

Draft conditions of consent for RC 230398

CONDITIONS:

General

1. The proposed activity must be undertaken in general accordance with the approved plans attached to this certificate as Appendices 1, 2 and 3 being
 - Scheme plan dated 25 August 2023 by Landpro, and Earthworks Plan dated 22 November 2022 by Landpro
 - Spatial plan over 2014 LINZ aerial of Heritage Landscape features
 - Landscape masterplan and planting Scheduleand the information provided with the resource consent application received by the Council on 22 December 2023, and further information received on 27 February 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 works.
 - 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) Provide copies of design: reports, calculations, specifications, schedules, and drawings, as applicable.
 - e) Receive Council Engineering certification of the design/s as applicable.
 - f) Prepare an Erosion, Dust and Sediment Control Plan. The 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.

- g) 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 (including the wetland) during any stages of site disturbance that may be associated with this subdivision.
 - h) Provide evidence to the Planning and Regulatory Services Manager at resource.consent@codc.govt.nz that, if required, all necessary consents have been obtained from the Otago Regional Council.
 - i) Undertake all subdivision works in accordance with the Archaeological and Heritage Impact Assessment, prepared by Kopuwai Consulting, dated December 2023 including adaptive reuse of heritage items. Records of how the recommendations in the Archaeological and Heritage Impact Assessment have been met are to be maintained and presented to a warranted Council Officer upon request.
 - j) Provide evidence to the Planning and Regulatory Services Manager at resource.consent@codc.govt.nz that all necessary Archaeological Authorities for the subdivision works have been obtained.
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 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) A 500m² residential building platform must be identified for Lots 4, 5, 13, 14 15-20 as identified on the Landscape Master Plan referenced in Condition 1, and shall be shown on the legal plan of subdivision and the co-ordinates must be provided to the Planning and Regulatory Services Manager at resource.consent@codc.govt.nz.
6. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the subdivider must complete the following:

Water

- a) Submit a final water reticulation design to Council's General Manager 3 Waters for certification. The final water reticulation design must meet the requirements of NZS 4404:2004 and the Council's July 2008 Addendum and include but not be limited to rider mains, fire hydrants and necessary incidental equipment) from the Cromwell (Bannockburn) Water Supply. No works may occur until the final design has been certified
- b) In accordance with the certified final water reticulation design, must at a minimum:

- i) Extend the existing 150mm water main on Terrace St for the length of the proposed formed road
- ii) Install standard DN25 water connection for each serviced lot with an approved Acuflo toby/meter assembly at the road boundary and with the tail extending to buildable platform on rear lots.
- iii) Install Fire hydrants within the new water reticulation network to serve the subdivision in compliance with SNZ PAS 4509:2008, and NZS4404: 2004 and Council's 2008 Addendum to NZS4404:2004

Wastewater

- c) Submit a final wastewater reticulation design to Council's General Manager 3 Waters for certification. The final wastewater reticulation design must meet the requirements of NZS 4404:2004 and the Council's July 2008 Addendum and discharge to the Cromwell (Bannockburn) Wastewater Reticulation System. No works may occur until the final design has been certified
- d) In accordance with the certified final wastewater reticulation design must at a minimum
 - i) Install a cleaning eye for each lot.
 - ii) Alternatively, lots which are required to be serviced by pressure sewer must have a Boundary Valve Kit (BVK) installed at the boundary in lieu of a cleaning eye.
 - iii) Provide standard DN100 sewer connections to the boundaries of any lot with a gravity connection or a DN63 pumped line for any property where a gravity connection cannot be achieved. Connections must be extended to the buildable areas of all rear allotments.

Stormwater

- e) Stormwater from roads and other impervious surfaces must be disposed of via a soak-pit designed by a suitably qualified and experienced professional.

Electricity

- f) Operational power and telecommunication connections must be provided underground to each Lots 1 - 20, and for rear lots ducts must be extended to the buildable area of Lots 8 and 9 via the right-of-way such that these services may be supplied at time of dwelling construction.

Access

- g) The road shown as Lot 101 (extension of Terrace Street) on the scheme plan, must be constructed and vested in accordance with the "Cul-de-sac" Local Road standard in Table 3.1 of Council's 2008 Addendum to NZS 4404:2004, with the following modifications and requirements:

- i) A minimum sealed carriageway width of 7.0 metres.
 - ii) A minimum road reserve width of 20.0 metres
 - iii) A subgrade CBR >7
 - iv) Metal depths to NZS4404:2004 and Council's July 2008 Addendum standards.
 - v) A two-coat chip seal, standard concrete, or 30mm depth asphaltic carriageway.
 - vi) A carriageway crossfall of 4%.
 - vii) Shallow trafficable side-drains / water channels over level sections.
 - viii) Berms of 100mm depth clean topsoil between the channel and road boundary must be formed with a 4% crossfall, trimmed and grassed to a mowable standard.
 - ix) An asphaltic concrete footpath of 1.5m width shall be constructed on one side of the road, and it must connect to the new Terrace Street footpath to be constructed.
 - x) Cul-de-sac turning head must be constructed at the northern-eastern end.
 - xi) Parking bays must be constructed adjacent to Lots 5 and 30.
- h) The road shown as Lot 100 (loop road) on the scheme plan, must be constructed and vested in accordance with the "Cul-de-sac" Local Road standard in Table 3.1 of Council's 2008 Addendum to NZS 4404:2004, with the following modifications and requirements:

- i) A minimum sealed carriageway width of 6.0 metres.
 - ii) A minimum road reserve width of 20.0 metres
 - iii) A subgrade CBR >7
 - iv) Metal depths to NZS4404:2004 and Council's July 2008 Addendum standards.
 - v) A two-coat chip seal, standard concrete, or 30mm depth asphaltic carriageway.
 - vi) A carriageway crossfall of 4%.
 - vii) Shallow trafficable side-drains / water channels over level sections.
 - viii) Berms of 100mm depth clean topsoil between the channel and road boundary must be formed with a 4% crossfall, trimmed and grassed to a mowable standard.
 - ix) An unsealed footpath of 1.5m width shall be constructed on one side of the road, and it must connect to the new footpath to be constructed within Lot 101, the extension of Terrace Street.
- i) Individual vehicle accessway/crossings to serve Lots 1 to 5, and 10 to 14, must be constructed from Terrace Street or the new roads (Lots 100 & 101) to be constructed to serve the proposed subdivision in accordance with the requirements of Part 29 of Council's Roading Policies January 2015. Additionally, the entranceways for Lots 3, 4, 5, and 10 must have a minimum separation distance of 15m from the nearest road intersection.
- j) All new shared right-of-way serving two or more lots must be constructed in accordance with the right-of-way (2-4 lots/DUs) standards in Table 3.1 of Council's 2008 Addendum to NZS 4404:2004, with the following modifications and requirements:

- i) A minimum sealed carriageway width of 4.0 metres.
 - ii) A minimum road reserve width of 6.0 metres.
 - iii) A subgrade CBR >7.
 - iv) Metal depths to NZS4404:2004 and Council's July 2008 Addendum standards.
 - v) A two-coat chip seal, standard concrete, or 30mm depth asphaltic carriageway.
 - vi) A 4% crossfall must be provided across the carriageway.
 - vii) Shallow trafficable side-drains / water channels over level sections.
 - viii) Stormwater must be disposed of by soakpit within the right-of-way.
 - ix) Berms of 100mm depth clean topsoil between the channel and road boundary must be formed with a 4% crossfall, trimmed and grassed to a mowable standard.
 - x) Sealed vehicle crossings/entranceways must be provided within the right-of-way to the boundary of each lot served in accordance with Part 29 of Council's Roding Policies 2015.
 - xi) A sealed vehicle crossing/entranceway must be installed to the right-of-way in accordance with Part 29 of Council's Roding Policies 2015.
 - xii) That any private access ROW may have a maximum gradient of 1 in 5 (20%). This may be increased to 1 in 4.5 (22.2%) for short straight lengths up to 20m maximum length. Any portion of an access with a gradient greater than 16% is to have a higher friction surfacing such as exposed aggregate or brushed concrete or similar.
- k) The existing right-of-way over Lots 2, 3, and 6 serving neighbouring Lot 36 DP 339137 may remain unchanged where Lots 2, 3 and 6 have an alternative access from Lots 100 or 101.
- l) A single 1.5m footpath must be installed along the full length of the existing Terrace Street. This footpath must be located on the northern side of the street and must include a crossing point over Bannockburn Road to allow pedestrians to access the existing footpath network on the western side of Bannockburn Road.
- m) LED streetlights must be installed and vested in accordance with NZS4404:2004, and Council's Addendum to NZS4404:2004, and any District Plan requirements. For the avoidance of doubt streetlights are to be provided at intersections and footpath crossings. In other locations bollard lighting is to be provided to illuminate the footpaths and pedestrian areas within the vested road network (Lots 100 & 101).
- n) Planting and landscaping undertaken within roads shall be landscaped in general accordance with the Landscape Master Plan and maintained in accordance with the Landscape Maintenance Plan, prepared by RMM dated 27 September 2024, for a period agreed with the Council.

Reserve

- o) Lot 30 shall be landscaped in general accordance with the Landscape Master Plan and maintained in accordance with the Landscape Maintenance Plan, prepared by RMM dated 27 September 2024, for a period agreed with the Council.
- p) Shared paths within the recreation reserve and road reserve shall be local compacted gravel and/or schist stone.
- q) Heritage interpretive panels must be prepared and installed under the supervision of a suitably qualified and experienced person. Any reference to mana whenua history or values must only be included with the express permission of the relevant rūnaka whose takiwa the site falls within.
- r) Formally offer Lot 30 to the Central Otago District Council for vesting as a reserve.

Advice Note: The type of reserve, and the acceptance of a reserve to be vested in Council may require a resolution and approval from the Council and/or Community Board holding delegated authority.

Engineering Design and Assets

- s) 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

- t) Subject to the vesting of Lot 30 as a reserve, payment of a reserves contribution of \$45,530.5 (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.

Advice Note: The consent holder and the Council may negotiate the financial contributions calculation as part of the vesting of Lot 30 as a reserve.

- u) 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.
- iii) Site work may recommence following consultation with the Consent Authority.

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:

Design controls

- a) All future buildings on Lots 4, 5, 13, 14, 15-20 shall be contained within the Building Platforms as shown as a consent notice Area [X] as shown on Land Transfer Plan [XXXXX] No built development is permitted outside the building platform, such as clothes lines, swimming pools or other activities generally associated with a curtilage area.
- b) Built coverage on Lots 1-20 must not exceed a maximum total of 300m². Should any dwellings be two storeys, the maximum footprint for the ground floor must not exceed 200m².
- c) The access to Lot 6 must be designed to limit the extent of earthworks required, and as far as practicable off the ridgeline.
- d) Exterior cladding is limited to timber (vertical or horizontal), schist, or corrugated iron in one of the following Colorsteel colours: Lichen, Sandstone Grey, Lignite, Ironsand, FlaxPod, Grey Friars, New Denim Blue.

- e) Roofing shall be constructed of corrugated iron in one of the of the following Colorsteel colours (or similar with a light reflectance value (LRV) of the less than 12%): Lignite, Ironsand, FlaxPod, Grey Friars, New Denim Blue.
- f) Fencing at lot boundaries shall be limited to 1.2 m high unpainted post and rail, post and wire or waratah and wire fencing. The addition of rabbit wire mesh is encouraged.
- g) Buildings on Lots 1-20 shall be subject to the following maximum height limitations:

Maximum Building Height & Roof Elevation			
Lot Number	Maximum Building Height	Maximum Roof Elevation	Notes
1, 2, 3	5m	269 masl	
4, 6	4.2m	269.2 masl	
5	4.2m	270.2 masl	
7, 8, 9	7.5m	269 masl	
10	5m	269.5 masl	
11, 12, 13, 14	4.2m	271 masl	Buildings to be stepped with grade
15, 16, 17, 18,19	5m	265 masl	Buildings to be stepped with grade
20	5m	266 masl	Buildings to be stepped with grade

- h) Any outdoor lighting must be fixed, capped, filtered or pointed downwards and screened to reduce light spill. No outdoor feature lighting is permitted.
- i) Stormwater from buildings and other impervious surfaces within each Lot must be stored for beneficial reuse or disposed of via a soak-pit designed by a suitably qualified and experienced professional within the boundary of each lot.

Landscaping

- j) On Lots 15-20, within 18 months of the code of compliance issuing for the Dwelling. mitigation planting shall be undertaken as shown on Landscape Plan, Sheet 5 of the Graphic Attachment prepared by RMM and attached as *[Add sheet to Consent Notice Documentation]*. These landscape areas shall be maintained by the landowners and cannot be altered or removed.
- k) A landscape plan to be prepared by a suitably qualified landscape architect that shall be submitted to Council for approval at the time of Building Consent for any proposed dwelling or accessory buildings for Lots 3 – 5 and 12 – 20. This Landscape Plan shall show the following:

- i. A maximum 500m² curtilage;
- ii. Planting and grassing of any cut and fill batters for earthworks for driveways or building platforms;
- iii. Planting to integrate any buildings and any associated water tanks into the landscape;
- iii. Planting to soften and filter views of built form in views from properties located on Cainmuir and Patersons Road to the east of the site;
- iv. Ongoing maintenance obligations: and
- vi. Landscaping in accordance with the approved Landscape Plan shall be implemented within 18 months of Building Consent being approved and maintained in accordance with the approved plan.

Slope Stability

- l) The subdivision development design and implementation shall observe the recommendations of the Engeo geotechnical report titled Geotechnical Investigation - Lot 4 Water Race Hill, Bannockburn, entered into Council records as part of the approved documentation of resource consent RC230398, including but not limited to the following specific measures:
 - I. Lot 18: Specific engineering mitigation design will be required to address creep of surficial soil overlying shallow bedrock for any development.
 - II. Lots 15, 16, 17 and 19: Good engineering practice for hill slope development must be applied for any development.
 - III. Lots 1 and 9, foundation construction shall be set back from the crest at a horizontal distance at least twice the adjacent vertical slope height

Earthworks

- k) A site-specific erosion and sediment control plan, commensurate with scale of proposed disturbance, should be prepared prior to initiating ground disturbing activities. General advice and guidance that is appropriate for minor works at the Rosebank Industrial Park can be found in the Building on Small Site Brochure from the Auckland Council. Link: [Building on small sites \(aucklandcouncil.govt.nz\)](http://aucklandcouncil.govt.nz)

All site disturbance must undertake erosion and sediment control and dust control by adopting the following principles:

- Limiting the duration and extent of soil disturbance as practicable.
- Avoiding work during heavy rain.
- Diverting clean stormwater away from excavations/exposed soil.
- *Containing runoff within the excavations during rainfall events.*
- *Brushing or sweeping vehicle wheels that have been in contact with exposed soil clean prior to leaving the site.*
- Regular visual monitoring of the effectiveness of erosion and sediment control measures shall take place throughout the duration of the soil disturbance activity until the soil is returned to an erosion resistant state.

Heritage

- l) The following heritage controls are imposed on the lots identified in accordance with the plan at Appendix 2

Note: The plan at Appendix 2 must be attached to the consent notice

LOT	Feature	Condition
1	Retain & protect (blue) shallow sluicing's water race & sluice face (yellow)	No earthworks, hard landscaping features or structures allowed to be built over these areas attached as Appendix 2.
9	Retain & protect (blue) shallow sluicing's water race bordering Pennyweight sluicing F41/368 Lot 51 (excepting branch (red)) in Lot 9	Sluice gulch: No earthworks, hard landscaping features or structures allowed to be built over these areas.
40	Within Lot 40 preserve lower remnants sluicing's Penny weights & others; water race remnants; hand revetted stacked wall sections; hardwood post and wire fence line remnants x 2; hand stacked tailings.	The Lot owner is alerted to the presence of archaeological items.
50	Lot 50 incorporates and protect west facing terrace sluice face off Lot 1 & pedestal mining claim boundary marker 2. Include archaeological protection rule in Lot 50 to protect these features. (F41/385 Revell's Gully Sluicing's)	The Lot owner is alerted to the presence of archaeological items.
51	Retain & protect (blue) shallow sluicing's water race bordering Pennyweight sluicing & the sluicing's F41/368 (excepting branch (red) in Lot 9)	The Lot owner is alerted to the presence of archaeological items.

ADVICE NOTES:

Earthworks

1. An earthworks consent will be required from the Otago Regional Council
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.

Heritage

4. An Archaeological Authority will be required before any site disturbance occurs and in particular:
 - Lot 6: Apply for archaeological authority to destroy portions marked (red) on plan; being (F41/369 Upper water race)
 - Lot 9: Apply for authority to modify/destroy (red) branch water race Lot 9 (supplied from F41/369 Upper water race)
 - Lots 16, 17, 18 & 19: Apply for authority to modify/destroy (red) sections of branch water race that traverses the lots.
 - Lots 20: Apply for archaeological authority to remove section of hardwood post & wire fence line & repurpose hardwood posts. Apply for authority to modify/destroy (red) sections of branch water race that also traverse Lots 16, 17, 18 & 19.
 - Lot 30: Apply for archaeological authority to modify/disturb portions marked (blue) on plan traversing lots 30. (F41/369 Upper water race) Apply for archaeological authority for adaptive reuse 267m of lower water race as footpath and destruction of 3 sections for roadway/driveways and 2 sections for pathways & single track crossings totalling 10m (F41/369 linked lower water race).
 - Lot 40: Apply for an archaeological authority to adaptively reuse the water race as public walking track within Lot 40.
 - Lot 51: Apply for authority to modify/destroy (red) branch water race Lot 9 (supplied from F41/369 Upper water race).

Development Contributions

5. 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.
6. Development contributions for roading of \$32,882.96, Water supply of \$53,947.36 and wastewater \$51,861.83 (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

7. 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.

General

8. 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.
9. 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.
10. 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.
11. 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.
12. The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.
13. This is a resource consent. Please contact the Council's Building Services Department, about the building consent requirements for the work.