

RECOMMENDATION TO THE HEARINGS COMMISSIONERS

1. SUBDIVISION CONSENT RM210103

That pursuant to Sections 104, 104A, 108, 125 and 220 of the Resource Management Act 1991, the Central Hawke's Bay District Council:

- A. Grants, subject to conditions, resource consent to Springhill Farm Holdings to subdivide to create 312 lifestyle lots at 1080, 1152 and 1200 State Highway 50 and 604 and 612 Wakarara Road, Ongaonga, being legally described as Part Section 2 Block IV Ruataniwha; Section 10 Block IV Ruataniwha; Lot 2 DP 395788 and held in Records of Title BG1/1065, HBA2/1134 and 382377.
- B. Declines to include a condition of consent that extends the lapse date from 5 years to 15 years.

Conditions

Under sections 108 and 220 of the RMA, this subdivision consent is subject to the following conditions:

General

- (1) The subdivision must be carried out in general accordance with the application dated 19 April 2021 submitted by Development Nous and subsequent information received including the plans and information set out in the following table.

Name of Plan / Report	Author	Reference	Date
Springhill Farm Holdings, 1200 State Highway 50 & 612 Wakarara Road, Ongaonga – Springhill Farm Lifestyle Development – Overall Scheme Plan	Development Nous	Drawing No: H20210003-C010 (Revision 3)	22.09.2021
Springhill Farm Holdings, 1200 State Highway 50 & 612 Wakarara Road, Ongaonga – Springhill Farm Lifestyle Development – Stages 1 – 16	Development Nous	Drawing No: H20210003-C011 – C026 (Revision 2)	22.09.2021
Form 9 and Assessment of Environmental Effects – Staged subdivision of assembled site to form 312 rural lots, formation of a network of roads to vest in Council and shared accesses to be retained in private shared ownership, associated drainage and servicing infrastructure, and necessary development formation earthworks and site remediation, incorporating a fifteen year consent lapse.	Development Nous	H20210003	19.04.2021
Topographical Survey Plan	Development Nous	H20210003 – RC – C300 (Revision 1)	19.04.2021

Detailed Site Investigation (DSI) Springhill Farm Lifestyle Development, State Highway 50, Ongaonga	Geosciences Limited	REP-H0151/DSI/ APR21	9.04.2021
Springhill Farm Holdings – Springhill Farm Lifestyle Development – Preliminary Geotechnical Assessment	Initia Geotechnical Specialists	P-001061 REV1	April 2021
Transportation Assessment Report, Springhill Subdivision	East Cape Consulting Limited	Springhill 210330.docx	30 March 2021
Engineering Services Masterplan Report	Development Nous	H20210003-ESMPR V1	April 2021
Preliminary On-Site Wastewater Management Site Evaluation Report	Freeman Cook Associates Pty Ltd	NA	16 April 2021
RM210103 Resource Consent Application 312 Lot Subdivision – 1080, 1152, 1200 SH 50 and 604, 612 Wakarara Road, Ongaonga – Additional Information to Address Section 92 Request	Development Nous	H2021003	5 August 2021
Engineering Services Masterplan Report	Development Nous	H20210003-ESMPR V2	July 2021
Springhill Subdivision – Overland Flow Path Diversion Plan	Development Nous	H20210003	19.07.2021
Written Approval – Proposed 312-Lot Rural Residential Subdivision – 1080, 1152 and 1200 State Highway 50 and 604 and 612 Wakarara Road, Ongaonga – Springhill Farm Holdings	Waka Kotahi	2021-0523	8 July 2021
Noise Exposure Buffer Zone – Waka Kotahi NZ 1200 State Highway 50 & 612 Wakarara Road – Reverse Sensitivity Buffer and Effects Areas	Development Nous	H20210003	19.07.2021

RM210103 Resource Consent Application 312 Lot Subdivision – 1080, 1152, 1200 SH 50 and 604, 612 Wakarara Road, Ongaonga – Further Supporting Information	Development Nous	H2021003	26 August 2021
Draft Remediation Action Plan (RAP) Springhill Farm Lifestyle Development, State Highway 50, Ongaonga	Geosciences Limited	REP- H0151/SMP/ APR21	9 April 2021
Loading from On-Site Wastewater Management and Cumulative Effects Springhill Subdivision Evaluation Report	Freeman Cook Associates Pty Ltd	NA	24 September 2021
RM210103 Wastewater Effects Analysis (by E-mail) – <i>volunteering additional conditions for onsite wastewater treatment systems</i>	Development Nous	NA	7 October 2021
RM210103 Springhill Subdivision – Other Matters (by E-mail) – <i>including attachments:</i> Water Permits in Vicinity E-mail Correspondence with Bob Palmer, Fire & Emergency New Zealand on matter of Fire Fighting Water Storage	Development Nous	NA	7 October 2021
RM210103 Springhill Subdivision – Revised Staging of Lot 129 Springhill Subdivision – Response to PDP Assessment (by E-mail) – <i>volunteering further additional conditions for onsite wastewater treatment systems</i>	Development Nous	NA	24 November 2021
Response to: Memorandum from Ella Boam (Pattle Delamore Partners) to Central Hawke's Bay District Council entitled Springhill Farm Holdings – Wakarara Road / SH50 Subdivision Cumulative effects assessment for wastewater discharge	Freeman Cook Associates Pty Ltd	NA	Undated, received 24 November 2021

Survey Plan Approval

- (2) The Land Transfer Plans to give effect to this subdivision consent are to be in accordance with the approved overall scheme plan and staging plans prepared by Development Nous, dated: 22.09.2021 (CHBDC Ref: RM210103), Surveyors Reference H20210003-C010 (Rev 3) and Drawing No: H20210003-C011 – C026 (Rev 2), unless otherwise altered by the consent conditions.

- (3) Approval is granted to carry out the subdivision in the following stages:
- Stage 1 – Lots 7, 8, 13 – 31, 57 – 59, & 129; Balance Lot 501; and Lot 401 to vest as Road.
 - Stage 2 – Lots 84 – 104, 192, 193, & 242 – 246; Balance Lot 502 ; Access Lot 405, and Lot 404 to vest as Road.
 - Stage 3 – Lots 68 – 83, & 188 – 191; Balance Lot 503 ; Access Lot 402, and Lot 403 to vest as Road.
 - Stage 4 – Lots 1 – 6, & 9 – 12; and Balance Lot 504.
 - Stage 5 – Lots 32 – 40, & 43 – 56; Balance Lot 505; Access Lot 422, and Lot 421 to vest as Road.
 - Stage 6 – Lots 60 – 67, & 180 – 187; Balance Lot 506; Access Lot 419, and Lot 420 to vest as Road.
 - Stage 7 – Lots 194 –197, 212 – 216, 255 – 262, & 271 – 273; Balance Lot 507; Access Lot 417, and Lot 418 to vest as Road.
 - Stage 8 – Lots 105 –122, 247 – 250, & 274; Balance Lot 508; Access Lots 407 & 408, and Lot 406 to vest as Road.
 - Stage 9 – Lots 217 –220, 251 – 254, 263 – 266, 267 – 270 & 275 – 278; Balance Lot 509; Access Lot 416, and Lot 415 to vest as Road.
 - Stage 10 – Lots 123 – 128, 130 – 137 & 290 – 292; Balance Lot 510; Access Lot 410, and Lot 409 to vest as Road.
 - Stage 11 – Lots 138 – 146, 279 – 289 & 306 – 311; Balance Lot 511; Access Lots 412, 413 & 414, and Lot 411 to vest as Road.
 - Stage 12 – Lots 221 – 230 & 293 – 299; Balance Lot 512; Access Lots 427 & 429, and Lot 428 to vest as Road.
 - Stage 13 – Lots 147 – 162, 231 - 237 & 300 – 305; Balance Lot 513; Access Lot 430, and Lot 431 to vest as Road.
 - Stage 14 – Lots 163 – 165, 198 – 203 & 204 – 211; Balance Lot 514; Access Lot 426, and Lot 425 to vest as Road.
 - Stage 15 - Lots 41, 42, 166, 167 & 172 – 179; Balance Lot 515; and Lot 424 to vest as Road.
 - Stage 16 – Lots 168 – 171; and Access Lot 423.
- (4) The Land Transfer Plans to give effect to this subdivision for Stages 1, 2, 3, 4, 8 and 10 shall identify the location of the Waka Kotahi 'Reverse Sensitivity Buffer and Effects Areas' identified on the plan prepared by Development Nous, dated: 5.07.2021 (CHBDC Ref: RM210103), Surveyors Reference H20210003-C100 (Rev 1).
- (5) The Land Transfer Plans to give effect to this subdivision for Stages 14 and 15 shall identify locations where farm-dumping has occurred, or where soil has been removed and replaced with fill and be annotated as posing a potential stability risk to any buildings constructed in the identified areas.

Easements

- (6) The easements shown on the schedule of proposed easements on the subdivision scheme plans for Stages 1 - 16 must be included in a memorandum of easements endorsed on the

survey plans and shall be duly granted or reserved.

- (7) The easements shown on the schedule of proposed easements in gross on the subdivision scheme plans for Stages 1 - 16 must be included in a memorandum of easements endorsed on the survey plans and shall be duly granted or reserved.

Amalgamations

- (8) Pursuant to Section 220(1)(b)(iv) of the Resource Management Act 1991, the following amalgamations conditions shall be imposed (LINZ Reference: 1761453):

- Stage 2
 - That Lot 405 hereon be held in 6 undivided one-sixth shares by the owners of Lots 92-97 hereon as tenants in common in the said shares & that individual records of title be issued in accordance herewith.
- Stage 3
 - That Lot 402 hereon be held in 10 undivided one-tenth shares by the owners of Lots 71-80 hereon as tenants in common in the said shares & that individual records of title be issued in accordance herewith.
- Stage 5
 - That Lot 422 hereon be held in 5 undivided one-fifth shares by the owners of Lots 45 - 49 hereon as tenants in common in the said shares & that individual records of title be issued in accordance herewith.
- Stage 6
 - That Lot 419 hereon be held in 3 undivided one-third shares by the owners of Lots 184 - 186 hereon as tenants in common in the said shares & that individual records of title be issued in accordance herewith.
- Stage 7
 - That Lot 417 hereon be held in 8 undivided one-eighth shares by the owners of Lots 255 - 262 hereon as tenants in common in the said shares & that individual records of title be issued in accordance herewith.
- Stage 8
 - That Lot 407 hereon be held in 5 undivided one-fifth shares by the owners of Lots 111 - 115 hereon as tenants in common in the said shares & that individual records of title be issued in accordance herewith.
 - That Lot 408 hereon be held in 2 undivided one-half shares by the owners of Lots 117 - 118 hereon as tenants in common in the said shares & that individual records of title be issued in accordance herewith.
- Stage 9
 - That Lot 416 hereon be held in 5 undivided one-fifth shares by the owners of Lots 253 – 254, 263 – 265 hereon as tenants in common in the said shares & that individual records of title be issued in accordance herewith.
- Stage 10
 - That Lot 410 hereon be held in 9 undivided one-ninth shares by the owners of Lots 126 – 128, 130 - 135 hereon as tenants in common in the said shares & that individual records of title be issued in accordance herewith.

(9) Pursuant to Section 220(1)(b)(iv) of the Resource Management Act 1991, the following amalgamations conditions shall be imposed (LINZ Reference: 1761470):

- Stage 11
 - That Lot 412 hereon be held in 2 undivided one-half shares by the owners of Lots 144 - 145 hereon as tenants in common in the said shares & that individual records of title be issued in accordance herewith.
 - That Lot 413 hereon be held in 2 undivided one-half shares by the owners of Lots 309 - 310 hereon as tenants in common in the said shares & that individual records of title be issued in accordance herewith.
 - That Lot 414 hereon be held in 5 undivided one-fifth shares by the owners of Lots 280 - 284 hereon as tenants in common in the said shares & that individual records of title be issued in accordance herewith.
- Stage 12
 - That Lot 427 hereon be held in 6 undivided one-sixth shares by the owners of Lots 223 - 228 hereon as tenants in common in the said shares & that individual records of title be issued in accordance herewith.
 - That Lot 429 hereon be held in 3 undivided one-third shares by the owners of Lots 296 - 298 hereon as tenants in common in the said shares & that individual records of title be issued in accordance herewith.
- Stage 13
 - That Lot 430 hereon be held in 2 undivided one-half shares by the owners of Lots 150 - 151 hereon as tenants in common in the said shares & that individual records of title be issued in accordance herewith.
- Stage 14
 - That Lot 426 hereon be held in 5 undivided one-fifth shares by the owners of Lots 207 - 211 hereon as tenants in common in the said shares & that individual records of title be issued in accordance herewith.
- Stage 16
 - That Lot 423 hereon be held in 4 undivided one-quarter shares by the owners of Lots 168 - 171 hereon as tenants in common in the said shares & that individual records of title be issued in accordance herewith.

Vehicle Access and Roding – All Stages

Conditions Agreed with Waka Kotahi (Letter Reference: 2021-0523, dated 8 July 2021)

- (10) Stages 1 to 4 (inclusive) of the development, excluding associated infrastructure, must proceed in numerical order in accordance with the stages identified in Plan H20210003-C010 (Revision 1). Only Stages 1 and 2 may be developed until such time as the formation of a new intersection with State Highway 50, between Lots 89 and 90 has been completed and is operational.
- (11) Prior to works occurring within the road reserve for each relevant stage, including formation and improvements of intersections and accesses, the consent holder shall submit to the Central Hawke's Bay District Council a copy of Waka Kotahi's approval to undertake works

on State Highway 50 (as detailed in advice notes a - c).

- (12) Prior to the issuing of certificates pursuant to Section 224(c) of the Resource Management Act 1991 for Stages 2 and 4 of the subdivision, the consent holder shall provide to the Central Hawke's Bay District Council written approval from Waka Kotahi confirming that the relevant intersections with State Highway 50, have been constructed to Waka Kotahi's standards.
- (13) Preceding the development of Stages 1 and 2, only Stages 3 and 4 may be developed until such a time that improvements to the intersection of State Highway 50 and Wakarara Road have been completed. Upon completion of the intersection improvements, the other stages of the development can be undertaken.
- (14) The existing vehicle crossings to proposed Lot 26 (CP711) and Lot 129 (CP 708) (Stage 1) shall be upgraded in accordance with Waka Kotahi's Diagram C standard as outlined in the Planning Policy Manual (2007) and to the satisfaction of the Waka Kotahi Network Manager.

- (15) Prior to the issuing of certificates for Lot 26 and Lot 129 (Stage 1) pursuant to Section 224(c) of the Resource Management Act 1991, the consent holder shall provide to the Central Hawke's Bay District Council confirmation that Waka Kotahi confirming that works in the State Highway 50, including the upgrade of the existing vehicle crossings, have been constructed to the NZ Transport Agency Standards.
- (16) Prior to the issuing of certificates for Lots 26 and 129 pursuant to Section 224(c) of the Resource Management Act 1991, the consent holder shall provide to the Central Hawke's Bay District Council confirmation that Waka Kotahi has been advised of the new Records of Title to issue and received the approved survey plan, to facilitate the registration of any new Crossing Place (CP) Notices against those new titles, under Section 91 of the Government Rounding Powers Act 1989.
- (17) Prior to the issuing of certificates pursuant to Section 224(c) of the Resource Management Act 1991 for Stage 1 of the subdivision, the consent holder shall provide to the Central Hawke's Bay District Council, written approval from Waka Kotahi confirming that the existing vehicle crossing (farm gate - CP712) located opposite the access for the property at 1231 State Highway 50, has been permanently closed, including reinstatement of any fence line, grassed areas, berm, highway drainage or kerb. Reinstatement works shall be consistent with the adjacent road reserve treatment, to the satisfaction of the NZ Transport Agency Network Manager.
- (18) Pursuant to Section 221 of the Resource Management Act 1991, a consent notice shall be registered against the records of titles of all new lots located within the effects buffer identified on Plan H20210003-C100 (Revision 1). The consent notice shall record that the following condition must be complied with on an ongoing basis:

Any new dwellings constructed on this lot and within the effects buffer area (as shown on the Land Transfer Plan) must be designed, constructed and maintained to achieve a design noise level of 40 dB L Aeq(24h) inside all habitable spaces within the effects buffer area. *(See Condition 20 below).*
- (19) Pursuant to Section 221 of the Resource Management Act 1991, a consent notice shall be registered against the records of titles of the following lots: Stage 1: 20, 21, 22, 23, 24; Stage 2: 89, 90, 92, 93, 94; Stage 3: 73, 74, 75, 76; Stage 4: 12; Stage 8: 113, 114, 115, 116, 117; Stage 10: 130, 131, 132. The consent notice shall record that the following condition must be complied with on an ongoing basis:

Direct access to State Highway 50 from this lot is prohibited. *(See Condition 21 below).*

Advice Notes

a) It is a requirement of the Government Rounding Powers Act 1989 that any person wanting to carry out works on a state highway first gain the approval of Waka Kotahi NZ Transport Agency for the works and that a Corridor Access Request (CAR) is applied for and subsequently a Work Access Permit issued before any works commence.

b) Detailed design approval will be required prior to the CAR process. In developing the detailed design, the consent holder will need to consult with the Waka Kotahi appointed state highway maintenance contractor for Hawkes Bay (Higgins) and a Waka Kotahi Safety Engineer (Ben Grapes).

c) A CAR is made online via www.beforeudig.co.nz and/or www.submitica.co.nz. The CAR needs to be submitted at least 15 working days before the planned start of works. A copy should also be sent to the Waka Kotahi NZ Transport Agency environmental planning team at environmentalplanning@nzta.govt.nz. The Corridor Access Request will need to include:

- i) The approved detailed design for those works within the state highway corridor.*

ii) A Construction Traffic Management Plan that has attained approval from the Waka Kotahi appointed state highway maintenance contractor for Hawkes Bay (Higgins).

Roading and Access Related Consent Notices

- (20) Pursuant to section 221 of the Resource Management Act 1991, the consent holder must register with the Registrar General of Land a consent notice that is to be registered against the records of title for Lots 20 – 24, 26 & 129 (Stage 1); Lots 89, 90, 92 – 94 (Stage 2); Lots 73 – 76 (Stage 3); Lot 12 (Stage 4); Lots 113 – 117 (Stage 8); and Lots 130 – 132 (Stage 10). The consent notice must record that the following condition is to be complied with on an ongoing basis:
- a) Any new dwelling constructed on this Lot within the effects buffer area as defined on the Land Transfer Plan must be designed, constructed and maintained to achieve a design noise level of 40 dB $L_{Aeq}(24h)$ inside all habitable spaces within the effects buffer area.
- (21) Pursuant to section 221 of the Resource Management Act 1991, the consent holder must register with the Registrar General of Land a consent notice that is to be registered against the records of title for Lots 20 – 24 (Stage 1); Lots 89, 90, 92 – 94 (Stage 2); Lots 73 – 76 (Stage 3); Lot 12 (Stage 4); Lots 113 – 117 (Stage 8); and Lots 130 – 132 (Stage 10). The consent notice must record the following condition is to be complied with on an ongoing basis:
- a) Direct access from this lot to State Highway 50 is prohibited.

Roading Design Approval

- (22) A full detailed roading design shall be undertaken by a suitably qualified and registered chartered engineer and be provided to Central Hawke's Bay District Council's Customer and Consents Manager (or nominee) prior to construction works starting for certification. Council will assess the design and documentation against the Central Hawkes Bay District Plan, NZS4404: Code of Practice for Urban Land Subdivision and the Hastings District Council Code of Practice for Subdivisions.
- (23) Prior to the commencement of construction works, the consent holder shall submit a Construction Management Plan (CMP) for certification to Central Hawke's Bay District Council's Customer and Consents Manager (or nominee), detailing how construction is proposed to occur, including how construction effects will be mitigated (noise, dust, traffic etc.) for each stage.
- (24) Prior to the commencement of construction works, the consent holder shall submit for certification a Traffic Management Plan to the Central Hawke's Bay District Council's Customer and Consents Manager (or nominee) detailing the construction traffic that will be entering and leaving the site.
- (25) A plan shall be submitted for certification to Central Hawke's Bay District Council's Customer and Consents Manager (or nominee) detailing the proposed accessways onto Wakarara Road as part of the section 224 approval for stages 1, 4 and 16.
- (26) A Site Safety plan must be certified by Council's Customer and Consents Manager (or nominee) prior to work starting on any public land in Wakarara Road.

Advice Note

A vehicle crossing application will be required to be submitted to and approved by the Council's Land Transport Department to authorise the detail of this vehicle crossing work

Roading Construction Works

- (27) All construction works are to be carried out on the site in accordance with the CMP.
- (28) No work shall commence on site until engineering plans and documentation have received written certification by the Central Hawke's Bay District Council. All work must be carried out in accordance with the documents certified by the Council and in accordance with sound civil engineering practices. This shall include standard hold points for inspection prior to further works being undertaken.
- (29) All engineering design and construction must conform to the information as supplied with the certified plans. The pavement design (depth and type) shall be confirmed with existing subgrade material being fully tested to confirm CBR and a full pavement design shall be carried out by the consent holders Engineers with calculations to be presented.
- (30) During the construction period the consent holder shall take all measures including the management of any contractors to ensure that:
 - No dust or noise nuisance is created that would be detrimental to the adjacent neighbourhood.
 - No siltation or significant discolouration occurs in the stream or drainage channels.
 - No construction work is undertaken on Sundays or outside the hours between 7am and 7pm on other days.

Roading – Completion of Works

- (31) Upon completion of the works, the consent holder must provide to the Central Hawke's Bay District Council a Certificate of Assurance from their registered chartered engineer, that all works have been constructed to the plans, specifications and standards approved by the Council. These must accompany a marked up As Built set of drawings confirming these works.
- (32) Any damage to the Council's existing infrastructure caused by the development during construction shall be repaired under the direction of Council at the consent holder's expense.

Street Lighting and Footpaths

- (33) The full detailed roading design required by Condition 22 above must incorporate street lighting design of the proposed internal road network sufficient to ensure the safety of road intersections and the wider street network within the subdivision.
- (34) The full detailed roading design required by Condition 22 above must incorporate a footpath on at least one side of the roads to be vested within Lots 401, 403, 404, 406, 409, 411, 415, 418, 420, 421, 424, 425, 428 and 431, in accordance with the concept design shown in Development Nours Concept Civil Plans 'Typical Road Pavement Sections' Drawing Number H20210003-RC-C401.

Earthworks – All Stages

- (35) All earthworks shall be undertaken in accordance with NZS 4404:2010 Land Development and Subdivision Infrastructure and NZS 4431, 1989 'Earth Fill for Residential Development' (incorporating all amendments), or an alternative standard approved by the Central Hawke's Bay District Council's Customer and Consent Manager (or nominee).
- (36) Where land filling is to be undertaken, the areas affected, together with dimensions relative to the new property boundaries, shall be shown on 'As Built' plans to be supplied to Council prior to the issue of a Certificate pursuant to Section 224(c) of the Resource Management

Act 1991.

- (37) That as part of the earthworks, no filling shall take place that will obstruct overland flow (unless certified as appropriate by the Central Hawke's Bay District Council's Customer and Consent Manager (or nominee)).
- (38) The consent holder shall submit a sediment control plan by an appropriately qualified person to the Central Hawke's Bay District Council's Customer and Consent Manager (or nominee) for certification by prior to the commencement of any work on the site. The plan shall detail how sediment and erosion controls will be carried out at the site in accordance with current engineering best practice. A statement shall be included with the plan stating the author's qualification and experience in this area.
- (39) The consent holder shall install sediment and erosion controls in accordance with the certified plan prior to the commencement of the earthworks and that these controls shall be maintained throughout the period of the works.
- (40) That a suitably qualified Chartered Professional Engineer or other appropriately qualified person shall certify that the sediment works have been constructed in accordance with the approved plans.
- (41) That only clean fill as defined in NZS 4431, 1989 "Earth Fill for Residential Development" shall be used as fill.
- (42) That all areas of earthworks shall be re-grassed following construction and prior to application for certification under section 224(c) of the Resource Management Act 1991.
- (43) That there shall be no off-site despot deposit of sediment or detritus from the area of the works and no deposit of sediment or detritus into any watercourse or stormwater drain.

Flooding and Stormwater

- (44) Engineering Design plans for stormwater and overland flow design shall be submitted to Council's Customer and Consent Manager (or nominee) for review as part of engineering design certification, and that in preparing those plans regard is to be given to the Stantec Technical Memo prepared on behalf of the Council, titled 'Peer review Springhill Farm Development RM 210103', and dated 1 September 2021, as part of that peer review. The design considerations shall be addressed for the whole development at the time of submitting designs for the first stage of the development.
- (45) An engineering assessment must be provided with the detailed engineering design plans submitted for section 224 certification under condition 44 above. This must demonstrate, among other things:
 - a) Mitigation of potential flood hazards and resilience in the development to accommodate flood events by providing flow path linkages through the proposed lots where appropriate and identifying building avoidance areas if development on that Lot may be compromised by the flow paths. Where such areas are identified they shall be shown on the land transfer plan for the affected lots.
 - b) If appropriate and necessary to mitigate the potential flood hazards in addition to a) above, minimum floor heights for buildings on lots identified as being subject to potential flooding effects.
 - c) An appropriate buffer from the main watercourse incorporated within the easements in gross over those Lots adjoining the water course.

- (46) All the infiltration systems for the development shall be designed in accordance with the HBRC Waterway Guidelines 2009, using a 100-year event design storm with rainfall from Hirds V4 with climate change allowance of RCP 6.0 2081-100.
- (47) Pursuant to section 221 of the Resource Management Act 1991, the consent holder must register with the Registrar General of Land consent notices to be registered against the records of title for Lots 1 – 312 (all Stages). The consent notice must record the following condition to be complied with on an ongoing basis:
- a) Any future development and/or building(s) on site shall not result in an increased flow of stormwater discharging from the boundaries of the site. A hydraulically neutral stormwater design must be completed and provided to the Central Hawke's Bay District Council for approval at the time of building consent, and the design must identify a method to attenuate stormwater discharge to a predevelopment flow rate (based on a 10% Annual Exceedance Probability).
 - b) On-site stormwater systems shall be maintained on an ongoing basis.
 - c) *[Record any building minimum floor height applicable to that Lot as may be identified by the engineering assessment required by condition 45 above].*

Water Supply, Including for Fire Fighting

- (48) Pursuant to section 221 of the Resource Management Act 1991, the consent holder shall register with the Registrar General of Land a consent notice to be registered against the records of title for Lots 1 – 312 (All Stages). The consent notice must record the following condition to be complied with on an ongoing basis:
- a) Any application for building consent for a habitable building must include provision of roof water collection tanks for the supply of potable water. The rainwater tank storage system must be installed and maintained in good working order thereafter. For clarity, this requirement does not preclude the installation of an alternative bore water supply.
 - b) Any application for building consent for a habitable building shall include provision for fire fighting water storage meeting the requirements of SNZ PAS 4509:2008 including either storage provision of 7,000 litres for houses with sprinkler systems or 45,000 litres for non-sprinklered houses.

Wastewater Disposal

- (49) Pursuant to section 221 of the Resource Management Act, the consent holder shall register with the Registrar General of Land a consent notice to be registered against the records of title for Lots 1 – 312 (All Stages). The consent notice must record the following condition to be complied with on an ongoing basis:
- a) Any application for building consent for a habitable building shall include an onsite wastewater treatment system that incorporates UV treatment and drip-line irrigation. Maintenance of the system and shall be carried out in accordance with the manufacturers specifications.

Geotechnical Stability

- (50) Pursuant to section 221 of the Resource Management ACT 1991, The consent holder must

register with the Registrar General of Land a consent notice to be registered against the records of title for Lots 1 – 312 (All Stages). The consent notice must record the following condition to be complied with on an ongoing basis:

- a) Site specific investigations shall be undertaken at the time of building consent to confirm the underlying near surface materials in accordance with the recommendations of the Initia Geotechnical Specialists Preliminary Geotechnical Report REF P-001061 REV 1, dated April 2021. – contained in Appendix D of resource consent application RM210103.

- (51) A. The areas identified as former farm dump sites, or where contaminated soil has been removed from and replaced with fill (as identified on the land transfer plans for Stages 14 and 15 under condition 5 of this consent) shall be remediated by removal of un-engineered fill, and reinstated with engineered fill certified by a qualified and registered geotechnical engineer as being safe for building development.

Or

B. The consent holder shall register with the Registrar General of Land a consent notice to be complied with on an ongoing basis, pursuant to Section 221 of the Resource Management Act 1991, against the records of title for Lots *[x and x as identified by condition 5 of this consent]*:

- a) That no building shall take place on the area identified on the land transfer plan as being subject to fill unless supported by, and in compliance with, a site specific geotechnical report specifying the remedial actions and foundation design necessary to achieve a stable building platform.

Rural Production Activities Reverse Sensitivity

- (52) Pursuant to section 221 of the Resource Management Act 1991, the consent holder must register with the Registrar General of Land a consent notice to be registered against the records of title for Lots 1 – 312 (All Stages). The consent notice must record the following condition to be complied with on an ongoing basis:

- a) This property is located in a productive rural area where agricultural management practices such as agrichemical spraying, use of farm machinery, the operation of bird scarers and other similar activities may occur. Where land use activities in the surrounding area are carried out in accordance with the relevant District Plan, resource consent or existing use rights allowances, the property owner, or their successor in title shall not:

- Bring any proceedings for damages, negligence, nuisance, trespass, or interference arising from the use of that land; or
- Make nor lodge; nor
- Be party to; nor
- Finance nor contribute to the cost of;

Any application, proceeding or appeal (either pursuant to the Resource Management Act 1991 or otherwise) designed or intended to limit, prohibit or restrict the continuation of the operations of any rural activity on surrounding land, including without limitation any action to require the surrounding landowners/occupiers to modify the rural activities carried out on their land.

ADVICE NOTES:

(1) Conditions of Consent

Unless otherwise stated within the conditions of this subdivision consent, all conditions must be met at the consent holder's expense, prior to any application for a Section 224(c) certificate and the issue of any new record/s of title. If you have any questions, please feel free to contact the Duty Planner at the Central Hawke's Bay District Council to discuss this matter further. The contact details are: Phone: (06) 8578060, Email: planner@chbdc.govt.nz

(2) Lapse of Consent

Under section 125 of the RMA, this consent lapses five years after the date it is granted unless:

- a) Survey plans for each stage of the consented subdivision is submitted to the Central Hawke's Bay District Council for approval under section 223 of the RMA before the consent lapses, and that plan is deposited within three years of the approval date in accordance with section 224 of the RMA; or
- b) An application under section 125 of the RMA is made to the the Central Hawke's Bay District Council before the consent lapses (five years) to extend the period after which the consent lapses and the Council grants an extension.

(3) 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 Heritage New Zealand immediately.

(4) Earthworks

In regard to earthworks required to form any of the proposed works (e.g. stormwater infrastructure, roads and rights of way), it is noted that compliance with the standards of the Regional Resource Management Plan Rule 7 'Vegetation Clearance and Soil Disturbance' is required.

(5) Development Contributions

Development Contributions are required to be paid for each new lot on the plan of subdivision for each new unit of development constructed. Development Contributions must be paid prior to the issue of a certificate pursuant to section 224 of the Resource Management Act 1991 for Development Contributions charged as part of a resource consent.

Development Contributions are not applicable to this application.

(6) 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.

(7) 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	\$400
224 (c) Certificate	\$400
Or Joint 223/224(c)	\$400
Consent Notice(s)	\$150
Application for Service Connection	\$135
Vehicle Crossing Approval	\$205.10

(8) Vehicle Crossings

A vehicle crossing application needs to be completed and returned to the land transport department before any work commences.

(9) Power and Telephone

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

(10) 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.

(11) 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.

(12) Three Waters Bylaws

All development shall be undertaken in accordance with Central Hawke's Bay District Council Bylaws for Water Supply, Stormwater and Wastewater. The Bylaws can be found on the Central Hawke's Bay District Council website at www.chbdc.govt.nz

(13) Other Consents

The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015) relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.

2. RESOURCE CONSENT TO SUBDIVIDE AND DISTURB SOIL IN A PIECE OF LAND SUBJECT TO THE RESOURCE MANAGEMENT (NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH) REGULATIONS 2011 (“NESCO”))

That pursuant to Regulation 10 of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 and Sections 104, 104C and 108 of the Resource Management Act 1991, the Central Hawke’s Bay District Council grants resource consent to Springhill Farm Holdings to subdivide to subdivide and disturb soil on the land legally described as Part Section 2 Block IV Ruataniwha; held in Record of Title BG1/1065.

Conditions

General

- (1) The subdivision and soil disturbance activities subject to this consent shall be carried out in general accordance with the application dated 19 April 2021 submitted by Development Nous and subsequent information received including the plans and information set out in the following table.

Name of Plan / Report	Author	Reference	Date
Form 9 and Assessment of Environmental Effects – Staged subdivision of assembled site to form 312 rural lots, formation of a network of roads to vest in Council and shared accesses to be retained in private shared ownership, associated drainage and servicing infrastructure, and necessary development formation earthworks and site remediation, incorporating a fifteen year consent lapse.	Development Nous	H20210003	19.04.2021
Detailed Site Investigation (DSI) Springhill Farm Lifestyle Development, State Highway 50, Ongaonga	Geosciences Limited	REP-H0151/DSI/ APR21	9.04.2021
Draft Remediation Action Plan (RAP) Springhill Farm Lifestyle Development, State Highway 50, Ongaonga	Geosciences Limited	REP-H0151/SMP/ APR21	9 April 2021

- (2) Additional delineation soil sampling shall be undertaken across the areas adversely impacted, as identified in the Geosciences Limited DSI Report dated 9 April 2021, to determine the lateral and vertical extent of any impacted soils by contamination as follows:
 - a) Grid based soil sampling using cardinal delineation points around the areas of identified lead impacts in the central yard portion of the site;
 - b) Expanding ring sampling to the south and east of the sheep dip to confirm the full extent of plume discharge beyond SS17 and SS11 alongside further depth soil

sampling to confirm the extent;

- (3) The submission of an updated Remediation Action Plan to Council's Customer and Consent Manager (or nominee) for certification.
- (4) No remedial works shall commence on site until the certification required by conditions (3) above has been obtained.
- (5) In the event of demolition and removal of the existing residences, Hazardous building material surveys shall be commissioned on the residential dwellings to identify the full extent of any asbestos containing materials present and allow for licensed removal where required prior to any demolition occurring in accordance with the Health and Safety at Work (Asbestos) Regulations 2016.
- (6) Decommissioning and removal of onsite wastewater treatment systems where these are no longer required shall take place in accordance with the recommendations of the Draft Remediation Action Plan.
- (7) That the updated Remediation Action Plan shall address those details outlined as requiring amendment or updating in the Memorandum prepared by Scott Fellers, Stantec, titled 'RM210103 – Draft Remedial Action Plan Springhill Farm Lifestyle Development, State Highway 50, Ongaonga, Central Hawke's Bay' and dated 31 August 2021.
- (8) That the works and actions required by the above conditions shall be completed prior to a section 224 certificate being issued for Stages 14 and 15 of subdivision consent RM210103, or prior to any soil disturbance activities or change of use occurring on the 'piece of land'.
- (9) Site Validation inspections, sampling and reporting shall be completed by a suitably qualified person as necessary to confirm that impacted soils have been appropriately remediated and managed in accordance with the Remediation Action Plan certified by the Council and that all residual soils achieve compliance with the rural residential land use standard. Confirmation of site validation should then be submitted to Council's Customer and Consent Manager (or nominee) for certification.

RM210103























