

REPORT ON A NON-NOTIFIED DISCRETIONARY LAND USE RESOURCE CONSENT APPLICATION

Considered under Delegated Authority Section 34 of the Resource Management Act 1991

Prepared for:	Hamish Barrell - Planning Manager
Prepared by:	Sherilyn Byron – Resource Management Planner
Consent Number:	201.2018.1097
<hr/>	
Applicant:	Kurow Duntroon Irrigation Company
Activity:	Installation of a pipeline to convey water for irrigation purposes and associated pump sheds and above ground structures in areas zoned Rural General (RG), Rural Scenic (RS) and Rural Residential (RR).
Activity Status:	Discretionary
Site Address:	Kurow-Duntroon Road
Legal Description:	Lot: 1 DP: 384199; Lot: 6 DP: 369280; Sec: 1 SO: 23947; Sec: 100A Set: OTEKAIEKE; Sec: 101A Set: OTEKAIEKE; Sec: 2 SO: 23947; Sec: 23A Set: Otekaieke; Sec: 3 SO: 476897; Sec: 32 SO: 21002; Sec: 34 Blk: X SO: 21001; Sec: 9 Blk: VIII SD: Kurow
District Plan & Zoning:	Operative Waitaki District Plan – Rural General (RG), Rural Scenic (RS) and Rural Residential (RR) Maps 13, 16, 17 & 44

1. INTRODUCTION

This report has been prepared under the Resource Management Act 1991 (RMA), to make a recommendation on the proposed installation of a pipeline to convey water for irrigation purposes in Rural General, Rural Scenic and Rural Residential zones, located along Kurow-Duntroon Road. This application has been processed on a non-notified basis, pursuant to the notification provisions contained in ss 95-95G of the RMA. This report also forms the decision and reasons for that decision as is required by s 113(4) of the RMA.

2. SITE DESCRIPTION

This application has been bought by Kurow Duntroon Irrigation Company (KDIC), an irrigation company which supplies water for irrigation and stock use over extensive areas of the Upper Waitaki Valley. KDIC holds existing consents with Environment Canterbury to use water for irrigation.

The subject site is located predominantly along Kurow-Duntroon Road, the area has some additional planning overlays, namely High Class Soils and areas identified as being prone to flooding. No other planning notations or overlays are applicable to the areas affected by the conveyance of the pipework and locations of the pump sheds.

The existing irrigation scheme consists of approximately 35 kilometres of pipe delivering water via a gravity feed system and manually operated gates to locations east of Kurow at Lake Waitaki, to west of the Maerewhenua River. Generally, the area is home to predominantly rural farming activities, the

landscape can be described as an agricultural landscape. The Maerewhenua River is located to the west of the area and the rural settlements of Kurow to the north and Duntroon to the south. The Alps to Ocean (A2O) cycle way traverses much of the area following the State Highway for the majority of this portion of the track.

The remaining landscape primarily consists of undulating farmland with amenity shelterbelt plantings. An aerial photograph of the Kurow and Duntroon area is shown below.

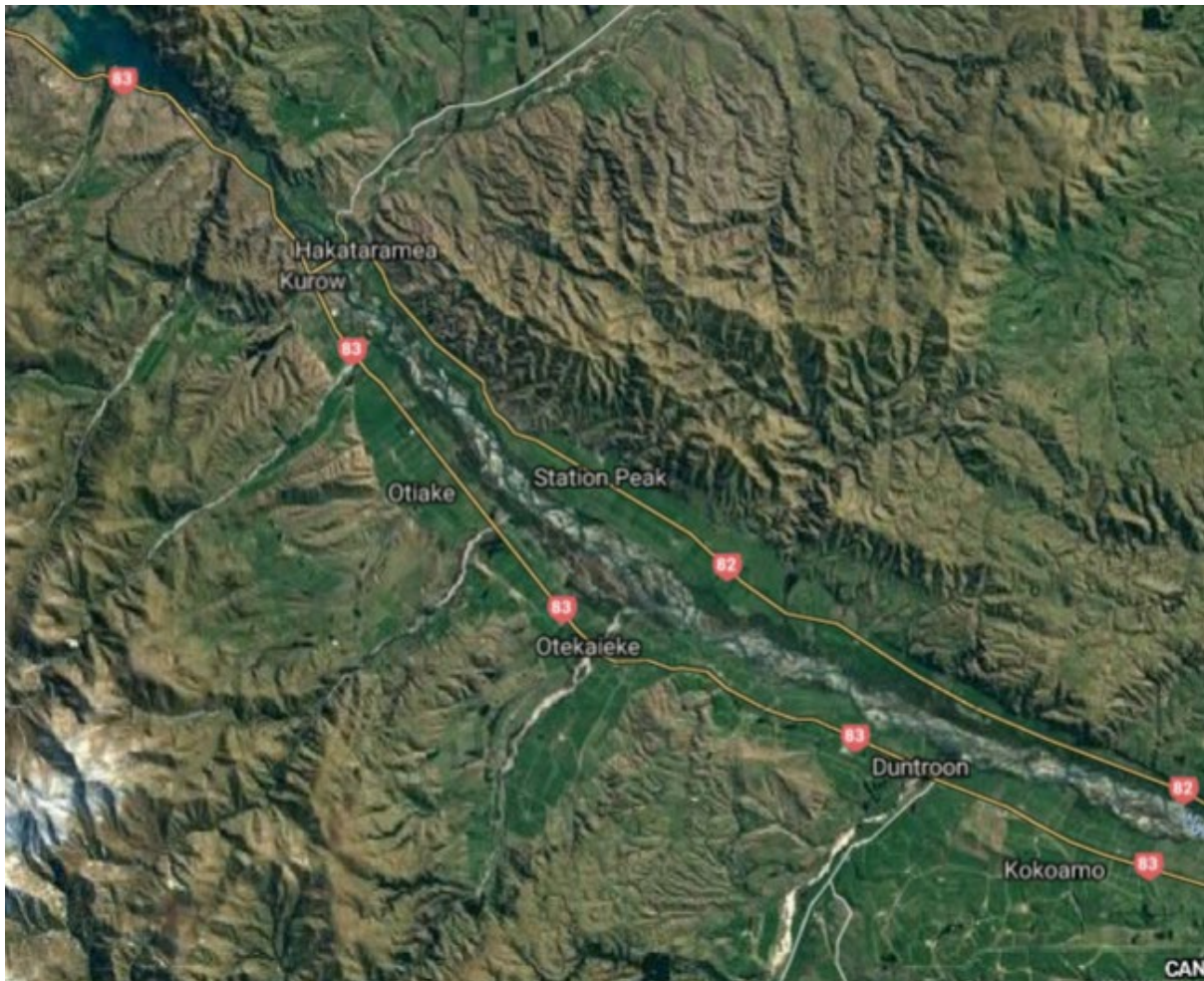


Figure 1: The Kurow/Duntroon area the proposed scheme expansion will cover.

Figure 2 below illustrates the site with the planning notations overlain.

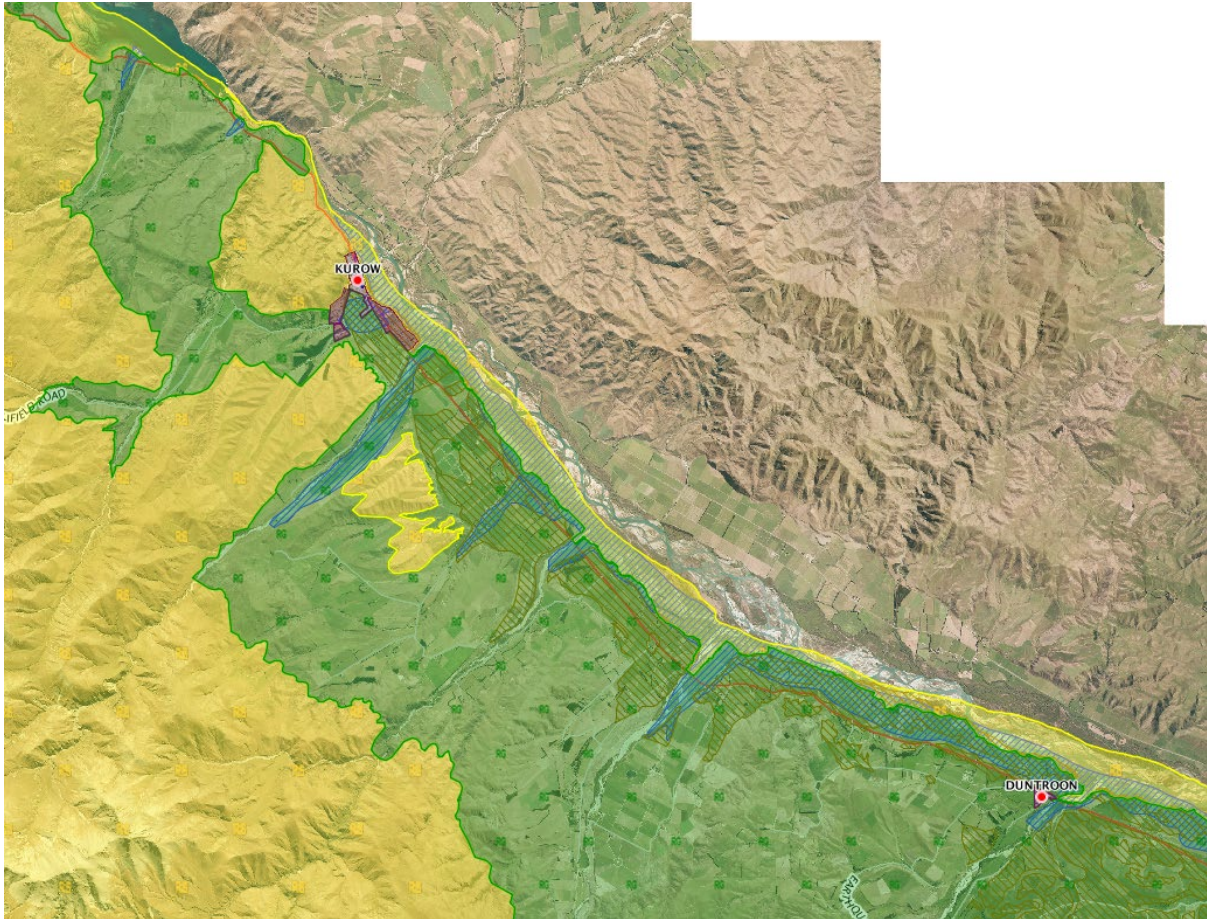


Figure 2: The subject site with the applicable Planning notations overlain. Source: Council's GIS system 'Smart Client'.

3. ACTIVITY DESCRIPTION

The applicant proposes to upgrade their existing irrigation scheme network. The current scheme infrastructure begins with a siphon pipe at the Waitaki Dam drawing water into an open water race. The proposed upgrade involves the installation of approximately 76 kilometres of pipeline, the majority of which is located underground. The final pipeline location has been determined in conjunction with construction surveyors and landowners. It is envisaged that the earthworks associated with the pipe line installation will avoid existing fences, structures and the removal of trees or other areas of significant vegetation.

The proposal includes the construction of irrigation pump sheds and above ground structures to facilitate the conveyance of the pipe line over waterways and where topography constrains the installation of underground infrastructure. These structures will facilitate waterway crossings at Little Awakino River, Awakino River and Tawatapoki River as part of this activity.

Figure 3 below depicts the proposed locations of the above ground crossing structures.



Figure 3: The proposed location plan of the above ground crossing structures

The river crossings at Awakino and Tewatapoki will have a pipe support structure with a pile and collar system. The first river crossing at Little Awakino River will cross above ground with the length of the crossing proposed to be 48 metres with a concrete foundation to withstand any thrust forces caused by the internal water flow or pressure build up. The concrete foundations are to be below ground level, with the pipe being DN1404 mm steel pipe with a cement mortar lining.

The second river crossing at the Awakino River will be an above ground pipe with a length of 77 metres. The pipe will be a DM1404 mm steel pipe with cement mortar, the pipe structure will require the installation of a steel pipe with columns with a span across the river of 26 metres. The foundation for the piles will be located on either side of the waterway channel, outside of the actual waterway. Environment Canterbury has approved of the proposed pipe crossing including the location of the columns.

The third river crossing at Tewatapoki River will be above ground with a pipe structure to support the pipeline. The pipe will be constructed of DN762 mm steel pipe with a cement mortar lining. The supporting pipe will extend for 26 metres with the installation of a steel support structure with columns with an 18 metre span across the water channel. The pipe structure will be constructed entirely of steel.

Above ground pipes will have a maximum height of 1.7 metres between the bottom of the pipe and the existing ground surface, there will be 0.5 metres between the bottom of the pipeline and existing surface for most of the pipes length.

Seven pumps sheds will house the pumps, electronics and associated pipework. The containers will be insulated and air-conditioned, the pump sheds themselves will be a concrete precast structure. The Vacuum pump station will be located 30 metres from the State Highway on a site surrounded predominantly by agricultural land and Waitaki Dam infrastructure. There is an existing pump station

within the proximity of the proposed site. The Waitaki Dam village has several houses used for both residential and commercial activities. The closest residential building is 100 metres from the proposed location. Due to the topography of the site and existing trees and shrubs the pump shed will be screened from the Waitaki Dam village while also not being visible from the State Highway. The dimensions of the pump shed will be 5 metres by 5.4 metres with a maximum height of 3.5 metres.

Pump shed one is proposed to be screened by landscape plantings along the eastern boundary, the dimensions of the pump shed will be 5 metres by 5.4 metres and will be of height of 3.5 metres at its highest point. No designated parking area is required at any of the pump sheds.

Pump shed two is on a site that is already partially screened by a row of pine trees but will be partially visible from north of Kurow Creek Road. The dimensions of the shed will be 5.4 metres by 5 metres at the highest point will be 3.5 metres.

Pump shed three is on a flat site surrounded by agricultural blocks, partially screened by mature trees and will only be visible travelling south on Otiake Road. The pump shed will be within 100 metres of a residential property, the owners of whom own the land that the pump will be situated on and have given written approval. The dimensions of the pump station will be 5 metres by 5.4 metres with a highest maximum point of 3.5 metres.

Pump shed four will not be visible from the State Highway due to the sites topography and will be partially visible from Grants Road. The dimensions of the pump shed will be 5.4 metres by 5 metres with a maximum height of 3.5 metres.

Pump shed five is on a flat site adjoining the Otekaieke River, to the north are a row of mature trees which will screen the shed from the north. There is a residential property within 150 metres. The dimensions of the pump shed will be 15 metres by 5.4 metres with a maximum height of 3.5 metres.

Pump shed six is located on a site surrounded by agricultural land, the site itself is undulating adjoining land containing mature pine trees to the north. There is an existing pump shed located opposite of the proposed site. The dimensions of the of the pump shed will be 20 metres by 5.4 metres with a maximum height of 3.5 metres.

The locations of all pump sheds are within the Rural General Zone and the applicant has indicated that the sheds will comply with the relevant site development standards, including setbacks, contained within the Zone rules.

Figure 4 below depicts the applicants proposed location of the pipeline upgrade and the location of the proposed pump sheds.

Figure 4: The proposed scheme including the location of the pump sheds

4. ACTIVITY STATUS

This application has been considered under the requirements of the Operative Waitaki District Plan (the Plan).

Consistent with the applicant's interpretation of the Plan; a Utility is defined to mean: d) water and irrigation races, drains, channels, pipes and necessary incidental structures and equipment.

Therefore the proposed activity is only subject to the rules contained within the Utilities section of the Plan.

The Utilities Rules set out the permitted activities at Rule 15.1.1.7 Underground pipe networks for the conveyance and drainage of water or sewage, and any ancillary underground equipment including underground pump stations. Rule 15.1.1.9 sets out that community irrigation is also a permitted activity.

The above ground portions of the proposal sits outside the permitted activity defined at Rule 15.1.1.7. I note that this aspect may be covered by Rule 15.1.1.9, as community irrigation is a permitted activity. I have considered that the above ground infrastructure aspects of the proposal associated with the overall development could be interpreted to fall within the permitted utilities activities; however I have interpreted this aspect of the proposal to be a discretionary activity. This is due to the fact that discretionary activities are those activities not specifically listed as permitted, restricted discretionary or discretionary activity.

Rule 15.1.2 classifies buildings used for utility activities that exceed 10m² in gross floor area and/or 3m in height as a Restricted Discretionary Activity, provided that the buildings comply with all of the Site Development Standards contained at 15.2.

The application indicates that all site development standards can be complied with in relation to the pump shed buildings exceeding the 10m² floor area or 3m in height restrictions; therefore the ancillary 'pump shed' buildings require a Restricted Discretionary Activity resource consent.

Rule 15.1.2 restricts Councils discretion to

- a) design, appearance and setback of building(s);
- b) shading of neighbouring residential units;
- c) landscaping of the site;
- d) any building(s) materials necessary for the noise insulation;
- e) effects on landscape.

Overall the proposal requires a **Restricted Discretionary Activity** and a **Discretionary Activity** resource consent.

5. NOTIFICATION PROVISIONS

5.1 Public Notification

Section 95A of the RMA sets out a step-by-step process for determining public notification.

Step 1: Mandatory public notification in certain circumstances

- If the answer to any of the below questions is yes, then public notification is required and consideration of the other steps in Section 95A is not needed.

Question	Yes	No	N/A
Has the applicant requested public notification? (s95A(3)(a))	–	✓	–
Is public notification required under Section 95C (applicant has not provided or refuses to provide further information; or, applicant refuses to agree to commissioning of report or does not respond to report commissioning request)? (s95A(3)(b))	–	✓	–
Has the application been made jointly with an application to exchange recreation reserve land under Section 15AA of the Reserves Act 1977? (s95A(3)(c))	–	✓	–

In this case, the answer to all of the questions set out in Step 1 is no and mandatory public notification is not required under this step.

Step 2: If not required by Step 1, public notification precluded in certain circumstances

- If the answer is yes to any of the below questions, then Step 3 must be skipped and Step 4 considered.
- If the answer is no to all of these questions, then Step 3 must be considered.

Question	Yes	No	N/A
Does a rule or national environmental standard preclude public notification of each activity in the application? (s95A(5)(a))	–	✓	–

Is the application for one or more of the following, but no other, activities:			
▪ A controlled activity? (s95A(5)(b)(i))	–	✓	–
▪ A restricted discretionary or discretionary subdivision of land? (s95A(5)(b)(ii))	–	✓	–
▪ A restricted discretionary or discretionary 'residential activity'? (s95A(5)(b)(ii))	–	✓	–
▪ A restricted discretionary, discretionary or non-complying 'boundary activity'? (s95A(5)(b)(iii))	–	✓	–
▪ An activity prescribed in regulations as being precluded from public notification? (s95A(5)(b)(iv))	–	✓	–

In this case, the answer to all of the questions set out in Step 2 is no and public notification is not precluded under this step.

Step 3: If not precluded by Step 2, public notification required in certain circumstances

- If any of the answers to these questions is yes, then public notification is required and consideration of Step 4 is not needed. If the application is for multiple activities and is being processed as a 'bundled application', and any part of that application meets either of the below criteria, the application must be publicly notified in its entirety.
- If the answer to both of these questions is no, then Step 4 must be considered.

Question	Yes	No	N/A
Does a rule or national environmental standard require public notification of the activity or any of the activities? (s95A(8)(a))	–	✓	–
Will the activity have, or be likely to have, adverse effects on the environment that are more than minor? (s95A(8)(b) and s95D)	–	✓	–

No rule or national environmental standard requires public notification. An assessment of the likely adverse effects on the environment is provided below.

5.2 Assessment - Environmental Effects

To determine whether the activity will have or will be likely to have adverse effects on the environment that are more than minor, an assessment of environmental effects carried out in accordance with Section 95D of the Act. The following sections detail the exclusions to the assessment and its findings.

Adjacent Land

Under Section 95D, this assessment must disregard adverse effects on persons who own or occupy the site or adjacent land. There are a number of larger and smaller landholders through which the existing open channel travels and where the proposed extension will occur. Those landowners where the existing and proposed infrastructure traverses have provided their approval to the application. The pipeline infrastructure does not impact on the Alps to Ocean cycleway as the pipe infrastructure placement is opposite the State Highway running parallel to the cycleway. Similarly the landowners where the pumps shed will be located have also provided their approval to the application. The necessary concessions and easements have been obtained from the appropriate authority where the proposed infrastructure crosses conservation or Crown owned land.

Permitted Baseline

The earthworks associated with this proposal, as well as the underground pipe network form part of the permitted baseline for this proposal. Buildings for utilities purposes cannot exceed 10m² in area, so this portion of the proposed pump shed buildings form part of the permitted baseline. There is no maximum coverage calculation or maximum m² area for buildings within the rural zone. The utilities chapter and utilities rules envisage small scale support structures, such as pump sheds. One of the areas of control relates to maximum height of buildings, which must not exceed 10 metres in the rural general zone. This same height control does not occur within the utilities chapter rules.

Persons Who Have Given Written Approval

Persons who have given written approval to the proposal are given in **Table 4** below. Adverse effects on these persons will be disregarded in this assessment.

Table 1: Persons whom have given written approval to the proposal

Person / Group	Address (owner/occupier)
Te Rūnanga O Moeraki	one of the kaitiaki Rūnanga whose takiwa includes the area the application relates to
Hugh Cameron c/- Aviemore Limited	Little Awakino 447 Kurow-Oamaru Highway
New Zealand Transport Agency (NZTA)	Deed of Grant authorises works in the State Highway road reserve
H L Jamieson Family Trust	
Justin and Janina Slee (J&J Slee Dairies Ltd)	143 Otiake Road 7K RD Oamaru 9495
Alastair Wilfred Gibson	Waikaura Road 6K RD Oamaru
Garry George Alexander Wilson	354 Otiake Road 7K RD Oamaru
Luke Campbell	5449 Kurow Duntroon Road

Terrain Disturbance/Visual Effects from Earthworks

Undertaking earthworks has the potential to detract from visual amenity values associated with the landscape. The proposal traverses a number of properties adjacent to, and visible from State Highway 83 between Kurow and Duntroon. There are however, a number of factors which serve to mitigate the terrain disturbance/visual effects of the proposal. These factors include the following:

- Earthworks have the potential to adversely impact the visual amenity of the site, which may be visible from a distance, including from public roads. While visual effects for the duration of works are difficult to manage, they are temporary in nature;
- The proposed earthworks will require only the stripping of exotic vegetation (pasture) from the site in the process of undertaking the earthworks. There is no vegetation identified as significant indigenous vegetation within vicinity of any of the site areas;
- The volume of earth to be disturbed is in excess of the permitted 50m² or 100m³ but this is considered to be acceptable given the site and environment (upgrade and extension of irrigation infrastructure);
- Disturbed ground will be re-sown in grass as soon as possible. Topsoil removed and stock plied will be reused during the rehabilitation phase.
- Any adverse amenity effects arising from the proposed earthworks can be appropriately mitigated by requiring any areas of exposed earth to be vegetated as soon as practicable after the earthworks are completed as part of the earthworks management plan. Dust nuisance, stormwater management and construction noise effects can also be managed through

conditions of consent. As such, it is considered that the adverse amenity effects on the wider environment arising from the proposed earthworks associated with the upgrades and extension of this scheme will be less than minor.

Rural Amenity

The proposed pump shed buildings are located in a visually prominent positions. The proposal therefore has the potential to generate adverse visual effects on the surrounding rural environment as a result of the pump shed locations. The pump sheds will be setback the minimum distances from road and internal boundaries, as detailed in the rural zone rules. The proposed pump sheds, whilst visually conspicuous from the roadside are not of a sufficient size to result in adverse effects on rural amenity in the wider receiving environment. In context the pump shed buildings are relatively small and of a similar size to an implement shed or other farm building and smaller than dairy sheds or hay barns. All of the pump shed location sites are outside visually sensitive areas and it is therefore considered that the visual effects of the proposal will be less than minor.

Sedimentation Effects

Earthworks associated with the establishment of the above ground river crossing pipe line will be located in close proximity to and within (in places) existing waterways. As such, there is the potential for sediment to be washed into these watercourses and travel some distance from the site. The applicant requires consent from Environment Canterbury for this aspect of the proposal. For this reason I do not consider that the effects from sedimentation will impact those wider than the landowner or relevant controlling authority. In addition local Rūnanga have provided their approval to the proposal.

Furthermore, conditions of consent in relation to dust, sedimentation and management of the construction phase can be imposed so the effects on the wider environment will be less than minor.

Effects on the Transport Network

The proposal will see an increase in the use of this area more frequently during the construction period and then on a sporadic basis for maintenance/monitoring purposes post construction. NZTA have provided their approval to the proposal and have not raised any concerns in relation to traffic safety. I therefore consider that any effects arising from the proposal in terms of traffic will be no more than minor.

Construction Effects

It is anticipated that during the construction period the construction effects are likely to include dust, noise, traffic associated with the construction and contractor vehicle movements to and from the site.

The effects from dust associated with construction and earthworks activity will be temporary in nature and could be considered comparable to that generated by permitted farming activities within the zone such as ploughing. The application indicates that the construction contract for the works requires that the Contractor carry out all work in accordance with statutory and local authority requirements. All plant and machinery will be switched off when not in use and no work will occur outside of the contract hours which are restricted to the hours between 7.00am to 6.00pm.

Construction noise will result in some temporary adverse environmental effects during the construction period. To mitigate any potential adverse noise effects during the construction period conditions can be included to restrict construction operations to during the time period Monday-Friday (7am to 6pm) and on Saturday between 8am and 2pm. No construction work will take place on Sunday's or public holidays. In addition, construction noise should be managed in accordance with the New Zealand Standard for Construction Noise (NZS6803:1999).

There will be some increases in vehicle movements to and from the site for the duration of the construction period. These will be temporary in nature and it is considered that the surrounding road network is sufficient to accommodate the short term increases in vehicle movements. In summary, it is considered that the mitigating measures for noise and dust suppression will be adequate to ensure

that potential adverse environmental effects while the proposed development takes place are acceptable and the traffic effects as a result of the construction period will be less than minor.

Noise effects

In addition to the construction period, noise effects will arise from the continual operation of the pump plant. The proposed structures have been designed to provide acoustic protection through the use of a solid concrete block walls and acoustically designed sound proof doors. The closest residential unit to any one of the pump sheds is 130 metres. It is therefore considered that the noise levels arising from the proposed activity are unlikely to exceed the critical zone standards for noise at Rule 4.5.1 of the Plan. The site is located in a rural environment and there are few residential properties within proximity of the site. Other residential properties are located at sufficient distances from the proposed activity that the noise arising from the activity will likely be negligible.

In addition the applicant has indicated that monitoring will occur post commissioning to ensure the activities are undertaken within the acceptable noise limits detailed in the Plan.

It is therefore considered that the noise effects of the proposed activities will be less than minor.

Conclusion of Assessment of Effects

Overall, it is considered that the proposal will result in adverse effects on the wider environment which are less than minor, and in accordance with Step 3 of Section 95A of the RMA, the application does not need to be publicly notified.

Step 4: Public notification in special circumstances

- If the answer is yes to this question, then the application must be publicly notified.
- If the answer is no, then the application needs to be considered for limited notification.

Question	Yes	No	N/A
Do special circumstances exist that warrant the public notification of the application? (s95A(9))	–	✓	–

Special circumstances are considered to not apply to the proposal, as an irrigation scheme and associated infrastructure in the Rural Zones is neither unusual or exceptional.

5.3 Limited Notification

Section 95B of the Resource Management Act 1991 sets out a step-by-step process for determining limited notification. The Council must decide whether there is any affected person, affected protected customary rights group, or affected customary marine title group in relation to the activity.

Step 1: Certain affected groups and affected persons must be notified

- If there is any affected protected customary rights group or affected customary marine title group, or any person to whom a statutory acknowledgement has been made that is affected in a minor or more than minor way, then the application must be limited notified to these parties unless their written approval has been obtained.
- Irrespective of the above, Step 2 must then be considered.

Question	Yes	No	N/A	Assessment Notes
Is the activity in a protected customary rights area?	–	✓	–	

Will the activity have adverse effects on the protected customary right?	-	-	✓	n/a, the activity is not in a protected customary rights area.
Has the protected customary rights group given written approval for the activity and it has not been withdrawn?	-	-	✓	n/a, the activity is not in a protected customary rights area.
Is the activity an accommodated activity in a customary marine title area?	-	✓	-	
Does the activity have adverse effects on the exercise of the rights applying to a customary marine title group?	-	-	✓	n/a, the activity is not an accommodated activity in a customary marine title area.
Has the customary marine title group given written approval for the activity and it has not been withdrawn?	-	-	✓	n/a, the activity is not an accommodated activity in a customary marine title area.
Is the activity on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement? (s95B(3) and s95E(2)(c))	-	✓	-	
Is the person to whom the statutory acknowledgement made affected in a minor or more than minor way and has their written approval been obtained? (s95B(3) and s95E(2)(c))	-	-	✓	n/a, the activity is not on or adjacent to, or might affect, land that is subject of a statutory acknowledgement.

Therefore, limited notification is not required under Step 1.

Step 2: If not required by Step 1, limited notification precluded in certain circumstances

- If the answer is yes to any of these questions, then Step 3 must be skipped and Step 4 considered.
- If the answer is no to all of these questions, then Step 3 must be considered.

Question	Yes	No	N/A
Does a rule or national environmental standard preclude limited notification of each activity in the application? (s95B(6)(a))	-	✓	-
Is the application for a controlled activity (and no other activities) under the district plan(s) and is not a subdivision? (s95B(6)(b)(i))	-	✓	-
Are there any regulations precluding limited notification of the activity/activities? (s95B(6)(b)(ii) and s360H(1)(a)(ii))	-	✓	-
Is the application for either or both of the following, but no other, activities:			
▪ A controlled activity under the district plan(s) and it is not a subdivision? (s95B(6)(b)(i))	-	✓	-
▪ An activity prescribed in regulations as being precluded from limited notification? (s95B(6)(b)(ii) and s360H(1)(a)(ii))	-	✓	✓

Therefore, public notification is not precluded under Step 2.

Step 3: If not precluded by Step 2, certain other affected persons must be notified

- If there are any persons who might be adversely affected, then the application must be limited notified to these parties unless their written approval has been obtained.
- Irrespective of the above, Step 4 must then be considered.

Question	Yes	No	N/A
Is the application for a 'boundary activity', and have all owners of an allotment with an 'infringed boundary', where the activity's adverse effects on the owner are minor or more than minor (but are not less than minor), given written approval? (s95B(7)(a))	-	✓	-
Is the activity prescribed in regulations, with those regulations prescribing who is an affected person, and have those persons, where the activity's adverse effects on the person are minor or more than minor (but are not less than minor), given written approval? (s95B(7)(b))	-	✓	-
In all other cases, will the activity have adverse effects on any person that are minor or more than minor (but not less than minor)? (s95B(8) and s95E)	-	✓	-

Affected Person Assessment

To determine if any persons are affected by the proposal in accordance with Section 95B(8) and Section 95E of the RMA, an assessment is outlined below. This assessment determines whether adverse effects on any person arising from the activity will be minor or more than minor. The assessment applies the permitted baseline and does not consider effects on persons who have given their written approval, as set out above in relation to the Assessment of Environmental Effects under Section 95A.

Step 4: Further notification in special circumstances

- If the answer is yes to the below question, then the application must be limited notified to these other persons.

Question	Yes	No	N/A
Are there special circumstances that warrant the application being limited notified to any other persons not already determined to be eligible for limited notification (excluding persons assessed under Section 95E as not being affected persons)? (s95B(10))	-	✓	-

Special circumstances are considered to not apply because irrigation infrastructure supporting farming activities in the Rural Zones is neither unusual or exceptional.

Conclusion

Having regard to the step-by-step process for considering public notification and limited notification, it is determined that:

- The application can be processed on a non-notified basis.

Accordingly it was not considered necessary to undertake notification or limited notification of the application. Overall, and in accordance with sections 95-95F of the RMA, the application was processed on a **non-notified** basis.

6. CONSIDERATION ASSESSMENT

6.1 Section 104 Assessment

Applications for a resource consent are considered under s104 of the Resource Management Act 1991 (the Act). Section 104 sets out the matters that Council shall have regard to when considering an application for a resource consent. Subject to Part II of the Act, which contains the Act's purpose and principles including matters of national importance, the Council must have regard to:

- any actual and potential effects on the environment of allowing the activity; and
- any relevant provisions of a national policy statement, a New Zealand coastal policy statement, a regional policy statement or proposed regional policy statement, a plan or proposed plan; and
- any other matters that the consent authority considers relevant and reasonably necessary to determine the application.

It should be noted that, other than giving pre-eminence to Part II, s104(1) gives no priority to other matters. They are all matters to have regard to, and the consent authority must exercise its discretion as to what weight it gives certain matters, depending on the circumstances of the case.

6.2 Assessment or relevant Planning Documents

6.2.1 Operative Waitaki District Plan Assessment Criteria

As per Rule 15.1.2 of the Plan, for Restricted Discretionary Activities Council's discretion is restricted to:

- a) design, appearance and setback of building(s);
- b) shading of neighbouring residential units;
- c) landscaping of the site;
- d) any building(s) materials necessary for the noise insulation;
- e) effects on landscape.

Design, appearance and setback of building(s)

The application has indicated that the pump sheds will comply with all of the relevant Site Development Standards and Critical Zone Standards for the Rural General zone. Those site development standards of relevance to this assessment relate to the height of buildings and the minimum setback requirements of buildings in relation to road boundaries and internal boundaries. The relevant critical zone standard relates to noise limits for activities. Additionally the applicant has indicated that the pump sheds will be constructed and clad in materials sympathetic to the surrounding environment: concrete and Coloursteel known as 'iron sand'.

The application indicates that the location of the proposed pump sheds have been determined by the existing open water channel route of the Kurow Duntroon Irrigation Company scheme as well as the areas required to be serviced by the expansion to the scheme. The physical locations of the pumps sheds relate to hydraulic reasons and proximity to a large enough power supply. Each of the locations have also been deemed as being easily accessible by road for maintenance purposes.

The sites are located within an existing rural area. There are a cluster of buildings and sheds adjoining some of the pump shed subject sites. It is considered that the proposed buildings are of a small size that it will not appear out of character with the existing environment. Furthermore, the building size is similar to that of a single bay shed or garage and will not result in any visual dominance effects. Therefore the design, appearance and setback of building(s) will have less than minor effects.

Shading of neighbouring residential units

It is unlikely there will be shading issues for neighbouring residential units as the pump sheds will not be excessively high and additionally any neighbouring properties are located some distance away, most in excess of 100m, from the pump sheds.

The applicant has indicated that there will be no landscaping occurring on or around any of the pump shed locations, except for pump shed one. Landscaping is proposed around pump shed one as there is a lack of existing mature vegetation to provide screening. The proposed pump sheds will not be visually intrusive on the outlook or privacy of any dwellings or from public vantage points. Furthermore, the building size is similar to that of a shed or garage and will not result in any visual dominance effects. All disturbed ground will be reinstated in a manner consistent with the existing ground profile. The applicant has offered a landscaping condition to provide for some visual softening of the proposed pump shed one.

Landscaping of the site

The proposed pump sheds are located in areas that are somewhat visually prominent, due to the proximity to public roads, being located on flat sites with little or no existing landscaping forming screening, or the lack of natural topographic features providing screening. Therefore there is the potential to generate adverse visual effects on the surrounding rural environment as a result of the location of the pump sheds. All of the pump sheds, whilst visually conspicuous from the roadside are not of a sufficient size to result in significant adverse effects. The buildings are all relatively small and of a similar size to an implement or utility shed or garage and is considered in keeping with the rural environment.

All the proposed pump shed locations have the landowner's approval. Various other farm buildings or some form of existing shelterbelt or topography assist to detract from and reduce the visual prominence of the pump shed buildings in its surroundings. It is for these reasons additional landscaping is not required for pump sheds two, three four, six and seven.

Pump shed one is the most visually conspicuous pump shed. There are various other farm buildings and a dwelling in close proximity (approximately 130 metres to the south and 200 metres to the northwest) to the subject site and the building will not be viewed as an isolated structure in the receiving environment. It is however considered appropriate in this circumstance to require some landscape planting along the internal south eastern boundary of the proposed building to provide an element of screening within the receiving environment. The applicant has offered this as proposed mitigation.

Pump shed five is the largest of the proposed pump sheds measuring 15 metres by 5.4 metres. There is an existing mature shelterbelt which will screen the pump shed from the east. Additional landscaping would assist in providing additional screening giving the appearance of a reduced bulk of the building in the receiving environment. The overall height is well within the maximum height for the underlying zone, with a proposed maximum height of 3.5 metres.

Any building(s) materials necessary for the noise insulation

The proposed pump sheds have been designed to minimise sound emission from the machinery. The exterior of the building will be finished with concrete masonry and will resemble an agricultural type building which is considered to be in keeping with the surrounding landscape and agricultural buildings. The application also indicates that finishing paint colours and materials will not cause any glare from the site. As there will be some degree of noise when the pump sheds are in operation; the applicant has indicated that the necessary acoustic measures will be employed to reduce the likelihood of adverse effects from noise. The applicant has also indicated that the pump sheds are designed to meet the critical zone standards for noise at Rule 4.5.1 of the Plan. It is therefore considered that the noise levels arising from the proposed activity are unlikely to exceed the critical zone standards for noise.

Furthermore, any existing residential properties are located at sufficient distances from the proposed activity that any noise arising from the activity will be negligible. Therefore any adverse effects from noise generated from the pump sheds is likely to be less than minor.

Effects on landscape

There will be effects on the landscape during the construction phases of the proposal. These effects will be of short duration whilst construction occurs at the pump shed locations and during the pipe laying phases. The proposed pump shed locations are outside visually sensitive areas and it is therefore considered that the effects on landscape from all seven pump sheds will be less than minor.

The upgrade and expansion to piped infrastructure will traverse areas of sensitivity, namely within 20 metres of waterways. If the proposal was for a non-utility activity, Council would include consideration of the impact on any alteration to the natural character of the riparian margins in our assessment. The above ground pipework will not adversely impact on the natural character of the waterway margins. There will be some modification to the waterway margin but the waterway crossing positions have been selected to have the least impact visually and on natural character. River crossing one adjoins State Highway culvert infrastructure. River crossing two begins within the 20metre setback from waterways area but has been selected due to the riverbed rock composition. Disturbance of the riverbed would result in greater adverse environmental impacts, hence the above ground option being preferred. River crossing three has similar environmental constraints with the narrow water way and steep riparian area. The proposed river crossings and river bed works have ECan and Rungaga approvals.

Overall the visual coherence of the landscape will remain unaltered. The landscape is largely identified as a rural pastoral landscape and these vegetation patterns will remain with the upgrade and expansion works proposed. Similarly, the visual openness, spaciousness and the overall naturalness of the landscape will remain. There will be landscape change once the scheme is expanded as the landscape is irrigated. Both of these effects are common activities for the rural zones. The applicant has indicated that all known/recorded sites of landscape value will be avoided by the proposal. It is noted that the majority of the proposal will be located outside any Rural Scenic zoned area. The Rural Scenic zoned land adjoins the Waitaki Lake near the vacuum intake pump and the first portion of the pipeline from this point to the Kurow Township. Once the infrastructure upgrade and expansion stage is complete all disturbed ground will be reintegrated into the surrounding environment. There are no areas classified as outstanding natural landscapes in relation to this proposal.

In respect of natural landforms and landscape features; there are a number of identified sites of geological significance in this part of the Waitaki District. Their importance form an aspect of the Waitaki's geo park bid to UNESCO. Two sites are located within the irrigation scheme area, but outside the area of proposed works; these are sites 46 and 63. Whilst these sites are identified as having geological significance, they currently do not have any statutory protection under the District Plan.

Site 63 known as Wai O Toura Reserve is managed by the Department of Conservation. It is home to critically endangered plants such as the native cress *Lepidium sisymbrioides* and critically endangered *Carmichaelia hollowayii* among other threatened species. These are located in a rare limestone ecosystem containing diverse Waitakian molluscan fauna, and a geological holostratotype. The outcrop has produced significant fossils of bony fish, penguins, and cetaceans. It is an important archaeological site.

Site 46 is privately owned and forms part of the Earthquakes escarpment. This group of escarpments demonstrate Oligocene fossiliferous sediments with important reference section for Otekaikē Limestone, Kokoamu Greensand, and regional intra-Oligocene unconformity. Area includes large slumped blocks and fissures produced by mass movement probably on underlying mudstone. Earthquakes has baleen whale bones on display, still partly embedded in rock, as part of Vanished World trail.

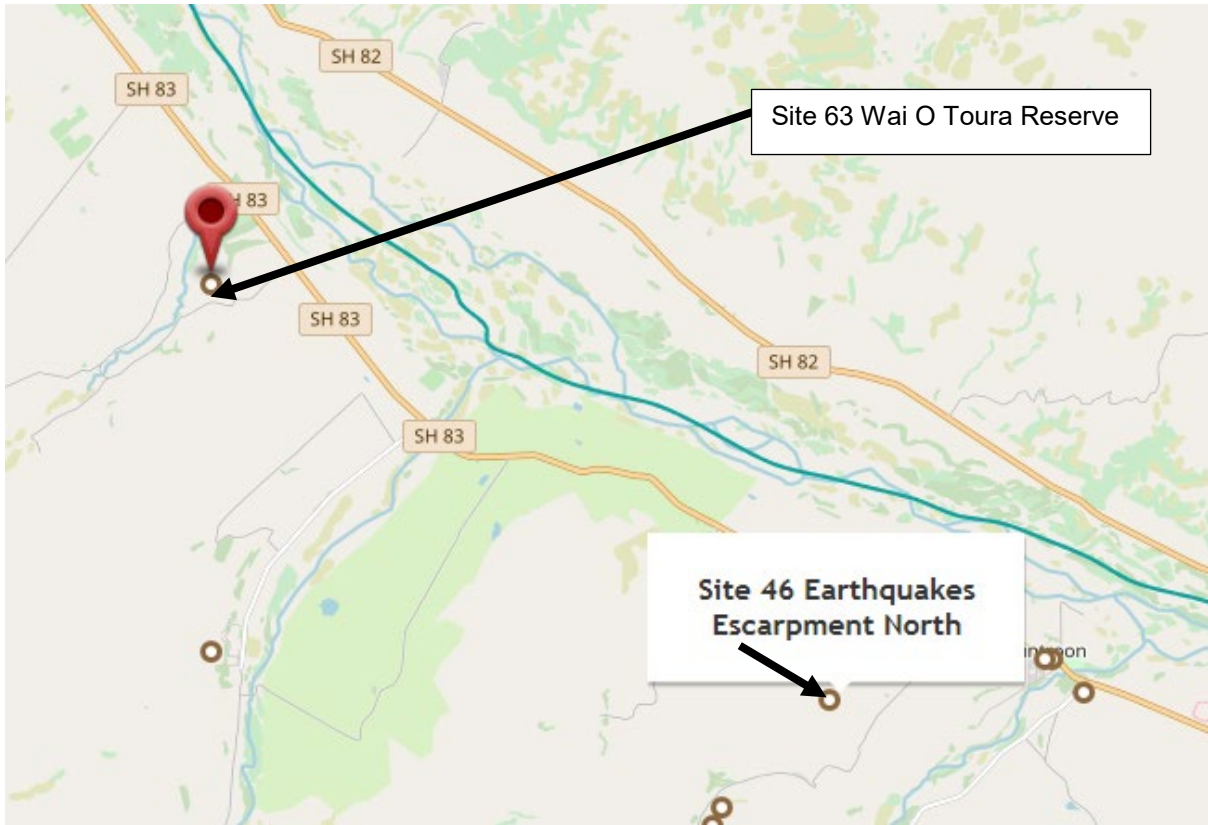


Figure 5: Locations of sites of geological significance within the irrigation scheme area.

6.3. Utilities Assessment Matters

For completeness I will also comment on those relevant aspects of Section 15.3 of the Plan (assessment criteria) to be considered when assessing this application. Having regard to an assessment of the effects of the proposal and the relevant assessment criteria of the Plan, I make the following comments in regards to this proposal:

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters, as are appropriate to the nature of the utility:

- 1 *The extent to which the utility will not adversely effect landscape values and in particular:*
 - a) *views or viewpoints and/or the loss of accessibility to views or viewpoints;*
 - b) *the quality of the landscape by increasing the apparent level of modification of the landscape by:*
 - i) *causing the loss of the natural landscape pattern and/or underlying landform pattern, and/or;*
 - ii) *obscuring of natural landforms and landscape features;*
 - iii) *causing the loss of significant cultural features (including historic features and vegetation patterns);*
 - c) *the visual coherence of the landscape of the landscape by obscuring, disturbing or causing the loss of present vegetation patterns*
 - d) *the visual openness and spaciousness of the landscape, and the apparent naturalness of the landscape.*
 - e) *the visual and landscape amenity of shorelines and skylines.*
- 2 *The extent of the visual impact of the utility from an adjoining Residential, Rural Residential, or Township zoned site and its impact on the amenity and character of the surrounding environment taking into account its design and appearance, and bulk.*

It is unlikely that there will be adverse visual impacts from the accessory pump station buildings. The applicant has indicated that all buildings associated with this proposal will be sited to comply with the site development standards for the zone. The pump stations will not be located within areas that would obscure the natural landform or features. The pump station buildings will be similar to other ancillary farming buildings which are common within the rural general zone.

3 The extent of any adverse effect created through a reduced setback from boundaries on the surrounding environment including the potential to affect the privacy and outlook of residents.

The applicant has indicated that all associated buildings will be set back at the least the minimum required for the rural general zone, therefore it is unlikely that there will be any adverse effect on privacy and outlook of nearby residents. Similarly, residential density is a lot less in the rural general zone, so neighbouring properties are located some distance from the proposed locations of the pump stations.

4 The degree to which any adverse effect created by a reduced setback may be mitigated through different options for site layout.

As per the above discussion.

5 The extent of the visual impact of the utility where landscaping has been reduced and the extent to which other factors may compensate for any reduction such as:

- i) a higher quality of planting over a smaller area.*
- ii) an unobtrusive building design*
- iii) the compatibility of materials used for finishing and the colour of the building with the environment.*

As any land disturbance from earthworks associated with the proposal will be rehabilitated as soon as practicable following the completion of the earthworks, as site rehabilitation forms part of the proposal and necessary to the continued utilisation of the land for farming purposes. Therefore the impacts on the landscape will be less than minor from earthworks associated with this proposal. There will be some planting or landscaping at pump shed one of the pump station locations. This will provide some mitigation from the visual change to the landscape, thereby reducing the visual impact of the building when viewed from the adjoining property.

The proposed pump stations will be constructed in concrete block with recessive coloured colour steel roofing; buildings finished in this manner are considered consistent with other farm utility buildings and therefore in keeping with the environment.

6 The degree to which the proposed choice of site or route for the utility will affect the environment and the reasons for that choice of site or route.

The proposed choice of route (for the laying of the associated pipe works) is deemed the most viable (economically and long term usability), any environmental effects will be less than minor once the infrastructure aspects have been completed.

7 The extent to which alternative sites or routes have been considered and where relevant the impact of those alternatives on the environment.

The application indicated that alternative routes were considered for the pipe line infrastructure. The proposed route was settled on due to the replacement of the open channels with the underground infrastructure and the proposed alignment represented the most viable option in respect of the above ground pipe work and waterway crossings being kept to a minimum. Alternative pump station sites were not considered as the locations of the pumps sheds were selected because of the lands zoning, relatively flat contour, and accessibility. As discussed above the proposed locations and routes were deemed the most viable.

9 The degree to which the proposed utility may affect the health and safety of the community, including positive effects, from the operation of the utility. This includes whether any telecommunication, radiocommunication or ancillary device complies with the New Zealand Standards NZ2772.1 (1999) Radiofrequency Fields: Part 1 Maximum Exposure Levels –

3KHz – 300GHz and with NSZ6609.2:1990 – Radiofrequency Radiation: Part 2 Principles and Methods of Measurements 300KHz to 100GHz, or any subsequent revisions of these standards.

Generally the proposal has positive effects on the landholders and the wider community. All other components associated with the pump stations (electrical and telecommunications infrastructure) will comply with the requirements set out above and the requirements of the Plan.

10 The degree to which the proposed utility may affect values held by the takata whenua.

There has been no indication from the application that any takata whenua values may be adversely affected by this proposal. The proposal does cover a substantial amount of land in the Waitaki District through the Kurow Duntroon catchment area. The area has associations with early Maori history; there are many areas of Maori archaeological sites particularly Maori rock art. The application indicates that all areas of cultural, historic and archaeological value will be avoided. In addition, written approval to the proposal has been obtained from Aukaha. The application also includes the provision of a farm environment plan which includes provision for the protection of Maori rock art within the schemes area. Therefore the effect on specific areas of cultural, historic or archaeological values will be avoided.

6.4 Operative Waitaki District Plan Assessment of Objectives and Policies

The Plan contains a number of policies relevant to this proposal; an assessment of the objectives and policies relevant to the earthworks component of the proposal will be discussed first, before discussing the relevant utilities objectives and policies.

16.5.1 Objective 4 - Rural Amenity

A level of rural amenity that is consistent with the range of activities anticipated in the rural areas, but which does not create unacceptably unpleasant living or working conditions for the District's residents and visitors, nor a significant deterioration of the quality of the rural environment.

16.5.2 Policies 4

3 To set performance standards or to use enforcement provisions for activities that may cause unpleasant living or working conditions for other people in the rural community, or that could cause a significant adverse effect to the environment.

16.8.2 Landscape Objective

Subdivision, use and development are managed so that:

- **the values identified for the outstanding or significant natural features, the outstanding landscapes, and the significant coastal landscapes are protected from inappropriate use and development; and**
- **the overall landscape qualities of the Rural Scenic Zone are retained.**

16.8.3 Policies

8 To recognise that the Rural General Zone is made up of landscapes that have a greater capacity to absorb change because the land has been more intensively developed, and contains a greater range of land uses with a greater dominance of buildings and structures; at the same time acknowledging that the rural amenity of this zone still needs to be managed (refer to Issue 4 and the Associated Objective and Policies).

9 To protect site-specific and outstanding geological or geomorphological features that are of scientific importance from inappropriate use and development; further sites that come before the Council will be included by way of a Plan Change at a later date.

The proposal is not expected to result in more than minor adverse effects on the landscape character and values of the wider area.

In relation to the earthworks associated with the proposal, the earthworks associated with irrigation infrastructure and the resultant irrigation of the land will maintain the overall rural character of the landscape longer term. The Kurow/Duntroun area is made up of predominantly Rural General zoning which is able to better absorb any change in the overall landscape, i.e.: increased pasture and or crop production from irrigation and the irrigation component of the proposal itself. The proposal will not detract from the overall character of the wider landscape in this area, which is dominated by pastoral and arable farming activities.

All aspects of the proposal temporarily modifies the landscape through the earthworks that will be undertaken. This type of activity is common within the rural setting. The proposed earthworks have been designed so that the majority occur across the land that is least visually sensitive. Areas of known outstanding natural geological features will be avoided as part of this proposal.

Overall the proposal will ensure the on-going retention, maintenance and enhancement of the primary productive capacity of the area and will ensure the sustainable development of rural production. Furthermore, the irrigation scheme will meet the foreseeable needs of the farming community. Therefore, I consider that an irrigation scheme, including any associated infrastructure, is generally anticipated in a rural area and would not detract from its character.

Utilities policies relevant to this proposal are:

10.2.2 Objective 1

The construction, installation, operation and maintenance of utilities to avoid, remedy or mitigate adverse effects on amenity values and the surrounding environment.

10.2.3 Policies

1 To avoid, remedy or mitigate adverse environmental effects created by the construction, installation, operation and maintenance of utilities through the separation of incompatible activities and maintenance of visual amenities, safety, and the quality of the environment anticipated within different areas of the District.

5 To take account of economic and operational needs in assessing the location, design and appearance of utilities.

10.3.2 Objective 2

The efficient and equitable establishment, use and maintenance of utilities, necessary for the well-being of the community.

10.3.3 Policies

1 To recognise the need for maintenance or upgrading of a utility to ensure its on-going use and efficiency.

2 To avoid, remedy or mitigate adverse effects on areas identified as possessing outstanding landscapes or natural features, significant indigenous vegetation, significant habitats of indigenous fauna from utilities which are environmentally incompatible.

3 To encourage the undergrounding of most services in new areas of development within the Residential and Township Zones and to encourage the systematic replacement of existing overhead services with underground reticulation or the upgrading of existing overhead services within these areas, where practicable.

4 To encourage the co-siting of utilities, where practicable, in order to minimise adverse effects on the environment.

5 To give due regard to the importance of a utility when assessing the establishment of a proposed utility or the suitability of a particular site or proposed adjoining activities.

7 To ensure the costs of servicing development are generally met by the developer directly or through contributions made to Council at the time of development or the issuing of titles.

As discussed above any adverse effects on amenity will be of short term duration. The applicant has indicated that they will take all practicable steps to ensure that any adverse environmental effects are avoided during the construction phases or remedied through site rehabilitation following the installation of the infrastructure.

The upgrading of the utility infrastructure is necessary to ensure its ongoing use and that it is operated efficiently. Without the upgrade of the existing infrastructure, the water take consents would be unable to be renewed. Shareholder, being landowner agreement has been reached supporting the upgrade and continued operation of the community irrigation scheme.

The proposed scheme upgrades ensures continued community well-being, thus enabling efficient use of the districts resources. Sites have been selected for efficiency and long term viability of the scheme.

As such the proposal is considered to be consistent with the relevant objectives and policies of the Plan.

6.5 Other Matters

Archaeological aspects

There are some identified heritage or archaeological sites within the application site. However, there is a possibility that other sites may be discovered. Council's standard condition regarding accidental discovery of heritage or archaeological sites during the proposed works will be applied. Furthermore the applicant has obtained an archaeological authority for the works associated with this proposal.

Officer Comments

Council's Three Waters Engineer has reviewed the consent application and provided comment on this proposal:

Water Supply - No new connections or increased allocation is being sought as part of this application. The proposed pipe construction works will physically cross existing reticulation and the developer shall locate and protect any public assets crossed. The developer shall liaise with Council's officers where pipes from the Kurow, Duntroon and Bushy Creek public water supplies are crossed, and with Corriedale Water Management Ltd where pipes from the Tokarahi water supply are crossed. No Development Contributions are payable for water supply.

Waste Water - No sewer connection is being sought as part of this application. The proposed pipe construction works will physically cross existing reticulation and the developer shall locate and protect any public assets crossed. The developer shall liaise with Council's officers where pipes from the Kurow and Duntroon public sewer systems. No Development Contributions are payable for waste water disposal.

Storm Water - There is no public storm water system in the vicinity of the proposed works. No Development Contributions are payable for storm water disposal.

These comments will be added as conditions of consent where appropriate.

6.6 Section 104A and C Assessment

As a discretionary activity, s104B and C of the RMA states that Council may grant or refuse a restricted discretionary or discretionary resource consent application, and if it grants the application may impose conditions under s108 of the RMA.

6.7 Conclusion

For reasons outlined in the above s104 assessment, the proposal is not contrary to any relevant provisions of the Operative Waitaki District Plan. Overall the effects of this proposal to undertake

earthworks for the upgrading of the community irrigation scheme and associated ancillary buildings on various parcels of land in the Kurow/Dunroon area will be less than minor and can be consented to subject to the conditions in the recommendation.

7. RECOMMENDATION

That the Waitaki District Council grants resource consent to upgrade and extend the irrigation infrastructure and construction of ancillary buildings, as per the application, on various properties within the Kurow Dunroon Irrigation Company scheme area of the Waitaki District, subject to the following conditions:

General:

1. That the activity be carried out in general accordance with the application and plans lodged by Irricon Resource Solutions on behalf of the applicant, submitted with application 201.2018.1097 and received by Council on 17 May 2018, except where modified by conditions of consent.
2. This consent shall not be exercised and no work or activity associated with it may be commenced or continued until the following charges have been paid in full: all charges fixed in accordance with section 36(1) of the Resource Management Act 1991 and any finalised, additional charges under section 36(3) of the Act.
3. The consent holder is liable for costs associated with the monitoring of this resource consent under section 35 of the Resource Management Act 1991.
4. Pursuant to Section 128 of the Resource Management Act, the conditions of this consent may be reviewed by the Waitaki District Council for the purpose of dealing with any adverse effects on the environment which may arise from the exercise of the consent.

Documents:

5. That as-built drawings shall be provided to Council. The 'as-built' drawings must include the location of all pump sheds and location of associated pipelines. This information must be provided within eight weeks of the installation of all pipelines and upon completion of each pump shed.
6. The as-built drawings shall be completed and checked by a New Zealand Licensed Land Surveyor and shall be surveyed and plotted using the New Zealand map grid co-ordinate system. Data forwarded shall include both a scale paper and electronic copies. Where appropriate the pipe diameter, material type, position of valves invert and location of hydraulic structures shall be included.

Construction Mitigation:

7. Conditions 1 to 17 listed under 'Specific to Construction Works' detailed in the correspondence from Aukaha dated 19 April 2018 attached to the consent application, form part of conditions of this consent and must be complied with during the construction works phase.
8. That all construction activities shall be limited to between 0700 hours and 1800 hours daily. Work activities for assembling and commissioning of plant components within the projects enclosed buildings shall be limited to between 0630 hours and 2100 hours daily, except this does not apply to welding of pipes and associated componentry.
9. The consent holder shall stock pile soil from disturbed ground; all salvaged soil shall be used for progressive rehabilitation purposes.

10. All earthworks and land disturbance activities shall be finished in a manner which is consistent with existing landforms at the site.
11. All debris, waste and unused structures, materials, plant and machinery ancillary to the completion of the works shall be removed upon completion of the works. The sites shall be left in a tidy condition.
12. During periods of dry weather, adequate dust control measures must be in place to prevent dust nuisance to neighbouring properties.

Construction Noise:

13. Construction activities shall be undertaken in accordance with the provisions of NZS 6803P:1984 The Measurement and Assessment of Noise from Construction, Maintenance, and Demolition Work.

Access:

14. All access points to scheme infrastructure from State Highways and local authority roads shall be designed and constructed to meet relevant access standards and guidelines.
15. At all locations which the public are legally entitled to access, the consent holder shall ensure that at a minimum pedestrian access across or around the work sites shall be maintained during the construction period.
16. The consent holder must liaise with Council's Parks and Recreation Officers where the pipeline infrastructure crosses the Alps to Ocean cycleway, prior to works commencing.
17. If any damage is caused to the cycleway infrastructure whilst undertaking the activities authorised by this consent, an approved contractor shall rectify the damage at the consent holder's expense.

Traffic Management:

18. The consent holder shall ensure that a detailed traffic management plan has been approved by the relevant roading authority authorities (New Zealand Transport Authority and the Waitaki District Council), for all construction activities within a road reserve, prior to construction activities commencing.
19. That works within road reserves shall have authorisation from New Zealand Transport Agency or the Waitaki District Council prior to works commencing.

Existing Public and Private Infrastructure:

20. That the consent holder shall locate, identify and protect all buried public and private infrastructure, prior to works commencing in any location.
21. The consent holder shall locate and protect any public assets crossed.
22. The consent holder must liaise with Council's officers where pipes from the Kurow, Duntroon and Bushy Creek public water supplies are crossed, and with Corriedale Water Management Ltd where pipes from the Tokarahi water supply are crossed.

Daily 10pm to 7am the following day

75dB LAFmax

Sound levels are to be measured in accordance with the provisions of NZS 6801:2008 Acoustics – Measurement of environmental sound and assessed in accordance with the provisions of NZS 6802:2008 Acoustics – Environmental noise.

Buildings and ancillary support structures may require acoustic materials cladding to achieve these standards where necessary.

Further Advisory Notes:

Any damage to Council owned utility lines shall be repaired by Council's operations and maintenance Contractor. All associated costs shall be paid by the consent holder. Approval may be sought from Council's Asset Engineering Manager for works to be completed by other specific Contractors' nominated tradesman.

The consent holder shall ensure that, should any human remains or archaeological items be exposed while undertaking works to give effect to conditions of this consent, works in that area will cease immediately. The Police, Heritage New Zealand, and Kaumatua representing the local Tangata Whenua shall be contacted and work shall not recommence in the affected area until any necessary statutory authorisations or consents have been obtained.

The consent holder shall ensure that a detailed traffic management plan, where construction activities will occur within a road reserve, is approved by the relevant roading authorities (New Zealand Transport Authority and the Waitaki District Council) prior to construction activities commencing.

Reasons for Decision:

- A. Having considered that the effects of the activity on the environment would be minor in accordance with s104(1)(a) of the Resource Management Act 1991, Council is satisfied that the actual and potential effects of the activity on the environment will be less than minor provided that the recommended conditions are complied with.
- B. The granting of the consent will not be contrary to the intent of the policies and objectives contained within the Operative Waitaki District Plan in accordance with s104(1)(b) of the Resource Management Act 1991.
- C. No special circumstances have been identified and no persons were considered to be potentially affected pursuant to s94B of the Resource Management Act 1991.
- D. The proposal to upgrade and expand existing utilities infrastructure and install new utilities infrastructure on land in the in the Rural General Zone will have adverse effects that will be less than minor pursuant to s94A of the Resource Management Act 1991.
- E. This land use proposal is located in the Rural General Zone and has been assessed as a Restricted Discretionary and Discretionary Activity. Consent may be granted or refused for Restricted Discretionary Activities under s104B and C of the Resource Management Act 1991.
- F. Pursuant to s104B and C and s108 of the Resource Management Act 1991, specific conditions have been imposed to mitigate any adverse effects of the activity on the environment.

Sherilyn Byron
Resource Management Planner

Consent Granted:

.....
Hamish Barrell
Planning Manager

Date: July 2018