

RM190790 and ors – Recommended conditions

Attachment to Section 42A Report of J Lancashire, reporting planner

Recommended variations to RM120928V1

[Activity - variation to condition 1]

Additions in underline, deletions in ~~strike through~~

Variation to condition 1

1. The construction and operation of the lifestyle village for people aged 55 years and over shall be in general accordance with the information provided in the application and the information submitted as part of the variation application RM120928V1 as varied by the suite of applications received by the Council on 1 July 2019 and referenced (RM120928V2, RM190790, RM190789, RM190791 & RM191308) and the attached plans labelled 3.0 – Masterplans 3.2 - 3.5 (014 – 017) 17115, 3rd Amendment dated 06.10.2020, in general accordance with the following Plans prepared by Weir Walker Architecture, Canopy Landscape Architecture and Verrall & Partners Ltd, attached to this consent:
 - ~~Development Master Plan, C-01 dated 28 August 2017;~~
 - ~~Setbacks and Private Space, C-02 dated 28 August 2017;~~
 - ~~Open Spaces and Linkages, 1208 – 103, Revision 3 May 2013;~~
 - ~~Street Trees, 1208-104, Revision 3 May 2013;~~
 - ~~Park trees, 1208 – 105, Revision 3 May 2013;~~
 - ~~Sections B, 1208 - 107, Revision 3 May 2013;~~
 - ~~Conceptual Road Calming Treatment Plan, 1208 – 114, Revision November 2013; and~~

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- ~~Proposed Boundary Adjustment 109 Wensley Road, Richmond being Lots 2, 3, and Pt 4 Deeds 1763 and Lot 2 DP 489806 NL 56/85 and 705790, Plan dated May 2017.~~

~~In addition, the construction and operation of the lifestyle village shall be in general accordance with the following plans prepared by Weir Walker Architecture, Canopy Landscape Architecture and Verrall & Partners Ltd, attached to this consent:~~

- ~~Staging Plan, 1208 – 108A, Revision October 2013; and~~
- ~~Indicative Mains Services Layout 109 Wensley Road, Richmond being Lots 2, 3, and Pt 4 Deeds 1763 comprised in CTs 56/85 and 56/87.~~

Where there are any discrepancies or apparent conflict between the information provided with the application and any conditions of this consent, the conditions shall prevail.

Advice note:

~~The Staging Plan, 1208 – 108A is indicative only and no conditions restrict the staging. It is expected that the development will proceed generally along the lines of the plan, but that the stages may proceed in any order and that the dates indicated may not be adhered to.~~

New condition 7A inserted as follows:

- 7A. Villas V25-D and V24-B as shown on Masterplan 3.5 'Proposed Development' 3rd Amendment – 06.10.2020 17115 and attached to this decision as Plan X, shall be constructed so as to comply with rules 17.1.3.1 (m) and (n) 'building envelope' and 17.1.3.1 (q), (r) and (s) 'setbacks' of the Tasman Resource Management Plan:

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Recommended conditions - land use consent RM190790

[Activity - Land use consent to construct a compact density development (residential villas and apartments) and a community activity (care facility) in the Richmond South Residential area.]

General

1. The construction and operation of the lifestyle village for people aged 55 years and over shall be in general accordance with the information provided in the application, in general accordance with the following Plans prepared by Canopy Landscape Architecture, Weir Architecture and Verrall & Partners Ltd, attached to this consent:
 - (a) 3.0 Master Plan – 3.2 Overall Site Development Stages referenced 17115 – 3rd Amendment and dated 6 October 2020, attached and marked XX.
 - (b) 3.0 Master Plan – 3.3 Overall Site Building Type Numbers referenced 17115 – 3rd Amendment and dated 6 October 2020, attached and marked XX.
 - (c) 3.0 Master Plan – 3.4 Overall Site Master Plan referenced 17115 – 3rd Amendment and dated 6 October 2020, attached and marked XX.
 - (d) 3.0 Master Plan – 3.5 Proposed Development referenced 17115 – 3rd Amendment and dated 6 October 2020, attached and marked XX.
 - (e) 3.0 Master Plan – 3.6 Care Facility Unit referenced 17115 – 3rd Amendment and dated 6 October 2020, attached and marked XX.
 - (f) 3.0 Master Plan – 3.7 Care Facility Unit – Overland Flowpath referenced 17115 – 3rd Amendment and dated 6 October 2020, attached and marked XX.
 - (g) 3.0 Master Plan – 3.9 Care Facility Unit Section Plans (sections (EE – JJ) referenced 17115 – 3rd Amendment and dated 6 October 2020, attached and marked XX.

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- (h) 3.0 Master Plan – 3.10 Construction Staging Plan referenced 17115 – 3rd Amendment and dated 6 October 2020, attached and marked XX.
- (i) 3.0 Master Plan – 3.11 Open Space Plan – Overall Site referenced 17115 – 3rd Amendment and dated 6 October 2020, attached and marked XX.
- (j) 3.0 Master Plan - 2.3 Design Guide Road Type Sections referenced 17115 – 3rd Amendment and dated 6 October 2020, attached and marked XX.
- (k) Catchment Plan for Proposed Boundary adjustment, Hill Street, Richmond referenced 12039-6a, attached and marked XX.
- (l) Care Facility Hill Street Block Site Plans referenced 12.689, SK9-SK14 and dated June 2019, attached and marked XX.

Where there are any discrepancies or apparent conflict between the information provided with the application and any conditions of this consent, the conditions shall prevail.

Advice note:

The Staging Plan, 3.10 Construction Staging Plan, is indicative only and no conditions restrict the staging. It is expected that the development will be staged and proceed generally along the lines of the plan, but that the stages may proceed in a different order relative to the timing of the vesting of Fairrose Drive, and that the timeframes indicated may not be adhered to.

Reserves and community services financial contributions

2. The Consent Holder shall, no later than the uplifting of the building consent for each building, pay a reserves and community services financial contribution to the Council. The amount of the financial contribution shall be assessed as a percentage of the value of the building consent in accordance with the following table:

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Financial contribution - building	
Component	Contribution
Building consent (\$0 to \$50,000 value)	0%
Building consent (\$50,001 to \$200,000 value)	0.5%
Building consent (above \$200,001 value)	0.25%
Notes:	
(1) The financial contribution is GST inclusive.	
(2) The building consent value is GST exclusive.	
(3) The contribution due on a building should be identified separately from other contributions set for any resource consent for an activity that includes buildings.	
(4) The financial contribution shall be determined by taking the total estimated value of the work required for a building consent and applying each component identified in the table to that value and the contribution is the sum of the components.	

3. Prior to the issue of building consent for any building in Stages 6B or 7C on Plan 3.10 – Construction Staging Plan, or when extension of Fairrose Drive is constructed, whichever occurs earlier, the applicant shall pay a financial contribution being an 8% cost share of the stormwater detention basin that has been constructed between Hart Stream and Pine Crest Drive (on Lot 101 DP 485765), in order to mitigate the adverse effects of stormwater flows from this property. The amount payable shall be \$59,000 inflation adjusted from March 2016.

Maximum height

4. The maximum building height of the care facility building shall not exceed 10.56m from ground level.

Advice note:

For the avoidance of doubt, ground level is defined in the Tasman Resource Management Plan as follows: means the natural ground level, or where that has been altered by subdivision, means the actual finished ground level when all works associated with the subdivision of the land are completed, and excludes any excavation or filling associated with the building activity.

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Setbacks

5. The care facility building and the following villas / townhouses, as shown on Masterplan 3.5 'Proposed Development' 3rd Amendment – 06.10.2020 17115, shall be constructed so as to comply with rules 17.1.3.1 (m) and (n) 'building envelope' and 17.1.3.1 (q) (r) and (s) 'setbacks' of the Tasman Resource Management Plan:
- V09
 - V10
 - V21
 - V22
 - V25
 - V01
 - TH01
 - V14
 - V31
 - V32-36

Care facility building

6. The care facility building shall be located at least 14.3m from the eastern boundary (adjacent to Brenda Lawson Way) and at least 8m from the boundary with Hill Street in general accordance with the care facility plans prepared by Weir Architecture, 3.0 Master Plan – 3.5 Proposed Development referenced 17115 – 3rd Amendment and dated 6 October 2020, attached and marked XX.
7. The care facility building shall be “benched” into the landscape on which it is to be constructed such that the building elevations do not exceed the heights shown on the cross-section care facility plans prepared by Weir Architecture, referenced 12.689 Sk.8-11, and dated 28 June 2019, attached and marked XX. These plans show that the care facility building elevations generally do not exceed 7.5 metres in height when measured from ground level (as per Tasman Resource Management Plan definition). The central portion of the care facility building shall not exceed 10.52m in height when measured from ground level (as per Tasman Resource Management Plan definition).
8. The footprint of the care facility shall not exceed an area of 4500 square metres in accordance with the plan 12.689 Sk.8 prepared by Weir Architecture and dated June 2019, attached and marked XX.
9. The development shall be designed and constructed in accordance with the design mitigation measures identified in section 59 of the LVA prepared by Canopy NZ Ltd to include the following elements:
- (a) the exterior of the care facility building shall be finished in colours that are appropriate for the residential environment. The Consent Holder shall

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submit to the Council's Team Leader – Monitoring and Enforcement for certification prior to applying for building consent the following details of the colours proposed to be used on the walls and roof of the building:

- (i) the material to be used (eg, paint, Colorsteel);
- (ii) the name and manufacturer of the product or paint;
- (iii) the reflectance value of the colour;
- (iv) the proposed finish (eg, matt, low-gloss, gloss); and
- (v) either the BS5252:1976 (British Standard Framework for Colour Co-ordination for Building Purposes) descriptor code, or if this is not available, a sample colour chip.

The building shall be finished in colours that have been certified by the Council.

Advice note:

The purpose of the above condition is to ensure the care facility building has elements of a residential building and good urban design. Colours do not necessarily need to be recessive or dark but should be carefully chosen to be compatible with the residential environment and to create a high-quality urban space.

Contact Council's duty planner for further information on approved hue ranges. As a guide, the Council will generally approve painted roof colours with a reflectance value of $\leq 25\%$ and painted wall colours with a reflectance value of $\leq 50\%$.

10. A Detailed Landscape Plan (DLP) prepared by a landscape architect shall be developed for the length of the care facility building fronting Hill Street. The plan shall be in general accordance with the Hill Street render plans prepared by Canopy NZ Ltd (plans 5.1 – 5.3 (041-046)). The DLP shall be submitted to the Council's Team Leader – Monitoring and Enforcement for certification at time of lodging building consent application for the care facility building.

The landscape plan shall include the following elements and details:

- (a) The plan shall be drawn to a known scale, specify the proposed species including botanical names, their height at maturity and their layout position.

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- (b) The plan shall be designed so that the landscaping and planting will avoid a continuous hedging or shelter belt effect.
 - (c) Trees shall be not be planted within 2 metres of the boundary or shall be of a specimen type which at maturity shall allow all or most of the canopy to remain within the Consent Holder's site.
 - (d) Trees proposed within 4 metres from the property boundary shall consist of species that at maturity are no greater than 6 metres in height.
 - (e) Trees between 4 and 8 metres of the property boundary shall consist of species that at maturity are no greater than 8 metres in height.
 - (f) All trees planted between 8 to 18 metres of the boundary can at maturity be greater than those heights specified above.
 - (g) The species utilised shall predominantly be species that provide seasonal fruit, flower and nectar production that is suitable for insects and native birds. In the event that it is impractical to do so the reasons and rationale for not doing so shall be stated in the DLP.
 - (h) A maintenance schedule shall be provided to address the first two growing seasons and for ongoing management to ensure successful establishment and maintenance. Details shall include staking, mulching, watering, weed control, trimming and replacement of dead or dying plants.
11. That the consent holder shall advise the Team Leader – Monitoring and Enforcement in writing when the care facility building will be both occupied and operational 20 working days prior to occupation and operation of the building.
 12. The landscaping shall be implemented prior to occupation of the care facility building and maintained in accordance with the approved plan and any plants that die shall be replaced in the next planting season (May to August inclusive).
 13. Prior to the operation of the care facility building, a minimum of 49 car parking spaces shall be provided and located as shown on the plan titled Masterplan Care Facility unit showing Amendments (3.6 17115, 3rd amendment) attached and marked **XX**. All parking spaces shall be formed and finished with an all-weather dust-free surface prior to the activities on site commencing.

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14. No staff or contractors working at the care facility shall park their vehicles off site. For the purposes of this condition 'off-site' does not include Fairrose Drive.
15. Any area for outdoor storage or rubbish holding and collection for the care facility building shall be fenced and landscaped so that it is screened from the view of any neighbour(s) and the general public, and shall also be:
 - (a) covered to prevent any windblown debris from leaving the storage area;
 - (b) separated from and not encroaching into any boundary setback for building or parking area.

Buildings other than the care facility building

16. The residential units authorised by this consent shall be designed to include the following elements:
 - (a) the exterior of the buildings shall be finished in colours that are appropriate for the residential environment. The Consent Holder shall submit to the Council's Environment & Planning Manager for certification prior to applying for building consent the following details of the colours proposed to be used on the walls and roof of the building:
 - (i) the material to be used (eg, paint, Colorsteel);
 - (ii) the name and manufacturer of the product or paint;
 - (iii) the reflectance value of the colour;
 - (iv) the proposed finish (eg matt, low-gloss, gloss); and
 - (v) either the BS5252:1976 (British Standard Framework for Colour Co-ordination for Building Purposes) descriptor code, or if this is not available, a sample colour chip.

The buildings shall be finished in colours that have been certified by the Council.

Advice note:

The purpose of the above condition is to ensure the buildings have elements of a residential building and good urban design. Colours do not necessarily need

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to be recessive or dark, but should be carefully chosen to be compatible with a residential environment and to create a high-quality urban space.

Outdoor living areas

17. Each villa, townhouse, carriage house and apartment shall be provided with an outdoor living area with a minimum dimension of 6m to which its occupants have exclusive rights of use in general accordance with the Private Space Plan prepared by Canopy Landscape Architects (referenced 3.12 – 17115 – 3rd Amendment – 06.10.2020) attached and marked **XX**.

Advice note:

It is noted that the apartment blocks and care facility apartments will contain balconies providing outdoor living spaces above ground level. These areas will need to be shown on the building consent plans when submitted to Council.

Landscaping

18. The landscape plans and design guide shall be implemented for each stage of the development in general accordance with the guide entitled “Olive Estate Design Guide” prepared by Canopy Landscape Architects and attached to the application as Appendix B, and in accordance with the plans attached to this consent.
19. The landscaping shall be maintained and any plants that die shall be replaced in the next planting season (May to August inclusive). The landscaping provided for each stage shall be completed prior to occupation of the buildings within that stage.

Service deliveries

20. All delivery and service vehicles entering and exiting the site for the purposes of the operation of the care facility shall be restricted to 7.00 am to 9.00 pm.

Lighting

21. All site lighting shall be designed to ensure that light spill or glare onto neighbouring properties is avoided and that the light is directed onto the site. All site lighting shall also be designed to ensure that vertical light spill is avoided to

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the maximum extent practicable. This shall be achieved by either outdoor lighting being shielded from above in such a manner that the edge of the shield shall be below the whole of the light source; and/or low powered street-level lights are used (eg, bollard lighting).

Noise

- 22. The operation of the care facility shall not exceed the noise limits in the Tasman Resource Management Plan for the Residential Zone, at the boundary of the site unless a subsequent resource consent is obtained that authorises the exceedance of the noise limits.

Noise generated by the activity measured at or within the boundary of any site within the zone, other than the site from which the noise is generated, does not exceed:

	Day	Night
L _{eq}	55 dBA	40 dBA
L _{max}		70 dBA

Day is 7.00 am to 9.00 pm Monday to Friday inclusive and 7.00 am to 6.00 pm Saturday (but excluding public holidays);

Night is all other times plus public holidays.

- 23. All plant and equipment (such as heat pumps, cooling fans, generators) shall be located, designed, installed and maintained using the best practicable option to ensure that the noise does not exceed the noise limits in the Tasman Resource Management Plan for the Residential Zone, at the boundary of the site unless a subsequent resource consent is obtained that authorises the exceedance of the noise limits.

Noise generated by the activities, measured at or within the notional boundary of a dwelling, shall not exceed:

	Day	Night
L _{eq}	55 dBA	40 dBA
L _{max}		70 dBA

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Day is 7.00 am to 9.00 pm Monday to Friday inclusive and 7.00 am to 6.00 pm Saturday (but excluding public holidays);

Night is all other times plus public holidays.

Construction management plan

24. A detailed Construction Management Plan shall be prepared by a suitably qualified and experienced person and submitted to the Council's Team Leader – Monitoring and Enforcement for certification at least 20 working days prior to the commencement of work on site.

The Construction Management Plan shall establish acceptable performance standards regarding public safety and amenity protection during the construction process of this development. Such standards are expected to include but not be limited to the following:

- (a) a contact telephone (mobile) number(s) for the on-site manager where contact could be made 24 hours a day / 7 days a week;
- (b) details of appropriate local signage/information on the proposed work including the location of a large (greater than 1 m²) noticeboard on the site that clearly identifies the name, telephone number and address for service of the site manager, including cell phone and after hours contact details;
- (c) a communication and complaints procedure for adjoining property owners/occupiers, passers-by and the like;
- (d) a timetable and nature of the construction works proposed;
- (e) hours of operation;
- (f) safety fencing and associated signage for the construction site;
- (g) dust mitigation measures (the noise aspect of the Management Plan should be written with reference to NZS 6803:1999 Acoustics - Construction Noise); and
- (h) measures to ensure dirt, mud or debris is not left on the road, and does not enter the Council's stormwater system.

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The Council's Team Leader - Monitoring and Enforcement will certify the Construction Management Plan in a timely fashion following consultation with appropriate officers within the Tasman District Council.

Construction Traffic Management Plan

25. A detailed Construction Traffic Management Plan must be prepared by a suitably qualified and experienced person and submitted to the Council's Team Leader – Monitoring and Enforcement for certification at least 20 working days prior to the commencement of work on site.

The Construction Traffic Management Plan will establish acceptable performance standards regarding public safety and amenity protection during the construction process of this development. Such standards shall include but not be limited to the following:

- (a) hours at which construction vehicle movements may take place;
- (b) defining the routes which construction vehicles will take to and from the site;
- (c) identifying potential impacts on pedestrians and cycle movements within the vicinity and how these will be addressed;
- (d) measures to ensure dirt, mud or debris is not left on the road, and does not enter the Council's stormwater system;
- (e) staff parking areas; and
- (f) communication and complaint procedures.

The Council's Team Leader – Monitoring and Enforcement will certify the Construction Management Plan in a timely fashion following consultation with appropriate officers within the Tasman District Council.

26. The Construction Management Plan and Construction Traffic Management Plan approved under conditions 24 and 25 must be implemented and maintained throughout the entire construction period and modified as directed by the Council's Team Leader – Monitoring and Enforcement to deal with any deficiencies in their operation.

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Advice note

Any earthworks, including works involving the disturbance of contaminated soils, shall comply with the conditions of land use consent RM190791.

Engineering works

27. All engineering works shall be designed and constructed to comply with the conditions of consent, the approved engineering plans and the Council's Engineering Standards & Policies 2013, or where the engineering plans or Standards & Policies 2013 are not complied with, to the Council's Engineering Manager's satisfaction.

Advice note:

There may be engineering works that are appropriate to be carried out in accordance with the Nelson Tasman Land Development Manual 2019 standards (although this is not obligatory).

Engineering plans

28. Engineering plans showing the details of all works required, detailing all services, roading, footpaths and access, right turn bay on Hill Street, and including works for stormwater control, sediment control during earthworks for each stage or phase of construction work shall be submitted to Council's Engineering Manager for approval prior to any works on that phase or stage being carried out. The plans will be approved by the Engineering Manager if the works are designed to comply with the conditions of consent, and they are in accordance with the Engineering Standards & Policies 2013 or, where the latter is not complied with, they are to the satisfaction of Council's Engineering Manager.
29. Prior to the occupation of any residential buildings or commencement of activities within the care facility in each respective stage, as-built plans detailing all services and access formation shall be provided for approval and signing by the Tasman District Council Engineering Manager. All plan details are to be in accordance with the Tasman District Council Engineering Standards & Policies 2013 or to the satisfaction of Council's Engineering Manager.

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Commencement of works and inspection

30. The Tasman District Council Engineering Department shall be contacted 5 working days prior to the commencement of any engineering works. No work shall commence on each phase or stage until the engineering plans for that phase or stage are approved and signed by Council's Engineering Manager.

Engineering certification

31. At the completion of works for each stage or phase, and prior to occupation of any residential building in respective stage or phase, a suitably experienced chartered professional engineer or registered professional surveyor shall provide the Council's Engineering Manager with written certification that the works have been constructed in accordance with the approved engineering plans, drawings and specifications and any approved amendments.

Traffic and connecting road

32. All vehicle access and car parking shall be in general accordance with the information provided in the application and the plans attached to this consent.
33. All internal roading and car parking shall be constructed in accordance with the Council's 2013 Engineering Standards, or to the approval of the Council's Engineering Manager.
34. All roading and car parking shall be shown on the engineering plans required under conditions 28 above in each respective phase or stage of work.

Advice note:

The extension to Fairrose Drive is an important strategic linkage for the development of this area. This condition ensures that connection is made to the boundary in a timely fashion in step with the development of this site.

35. The road to vest within Lot 9 shall be formed prior to vesting in accordance with the Tasman District Council Engineering Standards 2013. The road formation shall include:
 - (a) a minimum 15.5 metre legal width;
 - (b) a 2.5 metre shared path and 1.4 metre footpath;

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- (c) a minimum 6 metre formed carriage way;
 - (d) street lighting as approved by Council's Engineering Manager; and
 - (e) fourteen 2.5 metre wide indented parallel parks.
36. The timing of vesting of Lot 9 is to be proposed by applicant. Road should vest as soon as is it relied on by any household units or the care facility.
37. All roading and car parking within Lot 9 shall be shown on the engineering plans required under conditions 28 above in each respect of each phase or stage of work.
38. A landscaping plan for the road to vest within Lot 9 shall be developed in accordance with the guide titled "Olive Estate Design Guide" prepared by Canopy Landscape Architects and attached to the application as Appendix B. This plan shall be submitted to Council's Engineering Manager for approval as part of the engineering plans required by condition 28. Landscaping in accordance with the approved plan shall be completed by Consent Holder prior to the vesting of the road.
39. The boundary adjustment authorised by RM190789 shall be completed (section 224(c) certificate issued) prior to issue of building consent for the care facility building.

Hill Street right turn bay

40. A right turn bay into the road to vest in Lot 9 shall be constructed on Hill Street prior to the vesting of Lot 9. The turning bay shall constructed in accordance with Council's Engineering Standards 2013 for a 50km/h speed environment, and shall have a 3 metre long holding bay and Motsam land design. Final design of this turning bay shall be included in the Engineering Plans required by condition 28, and shall be subject to approval by Council's Engineering Services Manager.

Reserve to vest

41. A 2,500m² Recreation Reserve shall vest in the Tasman District Council at the northern corner of the Fairese and Iris Drive intersection. The reserve shall be

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presented and provided with a vehicle crossing and a working water connection in accordance with the Tasman District Council Engineering Standards 2013.

Advice Note:

42. Compensation shall be payable by Council for the land to vest as Recreation Reserve. A valuation shall be sought by the Council prior to the land vesting and shall be submitted to the consent holder prior to requesting an invoice for payment following vesting.
43. Right of way easements in gross shall be created over the entire length of Iris Drive, Olive Terrace, Camarosa Place, and Pajero Way in order to create a public access linkage between Fairose Drive and Langdale Drive prior to building consent being lodged for any residential unit within any stage of the development as shown on the construction staging plan attached to this consent. The easement shall allow for walking, cycling and vehicular access.

** the applicant needs to agree to this condition because it relates to a small section of Iris Drive that is located outside of the application site*.*

Hill Street right turn bay

44. A right turn bay into Fairose Road shall be constructed on Hill Street prior to the vesting of Lot 9 of subdivision RM190789 or a section 348 shall be applied for.

The turning bay shall be constructed in accordance with Council's Engineering Standards 2013 for a 50km/h speed environment, and shall have a 3 metre long holding bay and Mottram land design. Final design of this turning bay shall be included in the Engineering Plans required by condition 28, and shall be subject to approval by council's Engineering Services Manager.

Servicing

45. Full separate servicing shall be provided for each residential unit and the care facility building in general accordance with Infrastructure report prepared by Verrall & Partners Limited (contained in Annexure E of the AEE provided with the application).

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Advice note:

Connection fees will be payable to Council at the time building consent is issued.

46. Prior to the each residential unit and the care facility building being occupied, a separate water connection shall be provided to the buildings in accordance with the Tasman District Council Engineering Standards & Policies 2013.

Advice note:

Connection fees will be payable to Council for each residential dwelling, apartment, carriage houses and the proposed lake house and care facility buildings at the time building consent is issued.

47. The servicing provided shall include:

(a) Water Supply

Water reticulation shall be provided to the each residential unit, and the proposed I care facility building, complete with all mains, valves, fire hydrants and other necessary fittings. The final layout of water reticulation and location of water meters shall be confirmed at the engineering plan stage.

(b) Sewer

Full sewer reticulation discharging to the Council's approved system shall be installed complete with any necessary manholes and connection to each residential unit and care facility building. Wastewater services provided through the site shall contain connections for Lot 2 DP 7794 (the Nicoll Block) in general accordance with the Infrastructure report prepared by Verrall & Partners Limited (contained in Annexure E of the AEE provided with the application).

(c) Stormwater

Full stormwater reticulation discharging to Council's approved system shall be installed in accordance with Council's Engineering Standards 2013. The primary network shall be designed to receive stormwater flows up to a 5%

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AEP rainfall event and all secondary flow paths shall be designed to receive flow up to a 1% AEP rainfall event.

(d) Stormwater swale

Prior to the filling of the pond or re-contouring works within proposed Lot 6 the consent holder shall submit detailed design plans for the swale to be constructed to the north of the car facility to the Council's Engineering Services Manager for approval. These shall be accompanied by a report from a suitably qualified and experienced Chartered Professional Engineer certifying that the proposed design is appropriate to receive overland flows during a 1% AEP rainfall event without overtopping or scouring and setting out any geotechnical requirements for the construction of the swale. This report shall also provide a recommended maintenance schedule for the swale.

Construction of the swale shall be carried out in accordance with the approved design and report and shall be supervised by a suitably qualified and experienced Chartered Professional Engineer.

The Consent Holder shall maintain the swale in accordance with the maintenance schedule required above.

(e) Electricity and telephone

Live telephone and electric power connections shall be provided to each residential unit and care facility building and all wiring shall be run underground.

Advice note:

Services connection fees will be payable for each residential dwelling, apartment building, carriage houses, lake house and care facility buildings to Council in accordance with Council's Long Term Plan at the time building consent is issued.

48. All the services referred to in conditions of this consent shall be installed in accordance with the Tasman District Council's Engineering Standards & Policies 2013.

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Firefighting water supply

49. All domestic-scale residential buildings (villas and town houses) shall be provided with a firefighting water supply system and access to this system that complies with the *New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008*.
50. As a minimum, each residential unit shall be within 135 metres of a working fire hydrant and also within 270 metres of a second working fire hydrant. Both fire hydrants must be capable of delivering 12.5 litres per second to achieve compliance with SNZ PAS 4509:2008.

Advice note:

51. The optimal means of compliance with the New Zealand Fire Service Code is considered by the NZ Fire Service to be the installation of domestic sprinkler systems in accordance with Fire Sprinkler Systems for Houses NZS 4517:2010.
52. The carriage houses, apartments and care facility shall be provided with a firefighting water supply in accordance with the SNZ PAS 4509:2008.
53. Notwithstanding the above, the carriage houses, apartments and care facility shall be provided with a sprinkler system in accordance with the relevant requirements of the Building Code.
54. The firefighting water supply shall be shown on the engineering plans required under condition 28 above.

Stormwater management plan

55. The Consent Holder shall produce a stormwater management plan that provides for maintenance and servicing of the stormwater system, including secondary flow paths, through the site. The plan shall also address land use in the contributing catchment with the objectives of maximising ground soakage and avoiding the transfer of silt, bark, mulch and contaminants being entrained in the stormwater system.
56. The stormwater management plan shall be finalised prior to any residents being accommodated in Olive Estate and a copy of the plan shall be provided in

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writing to the Council's Team Leader – Monitoring and Enforcement for their certification.

Lapse date

57. This consent shall lapse 10 years after the date that it commences, unless it has been given effect to, or unless the Council has granted an extension pursuant to section 125(1)(b) of the Act.

Advice note:

This consent commences when it can legally be given effect to.

General advice notes

Council regulations

1. This is not a building consent and the Consent Holder shall meet the requirements of Council with regard to all building and health bylaws, regulations and Acts.

Other Tasman Resource Management Plan provisions

2. This resource consent only authorises the activity described above. Any matters or activities not referred to in this consent or covered by the conditions must either:
- comply with all the criteria of a relevant permitted activity rule in the Tasman Resource Management Plan (TRMP);
 - be allowed by the Resource Management Act; or
 - be authorised by a separate resource consent.

Consent holder

3. This consent is granted to the abovementioned Consent Holder but section 134 of the Act states that such land use consents “attach to the land” and accordingly may be enjoyed by any subsequent owners and occupiers of the land. Therefore, any reference to “Consent Holder” in the conditions shall mean the current owners and occupiers of the subject land. Any new owners or occupiers should therefore familiarise themselves with the conditions of this

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consent as there may be conditions that are required to be complied with on an ongoing basis.

Development contributions

4. The Consent Holder is liable to pay a development contribution in accordance with the Development Contributions Policy found in the Long Term Plan (LTP). The amount to be paid will be in accordance with the requirements that are current at the time the relevant development contribution is paid. Council will not issue a Code Compliance Certificate until all development contributions have been paid in accordance with Council's Development Contributions Policy under the Local Government Act 2002.

Interests registered on property title

5. The Consent Holder should note that this resource consent does not override any registered interest on the property title.

Height

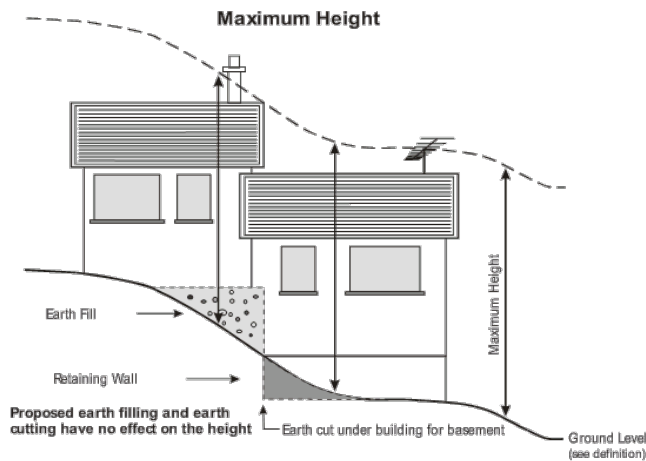
6. For the avoidance of doubt, "height" is defined in The Tasman Resource Management Plan as follows:

Height - in relation to a building, means the vertical distance between ground level at any point and the highest part of the building immediately above that point. For the purpose of calculating height, account is taken of parapets, but not of:

- (a) radio and television aerials, provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 2.5 metres;
- (b) chimneys (not exceeding 1.1 metres in any direction); or finials, provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 1.5 metres.

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Monitoring

7. Monitoring of this resource consent will be undertaken by the Council as provided for by section 35 of the Act and a one-off fee has already been charged for this monitoring. Should the monitoring costs exceed this fee, the Council reserves the right to recover these additional costs from the Consent Holder. Costs can be minimised by consistently complying with conditions, thereby reducing the necessity and/or frequency of Council staff visits.

Archaeological

8. The Council draws your attention to the provisions of the Heritage New Zealand Pouhere Taonga Act 2014. In the event of discovering an archaeological find during the earthworks (eg, shell, midden, hangi or ovens, garden soils, pit depressions, occupation evidence, burials, taonga, etc) you are required under the Heritage New Zealand Pouhere Taonga Act 2014 to cease the works immediately until, or unless, authority is obtained from Heritage New Zealand under the Heritage New Zealand Pouhere Taonga Act 2014.

Firefighting standards

9. The Consent Holder should address the requirements of the New Zealand Fire Service Firefighting *Water Supplies Code of Practice* (SNZ PAS 4509:2008). The NZ Fire Service Commission considers the optimal means of compliance

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with the NZFS Code is the installation of a domestic sprinkler system in accordance with *Fire Sprinkler Systems for Houses NZS 4517:2010*.

10. For the larger buildings (carriage houses, apartments, commercial and facilities buildings and care facility) the sprinkler requirements of the Building Code are applicable.
11. Regarding the design of the care facility it is recommended that early contact is made with New Zealand Fire Service fire risk management personnel to discuss management and integration of the evacuation scheme and alarm system requirements.
12. The first point of contact for discussing firefighting requirements as set out in the conditions of consent and in advice notes above is Rob Dalton, Senior Fire Risk Management Officer on (03) 577 8211 or 027 4956 691.

Signage

13. Any signage proposed must comply with the Tasman Resource Management Plan standards in Section 16.1 for the Residential Zone. Separate resource consent would be required for any signage that does not comply with these rules, including for each commercial tenancy within the Olive Market Building.

Sale of Liquor

14. No liquor sales shall take place until the required licences pursuant to the Sale & Supply of Alcohol Act 2012 are issued.

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Recommended conditions - subdivision consent RM190789

[Activity - Subdivision boundary adjustment to provide for the care facility on Lot 6 and to amalgamate Lots 5, 7 and 8 with Lots 2 and 3 and to create a new Lot 9 to vest as road including consent for soil disturbance under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.]

General

1. The subdivision shall be undertaken in accordance with the information submitted with the application and in particular with the plan prepared by Verrall & Partners Limited titled, *Proposed Boundary Adjustment Hill Street, Richmond being Lot 2 DP 511511 (comprised in CT 785433)*, Job No. 12039-6, dated June 2019 and attached to this consent as Plan A, and the following plans attached to land use consent RM190790:
 - (a) 3.0 Master Plan – 3.2 Overall Site Development Stages referenced 17115 – 3rd Amendment and dated 6 October 2020
 - (b) 3.0 Master Plan – 3.3 Overall Site Building Type Numbers referenced 17115 – 3rd Amendment and dated 6 October 2020
 - (c) 3.0 Master Plan – 3.4 Overall Site Master Plan referenced 17115 – 3rd Amendment and dated 6 October 2020
 - (d) 3.0 Master Plan – 3.5 Proposed Development referenced 17115 – 3rd Amendment and dated 6 October 2020
 - (e) 3.0 Master Plan – 3.6 Care Facility Unit referenced 17115 – 3rd Amendment and dated 6 October 2020
 - (f) 3.0 Master Plan – 3.7 Care Facility Unit – Overland Flowpath referenced 17115 – 3rd Amendment and dated 6 October 2020

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- (g) 3.0 Master Plan – 3.9 Care Facility Unit Section Plans (sections (EE – JJ) referenced 17115 – 3rd Amendment and dated 6 October 2020
- (h) 3.0 Master Plan – 3.11 Open Space Plan – Overall Site referenced 17115 – 3rd Amendment and dated 6 October 2020
- (i) 3.0 Master Plan - 2.3 Design Guide Road Type Sections referenced 17115 – 3rd Amendment and dated 6 October 2020

If there is conflict between the information submitted with the consent application and any conditions of this consent, then the conditions of this consent shall prevail.

Easements

2. Easements are to be created over any services (including secondary flowpaths) located outside the boundary of the allotment that they serve as easements in gross to the appropriate authority or appurtenant to the appropriate allotment. Reference to easements shall be included on the title plan and endorsed as a Memorandum of Easements.
3. Right of way easements in gross shall be created over Iris Drive in order to create a public access linkage between Fairrose and Langdale Drives. The easement shall allow for walking, cycling and vehicular access.
4. A covenant allowing continuing public access to 'Open Green Space' areas as shown on Plan 3.12 – Rev 3 shall be registered on the titles of Lots 5 and 6.

Amalgamation

5. That Lots 5, 7 & 8 heron be amalgamated with Lots 2 & 3 (DP.....) as authorised by subdivision consent RM130346V1 and held in the same register of title.

LINZ Reference: 1608263

Advice note:

Lots 2 & 3 RM130346V1 currently held in RT NL56/85 as Lots 2 & 3 Deeds Plan 1763 will be required to have title issued and have the Limitation as to Parcels uplifted prior to the subdivision creating Lots 5, 7 & 8.

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Road to vest

6. The road to vest within Lot 9 shall be formed prior to vesting in accordance with the Tasman District Council Engineering Standards 2013. The road formation shall include:
 - (a) a minimum 15.5 metre legal width;
 - (b) a 2.5 metre shared path and 1.4 metre footpath;
 - (c) a minimum 6 metre formed carriage way;
 - (d) street lighting as approved by Council's Engineering Manager; and
 - (e) fourteen 2.5 metre wide indented parallel parks.
7. Lot 9 shall be vested in Council as road...

Timing of vesting to be proposed by applicant. Road should vest as soon as is relied on by any household units or the care facility. Staging of vesting may be appropriate.

8. All roading and car parking within Lot 9 shall be shown on the engineering plans required under condition 13 in each respective phase or stage of work.
9. A landscaping plan for the road to vest within Lot 9 shall be developed in accordance with the guide titled "Olive Estate Design Guide" prepared by Canopy Landscape Architects and attached to the application as Appendix B. This plan shall be submitted to Council's Engineering Manager for approval as part of the engineering plans required by condition 13. Landscaping in accordance with the approved plan shall be completed by Consent Holder prior to the vesting of the road.

Hill Street right turn bay

10. A right turn bay into the road to vest in Lot 9 shall be constructed on Hill Street prior to the vesting of Lot 9. The turning bay shall constructed in accordance with Council's Engineering Standards 2013 for a 50km/h speed environment, and shall have a 3 metre long holding aby and Motsam land design. Final design of this turning bay shall be included in the engineering plans required by

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condition 13, and shall be subject to approval by council's Engineering Services Manager.

Reserve to vest

11. A 2,500m² Recreation Reserve shall vest in the Tasman District Council at the northern corner of the Fairrose and Iris Drive intersection. The reserve shall be presented and provided with a vehicle crossing and a working water connection in accordance with the Tasman District Council Engineering Standards 2013.

Advice note:

Compensation shall be payable by Council for the land to vest as Recreation Reserve. A valuation shall be sought by the Council prior to the land vesting and shall be submitted to the consent holder prior to requesting an invoice for payment following vesting.

Engineering works

12. All engineering works shall be designed and constructed to comply with the conditions of consent, the approved engineering plans and the Council's Engineering Standards & Policies 2013, or where the engineering plans or Standards & Policies 2013 are not complied with, to the Council's Engineering Manager's satisfaction.
13. Engineering plans showing the details of all works required, detailing all services, roading, footpaths and access, right turn bay on Hill Street, and including works for stormwater control, sediment control during earthworks for each stage or phase of construction work shall be submitted to Council's Engineering Manager for approval prior to any works on that phase or stage being carried out. The plans will be approved by the Engineering Manager if the works are designed to comply with the conditions of consent, and they are in accordance with the Engineering Standards & Policies 2013 or, where the latter is not complied with, they are to the satisfaction of Council's Engineering Manager.

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As-built plans

14. As-built plans detailing all roading, services and access formation within the road to vest shall be provided for approval and signing by the Tasman District Council Engineering Manager prior to approval of the section 223 certificate. All plan details are to be in accordance with the Engineering Standards & Policies 2013 or to the satisfaction of Council's Engineering Manager.

Certification

15. At the completion of works within Lot 9 a suitably experienced chartered professional engineer or registered professional surveyor shall provide the Council's Engineering Manager with written certification that the works have been constructed in accordance with the approved engineering plans, drawings and specifications and any approved amendments.

Earthworks

16. Any earthworks involving the disturbance of contaminated soil shall comply with the conditions of land use consent RM190791.

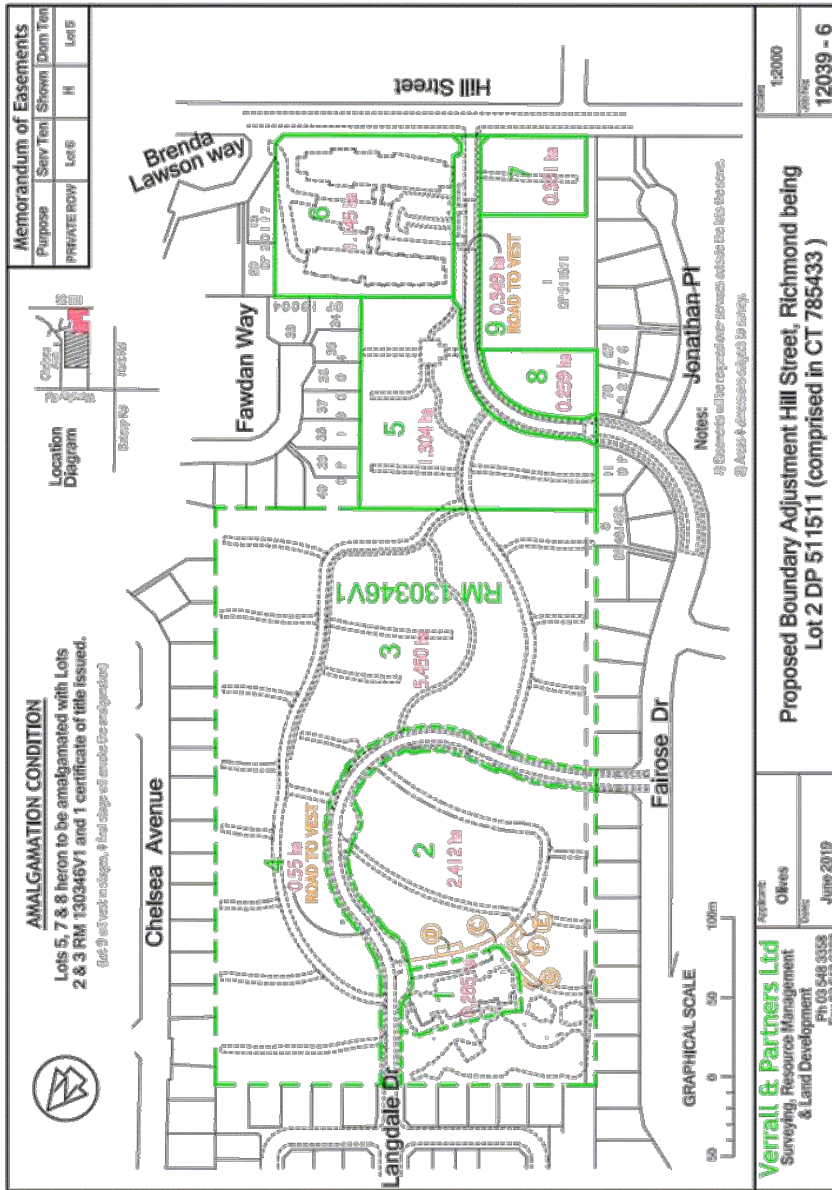
Lapse date

17. This consent shall lapse 10 years after the date that it commences, unless it has been given effect to, or unless the Council has granted an extension pursuant to section 125(1)(b) of the Act.

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RM190789 Plan A



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**Recommended conditions - Land use consent (earthworks)
RM190791**

[Activity – Land Disturbance to undertake bulk earthworks in association with the construction of a compact density development and care facility building including all associated infrastructure and decommissioning and filling the existing on site stormwater irrigation pond.]

General

1. All works shall be carried out in general accordance with the information submitted to the Council in support of application RM190791 including the “*Detailed Site Investigation, Hill Street, Richmond*” produced by Contract Environmental dated February 2018, and the attached Plans A and B, unless inconsistent with the conditions of this consent, in which case these conditions shall prevail.
2. The Council may, during the month of March each year, and within three months of the consent being given effect to, review any or all of the conditions of consent pursuant to section 128 of the Act for all or any of the following purposes:
 - (a) to deal with any adverse effect on the environment that may arise from the exercise of this consent, and which is appropriate to deal with at a later stage;
 - (b) to require the Consent Holder to adopt the best practicable option to remove or reduce any adverse effect on the environment;
 - (c) to assess the appropriateness of imposed compliance standards, monitoring regimes and monitoring frequencies and to alter these accordingly;

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- (d) to change the compliance standards imposed by conditions of this consent to standards that are consistent with any relevant regional plan, district plan, or Act of Parliament.

Lapsing and expiry

3. Pursuant to section 125 of the Act this consent shall lapse 10 years after the date of this consent unless either the consent is given effect to, or the Council has granted an extension pursuant to section 125(1)(b) of the Act.

Advice note:

The consent is given effect to once excavations commence.

4. All bulk earthworks required for re-contouring, road and building platform formation for each stage shall be completed within six months of commencement of works for that stage, unless advised in writing by Council's Team Leader - Monitoring & Enforcement that this time frame may be extended for a specified period. Stages of works shall be as shown on attached Plan B. Stages may be completed concurrently and in any order.

Advice note:

The time frame for completion of bulk earthworks may need to be extended to allow the Consent Holder some flexibility to respond to unfavourable weather and other unforeseen circumstances. This time frame should not be extended without good reason and consideration of effects of extended earthworks periods on adjacent properties.

Supervision and notification

5. The Consent Holder shall appoint a representative(s) prior to the exercise of this resource consent, who shall be the Council's principal contact person(s) in regard to matters relating to this resource consent.
6. For each stage of the proposed works the Consent Holder or appointed representative shall contact Council's Team Leader - Monitoring & Enforcement at each of the following stages:
- (a) at least five days prior to commencement of works on-site;

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- (b) upon placement of all sediment control measures;
 - (c) at least 24 hours prior to decommissioning of the sediment control measures.
7. As part of the notice required in condition 6, the Consent Holder shall inform the Council's Team Leader - Monitoring & Enforcement of the name and contact details of the following persons:
- (a) the Consent Holder representative(s) required under condition 5; and
 - (b) the earthworks contractor.

Should any persons change during the term of this resource consent, the Consent Holder shall immediately provide the Team Leader - Monitoring & Enforcement written notice of the new person's name and contact details.

8. The Consent Holder shall provide a copy of this consent and all documents and plans referred to in the consent to each operator or contractor undertaking works authorised by this consent prior to the works commencing.

Monitoring and reporting

9. All testing and reporting required under this consent shall be performed by a suitably qualified and experienced person in general accordance with the Ministry for the Environment's *Contaminated Land Management Guidelines No. 1: Reporting on contaminated sites in New Zealand (2003) & No. 5: Site investigation and analysis of soils (2004)*.
10. The Consent Holder shall keep a record of the volume of excavated material, any testing carried out on this material, and where this material is disposed of. These records shall be made available to Council officers on request.

Construction management

11. The Consent Holder shall, at least ten working days prior to the intended commencement date of activities authorised by this consent, submit a Construction Management Plan (CMP) to the Council's Team Leader - Monitoring & Enforcement for certification. Information provided shall include:

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- (a) details of all principles, procedures and practices that will be implemented for erosion and sediment control to minimise the potential for sediment discharge from the site;
- (b) the design criteria and dimensions of typical erosion and sediment control strictures;
- (c) a detailed site plan showing the location and timing of all erosion and sediment control structures to be implemented;
- (d) construction timetable for the erosion and sediment control works and any bulk earthworks involved;
- (e) timetable and nature of progressive site rehabilitation and revegetation proposed;
- (f) maintenance, monitoring and reporting procedures;
- (g) rainfall response and contingency measures including procedures to minimise adverse effects in the event of extreme rainfall events and/or the failure of any key erosion and sediment control structures.
- (h) a Construction Traffic Management Plan (CTMP) prepared by a suitably qualified and experienced Traffic Engineer for certification that it meets the following objectives and performance standards:
 - (i) to ensure that traffic generated during earthworks is effectively managed so that increases in traffic volume are safely accommodated within the existing road network;
 - (ii) that roads open to the public are managed in accordance with the Code of Practice for Temporary Traffic Management; and
 - (iii) that the best practicable option is used to manage traffic on roads not open to the public.
- (i) a detailed Construction Noise Management Plan (CNMP). The Construction Noise Management Plan must describe methods by which noise associated with construction will comply in all aspects with the controls set out in NZS 6803:1999 and how all persons undertaking day-to-day activity management will adopt best practice at all times to ensure that

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emission of noise from the site does not exceed a reasonable level in accordance with section 16 of the Act.

- (j) a contaminated soils management plan detailing the proposed management and use of the soil to be excavated from the contaminated area shown in Figure 8 of the Contract Environmental report. This report should also outline transport, disposal and tracking methods for this material if it is to be disposed of off-site.
 - (k) details of all principles, procedures and practices that will be implemented for dust control to minimise the potential for dust discharge from the site (noting that the dust control in the contaminated area (j) will be additional to this).
 - (l) The Team Leader will certify the plan if, in their opinion, the plan reasonably achieves the following outcomes:
 - (i) the discharge of sediment into any watercourse and/or coastal waters, any adjacent property, Council's reticulated stormwater network and the public road network is minimised as far as practicable;
 - (ii) the passage of vehicles through any watercourse and/or coastal waters is minimised as far as practicable;
 - (iii) the risk and effects of adverse weather have been considered and provided for to minimise the discharge of sediment and contaminants;
 - (iv) contingency and reporting protocols are established;
 - (v) relevant recommendations from the Contract Environmental report, and general best practice for the management of contaminated soils, are complied with;
 - (vi) site stabilisation, appropriate use of flocculation and decommissioning are appropriately addressed; and
 - (vii) the construction site management conditions identified in conditions 15 to 25 below are provided for.
12. All works authorised by these consents shall be carried out in accordance with the plan certified under condition 11 above.

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Disposal of contaminated material

13. All contaminated material excavated from the site shall be disposed of either:
 - (a) On-site within road or recreational areas; or
 - (b) At a facility authorised to receive such material, and receipts for the disposal of soil at these facilities shall be kept by the Consent Holder, and provided to Council on request. If the material is to be deposited of at a cleanfill facility the Consent Holder shall provide testing results showing that the material meets cleanfill criteria to Council's Team Leader - Monitoring and Enforcement prior to disposal.

Advice note:

Topsoil excavated from the contaminated area, as shown in Figure 8 of the Contract Environmental report, may be able to be disposed of at a clean fill facility following mixing and appropriate re-testing showing that the material can meet cleanfill criteria.

14. Prior to any excavated material being transported off-site, the Consent Holder, or appointed representative, shall notify Council's Team Leader - Monitoring & Enforcement of the intended disposal site.

Site management

15. All sedimentation mitigation or control measures shall be maintained by the Consent Holder for as long as there is a potential for sediment movement (resulting from earthworks) to occur and until the site is adequately reinstated/vegetated.
16. There shall be no dust or odour discharged that is considered to be objectionable or offensive in the opinion of Council's Team Leader - Monitoring & Enforcement at or beyond the site boundary.
17. All earthworks shall be designed and carried out under the supervision of a suitably experienced Chartered Professional Engineer practising in geotechnical engineering or other suitably qualified geo-professional as defined by NZS 4404:2010, and any fill placed in accordance with NZS 4431:1989 – *Code of Practice for Earth Fill for Residential Development*.

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18. All noise from construction activities pursuant to these consents shall meet the requirements of the noise limits specified for typical duration works in Table 2 of NZS 6803:1999 '*Acoustics – Construction Noise*'.
19. The Consent Holder shall take all practicable measures to limit the discharge of sediment with stormwater run-off to water or land where it may enter water during and after the construction period. In particular:
 - (a) stop construction in heavy rain when the activity shows sedimentation in water tables or tracks on the site;
 - (b) ensure that water control is maintained at all times during works;
 - (c) ensure all open ground and stockpiles have cut-off drains installed before storm events;
 - (d) all operators are required to be appropriately trained and familiarised with the certified management plans;
 - (e) water tables, sediment traps and other erosion sediment control structures shall as soon as practicably possible after any significant rain event be inspected and appropriate maintenance carried out as required.
20. If during the construction works excavated contaminated soil needs to be temporarily stockpiled on-site, the Consent Holder shall ensure stockpiles are:
 - (a) managed in a manner that minimises, to the greatest practicable extent, any adverse effects on on-site workers, the public and off-site migration pathways (such as stormwater drains).
 - (b) located on concrete hard-standing or if necessary placed on sheeting, and at least 25 metres from site boundaries;
 - (c) kept tidy, less than 2 metres in height and with a stable slope;
 - (d) covered and bunded;
 - (e) fenced to prevent public or unauthorised access; and
 - (f) removed off-site within 14 days following excavation.

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21. The operation shall be carried out in a manner, or measures implemented, so that at no time will dust generated by the authorised activity become a nuisance to occupants of neighbouring properties or the public in general.
22. The Consent Holder shall stop earthworks when sediment run-off or dust movement is occurring that is more than minor in the view of the Council's Compliance Officer.
23. All exposed ground shall be reinstated as soon as practicable following the completion of the works so that movement of soil is limited as much as is practical. This shall include supplemental planting of appropriate vegetation that enhances the stability and minimises surface erosion.
24. Hours of operation for construction shall be between 7.00 am – 6.00 pm Monday to Saturday. There shall be no earthworks operations during public holidays and within the period 25 December to 10 January each year.
25. Dust suppression measures, such as the use of water carts, shall be available and utilised on the site and site access roads at any time that dust may be discharged from the site (hot and / or windy conditions).

Advice note:

Dust suppression polymer products may be required to efficiently manage dust in very dry windy conditions. An additional resource consent would be required for the discharge of these products. Alternatively, several suppliers for these products have global consents to discharge throughout the Tasman District and the Consent Holder may wish to engage one of these suppliers. It is recommended that the Consent Holder contact Council's Team Leader – Natural Resources to discuss the use of alternative dust suppression products.

26. In the event of any archaeological artefacts (eg, shell, midden, hangi or ovens, garden soils, pit depressions, occupation evidence, burials, taonga, etc) being uncovered, you are required – under the Heritage New Zealand Pouhere Taonga Act 2014 – to cease the works immediately.

The Consent Holder shall consult with the Heritage New Zealand's Central Regional Office (PO Box 19173, Wellington, phone (04) 801 5088), and shall not recommence works in the area of the discovery until the relevant Heritage

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New Zealand approvals to damage, destroy or modify such sites have been obtained.

Additionally, in order to enable appropriate cultural procedures and tikanga to be administered, if any artefact and/or any historical, cultural or archaeological material of Māori origin, or likely to have significance to Māori, is found or uncovered, advice of the discovery shall be given (within 24 hours) to relevant iwi organisations.

Advice note:

All archaeological sites are protected under the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence under the Act to modify, damage or destroy any archaeological site, whether the site is recorded or not. Application must be made to Heritage New Zealand for an Authority to modify, damage or destroy an archaeological site.

Advice notes

1. Any excavated material disposed of to a clean fill site must comply with the requirements of that site's consent and relevant Council guidance.
2. The Consent Holder shall meet the requirements of Council with respect to all Building Bylaws, Regulations and Acts.
3. All necessary signage and safety measures should be implemented during the works.
4. Access by the Council's officers or its agents to the property is reserved pursuant to section 332 of the Resource Management Act 1991.
5. Council draws the attention of the Consent Holder to the provisions of the Heritage New Zealand Pouhere Taonga Act 2014 that require you in the event of discovering an archaeological find (eg, shell, midden, hangi or ovens, garden soils, pit, depressions, occupation evidence, burials, taonga) to cease works immediately, and tangata whenua, the Tasman District Council and Heritage New Zealand should be notified within 24 hours. Works may recommence with the written approval of the Council's Team Leader - Monitoring & Enforcement, and Heritage New Zealand.

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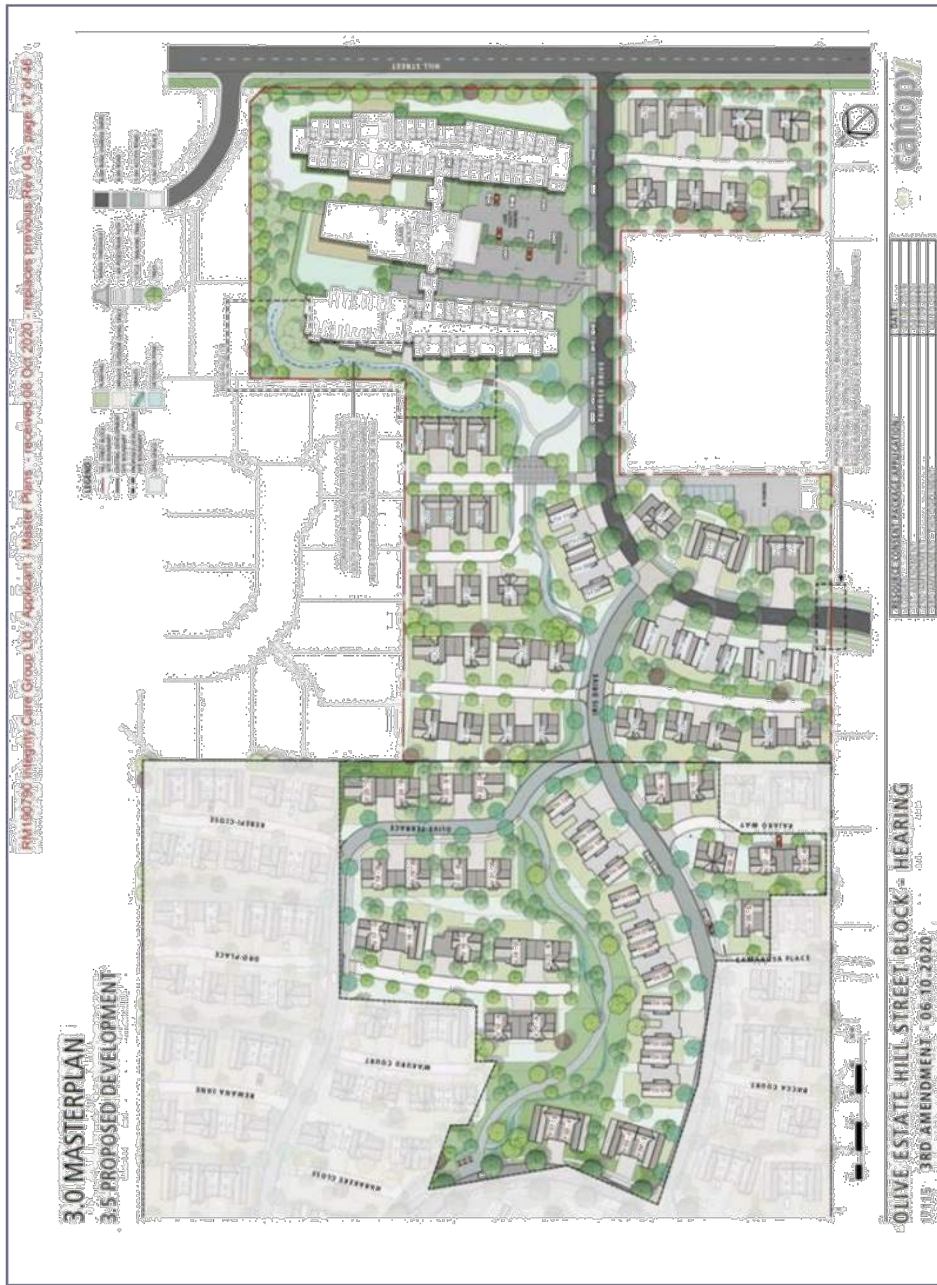
attachment page 39

6. This resource consent only authorise the activities described above. Any matters or activities not referred to in this consent or covered by the conditions must either:
- comply with all the criteria of a relevant permitted activity rule in the Tasman Resource Management Plan (TRMP);
 - be allowed by the Resource Management Act; or
 - be authorised by a separate resource consent.

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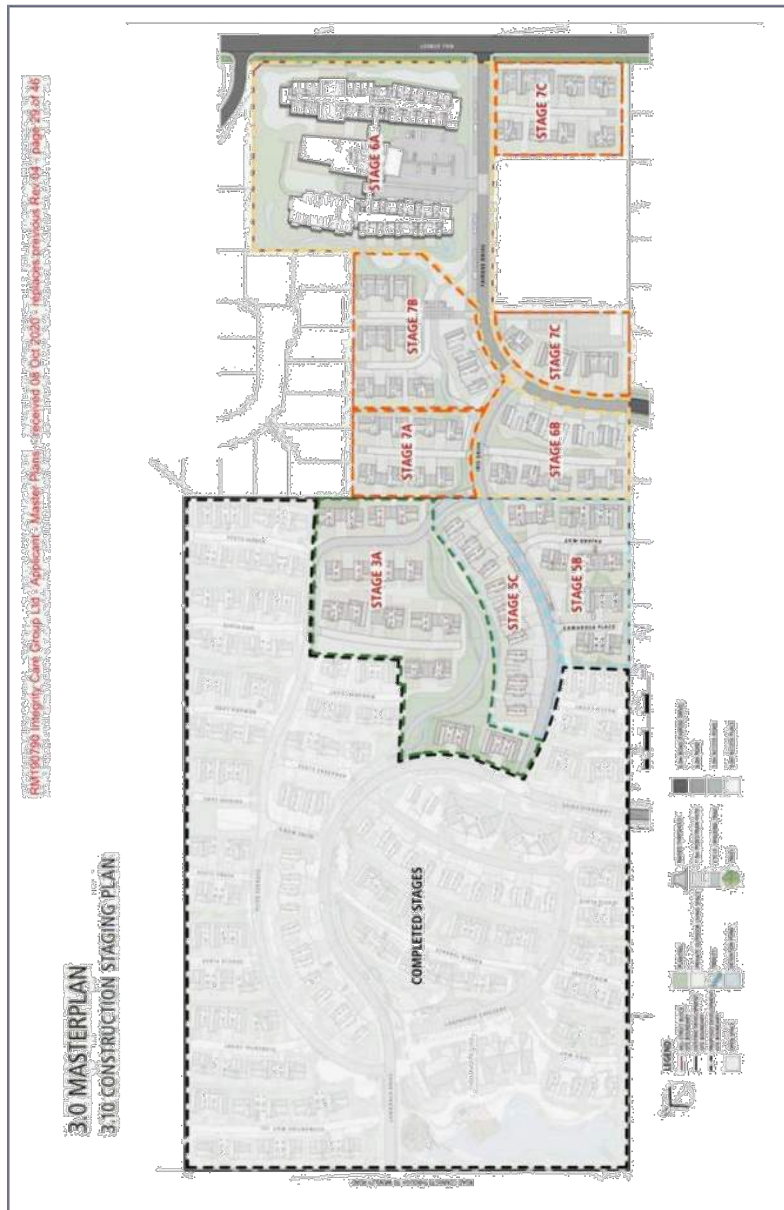
RM190791 Plan A



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RM190791 Plan B



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Recommended conditions - water permit RM191308

[Activity - Water permit for the 'take' of water associated with the de-watering of the existing stormwater irrigation pond]

General

1. The activities authorised by this consent shall be undertaken in general accordance with the application received by the Council on , the further information provided on attached to this consent. If there are any inconsistencies between this information and the conditions of consent, the conditions of consent shall prevail.
2. Prior to the commencement of the taking of water authorised by this consent the consent holder shall engage suitably qualified ecologist to determine the species of aquatic fauna present in the pond and to produce a plan for the removal and appropriate relocation of these species. The required plan shall set out methods for capture, transportation and location of release, as well as the timing of the removal in relation to pond water levels. The water take shall be carried out in accordance with this plan.

Advice note:

The consent holder may also be required to apply for approval from the Ministry for Primary Industries for the transfer of freshwater species.

3. The consent holder shall notify Council's Team Leader Monitoring and Enforcement at least five working days prior to the commencement of the taking of water authorised by this consent for monitoring purposes.

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RM191308 conditions attachment page 43

4. Pumping of water from the pond may only be carried out between the hours of 7.00 am and 7.00 pm Monday to Saturday. No pumping shall be carried out on Sundays or public holidays.
5. All noise from pumping activities pursuant to these consents shall meet the requirements of the noise limits specified for typical duration works in Table 2 of NZS 6803:1999 '*Acoustics – Construction Noise*'.

Expiry date

6. This consent shall expire one month after the commencement of dewatering works.

Lapse date

7. Pursuant to section 125 of the Act this consent shall lapse 10 years after the date of this consent unless either the consent is given effect to, or the Council has granted an extension pursuant to section 125(1)(b) of the Act.

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