

UNDER

The Resource Management Act 1991

IN THE MATTER OF

SUB24/50201 & LUC24/4866 being
applications for land use and
subdivision consent and
SUB24/50201.01 being an application
to vary consent notices at 1 and 9
Washer Road, Omata

JOINT WITNESS STATEMENT

CAMPBELL ROBINSON

CHRIS RENDALL

23RD June 2026

1. INTRODUCTION

- 1.1 This signed Joint Witness Statement (**JWS**) has been provided in accordance with commissioner minute number 6 dated 17th of June 2026.
- 1.2 Conferencing between experts was undertaken on the 22nd and 23rd of June 2026 at the New Plymouth District Council Offices. The participants in conferencing were (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 both the substantive application and the request to vary consent notices.
- 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.

2. BACKGROUND

- 2.1 A range of planning matters were discussed at the hearing on the substantive applications (SUB24/50201 & LUC24/4866) and now form part of the public record. This includes a joint witness statement on behalf of Mr Robinson and Mr Rendall¹. These matters will not be revisited as part of this statement.
- 2.2 The agreed conditions refer to an updated scheme plan which delineates the areas subject to building restrictions. These are shown as Areas A and B on the scheme plan attached as Appendix A.
- 2.3 Area A identifies all areas where it is unsuitable for non-residential buildings and soak holes, including incorporating the 15m setback from the head of the Gully.
- 2.4 Area B on the revised scheme plan delineates the area between 15 and 22m from the head of the gully. This relates to the geotechnically derived (maximum) minimum setback to achieve a 2H:1V slope. Mr Rendall and Mr Robinson agree that, as a 22m setback was not applied for, it is more appropriate, at this time, to identify the 24.2m for the residential

¹ Joint Witness Statement dated 7th November 2025

building setback noting that NPDC development engineers haven't specifically considered the 22m setback.

3. SCOPE

- 3.1 The scope of the joint witness statement relates to subdivision (SUB24/50201), land use (LUC24/4866) and variation of consent notices (SUB24/50201.01).

4. CONCLUSION

- 4.1 The **experts agree** that should the applications be granted, the proposal should be subject to the conditions outlined in Appendix A.

Signed on Tuesday 23RD June 2026 by:

 Chris Rendall	 Campbell Robinson
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Appendix 1: Draft Conditions of Consent

DECISION 1: VARIATION OF CONSENT NOTICES UNDER SUB24/50201.01

In accordance with Section 221 of the Resource Management Act 1991, consent is granted to vary consent notices 7890638.24 and 7890638.35 at 1 and 9 Washer Road being Lots 20 and Lot 31 DP 385658 for the reasons summarised below:

1. The effects of the proposal on the environment will be acceptable.
2. The proposal is consistent with the relevant objectives and policies of the Part Operative District Plan and Regional Policy Statement and all other relevant matters.
3. The proposal meets the purpose of the Resource Management Act 1991.

Text to be deleted as shown with a ~~strike through~~ and new text shown with **bold underline**:

- Notice number 7890638.35 on Lot 31 Deposited Plan 385658:

~~"That Lots 31 and 32 shall not be further subdivided and cannot be disposed other than in conjunction with lots 1-30 inclusive".~~

That Lot 2 hereon, being a subdivision of Lots 20 and Lot 31 DP 385658, and Lot 32 DP 385658 must not be further subdivided and must not be disposed of other than in conjunction with Lots 1 to 19 & 21 to 30 DP 385658.

- Notice number 7890638.35 on Lot 31 Deposited Plan 385658:

~~"There shall be no residential building located on Lots 31 or 32".~~

There must be no residential building located on Lot 2 hereon, being a subdivision of Lots 20 and Lot 31 DP 385658, or Lot 32 DP 385658.

- Notice number 7890638.24 on Lot 20 Deposited Plan 385658:

~~"Buildings and soakholes on Lot 20 shall be set back 15 metres from the top of the gully".~~

There must be no buildings (excluding fences and retaining structures) or soak holes located within the "no build" area 'A' on Lot 1 hereon, being a subdivision of Lots 20 and Lot 31 DP 385658, as shown on the approved scheme plan.

DECISION 2: SUBDIVISION CONSENT UNDER SUB24/50201.

In accordance with Section 104B of the Resource Management Act 1991, consent is granted for a 2-lot fee simple boundary adjustment subdivision at 1 and 9 Washer Road being Lot 20 DP 385658 and Lot 31 DP 385658 for the reasons summarised below:

1. The effects of the proposal on the environment will be acceptable.
2. The proposal is consistent with the relevant objectives and policies of the Part Operative District Plan and Regional Policy Statement and all other relevant matters.
3. The proposal meets the purpose of the Resource Management Act 1991.

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 18.06.2026 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 X 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 hereon must be setback by a minimum distance of 24.2 metres from the head of the gully as shown on the approved scheme plan.
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 hereon 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 7 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.

DECISION 3: LAND USE CONSENT UNDER LUC24/48662.

In accordance with Section 104C of the Resource Management Act 1991, consent is granted for the ability to site future dwellings or structures within side yard boundary setbacks of Lot 1 hereon being a subdivision of Lot 20 DP 385658 and Lot 31 DP 385658 for the reasons summarised below:

1. The effects of the proposal on the environment will be acceptable.
2. The proposal is consistent with the relevant objectives and policies of the Part Operative District Plan and Regional Policy Statement and all other relevant matters.
3. The proposal meets the purpose of the Resource Management Act 1991.

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	18.06.26

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 must immediately cease works and contact local hapū and Heritage New Zealand.

Landscaping:

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 must be replaced with plants of the same species and original size. Any plants that fail must 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



General 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.