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File No:	RM120280
Report Date:	20 July 2012
Decision Required	

Report to: Environment & Planning Subcommittee
Meeting Date: Monday, 13 August 2012
Subject: Boomerang Farms Ltd
Report Author: Mark Morris - Co-ordinator - Subdivision Consents

1. DESCRIPTION OF THE PROPOSED ACTIVITY

Boomerang Farms Limited has lodged a number of resource consent applications relating to a subdivision, residential development, earthworks and associated wastewater and stormwater discharges in the Rural 3 zone.

1.1 Subdivision Consent and Land Use Consent (Application RM120280)

To subdivide three titles into the following:

- One allotment of 4.15 hectares to vest as road (Lot 44);
- 45 rural residential allotments ranging between 0.4 and 5.58 hectares in area (Lots 1-43 and 46, 49 and 50) with Lot 43 and 46 being held together in an amalgamated title of 12.04 hectares;
- Two recreation reserves to vest in Tasman District Council (Lots 45 and 51);

The subdivision is proposed to be developed in six stages as follows:

A - Lots 1-6, 47 and 48-50

B - Lots 7-13

C - Lots 14-18

D - Lots 19-25

E - Lots 26-30

F - Lots 35-38

G - Lots 31-34, 43, 45 & 46

H - Lots 39-42 & 51.

A land use consent is also sought to construct and vest roads and construct right-of-ways that do not meet all of the permitted activity criteria of the Proposed Tasman Resource Management Plan.

A 10 year term is sought for the subdivision & landuse consent.

1.2 Land Use Consent (Application RM120281)

To construct a single dwelling and accessory buildings within a nominated building area on proposed Lots 1-43, 49 & 50 of the subdivision application described above (Application RM12080). A total of 45 dwellings are proposed to be built.

A five year term is sought for this consent with the term commencing at time of the issue of title for the respective allotment.

1.3 Land Use Consent (Application RM120282)

To undertake earthworks and vegetation removal for the construction of roads, building platforms and stormwater devices associated with the subdivision outlined above (Application RM120280).

A 10 year term is sought for this consent.

1.4 Discharge Consent (Application RM120283)

To discharge domestic wastewater to land within each of Lots 1-43, 49 and 50.

A 35 year term is sought for this consent.

1.5 Discharge Consent (Application RM120284)

To discharge stormwater during an post construction of the subdivision and from house sites (Lots 1-43, 49 & 50) in the development.

A 35 year term is sought for this consent.

1.6 Existing Subdivision Consents Relating to this Property.

The application site has already been subject to a previous Rural 3 subdivision and dwelling application by Ruby Bay Developments (RBD) which applied for consent for 115 allotments (RM070416) and associated dwelling, landuse and discharge consents. These consents were approved on 27 November 2007 and with a 10 year consent period, will remain in effect until Novemeber 2017.

It is acknowledged that the approval of these consents does act as a “consented baseline” in that the consents can be “as of right” given effect to. This means that the effects of this proposal need to be compared against the effects of giving effect to the existing RBD consents. However it needs to be recognised that there are differences between the two consents. These differences include the following:

- The RBD consent has a larger number of residential sites(115) but over a larger area (147 hectares), with a dwelling density of one dwelling per 1.27 ha compared with the Boomerang application with 45 residential sites over 84.8 hectares with a dwelling density of one dwelling per 1.88 ha.
- The RBD consent only allows for 3 dwelling sites in the Awa Awa Road catchment, whereas the Boomerang application is seeking 9 dwelling sites.

- The RBD consent allows for a residents association allotment (503) to cover the central wetland which was to be protected by QEII covenant. The Boomerang application has the wetland within a private title.
- The RBD consent has a through road from Awa Awa road to Dickers Road, a condition requiring the upgrade and sealing of Stagecoach road (formerly Dicker Road) through to Lacebark Lane, plus upgrading of Awa Awa Road. The Boomerang application has a no-exit access road and depends on all road access via Awa Awa Road which will be upgraded. It does however provide for pedestrian and cycle access to Stagecoach Road.
- The RBD consent provides for stormwater attenuation ponds to pre-treat residential runoff before it entered the wetland. The Boomerang proposal does not provide this, though the number of residential sites draining into the wetland is substantially less and the residential allotments are much larger, thereby allowing for better onsite attenuation of stormwater.
- The RBD consent and the current application both expect landscaping to be provided for each dwelling site at the building consent stage in accordance with a Tasman Carter Carter Landscape Report.

An addition, subdivision consent RM110853 allows the RBD site to be subdivided into two allotments as a boundary adjustment; one of 68.3 hectares and one of 78.6 hectares, the latter forming the basis of this Boomerang application. RM110853 has been given Section 224(c) approval, but the survey plan has not yet been deposited to allow the title to issue.

2. STATUS OF APPLICATION

Zoning: Rural 3
Areas: Land Disturbance Area 1

Activity	Relevant permitted rule	Applicable rule	Status
Subdivision in Rural 3 zone	Nil	16.3.7.3	Discretionary
Dwellings	17.7.3.1	17.7.3.2	Controlled
Discharge wastewater	36.1.4	36.1.4.2	Restricted Discretionary
Discharge water Storm	36.4.2.1	36.4.2.3	Restricted Discretionary
Earthworks	18.15.2.1	18.5.2.3	Controlled

Overall the proposal is a Discretionary activity. It should be noted that the only reason it is Discretionary rather than Restricted Discretionary (16.3.7.2) is because the site is the subject of a previous Rural 3 subdivision consent (RM070146) which means that it does not comply with rule 16.3.7.2 (b).

3. NOTIFICATION AND SUBMISSIONS

3.1 Written Approvals

No written approvals were supplied with the application.

3.2 Notification

The application was publicly notified on 26 May 2012 and submissions closed on 25 June 2012. A total of 21 submissions were received.

3.3 Summary of Submissions

Supporting Submissions

Submitter	Reasons & Submission points.	Heard?
J & J Nicholson (1) 39 Foley Road	Council should be supportive of house lots and lifestyle blocks on this type of land. Good use of Moutere Hills Land	Yes
Daryl Goodman (2) 120 Marriages Road	Support the proposal but want the Lot 18 building site to be set at least 30m from the boundary. Need for monitoring of dust around orchards during earthworks, as it can contaminate export fruit. Boundary plantings should be planted sooner rather than later.	No
J Webley, H Egger & J Day (3) 205 Horton Road	Supported the proposal but want the following conditions: 1/ Protection of all existing trees (except pines) and the wetland vegetation. 2/ No relocated homes. 3/ Maximum 2 year use of temporary structures and containers.	No

Neutral submissions

Submitter	Reasons & submission points	Heard?
Beulah Ridge Ltd (4) C/- Jim Webley 205 Horton Road	Wanted the following conditions: 1/ Protection of all existing trees (except pines) and the wetland vegetation. 2/ No relocated homes. 3/ Maximum 2 year use of temporary structures and containers.	No
A J Macdonald (13) 38 Pine Hill Road West	Represent the Mapua & Districts Cycle & Walkways group. We appreciate the provision of subdivision roads with a 50kn/hr speed environment to accommodate cyclists and provision of walkways to accommodate pedestrians.	Yes
Royal Forest & Bird Society (17)	Acknowledge the applicant's desire for protection of the regionally significant wetland and the provision of a cat free subdivision. However the application fails to achieve long term of the wetland by a reserve or QEII covenant and does not protect the tributaries of the wetland. The 8m buffer is insufficient to protect the vegetation in and around the wetland and should 20m. There should be a condition requiring 10-15m wide vegetation strip around the wetland and it associated tributaries. Culverts should allow for freshwater fish passage. Support the proposed conditions for onsite wastewater and storm water disposal, but emphasis the need for ongoing monitoring.	Yes

A M Crosbie (18) 163 Awa Awa Rd.	Not opposed to the overall proposal but opposed to the road access provision of the proposal and its failure to follow quality design principles that will allow it to adapt to future access and transport requirements. Key concern is the lack of direct access onto Stagecoach Road and the Ruby Bay Bypass, which significantly restricts choice and connectivity for its future community. The longer travel time to the Ruby Bay Bypass will have an environmental and amenity cost to the wider community. Concerned about the increase building heights compared to the RBD proposal. Unusual for a wetland to be vest in private lot rather than collective ownership. The application does not clarify when the public walkway through Lot 1 DP450728 will be formed up.	Yes
NZ Fire Service Commission (21)	Support the volunteered condition requiring that all dwellings comply with the NZFS Fire Fighting Water Supplies Code. However the code reference should be SNZ PAS 4509:2008 not 2003 as stated in the application. An advice note should be added that Commission considers the optimal means of compliance with the Code is the installation of a domestic sprinkler system in accordance with NZS 4517:2010.	Yes

Opposing Submissions

Submitter	Reasons & submission points.	Heard?
B Groenewegen (5) 43 Awa Awa Road	There are now 13 lots where there were only 4 on the Awa Awa road side under Ruby Bay Developments. The proposed lots are all small areas and do not reflect the rural character of the area. The proposal will concentrate a large number of properties in the Awa Awa Rd valley. The proposal will change the whole character of the area and have a big impact on property values.	Yes
R Barnes (6) 126 Stafford Drive	Do not oppose the overall development but opposed to the access provided. The subdivision does not provide direct access to the Stagecoach Road, which reduces connectivity in the future. Awa Awa road will not sustain the level of traffic that this subdivision will generate. There should be a choice of access roads to the subdivision so if Pomona road is cut off by flooding there is an alternative route.	Did not say
F Menzies (7)	Awa Awa Road is too narrow for this type of development. The road upgrade does not take into account the blind spots either side of the Awa Awa Road entrance. Awa Awa road floods during major rainfall events. Awa Awa Rd should be upgraded to 6m seal width as part of the first stage.	Yes
G Eggeling (8)	The previous minimum building height of 5.5m and 6.5m from the RBD consent should imposed on this proposal. To allow a 7.5m maximum building height with buildings so close together will adversely affect the rural landscape. If any access is taken from Stagecoach Road, then it will need to be upgraded as was required with the RBD consent. Before consent is granted a detailed landscape plan and planting should be provided together with landscaping covenant on each allotment to ensure that the rural character is retained.	No

	<p>Do not want any street lighting in the development. Construction hours should be limited to 5 days a week, 7am to 7pm and controls put on dust and noise during construction. Confirmation needed whether water tanks should be buried or integrated in to a dwelling/building. With no Body Corp there no assurance that covenants will be complied with and Council time will be wasted following up complaints. The proposed walkway should not be used by any vehicles. A fixed development plan is required for all stages. What consideration has been given to the impact of the subdivision on local services and infrastructure? Is it the best long term protection to have the wetland in private ownership? The subdivision if granted will forever alter the landscape and long term consideration needs to be taken on the overall impact on the environment, landscape, community and tourism.</p>	
<p>HJ McDonald & P H Hill (9) 186 Stage Coach Rd.</p>	<p>The 7.5m dwelling height on dwellings should be reduced to 5.5m as with RBD. Private ownership of the wetland (Lots 43, 45 & 46) may not be conducive to long term protection of the natural wildlife and fauna. No access should come off Stagecoach road. The Lot 42 walkway reserve should not be used by vehicles. As with the RBD, Stagecoach Road should be upgraded prior to the Sec 224 for Stages F, D & H. Support the requirement to provide detailed landscape and planting plan for each house site and this should be imposed as a covenant on each title. Want it confirmed that there will be no street lighting and that construction earthworks will be restricted to 5 days a week 7am to 7pm and neighbouring properties will not be adversely affected by dust from earthworks. What assurance is there that volunteered covenants and conditions will be complied with? Has consideration been given to the impact of the subdivision on local services and infrastructure? Is this proposal going to set a precedent for other subdivision to slowly erode away the character and diversity of the Tasman District?</p>	<p>Yes</p>
<p>R Martin (10) 174 Stagecoach Road.</p>	<p>The previous minimum building height of 5.5m and 6.5m from the RBD consent should imposed on this proposal. To allow a 7.5m maximum building height with building close together will adversely affect the rural landscape. If any access is taken from Stagecoach Road, then it will need to be upgraded as was required with the RBD consent. Before consent is granted a detailed landscape plan and planting should be provided together with landscaping covenant on each allotment to ensure that the rural character is retained. Do not want any street lighting in the development. Construction hours should be limited to 5 days a week, 7am to 7pm and controls put on dust and noise during construction. Confirmation needed whether water tanks should be buried or integrated in to a dwelling/building. With no Body Corp there no assurance that covenants will be complied with and Council time will be wasted following up complaints.</p>	<p>No</p>

	<p>The proposed walkway should not be used by any vehicles.</p> <p>A fixed development plan is required for all stages.</p> <p>What consideration has been given to the impact of the subdivision on local services and infrastructure?</p> <p>Is it the best long term protection to have the wetland in private ownership?</p> <p>The subdivision if granted will forever alter the landscape and long term consideration needs to be taken on the overall impact on the environment, landscape, community and tourism.</p>	
Jeanette Hine (11) 174 Stagecoach Rd	Same as R Martin submission (10)	No
T & C Scurrah-Whitton (12) PO Box 1566 Nelson.	<p>Object to the Lot 3 Building Location Area (BLA) as it is located on a primary ridgeline which is highly visible and is located in the Awa Awa Road catchment not previously impacted by the RBD proposal. It should be deleted.</p> <p>Also the Lot 3 BLA is located in an area that could be adversely affected by pine trees planted on our property.</p> <p>Extensive earthworks are proposed on a primary skyline, without any controls, which contrary to the District Plan.</p> <p>The Lot 5 BLA is also located on a primary ridge line and is in the Awa Awa catchment. The BLA should be moved off the ridge.</p> <p>Lot 4 should have screen planting as was proposed in the RBD proposal.</p> <p>Ecological plantings that were proposed in the RBD proposal should be re-imposed.</p>	Yes
C & A Hill (12) 196 Stagecoach Rd	Same as Hine (11) and Martin (10) submission.	No
P & L Crofskey (15) 136 Awa Awa	Opposed to the building site of Lot 29 which would ruin our skyline view of Mt Arthur and disrupt our privacy. Would prefer building sites that are more sympathetic to the landscape as a whole.	Yes
G Pollock (16) 284 Harley Road.	<p>Concerned about the preservation and improvement of the Awa Awa Road wetland.</p> <p>There should be 20m buffer zone around the wetland.</p> <p>The 8m setback from Lots 23 & 24 is too small and should be at least 20m.</p> <p>Indigenous vegetation around the wetland should be protected from trampling by stock and humans.</p> <p>A 20m wide vegetated buffer should be planted around the wetland, over a period of 5 years.</p> <p>A regular monitoring programme for the wetland shall be imposed to control weed growth.</p> <p>A culvert shall be installed to allow for fish passage.</p> <p>Apart from home vegetable/fruit gardens all landscape plantings shall be local eco-sourced plants.</p>	Yes
P L Wright & AM Clarke (19) 87 Awa Awa Road.	<p>Moved to 87 Awa Awa Rd because of its rural aspect, quietness and its solitude.</p> <p>We were horrified to receive notice of the subdivision that will result in the rural outlook changed with a dozen houses and hundreds of additional traffic movements accessing Awa Awa Road opposite our gate.</p> <p>Disagree with the with the Traffic Design Group report measuring 158vpd. It would be like 60vpd. The subdivision will result in overcrowding at the school bus drop off & pick up times at the Aporo Road intersection.</p> <p>With a tripling of vehicle numbers it is unlikely that Awa Awa Rd would remain safe for pedestrian cyclists and horse riders.</p> <p>There surface flooding from the adjoining irrigation pond flooding Awa Awa road and preventing two way traffic.</p>	Yes

	<p>The proposed six-fold increase in traffic numbers and associated activities from new houses will result in unreasonable noise levels in the area.</p> <p>The provision of an intersection street light and house light will bring light pollution to the area.</p> <p>Want a reduction in the number of dwellings, especially those close to Awa Awa Road.</p> <p>Have covenants on the design and colour of buildings to minimize their visual impact.</p> <p>Prohibit street lighting in the subdivision.</p> <p>Re-site the intersection with Awa Awa Road or access it off Stagecoach Road.</p> <p>Require native planting in order to reduce visual impact.</p> <p>Impose restriction restrictions on noisy activities.</p>	
T R Riley (20) Milnethorpe Golden Bay	<p>The 23,000 litre water storage requirement is totally inadequate for a low rainfall area.</p> <p>Developments such as this should have to pay the full burden of the cost of the Motueka water supply line rather being a burden on other ratepayers.</p>	Yes

The locations of the submitters' properties are shown in **Appendix A**.

4. STATUTORY CONSIDERATIONS

Section 104

A decision on this application must be made under Section 104 of the Act. The matters for the Council to address are:

- Part 2 (Sections 5, 6, 7 and 8)
- Effects on the environment (positive and negative)
- Objectives and Policies of the TRMP
- Other matters

Section 106

Under Section 106, Council may decline subdivision consent if the site is subject to natural hazards that cannot be avoided, remedied or mitigated by conditions of consent.

For this particular proposal it is considered that there are no significant natural hazard issues and standard site certification conditions can be imposed to ensure that each Building Location Area (BLA) is safe to build on.

5. SECTIONS 6, 7 AND 8

The following matters are relevant to this application:

Matters of national importance

- S.6(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development.
- S.6(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.

Other Matters

- S.7(b) the efficient use and development of natural and physical resources.
- S.7(c) the maintenance and enhancement of amenity values.
- S.7(d) intrinsic values of ecosystems.
- S.7(f) maintenance and enhancement of the quality of the environment.
- S.7(g) any finite characteristics of natural and physical resources.

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).

6. KEY ISSUES

6.1 Rural Land Productive Value

Objectives and Policies relating to Rural Land Productive Values

Objective 7.1.0 *"Avoid the loss of potential for all land of existing and potential productive value to meet the needs of future generations, particularly land of high productive value".*

"High Productive Value" is defined in Chapter 2 of the TRMP as:

High Productive Value - *in relation to land, means land which has the following features:*

- (a) *flat to gently rolling topography;*
- (b) *free-draining, moderately deep to deep soils;*
- (c) *moderate to good inherent soil fertility and structure;*
- (d) *a climate with sufficient ground temperature, sunshine, available moisture, and calmness to make the land favourable for producing a wide range of types of plants.*

[See "Classification System for Productive Land in the Tasman District", Agriculture New Zealand, December 1994.]

Policy 7.1.3.2 *"avoid, remedy or mitigate the effects of activities which reduce the area of land available for soil-based production purposes in rural areas."*

Policy 7.1.3.3 *"avoid, remedy or mitigate adverse actual, potential, and cumulative effects on the rural land resource."*

Policy 7.1.3.4: *"requires land parcels upon subdivision to be of a size and shape that "retains the land's productive potential, having regard to the actual and potential productive values, the versatility of the land, ecosystem values, the management of cross-boundary effects, access, and the availability of servicing.*

Objective 7.2.0 *"Provision of opportunities to use rural land for activities other than soil-based production, including papakainga, tourist services, rural residential and rural industrial activities in restricted locations, while avoiding the loss of land of high productive value."*

Policy 7.2.3.1: *“to enable activities which are not dependent on soil productivity to be located on land which is not of high productive value”*

Policy 7.2.3.2 *“to enable sites in specific locations to be used primarily for ...rural residential purposes with any farming or other rural activity being ancillary, having regard to (a) to (k)”.*

Policy 7.2.3.5 *“to ensure that activities which are not involved or associated with soil based production do not locate where they may adversely affect or be adversely affected by such activities”*

Matters of Discretion relating to Rural Land Productive Values

Rural 3 Subdivision 16.3.7.2(1) - *The extent to which the proposed subdivision retains and protects land with actual and potential productive values.”*

Subdivision Schedule 16.3A(1) *The productive value of the land in ...Rural 3 zones and the extent to which the proposed subdivision will adversely affect it and its potential availability.*

6.1.1 Rural Land Productive Values Assessment

An assessment of the site’s productive land values is included with the application, with a report prepared by Mr Dick Bennison. Council’s Resource Scientist (Land), Mr Andrew Burton has reviewed this report which is attached as **Appendix B**. Mr Bennison and Mr Burton agree that most of the site has Class E soils with a small amount of Class B land in the north eastern corner of the site. Overall Mr Burton concludes “that effect on the proposed subdivision application on the productive potential of the land is negligible”.

6.2 Rural Character, Landscape, and Amenity Values

Objectives and Policies - Landscape, Rural Character and Amenity Values

Objective 5.3.2 *“Maintenance and enhancement of the special visual and aesthetic character of localities.”*

Policy 5.3.3.2 *“To maintain the open space value of rural areas”*

Objective 7.4.2 *“Avoidance, remedying or mitigation of the adverse effects of a wide range of existing and potential future activities, including effects on rural character and amenity values.”*

Policy 7.4.3.3 *“To provide for the maintenance and enhancement of local rural character, including such attributes as openness, greenness, productive activity, absence of signs, and separation, style and scale of structures”*

Objective 9.2.2 *“Retention of the contribution rural landscapes make to the amenity values and the environmental qualities of the District, and the protection of those values from inappropriate subdivision and development.”*

Policy 9.2.3.1 *“To integrate consideration of rural landscape values into any evaluation of proposals for more intensive subdivision and development than the Plan permits.”*

Policy 9.2.3.3 *“To retain the rural characteristics of the landscape within rural areas.”*

Policy 9.2.3.5 *“To evaluate, and to avoid, remedy, or mitigate cumulative adverse effects of development on landscape values within rural areas.”*

Matters of Discretion relating to Character and Amenity Values

Rural 3 Subdivision Matter of Discretion 16.3.7.2(2) - *The relationship between the subdivision proposed and the subsequent development, including effects of location and scale of buildings and other structures.*

Rural 3 Subdivision Matter of discretion 16.3.7.2(3) - *Effects on the rural landscape, on amenity values and on coastal character and values.*

Rural 3 Subdivision Matter of discretion 16.3.7.2 (4) - *Consistency with the Coastal Tasman Area Subdivision and development Guide (Part II, Appendix 3)*

Rural 3 Subdivision Matter of discretion 16.3.9D (10) - *The ability of the wider landscape to absorb the extent of development proposed without significant loss of rural character.”*

As stated above, part of the assessment of any Rural 3 subdivision is the *“Consistency with the Coastal Tasman Area Subdivision and development Guide (Part II, Appendix 3)”*. In terms of landscape assessment the following guide lines are relevant to this proposal:

“3.1 Landscape

- (a) *Avoid built development on visually prominent landscape features, such as ridgelines and hilltops.*
- (b) *Retain the rural character of the site, including but not limited to a predominance of unbuilt open space and built features associated with rural productive activities.*
- (c) *Determine allotment boundaries in a way that is sensitive to the topography of the land.*
- (d) *Cluster built development in locations that are less visually prominent when viewed from public roads and other public places, including the coastline.*
- (e) *Ensure that new built development is clustered in and around existing built development, except where those buildings are located in a visually prominent location.*
- (f) *Choose building styles for new buildings that are complementary to existing development and to other development within a cluster.*

- (g) *Choose building form, colour and finish materials that are visually recessive, non-reflective and merge into, rather than stand out, of the natural landscape.*
- (h) *Ensure consistency with the relevant location-specific guidelines of Chapter 4 of the Design Guide.”*

In terms of the “location specific guidelines” set out in 3.1 (h), the relevant area is Beulah Ridge Landscape Sub-unit 6B.

“4.5.2 Beulah Ridge (Landscape Sub-unit 6B)

Maintaining the landscape qualities within this landscape unit will involve:

- (a) *Avoiding visually prominent development on the main ridges and internal spurs.*
- (b) *Utilising local internal terraces and plateaus for cluster-like developments.*
- (c) *Being mindful and sensitive to the development impacts and relationships between adjacent sub-units and, in particular, sub-unit 6B and to a lesser extent sub-units 5A and 6A.*
- (d) *Focusing development opportunities west of the ridge above Awa Awa Road.*
- (e) *Generally keeping development below spurs and ridgelines within the sub-unit.”*

6.2.1 Landscape Assessment

In terms of the assessment against the Coastal Tasman Area Subdivision Development Area Design Guide, I would generally agree with the applicant’s assessment set out in Annexure H of their application. However in terms of the present proposal and number of dwelling sites within the Awa Awa Road catchment there appears to be an inconsistency with the site specific guidelines for Landscape sub-unit 6B. The particular sections that are relevant are:

- (a) *Avoiding visually prominent development on the main ridges and internal spurs.*

The RBD proposal sought to avoid dwelling sites on the ridgeline west of Awa Awa Road, referred to ridgeline A in Sheet LI plan of Tom Carter’s report, which defines it as “Catchment Ridgeline”. This Boomerang proposal has placed two of the dwelling sites (lots 3 & 5) right on this ridgeline. It is unlikely that the visual effects of a dwelling on this ridgeline could be effectively mitigated by landscaping.

- (d) *Focusing development opportunities west of the ridge above Awa Awa Road.*

The RBD proposal has three allotments on the western side of the ridgeline A, and these were larger rural allotments with the dwelling sites well below the ridgeline. Mr Carter in his evidence for the RBD proposal (point 61/page 22) stated: *“there are no residential clusters within the Awa Awa Road catchment, as this was not supported by the*

analysis.” This statement is repeated in the present application under paragraph 37 of Mr Carter’s report in Annexure E. The statement is backed up the Sheet L4 plan which is part of Mr Carter’s report and was also part of the evidence produced for the RBD proposal. This plan shows the “Potential Development Areas” which have been used to help define the dwelling sites; it does not show any of these “Potential Development Areas” within the Awa Awa Road catchment.

The Boomerang proposal appears to be contrary to this with a shift in residential development west of the ridgeline, with nine dwelling sites where there once was three, though the Lot 49 dwelling site(part of the Sutton block) has always had the potential for a dwelling , being on a separate title.

- (e) *Generally keeping development below spurs and ridgelines within the sub-unit.*

The RBD proposal sought to keep dwelling sites below the Ridgeline A. The Boomerang proposal has two of the allotments, Lots 3 & 5 which appear to be right on the ridgeline.

For the Boomerang proposal to be consistent with the Landscape guidelines of the the Coastal Tasman Area Subdivision Development Area Design Guide, as a minimum Lots 3 & 5 need to be deleted, with Lot 1 & 3 incorporated as a one allotment of 3 hectares with the Lot 1 BLA being retained and Lots 5 & 6 being incorporated as one allotment of 3.84 hectares with the Lot 6 BLA being retained.

6.3 Effects of On-Site Waste Water Disposal

Relevant Policy: 7.3.3.22

To avoid adverse effects, including cumulative effects and water contamination effects, resulting from the disposal of domestic wastewater to land arising from inappropriate scale, design, or location of subdivision and development of land for residential purposes in the Wastewater Management Area.

The effects of wastewater disposal are dealt with under Mike Mackiggan’s report attached to this report as **Appendix C**. Mr Mackiggan is in agreement with the applicant’s assessment of effects and volunteered conditions of consent which are set out in Section 9.5 of this report.

6.4 Storm Water Effects

The effects of storm water runoff have also been dealt with under Mr Mackiggan’s report attached as **Appendix C**. As with the wastewater report Mr Mackiggan is in agreement with the applicant’s assessment of effects and the volunteered conditions that are set out in Section 9.3 of this report.

6.5 Effects of Earthworks

The effects of earthworks are also dealt with Mr Mackiggan’s report attached to this report as **Appendix C**. Mr Mackiggan’s is satisfied that the applicant’s volunteered

conditions of consent will deal with effects relating to earthworks associated with the subdivision works. These conditions are set out in Section 9.4 of this report. Prior to any earthworks commencing the applicant will have to submit a Construction, Erosion and Sediment Management Plan for approval by Council's Co-ordinator Compliance Monitoring. The effective implementation of this plan should ensure that effects of runoff into waterways and the wetland should be no more than minor.

An additional condition has been imposed on RM120282 to deal with noise from earthworks.

6.6 Roading Effects

Relevant Policy: 7.3.3.11

To improve access and progressively upgrade roads throughout the Coastal Tasman Area in accordance with development, while avoiding or mitigating adverse effects on landscape, natural character and amenity.

The roading effects of the proposal are covered in Dugald Ley's report attached to this report as **Appendix D**. Council's Engineering Department is satisfied that the standards of road and right-of-way formation are acceptable for this type of development.

In terms of the effects of additional traffic movements on to Awa Awa Road and Marriage Road, Mr Ley has recommended an upgrading condition for Awa Awa Road and the intersection with Marriages Road and for a footpath along Marriages Road down to Aporo Road.

Some of the submitters have mentioned flooding issues with parts of the Awa Awa Road. This has been caused by the silting up of the spillway of the irrigation dam which meant water backs up on to the road. A condition is to be imposed that requires the spillway level to be permanently lowered so that the pond level is no more than a 1 metre below the road formation.

6.7 Effects on the Wetland

Relevant Policy: 7.3.3.15

To support proposals to restore, enhance or protect natural features and areas such as wetlands and coastal indigenous vegetation, with weed control and indigenous plantings appropriate to the area, as part of subdivision and development design in the Coastal Tasman Area.

The applicant has provided a comprehensive report from Michael North that assesses the ecological values of the wetland that bounds the western boundary of the site. The report also makes recommendations on a restoration management plan for the wetland. This report was the same as the one submitted with the RBD proposal. The RBD proposal includes QEII covenanting of the wetland and volunteering of a condition to complete a restoration plan for the wetlands prior to the completion of stage 3 of the subdivision.

Council's Resource Scientist dealing with wetlands, Trevor James has provided comments on the wetland under **Appendix E** to this report.

The Boomerang proposal retains the wetland within one title (Lot 43 & 46 held together) but does not provide for any covenant protection of the wetland.

To ensure the long term protection of the wetland a condition should be imposed with a covenant area over the wetland area and the 8m buffer around it protecting it in perpetuity and requiring that the wetland be restored and maintained in accordance with the Michael North March 2007 report.

The applicant has volunteered private covenants on each of the residential lots prohibiting the keep of cats on each of the allotments. This will help in encouraging bird life around the wetland.

6.8 Provision of Walkways and Cycleways

Relevant Policy: 7.3.3.12

To progressively develop a network of interconnected pedestrian, cycle and equestrian routes and reserves within the Coastal Tasman Area, including to and along the coast.

The provision of walkway, cycleways and reserves has been dealt with Ros Squire in her report under **Appendix F**.

The application does provide for a walkway/cycleway (Lot 51) which will provide a walkway connection between the end of the access road and the Stagecoach Road. This is supported by Council's Community Services Department. One of the problems of the multiple stages of the subdivision is that the walkway connection with Stagecoach Road may not be achieved for another 10 years. To rectify this problem a condition should be imposed requiring a pedestrian/cycleway easement to be created at the first stage, over the unvested portions of the main access road and Lot 5, so the linkage can be achieved at the first stage.

6.9 Provision of Schools and Other Services.

Some of the submissions are concerned about the provision of services such as schools and medical facilities to deal with the additional residences resulting from the subdivision.

Rural residential development within Rural 3 such as this development has been anticipated by the District Plan since December 2003 and the number of additional new dwellings per year has been relatively low, which has enabled servicing infrastructure to cope with the residential growth.

In terms of water supply the applicant has volunteered a condition that each dwelling be provided with a water supply system that complies with SNZ PAS 4509:2003 - The NZFS Fire Fighting Water Supplies Code of Practice.

6.10 Cross-Boundary Effects

The north-eastern corner of the subdivision site adjoins commercial orcharding areas where agrichemical spraying is occurring on a regular basis. The creation of new dwellings sites creates the potential for future residents to seek to curtail orcharding activities because of spray and odour effects. The application proposes to deal with these potential effects with following measures:

- A minimum 30m setback for dwellings from any horticultural plantings where agrichemical spraying is occurring.
- Rural emanation easements on those allotments adjoining orcharding areas to ensure that new landowners are aware they are moving in to an existing commercial orcharding area and to ensure that legitimate spraying and horticultural activities can continue without hindrance.

7. SUMMARY OF KEY ISSUES

- 7.1 In terms of policy 7.3.3.1 the Rural 3 zone is an area within the Coastal Tasman Area within which rural residential and residential development is enabled while avoiding, remedying and mitigating adverse effects on the environment. The proposed development is considered to be generally in accordance with this policy.
- 7.2 Most of the site has lower productive values, so the effects on soil productivity are no more than minor.
- 7.3 Each of the sites can be serviced for on-site wastewater and stormwater disposal without adversely affecting the environment.
- 7.4 The subdivision provides for walkway connections that allow for increased pedestrian connectivity in the area, but key linkages should be provided as part of Stage 1 of the proposed development.
- 7.5 The subdivision provides an opportunity to protect a regionally significant wetland and provide for public access to this wetland.
- 7.6 The subdivision can provide for roading access to each allotment and road upgrading conditions have been imposed to ensure that the additional allotments do not adversely affect the District's roading network.
- 7.7 The proposed subdivision seeks to keep any cross-boundary effects with existing adjoining orchards areas to a minimum by way of dwelling setbacks and rural emanation easements.
- 7.8 It is acknowledged that the existing Ruby Bay Development (RBD) consents do create a consented "baseline" which the present proposal can be compared against. For the area west of the Awa Awa Road ridgeline the effects of the Boomerang proposal are similar to or less than what has already been consented to under the RBD consents.
- 7.9 The proposed development east of the Awa Awa ridgeline is quite different from what has been approved under RBD with nine small rural residential allotments, and with two dwelling sites (lots 3 & 5) virtually on the ridgeline. This is contrary to the design outcomes set out in the Coastal Tasman Area Subdivision and Development Design Guide in particular the guidelines for the Landscape Sub unit 6B. Because of this it is recommended that Lot 3 and 5 be deleted and incorporated into the adjoining allotments as condition of consent. If the consent includes this as a condition of consent then I can support the approval of the subdivision and associated consents.

8. SECTION 5 AND RECOMMENDATION

As a planner weighing up all of the relevant considerations in terms of Section 5 of the Act, I consider that a grant of consent **would** promote the sustainable management of natural and physical resources and, on balance, I **RECOMMEND** that the application(s) be **GRANTED**, subject to the recommended conditions I have set out below.

9. CONDITIONS, ADVICE NOTES, PLANS

9.1 Subdivision Conditions RM120280

1. Amended Subdivision Plan

That an amended application plan be provided that 1) deletes Lot 3(including the Building Location Area) and incorporates it in to an enlarged Lot 2 of 3.04 hectares and 2) deletes Lot 5 (including the Building Location Area) and incorporates it into an enlarged Lot 6 of 3.84 hectares. All other details of the subdivision plan, apart from changes set out above, shall be the same as the plan submitted with the application.

2. Staging

(a) The subdivision shall be completed in the stages as follows:

STAGE A:

- Lots 1, 2, 4, 6, Lots 47 and 48, ROW A, 49 & 50 and associated road to vest (6 lots)

STAGE B:

- Lots 7-13, ROW G and associated cul-de-sac to vest (7 lots)

STAGE C:

- Lots 14-18 and ROW E and F (5 lots)

STAGE D:

- Lots 19-25, ROW D and associated road to vest (7 lots)

STAGE E:

- Lots 26-30 and associated cul-de-sac to vest (5 lots)

STAGE F:

- Lots 35-38 and ROW B (4 lots)

STAGE G:

- Lots 31-34, Lots 43, 45 and 46, ROW I and associated cul-de-sac to vest (5 lots)

STAGE H:

- Lots 39-42 and ROW C (4 lots)

Advice Note:

These stages may occur in any order, subject to legal and practical access being provided to each stage.

- (b) For each stage of the subdivision the wastewater and stormwater discharge consents approved under RM120283 (wastewater) and RM120284 (stormwater) shall be transferred to the individual respective properties with separate consent number for each new residential title. Consent notices on each title shall require compliance with the respective wastewater and storm water discharge consent.

3. Term of Consent

This consent shall be subject to a 10 year term to give effect to all stages in the subdivision.

Advice Note:

This condition shall have been satisfied at the point of Section 223 approval for the final stage in the subdivision.

4. Building Location Plan

- a) Subject to any recommended conditions resulting from the Engineering Reports required under condition 18(b), a confirmed Building Location Area (BLA) plan for each of the allotments shall be prepared by a registered professional surveyor and shall be submitted to the Environment and Planning Manager for approval as part of the section 223 survey plan for each stage of the subdivision.
- b) The BLAs (except for the deleted Lots 3 & 5) shall, in all other respects, be in the respective location for each allotment shown on the application plans RM prepared by Planscapes (NZ) Ltd, dated 2012, and attached to this consent as Plan RM.....

5. Landscape Planting Plan

- a) A Landscape Planting Plan shall be submitted for approval of the Council's Environment and Planning Manager covering all stages of the development and such Plan shall be prepared by a qualified Landscape Architect and shall be submitted at the same time as engineering approval is sought. The Landscape Planting Plan shall be in accordance with the Tasman Carter Landscape Report dated 2012 and Plan Sheet dated2012 identified as Plan RM.....and attached to this consent. The species shall be as listed in that report. The Landscape Planting Plan shall detail the following information:
 - i) Planting plan specifying the type, number, and size of the plants, and noting specifically excluded species on the boundary adjoining Lot 1 DP16539 and Lot 4 DP 331711.
 - ii) The planting species for a hedge of 2m-4m height within Lots 17 and 18 along the boundary with Lot 1 DP 17278 and Pt Sec 86A.

- iii) The plans shall provide for continuous ecological corridors with locally indigenous plantings within each of the gullies that drain into the wetland.
- iv) The Land Management Controls contained in the Tasman Carter report.
- v) Establishment works required to implement the Planting plan.
- vi) Staging of planting in accordance with the subdivision staging.
- vii) The plantings are in accordance with the Tasman Carter Plan.
- viii) Pest plant and animal controls and ongoing maintenance schedules, together with stock proof fencing to avoid stock damage where appropriate.
- ix) Replacement planting.
- x) Ongoing maintenance requirement of planted areas (developer and future owners).
- xi) Landscaping areas to be subject to land covenants to ensure their ongoing existence.

Advice Note:

In terms of (v) - pest animal control - the Consent Holder proposes a covenant on all sections controlling the presence of cats, to be enforced in favour of all landowners in the development.

- b) The planting required by the Landscape Planting Plan shall be fully completed for each stage prior to the issue of a completion certificate pursuant to Section 224(c) of the Act. A written statement shall be provided to the Council's Environment and Planning Manager, from a suitably qualified landscaping professional, confirming that the plantings have been fully completed in accordance with the Landscape Planting Plan referred to in condition 5a).
- c) The Consent Holder shall be responsible for maintenance, pest control, replacement and management of planting required by the Landscape Planting Plan within the development for a minimum of three (3) years following the completion of this planting. The responsibilities thereafter shall devolve to the lot owners of Lots 1 - 43 or, in the case of road reserve, to Council.

6. Consent Notices

- a) The following consent notices shall be registered on the certificate of title for the respective allotments, as provided in this condition, pursuant to Section 221 of the Resource Management Act.
- b) The consent notices shall be prepared by the Consent Holder's solicitor and submitted to Council for approval and signing. All costs associated with approval and registration of the consent notices shall be paid by the Consent Holder.

- c) Consent notices in accordance with conditions of this consent shall be placed on the allotments as they are created, not on balance areas yet to be developed.

A. Building Location Restrictions

That the construction of buildings on Lots 1-43 shall, subject to any recommended conditions resulting from the Engineering Reports required under condition 18(b) of resource consent RM....., be restricted to the Building Location Area (BLA) shown on the Building Location Plan and all buildings shall be fully contained within each Building Location Area.

Advice Note:

In the case of Lots separate BLAs are identified for the dwelling and any accessory buildings because of the spatial confines of the main BLA.

B. Building Site Stability (Recording the soil condition and foundation recommendations on the certificates of title)

Any recommended conditions resulting from the Engineering Reports required under condition 21(b) of resource consent RM.....

C. Maximum Building Heights

Buildings shall not exceed the following heights:

3.

- a) Any dwelling and accessory buildings on Lot 13 shall have a maximum height restriction of 5.0 metres above the finished building platform level, and shall be located at least 10m back from the bench crest above Awa Awa Road.
- b) Any dwelling and accessory buildings on Lot 11 shall have a maximum height restriction of 5.0 metres above the finished building platform level, and shall be located at least 5m back from the bench crest above Awa Awa Road.
- c) Dwellings and accessory buildings on Lots 32, 36 and 37 shall have a maximum height restriction of 6.0 metres above the finished building platform level.
- d) Dwellings and accessory buildings on Lots 20, 21, 28 and 29 shall have a maximum height restriction of 6.0 metres above the finished building platform level.

Advice Note:

This is to alert potential purchasers to the building heights authorised by the resource consents for this development.

D. Future Subdivision

No further subdivision of this title will be allowed, except that this consent notice does not apply to subdivision constituting a boundary adjustment where it does not result in the creation of additional Certificates of Title or is for the provision of a utility site. Boundary adjustments and new allotments for utilities will be assessed under the provisions of the applicable Resource Management Plan.

Advice Note:

This restriction excludes the balance areas of the property created following completion of each stage of the subdivision.

E. Building Colour

The exterior of all buildings in this development shall be finished in colours that are recessive and which blend in with the immediate environment.

Exterior surfaces of all buildings shall be non-reflective.

Buildings shall be finished in colours that meet the following standards:

Colour Group*	Walls	Roofs
Group A	A05 to A14 and reflectance value \leq 50%	That the roof colour is complementary with the rest of the building and is no greater a percentage than 25 per cent reflectance value.
Group B	B19 to B29 and reflectance value \leq 50%	
Group C	C35 to C40, reflectance value \leq 50%, and hue range 06-16	
Group D	D43 to D45, reflectance value \leq 50%, and hue range 06-12.	
Group E	Excluded	
Finish	Matt or Low-gloss	Matt or Low-gloss

* Based on BS5252:1976 (British Standard Framework for Colour Co-ordination for Building Purposes). Where a BS5252 descriptor code is not available, a sample colour chip equivalent to acceptable BS5252 colours is satisfactory.

Advice Note:

The land owner shall be encouraged to use the services of a professional to ensure the exterior cladding and colour selection are compatible with the long term durability of the building material in the subject environment and in accordance with the requirements under the Building Act 2004.

F. Compliance with the Landscape Planting Plan

All residential allotments in the subdivision shall comply on an ongoing basis with the approved Landscape Planting Plan referred to in condition 5 above. The landscaping obligations for each allotment from the Landscape planting plan shall be listed, together with relevant plans in this consent notice.

G. Water Storage

- a) Each dwelling shall be provided with a water supply system that complies with SNZ PAS 4509:2003 - The NZFS Fire Fighting Water Supplies Code of Practice.
- b) Water tanks shall be incorporated into the structure of the buildings or fully buried within each lot so as not to be visible from beyond the boundary of the site.

H. Wetland on Lot 43

The wetland contained within the covenant area..... on DP..... shall be protected in perpetuity and managed and maintained in accordance with the recommendations of the report titled "*Cumulus Holdings Ltd Property - Dicker/Awa Awa Roads - Botanical/Orthinological Assessment of Lands with Proposed Rural Residential Development of Lot 7 DP 20366, Lot 13 DP 1706 and Lot 1 DP 20366*" dated 6 March 2007 and prepared by Michael North.

A minimum 20m wide buffer strip shall be maintained free of stock and any cultivation around the wetland at all times, except:

- along the western boundary of the wetland, the buffer strip shall be that distance between the wetland and the boundary;
- between the boundaries with Lots 24 and 45 (below the house site on Lot 43), where the buffer strip may be reduced to 8m wide.

I. Wastewater Disposal

On-site wastewater disposal on Lot... DP..... shall comply with the requirements of discharge consent RM.....

J. Stormwater Disposal

All stormwater from buildings and hard surface areas on Lot ... DP..... shall comply with the requirements of discharge consent RM.....

K. Dwellings

The construction of any dwelling shall comply with the requirements of land use consent RM120281.

7. Easements

- a) The Consent Holder shall provide that a 'Rural Emanations' easement be registered over Proposed Lots 9-13, 17 and 18 for the benefit of Lot 4 DP 717 All DP 4211 Lot 5 DP 1653 Blk XII Motueka SD and Lot 1 DP 17278 All DP 1300 Lot 4 DP 1653 Blk XII Motueka SD (D D and R Goodman orchard property at the date of this consent). The preparation and execution of such easement shall be carried out in consultation with the proposed dominant tenement holder

(D D and R Goodman) and all costs associated with the preparation and execution of such easement shall be borne by the Consent Holders.

- b) Easements shall be created over any Rights-of-Way and services located outside the boundaries of the lots that they serve, appurtenant to the appropriate allotment. Easements shall be shown on the Land Transfer title plan and any documents shall be prepared by a Solicitor at the Consent Holder's expense.
- c) Reference to easements shall be included in the Council resolution on the Section 223 certificate and shown in a memorandum of easements on the survey plan required by section 223 of the Act.
- d) A 5 metre wide easement for access on foot and bicycle shall be provided at the first stage of the subdivision over the unvested sections of the main access road up to and over the proposed Lot 51. The easement will provide access on foot and bicycle at the first stage from the end of the first section of road access to Stage Coach Road. The easements shall be extinguished as the remaining sections of road are vested in subsequent stages.

Advice Note:

Any existing easements on the titles that are redundant should be extinguished.

8. Power and Telephone

- a) Full servicing for live power and telephone cables shall be provided underground to the boundary of Lots 1-43.
- b) The Consent Holder shall provide written confirmation from the relevant utility provider(s) to the Council's Engineering Manager that live power and telephone connections have been made to the boundaries of the abovementioned allotments. A copy of the supplier's certificate of compliance shall be provided to the Council's Engineering Manager prior to the issue of a completion certificate pursuant to Section 224(c) of the Act.
- c) All servicing shall be in accordance with Tasman District Engineering Standards and Policies 2008 and subsequent amendments, unless otherwise specified in this consent.
- d) Electricity sub-stations, where required, shall be shown as road to vest if they are located adjacent to a road or road to vest. These shall be shown on the survey plan prior to section 223 approval.

9. Stormwater

All stormwater measures shall be fully completed prior to the issue of a completion certificate pursuant to Section 224(c) of the Act for their respective stage, and in accordance with RM120284

10. Earthworks

All construction earthworks, including the formation of building platforms if that is to occur prior to building site certification under condition 19b), should be in accordance with the conditions of Land Disturbance consent RM120282

11. Road Formation Within the Subdivision

- a) The road within Lot 44, to vest in Tasman District Council on completion of each stage, shall be formed to at least the specifications below.

Road Section:	Class of Road	Road Reserve Or Access Lot legal width (m)	Formation (carriageway width) (m)	Footpath number and width (m)
From Awa Awa Road to Lots 26/43	Access Road	20	2 lanes @ 3m each	1 @ 1.4m
Cul-de-sacs (3)	Access Place	18	2 lanes @ 2.5m	1 @ 1.4m
Road Section:	Min. Side Drain and width (m)	Road Edge number and depth	Min. Shoulder width (m)	Maximum Gradient
From Awa Awa Road to Lots 26/43	2 @ 2m	2 @ 150mm concrete	2 @ 600mm grass berms	1:7
Cul-de-sacs (3)	2 @ 2m	2 @ 150mm concrete	2 @ 600mm grass berms	1:6

- b) The road and footpath shall be permanently surfaced with a minimum requirement of a Grade 4 chip first coat, followed by a Grade 6 void fill second coat.
- c) The road access shall join Awa Awa Road at right angles, with appropriate signage and paint marking installed depending on sight distance requirements.
- d) The road through the subdivision shall be designed to a 50km/hr speed environment and any grades steeper than 1 in 8 shall be formed in asphaltic concrete.

Advice Notes:

If any private pipelines or structures are contemplated to be located on existing or future road reserve (such as water pipes) then appropriate approval (ie license to occupy) may be required from Council's Engineering Department.

Should the Consent Holder lay pipes for any future reticulated water service, such pipes may need to be maintained in a proven serviceable condition until such time as the service is connected.

12. Right-of-Way Formation

Rights-of-Way A - H as shown on Plan A shall be constructed to meet the following standards:

- a) minimum lane width of 4.5m;
- b) two-chip seal 5.0m into the site;
- c) two 500mm wide metal shoulders;
- d) minimum legal width of 6.5m.

13. Off-Site Road Upgrades

- a) The Consent Holder shall, as part of Stage A in the subdivision, upgrade the intersection of Awa Awa Road and Marriages Road in accordance with Figure 7 in the Traffic Design Group Report (dated March 2012 and submitted with the application).
- b) The Consent Holder shall, as part of Stage B in the subdivision:
 1. widen Awa Awa Road from the entrance to the application site and development to the intersection of Awa Awa Road and Marriages Road (a distance of approximately 800m) to a road standard of 5.5m sealed width and a 1.4m wide metalled footpath and grassed shoulders;
 2. construct a 1.4m wide metalled footpath on one side of Marriages Road from Awa Awa Road intersection to the intersection with Aporo Road.
- c) In order to prevent the flooding of Awa Awa road the spillway of the irrigation dam on Lot 50 shall be cleared and permanently lowered so that the maximum level of the pond is at least 1 metre lower than the adjoining lowest section of the Awa Awa road formation. As-built plans from a suitably experienced chartered professional engineer or registered professional surveyor shall be provided to Council's Engineering Manager confirming compliance with this condition. This shall be completed as part of Stage A.

14. Amalgamation

- a) Lots 43 and 46 shall be held together and one certificate of title shall issue.
- b) Lot 42 and Lot 4 DP 450628 shall be held together and one certificate of title shall issue.
- c) Lot 47 shall be held together with CT 11B/716, and one certificate of title shall issue.
- d) Lot 48 shall be held together with CT 108/95, and one certificate of title shall issue.

15. Vehicle Crossings and On- Site Access

- a) The vehicle access crossings for each residential lot shall be a minimum carriageway width of 3.5 metres and shall be designed and constructed in accordance with Figure 1, with:

- i) a formed and sealed surface between the edge of the seal of the carriageway of the road to at least 5 metres inside the property boundary ;
- ii) the first 6 metres in from the road carriageway formation shall be more or less level with the road carriageway formation;
- iii) A minimum 300mm culvert drain shall be provided where the access is crossing a roadside drain.
- iv) Vehicle crossings and on site seal (5 metres) shall be permanently surfaced with a minimum requirement of a Grade 4 chip first coat, followed by a Grade 6 void fill second coat.

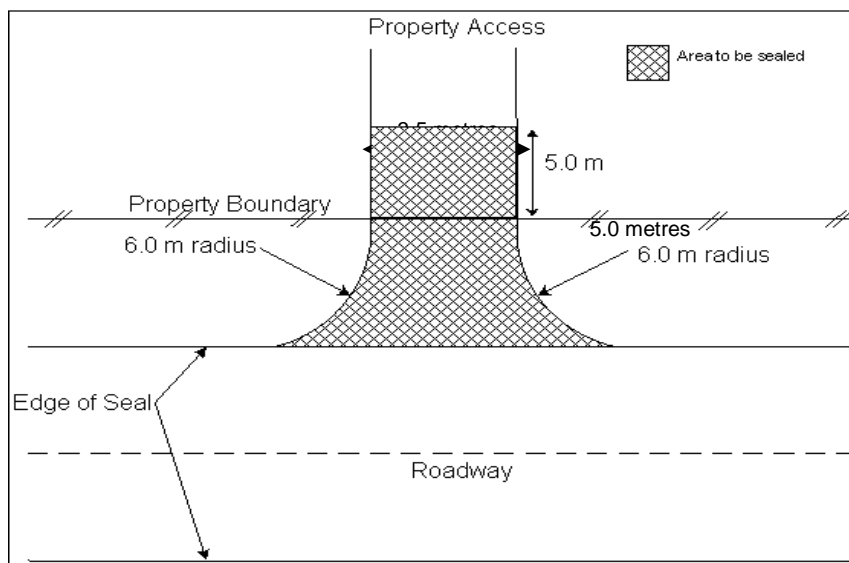


Figure 1 - Vehicle Crossing Design and On-Site Seal for Residential Lots.

16. Road Numbers

Road numbers based on the rural numbering system shall be shown on the Engineering Plans.

Advice Note:

The rural numbering system for this area is yet to be allocated.

17. Road Names

- a) Road names shall be submitted to the Council's Engineering Manager for approval and shown on the survey plan prior to section 223 approval for each stage.
- b) The cost of name plates shall be met by the Consent Holder.

18. Engineering Plans

- a) Engineering Plans detailing the road and Right-of-Way design and formation within the subdivision, the footpath design and formation, the vehicle access crossing designs, stormwater management within road reserve, and any public services, and road upgrading proposed for Awa Awa Road and its intersection

with Marriages Road, and the Marriages Road footpath shall be submitted to the Council's Engineering Manager and approved prior to the commencement of any works at each stage of the subdivision. All engineering details shall be in accordance with the Council's Engineering Standards and Policies 2008 and subsequent amendments, unless otherwise specified in this consent.

- b) The survey plan shall not be submitted until the Engineering Plans have been approved by the Council's Engineering Manager, so that easement areas can be accurately determined prior to section 223 approval of the survey plan.
- c) As-built plans detailing roads, Rights-of-Way and vehicle crossing accesses, and public services, power and telephone, shall be provided to the Council's Engineering Manager prior to the issue of a completion certificate pursuant to Section 224(c) of the Act.

19. Commencement of Works and Inspection

- a) The Council's Engineering Manager shall be contacted as per the Engineering standards prior to the commencement of any engineering works. In addition, five working days' notice shall be given to the Engineering Department Inspectors when soil density testing, pressure testing, beam testing or any other major testing is undertaken.
- b) No works shall commence on-site until the Engineering Plans have been approved by the Council's Engineering Manager and the Construction, Erosion and Sediment Management Plan (RM120282) has been approved by the Council's Coordinator Compliance Monitoring.

20. Engineering Works

All public works and Rights-of-Way shall be constructed in strict accordance with the Tasman District Council Engineering Standards and Policies 2008 and subsequent amendments, unless otherwise specified in this consent or to the Council's Engineering Manager's satisfaction.

Advice Note:

Works within any road reserve will require a Road Opening Permit and Traffic Management Plan approval from the Council's Engineering Manager.

21. Engineering Certification Report (Engineering Report)

- a) At the completion of works for each stage, a suitably experienced chartered professional engineer or registered professional surveyor shall provide the Council's Engineering Manager with written certification that the works have been constructed in accordance with the approved engineering plans, drawings and specifications and any Council approved amendments.
- b) Certification that the nominated building site on each of the residential allotments is suitable for the construction of a residential building shall be submitted by a chartered professional engineer or geotechnical engineer experienced in the field of soils engineering (and more particularly land slope and foundation stability). The certificate shall define on the allotment within the building location area, the area suitable for the erection of residential buildings

and shall be in accordance with Appendix B Section 11 of the Tasman District Engineering Standards and Policies 2008 and subsequent amendments, unless otherwise specified in this consent.

- c) Where fill material has been placed on any part of a residential lot, a suitably experienced chartered professional engineer shall provide Certification that the filling has been placed and compacted in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development. The Certification statement of suitability of earth fill for residential development shall be made in accordance with Appendix A Section 11 of the Tasman District Engineering Standards and Policies 2008 and subsequent amendments, unless otherwise specified in this consent and shall be provided to the Council's Engineering Manager.
- d) The Engineering Report referred to in this condition shall also cover stormwater run-off from each building site, with any recommended conditions to ensure that the run-off does not adversely affect stability or cause adverse effects off-site.

Advice Note:

Council, pursuant to condition 5B of this consent, will issue a consent notice pursuant to section 221 of the Resource Management Act 1991 recording the soil condition and foundation recommendations on the certificates of title for each residential lot.

22. Reserve to Vest in Tasman District Council

- a) Lot 45 shall be vested in the Tasman District Council as Local Purpose Reserve (Recreation).
- b) The Consent Holder shall provide from a suitably qualified and experienced landscape architect, a low maintenance Landscape Establishment and Management Plan ("Reserves Landscaping Plan") for Lot 45. Such plan shall be submitted to the Council's Community Services Manager and shall be to his satisfaction prior to the issue of a completion certificate pursuant to Section 224(c) of the Act.
- c) The Consent Holder shall plant the vegetation recommended by the Reserves Landscaping Plan referred to in condition 22b of this consent prior to the commencement of the next growing season after the issue of a completion certificate pursuant to Section 224(c) of the Act for Stage G. Thereafter the maintenance of the reserves may be transferred to the Council.
- d) The Consent Holder shall provide and form two parking spaces for Lot 45 within the road reserve adjoining the reserve. The formation costs of this parking will be being credited against reserve fund contributions subject to a quote acceptable to Council's Community Services Manager.
- e) The survey plan submitted pursuant to Section 223 shall show the area of reserve land to be set aside.
- f) The land value of the Local Purpose Reserve (Recreation) as required in Condition 22a above may be credited against the Financial Contributions referred to under condition 22 of this consent. The value of the proposed reserve shall be as assessed in a valuation report commissioned by the

Council. The amount of this, and the formation of parking required under condition 22d, shall be payable prior to the issue of a completion certificate pursuant to Section 224(c) of the Act for Stage G.

23. Maintenance Performance Bond

- a) The Consent Holder shall provide Council's Engineering Manager with a Monetary Bond to cover maintenance of any roads or services that will vest in Council. The amount of the Bond shall be \$1,000 per residential allotment, up to a maximum of \$20,000 for each stage of the development, or a lesser figure agreed by the Council's Engineering Manager and shall run for a period of two years from the date of issue of the completion certificate pursuant to Section 224(c) of the Act for each stage.
- b) The Bond shall cover maintenance attributable to defects and the remedy of defects arising from defective workmanship or materials.
- c) A performance bond of \$100,000 shall be paid prior to the Section 224(c) certificate for the first stage of the subdivision to cover the completion and performance of the Structural Landscaping required under condition 5 of this consent. The bond shall remain in place until two years after the completion (ie Section 224 (c) certificate) of the last stage of the subdivision.

24. Wetland Protection (Lot 43)

The wetland and 8m buffer strip (except where 8m buffer cannot be provide within the allotment) shall be created as covenant area imposed on the Section 223 plan and created as part of stage G. The covenant area shall be subject to the consent notice set down in condition 6c (H) of this consent.

25. Financial Contributions (Based on 40 Additional Residential Lots)

Payment of financial contributions payable prior to the issue of a completion certificate pursuant to Section 224(c) of the Act shall assessed as follows:

Reserves and Community Services

5.62% of the assessed market value of the area of a notional 2,500 square metre building site within each of Lots ,2,4 &6 - 43 inclusive, less one existing title.

Advice Note:

The valuation will be undertaken by the Council's valuation provider within one calendar month of Council receiving a request for valuation from the Consent Holder. The request for valuation should be directed to the Consents Administration Officer at Council's Richmond office. The cost of the valuation will be paid by Council.

If payment of the financial contribution is not made within two years of the date of this consent, a revised valuation will be required and the cost of the revised valuation shall be paid by the Consent Holder.

Advice Note - Development Contributions

Council will not issue a completion certificate pursuant to Section 224(c) of the Act for any stage in relation to this subdivision until all development contributions for that stage have been paid in accordance with Council's Development Contributions Policy under the Local Government Act 2002.

The Development Contributions Policy is found in the Long Term Council Community Plan (LTCCP) and the amount to be paid will be in accordance with the requirements which are the amount to be paid and will be in accordance with the requirements that are current at the time the relevant development contribution is paid in full.

This consent will attract a development contribution on 40 allotments inclusive in respect of roading and water.

9.2 Conditions for Residences on Each Lot Rm120281

1. Commencement Date and Lapsing of Consent

- a) The commencement date for the land use consent shall be the issue date of the certificate of title for the respective allotments at their respective stage in the development.
- b) This consent lapses five years after the issue of the certificate of title for the respective allotments unless given effect to.

2. Building Location Restrictions

- a) The construction of buildings on Lots 1-43 inclusive shall be restricted to the Building Location Areas (BLAs) shown on Plan A attached to resource consent RM120280, and all buildings shall, subject to any recommended conditions noted on each title (if any), be fully contained within each BLA.

3. Building Height

- a) Any dwelling and accessory buildings on Lot 3 shall have a maximum height restriction of 5.0 metres above the finished building platform level, and shall be located at least 8m back from the bench crest above Awa Awa Road.
- b) Any dwelling and accessory buildings on Lot 5 shall have a maximum height restriction of 5.0 metres above the finished building platform level, and shall be located at least 10m back from the bench crest above Awa Awa Road.
- c) Any dwelling and accessory buildings on Lot 13 shall have a maximum height restriction of 5.0 metres above the finished building platform level, and shall be located at least 10m back from the bench crest above Awa Awa Road.
- d) Any dwelling and accessory buildings on Lot 11 shall have a maximum height restriction of 5.0 metres above the finished building platform level, and shall be located at least 5m back from the bench crest above Awa Awa Road.
- e) Dwellings and accessory buildings on Lots 32, 36 and 37 shall have a maximum height restriction of 6.0 metres above the finished building platform level.

- f) Dwellings and accessory buildings on Lots 20, 21, 28 and 29 shall have a maximum height restriction of 6.0 metres above the finished building platform level.

Advice Notes:

All buildings on all other allotments need to comply with the 7.5 metre maximum permitted height in the PTRMP, or separate resource consent will need to be obtained. "Natural Ground Level" is defined as being the finished ground level when all works associated with the subdivision are completed.

4. Building Colour

- a) The exterior of all buildings in this development shall be finished in colours that are recessive and which blend in with the immediate environment.
- b) The building shall be finished in colours that meet the following standards:

Colour Group*	Walls	Roofs
Group A	A05 to A14 and reflectance value ≤50%	That the roof colour is complementary with the rest of the building/s and is no greater a percentage than 25 per cent reflectance value.
Group B	B19 to B29 and reflectance value ≤50%	
Group C	C35 to C40, reflectance value ≤50%, and hue range 06-16	
Group D	D43 to D45, reflectance value ≤50%, and hue range 06-12.	
Group E	Excluded	
Finish	Matt or Low-gloss	Matt or Low-gloss

* Based on BS5252:1976 (British Standard Framework for Colour Co-ordination for Building Purposes). Where a BS5252 descriptor code is not available, a sample colour chip equivalent to acceptable BS5252 colours is satisfactory.

Advice Notes:

The consent holder is encouraged to engage the services of a professional to ensure the exterior cladding and colour selection are compatible with the long term durability of the building material in the subject environment and in accordance with the requirements under the Building Act 2004.

5. Water Storage for Domestic Use and Fire Fighting

- a) Each dwelling shall be provided with an on-site water storage tank(s) with a total capacity of not less than 23,000 litres.

Advice Note:

The property is located in an area of the District that has a moderately low rainfall. As dwellings are intended to use rainwater harvesting from roofs for domestic water, Consent Holder intends to encourage purchasers to use water conservation methods.

- b) Water tanks shall be incorporated into the structure of the buildings or fully buried within each lot so as not to be visible from beyond the boundary of the site.

- c) An appropriate water filtration device and ultra-violet disinfection system for potable water shall be installed so that rainwater collection will achieve a potable standard (as defined in the current New Zealand Drinking Water Standards). Details of the filtration and disinfection system and its on-going maintenance shall be provided with the building consent application for each dwelling.
- d) Any dwelling to be erected on Lots 10, 11, 17 and 18 shall, in addition to the water filtration and disinfection system referred to in condition 5c) above, be provided with a rain water separator in line to discharge to waste the first flush of water from the collecting surfaces and also provided with an appropriate activated charcoal filter to mitigate any potential contamination from agricultural spray use from the adjoining orchard to the east of these properties.
- e) The dwelling shall be provided with a water supply system that complies with SNZ PAS 4509:2003 - The NZFS Fire Fighting Water Supplies Code of Practice.

6. Landscaping

- a) The dwelling site shall be landscaped in general accordance with the Landscape Planting Plan approved under subdivision RM120280, and shall be generally in accordance with the Tasman Carter Land use Plan dated2012 approved under resource consent RM120280 and attached to this consent as Plan RM120280
- b) The landscaping shall be fully completed within two years of the issuing of the building consent for the dwelling. Written confirmation shall be provided to the Tasman District Council, Environment and Planning Manager from a suitably qualified landscaping professional that the landscaping has been fully completed in accordance with the Landscape Planting Plan referred to in condition 6a) of this consent.
- c) The Consent Holder shall pay a cash bond to Council prior to uplifting any Building Consent for the construction of the dwelling.

This bond shall cover the maintenance and monitoring of the Landscape Plantings required by Condition 6a) & 6b) above, and

- (a) the value of the Landscape Planting Bond shall be \$2,000;
- (b) Council will deduct any actual and reasonable costs with respect to the landscape plantings, and if necessary arrange for works to be carried out and the cost of these works to be deducted from the bond;
- (c) the bond shall be returned to the Consent Holder 2 years after the full implementation date of the Landscape Plantings (as advised in Condition 6) less any costs outlined in (b) above.

Advice Note:

On-site treatment and disposal of domestic waste water on the allotment shall be addressed at the time of building consent, in compliance with RM120283.

9.3 RM1200284 - Conditions to Discharge Collected Stormwater from Buildings, Roads and Hardstand Areas To Land And Surface Water (both during and post construction)

General

1. The discharge of stormwater shall be carried out in general accordance with the details contained in the Engineering Report prepared by Swanney Geotechnical and Civil Engineering and submitted with resource consent applications RM120280, RM120282 and R120284. Where there are any apparent conflicts or inconsistencies between the information provided and the conditions of this consent, the conditions shall prevail.

Advice Note:

Copies of Documents referred to in this consent are available for viewing at the Richmond Office of the Council.

2. Engineering specification plans shall be provided to the Council's Engineering Manager, and approved prior to the commencement of works on the proposed development. The specifications shall be in general accordance with the requirements of the report referred to in condition 1 of this consent.
3. All machinery on the work site shall be refuelled, and any maintenance works undertaken, in such a manner as to prevent contamination of land and surface water. Spillage of contaminants into any watercourse or onto land shall be adequately cleaned up so that no residual potential for contamination of land and surface water run-off from the site occurs. If a spill of more than 20 litres of fuel or other hazardous substance occurs, the Consent Holder shall immediately inform the Council's Co-ordinator Compliance Monitoring.

Stormwater Design

4. The stormwater disposal system will be designed in accordance with Council's Engineering Standards and Policies 2008 (or the most recent edition). If the Consent Holder chooses to install a system that does not comply with Council's Engineering Standards and Policies 2008 (or the most recent version) then written approval to do so must be obtained from the Council before the design is submitted for approval. Detailed design of the stormwater for each allotment shall be supplied with any building consent application for each lot.
5. The discharge of stormwater shall not contribute to or cause in receiving waters or the wetland any of the following:
 - a) the production of any visible oil or grease films, scums or foams, or conspicuous floatable or suspended material;
 - b) any emission of objectionable odour;
 - c) any adverse effect on aquatic life.

6. The discharge of stormwater shall not cause or contribute to the erosion of land, including the bed or any stream or drain.
7. The discharge of stormwater shall not cause or contribute to any damage caused by flooding that may affect adjoining properties or the wetland.

Construction, Erosion and Sediment Management Plan

8. Prior to discharging collected stormwater associated with construction activities authorised by this consent, the Consent Holder shall have implemented any stormwater management controls required under the Construction, Erosion and Sediment Management Plan prepared in accordance with Condition 30 in RM120282 Sediment controls shall be implemented and maintained in effective operational order at all times.

Review of Consent Conditions

9. Pursuant to Section 128 of the Resource Management Act 1991, the Consent Authority may review the conditions of these consents by serving notice during the month of April each year each year, and for any of the following purposes:
 - a) to deal with any adverse effect on the environment which may arise from the exercise of this consent, and which it is appropriate to deal with at a later stage;
 - b) to require the Consent Holder to adopt the best practicable option to remove or reduce any adverse effect on the environment;
 - c) to allow, in the event of concerns about the quality or quantity of stormwater discharged, the imposition of compliance standards, monitoring regimes and monitoring frequencies and to alter these accordingly; or
 - d) to change the compliance standards imposed by conditions of this consent to standards that are consistent with any relevant Regional Plan, District Plan, National Environmental Standard, or Act of Parliament.

Expiry

10. This resource consent expires on 2047.

Advice Note:

This is the maximum duration allowed under Section 123 of the Resource Management Act 1991.

9.4 RM120282: Earthworks Conditions (for the construction of roads, building platforms and stormwater devices associated with the subdivision)

General

1. The Consent Holder shall ensure that all works are carried out in general accordance with the application and plans submitted with the application, and

the accompanying geotechnical engineering report by Swanney Geotechnical and Civil Engineering dated February 2012.

If there is conflict between the information submitted with the consent application and any conditions of this consent, then the conditions of this consent shall prevail.

Advice Note:

A copy of the Swanney Geotechnical and Civil Engineering report referred to is available for viewing at the Richmond Office of the Council.

2. A copy of this resource consent shall be available to contractors undertaking the works, and shall be produced without reasonable delay upon request from a servant or agent of the Council.
3. The Consent Holder shall appoint a representative(s) prior to the exercise of this resource consent, who shall be the Council's principal contact person(s) in regard to matters relating to this resource consent. At least 10 days prior to beginning the works authorised by this consent, the Consent Holder shall inform the Council's Co-ordinator of Compliance Monitoring of the representative's name and how they can be contacted within the works period. Should that person(s) change during the term of this resource consent, the Consent Holder shall immediately inform the Coordinator and shall also give written notice to the Coordinator of the new representative's name and how they can be contacted.
4. The Consent Holder shall carry out operations in accordance with the provisions of the approved Construction, Erosion and Sediment Management Plan (Condition 30).
5. If excavations reveal adverse ground conditions, such as the presence of soft and/or water saturated ground or layers of plastic clay, a chartered professional engineer practising in geotechnical engineering or an experienced engineering geologist must be engaged to evaluate ground conditions.
6. All the works shall be supervised by a Chartered Professional Engineer.
7. Contractors and staff carrying out the work shall be experienced and trained in erosion and sediment control.

Advice Note:

Contractors and staff should be familiar with guidelines of the Technical Publication No. 90 "Erosion and Sediment Control" (Auckland Regional Council) or other similar guidelines.

Contaminant Management

8. The Consent Holder shall undertake all practicable steps to minimise the effect of any contaminant discharges to the receiving environment.
9. The Consent Holder shall ensure that any discharge of contaminants onto or into land or water from any activity is avoided, remedied or mitigated to ensure no contaminants are present at a concentration that is, or is likely to have, a more than minor effect on the environment.

10. No petrochemical or synthetic contaminants (including but not limited to oil, petrol, diesel, hydraulic fluid) shall be released into water from equipment being used for the activity and no machinery shall be cleaned, stored, or refuelled within 5 metres of any watercourse or 20m of the wetland.
11. Only fuels, oils and hydraulic fluids associated with the operation, and in the volumes required, may be stored on-site. Such substances shall be stored in a secure and contained manner in order to prevent the contamination of adjacent land and/or waterbodies.
12. The Consent Holder shall notify the Council as soon as is practicable, and as a minimum requirement within 12 hours, of the Consent Holder becoming aware of a spill of hazardous materials, fuel, oil, hydraulic fluid or other similar contaminants. The Consent Holder shall, within 7 days of the incident occurring, provide a written report to the Council, identifying the causes, steps undertaken to remedy the effects of the incident and any additional measures that will be undertaken to avoid future spills.
13. Should the Consent Holder cease or abandon work on-site, it shall first take adequate preventative and remedial measures to control sediment discharge, and shall thereafter maintain these measures for so long as necessary to prevent sediment discharge from the site. All such measures shall be of a type, and to a standard, which are to the satisfaction of Council's Coordinator of Compliance Monitoring.
14. Prior to bulk earthworks commencing for each construction phase within the subdivision, the Consent Holder shall submit to the Council's Co-ordinator Compliance Monitoring, a certificate signed by an appropriately qualified and experienced engineer to certify that the appropriate erosion and sediment control measures have been constructed in accordance with the Construction, Erosion and Sediment Control Plan (Condition 30) and the conditions of this consent. The certified controls shall include, where relevant, diversion channels, sediment fences, decanting earth bunds and sediment retention ponds. The certification for these measures for each construction phase shall be supplied to the Council's Coordinator Compliance Monitoring.
15. All disturbed vegetation, soil or debris shall be handled so that it does not result in diversion or damming of any river or stream. All stockpiled material shall be bunded to protect against stormwater erosion.
16. All disturbed vegetation, soil or debris shall be disposed of off site or stabilised to minimise the risk of erosion. All other waste materials shall be disposed of off site at premises licensed to receive such materials.
17. All practical measures shall be taken to ensure that any dust created by operations at the site and vehicle manoeuvring (in accessing the site and driving within it) shall not, in the opinion of Council's Co-ordinator Regulatory Services, become a nuisance to the public or adjacent property owners or occupiers. The measures employed shall include, but are not limited to, the watering of unsealed traffic movement areas, roadways and stockpiles as may be required.

18. Topsoil shall and subsoil shall be stripped and stockpiled separately. This shall then be re-spread at completion of the works.
19. The Consent Holder shall take all practical measures to limit the discharge of sediment with stormwater run-off to water or land where it may enter water during and after the earthworks.

Advice Note:

In particular, the key earthworks should be carried out during fine weather periods when the likelihood of erosion and sedimentation will be least.

20. The Consent Holder shall monitor weather patterns during the construction phase and works shall be discontinued and appropriate protection and mitigation measures put in place prior to heavy rainfalls and floods reaching the site works. The Consent Holder shall stop construction in heavy rain when the activity shows sedimentation that is more than minor in the view of the Council's Compliance Officer.
21. Sediment controls shall be implemented and maintained in effective operational order at all times.

Advice Note

Appropriate sediment control equipment including erosion protection matting and batter covers should be kept on site for use in minimising potential sedimentation problems from areas of exposed soil.

22. All erosion and sediment control measures shall be inspected after any major rainfall event and any problems shall be rectified within 24 hours required.
23. All exposed ground shall be re-vegetated within 12 months of completion of the works so that erosion/downhill movement of soil is limited as much as is practical. This may include supplemental planting of appropriate vegetation that enhances the stability and minimises surface erosion.

Vegetation

24. The Consent Holder shall minimise any removal of wetland vegetation during the development of the site.. Existing vegetation should also be retained in the gullies and hollows that feed the wetland as much as is practicable. Enhancement of vegetation in these areas shall be in accordance with the Tom Carter Landscape Plan attached as Plan to RM120280.

Culverts

25. All culverts within drains shall be armoured at the outlet to protect against erosion.
26. No significant erosion, scour or deposition shall result from the placement of culverts.
27. The Consent Holder shall ensure that for the duration of this consent any debris build-up is removed and ensure scour protection measures are installed and maintained at the inlet and outlet of all culverts.

28. Any culverts within water courses shall be constructed in accordance with RM120284

Roading and Access Tracks

29. The water table, cut-offs and culverts shall be constructed and installed to prevent scour, gulying or other erosion for the formed or constructed surface. All batters shall be constructed to avoid batter failure.

Construction, Erosion and Sediment Management Plan

30. Prior to undertaking any activities authorised by these consents, the Consent Holder shall prepare a Construction, Erosion and Sediment Management Plan. Works shall not commence before these plans have been approved by the Council's Coordinator Compliance Monitoring.
31. The management plan required by Condition 30 shall comply with the relevant conditions of the resource consents RM120280 & RM120284. The management plan may be amended as the Consent Holder considers appropriate during the period of these consents. Any changes to the management plan shall be made in accordance with the methodology and approved procedures in that plan and shall be confirmed in writing by the Consent Holder following consultation with the Council's Coordinator of Compliance Monitoring. Changes to the management plan shall not be implemented until authorised by the Coordinator Compliance Monitoring.
32. At any time during the period of these consents, a copy of the Construction, Erosion and Sediment Management Plan shall be on site and available to all relevant staff.
33. The Construction, Erosion and Sediment Management Plan required by Condition 30 shall set out the practices and procedures to be adopted in order that compliance with the conditions of the this consent can be achieved, and in order that the effects of the activity are minimised to the greatest extent practical. This plan shall, as a minimum, address the following matters:
- a) Description of the works;
 - b) Engineering design details;
 - c) Silt and dust control during earthwork stages;
 - d) Temporary activities and equipment storage in specified areas;
 - e) Construction programme including timetable, sequence of events and duration; including any landscaping;
 - f) Construction methods and equipment to be used;
 - g) Dust sources and potential impact during construction;
 - h) Methods used for dust suppression during construction activities;
 - i) Location, design operation and maintenance of stormwater runoff controls and sediment control facilities;
 - j) Detailed specifications of the diversion of any water bodies including channel configurations and rehabilitation measures;
 - k) Detailed specifications of the spoil storage and stabilization;
 - l) Construction method for watercourse crossings;
 - m) Staff and contractor training;

- n) Traffic management and property access management;
- o) Contingency plans (e.g., mechanical failures, oil/fuel spills, flooding, land slips);
- p) Public access, community information and liaison procedures;
- q) Complaints and reporting procedures;
- r) Cultural and archaeological protocols (including discovery protocols);
- s) Assessment and monitoring procedures;
- t) Methodology and approval procedures for making changes to the Construction, Erosion and Sediment Management Plan.

Advice Note

The following are the general principles that should be adhered to when writing and implementing the Construction, Erosion and Sediment Management Plan:

1. Minimise the disturbance to land
2. Stage construction
3. Protect steep slopes
4. Protect water courses
5. Stabilise exposed areas as soon as possible
6. Minimise the runoff velocities
7. Revegetate as soon as possible
8. Install perimeter controls and protect disturbed areas from runoff sourced above site
9. Employ detention devices
10. Take the season and weather forecast into account
11. Use trained and experienced contractors and staff
12. Update the plan as the project evolves
13. Assess and monitor
14. Keep on site runoff velocities low by the use of the following: contour drains, retention of natural vegetation, provision of buffer strips of vegetation, low gradients and short slopes, control anticipated erosion and prevent sediment from leaving the site.

Monitoring

34. The Consent Holder shall contact Council's Co-ordinator Compliance Monitoring at least 24 hours prior to commencing works for monitoring purposes.
35. The Consent Holder shall ensure that the site is left in a neat and tidy condition following the completion of the works.

Review Condition

36. The Council may review any or all of the conditions of the consent pursuant to Section 128 of the Resource Management Act 1991 for all or any of the following purposes:
 - a) to deal with any adverse effect on the environment which may arise from the exercise of the consent that was not foreseen at the time of granting of the consent, and which is therefore more appropriate to deal with at a later stage; and/or

- b) to review the contaminant limits, loading rates and/or discharge volumes and flow rates of this consent if it is appropriate to do so; and/or
- c) to review the frequency of sampling and/or number of determinants analysed if the results indicate that this is required and/or appropriate;
- d) to require consistency with any relevant Regional Plan, District Plan, National Environmental Standard or Act of Parliament.

Noise

37. Noise generated by the activity on the site, when measured at or within the notional boundary of any dwelling on any adjacent site in a rural zone, or at or within the boundary of any site within the residential zone, does not exceed:

	Day	Night	Saturdays 6.00 pm to 9.00 pm Sundays and Public Holidays
L _{Aeq} (15 mins)	55dB	40dB	40dB
L _{AFmax}		70dB	

Note:

Night = 9.00 pm to 7.00 am inclusive.

Day = all other times but excluding Saturdays 6.00 pm to 9.00 pm, Sundays and Public Holidays.

Noise must be measured and assessed in accordance with the provisions of NZS6801:2008 Acoustics -measurement of environmental sound and NZS6802:2008 Acoustics -environmental noise.

Note: for the avoidance of doubt “notional boundary”, in relation to noise means:

- (a) a line 20 metres from the façade of any rural dwelling that is most exposed to the noise source; or
- (b) the legal boundary of the site of the dwelling, where this is closer to the dwelling than (a).”

Expiry

38. This consent expires 10 years from the date that it is first given effect to.

Advice Note:

The consent is given effect to once excavations commence.

9.5 RM120283 Conditions to Discharge Treated Domestic Wastewater to Land From a Residence

General Conditions

- 1. The design, construction and operation of the domestic wastewater treatment and disposal system shall be in general accordance with the design report prepared by The Drainman 2012 Ltd submitted in support of the application for

resource consent, unless inconsistent with the conditions of this consent, in which case these conditions shall prevail.

Advice Note:

The Drainman Ltd report refers to the Ormiston Associates Ltd report (ref 1926/2707 dated May 2007) that accompanied the Ruby Bay Developments subdivision consent. The location of effluent disposal fields on each of the lots within the Boomerang Farms subdivision shall take into account the identified areas where no waste water disposal is permitted, and the identified waste water disposal fields, recommended under the Ormiston report.

2. The maximum discharge rate shall not exceed 1,200 litres per day.

Advice Note:

The daily discharge volume is that anticipated from a three-four bedroom house which, for wastewater design purposes, has a maximum occupancy of six persons. Any increase in the number of bedrooms and/or the inclusion of potential bedrooms (e.g. offices, rumpus rooms) proposed to be built will need to be authorised by a variation to this resource consent which the Consent Holder can apply for pursuant to section 127 of the Act.

Treatment and Disposal System

3. The maximum loading rate at which the wastewater is applied to land shall not exceed 2 millimetres per day (2 litres per square metre per day). The land application area shall be no less than 600 square metres in area and incorporate at least 600 lineal metres of pressure-compensating drip irrigation line. The emitters in the drip irrigation line shall be spaced no more than 0.6 metres apart along the line and each shall emit wastewater at a rate of no more than 1.6 litres per hour. Lateral lines shall be laid at no more than 1 metre spacing.
4. The disposal field shall be located at least:
 - a) 20m from any surface water body, including the margin of the wetland, but not including any stormwater drain that diverts water from the disposal field constructed as part of the treatment system;
 - b) 20m from any bore used for potable supply;
 - c) 5m from any adjoining property or road boundary;
 - d) 20m from the edge of any other domestic wastewater disposal field unless than field was existing as at 3 December 2005.
5. The treated wastewater entering the land application area, as measured at the sampling point required to be installed in accordance with Condition 11, shall comply at all times with the following limits:
 - a) the five day biochemical oxygen demand (BOD₅) in any single sample shall not exceed 30 grams per cubic metre; and
 - b) the concentration of total suspended solids (TSS) in any single sample shall not exceed 45 grams per cubic metre.

6. Overland stormwater flows shall be diverted away from the disposal field.
7. The wastewater treatment system shall be fitted with an audible and visual alarm.
8. There shall be no ponding of wastewater on the ground surface, nor any direct discharge or run-off of wastewater to surface water.
9. The construction and installation of the wastewater treatment plant and disposal system shall be carried out under the supervision of a person who is suitably qualified and experienced.

That person shall provide a written certificate or producer statement to the Council's Co-ordinator Compliance Monitoring prior to the exercise of this resource consent. This certificate or producer statement shall include sufficient information to enable the Council to determine compliance with Conditions 1, 3 and 4 and shall also confirm the following:

- a) that all components of the wastewater system (including the treatment plant and the land application area) have been inspected and installed in accordance with standard engineering practice and the manufacturer's specifications;
 - b) that all components of the wastewater system are in sound condition for continued use for the term of this resource consent.
10. The Consent Holder shall submit a set of final "as-built" plans to the approval of the Council's Co-ordinator Compliance Monitoring, showing the location of all components of the wastewater treatment and disposal system. For the purpose of this condition, the Consent Holder shall ensure that the "as-built" plans are drawn to scale and provide sufficient detail for a Council monitoring officer to locate all structures identified on the plans, including the sampling point required to be installed in accordance with Condition 11.
 11. No grazing stock shall be allowed access to the land application area at any time. In the event that such stock are held elsewhere on the property, suitable fences shall be installed around the land application area to prevent access by such animals.
 12. The reserve land application area equivalent to at least 100% of the primary land application area shall be kept free from permanent buildings or any other developments that would prevent its future use for the discharge of domestic wastewater.
- Advice Note:**
The Council is able to provide advice on suitable vegetation for the disposal area.
13. A sampling point to allow collection of a sample of the treated wastewater shall be provided at a point located after the final pump-out chamber and before the point where the wastewater discharges to the land application area.

Maintenance and Monitoring

14. Samples of the treated wastewater shall be collected using laboratory provided containers at 6, 12 and 24 months following the exercise of this consent. The samples shall be tested for BOD₅ and TSS by an accredited environmental testing laboratory. Results of these tests shall be forwarded to Council's Co-ordinator Compliance Monitoring within 10 working days of the results of each test being received by the Consent Holder.

The samples required by this condition shall be taken at times where the dwelling is being used in a typical fashion. Typical fashion means that the occupancy, at the time of sampling and during the preceding 48 hours, varies by no more than 1 person from the number of people that normally reside in the dwelling. The samples shall be taken using appropriate procedures as directed by the accredited environmental testing laboratory and shall be transported to the laboratory under chain of custody.

15. The Consent Holder shall enter into, and maintain in force at all times, a written maintenance and monitoring contract with an experienced wastewater treatment plant operator, or a person trained in the wastewater treatment operation by the system designer, for the ongoing maintenance of the treatment and disposal systems.

The contract shall specify the frequency of treatment plant inspections and maintenance during the term of this resource consent and shall include an inspection and maintenance schedule that is in accordance with the conditions of this consent.

A signed copy of this contract shall be forwarded to the Council's Co-ordinator Compliance Monitoring prior to the exercise of this consent.

16. Notwithstanding Condition 15, the wastewater treatment and disposal system shall be inspected and serviced at least every six months and a copy of the service provider's maintenance report shall be forwarded to the Council's Co-ordinator Compliance Monitoring within two weeks of each inspection. The inspection report shall include, but not be limited to, the following information:
 - a) the date the inspection was undertaken and the name of the service provider;
 - b) a list of all components of the treatment and disposal systems that were inspected and the state of those components;
 - c) any maintenance undertaken during the visit or still required, and a timetable for the expected completion of this work;
 - d) a description of the appearance of the filter/s and tanks;
 - e) the location and source of any odour detected from the system; and
 - f) a description of the appearance of the land application area (ponding, vegetation growth etc).

Review of Consent Conditions

17. The Council may, during the month of November each year, review any or all of the conditions of the consent pursuant to Section 128 of the Resource Management Act 1991 for all or any of the following purposes:
- a) to deal with any adverse effect on the environment which may arise from the exercise of the consent that was not foreseen at the time of granting of the consent, and which is therefore more appropriate to deal with at a later stage; and/or
 - b) to require the Consent Holder to adopt the best practical option to remove or reduce any adverse effects on the environment resulting from the discharge; and/or
 - c) to review the contaminant limits, loading rates and/or discharge volumes and flow rates of this consent if it is appropriate to do so; and/or
 - d) to review the frequency of sampling and/or number of determinands analysed if the results indicate that this is required and/or appropriate.
 - e) to require consistency with any relevant Regional Plan, District Plan, National Environmental Standard or Act of Parliament.

Expiry

16. This resource consent expires on 2025.

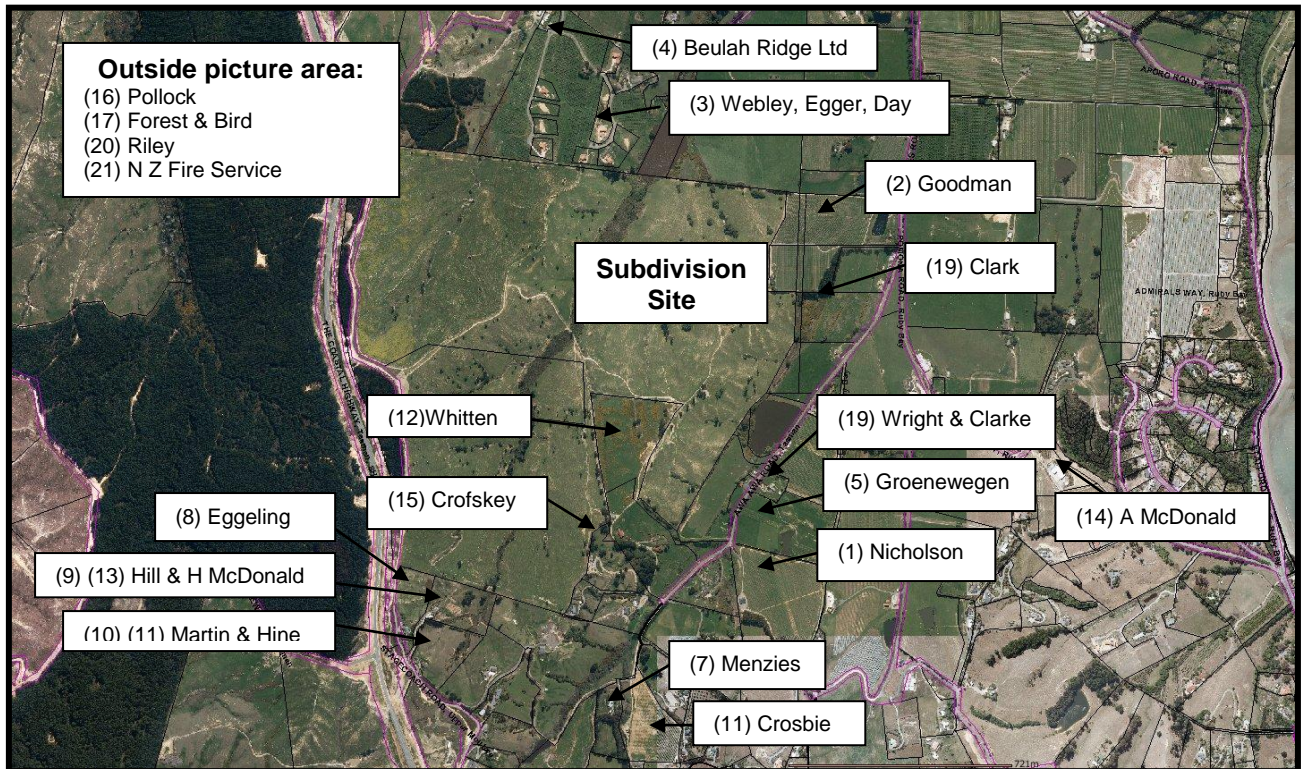
Advice Note:

These resource consents are Discharge Permits. Section 137(2) of the Act provides for the transfer of a Discharge Permit following transfer of ownership of any Lot (specified in Schedule A herein). The Consent Holder should notify the Council of any such proposed transfer following which an amended Schedule A will be issued to the Consent Holder (the transferor) and a new resource consent will be issued on the same conditions as this resource consent will be issued to the new proprietor (the transferee) of the relevant Lot.



Mark Morris
Co-ordinator - Subdivision Consents

**APPENDIX A:
Location of Submitters**



TO: Mark Morris
FROM: Andrew Burton, Resource Scientist - Land
DATE: 16 July 2012
FILE NO: RM12020
SUBJECT: RM120280 Boomerang Farms Ltd - Soil and Land Productivity Report

The application area consists of 80 hectares of rolling Moutere country located west of Awa Awa Road and east of Dicker Road at Tasman.

The soils for the application area have been mapped as Mapua Hill soils (Soil Bureau Bulletin 30). These soils are found on the steeper slopes at the coastal end of the Moutere Formation. The application area has a range of slopes of an undulating to rolling nature. Few areas have slopes over 15 degrees. This indicates that the majority of the application area is more likely to be covered by a Mapua Sandy Loam. Mapua Hill soils would be present on the two dominant south-west facing slopes on the property where slopes increase to 20 degrees. The soils have been modified over significant parts of the application area through the last forestry harvesting phase. Soil has been moved off road and track areas which generally followed the ridge lines. This will influence the establishment of pastoral species on these sites but have a negligible effect of any deeper rooting crops such as tree species.

The topography of the area has been comprehensively described in the Duke and Cooke report. The report divides the application area up into four different topographical classes:

- Easy contour: average slopes ranging from 5 to 9 degrees
- Broken contour: range of slopes with pockets of easier contour areas separated by steeper ridges and gullies
- Moderate to Steep areas: slopes of 10 to 20 degrees
- Wetland

The “easy contour” land with average slopes ranging from 5 to 9 degrees covers 45% of the area. It generally has a favourable aspect being NW facing and is described in the Duke and Cook report as being suitable for intensive horticultural production. Using this description it would be class B land under the Classification System for Productive Land in the Tasman District. (Agriculture NZ 1994). However the topography of this “easy contour” land is such that it would require major recontouring to provide any useable area for intensive horticultural production. The land, although gently sloping, is dissected by numerous small ridges and gullies. Recontouring has been carried out successfully on land of a similar nature in the Moutere area to provide for horticultural production demonstrating the potential that it could be successfully carried out here. The majority of the mapped class B land in the Rural Three zone is suitable for horticultural production without the need for major recontouring. In its current state this “easy contour land” is not immediately suitable for horticultural production, it has the potential to be class B land with recontouring but its existing mapped class E status is correct.

The small area of class B land that is mapped at the northern end of the application area falls into the same category as the “easy contour” land just described.

The “broken contour” areas suffer from the same limitation to use as the “easy contour” land with the limitation being more pronounced. The “moderate to steep” areas have a major limitation to use and the “wetland” area is non productive i.e. is class H land.

The application area has existing subdivision consent, RM 0702028. This consent covered a larger area of 141 hectares including adjoining land to the west. This subdivision consent included 104 residential lots as well as recreational reserves, stormwater mitigation lots and a wetland reserve. The subdivision design for RM 0702028 is based around a “cluster” type arrangement for the residential lots. The subdivision design layout in the application RM120281 is more of a rural residential/ lifestyle block style. Although the blocks are larger and there are fewer of them proposed, the effect of the application design on potential productivity of the application area as a whole is not likely to be significantly different from the existing subdivision layout.

In conclusion the effect on the proposed subdivision application on the productive potential of the land is negligible.

Andrew Burton
Resource Scientist (Land)

TO: Mark Morris - Co-ordinator Subdivision Consents

FROM: Mike Mackiggan - Consent Planner - Natural Resources

DATE: 16 July 2012

FILE NO: RM120280 - 284

SUBJECT: Boomerang Farms Limited Proposed Discharges of:
Wastewater (RM120283) to Land for Lots 1-43, 49 and 50, and;
Stormwater (RM120284) to Land for Lots 1-43, 49 and 50, and;
Land Disturbance Consent (RM120282) to carry out
Earthworks to form building sites, access, and install culverts.

I have reviewed the above applications which have been submitted as part of the suite of consents under the overall subdivision in the Rural 3 Zone application RM120280.

I have reviewed the previously issued resource consents for the same activities issued under the previous subdivision in the Rural 3 Zone approval that covered a wider area (RM070416 *et al.*

I note that the site status has not changed in the intervening 5 years, and that the land remains zoned Rural 3, is situated within the Wastewater Management Area, and is classed as Land Disturbance Area 1. (Some minor reference numbering changes have occurred to Wastewater Rules).

As a result of the bundling of the overall consent package the above applications are deemed to be **Discretionary Activities** against the relevant subdivision rules of the Tasman Resource Management Plan (TRMP).

The domestic effluent wastewater discharges to land are Restricted Discretionary Activities under Rule 36.1.4.2. of the TRMP.

The discharge of stormwater to land from the proposed new dwellings and allotments are Restricted Discretionary Activities under Rule 36.4.2.3. of the TRMP.

The disturbance of land to create building platforms is a Controlled Activity under Rule 18.5.2.3 of the TRMP.

I confirm that I have read the 20 submissions received and note:

Submissions 8, 9, 10, 11, and 13 essentially replicate the same issues in a template format, and I summarise those as follows:

- Confirmation is sought that earthworks or use of heavy machinery within the development site will be undertaken 5 days per week and only during the hours of 7.00am and 7.00pm.

- That all water storage facilities will either be buried or integrated as part of the dwellings/buildings
- Ensuring commitment that construction noise will not unduly disturb surrounding residents, and that efforts will be made to ensure that construction dust will be mitigated.

Of the above submissions four oppose the application overall and wish it to be declined, with only one submitter (No. 9 -) wishing to be heard. One submitter is neutral and does not wish to be heard.

Submission 17 was made by the Royal Forest and Bird Protection Society and is neutral overall with the Society wishing to be heard. In regards to the above consents under consideration in this Hearing Memorandum the Society comments:

“it is essential to avoid silt runoff to watercourses and the wetland; the proposed management measures appear very satisfactory, but must be implemented in a sustained manner.

For wastewater disposal, the proposed technology appears very satisfactory, but must be constructed and maintained in such a way as to avoid direct runoff to watercourses.

Measures for mitigation , in regard to ecological values , overall appear very satisfactory.”

And;

“If subdivision were to be carried out in full compliance with the application’s proposals and our suggested amended conditions, it might even come to be regarded as a “state-of-the-art” project.”

In my opinion, none of the above submissions contain any specific concerns of magnitude relating to the above consents that cannot in my opinion be avoided, remedied or mitigated by appropriate conditions of consent.

I have read and considered the conditions volunteered by the applicant in Annexure G of the application and am satisfied that in general they address the areas of concern from the submitters as identified above, and reproduce these as attachments to this memorandum.

I note that each dwelling shall be provided with an on-site water storage tank(s) with a total capacity of not less than 23,000 litres per dwelling, and that water tanks shall be incorporated into the structure of the buildings or fully buried within each lot so as not to be visible from beyond the boundary of the site.

I note that under any Earthworks Consent that may be issued under RM120282 that prior to any earthworks taking place a Construction, Erosion and Sediment Management Plan requires to be prepared and submitted to the Council’s Co-ordinator Compliance Monitoring for approval.

The terms of the Construction, Erosion and Sediment Management Plan require to ensure that all stormwater generated by the construction works shall not have any adverse effects upon either the wetland, or any watercourses.

The only omission in any of the volunteered conditions relating to earthworks and construction noise are for all works to comply with the noise levels for the Rural 3 area as specified in Rule 17.7.2.1(d) of the TRMP.

I would suggest the inclusion of an additional consent condition for RM120282 as follows:

“Noise Levels

XX. Noise generated by the activity on the site, when measured at or within the notional boundary of any dwelling on any adjacent site in a rural zone, or at or within the boundary of any site within the residential zone, does not exceed:

	Day	Night	Saturdays 6.00 pm to 9.00 pm Sundays and Public Holidays
L _{Aeq} (15 mins)	55dB	40dB	40dB
L _{AFmax}		70dB	

Note:

Night = 9.00 pm to 7.00 am inclusive.

Day = all other times but excluding Saturdays 6.00 pm to 9.00 pm, Sundays and Public Holidays.

Noise must be measured and assessed in accordance with the provisions of NZS6801:2008 Acoustics -measurement of environmental sound and NZS6802:2008 Acoustics -environmental noise.

Note: for the avoidance of doubt “notional boundary”, in relation to noise means:

- (a) a line 20 metres from the façade of any rural dwelling that is most exposed to the noise source; or
- (b) the legal boundary of the site of the dwelling, where this is closer to the dwelling than (a).”

I note that all stormwater discharges require to be carried out in general accordance with the details contained in the Engineering Report prepared by Swanney Geotechnical and Civil Engineering. The Swanney Report review and updates the previous geotechnical investigation report from May 2007 prepared by Tonkin and Taylor, and detailed development plans prepared by Cato Bolam Consultants Limited.

I support the conditions volunteered by the applicant for RM120284 and do not consider that any additional conditions are required.

Regarding RM120283 - the discharge of domestic wastewater to land I note that an “Overview of Existing Site/Soil Assessment and Design” has been undertaken by Mr Brian Parkinson (The Drainman 2012 Ltd.) of the Ormiston Associates Limited Report dated May 2007 which accompanied the original 2007 subdivision application, and I confirm that I have read both documents.

I support the conditions volunteered by the applicant for RM120283 and do not consider that any additional conditions are required. I note that the applicant is seeking 10 years over which to stage the subdivision of the land, and that a fifteen year term is sought for the global wastewater consent.

An Advice Note should be added to RM120283 to advise that each individual allotment shall have a fifteen year period for discharging wastewater to land from the date that Code Completion Certification is issued under S91 of the Building Act 2004 (or its successor) for that allotment.

An additional Consent Notice relating to Wastewater is required to be included with RM120280 to ensure that a proprietary domestic wastewater system capable of producing domestic wastewater effluent to a secondary treatment standard requires to be installed in accordance with the terms of RM120283 prior to the issue of any Code Completion Certificate , and that the landowner is required to comply with the ongoing maintenance and monitoring requirements of the conditions of that consent.

I am happy to answer any questions that the Hearing Commissioners may wish to ask.

Mike Mackiggan
Consent Planner - Natural Resources

16 July 2012

TO: Mark Morris, Coordinator Subdivision Consents
FROM: Dugald Ley, Development Engineer
DATE: 12 July 2012
FILE NO: RM120280
SUBJECT: Boomerang Farms - Awa Awa Road

Introduction

The application is to create 43 new lots each containing one dwelling unit. The subdivision will be created in eight stages as per the application with all 43 lots obtaining direct access via a new road to Awa Awa Road.

Background

The site has access to Awa Awa Road which in turn accesses on to Marriages Road and then to Aporo Road which until recently was the main state highway link from Richmond to Motueka.

The former state highway once carried 6000 vehicles per day and now carries approximately 2000 vehicles per day.

The application for an additional 43 rural/residential lots will increase traffic flows on the adjacent road network.

The 2007 Transit Planning Policy Manual (Version 1) notes that traffic generated per lot for a dwelling house is 10.4 movements per day. However in a rural/residential environment such as for this application, trips are reduced due to the increased cost to get to work and other destinations and therefore trips are curtailed or car pooling is used.

To ascertain the trips that might be generated it is generally accepted as six vehicles per day as the chosen figure. I therefore agree with the applicant's traffic report on the figure of an additional 260 vehicles per day generated from the 43 lots created when all the sites have been developed.

For Aporo Road (formerly State Highway 6) the increased traffic generated can easily be accommodated on both the state highway and the intersection of Aporo and Marriages Roads. Note – a bus stop is also located at the intersection.

Marriages Road is an access road with a 5.0 to 5.4 metre sealed carriageway and a painted centreline. Currently it carries approximately 350 vehicles per day.

Council's Engineering Standards 2008 specify that a road carriageway of 5.0 metres equates to approximately a maximum number of 19 dwellings, ie Table Appendix 6.2, Engineering Standards 2008). This is consistent with Figure 18.8A of the TRMP for lane widths of 2 x 2.5 metres, ie 5.0 metre carriageway.

By deduction 19×6 (vehicles per day per lot) = 114 vehicles per day maximum on a 5.0 metre sealed carriageway. For Marriages Road the existing carriageway is under designed for the present traffic volumes (350 vehicles per day).

To meet the present volumes of traffic on Marriages Road the carriageway needs to be widened to 6.0 metres, ie 2 x 3.0 metre lanes plus 2 x 0.6 metres of metal shoulder and an additional minimum 1.4 metres sealed footpath remote from the carriageway (as per the Tasman District Council Engineering Standards 2008).

The addition of a further 260 vehicles per day together with the existing 350 vehicles per day brings Marriages Road to a total of 610 vehicles per day on Marriages Road. This requires (ie Figure 18.8A) a 6.0 metre carriageway plus side drains and footpaths to cope with the projected traffic flows up to 750 vehicles per day.

As Marriages Road is presently used by many users and has two outlets to the main road, ie Aporo Road and Pomona Road, it is debatable what direction flows from the new development could be attributed to. However the applicant's traffic adviser has suggested a 90:10 split between Marriages Road and Pomona Road. It is my opinion that the upgrades to Marriages Road (as mentioned above) would be an unfair cost to this subdivision as they are only a proportion of the present traffic stream. Also in considering NZS4404:2010 where the suggested road carriageway widths are in the order of 5.5 to 5.7 metres the minor upgrade in width is deemed unnecessary at this stage.

Awa Awa Road – Awa Awa Road has approximately 5.0 metres sealed carriageway and carries approximately 160 vehicles per day. There are no centreline markings on the majority of the road. In referring to the TRMP, Figure 18.8 a carriageway of 5.0 metres equates to a traffic volume of 19 dwellings maximum

$19 \text{ dwellings} \times 6 \text{ vehicles per day} = 114 \text{ vehicles per day}$

Once traffic movements go over the 114 vehicles per day then the road needs to be widened to 6.0 metres with side drains and footpath. Awa Awa Road is therefore already over its limit without this application adding an additional 260 vehicles.

Previous Resource Consent

The previous resource consent (RM070416) was approved on 27 November 2007 with conditions pertaining to road access for the proposed 115 dwellings.

Access at that time was via a through road linking Awa Awa Road and Stagecoach Road (was Dicker road at that time). At that time Awa Awa Road was in Council's Long Term Plan as a project that Council would complete and developers would contribute to and/or bring forward as part of a subdivision application.

In 2007 the following works were programmed:

Marriages Road, \$237,343 – 1640 metres for years 2013-2015
Awa Awa Road, \$171,960 – 1400 metres for years 2013-2015

In the 2009-2019 Long Term Plan these two projects were moved to year 2019 and subsequently in the current Long Term Plan they were moved outside the ten-year timeframe.

From the above it is concluded that the increased traffic numbers generated by this application will cause adverse effects on the adjacent roading infrastructure and will require upgrades by the developer at their cost. The conditions envisaged for this application are set out later in this report.

Internal Road Design

As set out in the application the layout is shown as three separate cul-de-sacs running off a main road in from Awa Awa Road.

The applicant has agreed to meet the standard set out in the TRMP being:

Main Road in to lot 4/intersection with two cul-de-sacs
Access road for 20-60 lots and 50 km/hr speed environment

Road width	reserve	Carriageway width	Berms/shoulders	Footpath	Maximum grade
18		2 x 3.0 metres	2 x 1.0 metres with edge restraint	Minimum 1.4 on sealed concrete	1-in-7

Cul-de-sacs

Road width	reserve	Carriageway width	Berms/shoulders	Footpath	Maximum grade
18		2 x 2.5 metres	2 x 1.0 metres with edge restraint	Minimum 1.4 on sealed concrete	1-in-7

The intersection with the main road in and Awa Awa Road shall meet at a right angle with sight visibility to achieve a Give Way on the new road. Appropriate signage and pavement markings together with road widening where required.

Road Connection

A through road was originally shown on the previous consent and is a desirable outcome to give residents a choice of routes to enter/exit the development.

However I am willing to support the present proposal subject to the cycle/pedestrian link from the road to vest to Stagecoach Road. The criterion is to have a physical practical link of low grade. To this end it is my view that a grade no steeper than 1-in-10 is appropriate for this Lot 51 link strip and that the link be available early on in the subdivision staging.

Flooding of Awa Awa Road

Following a site visit on 25 June 2012 it is evident that the pond on Lot 50 is not being managed correctly and flooding of Awa Awa Road is occurring due to the outlet pond discharge channel being compromised and restricting outfall flows and therefore the pond level backs up on to Awa Awa road.

This flooding can cause a safety issue for the public and it is appropriate that a condition be placed on the development application for clearance of the outlet channel and that a consent notice pursuant to Section 221 of the RMA be placed on Lot 50 for ongoing maintenance of the outlet.

Marriages Road/Awa Awa Road Intersection

I concur with the applicant's traffic adviser that the above intersection is substandard and for health and safety reasons will need to be reconstructed to a T-intersection. The concept shown on plan 7 of the Traffic Design Group report dated 27 March 2012 is appropriate for this intersection.

Summary

It is my opinion that with the suggested conditions as set out below the application to create an additional 43 lots will have a minor effect on the surrounding environment in regard to roading infrastructure.

Suggested Conditions

Road upgrades off site:

Awa Awa Road

- Road carriageway widened to 5.0 metre sealed with appropriate shoulders, side drains, culverts etc together with a separate 1.4 metre sealed (minimum) footpath on the west side from where Lot 44 enters Awa Awa Road to the intersection with Marriages Road.

Marriages Road – Footpath

- A 1.4 metre wide gravel footpath (remote from the carriageway) shall be constructed on the western side of Marriages Road from Awa Awa Road and the bus stop at the Marriages Road/Aporo Road intersection.

Marriages Road/Awa Awa Road Intersection

- This intersection shall be reconstructed generally to that shown on the concept plan 7 presented in the Traffic Design Group reported of 27 March 2012.

Intersection of new road (lot 44) with Awa Awa Road

- The new road shall enter Awa Awa Road with a T-intersection and be appropriately signposted/pavement marked with a Give Way priority. A centre concrete nose island shall extend along the new road from the Give Way limit line from Awa Awa Road for at least 10 metres.

New road in Lot 44 from Awa Awa Road to Lot 26 shall be constructed to the following design:

Road width	reserve	Carriageway width	Berms/shoulders	Footpath	Maximum grade
18		2 x 3.0 metres	2 x 1.0 metres with edge restraint	Minimum sealed concrete 1.4 on	1-in-7

Three Cul-de-sacs

Road width	reserve	Carriageway width	Berms/shoulders	Footpath	Maximum grade
18		2 x 2.5 metres	2 x 1.0 metres with edge restraint	Minimum 1.4 on sealed concrete	1-in-7

Rights-of-Way

Carriageway	Legal ROW width	Berms/shoulders	Footpath	Maximum grade
4.5 metres sealed	7.5 metres minimum	2 x 500 mm shoulders	Not applicable	1-in-6

Pedestrian/Cycle Access – Lot 51

Carriageway	Legal ROW width	Berms/shoulders	Footpath	Maximum grade
2.2 metres gravel	5.0	Balance of width in grass	Not applicable	1-in-10

Dugald Ley
Development Engineer

Advice on Boomerang Farms Ltd Subdivision Proposal
Trevor James, Resource Scientist
 5 July, 2012

Points to consider with this subdivision:

RECOMMENDATION	REASON
Any culverts or crossings over waterways should be carefully designed. Crossings over wetlands should be avoided but if this is not possible, several smaller culverts, rather than one or two larger ones, is better for wetland integrity. However, if the passage of birds such as Pukekos will be endangered by the road then a larger culvert with the invert set slightly higher than the other culverts should be provided.	This will ensure that wetland habitat and hydrological functioning is preserved and does not create a scour channel.
While I did not see any new ponds proposed in this application any in-line ponds should be avoided and if essential then ensure that they surface area to volume ratio is low (ie narrow and deep) and that effective shading occurs	To ensure that temperatures of the discharge from the ponds does not cause temperature increases in waterways by more than 3 degrees celcius.
Revegetation and Landscape Plan <ul style="list-style-type: none"> - Include information on what to plant where, when and how. - Greater buffers around the wetland than proposed - should be at least 8-10m. - Pest Plant control plans (particularly for the Japanese Honeysuckle Vineland). - Applicant should supply a bond to be used if revegetation plans fall significantly behind schedule. - Successional planting plans - Wildlife corridors should be provided over ridgetops and ensuring valleys connect (ie no-build zones) 	Successful revegetation relies on careful planning. Planting of high-value climax forest, particularly swamp forest species should be considered in valley floors and foot of slopes. Pest plant and cat control is crucial to realise the biodiversity value of the wetland. Ongoing maintenance will be needed also. Without wildlife corridors the ecological connectivity with surrounding valleys will be compromised. This is a well-known requirement for maintenance of significant natural areas.
Wetland Management Plan I agree with all other recommendations by Michael North.	Pine trees need to be removed.
Pest management Plan Ban cats and dogs	This is one of the best ways to protect wildlife (particularly that in the high value wetland areas). There needs to be provision for trapping of cats and dogs as it is highly likely that, left unmonitored, residents of the subdivision will eventually have cats.
Sediment runoff control plan Detail fine sediment mitigation devices such as	Fine sediment has significant adverse effects on waterways.

retention dams, use of flocculant, maintenance of grass sward buffers in riparian strips (wider on steeper slopes, silt fences. Avoid heavy rainfall periods such as spring. Stage works (eg don't have large sections of catchment exposed to erosion at one time and leave the bottom half of the slope until vegetation has been established), ensure final land surface is partially compacted and texture is parallel to the contour to reduce run-off rates, and number, design and location of sediment control devices and maintenance of these.

APPENDIX F:

TO: Mark Morris Co-ordinator - Subdivision Consents
FROM: Rosalind Squire - Forward Planner, Reserves
DATE: 13 July 2012
FILE NO: RM120280
SUBJECT: Boomerang Farms Limited - Reserves and Walkways

This memorandum provides comments from the Community Services Department with respect to the provision of walkways and reserves within this subdivision application shown in Figure 1 below.

Staff from the Department have visited the site and surrounding area and have considered the application in the wider context of the existing network of roads, reserves and walkways.

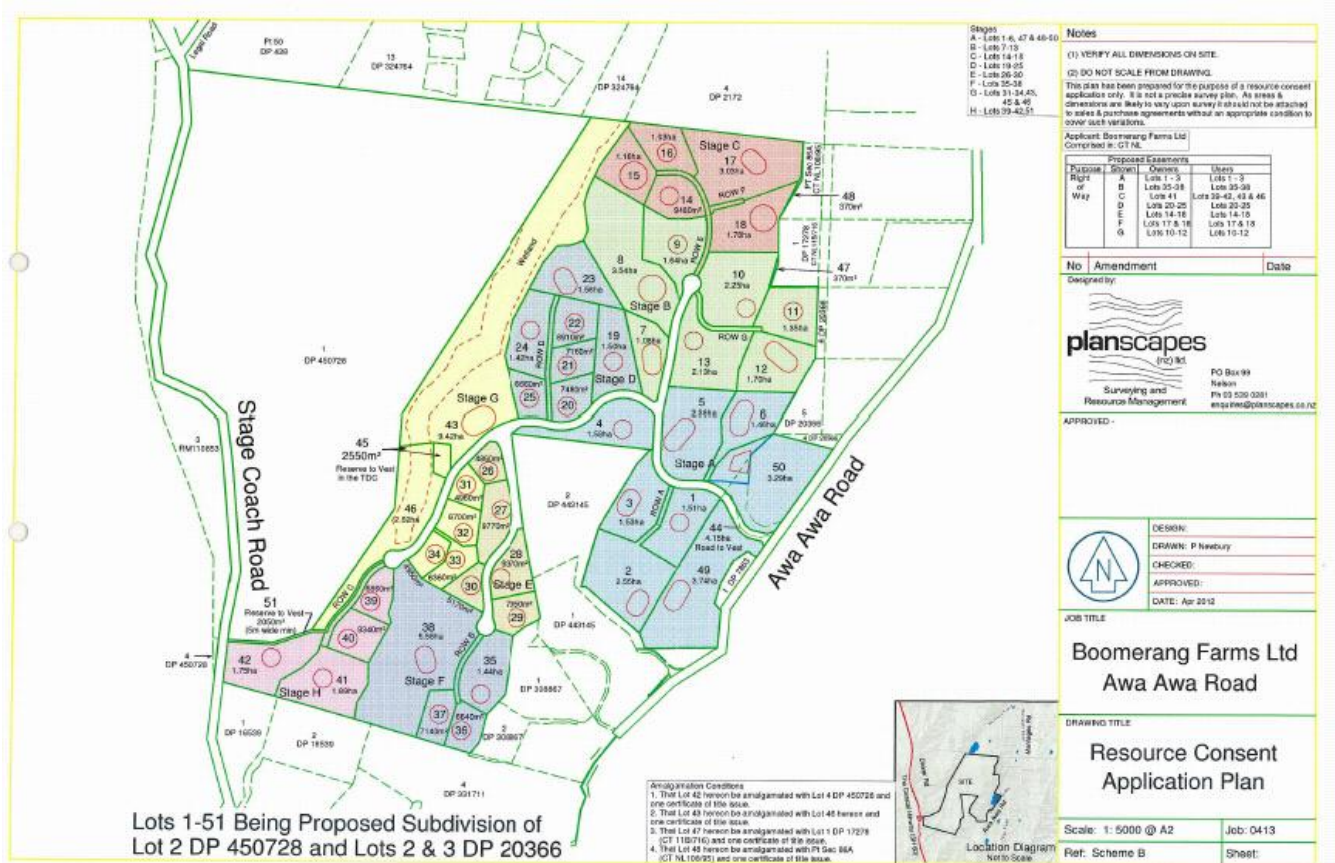


Figure 1 - Subdivision Plan

Proposed Reserves

Following a site visit and assessment of Council's levels of service for the provision of reserves in the vicinity of the site (See Figure 2 which shows the desired levels of service for distances from reserves) we recommended that a reserve be vested as part of this subdivision. The reserve needed to be predominantly flat and centrally located.

The proposed reserve is shown as lot 45 and is 2,550m² in area, this is consistent with the size of reserves anticipated by Council's Engineering Standards 2008.

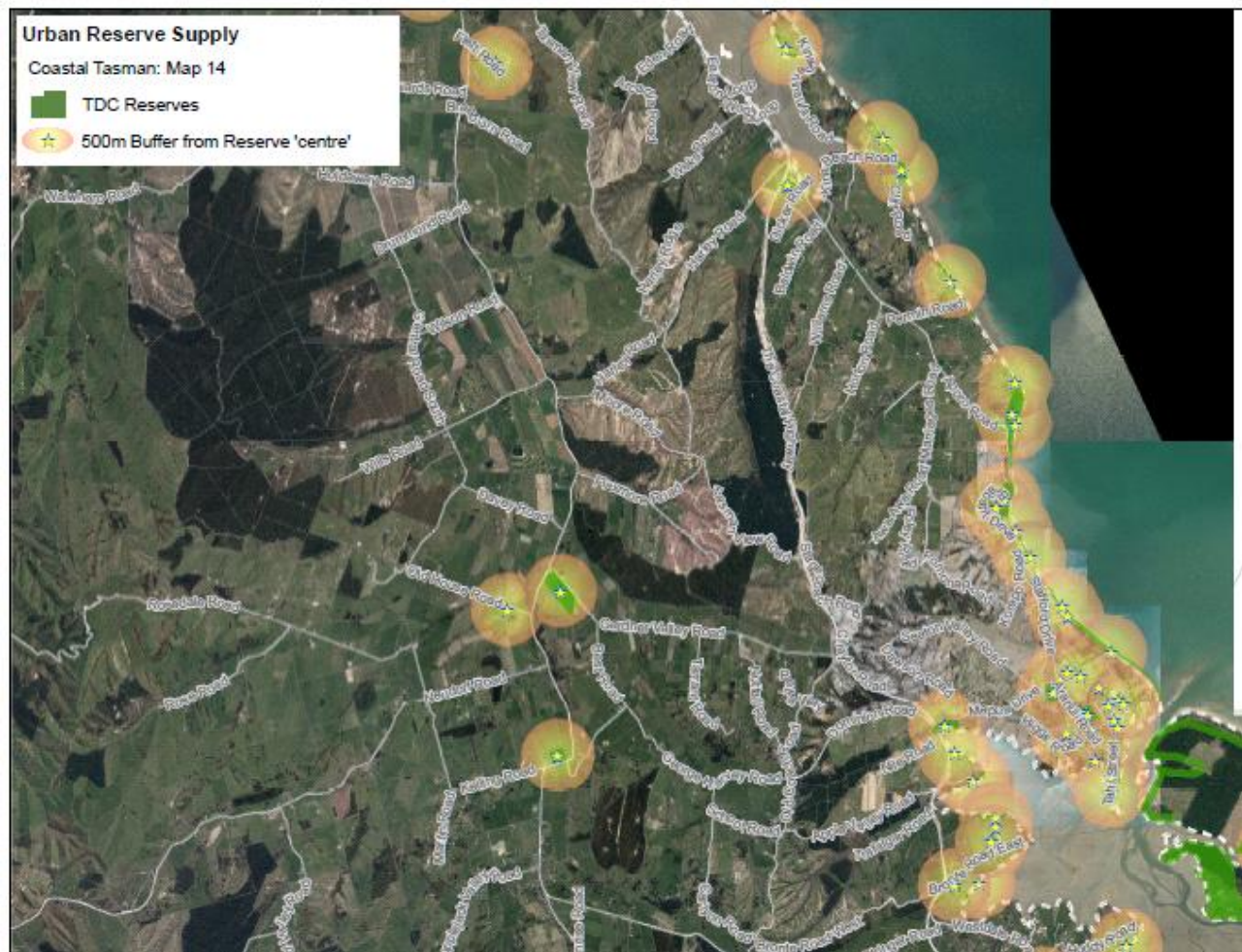


Figure 2 - Levels of service for open space reserves in the Coastal Tasman Area

Proposed Walkway/cycle Connections

Walkway and cycle access through the subdivision will be provided via footpaths and formed roads off Awa Awa Road.

In order to provide a walkway/cycle connection from this subdivision to Stage Coach Road it is accepted that access through the adjoining title to the west of the site (Lot 1 DP450728) would be the most practical as it is shorter and has a gentler gradient. This future possibility is enabled by a link across the wetland from the proposed reserve (Lot 45) to Lot 1 DP450728.

Having said that we cannot predict when the adjoining title will be subdivided and a connection made. Following discussions with the applicant on this matter the subdivision

plan was amended to show a walkway reserve (Lot 51) in Stage H. Staff supported this in principle. However, stage H is the last stage of the subdivision and as such it may take many years before the connection is achieved. The situation could also result in two connections being created in the long term - one via the walkway reserve within this subdivision and one in the preferred location when the adjoining property is subdivided.

If Council decides that a connection should be created sooner rather than later and they want to avoid the creation of two connections, access could be required at an earlier stage of this subdivision via an easement from stage A (as opposed to a reserve) which could be partly extinguished as the legal road is vested and fully extinguished if/when the new link is created to Lot 1 DP450728.

Submissions

The following issues are raised by submissions:

Wetland Protection

Staff support the protection of the wetland via a consent notice or QE II or equivalent covenant as opposed to having the area vested as a reserve. The principle reason for this is the ongoing maintenance costs.

Vehicle (principally motorbike) access to walkway/cycle links

Staff acknowledge the submitters concerns regarding motorbike use of public access links. Our objective is to enable pedestrian and cycle not motorbike access within the walkway/cycle links (apart from Council maintenance vehicle access as required). The use of the reserve areas can be managed by the relevant management plan or easement document and the use of deterrents including vehicle barriers.

Volunteered Conditions

The following volunteered conditions are supported by staff:

22a) Lot 45 shall be vested in the Tasman District Council as Local Purpose Reserve (Recreation).

22b) The Consent Holder shall provide from a suitably qualified and experienced landscape architect, a low maintenance Landscape Establishment and Management Plan ("Reserves Landscaping Plan") for Lot 45. Such plan shall be submitted to the Council's Community Services manager and shall be to his satisfaction prior to the issue of a completion certificate pursuant to Section 224(c) of the Act.

22c) The Consent Holder shall plant the vegetation recommended by the Reserves Landscaping Plan referred to in Condition 22b of this consent prior to the commencement of the next growing season after the issue of a completion certificate pursuant to Section 224(c) of the Act for Stage G. Thereafter the maintenance of the reserve may be transferred to the Council.

22d) The Consent Holder shall provide and form two parking spaces for Lot 45 within the road reserve adjoining the reserve. The formation costs of this will be

credited against reserve fund contributions, subject to a quote acceptable to the Council's Community Services Manager.

22e) The survey plan submitted pursuant to Section 223 shall show the area of the reserve land to be set aside.

22d) The land value of the Local Purpose Reserve (Recreation) as required in Condition 22a above may be credited against the Financial Contributions referred to under Condition 22 of this consent. The value of the proposed reserve shall be as assessed in a valuation report commissioned by the Council. The amount of this, and the formation of parking required under Condition 22d, shall be payable prior to the issue of a completion certificate pursuant to Section 224(c) of the Act for Stage G.

Additional conditions

In order to improve walkway/cycle access within the Rural 3 zone and in this case provide the first section of a connection to Mamaku Road, Council may impose a condition which provides for public access either via a reserve or easement adjoining the wetland to the boundary of Lot 4 DP2172. This was a condition of the previous subdivision granted for this and the adjoining site as shown in Condition 14 and Figure 3 below:

14b) The abovementioned walkway/cycleways shall include public walkway/cycleways, which shall be covered by a 5 metre wide easement in gross to the Council for walkway/cycleway purposes. The public walkway easements shall follow the route shown by the black dashed line on Plan D RM070416 attached. The public walkway easement shall extend to the boundary with Lot 4 DP 2172.

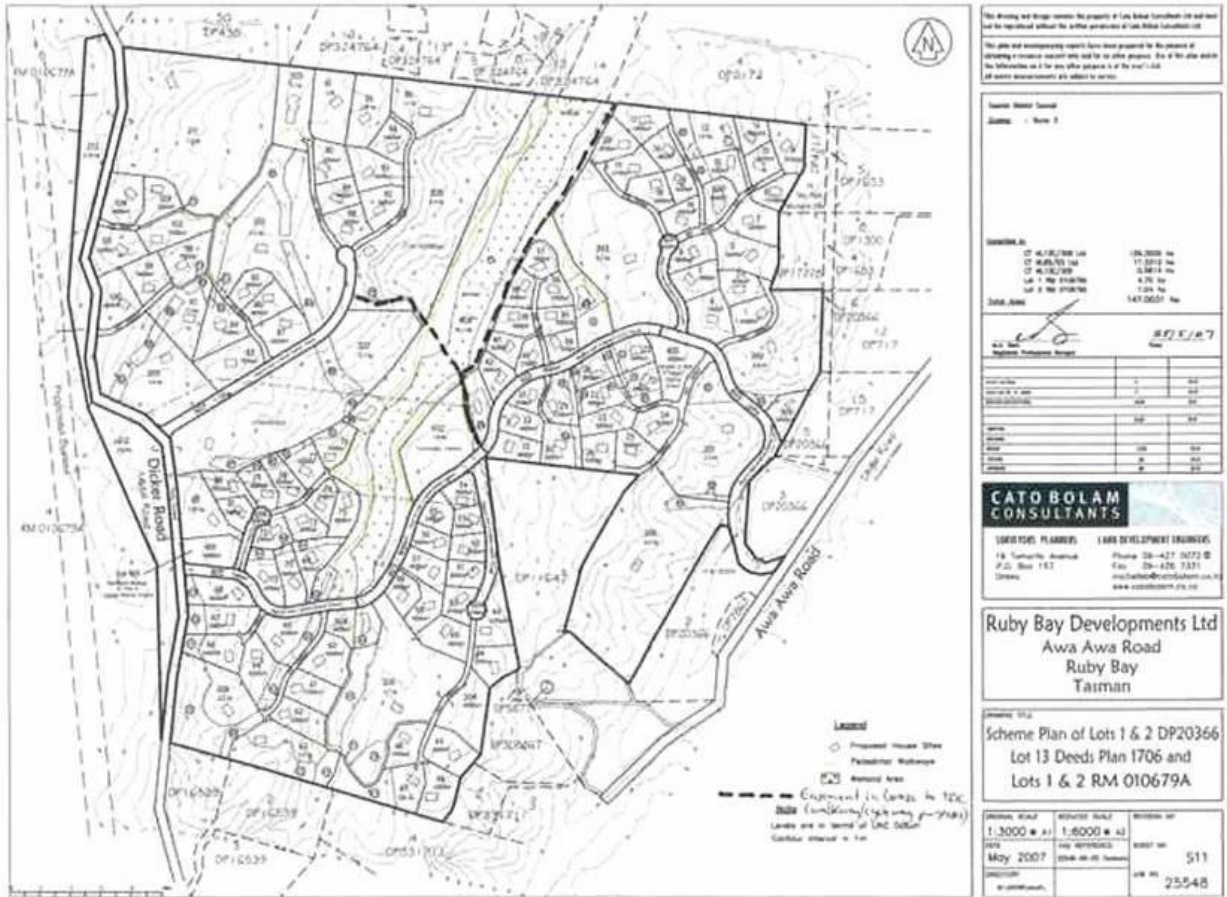


Figure 3 - Previous subdivision plan showing location of easement

Rosalind Squire
 Community Services Department