

Hearings Commissioner

Notice of Meeting

A meeting of the Hearings Commissioner will be held at the Toll Stadium, Okara Drive Whangarei on:

**Thursday & Friday
18 & 19 June 2015
9am**

**Application by
James Coote**

Addendum Report

**Commissioner
Mr Giles Bramwell**

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Addendum Report to Hearings' Commissioner Giles Bramwell on a Resource Consent Application

This land use consent application was lodged by Reyburn and Bryant on behalf of James Coote and was reported on by Council's Senior Specialist (Consents), Katie Martin and consulting Environmental Engineering Officer John Smith.

Land use consent is sought to establish and operate a campground facility (including cabins and amenity buildings) to accommodate up to 280 persons, on a site comprising two titles bisected by Pataua North Road, within the Countryside Environment at Pataua North.

The proposal requires consent under the Operative District Plan pursuant to Rule 38.3.1(e) *Activities Generally*; Rule 38.3.6 (b) *Traffic Movements* and Rule 57.2.3 *Earthworks*.

Overall, the proposal is a Discretionary Activity under the Operative District Plan.

This report was peer reviewed by the following signatories:



20 May 2015

Katie Martin – Senior Specialist (Consents)

Date

This report was peer reviewed by the following signatory:



21 May 2015

Alister Hartstone – Resource Consents Manager

Date

Addendum Hearing Report

Hearing By: Hearings' Commissioner Giles Bramwell of a Discretionary Activity land use proposal by James Coote to establish and operate a campground facility (including cabins and amenity buildings) to accommodate up to 280 persons, on a site comprising two titles bisected by Pataua North Road, within the Countryside Environment at Pataua North.

The proposal requires consent under the Operative District Plan pursuant to Rule 38.3.1(e) *Activities Generally*; Rule 38.3.6 (b) *Traffic Movements* and Rule 57.2.3 *Earthworks*.

The site is located at Pataua North Road, Pataua North being legally described as Lot 3 DP 193125 comprising an area of 6.7505ha contained in Computer Freehold Register NA122B/559 and Lot 3 DP 383556 comprising an area of 2.8930ha contained in Computer Freehold Register NA333380.

Evidence By: Katie Martin - Senior Specialist Consents
Bachelor of Planning (Hons), University of Auckland

File Refs: LU1300133 P078223

Dated: 10 July 2014

1.0 Scope of the Report

- 1.1 The scope of this report is to provide the commissioner with additional detail of the proposal and an update of events that have taken place since the postponement of the hearing that was scheduled for 23 and 24 June 2014. This additional information will enable the commissioner to undertake an informed consideration of the application, subsequently to be supported by evidence presented at the hearing.
- 1.2 This addendum provides a brief overview to be supported by a set of attachments.

2.0 Background

2.1 Scheduled Hearing

- 2.1.1 The hearing for this application was previously scheduled for 23 and 24 June 2014. On Thursday 19 June 2014 the applicants agent contacted council both verbally and via email to advise an issue had been identified that they considered affected the ability for the scheduled hearing to proceed. As such they requested the hearing be cancelled to allow them time to deal with the issue and reschedule a suitable hearing date. A copy of the email request is included as attachment one.
- 2.1.2 The hearing was subsequently cancelled, and on Friday 20 June 2014 council made contact with all parties who had requested to be heard to advise them the hearing had been cancelled until further notice.
- 2.1.3 Subsequent to that, on 30 July 2014 council received correspondence from Martin Williams on behalf of submitter Richard Aubrey requesting council use its powers under s91 of the Act to defer scheduling a hearing on grounds relating to on-site wastewater disposal. A copy of this request can be found in Attachment Three.

2.1.4 The applicant was advised of this request. On 5 August 2014 the applicant advised council that they had identified short-comings in their engineering report and requested that council defer scheduling a hearing date. A copy of this request can be found in Attachment Four.

2.1.5 On 6 August 2014 the Commissioner agreed to the deferral requested on the basis of an indefinite time period.

2.2 Issue Identified

2.2.1 Proposed Boardwalk

During preparation of their expert evidence for the hearing, the applicants agents identified that the proposed boardwalk through the adjoining esplanade reserve fronting the beach would not comply with the rules contained in the district plan. While extensive detail and description of the proposed boardwalk had been included in the land use application for the campground, the applicant had not formally applied for consent for these areas of infringement and they had not been addressed in my section 42A report. The applicant's representatives considered it appropriate to formally apply for the identified infringements prior to the hearing to ensure a complete assessment of the application was undertaken.

2.2.2 On-site Wastewater Disposal

Mr Williams in his letter of 28 July 2014 contended that the consent issued by the Northland Regional Council (NRC) did not provide for the full extent of the waste likely to be generated from a campground of the size proposed. As such he considered that a new consent was required from NRC and that this issue should be addressed prior to any hearing taking place.

As noted above the applicant took this opportunity to review the engineering report prepared and subsequently identified short-comings in their conclusions and design. On that basis they decided to review the report prepared and the wastewater system design consented to be Northland Regional Council.

3.0 Application Details: LU1400077

3.1 Details of Consent Sought

3.1.1 In order to address the council requirements for provision of the boardwalk, an application was lodged on 25 June 2014 and holds council reference LU1400077 P039483. A copy of the application and the subsequent correspondence is included in attachment two.

3.1.2 The infringed rules are detailed in attachment three and are repeated here for ease of reference:

Table One – District Plan Rule Assessment

<p>Open Space Environment</p> <p>Rule 46.4.6 Coastal Minimum Floor Level</p> <p>Construction or alteration of a building or structure is a permitted activity if:</p> <p>There is a minimum floor level of 2.5m above One Tree Point Datum Mean Sea Level 1964.</p> <p><i>Comment: The proposed boardwalk meets the definition of "structure" contained within the district plan and will have a coastal floor level of 1.92m above One Tree Point datum at its lowest point and as such will not comply with this rule.</i></p>	<p>The construction or alteration of a building or structure that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> i Construction or alteration of a building or structure in relation to its location; ii The avoidance, remediation or mitigation of coastal hazards; <p>Floor level in relation to One Tree Point Mean Sea Level Datum 1964.</p>
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<p>Coastal Hazard Resource Area</p> <p>Rule 56.2.1 Coastal Hazards</p> <p>Construction or alteration of a building is a permitted activity Construction or alteration of a building or structure in a Coastal Hazard Area is permitted if:</p> <p>a) It does not occur in Coastal Hazard Area 1; and</p> <p>b) All buildings within Coastal Hazard Areas have a minimum floor level of 2.5m above One Tree Point Datum Mean Sea Level 1964.</p> <p><i>Comment: The proposed boardwalk meets the definition of "structure" contained within the district plan and will be located within both the Coastal Hazard 1 and 2 areas. It will also have a coastal floor level of 1.92m above One Tree Point datum at its lowest point and as such will not comply with this rule.</i></p>	<p>The construction or alteration of a building or structure that does not comply with a condition for a permitted activity is a discretionary activity.</p>
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3.1.3 The application had an overall activity status of discretionary activity. It is noted that the consent for the boardwalk was treated as an independent application and is considered to stand apart from the application for the camp ground.

3.2 Processing Details

3.2.1 The application was processed and reported on by Senior Specialist Consents Katie Martin.

3.2.2 Having assessed the areas of specific infringement and the potential effects a notification decision was made that determined:

- a) The adverse effects on the environment would be less than minor because the flexible design of the boardwalk and the ease by which it can be moved or removed if coastal processes dictate such action will ensure minimal effect from a coastal hazard perspective, while also offering the additional positive effect of dune protection with a defined access way through the sensitive dune environment: and the proposal was considered consistent with the objectives and policies of the operative District Plan because the use of a flexible structure is considered to be appropriate for its locations and a method of minimising effects on the sensitive sand dunes while enhancing public access and the impact of coastal hazards.
- b) The only party considered to be an affected party was the Parks Department who hold the responsibility of administering the subject esplanade reserve. They had provided approval to the proposal;
- c) Based on the above the application met the relevant tests of the Act and was able to be processed on a non-notified basis.

3.2.3 The application was processed and approved under delegated authority on 23 July 2014.

3.2. The application was approved subject to two conditions and a full copy of the planners report and decision (including the conditions) can be found in attachment five.

4.0 Northland Regional Council Application/ Consent

4.1 The applicant lodged a section 127 change to conditions application with the NRC for an increased amount of discharge and a new design for on-site disposal. The application was

processed on a non-notified basis and consent was granted on 18 February 2015 with an expiry date of 31 May 2024.

- 4.2 A copy of the NRC decision and associated consent conditions can be found in attachment six.
- 4.3 Council was advised of the s127 NRC consent and received a copy of the amended engineering reports on 20 February 2015. It was determined that given the level of interest raised regarding waste disposal in the submissions received by Whangarei District Council that the information should be circulated to all submitters. As such on 4 March 2015 a copy of the NRC consent and associated engineering reports was sent to all submitters offering them the opportunity to confirm either –
- That you wish to retain your submission as originally submitted; or
 - That you wish to lodge a fresh submission; or
 - That you wish to withdraw your submission
- 4.4 The period for reply closed on 1 April 2015 and a summary of the responses received is included in attachment seven.
- 4.5 It is noted that during this second round of communication a submission was received from a party who does not appear to have been a submitter during the original notification period. Despite attempts to contact this party via phone and email I have been unsuccessful and as such their submission has been discounted. This party is Aneta Bird and their correspondence has not been classed as a submission or considered in this assessment.

5.0 Implications for LU1300133

5.1 Boardwalk Application

Extent of the Application

As noted above, extensive details of the proposed boardwalk were included in the application for the campground and such details were included in the notification pack circulated to the potentially affected parties.

While the specific infringements were not included in the section 42A report consideration of the boardwalk was included in assessing the extent of the full proposal and the potential effects – particularly those associated with ecological impacts. Acknowledgement of the boardwalk was also included in the recommended consent conditions which have been drafted to require a dune management plan to be prepared. The dune management plan included provision for the boardwalk and associated fencing and signage.

This approved consent now forms part of the permitted baseline for the subject site and consideration of the receiving environment.

Consent Conditions

Much of the recommended consent conditions in the section 42A report remain unchanged, however slight amendments are recommended to reflect the newly issued consent LU1400077 and the need for the applicant to proceed in accordance with it during the preparation of the dune management plan required by condition 5 of stage one.

As such, an amended set of conditions has been included in the recommendation of this addendum report.

5.2 Wastewater Disposal – Northland Regional Council Consent

Assessment of the Information

Council planning and engineering staff have read and assessed the s127 NRC consent, the engineering report and the responses received from submitters. We have also sought

clarification from consultant landscape architect Bridget Gilbert as to whether it impacts on her original recommendation and conditions.

The outcome of this consideration is that in general terms our contention remains that “based on the consent issued by the NRC and their more recent comments it is concluded that the matter of both on-site waste water disposal and water take have already been adequately addressed and considered, and as such cannot be re-litigated through this application. Specific detail of the system to be installed will be required to be submitted with any Building Consent application and the specifics will be checked at this time” and as such our recommendation to grant the application remains unaffected. There are however, some consequential amendments to the recommended consent conditions to reference the new NRC consent.

A copy of the amended engineering assessment can be found in attachment eight.

Ecological Effects

It is noted that the new wastewater design is located in a position on the coastal block that is closer to the dune environment than the previous design. The applicant’s agent was asked via email on 26 February 2015 whether they intend to provide any further landscape or ecological assessment given the sites Notable Landscape Area notation.

The applicant provided a reply via email indicating that as the system is mostly underground there are no associated landscape or ecological issues.

One of the further submissions received (Stephanie Kane) has raised concern with respect to the dune environment and has suggested a greater depth of cover for the trenches be considered (150mm proposed, 600mm suggested).

Landscape Architect Bridget Gilbert has also considered this issue and provided the following comment:

My only query would be with respect to the Coastal Lot Effluent Disposal Field (EDF) location. The Richardson Stevens Report (7 October 2014) advises that the area “will be trafficable although the managed access to the beach and picnic area will avoid the area”. (See page 5)

There is no specific “managed access” in the immediate vicinity of the EFD and I expect that people staying in the cabins will recreate in the open flat grassed area coinciding with the EFD and people accessing the beach will cut across the EFD area?

Is this a problem for the long term durability of the EFD?

If so, do they need to consider either:

1. *Forming a track in the area that guides access away from the EFD; OR*
2. *Relocating the EFD to coincide with planting areas thereby avoiding potential access conflict (and assisting plat growth)?*

On the basis of queries raised by the above parties it is recommended that the applicant take the opportunity to provide evidence in this regard at the hearing. However on balance it is concluded that overall the effects from an ecological perspective from the newly designed system will be acceptable – with the opportunity to impose consent conditions if any such evidence presented prompts such mitigation.

Objectives and Policy Consideration

An assessment of the objectives and policies contained in the district plan has been included in my section 42A report. However, for clarity it is noted that the some of the chapters in the Plan include direct reference to matters pertaining to on-site wastewater disposal and associated environmental considerations. Those provisions are directed towards the relevant rules in the District Plan, such as those found in the subdivision rule chapters.

The proposal for wastewater disposal does not breach a rule in the District Plan and as such this aspect of the proposal can be considered to be a permitted activity and able to be undertaken as of right without need for resource consent from WDC. As such this aspect is within the sites “permitted baseline” and is considered to be consistent with the objectives and policies of the District Plan.

It is noted that the District Plan sits “under” the regional documents including the Regional Policy Statement and the Water and Soil Plan. The provisions contained within the District Plan must be in alliance with and not contradictory with the provisions of the regional documents – including the objectives and policies.

As noted in my section 42A report and also with respect to the newly issued regional consent (s127) the NRC have assessed the proposed on-site wastewater disposal system and site specific ground conditions against the provisions contained in the regional documents including the overarching objectives and policies. That assessment includes the following comments and conclusions:

- *The design loading rate for soils has not been altered, so is conservative for quality wastewater that is to be discharged to the disposal system;*
- *The sub soil profile from this bore hole showed sand to the bottom of the bore hole with no restricting soil horizons or groundwater being intersected;*
- *It is considered that any adverse effects on the underlying groundwater quality would be difficult to detect (and) it is still considered that any adverse effects on groundwater quality would be less than minor;*
- *There are no users of groundwater between the disposal area and where it would ultimately discharge into the coastal environment;*
- *The consent is consistent with the objectives and policies contained in Chapters 6, 7, 8 and 9 of the RWSP and Chapter 6 of the RAQP;*
- *In all circumstances, the activities are consistent with the purpose and principles of the Act, as included in Part 2 of it;*
- *The council is satisfied that the activity will not give rise to the effects outline in section 107 of the Act after reasonable mixing.*

Having considered the proposal against the objective and policy chapters, and in light of the NRC assessment/ conclusions, my original section 104(1)(b) assessment still stands - *it is concluded that the proposed subdivision is consistent with the overarching intent of the aforementioned relevant objectives and policies of the Operative District Plan.*

Section 42A Report and Recommendations

On that basis my section 42A report dated 6 June 2014 remains as written with respect to the assessment of effects and its conclusions.

6.0 Supplementary Updates

6.1 Proposed Boat Ramp

- 6.1.1 Part 6.7 of my original section 42A report provided discussion surrounding public infrastructure at Pataua North and in particular the matter of a proposed boat ramp and associated parking issues. It is noted that the appeal referenced in this discussion has recently been withdrawn and as such the Northland Regional Council consent issued in February 2010 is now able to be given effect to by the applicant.

7.0 Conclusion and recommendation

6.1 Conclusion

- 6.1.1 It is recommended that the Commissioner receive the additional information and detail associated with LU1400077 and the newly issued Northland Regional Council consent and associated wastewater design detail in considering the application for James Coote (reference LU1300133).

6.2 Recommendations

- 6.2.1 Having considered the new application and information against the previous assessment contained the section 42A report it is still recommended that the Commissioner **approve** the application for James Coote (LU1300133) to construct and operate a campground facility (including cabins) to accommodate up to 280 persons, on a site encompassing two titles (Lot 3 DP 38556 and Lot 3 DP 193125) bisected by Pataua North Road, with the applicant also seeking to give effect to the proposal in two stages, and seeks a lapse date of 10 years to give effect to Stage 2 (development of the inland title), subject to an amended set of recommended conditions as detailed below.

5.2 Recommendation

Recommendation One

THAT pursuant to section 37 of the Resource Management Act 1991, it is recommended that the two late submissions from KP Hayes & LJ Ross and Marcus Foot both received 15 working days late on 8 April 2014 be accepted.

Reasons for the Recommendation:

1. The submissions do not introduce matters that have not already been raised by submissions received within the required timeframes and consideration and involvement of all parties is considered to be fundamental in the inclusive intent of the Act.
2. Acceptance of these submitters will not be prejudicial to the applicant and no unreasonable delay was encountered in the receipt of this submission.

Recommendation Two

THAT pursuant to sections 104, 104B and 108 of the Resource Management Act 1991, it is recommended that consent be granted to James Coote (LU1300133) to construct and operate a campground facility (including cabins) to accommodate up to 280 persons, on a site encompassing two titles (Lot 3 DP 38556 and Lot 3 DP 193125) bisected by Pataua North Road. The applicant also seeks to give effect to the proposal in two stages, and seeks a lapse date of 10 years to give effect to Stage 2 (development of the inland title).

The proposal requires consent under the Operative District Plan pursuant to Rule 38.3.1(e) *Activities Generally*; Rule 38.3.6 (b) *Traffic Movements* and Rule 57.2.3 *Earthworks*.

Overall, the proposal is a Discretionary Activity under the Operative District Plan.

Recommended Conditions of consent

Stage One – to be given effect to within 5 years of the date of this decision

- Coastal Site being Lot 3 DP 383556

General Accordance Conditions

1. The proposed development shall proceed in general accordance with the site plan and accompanying details submitted with this application by Reyburn and Bryant reference 11811 dated October 2013 and supported by:
 - A Traffic Impact Assessment Report titled '*Cootes Tourism: Pataua North Traffic Impact Assessment Report*' dated October 2013, prepared by Engineering Equilibrium.
 - An Assessment of Landscape and Natural Character Effects titled '*Pataua North Proposed Campground Development*' prepared by Littoralis Landscape Architecture, dated October 2013.
 - An *Archaeological Assessment of the Proposed New Campground* prepared by Geometria Limited dated 12 May 2013.
 - Site Suitability Reports prepared by Richardson Stevens Consulting Engineers dated 7 June 2013 and 7 October 2014 including Innoflow Communal Wastewater Management System Report Dated 10 September 2014 Reference Q7863.
 - An Interim Cultural Impact Assessment Report prepared by Ngati Korora Resource Management Consultants.
 - Resource Consent Decision LU1400077 dated 23 July 2014 for construction of the boardwalk.

The Section 92 response of 30 January 2014 including the following information:

- Supplementary information relating to Landscape and Visual Effects;
- Boardwalk Construction Details.
- Authority under Section 14 of the Historic Places Act 1993 for earthworks affecting three recorded archaeological sites (Q07/1401, Qo7/1402 and Q07/1403), subject to conditions (including the requirement for further archaeological investigation).
- An Acoustic Assessment prepared by Styles Group Acoustics and Vibration Consultants, dated 16 January 2014.
- Further information submitted on 14 May 2104 under cover of letter dated 29 April 2104 by Reyburn and Bryant.

2. That Stage One of the campground shall be limited to:

- 14 self contained cabins
- 24 campsites
- Two amenities buildings
- One temporary building housing an office, shop and cafe

As detailed in the Assessment of Landscape and Natural Character Effects titled *Pataua North Proposed Campground Development* prepared by Littoralis Landscape Architecture, dated October 2013 with such to be located in general accordance with the plan contained in attachment three of that documentation.

Pre-Site Works Conditions - to be undertaken prior to any works taking place on the site

3. The consent holder shall submit to council for approval of the Team Leader Compliance a detailed set of plans illustrating the proposed style, design, layout, elevations, floor plans, size and finished materials and colours of the proposed buildings. The buildings shall be in general accordance with that detail supplied in support of the application with regards to size, location, design and intended exterior materials and colours. Such detail shall be approved by the Team Leader Compliance and construction shall only take place in accordance with the approved plans.

4. The consent holder shall submit a detailed planting plan and landscape management plan prepared by a suitably qualified person for those areas marked on the "Concept Plan" prepared by Littoralis Landscape Architecture "Assessment of Landscape and Natural Character Effects" dated October 2013 to achieve effective perimeter screening of the site and a series of camp enclaves and outlined in the aforementioned report

The plan shall be in general accordance with:

- An Assessment of Landscape and Natural Character Effects titled *Pataua North Proposed Campground Development* prepared by Littoralis Landscape Architecture, dated October 2013 including the attachments; and
- Indicative Building Elevations prepared by Two Architects, dated October 2103; and
- The supplementary information relating to Landscape and Visual Effects supplied in the section92 response dated February 2014 including the revised Landscape Concept Plans and clarification of species etc.

The planting plan shall be to the approval of the Team Leader Compliance and shall show at least the following:

- i The size and species of any existing planting, and whether it is to be retained;
- ii Name of proposed species, (plants shall be appropriate to the immediate area and shall be eco-sourced from within the local ecological district);
- iii Size of proposed stock for planting;
- iv Numbers, locations and spacing of proposed plants, details of staking of trees, etc;
- iiiv Details of proposed mulch, type, depth etc;
- iiiv A schedule of quantities and costs for the above work, including labour and materials;
- v Proposed site perimeter fencing;

The landscape management plan shall address:

- i. Any staging of the development and shall include a statement of the mitigation objectives for each stage of the development with an explanation as to how they are to be achieved;
 - ii. Site preparation methods (including weed and pest control), topsoil depths, plant locations, plant sizes, plant spacings and plant numbers, mulch requirements, replacement planting requirements and ongoing maintenance requirements (including weed and pest control);
 - iii. The staging and methodology for pine tree removal and replacement native plantings;
 - iv. The Landscape Management Plan shall provide for the ongoing maintenance of plantings in perpetuity to the satisfaction of Council's Team Leader Compliance. The Landscape Management Plan shall require 90% plant survival as far as possible.
5. The consent holder shall submit a dune rehabilitation and management plan prepared by a suitably qualified professional that addresses the landscape and ecological requirements for the management of all foredune areas, generally in accordance with the matters outlined in the Landscape report prepared by Littoralis Landscape Architecture dated October 2013 and the Landscape related matters in the s92 Response dated February 2014 (including revised Landscape Concept Plans and clarification of species etc). The Plan shall take account of the detail and design included in both LU1400077 P039483 dated 23 July 2014 and the AB Ecology Dune Rehabilitation and Management Plan dated 10 September 2013 and prepared for the adjoining Aubrey Farms site. The plan is to include (but not be limited to) the following:

- The integration of management of the proposed campground with existing dunes contained in esplanade reserve Lot 2 DP97743
- Planting plan to provide for further enhancement and stabilisation of the dune system using eco-sourced species, particularly addressing those species identified that currently hold a threatened status
- Ongoing management of pests and weeds within the dune area and any management issues associated with the potential introduction of pests and weeds from any new property owners within the subdivision
- Design and management of fencing and board walk access for the purposes of allowing suitable dune rehabilitation and protection while providing access through the esplanade reserve to the beach for camp users
- Any signage required to inform and/or direct the public and or landowners with regard to the dune system management
- Provision for management and rehabilitation required following any extreme natural events which damage the integrity of the dune system
- The staged implementation of the dune rehabilitation and management plan (if appropriate) with stage one to include fencing, signage and boardwalk structures.

The plan shall be subject to the approval of the Council's Parks Manager.

6. The consent holder shall submit a Camp Management Plan outlining how the camp will be operated and managed to ensure compliance with this consent at all times and methods of redress should it be required. The plan will be subject to the approval of the Team leader Compliance, and shall cover at least the following:
- Site and Camp visitor management to achieve compliance with the Noise standards as outlined in the Styles Group report Dated 16 January 2104;
 - On-site signage addressing camp rules, noise, hours of operation, dune access and traffic related requirements;
 - Complaint management system;
 - Hours of Operation of the camp, shop and cafe;
 - Rubbish control and disposal;
 - Vermin and pest control;
 - Animal Control;
 - Day visitors;
 - On-site deliveries;
 - Water take and waste disposal including any failure procedures.

- 7 The consent holder shall submit a detailed set of engineering plans prepared in

accordance with Whangarei District Council's Environmental Engineering Standards 2010 Edition . The engineering plans are to be submitted to the Senior Environmental Engineering Officer for approval.

It is to be noted that certain designs may only be carried out by an Independently Qualified Person (IQP) or Chartered Professional Engineer (CPEng) working within the bounds of their assessed competencies. IQP's must have been assessed by Whangarei District Council and hold a current status to submit design work.

All work needing design/certification by a Whangarei District Council approved IQP/CPEng will require completion of a producer statement (design).

Plans are to include but are not limited to:

- i. Design details of the construction of the internal roading, pedestrian and parking network in accordance with the Reyburn & Bryant (revised) concept plan, the Richardson Stevens suitability report dated 7/6/13 and the Engineering Equilibrium traffic impact assessment dated 15/10/13 noting the requirement to separate vehicles and pedestrians at the entrance from Pataua North Rd and noting also the Fire Service requirement for a minimum 4.0m wide access for fire appliances. Include typical cross sections, culverts, drainage flow paths and overland flow paths.
 - ii. Design details of the construction of a new vehicle access for Lot 3 DP 383556 at the southern end of its road frontage in accordance with Sheet 21 (Rural Type 2 Crossing) and Sheets 22 & 23. Entrance crossings are to be designed and constructed in such a manner that will control stormwater run-off entering a property from the road, and that likewise prevent stormwater and detritus, including gravel, dirt and other materials, migrating onto the road reserve from a property.
 - iii. Design details of the upgrade of the existing berm and/or shoulder of Pataua North Rd from the proposed vehicle entrance south to the intersection of Aubrey Rd. Details to ensure not less than a 1.5m berm width is available throughout for safe pedestrian access, other than in locations A, B, D and E on the plan attached to the letter dated 29/4/14 from Reyburn & Bryant where not less than a 0.75m wide shoulder is to be provided. For area C on the Reyburn & Bryant plan, the widening shall be 1.5m where practicable together with roadside vegetation trimming/removal to improve sight lines. In addition, appropriate signage is to be provided to warn motorists of pedestrians in the area.
 - iv. Design details of the provision of not less than 4 x 24m³ water storage tanks including the provision for each tank set to have a minimum 10m³ of stored water at all times for firefighting purposes. All tank sets are to have approved NZ Fire Service couplings fitted and must be located a safe distance away from any habitable dwelling in accordance with the "NZFS Fire Fighting Code of Practice, SNZ PAS 4509:2008".
8. The consent holder is to submit a site specific Traffic Management Plan for approval compiled by a qualified Site Traffic Management Supervisor for all works to be carried out within the Whangarei District Council Road Reserve to the approval of the Team Leader Compliance
 9. The consent holder is to submit a Corridor Access Request application for all works to be carried out within the Whangarei District Council Road Reserve in accordance with Whangarei District Council's Environmental Engineering Standards 2010 Edition to the approval of the Team Leader Compliance.
 10. The consent holder shall obtain all necessary building consents for the construction of buildings and retaining structures and in so doing comply with the Building Code set out in Schedule 1 of the Building Regulations 1992 (Clause G13.3.4) which applies to proposals where no sewer is available. Refer also to Advice Note 14.
 11. A pre start meeting is required to be undertaken with the consent holders representative (DR), contractor/s and all other IQP's or agents and the Senior Environmental Engineering Officer prior to any works being undertaken on the site.
 12. The consent holder shall notify Council, in writing, of their intention to begin works, a minimum of seven days prior to commencing works. Such notification shall be sent to the Senior Environmental Engineering Officer and Team Leader Compliance and include

the following details:

- i Name and telephone number of the project manager.
 - ii Site address to which the consent relates.
 - iii Activities to which the consent relates.
 - iv Expected duration of works.
13. A copy of the approved engineering plans and a copy of the resource consent conditions and the above letter are to be held onsite at all times during construction.

Works to be Completed Prior to Commissioning of the Campground

14. All work on the approved engineering plans in **condition 7** are to be carried out to the approval of the Senior Environmental Engineering Officer or their delegated representative.

All work needing design/certification by a Whangarei District Council approved IQP/CPEng will require completion of a producer statement (construction).

In the case of works to remain in private ownership, these may be inspected and approved by a Whangarei District Council approved IQP who has been certified to design/construct such works. (The works that fall into this category will be advised by the Senior Environmental Engineering Officer as part of Engineering plan approval) A producer statement (construction) is to be provided by the Whangarei District Council approved IQP, along with copies of all test results/photographs etc. The Senior Environmental Engineering Officer is to be advised of any necessary inspections/testing of private works a minimum of 24 hours before they take place in order that the Senior Environmental Engineering Officer may observe the inspection/testing if so desired.

All works that are to be vested in Whangarei District Council require the presence of the Senior Environmental Engineering Officer their delegated representative at all inspections/testing.

Failure to comply with these requirements may result in the work not being accepted as complying with the RC conditions/Environmental Engineering Standards 2010 Edition (as applicable).

No construction works are to commence onsite until the engineering plans required in **condition 7** have been approved and all associated plan inspection fees have been paid.

15. Prior to the occupation and use of any building on the site the consent holder shall submit to the Senior Environmental Officer evidence that consent condition 10 of the Northland Regional Council consent referenced AUT.036463.01.02 has been met.
16. That all planting as required by way of the approved planting and landscape management plan under **Condition 4** is implemented and completed, with written evidence that it has been completed to be provided by way of written confirmation from a suitably qualified person to the satisfaction of the Councils Team Leader Compliance.
17. The approved dune rehabilitation and management plan required under **Condition 5** is to be implemented and completed, with written evidence that it has been completed to be provided by way of written confirmation from a suitably qualified person to the satisfaction of the Councils Team Leader Compliance.
18. Completion of the remaining stages of the approved dune rehabilitation and management plan required under **Condition 5** are to be implemented and completed within 12 months of stage one of the camp being commissioned, with written evidence that it has been completed to be provided by way of written confirmation from a suitably qualified person to the satisfaction of the Councils Team Leader Compliance.
19. That the applicant shall in conjunction with Council's Parks Manager create a legal pedestrian walking easement through Lot 2 DP 97743 to the beach in favour of Lot 3 DP 383556 and Lot 3 DP 193125. Creation of this easement shall be at the applicants expense and proof of its

registration shall be provided to the Team Leader Compliance.

20. The consent holder shall submit written confirmation from power and telecommunications utility services operators that their conditions for this development have been satisfied in accordance with the Whangarei District Council's Environmental Engineering Standards 2010 Edition to the approval of the Environmental Engineering Officer.
21. The applicant shall ensure that spoil from the site must not be tracked out onto Council or State Highway Road formations to the approval of the Senior Environmental Engineering Officer.
22. Dust nuisance must be controlled onsite (by use of a watercart or similar) by the applicant so as not to cause "offensive or objectionable" dust at or beyond the boundary of the development.
23. The consent holder shall submit a certified and dated "as built" plan of completed works, and RAMM data (being the vehicle entrance and improvements to the Pataua North Rd berms/shoulder) in accordance with Whangarei District Council's Environmental Engineering Standards 2010 Edition to the approval of the Senior Environmental Engineering Officer.
24. The consent holder shall submit for approval a "Certificate of Completion of Development Works" (Form EES PS4 or similar) to the Senior Environmental Engineering Officer or their delegated representative.
25. The consent holder shall submit a works producer statement/s from the suitably qualified contractors who completed the works certifying that the works have been completed in accordance with the approved engineering plans, the Whangarei District Council Environmental Engineering Standards 2010 Edition and best trade practise to the satisfaction of the Senior Environmental Engineering Officer or their delegated representative.

General Conditions – Ongoing Compliance Required

26. That the on-site shop and cafe shall only open for visitors, clients and deliveries between the hours of 0800 to 1900 on any day and that the on-site office shall only open for visitors, clients and deliveries and between the hours of 0800 to 2100 on any day.
27. That the cafe shall have a maximum capacity of 40 patrons at any one time.
28. That the 14 self contained cabins shall be used for temporary visitor accommodation and shall not be used in a manner that meets the definition of "*Residential Activity*" as defined by the Whangarei District Plan. Such temporary accommodation shall comply as a "*Temporary Living Place*" as defined in the Camping-Grounds Regulations 1985.
29. That all buildings shall be finished in either natural unstained timber or have a paint or stain finish that has a Light Reflectivity Value (LRV) of 30% or less. Where walls are not black, roofs shall be a darker tone by comparison to exterior walls to sit the structure into the landscape.
30. That all fencing shall be post and 7 wire, post and 5 wire (electric) or post and rail fencing (unstained or stained charcoal). Where 1.8m high impermeable fencing is required for privacy reasons (eg adjacent ablutions facilities) such fences shall be screened from external view by native framework planting.
31. Exposed retaining walls (i.e. retaining walls that do not form part of a building) shall be constructed in unstained timber, natural stone or finished to match the buildings. Exposed retaining walls shall be a maximum of 1.5m high. Where level changes dictate, a stepped retaining wall can be used provided a minimum 1.0m landscape strip is provided between the two for mitigation planting. Maximum height of each retaining wall step: 1.5m.
32. Above ground water tanks shall be screened from external view by planted or grassed earth bunds and/or screen planting.
33. In general, access roads shall be unsealed. Where gradients dictate a sealed surface, paving

materials shall comprise visually recessive materials such as exposed aggregate concrete, charcoal coloured concrete (6kg oxide/m³), asphalt or chipseal.

34. External lighting shall comprise bollard height luminaires or be fitted with covers and be oriented downwards to minimise external light spill.
35. The campground shall operate in compliance with those provision contained in the Camp Management Plan as approved under **condition 6**.

Review Condition

36. In accordance with section 128 of the Resource Management Act 1991, the council may serve notice on the consent holder of its intention to review the above conditions of consent six months following the commencement of the activity and in one year intervals thereafter. The review will be for the purpose of dealing with any adverse effects on the neighbouring/surrounding environment not currently mitigated through the Camp Management Plan approved under **condition 6** above.
This condition will allow the council to have particular regard to the on-going management of the activity to ensure that it is carried out in the manner described in the application and in a manner that does not result in any concerns in the locality.

Bond Condition

37. Pursuant to Sections 108(2)(b) and 108A of the Resource Management Act 1991 a bond shall be entered into in respect of the works associated with the approved Plan under Condition 8 to cover ongoing maintenance and failed plant replacement costs of the plantings over a 3 year period from the date of planting. The amount of the bond shall be calculated based on the schedule of costs supplied in **Condition 4** with the bond being calculated on the basis of one and one-half times the value of the works required with that value being provided in the form of a quote from a recognised provider of the particular works.

The bond may be reduced by one-third in any one year on certification by a suitably qualified professional that any replacement planting or supplementary planting required by the approved plan has been carried out.

Note: Where suitable evidence is provided by a suitably qualified professional to confirm that planting in accordance with the approved plan has being undertaken and completed at least 6 months prior the bond amount may be reduced accordingly.

The bond shall be prepared by the Council's solicitor at the expense of the consent holder and shall be drawn if required by the Council in a form enabling the bond to be registered pursuant to S.109 of the Resource Management Act 1991 against the title or titles to the land to which the bond relates.

Performance of the bond shall be guaranteed by a guarantor acceptable to the Council. A recognised bank trading in New Zealand shall be deemed to be an acceptable guarantor. A guarantor of a bond may be substituted with a cash bond.

Stage Two – to be given effect to within 10 years of the date of this decision

- Inland Site being Lot 3 DP 193125

General Accordance Conditions

1. The proposed development shall proceed in general accordance with the site plan and accompanying details submitted with this application by Reyburn and Bryant reference 11811 dated October 2013 and supported by:
 - A Traffic Impact Assessment Report titled 'Cootes Tourism: Pataua North Traffic Impact Assessment Report' dated October 2013, prepared by Engineering Equilibrium.
 - An Assessment of Landscape and Natural Character Effects titled *Pataua North*

Proposed Campground Development prepared by Littoralis Landscape Architecture, dated October 2013.

- An *Archaeological Assessment of the Proposed New Campground* prepared by Geometria Limited dated 12 May 2013.
- A Site Suitability Report prepared by Richardson Stevens Consulting Engineers dated 7 June 2013 and 7 October 2014 including Innoflow Communal Wastewater Management System Report Dated 10 September 2014 Reference Q7863.
- An Interim Cultural Impact Assessment Report prepared by Ngati Korora Resource Management Consultants.
- Resource Consent Decision LU1400077 dated 23 July 2014 for construction of the boardwalk.

The Section 92 response of 30 January 2014 including the following information:

- Supplementary information relating to Landscape and Visual Effects;
- Boardwalk Construction Details.
- Authority under Section 14 of the Historic Places Act 1993 for earthworks affecting three recorded archaeological sites (Q07/1401, Qo7/1402 and Q07/1403), subject to conditions (including the requirement for further archaeological investigation).
- An Acoustic Assessment prepared by Styles Group Acoustics and Vibration Consultants, dated 16 January 2014.
- Further information submitted on 14 May 2104 under cover of letter dated 29 April 2104 by Reyburn and Bryant.

2. That Stage Two of the campground shall be limited to:

- 9 self contained cabins
- 29 campsites
- Two pup tent areas
- Angled boat parking
- One amenities building
- One building housing an office, shop and cafe

As detailed in the Assessment of Landscape and Natural Character Effects titled *Pataua North Proposed Campground Development* prepared by Littoralis Landscape Architecture, dated October 2013 with such to be located to be in general accordance with the plan contained in attachment thee of that documentation.

Pre-Site Works Conditions - to be undertaken prior to any works taking place on the site

3. The consent holder shall submit to council for approval of the Team Leader Compliance a detailed set of plans illustrating the proposed style, design, layout, elevations, floor plans, size and finished materials and colours of the proposed buildings. The buildings shall be in general accordance with that detail supplied in support of the application with regards to size, location, design and intended exterior materials and colours. Such detail shall be approved by the Team Leader Compliance and construction shall only take place in accordance with the approved plans.
4. The consent holder shall submit a detailed planting plan and landscape management plan prepared by a suitably qualified person for those areas marked on the "Concept Plan" prepared by Littoralis Landscape Architecture "Assessment of Landscape and Natural Character Effects" dated October 2013 to achieve effective perimeter screening of the site and a series of camp enclaves and outlined in the aforementioned report.

The plan shall be in general accordance with:

- An Assessment of Landscape and Natural Character Effects titled *Pataua North Proposed Campground Development* prepared by Littoralis Landscape Architecture, dated October 2013 including the attachments; and

- Indicative Building Elevations prepared by Two Architects, dated October 2103; and
- The supplementary information relating to Landscape and Visual Effects supplied in the section92 response dated February 2014 including the revised Landscape Concept Plans and clarification of species etc.

The planting plan shall be to the approval of the Team Leader Compliance and shall show at least the following:

- i The size and species of any existing planting, and whether it is to be retained;
- ii Name of proposed species, (plants shall be appropriate to the immediate area and shall be eco-sourced from within the local ecological district);
- iii Size of proposed stock for planting;
- iv Numbers, locations and spacing of proposed plants, details of staking of trees, etc;
- iiiv Details of proposed mulch, type, depth etc;
- iiiv A schedule of quantities and costs for the above work, including labour and materials;
- v Proposed site perimeter fencing;

The landscape management plan shall address:

- i. Any staging of the development and shall include a statement of the mitigation objectives for each stage of the development with an explanation as to how they are to be achieved;
- ii. Site preparation methods (including weed and pest control), topsoil depths, plant locations, plant sizes, plant spacings and plant numbers, mulch requirements, replacement planting requirements and ongoing maintenance requirements (including weed and pest control);
- iii. The staging and methodology for pine tree removal and replacement native plantings;
- iv. The Landscape Management Plan shall provide for the ongoing maintenance of plantings in perpetuity to the satisfaction of Council's Team Leader Compliance. The Landscape Management Plan shall require 90% plant survival as far as possible.

5. The consent holder shall submit a Camp Management Plan outlining how the camp will be operated and managed to ensure compliance with this consent at all times and methods of redress should it be required. The plan shall cover at least the following:
 - Site and Camp visitor management to achieve compliance with the Noise standards as outlined in the Styles Group report Dated 16 January 2104;
 - On-site signage addressing camp rules, noise, hours of operation, dune access and traffic related requirements;
 - Complaint management system;
 - Hours of Operation of the camp, shop and cafe;
 - Rubbish control and disposal;
 - Vermin and pest control;
 - Day visitors;
 - On-site deliveries;
 - Water take and waste disposal including any failure procedures.

6. The consent holder shall submit a detailed set of engineering plans prepared in accordance with Whangarei District Council's Environmental Engineering Standards 2010 Edition. The engineering plans are to be submitted to the Senior Environmental Engineering Officer for approval.

It is to be noted that certain designs may only be carried out by an Independently Qualified Person (IQP) or Chartered Professional Engineer (CPEng) working within the bounds of their assessed competencies. IQP's must have been assessed by Whangarei District Council and hold a current status to submit design work.

All work needing design/certification by a Whangarei District Council approved IQP/CPEng will require completion of a producer statement (design).

Plans are to include but are not limited to:

- i. Design details of the construction of the internal roading, pedestrian and parking network in accordance with the Reyburn & Bryant (revised) concept plan, the Richardson Stevens suitability report dated 7/6/13 and the Engineering Equilibrium traffic impact assessment dated 15/10/13 noting the requirement to separate

- vehicles and pedestrians at the entrance from Pataua North Rd; noting also the Fire Service requirement for a minimum 4.0m wide access for fire appliances and noting the requirement for access to the elevated building sites and parking bays will require specific design and supervision by a CPEng. Include typical cross sections, long section, retaining structures, culverts, drainage flow paths and overland flow paths.
- ii. Design details of the construction of a new vehicle access for Lot 3 DP 193125 at the northern end of its road frontage in accordance with Sheet 21 (Rural Type 2 Crossing) and Sheets 22 & 23. Entrance crossings are to be designed and constructed in such a manner that will control stormwater run-off entering a property from the road, and that likewise prevent stormwater and detritus, including gravel, dirt and other materials, migrating onto the road reserve from a property.
 - iii. Design details of the upgrade of the existing berm and/or shoulder of Pataua North Rd from the proposed vehicle entrance south to the intersection of Aubrey Rd. Details to ensure not less than a 1.5m berm width is available throughout for safe pedestrian access, other than in locations A, B, D and E on the plan attached to the letter dated 29/4/14 from Reyburn & Bryant where not less than a 0.75m wide shoulder is to be provided. For area C on the Reyburn & Bryant plan, the widening shall be 1.5m where practicable together with roadside vegetation trimming/removal to improve sight lines. In addition, appropriate signage is to be provided to warn motorists of pedestrians in the area. (Note: This condition will be deemed satisfied if Stage 1 precedes Stage 2 and the works have been completed to the satisfaction of the Senior Environmental Engineering Officer).
 - iv. Design details of the provision of not less than 6 x 24m³ water storage tanks including the provision for each tank set to have a minimum 10m³ of stored water at all times for firefighting purposes. All tank sets are to have approved NZ Fire Service couplings fitted and must be located a safe distance away from any habitable dwelling in accordance with the "NZFS Fire Fighting Code of Practice, SNZ PAS 4509:2008".
7. The consent holder shall submit a site specific Traffic Management Plan for approval compiled by a qualified Site Traffic Management Supervisor for all works to be carried out within the Whangarei District Council Road Reserve to the approval of the team Leader Compliance.
 8. The consent holder shall submit a Corridor Access Request application for all works to be carried out within the Whangarei District Council Road Reserve in accordance with Whangarei District Council's Environmental Engineering Standards 2010 Edition to the approval of the Team Leader Compliance.
 9. The consent holder shall obtain all necessary building consents for the construction of buildings and retaining structures and in so doing comply with the Building Code set out in Schedule 1 of the Building Regulations 1992 (Clause G13.3.4) which applies to proposals where no sewer is available. Refer also to Advice Note 14.

Works to be Completed Prior or Commissioning of the Campground

10. Prior to the commissioning of stage two of the campground all work on the approved engineering plans in **condition 6** is to be carried out to the approval of the Senior Environmental Engineering Officer or their delegated representative. All work needing design/certification by a Whangarei District Council approved IQP/CPEng will require completion of a producer statement (construction).

In the case of works to remain in private ownership, these may be inspected and approved by a Whangarei District Council approved IQP who has been certified to design/construct such works. (The works that fall into this category will be advised by the Senior Environmental Engineering Officer as part of Engineering plan approval) A producer statement (construction) is to be provided by the Whangarei District Council approved IQP, along with copies of all test results/photographs etc. The Senior Environmental Engineering Officer is to be advised of any necessary inspections/testing of private works a minimum of 24 hours before they take place in order that the Senior Environmental Engineering Officer may observe the inspection/testing if so desired.

All works that are to be vested in Whangarei District Council require the presence of the Senior Environmental Engineering Officer their delegated representative at all inspections/testing.

Failure to comply with these requirements may result in the work not being accepted as complying with the RC conditions/Environmental Engineering Standards 2010 Edition (as applicable).

No construction works are to commence onsite until the engineering plans required in **condition 6** have been approved and all associated plan inspection fees have been paid.

11. Prior to the occupation and use of any building on the site the consent holder shall submit to the Senior Environmental Officer evidence that consent condition 30 of the Northland Regional Council consent referenced AUT.036463.02.02 has been met.
12. A pre start meeting is required to be undertaken with the consent holders representative (DR), contractor/s and all other IQP's or agents and the Senior Environmental Engineering Officer prior to any works being undertaken on the site.
13. The consent holder shall notify Council, in writing, of their intention to begin works, a minimum of seven days prior to commencing works. Such notification shall be sent to the Senior Environmental Engineering Officer and Team Leader Compliance and include the following details:
 - i. Name and telephone number of the project manager.
 - ii. Site address to which the consent relates.
 - iii. Activities to which the consent relates.
 - iv. Expected duration of works.
14. A copy of the approved engineering plans and a copy of the resource consent conditions and the above letter are to be held onsite at all times during construction.
15. The consent holder shall submit written confirmation from power and telecommunications utility services operators that their conditions for this development have been satisfied in accordance with the Whangarei District Council's Environmental Engineering Standards 2010 Edition to the approval of the Environmental Engineering Officer.
16. The applicant shall ensure that spoil from the site must not be tracked out onto Council or State Highway Road formations to the approval of the Senior Environmental Engineering Officer.
17. Dust nuisance must be controlled onsite (by use of a watercart or similar) by the applicant so as not to cause "offensive or objectionable" dust at or beyond the boundary of the development.
18. The consent holder must submit a certified and dated "as built" plan of completed works, and RAMM data (being the vehicle entrance and improvements to the Pataua North Rd berms/shoulder) in accordance with Whangarei District Council's Environmental Engineering Standards 2010 Edition to the approval of the Senior Environmental Engineering Officer.
19. Upon completion of the development works, the consent holder must submit for approval a "Certificate of Completion of Development Works" (Form EES PS4 or similar) to the Senior Environmental Engineering Officer or their delegated representative.
20. The applicant following completion of construction shall provide a works producer statement/s from the suitably qualified contractors who completed the works certifying that the works have been completed in accordance with the approved engineering plans, the Whangarei District Council Environmental Engineering Standards 2010 Edition and best trade practise to the satisfaction of the Senior Environmental Engineering Officer or their delegated representative.
21. That all planting as required by way of the approved planting and landscape management plan under **Condition 4** is implemented and completed, with written evidence that it has been completed to be provided by way of written confirmation from a suitably qualified person to the satisfaction of the Councils Team Leader Compliance

and. Such planting shall be undertaken at least one planting season prior to the proposed commencement of building construction and/ or commissioning of the camp ground to ensure plant establishment for mitigative screening and that the planting shall be maintained in perpetuity.

General Conditions – Ongoing Compliance Required

22. That the permanent on-site shop and cafe shall only open for visitors, clients and deliveries and between the hours of 0800 to 1900 on any day and that the on-site office shall only open for visitors, clients and deliveries and between the hours of 0800 to 2100 on any day.
23. That the cafe shall have a maximum capacity of 40 patrons at any one time.
24. That the 9 self contained cabins shall be used for temporary visitor accommodation and shall not be used in a manner that meets the definition of “*Residential Activity*” as defined by the Whangarei District Plan. Such temporary accommodation shall comply with “*Temporary Living Place*” as definition in the Camping-Grounds Regulations 1985
25. That all buildings shall be finished in either natural unstained timber or have a paint or stain finish that has a Light Reflectivity Value (LRV) of 30% or less. Where walls are not black, roofs shall be a darker tone by comparison to exterior walls to sit the structure into the landscape.
26. That all Fencing shall be post and 7 wire, post and 5 wire (electric) or post and rail fencing (unstained or stained charcoal). Where 1.8m high impermeable fencing is required for privacy reasons (eg adjacent ablutions facilities) such fences shall be screened from external view by native framework planting.
27. Exposed retaining walls (i.e. retaining walls that do not form part of a building) shall be constructed in unstained timber, natural stone or finished to match the buildings. Exposed retaining walls shall be a maximum of 1.5m high. Where level changes dictate, a stepped retaining wall can be used provided a minimum 1.0m landscape strip is provided between the two for mitigation planting. Maximum height of each retaining wall step: 1.5m.
28. Above ground water tanks shall be screened from external view by planted or grassed earth bunds and/or screen planting.
29. In general, access roads shall be unsealed. Where gradients dictate a sealed surface, paving materials shall comprise visually recessive materials such as exposed aggregate concrete, charcoal coloured concrete (6kg oxide/m³), asphalt or chipseal.
30. External lighting shall comprise bollard height luminaires or be fitted with covers and be oriented downwards to minimise external light spill.
31. The campground shall operate in compliance with those provision contained in the Camp Management Plan as approved under **condition 6**.

Review Condition

32. In accordance with section 128 of the Resource Management Act 1991, the council may serve notice on the consent holder of its intention to review the above conditions of consent six months following the commencement of the activity and in one year intervals thereafter. The review will be for the purpose of dealing with any adverse effects on the neighbouring/surrounding environment not currently mitigated through the Camp Management Plan approved under **condition 5** above.
This condition will allow the council to have particular regard to the on-going management of the activity to ensure that it is carried out in the manner described in the application and in a manner that does not result in any concerns in the locality.

Bond Condition

33. Pursuant to Sections 108(2)(b) and 108A of the Resource Management Act 1991 a bond shall be entered into in respect of the works associated with the approved Plan under Condition 8 to cover ongoing maintenance and failed plant replacement costs of the plantings over a 3 year

period from the date of planting. The amount of the bond shall be calculated based on the schedule of costs supplied in **Condition 4** with the bond being calculated on the basis of one and one-half times the value of the works required with that value being provided in the form of a quote from a recognised provider of the particular works.

The bond may be reduced by one-third in any one year on certification by a suitably qualified professional that any replacement planting or supplementary planting required by the approved plan has been carried out.

Note: *Where suitable evidence is provided by a suitably qualified professional to confirm that planting in accordance with the approved plan has been undertaken and completed at least 6 months prior the bond amount may be reduced accordingly.*

The bond shall be prepared by the Council's solicitor at the expense of the consent holder and shall be drawn if required by the Council in a form enabling the bond to be registered pursuant to S.109 of the Resource Management Act 1991 against the title or titles to the land to which the bond relates.

Performance of the bond shall be guaranteed by a guarantor acceptable to the Council. A recognised bank trading in New Zealand shall be deemed to be an acceptable guarantor. A guarantor of a bond may be substituted with a cash bond

Reasons for the Recommendation:

That pursuant to section 113 of the Resource Management Act 1991 the reasons for this decision are as follows:

1. The proposal will not produce adverse effects on the current level of character and amenity enjoyed at Pataua North but will allow for the introduction of an activity supportive of a coastal settlement while creating an acceptable level of modification of to the environment in this locality. The proposal will also result in positive environmental outcomes with dune rehabilitation and reforestation and landscape planting. The proposal is able to provide an appropriate method of access while not undermining the safe and efficient flow on Pataua North Road.
2. The proposal is in accordance with the NZ Coastal Policy Statement and is supportive of the objectives and polices contained in both the District Plan and Regional Plan by preserving natural character while avoiding inappropriate use and development.

Advice Notes

1. The applicant shall pay all charges set by Council under Section 36 of the Resource Management Act 1991. The applicant will be advised of the charges as they fall.
2. Section 357B of the Resource Management Act 1991 provides a right of appeal to this decision. Appeals must be in writing, setting out the reasons for the appeal, and lodged with the Environment Court within 15 working days after the decision has been notified to you. Appellants are also required to ensure that a copy of the notice of appeal is served on all other relevant parties.
3. Stage One of this resource consent will lapse five years after the date of commencement of this consent (being the date of this decision) and Stage Two of this resource consent will lapse ten years after the date of commencement of this consent (being the date of this decision) unless:
 - It is given effect to before the end of that period; or
 - An application is made to Council to extend the period after which the consent lapses, and such application is granted prior to the lapse of consent. The statutory considerations which apply to extensions are set out in Section 125 of the Resource Management Act 1991.
- 4 A copy of this consent should be held on site at all times during the establishment and construction phase of the activity.

- 5 All archaeological sites are protected under the provisions of the Historic Places Act 1993. It is an offence under that act to modify, damage or destroy any archaeological site, whether the site is recorded or not. Application must be made to the New Zealand Historic Places Trust for an authority to modify, damage or destroy an archaeological site(s) where avoidance of effect cannot be practised.
6. All site works must be undertaken in accordance with Heritage New Zealand Authority to Modify reference 2014/605 dated 13 January 2014.
- 7 The Consent Holder shall pay all charges set by Council under Section 36 of the Resource Management Act 1991, including any administration, monitoring and supervision charges relating to the conditions of this resource consent. The applicant will be advised of the charges as they fall.
- 8 Pursuant to Section 102 of the Local Government Act 2002, Whangarei District Council has prepared and adopted a Development Contributions Policy. Under this policy, the activity to which this consent related is subject to Development Contributions. You will be advised of the assessment of the Development Contributions payable under separate cover in the near future. It is important to note that the Development Contributions must be paid prior to commencement of the work or activity to which consent relates or, in the case of a subdivision, prior to the issue of a Section 224(c) Certificate. Further information regarding Councils Development Contributions Policy may be obtained from the Long Term Community Consultation Plan (LTCCP) or Council's web page at www.wdc.govt.nz
9. The operation and management of the campground will be subject to compliance with the **Health Act 1956** and the **Camping Ground Regulations 1985** in all respects.
10. The operation and management of the campground will be subject to compliance with the Northland Regional Council consents AUT.036463.01.01, AUT0.36463.02.01, AUT036463.03.01 and AUT036463.04.01 dated 21 February 2014.
11. Building Consents may be required for retaining structures.
12. The applicant is advised that a further site inspection of completed works will be required if a period greater than 3 months has passed since the last Council inspection prior to Council signing off on the completed works.
13. Necessary applications for building consents shall take into full account the recommendations of the Richardson Stevens suitability report dated 7/6/14 together with the consents dated 21/2/14 granted by the Northland Regional Council for the discharge of treated wastewater to land, the discharge of contaminants to air and the taking of groundwater from a bore.
14. Necessary applications for building consents shall take into full account the recommendations of the Richardson Stevens suitability report dated 7/6/14, the Richardson Stevens wastewater management report dated 7/10/14 together with the consents dated 18/2/15 granted by the Northland Regional Council for the discharge of treated wastewater to land, the discharge of contaminants to air and the taking of groundwater from a bore.

8.0 Attachments

1. **Reyburn and Bryant Email of 19 June 2014.**
2. **Application as lodged LU1400077 and subsequent correspondence**
3. **Martin Williams Section 91 Request**
4. **Reyburn and Bryant Request**
5. **LU 140077 Planning Report**
6. **Northland Regional Council Consent**
7. **Summary of Submitter Responses**
8. **Updated Senior Environmental Engineering Assessment**