

Notification report for an application for resource consent under the Resource Management Act 1991



Non-complying activity

1. Application description

Application number(s):	BUN60393755 (Council Reference) LUC60393757 (s9 land use consent) LUC60399652 (s9 land use consent) DIS60393756 (s15 stormwater permit) DIS60400308 (s15 wastewater permit) DIS60400370 (s15 discharge consent) WAT60393758 (s14 water permit) WAT60400304 (s14 water permit) WAT60400305 (s14 water permit) WAT60400306 (s14 water permit) WAT60400307 (s14 water permit) LUS60393759 (s13 streamworks consent)
Applicant:	The Bears Home Project Management Limited
Site address:	670, 610, 451, 697, 680 & 614 Muriwai Road, Muriwai Valley
Legal description:	Lot 1 DP 187057, Lot 1 DP191137 & Section 1 SO Plan 69201, Lot 2 DP 196478, Lot 3 DP196479, Sec 3 SO 41485, Lot 5 DP 187061, Lot 1 DP 163736, Lot 1 DP 196478
Site area:	506.6 hectares
Auckland Unitary Plan (Operative in part)	
Zoning and precinct:	Rural - Rural Production Zone Water (Lake Okaihau)
Overlays, controls, special features, designations, etc:	<u>Overlays:</u> Natural Resources: Significant Ecological Areas <ul style="list-style-type: none">• Overlay - SEA_T_5482, Terrestrial• Overlay - SEA_T_2763, Terrestrial• Overlay - SEA_T_6730, Terrestrial• Overlay - SEA_T_6575, Terrestrial• Overlay - SEA_T_5524, Terrestrial• Overlay - SEA_T_5525, Terrestrial• Overlay - SEA_T_5527, Terrestrial• Overlay - SEA_T_6575, Terrestrial

Natural Resources: Quality-Sensitive Aquifer
Management Areas Overlay [rp]

- Kaipara Sand Aquifer

Natural Resources: Natural Stream Management Areas
Overlay [rp]

Natural Resources: Lake Management Areas

- Overlay (Natural and Urban Lake) [rp] - Lake
Okaihau, Natural

Natural Resources: Wetland Management Areas

- Overlay [rp] - 464, Okiritoto Swamp
- Overlay [rp] - 470, Lake Okaihau

Natural Heritage: Outstanding Natural Features

- Overlay [rcp/dp] - ID 72, Lake Okaihau
- Overlay [rcp/dp] - ID 225, Toroanui and Okiritoto
Falls

Controls:

Macroinvertebrate Community Index - Exotic

Macroinvertebrate Community Index - Native

Macroinvertebrate Community Index – Rural

Special Features:

Overland Flow Paths

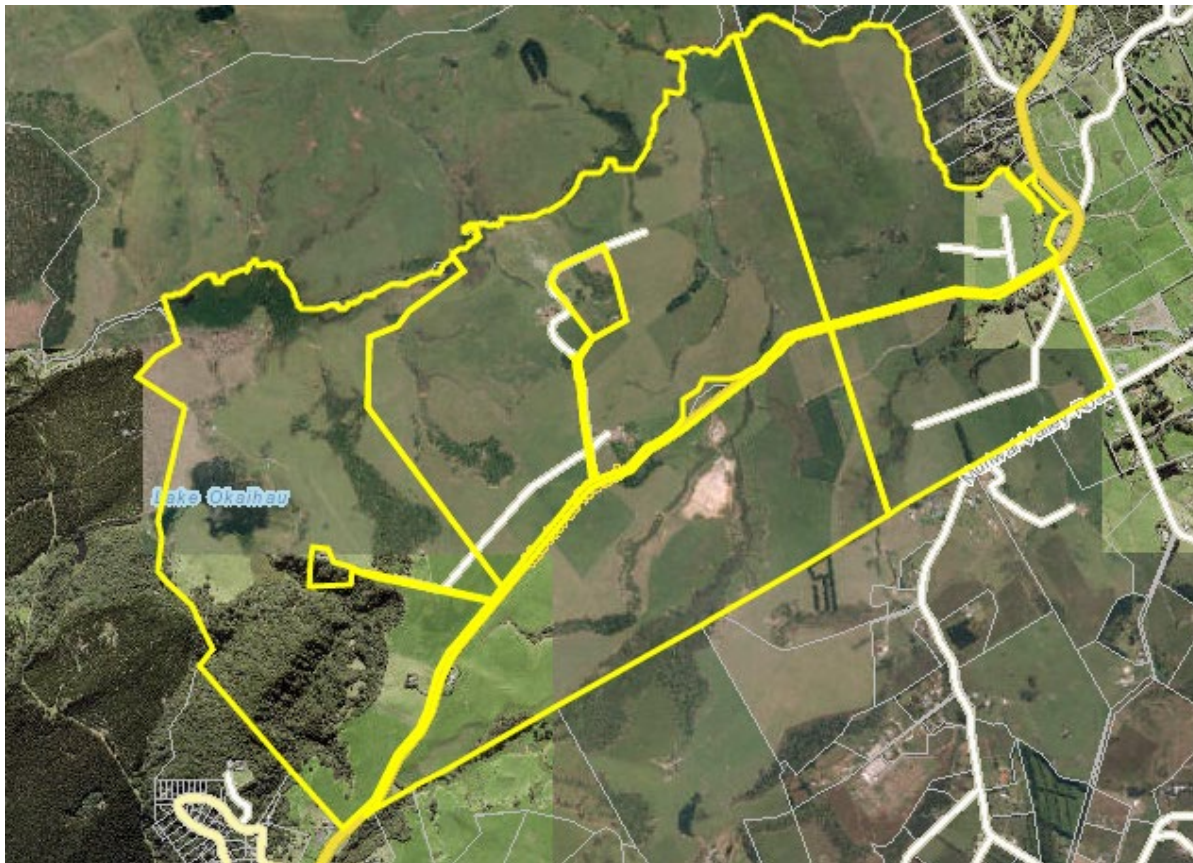
Streams

Wetlands

Contaminated land

Historical features

2. Locality Plan



Source: Auckland Council GIS. All properties outlined in yellow are part of the subject site

3. The proposal, site and locality description

A full description of the proposal and subject site is contained in Sections 2 & 3 of the Assessment of Environmental Effects (AEE) titled “*Muriwai Downs Golf Project: Resource Consent Applications and Assessment of Environmental Effects*”, prepared by Mason Jackson of Mitchell Daysh Limited, dated 17 December 2021.

Having undertaken site visits on 22/06/2021, and 15/02/2022 I concur with that description of the proposal and the site. However, I summarise the applicant’s site and proposal descriptions and provide further comments as follows:

Site and surrounding environment description

The Muriwai Downs property (hereafter ‘Muriwai Downs’) is a large pastoral farming property (506.6ha) made up of seven land parcels and located approximately 3 kilometres east of Muriwai Beach. Current land uses include dry stock (sheep and cattle farming), dairy farming, farm cropping/pasture renewal, quarrying, farm dwellings and rural residences and filming activities.

Muriwai Downs is bounded to the east by the Raurataua Stream and Valley Road and to the north by the Raurataua and Ōkiritoto Streams. It is also split over much of its length by Muriwai Road which runs in an east-west orientation through the property towards Muriwai Beach settlement. This location makes the property and the associated landscape, a prominent feature of the

approach to Muriwai, characterised by rolling seasonal pasture and windswept road side vegetation.

Muriwai Downs is significant due to its place within the landscape, and because of its various natural features - some of which are unique and special to Mana Whenua. There are also three archaeological sites of Māori origin within the site.

Muriwai Downs contains various natural resources including kauri forest, streams, extensive wetlands (including the Ōkiritoto Wetland), a large inland dune lake (Lake Ōkaihau) and picturesque waterfall features (Ōkiritoto and Toroānui Falls).

Muriwai Downs sits entirely within the Rural – Rural Production Zone and approximately 4.5km outside of the AUP Rural Urban Boundary. It is also buffered on all sides by Rural - Rural Production Zone land parcels.

Other zones in the vicinity of Muriwai Downs include:

- Residential - Rural and Coastal Settlement Zone approximately 200m to the southwest comprising the Muriwai Beach settlement inclusive of its own Business - Local Centre Zone;
- Open Space – Informal Recreation Zone approximately 1 km to the west comprising the Muriwai Regional Park inclusive of the Muriwai Beach Golf Course;
- Rural – Rural Coastal Zone approximately 400m to the northwest; and
- Rural – Countryside Living Zone approximately 250m towards the east.

Land use on adjacent land is also predominantly pastoral farming and includes lesser amounts of rural-residential and forestry. There are approximately 15 rural residences adjacent to the Muriwai eastern boundary of Muriwai Downs, located on Muriwai Road and Hamilton Road, and approximately four dwellings located adjacent to the southern boundary on Muriwai Valley Road.

The coastal settlement of Muriwai is located approximately 200m west of the site's western boundary. Beyond the developed extent of Muriwai settlement, much of the landscape is a mix of pastoral land, lifestyle blocks, bush blocks, production forestry (Woodhill Forest), as well as the existing Muriwai Golf Course located north of the coastal settlement. Te Korekore Pā is located outside the Muriwai Downs landholding, positioned approximately 1200m to the northwest, but is considered to be within the site's wider landscape context. A series of connected ridges broadly encloses Muriwai Downs and wider local context of the undulating pastoral landscape.

Proposal

To summarise, the applicant, The Bears Home Company Ltd seeks to construct, operate and maintain a golf course, clubhouse, luxury lodge accommodation complex, sports academy, offices and associated ancillary buildings on the site and undertake associated stormwater and wastewater discharges, and earthworks. The proposal also seeks to construct an off stream dam and extract water from two bores and high flow takes from Raurataua Stream. One existing dwelling is to be demolished and the other 6 existing dwellings are to remain.

The applicant has described the proposal in detail in section 3 (pages 134 to 190 of the PDF document) of the AEE. I agree with that description and include the following key elements of the proposal:

Golf Course

- A 19-hole golf course with associated supporting activities and structures;
- Two practice greens;
- A warm-up fairway;
- A short game practice area;
- Various tracks and paths;
- A total of 13 bridge structures over streams, wetlands and gully areas;
- A stream bed culvert or bridge structure (and associated rip-rap);
- Infilling of a 16m length of an intermittent stream;
- Drainage infrastructure;
- Irrigation infrastructure; and
- Two restroom and rain shelter areas.

Clubhouse complex

The clubhouse facility includes:

- Carparking;
- Entry lobby;
- A pro shop;
- Administration space;
- Restaurant and bar space for use by players and members;
- A member's lounge;
- Guest toilets;
- Golf cart storage;
- Bulk storage areas;
- A maintenance and equipment room;
- A caddie area;
- Administration space;
- Male and female changing rooms with showers, basins, and toilets; and
- A kitchen.

Sports Academy

The key functions of the Sports Academy are to provide instruction and training facilities for golfers and indoor and outdoor practice and playing facilities for tennis. The Sports Academy and café will be open to the club's membership, Lodge guests, and the general public. The Sports Academy will include the following:

- Staff and visitor carparking;
- Two entry lobbies;
- A staff break room;
- A storeroom;
- Toilets with day lockers and showers;

- Two physiotherapy rooms;
- A meeting room;
- Four indoor teaching studios;
- A multi-purpose room;
- Office space;
- 16 covered hitting bays and driving range;
- A café comprising necessary kitchen and storage spaces;
- A golf practice green;
- A 9-hole short golf course; and
- Tennis facilities (including toilets) providing both indoor and outdoor playing options (grass and clay).

Golf and Property Maintenance Complex (GPMC)

The purpose of the GPMC is to service the needs of the whole development including landscape planting areas, common areas, buildings including Clubhouse and Lodge and other support infrastructure and golf course systems. The GPMC will also provide a central hub for all site deliveries. The GPMC includes:

- An equipment store / workshop;
- Staff and visitor carparking;
- A fuel area that will be covered with a roof and bunded;
- A biological wash water recycling area;
- Offices for golf course maintenance staff (GPMC Offices);
- A chemical / fertilizer storage building;
- Materials bays for sand, gravel etc;
- A dedicated space for green waste / compost / rubbish / recycling;
- A bulk store; and
- An operations building.

Luxury Lodge Accommodation

Accommodation will be provided on the Site by a new lodge designed to meet luxury standards. The Lodge development will include the following;

- Staff and visitor carparking;
- A main lodge building including:
 - Reception;
 - Office space;
 - Toilets;
 - Kitchens;
 - A bar;
 - Indoor and outdoor dining;
 - Lodge suites;
 - Swimming pools;
 - A yoga / meeting room; and
 - A plant and equipment room, easily accessed from the covered throughway.

- A range of accommodation units, a Lodge residence and a retreat, all uniquely designed and delicately placed to maximise guest privacy and enjoyment; and
- A wellness centre, separated from the main accommodation areas in a private corner of the lodge complex footprint.

Water Supply and Storage

To fulfil the project's total water demand, potable and domestic water will be supplied from the local groundwater resource while irrigation water will be supplied from two sources - the Raurataua Stream and the local groundwater resource. Primarily, water used for irrigation will be stored in the water storage reservoir - a purpose-built off-stream reservoir of 140,000m³. To cater for potential water storage reservoir maintenance activities, water reticulation infrastructure will also enable irrigation water to be supplied directly from the groundwater resource.

- Peak demand will be 2.15 million litres per day each January once the course is established and operational.
- This demand reduces to 0.29 million litres per day each July.
- Peak demand during the grow-in phase will be up to approximately 3.9 million litres per day.

Raurataua Stream

To meet the irrigation demand, water takes from the Raurataua Stream and from deep groundwater resource will be carried out using continuous stream and pumped flow information and a programmable logic control system programmed to maintain the following water management regime:

- Irrigation water will be supplied from the water storage reservoir or direct from the groundwater supply bore
- The water storage reservoir will be filled from the Raurataua Stream as follows.
 - Abstraction of stream water during periods of high flow (i.e. above median stream flows of 131 l/s) - up to a maximum abstraction rate of 30 l/s.
 - Actual rate of abstraction during high flow to be proportionally increased with increasing stream flow to ensure no more than 10% of the instantaneous stream flow is abstracted.
 - When flows are less than median stream flow of 131 l/s, no Raurataua Stream water will be abstracted, and any irrigation water required will be provided from the water storage reservoir or direct from the groundwater supply bore.
 - During periods of no Raurataua Stream water abstraction, water storage reservoir levels will be maintained using deep groundwater (expected to be predominantly during summer).
- The water take location is near the intersection of Muriwai Road and Valley Road at or about 1731314mE 5926095mN

Wastewater

Domestic wastewater from all buildings will be directed to a centralized treatment and land disposal facility via a mixture of gravity and pumped rising main reticulation. The treatment facility and disposal field will be located near Muriwai Road, immediately northeast of the lodge and clubhouse vehicle crossing.

Drainage and Stormwater Management

The proposal includes the creation of approximately 69,000m³ of new impervious areas associated with new buildings, accessways, car parking areas and maintenance tracks.

Preliminary layout and design of all stormwater and drainage infrastructure employs the following components:

- Stormwater pit and pipework networks for each area;
- Soakage pits;
- Roadway shoulder drains;
- Stormwater road crossing culverts;
- Offline raingardens; and
- Stormwater discharge outlets to land.

Site access, roading and carparking

An existing vehicle crossing at the western end of the site will be upgraded to provide shared vehicle access to the lodge, golf course, clubhouse and the existing dwelling at 670 Muriwai Rd. This lodge and clubhouse access will be designed to accommodate a full right turn bay and will require some associated road widening works.

A new crossing at the eastern end of the site will be designed and constructed to provide shared vehicle access to the sports Academy, GPMC and ongoing access to 614 Muriwai Rd, the existing farm and nearby farm buildings. This new accessway replaces an existing crossing located approximately 50m to the east.

Visitor and staff carparks are proposed at the clubhouse, lodge, sports academy, GPMC and adjacent to the golf course short game practice area.

Outdoor Lighting

Buildings will include some low lux outdoor lighting for general pedestrian and operational safety, and to enhance specific architectural features or landscape planting. Low lux lighting is also contemplated at ground level to illuminate interconnecting pedestrian pathways within the lodge area and between the clubhouse and the lodge for safety reasons and aesthetics.

To enable some night-time usage of the academy range, low intensity lighting will be installed. The proposed outdoor clay tennis courts may also be lit for some night-time use.

Signage

Signage will be located near Muriwai Road at both site vehicle crossings. The intention is for signage to be simple and understated in nature.

Helicopter Flights

A designated helicopter landing and take-off area is proposed to be located alongside the golf course and clubhouse access road. It will comprise three separate helipads and accommodate 6-10 helicopter movements per day.

Ecological restoration and enhancement

Golf course area planting, including:

- Approximately 5.7 hectares of riparian planting surrounding wetlands and streams to include low-stature native grasses, rushes, sedges and shrubs for ecological and amenity purposes.
- Approximately 4.9 hectares of wetland enrichment planting within the centres of wetlands including low-stature native grasses, rushes and sedges for ecological and amenity purposes.
- Approximately 3.2 hectares of other indigenous planting surrounding forest areas including early successional native shrubs and trees for ecological and amenity purposes.

Non-golf course area planting, including;

- Approximately 2.4 hectares of restoration riparian planting surrounding wetlands and streams.
- Approximately 2.3 hectares of ecological restoration wetland planting, including a suite of wetland plants appropriate for the Site.
- Approximately 8.4 of ecological restoration forest planting including a full suite of terrestrial forest plants appropriate for the Site.

Construction activities

The construction will involve the following key elements:

- Implementation of sediment and erosion control devices;
- Implementation of kauri die-back disease management protocols and plans;
- Construction of water reservoir and site buildings;
- Golf course site clearing, vegetation removal and trimming;
- Topsoil stripping and stockpiling;
- Bulk earthworks;
- Golf course shaping;
- Importation of sand gravel and other construction materials;
- Construction of tees, greens, and bunkers;
- Construction of bridges and stream culvert;
- Topsoil respreading;
- Trenching and installation of golf course drainage and irrigation systems;
- Turf grow-in;

- Construction of buildings;
- Construction of roads, tracks and paths; and
- Landscape and ecological restoration planting activities.

It is anticipated the duration of the construction period will be approximately 36 months and involve 590,000m² of cut to fill over approximately 99 hectares. It is also anticipated the construction of the water storage reservoir will be the initial priority from a construction programming perspective. This is to allow early collection and storage of water so that it is available for the first phase of grow-in for the golf course.

In total there are 29 trees, or groups of trees, which require tree removal or alteration resource consent within the Site. In addition, three groups of trees requiring removal from within the Muriwai Road Reserve.

Site Operations

Golf Course and Clubhouse Operations

The golf course and clubhouse use will be available 365 days per year for club members, their guests, guests of the lodge, and for initiatives aimed at development and growth of the game of golf. The course will be membership based and have members from New Zealand and overseas. Golfers are forecasted to play approximately 12,500 rounds of golf annually.

The clubhouse restaurant and bar will not be available for public use. Some minor retail will be provided at the clubhouse (e.g. golf equipment etc) along with caddie services.

Sports Academy Operations

The sports academy will be open to the public and serve the needs of the golf club membership and lodge guests. The driving range will not be operated as a conventional driving range. That is, although members of the public will be able to use it, this use will be associated with golf training activities rather than for general entertainment.

Indoor and outdoor (grass and clay) tennis courts will also be available to the public, golf club members and lodge guests.

Offices within the sports academy building will be available for golf and other sporting representative organisations via standard lease or rental arrangements.

The sports academy café will be open to the public with a consistent food and beverage offering to academy guests and the local community.

Some retail will also be provided at the sports academy (e.g. golf and tennis equipment).

Golf and Property Maintenance Complex Operations

The GPMC will be an active part of the overall site operation incorporating interrelated service functions. Most deliveries for the wider site will be directed to the GPMC. The GPMC will operate from 5:30AM to 8:00PM, seven days a week.

Lodge Operations

The proposed lodge will provide approximately 9,500 available unit-nights per annum. The lodge will cater to golfers and non-golfers. It is expected that approximately 30% of guests will play golf.

The lodge will operate at all times, 365 days of the year.

Special Events

Collectively, the proposed facilities will be capable of hosting events on a local, national, and international scale, including major events, especially in the golf space.

There are no temporary special events proposed as part of this application. Any temporary special events proposed in the future (e.g. golf tournaments) that are outside the normal operation of the site will be subject to separate consenting processes.

Ongoing Farming Activities

Rural productive use of the property will be maintained alongside the golf course with future rural uses integrated into the plan for the property. In particular, dry stock farming will continue on effective pastoral areas of the property beyond the golf course. Dairy farming on the property will be retired and a new woolshed and cattle yards along with reorientation of related farming operations will occur.

Stream Modification Options (P3)

The Applicant has sought consents to culvert the watercourse labelled "P3" in the consent application documentation. P3 has been the subject of ongoing discussions with the Council over the correct classification either as a natural inland wetland under the National Policy Statement for Freshwater Management (NPSFM) and National Environmental Standards for Freshwater (NESF) or a stream (river under the NPSFM/NESF).

The applicant's ecologist's opinion is that this watercourse should be classified as a stream, while the Council's ecologist is of the opinion it is more likely to be a wetland. On the basis of this position, the Council considers the proposed culverting of P3 may lead to complete or partial drainage which would be a prohibited activity and as a result consent cannot be granted.

As the specialists have been unable to reach a conclusion at the time of preparing this notification assessment, the applicant has proposed a second option (Option B) which is proposed in the event that P3 is determined to be a wetland.

The options are as follows:

Option A

- The placement of a 168m culvert and filling over the culvert;
- Riprap of 15m length at the outlet;
- A total reach of 175m reach of P3 will be impacted;
- Offset mitigation including stream daylighting and enhancement works

Option B

- Two 65 m sections of arch-bridge with a gap of approximately 40 m between;

- The bridge footings are located outside of the extent of the wetland;
- The bridge footings will have perforations to allow groundwater to seep into the wetland along its length;
- Fill over the arch bridge will result in a change to ground levels;
- The height from water level to the underside of the arch-bridge will be between approximately 2 – 2.5 m;
- The southern arch-bridge structure covers the existing farm road; and
- No mitigation proposed.

4. Background

Specialist Input

The proposal has been reviewed and assessed by the following specialists:

- Ray Smith – Development Engineer
- Ruby Kim – (for Traffic) Consultant Senior Transportation Engineer
- Ashrita Lilori – (for Traffic) Consultant Senior Transportation Planner
- Brain Wolfman – Auckland Transport Development Planner
- Ainsley Verstraeten – Principal Landscape Architect
- Carl Tutt – Senior Ecology Specialist
- Connor Whiteley – (for Freshwater Ecology) Senior Ecologist
- Sian France – (for Groundwater) Consultant Technical Director - Hydrogeology
- Charlotte Lockyer – (for Surface water) Consultant Senior Principal Environmental Scientist
- Patricia Paschke – Senior Kauri Dieback Advisor
- Kate Lewis – (for Outstanding Natural Features) Geologist/Natural Features Specialist
- Zac Woods – (for Regional Earthworks) Consultant Earthworks Specialist
- Gavin Donaldson – Senior Specialist (Arborist)
- Mica Plowman – Principal Heritage Advisor
- Arsini Hanna – Senior Specialist (Stormwater)
- Jessica Grinter – (for Wastewater) Consultant Principal Environmental Scientist
- Sharon Tang – (for Contamination) Senior Specialist (Contamination, Air and Noise)
- Rachel Terlinden – (for Lighting) Specialist (Contamination, Air and Noise)
- Andrew Gordon – (for Noise) Senior Specialist (Contamination, Air and Noise)
- Jan Burbery – Waste Planning Advisor
- Ryan Bradley – Senior Policy Planner
- Paul Crimmins – (for Air Quality) Senior Specialist (Contamination, Air and Noise)
- Dani Guinto – Senior Scientist (Air, Land and Biodiversity)

Iwi engagement

Prior to lodgement the applicant has engaged with the following iwi:

Te Kawerau a Maki, Ngāti Whātua o Ōrākei, Ngāti Manuhiri, Ngāti Maru, Ngāti Te Ata Waiohua, Te Ākitai Waiohua, Te Rūnanga o Ngāti Whātua, Ngāi Tai ki Tāmaki, Ngāti Paoa Iwi Trust, Ngāti Paoa Trust Board, Ngāti Tamaoho, Ngāti Tamaterā, Ngāti Whanaunga, Te Ahiwaru Waiohua; and Te Patukirikiri.

In particular, consultation was initiated between the Applicant and Te Kawerau ā Maki (TKAM) via Chairman, Te Warena Taua, in October 2020. As a result of this consultation a Memorandum of Understanding has been signed between the two parties and TKAM has provided a Cultural Impact Assessment which forms part of the application.

Consultation with Ngāti Whātua o Kaipara began with introductory communications from the Applicant to Chairwoman, Dame Naida Glavish on 16 October 2020. Meetings and a site visit have been held and as agreed, the Applicant provided a draft MoU to Ngāti Whātua o Kaipara for its consideration, and formally requested a Project for a CIA. The Covid lockdown in Auckland stalled communications and no further update has been provided at this time.

Existing Consents

- WAT80317496 Water consent
- WAT60379235 Temporary groundwater take for aquifer pump testing
- LUC80007099 Discharge dust to the air from the quarrying of aggregate
- BUN60380313 (LUC60380139/DIS60380281) Construction of a hard stand including earthworks and stormwater discharge
- LUC800003951 Consent for filming TV series, commercials, films etc and associated activities
- LUC80007099 Consent to create a film set, erecting temporary buildings then removal
- EXE21561948 Temporary marquees for filming set facilities
- LUC60370538 PA Drilling two bores for groundwater testing
- BUN60381245 (LUC60384519/WAT60379235/DIS60381246) Construction of groundwater bore, taking groundwater for well testing purposes and discharging well test water within 100m setback from a natural wetland on or *about* 1730277mE, 5926157mN
- LUC60269960 (Permit #24340) land use consent for quarry. A new application (LUC60365535) for extension to the quarry activities is currently being processed by council
- BUN60306864 (SUB60035517/LUC60306865/SLC60860) Subdivision creating ten new rural-residential lots, two balance lots and protection of native bush and wetland

Existing Farming Activities

Existing farming activities include sheep and beef livestock rearing and grazing, dairy farming, cropping and pasture renewal. Stock watering supply is provided by on and off-stream farm dams supplemented by permitted surface water takes from the Raurataua Stream and a shallow groundwater bore.

Existing Quarry Activities

A sandstone quarry located south of Muriwai Road has been in operation since the 1960s. Since beginning its operation, this quarry has supplied sandstone, pavers and other sandstone aggregate products to the local market – some of which have been used in the construction of dwellings on the Property.

The quarry currently operates at a modest level of intensity with extraction of approximately 600 tonne of product per year. This equates to approximate 375m³ or 55 truckloads per year. Access to the quarry is via a vehicle crossing off Muriwai Road.

The Bears Home Company Limited has applied to renew the land use consent for the quarry and the application is currently being processed by Auckland Council. It is anticipated the consent (if

granted) will allow further extraction whilst restricting the quarry to an active area of approximately 2 ha at any point in time.

Filming activities

Due to its location, size and natural features, the property is sought after for filming activities for both local and international productions.

Further information

A request for further information was sent to the applicant on 24 February 2022. At the time of notification these requests have not been reconciled. The applicant and Council will continue to work on these matters during the submissions period. A copy of the further information request and the partial response to date has been included with the publicly notified documents.

5. Reasons for the application

Resource consents are required for the following reasons:

Land use consent (s9) – LUC60393757

Auckland Unitary Plan (Operative in part)

District land use (operative plan provisions)

Rural Production Zone

- Visitor accommodation in a rural production zone is a discretionary activity under rule H19.8.1(A34)
 - A main Lodge building;
 - Accommodation units;
 - A wellness centre; and
 - All associated ancillary buildings and supporting infrastructure;
- Restaurants and cafes not otherwise provided for in a rural production zone is a discretionary activity under rule H19.8.1(A36)
 - Casual dining, bar/café facilities within the main Lodge building – available for public pre bookings;
 - Restaurant and bar within the Clubhouse;
 - Café within the Sports Academy building - available to the public;
- Organised sport and recreation in a rural production zone is a restricted discretionary activity under rule H19.8.1(A52)
 - A 19-hole golf course with warm-up fairway and short-game practice area;
 - A clubhouse (clubrooms);
 - A sports academy including; an academy building, commercial office space, academy driving range, practice green, 9-hole short course, and indoor and outdoor tennis facilities;
 - A golf and property maintenance complex; and

- All associated ancillary buildings and supporting infrastructure,
- Clubrooms in a rural production zone is a restricted discretionary activity under rule H19.8.1(A54)
- The proposal involves use and development that is not specifically provided for and is a discretionary activity under rule C.1.7(1) the proposal includes the following activities not provided for:
 - A Sports Academy and associated hireage / training services;
 - Golf supplies retail store at the clubhouse;
 - A golf and tennis supplies retail store at the Sports Academy;
 - Offices for golf and other sporting representative organisations;
 - A wellness centre available for public bookings;
 - Wellness product retail store in the wellness centre;
 - Art and gifts retail store in the main Lodge building;
 - A yoga/meeting room in the main Lodge building available for public bookings; and
 - All ancillary commercial activities;

Trees in roads

- Tree removal of any tree greater than 4m in height or greater than 400mm in girth is a restricted discretionary activity under rule E17.4.1(A10)

Signage

- Comprehensive development signage is a restricted discretionary activity under rule E23.4.1(A53)

Transport

- Construction or use of a vehicle crossing where a Vehicle Access Restriction applies under Standards E27.6.4.1(2) or E27.6.4.1(3) is a restricted discretionary activity under rule E27.4.1(A5)

Natural hazards and flooding

- To divert the entry or exit point, pipe or reduce the capacity of any part of an overland flow path is a restricted discretionary activity under rule E36.4.1(A41)

Land Disturbance - District

- To undertake general earthworks of 590,000m² of cut to fill over 99 hectares, as the earthworks are greater than 2,500 m² and 2,500m³ in a rural zone, is a restricted discretionary activity under rules E.12.4.1(A6) and (A10) respectively.
- To undertake land disturbance not otherwise listed and within an ONL overlay greater than 2m² and up to 10m³ being 8m³ within the Okiritoto Falls ONF classified as Site Type C within Schedule 6 is a restricted discretionary activity under rule E12.4.3(A39).

Regional land use (operative plan provisions)

Stormwater quality – High contaminant generating car parks and high use

- Development of a new or redevelopment of an existing high contaminant generating car park greater than 5,000m² is a controlled activity under E9.4.1(A6).

- The proposal provides for the development of a total of 5 new high contaminant-generating car parks as follows:
 - Clubhouse – 4,153 m², approx. 104 car parks.
 - Academy – 2,325 m², approx. 69 car parks.
 - GPMC – 1,951 m², approx. 50 car parks.
 - Lodge Guest Car Park – 1,278m², approx. 48 car parks.
 - Lodge Staff Car Park – 850 m², approx. 35 car parks.

Land Disturbance – Regional

- To undertake earthworks greater than 50,000m² where land has a slope less than 10 degrees outside the sediment control protection area is a restricted discretionary activity under rule E11.4.1(A5)
 - The bulk earthworks associated with the proposal will cover in excess of 50,000m² of land of varying slopes.
- To undertake earthworks greater than 2,500m² where the land has a slope equal to or greater than 10 degrees is a restricted discretionary activity under rule E11.4.1(A8)
 - The bulk earthworks associated with the proposal will cover in excess of 50,000m² of land of varying slopes.
- Works below the natural ground level in an SEA overlay is a restricted discretionary activity under rule E11.4.3(A23)
 - The proposal is likely to include the construction of below ground irrigation and drainage infrastructure in small sections of SEA-T requiring trenching.
- Land disturbance not otherwise provided for being to undertake earthworks in an SEA greater than an area of 5m²; and greater than a volume of 5m³ is a restricted discretionary activity under rule E11.4.3(A28) & (A30)
 - The bulk earthworks associated with the project will involve the disturbance of approximately 1,400m² of land within SEA-T.

Vegetation management and biodiversity

- Vegetation alteration or removal, including cumulative removal on the site over a 10-year period of greater than 250m² of indigenous vegetation is a restricted discretionary activity under rule E15.4.1(A10)
 - The proposal includes removals of more than 250m² of indigenous vegetation within the project and construction footprint.
- Vegetation alteration or removal within a Wetland Management Areas Overlay is a discretionary activity E15.4.1(A11)
 - Wetlands around Lake Okaihau are considered to be within this overlay. Ecological riparian restoration and enhancement plans include an approximate 10m wide riparian margin around Lake Okaihau – to this extent vegetation may be altered and undesirable vegetation may be removed in a Wetland Management Areas Overlay.
- Vegetation alteration or removal of any vegetation within a Natural Stream Management Areas Overlay is a restricted discretionary activity under rule E15.4.1(A12)

- Part of the wetland and forest restoration falls within this overlay, need to check on site if exotic species are proposed for removal as part of this restoration. Ecological riparian, forest a restoration and enhancement plans include riparian margin of part of the stream upstream of Lake Okaihau to this extent vegetation may be altered and undesirable vegetation may be removed in a Natural Stream Management Areas Overlay.
- Vegetation alteration or removal within 50m of the shore of a lake within a Natural Lake Management Area is a restricted discretionary activity under rule E15.4.1(A13)
 - The proposal includes vegetation removal within 50m of the shore of Lake Okaihau, a Natural Lake Management Area including a stand of eucalypts.
- Vegetation alteration or removal within 10m of a rural stream within the Rural Production Zone is a restricted discretionary activity under rule E15.4.1(A17)
- Vegetation alteration or removal within 20m of a natural wetland and in the bed of a river or stream, or lake is a restricted discretionary activity under rule E15.4.1(A18)
- Vegetation alteration in an SEA overlay that does not comply with standard E15.6.9 is a restricted discretionary activity under rule E15.4.1(A23)
- Permitted, controlled and restricted discretionary activities in Table E15.4.2 that do not comply with one or more of the standards in E15.6 is a discretionary activity under rule E15.4.2(A24)
 - Some of the crown lifting proposed will not likely meet the PA standards, namely lifting of T7 to enable construction works and lifting of a Kohekohe and Karaka tree growing along the proposed boardwalk pathway between the 8th Tee and the 8th Fairway.
- Vegetation alteration or removal not otherwise provided for in an SEA overlay is a discretionary activity under rule E15.4.2(A43).

National Environmental Standard for Freshwater Regulations 2020

- Vegetation clearance and earthworks within 10m of a natural wetland but not resulting in complete or partial drainage for a golf course development which is not explicitly provided for under the NES FM is a non-complying activity under Regulation 54(a) & (b).
- Vegetation clearance and earthworks outside of but within 10m of a natural wetland and taking, using, damming, diverting and discharging of water within 100m setback from a natural wetland for the construction of wetland utility structures is a restricted discretionary activity under Regulation 42.
 - Wetland utility structures will form part of the golf course and wider development and will principally be in the form of boardwalks, bridges and tracks traversing over wetland areas or through areas within a 10m setback from a wetland.
- Vegetation clearance and earthworks or land disturbance outside but within 10m of a natural wetland and taking, using, damming, diverting and discharging of water within 100m setback from a natural wetland for the restoration of natural wetlands is a restricted discretionary activity under Regulation 39.
 - The vegetation clearance and earthworks / land disturbance associated with the wetland restoration activities will exceed the permitted limit of 500 m² for activities specified by Regulation 38(4)(b).

National Environmental Standard for Assessing And Managing Contaminants In Soil To Protect Human Health 2011

- Earthworks and remediation associated with the Project will require land disturbance activities on HAIL sites exceeding the NES CS permitted threshold for area of disturbance however, the DSI Report confirms that the soil contamination does not exceed the relevant standards of Regulation 7 of the NESCS and that a site management plan is required, therefore the activity is a controlled activity under Regulation 9(1).
- Changing the use of a piece of land that does not comply with reg 8(4) is a controlled activity under Regulation 9(3).
- Land disturbance activities a volume of 25m³ per 500m² or, for all other purposes combined, a maximum volume of 5m³ per 500m² soil being removed from the site is a discretionary activity under Regulation 10(4).

Streamworks consent (ss13 & 14) – LUS60393759

Lakes, rivers, streams and wetlands

- Depositing clean fill, excluding litter, refuse, other waste and/or contaminated material, in an SEA-T, Wetland Management Area and Lake Management Area within an overlay is a non-complying activity and outside of the overlay is a discretionary activity under rule E3.4.1(A6)
 - The earthworks activities will involve approximately 1,400m² of disturbance of areas of SEA-T, and minor areas of mapped Wetland Management and Lake Management Areas (including placement of fill, topsoil or turf) within the construction footprint.
- Any activity not complying with the general permitted activity standards in E3.6.1.1 or the specific activity standards in E3.6.1.2 and E3.6.1.3 within the overlays is a non-complying activity under rule E3.4.1(A9)
 - The infilling of a small section (approximately 16m) of intermittent stream bed near its headwaters alongside hole 1 fairway (Stream I9).
- Structures associated with the enhancement and restoration of lakes, rivers, streams or wetlands not otherwise provided for is restricted discretionary activity under rule E3.4.1(A28)
 - Construct, use and maintain structures including boardwalks, walking tracks and bridges connecting them, associated with wetland enhancement and restoration of Lake Okaihau, Okiritoto Wetland, streams and other wetlands both outside and within a SEA-T, Wetland Management and Lake Management overlay.
- Bridges or pipe bridges within an overlay complying with the standards in E3.6.1.16 is a discretionary activity under rule E3.4.1(A29)
- New cables or lines that cross over a river or stream which do not require support structures in the watercourse complying with the standards in E3.6.1.17 is a restricted discretionary activity under rule E3.4.1(A31).
- Culverts or fords more than 30m in length when measured parallel to the direction of water flow is a discretionary activity under rule E3.4.1(A33).
 - Construct, use and maintain a culvert, being more than 30m in length within unnamed tributaries of the Okiritoto / Raurataua Stream.

- Any activities not complying with the general permitted activity standards in E3.6.1.1 or the specific activity standards in E3.6.1.14 to E3.6.1.23 is a non-complying activity under rule E3.3.1(A44).
- New reclamation or drainage, including filling over a piped stream is a non-complying activity under rule E3.4.1(A49).
 - Reclamation of a section of intermittent stream I9 for a length of approximately 16m near its headwaters alongside hole 1 fairway.

National Environmental Standard for Freshwater Regulations 2020

- Reclamation of a section (16m) of the bed of any river (in this case an intermittent stream near hole 1 fairway) is a discretionary activity under Regulation 57.
- The placement, use, alteration, extension, or reconstruction of a culvert in, on, over, or under the bed of a river (stream P3) that does not comply with the conditions in Regulation 70(2) is a discretionary activity under Regulation 71.

Land use consent (s9) - LUC60399652

Regional land use consent (operative plan provisions)

Taking, using, damming and diversion of water and drilling

- Holes or bores not meeting the permitted activity standards or controlled activity standards or not otherwise listed is a restricted discretionary activity under rule E7.4.1(A42)
 - To construct and use a groundwater bore at or about NZTM 1729833mE, 5925837mN for the abstraction of groundwater for irrigation and potable / domestic water supply purposes.

Water permits (s14); - WAT60393758; WAT60400304; WAT60400305; WAT60400306; WAT60400307

Taking, using, damming and diversion of water and drilling

- Dams not otherwise listed or not meeting the permitted activity standards or controlled activity standard is a discretionary activity under rule E7.4.1(A35).
 - To construct, use and maintain an off-stream water reservoir with a capacity of 140,000m³ and a surface area of approximately 37,000m² for the purpose of storing surface and ground water for use within the golf course development and associated buildings for irrigation and potable supply.
- Take and use of groundwater not meeting the permitted activity or restricted discretionary activity standards or not otherwise listed is a discretionary activity under rule E7.1.4(A26).
 - To take groundwater from the volcanic aquifer (Waiatarua Formation) and use it for irrigation and potable / domestic water supply purposes.

- Take and use of surface water, including dams not meeting the permitted activity, controlled activity or restricted discretionary activity standards or not otherwise listed is a discretionary activity under rule E7.4.1(A9).
 - To take, store and use water from the Raurataua Stream during high-flows (above median flow), and at a rate that does not exceed 10% of flow, for the purpose of pasture irrigation, site maintenance and dust suppression activities.

National Environmental Standard for Freshwater Regulations 2020

- The taking, use, damming, diversion, or discharge of water within, or within 100m setback from, a natural wetland is a non-complying activity under Regulation (54)(c).
 - The proposal also involves taking of deep groundwater via a bore at a location within a 100m setback from a wetland and taking of surface water in a location within 10m – 100m upstream of a wetland. The proposal will also require the diversion of stormwater and drainage water from areas of the golf course at locations within the 100m setback of a natural wetland.
 - To the extent the Option B bridging structures divert stormwater and potentially result in diversion of groundwater around or through the structure's footings (if below the water table).

Discharge permit (s15 wastewater permit); - DIS60400308

- Discharge of treated domestic-type wastewater and wastewater (excluding trade waste) that does not meet the relevant standards or is not provided for by any other rule in the Plan is a discretionary activity under rules E5.4.1(A6).
 - The proposal includes the provision of a combined on-site domestic wastewater treatment plant, and associated discharge to land, at or about NZTM 1729380mE, 5925032mN for the lodge, clubhouse, golf academy, golf course and golf maintenance areas.

National Environmental Standard for Freshwater Regulations 2020

- The proposed wastewater disposal field is located within 100m of a 'natural wetland' area. The taking, use, damming, diversion, or discharge of water within, or within 100m setback from, a natural wetland is a non-complying activity under Regulation (54)(c).

Discharge permit (s15); - DIS60400370

- Discharges of contaminants into air, or into water, or onto or into land not meeting permitted activity Standard E30.6.1.1; E30.6.1.2; E30.6.1.3; E30.6.1.4; or E30.6.1.5 is a controlled activity under rule E30.4.1(A6)
- Discharge of water and/or contaminants (including washwater) onto or into land and/or into water from any of the following: (a) cleaning, maintenance and preparation of surfaces of buildings, and associated structures is a controlled activity under E4.4.1(A11).
 - Building and bridge maintenance activities may include washing activities that may result in discharges of water and/or contaminants onto or into land and/or into water.

- Discharge of water or contaminants (including wastewater) onto or into land and/or into water not complying with the relevant standards or not otherwise provided for by a rule in the Plan is a restricted discretionary activity under rule E4.4.1(A15)
 - To authorise discharges of incidental residual flocculant chemical (or similar agents) used as part of sediment control devices during earthworks.

Stormwater permit (ss14 & 15); DIS60393756

- Diversion and discharge of stormwater runoff from impervious areas outside an urban area is a discretionary activity under rule E8.4.1(A10).
 - The total impervious areas of the proposal are approximately 60,000 m². Stormwater will either be harvested from roof areas for potable/non-potable supply, or managed / treated on site prior to being discharged to land.
- Diversion and discharge of stormwater runoff from additional impervious areas greater than 5,000m² of road (being approximately 15,000m² that complies with Standard E8.6.1 and Standard E8.6.4.1 is a restricted discretionary activity under rule E8.4.1(A5).

National Environmental Standard for Freshwater Regulations 2020

The proposal requires diversion of stormwater and drainage water within 100m of a 'natural wetland' area. The taking, use, damming, diversion, or discharge of water within, or within 100m setback from, a natural wetland is a non-complying activity under Regulation (54)(c).

The reasons for consent are considered together as a **non-complying** activity overall.

6. Status of the resource consents

Where a proposal:

- consists of more than one activity specified in the plan(s); and
- involves more than one type of resource consent or requires more than one resource consent; and
- the effects of the activities overlap;

the activities may be considered together.

Where different activities within a proposal have effects which do not overlap, the activities will be considered separately.

In the instance, the effects of the proposed resource consents will overlap and thus they are considered together as a **non-complying activity** overall.

7. Public notification assessment (sections 95A, 95C-95D)

Section 95A specifies the steps the council is to follow to determine whether an application is to be publicly notified. These steps are addressed in the statutory order below.

Step 1: mandatory public notification in certain circumstances

Section 8 of the AEE advises that:

“To ensure the local community is provided an opportunity to offer their views on the Project, the Applicant requests public notification of the application.”

Mandatory notification is therefore required as:

- the applicant has requested that the application is publicly notified (s95A(3)(a)).

As the application is required to be publicly notified under step 1, it is not necessary to proceed to steps 2, 3 or 4.

Public notification conclusion

Having undertaken the s95A public notification tests, the following conclusions are reached:

- Under step 1, public notification is mandatory because the applicant has requested it.

It is therefore recommended that this application be processed with public notification.

8. Notification recommendation

Public notification

For the above reasons under section 95A, this application must be processed with public notification.

Accordingly, I recommend that this application is processed publicly notified.



Mimouk Hannan
Senior Planner
Resource Consents

Date: 27/05/2022

9. Notification determination

Acting under delegated authority, and for the reasons set out in the above assessment and recommendation, under section 95A of the RMA this application must be processed on a **PUBLICLY NOTIFIED** basis.

A handwritten signature in black ink, appearing to read "Russell Butchers". The signature is written in a cursive style with a large initial 'R' and a long, sweeping tail.

Russell Butchers
Principal Project Lead
Premium Resource Consents

Date: 27/05/2022