{ 6 (n) hydrological - function
{ 7 (q) - modelling

6 (p) unconsented houses

CENTRAL OTAGO DISTRICT COUNCIL

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APPENDIX 1

Conditions of consent

Consent Type:	Subdivision and Land Use Consent
Consent Number:	RC 230386
Purpose:	To undertake an 8-lot rural subdivision and to establish 8 Residential Building Platforms
Location of Activity:	Lot 1 DP 46667, Queensberry
Legal Description:	Lot 1 DP 46667, held in Record of Title 623528
Lapse Date:	02 October 2029, unless the consent has been given effect to before this date.

CONDITIONS:

General

1. The subdivision must be undertaken in general accordance with the approved plans attached to this certificate as Appendix One being

   - Plan W1796 by C Hughes and Associates and dated February 2024
   - Landscape Plan by Patch dated 21 November 2023,
   - Lot 4 - Building Platform 21 November 2023
   - Lot 5 - Building Platform 21 November 2023
   - Lot 7 - Building Platform 21 November 2023

   and the information provided with the resource consent application received by the Council on 15 December 2023, and further information received on 4 March 2024, and 10 September 2024, except where modified by the following conditions.

2. The Consent holder is responsible for all contracted operations relating to the exercise of this consent and must ensure that all personnel (contractors) working on the site are made aware of the conditions of this consent, have access to the contents of consent documents and must ensure compliance with land use consent conditions.

3. The consent holder must pay to the Council all required administration charges fixed by the Council pursuant to section 36 of the Act in relation to:

   a) Administration, monitoring and inspection relating to this consent; and
   b) Charges authorised by regulations.

4. Prior to the commencement of works occurring on site approved by this subdivision consent, the consent holder must:

   a) Provide a letter to Council advising who the supervisor must be for the design and supervision of the subdivision work, and

      i) Provide copies of design: reports, calculations, specifications, schedules, and drawings, as applicable.

      ii) Receive Council Engineering certification of the design/s as applicable.

   b) Provide notice to the Planning and Regulatory Services Manager by email to resource.consents@codc.govt.nz of the start date of the works. This notice must be provided at least five (5) working days before the works are to commence.

   c) Unless modified by other conditions, all designs and approvals must be in accordance with NZS 4404:2004 and the July 2008 CODC Addendum. Together these two documents form the Council's Code of Practice for subdivision.

   d) An Erosion, Dust and Sediment Control Plan must be prepared by a suitably qualified and experienced person and must be submitted to the Planning and Regulatory Services Manager at resource.consents@codc.govt.nz for certification.

   e) Install all measures identified in the Erosion, Dust and Sediment Control Plan to mitigate erosion and to control and contain sediment-laden stormwater run-off and dust from the site and to water during any stages of site disturbance that may be associated with this subdivision.

   f) The Erosion, Dust and Sediment Control Plan must attach to the consent notices prepared for each Lot.

   g) Provide evidence to the Planning and Regulatory Services Manager at resource.consents@codc.govt.nz that, if required, all necessary consents have been obtained from the Otago Regional Council.

5. Prior to certification of the survey plan, pursuant to section 223 of the Resource Management Act 1991, the subdivider must ensure the following:

   a) If a requirement for any easements for access and services, including private drainage and access, is incurred during the survey then those easements must be granted or reserved and included in a Memorandum of Easements on the cadastral dataset.

   b) The residential building platforms must be shown on the legal plan of subdivision and co-ordinates of the platforms to be confirmed in writing.

   c) At the time of survey, ground level within each residential building platform must be established. Ground Levels must be attached to the consent notice prepared at Condition 7(d).

6. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the subdivider must complete the following:

Water

a) An adequate working water supply must be provided individually to each Lots 1- 8 from a new private network water supply in accordance with the CODC Addendum, including Clause 6.3.15 Small Rural Water Supplies, and other relevant provisions of NZS 4404:2004, with the following specific requirements:

b) Source water must be sampled by a testing laboratory recognised by the NZ water services regulator Taumata Arowai, with bacteriological and chemical testing to the satisfaction of the Council Infrastructure Manager. Any non-compliance with the guidelines in the 'Water Services (Drinking Water Standards for New Zealand) Regulations 2022' Maximum Acceptable Values (MAVs) and the 'Aesthetic Values for Drinking Water Notice 2022' issued by Taumata Arowai for water suitable for drinking, must be highlighted, discussed, and summarised in the laboratory report.

c) Standard water connections must be installed to the boundary of each lot including a standard valve and meter and/or restrictor assembly located at or within the Lot boundary.

d) A new operation and maintenance manual including a description of the water supply system and as-built drawings of the reticulation layout, and formal ownership and management documentation, must be provided to Council for the network water supply system. The documentation must specify the water allocation to each Lot or property served by the network water supply system.

e) A description of the bore design and as-built drawings must be submitted to Council.

Wastewater

f) A on site wastewater disposal report must be provided by a suitably qualified and experienced person verifying wastewater disposal can be achieved on each of proposed Lots 1 to 8 in compliance with Clause 5.5 a) of Council's July 2008 Addendum to NZS4404:2004, AS/NZS1547 (2012), and the Otago Regional Council (ORC) requirements including that disposal areas are greater than 50 metres from any water course or any water supply bore.

Electricity

g) Operational underground power connections must be provided to the boundary of each Lot and

   i) Supply evidence of the consent from the network utility providers to the Chief Executive.

   ii) Meet all the costs associated with the installation of electricity services necessary to serve the needs of the subdivision.

Access

h) Right-of-Way (ROW) 'A', 'B', 'C', 'D', and 'E', extending off State Highway 6 / Luggate-Cromwell Road to serve Lots 1 to 8 must be constructed in accordance with the ROW requirements of Table 3.2 (a) of Council's July 2008 Addendum to NZS 4404:2004, and with the following specific requirements:

   i) Minimum formed carriageway width of 4.5 metres.

   ii) Minimum road reserve / legal width of 10.0 metres.

   iii) Camber of 5-8%.

   iv) Subgrade >CBR of 7.

   v) At minimum, the surfacing shall be durable well-bound wearing course constructed over pit-run base to provide all-weather traction and prevent surface ravelling.

   vi) Shallow trafficable side-drains / water channels over level sections.

   vii) Rock armouring of side channels over steeper sections.

   viii) Stormwater discharging to soak pits within the ROW or to natural water courses.

   ix) Accessway/crossings to proposed Lots 1 to 8 lots shall be provided off the ROW in compliance with Part 29 of Council's Roading Policies January 2015.

i) The access to the proposed subdivision must be separated physically so vehicles from Lots 1, 2, 3, 4, 5, 6, 7, and 8 are unable to use CP39A as an access from SH6;

j) The unauthorised access opposite Pukerangi Drive must be physically and permanently closed by removing any gate and reinstating the fence. Reinstatement work must be consistent with the adjacent road reserve treatment and written confirmation that the work has been completed to the satisfaction of the New Zealand Transport Agency Network Manager must be provided to the Planning and regulatory Manager at resource.consents@codc.govt.nz;

k) Vegetation and/or a bund must planted or constructed along the access to the site where it is parallel to the highway to prevent headlight glare of onsite vehicles from distracting SH6 motorists as shown in Dwg No: LUQU-DRG-LA-101 Landscape Bund details of the application;

l) The new access to State Highway 6 must be formed to a New Zealand Transport Agency Diagram E access standard as outlined in the Planning Policy Manual (2007) and written confirmation that the work has been completed to the satisfaction of the New Zealand Transport Agency Network Manager must be provided to the Planning and Regulatory Manager at resource.consents@codc.govt.nz.

m) Provide to the Planning and Regulatory Manager at resource.consents@codc.govt.nz confirmation that the New Zealand Transport Agency has been advised of relevant documentation (such as proposed title references, draft LT (Land Transfer) plan, ML plan (for Māori Land) or SO (Survey Office) plan) to facilitate the registration of any new Crossing Place (CP) Notices against those new titles, under Section 91 of the Government Roading Powers Act 1989.

Hazards

n) A hydrological assessment prepared by a suitably qualified and experienced person which confirms the hydrological flood hazard risk for each of Lots 1-8. Any recommendations identified in the hydrological assessment are to be registered on the relevant record of title of Lots 1-8 as a consent notice in accordance with section 221 of the Resource Management Act 1991.

Landscaping

o) The landscape planting must be established in accordance with the Landscape Plan by Patch dated 21 November 2023. At the time that planting is established an irrigation system and irrigation water supply must also be installed.

Non-Consented structures

p) All non - consented dwellings and structures on the site must be either removed, consented or otherwise demonstrated as authorised.

Engineering Design and Assets

q) Provide Producer Statements in an approved format from a suitably qualified professional certifying the engineering adequacy and compliance with Council consent conditions relating to:

   i) engineering design of subdivision works.
   ii) construction and construction review of subdivision works.

Financial Contributions

r) Payment of a reserves contribution of $7,243.46 (exclusive of Goods and Services Tax) calculated in terms of Rule 15.6.1(1)(a)(i) of the Operative District Plan on the basis of one additional dwelling equivalent.

7. Pursuant to Section 221 of the Resource Management Act 1991, consent notices must be prepared for registration on the records of title the following ongoing conditions:

a) All residential buildings and accessory buildings must be located within the identified residential building platforms for each Lot as shown on the survey plan.

b) All domestic elements such as clothes lines, gardens, swimming pools, garden structures, children's play equipment etc. must be contained within the residential

building platform shown on the on the survey plan. Beyond the Residential building platform identified on the survey plan, only rural land use activities are permitted.

c) All construction must be in accordance with the recommendations identified in the hydrological assessment prepared under Condition 6(o) and attached to this consent notice.

Note: The hydrological assessment prepared under Condition 6(o) must be linked to the consent notice.

d) The maximum height of any residential dwelling or residential accessory building within the residential building platforms must comply with the District Plan Rules except as follows:

i) Lots 4 and 5 - 6m above existing ground level
ii) Lot 7 - 5m above existing ground level

Note: Ground Level is to be established at the time of survey and attached to the consent notice as per condition 5(c).

e) Prior to any domestic use of the water supply or occupation of any connected dwelling, all point-of-use remedial treatment for drinking water identified in the laboratory report prepared under Condition 6(b) and attached to this consent notice must be installed and the adequacy of such treatment must be confirmed through retesting as a fully compliant drinking water supply.

Note: The laboratory report prepared under Condition 6(b) must be linked to the consent notice.

f) At the time that a new dwelling is constructed on any approved lot, an on site waste water disposal system that complies with with Clauses 5.5 b), c), d), and e) of Council's July 2008 Addendum to NZS4404:2004 and the requirements of AS/NZ 1547:2012 On Site Domestic Wastewater Management must be designed by a suitably qualified professional;

g) Construction of any new dwelling must not commence until the design of the on site wastewater disposal system and producer statement have been supplied to the Chief Executive;

h) The Designer must supervise the installation and construction of the system and must provide a construction producer statement to the Chief Executive;

i) An operation and maintenance manual must be provided to the lot owner of the system by the designer and a copy supplied to the Chief Executive. This manual must include a maintenance schedule and an as built of the system dimensions in relation the legal property boundaries. A code of compliance certificate of the dwelling and/or disposal system must not be issued until the construction and producer statement and a copy of the lot owner's maintenance and operating manual have been supplied to the Chief Executive. The maintenance and operating manual must be transferred to each subsequent owner of the disposal system.

j) Specifically relevant to Lots 1-3, the system design and specification must include automated de-activation of pumping (from source to system) of foul sewer, and from system to dispersal field in times of water inundation. The system design must ensure deactivation prior to tank submersal/inundation and after time(s) of de-activation shall not be re-activated until the system has been inspected for damage; and where applicable repairs have been completed by a suitably qualified technician of the system.

k) Wastewater disposal areas must be located such that the maximum separation (in all instances greater than 50m) is achieved from any water course or any water supply source/bore or other)

l) Stormwater from buildings and other impervious surfaces within each Lot must be stored for beneficial reuse or disposed of to outwash gravels via a soak-pit designed by a suitably qualified and experienced professional within the boundary of each lot.

m) Best practice design in relation to any stormwater disposal systems shall be applied, with an adoption of soft engineering solutions where appropriate and suitable.

n) Lots 3 to 8 to manage potential reverse sensitivity effects of noise for Lots 3, 4, 5, 6, 7, and 8: Any dwelling, extension of a dwelling or other noise sensitive located on for Lots 3, 4, 5, 6, 7, and 8 within or partly within 100m of the edge of the State Highway 6 carriageway must be designed, constructed and maintained to achieve an indoor design noise level of 40 dB LAeq(24hr) inside all habitable spaces.

o) The landscape planting established in accordance with the Landscape Plan by Patch dated 21 November 2023 must be maintained in perpetuity.

Note: Landscape Plan by Patch dated 21 November 2023 must be linked to the consent notice.

p) All earthworks must be undertaken in accordance with the Erosion, Dust and Sediment Control Plan prepared under Condition 4(d) and attached to this consent notice.

Note: The Erosion, Dust and Sediment Control Plan prepared under Condition 4(d) must be linked to the consent notice.

q) Any significant earthworks (such as to form accessways) within flow paths upstream of Lots 1, 2 or 3 will require hydraulic re-modelling to confirm resultant flood levels/redirection of flowpaths.

r) Earthworks associated with buildings or driveways or other development, must be minimised and must be designed and finished to blend seamlessly and naturally with the natural contours. All batter slopes are vegetated or similarly stabilised and all recontoured areas must be grass-seeded or planted with locally sourced indigenous vegetation. Planted areas must be irrigated and maintained in perpetuity.

s) Access driveways must retain a rural character. Monumental gates and driveway lighting are not permitted. Except for any sections that are required to be sealed, surfaces must be metaled with soft edges (i.e., no kerbs).

t) All fences must be post and wire only and be a maximum of 1.2m in height.

u) All exterior lighting must be a maximum height of 1.2m, fixed, capped, filtered or pointed downwards and screened to reduce light spill. No outdoor feature lighting is permitted.

v) All services must be located below ground. If operational underground telecommunication connections are not established at the time of subdivision, then telecommunications must be via wireless technology.

w) All habitable dwellings must be provided with a firefighting water supply that complies with New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ/PAS 4509:2008.

x) Water tanks must be coloured, sited, and buried and/or screened (by planting) to have minimal visual impact from beyond the property.

y) All wilding conifers identified in the Otago Regional Council Pest Management Plan (2019-2029) less than 2m in height are to be removed annually.

z) The earth bund with a height of approximately 1m must be planted with indigenous vegetation and maintained in perpetuity.

aa) If during any site disturbance, the consent holder or subsequent owners:

i) discovers koiwi tangata (human skeletal remains), waahi taoka (resources of importance), waahi tapu (places or features of special significance) or other Maori artefact material, the consent holder or subsequent owner must without delay:

a) notify the Consent Authority, Tangata whenua and Heritage New Zealand and in the case of skeletal remains, the New Zealand Police.

b) stop work within the immediate vicinity of the discovery to allow a site inspection by Heritage New Zealand and the appropriate runanga and their advisors, who must determine whether the discovery is likely to be extensive, if a thorough site investigation is required, and whether an Archaeological Authority is required.

Site work may recommence following consultation with the Consent Authority, Heritage New Zealand, Tangata whenua, and in the case of skeletal remains, the New Zealand Police, provided that any relevant statutory permissions have been obtained.

ii) discovers any feature or archaeological material that predates 1900, or heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder must without delay:

a) stop work within the immediate vicinity of the discovery or disturbance; and

b) advise the Consent Authority, Heritage New Zealand, and in the case of Maori features or materials, the Tangata whenua, and if required, must make an application for an Archaeological Authority pursuant to Heritage New Zealand Pouhere Taonga Act 2014; and

c) arrange for a suitably qualified archaeologist to undertake a survey of the site.

Site work may recommence following consultation with the Consent Authority.

LAND USE CONSENT

1. The residential building platforms must be established in general accordance with the approved plans attached to this certificate as Appendix One being

   - Plan W1796 by C Hughes and Associates, dated February 2024
   - Landscape Plan by Patch, dated 21 November 2023,
   - Lot 4 - Building Platform 21 November 2023
   - Lot 5 - Building Platform 21 November 2023
   - Lot 7 - Building Platform 21 November 2023

   and the information provided with the resource consent application received by the Council on 15 December 2023, and further information received on 4 March 2024and 10 September 2024, except where modified by the following conditions.

2. Pursuant to 116 of the Resource Management Act 1991, this land use consent cannot be given effect to until records of title for RC230386 have been issued.

3. The consent holder must pay to the Council all required administration charges fixed by the Council pursuant to section 36 of the Act in relation to:

   a) Administration, monitoring and inspection relating to this consent; and
   b) Charges authorised by regulations.

SECTION 221(3)

1. Pursuant to Section 221 of the Resource Management Act 1991, Consent Notice 9682753.2 registered against Lot 1 DP 466676 Record of Title 623528 shall be deleted.

Note: It is the consent holders responsibility to register the cancellation of registered on Record of Title 623528 with Land Information New Zealand. This will not occur automatically.

ADVICE NOTES:

Earthworks

1. All earthworks to develop and/or landscape each lot shall comply with Rule 4.7.6J of the Central Otago District Plan or additional resource consent will be required.

2. Existing ground level to calculate approved building height will need to be established at the time of survey.

3. Where there is a risk that sediment may enter a watercourse at any stage during the earthworks, it is advised that the Otago Regional Council be consulted before works commence, to determine if the discharge of sediment will enter any watercourse and what level of treatment and/or discharge permit, if any, may be required.

Water, Wastewater and Firefighting

4. As the potable water supply will be a network supply, the supplier should be aware of the requirements of, and their obligations under, the Water Services Act 2021
5. It is strongly recommended that additional treatment be included for all water supply to provide wholesome water by achieving compliance with any Guideline Values (GVs) shown to be exceeded in the laboratory reports.

6. On-site disposal shall comply with the Otago Regional Council requirements.

7. Firefighting and domestic water storage will be required at the time Lot 1, 3 and 4 is developed.

8. For more information on how to comply with FENZ operational requirements refer to the Fire and Emergency New Zealand Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 retrieved from http://ww.fire.org.nz/CMS_media/pdf/da516e706c1bc49d4440cc1e83f09964.pdf. In particular, the following should be noted:

    - For more information on suction sources see Appendix B, SNZ PAS 4509:2008, Section B2.
    - For more information on flooded sources see Appendix B, SNZ PAS 4509:2008, Section B3.

Financial Contributions

9. All charges incurred by the Council relating to the administration, inspection and supervision of conditions of subdivision consent must be paid prior to Section 224(c) certification.

10. Development contributions for roading of $10,462.76 (exclusive of goods and services tax) are payable for pursuant to the Council's Policy on Development and Financial Contributions contained in the Long Term Council Community Plan. Payment is due upon application under the Resource Management Act 1991 for certification pursuant to Section 224(c). The Council may withhold a certificate under Section 224(c) of the Resource Management Act 1991 if the required Development and Financial Contributions have not been paid, pursuant to section 208 of the Local Government Act 2002 and Section 15.5.1 of the Operative District Plan.

Access

11. It is the consent holder's responsibility to obtain all necessary Temporary Traffic Management Plans, Corridor Access Requests or any other approvals to undertake works within the road reserve. These approvals should be obtained prior to the works commencing.

12. Before any physical work on the state highway, including the formation of any vehicle crossing, is undertaken, the consent holder is legally required to apply to the New Zealand Transport Agency for a Corridor Access Request (CAR) and for that request to be approved. Please submit your CAR via www.submitica.co.nz or https://www.beforeudig.co.nz via https://help.myworksites.co.nz/support/home a minimum of fourteen working days prior to the commencement of any works on the state highway; longer is advised for Diagram E standard accesses and more complex works. As the properties have access to a limited access road, once the works have been completed to the satisfaction of the New Zealand Transport Agency Network Manager, a crossing place notice/s per Section 91 of the Government Roading Powers Act 1989 will be registered on the titles confirming the legal establishment of the crossing place.

General

13. In addition to the conditions of a resource consent, the Resource Management Act 1991 establishes through sections 16 and 17 a duty for all persons to avoid unreasonable noise, and to avoid, remedy or mitigate any adverse effect created from an activity they undertake.

14. Resource consents are not personal property. The ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.

15. It is the responsibility of any party exercising this consent to comply with any conditions imposed on the resource consent prior to and during (as applicable) exercising the resource consent. Failure to comply with the conditions may result in prosecution, the penalties for which are outlined in section 339 of the Resource Management Act 1991.

16. The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.

17. This is a resource consent. Please contact the Council's Building Services Department, about the building consent requirements for the work.

Appendix One: Plans for RC230386 (scanned image, not to scale)

