

UNDER

The Resource Management Act 1991

IN THE MATTER OF

SUB24/50201 & LUC24/48662 being
an application for land use and
subdivision consent at 1 and 9 Washer
Road, Omata

JOINT WITNESS STATEMENT

CAMPBELL ROBINSON

CHRIS RENDALL

7th November 2025

1. INTRODUCTION

- 1.1 This signed Joint Witness Statement (**JWS**) is written in response to a direction in Minute of the Commissioner 1 dated 26th August 2025.
- 1.2 The participants in conferencing are (in alphabetical order):
- a. Chris Rendall, consultant planner, Landpro Limited, engaged by Washer Family Trust Ltd (as the applicant); and
 - b. Campbell Robinson, consultant planner, Future Proof Planning Limited, engaged by New Plymouth District Council as the reporting planning officer and author of the S42A report on the resource consent.
- 1.3 The experts have read and agree to abide by the Environment Court's Code of Conduct for Expert Witnesses as specified in the Environment Court's Consolidation Practice Note 2023.
- 1.4 Mr Rendall notes that he understood that as the JWS was not provided at the hearing the Commissioner would instead minute an expectation for a JWS once the procedural matters were resolved. Mr Robinson's opinion was that this JWS was anticipated by the Commissioner. In the interests of providing relevant information in a timely manner Mr Robinson and Mr Rendall have completed this JWS to the extent they consider possible at this time.



SCOPE

- 1.5 A range of planning matters were discussed at the hearing and now form part of the public record. These matters will not be revisited as part of this statement.
- 1.6 The scope of the joint witness statement is primarily concerned with the draft conditions of consent which were not settled and agreed on the day of the hearing.
- 1.7 The **experts agree** that should the application be granted, the proposal should be subject to the conditions outlined in Appendix 1.
- 1.8 The **experts disagree** that the draft conditions should address the variation to consent notice 7890638.35. Mr Rendall put forward options for the proposed wording of consent notice 7890638.35 to allow the proposed boundary change to be implemented. Mr Robinson disagreed — noting Minute 1 does not include any direction to discuss the consent notice variation.

CONCLUSION

- 1.9 The experts have undertaken conferencing and have agreed a set of conditions of consent should the Commissioner be minded to grant consent.

Signed on Friday 7th November 2025 by:

	
Chris Rendall	Campbell Robinson

Appendix 1: Draft Conditions of Consent

DECISION 1: SUBDIVISION UNDER SUB24/50201.

Section 223 Certificate:

General:

1. The survey plan must be generally consistent with the scheme plans submitted by Landpro Ltd and drafted by McKinlay Surveyors, Job Reference W-211212, Drawing RC01, Sheets 1 and 2, dated 27.05.2024 and all other information including further information contained within application reference number SUB24/50201.
2. Prior to Section 223 certification, any existing structures or buildings must meet the permitted activity Effects Standards specified in the Part Operative New Plymouth District Plan relative to the new boundaries.

Amalgamation:

3. That Lot 2 hereon and Lot 32 DP 385658 (legal access) be held as to thirty undivided one-thirtieth shares by the owners of Lots 1 to 19, Lots 21 to 30 DP 385658 and Lot 1 hereon as tenants in common in the said shares and that the individual Records of Title be issued in accordance therewith (LINZ reference 1962269).

Building Restriction Areas:

4. Any residential dwelling located on Lot 1 must be setback by a minimum distance of 24.2 metres from the head of the gully located in the north-western corner of Lot 1.
5. Condition 4 must be imposed by way of a consent notice under section 221 of the Resource Management Act 1991 and be registered against the new Record of Title for proposed Lot 1 being a subdivision of Lot 20 DP 385658 and Lot 31 DP 385658.

Section 224 Certificate:

Stormwater:

6. The consent holder must dispose of the stormwater in a way that does not create a new nuisance to neighbouring land and/or property.

Building Platform – Lot 1:

7. The foundation design of any building on Lot 1 must be informed by the reports of Red Jacket dated 28 April 2025 and 12th July 2021 and the Tonkin and Taylor report dated 28th September 2021.
8. Condition 6 must be imposed by way of a consent notice under section 221 of the Act and be registered against the new Record of Title for proposed Lot 1 being a subdivision of Lot 20 DP 385658 and Lot 31 DP 385658.

DECISION 2: LAND USE LUC24/48662.

Approved Plans:

1. The use and development of the land must be generally consistent with application No. LUC24/48662 including further information submitted during the processing of the application and with the following plan:

Plan No	Name	Date
W-211212	PROPOSED SUBDIVISION OF LOT 20 AND 31 DP 385658 Washer Family Trust 9 Washer Road, Omata	27.05.24

2. Any future buildings on this site may be erected a minimum of 5 metres from the boundary between Lot 1 and Lots 2, excepting where a consent notice on the Record of Title of Lot 1 requires a greater setback.

Notification to monitoring

3. At least 48 hours prior to any physical work commencing on Lot 1 hereon, the consent holder must contact the Council's Compliance and Monitoring Officer at planningconsents.monitoring@npdc.govt.nz advising them of the start of works.

Compliance with Permitted Activity Acoustic Noise Requirements:

4. Prior to residential occupation of any future dwelling on Lot 1, the consent holder must provide certification from a suitably qualified acoustic engineer that the dwelling has been constructed, and mechanical ventilation provided to bedrooms and habitable rooms which meet the Permitted Activity criteria of Part Operative District Plan Effects Standard NOISE-S3 (1).

Accidental Discovery Protocol Cultural or Archaeological Artefacts:

5. If the presence of an archaeological or cultural artefacts is uncovered or are suspected of being uncovered, the consent holder shall immediately cease works and contact local hapū and Heritage New Zealand.

Work

6. The consent holder must undertake planting within Lot 1 to extend the existing shelter belt to be consistent with Diagram 1 below (green line) to the extent this is consistent with any restrictions imposed by existing easements K & M in favour of Powerco Limited and L in favour of Telecom. Planting is to match the species used in the existing shelter belt where appropriate.
7. The consent holder must maintain any plantings for a period of 48 months from time of planting to allow for plant establishment to the satisfaction of the Council's Monitoring Supervisor. Plants that die or are removed shall be replaced with plants of the same species and original size. Any plants that fail shall be replaced at the expense of the consent holder. All plantings must continue to be maintained by the consent holder thereafter.

Diagram 1: Shelterbelt requirements



Advice Notes:

1. The land use and subdivision consent lapses 5 years from the date that the consents commence unless the consents have been given effect to before that date; or unless an application is made before the expiry of that date for the Council to grant an extension of

time for establishment of the use. An application for an extension of time will be subject to the provisions of section 125 of the Resource Management Act 1991.

2. The granted consents are subject to the right of objection as set out in section 357A of the Resource Management Act 1991.
3. All costs in meeting the conditions of the granted consent shall be met by the consent holder unless otherwise stated.
4. Works that modify, damage or destroy any archaeological site(s) may require an archaeological authority (consent) from Heritage New Zealand.
5. There is no reticulated water supply available to Lot 1. Any dwelling constructed on Lot 1 will require provision for the water needs of the project in accordance with the provisions of the Building Code. The activity will require the consent holder to provide for its own potable water supply in accordance with the standards specified by the Building Code. Details showing how this is to be provided for will need to be provided as part of the Building Consent application. Bore or well water supply will require a water quality test and results report.
6. No firefighting water is available to this development. It is recommended that a 75mm instantaneous female coupling and valve be fitted to any water storage tanks that may be constructed as part of this work. The requirements of the New Zealand Fire Services Firefighting Water Supplies Code of Practice may have to be met.
7. Development on Lot 1 shall require on-site septic treatment for sewerage complying with the NZBC. Lot 1 shall require enough room for on-site septic tank, soakage field and reserve area, taking into account the required distance from boundaries and area required for on-site stormwater disposal.