

SOUTH WAIRARAPA DISTRICT COUNCIL

REFERENCE PLAN NO.227

IN THE MATTER of the Resource Management Act 1991 and the Resource Management Regulations 1991

AND

IN THE MATTER of an application to the South Wairarapa District Council under Section 105 of the Resource Management Act 1991 by Wharekauhau Holdings Limited for land subdivision and land use consent.

APPLICATION

Application by Boffa Miskell Limited, Planning Consultants on behalf of Wharekauhau Holdings Limited for subdivision consent to create 40 Lots and land use consent for excavations and a landfill at the site, Wharekauhau Station, Western Lake, RD 3, Featherston - Part Lot 1 DP 12068, Part Section 21 and Section 62 Western Lake Block.

HEARING

Before the Hearing Committee (a Standing Committee of the South Wairarapa District Council) at its meeting held on Friday 13th June 1997.

The application was heard by the Committee at 3.05pm when Messrs M Baily and P.C Adamson (on behalf of the applicant) appeared before the Committee together with Mr S.A Kinnear Council's Planning Consultant.

Mr Kinnear read the application, and advised the meeting that the application has not been publicly notified, but was of sufficient complexity to have all the professional expertise present at the Hearing.

Mr Baily tabled additional information requesting the increase to 43 Lots for the subdivision consent.

Mr Kinnear presented a comprehensive written submission outlining the proposal. The report was considered at length and various explanations given, in particular Mr Baily informed the meeting that the life of the landfill is 35 years and it is to be located approximately 1 kilometre away from the complex.

Following consideration of the application and the material submitted at this Hearing is was resolved:-

DECISION

TP 97/28 ADAMSON/JENKINS THAT

10. RECOMMENDATION

- 8.1 That pursuant to Sections 104 and 105 of the Resource Management Act 1991 the application by Wharekauhau Holdings Limited for subdivision consent to create 43 allotments and associated services and land use consent for earthworks and a landfill for the disposal of solid waste, **be granted subject to the following conditions:**
- (1) That, subject to any amendments that result from the further conditions of this consent, the subdivision, earthworks, landfill and associated development be generally in accordance with the plans, the assessment of effects and the Conservation Plan which accompanied and formed part of the application.
 - (2) Without denigrating from the generality of condition (1) above, the subdivision shall:
 - (a) Comply with the requirements of Section 6.2.2(J)(2) of the Proposed District Plan. In this respect a report from a registered surveyor is required to certify compliance;
 - (b) Provide internal access roading to be a minimum of 4 metres width carriageway with shoulders for vehicles to pass and berm drainage. Road grades and crossfall or camber are to be suitable for drainage purposes. Stormwater runoff from roads is to be collected and directed to field soakage drains or wetland areas;
 - (c) Incorporate the landscape and planting detailed in the Conservation Plan;
 - (d) Provide for the storage, supply and reticulation to the proposed allotments of a potable water supply to meet (as a minimum) the New Zealand Drinking Water Standards and for water supply and fire fighting purposes to the satisfaction of the Manager of Works and Services.

- (e) Provide a waste water treatment system and reticulation to the subdivision designed for a flow of 250 litres per person per day as described in the application. The type and size of septic tanks and effluent disposal fields adopted for each use or groups of uses shall be determined from an assessment of the local soil conditions and their suitability for sewage disposal. The disposal system is to be designed to meet (as minimum) the requirements and outcomes of the On-site Wastewater Disposal Manual 2nd Edition and to the approval of the Manager Works and Services.
 - (f) Provide an effective collection, control and disposal system for stormwater from the proposed allotments and access roads.
 - (g) Provide for all utility services to be underground;
 - (h) Provide for a solid waste disposal area for materials from the proposed allotments that are unable to be composted or recycled;
- (3) A statement of professional opinion from a Registered Engineer as to the suitability of the land for subdivision is to be provided in the form of Appendix A to NZS 4404:1981, or to the like effect.
- (4) A statement of professional opinion from a Registered Engineer as to the suitability of the proposed allotments for building development is to be provided in the form of Appendix B to NZS 4404:1981, or to the like effect.
- (5) The existing formation of Wharekauhau Road where the proposed right of way commences is to be realigned and upgraded as necessary and to the satisfaction of the Manager of Works and Services to provide a safe and adequate access to the subdivision. This condition is to take effect once 15 building consents have been granted in respect of the proposed allotments. A bond in terms satisfactory to the Corporate Planning Manager shall be entered into to secure the performance of this condition.
- (6) Certification is required from a Registered Engineer, experienced in the work required, that having regard to the increased vehicle traffic resulting from the proposed subdivision, the portion of Wharekauhau Road from the bridge over the Wharepapa River to the commencement of the proposed right of way is safe for, and will continue to be safe for access to the subdivision. If the certification cannot be given, a report is required detailing the appropriate remedial measures, which shall be carried out by the applicant at no cost to the Council.

- (7) Engineering plans and specifications shall be submitted for approval of the Manager of Works and Services before works commence. A engineering perusal and inspection fee shall be paid in respect of the plans and any necessary inspection. All engineering works shall be designed and supervised by a professional engineer or suitably qualified and experienced person to the satisfaction of the Manager of Works and Services.
- (8) All earthworks, including stripping and resreading of topsoil, are to be carried out in accordance with an Earthworks Management Plan approved by the Manager of Works and Services. The Management Plan should form part of the engineering plans and specifications required by condition (7) above and shall include as a minimum:
- details of stages of earthworks (commencement and duration, surface area and volume)
 - proposals for stockpiling and mitigation of dust and siltation of water courses
 - proposals for re-establishment of pasture or alternative vegetation cover.
 - proposals for dealing with any archaeological material unearthed during excavation.

The Earthworks Management Plan approved for Stage I of the development may be extended and reapproved to meet this condition.

- (9) Compliance with all relevant Regional Plans or Proposed Plans and/or compliance with regional consents for land use, discharge permits and water permits in connection with the subdivision and landfill.
- (10) Nothing in this consent shall be taken as a Council commitment to provide services to the Wharekauhau Country Estate or to agree to the possible stopping or disposal of any part of the Wharekauhau Road or to approve, without appropriate consents being granted, the erection of any buildings on the subdivided allotments.
- (11) The Applicant shall maintain regular consultation with local iwi (through the South Wairarapa District Council Maori Standing Committee) and the Department of Conservation throughout the period of the subdivision and landfill development. Iwi representatives shall be given the opportunity of being present when earthworks are carried out; and in respect of all earthworks the applicants shall comply with the requirements of the Historic Places Act by ceasing work and reporting any archaeological material unearthed during excavation.

Records shall be kept of items found and their significance to Maori culture and heritage and the New Zealand Historic Places Trust are to be kept informed of heritage matters associated with the development.

- (12) The Conservation Plan shall be amended to reflect any consequential changes arising from this consent and the Regional Council consents referred to in Condition 9 above, or the consultations required by condition (11) above. The Conservation Plan (as amended from time to time) shall be regarded as the baseline document for implementation and monitoring of the consent.
- (13) The Applicant shall furnish to the Council at three monthly intervals commencing at the date of the consent a report on the implementation of the consent and compliance with conditions. The reports should include as a minimum:
- the nature and extent of the work carried out
 - compliance with the earthworks management plan
 - progress with planting and landscaping programme
 - any unanticipated aspects of the implementation that could result in an adverse effect on the environment not contemplated when the consent was granted
 - any remedial or mitigation measures proposed to deal with unanticipated events or circumstances
 - the consultation carried out
 - any amendments required or made to the Conservation Plan.
- (14) *All necessary easements for rights of way and services shall be shown on the survey plan.*
- (15) The South Wairarapa District Council may review any or all conditions of this resource consent by giving notice of its intention to do so pursuant to Section 128 of the Resource Management Act 1991 within five working days of the receipt of each three monthly report required by condition 13 above.

The review of conditions shall be for the purpose of:

- dealing with the adverse effects on the environment which arise from the exercise of this resource consent, and which it is appropriate to deal with at a later stage:

- additional monitoring to assess impacts, or specific action to be taken to mitigate demonstrated environmental impacts.
 - making amendments to the Conservation Plan.
- (16) The Applicant may apply to the South Wairarapa District Council for a change or cancellation of any condition of this consent pursuant to section 127 of the Resource Management Act 1991 at any time within 12 months of the date of the granting of the consent.
- (17) The Applicant shall pay appropriate administrative and/or additional charges pursuant to section 36 of the Resource Management Act 1991 for the processing of this consent.

10.2 That it be a recommendation to Council it resolve as follows:

"That pursuant to section 321 (3) of the Local Government Act 1974 the South Wairarapa District Council is satisfied that adequate access to the allotments is provided over other land pursuant to an easement of right of way running with the land and appurtenant to the allotments and on that ground Section 321 (1) of the said Act need not apply."

10.3 That the reasons for granting the consent be as follows:

- (1) The planning processes carried out for the Change to the Transitional Plan established that the creation of the Wharekauhau Tourist Settlement Policy Area, subject to the controls, standards and discretions that relate to any development, would not be inconsistent with the promotion of the sustainable management of natural and physical resources required by the Resource Management Act 1991 as assessed in terms of sections 6, 7 and 8 of the Act.
- (2) The same or similar provisions for the Wharekauhau area as those in the Transitional District Plan were included in the Proposed District Plan. No submissions in opposition to those provisions were received.
- (3) The Department of Conservation and local iwi have been consulted regarding the proposal and these parties are not opposed to consent being granted for the subdivision and landfill and for development to proceed as described and illustrated in the application documents.
- (4) The subdivision and land use, if carried out in accordance with the plans and descriptions contained in the application documents, and the conditions of this consent and the relevant regional council consents, will have no more than minor adverse effects on the environment.
- (5) The subdivision and land use are consistent with the objectives and policies of the Proposed District Plan, which is effectively operative in

respect of the Wharekauhau Tourist Village, and complies with the assessment criteria and most relevant rules.

- (6) Any adverse effects of earthworks, vegetation removal, and network utility operations, road construction and road use can be satisfactorily avoided or mitigated by conditions of consent.
- (7) The provision of on-site solid waste disposal has environmental benefits by avoiding increased deposits at district landfills and the impacts of transportation of solid wastes.
- (8) *The applicant's undertaking to provide to the Department of Conservation a suitable form of controlled access to the Rimutaka Forest Park along the bed of the Wharepapa River and to recognise conservation values associated with the Forest Park satisfies the requirements of the Proposed District Plan in relation to the provision of access to the Rimutaka Forest Park and the protection of water quality of important rivers.*
- (9) The development of the Wharekauhau Tourist Village has positive benefits for the social, cultural and economic conditions which affect the community of South Wairarapa.

DATED at Martinborough this 3rd day of July 1997.

For and On behalf of the
SOUTH WAIRARAPA DISTRICT COUNCIL



R.M Smith
CORPORATE PLANNING MANAGER