

Ref: L59778

Sandspit Holiday Park
C/- O'Connor Planning Consultants Limited
PO Box 591
Warkworth 0941

RESOURCE CONSENT L59778 Section 104 and 108 Decision

APPLICATION DESCRIPTION

To erect a new ablution block, including toilets, showers, a kitchen, a cleaner and store room, a mower storage area and a covered veranda, and to undertake 1850m³ earthworks.

Application and Property Details

Consent Application Number(s):	L59778
Site Address:	1334 Sandspit Road, Sandspit 0982
Applicant's Name:	Sandspit Holiday Park
Legal Description:	Part Allotment 23 Parish of Mahurangi
Site Area:	4.1480 hectares
Operative Plans Applying:	Auckland Council District Plan (Rodney Section)
Zoning:	Landscape Protection Residential Zone Scheduled Activity 111
Proposed Plans Applying:	N/A
Proposed Zoning:	N/A

DECISION UNDER DELEGATED AUTHORITY

Pursuant to sections 104, 104B and 108 of the Resource Management Act 1991 (RMA), consent is **granted**, subject to the conditions attached, to the Discretionary Activity application by Sandspit Holiday Park to authorise the erection of the proposed ablution block and associated earthworks at 1334 Sandspit Road, Sandspit being Part Allotment 23 Parish of Mahurangi.

Signed under Delegated Authority

Team Leader Resource
Consents/ Land Surveyor/
Senior Planner/ Manager
Resource Consents

Date:

--

--

REASONS FOR DECISION

The reasons for this decision are as follows:

- (a) In terms of section 104(1)(a) of the RMA:
- Considering the location, scale and external appearance of the proposed ablution block, the proposal will have less than minor adverse effects on the character of the adjoining reserve and the visual amenity of the public.
 - Given the consent conditions regarding truck movements, the effects of the proposed earthworks on the safe and efficient operation of the road network will be no more than minor.
 - Considering the engineering conditions to be imposed, the effects of the earthworks in terms of land instability and the ecology and wildlife of the area are considered to be no more than minor.
 - No tree removal is proposed. The existing large trees adjacent to the building site will be protected during the earthwork and construction stage.
 - The application has been reviewed by the Council's heritage advisor. Given the consent condition to be imposed to protect archaeological features, the potential effects of the proposed earthworks on the cultural heritage of the site are considered to be no more than minor.
- (b) In terms of section 104(1)(b) of the RMA, the proposal is consistent with the relevant objectives, policies and assessment criteria of the Auckland Council District Plan (Rodney Section).
- (c) In terms of section 104(1)(c) of the RMA, other relevant matters, including monitoring, have been considered in the determination of the application.
- (d) The proposal is consistent with Part 2 of the RMA.

CONDITIONS

Pursuant to section 108 of the RMA, this consent is subject to the following conditions:

1. (general) The development shall be carried out in accordance with the plans and all information submitted with the application and referenced by the Council as L59778.
 - Application form and the assessment of environmental effects report prepared by Diana Bell
 - Plans submitted by the applicant and signed by Processing Planner Jinyu Zhou, dated 25 March 2013.

Reference number	Title	Architect/designer/author	Date
BK 2099, 1 of 6	Site Plan	BK Design	Feb. 2013
BK 2099, 2 of 6	Site Enlargement Plan, showing approximate location of overland flow path	BK Design and Hutchinson Consulting Engineers	Feb. 2013
BK 2099, 3 of 6	Floor Plan	BK Design	Sept. 2012
BK 2099, 4 of 6	X-Section	BK Design	Sept. 2012
BK 2099, 2 of 23, R1	Site Enlargement Plan	BK Design	Mar. 2013
BK 2099, 22 of 23, R1	Elevations	BK Design	Mar. 2013
BK 2099, 23 of 23, R1	Elevations	BK Design	Mar. 2013

2. (all charges paid) This consent (or any part thereof) shall not commence until such time as the following charges, which are owing at the time the Council's decision is notified, have been paid in full:
 - (a) All fixed charges relating to the receiving, processing and granting of this resource consent under section 36(1) of the RMA; and
 - (b) All additional charges imposed under section 36(3) of the RMA to enable the Council to recover its actual and reasonable costs in respect of this application, which are beyond challenge.
3. (all charges paid) The consent holder shall pay any subsequent further charges imposed under section 36 of the RMA relating to the receiving, processing and granting of this resource consent within 20 days of receipt of notification of a requirement to pay the same, provided that, in the case of any additional charges under section 36(3) of the RMA that are subject to challenge, the consent holder shall pay such amount as is determined by that process to be due and owing, within 20 days of receipt of the relevant decision.
4. (lapse of consent) Pursuant to section 125 of the RMA, this consent lapses five years after the date it is granted unless:
 - (a) The consent is given effect to; or
 - (b) The Council extends the period after which the consent lapses.
5. (monitoring charges) The consent holder shall pay the Council an initial consent compliance monitoring charge of \$256 (inclusive of GST), plus any further monitoring charge or charges to recover the actual and reasonable costs that have been incurred to ensure compliance with the conditions attached to this consent.
6. (monitoring charges) The \$256 (inclusive of GST) charge shall be paid as part of the resource consent fee and the consent holder will be advised of the further monitoring charge or charges as they fall due. Such further charges are to be paid within one month of the date of invoice.
7. (notification of commencement) At least 7 days prior to the work commencing the resource consent holder shall notify the Council's RMA Compliance Administrator by telephone (0800 426 5169) the expected date of work commencing.
8. (supervision) The construction of permanent earth bunds, retaining walls and building foundations and the placement and compaction of fill material shall be supervised by a suitably qualified engineering professional. In supervising the works, the suitably qualified engineering professional shall ensure that they are constructed and otherwise completed in accordance with the plans and details by Hutchinson Consulting Engineers, Reference LJ15567, dated 24 July 2012.
9. (certification) Certification from a suitably qualified engineering professional responsible for supervising the works shall be provided to the Team Leader, Compliance Monitoring Orewa confirming that the works have been completed in accordance with the plans and details provided, within 10 working days following completion. Written certification shall be in the form of a geotechnical completion report, producer statement or any other form acceptable to the Council.
10. (quality of fill) All imported fill used shall:
 - a. be solid material of a stable, inert nature and
 - b. not contain contaminants and
 - c. not be subject to biological breakdown.

Advice Note:

In addition to the characteristics for imported fill outlined in Condition 10, please refer to the relevant New Zealand Standard, e.g. NZS 4431:1989 'Code Of Practice for Earth Fill for Residential Development' to ensure that all fill used is of an acceptable engineering standard.

11. (instability) All earthworks shall be managed to ensure that they do not lead to any uncontrolled instability or collapse affecting either the site or any neighbouring properties. In the event that such collapse or instability does occur, it shall immediately be rectified.
12. (erosion and sediment control) All earthworks shall be managed to ensure that no debris, soil, silt, sediment or sediment-laden water is discharged from the subject site to either land, stormwater

drainage systems, watercourses or receiving waters. In the event that a discharge occurs, works shall cease immediately and the discharge shall be mitigated and/or rectified to the satisfaction of the Team Leader, Compliance Monitoring Orewa.

Advice Note:

In accordance with Condition 12 all earthworks shall be undertaken to ensure that all potential sediment discharges are appropriately managed. Such means and measures may include:

- a) Catchpit protection*
- b) run-off diversions*
- c) silt and sediment traps*
- d) decanting earth bunds*
- e) silt fences.*

13. (erosion and sediment control) Within 10 working days following the completion or abandonment of earthworks on the subject site all areas of bare earth shall be permanently stabilised against erosion to the satisfaction of the Team Leader, Compliance Monitoring Orewa.

Advice note:

In accordance with Condition 13 should the earthworks be completed or abandoned, bare areas of earth shall be permanently stabilised against erosion. Measures may include:

- the use of mulching*
- top-soiling and grassing of otherwise bare areas of earth*

The on-going monitoring of these measures is the responsibility of the consent holder.

It is recommended that you discuss any potential measures with the Council's monitoring officer who will guide you on the most appropriate approach to take. Please contact the Team Leader, Compliance Monitoring Orewa for more details. Alternatively, please refer to Auckland Regional Council, Technical Publication No. 90, Erosion & Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region.

14. (protection of roads) To prevent discharge of sediment-laden water or other debris into any public stormwater drainage systems or watercourses and therefore into receiving waters, and to prevent nuisance and amenity impacts on users of the road reserve, there shall be no deposition of earth, mud, dirt or other debris on any public road or footpath resulting from earthworks activity on the subject site. In the event that such deposition does occur, it shall immediately be removed. In no instance shall roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses or receiving waters.
15. (dust control) There shall be no airborne or deposited dust beyond the subject site as a result of the earthworks activity, that in the opinion of the Team Leader, Compliance Monitoring Orewa, is noxious, offensive or objectionable.

Advice note:

In accordance with Condition 15 in order to manage dust on the site consideration should be given to adopting the following management techniques:

- stopping of works during high winds*
- watering of haul roads, stockpiles and manoeuvring areas during dry periods*
- installation and maintenance of wind fences and vegetated strips*
- grassing or covering of stockpiles*

In assessing whether the effects are noxious, offensive or objectionable, the following factors will form important considerations:

- The frequency of dust nuisance events*
- The intensity of events, as indicated by dust quantity and the degree of nuisance*

- *The duration of each dust nuisance event*
- *The offensiveness of the discharge, having regard to the nature of the dust*
- *The location of the dust nuisance, having regard to the sensitivity of the receiving environment.*

It is recommended that you discuss any potential measures with the Council's monitoring officer who will guide you on the most appropriate approach to take. Please contact the Team Leader, Compliance Monitoring Orewa for more details. Alternatively, please refer to the Ministry for the Environment publication "Good Practice Guide for Assessing and Managing the Environmental Effects of Dust Emissions".

16. (noise and hours) All construction and earthworks activities on the subject site shall comply with the New Zealand Standard 6803:1999 for Acoustics – Construction Noise at all times.

The use of noise generating tools, motorised equipment, and vehicles that are associated with construction and/or earthworks activity on the subject site shall therefore be restricted to between the following hours to comply with this standard:

Monday to Saturday: 7a.m. to 6p.m.

Sundays or Public Holidays: no works.

17. (numbers of trucks) The excavation or fill material transported from or to the subject site shall be restricted to a maximum of 80 truck loads per day.
18. (review condition) At anytime until the proposed earthworks activity is completed, Condition 17 of this consent may be reviewed by the Team Leader, Compliance Monitoring Orewa pursuant to section 128 of the RMA. The purpose of the review is to deal with any adverse traffic effects which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage. By reviewing the condition, the Council may require the consent holder to reduce the number of truck movements per day and/or restrict the hours of movements, if, in the opinion of the Team Leader, more than minor adverse traffic effects arise on Sandspit Road or any other roads as a direct result of the proposed activity.
19. (no obstruction of access) There shall be no obstruction of access to public footpaths, berms, private properties, public services/utilities, or public reserves resulting from the construction and earthworks activity.
20. (overland flow path) There shall be no construction, storage or ancillary items placed within the overland flow path as defined by the Site Enlargement Plan provided by Hutchinson Consulting Engineers, reference BK 2099, sheet no. 2 of 6, and received by the Council on 18 March 2013.
21. (protection of trees) The dripline area of the protected trees adjacent to the proposed ablution block shall be cordoned off from the remainder of the property by a fence or similar barrier prior to the commencement of any proposed earthworks and construction on the site. This fence/barrier shall remain until all the earthworks and construction on the site has been completed. The fence/barrier shall be constructed to a standard that will prevent:
 - vehicular traffic over the root zone;
 - the area being used for the temporary storage of building materials;
 - the modification of the area's existing contour;
 - excavations within the area;
 - the lighting of fires within the area.
22. (archaeological features) Where the earthworks result in archaeological features being uncovered, all works on the subject site shall cease unless in the opinion of the Team Leader, Compliance Monitoring Orewa, the works can continue subject to restrictions on works within a 10 metre radius of the archaeological find. A suitable temporary barrier and signage restricting access shall be erected immediately, and the New Zealand Historic Places Trust (NZHPT) shall be contacted immediately so that appropriate action can be taken.

Advice note:

'Archaeological features' may in practice include shell middens, hangi or ovens, pit depressions, defensive ditches, artefacts, or koiwi tangata (human skeletal remains).

All archaeological sites are protected under the provisions of the Historic Places Act 1993 (HPA). It is an offence under this Act to destroy, damage or modify any archaeological site, whether or not the site is entered on the New Zealand Historic Places Trust (NZHPT) Register of historic places, historic areas, wahi tapu and wahi tapu areas. Under sections 11 and 12 of the Act, applications must be made to the NZHPT for an authority to destroy, damage or modify an archaeological site(s) where avoidance of effect is not practicable. It is the responsibility of the applicant (consent holder) to consult with the NZHPT about the requirements of the HPA and to obtain the necessary Authorities under the HPA should these become necessary as a result of any activity associated with the proposed development. For information please contact the NZHPT Northern Regional Archaeologist – Bev Parslow on (09) 307 0413.

23. (building restrictions) The proposed ablution block shall be subject to a minimum habitable floor level not lower than RL 3.4m, DOSLI Datum.
24. (colour for walls and roofs) The exterior cladding of the proposed ablution block shall be finished in natural materials or be painted in recessive colours to be agreed with the Team Leader, Compliance Monitoring Orewa. Once agreed the exterior cladding must be treated in the agreed colours within six months of the commencement of the use or occupancy of the building and then maintained thereafter.

Advice Notes

1. Please read the conditions of this resource consent carefully and make sure that you understand all the conditions that have been imposed before commencing the development.
2. Colour range considered suitable:

Paint colours for Landscape Protection Residential Zone (walls, windows roofs and doors)

Resene Total Colour System – Multi-Finish Range

Bronze	BR37-024-062	Black Magic	BR33-015-070
Creole	BR34-015-074	Oilskin	BR46-016-062
Jacko Bean	BR36-022-069	Space Shuttle	BR39-015-069
Judge Grey	BR46-018-071	Millbrook	BR50-021-068
Lisbon Brown	Y45-027-086	Soya Bean	BR52-029-079
Dragon	Y50-022-083	Rebel	BR34-020-035
Kilimanjaro	N34-005-036	Brown Pod	BR30-029-042
Cedar	BR36-018-038	Coffee Bean	BR33-011-045
Felix	BR41-016-039	Dark Rum	BR35-026-058
Wood Bark	BR30-013-056	Ciocolato	BR37-035-052
Sambuca	BR32-018-058	Brown Derby	BR42-027-055
Woodburn	BR35-025-061	Tobacco Brown	BR49-034-068
Stonewall	Y59-023-083	Clay Creek	Y62-039-088
Swamp	G30-011-198	Blue Bark	B29-013-322
Atomic	B42-016-232	Bokara Grey	N28-005-068
Armadillo	N42-004-127	Woodsmoke	N33-006-185
Zeus	N35-004-121	Possessed	N36-005-147
Gravel	N42-005-114	Chicago	N49-005-116
Condor	N49-005-149	Friar Grey	Y62-010-086
Cod Grey	N31-007-245	Black	N24-000-098
Jaguar	B27-008-276	Mine Shaft	B37-009-239
Shark	N34-007-264	Baltic Sea	N37-002-259
Mako	N46-005-209	Midnight Moss	G31-010-167

Gordons Green	G32-012-152	Forest Green	G37-022-140
West Coast	Y46-049-083	Woodrush	Y38-025-087
Karaka	G31-010-106	Camouflage	Y41-032-088
El Paso	G35-015-098	Eternity	G30-008-118
Black Forest	G31-011-128	Waiouru	G43-033-103
Scrub	G37-020-109	Tumbleweed	Y40-031-082
Punga	Y41-034-083		

Resene Total Colour System – White and Neutrals

Mondo	BR43-014-073	Double Mondo	BR38-014-074
Double Masala	BR39-009-079	Half Mondo	BR48-016-073
Triple Arrowtown	BR48-022-080	Masala	BR45-009-077
Cinder	N28-008-243	Double Arrowtown	BR53-024-079
Double Revolver	V30-010-291	Bastille	B29-009-283
Black	N24-000-98	Chimney Sweep	N25-002-289
Nero	N25-001-046	Cosmonaut	N27-007-048
Sooty	BR27-010-041		

3. *It is recommended that the consent holder should engage a specialist to conduct a Crime Prevention through Environmental Design assessment prior to finalising the design of the ablution block. The building can be better integrated with the adjacent reserve and provide more surveillance to the reserve. Please contact the Council's Parks and Recreation Advisor – North for more details.*
4. *The consent holder shall obtain all other necessary consents and permits, including those under the Building Act 2004, and the Historic Places Trust Act 1993. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004. Please note that the approval of this resource consent, including consent conditions specified above, may affect a previously issued building consent for the same project, in which case a new building consent may be required.*
5. *A copy of this consent should be held on site at all times during the establishment and construction phase of the activity.*
6. *If you disagree with any of the above conditions, or disagree with the additional charges relating to the processing of the application you have a right of objection pursuant to sections 357A or 357B of the RMA. Any objection must be made in writing to Council within 15 working days of notification of the decision.*
7. *The granting of this resource consent does not in any way allow the applicant to enter and construct drainage within neighbouring property, without first obtaining the agreement of all owners and occupiers of said land to undertake the proposed works. Any negotiation or agreement is the full responsibility of the applicant, and is a private agreement that does not involve Council. Should any disputes arise between the private parties, these are civil matters which can be taken to independent mediation or disputes tribunal for resolution. It is recommended that the private agreement be legally documented to avoid disputes arising.*
8. *Compliance with the consent conditions will be monitored by Council in accordance with section 35(d) of the Resource Management Act. This will typically include site visits to verify compliance (or non compliance) and documentation (site notes and photographs) of the activity established under the Resource Consent. In order to recover actual and reasonable costs, inspections, in excess of those covered by the base fee paid, shall be charged at the relevant hourly rate applicable at the time. Only after all conditions of the Resource Consent have been met, will Council issue a letter on request of the consent holder.*