

R E P O R T	TO	HEARINGS COMMITTEE
	FROM	Karl Baldwin KTB PLANNING CONSULTANTS LTD, CONSULTING PLANNING OFFICER
	FILE REF	85.051.062.20 RTF288837
	DATE	7 September 2007
	SUBJECT	LAND USE CONSENT: TO ERECT AND OPERATE A STORAGE SHED FACILITY OF 31 UNITS WITH ASSOCIATED WASHDOWN AREA, CARPARKS, TOILET, SECURITY FENCING AND LANDSCAPING. 232 Trig Road South, Waihi (frontage onto Waihi Beach Road)

1.0 DETAILS OF APPLICATION

Date Received:	31 May 2007
Applicant:	P & P Henderson
Property:	Lot 2 DPS 84502
Location:	232 Trig Road South, Waihi (corner of Trig Road South and Waihi Beach Road)
Zoning:	Rural (District Plan - Map 21)
Application:	Section 88 of the Resource Management Act 1991: - Discretionary Activity
Recommendation:	Approval, with conditions.

Karl Baldwin, Planner for KTB Planning Consultants Ltd has prepared this report. It has been prepared to assist the Hearings Committee in their consideration of the application. The report has no status other than as a staff report on the recommendation. It is not a decision and the recommendation should not be construed or used as such.

2.0 THE PROPOSAL

The applicant proposes to establish 31 storage units on the site for the commercial storage of boats and general storage. The buildings will be single storey, green coloured sheds as shown on the development plans provided with the application.

The proposal will be carried out in three stages and will involve the following:

Stage 1

- Construction of 10 units, wash down area including outboard motor bath and six (6) carparking areas;
- 1.8m high security fence;
- Landscaping/screen planting on the northern and western side of the security fence;
- Toilet, septic tank and disposal field;

Stage 2 & 3

- Construction of twenty one (21) units and carparking.

A full description of the proposal is found in section 3 of the application report and details are shown on the Stage 1 and 2 Scheme plans. The application has however been amended since the initial lodgment of the application as detailed within the Connell Wagner letters dated 6 and 17 August 2007.

The application proposes to allow electronic access to the facility from the hours of 5am to 10pm. After this time the facility will not be accessible to the public. The applicants also propose to install security cameras and information signage which will provide contact details for management.

3.0 THE SITE AND LOCALITY

The site is owned by P and P Henderson (the applicant) and is legally described as Lot 2 DPS 84502. The site is located on the corner of Trig Road South and Waihi Beach Road and has an area of approximately 62 hectares. It is currently used as a dairy farm.

Lot 2 is occupied by a single dwelling, with access off Trig Road South, and various farm sheds, including dairy shed, which are accessed off a farm entrance on Waihi Beach Road.

The surrounding area is typically rural in character with associated residential and farm buildings. The subject site surrounds a relatively small residential section at 290 Waihi Beach Road, which was subdivided from the subject property in 1999. This site contains a single dwelling and accessory buildings.

The subject site, and all adjoining properties are zoned Rural under the District Plan.

A full description of the site, locality and zoning is found in section 2.0 of the application report.

4.0 STATUS OF THE APPLICATION

4.1 Zone

The site is zoned Rural.

4.2 Activity Status and Performance Criteria

The proposal is considered to be a commercial service which is a **discretionary activity** within the rural zone.

The proposal is required to be assessed against the Discretionary Activity assessment criteria (s5.1.6.3A and B). An assessment of the relevant criteria is as follows:

Performance standards for this zone

The proposal is considered to comply with the relevant performance standards which include height, yards, daylighting, site coverage and site distances from vehicle crossings.

The remaining performance standards are considered in the assessment of environmental effects in section 7.1 below.

5.0 STATUTORY REQUIREMENTS

5.1 Resource Management Act 1991 (RMA)

The matters to be considered in assessing the application are set out in Part II and Section 104 of the Act. Section 104 sets out the matters that the Council shall have regard to in assessing the proposal. Briefly, the relevant matters are:

- (a) Any actual or potential effects on the environment of allowing the activity.
- (b) Any relevant provisions of a plan or proposed plan;
- (c) Any other matters the consent authority considers relevant and reasonably necessary to determine the application.

Part II of the Act encompasses Sections 5 - Purpose and Principles of the Act, Section 6 – Matters of national importance, Section 7 – other matters, and Section 8 – Treaty of Waitangi. Part II of the Act embodies the purpose and principles of the Act.

For a discretionary activity, section 104B of the Act states that Council may grant or refuse the consent, and (if granted) may impose conditions under section 108 of the Act.

5.2 Hauraki Gulf Marine Park Act 2000

The subject site is considered to be within the Hauraki Gulf catchment area as shown within the Act.

Section 9(4) requires a consent authority, when considering an application for a resource consent for the catchments of the Hauraki Gulf, to have regard to sections 7 and 8 of the Act.

- **Recognition of national significance of Hauraki Gulf**
- **Management of Hauraki Gulf** – objectives to recognize the national significance of the Gulf, its islands and catchments.

6.0 SUBMISSIONS

Three submissions in opposition were received in response to notification of this application. These can be found in the appendices of this report. A summary of those submissions are as follows:

- Issues of security, management/enquiries when no staff is on site – potential for enquiries to go to neighbouring residential properties.
- The proposal is not a rural activity.
- Loss of amenity values, loss of rural outlook.
- The cost of screening/fencing for neighbours.
- Hours of operation.
- No security system.
- Vehicle safety.
- Inadequate water supply.
- Water quality issues.
- Noise.
- Financial viability.

As a result of these submissions the applicant has amended the proposal as shown in the letters dated 6 and 17 August 2007.

7.0 ASSESSMENT OF THE PROPOSAL – section 104(1) of RMA

7.1 Assessment of Effects on the Environment

The effects to consider are those that may occur as a result of the construction and operation of the storage facility.

7.1.2 Loss of productive potential of the land (s5.1.6.3A.2 of the Plan)

It is acknowledged that this proposal is removing a small part of land that is currently used for grazing purposes. It is however considered that when taking into account the relatively large parcel of farm land that makes up this site, approximately 62ha, and the relatively small area of land proposed within this application, approximately 4000m², it is considered that this proposal will not compromise the productive capabilities of the property.

7.1.3 Traffic effects (s5.1.6.3A.3 & .6 of the Plan)

The proposal is being carried out in three stages. The first of which includes the construction of a vehicle crossing in accordance with Council's Class C (Rural Residential Vehicle Entrance) with a 6.0m wide driveway. The crossing width will extend all the way to the car park as shown in the Connell Wagner scheme plans.

Stage 2 of the development will include the recording of the Stage 1 vehicle movements to assess the requirements to upgrade the vehicle crossing and the widening of Waihi Beach Road. This approach is recommended by Banks Engineering Consultancy as part of the Traffic Assessment Report found in Appendix D of the application.

This approach has been considered by Councils Consent Engineer, and he has advised that it is an appropriate method to determine the upgrading requirements as part of Stages 2 and 3.

It is considered appropriate that, if granted, conditions of consent are imposed to ensure that the vehicle crossing is constructed to Councils Class C standards as part of Stage 1 and that further detailed analysis is carried out prior to Stage 2/3 to assess the necessity to further upgrade the crossing and the widening of Waihi Beach Road. This should be assessed and considered by Council prior to construction of stage 2/3.

Overall it is considered that the potential or actual adverse traffic effects of this application can be successfully avoided provided appropriate conditions of consent are satisfied.

7.1.4 Effects associated with the buildings (s5.1.6.3A.5 of the Plan)

The proposal will result in the construction of three sheds which vary in size as shown on the 'The shack and shed Company' plans. The sizes of the sheds are as follows:

Stage 1 – 40m L x 11m W x 5.5m H
Stage 2 – 40m L x 10m W x 5.5m H
Stage 3 – 38.5m L x 8.5m W x 4.6m H

It is important to note that these proposed sheds comply with the District Plan standards for buildings within the rural zone. The construction of these sheds for an agricultural use, such as implement or hay sheds, would be a permitted activity under the Hauraki District Plan. This is considered to be a relevant *permitted baseline assessment*. Section 104(2) of the RMA, provides for the permitted baseline. This section states that:

- (2) *When forming an opinion for the purposes of section 104(1)(a), a consent authority may disregard an adverse effect of the activity on the environment if the plan permits an activity with that effect.*

It is my opinion that the actual and potential adverse effects associated with the 'building' on this site should be disregarded as buildings of this or greater sizes are permitted within the rural zone.

7.1.5 Building Design and Landscaping (s5.1.6.3A.7 of the Plan)

The proposal includes the provision for the sheds to be painted green and for landscape planting, up to 2m in height, to be located on the western and northern sides of the perimeter fence. It is noted that the eastern side of the facility will also be screened by the existence of a hedgerow whereas the southern side will be open to the existing farm sheds on the property.

It is considered that the proposed screening, when coupled with the existing hedgerow to the east of the site, can effectively mitigate any adverse visual effects associated with the proposed activity. However it is vital that if consent is granted, that the screen planting is of appropriate species and is successfully established to ensure that the visual effects associated with this activity are mitigated.

If granted, it is considered appropriate that the following conditions be placed on the consent:

Prior to construction of Stage one, the consent holder shall provide Council with a planting plan for the effective visual separation of the subject site from the adjoining property of Lot 1 DPS 84502 and Waihi Beach Road, that details plant species, height and separation distances for the approval of the Planning and Environmental Services Manager.

Prior to operation of Stage one, the consent holder shall carry out the planting, as approved under condition 9, in a good and workmanlike manner to ensure the long term survival of the trees and to the satisfaction of the Planning and Environmental Services Manager.

The consent holder shall maintain the screen planting, and hedgerow to the east of the site, at all times to the satisfaction of the Planning and Environmental Services Manager.

7.1.6 Signage (s5.1.6.3A.11 of the Plan)

The proposal does not include any advertising signage as part of the application. It is considered appropriate that if signage is to be installed for the activity that the signs comply with the provisions of the HDC Plan. If granted, a condition to this effect should be imposed on the consent.

As a result of the submissions received the applicant has advised that they now propose to install signage at the entrance to the facility which advises of management contact details such as address and phone numbers. If granted, a condition which requires the signage to include hours of operation, security information and management contact details should be imposed on the consent.

It is considered that this is an appropriate mitigation measure to alleviate the concerns of the adjoining property in regards to the potential for customers to arrive at their doorstep requesting information or help in regards to the facility.

7.1.7 Stormwater, effluent disposal, water supply (s5.1.6.3A.12 & .13 of the Plan)

The proposal includes the provision for a single toilet and associated effluent disposal system. A building consent will be required for this part of the proposal and it is considered that this is able to comply with the relevant standards of the Waikato Regional Plan for on-site effluent disposal systems. The adverse effects associated with the toilet and the effluent disposal are considered to be no more than minor.

The proposal includes the provision for the disposal of stormwater from hard surface areas into soak holes and also a washdown bay for boats. This washdown bay wastewater will be separated from the general turning/carparking area stormwater by sloping finished surfaces. The 'clean' stormwater from the turning/carparking area will be discharged to soak holes around the site. The washdown water, and stormwater from the washdown bay, will pass through an oil separator where contaminants, such as a small level of outboard oil/petrol will be trapped. The remaining water will again be discharged via a soak hole. The design of this system is detailed in the Connell Wagner letter dated 17 August 2007 and the Connell Wagner Final Setout and Drainage Plan.

It is noted that the submissions raised concerns about water quality being degraded from this facility. The threat of Didymo was also raised as a serious concern.

As of today, there are no confirmed reports of Didymo being present in waterways within the north island. Because of this, and the fact that most boats in this location will be used for salt water recreational activities in the Waihi area, I consider that the threat of this activity being a source or transmission site for Didymo is extremely unlikely. However this issue is relevant and education is a vital step to ensure that Didymo does not enter our north island waterways. In my opinion I consider it appropriate that if consent is granted to this activity that a condition of consent requires the consent holder to install Didymo information signs around the site, such as the 'Check, Clean, Dry' campaign.

7.1.8 Noise (s5.1.6.3A.14 of the Plan)

It is considered that the most common source of adverse noise that will be generated from this proposal is the flushing of outboard motors. The applicant has included the use of an outboard motor 'bath' which will provide further mitigation of noise effects.

It is my opinion that the noise from outboard motor flushing will be infrequent throughout the year but will be concentrated to afternoons and evenings, during holiday periods, weekends and the summer generally. Again it is important to consider the permitted baseline of noise effects from farming operations such as the use of tractors, motorbikes, milk tankers, machinery and the noise from stock.

When considering the permitted baseline, the rather intermittent generation of noise from outboard motors and the use of an outboard motor bath, it is my opinion that the adverse effects associated with noise will be no more than minor.

It is recommended however that, if granted, conditions of consent be imposed that restrict the noise levels to those permitted in the District Plan and to impose a review condition which would allow Council to review the consent and suggest further mitigation measures should the noise levels be beyond those expected with this activity.

7.1.9 Exterior storage and screening (s5.1.6.3A.15 of the Plan)

As discussed in 7.1.5 above it is considered that any exterior storage will be effectively screened by the proposed buildings and the screen planting.

7.1.10 Hours of operation (s5.1.6.3A.16 of the Plan)

The applicant has amended the hours of operation from the initial 24hours / 7 days a week to 5am – 10pm / seven days a week.

It is my opinion that these proposed hours are appropriate and will protect neighbouring properties amenity values from the enjoyment of 'quiet' rural nights, with the obvious exception of vehicle movements on Waihi Beach Road and stock vocals.

If consent is granted it is considered appropriate that a condition be imposed to advise that the facility shall be locked for customers between the hours of 10pm – 5am.

7.1.11 Scale, rural character (s5.1.6.3B.6(b) of the Plan)

When considering the rural character of the area it is important to take into account both the built form of the proposal and the activities that will be carried out on the site. As discussed above it is my opinion that the built form of the development would result in adverse visual effects that are no more than minor. In terms of character however, the built form of the proposal including security fencing, vehicle crossing, driveway, sealed carparking area, information signage and screen planting would, in my opinion, be more of a commercial character.

The main activity associated with the proposal would be the relatively inert activity of storage. It is considered that storage would not adversely affect rural character of the area.

The vehicle movements associated with the proposal could however be inconsistent with the rural character of the area. These vehicle movements would be intermittent throughout the year but concentrated around holiday periods and weekends. The nature of the vehicle movements on the site would be predominantly small vehicles towing trailers/boats which will be either stationary or travelling at low speeds.

It is my opinion that there is a relevant *permitted baseline* when considering the vehicle movements within the site and the effects of this on the rural character. Rural activities are able to, as a permitted activity, generate a high volume of vehicle movements, including heavy vehicles such as stock trucks, milk tankers and tractors, and also those vehicle movements associated with residential uses. These vehicle movements are considered to be more consistent throughout the year.

It is my opinion that the storage shed facility is more commercial in character when compared to a typical rural activity. However it is also my opinion that the unique characteristics of this commercial activity, as opposed to a other commercial activities such as a café or a shop for example, result in the proposal being generally compatible with the rural environment.

It is my opinion that the adverse effects on the rural character will be no more than minor.

7.1.12 Summary

It is my opinion that the adverse effects associated with this proposal will be no more than minor providing appropriate conditions of consent are imposed and satisfied.

It is considered that the submitters concerns have generally been considered and addressed by the applicant by changing the hours of operation, the installation of information signage and security cameras and the use of an outboard motor bath to mitigate the noise associated with outboard motor flushing.

7.2 Relevant provisions of the Plan

As shown above in section 7.1 the proposal is considered to satisfy the performance standards of section s5.1.6.3A and B of the Plan.

Section s5.1.6.3B.6(a) of the Plan also requires Council to consider *whether it is established that there is a local need for the use which cannot be reasonably and practically be provided elsewhere; particular characteristics of the use that require it to be located in the rural area; and whether there are outstanding or unique site features which make the site suitable for commercial service.*

The term, *local need*, is difficult to assess, however in my opinion this type of activity, in this location, would be a well patronised facility considering the close proximity to Waihi Beach and the popularity of boating and salt water fishing. There are no particular characteristics that require it to be located in the rural zone as it could be accommodated on other land with zoning such as industrial or commercial. The location of the site, being on a main arterial route towards the settlement of Waihi Beach, is considered to provide practical and logical access to boat users or holiday makers at Waihi Beach.

The relevant objectives and policies have been addressed and commented on within the application. The applicant concludes that the proposal is generally consistent the intent of the relevant objectives and policies of the plan.

The relevant objectives that relate to development within the Rural zone are considered to be:

Objective 1

To ensure a range of compatible rural land use activities can be undertaken which benefit from the productive potential, location and rural character of the zone.

Objective 2

To ensure residential development and other complementary activities develop in a way that is compatible with the rural character of the zone.

Objective 7

To ensure that any adverse effects of a land use activity on the environment or on the amenities of neighbours is avoided, remedied or mitigated.

It is recognised that the proposal will result in the loss of a small area of productive rural land for a non-agricultural purpose. It is however considered that this relatively small loss of productive land would not compromise the overall rural activity of this land. It is my opinion that this commercial activity and the intermittent use of the site will actually be compatible with the rural land resource.

It is considered that the rural character of the area will not be compromised as the proposed buildings are of a design that is consistent with an agricultural building and the proposed landscaping will effectively blend the development into the landscape.

As stated above it is also considered that providing appropriate conditions of consent are imposed and satisfied, and that the development is carried out and managed as stated in the application, that the adverse effects on the environment and the amenity values of neighbouring properties would be successfully avoided, remedied and mitigated.

Overall it is my opinion that the proposal is consistent with the intentions of the objectives and policies of the Plan.

7.3 Hauraki Gulf Marine Park Act 2000

It is considered that the proposal will have no impact on the Hauraki Gulf or the relationship of the tangata whenua with the Gulf. Stormwater and washdown water is to be captured, managed and discharged to an appropriate system.

7.4 Part II Resource Management Act 1991

The matters to consider in section 104 are subject to Part II of the Act. Overall it is considered that the proposal is an efficient and sustainable use of an existing resource, being land zoned for a range of compatible rural purposes. The proposal is therefore considered to be in accordance with the purpose and principles of the RMA.

8.0 HDC STAFF COMMENTS

The HDC Consents Engineer has advised that appropriate conditions can be imposed which will effectively avoid, remedy and mitigate any adverse effects associated with this development.

9.0 RECOMMENDATIONS

It is recommended that consent is granted to this application subject to the following conditions.

9.1 Land Use Consent Decision

That pursuant to Section 104B and 108 of the Resource Management Act 1991 the Hauraki District Council grants consent to a discretionary activity application to construct and operate a storage shed facility with associated carparking and landscaped areas at Waihi Beach Road, Waihi, on the land legally described as Lot 2 DPS 84502, subject to the following conditions and for the following reasons:

Pursuant to Section 108 of the Act the following conditions shall apply:

Stage 1

General

1. That the activity be carried out in accordance with the information submitted with the application, including:
 - The land use consent application dated 17 May 2007 prepared by Connell Wagner limited Ref: 27201-001-KP-RC;
 - Scheme Plan for Stage 1 prepared by Connell Wagner provided as part of the application;
 - Traffic Impact Assessment prepared by Banks Engineering Consultancy 2004 Ltd dated 14 May 2007;
 - Letter from K Page of Connell Wagner dated 6 August 2007;
 - Letter from K Page of Connell Wagner dated 17 August 2007 which includes hours of operation;
 - Final Setout and Drainage Plan by Connell Wagner.
2. The consent holder shall appoint an official representative in respect of engineering works, with whom all correspondence relating to engineering matters, will be undertaken by Council.
3. The construction of all physical works shall be supervised and certified by a suitably qualified Engineer, or other suitably qualified person for whom Council's consent has been obtained.
4. All completed works shall be certified by the official representative, or their delegated agent, as in accordance with the approved plans and specifications. All materials used therein are to be certified to be in accordance with the relevant New Zealand standards.
5. That Engineering drawings and specifications covering all engineering works shall be submitted to the District Engineer for consideration and approval prior to commencement of any work.
6. That any soil spilled or tracked onto any public road shall be removed from the road immediately.

Sediment and Dust Control (Construction Phase)

7. The consent holder shall take measures to ensure that there is no objectionable dust nuisance beyond the boundary of the site. For the purpose of this condition, the dust nuisance shall be considered objectionable if a Council officer considers it so, having regard to the frequency, intensity, and duration of the effects, and any complaints from a member of the public that the effect of the dust was objectionable.

Landscaping/Screen Planting

8. Prior to construction of Stage one, the consent holder shall provide Council with a planting plan for the effective visual separation of the subject site from the adjoining property (Lot 1 DPS 84502) and Waihi Beach Road, that details plant species, height and separation distances for the approval of the Planning and Environmental Services Manager.
9. Prior to operation of Stage one, the consent holder shall carry out the planting, as approved under condition 9, in a good and workmanlike manner to ensure the long term survival of the trees and to the satisfaction of the Planning and Environmental Services Manager.
10. The consent holder shall maintain the screen planting, and hedgerow to the east of the site, at all times to the satisfaction of the Planning and Environmental Services Manager.

Water

11. That the consent holder shall install fire hydrants and other fire fighting equipment suitable to extinguish petrol and electrical fires to serve the proposed development. These shall be designed in consultation with the New Zealand Fire Service.
12. That the consent holder shall provide a water supply in accordance with NZS 4404: 2004 and Performance Standard 9.3.9 of the District Plan. This will be by water tank roof collection and/or bore.

Stormwater and Wastewater

13. That a collection, treatment and disposal system for hard surface runoff (sealed carpark manoeuvring area) and wash down grey water, shall be designed and submitted in accordance with Condition 5 above.

The system shall include a grease/oil interceptor trap and shall include disposal of the water clear of the effluent disposal area and farm access and buildings, and include disposal of overflow water from the roof collection tanks.

14. The consent holder shall ensure that the interceptor trap is emptied and maintained to a standard that ensures that no contaminants enter any water course or the ground water.

Parking

15. All car parking spaces, loading spaces, internal access and manoeuvring areas shall be formed and drained and thereafter maintained with a permanent all weather dust free surface, such as bitumen, concrete or cobblestones prior to operation/occupation of the facility.
16. That the 'parking' and manoeuvring areas shall be laid out, and clearly marked out, to the satisfaction of the District Engineer, to ensure that ready access for cars and trailers is provided to the storage units.

Vehicle crossings

17. That a dual Class C (Rural Residential Vehicle Entrance) as specified in the District Plan be constructed by the consent holder at the location shown on the scheme plan. A 300mm dia minimum concrete entrance culvert shall be placed in the existing water channel. This culvert shall meet minimum cover strength requirements
18. All existing grass berms and swale drains shall be reinstated (contoured, topsoiled and grassed) to the satisfaction of the District Engineer.

Noise

19. That construction noise shall meet the limits recommended in, and be measured and assessed in accordance with NZS 6803P:1999 to meet performance standard 9.4.1.3.
20. That the activity shall be conducted so as not to exceed the noise levels of the Rural zone as set out in the District Plan, as follows:

Standard	L₁₀	L_{max}
<u>Monday to Saturdays</u>		
7.00am - 10.0pm	50dBA	NA
10.00pm – 7.00am	40dBA	75 dBA
<u>Sunday and Public Holidays</u>		
7.00am - 10.0pm	45dBA	NA
10.00pm – 7.00am	40dBA	75 dBA

Noise levels are to be met at the site boundary.

21. The consent holder shall provide and ensure the use of an outboard motor bath which will be used for the flushing of all outboard motors on this site. The outboard motor bath shall be designed, located and screened to ensure the noise standards of the District Plan are complied with.

Archaeological

22. Should any archaeological sites, remains, artefacts, taonga or koiwi be unearthed, dislodged, uncovered or otherwise found or discovered on the site, work in the immediate vicinity of the find shall cease immediately, where upon the area shall be secured and any uncovered material shall remain untouched. The consent holder shall advise the relevant Iwi Authorities, the New Zealand Historic Places Trust and the Hauraki District Council within 48 hours. Any artefacts will be removed in accordance with appropriate Iwi protocols and any legal requirements of the Historic Places Act 1993, which will be implemented prior to work recommencing in the location of the site.

Lighting

23. The consent holder shall ensure that all lighting be installed, designed, shaded and arranged in order that the level of lighting measured on the boundaries of the site is no greater than 8.0 lux.

Signage

24. The consent holder shall ensure that all advertising signage associated with the facility shall be in accordance with the permitted activity standards of the District Plan (ie one on-site sign, maximum 1.5m²). Additional land use consents will be required should the proposed signage exceed these standards.

25. The consent holder shall provide appropriate information details at the main entrance gate to the site which sets out:
- Contact details for management (phone number and address);
 - Hours of operation 5am – 10pm;

The above information shall be either included in the advertising signage referred to in condition 24, otherwise details of the proposed signage (size, wording, location) shall be submitted to the Manager of Planning and Environmental Services prior to erecting on site.

26. The consent holder shall provide appropriate information details within the site which advises of Didymo and the threat to New Zealand Waterways. This information can be obtained from Biosecurity New Zealand.

Administrative

27. That pursuant to section 36(1)(b) of the Resource Management Act 1991, the applicant shall pay Council charges for receiving, processing and granting of the Resource consent.
28. That pursuant to Section 36(1)(c) of the Resource Management Act 1991 the applicant shall pay an administration fee of \$95.00 for administration of the consent.
29. That pursuant to Section 36(1)(c) of the Resource Management Act 1991 the applicant shall pay all Council's costs for monitoring this consent including all costs associated with the consideration and certification of plans and details associated with the consent as appropriate.
30. Council, pursuant to Section 128 of the Resource Management Act 1991, reserves the right to serve notice on the consent holder of its intention to review the conditions of this consent at any time to deal with any adverse effects on the surrounding environment which may arise from the exercise of the consent.

Stage 2 and Stage 3 – (stages can be carried out together or independently)

General

- 1 That the activity be carried out in accordance with the information submitted with the application, including:
- The land use consent application dated 17 May 2007 prepared by Connell Wagner limited Ref: 27201-001-KP-RC;
 - Scheme Plan for Stage 2/3 prepared by Connell Wagner provided as part of the application;
 - Traffic Impact Assessment prepared by Banks Engineering Consultancy 2004 Ltd dated 14 May 2007;
 - Letter from K Page of Connell Wagner dated 6 August 2007;
 - Letter from K Page of Connell Wagner dated 17 August 2007;
 - Final Setout and Drainage Plan by Connell Wagner.
2. The consent holder shall appoint an official representative in respect of engineering works, with whom all correspondence relating to engineering matters, will be undertaken by Council.
3. The construction of all physical works shall be supervised and certified by a suitably qualified Engineer, or other suitably qualified person for whom Council's consent has been obtained.
4. All completed works shall be certified by the official representative, or their delegated agent, as in accordance with the approved plans and specifications. All materials used therein are to be certified to be in accordance with the relevant New Zealand standards.
5. That Engineering drawings and specifications covering all engineering works shall be submitted to the Manager of District Engineer for consideration and approval prior to commencement of any work.
6. That any soil spilled or tracked onto any public road shall be removed from the road immediately.

Sediment and Dust control (Construction Phase)

7. That the consent holder shall take measures to ensure that there is no objectionable dust nuisance beyond the boundary of the site. For the purpose of this condition, the dust nuisance shall be considered objectionable if a Council officer considers it so, having regard to the frequency, intensity, and duration of the effects, and any complaints from a member of the public that the effect of the dust was objectionable.

Landscaping

8. Landscaping and/or screen planting shall continue to be maintained in accordance with Stage 1 condition 11.

Stormwater and Waste Water

9. Stormwater from the additional hard surfaced area shall be to the system installed for Stage 1. This shall be shown to be adequate to deal with the additional stormwater and greywater or plans shall be submitted in accordance with Condition 13 of Stage 1 for the upgrading of the system

Parking

10. All car parking spaces, loading spaces, internal access and manoeuvring areas shall be formed and drained and thereafter maintained with a permanent all weather dust free surface, such as bitumen, concrete or cobblestones prior to operation/occupation of the facility.
11. That the 'parking' and manoeuvring areas shall be laid out, and clearly marked out, to the satisfaction of the District Engineer, to ensure that ready access for cars and trailers is provided to the storage units.

Vehicle crossings

12. Prior to the construction of stages 2 and 3 the consent holder shall provide Council with revised recommendations for the construction and standard of the vehicle crossing and road, in general accordance with the Traffic Impact Assessment prepared by Banks Engineering Consultancy 2004 Ltd dated 14 May 2007. These revised recommendations shall consider the electronic vehicle counts taken after the construction of Stage 1 and consider the need for further upgrading. It is noted that substantial widening of Waihi Beach Road may be required at this stage to maintain the safety and efficiency of the roading environment. The revised plans shall be submitted for approval by the District Engineer prior to beginning works for Stage 2/3 of this development.
13. The consent holder shall upgrade the vehicle crossing and road in accordance with the approved plans provided as part of Condition 12 above of this consent, prior to operation of stage 2/3.
14. All existing grass berms and swale drains shall be reinstated (contoured, topsoiled and grassed) to the satisfaction of the District Engineer..

Noise

15. That construction noise shall meet the limits recommended in, and be measured and assessed in accordance with NZS 6803P:1999 to meet performance standard 9.4.1.3.

16. That the activity shall be conducted so as not to exceed the noise level of the Rural zone as set out in the District Plan as follows:

Standard	L₁₀	L_{max}
<u>Monday to Saturdays</u>		
7.00am - 10.0pm	50dBA	NA
10.00pm – 7.00am	40dBA	75 dBA
<u>Sunday and Public Holidays</u>		
7.00am - 10.0pm	45dBA	NA
10.00pm – 7.00am	40dBA	75 dBA

Noise levels are to be met at the site boundary.

17. The consent holder shall continue to provide and ensure the use of an outboard motor bath which will be used for the flushing of all outboard motors on this site. The outboard motor bath shall be designed, located and screened to ensure the noise standards of the District Plan continue to be complied with.

Archaeological

18. Should any archaeological sites, remains, artefacts, taonga or koiwi be unearthed, dislodged, uncovered or otherwise found or discovered on the site, work in the immediate vicinity of the find shall cease immediately, where upon the area shall be secured and any uncovered material shall remain untouched. The consent holder shall advise the relevant Iwi Authorities, the New Zealand Historic Places Trust and the Hauraki District Council within 48 hours. Any artefacts will be removed in accordance with appropriate Iwi protocols and any legal requirements of the Historic Places Act 1993, which will be implemented prior to work recommencing in the location of the site.

Lighting

19. The consent holder shall ensure that all lighting be installed, designed, shaded and arranged in order that the level of lighting measured on the boundaries of the site is no greater than 8.0 lux.

Administrative

20. That pursuant to section 36(1)(b) of the Resource Management Act 1991, the applicant shall pay Council charges for receiving, processing and granting of the Resource consent.
21. That pursuant to Section 36(1)(c) of the Resource Management Act 1991 the applicant shall pay an administration fee of \$95.00 for administration of the consent.
22. That pursuant to Section 36(1)(c) of the Resource Management Act 1991 the applicant shall pay all Council's costs for monitoring this consent including all costs associated with the consideration and certification of plans and details associated with the consent as appropriate.
23. Council, pursuant to Section 128 of the Resource Management Act 1991, reserves the right to serve notice on the consent holder of its intention to review the conditions of this consent at any time to deal with any adverse effects on the surrounding environment which may arise from the exercise of the consent.

Reasons for the Decision:

1. It is considered that the potential or actual adverse effects generated by this proposal will be no more than minor. It is considered that there are relevant permitted baseline comparisons in terms of the visual effects and noise effects associated with the proposal. Overall it is considered that those minor and less than minor adverse effects, such as noise and visual effects, can be avoided, remedied or mitigated by the above conditions of consent.

2. The proposal is not considered to be contrary to the relevant provisions of the District Plan including the objective and policies.
3. The proposal is considered to be consistent with the purpose and principles of the Resource Management Act 1991.
4. The proposal is not considered to be contrary to the Hauraki Gulf Marine Park Act 2000.

Advice Notes:

1. You are advised that, pursuant to Section 120 of the Resource Management Act 1991 you have 15 working days after receipt of notification of the decision, or any part of the decision to which it relates to lodge an appeal with the Registrar of the Environment Court, PO Box 7147, Wellesley Street, Auckland.
2. A copy of this consent is to be held on site at all times the activity, which the consent relates to, is being carried out.
3. The consent holder shall ensure that all necessary consents from the Waikato Regional Council have been obtained prior to beginning the works.
4. The sewage disposal generated from this proposal shall comply with Environment Waikato's permitted activity rules.
5. The consent holder shall ensure that all earthworks are carried out in accordance with Environment Waikato's "Erosion and Sediment Control – Guidelines for Soil Disturbing Activities 2003".

Karl Baldwin
KTB Planning Consultants Limited
Consulting Planning Officer