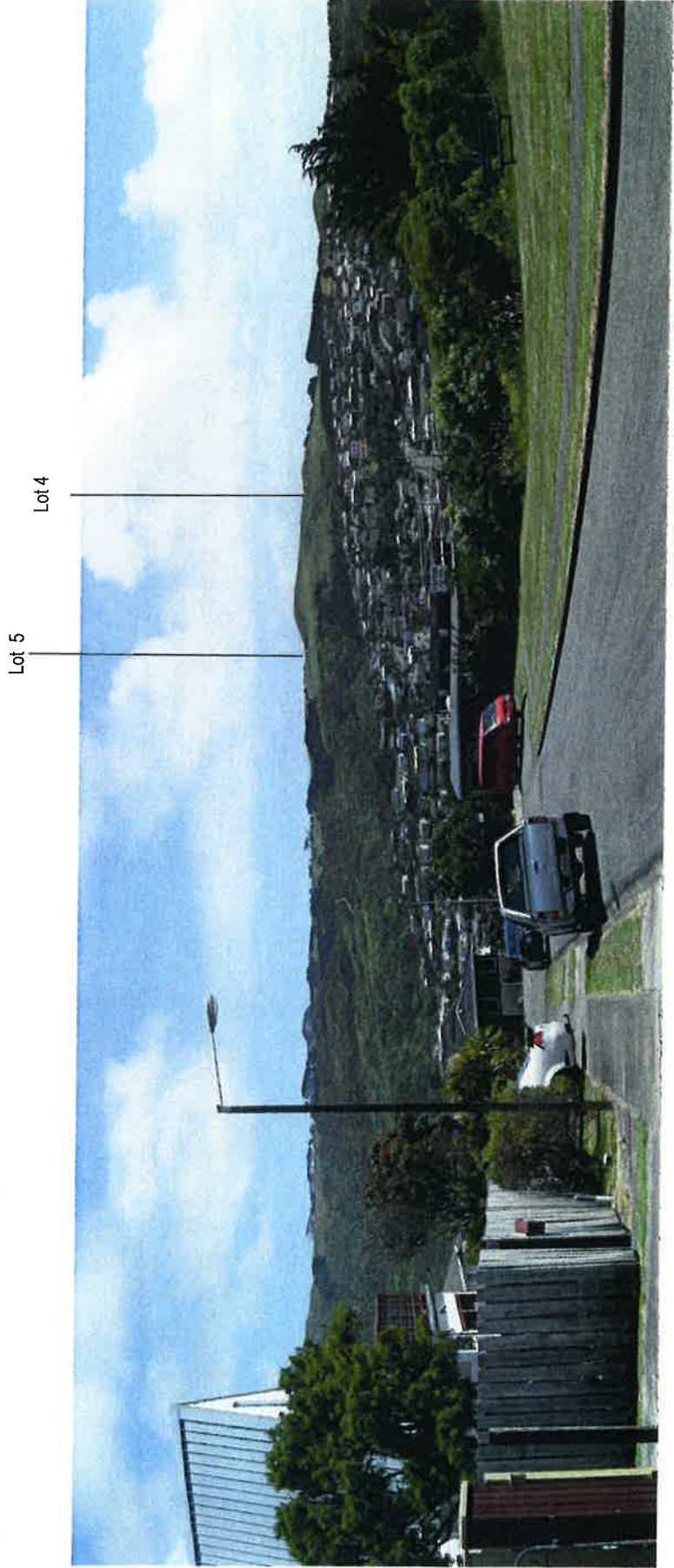
Planting around the dwellings, particularly on the south side, would help minimise any potential skyline effects. Further mitigation measures such as low, horizontal forms and low reflective material will result in dwellings being barely discernible from this distance as they would be compatible with existing development patterns.

Lot 5



Photograph 9: **Titahi Bay beach**
(Distance from site: 1.8 km)

Lot 5 may be just visible from the northern end of the beach, seen in context with other dwellings close to the top of the hill and barely discernible from this distance. Further along the beach heading south, the house site will not be visible due to the angle of the slope and rising landform screening views to the site.



Photograph 10: **Humphreys Grove, TITAHI BAY**
(Distance from site: 2.2km)

Distant view of site of Lot 5 on skyline and partial view of 4. Remaining Lots 1 – 3 not visible. This is similar to views from other residential areas in the northern streets of Titahi Bay including Dimock, Owhiti Rothwell and Mapplebeck Streets. Dwellings would be seen in context with other residential development rising up towards the ridgeline, well separated by distance. Planting below Lot 5 dwelling and subdued colours and forms of dwellings would reduce visual effects from these locations.

Lot 5



Photograph 11: AOTEA BLOCK, John Burke Drive

Looking across Porirua Harbour towards the site, from new section at Aotea subdivision.
(Distance from site: 2.5km)

The roof of the Lot 5 house site may be visible with the house largely screened by the vegetation on the reserve below the site. There is potential to see more of the dwelling near the skyline from properties along this street further north. It Controls on building roof form, height and colour will allow the structure to recede into the backdrop.

Lot 5



Photograph 12: SH1 (below Gear Homestead)
(Distance from site: 3.0km)

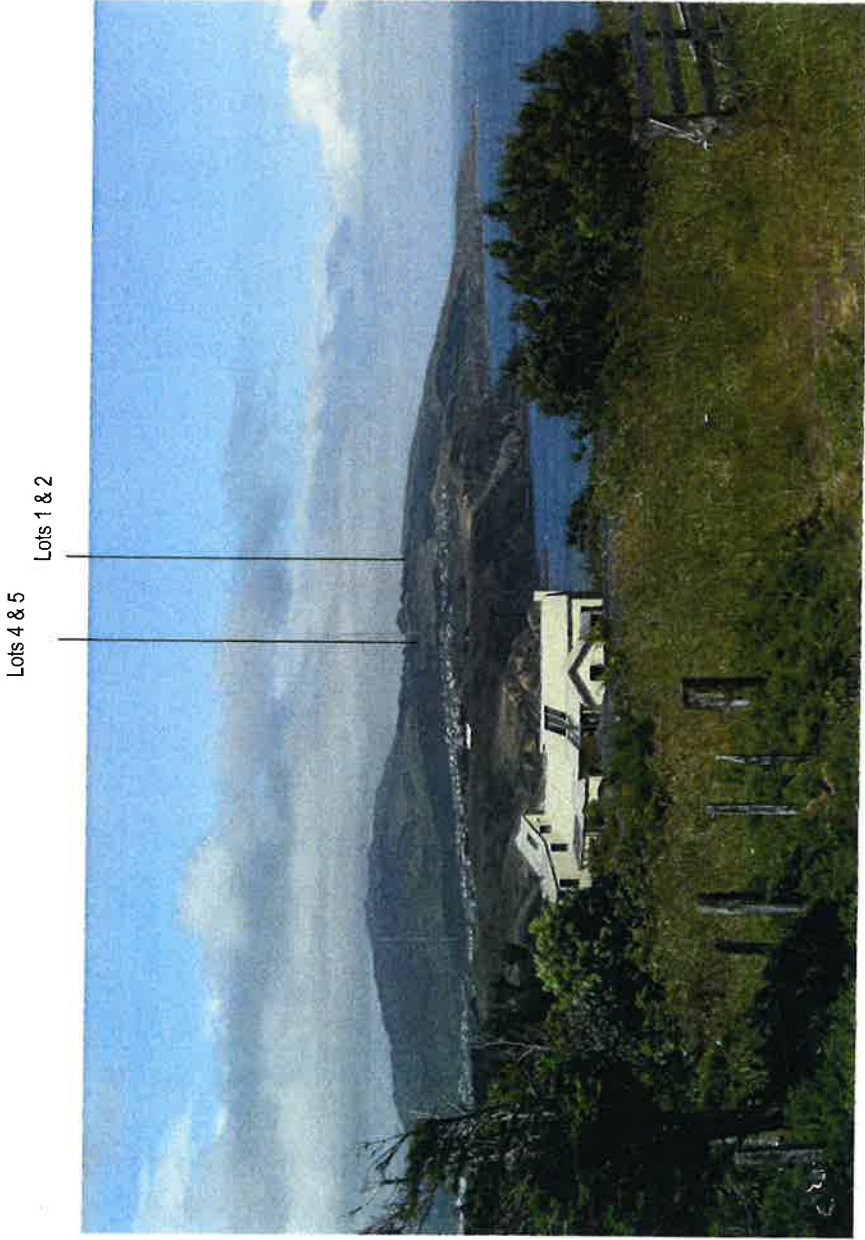
A distant view of house site on Lot 5 is possible just below the skyline. Drivers and passengers in moving cars and trains would experience this as a passing glimpse. Planting below the site would be beneficial, along with controls on building roof form, height and colour. New planting would be seen as an extension of the reserve planting and help blend the dwelling into the surrounding landscape over time.

Lot 5



Photograph 13: Seascape View, PAREMATA
(Distance from site: 4 km)

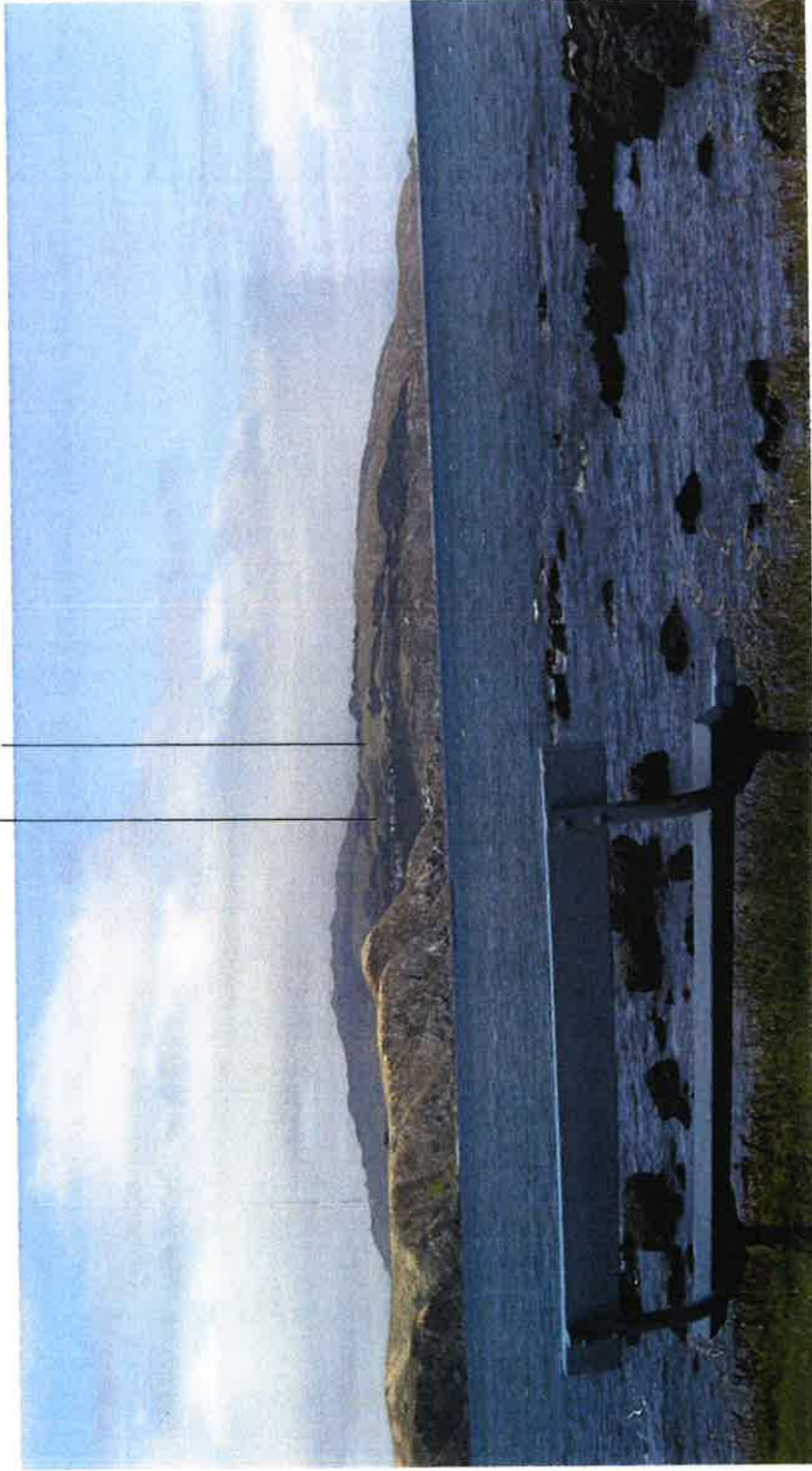
Distant view of Lot 5 will be possible below the skyline. Lot 4 would not be visible as it is screened by the main ridge on the skyline. As with views from SH1, planting below the site would reduce visual effects, seen as an extension of the reserve planting to blend the dwelling into the surrounding landscape over time.



Photograph 14: **The Track, PLIMMERTON**
(Distance from site: 6 km)

Distant view of site just below skyline. Dwellings would be barely discernible at this distance and would fit into existing patterns of vegetation in the rural landscape.

Lots 4 & 5
Lots 1 & 2



Photograph 15: **Moana Rd, KAREHANA BAY**
(Distance from site: 6 km)

View from coastal edge near Pimmerton - new dwellings will be barely discernible at this distance. Any structures and planting will blend into existing patterns of development on Pikarere Farm with planting around existing homestead visible on the skyline to the right of Lots 4 and 5.

APPENDIX VII

Consultation with Queen Elizabeth II National Trust



QEII National Trust
Open Space New Zealand
Ngā Kalrauhī Papa

31 October 2014

Mr DFB Stevenson
PO Box 5348
Lambton Quay
WELLINGTON
6145

Dear Mr Stevenson

RE: QEII National Trust -- Open Space Covenant -- Boundary adjustment

I refer to your letter to Heather Hay dated 15 August 2015. Thank you for advising the QEII National Trust of your intention to adjust the boundary between Lots 3 and 7 DP373530.

I have discussed this with our Senior Legal Council Paul Kirby and can confirm QEII National Trust consents to the proposed boundary adjustment as per the contents of your letter.

We would like to reiterate that, in the interests of the indigenous vegetation, the covenant agreement stipulates that fencing will be required should the pine plantation or part thereof be harvested and stock grazed on that area or if existing stock proof fences require replacement or repair.

The National Trust appreciates the efforts you have made to keep the perimeter fences in good order to date and it is pleasing to see kohekohe was noted as recovering in the lower tiers of the forest during our most recent monitoring visit to your covenant.

Please do not hesitate to contact me if you have any further questions.

Yours sincerely

Kerri Lukis
Senior Land Protection Advisor

File: 44800056
Ref: DFBS3314-337331.1

Dan Stevenson
Direct Dial: (04) 471 5852
dan.stevenson@izardweston.co.nz

15 August 2014

Heather Hay
Legal Counsel – South
QE11 National Trust
PO Box 3341
Wellington 6148

QEII NATIONAL TRUST – OPEN SPACE COVENANT – BOUNDARY ADJUSTMENT

1. **Attached are copies of:**
 - 1.1 Identifier 296894 (Wellington) in respect of Lot 3 DP373530.
 - 1.2 Identifier 296897 (Wellington) in respect of Lot 7 DP373530 which adjoins Lot 3.
 - 1.3 Plan showing proposed adjustment between Lot 3 and Lot 7.
2. On the plan the adjusted boundaries are shown in yellow and the remaining area in the title is cross-hatched in green.
3. The purpose is to include the bulk of the pine trees on the current Lot 3 in Lot 7.
4. There will be two separate Lots but the balance of Lot 3 will be reduced from 7.9514 hectares to slightly over 5.5 hectares.
5. There will be no effect on the covenant in favour of QEII National Trust as it will remain in full force and effect and attached to the same area of land as at present.
6. The boundary adjustment will not materially adversely affect the preservation of the Land as an area of "open space" in terms of clause 2(h) of the Open Space Covenant dated 22 September 2009 between the company and the QEII Trust.
7. You will note that the open space covenant is registered on both the titles for Lot 3 and Lot 7 and will remain so.
8. We doubt that consent of the Board is required in terms of clause 2 of the Open Space Covenant. Please regard this email as request for consent in terms of clauses 2 and 3 of the Open Space Covenant and confirm that the Board will give its consent.

9. If you require any further details please let me know.

Yours faithfully
IZARD WESTON

Dan Stevenson
Consultant

rc



**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



Search Copy


R. W. Muir
Registrar-General
of Land

Identifier 296894
Land Registration District Wellington
Date Issued 02 August 2010

Prior References
WN57D/883

Estate Fee Simple
Area 7.9514 hectares more or less
Legal Description Lot 3 Deposited Plan 373530

Proprietors
Pikarere Farm Limited

Interests

Subject to Section 8 Coal Mines Amendment Act 1950
A026615 Mortgage to Bank of New Zealand - 12.3.1974 at 11:04 am
5316108.5 Encumbrance to Porirua City Council - 15.8.2002 at 1:28 pm
8309921.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 2.8.2010 at 2:00 pm
Appurtenant hereto is a right of way created by Easement Instrument 8309921.6 - 2.8.2010 at 2:00 pm
Appurtenant hereto is a right of way created by Easement Instrument 8309921.7 - 2.8.2010 at 2:00 pm
The easements created by Easement Instrument 8309921.7 are subject to Section 243 (a) Resource Management Act 1991
Land Covenant in Easement Instrument 8309921.8 - 2.8.2010 at 2:00 pm
8309921.9 Open Space Covenant pursuant to Section 22 Queen Elizabeth The Second National Trust Act 1977 - 2.8.2010 at 2:00 pm. (affects part)
9084530.1 Notice pursuant to Section 195(2) Climate Change Response Act 2002 - 31.5.2012 at 9:52 am



**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



Search Copy

R. W. Muir
Registrar-General
of Land

Identifier 296897
Land Registration District Wellington
Date Issued 02 August 2010

Prior References
WN57D/883


Estate Fee Simple
Area 120.8684 hectares more or less
Legal Description Lot 7 Deposited Plan 373530

Proprietors
Pikarere Farm Limited

Interests

Subject to Section 5 Coal Mines Act 1979 (affects part formerly in CT WN33A/860)
Subject to Section 8 Mining Act 1971 (affects part formerly in CT WN33A/860)
Subject to Section 8 Coal Mines Amendment Act 1950 (affects part formerly in CT WN912/53)
A026615 Mortgage to Bank of New Zealand - 12.3.1974 at 11:04 am
5316108.5 Encumbrance to Porirua City Council - 15.8.2002 at 1:28 pm
8309921.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 2.8.2010 at 2:00 pm
Appurtenant hereto is a right of way created by Easement Instrument 8309921.6 - 2.8.2010 at 2:00 pm
Subject to a right of way over part marked A, C on DP 373530 created by Easement Instrument 8309921.7 - 2.8.2010 at 2:00 pm
Appurtenant hereto is a right of way created by Easement Instrument 8309921.7 - 2.8.2010 at 2:00 pm
The easements created by Easement Instrument 8309921.7 are subject to Section 243 (a) Resource Management Act 1991
Land Covenant in Easement Instrument 8309921.8 - 2.8.2010 at 2:00 pm
8309921.9 Open Space Covenant pursuant to Section 22 Queen Elizabeth The Second National Trust Act 1977 - 2.8.2010 at 2:00 pm. (affects part)
9084530.1 Notice pursuant to Section 195(2) Climate Change Response Act 2002 - 31.5.2012 at 9:52 am



 16 06 164 7293 Fax 06 384 5142 20 Adington Road, 201 Otaki, New Zealand info@landmatters.com www.landmatters.com	Prepared by Pikar Limited	TITAHU BAY	Drawing Title Concept Plan Showing Proposed Boundary Adjustments		Project No. J250
			Date 	Date 	Date
					Drawing No. 6.110

APPENDIX VII

Consultation with Queen Elizabeth II National Trust



QEII National Trust
Open Space New Zealand
Ngā Kalrauhi Papa

31 October 2014

Mr DFB Stevenson
PO Box 5348
Lambton Quay
WELLINGTON
6145

Dear Mr Stevenson

RE: QEII National Trust – Open Space Covenant – Boundary adjustment

I refer to your letter to Heather Hay dated 15 August 2015. Thank you for advising the QEII National Trust of your intention to adjust the boundary between Lots 3 and 7 DP373530.

I have discussed this with our Senior Legal Council Paul Kirby and can confirm QEII National Trust consents to the proposed boundary adjustment as per the contents of your letter.

We would like to reiterate that, in the interests of the indigenous vegetation, the covenant agreement stipulates that fencing will be required should the pine plantation or part thereof be harvested and stock grazed on that area or if existing stock proof fences require replacement or repair.

The National Trust appreciates the efforts you have made to keep the perimeter fences in good order to date and it is pleasing to see kohekohe was noted as recovering in the lower tiers of the forest during our most recent monitoring visit to your covenant.

Please do not hesitate to contact me if you have any further questions.

Yours sincerely

Kerri Lukis
Senior Land Protection Advisor

File: 44800056
Ref: DFBS3314-337331.1

Dan Stevenson
Direct Dial: (04) 471 5852
dan.stevenson@izardweston.co.nz

15 August 2014

Heather Hay
Legal Counsel – South
QEII National Trust
PO Box 3341
Wellington 6148

QEII NATIONAL TRUST – OPEN SPACE COVENANT – BOUNDARY ADJUSTMENT

1. **Attached are copies of:**
 - 1.1 Identifier 296894 (Wellington) in respect of Lot 3 DP373530.
 - 1.2 Identifier 296897 (Wellington) in respect of Lot 7 DP373530 which adjoins Lot 3.
 - 1.3 Plan showing proposed adjustment between Lot 3 and Lot 7.
2. On the plan the adjusted boundaries are shown in yellow and the remaining area in the title is cross-hatched in green.
3. The purpose is to include the bulk of the pine trees on the current Lot 3 in Lot 7.
4. There will be two separate Lots but the balance of Lot 3 will be reduced from 7.9514 hectares to slightly over 5.5 hectares.
5. There will be no effect on the covenant in favour of QEII National Trust as it will remain in full force and effect and attached to the same area of land as at present.
6. The boundary adjustment will not materially adversely affect the preservation of the Land as an area of "open space" in terms of clause 2(h) of the Open Space Covenant dated 22 September 2009 between the company and the QEII Trust.
7. You will note that the open space covenant is registered on both the titles for Lot 3 and Lot 7 and will remain so.
8. We doubt that consent of the Board is required in terms of clause 2 of the Open Space Covenant. Please regard this email as request for consent in terms of clauses 2 and 3 of the Open Space Covenant and confirm that the Board will give its consent.

9. If you require any further details please let me know.

Yours faithfully
IZARD WESTON

Dan Stevenson
Consultant

rc



**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



Search Copy


R. W. Muir
Registrar-General
of Land

Identifier 296894
Land Registration District Wellington
Date Issued 02 August 2010

Prior References
WN57D/883

Estate Fee Simple
Area 7.9514 hectares more or less
Legal Description Lot 3 Deposited Plan 373530

Proprietors
Pikarere Farm Limited

Interests

Subject to Section 8 Coal Mines Amendment Act 1950
A026615 Mortgage to Bank of New Zealand - 12.3.1974 at 11:04 am
5316108.5 Encumbrance to Porirua City Council - 15.8.2002 at 1:28 pm
8309921.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 2.8.2010 at 2:00 pm
Appurtenant hereto is a right of way created by Easement Instrument 8309921.6 - 2.8.2010 at 2:00 pm
Appurtenant hereto is a right of way created by Easement Instrument 8309921.7 - 2.8.2010 at 2:00 pm
The easements created by Easement Instrument 8309921.7 are subject to Section 243 (a) Resource Management Act 1991
Land Covenant in Easement Instrument 8309921.8 - 2.8.2010 at 2:00 pm
8309921.9 Open Space Covenant pursuant to Section 22 Queen Elizabeth The Second National Trust Act 1977 - 2.8.2010 at 2:00 pm. (affects part)
9084530.1 Notice pursuant to Section 195(2) Climate Change Response Act 2002 - 31.5.2012 at 9:52 am



**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



R. W. Muir
Registrar-General
of Land

Search Copy

Identifier 296897
Land Registration District Wellington
Date Issued 02 August 2010

Prior References
WN57D/883

Estate Fee Simple
Area 120.8684 hectares more or less
Legal Description Lot 7 Deposited Plan 373530

Proprietors
Pikarere Farm Limited

Interests

Subject to Section 5 Coal Mines Act 1979 (affects part formerly in CT WN33A/860)
Subject to Section 8 Mining Act 1971 (affects part formerly in CT WN33A/860)
Subject to Section 8 Coal Mines Amendment Act 1950 (affects part formerly in CT WN912/53)
A026615 Mortgage to Bank of New Zealand - 12.3.1974 at 11:04 am
5316108.5 Encumbrance to Porirua City Council - 15.8.2002 at 1:28 pm
8309921.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 2.8.2010 at 2:00 pm
Appurtenant hereto is a right of way created by Easement Instrument 8309921.6 - 2.8.2010 at 2:00 pm
Subject to a right of way over part marked A, C on DP 373530 created by Easement Instrument 8309921.7 - 2.8.2010 at 2:00 pm
Appurtenant hereto is a right of way created by Easement Instrument 8309921.7 - 2.8.2010 at 2:00 pm
The easements created by Easement Instrument 8309921.7 are subject to Section 243 (a) Resource Management Act 1991
Land Covenant in Easement Instrument 8309921.8 - 2.8.2010 at 2:00 pm
8309921.9 Open Space Covenant pursuant to Section 22 Queen Elizabeth The Second National Trust Act 1977 - 2.8.2010 at 2:00 pm. (affects part)
9084530.1 Notice pursuant to Section 195(2) Climate Change Response Act 2002 - 31.5.2012 at 9:52 am



Project No. J250
 Scale 1:750 @ A3
 Drawing No. 6 of 6
 Rev. 00

**Concept Plan Showing
 Proposed Boundary Adjustments**

Drawn By	Checked By	Date

TITAHU BAY

Pikar Limited

LANDMatters
 55, 65, 75 & 85 (2003) | P.O. Box 944, 6143
 20 Addison Road, 10th Floor, New Zealand
 info@landmatters.com | www.landmatters.com

Drawn By	Checked By	Date

APPENDIX VII

Consultation with Queen Elizabeth II National Trust



QEII National Trust
Open Space New Zealand
Ngā Kalrauhi Papa

31 October 2014

Mr DFB Stevenson
PO Box 5348
Lambton Quay
WELLINGTON
6145

Dear Mr Stevenson

RE: QEII National Trust – Open Space Covenant – Boundary adjustment

I refer to your letter to Heather Hay dated 15 August 2015. Thank you for advising the QEII National Trust of your intention to adjust the boundary between Lots 3 and 7 DP373530.

I have discussed this with our Senior Legal Council Paul Kirby and can confirm QEII National Trust consents to the proposed boundary adjustment as per the contents of your letter.

We would like to reiterate that, in the interests of the indigenous vegetation, the covenant agreement stipulates that fencing will be required should the pine plantation or part thereof be harvested and stock grazed on that area or if existing stock proof fences require replacement or repair.

The National Trust appreciates the efforts you have made to keep the perimeter fences in good order to date and it is pleasing to see kohekohe was noted as recovering in the lower tiers of the forest during our most recent monitoring visit to your covenant.

Please do not hesitate to contact me if you have any further questions.

Yours sincerely

Kerri Lukis
Senior Land Protection Advisor

File: 44800056
Ref: DFBS3314-337331.1

Dan Stevenson
Direct Dial: (04) 471 5852
dan.stevenson@izardweston.co.nz

15 August 2014

Heather Hay
Legal Counsel – South
QEII National Trust
PO Box 3341
Wellington 6146

QEII NATIONAL TRUST – OPEN SPACE COVENANT – BOUNDARY ADJUSTMENT

1. **Attached** are copies of:
 - 1.1 Identifier 296894 (Wellington) in respect of Lot 3 DP373530.
 - 1.2 Identifier 296897 (Wellington) in respect of Lot 7 DP373530 which adjoins Lot 3.
 - 1.3 Plan showing proposed adjustment between Lot 3 and Lot 7.
2. On the plan the adjusted boundaries are shown in yellow and the remaining area in the title is cross-hatched in green.
3. The purpose is to include the bulk of the pine trees on the current Lot 3 in Lot 7.
4. There will be two separate Lots but the balance of Lot 3 will be reduced from 7.9514 hectares to slightly over 5.5 hectares.
5. There will be no effect on the covenant in favour of QEII National Trust as it will remain in full force and effect and attached to the same area of land as at present.
6. The boundary adjustment will not materially adversely affect the preservation of the Land as an area of "open space" in terms of clause 2(h) of the Open Space Covenant dated 22 September 2009 between the company and the QEII Trust.
7. You will note that the open space covenant is registered on both the titles for Lot 3 and Lot 7 and will remain so.
8. We doubt that consent of the Board is required in terms of clause 2 of the Open Space Covenant. Please regard this email as request for consent in terms of clauses 2 and 3 of the Open Space Covenant and confirm that the Board will give its consent.

9. If you require any further details please let me know.

Yours faithfully
IZARD WESTON

Dan Stevenson
Consultant

rc



**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



Search Copy


R. W. Muir
Registrar-General
of Land

Identifier 296894
Land Registration District Wellington
Date Issued 02 August 2010

Prior References
WN57D/883

Estate Fee Simple
Area 7.9514 hectares more or less
Legal Description Lot 3 Deposited Plan 373530

Proprietors
Pikarere Farm Limited

Interests

Subject to Section 8 Coal Mines Amendment Act 1950
A026615 Mortgage to Bank of New Zealand - 12.3.1974 at 11:04 am
5316108.5 Encumbrance to Porirua City Council - 15.8.2002 at 1:28 pm
8309921.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 2.8.2010 at 2:00 pm
Appurtenant hereto is a right of way created by Easement Instrument 8309921.6 - 2.8.2010 at 2:00 pm
Appurtenant hereto is a right of way created by Easement Instrument 8309921.7 - 2.8.2010 at 2:00 pm
The easements created by Easement Instrument 8309921.7 are subject to Section 243 (a) Resource Management Act 1991
Land Covenant in Easement Instrument 8309921.8 - 2.8.2010 at 2:00 pm
8309921.9 Open Space Covenant pursuant to Section 22 Queen Elizabeth The Second National Trust Act 1977 - 2.8.2010 at 2:00 pm. (affects part)
9084530.1 Notice pursuant to Section 195(2) Climate Change Response Act 2002 - 31.5.2012 at 9:52 am



**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



Search Copy

R. W. Muir
Registrar-General
of Land

Identifier 296897
Land Registration District Wellington
Date Issued 02 August 2010

Prior References
WN57D/883

Estate Fee Simple
Area 120.8684 hectares more or less
Legal Description Lot 7 Deposited Plan 373530

Proprietors
Pikarere Farm Limited

Interests

Subject to Section 5 Coal Mines Act 1979 (affects part formerly in CT WN33A/860)
Subject to Section 8 Mining Act 1971 (affects part formerly in CT WN33A/860)
Subject to Section 8 Coal Mines Amendment Act 1950 (affects part formerly in CT WN912/53)
A026615 Mortgage to Bank of New Zealand - 12.3.1974 at 11:04 am
5316108.5 Encumbrance to Porirua City Council - 15.8.2002 at 1:28 pm
8309921.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 2.8.2010 at 2:00 pm
Appurtenant hereto is a right of way created by Easement Instrument 8309921.6 - 2.8.2010 at 2:00 pm
Subject to a right of way over part marked A, C on DP 373530 created by Easement Instrument 8309921.7 - 2.8.2010 at 2:00 pm
Appurtenant hereto is a right of way created by Easement Instrument 8309921.7 - 2.8.2010 at 2:00 pm
The easements created by Easement Instrument 8309921.7 are subject to Section 243 (a) Resource Management Act 1991
Land Covenant in Easement Instrument 8309921.8 - 2.8.2010 at 2:00 pm
8309921.9 Open Space Covenant pursuant to Section 22 Queen Elizabeth The Second National Trust Act 1977 - 2.8.2010 at 2:00 pm. (affects part)
9084530.1 Notice pursuant to Section 195(2) Climate Change Response Act 2002 - 31.5.2012 at 9:52 am



Project No. J250
 Scale 1:750 @ A3
 Drawing No. 6 of 6
 Rev. 01

**Concept Plan Showing
 Proposed Boundary Adjustments**

Client	Special	Date	Checked	Date	Drawn	Date
PLN						

TITAHI BAY

Client: Pikar Limited

LAND Matters
 16-05-2021
 16/05/2021 | Tel: 08 966 9325
 20 Addington Road, 101 Oak, New Zealand
 info@landmatters.com | www.landmatters.com

Rev.	Date	Description
01		