

20 January 2023

Resource Consents Team
Environmental Consents Division
Hutt City Council
Private Bag 31912
Lower Hutt 5040

PO Box 588
Level 10, 57 Willis Street
Wellington 6140, New Zealand
Phone 04 472 2261
Email admin@spencerholmes.co.nz

Attention: Resource Consents Team

Dear Sir/Madam,

Resource Consent Application - 30 Benmore Crescent, Manor Park

On behalf of the applicant, Rosco Ice Cream Ltd, we submit an electronic version of a resource consent application for earthworks at the above address.

This application is made pursuant to section 88 of the Resource Management Act 1991, and incorporates all information required by Form 9 and Schedule 4 to the Act.

Please issue an invoice for the processing fee deposit required by Council. The applicant intends to make payment of the fee via internet banking. We trust the attached information is satisfactory and look forward to your favourable response.

If you have any further queries, please do not hesitate to contact me on (04) 472 2261.

Yours faithfully
Spencer Holmes Limited



David Gibson
Associate - Planning

adg@spencerholmes.co.nz

Enc: RC Appln

*Application for
Land Use Consent*

*30 Benmore Crescent
Manor Park*

FORM 9
APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE RESOURCE
MANAGEMENT ACT 1991

TO: Hutt City Council
Private Bag 31-912
LOWER HUTT 5040

1. **Rosco Ice Cream Limited** (the Applicant) hereby applies for the following resource consents:
- **A land use consent:** For earthworks related to construction of roading and installation of civil infrastructure to serve future tenancies.

2. **Activity & Classification:**

The earthworks have been assessed as a restricted discretionary activity pursuant to rule 14I 2.2(a) of the District Plan.

3. **The location to which this application relates:**

Street Address: 30 Benmore Crescent, Manor Park



Figure 1: Location Aerial - Extract from GRIP Maps

4. **The owner of the site is: -**

Section 1 SO 493901 (RT 738223) is owned by Te Runanga O Toa Rangatira Incorporated. The Applicant has entered into a joint venture agreement with the owners.

5. **There are no other activities that are part of the proposal to which the application relates.**

6. Are any additional resource consents are needed for the proposed activity.

While the site is not listed on the GWRC SLUR register, a detailed site investigation (DSI) has been undertaken, which identified that the site has been subject to some historical activities included on the Hazardous Activities and Industries List (HAIL).

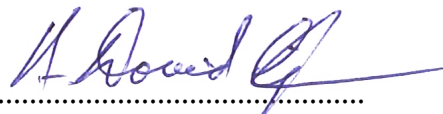
We note that a previous land use consent application for bulk earthworks (RM220258) includes consent under the NES Contaminated Soil.

Additionally, an application to GWRC will be made concurrently with this earthworks application. The GWRC Council application will include consents / permits for an urban development associated with earthworks over 3,000m².

- 7. Attached, in accordance with Clauses 6 & 7 of the Fourth Schedule of the Resource Management Act 1991, is an assessment of environmental effects in the detail that corresponds with the scale and significance of the effects that the proposed activity may have on the environment.**
- 8. Attached is an assessment of the proposal against Part 2 Resource Management Act 1991.**
- 9. Attached is an assessment of the proposal against Section 104(1)(b) Resource Management Act 1991 including any relevant objectives, policies or rules.**
- 10. Also attached is any information required to be included in this application by the District Plan, a Regional Plan, the Resource Management Act 1991, or any regulations made under that Act.**

The relevant assessment of environmental effects, proposal plans and other information required by the Hutt City District Plan are attached.

Rosco Ice Cream Limited
by their duly authorised agent



.....
David Gibson for Spencer Holmes Limited.

Date: January 2023

Address for Service:

Spencer Holmes Limited
Surveyors, Engineers & Planners
PO Box 588
WELLINGTON 6140

Telephone: (04) 472-2261
Email:

All Invoices to:

Rosco Ice Cream Limited
Attn: Richard Burrell

029 244 1913
richard@building-solutions.co.nz

ATTACHMENTS

1. Record of Title
2. Site Layout Plans
3. Earthworks Plans
4. Civil Engineering Drawings
5. Transportation Assessment
6. Landscape & Visual Assessment
7. Three Waters Infrastructure Assessment
8. KiwiRail Consultation
9. Waka Kotahi Consultation
10. Iwi Consultation
11. GWRC (Flood Protection) Consultation
12. Approved Earthworks Land Use Consent

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DESCRIPTION OF PROPOSAL & ASSESSMENT OF EFFECTS ON ENVIRONMENT

1 THE PROPOSAL

1.1 Background

The site was previously taken by the Crown in the 1950's for railway and motorway purposes and more recently used in association with the upgrading of State Highway Two, which adjoins the property. Upon completion of the highway works, the site was offered back to Ngati Toa Rangatira under their claims settlement. Te Runanga O Toa Rangatira Inc. acquired the land in March 2020. Subsequently, the applicant and Te Runanga O Toa Rangatira Inc. have formed a joint venture to develop the land.

The applicant has recently obtained land use consent to undertake bulk earthwork at the site under RM220258. Regional consents have also been obtained for the bulk earthworks and culverts works at the site WGN230031[38481][38482][38483]. Additionally, a further application for various resource consents related to urban development associated with the earthworks will also be lodged with Greater Wellington Regional Council, concurrently with this application.

1.2 Site History & Locality

This site was originally part of the Hutt River valley floor and used for horticultural activities. The original alignment of Dry Creek ran more directly (to the south-east) into the Hutt River. The realignment of the Wairarapa Rail Line in the mid-1950s resulted in Dry Creek being diverted and realigned to run to the south-west and more parallel with the (now) State Highway Two (SH2). The original alignment of the Wairarapa Railway has now become an internal access road through the site. A railway workers village was also established on the site in association with construction of the realignment of the Wairarapa Rail Line.

By the 1970's the southern portion of the site was being used for gravel and concrete batching associated with the construction of SH2. The central area was still used for horticultural activities with a number of sheds and greenhouses. The northern portion was occupied with a number of houses and cabins, which would appear to be from the railway workers village. Some of the more substantial houses survived into the late 1980s.

By the mid-1990s the buildings associated with the former railway workers village had been removed and various yard based industrial activities and sheds had established at the northern end of the property. In particular, the area between the railway and the realigned Dry Creek has been cleared and was used for (we understand) the abrasive blasting and coating of steel.

During late 1990's and early to mid-2000's various parts of the site on the eastern side of the realigned Dry Creek were filled substantially. The remainder of the site is largely vacant, though a paintball recreational activity and related obstacles was established at the southern end of the site during this period.

From the mid-2000's to the mid-2010's a number of medium sized industrial yard based activities had established at the northern end of the site off the end of Benmore Crescent.

From 2015, construction of the Hutt Expressway and Manor Park / SH58 interchange began. The various yard based activities continued until the expressway was completed.

An aerial photograph of the site circa 2021 is shown at Figure 2 below.

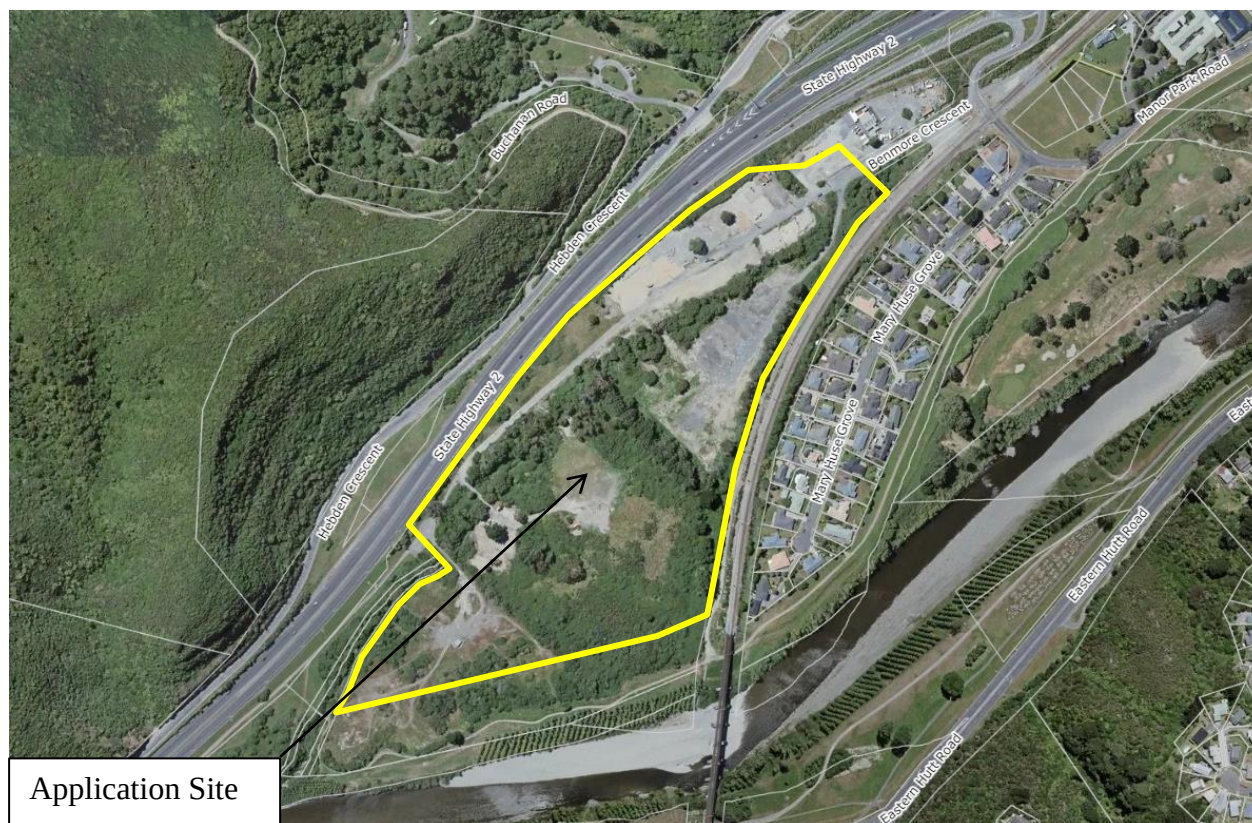


Figure 2: Aerial of Site – Extract from GRIP Maps

1.3 Site Description

The subject site is known as 30 Benmore Crescent, Manor Park and is located between State Highway Two (SH2) and the Wairarapa Rail Line, just to the south of the interchange with State Highway 58 and Manor Park Road. To the south of the site is the Hutt River corridor (GWRC owned), which includes cycling / walking trails. The works also involve off-site works within the legal road corridor of Benmore Crescent, Manor Park Road and within the Wairarapa Rail Line.

As the site is bounded by transport routes and the Hutt River it does not have any adjacent private neighbours. To the east, on the other side of the railway line there is a small enclave of residential properties on Mary Huse Grove.

Dry Creek runs through the site for a distance of approx. 620m. The average width of the stream is less than 3m within the site.

1.4 Legal Description

Section 1 SO 493901 (RT 738223) is owned by Te Runanga O Toa Rangatira Incorporated. The property has an area of 13.2121 ha.

A copy of the title is attached (Attachment 1). Encumbrance 11676592.2 is registered on the title in favour of the New Zealand Transport Agency. This encumbrance limits or specifies requirements for the follow on the site:

- Noise sensitive activities.
- Objections against state highway activities.
- Restricting state highway activities.

There are no restrictions on the title that would prevent the proposed earthworks and civil works.

1.5 Description of Proposal

1.5.1 Proposed Lease Areas

It is proposed to lease the site with three tenants initially. The overall layout of the site and the lease areas is shown on Harris Architects plan 2028 Rev C included as Attachment 2.

The term of the leases would be less than 35 years (including renewals), and thus does not require a subdivision consent. We note that Lease Area 3 may be split into further sub-tenancies in the future.

A private access road would be extended into the site from the end of Benmore Crescent to provide access to the lease areas. A 25m wide corridor containing Dry Creek would be excluded from the lease areas.

Table 1 below sets out the size of each of the lease areas.

Table 1: Subdivision Configuration

Lease Area	Area (ha)	Description
1	5.6901	Lease site for proposed resource recovery park. Accessed via private driveway from end of Benmore Crescent.
2	2.4612	Lease site for rural ancillary services on western side of Dry Creek. Accessed via private driveway from end of Benmore Crescent.
3	2.0665	Lease sites (3 or more) for rural ancillary services on eastern side of Dry Creek. Accessed via private driveway from end of Benmore Crescent.

1.5.2 Future Uses of Lease Areas

In respect of Area 1, the applicant has entered into a heads of agreement with Waste Management Ltd to establish a resource recovery park. A resource recovery park is a form of transfer station that is based around recycling and recovery of particular forms of waste. While a transfer station is not a permitted activity, it is provided for as a discretionary activity under rule 8B 2.3(e). Therefore, the use of Area 1 for a resource recovery park is anticipated by the District Plan. Waste Management Ltd are applying for a land use consent in respect of Area 1 to establish and operate a resource recovery park under a separate, but concurrent resource consent application.

The intended use of Areas 2 & 3 is not known at this stage. However, we note that rural ancillary activities and some commercial activities would be permitted. In addition, we note that commercial recreation, visitor accommodation, cafes/restaurants, retirement villages and intensive farming operations are provided for as restricted discretionary activities by the District Plan. Therefore, Areas 2 & 3 could be utilised by a range of activities, albeit that some activities may need to be authorised by further resource consents.

The permitted building coverage for the site is 1,000m², which would be utilised by the proposed resource recovery park. Therefore, any additional buildings within Areas 2 & 3 would also require further resource consents.

1.5.3 Benmore Crescent / Manor Park Road

Vehicle access to the site will be from the end of Benmore Crescent. Benmore Crescent is a short street off Manor Park Road and the Manor Park access ramp for State Highway Two.

It is anticipated that heavy vehicles will access the site, including trucks for the resource recovery park. Therefore, widening of the intersection of Benmore Crescent and Manor Park Road is required. Refer to the attached traffic report and intersection upgrade drawings by Stantec at Attachment 5.

The intersection of Benmore Crescent and Manor Park Road is controlled by Lower Hutt City Council, while the access ramp for SH2 is under the control of Waka Kotahi. The design of the intersection upgrade works have been undertaken in consultation with Waka Kotahi. As SH2 is subject to a designation, the written approval of Waka Kotahi is required in accordance with section 176 of the RMA. Consultation is currently underway with Waka Kotahi regarding details of the intersection and access ramp upgrade works. It is anticipated that a formal approval from Waka Kotahi will be obtained in the near future and submitted before processing of this application is completed.

Copies of consultation emails with Waka Kotahi are included as Attachment 9.

1.5.4 Manor Park Road Level Crossing

In conjunction with the upgrades to the intersection of Benmore Crescent and Manor Park Road, the level crossing over the Hutt Valley section of the Wairarapa Railway Line is also proposed to be upgraded. Refer to the attached traffic report and level crossing upgrade drawings by Stantec.

The upgrade works are required due to the widening of the nearby intersection of Benmore Crescent and Manor Park Road. The works involve widening of the vehicle carriageway for the level crossing (which will include raised medians) as well as adding a separate pedestrian crossing point beside the level crossing.

Stantec, on behalf of the applicant, has undertaken consultation with KiwiRail regarding the design of the proposed upgrade works. This has resulted in a “so far as is reasonably possible” (SFAIRP) agreement being signed by KiwiRail in respect of the proposed upgrade works to the level crossing. A so far as is reasonably possible approach is required as the level crossing and the proposed upgrades do not fully comply with the “level crossing risk assessment guidelines” (LCRAG).

As the Wairarapa Railway Line is subject to a designation, the written approval of Kiwi Rail is required in accordance with section 176 of the RMA. Consultation is currently underway with Kiwi Rail regarding the level crossing works. It is anticipated that a formal approval from Kiwi Rail will be obtained in the near future and submitted before processing of this application is completed.

Copies of consultation emails with Kiwi Rail are included as Attachment 8.

1.5.5 Internal Driveway Access

The initial section of the private driveway within the site will appear as an extension of Benmore Crescent. The driveway will then form a ‘T’ intersection with a second driveway turning to the south-east, while the main driveway continues toward the south-west, over the upgraded culvert

crossing of Dry Creek and into Area 2. This initial section of the driveway involves an 8.5m wide carriageway, 0.15m kerbs and with a 1.5m footpath on the eastern side.

The second driveway runs around the south-eastern side of Dry Creek and extends approx. halfway down the site providing access to Areas 1 & 3. This section of the driveway involves an 8.4m wide carriageway, 0.15m kerbs and with a 1.5m footpath on the eastern side.

There is a turning head at the end of the driveway on the south eastern side of Dry Creek.

1.5.6 Civil Infrastructure Services

The supply of three waters services to the site has been investigated by Vecta Ltd in their report included as Attachment 7.

The Vecta report notes that the provision of a standard water supply network for the subdivision is not possible due the current restrictions within the existing reticulated water supply. These restrictions include the small size of the existing reservoir (232m³) supplying Manor Park as well as restrictions due to pipe sizes in the network.

1.5.6.1 Sewer

A trunk sewer main (Ø825mm) runs through the site. The trunk main passes under the railway line from the Mary Huse Grove area and passes under Dry Creek. The trunk main then runs down the alignment of the existing access track on the western side of the stream.

New shared private drains and public sewer mains will be installed for the proposed lease areas as shown on the civil engineering drawings included at Attachment 4. The new sewage network for Areas 1 & 3 on the eastern side of Dry Creek would run down to the southern area of the site, where the sewer pipe would cross over the stream (via a pipe support bridging structure) to join the trunk main.

1.5.6.2 Stormwater

New private stormwater networks would be installed for the proposed lease areas. There would be separate networks on each side of Dry Creek, which would discharge to the stream via specifically designed stormwater outlet systems. The layout of the stormwater networks is shown on the civil engineering drawings included at Attachment 4.

As large areas of the site would be sealed with impervious surfaces, the stormwater networks will include water sensitive design features to treat the quality of stormwater run-off for the discharge of stormwater from the site to Dry Creek.

The waste management resource recovery park in Area 1 will utilise water harvesting and re-use for vehicle washdown and WC flushing. This will require a number of above ground rainwater storage tanks, which will reduce the volume of stormwater discharged from the site.

1.5.6.3 Water Supply

A new watermain Ø200mm will be extended into the site from Manor Park Road, commencing on the eastern side of the railway line. The new watermain would pass under the railway crossing and then run along Benmore Crescent to the site. Within the site, the watermain would run down the private driveway. The new water main would feed a number of storage tanks on each tenancy area to hold water for supplying potable water to the proposed lease areas and also for fire-fighting purposes.

Given the water supply limitations, the future buildings would require sprinkler systems, which would be fed from the on-site storage tanks.

The on-site water storage tanks are an interim solution until such time as LHCC undertakes an upgrade to the Manor Park Reservoir and the local reticulated networks. A financial contribution would be payable by the applicant toward the cost of the water network upgrades.

1.5.7 Landscaping

Landscaping around the periphery of the site will be undertaken as shown on the Boffa Miskell plans included as Attachment 6. Riparian planting for restoration of Dry Creek would also be undertaken as recommended by Boffa Miskell.

The landscaping proposal includes planting within the Hutt River Corridor owned by GWRC. Consultation is currently underway with GWRC's Flood Protection team regarding details of the planting. It is anticipated that a formal agreement from GWRC will be obtained in the near future and submitted before processing of this application is completed.

1.6 Earthworks

Bulk earthworks for the formation of useable areas and possible future building platforms have been approved under land use consent RM220258.

Additional earthworks related to the construction of roading and installation of civil infrastructure to facilitate future tenancies of the site are required to form the internal access roads, upgrade Benmore Crescent and the intersection with Manor Park Road, upgrade the level crossing over the Wairarapa Railway Line as well as install drainage and other servicing infrastructure.

Erosion and sediment control measures will be put in place during construction of the roads.

1.7 Flooding

The District Plan indicates that the site is subject to inundation. We also note that permitted standard 8B 2.1.1(q) only allows buildings to be located on land above RL28.0 msl.

The northern and western areas of the existing site are generally above RL28.0. Nevertheless, the applicant has engaged River Edge Consulting Ltd to undertake a flooding analysis of the site. As a result River Edge have undertaken new modelling of the Hutt River, which indicates that there would be limited flooding of the lower areas of the site and that the 440 year flood level (including freeboard) is much lower than RL28.0.

Nevertheless, the proposed bulk earthworks under RM220258 would elevate the site so that it is not subject to flooding from the Hutt River or Dry Creek. A flooding report by River Edge Consulting was attached to the bulk earthworks application. This flooding report also assessed the flooding potential from Dry Creek and found that the site (following the completion of bulk earthworks) would not be inundated by Dry Creek.

2 PLANNING PROVISIONS

2.1 Zoning

The site is located in the **General Rural Activity Area**. The Wellington Faultline Study Area passes through the site. Part of the site is shown to be within the secondary river corridor of the Hutt River. In addition, parts of the site are subject to the State Highway and Railway Corridor Buffer Overlays.

The TNZ 3 designation lies to the west covering the Haywards Interchange on State Highway 2 and which is shown to extend up to 6.5m into the site for distance of approx. 140m. The TNZ 3 designation also covers the intersection of Benmore Crescent and Manor Park Road. The NZR 3 designation for the Wairarapa Rail Line adjoins to the east and covers the Manor Park level crossing.

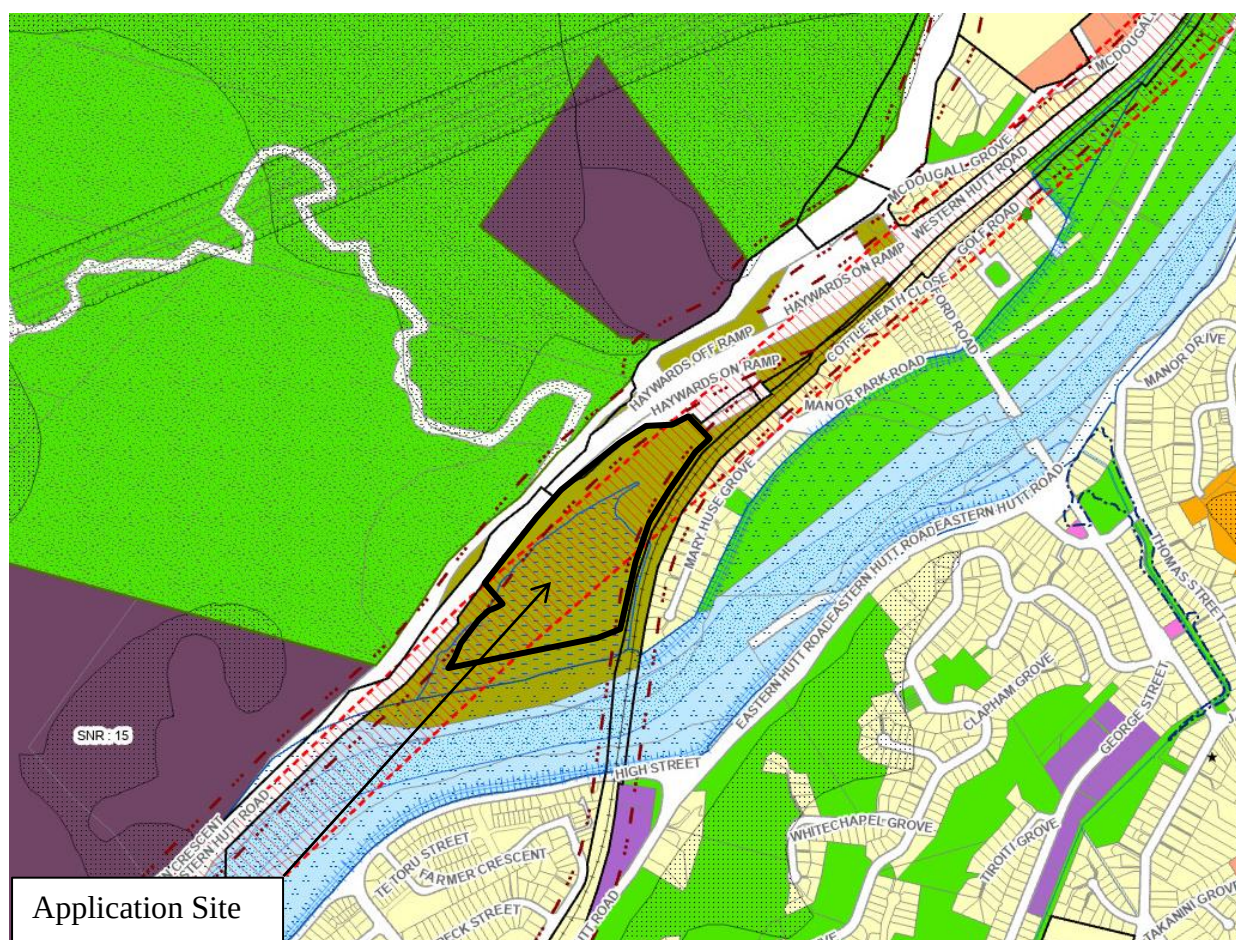


Figure 3: Site Zoning – extract from LHCC Online District Plan Maps

2.2 Compliance with District Plan Standards

2.2.1 Earthworks

Earthworks (additional to those under RM220258) are required to provide the roading and civil infrastructure needed for future use of the site. Specifically, these earthworks are related to the construction of the private road to access the future tenancy areas, as well as undertaking upgrades and widening of the existing section of public road within Benmore Crescent and its intersection with Manor Park Road. Earthworks are also required for trenching to install sewage and stormwater drainage, water supply and other services. Some further earthworks are required for

the construction of an upgraded level crossing over the Wairarapa Railway Line for the Manor Park Road crossing.

The earthworks for the private access road involves disturbance of an area of 4,800m² and changing the ground level by up to 0.6m vertically for excavation and 0.3m vertically for filling. The volume of these earthworks is approximately 650m³.

The earthworks for the upgrades to the public road (Benmore Crescent and Manor Park Road) involves disturbance of an area of 2,870m² and changing the ground level by up to 0.9m vertically for excavation and 1.2m vertically for filling. The volume of these earthworks is approximately 620m³.

Therefore, a land use consent as a restricted discretionary activity under rule 14I 2.2(a) is required for the proposed earthworks to exceed a quantity of 50m³.

2.3 NES on Soil Contamination

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (the NES) came into force on 1 January 2012. Regulation 5(7) outlines the land to which the NES applies. That is, the NES applies to land where a HAIL activity is, has or is more likely to have been undertaken on the piece of land.

Consequently, there are two issues that need to be considered for the proposed works. Firstly, has there been a HAIL activity undertaken on the site? If not, the NES does not apply. Secondly, even if there has been a HAIL activity on the site, the NES only applies to that part of the site where the Hail activity was/is undertaken (i.e. “the piece of land”).

With respect to the first matter, the site is not listed on the GWRC’s Selected Land Use Register (SLUR). The SLUR lists sites where a HAIL activity is known to have been undertaken.

Nevertheless, a Detailed Site Investigation (DSI) has been undertaken over the site by Engeo Ltd. The DSI confirmed some historical HAIL activities at the site, and soil testing identified some elevated levels of some heavy metals and polycyclic aromatic hydrocarbons (PAH). However, the levels of these contaminants are at acceptable levels for the use of the site for commercial / industrial activities. The DSI report was submitted for the bulk earthworks application (RM220258) and resource consent approved under the NES.

The activities to which the NES applies are outlined at Regulations 5(2) – 5(6). These activities include removing a fuel storage system (Subclause 2), soil sampling (Subclause 3), disturbing the soil (Subclause 4), subdivision (Subclause 5) and changing the use of a site to a use where the site may cause harm to human health (Subclause 6).

The site is zoned General Rural. Residential activities are only permitted on sites over 15ha. The site is less than 15ha and is not proposed to be subdivided. The site is intended to be used for a resource recovery park and for rural ancillary services. Thus it is highly unlikely that the lots will be used for residential activities. Therefore, the risk to human health from any potential soil contamination is minimal, if any.

Regulation 9(3) provides for the change of use of a contaminated site as a controlled activity where:

- a detailed site investigation of the piece of land must exist;

- the report on the detailed site investigation must state that the soil contamination does not exceed the applicable standard in regulation 7;
- the consent authority must have the report;
- conditions arising from the application of subclause (4), if there are any, must be complied with.

As mentioned previously, the DSI submitted for RM220258 concludes that the level of soil contamination is acceptable for commercial / industrial uses. The DSI recommends the use of management plans for mitigation of any contamination risk associated with the proposed earthworks being considered under RM220258. Thus the works would be undertaken in accordance with any relevant conditions prior to any change of use of the site.

Therefore, we consider that the land use consent for earthworks to construct roading and civil infrastructure to facilitate future use and tenancies at the site is a controlled activity under regulation 9(3) of the NES.

2.4 Activity Status

The assessment of the provisions of the Operative District Plan in the preceding sections shows that the proposal to undertake earthworks related to roading construction and installation of civil infrastructure and services to facilitate future use and tenancies at the site must be assessed as the following:

- Land Use Consent for earthworks related to construction of roading and installation of civil infrastructure. As the earthworks would exceed the permitted standards for quantity of earthworks, the earthworks are a restricted discretionary activity under rule 14I 2.2(a).
- Land Use Consent for a change of use of the potentially contaminated site, which is a controlled activity under the NES.

3 ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

3.1 Introduction

This assessment of environmental effects on neighbouring properties and the wider community has been prepared in such detail as corresponds with the scale and significance of the effects that the proposal may have on the environment.

The effects arising out of this application that we consider would potentially impact on the amenity of neighbours and the wider community, including physical effects are listed below:

- Landscape / Visual effects;
- Traffic effects;
- Servicing effects;
- Construction effects;
- Contamination effects;
- Flooding effects.

3.2 Landscape and Visual Effects

The earthworks and proposed roading and infrastructure will allow the site to be tenanted by creating three areas for future use and leasing. Areas 1 & 3 cover the main land area on the south-eastern side of Dry Creek. This area will be split in two given its size and to coincide with the 6ha area (Area 1) which is intended to be leased to Waste Management Ltd for the purpose of operating a resource recovery park and processing facility. Area 3 comprises three parts, which may be subject to separate leases in the future. The main useable portion is a triangular area to the north of Area 1, with two small areas on either side of the private access road at the entrance to the site. A tenant(s) for Area 3 has not yet been secured. Area 2 contains the long strip of land on the north-western side of Dry Creek beside State Highway Two.

Resource consent for bulk earthworks to raise the site above flooding levels and to shape the surface for site drainage control has recently been granted by Council (RM220258). The effects on the landscape and visual amenity values from the bulk earthworks have been considered and taken into account as part of the approval of RM220258. Therefore, the landscape and visual effects of the bulk earthworks are not considered further as part of this application.

While the site is zoned rural, it is an isolated land parcel separated from other private property by State Highway 2, the Hutt River and the Wairarapa Railway Line. Additionally, there are no other rural properties nearby. The closest rural property is associated with the Belmont Quarry on Hebden Crescent, which is a kilometre away on the opposite side of SH2. More importantly, the site has not been used for any rural activity since the 1950's when it was used in association with the realignment of the Wairarapa Railway Line. Subsequently it has been used in association with the construction and upgrading of SH2. During this time the site has been subject to the disposal of surplus material from these transport infrastructure projects and other developments over the last few decades.

As a result, the site exhibits very little rural character, particularly in terms of landscape and visual values associated with the site. This is confirmed by the Assessment of Landscape Effects report undertaken by Boffa Miskell (Attachment 6) in respect of the site and the proposed works to facilitate future tenants for the site.

Currently the rural land use provisions of the District Plan anticipate a single building or group of buildings covering 1,000m² on the site up to 8m high – with no specific controls on the design and appearance of the building(s). The restriction of 1,000m² of building for the whole site will continue to apply.

The Landscape Effects assessment by Boffa Miskell has undertaken a visual assessment of the site from many vantage points, both near and far. The proposal includes landscape planting around the perimeter of the site as well as improvement planting of the riparian margins of Dry Creek. The conclusion reached by Boffa Miskell is that potential visual effects of the anticipated future use and tenancy of the site are generally neutral, or low adverse at worst with the mitigation planting proposed.

Consequently, we consider that the landscape and visual related effects by the proposal to construct roading and install infrastructure for future tenancies are less than minor.

3.3 Traffic effects

The site is located close to the Manor Park / SH58 interchange on State Highway 2. The Manor Park train station is also less than a kilometre away. As well the Hutt River Trail for walking / cycling is close by. Thus the site is well positioned for easy access to transport networks for all modes of transport.

Currently, the site generates little traffic as it has not been actively used in recent years, previously it has been used for construction related works for the SH2 upgrades, filling operations and a paintball recreational activity. The permitted uses of the site include any rural activity and rural ancillary activities including piggeries, forestry and prospecting. We also consider that some commercial activities would be permitted provided they are not industrial in nature (as defined in the District Plan), do not involve retailing or is not a service station.

Therefore, the site could be used for many permitted activities where the baseline for traffic related effects is set by the High Trip Generator limits of 500 vehicle trips per day.

The anticipated traffic effects from the likely future uses and tenancy of the site have been assessed by Stantec in their Transportation Assessment (included as Attachment 5). The transportation assessment includes the traffic generation from the proposed resource recovery park so as to provide a wholistic assessment of future traffic volumes and related effects on the transport networks.

As per the Transportation Assessment, the forecast daily traffic movements from future use of the site is estimated to be in the order of 2,900 vehicles per day. This exceeds the 500 limit per day, and so the traffic effects from the site on the transport network and on-street parking should be assessed.

Consequently, the Transportation Assessment recommends that local roading upgrades are needed at the intersection of Benmore Crescent and Manor Park Road (which is essentially at the bottom of the access ramp to the SH2 interchange) to create a right turn lane on Manor Park Road and to allow a wider swept path for trucks turning left out of Benmore Crescent. The details of the intersection upgrades are shown in the drawings included with the Transportation Assessment.

Given the proximity of the intersection to the SH2 interchange, the design of the intersection upgrade has been undertaken in consultation with Waka Kotahi. Consultation is on-going with Waka Kotahi regarding the detailed design aspects of the upgrade. Consequently, we anticipate

obtaining approval from Waka Kotahi in due course, including their approval in terms of section 176 RMA.

A flow on effect of upgrading the intersection, is that the width and alignment of the nearby level crossing on Manor Park Road will also require improvements. These improvements include a widened carriageway, raised medians and the creation of a separated pedestrian crossing of the railway line. The details of the level crossing upgrades are also shown in the drawings included with the Transportation Assessment.

KiwiRail have been consulted regarding the proposed level crossing upgrade works. This has resulted in a “so far as is reasonably possible” (SFAIRP) agreement being signed by KiwiRail. Consultation is on-going with KiwiRail regarding the proposed works. Consequently, we anticipate obtaining approval from KiwiRail in due course, including their approval in terms of section 176 RMA.

The Transportation Assessment has considered the likely traffic generated by the future uses of the site and recommends that traffic improvements are undertaken. With these upgrade works in place, the conclusion of the Transportation Assessment is that the future traffic from the likely use of the site would not impact on the capacity of the local road network, which in turn means that there is no flow on effects for the State Highway 2 interchange.

Therefore, we consider that the traffic and transportation related effects by the proposal are less than minor.

3.4 Servicing Effects

The subject site is generally remote from Council services. Though a trunk sewer main runs through the site. Therefore, the services to the site have required specific solutions that have involved variations to the traditional methods of providing complying services as outlined in the District Plan and NZS 4404.

3.4.1 Stormwater

In terms of stormwater control, drainage systems are provided to direct stormwater runoff from each lot and from the private driveway to Dry Creek. It should be noted that Dry Creek is the only viable option for discharge of stormwater from the site.

For Area 2 on the western side of the site, a swale drain would be installed at the top of the batter along the length of Dry Creek, which would discharge to Dry Creek via a specifically designed rip-rap outlet. The swale drain would allow the stormwater to be treated by the grassed swale prior to discharge to the creek.

Areas 1 & 3 on the eastern side, would have stormwater control via traditional piped networks that collect stormwater from the future users and the private driveway, that is also discharged to Dry Creek via three rip-rap outlets. These piped networks would also contain proprietary treatment systems (Vortechs systems designed by Stormwater 360) to provide treatment of the stormwater prior to discharge to the creek.

Drawings of the proposed drainage networks are included at Attachment 4.

We also note that stormwater re-use will be facilitated by the future uses of the site, which will help reduce the volume of water discharged from the site.

3.4.2 Water Supply

The local water network is inadequate to service the site and the future activities. This is due to the small size of the Manor Park reservoir and the small diameter of the pipes within some sections of the existing reticulated network. Therefore, a specifically designed water supply system is proposed to service the site. This solution would be an interim solution, until such time as Council can upgrade the reservoir and network. We note that a specific development contribution may need to be paid in conjunction with the further development and buildings on the site, as a contribution towards funding of the water supply upgrade works.

A new watermain would be laid to the site from Manor Park Road, from the eastern side of the railway. This water supply would provide a domestic supply to the site and the three lease areas, but would be insufficient for fire-fighting supply to large buildings and the buildings proposed for the resource recovery park. Therefore, on-site tank farms are proposed that would be trickle feed from the new extended mains, and then used with a pump system to supply water to sprinkler systems for buildings.

Details of the existing water supply network and the proposed water supply solutions are provided in the Three Waters Infrastructure Assessment at Attachment 7.

3.4.3 Sewer

A trunk sewer main Ø825mm passes through the site. There is also a Ø300mm branch plus an existing local sewer main at the northern end of the site, which can be utilised by future activities on the site. For the remainder of the site, a new sewer network would be installed running down the eastern side of Dry Creek. At the southern end, the new sewer main would cross over the creek, supported on a pipe bridge. The sewer would then connect into the trunk network at a manhole located within GWRC property.

3.4.4 Services Assessment

These proposed servicing arrangements do not fully comply with the District Plan and NZS 4404. However, they have been designed to meet the equivalent performance objectives of these documents. Hence the servicing arrangements are appropriate for the site and the future users, and do not result in adverse effects on Council's existing networks or to other users of those networks.

3.5 Construction Effects

Site development works such as the construction of driveways and services associated with the future use of the site have the potential to generate a range of effects. In our experience of this type of development, construction effects relating to noise, dust, run-off & erosion and truck movements are the key aspects that need to be addressed.

These nuisance effects are only associated with the construction period, which is anticipated to be over a six month period for this development. Thus these effects will not be permanent and are simply to enable future uses of the site.

Noise effects can be minimised through the use of muffled machinery and limiting the working hours to the normal daytime period. In addition, the provisions of NZS 6803:1999 "Acoustics – Construction Noise" will apply in respect of noise during construction activities in the residential area. The consent holder will be bound by these provisions and any other conditions of a consent approval.

Dust may only be a problem during dry and windy weather events. Dust suppression measures can be undertaken to avoid the adverse effects of dust blown from the site by dampening the working area. A water truck would be available at the site for this purpose. If weather conditions are more extreme stopping works may be required to alleviate dust problems.

The earthworks for the private and public road works would be undertaken separately in two different stages to minimise the disturbed area at any particular time. As the earthworks would primarily involve excavation of the road alignments and re-filling with base-course material, there would be little opportunity for sediment in stormwater run-off to leave the site. Nevertheless, silt fencing is proposed along the top of the batter adjacent to the creek to avoid sediment entering the creek corridor. Thus the potential for a sediment discharge is low and can be minimised with appropriate site management and controls.

The remaining works would be to excavate for the stormwater outlets to the creek. During construction of the stormwater outlets, a silt fence would be constructed along the water's edge to minimise sediment entering the stream from the disturbance of the bank.

Preliminary erosion and sediment control plans are included at Attachment 3.

A Construction Management Plan would be utilised by the contractor in order to ensure appropriate measures are put in place during the earthworks and construction activities to control the site and avoid adverse effects beyond the site. A condition is proposed for a Construction Management Plan to be submitted to Council for approval prior to services installation and driveway construction works commencing.

Construction of the infrastructure and driveway access areas will require delivery of drainage metal and also the delivery of pipes, manholes & concrete etc. The truck movements associated with the works will require management to ensure as little disruption as possible to traffic on Manor Park Road. The Construction Management Plan should also include matters to be utilised to control truck movements to and from the site during the construction process.

Overall we consider that these potential construction effects can be appropriately managed by good work practices and site management. These measures can be enforced through the proposed consent conditions that seek to control dust, noise, truck movements & silt laden storm-water run-off from impacting on the local environment. We therefore consider that any adverse construction effects of the proposed development will be less than minor.

3.6 Contamination Effects

The previously submitted Detailed Site Investigation by Engeo notes that there may be contaminants in the soil (heavy metals and PAH) at the site. However, the level of contamination is sufficiently low so as not to be a health risk to workers and occupants of the site while the site is used for commercial and/or industrial type activities. As a result, Engeo have prepared various Site Management Plans (SMPs) for the site relating to procedures during soil disturbance. The bulk earthworks approved under RM220258 includes conditions for the earthworks to be undertaken in accordance with the Engeo Site Management Plans and that a Site Validation Report is submitted upon completion of the earthworks.

Provided the bulk earthworks and site preparation works are undertaken in accordance with SMPs, the subsequent Site Validation Report may include a Long Term Site Management Plan outlining any restrictions that may need to be adhered to in the future. The installation of drainage networks,

services and construction of the driveway would involve earthworks for which specific SMP's would be required and can mitigate the potential effects of soil contamination at the site.

Therefore, we consider that any potential effects from soil contaminant during the earthworks, in association with the driveway construction and installation of services, are less than minor.

3.7 Flooding Effects

The site is identified on the District Plan maps as being within the secondary river corridor of the Hutt River. Permitted activity condition 8B 2.1.1(q) specifies that any building or structures within the secondary river corridor must be located on land that is above RL28.0 (msl).

The topographic survey of the site confirms that large areas of the site are already higher than RL28.0 (msl).

Nevertheless, the applicant has engaged River Edge Consulting to undertake a flooding hazard analysis of the site. The flooding analysis has considered the Hutt River flooding in a 440 year event, as well as a 100 year event in the Dry Creek stream that runs through the site.

The flood modelling work and assessment by River Edge Consulting confirms that once the site is filled via the earthworks approved under RM 220258 the site would be flood free.

Therefore, the potential flooding hazard at the site is avoided by the preceding earthworks such that the risk of flooding is minimal.

4 DISTRICT PLAN ASSESSMENT

4.1 Objectives and Policies

Section 104(1)(b)(vi) of the Resource Management Act requires the Council to consider the relevant provisions of the District Plan when assessing applications for resource consent. This includes the relevant objectives and policies of the District Plan, which in this case are considered to be:

General Rural Activity Area

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| <i>Objective 8B 1.1.1</i> | <i>To maintain and enhance the open character and amenity values which are prevalent in rural areas.</i> |
| <i>Policy 8B 1.1.1(a)</i> | <i>To allow for those activities which are appropriate in rural areas and which maintain and enhance the open character and amenity values of rural areas together with the intrinsic values of ecosystems.</i> |
| <i>Policy 8B 1.1.1(b)</i> | <i>To ensure that sites are of a size that the open space character and amenity values of rural areas are maintained and enhanced.</i> |
| <i>Policy 8B 1.1.1(c)</i> | <i>The preservation of the natural character of wetlands, lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development.</i> |

The landscape assessment undertaken by Boffa Miskell notes that the site is not rural in character. Nevertheless, the proposal includes additional planting of the existing riparian area and also around the perimeter of the site to maintain and enhance the open character of the existing views to the site. The site is adjacent to the Hutt River Corridor and maintains the natural character of the Hutt River and the river trail environment. Therefore, the proposed earthworks to construct a driveway and install services is consistent with this objective and its policies.

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| <i>Objective 8B 1.2.1</i> | <i>To recognise those elements within the site that determine the character, amenity values and adverse effects of flood hazards of rural areas and manage them appropriately.</i> |
| <i>Policy 8B 1.2.1(a)</i> | <i>To ensure the character and amenity values of rural areas are retained and enhanced through specific minimum site area conditions for dwellings.</i> |
| <i>Policy 8B 1.2.1(b)</i> | <i>To require minimum setback requirements and maximum site coverage for all buildings.</i> |
| <i>Policy 8B 1.2.1(c)</i> | <i>To establish appropriate minimum conditions for the size and shape of sites.</i> |
| <i>Policy 8B 1.2.1(d)</i> | <i>To manage the siting of all buildings and structures to mitigate the effects of a flood hazard on development.</i> |
| <i>Policy 8B 1.2.1(e)</i> | <i>To discourage the siting of buildings and structures in the Primary and Secondary River Corridors.</i> |
| <i>Policy 8B 1.2.1(f)</i> | <i>To ensure that buildings and structures in the Primary or Secondary River Corridor of the Hutt River have no more than minor adverse effects on flood protection structures.</i> |
| <i>Policy 8B 1.2.1(g)</i> | <i>To mitigate the effects of flood hazards on buildings and structures in the Primary and Secondary River Corridors by managing their location, size and scale.</i> |

The Dry Creek corridor runs through the site, the riparian environment of the creek would be supplemented with additional planting as required by this policy. The flooding effects from the Hutt River and Dry Creek have been analysed and the site would not be subject to flooding upon completion of the earthworks as per RM220258. Therefore, the secondary river corridor notation in the District Plan is not particularly relevant for the development.

Earthworks

Objective 14I 1.1 To ensure that earthworks are designed to maintain the natural features that contribute to the City's landscape.

Policy 14I 1.1(a) To ensure that earthworks are designed to be sympathetic to the natural topography.

Policy 14I 1.1(b) To protect significant escarpments, steep hillside areas, and the coastal area by ensuring that earthworks are designed to retain the existing topography, protect natural features, and prevent erosion and slips.

The proposed earthworks are to constructed roading and install civil infrastructure, which does not involve any substantial change to the topography. The site is on the valley floor and does not involve risks of slips and erosion.

Objective 14I 1.2 To ensure earthworks do not affect adversely the visual amenity values, cultural values or historical significance of an area, natural feature or site.

Policy 14I 1.2(a) To protect the visual amenity values of land which provides a visual backdrop to the City.

Policy 14I 1.2(b) That rehabilitation measures be undertaken to mitigate adverse effects of earthworks upon the visual amenity values.

Policy 14I 1.2(c) To protect any sites with historical significance from inappropriate earthworks.

Policy 14I 1.2(d) To recognise the importance of cultural and spiritual values to the mana whenua associated with any cultural material that may be disinterred through earthworks and to ensure that these values are protected from inappropriate earthworks.

The site is not highly visible in the landscape, and is surrounded by transport networks. Despite the moderate extent of the earthworks, landscape planning is proposed around the site periphery and along the Dry Creek corridor.

Conclusion

The overall intention of these objectives and policies are met by this proposal. The proposed roading and infrastructure has been designed around the earthworks approved under RM220258. Appropriate servicing of the sites and future tenancy areas can be achieved.

Due to the history of the site, it is not noted for its rural character and does not display rural amenity. As part of the development, planting of Dry Creek will be undertaken as well as planting around the perimeter of the site. Therefore, the amenity of the site will be improved and potential visual effects avoided.

Therefore, we consider that the proposal accords with the District Plan objectives and policies.

5 **MITIGATION AND MONITORING MEASURES**

Due to the proposed earthworks required to construct the driveway and civil infrastructure so as to achieve useable areas for future activities, together with the proximity of the wellington Faultline, specific mitigation conditions are proposed. Therefore, we propose the following conditions for the subdivision.

5.1 **Suggested Conditions**

1. The proposed building works must be in accordance with the plans and information provided with the application.
2. A Construction Traffic Management Plan (CTMP) must be submitted to the Compliance Officer for approval, at least 10 working days prior to any work commencing. The CTMP must include, but not be limited to, the following matters:
 1. Location where vehicles relating to the construction activities will park, load / unload and manoeuvre;
 2. Times and days of construction activities;
 3. Expected duration of construction activities;
 4. Expected volume and frequency of heavy vehicle movements;
 5. How complaints from the public will be able to contact site manager (a sign should be placed on Benmore Crescent with site manager's contact details);
 6. How dirt on vehicles leaving the site will be controlled;
 7. All transport corridor traffic management must be to the NZTA COPTTM and must be in conjunction with a Work Access Permit issued by the WCC Network Operations Transport Asset Performance team via Submitica as necessary.
3. A final Earthworks Management Plan (EMP) must be submitted to the Compliance Officer for approval, at least 10 working days prior to any work commencing. The plan must include methods to address erosion, silt and dust control measures to be used at the site, including:
 1. Erosion and sediment controls on the site;
 2. Covering of soil or other material that is to be trucked on or off the site;
 3. All vehicles (including trucks) to be substantially cleaned of dust, mud or other nuisance material before exiting the site;
 4. An accidental discovery protocol.
4. The earthworks and other work must be carried out in accordance with the EMP to the satisfaction of the Compliance Officer. The erosion and sediment control measures must not be removed until the site is remediated to the satisfaction of the Compliance Officer.

Note: If necessary, the Compliance Officer may require changes to the implementation of the EMP, to address any problem that occurs during the work or before the ground surface protected by grass or other materials.
5. Working hours for the earthworks and construction are to be as follows:
 - Monday to Saturday: 7.30am to 6pm (No work on Sundays or Public Holidays)
6. Silt and stormwater run-off must be controlled for the duration of the works. Earth or debris must not collect on land beyond the site. Untreated stormwater runoff must not enter the Council's stormwater system.

7. Any soil or demolition material that falls on the road, footpath, berm or neighbouring property, must be cleaned up immediately. The material must not be swept or washed into street channels or stormwater inlets, or dumped on the side of the road. The clean-up must be carried out to the satisfaction of the Council's Compliance Monitoring Officer.
8. The consent holder must ensure that the discharge of dust created by the earthworks, transportation and construction activities is suitably controlled to minimise dust hazard or nuisance. The controls must be implemented for the duration of the site works and continue until the ground surface has been stabilised by construction, paving or planting.
9. A landscape plan must be submitted for approval prior to landscape works commencing. The landscape works must be implemented by the consent holder within 3 months of completion of construction. The plantings must be monitored for 18 months from time of planting in order to allow for plant establishment to the satisfaction of the Council's Compliance Monitoring Officer. Within this period monitoring includes the removal of weeds within the vicinity of the plantings and the replacement of plants that die, or are removed unlawfully, with plants of the same species and original size. Any plants that fail must be replaced at the expense of the consent holder.
10. A general monitoring condition.

Aside from the above, we anticipate that the standard conditions Council normally impose on land use consents of this nature will be sufficient to ensure that the proposed earthworks are carried out in a manner that is consistent with Council's expectations for development in the district.

6 ALTERNATIVES CONSIDERED

An assessment of possible alternatives is only required when the proposal would result in significant adverse effects. The proposed earthworks to construct roading and install infrastructure will not result in significant adverse effects.

7 **ASSESSMENT OF NOTIFICATION AND AFFECTED PERSONS**

The provisions of sections 95A to 95E RMA are considered in this section.

7.1 **Public Notification Assessment**

With reference to Public Notification Step One under s.95A(3), the applicant does not request public notification, s.95C does not apply, and the application does not include the exchange of reserve land.

In terms of Public Notification Step Two under s.95A(5), the application is for a restricted discretionary activity (rule 14I 2.2(a)) where there is no expressed provisions that public notification is precluded. Therefore, Public Notification Step Three must be considered. This is despite section 17.2.2(a) of the District Plan stating that “*public notification of applications for resource consent for all restricted discretionary activities need not be required*”.

For Public Notification Step Three under s.95A(8), the assessment of effects at Section 3 concluded that the adverse effects of the proposed earthworks are not more than minor, after taking into consideration the criteria under s.95D. In addition, for Public Notification Step Four, we consider that there are no special circumstances relating to the application. Therefore, public notification of the application is not required.

7.2 **Limited Notification Assessment**

Regarding Limited Notification Step One under s.95B(2), the application does not involve customary rights groups or customary marine title groups, nor does it involve land subject to a statutory acknowledgement.

In assessing Limited Notification Step Two under s.95B(6), the application is for a restricted discretionary activity (rule 14I 2.2(a)) where there is no expressed provisions that limited notification is precluded. Therefore, Limited Notification Step Three must be considered. Again, this is despite section 17.2.2(b) of the District Plan stating that “*limited notification of applications for resource consent for all restricted discretionary activities need not be required*”.

To assess the application in terms of section 95E (for Limited Notification Step Three), the proposed earthworks have been assessed in terms of the neighbouring properties. We note that the bulk earthworks for the site are assessed under a separate land use consent (RM220258). The landscape and visual effects of the subsequent earthworks for construction of roading and installation of infrastructure, together with the proposed mitigations have been assessed and found to be less than minor.

The proposed development involves off-site works, which involve works on requiring authority assets. Therefore, an approval process as per section 176 of the RMA is required for these off-site works. Consultation with the relevant requiring authorities, as well as Iwi consultation, is outlined in Section 8 below.

However, in terms of sections 95A to 95E, and anticipating successful consultation with requiring authorities, there would be no affected persons by the proposal.

To assess the application in terms of section 95B(10) (for Limited Notification Step Four), we consider that there are no special circumstances relating to the application that apply to other parties. Therefore, limited notification of the application is not required.

7.3 Notification Conclusion

From our assessment it is clear that the proposed earthworks for construction of roading and installation of infrastructure can meet the requirements of the Act for Council to determine that public or limited notification is not required.

8 CONSULTATION

8.1 Waka Kotahi

As the roading improvements to the intersection of Benmore Crescent and Manor Park Road are within the TNZ 3 designation, approval from Waka Kotahi is required in terms of section 176 of the Act. The applicant is currently in discussions with Waka Kotahi regarding the intersection works.

The design of the roading upgrade has been undertaken with input from Waka Kotahi. Nevertheless, the applicant is currently consulting with Waka Kotahi on the engineering details and conditions to be applied to the works.

The outcome of this consultation with Waka Kotahi will be provided in the near future.

8.2 Kiwi Rail

The upgrade of the level crossing on the Wairarapa Line at Manor Park Road is within the NZR 3 designation. Therefore, approval from Kiwi Rail is required in terms of section 176 of the Act. The applicant has been in discussions with Kiwi Rail regarding the level crossing works, which has resulted in a “so far as is reasonably practical” assessment being undertaken and agreement with Kiwi Rail.

Subsequent to the “so far as is reasonably practical” agreement, the applicant is currently consulting with Kiwi Rail the engineering details and conditions to be applied to the works.

The outcome of this consultation with Kiwi Rail will be provided in the near future.

8.3 Iwi Authorities

While the works do not directly affect the Hutt River (Te Awakairangi) a tributary, referred to as Dry Creek, runs through the site. The Hutt River is subject to statutory acknowledgements with Taranaki Whānui ki Te Upoko o Te Ika and also Ngati Toa Rangatira.

Consequently, the applicant has supplied a copy of the resource consent application to both Iwi Authorities and invited their feedback. Once any response is received, this will be communicated to Council.

8.4 GWRC

An aspect of the landscape and visual mitigation is to undertake planting within the adjacent land to the south of the property that is owned by GWRC. The applicant is currently consulting with GWRC officers regarding approval of the proposal for planting on the Council’s land.

The outcome of this consultation with GWRC will be provided in the near future.

9 POSITIVE EFFECTS – SECTION 104(1)(a)

The proposed earthworks will have the following positive effects:

- The proposal meets the intention of the RMA in terms of sustainable management of what is in reality an urban land resource, as the site is in an established urban area and in close proximity to transport networks.
- The proposed roading and infrastructure provides areas for tenants that can accommodate a range of potential rural and some commercial activities that will enhance the economic and social wellbeing of both current and future occupiers and owners.
- The proposal will result in the efficient use of resources as it utilises existing infrastructure wherever possible and includes upgrades as appropriate.

10 ASSESSMENT OF PART 2 RMA

We consider that the proposed earthworks are entirely consistent with the main purpose of the Act, which is the sustainable management of resources. In particular, the development can be incorporated into the local environment with appropriate mitigation which provides for the future wellbeing of the applicant and community in terms of their social and economic needs. In doing so any adverse effects are less than minor.

We have considered the matters of national importance and do not believe that any of the particular matters are applicable to the subject site. There are no other matters under Part II of the Act that are relevant to the proposal that have not already been addressed in this application. Overall, it is considered that the proposed activity would be consistent with Part II of the Act.

11 CONCLUSION

The proposal for earthworks to construct roading and install civil infrastructure has been assessed as a restricted discretionary activity pursuant to rule 11I 2.2(a) of the District Plan.

We have assessed the adverse effects of the proposal and included mitigation measures in respect of potential visual landscape effects and effects during construction. Therefore, we are of the view that the proposal will have less than minor adverse effects on the environment with the mitigation measures proposed.

Our conclusion is that the proposal is not inconsistent with the objectives and policies of the District Plan. The proposal will be a sustainable use of resources and consistent with section 5 outcomes. There are no matters of national importance relevant to the proposal. The proposal is also not inconsistent with any section 7 matters.

Therefore in our view, consent can be granted to the proposal pursuant to s104B of the Act on a non-notified basis with appropriate conditions as suggested.