



Te Kaunihera-ā-Rohe o Ngāmotu  
**NEW PLYMOUTH DISTRICT COUNCIL**  
newplymouthnz.com

When replying please quote document no: 7883157 – SUB18/47083  
Property: 112095

15 February 2019

MAIA PROPERTIES LIMITED  
C/- JUFFERMANS SURVEYORS LIMITED  
PO Box 193  
Taranaki Mail Centre  
NEW PLYMOUTH 4340

Attention: Allen Juffermans

Dear Allen

**SUB18/47083 CONSENT IS GRANTED FOR A 119 LOT RESIDENTIAL SUBDIVISION AT MANGOREI ROAD NEW PLYMOUTH**

I am pleased to be able to **enclose** a copy of a Resource Consent Approval, and my Planners Report prepared under the Resource Management Act 1991, for the above project.

If you are unhappy with any part of this decision you have the right to object in accordance with Section 357A(2) of the Resource Management Act 1991. Any objection shall be made in writing, setting out the reasons for the objection. This must be lodged with Council within 15 working days after receiving this decision.

An invoice will be posted for the cost of processing this consent above the application fee already paid, generated in accordance with Section 36 of the Resource Management Act 1991.

This letter also formally extends the timeframe within which the decision is to be issued, under section 37A of the Resource Management Act 1991 (RMA). In accordance with section 37A(2)(a), it is advised that the timeframe for processing the application has been extended to 40 working days. The time extension is considered necessary to allow for consideration towards the detailed history of the site involving previous subdivision applications and the complexity of the large scale residential development which has required consideration towards indicative roads, infrastructure services, building platforms, and high voltage transmission lines.

Section 37A also requires the consent authority to take into account the interests of any person who may be directly affected by the time extension. It is considered that by taking additional time to complete the consent, a sound decision has been made that will enable both the applicant's interest and community interests to be fully addressed. The consent authority also recognises its duty under section 21 to avoid unreasonable delay. Given the reasons above for extending timeframes, it is considered an extra 20 working days is appropriate.

Yours sincerely

Bridie Fleming  
SENIOR ENVIRONMENTAL PLANNER - Consents



Te Kaunihera-ā-Rohe o Ngāmotu

**NEW PLYMOUTH DISTRICT COUNCIL**

newplymouthnz.com

**RESOURCE CONSENT SUB18/47083**

**Granted under Sections 95, 104, 108, and 220 of the Resource Management Act 1991.**

**Applicant:** MAIA PROPERTIES LIMITED

**Location:** Mangorei Road, New Plymouth

**Legal Description:** Lot 4 DP 475469 and Part Subdivision 42 and 48 Grey District and Maori Reserve 3

**Status:** The Proposal is a Discretionary Subdivision Activity under Rules Res60, OL40 and OL42 of the New Plymouth District Plan (Operative 15 August 2005)

**Proposal:** 11 Staged 119 Lot Residential Subdivision with road to vest

**DECISION:**

In accordance with Section 104 and 104B of the Resource Management Act 1991, consent is granted to subdivide Lot 4 DP 475469 and Part Subdivision 42 and 48 Grey District and Maori Reserve 3 into 119 allotments, as shown on the plans submitted with application SUB18/47083 submitted by Juffermans Surveyors Ltd and entitled

- a. Stage Plan, entitled 'Subdivision Development of Lot 4 DP 475469', job number 14011, drawing 1, revision 20.
- b. Scheme Plan, entitled 'Proposed Subdivision of Lot 4 DP 475469', job number 14011, drawing 2, revision 15, dated 7 February 2019.
- c. Roads plan, entitled 'Subdivision Development of Lot 4 DP 475469', job number 14011, drawing 4, revision 18.

**Subject to the following conditions imposed under Section 108 of the Resource Management Act 1991:**

1. Approval is granted to carry out the subdivision in stages as follows:
  - Stage One; 12 residential allotments (Lots 1-12), and roads 201 and 202, extension to Ainslee Street;
  - Stage Two; 14 residential allotments (Lots 13-27) and road 220, to the west of Stage One;
  - Stage Three; 7 residential allotments (Lots 36-42), and road 205, to the south of Stage One/west of Stage Two;
  - Stage Four; 16 residential allotments (Lots 43-57, 59), and road 206, to the southeast of Stage Three, road connection to Mangorei Road;
  - Stage Five; 8 residential allotments (Lots 58, 60-66), and road 207, to the southwest of Stage 4;
  - Stage Six; 15 residential allotments (Lots 67-81), and roads 208 and 209, west of Stage 5;
  - Stage Seven; 13 residential allotments (Lots 82-94), and road 210; to the west of Stage 6;
  - Stage Eight; 10 residential allotments (Lots 95-97, 99-105) and road 211 and 212, to the north of Stage 7;
  - Stage Nine; 9 residential allotments (Lots 106-114) and road 215, to the east of Stage 8;

- Stage 10; 10 residential allotments (Lots 25, 28-35, 98), and road 204, to the north of Stage 8; and
- Stage 11; 7 residential allotments (Lots 115-121), and road 218, to the west of Stage 7, extension to Heta Road.

Unless otherwise specified all conditions shall apply for all stages.

- Each stage shall be in accordance with the approved scheme plan. The staging (with related lots as indicated above) shall be undertaken in the following sequential order:
  - Stage One;
  - Stage Two;
  - Stage Three;
  - Stage Four;
  - Stage Five;
  - Stage Nine (including Road Lots 213, 214 and part of 211 which will connect the roads between Stages 5 and 2);
  - Stage Six;
  - Stages Seven and 11 (preferably processed concurrently);
  - Stage Eight; and
  - Stage 10.
- Lots 96, 96 and 98 have been combined into one allotment. This lot shall occur in Stage Eight.
- At each stage any balance land shall be left as a fully serviced allotment.
- The subdivision activity shall be carried out in accordance with the plans and all information submitted with the application, and all referenced by the Council as consent number SUB18/47083.
- The application for a certificate under section 224(c) of the RMA shall be accompanied by certification from a professionally qualified surveyor or engineer that all the conditions of subdivision consent have been complied with and that in respect of those conditions that have not been complied with:
  - a completion certificate has been issued in relation to any conditions to which section 222 applies;
  - a consent notice has been or will be issued that in relation to any conditions to which section 221 applies;
  - a bond has been entered into by the subdividing owner in compliance with any condition of subdivision consent imposed under section 108(2)(b).
- Survey Plan Approval (All Stages)**
  - The consent holder shall submit a survey plan in accordance with the approved stage of resource consent subdivision plan.
  - One copy of the Record of Title Sheet (A3 size or e-certification) is to be provided when the survey dataset is submitted for approval.
  - The survey plan shall conform with the subdivision scheme plan submitted with application no: SUB18/47083 submitted by Juffermans Surveyors Ltd and entitled
    - Stage Plan, entitled 'Subdivision Development of Lot 4 DP 475469', job number 14011, drawing 1, revision 20.
    - Scheme Plan, entitled 'Proposed Subdivision of Lot 4 DP 475469', job number 14011, drawing 2, revision 15, dated 7 February 2019.



- c. Roads plan, entitled 'Subdivision Development of Lot 4 DP 475469', job number 14011, drawing 4, revision 18, except as modified to comply with the conditions of consent.

## **8. Earthworks and Construction Management (All Stages)**

### ***Current earthwork status***

- 8.1 An earthworks cut and fill plan, indicating the depths of cut and fill shall be submitted prior to Stage One commencing detailing all cut and fill earthworks undertaken since 18 November 2015 (Discharge Permit, Taranaki Regional Council, reference 9901-1.1).
- 8.2 With respect to condition 8.1 above the consent holder shall provide to the Planning Lead a "Geotechnical Completion Report" compiled by a Geotechnical Professional prior to s224 signoff.
- 8.3 An accurate final design contour plan shall be submitted with the engineering drawings prior to commencement of further engineering works, including an earthworks cut and fill plan, indicating the depths of cut and fill.

### ***Prior to commencement of construction***

- 8.4 The consent holder shall submit a Construction Management Plan (CMP) to the Planning Lead for approval. This shall be prepared by a suitably qualified engineer and shall be submitted for approval prior to the commencement of any site works. The CMP shall include:

#### ***Traffic Management***

- a. Measures to reduce adverse effects on traffic management in relation to surrounding roads and intersections;

#### ***Construction Management***

- b. Measures to reduce adverse effects on adjoining properties, including dust, noise, access to properties;

#### ***Access and safety***

- c. Health and safety measures;
- d. Provision for safe and continuous passage by pedestrians and vehicles to be provided;

#### ***Earthworks Management***

- e. An Earthworks and Sediment Control Plan detailing the volume and extent of any earthworks, and a detailed description of the methods to be used to minimise the discharge of dust and the release of sediment. The erosion and sediment control measures shall be in place prior to the commencement of earthworks.
- f. No construction activities shall be undertaken without the Construction Management Plan being first approved by the Planning Lead, and all construction activities shall be undertaken in accordance with the approved plan. All proposed mitigation measures in the CMP shall be installed in accordance with it prior to any works commencing.



- g. The consent holder shall contact the Planning Lead at least 48 hours prior to any physical work commencing on the site and advise the Planning Lead of the date upon which such works will commence.
- h. If earth worked materials are carried onto the surrounding road network, the consent holder shall be responsible for cleaning and repairing the road back to its original condition daily during the earthworks period. In doing this, the consent holder shall ensure that no materials are washed or swept into any stormwater drains or natural drainage systems.

8.5 The consent holder shall submit a report and calculations detailing cut and fill proposed against existing boundaries and the mitigation proposed to avoid adverse effects on adjoining properties. The construction details of any retaining walls are to be submitted to the Planning Lead and shall be certified on completion. A Building Consent shall be obtained and Code Compliance issued where required prior to issue of section 224 certificate.

### ***During Construction***

- 8.6 The consent holder shall appoint a suitably qualified person to design, control and certify all earthworks. All earthworks shall be carried out under the direct control of a suitably qualified person.
- 8.7 Uncompacted fill shall be identified and shall be shown on the final plans and be subject to a Consent Notice in accordance with section 221 of the Resource Management Act 1991. Compacted fill shall be certified by a suitably qualified engineer as per section 2 of NZS4404 with the Schedule 2A form completed and lodged with the Council at the end of the work.
- 8.8 Any excavation works that take place over or near Council reticulation shall ensure that backfill/compaction and adequate cover complies with the Land Development and Subdivision Infrastructure Standard NZS4404:2010.
- 8.9 Any earthworks undertaken on site shall employ the best practical means of minimising the escape of silted water or dust from the site. A description of the proposed means of mitigating these temporary effects shall be submitted with an Engineering Plan and approved and installed prior to any works commencing. Regional Council approval shall be obtained where required for sediment control.

### ***Following Construction***

- 8.10 The consent holder shall provide to the Planning Lead a "Geotechnical Completion Report" compiled by a Geotechnical Professional prior to s224 signoff. The report shall:
  - a. determine the final position of all building restriction lines where applicable;
  - b. provide recommendations for the on-going development of the lots (i.e. maximum cuts/fill heights, management of steep slopes;
  - c. provide a producer statement for any engineer designed retaining walls;
  - d. confirm earthworks and/or building platforms have been constructed to comply with the New Zealand Building Code requirements;
  - e. confirm that consolidation settlement is completed.
- 8.11 An accurate final design contour plan shall be submitted with the engineering drawings prior to commencement of further engineering works, including an earthworks cut and fill plan, indicating the depths of cut and fill.
- 8.12 All earthworks in relation to this consent, including the tidy up on completion of each stage, shall be completed to the satisfaction of the Planning Lead.

- 8.13 Each stage shall be stabilised prior to further stages being undertaken, unless otherwise authorised in writing by the Planning Lead.

***Earthworks associated with Branch Road Reserve***

- 8.14 Where the water connection occurs within a reserve a 'Privileged Access Through Reserve Land Agreement' shall be signed and the conditions within agreed to prior to works commencing.
- 8.15 An earthworks plan for borrow material from the Branch Road Reserve area shall be submitted for approval prior to any further works being undertaken. Earthworks staging and environmental mitigation measures shall be indicated/noted on the plan.
- 8.16 A significant amount of earthworks has already been undertaken within the reserve. The consent holder shall undertake planting near the top of the reserve where the tributary flows in addition to the reinstatement of grass within the area that has subject to earthworks. A landscape plan shall be submitted and approved by the Planning Lead, prior the issue of s224 RMA.

**9. Building Platforms (All Stages)**

- 9.1 A report shall be provided from a suitably qualified person to confirm that there is available within all lots, a stable flood free building platform suitable for building foundations in accordance with the requirements of the New Zealand Building Code B1.
- 9.2 Any recommendations requiring specific building platform shall be subject to Consent Notice under Section 221 of the Resource Management Act 1991.
- 9.3 Secondary flow paths over residential lots shall be shown on a plan and shall be located clear of proposed building platforms.

**10. Stormwater Disposal (All Stages)**

- 10.1 An inspection and a report shall be carried out of soil compatibility by a suitably qualified engineer and submitted to the Council to confirm the suitability of applicable lots for on-site stormwater from dwellings and paved areas. If it is demonstrated that on-site disposal is not suitable an alternative method of disposal is to be identified and made available.
- 10.2 Any recommendations requiring specific on-site stormwater management shall be subject to Consent Notice under Section 221 of the Resource Management Act 1991.
- 10.3 Secondary flow paths over residential lots shall be shown on a plan and shall be located clear of proposed building platforms.
- 10.4 Any works required in the Branch Road Reserve (Lot 1 DP 360878) to the north shall ensure the existing stormwater channel can accommodate the anticipated 20% AEP storm water flow.
- 10.5 The consent holder shall be responsible for any work to the existing storm water culvert in the northern reserve to ensure the existing sewer crossing above the culvert is not compromised.
- 10.6 A complete primary stormwater design for Stages 1 to 5 shall be submitted for engineering plan approval at the time of Stages 1 to 3.



- 10.7 A continuous secondary overland flow path from the boundary of 480 Mangorei Rd (PART Puketotara 50) to Lot 7 DP 360878, shall be designed, formed and provided for and shown on the plans.
- 10.8 Engineering calculations shall be provided for all secondary overland flow paths to ensure the shape and grade of the flow path can accommodate the anticipated stormwater flow.
- 10.9 Where a secondary overland flow path passes from private property to road reserve (or right of way), and visa versa, the consent holder shall provide detail of how the stormwater will transition, ensuring that adjacent properties will not be inundated.
- 10.10 The consent holder shall indicate (with appropriate detail) how surface stormwater which is currently discharged to Area D as shown on DP 475469 (from Mangorei Rd) and how it will be managed and directed into new stormwater reticulation, including any silt detention measures required.
- 10.11 Where the secondary overland flow path crosses private property:
- a) The flow path is hard formed, and not subject to natural change or scour.
  - b) Engineering calculations shall be provided for all secondary overland flow paths.
  - c) An easement in gross in favor of the council shall be provided.
  - d) A consent notice shall be registered on the Record of Title which will restrict the construction of any buildings or fences, and any planting across the flow path.
  - e) The level of the top of the stormwater flow shall be noted on the engineering plans adjacent to each private property. A consent notice will be issued for the adjoining property indicating minimum floor level 500mm above the secondary flow path.
- 10.12 All culvert inlets and outlets shall have concrete precast wing walls.

## 11. **Sewer Services (All Stages)**

- 11.1 A connection to the Council's reticulated sewerage system shall be provided for all lots.
- 11.2 A sewer design for the whole of the completed development shall be submitted with the first stage of the development.
- 11.3 No new sewer connections shall be connected into the Mangorei Road or Tupuhi Place sewer.
- 11.4 All new reticulation shall be designed and constructed to the requirements of:
- i) The Building Act,
  - ii) The NPDC Consolidated Bylaws 2008 Part 14 Wastewater Drainage,
  - iii) The Council's Land Development & Subdivision Infrastructure Standard.
- 11.5 For a new connection to the sewer main an application with the appropriate fee is to be made to Council, and upon approval this connection is to be installed by a Council approved contractor at the applicant's cost.
- 11.6 An As Built plan for the sewer connection for all lots shall be provided to the Drainage Reticulation Supervisor.
- 11.7 Where the sewer connection occurs within a reserve a 'Privileged Access Through Reserve Land Agreement' shall be signed and the conditions within agreed to prior to works commencing.

## 12. **Sewer Capital Contribution (Stage One)**



- 12.1 The applicant shall pay a sewer capital contribution in accordance with the Agreement for the Highland Park Sewer. The sum of the contribution is \$41000. Area G has not been included in the assessment because it is connecting to an alternative sewer.

13. **Water Services (All Stages)**

- 13.1 All lots shall be served by a new water connection:
- a) An application for the connection shall be lodged with the Council with the appropriate fee.
  - b) Upon approval, the connection is to be installed by a Council approved contractor at the applicant's cost.
  - c) An as-built plan of all connections shall be provided.
- 13.2 Confirmation that there are no cross boundary water connections shall be provided to the Reticulation Supervisor.
- 13.3 The consent holder shall cover the cost of each water meter as part of the service connection fee. Each meter shall be supplied and installed by Council.
- 13.4 A 150mm water main shall be installed along Mangorei Road for all lots that front Mangorei Road.
- 13.5 The existing trunk main has a scour valve at the low point on Mangorei Road. The scour valve currently discharges into the adjacent land at Area E as shown on DP 475469. The consent holder shall provide a 1050 diameter manhole in the berm to scour the existing water trunk main. The consent holder shall connect a 100 diameter pipe into the scour valve, including a double check valve backflow preventer.
- 13.6 A new 150mm diameter water main shall be constructed to connect the existing 150mm diameter water main on Mangorei Road, commencing at 1 Tupuhi Place and extending to the fire hydrant opposite 484 Mangorei Road. Council will meet the cost to install the 150mm diameter water main from the new proposed Lot 57 to 484 Mangorei Road.
- 13.7 The new 150mm diameter water main on Road 3 shall connect into the new 150mm diameter water main installed on Mangorei Road.
- 13.8 A new 150mm diameter water main shall be installed along Road 7 and the pedestrian link to Heta Road, and shall connect into a new length of 225 diameter water main on Heta Road.

14. **Right of way (Stages 1 and 3)**

- 14.1 The rights of way shall be formed to the requirements of the New Plymouth District Plan and the Council's Infrastructure Standard including stormwater control.
- 14.2 An engineering plan and specification for the rights of way shall be submitted to and approved by the Council prior to the commencement of work.
- 14.3 All work shall be constructed under the supervision of a suitably qualified person who shall certify that the work has been constructed to the approved Engineering Plan/Infrastructure Standard requirements.
- 14.4 The supervision of the work, and its certification and the provision of as built plans shall be as prescribed in the Land Development and Subdivision Infrastructure Standard.

15. **Vehicle Access (All Stages)**

- 15.1 A multi-residential vehicle crossing shall be constructed to serve all rights of way. Standard vehicle crossings shall also be constructed where there is no alternative for vehicle access within 30m in an intersection, and where a Lot is being accessed from an access leg.

**16. Engineering Plans, Supervision and Certification (All Stages)**

- 16.1 Detailed engineering plans, calculations, and specification for the sewer, water reticulation, stormwater reticulation, earthworks and roading shall be submitted to and approved by the Council prior to the commencement of works.
- 16.2 For Stages 1 – 3 the engineering plans shall provide detail on how upstream silt will be managed for each stage, so that silt does not enter the piped stormwater reticulation.
- 16.3 All work shall be constructed under the supervision of a suitably qualified and experienced person who has the appropriate professional indemnity insurance and who shall certify that all the work has been constructed to the approved Infrastructure Standard requirements.
- 16.4 Supervision and certification of the works and the provision of as built plans shall be as prescribed in section 1.5 of NZS4404:2010 Land Development and Subdivision Engineering.
- 16.5 A schedule of vested assets detailing cost and a brief description within the categories of roading, sewer, water, stormwater, and all works occurring in the reserve shall be provided.
- 16.6 An approved Traffic Management Plan shall be submitted to the Council prior to the commencement of any works within the road reserve.
- 16.7 A defects liability period of twelve months shall apply for assets to vest. A bond amounting to 5% of the value of the work for the first \$200,000 and 2.5% of the remaining value of the maximum bond value of \$200,000 is required for the duration of the defects liability period.
- 16.8 Where combined service trenches are proposed to be used a cross sections on the engineering plans showing separation distances both horizontally and vertically shall be provided to Council Development Engineer.

**17. Road to Vest (All Stages)**

- 17.1 The following shall vest in the Council as road:
- Road 1 (extension to Ainslee Street) including Lots 201, 205, Part Lot 206. This road shall be an E12 standard.
  - Road 2 (Mangorei Road). This road shall have a minimum carriageway width of 11m.
  - Road 3 includes Part Lot 206. This road shall be formed to an E12 standard.
  - Road 4 includes Lots 214 and 209. This road shall be formed to an E11 standard.
  - Road 5 includes Lots 212, part of 204, part of 203 and 213. This road shall be formed to an E12 standard.
  - Road 6 includes part of Lot 204 and 212. This road shall be formed to an E11 standard.
  - Road 7 (part of the connecting road to Heta Road) includes Lot 216. This road shall be formed to an E11 standard. A 1.5m wide footpath shall be provided. This may require an additional 1.5m boundary width to allow for a footpath.
  - Road 8 includes Lots 209. This shall match the existing road.
  - Road 9 includes Part Lot 202 and Part Lot 203. This road shall be formed to an E11 standard.
  - The pedestrian accessway to the school is Lot 217.



- 17.2 The proposed roads shall be constructed to the Council's Land Development & Subdivision Infrastructure Standard requirements.
- 17.3 Detailed engineering plans, calculations, and specifications shall be submitted to and approved by the Council prior to the commencement of works.
- 17.4 Local widening shall be provided on the tighter bends of all roads.
- 17.5 All parking bays shall be asphalt or concrete.
- 17.6 The existing street light within the access way of Lot 2 shall be removed (Stage One).
- 17.7 The existing turning head at the end of Ainslee Street shall be redesigned to fit in with the road extension as per the design shown on the plan by Juffermans Surveyors, entitled 'Subdivision Development of Lot 2 DP 475469 Roads Plan', drawing number 14011-03, sheet 4, revision 18, dated 11 January 2018 (Stage 1).
- 17.8 A temporary turning head shall be constructed at the end of each stage incorporating reflective barriers (PW66).
- 17.9 NPDC Cycle Chicane shall be installed at either end of pedestrian link (Lot 216, Road 7) (Stages 7 and 11).
- 17.10 Building line restrictions shall apply on narrower roads and rights of way to allow safe vehicle access and manoeuvring. Stand alone or internal access garages facing the road may not be built within 3.5m of the road boundary for all E11 roads including Road 4, 6, 7 and 9."
- 17.11 The consent holder shall submit a road stopping application to Council prior to any works commencing for Stage 4, for the area of land included in Lots 49 and 50 to be vested to private ownership.

**18. Upgrade of Road Frontage (Stage 4)**

- 18.1 Mangorei Road frontage shall be upgraded from the subdivision boundary to the north Lot 14 DP 426399 to the boundary with Lot 20 DP 438183 to the south. The works shall include footpath, kerb and channel to match the existing kerb and channel on Mangorei Road. The consent holder shall pay for half the cost of the upgrade of the Mangorei Road frontage. Before work commences, the cost of this work shall be negotiated with Council's Transportation Team.

*Note:*

*The Council shall pay for the remaining works. This work shall be managed by NPDC's Project Team. The half cost works for the developer contribution shall be invoiced once the works are complete. The upgrade of Mangorei Road shall be programmed to coincide with Stage 4 of this development.*

- 18.2 An intersection design by a suitably qualified traffic engineer shall be submitted for approval with the engineering plans for Stage 4.

**19. Easements (All Stages)**

- 19.1 A Memorandum shall be shown on the plan and easements created at the time of depositing of the plan, for the right of way and services as required.
- 19.2 An Easement in Gross for stormwater, secondary overland flow, water and sewage shall be granted in favour of New Plymouth District Council in accordance with engineering plans



approved by New Plymouth District Council. Such Easement in Gross shall be created and registered at the time of deposit of the plan of each stage of subdivision.

## **20. Transmission lines (Stage 3/4)**

- 20.1 Following the completion of Stage Three and prior to the commencement of Stage Four the final requirements of Transpower shall be supplied to the Planning Lead. This shall include all requirements for minimum safe distance for excavation and construction near overhead electric line supports, minimum safe approach distance limits for persons working near exposed line parts, safe distance requirements between conductors and buildings (and other structures), safe distances from conductors from the ground and water, safe distances for the operation of mobile plant.
- 20.2 Areas subject to Transpower clearance shall be subject to a restriction in respect of all matters contained in condition 20.1 above. This shall be an ongoing condition (221RMA). These areas shall be defined on the survey plan where required.

## **21. Reserve Fencing (Stages One, Two and 10)**

- 21.1 A fence shall be provided along the northern boundary of Road 5 (Lots 203 and 204) adjacent to the Branch Road reserve area at the time of the completion of Stages 2 and 10. The fence shall be approved by Parks Horticulture/Arboriculture Lead.
- 21.2 A standard seven-wire rural fence shall be erected along the northern boundary of Lots 30, 13, 9 and 12.
- 21.3 A consent notice shall be registered on all Records of Title of properties with a common boundary to the reserve land, indemnifying the local authority against all costs of erection and maintenance of fences on the common boundary.
- 21.4 A consent notice shall be registered on the Records of Title for Lots 30, 13, 9 and 12 stating any fencing along the common boundary with the reserve shall be no higher than 1.2m.

### **Advice notes:**

*A Development Contribution for off-site services of:*

Stage 1	12 lots	\$29088
Stage 2	14 lots	\$33936
Stage 3	7 lots	\$16968
Stage 4	16 lots	\$38784
Stage 5	8 lots	\$19392
Stage 6	15 lots	\$36360
Stage 7	13 lots	\$31512
Stage 8	10 lots	\$24240
Stage 9	9 lots	\$21816
Stage 10	10 lots	\$24240
Stage 11	7 lots	\$16968

*plus GST is payable by the applicant and shall be invoiced separately. The 224 release of this subdivision will not be approved until payment of this contribution is made.*

*Transpower transmission lines pass through the site. Any activity undertaken on the site should be done in a manner that avoids adverse effects on Transpower's existing transmission assets and obligations under the New Zealand Code of Practice for Electrical Safe Distances 2001 (NZECP 34:2001) and the Electricity Act 1992.*

Stage 11	7 lots	\$16968
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*plus GST is payable by the applicant and shall be invoiced separately. The 224 release of this subdivision will not be approved until payment of this contribution is made.*

*Transpower transmission lines pass through the site. Any activity undertaken on the site should be done in a manner that avoids adverse effects on Transpower's existing transmission assets and obligations under the New Zealand Code of Practice for Electrical Safe Distances 2001 (NZECP 34:2001) and the Electricity Act 1992.*

*Any excavation that takes place within road reserve during this development shall require a Corridor Access Request (CAR). Refer to the "National Code of Practice for Utility Operators' Access to Transport Corridors" for additional information. Applications can be made via the website [www.beforeUdig.co.nz](http://www.beforeUdig.co.nz) or 0800 248 344. A CAR must be submitted a minimum of 5 working days before an operator intends to start work for minor works or 15 working days for major works and project works. All costs incurred shall be at the applicant's expense.*

*The consent holder is required to pay for any damage to the road or street that results' from their development. The consent holder must employ a council approved contractor to carry out such work.*

*The consent holder shall make application for road naming in accordance with Councils Policy on Naming and Renaming of Roads, Private Roads and Rights of Way prior to the issue of s223 RMA certification for any stage including new roads.*

*This consent lapses on **15 February 2024** unless the consent is given effect to before that date; or unless an application is made before the expiry of that date for the Council to grant an extension of time for establishment of the use. An application for an extension of time will be subject to the provisions of section 125 of the Resource Management Act 1991.*

*This consent is subject to the right of objection as set out in section 357A of the Resource Management Act 1991.*

**DATED: 15 February 2019**



Rowan Williams  
PLANNING LEAD

**REPORT/DECISION on a Subdivision Consent Application**  
**Sections 95A/95B and 104 and 104B**

<b>Application No</b>	SUB18/47083
<b>Applicant:</b>	Maia Properties Limited
<b>Site Address:</b>	Mangorei Road, New Plymouth
<b>Legal Description:</b>	Lot 4 DP 475469 & Part Subdivision 42 and 48 Grey District and Maori Reserve 3 held in Record of Titles 656092 and TNF2/872
<b>Site Area:</b>	12.256ha
<b>Environment Area:</b>	Residential A
<b>District Plan Overlays:</b>	Indicative Roads  Statutory Acknowledgment Area - Te Kotahitanga o Te Atiawa  High Voltage Transmission Lines
<b>Proposal:</b>	119 Lot residential subdivision (to be carried out over 11 stages)
<b>Activity Status:</b>	Discretionary Activity Rules Res60, OL40 and OL42 of the New Plymouth District Plan (Operative 15 August 2005)

**Proposal**

1. Maia Properties Limited (“the applicant”) is seeking subdivision consent to create 119 residential allotments at Lot 4 DP 475469 and Part Subdivision 42 and 48 Grey District and Maori Reserve 3 Mangorei Road, New Plymouth. The proposal involves the creation of roads and allotments and will be completed in 11 stages. Earthworks will be undertaken to facilitate the proposed development and stormwater will discharge to the tributary running through Branch Road Reserve. The development will connect Ainslee Street to Mangorei Road. There will also be linkages to Heta Road.
2. The applicant proposes a 119 lot subdivision as follows;
  - Stage One; 12 residential allotments (Lots 1-12), and roads 201 and 202, extension to Ainslee Street;
  - Stage Two; 14 residential allotments (Lots 13-27) and road 220, to the west of Stage One;
  - Stage Three; 7 residential allotments (Lots 36-42), and road 205, to the south of Stage One/west of Stage Two;



- Stage Four; 16 residential allotments (Lots 43-57, 59), and road 206, to the southeast of Stage Three, road connection to Mangorei Road;
- Stage Five; 8 residential allotments (Lots 58, 60-66), and road 207, to the southwest of Stage 4;
- Stage Six; 15 residential allotments (Lots 67-81), and roads 208 and 209, west of Stage 5;
- Stage Seven; 13 residential allotments (Lots 82-94), and road 210; to the west of Stage 6;
- Stage Eight; 10 residential allotments (Lots 95-97, 99-105) and road 211 and 212, to the north of Stage 7;
- Stage Nine; 9 residential allotments (Lots 106-114) and road 215, to the east of Stage 8;
- Stage 10; 10 residential allotments (Lots 25, 28-35, 98), and road 204, to the north of Stage 8; and
- Stage 11; 7 residential allotments (Lots 115-121), and road 218, to the west of Stage 7, extension to Heta Road.

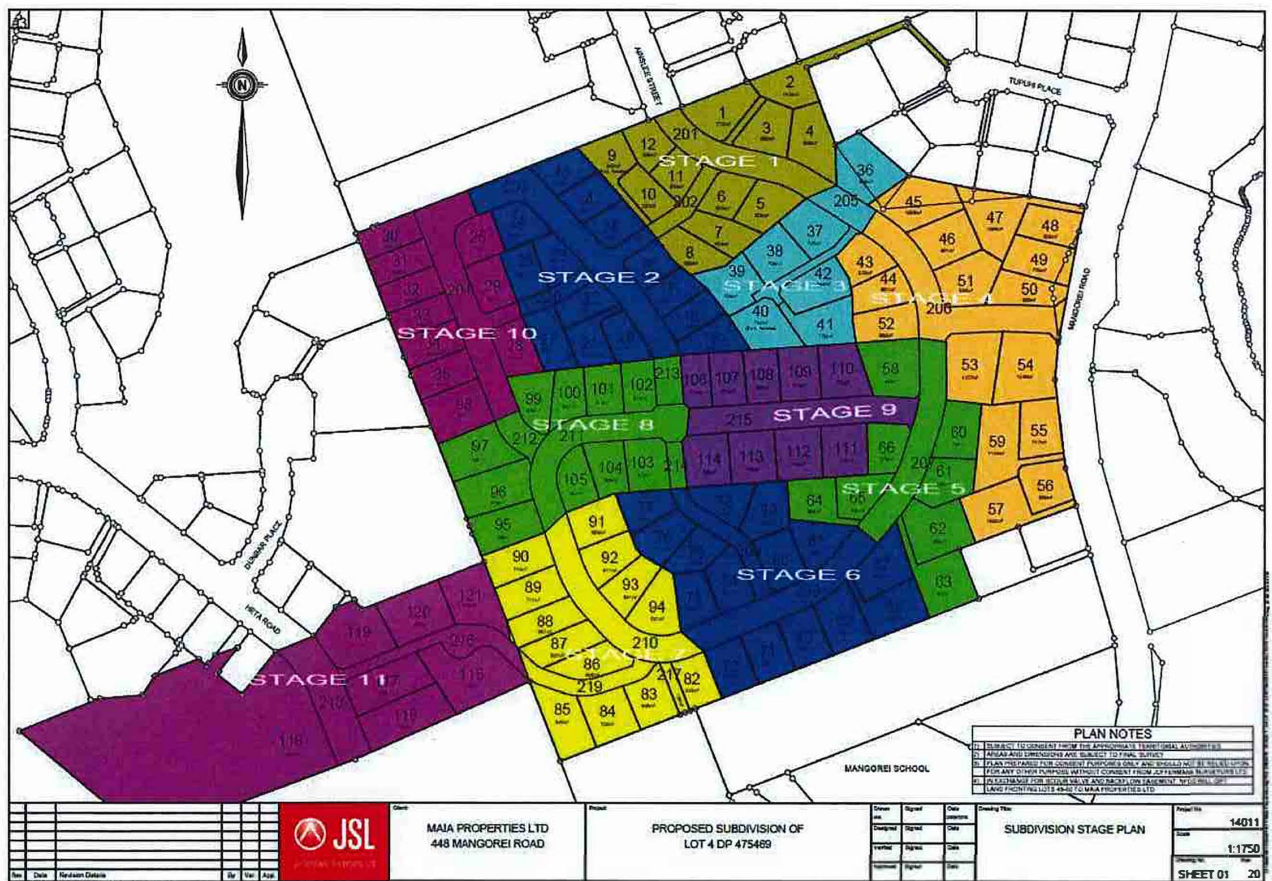


Figure 1: Proposed Subdivision (Source: Application for SUB18/47083, Revision 20)

- Under the proposals current form the application triggers the District Plan rule standards relating to vesting of road, subdivision of land containing indicative roads, and a site containing high voltage transmission lines. Where earthworks are carried out as part of a subdivision they are a Permitted Activity (Rule Res44). Earthworks carried out in isolation of a subdivision are subject to the earthworks rules Res45-49.



4. A subdivision consent for 105 residential allotments (in stages), 16 road parcels and a reserve parcel was granted on 21 January 2016 (SUB15/46492). During post resource consent engineering approval stage the layout of the subdivision and number of lots were revised and the applicant has subsequently reapplied for consent. This former consent has not lapsed and it is not seen essential for this former consent to be surrendered until either application is implemented.

### Description of Site



Figure 2: Location of Proposed Development (Source Miles 2018)

5. The subject site is a 12.256 hectare lot near the southern extent of the New Plymouth city. The vacant site is undulating in topography and is split by two gullies; the eastern most boundary containing a tributary of the Te Henui Stream. The site has an 110kV transmission line running east west through the centre of the site with one pylon located near Mangorei Road.
6. The site is bound to the north by an existing Council Reserve (Branch Road Reserve), and Ainslee Street and Tupuhi Place residential areas. Mangorei Road adjoins the eastern boundary. The southern boundary is primarily low density residential land and to the west the site adjoins residential development accessed by Dunbar Place and Heta Road.
7. The site is within the Residential A Environment Area which is representative of the typical allotments found in developed residential areas where connection to reticulated sewerage is available. Dwellings are set back from boundaries, well landscaped and are one or two storeys

in height. The surrounding area is typical of the Residential A Environment Area. Mangorei School is located approximately 300m to the south of the site. The intersection of Mangorei Road with Junction Road/State Highway 3 is approximately 650m to the south of the site.

8. Ainslee Street and Heta Road are local roads with a posted speed limit of 50km/h. Mangorei Road is an arterial road with a posted speed limit of 50km/h. Indicative roads are located within the site providing for future connectivity to Ainslee Street, Mangorei Road, and a pedestrian/cycle link to Heta Road.
9. A site visit was undertaken by Bridie Fleming on 5 July 2018.

### **Reasons for the Application**

10. The following District Plan rules apply to this subdivision consent application:
  - Res56 Minimum allotment size in Residential A Environment Area – Controlled Activity.
  - Res59 Requirement to provide practicable vehicular access from a road – Controlled Activity.
  - Res60 Subdivision of an allotment that will require a road to be vested as legal road – Discretionary Activity.
  - Res61 Requirement for services – stormwater disposal, water supply and sewage disposal – Controlled Activity.
  - Res62 Requirement for a building platform - Controlled Activity.
  - OL40 Minimum setback from High Voltage transmission lines – Discretionary Activity.
  - OL42 – Indicative Road – Discretionary Activity.
11. Overall, the proposal is a **discretionary activity**.
12. The relevant Objectives and Policies relating to the proposed subdivision are:

Rule Res56 –

*Objective 1; Policy 1.1* – protecting environmental and amenity values of areas;

*Objective 6; Policies 6.1, 6.3* - protecting residential character and amenity;

Rule Res59 and Res60 –

*Objective 20; Policy 20.7* – ensuring safety and efficiency of the road transportation network

Rule Res61 and Res62 –

*Objective 22; Policy 22.1* - ensuring appropriate and sufficient infrastructure, community facilities and new areas of open space are provided.

Rule OL40 –

*Objective 3; Policy 3.1* – adverse effects on health and safety from public works and network utilities.

Rule OL42 –

*Objective 20; Policies 20.1, 20.3, 20.7* – ensuring safety and efficiency of the road transportation network.



## **Relevant National Environmental Standards**

13. Regulation 5(5) of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES) describes subdivision as an activity to which the NES applies where an activity that can be found on the Ministry for the Environment Hazardous Activities and Industries List (HAIL) has occurred. There is no known evidence within the property that the site has contained an activity listed on the HAIL and therefore the NES does not apply.

## **Notification Decision**

14. Whether the application would be subject to public notification, limited notification or non-notification was considered in accordance with sections 95A-95E of the RMA.
15. I have concluded that the activity does not need to be publicly notified under s95A for the following reasons:

### **Step 1: mandatory public notification in certain circumstances**

*The application must be publicly notified if it meets any of the criteria below:*

1. *the applicant has requested the application be publicly notified;*
2. *public notification is required under s95C (lack of further information);*
3. *the application is made jointly with an application to exchange recreation reserve land (s15AA Reserves Act 1977).*

- The applicant has not requested the application be publicly notified;
- The applicant has not refused to provide further information or refused to agree to commissioning of a report under s95C; and
- The application is not being jointly made with an application to exchange recreation reserve land under s15AA of the Reserves Act 1977.

Mandatory public notification is therefore not required.

### **Step 2: if not required by step 1, public notification precluded in certain circumstances**

The application is precluded from public notification being a discretionary activity for a subdivision of land.

### **Step 3: if not precluded by step 2, public notification required in certain circumstances**

As public notification is precluded under Step 2, Step 3 does not apply.

### **Step 4: public notification in special circumstances**

*The Council may choose to notify an application if it considers that special circumstances exist, even if the effects will be no more than minor or a rule or national environmental standards preclude notification (s95A(4)).*

Special circumstances are circumstances which are unusual or exceptional but may be less than extraordinary or unique. No special circumstances exist which warrant notification of the

application. The proposal is to undertake a subdivision development for residential purposes providing connectivity to Heta Road, Mangorei Road and Ainslee Street as anticipated within the Operative District Plan.

### **Limited Notification Decision**

16. It is considered that the activity does not need to be limited notified under s95B for the following reasons:

- No protected customary rights groups or customary marine title groups are affected by the activity (Step 1);
- The proposal is on land that includes a Statutory Acknowledgement Area. A copy of this subdivision application was forwarded on to Te Runanga O Te Atiawa Trust given the land adjoins a tributary of the Te Henui Stream. No comments were provided on the application (Step 1);
- The application is not precluded from limited notification (Step 2);
- Under s95E(2)) the permitted baseline has been applied as follows:
  - Where earthworks are carried out as part of a subdivision they are a Permitted Activity (Rule Res44). Extensive earthworks have been undertaken to date to level the site in preparation for development including cuts along boundaries to form retaining walls and additional works will be required during the formation of the roads. The effects that result from earthworks include dust, noise, traffic movements, and reinstatement. For the purposes of this consent I have disregarded these effects on people.
  - Construction noise is anticipated under Res68. The effects of construction noise covered under this rule have been disregarded.
  - The District Plan permits buildings in proximity to transmission lines provided they are not closer than 22m to the centreline of a high voltage transmission line a (Rule OL40). An 110kW transmission line runs east-west through the centre of the site with one pylon located near Mangorei Road.
- No written approvals were received with this application.
- No parties have been considered to be affected for the following reasons (Step 3):
  - Residential properties adjoin the proposed development. The owners and occupiers of these properties are potentially affected by the proposal. These properties are 54 and 59 Ainslee Street, 1A, 3A, 3B, 5A, 5B Tupuhi Place, 476, 478, 480 Mangorei Road, 11 and 12 Heta Road, 4, 8A and 8B Dunbar Place, 11 Oakwood Drive, and 217 Junction Road.
  - Adverse effects to be considered include character and amenity including traffic and noise effects, and the temporary adverse effects resulting from construction. These effects have been considered below:

#### *Character and Amenity*

The subdivision is within an area zoned as residential. The area is typical of the zone statement and characterised “*by medium to high density built form, low to medium traffic movements, low levels of environmental nuisance (such as noise) and high levels of visual and aesthetic amenity*”.

The minimum allotment size in the Residential A Environment Area is 450m<sup>2</sup> for a Controlled Activity and 400m<sup>2</sup> a Discretionary Activity. All proposed lots meet the requirements for a Controlled Activity and would not create any adverse effects on neighbours with regards to anticipated density character of the area.

The proposed subdivision is a large scale greenfield development. The subdivision has been designed to provide for road links as anticipated within the District Plan on District Planning Maps E26 and E27.

The adjacent properties will experience change with regards to traffic, noise and visual effects. The District Plan indicates indicative roads providing connectivity between Heta Road, Ainslee Street and Mangorei Road. In particular the Ainslee Street extension will create a through road which in turn will increase traffic numbers past the properties at the end of Ainslee Street. Notwithstanding this, these changes to traffic, noise and visual are anticipated within the District Plan and would be consistent with the surrounding residential environment. I therefore consider there will not be an adverse effect that is minor or more than minor on the identified properties.

#### *Construction and Provision of Services*

I have considered the effects of construction on the residential sites adjacent to the subject site. Construction will include the formation of new roads, creation of building platforms for residential allotments, and provision of services. I have not considered earthworks in this assessment as it is covered by the permitted baseline.

Apart from the extensions to Ainslee Street and Heta Road any effects from construction will be internal to the site and away from adjacent residential boundaries. Where extensions to Ainslee Street and Heta Road are occurring there will be construction traffic and noise effects on adjacent people. However, access to the neighbouring properties will not be restricted through the construction period and their road frontage will remain as existing. As construction noise is permitted through the District Plan no persons are considered to be adversely affected by noise. With regards to traffic the existing roads are capable of carrying this additional traffic.

Any works associated with the formation of these roads will be of a temporary nature and managed through an engineering plan. Furthermore, the timeframes for subdivision in the RMA will ensure that construction is not unnecessarily ongoing and will not affect any neighbouring people in a minor or more than minor way.

All allotments have the ability to provide the means for the catchment and disposal of collected stormwater from all impervious or potentially impervious surfaces, a connection to the Councils reticulated water supply system via a service main, and the disposal of sewage. No persons are considered to be adversely affected by the installation of these services.

#### *High Voltage Transmission Line*

The District Plan permits buildings in proximity to transmission lines provided they are not closer than 22m to the centreline of a high voltage transmission line (Rule OL40). An 110kW transmission line runs east-west through the centre of the site with one pylon located near Mangorei Road.



Transpower has been consulted with in relation to this application. This consultation is ongoing. Transpower have provided initial feedback (2014) with recommended conditions which the applicant has accepted.

An Electrical Clearance Report for Proposed Development was provided with the previous subdivision by LineTech Consulting, dated 13 October 2015. The report provided guidance to ensure that the proposed development will comply with the NZ Electrical Code of Practices in particular minimum safe distance for excavation and construction near overhead electric line supports, minimum safe approach distance limits for persons working near exposed line parts, safe distance requirements between conductors and buildings (and other structures), safe distances from conductors from the ground and water, safe distances for the operation of mobile plant.

The report informed that building structures may not be constructed within 12m of the visible tower foundations without prior written consent from Transpower. This 12m radius has been defined on the scheme plan and affects Lots 54, 55 and 59.

Lots potentially affected by the transmission lines relates to Lots 53, 54, 55, 59, 60, 68, 66, 99-114 and 96.

The SUB15/46492 subdivision also allowed for subdivision development within these transmission lines. The 2015 consent forms part of the consented baseline. This proposal does not differ in consideration of lots beneath this powerline and therefore the effects are the same.

The applicant has subsequently amended the scheme plan to combine into one lot Lots 96, 97, and 98 to allow for a building platform area outside of the transmission lines to be achieved.

Transpower are not considered to be affected in a minor or more than minor way.

- In conclusion I have determined that there are no minor or more than minor adverse effects on those people I had identified as potentially affected.
- Special circumstances are circumstances which are unusual or exceptional but may be less than extraordinary or unique. No special circumstances exist which warrant notification of the application. No special circumstances apply that require limited notification of any other persons not already considered (Step 4).

17. Therefore, the application may be processed on a non-notified basis.

#### **S104 and Part 2 RMA Assessment:**

18. A decision was made under section 95 of the Act to process the application on a non-notified basis. An assessment of the application under section 104 of the Act is provided below.

#### **Actual and potential effects relevant to the proposal s104(1)(a)**

19. *Effects Disregarded*

Pursuant to s104(2), when forming an opinion for the purposes of s104(1)(a) a council may

disregard an adverse effect of the activity on the environment if the plan or a NES permits an activity with that effect (i.e. a council may consider the “permitted baseline”). The “permitted baseline” was applied in the notification decision and is also relevant for s104(1)(a).

SUB15/46492 provided for subdivision of land beneath the high voltage transmission lines. This consent forms part of the existing environment. The effects of this subdivision have been permitted through the granting of this consent.

Pursuant to s104(3)(a), when forming an opinion for the purposes of s104(1)(a) a council must not have regard to any effect on a person who has given written approval to the proposal, nor any trade competition or effects of trade competition. No written approvals were received with this application.

20. *Actual and Potential Effects*

The relevant matters are those within rules Res56, 59, 60, 61 and 62, OL40 and OL42. I have turned my mind to these matters having regard to the size of the proposed allotments, ability to access the site, requirement for services, new roads, and building platforms. In my opinion the effects of the proposal relate to the following:

- a. Residential character;
- b. Access and parking;
- c. Services; and
- d. Branch Road Reserve

***Residential Character***

- 20. I consider that the lots proposed will be adequate to provide for a variety of uses in accordance with the Residential A Environment Area and will be compatible with the pattern of development within the Highlands Park Area.
- 21. Extensive earthworks have been undertaken to level the site in preparation for development and these works have included cuts along boundaries to form retaining walls. Additional earthworks will be required during the formation of the roads. The extent of earthworks required for this development arises from the need to alter the existing topography to allow for road corridors, building platforms, and excavation for underground services. Given the zoning of the land, earthworks can be expected given that works are required this infrastructure, and are provided for as a permitted activity.
- 22. Issues of visual amenity and nuisance for earthworks (in the context of a future residential development anticipated by the zoning) would mainly be limited in duration and controlled as development takes place.
- 23. At this time prior to final engineering plans being accepted I have proposed a number of conditions for earthworks which will form part of the recommended conditions and will include management of construction activities.
- 24. A condition will be placed on the application that engineering reports be provided for each stage to confirm that a stable, flood free building platform is achievable on each lot.

25. The proposal will result in 119 allotments that will be developed for residential purposes providing for the social, health and economic wellbeing of future owners in an area that has been identified as capable of absorbing a development of this nature.
26. Overall, any effect on residential character is considered to be acceptable (*Objective 1; Policy 1.1, Objective 6 Policies 6.2, 6.3, Objective 22; Policy 22.1*)

### ***Access and Parking***

27. As noted in the Management Strategy of the District Plan *'The districts road transportation network provides for the movement of people, goods and services in and out of, and within the district. It also plays a vital social role by linking together communities and other regions.'*
28. This subdivision will result in nine new roads. The District Plan shows indicative roads providing connectivity between Heta Road, Ainslee Street and Mangorei Road. In addition to the proposed roading layout two pedestrian/cycle ways are proposed; Lot 217 which will provide for a portion of a future connection to Oakwood Drive to allow for additional connectivity to Mangorei School, and Lot 216 which will connect through to an extension to Heta Road.
29. The proposed roads have been classified in conjunction with a roading hierarchy similar to that adopted by the New Zealand Transport Association. Road classifications are determined by taking into account traffic volumes, street function and road engineering specifications. This subdivision will include local roads to serve the land use activities with roads 1, 3 and 6 being constructed to a higher standard to allow for a greater generation of traffic movements.
30. The proposed roads will meet the following roading standards:
  - Road 1 (extension to Ainslee Street) including Lots 201, 205, Part Lot 206. -E12 standard.
  - Road 2 (Mangorei Road) minimum carriageway width of 11m.
  - Road 3 includes Part Lot 206 an E12 standard.
  - Road 4 includes Lots 214 and 209 an E11 standard.
  - Road 5 includes Lots 212, part of 204, part of 203 and 213 an E12 standard.
  - Road 6 includes part of Lot 204 and 212 an E11 standard.
  - Road 7 (part of the connecting road to Heta Road) includes Lot 216. This road includes a shared road/pedestrian/cycle access and a pedestrian/cycle only section. This is required to be formed to an E11 standard. Councils Development Engineer has also requested a 1.5m wide footpath be formed to the south side This may require an additional 1.5m boundary width to allow for a footpath. Cycle Chicane will be installed at either end of this pedestrian link to clearly demarcate where the road ends and the pedestrian link/cycle lane starts.
  - Road 8 (extension to Heta Road) includes Lot 209. The width of this road will match the existing road.
  - Road 9 includes Part Lot 202 and Part Lot 203. This road will be formed to an E11 standard.
  - Lot 217 provides for future pedestrian accessway to Mangorei School.
31. The subdivision adjoins Mangorei Road along the eastern boundary of the subject site. An upgrade is proposed to the intersection between Mangorei Road and Road 3 (Lot 206). A condition will be placed on the consent that the consent holder pay for half the cost of this



upgrade of the Mangorei Road frontage to include kerb, channel and footpath. This project will be managed by the New Plymouth District Councils Project team.

32. In addition to the proposed roads two rights of way are proposed; one in Stage One and a second one in Stage Three. The rights of way will comply with the standards of the District Plan and Infrastructure Standard. A condition will be placed on the consent to this effect.
33. Lot 2 has alternative pedestrian road frontage to Tupuhi Place. The access way was initially intended as a future pedestrian walkway (as part of the Tupuhi Place subdivision SUB08/44490) to provide linkage from Tupuhi Place to Ainslee Street. Prior to lodgment of the application this potential link was removed and the land will remain in private ownership. The removal of the access was for a variety of reasons including the extended length along four residential properties, topography, and the design with the sharp bend at the northern corner of Lot 7 DP 426399. An existing streetlight was previously installed at this bend. A condition will be placed on the consent that the existing street light be removed. Future pedestrian linkage can be provided along proposed Road 3.
34. It is considered that the proposed roads will allow for adequate connectivity within the site and surrounding roading network. Furthermore additional traffic associated with the subdivision development will not detract from residential amenity values of the area, nor will it affect the safety or capacity of the surrounding road transportation network. Subject to final engineering plans being approved the aspects of the proposal relating to access and transport are considered to be acceptable. (*Objective 20, Policy 20.7*).

#### ***Services***

35. Res61 requires provision of stormwater, supply of water and disposal of sewage to be made for each allotments created by the subdivision:

#### ***Water***

- a. All lots will be connected to Councils reticulated water mains.
- b. The water main on Ainslee Street will be extended to Mangorei Roads 500mm trunk main.
- c. A 150mm water main will be installed along Mangorei Road for all lots that front Mangorei Road.

#### ***Sewer***

- All lots will be connected to Councils reticulated sewage system. The application advises that the lots can be serviced with gravity sewer. The existing sewer located in the south west corner of the site and within the Branch Road reserve to the north will cater for this development.
- The consent is subject to the payment of a financial contribution. This calculation is based on an historic calculation for sewer contribution in relation to an agreement for the Highland Park Sewer. The sum of the contribution will be \$41000.

#### ***Stormwater***

- Stormwater will be disposed of by way of ground soakage or individual connections into the Council kerb where lots are located on fill, or found to be unsuitable for soakholes. New pipes will be installed to collect stormwater from the roads and lots containing fill and will be directed into the reserve.

- Branch Road Reserve is located to the north of the site. The previous subdivision (SUB15/46492) included a Highlands Park detention bund within the reserve. The bund was designed to mitigate the stormwater effects of the development of the Highlands Park area on downstream properties.
- The bund will reduce the peak flow of stormwater downstream as Highlands Park developed. The bund needed to be designed to accommodate the volume of water that accumulated during the 1%AEP event, with a time of concentration estimated at 30minutes, however Councils Operations Engineer has advised it was conservatively designed for a 12 hour time of concentration. Peak flow is controlled by the small diameter underflow pipe. The additional volume of run off which cannot flow past the bund must be stored. An assessment of run off volumes vs storage volume indicated that even if the outflow pipe was to become blocked, there is sufficient storage that the bund will not overtop in the 1%AEP 12 hour event. The bund will control the flow passed forward and any subsequent erosion downstream. It was concluded that a subdivision of this scale was catered for and anticipated in the original calculations for the bund and catchment area.

36. In summary and in reliance on the development engineers and operation engineer comments I consider the site can be serviced to meet the needs of the proposed subdivision and conditions will be put in place to ensure this outcome. For this reason I consider this site meets the required outcomes sought under rule Res 61 and Objective 20, Policy 20.1.

#### ***Branch Road Reserve***

37. Branch Road Reserve adjoins the subject site along its northern boundary (Lot 1 DP 360878). The reserve is classified as a recreation reserve and was acquired in 1980 and 1985. The reserve is currently provides a walking area, and an open space area with a stream and wetland that passes through the reserve and forms part of the character of the reserve.
38. The Draft Green Spaces Management Plan includes policies and objectives for the Branch Road Reserve and management plan including
- a. Improvements to circulation and access to the reserve, in particular a carpark at the southern end of the reserve where the new road from the subdivision adjoins the reserve to be considered and installed dependant on demand and when resources allow, and access to the reserve developed adjacent to 54 Ainslee Street;
  - b. Installation of signage where appropriate; and
  - c. Enhancement of wetland planting where appropriate.
39. It is proposed that stormwater from the proposed subdivision development be piped to the boundary of the Branch Road reserve and discharged into the stream within the reserve. An earth bund has been installed in the reserve to service subdivision development upstream. These works have been agreed to by Councils Parks team.
40. Councils Water and Waste team have been consulted in relation to the stormwater from the proposed development entering the reserve and are satisfied that the bund will control the water flow and any subsequent erosion downstream. Councils Operations Engineer has advised this subdivision is not anticipated to exceed the original water flow modelled or the amounts anticipated for this area.

41. A condition will be placed on the consent that where the water connection occurs within a reserve a 'Privileged Access Through Reserve Land Agreement' shall be signed and the conditions within agreed to prior to works commencing. By entering into this agreement works within the reserve will be undertaken in a managed way.
42. A significant amount of earthworks has already been undertaken within the reserve. It is recommended by Councils Parks Team, that the consent holder undertake planting near the top of the reserve where the tributary flows in addition to the reinstatement of grass within the area that has subject to earthworks. A condition will be included to this effect.
43. Disposal of stormwater has been anticipated within the reserve and the proposed development is within the anticipated modelling. Overall, given comments from Councils Operations Engineer and the stormwater modelling that has been undertaken for the area the wetland area within the Branch Road reserve area is considered to be of sufficient size to cater for the stormwater associated with the proposed subdivision development. Furthermore through the implementation of walkways, playgrounds, parking and continued protection of the ecological features including the wetland area and native vegetation it can continue its primary use as a recreational reserve.
44. In summary, it is considered the actual and potential effects of the proposal are able to be avoided, remedied or mitigated through the imposition of conditions and are therefore acceptable.

Relevant provisions under s104(1)(b)

53. The following assessment is undertaken pursuant to section 104(1)(b) of the RMA in having regard to the relevant provisions of:
  - (i) a national environmental standard:
  - (ii) other regulations:
  - (iii) a national policy statement:
  - (iv) a New Zealand coastal policy statement:
  - (v) a regional policy statement or proposed regional policy statement:
  - (vi) a plan or proposed plan

***National Environmental Standards***

53. As discussed in reasons for the application the NES CS does not apply to this proposal. No other National Standards apply to the proposal.

***National Policy Statement on Urban Capacity***

54. The site is within the Residential A Environment Area. New Plymouth District has been classed as a high growth urban area in the National Policy Statement on Urban Capacity which requires local authorities to monitor and plan for housing in urban areas, to maximise wellbeing now and in the future. Good quality increased density and an increased range of housing choices is considered to be beneficial for a growing city. This subdivision application is within an area that has been identified for residential development. The applicant has provided for some variety of residential density. I consider that resulting activities, being residential, are compatible with the area.



55. It is considered that this development will be a sustainable use of the existing land and anticipated within the National Policy Statement on Urban Capacity.

***Taranaki Regional Policy Statement (2010)***

55. The Taranaki regional Policy Statement (RPS) was made operative on 1 January 2010. The purpose of the RPS is to promote the sustainable management of natural and physical resources in the Taranaki Region by providing an overview of the resource management issues of the Taranaki Region and identifying Policies and methods to achieve integrated management of the natural and physical resources of the whole region.
56. Part B of the Taranaki Regional Policy Statement identifies, in section 15, the Built Environment as an issue of significance. Of particular relevance is:  
SUD Objective 1: *To promote sustainable urban development in the Taranaki Region.*  
SUD Policy 1: *To promote sustainable development in urban areas by:*
- (a) *encouraging high quality urban design, including the maintenance and enhancement of amenity values;*
  - (b) *promoting choices in housing, work place and recreation opportunities;*
  - (c) *promoting energy efficiency in urban forms, site layout and building design;*
  - (d) *providing for regionally significant infrastructure;*
  - (e) *integrating the maintenance, upgrading or provision of infrastructure with land use;*
  - (f) *integrating transport networks, connections and modes to enable the sustainable and efficient movement of people, goods and services, encouraging travel choice and low-impact forms of travel including opportunities for walking, cycling and public transport;*
  - (g) *promoting the maintenance, enhancement or protection of land, air and water resources within urban areas or affected by urban activities;*
  - (h) *protecting indigenous biodiversity and historic heritage; and*
  - (i) *avoiding or mitigating natural and other hazards.*

The application is consistent with this objective and policy as it seeks to create a variation of urban sized sections in a residential location while utilising existing linkages and developing further connectivity within areas.

***District Plan Policies and Objectives***

54. The application is consistent with the relevant objectives and policies of the District Plan outlined in paragraph 12 which relate primarily to the issues of amenity, residential character, traffic safety and efficiency and provision of services and open space. These matters are dealt with throughout this report and will not be repeated here. Overall, the proposal will in general terms achieve the desired outcome of the plan for the creation of residential sites.

Other matters s104(1)(c)

58. There are no other matters considered relevant to the application.  
Consent Authority may refuse subdivision consent in certain circumstances s106
59. Sufficient provision has been made for legal and physical access to each allotment created by the subdivision. There are no identified natural hazards affecting the site subject to subdivision. There is no reason to decline this application under section 106 of the RMA.

## Part II of the RMA

55. Having regard to the above assessment it is concluded that the proposal is consistent with the principles (sections 6-8) of the Resource Management Act 1991. I have given particular regard to section 7(c) of the RMA – the maintenance and enhancement of amenity values of the surrounding environment area. The effects of allotment size and shape on the character of the have been considered. The future land use activities, being residential, are compatible with the area and it is considered that this development will be a sustainable use of the existing land.
56. The application is considered to meet the relevant provisions of Part 2 of the RMA as the proposal achieves the purpose (section 5) of the RMA being sustainable management of natural and physical resources.

## Overall Conclusions and Recommendation

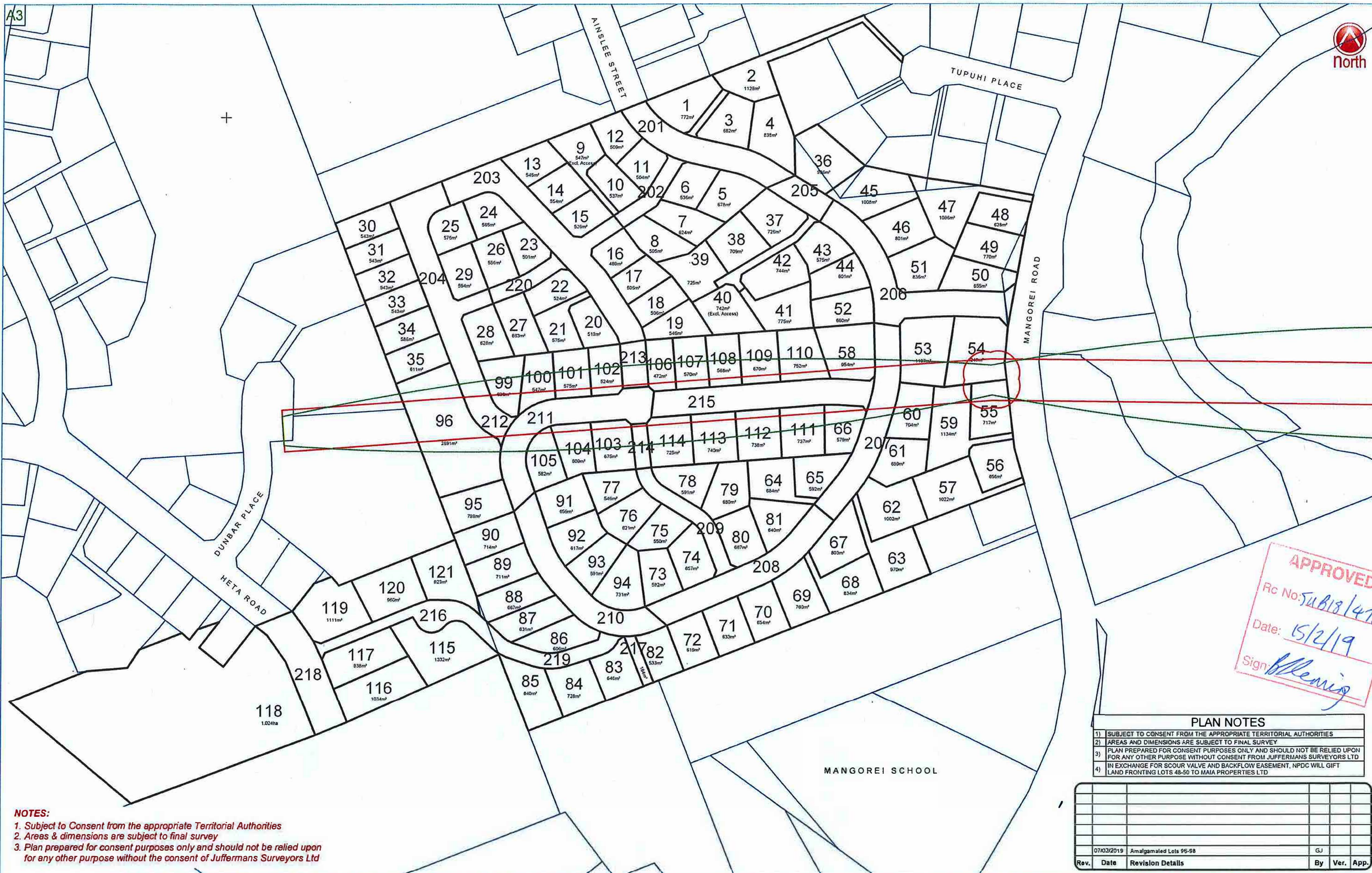
57. The above assessment has concluded that, subject to conditions, any actual and potential effects of the proposal are acceptable, and the proposal is consistent with the relevant objectives and policies of the operative planning documents as well as consistent with the Taranaki Regional Policy Statement and all other matters. The proposed activity meets the purpose and principles of Part 2 of the Act.
58. It is therefore recommended that for the above reasons the application be **approved** pursuant to **Sections 95, 104B and 108 and 220** of the Resource Management Act 1991, subject to the conditions attached to this document.

Report and Recommendation by:

  
Bridie Fleming  
Senior Environmental Planner

Date: 15 February 2019  
Property: 112095





**NOTES:**  
 1. Subject to Consent from the appropriate Territorial Authorities  
 2. Areas & dimensions are subject to final survey  
 3. Plan prepared for consent purposes only and should not be relied upon for any other purpose without the consent of Juffermans Surveyors Ltd

**APPROVED**  
 Rc No: 54818/47083  
 Date: 15/2/19  
 Sign: *[Signature]*

**PLAN NOTES**  
 1) SUBJECT TO CONSENT FROM THE APPROPRIATE TERRITORIAL AUTHORITIES  
 2) AREAS AND DIMENSIONS ARE SUBJECT TO FINAL SURVEY  
 3) PLAN PREPARED FOR CONSENT PURPOSES ONLY AND SHOULD NOT BE RELIED UPON FOR ANY OTHER PURPOSE WITHOUT CONSENT FROM JUFFERMANS SURVEYORS LTD  
 4) IN EXCHANGE FOR SCOUR VALVE AND BACKFLOW EASEMENT, NPDC WILL GIFT LAND FRONTING LOTS 48-50 TO MAIA PROPERTIES LTD

Rev.	Date	Revision Details	By	Ver.	App.

**JSL**  
 Juffermans Surveyors Ltd

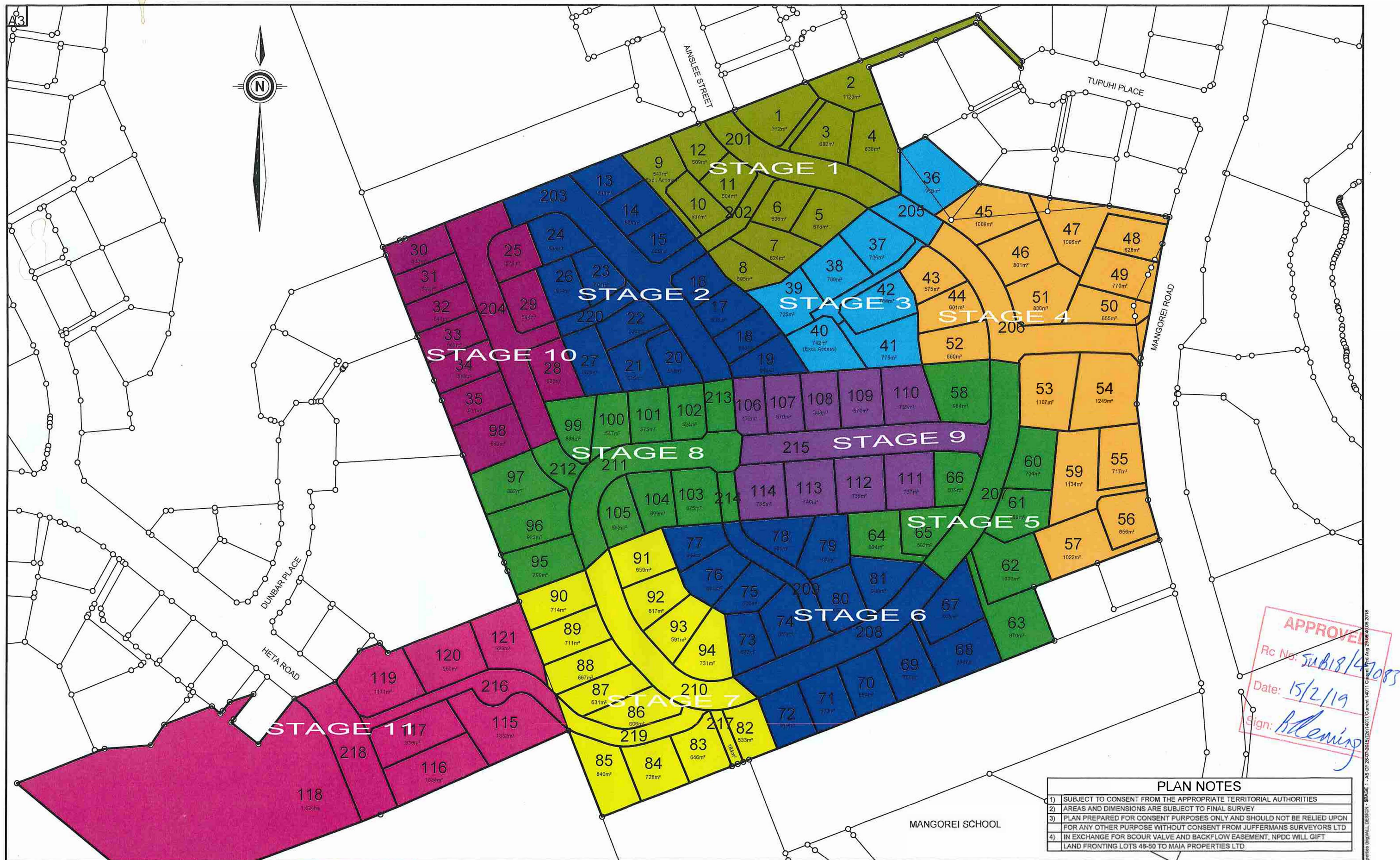
51 Dawson Street  
 PO Box 193, New Plymouth 4340  
 info@juffermans.co.nz  
[www.juffermans.co.nz](http://www.juffermans.co.nz)

**MAIA PROPERTIES LTD**  
 Site Address: 448 MANGOREI ROAD  
 NEW PLYMOUTH

**SUBDIVISION DEVELOPMENT OF LOT 4 DP 475469**  
**SCHEME PLAN**

Territorial Authority	NPDC	Job No.	14011
Completed in	CFR: 656092 TNF: 21872	Scale	1:2000
Drawing No	14011-02	Date	14/07/2017
Rev		Ver.	15



[illegible]

Client: MAIA PROPERTIES LTD  
448 MANGOREI ROAD

Project: PROPOSED SUBDIVISION OF  
LOT 4 DP 475469

Drawn JSM	Signed	Date 23/08/20
Designed	Signed	Date
Verified	Signed	Date
Approved	Signed	Date

Subdivision Title:

SUBDIVISION STAGE PLAN

Project No.	14011
Scale	1:1750
Drawing No.	Rev.
SHEET 01	20









Te Kaunihera-ā-Rohe o Ngāmotu

**NEW PLYMOUTH DISTRICT COUNCIL**

[newplymouthnz.com](http://newplymouthnz.com)

When replying please quote document no: 7883157 – SUB18/47083  
Property: 112095

11 April 2019

MAIA PROPERTIES LIMITED  
C/- JUFFERMANS SURVEYORS LIMITED  
PO Box 193  
Taranaki Mail Centre  
NEW PLYMOUTH 4340

Attention: Allen Juffermans

Dear Allen

**SUB18/47083 CONSENT IS GRANTED FOR A 119 LOT RESIDENTIAL  
SUBDIVISION AT MANGOREI ROAD NEW PLYMOUTH**

Under s133A RMA I am pleased to be able to **enclose** an amended copy of the Resource Consent Approval.

An invoice will be posted for the cost of processing this consent above the application fee already paid, generated in accordance with Section 36 of the Resource Management Act 1991.

Yours sincerely

Bridie Fleming  
SENIOR ENVIRONMENTAL PLANNER - Consents





When replying please quote document no: SUB18/47083.02  
Planner: Bridie Fleming

<b>Applicant:</b>	<b>Maia Properties Limited</b>
<b>Site Address:</b>	<b>Mangorei Road, New Plymouth</b>
<b>Legal Description:</b>	<b>Lot 4 DP 475469 &amp; Part Subdivision 42 and 48 Grey District and Maori Reserve 3 held in Record of Titles 656092 and TNF2/872</b>
<b>Site Area:</b>	<b>12.256ha</b>
<b>Environment Area:</b>	<b>Residential A</b>
<b>Proposal:</b>	<b>Objection to Conditions of Consent</b>

## **1.0 Summary**

- 1.1 The Council has received your objection under section 357A of the Resource Management Act 1991 to the decision for SUB18/47083 and specifically to conditions 8, 10, 13, 17, 18, 20 and 21. This report provides relevant background and processing information as well as comment on the grounds of the objection. The recommendation is to uphold the objection in part.

## **2.0 Background**

- 2.1 The Council received an objection to conditions under section 357A(3) of the Act to its decision regarding the application SUB18/47083 to subdivide the site into 119 residential lots to be carried out over 11 stages.
- 2.2 A copy of the objection is attached as Appendix A.
- 2.3 The decision was issued on 15 February 2019 under officer delegation. The conditions that the applicant was in objection to were conditions 8, 10, 13, 17, 18, 20 and 21.
- 2.4 When Council considers an objection it is endeavoured to resolve the objection through negotiation in the first instance. Consultation was undertaken with the applicant. In an email dated 8 April 2019 the surveyor indicated satisfaction with the proposed outcome to uphold the objection in part.

## **3.0 Statutory Context**

- 3.1 Section 357A of the Act provides the applicants with the right to object to a consent authority against certain decisions or requirements.

Section 357A:

“(1) *There is a right of objections to a consent authority, —*

- (f) *In respect of the consent authority's decision on an application or review described in subsections (2) to (5), for an applicant or consent holder, if—*
  - (i) *the application or review was notified; and*
  - (ii) *either no submissions were received or any submissions received were withdrawn:*
- (g) *in respect of the consent authority's decision on an application or review described in subsections (2) to (5), for an applicant or consent holder, if the application or review was not notified.*
- (3) *Subsections (1)(f) and (g) apply to an application made under section 127 for a change or cancellation of a condition of a resource consent."*

3.2 Section 357D of the Act sets out the range of actions the council may take in considering the objection to a decision:

- (1) *The person or body to which an objections is made under sections 357 to 357B may—*
  - a) *Dismiss the objection; or*
  - b) *Uphold the objection in whole or in part.*

#### **4.0 Analysis**

4.1 In making this recommendation, the Assessment of Environmental Effects, responses to requests for additional information, Council Officer planners report and decision, objector's points of objection, and correspondence associated with the negotiation, have been reviewed.

#### **5.0 Recommendation**

5.1 That, pursuant to s357D of the RMA 1991, the objection be upheld in part.

- Conditions to remain unchanged: 8.1, 8.10, 8.15, 10.10, 17.10.
- Revised conditions: 8.2, 8.4, 8.14, 8.16, 13.4, 18.1, 20.1, 21.1.
- Remove conditions: 8.3, 8.5, 8.11, 8.12, 8.13.

5.2 The revised conditions of consent shall read as follows:

#### **8. Earthworks and Construction Management (All Stages)**

- 8.2 *With respect to condition 8.1 above the consent holder shall provide to the Planning Lead a "Geotechnical Completion Report" compiled by a Geotechnical Professional ~~prior to s224 signoff.~~*
- 8.4 *The consent holder shall submit a Construction Management Plan (CMP) to the Planning Lead for review prior to the commencement of any site works. The CMP shall include:*

*Traffic Management*

- a. ~~Measures to reduce adverse effects on traffic management in relation to surrounding roads and intersections;~~ *Where works occur in existing road reserve, an approved Traffic Management Plan will be required.*

*Construction Management*

- b. *Measures to reduce adverse effects on adjoining properties, including dust, noise, access to properties;*

*Access and safety*

- e. ~~Health and safety measures;~~
- d. *Health and safety measures and provision for safe and continuous passage by pedestrians and vehicles to be provided where works occur in existing road reserve.*

*Earthworks Management*

- e. ~~An Earthworks and Sediment Control Plan detailing the volume and extent of any earthworks, and a detailed description of the methods to be used to minimise the discharge of dust and the release of sediment. The~~ *Erosion and sediment control measures shall be in place prior to the commencement of earthworks.*
- f. ~~No construction activities shall be undertaken without the Construction Management Plan being first approved by the Planning Lead, and all construction activities shall be undertaken in accordance with the approved plan. All proposed mitigation measures in the CMP shall be installed in accordance with it prior to any works commencing.~~
- g. *The consent holder shall contact the **Planning Lead Councils Development Engineer** at least 48 hours prior to any physical work commencing on the site and advise the **Planning Lead** of the date upon which such works will commence.*
- h. *If earth worked materials are carried onto the surrounding road network, the consent holder shall be responsible for cleaning and repairing the road back to its original condition daily during the earthworks period. In doing this, the consent holder shall ensure that no materials are washed or swept into any stormwater drains or natural drainage systems.*

8.14 *Where the ~~water sewer~~ connection occurs within a reserve a 'Privileged Access Through Reserve Land Agreement' shall be signed and the conditions within agreed to prior to works commencing.*

8.16 *A significant amount of earthworks has already been undertaken within the reserve. The consent holder shall undertake planting near the top of the reserve where the tributary flows in addition to the reinstatement of grass within the area that has subject to earthworks. A landscape plan shall be submitted and approved by the **Planning Lead Manager Parks and Open Spaces** prior the issue of s224 RMA.*



### 13. Water Services

- 13.4 A 150mm water main shall be installed along Mangorei Road ~~for all lots that front for network loop connection between the subdivision with Mangorei Road.~~

### 18. Upgrade of Road Frontage (Stage 4)

- 18.1 Mangorei Road frontage shall be upgraded from the subdivision boundary to the north Lot 14 DP 426399 to the boundary with Lot 20 DP 438183 to the south. The works shall include footpath, kerb and channel to match the existing kerb and channel on Mangorei Road. The consent holder shall pay for half the cost of the upgrade of the Mangorei Road frontage. Before work commences, **a quote shall be provided and the cost of this work shall be negotiated with Councils Transportation Team.**

*Note:*

*The Council shall pay for remaining works. This work shall be managed by NPDC's Project Team. The half cost works for the developer contribution shall be invoiced once the works are complete. The upgrade of Mangorei Road shall be programmed to coincide with Stage 4 of this development.*

### 20. Transmission lines (Stage 3/4)

- 20.1 Following the completion of Stage Three, **or at any earlier Stage, but prior to the commencement of Stage Four** the final requirements of Transpower shall be **provided** to the Planning Lead. This shall include all **recommendations** for minimum safe distance for excavation and construction near overhead electric line supports, minimum safe approach distance limits for persons working near exposed line parts, safe distance requirements between conductors and buildings (and other structures), safe distances from conductors from the ground and water, safe distances for the operation of mobile plant.

### 21. Reserve Fencing (Stages One, Two and 10)

- ~~21.1 A fence shall be provided~~ **Demarcation of the boundary** along the northern boundary of Road 5 (Lots 203 and 204) adjacent to the Branch Road reserve area at the time of the completion of Stages 2 and 10. ~~The fence shall be approved by Parks Horticulture/Arboriculture Lead.~~ **The preferred barrier is by way of bollards. The final design shall be approved by Parks Horticulture/Arboriculture Lead prior to installation/construction.**

5.3 The revised decision has been included as Appendix B.

Report prepared by:



Bridie Fleming  
Senior Environmental Planner

Report reviewed, and approved for release by:



Rowan Williams  
Planning Lead

Date: 11 April 2019

## **APPENDIX A – OBJECTION**



## **APPENDIX B – REVISED DECISION**



**RESOURCE CONSENT SUB18/47083**

**Granted under Sections 95, 104, 108, and 220 of the Resource Management Act 1991.**

**Applicant:** MAIA PROPERTIES LIMITED

**Location:** Mangorei Road, New Plymouth

**Legal Description:** Lot 4 DP 475469 and Part Subdivision 42 and 48 Grey District and Maori Reserve 3

**Status:** The Proposal is a Discretionary Subdivision Activity under Rules Res60, OL40 and OL42 of the New Plymouth District Plan (Operative 15 August 2005)

**Proposal:** 11 Staged 119 Lot Residential Subdivision with road to vest

**DECISION:**

In accordance with Section 104 and 104B of the Resource Management Act 1991, consent is granted to subdivide Lot 4 DP 475469 and Part Subdivision 42 and 48 Grey District and Maori Reserve 3 into 119 allotments, as shown on the plans submitted with application SUB18/47083 submitted by Juffermans Surveyors Ltd and entitled

- a. Stage Plan, entitled 'Subdivision Development of Lot 4 DP 475469', job number 14011, drawing 1, revision 20.
- b. Scheme Plan, entitled 'Proposed Subdivision of Lot 4 DP 475469', job number 14011, drawing 2, revision 15, dated 7 February 2019.
- c. Roads plan, entitled 'Subdivision Development of Lot 4 DP 475469', job number 14011, drawing 4, revision 18.

**Subject to the following conditions imposed under Section 108 of the Resource Management Act 1991:**

1. Approval is granted to carry out the subdivision in stages as follows:
  - Stage One; 12 residential allotments (Lots 1-12), and roads 201 and 202, extension to Ainslee Street;
  - Stage Two; 14 residential allotments (Lots 13-27) and road 220, to the west of Stage One;
  - Stage Three; 7 residential allotments (Lots 36-42), and road 205, to the south of Stage One/west of Stage Two;
  - Stage Four; 16 residential allotments (Lots 43-57, 59), and road 206, to the southeast of Stage Three, road connection to Mangorei Road;
  - Stage Five; 8 residential allotments (Lots 58, 60-66), and road 207, to the southwest of Stage 4;

- Stage Six; 15 residential allotments (Lots 67-81), and roads 208 and 209, west of Stage 5;
- Stage Seven; 13 residential allotments (Lots 82-94), and road 210; to the west of Stage 6;
- Stage Eight; 10 residential allotments (Lots 95-97, 99-105) and road 211 and 212, to the north of Stage 7;
- Stage Nine; 9 residential allotments (Lots 106-114) and road 215, to the east of Stage 8;
- Stage 10; 10 residential allotments (Lots 25, 28-35, 98), and road 204, to the north of Stage 8; and
- Stage 11; 7 residential allotments (Lots 115-121), and road 218, to the west of Stage 7, extension to Heta Road.

Unless otherwise specified all conditions shall apply for all stages.

2. Each stage shall be in accordance with the approved scheme plan. The staging (with related lots as indicated above) shall be undertaken in the following sequential order:
  - Stage One;
  - Stage Two;
  - Stage Three;
  - Stage Four;
  - Stage Five;
  - Stage Nine (including Road Lots 213, 214 and part of 211 which will connect the roads between Stages 5 and 2);
  - Stage Six;
  - Stages Seven and 11 (preferably processed concurrently);
  - Stage Eight; and
  - Stage 10.
3. Lots 96, 96 and 98 have been combined into one allotment. This lot shall occur in Stage Eight.
4. At each stage any balance land shall be left as a fully serviced allotment.
5. The subdivision activity shall be carried out in accordance with the plans and all information submitted with the application, and all referenced by the Council as consent number SUB18/47083.
6. The application for a certificate under section 224(c) of the RMA shall be accompanied by certification from a professionally qualified surveyor or engineer that all the conditions of subdivision consent have been complied with and that in respect of those conditions that have not been complied with:
  - i. a completion certificate has been issued in relation to any conditions to which section 222 applies;
  - ii. a consent notice has been or will be issued that in relation to any conditions to which section 221 applies;
  - iii. a bond has been entered into by the subdividing owner in compliance with any condition of subdivision consent imposed under section 108(2)(b).



**7. Survey Plan Approval (All Stages)**

- 7.1 The consent holder shall submit a survey plan in accordance with the approved stage of resource consent subdivision plan.
- 7.2 One copy of the Record of Title Sheet (A3 size or e-certification) is to be provided when the survey dataset is submitted for approval.
- 7.3 The survey plan shall conform with the subdivision scheme plan submitted with application no: SUB18/47083 submitted by Juffermans Surveyors Ltd and entitled
- a. Stage Plan, entitled 'Subdivision Development of Lot 4 DP 475469', job number 14011, drawing 1, revision 20.
  - b. Scheme Plan, entitled 'Proposed Subdivision of Lot 4 DP 475469', job number 14011, drawing 2, revision 15, dated 7 February 2019.
  - c. Roads plan, entitled 'Subdivision Development of Lot 4 DP 475469', job number 14011, drawing 4, revision 18, except as modified to comply with the conditions of consent.

**8. Earthworks and Construction Management (All Stages)**

*Current earthwork status*

- 8.1 An earthworks cut and fill plan, indicating the depths of cut and fill shall be submitted prior to Stage One commencing detailing all cut and fill earthworks undertaken since 18 November 2015 (Discharge Permit, Taranaki Regional Council, reference 9901-1.1).
- 8.2 With respect to condition 8.1 above the consent holder shall provide to the Planning Lead a "Geotechnical Completion Report" compiled by a Geotechnical Professional.

*Prior to commencement of construction*

- 8.4 The consent holder shall submit a Construction Management Plan (CMP) to the Planning Lead for review prior to the commencement of any site works. The CMP shall include:

*Traffic Management*

- a. Where works occur in existing road reserve, an approved Traffic Management Plan will be required.

*Construction Management*

- b. Measures to reduce adverse effects on adjoining properties, including dust, noise, access to properties;

*Access and safety*

- d. Health and safety measures and provision for safe and continuous passage by pedestrians and vehicles to be provided where works occur in existing road reserve;

### *Earthworks Management*

- e. Erosion and sediment control measures shall be in place prior to the commencement of earthworks.
- g. The consent holder shall contact Councils Development Engineer at least 48 hours prior to any physical work commencing on the site and advise the date upon which such works will commence.
- h. If earth worked materials are carried onto the surrounding road network, the consent holder shall be responsible for cleaning and repairing the road back to its original condition daily during the earthworks period. In doing this, the consent holder shall ensure that no materials are washed or swept into any stormwater drains or natural drainage systems.

### *During Construction*

- 8.6 The consent holder shall appoint a suitably qualified person to design, control and certify all earthworks. All earthworks shall be carried out under the direct control of a suitably qualified person.
- 8.7 Uncompacted fill shall be identified and shall be shown on the final plans and be subject to a Consent Notice in accordance with section 221 of the Resource Management Act 1991. Compacted fill shall be certified by a suitably qualified engineer as per section 2 of NZS4404 with the Schedule 2A form completed and lodged with the Council at the end of the work.
- 8.8 Any excavation works that take place over or near Council reticulation shall ensure that backfill/compaction and adequate cover complies with the Land Development and Subdivision Infrastructure Standard NZS4404:2010.
- 8.9 Any earthworks undertaken on site shall employ the best practical means of minimising the escape of silted water or dust from the site. A description of the proposed means of mitigating these temporary effects shall be submitted with an Engineering Plan and approved and installed prior to any works commencing. Regional Council approval shall be obtained where required for sediment control.

### *Following Construction*

- 8.10 The consent holder shall provide to the Planning Lead a "Geotechnical Completion Report" compiled by a Geotechnical Professional prior to s224 signoff. The report shall:
  - a. determine the final position of all building restriction lines where applicable;
  - b. provide recommendations for the on-going development of the lots (i.e. maximum cuts/fill heights, management of steep slopes;
  - c. provide a producer statement for any engineer designed retaining walls;
  - d. confirm earthworks and/or building platforms have been constructed to comply with the New Zealand Building Code requirements;
  - e. confirm that consolidation settlement is completed.

### ***Earthworks associated with Branch Road Reserve***

- 8.14 Where the sewer connection occurs within a reserve a 'Privileged Access Through Reserve Land Agreement' shall be signed and the conditions within agreed to prior to works commencing.
- 8.15 An earthworks plan for borrow material from the Branch Road Reserve area shall be submitted for approval prior to any further works being undertaken. Earthworks staging and environmental mitigation measures shall be indicated/noted on the plan.
- 8.16 A significant amount of earthworks has already been undertaken within the reserve. The consent holder shall undertake planting near the top of the reserve where the tributary flows in addition to the reinstatement of grass within the area that has subject to earthworks. A landscape plan shall be submitted and approved by the Manager Parks and Open Spaces, prior the issue of s224 RMA.

### **9. Building Platforms (All Stages)**

- 9.1 A report shall be provided from a suitably qualified person to confirm that there is available within all lots, a stable flood free building platform suitable for building foundations in accordance with the requirements of the New Zealand Building Code B1.
- 9.2 Any recommendations requiring specific building platform shall be subject to Consent Notice under Section 221 of the Resource Management Act 1991.
- 9.3 Secondary flow paths over residential lots shall be shown on a plan and shall be located clear of proposed building platforms.

### **10. Stormwater Disposal (All Stages)**

- 10.1 An inspection and a report shall be carried out of soil compatibility by a suitably qualified engineer and submitted to the Council to confirm the suitability of applicable lots for on-site stormwater from dwellings and paved areas. If it is demonstrated that on-site disposal is not suitable an alternative method of disposal is to be identified and made available.
- 10.2 Any recommendations requiring specific on-site stormwater management shall be subject to Consent Notice under Section 221 of the Resource Management Act 1991.
- 10.3 Secondary flow paths over residential lots shall be shown on a plan and shall be located clear of proposed building platforms.
- 10.4 Any works required in the Branch Road Reserve (Lot 1 DP 360878) to the north shall ensure the existing stormwater channel can accommodate the anticipated 20% AEP storm water flow.



- 10.5 The consent holder shall be responsible for any work to the existing storm water culvert in the northern reserve to ensure the existing sewer crossing above the culvert is not compromised.
- 10.6 A complete primary stormwater design for Stages 1 to 5 shall be submitted for engineering plan approval at the time of Stages 1 to 3.
- 10.7 A continuous secondary overland flow path from the boundary of 480 Mangorei Rd (PART Puketotara 50) to Lot 7 DP 360878, shall be designed, formed and provided for and shown on the plans.
- 10.8 Engineering calculations shall be provided for all secondary overland flow paths to ensure the shape and grade of the flow path can accommodate the anticipated stormwater flow.
- 10.9 Where a secondary overland flow path passes from private property to road reserve (or right of way), and visa versa, the consent holder shall provide detail of how the stormwater will transition, ensuring that adjacent properties will not be inundated.
- 10.10 The consent holder shall indicate (with appropriate detail) how surface stormwater which is currently discharged to Area D as shown on DP 475469 (from Mangorei Rd) and how it will be managed and directed into new stormwater reticulation, including any silt detention measures required.
- 10.11 Where the secondary overland flow path crosses private property:
- a) The flow path is hard formed, and not subject to natural change or scour.
  - b) Engineering calculations shall be provided for all secondary overland flow paths.
  - c) An easement in gross in favor of the council shall be provided.
  - d) A consent notice shall be registered on the Record of Title which will restrict the construction of any buildings or fences, and any planting across the flow path.
  - e) The level of the top of the stormwater flow shall be noted on the engineering plans adjacent to each private property. A consent notice will be issued for the adjoining property indicating minimum floor level 500mm above the secondary flow path.
- 10.12 All culvert inlets and outlets shall have concrete precast wing walls.

## **11. Sewer Services (All Stages)**

- 11.1 A connection to the Council's reticulated sewerage system shall be provided for all lots.
- 11.2 A sewer design for the whole of the completed development shall be submitted with the first stage of the development.
- 11.3 No new sewer connections shall be connected into the Mangorei Road or Tupuhi Place sewer.
- 11.4 All new reticulation shall be designed and constructed to the requirements of:

- i) The Building Act,
- ii) The NPDC Consolidated Bylaws 2008 Part 14 Wastewater Drainage,
- iii) The Council's Land Development & Subdivision Infrastructure Standard.

- 11.5 For a new connection to the sewer main an application with the appropriate fee is to be made to Council, and upon approval this connection is to be installed by a Council approved contractor at the applicant's cost.
- 11.6 An As Built plan for the sewer connection for all lots shall be provided to the Drainage Reticulation Supervisor.
- 11.7 Where the sewer connection occurs within a reserve a 'Privileged Access Through Reserve Land Agreement' shall be signed and the conditions within agreed to prior to works commencing.

## **12. Sewer Capital Contribution (Stage One)**

- 12.1 The applicant shall pay a sewer capital contribution in accordance with the Agreement for the Highland Park Sewer. The sum of the contribution is \$41000. Area G has not been included in the assessment because it is connecting to an alternative sewer.

## **13. Water Services (All Stages)**

- 13.1 All lots shall be served by a new water connection:
  - a) An application for the connection shall be lodged with the Council with the appropriate fee.
  - b) Upon approval, the connection is to be installed by a Council approved contractor at the applicant's cost.
  - c) An as-built plan of all connections shall be provided.
- 13.2 Confirmation that there are no cross boundary water connections shall be provided to the Reticulation Supervisor.
- 13.3 The consent holder shall cover the cost of each water meter as part of the service connection fee. Each meter shall be supplied and installed by Council.
- 13.4 A 150mm water main shall be installed along Mangorei Road for network loop connection between the subdivision with Mangorei Road.
- 13.5 The existing trunk main has a scour valve at the low point on Mangorei Road. The scour valve currently discharges into the adjacent land at Area E as shown on DP 475469. The consent holder shall provide a 1050 diameter manhole in the berm to scour the existing water trunk main. The consent holder shall connect a 100 diameter pipe into the scour valve, including a double check valve backflow preventer.
- 13.6 A new 150mm diameter water main shall be constructed to connect the existing 150mm diameter water main on Mangorei Road, commencing at 1 Tupuhi Place and extending to the fire hydrant opposite 484 Mangorei Road. Council will meet the cost to install the 150mm diameter water main from the new proposed Lot 57 to 484 Mangorei Road.

13.7 The new 150mm diameter water main on Road 3 shall connect into the new 150mm diameter water main installed on Mangorei Road.

13.8 A new 150mm diameter water main shall be installed along Road 7 and the pedestrian link to Heta Road, and shall connect into a new length of 225 diameter water main on Heta Road.

**14. Right of way (Stages 1 and 3)**

14.1 The rights of way shall be formed to the requirements of the New Plymouth District Plan and the Council's Infrastructure Standard including stormwater control.

14.2 An engineering plan and specification for the rights of way shall be submitted to and approved by the Council prior to the commencement of work.

14.3 All work shall be constructed under the supervision of a suitably qualified person who shall certify that the work has been constructed to the approved Engineering Plan/Infrastructure Standard requirements.

14.4 The supervision of the work, and its certification and the provision of as built plans shall be as prescribed in the Land Development and Subdivision Infrastructure Standard.

**15. Vehicle Access (All Stages)**

15.1 A multi-residential vehicle crossing shall be constructed to serve all rights of way. Standard vehicle crossings shall also be constructed where there is no alternative for vehicle access within 30m in an intersection, and where a Lot is being accessed from an access leg.

**16. Engineering Plans, Supervision and Certification (All Stages)**

16.1 Detailed engineering plans, calculations, and specification for the sewer, water reticulation, stormwater reticulation, earthworks and roading shall be submitted to and approved by the Council prior to the commencement of works.

16.2 For Stages 1 – 3 the engineering plans shall provide detail on how upstream silt will be managed for each stage, so that silt does not enter the piped stormwater reticulation.

16.3 All work shall be constructed under the supervision of a suitably qualified and experienced person who has the appropriate professional indemnity insurance and who shall certify that all the work has been constructed to the approved Infrastructure Standard requirements.

16.4 Supervision and certification of the works and the provision of as built plans shall be as prescribed in section 1.5 of NZS4404:2010 Land Development and Subdivision Engineering.



- 16.5 A schedule of vested assets detailing cost and a brief description within the categories of roading, sewer, water, stormwater, and all works occurring in the reserve shall be provided.
- 16.6 An approved Traffic Management Plan shall be submitted to the Council prior to the commencement of any works within the road reserve.
- 16.7 A defects liability period of twelve months shall apply for assets to vest. A bond amounting to 5% of the value of the work for the first \$200,000 and 2.5% of the remaining value of the maximum bond value of \$200,000 is required for the duration of the defects liability period.
- 16.8 Where combined service trenches are proposed to be used a cross sections on the engineering plans showing separation distances both horizontally and vertically shall be provided to Council Development Engineer.

**17. Road to Vest (All Stages)**

- 17.1 The following shall vest in the Council as road:
- Road 1 (extension to Ainslee Street) including Lots 201, 205, Part Lot 206. This road shall be an E12 standard.
  - Road 2 (Mangorei Road). This road shall have a minimum carriageway width of 11m.
  - Road 3 includes Part Lot 206. This road shall be formed to an E12 standard.
  - Road 4 includes Lots 214 and 209. This road shall be formed to an E11 standard.
  - Road 5 includes Lots 212, part of 204, part of 203 and 213. This road shall be formed to an E12 standard.
  - Road 6 includes part of Lot 204 and 212. This road shall be formed to an E11 standard.
  - Road 7 (part of the connecting road to Heta Road) includes Lot 216. This road shall be formed to an E11 standard. A 1.5m wide footpath shall be provided. This may require an additional 1.5m boundary width to allow for a footpath.
  - Road 8 includes Lots 209. This shall match the existing road.
  - Road 9 includes Part Lot 202 and Part Lot 203. This road shall be formed to an E11 standard.
  - The pedestrian accessway to the school is Lot 217.
- 17.2 The proposed roads shall be constructed to the Council's Land Development & Subdivision Infrastructure Standard requirements.
- 17.3 Detailed engineering plans, calculations, and specifications shall be submitted to and approved by the Council prior to the commencement of works.
- 17.4 Local widening shall be provided on the tighter bends of all roads.
- 17.5 All parking bays shall be asphalt or concrete.
- 17.6 The existing street light within the access way of Lot 2 shall be removed (Stage One).

- 17.7 The existing turning head at the end of Ainslee Street shall be redesigned to fit in with the road extension as per the design shown on the plan by Juffermans Surveyors, entitled 'Subdivision Development of Lot 2 DP 475469 Roads Plan', drawing number 14011-03, sheet 4, revision 18, dated 11 January 2018 (Stage 1).
- 17.8 A temporary turning head shall be constructed at the end of each stage incorporating reflective barriers (PW66).
- 17.9 NPDC Cycle Chicane shall be installed at either end of pedestrian link (Lot 216, Road 7) (Stages 7 and 11).
- 17.10 Building line restrictions shall apply on narrower roads and rights of way to allow safe vehicle access and manoeuvring. Stand alone or internal access garages facing the road may not be built within 3.5m of the road boundary for all E11 roads including Road 4, 6, 7 and 9."
- 17.11 The consent holder shall submit a road stopping application to Council prior to any works commencing for Stage 4, for the area of land included in Lots 49 and 50 to be vested to private ownership.

**18. Upgrade of Road Frontage (Stage 4)**

- 18.1 Mangorei Road frontage shall be upgraded from the subdivision boundary to the north Lot 14 DP 426399 to the boundary with Lot 20 DP 438183 to the south. The works shall include footpath, kerb and channel to match the existing kerb and channel on Mangorei Road. The consent holder shall pay for half the cost of the upgrade of the Mangorei Road frontage. Before work commences, a quote shall be provided and the cost of this work shall be negotiated with Councils Transportation Team.

*Note:*

*The Council shall pay for the remaining works. This work shall be managed by NPDC's Project Team. The half cost works for the developer contribution shall be invoiced once the works are complete. The upgrade of Mangorei Road shall be programmed to coincide with Stage 4 of this development.*

- 18.2 An intersection design by a suitably qualified traffic engineer shall be submitted for approval with the engineering plans for Stage 4.

**19. Easements (All Stages)**

- 19.1 A Memorandum shall be shown on the plan and easements created at the time of depositing of the plan, for the right of way and services as required.
- 19.2 An Easement in Gross for stormwater, secondary overland flow, water and sewage shall be granted in favour of New Plymouth District Council in accordance with engineering plans approved by New Plymouth District Council. Such Easement in Gross shall be created and registered at the time of deposit of the plan of each stage of subdivision.

**20. Transmission lines (Stage 3/4)**

- 20.1 Following the completion of Stage Three, or at any earlier Stage, but prior to the commencement of Stage Four the final requirements of Transpower shall be provided to the Planning Lead. This shall include all recommendations for minimum safe distance for excavation and construction near overhead electric line supports, minimum safe approach distance limits for persons working near exposed line parts, safe distance requirements between conductors and buildings (and other structures), safe distances from conductors from the ground and water, safe distances for the operation of mobile plant.
- 20.2 Areas subject to Transpower clearance shall be subject to a restriction in respect of all matters contained in condition 20.1 above. This shall be an ongoing condition (221RMA). These areas shall be defined on the survey plan where required.

**21. Reserve Fencing (Stages One, Two and 10)**

- 21.1 Demarcation of the boundary along the northern boundary of Road 5 (Lots 203 and 204) adjacent to the Branch Road reserve area at the time of the completion of Stages 2 and 10. The preferred barrier is by way of bollards. The final design shall be approved by Parks Horticulture/Arboriculture Lead prior to installation/construction.
- 21.2 A standard seven-wire rural fence shall be erected along the northern boundary of Lots 30, 13, 9 and 12.
- 21.3 A consent notice shall be registered on all Records of Title of properties with a common boundary to the reserve land, indemnifying the local authority against all costs of erection and maintenance of fences on the common boundary.
- 21.4 A consent notice shall be registered on the Records of Title for Lots 30, 13, 9 and 12 stating any fencing along the common boundary with the reserve shall be no higher than 1.2m.

***Advice notes:***

*A Development Contribution for off-site services of:*

<i>Stage 1</i>	<i>12 lots \$29088</i>
<i>Stage 2</i>	<i>14 lots \$33936</i>
<i>Stage 3</i>	<i>7 lots \$16968</i>
<i>Stage 4</i>	<i>16 lots \$38784</i>
<i>Stage 5</i>	<i>8 lots \$19392</i>
<i>Stage 6</i>	<i>15 lots \$36360</i>
<i>Stage 7</i>	<i>13 lots \$31512</i>
<i>Stage 8</i>	<i>10 lots \$24240</i>
<i>Stage 9</i>	<i>9 lots \$21816</i>
<i>Stage 10</i>	<i>10 lots \$24240</i>
<i>Stage 11</i>	<i>7 lots \$16968</i>

*plus GST is payable by the applicant and shall be invoiced separately. The 224 release of this subdivision will not be approved until payment of this contribution is made.*



*Transpower transmission lines pass through the site. Any activity undertaken on the site should be done in a manner that avoids adverse effects on Transpower's existing transmission assets and obligations under the New Zealand Code of Practice for Electrical Safe Distances 2001 (NZECP 34:2001) and the Electricity Act 1992.*

*Any excavation that takes place within road reserve during this development shall require a Corridor Access Request (CAR). Refer to the "National Code of Practice for Utility Operators' Access to Transport Corridors" for additional information. Applications can be made via the website [www.beforeUdig.co.nz](http://www.beforeUdig.co.nz) or 0800 248 344. A CAR must be submitted a minimum of 5 working days before an operator intends to start work for minor works or 15 working days for major works and project works. All costs incurred shall be at the applicant's expense.*

*The consent holder is required to pay for any damage to the road or street that results' from their development. The consent holder must employ a council approved contractor to carry out such work.*

*The consent holder shall make application for road naming in accordance with Councils Policy on Naming and Renaming of Roads, Private Roads and Rights of Way prior to the issue of s223 RMA certification for any stage including new roads.*

*This consent lapses on 15 February 2024 unless the consent is given effect to before that date; or unless an application is made before the expiry of that date for the Council to grant an extension of time for establishment of the use. An application for an extension of time will be subject to the provisions of section 125 of the Resource Management Act 1991.*

*This consent is subject to the right of objection as set out in section 357A of the Resource Management Act 1991.*

*DATED: 11 April 2019*



*Rowan Williams  
PLANNING LEAD*

# ENGINEERING PLANS

MAIA PROPERTIES LTD  
STAGES 1,3,4,5  
448 MANGOREI ROAD  
NEW PLYMOUTH

DRAWING NUMBER	COMMENT
SHEET 01	SUBDIVISION STAGE PLAN
SHEET 02	SUBDIVISION SCHEME PLAN (BLACK & WHITE)
SHEET 03	SUBDIVISION SCHEME PLAN (COLOUR)
SHEET 04	ROAD LAYOUT PLAN
SHEET 05	MANGOREI ROAD UPGRADE
SHEET 06	SATGES 1, 3 - 5 ROAD LAYOUT
SHEET 07	LONGSECTION ROAD 1 - PAGE 1
SHEET 08	LONGSECTION ROAD 1 - PAGE 2
SHEET 09	LONGSECTION ROAD 1 - PAGE 3
SHEET 10	LONGSECTION ROAD 3
SHEET 11	LONGSECTION ROAD 4
SHEET 12	LONGSECTION ROAD 5
SHEET 13	LONGSECTION ROAD 6
SHEET 14	LONGSECTION ROAD 7
SHEET 15	LONGSECTION ROAD 8
SHEET 16	LONGSECTION ROAD 9
SHEET 17	LONG SECTION & CROSS SECTION OF RIGHT OF WAY 1
SHEET 18	LONG SECTION & CROSS SECTION OF RIGHT OF WAY 2
SHEET 19	TYPICAL CROSS SECTIONS & TURNING HEAD TEMPLATE
SHEET 20	FUTURE TYPICAL CROSS SECTIONS
SHEET 21	FIRE APPLIANCE TURNING CIRCLES
SHEET 22	WATER RETICULATION PLAN
SHEET 23	WATER RETICULATION PLAN
SHEET 24	STORMWATER CATCHMENT AREAS
SHEET 25	STORMWATER PLAN
SHEET 26	STORMWATER PLAN
SHEET 27	STORMWATER PLAN - FUTURE STAGES
SHEET 28	STORMWATER LONGSECTION NETWORK 01
SHEET 29	STORMWATER LONGSECTION NETWORK 01
SHEET 30	STORMWATER LONGSECTION NETWORK 01
SHEET 31	STORMWATER LONGSECTION NETWORK 02
SHEET 32	STORMWATER LONGSECTION NETWORK 03
SHEET 33	SEWER PLAN
SHEET 34	FUTURE SEWER PLAN
SHEET 35	SEWER LONGSECTION NETWORK 01
SHEET 36	SEWER LONGSECTION NETWORK 01
SHEET 37	SEWER LONGSECTION NETWORK 01
SHEET 38	SEWER LONGSECTION NETWORK 01
SHEET 39	EARTHWORKS PLAN
4435-01	ROADWAY LIGHTING PLAN
4435-02	ROADWAY LIGHTING PLAN
4435-03	ROADWAY LIGHTING PLAN
4435-04	ROADWAY LIGHTING PLAN
4435-05	ROADWAY LIGHTING PLAN
4435-06	ROADWAY LIGHTING PLAN
4435-07	ROADWAY LIGHTING PLAN
4435-08	ROADWAY LIGHTING PLAN
4435-09	ROADWAY LIGHTING PLAN
4435-10	ROADWAY LIGHTING PLAN
4435-11	ROADWAY LIGHTING PLAN
SHEET 40	BRANCH ROAD RESERVE PLAN
SHEET 41	BRANCH ROAD RESERVE CROSS SECTION

Rev.	Date	Revision Details			By Ver. App.



Client:	MAIA PROPERTIES LTD 448 MANGOREI ROAD
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Project:	PROPOSED SUBDIVISION OF LOT 4 DP 475469
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Drawn JSM	Signed	Date 23/08/2018
Designed	Signed	Date
Verified	Signed	Date
Approved	Signed	Date

Drawing Title:	TITLE PAGE

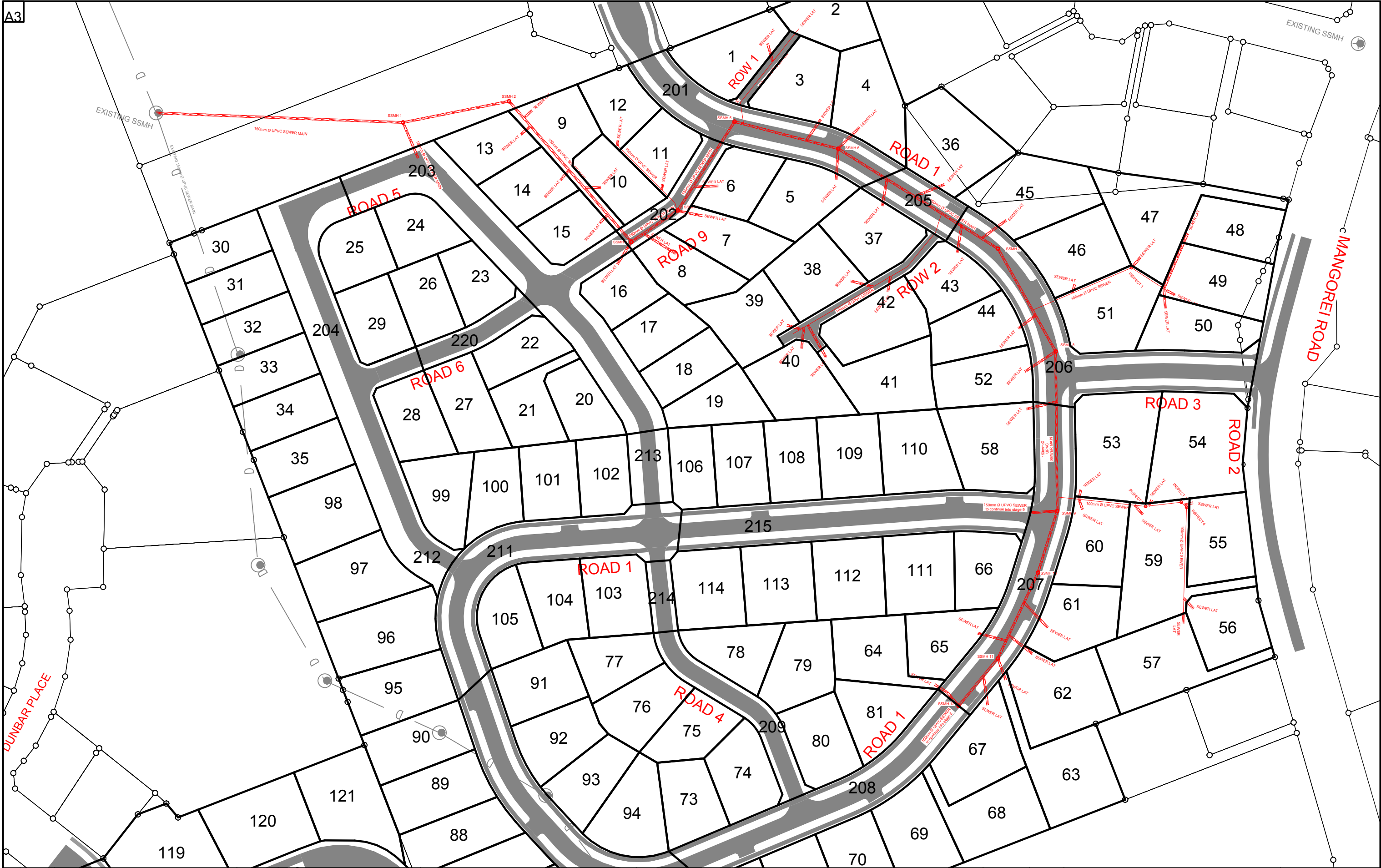
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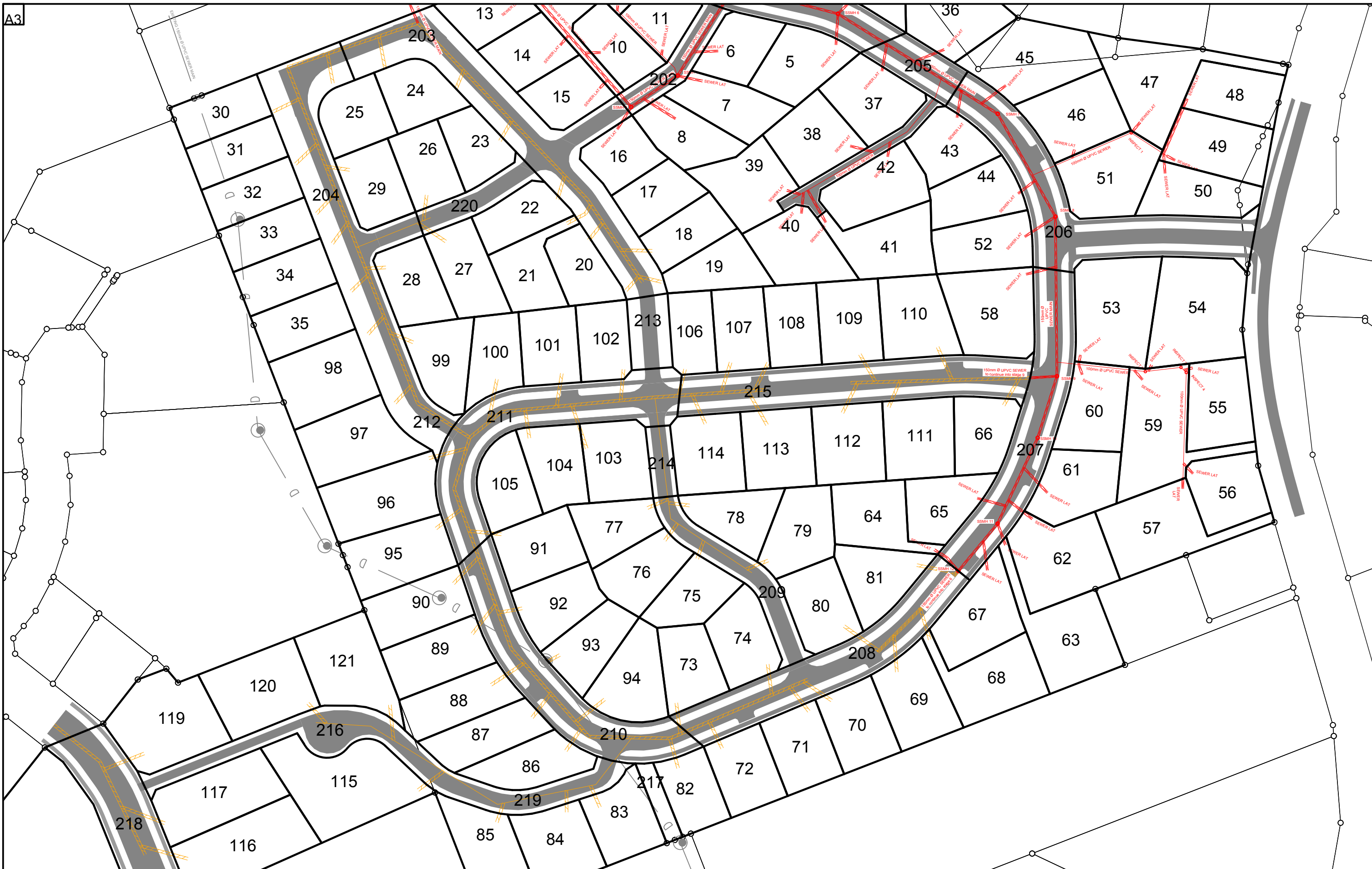
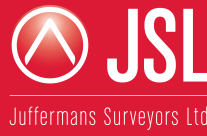
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Client: MAIA PROPERTIES LTD  
448 MANGOREI ROAD

Project:

PROPOSED SUBDIVISION OF  
LOT 4 DP 475469

Drawn JSM	Signed	Date 23/08/2018
Designed	Signed	Date
Verified	Signed	Date
Approved	Signed	Date

Drawing Title:

FUTURE SEWER PLAN

Project No.		14011
Scale		1:1250
Drawing No.	Rev.	
SHEET 34	00	