

Resource Consent

(Resource Management Act 1991)

DECISION ON APPLICATION SP/0171/20

Pursuant to Sections 34A(1), Section 104, 104D and 108 of the Resource Management Act 1991, the Waipā District Council, under delegated authority, grants Subdivision Consent for a Non-Complying Activity to:

Activity: Subdivide two lots into 329 residential lots, six compact housing lots, 21 access lots, one commercial lots, 13 roads, five recreation reserves, one wastewater reserve and four stormwater reserves in the Residential Zone (being Stages 3-12 of the Frontier Estate Development T1 Growth Cell)

Consent Holder: Frontier Developments Limited

Location Address: 8 Frontier Road & 5 Pirongia Road, Te Awamutu

Legal Description: Lot 1 DP 453448 (RT 580865), Lot 3 DP 487281 (RT 696842), Lot 1 DP 516135 (RT 807551); and Lot 800 DP 547310 (RT 952278)

This consent is subject to the conditions attached in Schedule 1.

Advisory notes for this consent are attached in Schedule 2.

The reasons for this decision are attached in Schedule 3.

Dated at Cambridge this 20th day of May 2021.

For and on behalf of Waipā District Council.



Quentin Budd
CONSENTS TEAM LEADER

Schedule 1

Conditions of Consent

Resource Consent No: SP/0171/20

Stage 3

General

- 1 The Land Transfer Plan to give effect to this subdivision consent must be in general accordance with the approved plan 'Scheme Plan Stage 3' prepared by Shrimpton & Lipinski, reference 30008-01-S3-C7, Revision 10, dated May 2021 and submitted with application SP/0171/20, unless otherwise altered by the consent conditions. A copy of the approved plan is attached.

Power

- 2 The consent holder must arrange with a local network electricity operator for the underground reticulation of electricity to serve all lots and pay all costs attributable to such work. The consent holder must submit to the Council written confirmation from the local network operator that satisfactory arrangements have been made for the reticulation of the service to all lots in the subdivision. This is to include if necessary, the resiting, repositioning or removal of any electric power lines which exist on the land being subdivided.

Where electric power lines are crossing the boundary of any lots registered easements must be created for such services.

Telecommunications

- 3 The consent holder must arrange with a telecommunications company for the underground reticulation of telecommunication or fibre optic cables to serve all lots and pay all costs attributable to such work. The consent holder must submit to the Council written confirmation from the telecommunications provider that the reticulation of the service to all lots in the subdivision has been provided. This is to include if necessary, the resiting, repositioning or removal of any telecommunication cables which exist on the land being subdivided.

Where telecommunication or fibre optic cables serving any lot are required to cross the boundary of any other lot or lots registered easements must be created for such services.

All work shall be undertaken at the consent holders' expense.

Easements - Private

- 4 The Right of Ways and Private Easements as shown on the approved scheme plan of subdivision for Stage 3 of SP/0171/20 be created and duly granted or reserved.

Easements – In gross

- 5 The 'Right to drain water and sewage' as shown on the approved scheme plan of subdivision for Stage 3 of SP/0171/20 shall be created and duly granted or reserved.

Amalgamations

- 6 That Lot 501 hereon (legal access) be held as to five undivided one fifth shares by the owners of Lots 47, 48, 49, 50 & 51 hereon and individual certificates of title be issued in accordance therewith. See request 1699815.
- 7 That Lot 502 hereon (legal access) be held as to five undivided one fifth shares by the owners of Lots 52, 53, 54, 55 & 56 hereon and individual certificates of title be issued in accordance therewith. See request 1699815.
- 8 That Lot 503 hereon (legal access) be held as to four undivided one quarter shares by the owners of Lots 58, 59, 60 & 61 hereon and individual certificates of title be issued in accordance therewith. See request 1699815.

Vesting of Assets

- 9 That Lot 703 shall be vested in Waipa District Council as road pursuant to Section 238 of the Resource Management Act 1991. This shall be shown on the Section 223 survey plan.
- 10 That Lot 605 shall be vested in Waipa District Council as local purpose (stormwater) reserve. This shall be shown on the Section 223 survey plan.

Roading - Design/Construction Plans

- 11 The consent holder shall submit Design/Construction Plans for the roads to vest Lot 703 as shown on the SP/0171/20. The Design/Construction Plans shall be submitted to Council for acceptance prior to carrying out any construction work required by this consent. All work associated with the roads vested to Council shall be designed and certified by Council's Team Leader – Development Engineering, and at the consent holders' expense. The submitted plans shall include, but is not limited to:
 - a) Pavement design;

- b) Entrances to Lots;
- c) Relevant safety audit;
- d) Longitudinal sections;
- e) Pedestrian calming facilities;
- f) Common services trench;
- g) Signage and paint delineation;
- h) Surface treatment; and
- i) Streetscape & berm planting.

Roading - Construct

- 12 The consent holder shall construct roads to vest as shown in Lot 703 within the scheme plan of subdivision SP/0171/20 as per the approved Design/Construction Plans as certified under Condition 11 - Roding - Design/Construction Plans above. All work shall be certified by Council's Team Leader – Development Engineering at the consent holder's expense.

Roding - Quality Assurance Certificates

- 13 Following completion of the road areas required under Condition 12 – Roding - Construct above, Quality Assurance Certificates from a suitably qualified and experienced professional shall be completed, signed and submitted to Council's Team Leader – Development Engineering for certification.

Roding - As-builts

- 14 The consent holder shall provide as-built plans of the proposed road to vest, relevant quality assurance, and the structures located within the proposed road to vest prior to the issuing of the Section 224 certificate and certified by Council's Team Leader – Development Engineering.

Private Way – Design/Construction Plans

- 15 The consent holder shall submit Design/Construction Plans for the Proposed Private Way shown as Lots 501, 502 and 503 on the scheme plan SP/0171/20. The Design/Construction Plans shall be submitted to Council for acceptance prior to carrying out any construction work required by this consent. All work associated with the Private Way shall be designed, constructed, completed and certified by the Council's Team Leader – Development Engineering, and at the consent holders' expense. The submitted plans shall include, but is not limited to:
- a) Pavement design;

- b) Longitudinal sections;
- c) Disposal of stormwater including all structures and erosion control;
- d) Common services trench; and
- e) Surface treatment.

Private Way - Quality Assurance Certificates

- 16 Following completion of the Private ways required under Condition 15 – Private Way – Design/Construction Plans above, Quality Assurance Certificates from a suitably qualified and experienced professional shall be completed, signed and submitted to Council’s Team Leader – Development Engineering for certification.

Water Supply - Design/Construction Plans

- 17 The consent holder shall submit Design/Construction Plans for the water reticulation system to supply the proposed lots and connect existing reticulated network shown on scheme plan SP/0171/20. The Design/Construction Plans shall be submitted to Council for acceptance prior to carrying out any construction work required by this consent. All work shall be certified by Council’s Team Leader – Development Engineering and shall be at the consent holder’s expense. The submitted plans shall include, but is not limited to:
- a) Reticulation layout;
 - b) Pipe size, material and pressure ratings;
 - c) Hydrant Locations;
 - d) Valves and fittings details;
 - e) Connections to service Lots; and
 - f) Bedding/service trench details.

Water Supply - Construct

- 18 The consent holder shall construct water reticulation as per the approved design/construction approved submitted under Condition 17 – Water Supply – Design/Construction Plans above. All work shall be certified by Council’s Team Leader – Development Engineering at the consent holder’s expense.

Water Supply - Quality Assurance Certificates

- 19 Following completion of the water reticulation required under Condition 18 – Water Supply - Construct above, Quality Assurance Certificates from a suitably qualified and

experienced professional shall be completed, signed and submitted to Council's Team Leader – Development Engineering for acceptance.

Water Supply - As-built Plans

- 20 The consent holder shall submit an As-built Plan of all water infrastructure including connections to lots within Stage 3. All work shall be certified by Council's Team Leader – Development Engineering and be at the consent holder's expense.

Wastewater - Design/Construction Plans

- 21 The consent holder shall submit Design/Construction Plans for the gravity wastewater reticulation system to supply the proposed lots and existing receiving network shown on scheme plan SP/0171/20. The Design/Construction Plans shall be submitted to Council for acceptance prior to carrying out any construction work required by this consent. This system shall be designed and certified by Council's Team Leader – Development Engineering and shall be at the consent holder's expense. The submitted plans shall include, but is not limited to:

- a) Flow direction and grades;
- b) Pipe sizing and material (including rising main);
- c) Bedding details;
- d) Manhole sizing and details;
- e) Longitudinal sections; and
- f) Connections to service lots.

Wastewater - Construct

- 22 The consent holder shall construct wastewater gravity reticulation as per the approved Design/Construction Plans approved under Condition 21 – Wastewater – Design/Construction Plans above. All work shall be certified by Council's Team Leader – Development Engineering at the consent holder's expense.

Wastewater - Quality Assurance Certificates

- 23 Following completion of the wastewater gravity reticulation required under Condition 22 – Wastewater – Construct above, Quality Assurance Certificates from a suitably qualified and experienced professional shall be completed, signed and submitted to Council's Team Leader – Development Engineering for certification.

Wastewater - As-built Plans

- 24 As-built plans and information of all wastewater infrastructure assets, which are to be vested in Council, shall be provided to the Council's Team Leader – Development Engineering for certification and shall be at the consent holder's expense.

Stormwater - Design/Construction Plans

- 25 The consent holder shall submit Design/Construction Plans for the stormwater reticulation system to supply the proposed lots and existing receiving network shown on scheme plan SP/0171/20. The Design/Construction Plans shall be based on the approved Stormwater Management Plan and Stormwater Management Report prepared by DMC dated: 27th June 2019 (Council Reference: 10451752). The Design/Construction Plans shall be submitted to Council for certification prior to carrying out any construction work required by this consent. This system shall be certified by the Council's Team Leader – Development Engineering and shall be at the consent holder's expense. The submitted plans shall include:
- a) Flow direction and grades;
 - b) Pipe sizing and material;
 - c) Longitudinal sections;
 - d) Overland flow paths;
 - e) Receiving network outlet details;
 - f) Bedding details;
 - g) Manhole sizing and details;
 - h) Green Infrastructure details; and
 - i) Connections, including rodding eyes, to service all new lots.

Stormwater – Construct

- 26 The consent holder shall construct the stormwater reticulation as per the approved Design/Construction Plans under Condition 25 – Stormwater – Design/Construction Plans above. All work shall be certified by Council's Team Leader – Development Engineering at the consent holder's expense.

Stormwater - Quality Assurance Certificates

- 27 Following completion of the stormwater reticulation required under Condition 26 - Stormwater - Construct above, Quality Assurance Certificates from a suitably qualified and experienced professional shall be completed, signed and submitted to Council's Team Leader – Development Engineering for certification.

Stormwater - As-built Plans

- 28 As-built plans and information of all stormwater infrastructure assets provided under Conditions 25 to 27 above, which are to be vested in Council, shall be provided to the Council's Team Leader – Development Engineering for certification and shall be at the consent holder's expense.

Stormwater – Maintenance

- 29 Upon granting of the Section 224 certification, the consent holder shall maintain and operate relevant stormwater devices to the operation and maintenance plans requirements for an additional 24 months past the final stages Section 224 has been issued. This operation and maintenance cost will be at the consent holder expense.

CCTV - New Reticulation

- 30 The consent holder shall conduct a CCTV survey of all public wastewater and stormwater reticulation constructed for the proposed subdivision, to assess, but not be limited to, pipe condition, pipe jointing, and gradient variations. The CCTV survey shall be submitted to Council's Team Leader – Development Engineering to Council's CCTV recording system, "Retic Manager Ltd" for certification. The following matters shall also be included when submitting "Retic Manager Ltd":
- a) CCTV report from a suitably qualified professional;
 - b) Details on each separate pipeline surveyed highlighting any defects and damages found; and
 - c) Suggested remedies for the repair/elimination of defects found.

Reserve – Lot 606

- 31 That Lot 606 shall be vested in Waipa District Council for recreation purposes pursuant to Section 239 of the Resource Management Act 1991. This shall be shown on the Section 223 survey plan.
- 32 Prior to the issue of a Section 224 certificate, the consent holder shall submit to Council's Senior Reserve Planner a Landscaping Plan for Lot 606 for certification. The Landscaping Plan shall include, but not be limited to, the following:
- a) A plan showing:
 - i) finished site contours;
 - ii) integration with any local purpose (stormwater) reserves;

- iii) planted area detailing the proposed plant species, plant sourcing, plant sizes at time of planting, plant heights at maturity, plant locations, plant numbers density of planting, and timing of planting;
 - iv) existing vegetation (including all trees and shrubs greater than 2m) to be retained;
 - v) grassed area detailing the seed mixture;
 - vi) location and design of any boundary fencing/gates/retaining walls/treatment;
 - vii) location and design of any hard landscaping (including walkways/footpaths/vehicle crossings/operational access hardstand areas);
 - viii) location and design of any entranceway features and signage - location and design of any other visitor infrastructure such as seating, toilets, water fountain etc - location and design of any underground services, and
 - ix) location and design of an irrigation system if required.
- b) A schedule of the species to be planted or retained including botanical name, average plant height at time of planting and maturity and planting density;
 - c) An implementation programme that includes site preparation (topsoil, fertilising, weed removal/spraying, drainage) and planting timeframes;
 - d) A 2-year operational maintenance programme that includes:
 - i) pest plant and weed control, watering, supplementary/replacement planting plan specifications, mowing, litter control, track maintenance
 - ii) timing of monitoring maintenance inspections, and
 - iii) defects liability for grassing, plantings, assets and subsidence.

Note: Lot 606 may be subject to a Development Agreement and Infrastructure Works Agreement that will see the developer prepare and implement a full Reserve Development Plan for Lot 606 that, in addition to the matters covered above, will include a playground, parking and potentially a public toilet.

- 33 Prior to Section 224 certification, the consent holder shall implement the approved Landscaping Plan for Lot 606. All work shall be completed in accordance with the relevant RITS Landscapes standards, at the consent holder's expense, and certified by Council's Manager – Community Services.
- 34 Upon granting of the Section 224 certification, the consent holder shall maintain Lot 606 in accordance with the approved Landscaping Plan for two years at the consent holder's expense.

- 35 A Landscaping As-built Plan shall be submitted to Council's Parks Operations Team Lead for Lot 606. The As-built Plan shall include:
- a) The species, location and planting extent;
 - b) Types of materials used to supplement plantings;
 - c) Names, grades, number, density and installation date of plantings;
 - d) Soil and fertilizer used; and
 - e) Details for any hard assets.

Retaining Walls

- 36 Prior to Section 224 certification, the consent holder shall construct the retaining wall along the internal boundary between Lots 42, 43 and 44, as shown on the 'Conceptual Retaining Wall Layout Plan' prepared by Design Management Consultants, reference 20-3000-08-04 – 216009 – R.1, revision 18.

Note: Any walls over 1.5m are required to comply with NZ Building Code and any relevant required Building Consent.

Schedule 3

Reasons for Decision

Resource Consent No: SP/0171/20

- 1 All considerations under Section 104 are subject to Part 2 of the Resource Management Act 1991 ('the Act'), which sets out the purpose and principles of the legislation. The proposal is not contrary to Section 5, 6 or 7 of the Act. There is nothing in the proposal that would conflict with the principles of the Treaty of Waitangi (Section 8). Overall, the application would not offend any of the matters contained within Part 2.
- 2 Subject to the above conditions, the application is not contrary to the relevant objectives and policies of the Waipa District Plan.
- 3 Any adverse environmental effects resulting from the proposal are deemed to be no more than minor or can be mitigated by the imposition of appropriate consent conditions. The proposal therefore meets the gateways tests of Section 104D of the Resource Management Act, for Non-Complying Activities.
- 4 Any adverse environmental effects resulting from the application are deemed to be less than minor or can be mitigated by the imposition of appropriate consent conditions.
- 5 Pursuant to Section 95A of the Resource Management Act 1991 the application has not been publicly notified as the adverse effects of the proposal are deemed to be less than minor. Accordingly, the application was processed on a non-notified basis.
- 6 Engineering requirements will ensure that the subdivision is adequately provided with services when the site is developed.
- 7 The subdivision will change the character and amenity of the area to an urban nature. This change is anticipated by the community following the approval of the T1 Structure Plan. The development is consistent with the approved T1 Master Plan (Ref LU/0012/19.01).

