



CENTRAL HAWKE'S BAY DISTRICT COUNCIL

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14 August 2013

Hatuma Lime Company
c/- Surveying the Bay
PO Box 611
Hastings 4156

Attention: Hamish MacLean

Dear Sir

Re: Proposed Subdivision – Hatuma Lime Company – RM130033

The Chief Executive under delegated authority from the Central Hawke's Bay District Council on Tuesday 13 August 2013 approved the application as follows:

That pursuant to Sections 104, 108 and 220 of the Resource Management Act 1991, the Central Hawke's Bay District Council grants consent to Hatuma Lime Company Ltd to undertake subdivision to create four additional allotments at Maharakeke Road being Sections 57 & 58 BLK I Motuotaraia Survey District, Lot 1-3 and Part Lot 4 DP 8414, Pt Lot 1 DP 6141, Lot 1 DP 16172 and Lot 1-2 DP 16887, subject to the following conditions:

1. Subject to any modifications required to comply with the following conditions, the proposal shall proceed in accordance with the written information submitted to the Central Hawke's Bay District Council by Surveying the Bay Ltd on 16 July 2013, the further information received by the Council on 2 August 2013, and the plans provided (ref: 3404-4 Sheets 1-3).
2. Pursuant to Section 221 of the Resource Management Act 1991, a consent notice shall be registered on the Computer Freehold Register for Lot 5 and Section 58 Blk I Motuotaraia Survey District advising the current and future owners thereof of the following requirement:

"Any future buildings which contribute to additional traffic movements will require the existing vehicle crossings to be upgraded to the Council's standards.

Prior to any work on the crossing/s an application form and a design must be lodged with the Council for approval."

3. Pursuant to Section 220(1)(b)(ii) of the Act, that Lot 3 hereon and the balance of CFR HBJ/430 be held in the same Computer Freehold Register. LINZ Ref: 1155081

REASONS FOR DECISION

- (1) The adverse effects of the subdivision on the environment can be avoided, remedied or mitigated by appropriate design and the conditions of the consent. Therefore, the Council is satisfied that the effects on the environment will be minor.
- (2) The Council is satisfied that the activity is not contrary to the objectives and policies of the District Plan.

ADVICE NOTES:

(1) Archaeological Material

If the owners of the property, or their contractor, discover any archaeological material (including human remains) during any works they are advised to cease work and contact the Historic Places Trust immediately.

(2) Subdivision Expenses

Unless otherwise stated the above conditions shall be met at the expense of the subdivider and prior to the release of a certificate in accordance with Section 224(c) of the Resource Management Act 1991.

(3) Subdivision Certification Fees

The fees payable for certification of this subdivision are as follows. These fees are correct at the time of writing and are subject to change in accordance with Council's Schedule of Fees and Charges:

223 Certificate	\$300
224 (c) Certificate	\$300
Or Joint 223/224(c)	\$300
Consent Notice	\$110

(4) Development Levies

Development levies are required to be paid as part of this project. A separate letter outlining the levies is attached.

(5) Power and Telephone

Council has not required the installation of power and telecommunications services to the lots and it is recommended that prospective purchasers investigate servicing costs.

(6) Variations

Should the applicants wish to apply for a change or cancellation of any of the conditions of consent in accordance with Section 127 of the Resource Management Act 1991 such application must be made to Council in writing prior to issue of a certificate under Section 224(c) of the Resource Management Act 1991.

(7) Objections

Any objection to Council's decision on such application must be made in writing in accordance with Section 357 of the Resource Management Act 1991 within 15 working days of notification of this decision and be accompanied by the required Council fee.

(8) Lapse of Consent

The consent holder is advised that the consent will lapse after a period of 5 years unless the consent is given effect to.

(9) Hawke's Bay Regional Council

Please note that future on-site waste water treatment and disposal will need to comply with the relevant rules of the Hawke's Bay Regional Council Plan.

Should you have any queries with regard to this consent please do not hesitate to contact me.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'McFlynn', written in a cursive style.

Angela McFlynn
Planner

ZONING	: RURAL
TOTAL AREA	: 125.9367 ha
COMPRISED IN	: CFR H03/030 (53,9734 ha)
COMPRISED IN	: CFR H04/1327 (71,9633 ha)
REGISTERED OWNERS	: HATUMA LIME COMPANY LTD

This plan has been prepared for the purposes of obtaining a Resource Consent pursuant to the provisions of the Resource Management Act 1991. Unauthorised copying or use of this plan for any other purpose is not permitted without the prior consent of the author. The information contained in this plan is approximate only and is subject to confirmation by survey.

CLIENT:
HATUMA LIME COMPANY LTD.

PROJECT:
PROPOSED SUBDIVISION OF SECTIONS 56, 57 & 58 BLK I MOTUTARAIA SD, LOT 1-3 AND PART LOT 4 DP 8414, PART LOT 1 DP 6141, LOT 1 DP 16172, LOT 1-2 DP 16687 AND LOT 2 DP 19417

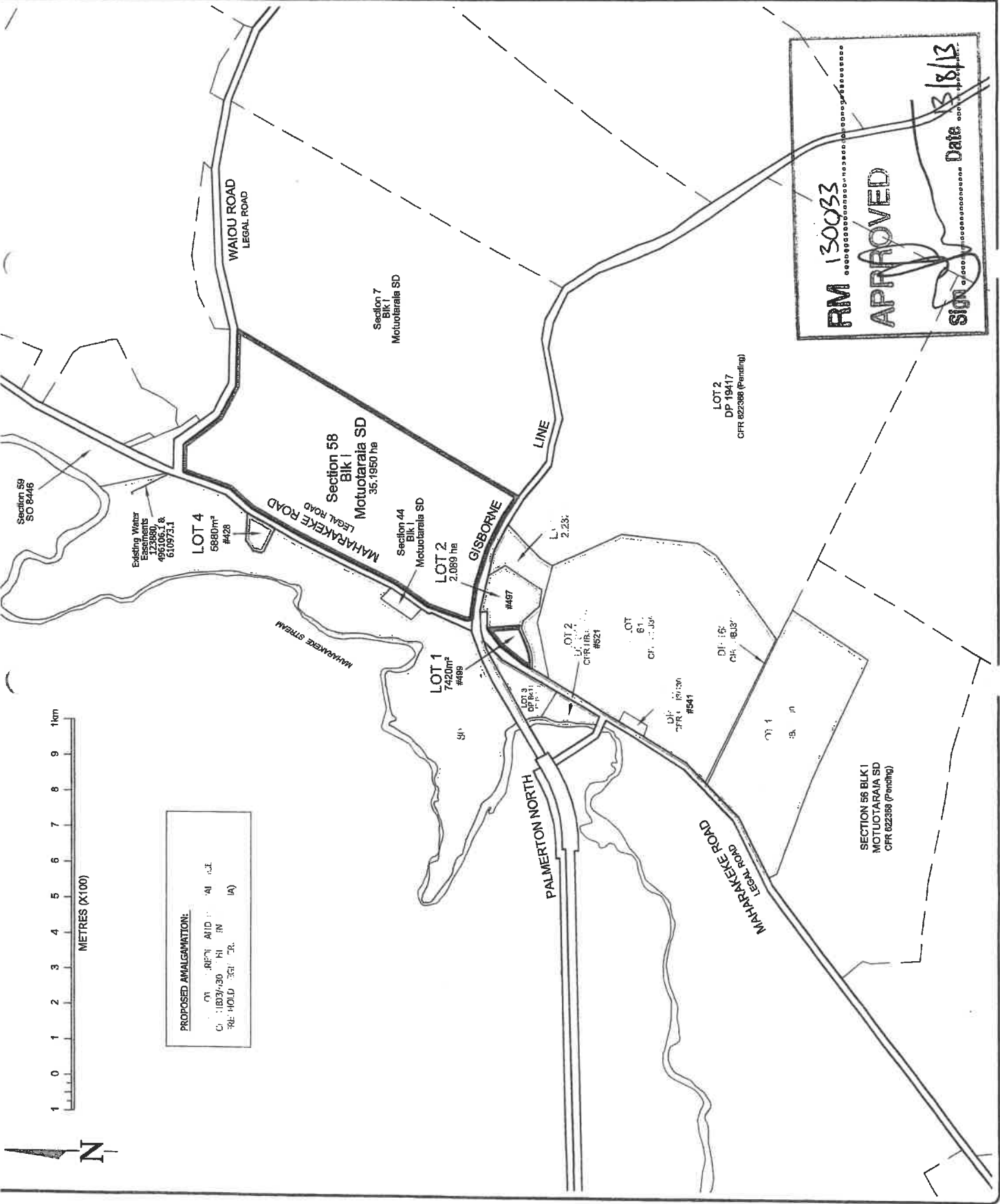
428, 497, 499, 520, 521 & 541 MAHARAKEKE ROAD, HATUMA

SURVEYING THE BAY
HAWKES BAY | NEW ZEALAND



TITLE:
SUBDIVISION CONSENT PLAN

SCALE: 1:10,000 @ A3
DATE: JULY 2013
DRAWING NO: 3404-4
REVISION: - 1/3



THE HATUMA LIME COMPANY LTD PROPOSED SUBDIVISION - MAHARAKEKE ROAD, HATUMA

1.0 APPLICANT DETAILS

The applicant to this proposal is the Hatuma Line Company Ltd of 521 Maharakeke Road, Hatuma.

2.0 Site Details

2.1 LOCALITY

The site has a number of physical addresses, the relative address numbers are as follows 428, 497, 499 & 521 Maharakeke Road, Hatuma.

Attached is a photocopy of the relevant planning map from Council's District Plan to assist with identification of the property.

This is a region of rural character located between the townships of Takapau and Waipukurau. The existing site follows Maharakeke Road North to South with the Palmerston North – Gisborne railway line bisecting the middle in an East to West direction.

2.2 LEGAL DESCRIPTION

The land held in Certificate of Title HBJ3/430 is owned by Hatuma Lime Company Ltd, is legally described as Lots 1 - 3, and Part Lot 4 Deposited Plan 8414, Part Lot 1 DP 6141, Lot 1 DP 16172 and Lots 1 and 2 DP 16887 of total area 53.9734 hectares.

The land held in Certificate of Title HBK4/1327 owned by Hatuma Lime Company, is legally described as Section 57 - 58 Block I Motuotaraia Survey District, of total area 71.9633 hectares.

The total area of land subject to this application is 125.9367 hectares.

2.3 TOPOGRAPHY

The topography of the subject site to the north of the railway line can be generally described as moderately rolling pasture with the site south of the railway line containing the main quarry pit and processing buildings.

The site is located on either side of the Maharakeke Road to the north of the Palmerston North to Gisborne railway line and is used mainly for grazing stock. This northern block contains a number of farm buildings and an existing dwelling which is

3404 Subdivision Application 2 / 6

to become a lifestyle site shown as Lot 4 on the attached plan. The northern block shown as Section 58 has an existing land use consent in place, issued in favour of the applicant, please refer to RM 100095.

The block of land to the south of the Palmerston North – Gisborne railway line owned by Hatuma Lime Company consists of Hatuma Lime Works Quarry and contains two existing dwellings also to become lifestyle sites, shown as Lots 1 & 2 on the attached plan.

The attached Subdivision Consent Plan 3404/4 provides further detail as to the main features on the property.

3.0 PLANNING PROVISIONS

3.1 ZONING

This property is zoned Rural in the Central Hawke's Bay District Plan (see Planning Map 12).

3.2 DISTRICT PLAN NOTATIONS

Planning map 12 shows that on the northern tip of Section 53 Block I Motuotaraia SD shown as Lot 5 on the attached plan as being floodable.

4.0 THE PROPOSAL

The proposal is to subdivide the subject land generally as shown on the attached plan numbered 3404/4.

This proposal aims to:

- Create three lifestyle sites shown as Lots 1, 2 and 4.
- Create a separate title for Lots 5, which is to remain as a farming block.
- Create a separate title for Section 58 Block I Motuotaraia SD, this land relates to the land use consent RM 100095 and is to remain in place.

This will create four new sites in this zone.

Easements B, C & D are to protect existing water pipes which service the Lime Works and adjoining property, Lot 2 DP 19417. Easement A is to protect existing electricity and telecommunications lines to Lot 2.

5.0 ASSESSMENT

The assessment below is made in terms of the Rural zoning of the Central Hawkes Bay District Plan. Assessment criteria are as set out in Section 14.6 of that plan.

5.1 LOT SIZE AND DIMENSIONS

All proposed sites comply with the minimum lot size requirements in the Rural Zone.

5.2 SUBDIVISION DESIGN

The proposed subdivision boundaries generally follow existing fence lines, which all follow practical alignments while allowing for good access to and around each site.

5.3 PROPERTY ACCESS

All lots have existing access to Maharakeke Road with good sight lines from safe and practical entranceways to Council's roading network. Lots 1 and 2 share a sealed vehicle crossing of good condition.

The balance CFR HBJ3/430 has multiple existing vehicle crossings utilised by the existing Lime Works, all of which are to be retained.

The lifestyle site shown as Lot 4 has two existing vehicle crossings which are sealed and appear to be of a good standard. Both Lot 5 and Section 58 Block I Motutaraia SD have a number of existing access points which are utilised as part of the farming operation, all of which are to be retained.

5.4 NATURAL HAZARDS

The floodable area shown on map 12 covers a small portion of our site is well away from the proposed Lifestyle site shown as Lot 4.

5.5 WATER SUPPLY

The existing dwellings on the proposed lifestyle sites are to gain their potable water supply by way of roof collection.

5.6 STORMWATER DISPOSAL

Stormwater disposal from the existing dwellings is to natural overland flow with no apparent adverse effect.

5.7 SANITARY SEWER DISPOSAL

All proposed lifestyle sites have existing septic tank and disposal field systems, as shown on the attached plan.

5.8 TRADE WASTE DISPOSAL

No trade waste is likely to be generated from this subdivision.

5.9 VEGETATION PROTECTION

The subdivision site has no vegetation has been identified as significant.

5.10 EASEMENTS

Easement A shown over Lot 1 is over existing power and telephone lines and is to protect the existing connections to Lot 2. Easements B, C & D are over an existing water pipe which services the Lime Works and adjoining property, Lot 2 DP 19417.

Existing Easements

The existing easement over title HBJ3/430 created by Document 605827.1 (water easement) is currently in the favour of Lot 2 DP 19417 and as part of this proposal are to be cancelled. Please note that this cancelled water easement is to be replaced by those set-out above as we believe the current physical position of the water pipe is not aligned with the existing easement.

We understand that the Right of Way over title HBJ3/430 (created by document 378127.1) has been cancelled and an amended CFR will be available in the near future.

5.11 BUILDING LOCATION

All lifestyle sites contain existing dwellings and no new dwellings are proposed under this application therefore no development issues will be created as part of this proposal.

6.0 OTHER MATTERS

6.1 VISUAL EFFECTS

No visual effects are likely to arise as a result of this subdivision, as all lifestyle sites are to be created around existing dwellings.

6.2 ELECTRICITY & TELEPHONE SERVICES

These are all in place for existing dwellings on Lots 1, 2 and 4.

6.3 FINANCIAL CONTRIBUTIONS

Section 9.1 of the District Plan discusses those situations in which Council would impose the payment of a financial contribution on subdivision.

We understand financial contributions will be imposed on this application.

7.0 GENERAL

7.1 AMALGAMATIONS

Lot 3 hereon and the balance of HBJ3/430 are to be held in the same certificate of title.

7.2 LAND TO VEST

There is no land proposed to vest as a result of this application.

8.0 CLASSIFICATION OF PROPOSAL

The above assessment shows that this proposal complies with all Subdivision Performance standards over which Council has reserved its control. Therefore this application is classified as a Controlled Activity under the Resource Management Act 1991.

9.0 OTHER BODIES TO BE CONSULTED

No consultation has been undertaken with Transit New Zealand, The Hawke's Bay Regional Council or Local Iwi and none is considered necessary.

10.0 AFFECTED PERSONS AND NOTIFICATION

This proposal has been classed as Controlled and the Central Hawke's Bay District Plan provides specifically for non-notification of such applications.

The above assessment has not identified any parties who are considered to be adversely affected and there is no reason for Council to consider notification.

11.0 CONCLUSIONS

This Controlled Activity application seeks to subdivide three existing houses into individual lifestyle sites and to separate the applicant's farming enterprise from the land to be utilised by the Lime Works. The above assessment shows this proposal is unlikely to generate any adverse effects and we therefore request Council's favourable consideration and consent.

Surveying The Bay Ltd

July 2013

3404 Subdivision Application 6 / 6

CENTRAL HAWKE'S BAY DISTRICT COUNCIL**Delegations Committee Meeting
13 August 2013**

RC Type: SUBDIVISION RM 130033
Applicants: Hatuma Lime Company Ltd
Valuation Number: 1095010300
Location: Maharakeke Road, Hatuma
Zone: Rural
No of Allotments: 6 (4 additional)
Activity Status: Controlled

1.0 DESCRIPTION

The applicants seek approval to subdivide the property located at Maharakeke Road, to create 6 new titles (four additional). The site is currently held in CFR: HBJ3/430 and HBK4/1327. The proposed subdivision will result in the following new lots:

Lot 1 – 7420m²
Lot 2 – 2.089 ha
Lot 3 & balance CFR: HBJ3/4630 – 51.1421 ha
Lot 4 – 5880m²
Lot 5 – 36.1803 ha
Section 58 Blk I Motuotaraia SD – 35.1950 ha

Lots 1, 3 and 4 contain existing residential development, and Lot 5 will remain a farming block.

Lot 3 & balance CFR: HBJ3/4630 is occupied by the Hatuma Lime Company and currently operates as a quarry. Land use consent has been granted to undertake limestone quarry winning activities within Section 58 Blk I Motuotaraia SD (RM100095, granted 25 January 2011).

2.0 NON NOTIFICATION OF CONSENT

Pursuant to Section 95A(1) of the Resource Management Act 1991, the application has not been notified.

The proposal meets the Subdivision Performance Standards of the Operative District Plan. As such the proposal is a Controlled Activity.

Rule 2.1.4 of the District Plan provides for applications for subdivisions which are controlled activities not to be notified.

3.0 RESOURCE MANAGEMENT ACT 1991

Section 104 of the Resource Management Act 1991 prescribes those matters which must be considered when assessing an application. The matters below are considered relevant to this application.

3.1 Effects on the Environment

The proposed new lots exceed the area and dimension requirements of the District Plan. The areas of the new lots mirror the pattern of existing development and use of the site.

Land to the east of Maharakeke Road (other than that contained within Proposed Lots 1 and 2) will be used for quarrying activities, in accordance with the existing use of the site and approved land use consent.

The Council is satisfied any future activities to the west of Maharakeke Road will be rural in nature and therefore compatible with existing activities.

The Council is satisfied the effects on the environment will be minor.

3.2 Subdivision Assessment Matters Included in the District Plan

(a) Lot Size, Dimension, Subdivision Design and Building Location

The proposal meets the performance standards of the District Plan relating to minimum area and dimension. As such the proposal continues to provide for the land uses anticipated by the District Plan in the Rural / Residential / Township Zone.

Lots 1, 2 and 4 each contain existing dwellings.

Lot 5 is intended to continue to be used for farming activities, and contains sufficient area to accommodate a dwelling and associated services within the site.

Lot 3 is occupied by the Hatuma Lime Company, and is intended to continue to be used for quarrying activities.

Section 58 Block IO Motuotaraia Survey District is intended to be used for quarrying activities in accordance with the existing land use consent granted for the site (RM100095).

(b) Property Access

All proposed lots contain existing vehicle access.

Access to Lot 5 currently consists of farm access, and is not formed to a standard considered suitable for residential use. While this site is intended to continue to be used for farming purposes, it is recommended that a consent notice be placed on the new title to advise future owners of the requirement to upgrade the existing crossing in the event that a dwelling is established on the site.

Section 58 Blk I Motuotaraia SD is to be used for quarrying activities in accordance with the approved land use consent. All access to the site is to be provided via the adjoining quarry site to the south. Accordingly a consent notice is also recommended to ensure suitable access is provided for future uses of this site directly from the road frontage.

(c) Heritage, Natural Hazards and Vegetation Protection

The relevant District Plan Map does not include any reference to heritage items or vegetation requiring protection on the site.

The District Plan indicates that a small area of land contained within CFR: HBK4/1327 is located within a floodable area. The existing dwelling, to be located within Lot 4, is located well clear of the identified floodable area. In addition, Lot 5 contains land considered to be suitable for construction of a dwelling outside the identified floodable area.

(d) Water Supply, Sanitary Sewage Disposal and Stormwater

The area is not reticulated. The owners of the lots will be responsible for their own water supply.

Each lot will be responsible for their own sewage disposal. The existing septic tanks serving the dwellings within Lots 1, 2 and 4 have been identified on the application plans and are all located within the respective lot boundaries.

Stormwater will be disposed of via a combination of roof collection (for water supply to the existing dwellings) and natural overland flow.

(e) Easements

Easement A is proposed to be created over existing power and telephone lines within Lot 1, providing service connections to the existing dwelling within Lot 2.

Easements B, C & D are proposed to be created over an existing water pipe within Lots 1, 2 and 3, providing a water supply to Lot 2 DP 19417. This easement is proposed to replace the existing water easement created by Document 605827.1 as the existing easement does not align with the actual water pipe location.

(f) Amalgamation

Lot 3 is to be amalgamated with the balance of CFR: HBJ3/430 (being Lot 3 DP 8414, Lot 2 DP 8414, Pt Lot 1 DP 6141, Lot 1 DP 8414, Lot 1 DP 16887 and Lot 2 DP 16887).

The proposed amalgamation condition has been approved by the District Land Registrar (ref 1155081).

(g) Other Matters

NES

In terms of the National Environmental Standard (Assessing and Managing Contaminants in Soil to Protect Human Health), the applicant's agent has confirmed no activities have taken place that are noted on the HAIL list.

The property file does not contain any reference to contaminants on the site and the site visit did not reveal obvious signs of activities that may have contaminated the soils in this location.

The applicants intend to continue using the land for production purposes.

RECOMMENDATION:

That pursuant to Sections 104, 108 and 220 of the Resource Management Act 1991, the Central Hawke's Bay District Council grants consent to Hatuma Lime Company Ltd to undertake subdivision to create four additional allotments at Maharakeke Road being Sections 57 & 58 BLK I Motuotaraia Survey District, Lot 1-3 and Part Lot 4 DP 8414, Pt Lot 1 DP 6141, Lot 1 DP 16172 and Lot 1-2 DP 16887, subject to the following conditions:

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Prior to any work on the crossing/s an application form and a design must be lodged with the Council for approval."

3. Pursuant to Section 220(1)(b)(ii) of the Act, that Lot 3 hereon and the balance of CFR HBJ/430 be held in the same Computer Freehold Register. LINZ Ref: 1155081 .

REASONS FOR DECISION

- (1) The adverse effects of the subdivision on the environment can be avoided, remedied or mitigated by appropriate design and the conditions of the consent. Therefore, the Council is satisfied that the effects on the environment will be minor.
- (2) The Council is satisfied that the activity is not contrary to the objectives and policies of the District Plan.

ADVICE NOTES:

- (1) Archaeological Material

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Unless otherwise stated the above conditions shall be met at the expense of the subdivider and prior to the release of a certificate in accordance with Section 224(c) of the Resource Management Act 1991.

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The fees payable for certification of this subdivision are as follows. These fees are correct at the time of writing and are subject to change in accordance with Council's Schedule of Fees and Charges:

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(4) Development Levies

Development levies are required to be paid as part of this project. A separate letter outlining the levies is attached.

(5) Power and Telephone

Council has not required the installation of power and telecommunications services to the lots and it is recommended that prospective purchasers investigate servicing costs.

(6) Variations

Should the applicants wish to apply for a change or cancellation of any of the conditions of consent in accordance with Section 127 of the Resource Management Act 1991 such application must be made to Council in writing prior to issue of a certificate under Section 224(c) of the Resource Management Act 1991.

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(8) Lapse of Consent

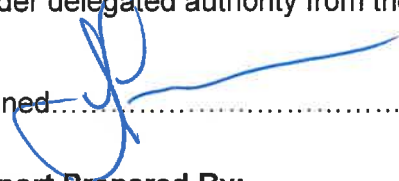
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(9) Hawke's Bay Regional Council

Please note that future on-site waste water treatment and disposal will need to comply with the relevant rules of the Hawke's Bay Regional Council Plan.

DELEGATION:

Under delegated authority from the Council, the Chief Executive approves this application.

Signed..........Date 13/8/13

Report Prepared By:

Angela McFlynn
PLANNER

LOCAL AUTHORITY :	CENTRAL HAWKES BAY
ZONING :	RURAL
TOTAL AREA :	125.9367 ha
COMPRISED IN :	CFR HB29/430 (53,9734 ha)
COMPRISED IN :	CFR HB44/1327 (71,9633 ha)
REGISTERED OWNERS :	HATUMA LIME COMPANY LTD

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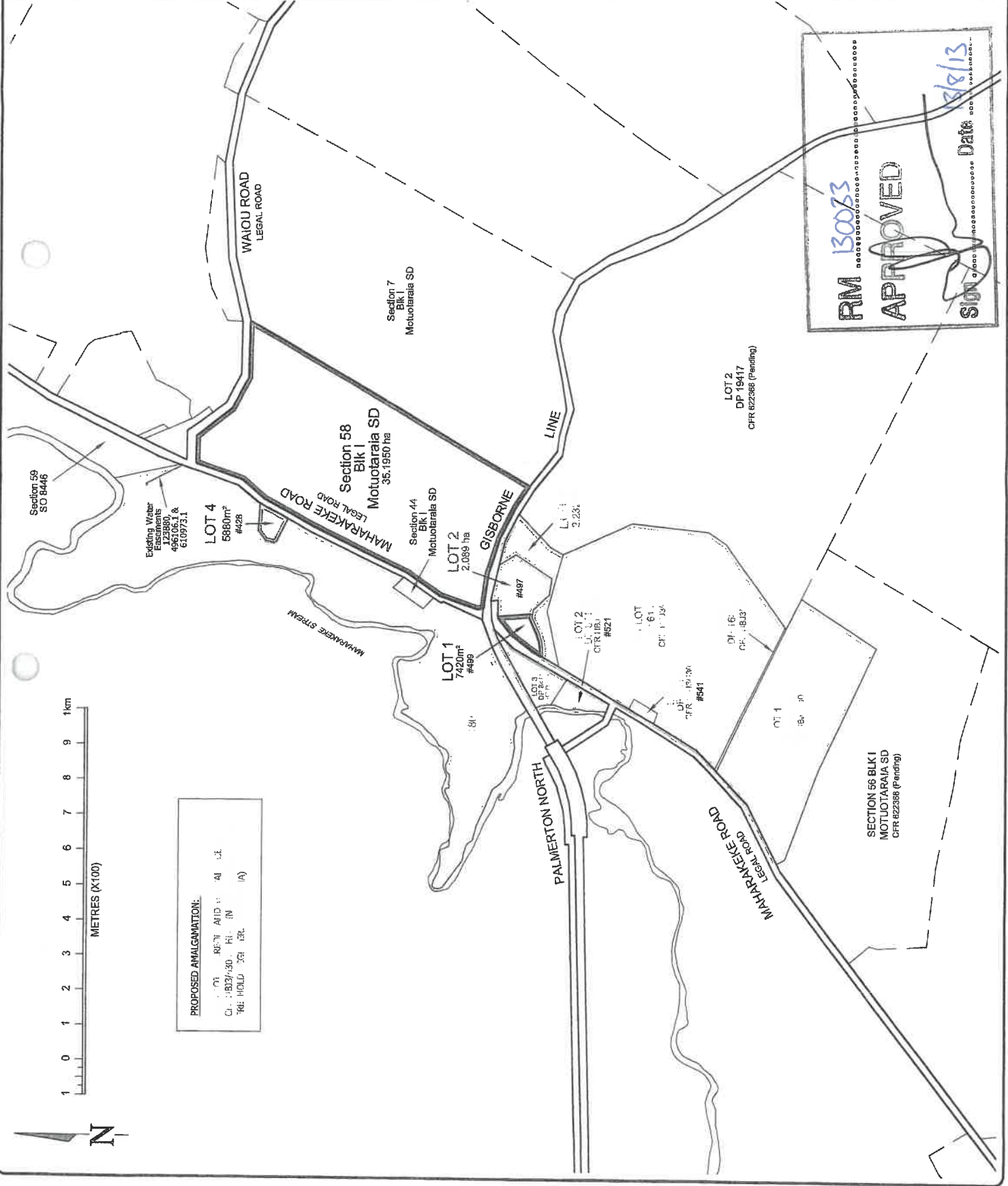
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ITZEE: SUBDIVISION CONSENT PLAN

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RM 130033
APPROVED
SIGNATURE: [Signature]
DATE: 3/8/13