

OIR: 2324/850

4 April 2024

[REDACTED]
[REDACTED]

Tēnā koe [REDACTED],

Request for Information under the Local Government Official Information and Meetings Act 1987 (the Act) (the LGOIMA)

Thank you for your email of **20 March 2024** requesting the following information:

Would you kindly forward a copy or link of the full application, including all associated reports, plans, appendices & current status for:

Resource Consent - 240012 - Lindale Residential Ltd - 109 State Highway 1, Paraparaumu

Please refer to the application and decision report, and the approval of the resource consent to 109 State Highway 1, Paraparaumu PDF documents that have been attached to this letter.

If you require any further information, please contact Eloise Carstens, Resource Consents and Compliance Manager on eloise.carstens@kapiticoast.govt.nz.

Ngā mihi,



Laura Willoughby

Acting Group Manager Regulatory and Environment
Kaiwhakahaere Rōpū Ture me te Taiao

Please note that any information provided in response to your request may be published on the Council website, with your personal details removed.

Application: RM240012
Date: 20 March 2024
Applicant: Lindale Residential Ltd
Address: C/- Infill, Unit 4, Block D, Lindale Village, Paraparaumu
Attention: Heather Lai, heather.lai@infill.nz

APPROVAL OF RESOURCE CONSENT TO UNDERTAKE A UNIT TITLE SUBDIVISION CREATING 15 PRINCIPAL UNITS AT 109 STATE HIGHWAY ONE, PARAPARAUMU (LOT 3 DP 558470)

Council granted consent for the following reasons:

- The assessments undertaken under Sections 5.1 and 5.2 to this decision have found all adverse effects on persons and the environment to be less than minor, on the basis that there are no physical works associated with the proposed subdivision that have not previously been assessed as less than minor. For this reason, effects from the proposal have also been assessed as being acceptable under s104 of the Act as per the assessment in Section 6 to this decision. I refer the reader to the assessment and conclusions provided in sections 5.1, 5.2 and 6 of this report for full and specific details as to the effects of the proposal.
- Conditions imposed on the consent under sections 108 and 220 of the Resource Management Act 1991 will control, mitigate and remedy any environment effects caused by the subdivision.
- Consent does not need to be refused pursuant to section 106 of the Resource Management Act 1991.
- The property does not appear on Greater Wellington Regional Council's selected land use register as a contaminated site or as having been the site of a verified hazardous activity.
- The proposal is consistent with the policies and objectives of the District Plan.
- Council has given due regard to the New Zealand Coastal Policy Statement, any national, regional or proposed regional policy statement and any other regulations in reaching its decision. Council considers there are no other relevant matters that need to be dealt with.
- The proposal is consistent with the purposes and principles of Part II of the Resource Management Act 1991.

1 PROPOSAL

Subdivision consent is sought for a unit title subdivision creating 15 Principal Units ranging in size from 167m² to 208m² at 109 State Highway One, Paraparaumu. Each Principal Unit will contain a townhouse (consented under RM220050) that are currently under construction.

While no accessory units are proposed, an area of common property will cover the access, refuse collection area, retaining walls and a wastewater pump station. An easement in gross is proposed for both power and gas connections.

Figure 1 below depicts the proposed subdivision.

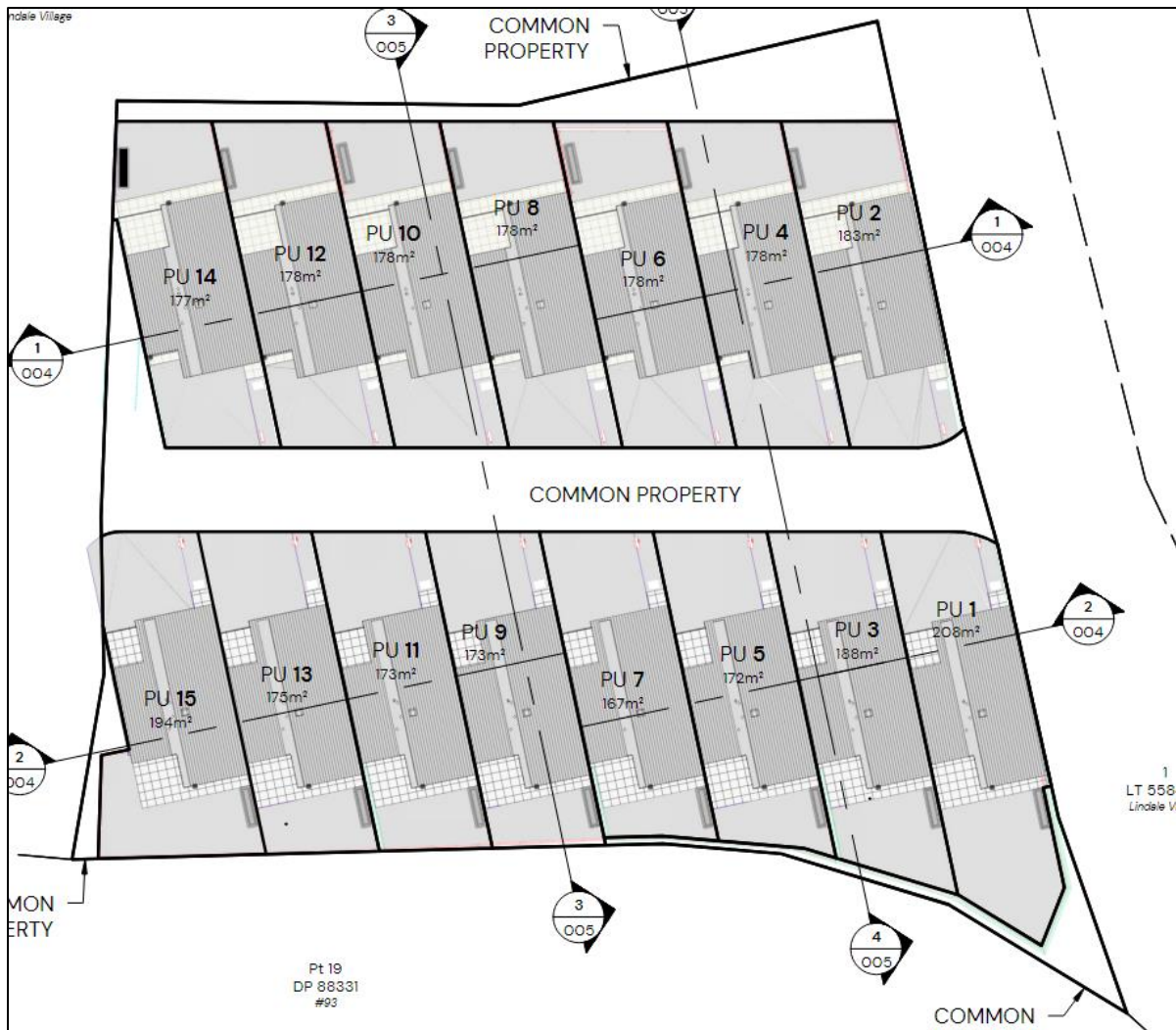


Figure 1: Scheme plan of the proposed subdivision submitted with the application

2 SITE DESCRIPTION

I concur with the following description of the site and surrounding environment which has been taken from the application:

“The application site is part of Lindale Village, with the address of 109 ‘Old’ State Highway One, Paraparaumu, 5036. It is legally described as Lot 3 DP 558470 and is held in Record of Title 1111471. The site has an area of 3302m².

Lindale Village is at the top of a prominent ridge, which rises from the south, where access to the site is gained via Lindale Drive, a private right of way.

Lindale Village is within the Mixed Use Zone within the Paraparaumu North Gateway Precinct and contains a number of existing buildings used for commercial, residential and community activities, and the 15 under construction three storey town houses. The subject site is 'Lot 3' which is located at the top of the ridge, in the southern part of the Village.

This unit title subdivision relates to the 15 town houses which are arranged in two rows consisting of the north block which has 7 residential units, and the south block which has 8 units. Construction of the development on Lot 3 is still in progress and once completed the site will be densely developed with the 15 town houses, including private yard areas, an internal right of way access between the north and south blocks, and ancillary commons areas for parking and services.

To the west, north and northeast Lot 3 is bounded by Lot 1 DP 558470 and to the east by Lindale Drive which is a non-developable part of Lot 1 use for access. Lot 2 DP 558470 is to the northwest of Lot 3 and is at present undeveloped.

Beyond Lindale Village, the surrounding environment is mixed in character, with mixed use, residential and rural production zones adjoining the site. Physically the surrounding environment has an undulating topography, to the southeast of the site is the Barry Hadfield Nikau Reserve - a public bush area of regionally significant remnant Kohekohe/Nikau forest.

To the west of the site is the lower sand dunes of the coastal environment, to the east is the foothills of the Tararuas. The site is bound by the North Island main railway line to the west and Old State Highway One to the east. Paraparaumu town centre is to the south."

In addition to the above, there are 16 interests registered on the Record of Title, a number of easements, a gazette notice in relation to Old State Highway One and reservations as to coal, gold and silver. None of these are relevant to the proposal; however, the two Consent Notices require further assessment.

Consent Notice 5627794.10 does not contain any relevant conditions. Consent Notice 128438.6 contains one condition relevant to the application site pertaining to stormwater disposal. Given the consented land use development on the application site, stormwater disposal has previously been assessed and does not need to be reconsidered as part of this application and the Consent Notice would be met.

There are a number of previous resource consents granted for the application site, of note is RM220050 for the construction of the 15 townhouses that will form the 15 Principal Units proposed and RM2200264 for the facilitatory earthworks for their construction.

The application site is not identified as contaminated under the Greater Wellington Regional Council (GWRC) Selected Land Use Register (SLUR).

As detailed above, the application site is zoned Mixed Use under the District Plan. It is also subject to the following overlays:

- PREC27 Paraparaumu North Gateway Precinct;
- Coastal Environment; and,
- Airport Plan: Runways Height Surfaces.

Figures 2 to 6 below depict the application site.

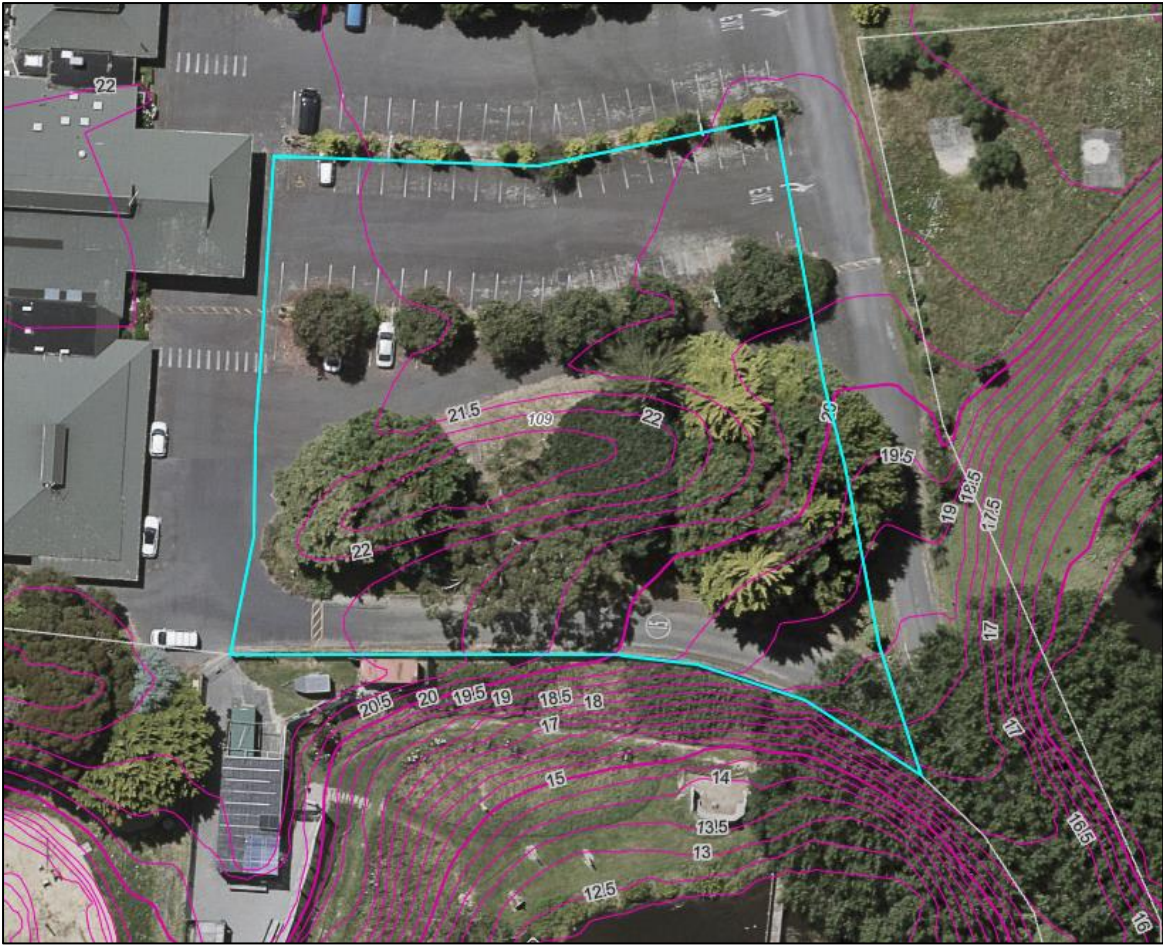
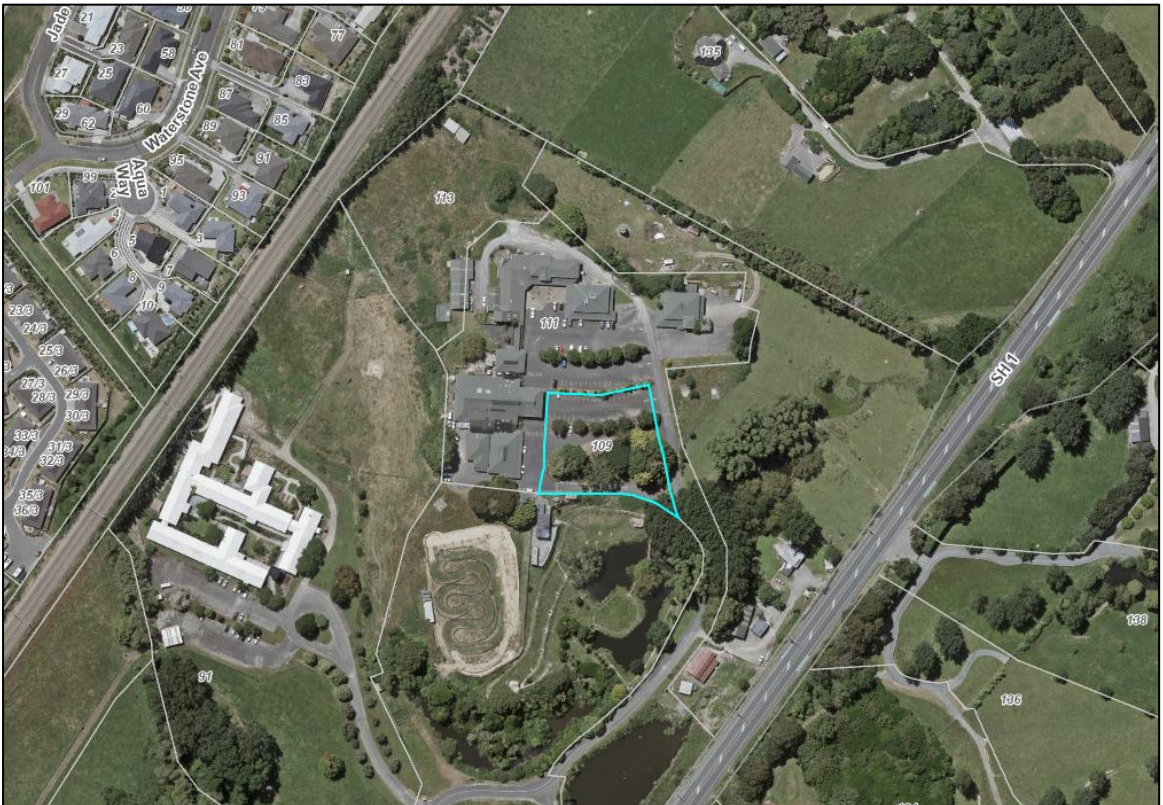


Figure 2: Aerial image with pink contour lines denoting the topography of the application site noting earthworks have been undertaken within this area for the construction of the townhouses



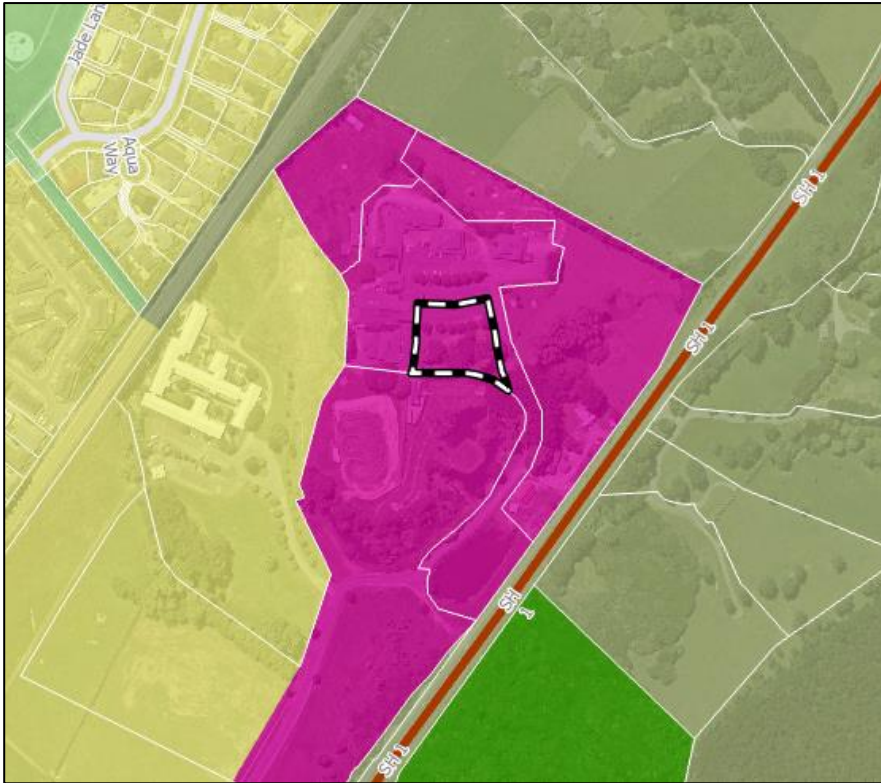


Figure 4: Zoning map taken from the ePlan. Yellow = General Residential, pink = Mixed Use, dark green = Natural Open Space, light green = Open Space and olive = Rural Production)



Figure 5: View of the southern block of townhouses (Principal Units 1, 3, 5, 7, 9, 11, 13 and 15) and the location of the access



Figure 6: View of the northern townhouses, Principal Units 2, 4, 6, 8, 10, 12 and 14)

3 RELEVANT PLANNING RULES AND REGULATIONS

Proposed Plan Changes 1D, 1F, 1K and 1L

Council publicly notified Proposed Plan Changes 1D (reclassification of roads), 1F (modification of indigenous vegetation and key indigenous trees), 1K (electoral signage) and 1L (rezoning of Council sites) on 14 July 2022. The submission and further submission periods for these plan changes have now closed; however, no hearings have been held or decisions released.

While Proposed Plan Change 1F pertains to the modification of indigenous vegetation, this does not relate to notable trees and therefore is not relevant to the proposal.

There are no provisions of the other Proposed Plan Changes that are relevant to the proposal.

Operative District Plan 2021

- *SUB-WORK-R41: The subdivision of land in the Mixed Use Zone where it is not a controlled activity is provided for as a restricted discretionary activity provided nine standards are met.*

Standards (1), (3), (4), and (9) will be met.

Standard (2) is not met as the allotments cannot contain a compliant building.

Standards (5), (6), and (7) are not relevant.

Standard (8) is not met as a minimum allotment area of 1,000m² is required with a minimum average of 2,500m² for the Paraparaumu North Gateway Precinct. The proposal will create allotments ranging from 167m² to 208m² resulting in an average significantly lower than 2,500m².

- *SUB-DW-R9: The subdivision of land with peat or sand soils is a controlled activity provided a geotechnical report assessing liquefaction risk has been included in the application.*

A geotechnical report was submitted with the building consent and has also been utilised for the purpose of this rule.

The proposed subdivision is a **controlled activity** under Rule SUB-DW-R9 and a **discretionary activity** under Rule SUB-WORK-R47.

Overall, the proposed subdivision is a **discretionary activity** as this is the more restrictive activity status.

National Environmental Standards

The proposal does not require assessment under any National Environmental Standards.

4 PERMITTED BASELINE

The permitted baseline allows a consent authority to disregard adverse environmental effects that are the same as could arise from a permitted development on the subject site.

There is no permitted baseline as all subdivisions on the Kapiti Coast require resource consent.

5 NOTIFICATION ASSESSMENT

Council must assess any resource consent application under section 95 of the Resource Management Act 1991 to determine whether a resource consent application should be notified. The Resource Management Act 1991 details a four-step process that must be followed and triggers or precludes notification of applications in certain circumstances. The sections below follow the four-step process for public notification (under section 95A) and limited notification (under section 95E).

5.1 Public notification steps – Section 95A

Pursuant to section 95A of the Resource Management Act, this section follows the 4-step process to determine if public notification is required.

Step 1 - Public notification is mandatory in certain circumstances

Public notification is mandatory in certain circumstances.

Has the applicant requested public notification?	No
Is public notification required under s95C?	No

Is the application made jointly with an application to exchange recreation reserve land under s15AA of the Reserves Act?	No
--	----

Public notification is not mandatory under step 1.

Step 2 - Public notification is precluded in certain circumstances

If public notification is not required under step 1 it may be precluded in certain circumstances (unless special circumstances apply under step 4).

Are all activities in the application subject to a rule in a Plan or National Environmental Standard precluding public notification?	No
Is the application for one or more of the following (but no other) activities? <ul style="list-style-type: none"> ▪ A controlled activity ▪ A boundary activity with a restricted discretionary, discretionary or non-complying activity status 	No

Public notification is not precluded under step 2.

Step 3 - Public notification is required in certain circumstances

If public notification is not precluded under step 2, public notification may be required in certain circumstances.

Is any activity in the application subject to a rule in a Plan or National Environmental Standard that requires public notification?	No
Does the activity have, or is likely to have, adverse environmental effects that are more than minor in accordance with s95D?	No (see assessment below)

Does the activity have, or is likely to have, adverse environmental effects that are more than minor in accordance with s95D?

Public notification is required under step 3 if the activity will have or is likely to have adverse effects on the environment that are more than minor.

In considering if the adverse effects on the environment are more than minor, the effects on persons who own or occupy the land in, on, or over which the activity will occur; or any land adjacent to that land must be disregarded. I have therefore disregarded the effects on the persons who own or occupy the following properties in making an assessment under s95D:

- 93 State Highway One, Paraparaumu (Part Lot 19 DP 88331); and,
- 111 State Highway One, Paraparaumu (Lot 1 DP 558470).

The proposal is a discretionary activity meaning Council can consider all actual and potential effects. In this instance, the relevant effects for assessment are considered to be natural hazard effects, visual, character and amenity effects, servicing effects, access and transport

effects and subdivision design effects. The adverse effects on the environment are considered to be less than minor for the following reasons:

Natural Hazard Effects

The Geotechnical Assessment prepared by ENGEO and submitted to Council in relation to the building consent application details the following with respect to geohazards:

“We have assessed the risk of natural hazards in accordance with Section 106 of the Resource Management Act (RMA).

We have considered liquefaction, lateral spreading, inundation and slope stability, consolidation/settlement and erosion.

We consider that that the geohazards assessed within this report either do not pose a significant risk to the proposed development, or where risks are identified, they can be suitably mitigated. Relevant geo-hazards have been discussed within this section.

*ENGEO has reviewed the conceptual plans provided by Design Group Stapleton Elliot and the project team for the proposed development at Lindale Village, Paraparaumu. **We consider that the plans, as currently shown, are suitable for the site, provided the recommendations in this report are taken into account.***

We consider that that the geohazards assessed within this report either do not pose a significant risk to the proposed development, or where risks are identified, they can be suitably mitigated.”

Given the findings above and the fact that the dwellings are under construction, the adverse natural hazard effects are considered to be less than minor.

The site is not subject to any flood hazard overlays.

Visual, Character and Amenity Effects

Visual, character and amenity effects have been established via RM220050 which granted resource consent approval for the townhouses which are under construction. The proposed subdivision will result in each of these townhouses being held on individual Records of Title. The subdivision will not generate additional physical works and therefore, the visual, character and amenity effects are considered to be less than minor.

Servicing Effects

Servicing for the 15 principal units has been established via the resource consent and building consent for these and therefore, the subdivision will not result in any additional demand on services. Construction effects associated with the provision of the necessary three waters, power and telecommunications services were also considered as part of the previous resource consent and therefore no additional works are necessary as part of the proposed subdivision.

Overall, the adverse servicing effects are considered to be less than minor.

Access and Transport Effects

The principal units will be accessed via an existing right of way from Lindale Drive. The effects associated with the additional vehicle movements generated by the townhouses was considered as part of RM220050 and the subdivision will not result in any additional vehicle movements.

While the subdivision will result in additional allotments utilising the right of way, the standard of the right of way is considered sufficient.

Overall, access and transport effects are considered to be less than minor.

Subdivision Design Effects

Although the allotments proposed do not meet the minimum allotment size requirements of the District Plan, the subdivision design effects, including density are considered to be less than minor. This is due to the form of the proposed subdivision being a unit title with allotment size dictated by the physical structure of the townhouses under construction.

While no accessory units are proposed, common property will consist of the refuse collection area, retaining walls, access and the wastewater pump station.

Public notification is not required under step 3.

Step 4 – Public notification is required in special circumstances

If public notification is not required under step 3 it may still be warranted where there are special circumstances.

Do special circumstances exist that warrant public notification?	No
--	----

Special circumstances have been defined as circumstances that are unusual or exceptional but may be less than extraordinary or unique. This proposal relates to a subdivision which is an activity that is neither unique nor unusual. The District Plan is considered to provide a clear policy direction and assessment matters relevant to the proposal, and it is considered that public notification will not reveal any new information relevant to determination.

On this basis, it is not considered necessary to publicly notify the application due to special circumstances.

Conclusion

Public notification is not required.

5.2 Limited notification steps - Section 95B

As determined in section 5.1, public notification is not required. Pursuant to section 95B of the Resource Management Act, a 4-step process must therefore be followed to determine if limited notification is required.

Step 1 – Certain affected groups/persons must be notified

Limited notification is mandatory for certain groups/persons.

Are there affected customary rights groups?	No
Are there affected customary marine title groups (for accommodated activities)?	No

Is the proposal on or adjacent to, or may affect, land that is subject to a statutory acknowledgement and whether the person to whom the statutory acknowledgement is made affected under section 95E?	No
--	----

Limited notification is not required under step 1.

Step 2 – Limited notification is precluded in certain circumstances

Limited notification to any other persons not referenced in step 1 is precluded in certain circumstances (unless special circumstances apply under step 4).

Are all activities in the application subject to a rule in a Plan or National Environmental Standard precluding limited notification?	No
Is the application for the following, but no other activity: <ul style="list-style-type: none"> ▪ A controlled activity (other than a subdivision) under the District Plan 	No

Limited notification is not precluded under step 2.

Step 3 – Certain other persons must be notified

If limited notification is not precluded under step 2, limited notification is required for any persons found affected under s95E.

Are any of the following persons 'affected' under s95E? <ul style="list-style-type: none"> ▪ For 'boundary activities' an owner of an allotment with an 'infringed boundary' 	No (see below assessment)
For all other activities, are there any affected persons in accordance with s95E?	No (see below assessment)

In accordance with s95E are there any affected persons?

Section 95E(3)(a) stipulates that those individuals who give written approval to a proposal cannot be considered to be an affected person/s. No written approvals have been provided.

In accordance with section 95E, I have considered whether the proposal could adversely affect any other persons. I consider there to be no affected persons as the potential environmental effects will be less than minor for the following reasons:

93 State Highway One, Paraparaumu

This property adjoins the application site to the south and previously contained Adrenalin Kapiti. This property has a split zoning with two resource consents granted for development of the site (both residential and commercial) and another currently being processed.

The site is vacant insofar as there are no residential or commercial/retail units on the site.

Given the subdivision will not result in no additional physical works or vehicle movements that have previously been assessed as less than minor, the adverse effects on this adjoining property are less than minor.

111 State Highway One, Paraparaumu

This property adjoins the application site to the north, east and west and was created as part of the subdivision that created the application site. It contains various buildings used for a range of commercial, retail and residential activities.

Given the subdivision will not result in no additional physical works or vehicle movements that have previously been assessed as less than minor, the adverse effects on this adjoining property are less than minor.

Limited notification is not required under step 3.

Step 4 – Limited notification is required under special circumstances

If limited notification is not required under step 3, limited notification may still be warranted where there are special circumstances.

Do special circumstances exist that warrant notification of any persons to whom limited notification would otherwise be precluded?	No
--	----


For the reasons outlined under step 4 in section 5.1 above I do not consider there to be any special circumstances that warrant limited notification of this proposal.

Conclusion

Limited notification is not required.

5.3 Notification decision

In accordance with the notification steps identified in sections 5.1 and 5.2 above, this application shall proceed on a non-notified basis.

Reported and Recommended by:  Marnie Rydon
Consultant Planner

Decision: *“That the above recommendation be adopted.”*

Delegated Officer (Peer Reviewer):  Sarah Banks
Principal Resource Consents Planner

6 DETERMINING THE APPLICATION

Section 104 requires, when considering a resource consent application, that Council must, subject to Part 2, have regard to any actual or potential effects on the environment; any measure agreed or proposed by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any negative effects; any relevant provisions of a National Environmental Standard; other regulations; a National Policy Statement; a New Zealand Coastal Policy Statement; a Regional Policy Statement or proposed Regional Policy

Statement; a plan or proposed plan; and any other matter the consent authority considers relevant and reasonably necessary to determine the application.

6.1 Assessment of actual or potential effects on the environment under s104(1)(a)

The proposal is for a discretionary activity, meaning only all actual or potential effects can be considered. A comprehensive assessment of effects from the proposal in light of effects on the environment has been undertaken under Section 5.1 of this report. This assessment concluded effects to be less than minor. I consider this assessment to apply in the context of effects on the environment as per s104 of the Act, and for this reason, effects are to be acceptable. A summary of this assessment is provided below:

- No additional physical works or vehicle movements will be generated by the subdivision that were not considered acceptable when assessed in relation to the residential units under construction.
- Each principal unit will be appropriately serviced for three waters, power and telecommunications;
- Legal and physical access is provided to each principal unit;
- The subdivision does not require the provision of an esplanade reserve/strip;
- The site is not subject to any natural hazards;
- The site is not of any natural, cultural or archaeological significance; and,
- Onsite stormwater disposal is being provided that will ensure the development is hydraulically neutral.

Conclusion

I consider the actual or potential effects on the environment to be acceptable for the reasons outlined above.

6.2 Assessment of the relevant provisions of the District Plan under s104(1)(B)

Objectives and Policies of the Operative District Plan 2021

I consider the proposal is consistent with the relevant District Plan objectives and policies identified below:

DO-O3 Development Management

DO-O11 Character and Amenity Values

DO-O12 Housing Choice and Affordability

DO-O16 Centres

DO-O19 Housing Bottom Lines

DO-O20 Well-functioning Urban Environments

UEDI-P2 Safety and Crime Prevention Through Environmental Design

UFD-P1 Growth Management

UFD-P2 Housing Choice

UFD-P4 Residential Density

MUZ-P1 Mixed Use Zone

MUZ-P2 Paraparaumu Gateway Precinct

MUZ-P4 Activities in the Working Zones

MUZ-P6 Housing in Centres

MUZ-P7 Urban Form and Design of Centres

MUZ-P8 Connectivity to and Within Centres

The subdivision will allow for previously consented and under construction residential units to be held on individual Records of Title. The ability for this to occur will provide more residential units within the market for purchase which can improve affordability.

DO-O13 Infrastructure

DO-O14 Access and Transport

INF-GEN-P4 Managing Adverse Effects

INF-GEN-P7 Infrastructure and Growth Management

INF-GEN-P11 Quality of Infrastructure Design and Services

INF-MENU-P17 Hydraulic Neutrality – Stormwater

INF-MENU-P18 Stormwater Quantity and Quality

INF-MENU-P20 Water Supply

INF-MENU-P21 Wastewater

TR-P1 Integrated Transport and Urban Form

TR-P2 Sustainable Transport and Maximising Mode Choice

TR-P5 Effects of Land Use on Transport

TR-P6 Safety

The provision of services was considered as part of the resource consent processed and granted for the construction of the residential units which will form principal units under the proposed subdivision. This included works to ensure the safety of all users of the right of way. As these works are underway, or will also form conditions of the subdivision consent, the intent of the objectives and policies above is met.

DO-O17 Open Spaces/Active Communities

UFD-P7 Accessibility

FC-P1 Provision of Reserves and Public Open Spaces

Payment of financial contributions for the additional allotments will be required as a condition of consent.

Proposed Plan Changes

While Proposed Plan Changes 1D, 1F, 1K and 1L do not contain any rules or standards that had immediate legal effect relevant to the proposal, any changes to relevant objectives and policies should be considered although with less weighting than the Operative District Plan provisions given no decisions have been released on these proposed Plan Changes.

Plan Changes 1D, 1F, 1K and 1L either do not propose any changes to objectives or policies or they are not relevant to the proposal.

6.3 Assessment of the relevant provisions of other statutory planning documents under s104(1)(b)

I consider that there are no other relevant provisions of national environmental standard, other regulations, national policy statement, New Zealand Coastal Policy Statement or regional policy statement or proposed regional policy statement that regard must be had.

The New Zealand Coastal Policy Statement is not considered relevant as although the site is identified as being within the coastal environment, there are no physical works required for the proposed subdivision as these have already occurred as part of the land use consent.

The National Policy Statement on Urban Development 2020 is not relevant as the subdivision will be around existing dwellings.

6.4 Pursuant to s104(1)(c) Are there any other matters relevant and reasonably necessary to determine the application?

I consider there are no other matters relevant and reasonably necessary to determine the application.

6.5 Section 106

Section 106 provides for the consent authority to refuse consent in certain circumstances or to impose conditions to mitigate the effects which may arise from a series of natural hazards. Section 106 also deals with matters related to the provision of satisfactory access to allotments.

Each allotment will be provided with legal and physical access via the Lindale Drive Right of Way and common property as shown on the scheme plan.

The site is not shown to be subject to any flood hazards. As detailed in section 5.1 above, a geotechnical report prepared by ENGEO was supplied with the building consent application and concluded:

"We consider that that the geohazards assessed within this report either do not pose a significant risk to the proposed development, or where risks are identified, they can be suitably mitigated."

Overall, the proposal is considered to meet the requirements of s106 and does not need to be refused under this section of the RMA.

6.6 Part 2 of the Resource Management Act

I consider the proposal meets Part 2 matters of the Resource Management Act 1991.

6.7 Substantive decision

In accordance with s104B I have considered the application for a discretionary activity and have decided to grant the application subject to conditions under s108 and s220.

6.8 Conditions

Conditions were provided to the Applicant's Agent on 4 March 2024. Following some minor amendments, conditions were agreed, thereby meeting the requirements of section 108AA.

7 CONDITIONS OF RESOURCE CONSENT

In accordance with ss104, 104B, 108 and 220 of the Resource Management Act 1991, resource consent has been **granted** to undertake a unit title subdivision creating 15 Principal Units at 109 State Highway One, Paraparaumu (being Lot 3 DP 558470), subject to the following conditions:

1. The proposed activity shall be undertaken in general accordance with the plans, information and specifications lodged with the application and further information supplied on 27 February 2024 and held on the file RM240012 except where modified by conditions of consent.
2. The e-survey dataset (LT Plan) shall be in general conformity with the Infill Tapui Limited plans:
 - Scheme Plan (Easements), Job J000016, Revision F, Sheet 002
 - Scheme Plan (Principal Units), Job J000016, Revision C, Sheet 003
 - Scheme Plan (Sections 1 & 2), Job J000016, Revision C, Sheet 004
 - Scheme Plan (Sections 3 & 4), Job J000016, Revision C, Sheet 005

All stamped as 'Final Approved Plans' on 20 March 2024, excepted where modified by conditions of consent.

3. Easements are required over any rights of way and communal, private and public services where these pass through the lots in the subdivision. This consent is conditional on the easements being granted or reserved and they must be subject to section 243 of the RMA.

Fees and Contributions

4. A Reserve Contribution is payable and has been assessed at \$15,223.67, inclusive of GST per additional residential unit (total **\$213,131.38** GST inclusive for 14 additional allotments).

The contribution must be paid prior to the issue of any certificate pursuant to section 224(c) of the Resource Management Act 1991.

5. Prior to the issue of a section 224(c) certification under the Resource Management Act 1991, the consent holder shall pay Council Engineering Fees of \$696.00 plus \$348.00 per lot (total **\$5,916.00**, GST inclusive) for work that may be required for plan approvals, site inspections and consent compliance monitoring, plus any further monitoring charge or changes to recover the actual and reasonable costs that have been incurred to ensure compliance with the conditions attached to this consent.

Servicing

6. Prior to applying for certifications pursuant to s224(c), s224(f) of the Resource Management Act 1991 and s32(2)(a) of the Unit Titles Act 2010, individual service connections for wastewater, water supply, stormwater, power and telecommunications for each of the Principal Units shall be installed, inspected, and approved by Council in general accordance with the relevant conditions of RM220050.

Foundation Design

7. The consent holder shall ensure that in respect of any future foundation design and construction for any new building or additions and alterations to a building on each lot

shall take into account the findings and recommendations within the *Geotechnical Investigation* prepared by ENGE0 Limited, dated 12 January 2022 and submitted to Council in relation to building consent BC220179.

Note: A Consent Notice under Section 221 of the Resource Management Act will be issued to facilitate the recording of the above condition which is to be complied with on an on-going basis.

Three Waters

8. The stormwater disposal design shall be provided for each allotment in accordance with the requirements and intent of the LINDALE VILLAGE – STORMWATER MEMO by Envelope Engineering dated 14 December 2021.

Note 1: Prior to the issue of the approval of consent drawings, an updated stormwater design and report shall be submitted to Council fully incorporating recommendations denoted in the 'Peer Review – RM220050: Lindale Residential 15 Unit Development, Resource Consent Application and Assessment of Environmental Effects Report' document by AWA dated 30 26 April 2022. This combined report is required to allow for Note 2 below.

Note 2: In the event that the certified stormwater disposal design is not installed prior to the issue of the 224(c) certificate, a Consent Notice under Section 221 of the Resource Management Act will be issued to facilitate the recording of this condition, which is to be complied with on an on-going basis. The Consent Notice shall include reference to the following:

- the certified stormwater disposal design as an option for compliance;
- the owners' responsibility to construct a system to meet the above performance standard; and
- the owners' responsibility to maintain the system on an on-going basis to meet the above performance standard as it applied at the time of approval.

9. The installation of the permeable paving shall be undertaken as per the supplier's recommendations and protected from exposed earthwork sediment during construction.

Note 1: It is the responsibility of the consent holder to ensure that any necessary maintenance of the permeable paving is undertaken to ensure that an appropriate level of permeability is maintained on an ongoing basis.

Note 2: A consent notice pursuant to section 221 of the Resource Management Act 1991 shall be issued in respect of the ongoing maintenance and monitoring of the permeable paving performance being the ongoing responsibility of the allotment owners and body corporate.

10. Prior to applying for certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall ensure that firefighting requirements are installed that comply with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008

11. Prior to applying for certification pursuant to section 224(c) of the Resource Management Act, the consent holder shall ensure that the water mains have a metered with RPZ upstand installed at/near the boundary as per council standard drawing KCDC-WS-012 Rev 4.

Note 1: The Consent Holder's attention is drawn to the 'Approved Water Supply Products & Materials List, WS-10: Water Meters'

<http://www.kapiticoast.govt.nz/Planning/Resource-Consents/Standard-Drawing/Water->

[Standard-Drawings](#)). Installing an approved water meter is a means of compliance with this condition.

Note 2: The distribution of the odometer water charges between different units shall be the responsibility of the body corporate.

12. Prior to applying for certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall ensure that the construction of water reticulation systems is only undertaken by an approved contractor as defined in Part 3, section F(ix) of the Land Development Minimum Requirements, 2022.
13. Prior to the issue of a Section 224(c) certificate under the Resource Management Act 1991, the consent holder shall provide each lot with a new wastewater lateral which complies with the Council wastewater standard drawings and Part 3, section F & Part 4 Schedule 5 of Land Development Minimum Requirements 2022.
14. Prior to applying for certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall ensure that the construction of wastewater reticulation systems is only be undertaken by an approved contractor as defined in Part 3, section F(ix) of the Land development Minimum Requirements, 2022.

Completion Requirements

15. Prior to the issue of a Section 224(c) certificate under the Resource Management Act 1991, the consent holder shall submit an itemised schedule of quantities and costs for assets which are to vest in Council.
16. Prior to the issue of a Section 224(c) certificate under the Resource Management Act 1991, the consent holder shall submit compliant as-built drawings of the public stormwater drainage, wastewater drainage and public potable water networks to the Council Development Engineer.
17. Prior to the issue of a Section 224(c) certificate under the Resource Management Act 1991, the consent holder shall supply the following certifications to the satisfaction of the Council Development Engineer and shall comprise:
 - NZS 4404:2010 Schedule 1B (Contractors Certificate upon completion of Land development/Subdivision) signed by the Contractor; and
 - NZS 4404:2010 Schedule 1C (Certification upon completion of Land development/Subdivision of Person Responsible for Inspection and Review of Construction) signed by a suitably qualified professional.
18. The consent holder shall supply a copy of the title sheets of the e-survey dataset and shall list and indicate how each condition has been met to the satisfaction of the Council.

Processing Planner:



Marnie Rydon

Consultant Planner

Granted under delegated authority:



Sarah Banks

Principal Resource Consents Planner

Application lodged (deposit received): 5 February 2024
Application approved: 20 March 2024
S92(1) further information requested: 26 February 2024
S92(1) further information received: 27 February 2024
Applicant on hold: 5 March 2024

8 NOTES

- The consent lapses, in accordance with section 125 of the Resource Management Act 1991, if the proposal is not given effect to within five years, that is, by 20 March 2029.
- The consent holder shall notify the Council's RMA Compliance Officer of the start and completion dates of the works in writing 48 hours before the works are carried out. The consent holder shall fill out and return (by email to the duty compliance officer at rma.compliance@kapiticoast.govt.nz, or by fax to (04) 2964 830 or by post to Private Bag 60601, Paraparaumu) the form that is attached to the decision letter.
- The consent holder shall pay to the Kapiti Coast District Council the actual and reasonable costs associated with the monitoring of conditions (or review of consent conditions), or supervision of the resource consent as set in accordance with Section 36 of the Resource Management Act 1991. These costs* may include site visits, correspondence and the actual costs of materials or services which may have to be obtained.

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

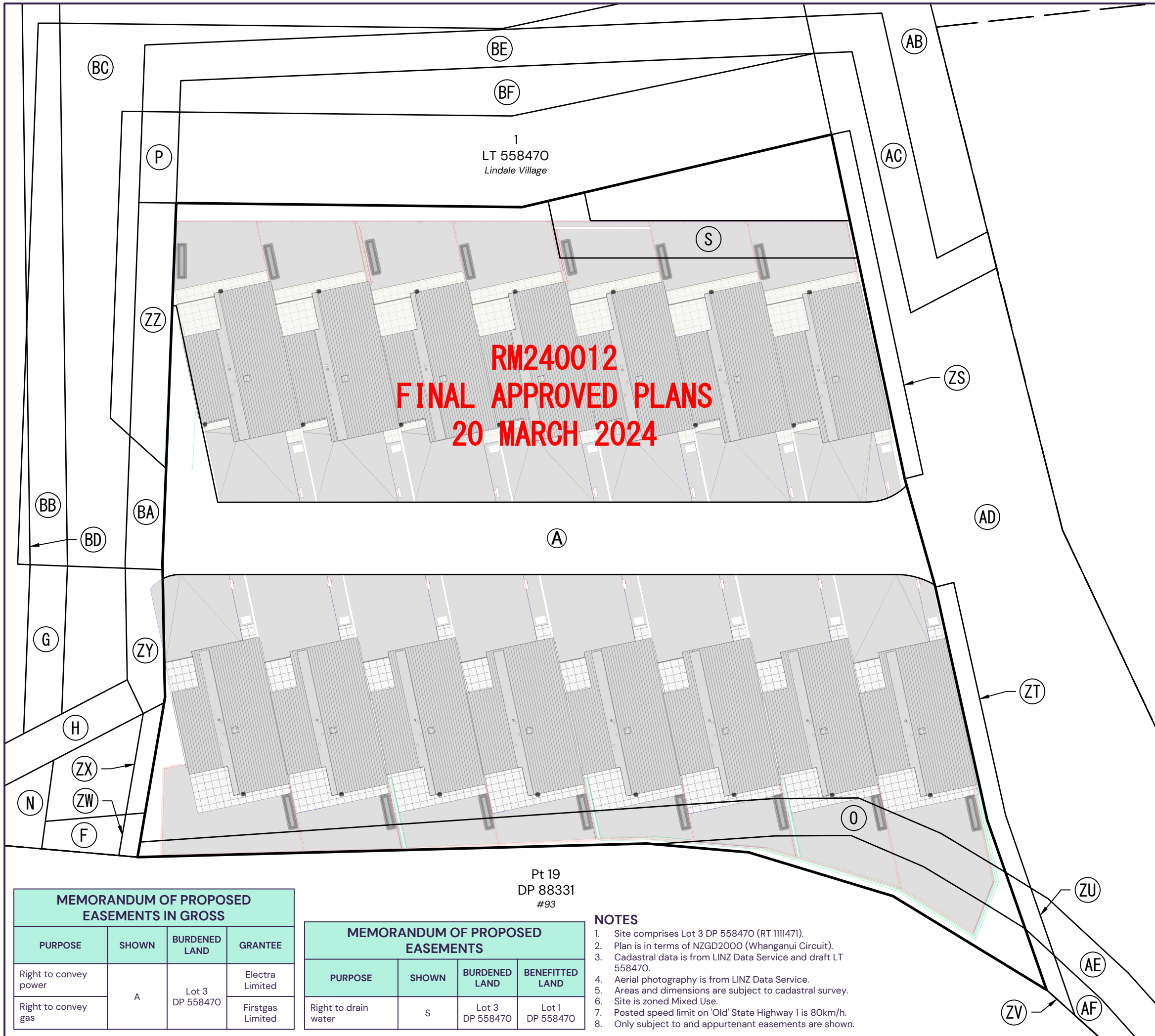
- Additional fees will be required by Council with the application(s) for section 223 and 224(c) certification.
- Application(s) for sections 223 and 224(c) certification shall be made electronically via resource.consent@kapiticoast.govt.nz.
- The consent holder shall provide certification from a suitably qualified person that the building to which the cross lease/unit title subdivision relates complies with or will comply with the provisions of the Building Code specified in Section 116A of the Building Act 2004 prior to the issue of the certificate pursuant to Section 224(f) of the Resource Management Act 1991. Council regards the following persons as fulfilling the requirements for being "suitably qualified" with respect to the above:
 - Chartered Professional Engineers (CPEng);
 - Members of Engineering New Zealand;
 - Registered Architects who are currently listed by the New Zealand Registered Architects Board (NZRAB)
 - Registered Clerks of Works.
- Engineering detailed design plans shall be submitted electronically via development.engineers@kapiticoast.govt.nz.
- It is the consent holder's responsibility to comply with any conditions imposed on this resource consent prior to and during (as applicable) exercising this resource consent.
- Please note that a resource consent is not a consent to build. A building consent must be issued prior to any building work being undertaken.
- If you disagree with any of the above conditions or disagree with the additional charges relating to the processing of the application, you have a right of objection pursuant to sections 357A or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of notification of the decision.

- The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety in Employment Act 1992), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.
- Development Contributions will be required pursuant to Section 198 of the Local Government Act 2002 and the Council’s Development Contribution Policy 2021 when creating new allotments. The contributions will be calculated and levied for each additional allotment created by this resource consent in accordance with the fees that apply at the time the consent was lodged (provided they are not subject to a development agreement). The fees are listed below:

Items	Fees including GST(NZD)
Roading & Transport - Districtwide	\$2,075.00
Water Treatment - Paraparaumu	\$6,266.00
Water Reticulation - Paraparaumu	\$1,616.00
Wastewater Treatment - Paraparaumu	\$527.00
Wastewater Reticulation - Paraparaumu	\$250.00
Stormwater – Districtwide	\$185.00
Stormwater Collection & Management - Paraparaumu	\$470.00
Community Infrastructure - Districtwide	\$1,789.00
Subtotal	\$13,178.00
Total (14 allotments)	\$184,492.00

There 14 additional allotments created by this Resource Consent.

The contributions must be paid prior to the issue of certification pursuant to section 224(c) of the Resource Management Act 1991.



**RM240012
FINAL APPROVED PLANS
20 MARCH 2024**

SCHEDULE OF EXISTING EASEMENTS

PURPOSE	SHOWN	BURDENED LAND	CREATING DOCUMENT
Right of way	AA & AB, AC, AD, AE, AF, AG, AH, AI, ZS, ZT, ZU, ZV & BA, BB, BC, BD, BE, BF	Lot 1 DP 558470	EI 12843138.7
Right to drain water	AB, AC, AD, AE, AF, AG, AH, AI, Q, ZS, ZT, ZU, ZV		
Right to drain sewage	AA, AB, AC, AD, L, ZS		
Right to convey water	AA, AB & AD, ZS	Lot 1 DP 558470	EI 12843138.10
Planting	ZS, ZT, ZU, ZV, ZW, ZX, ZY, ZZ		
Right to convey water	AC, BA, BE, H, P, ZY, ZZ	Lot 3 DP 558470	EI 12843138.12
Right to convey electricity	AA, BB, D, E, G, H, N, AE, F, I, K, N, ZU, ZW		
	O	Lot 2 DP 558470	EI 12843138.11
Right to convey telecommunications	AA, AB, AC, AD, AE, AF, D, F, I, K, N, ZS, ZT, ZU, ZV, ZW	Lot 1 DP 558470	EI 12843138.12
	AA, D, J, K, M		
Right to drain sewage	CB	Lot 2 DP 558470	EI 12843138.7
	CC		

TITLE **Scheme Plan**
Easements

CLIENT **Lindale Residential Limited**

PROJECT **109 'Old' State Highway 1**
Paraparaumu

SURVEYED BY **Landlink**

DESIGNED BY **-**

DRAWN BY **Ben Addington**

APPROVED BY **Reuben Ferguson**

JOB **J000016**

STAGE **RC1**

REVISION **F**

REVISION DETAILS **Easements updated**

DATE **13/03/2024**

SCALE **1:300**

SHEET **002**

MEMORANDUM OF PROPOSED EASEMENTS IN GROSS

PURPOSE	SHOWN	BURDENED LAND	GRANTEE
Right to convey power	A	Lot 3 DP 558470	Electra Limited
Right to convey gas			Firstgas Limited

MEMORANDUM OF PROPOSED EASEMENTS

PURPOSE	SHOWN	BURDENED LAND	BENEFITTED LAND
Right to drain water	S	Lot 3 DP 558470	Lot 1 DP 558470

Pt 19
DP 88331
#93

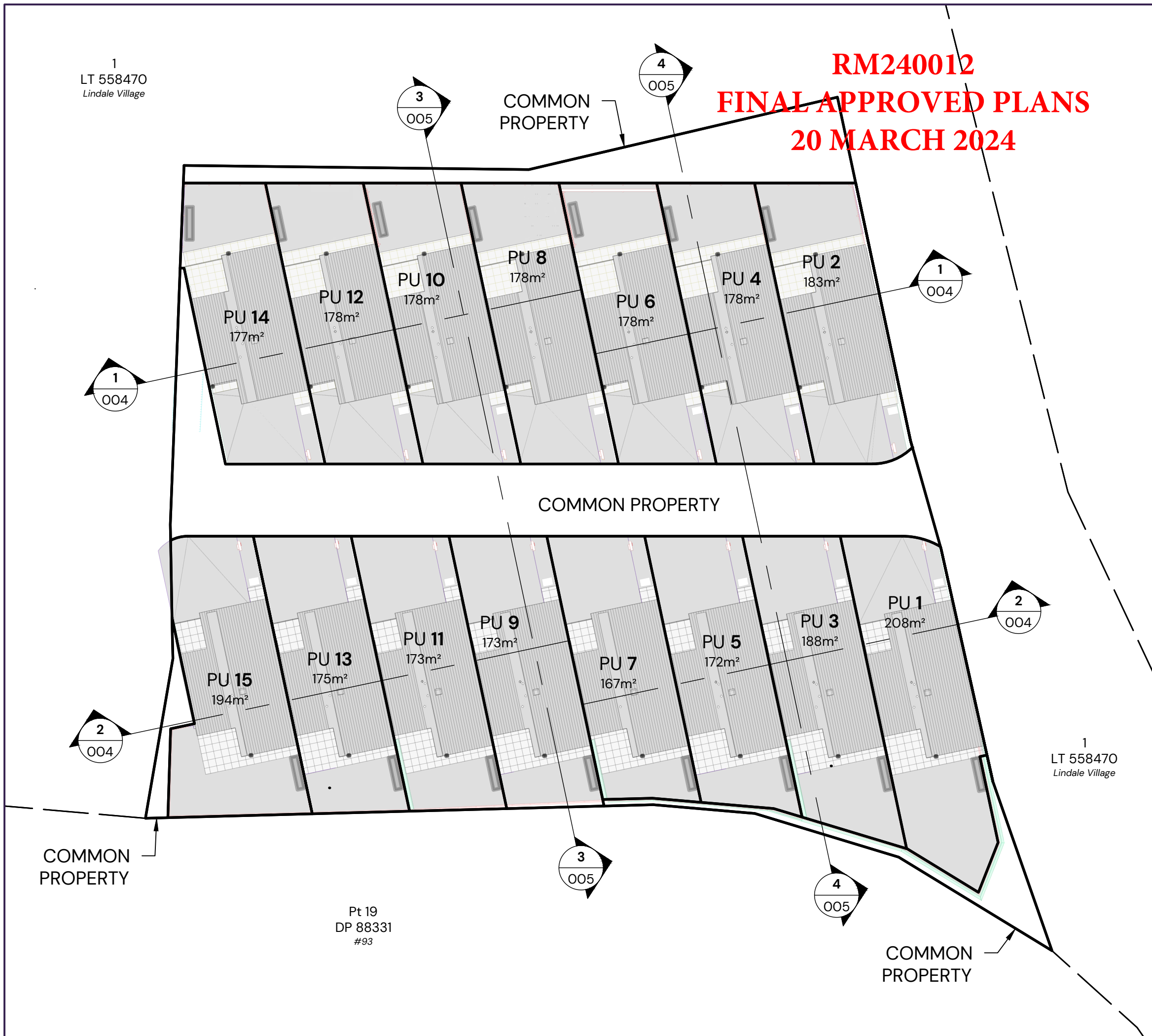
NOTES

1. Site comprises Lot 3 DP 558470 (RT 1111471).
2. Plan is in terms of NZGD2000 (Whanganui Circuit).
3. Cadastral data is from LINZ Data Service and draft LT 558470.
4. Aerial photography is from LINZ Data Service.
5. Areas and dimensions are subject to cadastral survey.
6. Site is zoned Mixed Use.
7. Posted speed limit on 'Old' State Highway 1 is 80km/h.
8. Only subject to and appurtenant easements are shown.

RM240012
FINAL APPROVED PLANS
20 MARCH 2024

NOTES

1. Site comprises Lot 3 DP 558470 (RT 1111471).
2. Plan is in terms of NZGD2000 (Whanganui Circuit).
3. Cadastral data is from LINZ Data Service and draft LT 558470.
4. Buildings are from Design Group Stapleton Elliott and indicative only.
5. Areas and dimensions are subject to cadastral survey.
6. Site is zoned Mixed Use.
7. PU = Principal Unit.
8. The boundaries of Principal Units 1-15 are as follows:
Horizontally
 - Midline of walls and projection thereof, including where interrupted by doors or windows; or
 - Extental face of balustrade; or
 - Edge of concrete; or
 - A mathematical offset to the midline of wall.Vertically
 - Lower limit: Below the finished floor level.
 - Upper limit: Underside of roof cladding.



TITLE	Scheme Plan Principal Units
CLIENT	Lindale Residential Limited
PROJECT	109 'Old' State Highway 1 Paraparaumu
SURVEYED BY	Landlink
DESIGNED BY	-
DRAWN BY	Ben Addington
APPROVED BY	Reuben Ferguson
JOB	J000016
STAGE	RC1
REVISION	C
REVISION DETAILS	Principal unit areas added
DATE	2/02/2024
SCALE	1:300

TITLE	Scheme Plan Sections 1 & 2	DESIGNED BY	-
CLIENT	Lindale Residential Limited	DRAWN BY	Ben Addington
PROJECT	109 'Old' State Highway 1 Paraparaumu	APPROVED BY	Reuben Ferguson
		JOB	J000016
		STAGE	RC1
		REVISION	C
		REVISION DETAILS	Address updated

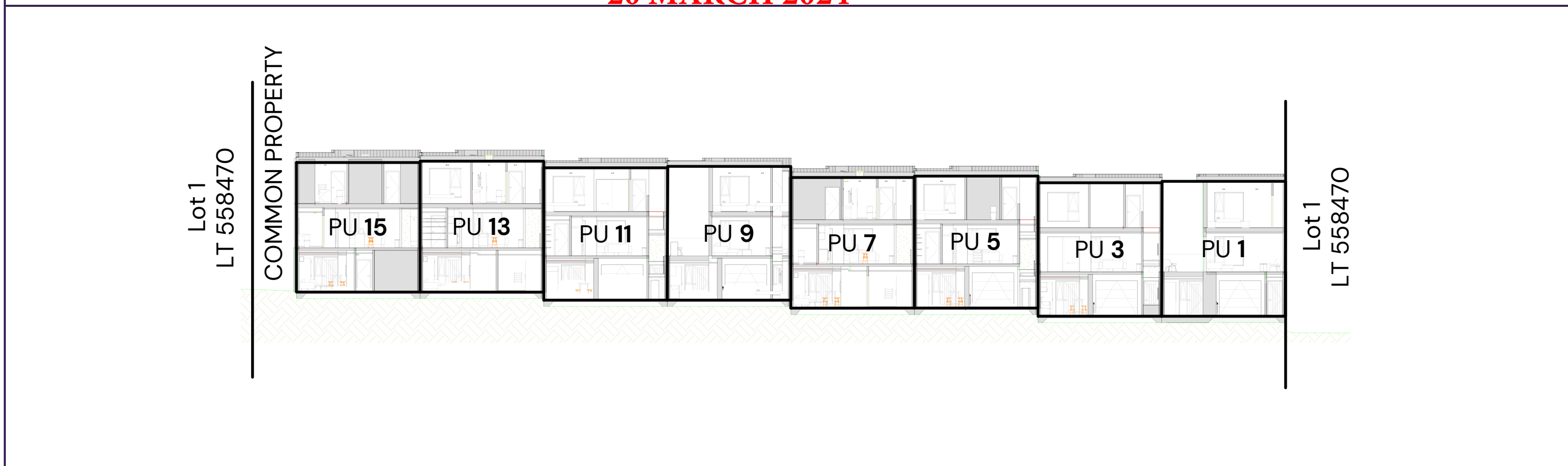
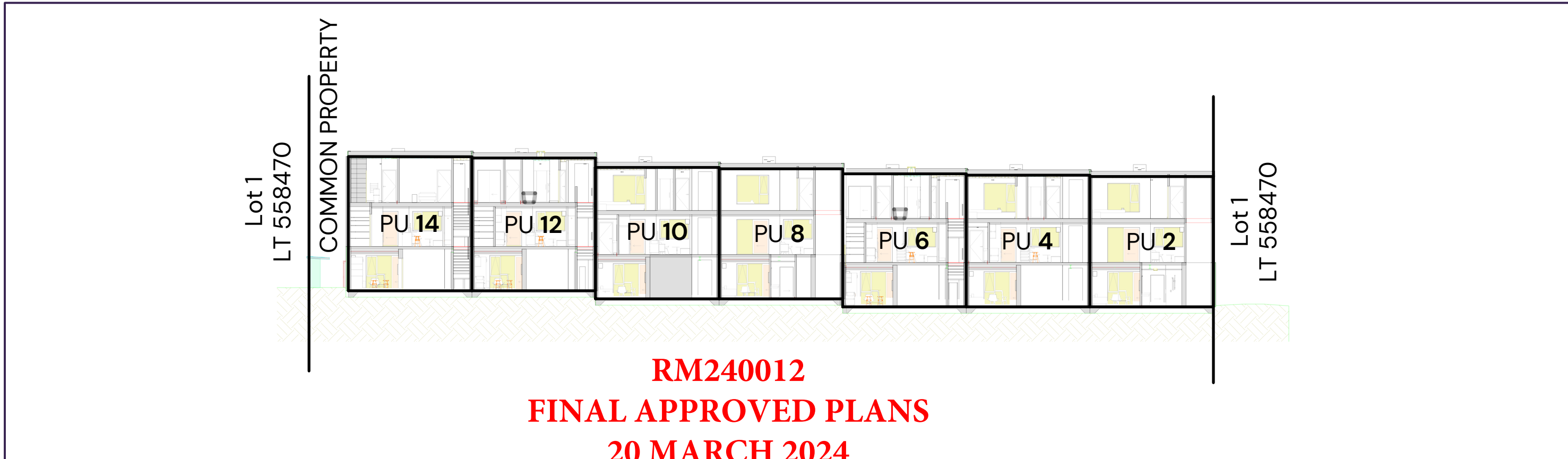
- NOTES**
1. Site comprises Lot 3 DP 558470 (RT 1111471).
 2. Plan is in terms of NZGD2000 (Whanganui Circuit).
 3. Cadastral data is from LINZ Data Service and draft LT 558470.
 4. Aerial photography is from LINZ Data Service.
 5. Areas and dimensions are subject to cadastral survey.
 6. Site is zoned Mixed Use.
 7. Posted speed limit on 'Old' State Highway 1 is 80km/h.

© Infill Tapui Limited
kiaora@infill.nz

DATE **26/01/2024**

SCALE **1:250**

SHEET **004**



TITLE	Scheme Plan Sections 3 & 4
CLIENT	Lindale Residential Limited
PROJECT	109 'Old' State Highway 1 Paraparaumu

DESIGNED BY	-
DRAWN BY	Ben Addington
APPROVED BY	Reuben Ferguson
JOB	J000016
STAGE	RC1
REVISION	C
REVISION DETAILS	Address updated

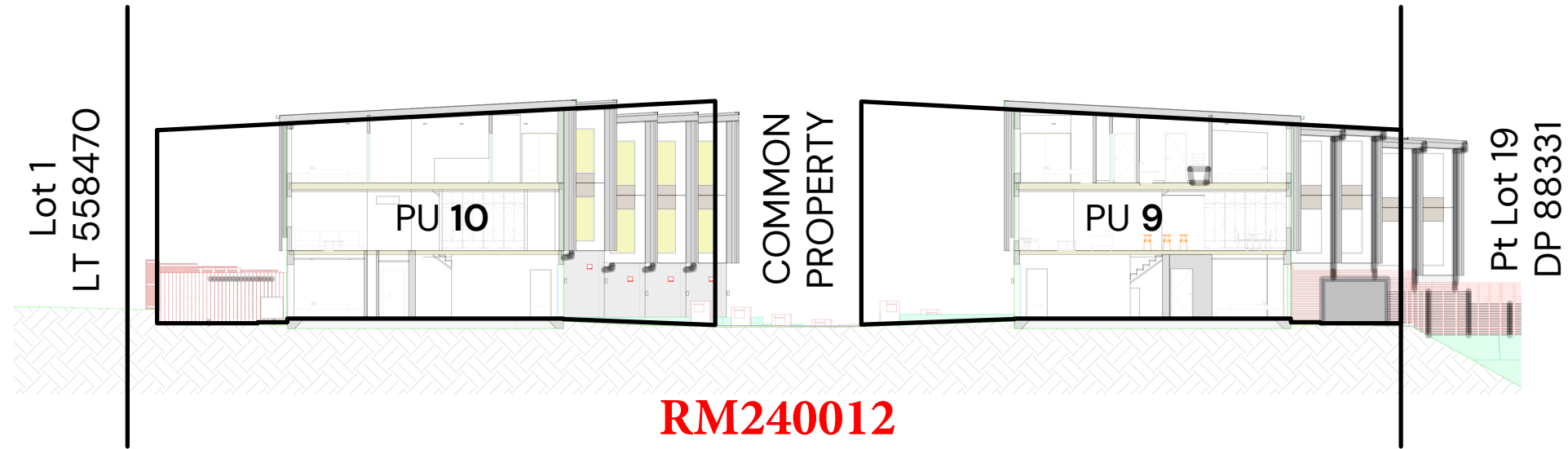
- NOTES**
1. Site comprises Lot 3 DP 558470 (RT 1111471).
 2. Plan is in terms of NZGD2000 (Whanganui Circuit).
 3. Cadastral data is from LINZ Data Service and draft LT 558470.
 4. Aerial photography is from LINZ Data Service.
 5. Areas and dimensions are subject to cadastral survey.
 6. Site is zoned Mixed Use.
 7. Posted speed limit on 'Old' State Highway 1 is 80km/h.

© Infill Tapui Limited
kiaora@infill.nz

DATE **26/01/2024**

SCALE **1:250**

SHEET **005**



RM240012
FINAL APPROVED PLANS
20 MARCH 2024

