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Te Kowhai East Consent Approval List under the Resource Management Act 1991

Waikato Regional Council:

Activity sub type	Description	Rule and Activity Status
Land Disturbance	To undertake cut to fill earthworks and clean fill activity in association with 186ha industrial development.	Discretionary activity consent under Rule 5.1.4.15 - Soil Disturbance, Roding and Tracking and Vegetation Clearance, Riparian Vegetation Clearance in High Risk Erosion Areas and a Controlled activity consent under Rule 5.2.5.5 – Large Scale Cleanfill Disposal outside High Risk Locations will be required.
	NES-Freshwater Management - Earthworks, vegetation clearance within 10m of a natural wetland	Non-complying activity under Regulation 54(a). This will be examined in the context of the site wide stormwater management plan.
Discharge of Stormwater	To permanently discharge stormwater into the Mangaheka stream in association with 186HA industrial development	Discretionary activity consent under Rule 3.5.11.8 – Discharge of Stormwater
	NES- Freshwater Management - discharge of water within 100m setback of a natural wetland	Non-complying activity under Regulation 54(d). This will be examined in the context of the site wide stormwater management plan.
Water Take	Surface water take from the Waikato River for the purpose of potable water supply in association with a 186ha industrial development	Restricted Discretionary Activity consent under rule 3.3.4.21 – The taking of surface water
	To permanently take water from onsite bore for potable water use associated with 186ha industrial development	Discretionary activity consent under Rule 3.3.4.24 – Groundwater Take
	To temporary divert groundwater and take surface water for dewatering and dust suppression and wheel washing	Controlled activity consent under Rule 3.3.4.16 – Taking Surface Water and Discretionary activity consent under Rule 3.3.4.24 – Groundwater takes.
Water Diversion	To permanently divert water through infilling approximately 10,000m ² of artificial watercourses including approximately 5,000m ² of indigenous fish habitat in association with industrial development	Discretionary activity consents under Rule 3.6.4.13 – Stopbanks, diversions and any associated discharges to water



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	To permanently divert water through infilling in an approximately 5ha flood plain area in association with industrial development	Discretionary activity consents under Rule 3.6.4.13 – Stopbanks, diversions and any associated discharges to water
	NES- Freshwater Management - diversion of water within 100m setback of a natural wetland	Non-complying activity under Regulation 54(c). This will be examined in the context of the site wide stormwater management plan.
River and Lakebed - Structures	To construct culverts in the Manganahaka stream in association with 186ha industrial development	Controlled activity consent under Rule 4.2.9.3 – Culverts for Catchments Not Exceeding 500 Hectares for any culverting of the unnamed tributary for road corridors
	NES- Freshwater Management - Placement, use, alteration or reconstruction of culverts in, on, over or under the bed of a river.	Discretionary activity under Regulation 71(a)
River and Lakebed- Bed Disturbance	Bed disturbance as a result of enhancement and realignment of watercourses	Discretionary activity consent under Rule 4.3.4.4 – Bed Disturbance Activities

Waikato District Council:

The Waikato District Council is operating under both their existing Operative District Plan – Waikato Section, and a new district plan – Waikato District Plan – Operative in Part. An assessment of the land use activities under both plans is therefore provided in the following table.

Activity sub type	Description	Rule and Activity Status
Operative District Plan – Waikato Section		
Land Use – Industrial Activity	Land Use consent for 186ha of industrial activities in the Rural Zone	Discretionary activity under Rule 25.10.2 – Type of Activity and 25.16.2 – Vehicle movements.
Land Use – Commercial Activity	Land Use consent for 2ha of commercial activities in the Rural Zone	Discretionary activity under Rule 25.10.2 – Type of Activity and 25.16.2 – Vehicle movements.
Land Use – Earthworks	Earthworks - To undertake cut to fill earthworks and clean fill activity in association with 186ha industrial development	Discretionary activity under Rule 25.25.2 and Rule 25.27.1



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Subdivision	Subdivision consent over 3 stages – approximately 103ha net land	<p>Subdivision of land resulting in more than 2 additional allotments containing high quality soils from any allotment with a Certificate of Title prior to 6 December 1997 is a prohibited activity under Rule 25.5(d). This clause applies to all but one of the titles that make up the site.</p> <p>Subdivision of the pre 1997 title is a non-complying activity under Rule 25.70A.2 being that more than one additional certificate of title will be created.</p>
Waikato District Plan – Operative in Part		
Land Use – Industrial Activity	Land Use consent for 186ha of industrial activities in the General Rural Zone	Non-complying activity under Rules GRUZ-R58 and GRUZ-R59
Land Use – Commercial Activity	Land Use consent for 2ha of commercial activities in the General Rural Zone	Non-complying activity under Rule GRUZ-R60
Land Use – Earthworks	Earthworks - To undertake cut to fill earthworks and clean fill activity in association with 186ha industrial development.	Restricted discretionary activity under Rules EW-R21 and EW-R22
Subdivision	Subdivision consent over 3 stages – approximately 103ha net land.	<p>Subdivision of land resulting in an additional allotment containing high quality soils from any allotment with a Certificate of Title prior to 6 December 1997 is a prohibited activity under SUB-R41.</p> <p>Subdivision of land, from a pre 1997 title that creates more than one additional lot is a non-complying activity under SUB-R43.</p>
National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health		
NES – Contaminated Land -	Soil disturbance and change of use on land where it is likely that HAIL activity has been undertaken	Controlled activity under Regulation 9(3) or Restricted Discretionary activity under Regulation 10(2) depending on final tests of soil contamination levels



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Note that in addition to the identified consent standards, there may more specific site performance standards for industrial buildings in the rural zone- which are also unlikely to be complied with i.e. noise, building height, building coverage, setbacks etc. Assessment of these will be undertaken in the substantive application, and it is anticipated that these rules we be written into the proposed land use consent for industrial activity.

Other approvals required:

Wildlife Act 1953	Wildlife Act Authority from DOC to salvage lizard populations across the development site should further investigations identify lizard habitat.
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