

IN THE MATTER of the Resource Management
Act 1991

AND

IN THE MATTER of an application under
Section 105(1)(a) of the
Act

MINUTES OF A MEETING OF THE PLANNING AND ENVIRONMENT COMMITTEE OF THE
FRANKLIN DISTRICT COUNCIL TO HEAR RESOURCE CONSENT APPLICATIONS HELD
IN THE COUNCIL CHAMBERS, MANUKAU ROAD, PUKEKOHE ON TUESDAY, 2
NOVEMBER 1993 COMMENCING AT 11.39 AM.

- DECISION -

BHP New Zealand Steel Limited, Sandspit Road, Waiuku (File 6/16/271)

The Committee after due consideration on the above application
resolved as follows:

THAT PURSUANT TO SECTION 105(1)(a) OF THE RESOURCE MANAGEMENT ACT
1991 COUNCIL RESOLVES TO GRANT A SUBDIVISION CONSENT TO APPLICATION
NO. 6/16/271 FOR STAGE I AS INDICATED ON THE ATTACHED PLAN BEING A
SUBDIVISION OF PART LOT 7 DP 36675, PART LOT 5 AND LOTS 6, 7, 8, 9
AND 10 DP 13397, SUCH LAND BEING LOCATED AT SANDSPIT ROAD, WAIUKU,
SUBJECT TO THE FOLLOWING CONDITIONS IMPOSED UNDER SECTIONS 108 AND
220 OF THE ACT.

a. (STAGING)

STAGE I SHALL CONSIST OF:

ALL THE LOTS ON DP'S 108771[✓], 108772[✓] AND
108777 → now on DP 159429 (lots 87-98, 104, 105, 132-134, 140, 141 & 143) (lots 88 & 89
LOTS 119, 120 AND 141 ON DP 108773 → now on DP 159429 DP 108777 now on
LOTS 18, 28 - 40 AND 141 ON DP 108774 → now on DP 159429 DP 108777 now on
LOTS 41 - 50 AND 141 ON DP 108775 → now on DP 159429 DP 108777 now on
LOTS 99 - 103 AND 141 ON DP 108776 → now on DP 159429 DP 108777 now on
LOT 135 DP 108773 → now on lot 145 DP 159429

b. (CREATION OF EASEMENTS) THAT FOR EACH STAGE ALL RIGHT OF
WAY EASEMENTS SHOWN ON THE SUBDIVISION CONSENT PLAN SHALL
BE INCLUDED IN A MEMORANDUM OF EASEMENTS ON THE LAND
TRANSFER PLAN(S) AND BE DULY GRANTED OR RESERVED.

c. (LAND TO VEST AS ROAD) THAT FOR STAGE I LOT 141 BE SHOWN
AS ROAD TO VEST ON THE LAND TRANSFER PLAN(S).

- d. (NEW ROAD NAME) IF NOT ALREADY UNDERTAKEN, SUGGEST TO COUNCIL NAMES FOR THE NEW ROADS SHOWN ON THE SUBDIVISION CONSENT PLAN. UPON RECEIPT THEREOF COUNCIL SHALL DETERMINE THE FINAL NAME, FOLLOWING CLEARANCE OF THE SUGGESTED NAMES FROM NEW ZEALAND POST AND NEW ZEALAND FIRE SERVICE AND HAVING REGARD TO THE APPROPRIATENESS TO THE AREA THE NEW ROADS WILL SERVICE. WHEN A NAME FOR EACH ROAD HAS BEEN RESOLVED BY COUNCIL THE APPLICANT SHALL PROVIDE FOR AND MEET ALL THE COSTS OF ERECTING ROAD NAME SIGNS TO THE APPROVAL OF THE MANAGER: ENGINEERING AND WORKS.
- e. (LOCAL PURPOSE [RECREATION] RESERVE TO VEST) LOTS 111 AND 135 BE SHOWN AS LOCAL PURPOSE [RECREATION] RESERVE TO VEST ON THE LAND TRANSFER PLAN.
- f. (LOCAL PURPOSE [ACCESSWAY] RESERVE TO VEST) LOTS 50, 138, 140 AND 143 BE SHOWN AS LOCAL PURPOSE [ACCESSWAY] RESERVE TO VEST ON THE LAND TRANSFER PLAN.
- g. (ENGINEERING STANDARDS) COMPLY WITH THE COUNCIL'S APPROVED ENGINEERING STANDARDS FOR SUBDIVISIONS AS THE SAME MAY BE AMENDED FROM TIME TO TIME, BEING THE COUNCIL'S CODE OF URBAN SUBDIVISION AND NZS 4404:1982 "CODE OF PRACTICE FOR URBAN SUBDIVISION" WITH RESPECT TO ALL ENGINEERING WORKS, TO THE SATISFACTION OF THE MANAGER: ENGINEERING AND WORKS.
- h. (COASTAL AND DISCHARGE PERMITS) OBTAIN ALL NECESSARY COASTAL AND DISCHARGE PERMITS FOR THE SUBDIVISION IN ACCORDANCE WITH PART VI OF THE RESOURCE MANAGEMENT ACT 1991. COPIES OF SUCH PERMITS/CONSENTS SHALL BE PROVIDED TO THE MANAGER'S: ENGINEERING AND WORKS AND PLANNING AND ENVIRONMENT PRIOR TO THE STAGE I LAND TRANSFER PLAN BEING SIGNED AND SEALED. IN THE EVENT OF EXPIRY SUCH APPROVALS SHALL BE RE-OBTAINED PRIOR TO THE RELEVANT LAND TRANSFER PLANS BEING SIGNED AND SEALED.
- i. (MAINTAIN/REPAIR ROADS, RIGHTS OF WAY AND ACCESSWAYS) THAT FOR EACH STAGE ALL KERB AND CHANNELLING, FOOTPATHS, RIGHTS OF WAY AND PEDESTRIAN ACCESSWAYS BE CLEARED OF ALL PLANT GROWTH.
- THAT ALL BERMS, SECTIONS, ACCESSWAYS AND RESERVES BE MOWN AND TIDIED TO THE SATISFACTION OF THE MANAGERS: COMMUNITY SERVICES AND PROMOTION AND ENGINEERING AND WORKS.
- j. (STREET LIGHTING) THAT FOR EACH STAGE ALL STREET LIGHTING STANDARDS THAT HAVE BEEN KNOCKED OVER BE REINSTATED AND THAT ALL LAMPS BE FITTED TO THE SATISFACTION OF THE MANAGER: ENGINEERING AND WORKS.
- k. (POWER AND TELECOM) THAT FOR EACH STAGE ALL POWER AND TELECOM RETICULATION BE REINSPECTED AND APPROVED BY COUNTRIES POWER LIMITED AND TELECOM NEW ZEALAND LIMITED, WITH THE COSTS OF ANY FAULTS AND REPAIRS BEING MET BY THE APPLICANT. UPON COMPLETION THEREOF EVIDENCE OF SUCH APPROVALS SHALL BE PROVIDED TO THE COUNCIL TO THE SATISFACTION OF THE MANAGER: ENGINEERING AND WORKS.

- l. (REMOVAL OF ROAD ENTRANCE BARRIERS) THAT FOR STAGE I THE BARRIERS PLACED ACROSS THE ENTRANCE ROAD AT ITS INTERSECTION WITH SANDSPIT ROAD BE REMOVED AND THE ROAD RESERVE GENERALLY MADE CLEAR. SUCH WORK TO BE CARRIED OUT PRIOR TO THE RELEASE OF THE COMPLETION CERTIFICATE FOR STAGE I.
- m. (PUMPING STATION) THAT FOR STAGE I THE SEWAGE PUMPING STATION BE TESTED IN THE PRESENCE OF THE WORKS ENGINEER (SERVICES). THIS SHALL BE UNDERTAKEN BY FILLING THE WET WELL TO OVERFLOW LEVELS AND TIMING EACH INDIVIDUAL PUMP TO PUMP THE VOLUME OF WATER CONTAINED IN THE WET WELL COMPLETELY DRY. ANY REMEDIAL WORKS SHALL BE CARRIED OUT TO THE SATISFACTION OF THE WORKS ENGINEER (SERVICES). ALL LOW LEVEL ALARM SWITCHES SHALL BE TESTED AND REPAIRED AND/OR REPLACED AS CONSIDERED NECESSARY. A TELEMETRY SYSTEM SHALL BE INSTALLED AND CONNECTED TO THE COUNCIL SYSTEM AND TESTED TO THE SATISFACTION OF THE MANAGER: ENGINEERING AND WORKS.
- n. (MAINTAIN SEWERS) FOR ALL STAGES CESSPITS AND MANHOLES SHALL BE PUMPED CLEAN AND MADE FREE OF ANY DELETERIOUS MATTER.
- o. (SANITARY SEWER AND STORMWATER CONNECTIONS) THAT FOR EACH STAGE ALL SANITARY SEWER AND STORMWATER CONNECTIONS BE STAKED (COLOUR CODE ACCORDINGLY) IDENTIFYING THEIR ENDS TO THE SATISFACTION OF THE MANAGER: ENGINEERING AND WORKS.
- p. (WATER SUPPLY CONNECTIONS) THAT FOR EACH STAGE ALL HOUSE CONNECTIONS FOR WATER SUPPLY BE STAKED, IDENTIFYING THEIR POSITIONS AND THAT ALL VALVES BE CHECKED AND LEFT IN AN UNDAMAGED AND WORKING ORDER.
- q. (WATER RETICULATION) THAT FOR EACH STAGE ALL HYDRANT, PEET VALVE AND SLUICE VALVE INDICATOR POSTS BE CORRECTLY MOUNTED AND PAINTED IN THE APPROPRIATE COLOURS, AS FOLLOWS: YELLOW FOR HYDRANTS, BLUE FOR SLUICE VALVES, WHITE FOR PEET VALVES.
- r. (MAINTAIN CARRIAGEWAY) THAT FOR STAGE I ANY CRACKS POTHoles OR FAULTY SECTIONS IN THE ASPHALTIC CONCRETE CARRIAGEWAY BE REPAIRED TO THE SATISFACTION OF THE MANAGER: ENGINEERING AND WORKS.
- s. (MAINTAIN FOOTPATHS, VEHICLE CROSSINGS AND PEDESTRIAN CROSSINGS) THAT FOR EACH STAGE ALL BREAKAGES IN FOOTPATHS, VEHICLE CROSSINGS AND PEDESTRIAN CROSSINGS BE REPAIRED BY MEANS OF REPLACING THE DAMAGED SECTION OF FOOTPATH, CROSSING OR ACCESSWAY IN THE SAME MATERIAL AS ORIGINALLY CONSTRUCTED, ALL WORKS TO BE TO THE SATISFACTION OF THE MANAGER: ENGINEERING AND WORKS.
- t. (PROVIDE AND CONSTRUCT VEHICLE TURNING CIRCLE) FOR STAGE I PROVIDE DESIGN DRAWINGS AND OBTAIN APPROVAL THERETO IN WRITING FROM THE MANAGER: ENGINEERING AND WORKS FOR THE CONSTRUCTION OF A VEHICLE TURNING CIRCLE AT THE SOUTHERN END OF LOT 141 WHERE IT ABUTTS PART LOT 2 DP 13397.

FORM AND CONSTRUCT THE SAID TURNING CIRCLE TO THE URBAN STANDARDS COMPRISED IN COUNCIL'S APPROVED ENGINEERING STANDARDS FOR SUBDIVISIONS TO THE SATISFACTION OF THE MANAGER: ENGINEERING AND WORKS.

- u. (AMEND LOT BOUNDARIES) THAT, FOR STAGE I AMEND THE POSITION OF THE BOUNDARIES OF LOTS 48 TO 52 WHERE THEY ABUTT LOT 141 SO AS TO BETTER ACCOMMODATE THE VEHICLE TURNING CIRCLE AND TO PROVIDE FOR STANDARD FOOTPATH AND BERM WIDTHS. SUCH ALTERATIONS TO BE TO THE SATISFACTION OF THE MANAGER'S: ENGINEERING AND WORKS AND PLANNING AND ENVIRONMENT.
- v. (AS-BUILT SERVICES PLAN(S)) THAT, FOR EACH STAGE, AS-BUILT SERVICES PLANS BE PROVIDED UPON THE COMPLETION OF WORKS AND APPROVAL THERETO OBTAINED FROM THE MANAGER: ENGINEERING AND WORKS PRIOR TO THE ISSUE OF THE SECTION 224(c) COMPLETION CERTIFICATE, SUCH PLAN(S) TO BE IN ACCORDANCE WITH COUNCIL'S STANDARD REQUIREMENTS FOR "AS-BUILT SERVICES PLANS FOR SUBDIVISIONS AND RELATED MATTERS" DATED 9 JULY 1991.

THAT ANY APPROPRIATE DOCUMENTS BE EXECUTED UNDER SEAL.

ADVISORY NOTES:

- i. THE APPLICANT IS ADVISED THAT, PURSUANT TO SECTION 357 OF THE RESOURCE MANAGEMENT ACT 1991, THEY MAY, WITHIN 15 WORKING DAYS OF RECEIVING THIS DECISION, OBJECT IN WRITING TO COUNCIL IN RESPECT OF THE DECISION. HAVING ASSESSED AN OBJECTION, COUNCIL MAY DISMISS THE OBJECTION OR UPHOLD IT IN WHOLE OR IN PART.
- ii. THAT IN THE EVENT OF STAGES II, III AND IV PROCEEDING THE APPLICANTS ARE ADVISED THAT THE FOLLOWING CONDITIONS MAY BE REQUIRED:
 - a. (FORESHORE EROSION CONTROL MEASURES) PRIOR TO THE SIGNING AND SEALING OF THE LAND TRANSFER PLANS FOR ANY ONE OR MORE OF STAGES II TO IV, THE APPLICANT SHALL SUBMIT TO COUNCIL FOR THE APPROVAL OF THE MANAGER'S: ENGINEERING AND WORKS AND PLANNING AND ENVIRONMENT A DETAILED REPORT COMPRISING ALL MEASURES AND PROPOSALS FOR THE ADEQUATE MITIGATION OF FORESHORE EROSION. SUCH EROSION CONTROL MEASURES SHALL INCLUDE A RESPONSE TO, BUT NOT BE LIMITED BY, THE REVIEW CARRIED OUT BY TONKIN AND TAYLOR, CONSULTING ENGINEERS DATED 25 AUGUST 1993, AND SHALL SPECIFICALLY ADDRESS ALL THOSE MATTERS HIGHLIGHTED IN THE SUMMARY OF CONCLUSIONS ON PAGE 3 OF THE REPORT. SUCH REPORT TO INCLUDE AN ASSESSMENT OF THE ENVIRONMENTAL EFFECTS. UPON THE RECEIPT AND APPROVAL OF SUCH REPORT, AND IF REQUIRED, THE APPLICANT SHALL IMPLEMENT SUCH EROSION CONTROL MEASURES, INCLUSIVE OF ANY RECOMMENDATIONS WITH

RESPECT TO WIDTH OF ESPLANADE RESERVE AND SIZE AND DEPTH OF THE ABUTTING RESIDENTIAL LOTS. ALL WORK TO BE CARRIED OUT AND COMPLETED TO THE SATISFACTION OF THE MANAGER'S: ENGINEERING AND WORKS, PLANNING AND ENVIRONMENT AND COMMUNITY SERVICES AND PROMOTION.

- b. (LOCAL PURPOSE [ESPLANADE] RESERVE TO VEST) THAT LOT 136 BE SHOWN AS LOCAL PURPOSE [ESPLANADE] RESERVE TO VEST ON THE LAND TRANSFER PLAN. FOR THE PURPOSE OF STAGES II TO IV THE WIDTH OF THIS RESERVE SHALL BE SET AT THE STATUTORY 20.0 METRES, HOWEVER, IF FOUND NECESSARY TO VEST ADDITIONAL LAND AS A RESULT OF THE FURTHER STUDIES OF THE FORESHORE SUCH ADDITIONAL LAND SHALL BE SHOWN ON THE LAND TRANSFER PLANS FOR STAGES II TO IV INCLUSIVE AND SHALL BE SHOWN AS LOCAL PURPOSE [ESPLANADE] RESERVE TO VEST.

FURTHERMORE AND FOR THE PURPOSES OF THIS CONDITION THE OWNER SHALL PROVIDE TO COUNCIL A FORMAL UNDERTAKING THAT IN THE EVENT THAT ADDITIONAL LAND IS REQUIRED THAT NO MONETARY (OR OTHERWISE) COMPENSATION WILL BE SOUGHT FROM COUNCIL FOR SUCH ADDITIONAL LAND REQUIRED.

FURTHERMORE THE APPLICANT/OWNER IS ADVISED THAT THE CREATION OF ALL THOSE RESIDENTIAL LOTS IN STAGES II TO IV IS ENTIRELY DEPENDANT UPON THE RESULTS OF THE FURTHER FORESHORE STUDIES. IF IN THE EVENT ADDITIONAL LAND (BEYOND THE 20.00 METRE SETBACK) IS REQUIRED FOR ESPLANADE RESERVES IT MAY BECOME NECESSARY TO AMEND OR HOLD SOME LOTS TOGETHER. ACCORDINGLY AND AT THE DISCRETION OF COUNCIL LOTS SHALL BE AMENDED OR HELD TOGETHER AND SHOWN AS ONE LOT ON THE LAND TRANSFER PLAN SUFFICIENT TO ENABLE THE MINIMUM LOT SIZE REQUIREMENTS TO BE MET FOR THAT RELEVANT STAGE, SO AS TO COMPLY WITH THIS OR ANY OTHER REQUIREMENT, TO THE SATISFACTION OF THE MANAGER: PLANNING AND ENVIRONMENT.

- c. SUBJECT TO CONDITION A. (OF THIS ADVISORY NOTE) THE REQUIREMENT OF COMPLIANCE WITH COUNCIL'S ENGINEERING STANDARDS SHALL INCLUDE A REVIEW OF THE LOCATION OF ALL EXISTING PUBLIC DRAINS SITUATED NEAR TO THE FORESHORE. IF REQUIRED BY THE MANAGERS: ENGINEERING AND WORKS AND PLANNING AND ENVIRONMENT SUCH SERVICES SHALL BE RELOCATED CLEAR OF ANY AREAS WHICH IN THE OPINION OF COUNCIL ARE SUSCEPTIBLE TO EROSION. THE FINAL LOCATION AND INSTALLATION OF SUCH SERVICES SHALL BE CARRIED OUT TO THE SATISFACTION OF BOTH AFOREMENTIONED MANAGERS'.

DATED AT PUKEKOHE THIS

11th

DAY OF

April

1993.


L R Tuahine
COMMITTEE CLERK
FRANKLIN DISTRICT COUNCIL

Rights of Appeal against all or part of this decision may be exercised by the applicant, or consent holder or any person who made a submission on the application or review of consent conditions, in accordance with the provisions of Section 120 of the Resource Management Act 1991. The time of lodging appeals is within 15 working days of receipt of this decision.

Any party contemplating appealing should discuss the matter with their Solicitor or Council's Town Planning Staff.

p/p/6.16.271