

6 November 2018

Scott and Butson Estate Limited
C/-Terramark Limited
P O Box 235
Dunedin 9054

Via email: maaike@terramark.co.nz

Dear Russell and Suzanne

RESOURCE CONSENT APPLICATIONS: SUB-2018-63; LUC-2018-347
90 OROKONUI ROAD
WAITATI

The above applications for Subdivision and Land Use consent were processed on a limited notified basis in accordance with Section 95 of the Resource Management Act 1991. The Consent Hearings Committee, comprised of independent commissioners Colin Weatherall (Chairperson), Andrew Noone and Ros Day-Cleavin, heard and considered the application at a hearing on Monday 29 October 2018.

At the end of the public part of the hearing, the Committee, in accordance with Section 48(1) of the Local Government Official Information and Meetings Act 1987, resolved to exclude the public.

Site visits were undertaken by the Hearings Committee prior to the hearing on Friday 26 October and immediately following the hearing.

The Committee **granted** consent to the applications on 6 November 2018 with the exception of the reauthorisation of the tavern consent on Lot 41. As the subdivision stages can be progressed in any order a number of additional land use consents are necessary as part of the approval to ensure staging can progress in a co-ordinated manner. The full text of this decision commences below with consent certificates attached to this letter.

The Hearing and Appearances

The applicant was represented by:
Maaike Duncan (Applicant's surveyor and agent).

Council staff attending were:

John Sule (Advisor to Committee), Lianne Darby (Processing Planner), Logan Copland and Grant Fisher (Transport Planners) and Janet Favel (Governance Support Officer).

Submitters in attendance included:

Graham Bennett the owner and occupier of 3 Chelivode Street.

Procedural Issues

The Committee Chair raised the matter of an emailed withdrawal of an affected party approval and a possible late submission from Andrea Newman from 60 Orokonui Road received by the Council on 12 October 2018. The Chair confirmed with the Committee Advisor that the nature of the email withdrawing the affected party approval could also be considered as a late submission. He then asked the applicant's agent whether they were opposed to the submission being accepted by the Committee. The applicant's agent noted that they would address the matter of the tavern in their opening submissions and identified that the applicant was not opposed to acceptance of the late submissions if it was acknowledged that the opposition to the proposal was only directed to the tavern component of the application not the subdivision. Commissioner Noone confirmed that this was the Committee understanding of the submission.

After hearing from the applicant, the Committee made a decision to accept the email from Andrea Newman as a late submission under Section 37 of the RMA.

No other procedural issues were identified.

Principal Issues of Contention

The principal issues of contention are as follows:

- Whether it is safe to use an existing ROW to access residential activities on proposed Lots 43, 44 and 53 in addition to an existing rural access use? And, whether the use of an alternative access to Lot 53 is appropriate.
- The proposed continuance of an existing tavern consent on a smaller site with residential activity nearby.

Summary of Evidence

Introduction from Processing Planner

Lianne Darby introduced the staged subdivision and land use proposal for 11 lots outlining the previous consents for the site and the activity status under the operative Plan and the proposed District Plan (2GP). Ms Darby identified that the application was subject to the NES-CS due to potential soil contamination.

Ms Darby indicated that there was an ephemeral water course within the site that the operative District Plan identified as requiring an esplanade strip. Her recommendation was for the Hearing Committee to waive the requirement for an esplanade strip as the water course was ephemeral and did not display ecological values warranting the provision of an esplanade strip.

Ms Darby outlined the submissions received and the affected party approvals obtained. She noted a late withdrawal of an affected party approval and submission in opposition by Andrea Newman at 60 Orokonui Road. Ms Darby noted that there were no issues identified by Council Departments that could not be managed through conditions.

Ms Darby noted that the proposal was contrary to some of the rural zone 2GP objectives and policies but she considered the proposal at least passed the effects limb of Section 104D as the effects were no more than minor.

Ms Darby also identified that in her view the proposal was a true exception given the former use of the land and the existing buildings. As a result, it was not likely to result in an undesirable precedent.

Ms Darby recommended that the consent be granted.

In response to questions from the panel, Ms Darby indicated that the use of the former pavilion building as a tavern raised compatibility concerns but she had recommended that it be approved on the basis it was consented and had previously been given effect to and therefore formed part of the existing environment.

The Applicant's Case

Ms Duncan outlined the applicant's case for the 11-lot subdivision noting that the large lot residential proposal would be a mix of refurbished existing buildings and new developments on new sites. The subdivision was proposed in response to direct approaches to the applicant for smaller new build sites. Ms Duncan identified that specific building platforms and no build areas were proposed for some of the lots to manage amenity impacts.

In response to the matters raised in the Section 42A Report Ms Duncan confirmed the following matters for the Committee:

- That the applicant accepted that a 10m setback to 3 Chelivode Street recommended by Ms Darby as a condition was appropriate.
- That the applicant accepted that the workshop/house on Lot 53 requires removal if a new dwelling is to be established but the barn is to be retained for storage.
- That the apartment on Lot 44 is to become a family flat and that its primary access was from within lot 44. The lower area will be used for storage and will rely on the farm ROW or access. The applicant intends to retain this building.
- The applicant would agree to the surrender of the tavern consents as part of the approval of the subdivision and land use consents.
- The applicant accepts the promoted conditions for the staged upgrading of the private vehicle access.
- The applicants wished to retain the proposed access off the farm ROW to lots 43, 44 and 53.
- The applicant agreed with Ms Darby that the proposal passes the 104D threshold test on effects considerations.
- The applicant accepted upgrading of the farm access ROW to 5m with the exception of an area of curb to curb formation that was 4m wide.
- The applicant accepted the remaining suite of conditions.

Ms Duncan responded to questions from the Committee regarding the use of an alternative access over Lot 51 to access Lot 53 and the vehicle access to Lot 44 from the farm track.

Expert Evidence

Transport Planner Mr Copland advised the Committee that the use of the existing ROW access over 3 Chelivode Street was acceptable to Transportation for use by Lots 43, 44 and 53 and when upgraded would be in line with the District Plan expectations. He advised the Committee that the small section of the access proposed to be 4m wide was acceptable.

Mr Copland responded to questions regarding the suitability of the access noting that the low volume of the use was a factor in the access being considered acceptable.

In a response to the formation standard required for the alternative access across lot 51 he noted that for a standard residential access on rural land that an all-weather surface was necessary and the legal and formed width would vary with the number of users.

Evidence of Submitters

Mr Bennett identified his land holdings surrounding the Orokonui site and explained that the vehicle access proposed for Lots 43, 44 & 45 was his primary farm access and was used by heavy vehicles. He noted that his principal concern with the proposal was in relation to health and safety. He outlined his legislative obligations and the reasons why he considered the additional use would be unsafe and noted that there was a viable access alternative through the existing track over Lot 51 to Lot 53. He urged the Committee to consider the alternative access option which was practical in his view and was necessary to address safety issues.

Mr Bennett also raised the following matters:

- The difficulty of enforceability of family flat restrictions proposed for the building on Lot 44.
- The use of a private access that significantly exceeds the maximum of 12 specified in the District Plan.
- The public use of a private road access on his land that in his view should be legal road and managed by the Council.

Processing Planner's Review of Recommendation

Ms Darby acknowledged the applicant's proposal to surrender the tavern consent resolved issues of compatibility with the tavern but the ROW situation was complicated. Ms Darby noted that she had walked the alternative access to Lot 53 which was steep in places and it could be imposed by condition but people could not be easily made to use it. She noted that there was an existing more efficient option to use the ROW and the Council could not legally cancel it without the dominant tenements approval. Ms Darby noted that she had required the upgrading of the access in line with District Plan requirements and this was considered acceptable by the Council's Transportation Planners.

Ms Darby noted that the number of users of the private access was well over 12 as identified by Mr Bennett but the resource consent process allowed approval of additional users. She noted that other owners and occupiers using the access had either provided affected party approval or had not submitted.

She acknowledged the safety concerns of Mr Bennett and noted the options available to the Committee in deciding on the most appropriate approach to the safety concerns that had been raised.

Applicants Right of Reply

The applicant's agent indicated that during the adjournment she had obtained instruction from her client Mr Butson. She noted that the applicant had taken into account submitter concerns and had agreed to surrender the tavern consents. Ms Duncan indicated that the applicant considered the access from the farm ROW to lots 43, 44 and 53 was appropriate and was the applicant's preference as it was the most efficient access. She indicated Mr Butson was not prepared to put forward a reconfiguration of the site and was not open to consideration of alternative access through Lot 51 on the basis that it was not economically feasible. Ms Duncan noted that the proposal passed the effects limb of Section 104D and could be granted by the Committee and it would not give rise to an undesirable precedent. Ms Duncan noted the conditions recommended by Ms Darby for staged upgrading of the vehicle accesses were acceptable to the applicant and she had been advised that contractors were on site commencing the first stage of upgrading. In response to a question about the potential for upgrading the farm ROW access beyond district plan minimums Ms Duncan indicated that consideration could be given to widening potentially unsafe sections of the farm ROW access. She indicated she would take measurements of the access where it narrows from 10m wide and provide the details to the Committee. The information was provided by Ms Duncan on Tuesday 30 October and circulated to all parties.

Statutory and Other Provisions

In accordance with Section 104 of the Resource Management Act 1991, the Planner's Report detailed in full the relevant statutory provisions and other provisions the Committee considered. Regard was given to the relevant provisions of the following chapters of the Dunedin City District Plan: 4 Sustainability, 6 Rural Zones, 18 Subdivision, 20 Transportation and 21 Environmental Issues. Consideration was also given to the relevant provisions on the Proposed District Plan (2GP). Statutory provisions considered included the Section 104D threshold test. Regard was also given to the Regional Policy Statement for Otago.

Main Findings on Principal Issues of Contention

The Hearings Committee has considered the evidence heard, the relevant statutory and plan provisions, the principal issues in contention. The main findings on the principal issues have been incorporated within the reasons discussed below.

Decision

The final consideration of the application, which took into account all information presented at the hearing, was held during the public-excluded portion of the hearing. The Committee reached the following decision after considering the application under the statutory framework of the Resource Management Act 1991. In addition, a site visit was undertaken prior to the hearing and during the public-excluded portion of the hearing. This assisted the Committee in the consideration of submissions and evidence.

The Committee made the following decisions:

SUB-2018-63

*That pursuant to section 34A(1) and 104B and after having regard to sections 104 and 104D of the Resource Management Act 1991, the operative District Plan and Proposed Plan, and the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ("the NES"), the Dunedin City Council **grants** consent to the **non-complying** activity being the staged subdivision of the land subject to the NES legally described as Lot 100 DP 506797 (CFR 768400) at 90 Orokonui Road, into a total of eleven residential lots, subject to conditions imposed under sections 108 and 220 of the Act, as follows:*

That the esplanade strip requirement for the waterway through 90 Orokonui Road, Waitati (Lot 100 DP 506797 (CFR 768400), as required by sections 77 and 230 of the Resource Management Act 1919 and the Dunedin City District Plan Rule 18.5.5, is waived in full for the subdivision consent SUB-2018-63 and any subsequent subdivision proposal involving this section of waterway.

LUC-2018-347

*That, pursuant to sections 34A(1) and 104B of the Resource Management Act 1991, and having regard to Part II matters and sections 104 and 104D, the Dunedin City District Plan, and the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES), the Dunedin City Council **grants** consent to a **non-complying** activity being:*

- Change of use, and the disturbance of soils for site remediation purposes under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ("the NES");*
- Residential activity (one unit only) within the hall building or a new residential dwelling on Lot 41 SUB-2018-63;*
- The above residential activity of future Lot 41 SUB-2018-63 where forming part of the balance land of all stages of SUB-2018-63;*
- The residential activity within existing buildings (coinciding with the residential units of Lots 42, 44, 53, 61 and 81 SUB-2018-63 – one unit each - but not new builds) while part of the balance land;*

*That, pursuant to sections 34A(1) and 104B of the Resource Management Act 1991, and having regard to Part II matters and sections 104 and 104D, and the Dunedin City District Plan, the Dunedin City Council **declines** consent to a **non-complying** activity being the reauthorisation of the tavern on Lot 41 or the balance land of any stage of SUB-2018-63.*

LUC-2018-646

*That, pursuant to sections 34A(1) and 104B of the Resource Management Act 1991, and having regard to Part II matters and sections 104 and 104D, the Dunedin City District Plan, and the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES), the Dunedin City Council **grants** consent to a **non-complying** activity being:*

- *Change of use, and the disturbance of soils for site remediation purposes under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ("the NES");*
- *Residential activity (one unit only) on Lot 42 within the chapel building or a new residential dwelling;*

LUC-2018-648

*That, pursuant to sections 34A(1) and 104B of the Resource Management Act 1991, and having regard to Part II matters and sections 104 and 104D, the Dunedin City District Plan, and the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES), the Dunedin City Council **grants** consent to a **non-complying** activity being:*

- *Change of use, and the disturbance of soils for site remediation purposes under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ("the NES");*
- *Residential activity (one unit only) on Lot 43 in a new residential dwelling;*

LUC-2018-649

*That, pursuant to sections 34A(1) and 104B of the Resource Management Act 1991, and having regard to Part II matters and sections 104 and 104D, the Dunedin City District Plan, and the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES), the Dunedin City Council **grants** consent to a **non-complying** activity being:*

- *Change of use, and the disturbance of soils for site remediation purposes under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ("the NES");*
- *The disturbance of soils for site remediation purposes under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ("the NES");*
- *Residential activity (one unit only) on Lot 44 within the main existing residential dwelling or replacement building;*
- *An associated residential activity (family flat) within the existing one-bedroom apartment.*

LUC-2018-650

*That, pursuant to sections 34A(1) and 104B of the Resource Management Act 1991, and having regard to Part II matters and sections 104 and 104D, and the Dunedin City District Plan, the Dunedin City Council **grants** consent to a **non-complying** activity being:*

- *Residential activity (one unit only) on Lot 51 in a new residential dwelling;*

LUC-2018-651

*That, pursuant to sections 34A(1) and 104B of the Resource Management Act 1991, and having regard to Part II matters and sections 104 and 104D, and the Dunedin City District Plan, the Dunedin City Council **grants** consent to a **non-complying** activity being:*

- *Residential activity (one unit only) on Lot 52 in a new residential dwelling;*

LUC-2018-652

That, pursuant to sections 34A(1) and 104B of the Resource Management Act 1991, and having regard to Part II matters and sections 104 and 104D, the Dunedin City District Plan, and the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES), the Dunedin City Council **grants** consent to a **non-complying** activity being:

- Change of use, and the disturbance of soils for site remediation purposes under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ("the NES");
- Residential activity (one unit only) on Lot 53 in either an existing building or a replacement building;

LUC-2018-653

That, pursuant to sections 34A(1) and 104B of the Resource Management Act 1991, and having regard to Part II matters and sections 104 and 104D, the Dunedin City District Plan, and the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES), the Dunedin City Council **grants** consent to a **non-complying** activity being:

- Change of use, and the disturbance of soils for site remediation purposes under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ("the NES");
- Residential activity (one unit only) on Lot 61 within the existing building or a replacement building;

LUC-2018-654

That, pursuant to sections 34A(1) and 104B of the Resource Management Act 1991, and having regard to Part II matters and sections 104 and 104D, and the Dunedin City District Plan, the Dunedin City Council **grants** consent to a **non-complying** activity being:

- Residential activity (one unit only) on Lot 71 within a new residential dwelling;

LUC-2018-655

That, pursuant to sections 34A(1) and 104B of the Resource Management Act 1991, and having regard to Part II matters and sections 104 and 104D, the Dunedin City District Plan, and the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES), the Dunedin City Council **grants** consent to a **non-complying** activity being:

- Change of use, and the disturbance of soils for site remediation purposes under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ("the NES");
- Residential activity (one unit only) on Lot 81 within the existing building or a replacement building;

LUC-2018-656

That, pursuant to sections 34A(1) and 104B of the Resource Management Act 1991, and having regard to Part II matters and sections 104 and 104D, and the Dunedin City District Plan, the Dunedin City Council **grants** consent to a **non-complying** activity being:

- Residential activity (one unit only) on Lot 82 within a new residential dwelling,

Reasons for this Decision

1. The Committee agreed that the subdivision and development proposal results in conflict with Rural zone objectives and policies, particularly in relation to the proposed 2GP. Despite this it agreed with the possessing planner that the site is not rural in character and is not likely to revert to a rural use in the future. The site is currently used for residential activities and the Committee considers that large lot residential use of the land appears to be the best way of sustainably reusing existing buildings and infrastructure and avoiding land use incompatibility which are both promoted by the wider operative Plan policy framework.
2. The Committee is of the view that with mitigation in place the adverse effects of the proposal will be minor and the proposal will satisfy the effects limb of the gateway tests contained in Section 104D of the Resource Management Act 1991. As such, the Committee were, therefore, able to consider granting of consent to the proposal.
3. The Committee considers that the proposal is a “true exception” as it is subdividing the non-rural portion of the former Orokonui Hospital land which has a number of institutional buildings associated with it. It is a relatively unusual development proposal that will not threaten the integrity of the District Plan through a plethora of like applications or establish an undesirable precedent for future applications.
4. The Committee accepted the applicants offer to surrender the existing tavern consent that had not been used for many years. The tavern consent was not considered by the Committee to be compatible with increased large lot residential activity and a private vehicle access. A condition is imposed requiring formal surrender of tavern consents.
5. The principle effects issue was the safe use of the ROW access over Mr Bennetts land at 3 Chelivode Street. The Committee understood the reasons for Ms Darby’s access recommendations which were in accordance with the District Plan access standards for a permitted rural access and were supported by the Transportation Planners advice that the ROW was of an acceptable standard. Despite this, it was mindful of Mr Bennett’s safety concerns arising from mixing a principal farm access with standard residential use.
6. It agrees with Ms Darby that it cannot cancel the ROW but as the proposed residential activity on the proposed lots is a non-complying activity it could potentially place restrictions on that residential use to secure a safe access to the site provided the conditions used are necessary to manage an adverse effect and are consistent with Newbury principles. The options identified at the hearing for the Committee to consider were:
 - Require the establishment of an alternative residential access to Lot 53 along the boundary of Lot 51 and install an ongoing condition preventing the use of the ROW access over 3 Chelivode Street.
 - Require further improvements to the existing farm ROW access to improve safety.
 - Require lot 53 to be amalgamated with another lot that has an alternative access reducing the scale of the activity.
7. The Committee considered that of those options requiring improvements to the existing farm ROW to secure a safe access was appropriate. It recognised the legal right to access the land and buildings on proposed lots 43, 44 and 53 and noted that the ROW was the most efficient access to the proposed site. Conditions regarding signage, access upgrading and vegetation clearance are imposed that the Committee considers are adequate to secure safe use of the access.
8. The Committee supported the 10m setback from 3 Chelivode Street recommended by Ms Darby and agreed to at the hearing by the applicant and the suite of conditions promoted by Ms Darby. These will be supplemented by additional conditions in relation to the tavern and the farm ROW access.

9. The Committee agreed with the processing planner's assessment of the watercourse and the recommendation that the esplanade requirement should be waived. It noted that it was no longer part of esplanade requirements under the proposed 2GP.
10. The Committee noted that a 10 year lapse period was applied to the previous subdivision consent and it notes that the development will occur progressively in stages. On that basis it has applied a 10 year lapse period.
11. The Council acknowledges the Submission from Mr Visser but notes that it is difficult to address the matter raised as part of this application. The applicant is encouraged to liaise with the Council's Solid Waste Department on solid waste collection from sites within the subdivision and put in place appropriate measures to ensure the orderly storage and collection of waste that minimises nuisance impacts on neighbours. An advice note is included on the subdivision consent to that effect.
12. The Committee concluded that the granting of the consent would be consistent with the purpose of the Resource Management Act 1991 to promote the sustainable management of natural and physical resources.

Right of Objection

Pursuant to Sections 357A(1)(f) and 357A(2) of the Resource Management Act 1991, the consent holder may object to this decision or any condition if:

- (i) The application was notified, and
- (ii) Either no submissions were received or any submissions received were withdrawn.

And

- (a) The application was for a controlled activity, or
- (b) The application was for a restricted discretionary, discretionary or non-complying activity that was not declined by the Hearings Committee, or
- (c) The application was declined by an officer under delegated authority.

Any objection must be made within 15 working days of the decision being received, by applying in writing to the Dunedin City Council at the following address:

Senior Planner - Enquiries
Dunedin City Council
PO Box 5045
Moray Place
Dunedin 9058

In accordance with Section 357AB of the Resource Management Act 1991, the consent holder may, when making the objection, request that the objection be considered by a hearings commissioner. The Council will then delegate its functions, powers and duties in relation to consider and decide the objection to an independent hearings commissioner. Please note that the applicant may be required to pay for the full costs of the independent hearings commissioner.

Right of Appeal

Pursuant to Section 120(1A) of the Resource Management Act 1991, no right of appeal to the Environment Court against the whole or any part of this decision exists for the following:

- (a) *A boundary activity, unless the boundary activity is a non-complying activity;*
- (b) *A subdivision, unless the subdivision is a non-complying activity;*
- (c) *A residential activity, unless the residential activity is a non-complying activity.*

(Refer Section 87AAB of the Act for definition of "boundary activity", and refer to Section 95A(6) for definition of "residential activity".)

For all other applications, in accordance with Section 120 of the Resource Management Act 1991, the applicant and/or any submitter may appeal to the Environment Court against the whole or any part of this decision within 15 working days of the notice of this decision being received.

The address of the Environment Court is:

The Registrar
Environment Court
PO Box 2069
Christchurch Mail Centre
Christchurch 8013

Any appeal must be served on the following persons and organisations:

- The Dunedin City Council.
- The applicant(s).
- Every person who made a submission on the application.

Failure to follow the procedures prescribed in Sections 120 and 121 of the Resource Management Act 1991 may invalidate any appeal.

Commencement of Consent

As stated in Section 116 of the Resource Management Act 1991, this consent will only commence once the time for lodging appeals against the grant of the consent expires and no appeals have been lodged, or the Environment Court determines the appeals or all appellants withdraw their appeals, unless a determination of the Environment Court states otherwise.

Monitoring

Section 35(2)(d) of the Resource Management Act 1991 requires every council to monitor resource consents that have effect in its region or district. The scale and nature of the activity, the complexity and number of the conditions needed to address the environmental effects and whether the conditions have been complied with determines the number of monitoring inspections required. Given the nature of your intended works/activity, the land use consents will require an annual inspection for the first 3 years.

The City Planning Department sets out the fixed fees charged for monitoring in its schedule of fees. The fee for your scheduled inspections will be included in the invoice for your application.

It should be noted that if additional inspections are required, beyond those scheduled at the time the consent is issued, then there is the ability to apply additional charges to cover the costs of these extra inspections. Often you can reduce the need for additional inspections by complying with the conditions of consent in a timely manner and by ensuring on-going compliance with those conditions. Please ensure that you read the conditions of your consent carefully to establish your obligations when exercising your consents.

Yours faithfully



Colin Weatherall
Chair
Hearings Committee

Consent Type: Subdivision
Consent Number: SUB-2018-63

Purpose: The staged subdivision of 90 Orokonui Road, Waitati, into eleven residential lots, with the staging to be given effect to in any order.

Location of Activity: 90 Orokonui Road, Waitati.

Legal Description: Lot 100 DP 506797 (CFR 768400).

Lapse Date: 6 November 2028, unless the consent has been given effect to before this date.

Subdivision SUB-2018-63

*That pursuant to section 34A(1) and 104B and after having regard to sections 104 and 104D of the Resource Management Act 1991, the District Plan and Proposed Plan, and the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ("the NES"), the Dunedin City Council **grants** consent to the **non-complying** activity being the staged subdivision of the land subject to the NES legally described as Lot 100 DP 506797 (CFR 768400) at 90 Orokonui Road, into a total of eleven residential lots, subject to conditions imposed under sections 108 and 220 of the Act, as follows:*

Stage A – Subdivision creating Lot 42 and balance land:

1. *The proposal shall be given effect to generally in accordance with the plans prepared by Terramark Ltd, entitled, 'Orokonui Estate Proposed Subdivision of Lot 100 DP 506797,' and 'Lot 42 Orokonui Estate The Chapel,' (and 'Lot 41 Orokonui Estate – The Hall' if Lot 41 is the balance land) and the accompanying information submitted as part of SUB-2018-63 received at Council on 28 June 2018, except where modified by the following:*
2. *That prior to certification of the survey plan pursuant to section 223 of the Resource Management Act 1991, the applicant shall ensure the following:*
 - a) *That if a requirement for any easement for services is incurred during the survey, then those easements must be granted or reserved and included in a Memorandum of Easements.*
 - b) *That a right of way must be duly created or reserved over the balance land along the shared accessway in favour of Lot 42 as necessary to provide full access, and must be shown on the survey plan in a Memorandum of Easements. The right of way must have a minimum legal width of 6.0m.*
 - c) *That, if the balance land is comprised of several parcels, these parcels must be amalgamated into one site. The wording of the amalgamation condition must be submitted to Council's Subdivision Planner for approval at least ten days before the application for s223 certification is lodged at Council.*

- d) *That, if so desired, the easements of Transfer 937406.5 shall be cancelled in part, as appropriate, where not required in respect of the new lots, and shall be shown on the plan in a Schedule of Easements to be Cancelled*
3. *Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the applicant shall complete the following:*

Lot 42 conditions:

- a) *That a detailed site investigation of areas within Lot 42 where there is known burial of contaminated materials; the land where development is proposed; the curtilage of existing buildings; and/or the sites of fuel tanks and/or boiler houses; must be undertaken by a suitably qualified person to determine the distribution and composition of soil contamination (if any) present. The report shall be submitted to the Council for its records. The report shall, if applicable, advise on the mitigation measures necessary to successfully remediate or manage the land in order for it to be used without danger to human health.*
- b) *The works, if any, identified by the report of condition 3(a) above, must be undertaken to the satisfaction of Council, so as to ensure that the land around buildings can be used for residential activity without danger to human health.*
- c) *Following completion of the remediation works, a Site Validation report must be prepared by a suitably qualified person to confirm that the site has been remediated to an acceptable state in terms of the NES provisions. The report must be submitted to the Council for approval.*
- d) *That a plan must be prepared showing the boundaries of Lot 42 and the existing chapel building. The plan must show the no-build area as depicted on the application plan for Lot 42, and must be clearly labelled as 'no build area'. A line 4.5m from the site boundaries in all other locations must be shown and labelled 'setback line'. The plan must be attached to the consent notice of condition 3(e) below.*
- e) *That a consent notice must be prepared for registration on the title of Lot 42 for the following on-going condition:*
- (i) *No structures must be constructed within the 'no-build area' as shown on the attached plan. Any new building on this site must be built outside of the no-build area and inside the 4.5m setback distances, or resource consent will be required. The setback distances shown on this diagram shall override the setbacks or yards specified in the District Plan for this zone.'*
- f) *An 85.0m length of the right of way over the balance land must be upgraded or repaired so as to be at least 5.0m formed width and hard surfaced with a good standard of surfacing. The section to be upgraded or repaired must be measured from either the entranceway to the site (the northwest corner of proposed Lot 43) or the upper limit of the previous section if this is not the first section of the right of way to be upgraded.*
- g) *That if there is an existing consent notice on the subject site of this stage relating to the no-build area at the northwest end of the subject site, then this consent notice must be cancelled.*

[Either the 'Lot 41 conditions' or the 'balance land conditions' will apply, but not both. The conditions which apply will depend on whether or not Lot 41 is the balance land or part of the balance land.]

Lot 41 conditions:

- h) *That, if Lot 41 is the balance area of this stage, then a detailed site investigation of areas within Lot 41 where there is known burial of contaminated materials; the land where development is proposed; the curtilage of existing residential buildings; and the sites of fuel tanks and/or boiler houses; shall be undertaken by a suitably qualified person to determine the distribution and composition of soil contamination (if any) present. The report shall be submitted to the Council for its records. The report shall, if applicable, advise on the mitigation measures necessary to successfully remediate or manage the land in order for it to be used without danger to human health.*
- i) *The works, if any, identified by the report of condition 3(h) above, must be undertaken to the satisfaction of Council, so as to ensure that the land around buildings can be used for residential activity without danger to human health.*
- j) *Following completion of the remediation works, a Site Validation report must be prepared by a suitably qualified person to confirm that the site has been remediated to an acceptable state in terms of the NES provisions. The report must be submitted to the Council for approval.*
- k) *That, if Lot 41 is the balance area of this stage, then a plan must be prepared showing the residential and utility building platforms in relation to the existing buildings and site boundaries. The building platforms must be clearly labelled as appropriate. The plan must be attached to the consent notice of condition 3(l) below.*
- l) *That, if Lot 41 is the balance area of this stage, then a consent notice must be prepared for registration on the title of Lot 41 for the following on-going condition:*

'Any new residential building on this site must be constructed fully within the 'residential building platform' as shown on the attached plan, unless further resource consent is required.'

Balance land conditions:

- k) *A plan must be prepared showing the areas of future Lots 43 and 44 (where these future lots form part of the balance land) which are to be 'no-build areas', and the lawn area on future Lot 41 to the west of the hall building. The plan must be clearly labelled so as to indicate that these areas of the balance land must not be built on. The plan must be attached to the consent notice of condition 3(l) below.*
- l) *That, a consent notice must be prepared for registration on the balance land for the following on-going condition:*

'In order to protect the landscaping at the north-western end of this site from development, no buildings must be constructed within the area shown on the attached plan as being no-build areas.'

Stage B – Subdivision creating Lot 43 and balance land:

- 4. *The proposal shall be given effect to generally in accordance with the plans prepared by Terramark Ltd, entitled, 'Orokonui Estate Proposed Subdivision of Lot 100 DP 506797,' and 'Lot 43 Orokonui Estate,' (and 'Lot 41 Orokonui Estate – The Hall' if Lot 41 is the balance land) and the accompanying information submitted as part of SUB-2018-63 received at Council on 28 June 2018, except where modified by the following:*

5. *That prior to certification of the survey plan pursuant to section 223 of the Resource Management Act 1991, the applicant shall ensure the following:*
- a) *That if a requirement for any easement for services is incurred during the survey, then those easements must be granted or reserved and included in a Memorandum of Easements.*
 - b) *That a right of way must be duly created or reserved over the balance land along the shared accessway in favour of Lot 43 as necessary to provide full access, and must be shown on the survey plan in a Memorandum of Easements. The right of way must have a minimum legal width of 6.0m.*
 - c) *That, if the balance land is comprised of several parcels, these parcels must be amalgamated into one site. The wording of the amalgamation condition must be submitted to Council's Subdivision Planner for approval at least ten days before the application for s223 certification is lodged at Council.*
 - d) *That, if so desired, the easements of Transfer 937406.5 shall be cancelled in part, as appropriate, where not required in respect of the new lots, and shall be shown on the plan in a Schedule of Easements to be Cancelled*
6. *Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the applicant shall complete the following:*

Lot 43 conditions:

- a) *That a detailed site investigation of areas within Lot 43 where there is known burial of contaminated materials; the land where development is proposed; the curtilage of existing buildings; and/or the sites of fuel tanks and/or boiler houses; must be undertaken by a suitably qualified person to determine the distribution and composition of soil contamination (if any) present. The report shall be submitted to the Council for its records. The report shall, if applicable, advise on the mitigation measures necessary to successfully remediate or manage the land in order for it to be used without danger to human health.*
- b) *The works, if any, identified by the report of condition 6(a) above, must be undertaken to the satisfaction of Council, so as to ensure that the land around buildings can be used for residential activity without danger to human health.*
- c) *Following completion of the remediation works, a Site Validation report must be prepared by a suitably qualified person to confirm that the site has been remediated to an acceptable state in terms of the NES provisions. The report must be submitted to the Council for approval.*
- d) *That a plan must be prepared showing the boundaries of Lot 43 and the no-build area on this lot which must be clearly labelled as 'no build area'. A line 4.5m from the site boundaries in all other locations must be shown and labelled 'setback line'. The plan must be attached to the consent notice of condition 6(e) below.*
- e) *That a consent notice must be prepared for registration on the title of Lot 43 for the following on-going condition:*
 - (i) *No structures must be constructed within the 'no-build area' as shown on the attached plan. Any new building on this site must be built outside of the no-build area and inside the 4.5m setback distances, or resource consent will be required. The setback distances shown on*

this diagram shall override the setbacks or yards specified in the District Plan for this zone.'

- f) The right of way over 3 Chelivode Street from the entranceway to the subject site (the northwest corner of proposed Lot 43) to the driveway into Lot 43 must be upgraded or repaired so as to be at least 5.0m formed width (except where existing kerb and channel confines the access to a narrower width in which case, the driveway can remain at the width already in place) and hard surfaced with a good standard of surfacing. Signage must be installed for traffic travelling in either direction, noting mix of rural and residential traffic and restricting speed to 20km/hr along this stretch of right of way.*
- g) That if there is an existing consent notice on the subject site of this stage relating to the no-build area at the northwest end of the subject site, then this consent notice must be cancelled.*

[Either the 'Lot 41 conditions' or the 'balance land conditions' will apply, but not both. The conditions which apply will depend on whether or not Lot 41 is the balance land or part of the balance land.]

Lot 41 conditions:

- h) That, if Lot 41 is the balance area of this stage, then a detailed site investigation of areas within Lot 41 where there is known burial of contaminated materials; the land where development is proposed; the curtilage of existing residential buildings; and the sites of fuel tanks and/or boiler houses; shall be undertaken by a suitably qualified person to determine the distribution and composition of soil contamination (if any) present. The report shall be submitted to the Council for its records. The report shall, if applicable, advise on the mitigation measures necessary to successfully remediate or manage the land in order for it to be used without danger to human health.*
- i) The works, if any, identified by the report of condition 6(h) above, must be undertaken to the satisfaction of Council, so as to ensure that the land around buildings can be used for residential activity without danger to human health.*
- j) Following completion of the remediation works, a Site Validation report must be prepared by a suitably qualified person to confirm that the site has been remediated to an acceptable state in terms of the NES provisions. The report must be submitted to the Council for approval.*
- k) That, if Lot 41 is the balance area of this stage, then a plan must be prepared showing the residential and utility building platforms in relation to the existing buildings and site boundaries. The building platforms must be clearly labelled as appropriate. The plan must be attached to the consent notice of condition 6(l) below.*
- l)*
- m) That, if Lot 41 is the balance area of this stage, then a consent notice must be prepared for registration on the title of Lot 41 for the following on-going condition:*

'Any new residential building on this site must be constructed fully within the 'residential building platform' as shown on the attached plan, unless further resource consent is required.'

Balance land conditions:

- m) *A plan must be prepared showing the areas of future Lots 42 and 44 (where these future lots form part of the balance land) which are to be 'no-build areas', and the lawn area on future Lot 41 to the west of the hall building. The plan must be clearly labelled so as to indicate that these areas of the balance land must not be built on. The plan must be attached to the consent notice of condition 6(n) below.*
- n) *That, a consent notice must be prepared for registration on the balance land for the following on-going condition:*

'In order to protect the landscaping at the north-western end of this site from development, no buildings must be constructed within the area shown on the attached plan as being no-build areas.'

Stage C – Subdivision creating Lot 44 and balance land:

- 7. *The proposal shall be given effect to generally in accordance with the plans prepared by Terramark Ltd, entitled, 'Orokonui Estate Proposed Subdivision of Lot 100 DP 506797,' and 'Lot 44 The Villa Orokonui Estate,' (and 'Lot 41 Orokonui Estate – The Hall' if Lot 41 is the balance land) and the accompanying information submitted as part of SUB-2018-63 received at Council on 28 June 2018, except where modified by the following:*
- 8. *That prior to certification of the survey plan pursuant to section 223 of the Resource Management Act 1991, the applicant shall ensure the following:*
 - a) *That if a requirement for any easement for services is incurred during the survey, then those easements must be granted or reserved and included in a Memorandum of Easements.*
 - b) *That, if the balance land is comprised of several parcels, these parcels must be amalgamated into one site. The wording of the amalgamation condition must be submitted to Council's Subdivision Planner for approval at least ten days before the application for s223 certification is lodged at Council.*
 - c) *That, if so desired, the easements of Transfer 937406.5 shall be cancelled in part, as appropriate, where not required in respect of the new lots, and shall be shown on the plan in a Schedule of Easements to be Cancelled.*
 - d) *That if the existing sewage pumping line through this site is to be re-routed, then the existing easement for this pipe is to be cancelled, and a new easement created in accordance with the requirements of the Dunedin Code of Subdivision and Development 2010.*
- 9. *Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the applicant shall complete the following:*

Lot 44 conditions:

- a) *That a detailed site investigation of areas within Lot 44 where there is known burial of contaminated materials; the land where development is proposed; the curtilage of existing residential buildings; and/or the sites of fuel tanks and/or boiler houses; shall be undertaken by a suitably qualified person to determine the distribution and composition of soil contamination (if any) present. The report shall be submitted to the Council for its records. The report shall, if applicable, advise on the mitigation measures necessary to successfully remediate or manage the land in order for it to be used without danger to human health.*

- b) *The works, if any, identified by the report of condition 9(a) above, shall be undertaken to the satisfaction of Council, so as to ensure that the land around buildings can be used for residential activity without danger to human health.*
- c) *Following completion of the remediation works, a Site Validation report must be prepared by a suitably qualified person to confirm that the site has been remediated to an acceptable state in terms of the NES provisions. The report must be submitted to the Council for approval.*
- d) *That a plan must be prepared showing the boundaries of Lot 44 and the existing buildings. The plan must show the no-build area as depicted on the application plan for Lot 44, and must be clearly labelled as 'no build area'. A line 4.5m from the site boundaries in all other locations must be shown and labelled 'setback line'. The plan must be attached to the consent notice of condition 9(e) below.*
- e) *That a consent notice must be prepared for registration on the title of Lot 43 for the following on-going condition:*
 - (i) *No structures must be constructed within the 'no-build area' as shown on the attached plan. Any new building on this site must be built outside of the no-build area and inside the 4.5m setback distances, or resource consent will be required. The setback distances shown on this diagram shall override the setbacks or yards specified in the District Plan for this zone.'*
- f) *The right of way over 3 Chelivode Street from the driveway into proposed Lot 43 up to the apartment on Lot 44 must be upgraded or repaired so as to be at least 5.0m formed width and hard surfaced with a good standard of surfacing. Signage must be installed for traffic travelling in either direction, noting mix of rural and residential traffic and restricting speed to 20km/hr along this stretch of right of way.*
- g) *That if there is an existing consent notice on the subject site of this stage relating to the no-build area at the northwest end of the subject site, then this consent notice must be cancelled.*

[Either the 'Lot 41 conditions' or the 'balance land conditions' will apply, but not both. The conditions which apply will depend on whether or not Lot 41 is the balance land or part of the balance land.]

Lot 41 conditions:

- h) *That, if Lot 41 is the balance area of this stage, then a detailed site investigation of areas within Lot 41 where there is known burial of contaminated materials; the land where development is proposed; the curtilage of existing residential buildings; and the sites of fuel tanks and/or boiler houses; must be undertaken by a suitably qualified person to determine the distribution and composition of soil contamination (if any) present. The report shall be submitted to the Council for its records. The report shall, if applicable, advise on the mitigation measures necessary to successfully remediate or manage the land in order for it to be used without danger to human health.*
- i) *The works, if any, identified by the report of condition 9(h) above, must be undertaken to the satisfaction of Council, so as to ensure that the land around buildings can be used for residential activity without danger to human health.*

- j) *Following completion of the remediation works, a Site Validation report must be prepared by a suitably qualified person to confirm that the site has been remediated to an acceptable state in terms of the NES provisions. The report must be submitted to the Council for approval.*
- k) *That, if Lot 41 is the balance area of this stage, then a plan must be prepared showing the residential and utility building platforms in relation to the existing buildings and site boundaries. The building platforms must be clearly labelled as appropriate. The plan must be attached to the consent notice of condition 9(l) below.*
- l) *That, if Lot 41 is the balance area of this stage, then a consent notice must be prepared for registration on the title of Lot 41 for the following on-going condition:*

'Any new residential building on this site must be constructed fully within the 'residential building platform' as shown on the attached plan, unless further resource consent is required.'

Balance land conditions:

- m) *A plan must be prepared showing the areas of future Lots 42 and 43 (where these future lots form part of the balance land) which are to be 'no-build areas', and the lawn area on future Lot 41 to the west of the hall building. The plan must be clearly labelled so as to indicate that these areas of the balance land must not be built on. The plan must be attached to the consent notice of condition 9(n) below.*
- n) *That, a consent notice must be prepared for registration on the balance land for the following on-going condition:*

'In order to protect the landscaping at the north-western end of this site from development, no buildings must be constructed within the area shown on the attached plan as being no-build areas.'
- o) *That, if necessary, the existing sewage pipe through this site must be rerouted so as to lie within any new easement created by condition 8(d) above.*

Stage D – Subdivision creating Lot 51 and balance land:

- 10. *The proposal shall be given effect to generally in accordance with the plans prepared by Terramark Ltd, entitled, 'Orokonui Estate Proposed Subdivision of Lot 100 DP 506797,' and 'Lot 51 Orokonui Estate,' (and 'Lot 41 Orokonui Estate – The Hall' if Lot 41 is the balance land) and the accompanying information submitted as part of SUB-2018-63 received at Council on 28 June 2018, except where modified by the following:*
- 11. *That prior to certification of the survey plan pursuant to section 223 of the Resource Management Act 1991, the applicant shall ensure the following:*
 - a) *That if a requirement for any easement for services is incurred during the survey, then those easements must be granted or reserved and included in a Memorandum of Easements.*
 - b) *That a right of way must be duly created or reserved over the balance land along the shared accessway in favour of Lot 51 as necessary to provide full access, and must be shown on the survey plan in a Memorandum of Easements. The right of way must have a minimum legal width of 6.0m.*
 - c) *That, if the balance land is comprised of several parcels, these parcels must be amalgamated into one site. The wording of the amalgamation condition must be submitted to Council's Subdivision Planner for approval*

at least ten days before the application for s223 certification is lodged at Council.

- d) That, if so desired, the easements of Transfer 937406.5 shall be cancelled in part, as appropriate, where not required in respect of the new lots, and shall be shown on the plan in a Schedule of Easements to be Cancelled

12. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the applicant shall complete the following:

Lot 51 conditions:

- a) That a plan must be prepared showing the boundaries of Lot 51 and the building platform for this lot. The plan must be attached to the consent notice of condition 12(b) below.
- b) That a consent notice must be prepared for registration on the title of Lot 51 for the following on-going condition:
 - (i) 'Any new residential building on this site must be constructed fully within the 'residential building platform' as shown on the attached plan, unless further resource consent is required.'
- c) An 85.0m length of the right of way over the balance land must be upgraded or repaired so as to be at least 5.0m formed width and hard surfaced with a good standard of surfacing. The section to be upgraded or repaired must be measured from either the entranceway to the site (the northwest corner of proposed Lot 43) or the upper limit of the previous section if this is not the first section of the right of way to be upgraded.

[Either the 'Lot 41 conditions' or the 'balance land conditions' will apply, but not both. The conditions which apply will depend on whether or not Lot 41 is the balance land or part of the balance land.]

Lot 41 conditions:

- d) That, if Lot 41 is the balance area of this stage, then a detailed site investigation of areas within Lot 41 where there is known burial of contaminated materials; the land where development is proposed; the curtilage of existing residential buildings; and the sites of fuel tanks and/or boiler houses; shall be undertaken by a suitably qualified person to determine the distribution and composition of soil contamination (if any) present. The report shall be submitted to the Council for its records. The report shall, if applicable, advise on the mitigation measures necessary to successfully remediate or manage the land in order for it to be used without danger to human health.
- e) The works, if any, identified by the report of condition 12(d) above, shall be undertaken to the satisfaction of Council, so as to ensure that the land around buildings can be used for residential activity without danger to human health.
- f) Following completion of the remediation works, a Site Validation report must be prepared by a suitably qualified person to confirm that the site has been remediated to an acceptable state in terms of the NES provisions. The report must be submitted to the Council for approval.
- g) That, if Lot 41 is the balance area of this stage, then a plan must be prepared showing the residential and utility building platforms in relation to the existing buildings and site boundaries. The building platforms must be clearly labelled as appropriate. The plan must be attached to the consent notice of condition 12(h) below.

- h) *That, if Lot 41 is the balance area of this stage, then a consent notice must be prepared for registration on the title of Lot 41 for the following on-going condition:*

'Any new residential building on this site must be constructed fully within the 'residential building platform' as shown on the attached plan, unless further resource consent is required.'

Balance land conditions:

- h) *Either:*

If there is an existing consent notice on the subject site of this stage relating to the no-build area at the northwest end of the subject site, then this consent notice must carry down onto the new title of the balance land.

Or:

A plan must be prepared showing the areas of future Lots 42, 43 and 44 (where these future lots form part of the balance land) which are to be 'no-build areas', and the lawn area on future Lot 41 to the west of the hall building. The plan must be clearly labelled so as to indicate that these areas of the balance land must not be built on. The plan must be attached to the consent notice detailed below.

That, a consent notice must be prepared for registration on the balance land for the following on-going condition:

'In order to protect the landscaping at the north-western end of this site from development, no buildings must be constructed within the area shown on the attached plan as being no-build areas.'

Stage E – Subdivision creating Lot 52 and balance land:

13. *The proposal shall be given effect to generally in accordance with the plans prepared by Terramark Ltd, entitled, 'Orokonui Estate Proposed Subdivision of Lot 100 DP 506797,' and 'Lot 52 Orokonui Estate,' (and 'Lot 41 Orokonui Estate – The Hall' if Lot 41 is the balance land) and the accompanying information submitted as part of SUB-2018-63 received at Council on 28 June 2018, except where modified by the following:*
14. *That prior to certification of the survey plan pursuant to section 223 of the Resource Management Act 1991, the applicant shall ensure the following:*
- a) *That if a requirement for any easement for services is incurred during the survey, then those easements must be granted or reserved and included in a Memorandum of Easements.*
 - b) *That a right of way must be duly created or reserved over the balance land along the shared accessway in favour of Lot 52 as necessary to provide full access, and must be shown on the survey plan in a Memorandum of Easements. The right of way must have a minimum legal width of 6.0m.*
 - c) *That, if the balance land is comprised of several parcels, these parcels must be amalgamated into one site. The wording of the amalgamation condition must be submitted to Council's Subdivision Planner for approval at least ten days before the application for s223 certification is lodged at Council.*
 - d) *That, if so desired, the easements of Transfer 937406.5 shall be cancelled in part, as appropriate, where not required in respect of the new lots, and shall be shown on the plan in a Schedule of Easements to be Cancelled*

15. *Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the applicant shall complete the following:*

Lot 52 conditions:

- a) *That a plan must be prepared showing the boundaries of Lot 52 and the building platform for this lot. The plan must be attached to the consent notice of condition 15(b) below.*
- b) *That a consent notice must be prepared for registration on the title of Lot 52 for the following on-going condition:*
 - (i) *'Any new residential building on this site must be constructed fully within the 'residential building platform' as shown on the attached plan, unless further resource consent is required.'*
- c) *An 85.0m length of the right of way over the balance land must be upgraded or repaired so as to be at least 5.0m formed width and hard surfaced with a good standard of surfacing. The section to be upgraded or repaired must be measured from either the entranceway to the site (the northwest corner of proposed Lot 43) or the upper limit of the previous section if this is not the first section of the right of way to be upgraded.*

[Either the 'Lot 41 conditions' or the 'balance land conditions' will apply, but not both. The conditions which apply will depend on whether or not Lot 41 is the balance land or part of the balance land.]

Lot 41 conditions:

- d) *That, if Lot 41 is the balance area of this stage, then a detailed site investigation of areas within Lot 41 where there is known burial of contaminated materials; the land where development is proposed; the curtilage of existing residential buildings; and the sites of fuel tanks and/or boiler houses; shall be undertaken by a suitably qualified person to determine the distribution and composition of soil contamination (if any) present. The report shall be submitted to the Council for its records. The report shall, if applicable, advise on the mitigation measures necessary to successfully remediate or manage the land in order for it to be used without danger to human health.*
- e) *The works, if any, identified by the report of condition 15(d) above, shall be undertaken to the satisfaction of Council, so as to ensure that the land around buildings can be used for residential activity without danger to human health.*
- f) *Following completion of the remediation works, a Site Validation report must be prepared by a suitably qualified person to confirm that the site has been remediated to an acceptable state in terms of the NES provisions. The report must be submitted to the Council for approval.*
- g) *That, if Lot 41 is the balance area of this stage, then a plan must be prepared showing the residential and utility building platforms in relation to the existing buildings and site boundaries. The building platforms must be clearly labelled as appropriate. The plan must be attached to the consent notice of condition 15(h) below.*
- h) *That, if Lot 41 is the balance area of this stage, then a consent notice must be prepared for registration on the title of Lot 41 for the following on-going condition:*

'Any new residential building on this site must be constructed fully within the 'residential building platform' as shown on the attached plan, unless further resource consent is required.'

Balance land conditions:

h) Either:

If there is an existing consent notice on the subject site of this stage relating to the no-build area at the northwest end of the subject site, then this consent notice must carry down onto the new title of the balance land.

Or:

A plan must be prepared showing the areas of future Lots 42, 43 and 44 (where these future lots form part of the balance land) which are to be 'no-build areas', and the lawn area on future Lot 41 to the west of the hall building. The plan must be clearly labelled so as to indicate that these areas of the balance land must not be built on. The plan must be attached to the consent notice detailed below.

That, a consent notice must be prepared for registration on the balance land for the following on-going condition:

'In order to protect the landscaping at the north-western end of this site from development, no buildings must be constructed within the area shown on the attached plan as being no-build areas.'

Stage F – Subdivision creating Lot 53 and balance land:

16. *The proposal shall be given effect to generally in accordance with the plans prepared by Terramark Ltd, entitled, 'Orokonui Estate Proposed Subdivision of Lot 100 DP 506797,' and 'Lot 53 Orokonui Estate The Hall,' (and 'Lot 41 Orokonui Estate – The Hall' if Lot 41 is the balance land) and the accompanying information submitted as part of SUB-2018-63 received at Council on 28 June 2018, except where modified by the following:*
17. *That prior to certification of the survey plan pursuant to section 223 of the Resource Management Act 1991, the applicant shall ensure the following:*
 - a) *That if a requirement for any easement for services is incurred during the survey, then those easements must be granted or reserved and included in a Memorandum of Easements.*
 - b) *That, if the balance land is comprised of several parcels, these parcels must be amalgamated into one site. The wording of the amalgamation condition must be submitted to Council's Subdivision Planner for approval at least ten days before the application for s223 certification is lodged at Council.*
 - c) *That, if so desired, the easements of Transfer 937406.5 shall be cancelled in part, as appropriate, where not required in respect of the new lots, and shall be shown on the plan in a Schedule of Easements to be Cancelled*
18. *Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the applicant shall complete the following:*

Lot 53 conditions:

- a) *That a detailed site investigation of areas within Lot 53 where there is known burial of contaminated materials; the land where development is proposed; the curtilage of existing residential buildings; and/or the sites of fuel tanks and/or boiler houses; must be undertaken by a suitably*

qualified person to determine the distribution and composition of soil contamination (if any) present. The report must be submitted to the Council for its records. The report shall, if applicable, advise on the mitigation measures necessary to successfully remediate or manage the land in order for it to be used without danger to human health.

- b) *The works, if any, identified by the report of condition 18(a) above, must be undertaken to the satisfaction of Council, so as to ensure that the land around buildings can be used for residential activity without danger to human health.*
- c) *Following completion of the remediation works, a Site Validation report must be prepared by a suitably qualified person to confirm that the site has been remediated to an acceptable state in terms of the NES provisions. The report must be submitted to the Council for approval.*
- d) *That a plan must be prepared showing the boundaries of Lot 53 and the existing buildings. Setback lines must be shown in relation to the boundaries of the lot. Where the lot abuts 3 Chelivode Street, the setback line must be at least 10.0m from the boundary. Elsewhere, the setback line can be 4.5m from the boundary. The setback lines must be clearly labelled. The plan must be attached to the consent notice of condition 18(e) below.*
- e) *That a consent notice must be prepared for registration on the title of Lot 53 for the following on-going condition:*
 - (i) *Any new building on this site must be built inside the setback lines or resource consent will be required. The setback distances shown on this diagram shall override the setbacks or yards specified in the District Plan for this zone.'*
- f) *The right of way over 3 Chelivode Street from the apartment on Lot 44 to the barn on Lot 53 must be upgraded or repaired as follows:*
 - *The kerb next to the wastewater treatment plant must be retained (or replaced with new kerbing in a comparable position);*
 - *The formation must be at least 5.0m wide and the ROW should be widened to the full extent possible between the kerb and the fence on the opposite side of ROW from the treatment plant boundary at 92 Orokonui Road;*
 - *The driveway must be hard surfaced or have a good standard of formation (sub base compacted and gravel overlay);*
 - *The vegetation on the edge of the right of way must be removed or pruned so as to be clear of the legal right of way;*
 - *Signage must be installed for traffic travelling in either direction, noting mix of rural and residential traffic and restricting speed to 20km/hr along this stretch of right of way.*

[Either the 'Lot 41 conditions' or the 'balance land conditions' will apply, but not both. The conditions which apply will depend on whether or not Lot 41 is the balance land or part of the balance land.]

Lot 41 conditions:

- g) *That, if Lot 41 is the balance area of this stage, then a detailed site investigation of areas within Lot 41 where there is known burial of contaminated materials; the land where development is proposed; the curtilage of existing residential buildings; and the sites of fuel tanks and/or boiler houses; shall be undertaken by a suitably qualified person to determine the distribution and composition of soil contamination (if any)*

present. The report shall be submitted to the Council for its records. The report shall, if applicable, advise on the mitigation measures necessary to successfully remediate or manage the land in order for it to be used without danger to human health.

- h) The works, if any, identified by the report of condition 18(g) above, must be undertaken to the satisfaction of Council, so as to ensure that the land around buildings can be used for residential activity without danger to human health.
- i) Following completion of the remediation works, a Site Validation report must be prepared by a suitably qualified person to confirm that the site has been remediated to an acceptable state in terms of the NES provisions. The report must be submitted to the Council for approval.
- j) That, if Lot 41 is the balance area of this stage, then a plan must be prepared showing the residential and utility building platforms in relation to the existing buildings and site boundaries. The building platforms must be clearly labelled as appropriate. The plan must be attached to the consent notice of condition 18(k) below.
- k) That, if Lot 41 is the balance area of this stage, then a consent notice must be prepared for registration on the title of Lot 41 for the following on-going condition:

'Any new residential building on this site must be constructed fully within the 'residential building platform' as shown on the attached plan, unless further resource consent is required.'

Balance land conditions:

- h) Either:

If there is an existing consent notice on the subject site of this stage relating to the no-build area at the northwest end of the subject site, then this consent notice must carry down onto the new title of the balance land.

Or:

A plan must be prepared showing the areas of future Lots 42, 43 and 44 (where these future lots form part of the balance land) which are to be 'no-build areas', and the lawn area on future Lot 41 to the west of the hall building. The plan must be clearly labelled so as to indicate that these areas of the balance land must not be built on. The plan must be attached to the consent notice detailed below.

That, a consent notice must be prepared for registration on the balance land for the following on-going condition:

'In order to protect the landscaping at the north-western end of this site from development, no buildings must be constructed within the area shown on the attached plan as being no-build areas.'

Stage G – Subdivision creating Lot 61 and balance land:

- 19. The proposal shall be given effect to generally in accordance with the plans prepared by Terramark Ltd, entitled, 'Orokonui Estate Proposed Subdivision of Lot 100 DP 506797,' and 'Lot 61 Orokonui Estate The Therapy Building,' (and 'Lot 41 Orokonui Estate – The Hall' if Lot 41 is the balance land) and the accompanying information submitted as part of SUB-2018-63 received at Council on 28 June 2018, except where modified by the following:

20. *That prior to certification of the survey plan pursuant to section 223 of the Resource Management Act 1991, the applicant shall ensure the following:*
- a) *That if a requirement for any easement for services is incurred during the survey, then those easements must be granted or reserved and included in a Memorandum of Easements.*
 - b) *That a right of way must be duly created or reserved over the balance land along the shared accessway in favour of Lot 61 as necessary to provide full access, and must be shown on the survey plan in a Memorandum of Easements. The right of way must have a minimum legal width of 6.0m.*
 - c) *That, if the balance land is comprised of several parcels, these parcels must be amalgamated into one site. The wording of the amalgamation condition must be submitted to Council's Subdivision Planner for approval at least ten days before the application for s223 certification is lodged at Council.*
 - d) *That, if so desired, the easements of Transfer 937406.5 shall be cancelled in part, as appropriate, where not required in respect of the new lots, and shall be shown on the plan in a Schedule of Easements to be Cancelled*
21. *Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the applicant shall complete the following:*

Lot 61 conditions:

- a) *That a detailed site investigation of areas within Lot 61 where there is known burial of contaminated materials; the land where development is proposed; the curtilage of existing residential buildings; and/or the sites of fuel tanks and/or boiler houses; must be undertaken by a suitably qualified person to determine the distribution and composition of soil contamination (if any) present. The report must be submitted to the Council for its records. The report shall, if applicable, advise on the mitigation measures necessary to successfully remediate or manage the land in order for it to be used without danger to human health.*
- b) *The works, if any, identified by the report of condition 21(a) above, shall be undertaken to the satisfaction of Council, so as to ensure that the land around buildings can be used for residential activity without danger to human health.*
- c) *Following completion of the remediation works, a Site Validation report must be prepared by a suitably qualified person to confirm that the site has been remediated to an acceptable state in terms of the NES provisions. The report must be submitted to the Council for approval.*
- d) *That a plan must be prepared showing the boundaries of Lot 61 and the existing buildings. Setback lines must be shown in relation to the boundaries of the lot. Where the lot abuts 3 Chelivode Street, the setback line must be at least 10.0m from the boundary. Elsewhere, the setback line can be 4.5m from the boundary. The setback lines must be clearly labelled. The plan must be attached to the consent notice of condition 21(e) below.*
- e) *That a consent notice must be prepared for registration on the title of Lot 61 for the following on-going condition:*
 - (i) *Any new building on this site must be built inside the setback lines or resource consent will be required. The setback distances shown*

on this diagram shall override the setbacks or yards specified in the District Plan for this zone.'

- f) *An 85.0m length of the right of way over the balance land must be upgraded or repaired so as to be at least 5.0m formed width and hard surfaced with a good standard of surfacing. The section to be upgraded or repaired must be measured from either the entranceway to the site (the northwest corner of proposed Lot 43) or the upper limit of the previous section if this is not the first section of the right of way to be upgraded.*

[Either the 'Lot 41 conditions' or the 'balance land conditions' will apply, but not both. The conditions which apply will depend on whether or not Lot 41 is the balance land or part of the balance land.]

Lot 41 conditions:

- g) *That, if Lot 41 is the balance area of this stage, then a detailed site investigation of areas within Lot 41 where there is known burial of contaminated materials; the land where development is proposed; the curtilage of existing residential buildings; and the sites of fuel tanks and/or boiler houses; shall be undertaken by a suitably qualified person to determine the distribution and composition of soil contamination (if any) present. The report shall be submitted to the Council for its records. The report shall, if applicable, advise on the mitigation measures necessary to successfully remediate or manage the land in order for it to be used without danger to human health.*
- h) *The works, if any, identified by the report of condition 21(f) above, shall be undertaken to the satisfaction of Council, so as to ensure that the land around buildings can be used for residential activity without danger to human health.*
- i) *Following completion of the remediation works, a Site Validation report must be prepared by a suitably qualified person to confirm that the site has been remediated to an acceptable state in terms of the NES provisions. The report must be submitted to the Council for approval.*
- j) *That, if Lot 41 is the balance area of this stage, then a plan must be prepared showing the residential and utility building platforms in relation to the existing buildings and site boundaries. The building platforms must be clearly labelled as appropriate. The plan must be attached to the consent notice of condition 21(k) below.*
- k) *That, if Lot 41 is the balance area of this stage, then a consent notice must be prepared for registration on the title of Lot 41 for the following on-going condition:*

'Any new residential building on this site must be constructed fully within the 'residential building platform' as shown on the attached plan, unless further resource consent is required.'

Balance land conditions:

- h) *Either:*
- If there is an existing consent notice on the subject site of this stage relating to the no-build area at the northwest end of the subject site, then this consent notice must carry down onto the new title of the balance land.*

Or:

A plan must be prepared showing the areas of future Lots 42, 43 and 44 (where these future lots form part of the balance land) which are to be 'no-build areas', and the lawn area on future Lot 41 to the west of the hall building. The plan must be clearly labelled so as to indicate that these areas of the balance land must not be built on. The plan must be attached to the consent notice detailed below.

That, a consent notice must be prepared for registration on the balance land for the following on-going condition:

'In order to protect the landscaping at the north-western end of this site from development, no buildings must be constructed within the area shown on the attached plan as being no-build areas.'

Stage H – Subdivision creating Lot 71 and balance land:

22. *The proposal shall be given effect to generally in accordance with the plans prepared by Terramark Ltd, entitled, 'Orokonui Estate Proposed Subdivision of Lot 100 DP 506797,' and 'Lot 71 Orokonui Estate The Tennis Court,' (and 'Lot 41 Orokonui Estate – The Hall' if Lot 41 is the balance land) and the accompanying information submitted as part of SUB-2018-63 received at Council on 28 June 2018, except where modified by the following:*
23. *That prior to certification of the survey plan pursuant to section 223 of the Resource Management Act 1991, the applicant shall ensure the following:*
 - a) *That if a requirement for any easement for services is incurred during the survey, then those easements must be granted or reserved and included in a Memorandum of Easements.*
 - b) *That a right of way must be duly created or reserved over the balance land along the shared accessway in favour of Lot 42 as necessary to provide full access, and must be shown on the survey plan in a Memorandum of Easements. The right of way must have a minimum legal width of 6.0m.*
 - c) *That, if the balance land is comprised of several parcels, these parcels must be amalgamated into one site. The wording of the amalgamation condition must be submitted to Council's Subdivision Planner for approval at least ten days before the application for s223 certification is lodged at Council.*
 - d) *That, if so desired, the easements of Transfer 937406.5 shall be cancelled in part, as appropriate, where not required in respect of the new lots, and shall be shown on the plan in a Schedule of Easements to be Cancelled*
24. *Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the applicant shall complete the following:*

Lot 71 conditions:

- a) *That a plan must be prepared showing the boundaries of Lot 71. Setback lines must be shown at least 4.5m from all boundaries and be clearly labelled. The plan must be attached to the consent notice of condition 24(b) below.*
- b) *That a consent notice must be prepared for registration on the title of Lot 71 for the following on-going condition:*
 - (i) *Any new building on this site must be built inside the setback lines or resource consent will be required. The setback distances shown*

on this diagram shall override the setbacks or yards specified in the District Plan for this zone.'

- c) *An 85.0m length of the right of way over the balance land must be upgraded or repaired so as to be at least 5.0m formed width and hard surfaced with a good standard of surfacing. The section to be upgraded or repaired must be measured from either the entranceway to the site (the northwest corner of proposed Lot 43) or the upper limit of the previous section if this is not the first section of the right of way to be upgraded.*

[Either the 'Lot 41 conditions' or the 'balance land conditions' will apply, but not both. The conditions which apply will depend on whether or not Lot 41 is the balance land or part of the balance land.]

Lot 41 conditions:

- d) *That, if Lot 41 is the balance area of this stage, then a detailed site investigation of areas within Lot 41 where there is known burial of contaminated materials; the land where development is proposed; the curtilage of existing residential buildings; and the sites of fuel tanks and/or boiler houses; shall be undertaken by a suitably qualified person to determine the distribution and composition of soil contamination (if any) present. The report shall be submitted to the Council for its records. The report shall, if applicable, advise on the mitigation measures necessary to successfully remediate or manage the land in order for it to be used without danger to human health.*
- e) *The works, if any, identified by the report of condition 24(d) above, shall be undertaken to the satisfaction of Council, so as to ensure that the land around buildings can be used for residential activity without danger to human health.*
- f) *Following completion of the remediation works, a Site Validation report must be prepared by a suitably qualified person to confirm that the site has been remediated to an acceptable state in terms of the NES provisions. The report must be submitted to the Council for approval.*
- g) *That, if Lot 41 is the balance area of this stage, then a plan must be prepared showing the residential and utility building platforms in relation to the existing buildings and site boundaries. The building platforms must be clearly labelled as appropriate. The plan must be attached to the consent notice of condition 24(h) below.*
- h) *That, if Lot 41 is the balance area of this stage, then a consent notice must be prepared for registration on the title of Lot 41 for the following on-going condition:*

'Any new residential building on this site must be constructed fully within the 'residential building platform' as shown on the attached plan, unless further resource consent is required.'

Balance land conditions:

- i) *Either:*
- If there is an existing consent notice on the subject site of this stage relating to the no-build area at the northwest end of the subject site, then this consent notice must carry down onto the new title of the balance land.*

Or:

A plan must be prepared showing the areas of future Lots 42, 43 and 44 (where these future lots form part of the balance land) which are to be 'no-build areas', and the lawn area on future Lot 41 to the west of the hall building. The plan must be clearly labelled so as to indicate that these areas of the balance land must not be built on. The plan must be attached to the consent notice detailed below.

That, a consent notice must be prepared for registration on the balance land for the following on-going condition:

'In order to protect the landscaping at the north-western end of this site from development, no buildings must be constructed within the area shown on the attached plan as being no-build areas.'

Stage I – Subdivision creating Lot 81 and balance land:

25. *The proposal shall be given effect to generally in accordance with the plans prepared by Terramark Ltd, entitled, 'Orokonui Estate Proposed Subdivision of Lot 100 DP 506797,' and 'Lot 81 Orokonui Estate The Female-2 Villa,' (and 'Lot 41 Orokonui Estate – The Hall' if Lot 41 is the balance land) and the accompanying information submitted as part of SUB-2018-63 received at Council on 28 June 2018, except where modified by the following:*
26. *That prior to certification of the survey plan pursuant to section 223 of the Resource Management Act 1991, the applicant shall ensure the following:*
 - a) *That if a requirement for any easement for services is incurred during the survey, then those easements must be granted or reserved and included in a Memorandum of Easements.*
 - b) *That a right of way must be duly created or reserved over the balance land along the shared accessway in favour of Lot 81 as necessary to provide full access, and must be shown on the survey plan in a Memorandum of Easements. The right of way must have a minimum legal width of 6.0m.*
 - c) *That, if the balance land is comprised of several parcels, these parcels must be amalgamated into one site. The wording of the amalgamation condition must be submitted to Council's Subdivision Planner for approval at least ten days before the application for s223 certification is lodged at Council.*
 - d) *That, if so desired, the easements of Transfer 937406.5 shall be cancelled in part, as appropriate, where not required in respect of the new lots, and shall be shown on the plan in a Schedule of Easements to be Cancelled*
27. *Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the applicant shall complete the following:*

Lot 81 conditions:

- a) *That a detailed site investigation of areas within Lot 81 where there is known burial of contaminated materials; the land where development is proposed; the curtilage of existing residential buildings; and/or the sites of fuel tanks and/or boiler houses; must be undertaken by a suitably qualified person to determine the distribution and composition of soil contamination (if any) present. The report must be submitted to the Council for its records. The report shall, if applicable, advise on the mitigation measures necessary to successfully remediate or manage the land in order for it to be used without danger to human health.*

- b) *The works, if any, identified by the report of condition 27(a) above, shall be undertaken to the satisfaction of Council, so as to ensure that the land around buildings can be used for residential activity without danger to human health.*
- c) *Following completion of the remediation works, a Site Validation report must be prepared by a suitably qualified person to confirm that the site has been remediated to an acceptable state in terms of the NES provisions. The report must be submitted to the Council for approval.*
- d) *That a plan must be prepared showing the boundaries of Lot 81 and the existing buildings. Setback lines must be shown in relation to the boundaries of the lot. Where the lot abuts 3 Chelivode Street, the setback line must be at least 10.0m from the boundary. Elsewhere, the setback line can be 4.5m from the boundary. The plan must be attached to the consent notice of condition 27(e) below.*
- e) *That a consent notice must be prepared for registration on the title of Lot 81 for the following on-going condition:*
 - (i) *Any new building on this site must be built inside the setback lines or resource consent will be required. The setback distances shown on this diagram shall override the setbacks or yards specified in the District Plan for this zone.'*
- f) *An 85.0m length of the right of way over the balance land must be upgraded or repaired so as to be at least 5.0m formed width and hard surfaced with a good standard of surfacing. The section to be upgraded or repaired must be measured from either the entranceway to the site (the northwest corner of proposed Lot 43) or the upper limit of the previous section if this is not the first section of the right of way to be upgraded.*

[Either the 'Lot 41 conditions' or the 'balance land conditions' will apply, but not both. The conditions which apply will depend on whether or not Lot 41 is the balance land or part of the balance land.]

Lot 41 conditions:

- g) *That, if Lot 41 is the balance area of this stage, then a detailed site investigation of areas within Lot 41 where there is known burial of contaminated materials; the land where development is proposed; the curtilage of existing residential buildings; and the sites of fuel tanks and/or boiler houses; shall be undertaken by a suitably qualified person to determine the distribution and composition of soil contamination (if any) present. The report shall be submitted to the Council for its records. The report shall, if applicable, advise on the mitigation measures necessary to successfully remediate or manage the land in order for it to be used without danger to human health.*
- h) *The works, if any, identified by the report of condition 27(g) above, shall be undertaken to the satisfaction of Council, so as to ensure that the land around buildings can be used for residential activity without danger to human health.*
- i) *Following completion of the remediation works, a Site Validation report must be prepared by a suitably qualified person to confirm that the site has been remediated to an acceptable state in terms of the NES provisions. The report must be submitted to the Council for approval.*
- j) *That, if Lot 41 is the balance area of this stage, then a plan must be prepared showing the residential and utility building platforms in relation*

to the existing buildings and site boundaries. The building platforms must be clearly labelled as appropriate. The plan must be attached to the consent notice of condition 27(k) below.

- k) That, if Lot 41 is the balance area of this stage, then a consent notice must be prepared for registration on the title of Lot 41 for the following on-going condition:

'Any new residential building on this site must be constructed fully within the 'residential building platform' as shown on the attached plan, unless further resource consent is required.'

Balance land conditions:

- j) Either:

If there is an existing consent notice on the subject site of this stage relating to the no-build area at the northwest end of the subject site, then this consent notice must carry down onto the new title of the balance land.

Or:

A plan must be prepared showing the areas of future Lots 42, 43 and 44 (where these future lots form part of the balance land) which are to be 'no-build areas', and the lawn area on future Lot 41 to the west of the hall building. The plan must be clearly labelled so as to indicate that these areas of the balance land must not be built on. The plan must be attached to the consent notice detailed below.

That, a consent notice must be prepared for registration on the balance land for the following on-going condition:

'In order to protect the landscaping at the north-western end of this site from development, no buildings must be constructed within the area shown on the attached plan as being no-build areas.'

Stage J – Subdivision creating Lot 82 and balance land:

28. The proposal shall be given effect to generally in accordance with the plans prepared by Terramark Ltd, entitled, 'Orokonui Estate Proposed Subdivision of Lot 100 DP 506797,' and 'Lot 82 Orokonui Estate,' (and 'Lot 41 Orokonui Estate – The Hall' if Lot 41 is the balance land) and the accompanying information submitted as part of SUB-2018-63 received at Council on 28 June 2018, except where modified by the following:
29. That prior to certification of the survey plan pursuant to section 223 of the Resource Management Act 1991, the applicant shall ensure the following:
- a) That if a requirement for any easement for services is incurred during the survey, then those easements must be granted or reserved and included in a Memorandum of Easements.
 - b) That a right of way must be duly created or reserved over the balance land along the shared accessway in favour of Lot 82 as necessary to provide full access, and must be shown on the survey plan in a Memorandum of Easements. The right of way must have a minimum legal width of 6.0m.
 - c) That, if the balance land is comprised of several parcels, these parcels must be amalgamated into one site. The wording of the amalgamation condition must be submitted to Council's Subdivision Planner for approval at least ten days before the application for s223 certification is lodged at Council.

- d) *That, if so desired, the easements of Transfer 937406.5 shall be cancelled in part, as appropriate, where not required in respect of the new lots, and shall be shown on the plan in a Schedule of Easements to be Cancelled*
30. *Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the applicant shall complete the following:*

Lot 82 conditions:

- a) *That a plan must be prepared showing the boundaries of Lot 82. Setback lines must be Where the lot abuts 3 Chelivode Street, the setback line must be at least 10.0m from the boundary. Elsewhere, the setback line can be 4.5m from the boundary. The plan must be attached to the consent notice of condition 30(b) below.*
- b) *That a consent notice must be prepared for registration on the title of Lot 82 for the following on-going condition:*
- (i) *Any new building on this site must be built inside the setback lines or resource consent will be required. The setback distances shown on this diagram shall override the setbacks or yards specified in the District Plan for this zone.'*
- c) *An 85.0m length of the right of way over the balance land must be upgraded or repaired so as to be at least 5.0m formed width and hard surfaced with a good standard of surfacing. The section to be upgraded or repaired must be measured from either the entranceway to the site (the northwest corner of proposed Lot 43) or the upper limit of the previous section if this is not the first section of the right of way to be upgraded.*

[Either the 'Lot 41 conditions' or the 'balance land conditions' will apply, but not both. The conditions which apply will depend on whether or not Lot 41 is the balance land or part of the balance land.]

Lot 41 conditions:

- d) *That, if Lot 41 is the balance area of this stage, then a detailed site investigation of areas within Lot 41 where there is known burial of contaminated materials; the land where development is proposed; the curtilage of existing residential buildings; and the sites of fuel tanks and/or boiler houses; must be undertaken by a suitably qualified person to determine the distribution and composition of soil contamination (if any) present. The report must be submitted to the Council for its records. The report shall, if applicable, advise on the mitigation measures necessary to successfully remediate or manage the land in order for it to be used without danger to human health.*
- e) *The works, if any, identified by the report of condition 30(d) above, shall be undertaken to the satisfaction of Council, so as to ensure that the land around buildings can be used for residential activity without danger to human health.*
- f) *Following completion of the remediation works, a Site Validation report must be prepared by a suitably qualified person to confirm that the site has been remediated to an acceptable state in terms of the NES provisions. The report must be submitted to the Council for approval.*
- g) *That, if Lot 41 is the balance area of this stage, then a plan must be prepared showing the residential and utility building platforms in relation to the existing buildings and site boundaries. The building platforms must*

be clearly labelled as appropriate. The plan must be attached to the consent notice of condition 30(h) below.

- h) That, if Lot 41 is the balance area of this stage, then a consent notice must be prepared for registration on the title of Lot 41 for the following on-going condition:*

'Any new residential building on this site must be constructed fully within the 'residential building platform' as shown on the attached plan, unless further resource consent is required.'

Balance land conditions:

- h) Either:*

If there is an existing consent notice on the subject site of this stage relating to the no-build area at the northwest end of the subject site, then this consent notice must carry down onto the new title of the balance land.

Or:

A plan must be prepared showing the areas of future Lots 42, 43 and 44 (where these future lots form part of the balance land) which are to be 'no-build areas', and the lawn area on future Lot 41 to the west of the hall building. The plan must be clearly labelled so as to indicate that these areas of the balance land must not be built on. The plan must be attached to the consent notice detailed below.

That, a consent notice must be prepared for registration on the balance land for the following on-going condition:

'In order to protect the landscaping at the north-western end of this site from development, no buildings must be constructed within the area shown on the attached plan as being no-build areas.'

Advice Notes:

1. In addition to the conditions of a resource consent, the Resource Management Act 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. A similar responsibility exists under the Health Act 1956
2. The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.
3. Resource consents are not personal property. This consent attaches to the land to which it relates, and consequently the ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.
4. It is the consent holder's responsibility to comply with any conditions imposed on their 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.
5. Parts 4, 5 and 6 (Stormwater drainage, Wastewater and Water supply) of the Dunedin Code of Subdivision and Development 2010 shall be complied with.
6. The consent holder is to ensure that all practicable measures are used to mitigate erosion and to control and contain sediment-laden stormwater run-off from the site during any stages of site disturbance that may be associated with this subdivision.

7. The following documentation is recommended as best practice guidelines for managing erosion and sediment-laden run-off and for the design and construction of erosion and sediment control measures for small sites:
- ARC Technical Publication No. 90 Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region, March 1999.
 - Environment Canterbury, 2007 'Erosion and Sediment Control Guidelines for the Canterbury Region' Report No. CRCR06/23.
 - Environment Canterbury, 2007 "Erosion and Sediment Control Guidelines for Small Sites."
8. All aspects relating to the availability of the water for fire-fighting should be in accordance with SNZ PAS 4509:2008, being the Fire Service Code of Practice for Fire Fighting Water Supplies, unless otherwise approved by the New Zealand Fire Service. Any proposed dwelling must be constructed within 135m of an existing fire hydrant, otherwise the proposal will be non-compliant with fire fighting requirements.
9. It is advised that in the event of any new development on the new lots, Transport will review the provisions for access and parking at the time of any building consent or resource consent application for a specific proposal.
10. This consent does not address any earthworks or retaining wall construction that may be required as part of the development of either the lots or access arrangements. It is possible further resource consent will be required for these matters (refer section 17.7 of the District Plan), as well as a consent for soil disturbance pursuant to the provisions of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.
11. Certain requirements for building on this land may be stipulated via the building consent process, and are likely to include the following points:
- Stormwater from driveways, sealed areas, and drain coils is not to create a nuisance on any adjoining properties.
 - Surface water is not to create a nuisance on any adjoining properties.
 - For secondary flow paths, the finished floor level shall be set at the height of the secondary flow plus an allowance for free board.
 - As required by the New Zealand Building Code E1.3.2, surface water resulting from an event having a 2% probability of occurring annually, shall not enter buildings. The finished floor level shall be set accordingly.
12. The infrastructure for the servicing on the new lots is privately owned, and will not be managed or repaired by the Council.
13. It is recommended that the owners and the users of the rights of way enter into a formal agreement to clarify the responsibilities for maintenance.
14. The applicant is encouraged to liaise with the Council's Solid Waste Department on the solid waste collection from sites within the subdivision and put in place appropriate measures to ensure the orderly storage and collection of waste that minimises nuisance impacts on neighbours.

Issued at Dunedin on 6 November 2018



Colin Weatherall
Chair
Hearings Committee

Consent Type: Land Use
Consent Number: LUC-2018-347

Purpose: Residential activity on Lot 41 SUB-2018-63
Location of Activity: 90 Orokonui Road, Waitati.
Legal Description: The balance land of each stage of SUB-2018-63 (with Lot 41 to be the balance land of the last stage), currently part of Lot 100 DP 506797 (CFR 768400).
Lapse Date: Five years from the date of the signing of the s223 certificate for the relevant stage of SUB-2018-63, unless the consent has been given effect to before this date. For clarity, this lapse date is specific to each stage, so the giving effect of a previous stage does not give effect to subsequent stages.

*That, pursuant to sections 34A(1) and 104B of the Resource Management Act 1991, and having regard to Part II matters and sections 104 and 104D, and the Dunedin City District Plan, the Dunedin City Council **declines** consent to a **non-complying** activity being the re-authorisation of the tavern on Lot 41 or the balance land of any stage of SUB-2018-63.*

*That, pursuant to sections 34A(1) and 104B of the Resource Management Act 1991, and having regard to Part II matters and sections 104 and 104D, the Dunedin City District Plan, and the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES), the Dunedin City Council **grants** consent to a **non-complying** activity being:*

- *Change of use, and the disturbance of soils for site remediation purposes under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ("the NES");*
- *Residential activity (one unit only) within the hall building or a new residential dwelling on Lot 41 SUB-2018-63;*
- *The above residential activity of future Lot 41 SUB-2018-63 where forming part of the balance land of all stages of SUB-2018-63;*
- *The residential activity within existing buildings (coinciding with the residential units of Lots 42, 44, 53, 61 and 81 SUB-2018-63 – one unit each - but not new builds) while part of the balance land;*

except where modified by the following:

1. *The proposal shall be given effect to generally in accordance with the plans prepared by Terramark Ltd, entitled, 'Orokonui Estate Proposed Subdivision of Lot 100 DP 506797,' and 'Lot 41 Orokonui Estate – The Hall,' and the accompanying information submitted as part of LUC-2018-347 received at Council on 28 June 2018, except where modified by the following:*
2. *Any new building constructed on this land must comply with a height plane angle of 63° as measured from existing ground level at the boundary (including future boundaries of proposed lots where the construction is occurring on balance land).*
3. *Any new building constructed on this land must comply with a maximum height of 9.0m as measured from existing ground level immediately below the structure.*

4. *The development on this land must not exceed a site coverage of 30% where site coverage is calculated in terms of the relevant future lot (excluding land used as access to other sites) and not the entire balance area.*
5. *The existing consents for the tavern of RMA 953558 (now renumbered RMA-1995-358902), RMA 960462 (RMA 1996-359650), the Consent Order C9/197, and resource consents LUC-2012-351 and LUC-2016-420 must be surrendered in respect of the tavern only within three months of the date of this consent.*

NES:

6. *If, following the detailed site investigation of condition 3(h), 6(h), 9(h), 12(d), 15(d), 18(g), 21(g), 24(d), 27(g) or 30(d) of SUB-2018-63, it is determined that remediation work is requires soil disturbance of contaminated soils above the NES permitted levels, the consent holder must complete the following:*
 - a) *A Contaminated Soils Management Plan (CSMP) must be prepared and provided to the Resource Consent Manager for review to rcmonitoring@dcc.govt.nz no less than 10 working days before the scheduled start date. The CSMP must be approved by the Resource Consent Manager before any work on site can commence. The CSMP is to address:*
 - *works appropriate for the contaminants present on-site*
 - *duration of the works*
 - *storage of soils during works*
 - *safe transport and disposal of soils*
 - *methods to ensure site is made erosion resistant*
 - *communication to workers*
 - *dust and sediment control*
 - b) *All soil disturbance works must be undertaken in accordance with the approved CSMP. All soils should be handled in strict accordance with the provisions of the CSMP.*
 - c) *That the soils to be removed from the site must be tested and analysed for contaminants. A Site Soil Disposition Report must be submitted to the Council confirming that the conditions of the CSMP report have been met, and that the soils removed from the site have been disposed of appropriately.*
 - d) *Any soils removed from the subject sites shall be disposed of to an appropriately licensed landfill for such material. Evidence of disposal must be delivered to Council and may be by way of waste manifests and/or weighbridge receipts to rcmonitoring@dcc.govt.nz.*

Advice Notes:

1. In addition to the conditions of a resource consent, the Resource Management Act 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. A similar responsibility exists under the Health Act 1956
2. The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.
3. Resource consents are not personal property. This consent attaches to the land to which it relates, and consequently the ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.
4. It is the consent holder's responsibility to comply with any conditions imposed on their 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.

5. Parts 4, 5 and 6 (Stormwater drainage, Wastewater and Water supply) of the Dunedin Code of Subdivision and Development 2010 shall be complied with.
6. The consent holder is to ensure that all practicable measures are used to mitigate erosion and to control and contain sediment-laden stormwater run-off from the site during any stages of site disturbance that may be associated with this subdivision.
7. The following documentation is recommended as best practice guidelines for managing erosion and sediment-laden run-off and for the design and construction of erosion and sediment control measures for small sites:
 - ARC Technical Publication No. 90 Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region, March 1999.
 - Environment Canterbury, 2007 'Erosion and Sediment Control Guidelines for the Canterbury Region' Report No. CRCR06/23.
 - Environment Canterbury, 2007 "Erosion and Sediment Control Guidelines for Small Sites."
8. All aspects relating to the availability of the water for fire-fighting should be in accordance with SNZ PAS 4509:2008, being the Fire Service Code of Practice for Fire Fighting Water Supplies, unless otherwise approved by the New Zealand Fire Service. Any proposed dwelling must be constructed within 135m of an existing fire hydrant, otherwise the proposal will be non-compliant with fire fighting requirements.
9. It is advised that in the event of any new development on-site, Transport will review the provisions for access and parking at the time of any building consent or resource consent application for a specific proposal.
10. This consent does not address any earthworks or retaining wall construction that may be required as part of the development of either the lots or access arrangements. It is possible further resource consent will be required for these matters (refer section 17.7 of the District Plan), as well as a consent for soil disturbance pursuant to the provisions of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.
11. Any future development of this site will need to consider the following:
 - All walls retaining over 1.5m, or a surcharge/slope, including terracing, will require design, specification and supervision by appropriately qualified person/s.
 - Any earth fill over 0.6m thick supporting foundations must be specified and supervised by a suitably qualified person in accordance with NZS 4431-1989 Code of Practice for Earthfill for Residential Development.
 - All advice and recommendations provided in Geosolve's geotechnical report submitted with the application SUB-2018-63 should be adhered to.
12. Certain requirements for building on this land may be stipulated via the building consent process, and are likely to include the following points:
 - Stormwater from driveways, sealed areas, and drain coils is not to create a nuisance on any adjoining properties.
 - Surface water is not to create a nuisance on any adjoining properties.
 - For secondary flow paths, the finished floor level shall be set at the height of the secondary flow plus an allowance for free board.
 - As required by the New Zealand Building Code E1.3.2, surface water resulting from an event having a 2% probability of occurring annually, shall not enter buildings. The finished floor level shall be set accordingly.

13. The infrastructure for the servicing of this site is privately owned, and will not be managed or repaired by the Council.

Issued at Dunedin on 6 November 2018

A handwritten signature in black ink, appearing to read 'Colin Weatherall', with a stylized flourish at the end.

Colin Weatherall
Chair
Hearings Committee

Consent Type: Land Use
Consent Number: LUC-2018-646

Purpose: Residential activity on Lot 42 SUB-2018-63
Location of Activity: 90 Orokonui Road, Waitati.
Legal Description: Lot 42 SUB-2018-63, currently part of Lot 100 DP 506797 (CFR 768400). For clarity, this consent applies to Lot 42 only. While Lot 42 is part of the balance land of any stage of SUB-2018-63, the relevant consent for this land will be LUC-2018-347.
Lapse Date: Five years from the dated of the signing of the s223 certificate for Stage A of SUB-2018-63, unless the consent has been given effect to before this date.

*That, pursuant to sections 34A(1) and 104B of the Resource Management Act 1991, and having regard to Part II matters and sections 104 and 104D, the Dunedin City District Plan, and the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES), the Dunedin City Council **grants** consent to a **non-complying** activity being:*

- *Change of use, and the disturbance of soils for site remediation purposes under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ("the NES");*
- *Residential activity (one unit only) within the chapel building or a new residential dwelling;*

except where modified by the following:

1. *The proposal shall be given effect to generally in accordance with the plans prepared by Terramark Ltd, entitled, 'Orokonui Estate Proposed Subdivision of Lot 100 DP 506797,' and 'Lot 42 Orokonui Estate – The Chapel,' and the accompanying information submitted as part of LUC-2018-646 received at Council on 28 June 2018, except where modified by the following:*
2. *Any new building constructed on this land must comply with a height plane angle of 63° as measured from existing ground level at the boundary.*
3. *Any new building constructed on this land must comply with a maximum height of 9.0m as measured from existing ground level immediately below the structure.*
4. *The development on this land must not exceed a site coverage of 30%.*

NES:

5. *If, following the detailed site investigation of condition 3(a) of SUB-2018-63, it is determined that remediation work is requires soil disturbance of contaminated soils above the NES permitted levels, the consent holder must complete the following:*
 - a) *A Contaminated Soils Management Plan (CSMP) must be prepared and provided to the Resource Consent Manager for review to rcmonitoring@dcc.govt.nz no less than 10 working days before the scheduled*

start date. The CSMP must be approved by the Resource Consent Manager before any work on site can commence. The CSMP is to address:

- works appropriate for the contaminants present on-site*
 - duration of the works*
 - storage of soils during works*
 - safe transport and disposal of soils*
 - methods to ensure site is made erosion resistant*
 - communication to workers*
 - dust and sediment control*
- b) *All soil disturbance works must be undertaken in accordance with the approved CSMP. All soils should be handled in strict accordance with the provisions of the CSMP.*
- c) *That the soils to be removed from the site must be tested and analysed for contaminants. A Site Soil Disposition Report must be submitted to the Council confirming that the conditions of the CSMP report have been met, and that the soils removed from the site have been disposed of appropriately.*
- d) *Any soils removed from the subject sites shall be disposed of to an appropriately licensed landfill for such material. Evidence of disposal must be delivered to Council and may be by way of waste manifests and/or weighbridge receipts to rcmonitoring@dcc.govt.nz.*

Advice Notes:

1. In addition to the conditions of a resource consent, the Resource Management Act 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. A similar responsibility exists under the Health Act 1956
2. The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.
3. Resource consents are not personal property. This consent attaches to the land to which it relates, and consequently the ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.
4. It is the consent holder's responsibility to comply with any conditions imposed on their 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.
5. Parts 4, 5 and 6 (Stormwater drainage, Wastewater and Water supply) of the Dunedin Code of Subdivision and Development 2010 shall be complied with.
6. The consent holder is to ensure that all practicable measures are used to mitigate erosion and to control and contain sediment-laden stormwater run-off from the site during any stages of site disturbance that may be associated with this subdivision.
7. The following documentation is recommended as best practice guidelines for managing erosion and sediment-laden run-off and for the design and construction of erosion and sediment control measures for small sites:
 - ARC Technical Publication No. 90 Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region, March 1999.
 - Environment Canterbury, 2007 'Erosion and Sediment Control Guidelines for the Canterbury Region' Report No. CRCR06/23.

- Environment Canterbury, 2007 "Erosion and Sediment Control Guidelines for Small Sites."
8. All aspects relating to the availability of the water for fire-fighting should be in accordance with SNZ PAS 4509:2008, being the Fire Service Code of Practice for Fire Fighting Water Supplies, unless otherwise approved by the New Zealand Fire Service. Any proposed dwelling must be constructed within 135m of an existing fire hydrant, otherwise the proposal will be non-compliant with fire fighting requirements.
 9. It is advised that in the event of any new development on-site, Transport will review the provisions for access and parking at the time of any building consent or resource consent application for a specific proposal.
 10. This consent does not address any earthworks or retaining wall construction that may be required as part of the development of either the lots or access arrangements. It is possible further resource consent will be required for these matters (refer section 17.7 of the District Plan), as well as a consent for soil disturbance pursuant to the provisions of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.
 11. Any future development of this site will need to consider the following:
 - All walls retaining over 1.5m, or a surcharge/slope, including terracing, will require design, specification and supervision by appropriately qualified person/s.
 - Any earth fill over 0.6m thick supporting foundations must be specified and supervised by a suitably qualified person in accordance with NZS 4431-1989 Code of Practice for Earthfill for Residential Development.
 - All advice and recommendations provided in Geosolve's geotechnical report submitted with the application SUB-2018-63 should be adhered to.
 12. Certain requirements for building on this land may be stipulated via the building consent process, and are likely to include the following points:
 - Stormwater from driveways, sealed areas, and drain coils is not to create a nuisance on any adjoining properties.
 - Surface water is not to create a nuisance on any adjoining properties.
 - For secondary flow paths, the finished floor level shall be set at the height of the secondary flow plus an allowance for free board.
 - As required by the New Zealand Building Code E1.3.2, surface water resulting from an event having a 2% probability of occurring annually, shall not enter buildings. The finished floor level shall be set accordingly.
 13. The infrastructure for the servicing of this site is privately owned, and will not be managed or repaired by the Council.

Issued at Dunedin on 6 November 2018



Colin Weatherall
Chair
Hearings Committee

Consent Type: Land Use
Consent Number: LUC-2018-648

Purpose: Residential activity on Lot 43 SUB-2018-63
Location of Activity: 90 Orokonui Road, Waitati.
Legal Description: Lot 43 SUB-2018-63, currently part of Lot 100 DP 506797 (CFR 768400). For clarity, this consent applies to Lot 43 only. While Lot 43 is part of the balance land of any stage of SUB-2018-63, the relevant consent for this land will be LUC-2018-347.
Lapse Date: Five years from the dated of the signing of the s223 certificate for Stage B of SUB-2018-63, unless the consent has been given effect to before this date.

*That, pursuant to sections 34A(1) and 104B of the Resource Management Act 1991, and having regard to Part II matters and sections 104 and 104D, the Dunedin City District Plan, and the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES), the Dunedin City Council **grants** consent to a **non-complying** activity being:*

- *Change of use, and the disturbance of soils for site remediation purposes under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ("the NES");*
- *Residential activity (one unit only) in a new residential dwelling;*

except where modified by the following:

1. *The proposal shall be given effect to generally in accordance with the plans prepared by Terramark Ltd, entitled, 'Orokonui Estate Proposed Subdivision of Lot 100 DP 506797,' and 'Lot 43 Orokonui Estate,' and the accompanying information submitted as part of LUC-2018-648 received at Council on 28 June 2018, except where modified by the following:*
2. *Any new building constructed on this land must comply with a height plane angle of 63° as measured from existing ground level at the boundary.*
3. *Any new building constructed on this land must comply with a maximum height of 9.0m as measured from existing ground level immediately below the structure.*
4. *The development on this land must not exceed a site coverage of 30%.*

NES:

5. *If, following the detailed site investigation of condition 3(a) of SUB-2018-63, it is determined that remediation work is requires soil disturbance of contaminated soils above the NES permitted levels, the consent holder must complete the following:*
 - a) *A Contaminated Soils Management Plan (CSMP) must be prepared and provided to the Resource Consent Manager for review to rcmonitoring@dcc.govt.nz no less than 10 working days before the scheduled*

start date. The CSMP must be approved by the Resource Consent Manager before any work on site can commence. The CSMP is to address:

- works appropriate for the contaminants present on-site*
 - duration of the works*
 - storage of soils during works*
 - safe transport and disposal of soils*
 - methods to ensure site is made erosion resistant*
 - communication to workers*
 - dust and sediment control*
- b) *All soil disturbance works must be undertaken in accordance with the approved CSMP. All soils should be handled in strict accordance with the provisions of the CSMP.*
- c) *That the soils to be removed from the site must be tested and analysed for contaminants. A Site Soil Disposition Report must be submitted to the Council confirming that the conditions of the CSMP report have been met, and that the soils removed from the site have been disposed of appropriately.*
- d) *Any soils removed from the subject sites shall be disposed of to an appropriately licensed landfill for such material. Evidence of disposal must be delivered to Council and may be by way of waste manifests and/or weighbridge receipts to rcmonitoring@dcc.govt.nz.*

Advice Notes:

1. In addition to the conditions of a resource consent, the Resource Management Act 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. A similar responsibility exists under the Health Act 1956
2. The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.
3. Resource consents are not personal property. This consent attaches to the land to which it relates, and consequently the ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.
4. It is the consent holder's responsibility to comply with any conditions imposed on their 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.
5. Parts 4, 5 and 6 (Stormwater drainage, Wastewater and Water supply) of the Dunedin Code of Subdivision and Development 2010 shall be complied with.
6. The consent holder is to ensure that all practicable measures are used to mitigate erosion and to control and contain sediment-laden stormwater run-off from the site during any stages of site disturbance that may be associated with this subdivision.
7. The following documentation is recommended as best practice guidelines for managing erosion and sediment-laden run-off and for the design and construction of erosion and sediment control measures for small sites:
 - ARC Technical Publication No. 90 Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region, March 1999.
 - Environment Canterbury, 2007 'Erosion and Sediment Control Guidelines for the Canterbury Region' Report No. CRCR06/23.
 - Environment Canterbury, 2007 "Erosion and Sediment Control Guidelines for Small Sites."

8. All aspects relating to the availability of the water for fire-fighting should be in accordance with SNZ PAS 4509:2008, being the Fire Service Code of Practice for Fire Fighting Water Supplies, unless otherwise approved by the New Zealand Fire Service. Any proposed dwelling must be constructed within 135m of an existing fire hydrant, otherwise the proposal will be non-compliant with fire fighting requirements.
9. It is advised that in the event of any new development on-site, Transport will review the provisions for access and parking at the time of any building consent or resource consent application for a specific proposal.
10. This consent does not address any earthworks or retaining wall construction that may be required as part of the development of either the lots or access arrangements. It is possible further resource consent will be required for these matters (refer section 17.7 of the District Plan), as well as a consent for soil disturbance pursuant to the provisions of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.
11. Any future development of this site will need to consider the following:
 - All walls retaining over 1.5m, or a surcharge/slope, including terracing, will require design, specification and supervision by appropriately qualified person/s.
 - Any earth fill over 0.6m thick supporting foundations must be specified and supervised by a suitably qualified person in accordance with NZS 4431-1989 Code of Practice for Earthfill for Residential Development.
 - All advice and recommendations provided in Geosolve's geotechnical report submitted with the application SUB-2018-63 should be adhered to.
12. Certain requirements for building on this land may be stipulated via the building consent process, and are likely to include the following points:
 - Stormwater from driveways, sealed areas, and drain coils is not to create a nuisance on any adjoining properties.
 - Surface water is not to create a nuisance on any adjoining properties.
 - For secondary flow paths, the finished floor level shall be set at the height of the secondary flow plus an allowance for free board.
 - As required by the New Zealand Building Code E1.3.2, surface water resulting from an event having a 2% probability of occurring annually, shall not enter buildings. The finished floor level shall be set accordingly.
13. The infrastructure for the servicing of this site is privately owned, and will not be managed or repaired by the Council.

Issued at Dunedin on 6 November 2018



Colin Weatherall
Chair
Hearings Committee

Consent Type: Land Use
Consent Number: LUC-2018-649

Purpose: Residential activity on Lot 42 SUB-2018-63
Location of Activity: 90 Orokonui Road, Waitati.
Legal Description: Lot 44 SUB-2018-63, currently part of Lot 100 DP 506797 (CFR 768400). For clarity, this consent applies to Lot 44 only. While Lot 44 is part of the balance land of any stage of SUB-2018-63, the relevant consent for this land will be LUC-2018-347.
Lapse Date: Five years from the dated of the signing of the s223 certificate for Stage C of SUB-2018-63, unless the consent has been given effect to before this date.

*That, pursuant to sections 34A(1) and 104B of the Resource Management Act 1991, and having regard to Part II matters and sections 104 and 104D, the Dunedin City District Plan, and the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES), the Dunedin City Council **grants** consent to a **non-complying** activity being:*

- *Change of use, and the disturbance of soils for site remediation purposes under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ("the NES");*
- *Residential activity (one unit only) within the main existing residential dwelling or replacement building;*
- *An associated residential activity (family flat) within the existing one-bedroom apartment;*

except where modified by the following:

1. *The proposal shall be given effect to generally in accordance with the plans prepared by Terramark Ltd, entitled, 'Orokonui Estate Proposed Subdivision of Lot 100 DP 506797,' and 'Lot 44 The Villa Orokonui Estate,' and the accompanying information submitted as part of LUC-2018-649 received at Council on 28 June 2018, except where modified by the following:*
2. *Any new building constructed on this land must comply with a height plane angle of 63° as measured from existing ground level at the boundary.*
3. *Any new building constructed on this land must comply with a maximum height of 9.0m as measured from existing ground level immediately below the structure.*
4. *The development on this land must not exceed a site coverage of 30%.*
5. *If a new residential unit is to be constructed on this land, then the existing villa must be removed.*
6. *That the apartment must be used in close association with the main residential unit on this site. The occupant/s of the family flat must be a relative/s by blood or marriage to the occupants of the main residential unit on this site.*

NES:

7. *If, following the detailed site investigation of condition 6(a) of SUB-2018-63, it is determined that remediation work is requires soil disturbance of contaminated soils above the NES permitted levels, the consent holder must complete the following:*
- a) *A Contaminated Soils Management Plan (CSMP) must be prepared and provided to the Resource Consent Manager for review to rcmonitoring@dcc.govt.nz no less than 10 working days before the scheduled start date. The CSMP must be approved by the Resource Consent Manager before any work on site can commence. The CSMP is to address:*
 - *works appropriate for the contaminants present on-site*
 - *duration of the works*
 - *storage of soils during works*
 - *safe transport and disposal of soils*
 - *methods to ensure site is made erosion resistant*
 - *communication to workers*
 - *dust and sediment control*
 - b) *All soil disturbance works must be undertaken in accordance with the approved CSMP. All soils should be handled in strict accordance with the provisions of the CSMP.*
 - c) *That the soils to be removed from the site must be tested and analysed for contaminants. A Site Soil Disposition Report must be submitted to the Council confirming that the conditions of the CSMP report have been met, and that the soils removed from the site have been disposed of appropriately.*
 - d) *Any soils removed from the subject sites shall be disposed of to an appropriately licensed landfill for such material. Evidence of disposal must be delivered to Council and may be by way of waste manifests and/or weighbridge receipts to rcmonitoring@dcc.govt.nz.*

Advice Notes:

1. In addition to the conditions of a resource consent, the Resource Management Act 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. A similar responsibility exists under the Health Act 1956
2. The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.
3. Resource consents are not personal property. This consent attaches to the land to which it relates, and consequently the ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.
4. It is the consent holder's responsibility to comply with any conditions imposed on their 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.
5. Parts 4, 5 and 6 (Stormwater drainage, Wastewater and Water supply) of the Dunedin Code of Subdivision and Development 2010 shall be complied with.
6. The consent holder is to ensure that all practicable measures are used to mitigate erosion and to control and contain sediment-laden stormwater run-off from the site during any stages of site disturbance that may be associated with this subdivision.

7. The following documentation is recommended as best practice guidelines for managing erosion and sediment-laden run-off and for the design and construction of erosion and sediment control measures for small sites:
- ARC Technical Publication No. 90 Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region, March 1999.
 - Environment Canterbury, 2007 'Erosion and Sediment Control Guidelines for the Canterbury Region' Report No. CRCR06/23.
 - Environment Canterbury, 2007 "Erosion and Sediment Control Guidelines for Small Sites."
8. All aspects relating to the availability of the water for fire-fighting should be in accordance with SNZ PAS 4509:2008, being the Fire Service Code of Practice for Fire Fighting Water Supplies, unless otherwise approved by the New Zealand Fire Service. Any proposed dwelling must be constructed within 135m of an existing fire hydrant, otherwise the proposal will be non-compliant with fire fighting requirements.
9. It is advised that in the event of any new development on-site, Transport will review the provisions for access and parking at the time of any building consent or resource consent application for a specific proposal.
10. This consent does not address any earthworks or retaining wall construction that may be required as part of the development of either the lots or access arrangements. It is possible further resource consent will be required for these matters (refer section 17.7 of the District Plan), as well as a consent for soil disturbance pursuant to the provisions of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.
11. Any future development of this site will need to consider the following:
- All walls retaining over 1.5m, or a surcharge/slope, including terracing, will require design, specification and supervision by appropriately qualified person/s.
 - Any earth fill over 0.6m thick supporting foundations must be specified and supervised by a suitably qualified person in accordance with NZS 4431-1989 Code of Practice for Earthfill for Residential Development.
 - All advice and recommendations provided in Geosolve's geotechnical report submitted with the application SUB-2018-63 should be adhered to.
12. Certain requirements for building on this land may be stipulated via the building consent process, and are likely to include the following points:
- Stormwater from driveways, sealed areas, and drain coils is not to create a nuisance on any adjoining properties.
 - Surface water is not to create a nuisance on any adjoining properties.
 - For secondary flow paths, the finished floor level shall be set at the height of the secondary flow plus an allowance for free board.
 - As required by the New Zealand Building Code E1.3.2, surface water resulting from an event having a 2% probability of occurring annually, shall not enter buildings. The finished floor level shall be set accordingly.

13. The infrastructure for the servicing of this site is privately owned, and will not be managed or repaired by the Council.

Issued at Dunedin on 6 November 2018

A handwritten signature in black ink, appearing to read 'Colin Weatherall', with a stylized, cursive script.

Colin Weatherall
Chair
Hearings Committee

Consent Type: Land Use
Consent Number: LUC-2018-650

Purpose: Residential activity on Lot 51 SUB-2018-63
Location of Activity: 90 Orokonui Road, Waitati.
Legal Description: Lot 51 SUB-2018-63, currently part of Lot 100 DP 506797 (CFR 768400). For clarity, this consent applies to Lot 51 only. While Lot 51 is part of the balance land of any stage of SUB-2018-63, the relevant consent for this land will be LUC-2018-347.
Lapse Date: Five years from the dated of the signing of the s223 certificate for Stage D of SUB-2018-63, unless the consent has been given effect to before this date.

*That, pursuant to sections 34A(1) and 104B of the Resource Management Act 1991, and having regard to Part II matters and sections 104 and 104D, and the Dunedin City District Plan, the Dunedin City Council **grants** consent to a **non-complying** activity being:*

- *Residential activity (one unit only) in a new residential dwelling;*

except where modified by the following:

1. *The proposal shall be given effect to generally in accordance with the plans prepared by Terramark Ltd, entitled, 'Orokonui Estate Proposed Subdivision of Lot 100 DP 506797,' and 'Lot 51 Orokonui Estate,' and the accompanying information submitted as part of LUC-2018-650 received at Council on 28 June 2018, except where modified by the following:*
2. *Any new building constructed on this land must comply with a height plane angle of 63° as measured from existing ground level at the boundary.*
3. *Any new building constructed on this land must comply with a maximum height of 9.0m as measured from existing ground level immediately below the structure.*
4. *The development on this land must not exceed a site coverage of 30%.*

Advice Notes:

1. In addition to the conditions of a resource consent, the Resource Management Act 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. A similar responsibility exists under the Health Act 1956
2. The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.
3. Resource consents are not personal property. This consent attaches to the land to which it relates, and consequently the ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.

4. It is the consent holder's responsibility to comply with any conditions imposed on their 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.
5. Parts 4, 5 and 6 (Stormwater drainage, Wastewater and Water supply) of the Dunedin Code of Subdivision and Development 2010 shall be complied with.
6. The consent holder is to ensure that all practicable measures are used to mitigate erosion and to control and contain sediment-laden stormwater run-off from the site during any stages of site disturbance that may be associated with this subdivision.
7. The following documentation is recommended as best practice guidelines for managing erosion and sediment-laden run-off and for the design and construction of erosion and sediment control measures for small sites:
 - ARC Technical Publication No. 90 Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region, March 1999.
 - Environment Canterbury, 2007 'Erosion and Sediment Control Guidelines for the Canterbury Region' Report No. CRCR06/23.
 - Environment Canterbury, 2007 "Erosion and Sediment Control Guidelines for Small Sites."
8. All aspects relating to the availability of the water for fire-fighting should be in accordance with SNZ PAS 4509:2008, being the Fire Service Code of Practice for Fire Fighting Water Supplies, unless otherwise approved by the New Zealand Fire Service. Any proposed dwelling must be constructed within 135m of an existing fire hydrant, otherwise the proposal will be non-compliant with fire fighting requirements.
9. It is advised that in the event of any new development on-site, Transport will review the provisions for access and parking at the time of any building consent or resource consent application for a specific proposal.
10. This consent does not address any earthworks or retaining wall construction that may be required as part of the development of either the lots or access arrangements. It is possible further resource consent will be required for these matters (refer section 17.7 of the District Plan), as well as a consent for soil disturbance pursuant to the provisions of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.
11. Any future development of this site will need to consider the following:
 - All walls retaining over 1.5m, or a surcharge/slope, including terracing, will require design, specification and supervision by appropriately qualified person/s.
 - Any earth fill over 0.6m thick supporting foundations must be specified and supervised by a suitably qualified person in accordance with NZS 4431-1989 Code of Practice for Earthfill for Residential Development.
 - All advice and recommendations provided in Geosolve's geotechnical report submitted with the application SUB-2018-63 should be adhered to.
12. Certain requirements for building on this land may be stipulated via the building consent process, and are likely to include the following points:
 - Stormwater from driveways, sealed areas, and drain coils is not to create a nuisance on any adjoining properties.
 - Surface water is not to create a nuisance on any adjoining properties.
 - For secondary flow paths, the finished floor level shall be set at the height of the secondary flow plus an allowance for free board.
 - As required by the New Zealand Building Code E1.3.2, surface water resulting from an event having a 2% probability of occurring annually, shall not enter buildings. The finished floor level shall be set accordingly.

13. The infrastructure for the servicing of this site is privately owned, and will not be managed or repaired by the Council.

Issued at Dunedin on 6 November 2018

A handwritten signature in black ink, appearing to read 'Colin Weatherall', written in a cursive style.

Colin Weatherall
Chair
Hearings Committee

Consent Type: Land Use
Consent Number: LUC-2018-651

Purpose: Residential activity on Lot 52 SUB-2018-63
Location of Activity: 90 Orokonui Road, Waitati.
Legal Description: Lot 52 SUB-2018-63, currently part of Lot 100 DP 506797 (CFR 768400). For clarity, this consent applies to Lot 52 only. While Lot 52 is part of the balance land of any stage of SUB-2018-63, the relevant consent for this land will be LUC-2018-347.
Lapse Date: Five years from the dated of the signing of the s223 certificate for Stage E of SUB-2018-63, unless the consent has been given effect to before this date.

*That, pursuant to sections 34A(1) and 104B of the Resource Management Act 1991, and having regard to Part II matters and sections 104 and 104D, and the Dunedin City District Plan, the Dunedin City Council **grants** consent to a **non-complying** activity being:*

- *Residential activity (one unit only) in a new residential dwelling;*

except where modified by the following:

1. *The proposal shall be given effect to generally in accordance with the plans prepared by Terramark Ltd, entitled, 'Orokonui Estate Proposed Subdivision of Lot 100 DP 506797,' and 'Lot 52 Orokonui Estate – The Chapel' and the accompanying information submitted as part of LUC-2018-651 received at Council on 28 June 2018, except where modified by the following:*
2. *Any new building constructed on this land must comply with a height plane angle of 63° as measured from existing ground level at the boundary.*
3. *Any new building constructed on this land must comply with a maximum height of 9.0m as measured from existing ground level immediately below the structure.*
4. *The development on this land must not exceed a site coverage of 30%.*

Advice Notes:

1. In addition to the conditions of a resource consent, the Resource Management Act 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. A similar responsibility exists under the Health Act 1956
2. The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.
3. Resource consents are not personal property. This consent attaches to the land to which it relates, and consequently the ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.

4. It is the consent holder's responsibility to comply with any conditions imposed on their 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.
5. Parts 4, 5 and 6 (Stormwater drainage, Wastewater and Water supply) of the Dunedin Code of Subdivision and Development 2010 shall be complied with.
6. The consent holder is to ensure that all practicable measures are used to mitigate erosion and to control and contain sediment-laden stormwater run-off from the site during any stages of site disturbance that may be associated with this subdivision.
7. The following documentation is recommended as best practice guidelines for managing erosion and sediment-laden run-off and for the design and construction of erosion and sediment control measures for small sites:
 - ARC Technical Publication No. 90 Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region, March 1999.
 - Environment Canterbury, 2007 'Erosion and Sediment Control Guidelines for the Canterbury Region' Report No. CRCR06/23.
 - Environment Canterbury, 2007 "Erosion and Sediment Control Guidelines for Small Sites."
8. All aspects relating to the availability of the water for fire-fighting should be in accordance with SNZ PAS 4509:2008, being the Fire Service Code of Practice for Fire Fighting Water Supplies, unless otherwise approved by the New Zealand Fire Service. Any proposed dwelling must be constructed within 135m of an existing fire hydrant, otherwise the proposal will be non-compliant with fire fighting requirements.
9. It is advised that in the event of any new development on-site, Transport will review the provisions for access and parking at the time of any building consent or resource consent application for a specific proposal.
10. This consent does not address any earthworks or retaining wall construction that may be required as part of the development of either the lots or access arrangements. It is possible further resource consent will be required for these matters (refer section 17.7 of the District Plan), as well as a consent for soil disturbance pursuant to the provisions of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.
11. Any future development of this site will need to consider the following:
 - All walls retaining over 1.5m, or a surcharge/slope, including terracing, will require design, specification and supervision by appropriately qualified person/s.
 - Any earth fill over 0.6m thick supporting foundations must be specified and supervised by a suitably qualified person in accordance with NZS 4431-1989 Code of Practice for Earthfill for Residential Development.
 - All advice and recommendations provided in Geosolve's geotechnical report submitted with the application SUB-2018-63 should be adhered to.
12. Certain requirements for building on this land may be stipulated via the building consent process, and are likely to include the following points:
 - Stormwater from driveways, sealed areas, and drain coils is not to create a nuisance on any adjoining properties.
 - Surface water is not to create a nuisance on any adjoining properties.
 - For secondary flow paths, the finished floor level shall be set at the height of the secondary flow plus an allowance for free board.
 - As required by the New Zealand Building Code E1.3.2, surface water resulting from an event having a 2% probability of occurring annually, shall not enter buildings. The finished floor level shall be set accordingly.

13. The infrastructure for the servicing of this site is privately owned, and will not be managed or repaired by the Council.

Issued at Dunedin on 6 November 2018

A handwritten signature in black ink, appearing to read 'Colin Weatherall', written in a cursive style.

Colin Weatherall
Chair
Hearings Committee

Consent Type: Land Use
Consent Number: LUC-2018-652

Purpose: Residential activity on Lot 53 SUB-2018-63
Location of Activity: 90 Orokonui Road, Waitati.
Legal Description: Lot 53 SUB-2018-63, currently part of Lot 100 DP 506797 (CFR 768400). For clarity, this consent applies to Lot 43 only. While Lot 53 is part of the balance land of any stage of SUB-2018-63, the relevant consent for this land will be LUC-2018-347.
Lapse Date: Five years from the dated of the signing of the s223 certificate for Stage F of SUB-2018-63, unless the consent has been given effect to before this date.

*That, pursuant to sections 34A(1) and 104B of the Resource Management Act 1991, and having regard to Part II matters and sections 104 and 104D, the Dunedin City District Plan, and the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES), the Dunedin City Council **grants** consent to a **non-complying** activity being:*

- *Change of use, and the disturbance of soils for site remediation purposes under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ("the NES");*
- *Residential activity (one unit only) in either an existing building or a replacement building;*

except where modified by the following:

1. *The proposal shall be given effect to generally in accordance with the plans prepared by Terramark Ltd, entitled, 'Orokonui Estate Proposed Subdivision of Lot 100 DP 506797,' and 'Lot 53 Orokonui Estate – The Workshop and Barn,' and the accompanying information submitted as part of LUC-2018-652 received at Council on 28 June 2018, except where modified by the following:*
2. *Any new building constructed on this land must comply with a height plane angle of 63° as measured from existing ground level at the boundary.*
3. *Any new building constructed on this land must comply with a maximum height of 9.0m as measured from existing ground level immediately below the structure.*
4. *The development on this land must not exceed a site coverage of 30%.*
5. *If a new residential unit is to be constructed on this land, then the existing house/workshop must be removed.*

NES:

6. *If, following the detailed site investigation of condition 18(a) of SUB-2018-63, it is determined that remediation work is requires soil disturbance of contaminated soils above the NES permitted levels, the consent holder must complete the following:*

- a) *A Contaminated Soils Management Plan (CSMP) must be prepared and provided to the Resource Consent Manager for review to rcmonitoring@dcc.govt.nz no less than 10 working days before the scheduled start date. The CSMP must be approved by the Resource Consent Manager before any work on site can commence. The CSMP is to address:*
- *works appropriate for the contaminants present on-site*
 - *duration of the works*
 - *storage of soils during works*
 - *safe transport and disposal of soils*
 - *methods to ensure site is made erosion resistant*
 - *communication to workers*
 - *dust and sediment control*
- b) *All soil disturbance works must be undertaken in accordance with the approved CSMP. All soils should be handled in strict accordance with the provisions of the CSMP.*
- c) *That the soils to be removed from the site must be tested and analysed for contaminants. A Site Soil Disposition Report must be submitted to the Council confirming that the conditions of the CSMP report have been met, and that the soils removed from the site have been disposed of appropriately.*
- d) *Any soils removed from the subject sites shall be disposed of to an appropriately licensed landfill for such material. Evidence of disposal must be delivered to Council and may be by way of waste manifests and/or weighbridge receipts to rcmonitoring@dcc.govt.nz.*

Advice Notes:

1. In addition to the conditions of a resource consent, the Resource Management Act 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. A similar responsibility exists under the Health Act 1956
2. The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.
3. Resource consents are not personal property. This consent attaches to the land to which it relates, and consequently the ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.
4. It is the consent holder's responsibility to comply with any conditions imposed on their 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.
5. Parts 4, 5 and 6 (Stormwater drainage, Wastewater and Water supply) of the Dunedin Code of Subdivision and Development 2010 shall be complied with.
6. The consent holder is to ensure that all practicable measures are used to mitigate erosion and to control and contain sediment-laden stormwater run-off from the site during any stages of site disturbance that may be associated with this subdivision.
7. The following documentation is recommended as best practice guidelines for managing erosion and sediment-laden run-off and for the design and construction of erosion and sediment control measures for small sites:
 - ARC Technical Publication No. 90 Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region, March 1999.

- Environment Canterbury, 2007 'Erosion and Sediment Control Guidelines for the Canterbury Region' Report No. CRCR06/23.
 - Environment Canterbury, 2007 "Erosion and Sediment Control Guidelines for Small Sites."
8. All aspects relating to the availability of the water for fire-fighting should be in accordance with SNZ PAS 4509:2008, being the Fire Service Code of Practice for Fire Fighting Water Supplies, unless otherwise approved by the New Zealand Fire Service. Any proposed dwelling must be constructed within 135m of an existing fire hydrant, otherwise the proposal will be non-compliant with fire fighting requirements.
 9. It is advised that in the event of any new development on-site, Transport will review the provisions for access and parking at the time of any building consent or resource consent application for a specific proposal.
 10. This consent does not address any earthworks or retaining wall construction that may be required as part of the development of either the lots or access arrangements. It is possible further resource consent will be required for these matters (refer section 17.7 of the District Plan), as well as a consent for soil disturbance pursuant to the provisions of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.
 11. Any future development of this site will need to consider the following:
 - All walls retaining over 1.5m, or a surcharge/slope, including terracing, will require design, specification and supervision by appropriately qualified person/s.
 - Any earth fill over 0.6m thick supporting foundations must be specified and supervised by a suitably qualified person in accordance with NZS 4431-1989 Code of Practice for Earthfill for Residential Development.
 - All advice and recommendations provided in Geosolve's geotechnical report submitted with the application SUB-2018-63 should be adhered to.
 12. Certain requirements for building on this land may be stipulated via the building consent process, and are likely to include the following points:
 - Stormwater from driveways, sealed areas, and drain coils is not to create a nuisance on any adjoining properties.
 - Surface water is not to create a nuisance on any adjoining properties.
 - For secondary flow paths, the finished floor level shall be set at the height of the secondary flow plus an allowance for free board.
 - As required by the New Zealand Building Code E1.3.2, surface water resulting from an event having a 2% probability of occurring annually, shall not enter buildings. The finished floor level shall be set accordingly.
 13. The infrastructure for the servicing of this site is privately owned, and will not be managed or repaired by the Council.

Issued at Dunedin on 6 November 2018



Colin Weatherall
Chair
Hearings Committee

Consent Type: Land Use
Consent Number: LUC-2018-653

Purpose: Residential activity on Lot 61 SUB-2018-63
Location of Activity: 90 Orokonui Road, Waitati.
Legal Description: Lot 61 SUB-2018-63, currently part of Lot 100 DP 506797 (CFR 768400). For clarity, this consent applies to Lot 61 only. While Lot 61 is part of the balance land of any stage of SUB-2018-63, the relevant consent for this land will be LUC-2018-347.
Lapse Date: Five years from the dated of the signing of the s223 certificate for Stage G of SUB-2018-63, unless the consent has been given effect to before this date.

*That, pursuant to sections 34A(1) and 104B of the Resource Management Act 1991, and having regard to Part II matters and sections 104 and 104D, the Dunedin City District Plan, and the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES), the Dunedin City Council **grants** consent to a **non-complying** activity being:*

- *Change of use, and the disturbance of soils for site remediation purposes under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ("the NES");*
- *Residential activity (one unit only) in either an existing building or a replacement building;*

except where modified by the following:

1. *The proposal shall be given effect to generally in accordance with the plans prepared by Terramark Ltd, entitled, 'Orokonui Estate Proposed Subdivision of Lot 100 DP 506797,' and 'Lot 61 Orokonui Estate – The Therapy Building,' and the accompanying information submitted as part of LUC-2018-653 received at Council on 28 June 2018, except where modified by the following:*
2. *Any new building constructed on this land must comply with a height plane angle of 63° as measured from existing ground level at the boundary.*
3. *Any new building constructed on this land must comply with a maximum height of 9.0m as measured from existing ground level immediately below the structure.*
4. *The development on this land must not exceed a site coverage of 30%.*
5. *If a new residential unit is to be constructed on this land, then the existing building must be removed.*

NES:

6. *If, following the detailed site investigation of condition 21(a) of SUB-2018-63, it is determined that remediation work is requires soil disturbance of contaminated soils above the NES permitted levels, the consent holder must complete the following:*

- a) *A Contaminated Soils Management Plan (CSMP) must be prepared and provided to the Resource Consent Manager for review to rcmonitoring@dcc.govt.nz no less than 10 working days before the scheduled start date. The CSMP must be approved by the Resource Consent Manager before any work on site can commence. The CSMP is to address:*
- *works appropriate for the contaminants present on-site*
 - *duration of the works*
 - *storage of soils during works*
 - *safe transport and disposal of soils*
 - *methods to ensure site is made erosion resistant*
 - *communication to workers*
 - *dust and sediment control*
- b) *All soil disturbance works must be undertaken in accordance with the approved CSMP. All soils should be handled in strict accordance with the provisions of the CSMP.*
- c) *That the soils to be removed from the site must be tested and analysed for contaminants. A Site Soil Disposition Report must be submitted to the Council confirming that the conditions of the CSMP report have been met, and that the soils removed from the site have been disposed of appropriately.*
- d) *Any soils removed from the subject sites shall be disposed of to an appropriately licensed landfill for such material. Evidence of disposal must be delivered to Council and may be by way of waste manifests and/or weighbridge receipts to rcmonitoring@dcc.govt.nz.*

Advice Notes:

1. In addition to the conditions of a resource consent, the Resource Management Act 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. A similar responsibility exists under the Health Act 1956
2. The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.
3. Resource consents are not personal property. This consent attaches to the land to which it relates, and consequently the ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.
4. It is the consent holder's responsibility to comply with any conditions imposed on their 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.
5. Parts 4, 5 and 6 (Stormwater drainage, Wastewater and Water supply) of the Dunedin Code of Subdivision and Development 2010 shall be complied with.
6. The consent holder is to ensure that all practicable measures are used to mitigate erosion and to control and contain sediment-laden stormwater run-off from the site during any stages of site disturbance that may be associated with this subdivision.
7. The following documentation is recommended as best practice guidelines for managing erosion and sediment-laden run-off and for the design and construction of erosion and sediment control measures for small sites:
 - ARC Technical Publication No. 90 Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region, March 1999.

- Environment Canterbury, 2007 'Erosion and Sediment Control Guidelines for the Canterbury Region' Report No. CRCR06/23.
 - Environment Canterbury, 2007 "Erosion and Sediment Control Guidelines for Small Sites."
8. All aspects relating to the availability of the water for fire-fighting should be in accordance with SNZ PAS 4509:2008, being the Fire Service Code of Practice for Fire Fighting Water Supplies, unless otherwise approved by the New Zealand Fire Service. Any proposed dwelling must be constructed within 135m of an existing fire hydrant, otherwise the proposal will be non-compliant with fire fighting requirements.
 9. It is advised that in the event of any new development on-site, Transport will review the provisions for access and parking at the time of any building consent or resource consent application for a specific proposal.
 10. This consent does not address any earthworks or retaining wall construction that may be required as part of the development of either the lots or access arrangements. It is possible further resource consent will be required for these matters (refer section 17.7 of the District Plan), as well as a consent for soil disturbance pursuant to the provisions of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.
 11. Any future development of this site will need to consider the following:
 - All walls retaining over 1.5m, or a surcharge/slope, including terracing, will require design, specification and supervision by appropriately qualified person/s.
 - Any earth fill over 0.6m thick supporting foundations must be specified and supervised by a suitably qualified person in accordance with NZS 4431-1989 Code of Practice for Earthfill for Residential Development.
 - All advice and recommendations provided in Geosolve's geotechnical report submitted with the application SUB-2018-63 should be adhered to.
 12. Certain requirements for building on this land may be stipulated via the building consent process, and are likely to include the following points:
 - Stormwater from driveways, sealed areas, and drain coils is not to create a nuisance on any adjoining properties.
 - Surface water is not to create a nuisance on any adjoining properties.
 - For secondary flow paths, the finished floor level shall be set at the height of the secondary flow plus an allowance for free board.
 - As required by the New Zealand Building Code E1.3.2, surface water resulting from an event having a 2% probability of occurring annually, shall not enter buildings. The finished floor level shall be set accordingly.
 13. The infrastructure for the servicing of this site is privately owned, and will not be managed or repaired by the Council.

Issued at Dunedin on 6 November 2018



Colin Weatherall
Chair
Hearings Committee

Consent Type: Land Use
Consent Number: LUC-2018-654

Purpose: Residential activity on Lot 71 SUB-2018-63
Location of Activity: 90 Orokonui Road, Waitati.
Legal Description: Lot 71 SUB-2018-63, currently part of Lot 100 DP 506797 (CFR 768400). For clarity, this consent applies to Lot 71 only. While Lot 71 is part of the balance land of any stage of SUB-2018-63, the relevant consent for this land will be LUC-2018-347.
Lapse Date: Five years from the dated of the signing of the s223 certificate for Stage H of SUB-2018-63, unless the consent has been given effect to before this date.

*That, pursuant to sections 34A(1) and 104B of the Resource Management Act 1991, and having regard to Part II matters and sections 104 and 104D, and the Dunedin City District Plan, the Dunedin City Council **grants** consent to a **non-complying** activity being:*

- *Residential activity (one unit only) within a new residential dwelling;*

except where modified by the following:

1. *The proposal shall be given effect to generally in accordance with the plans prepared by Terramark Ltd, entitled, 'Orokonui Estate Proposed Subdivision of Lot 100 DP 506797,' and 'Lot 71 Orokonui Estate – The Tennis Court,' and the accompanying information submitted as part of LUC-2018-654 received at Council on 28 June 2018, except where modified by the following:*
2. *Any new building constructed on this land must comply with a height plane angle of 63° as measured from existing ground level at the boundary.*
3. *Any new building constructed on this land must comply with a maximum height of 9.0m as measured from existing ground level immediately below the structure.*
4. *The development on this land must not exceed a site coverage of 30%.*

Advice Notes:

1. In addition to the conditions of a resource consent, the Resource Management Act 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. A similar responsibility exists under the Health Act 1956
2. The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.
3. Resource consents are not personal property. This consent attaches to the land to which it relates, and consequently the ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.
4. It is the consent holder's responsibility to comply with any conditions imposed on their 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.

5. Parts 4, 5 and 6 (Stormwater drainage, Wastewater and Water supply) of the Dunedin Code of Subdivision and Development 2010 shall be complied with.
6. The consent holder is to ensure that all practicable measures are used to mitigate erosion and to control and contain sediment-laden stormwater run-off from the site during any stages of site disturbance that may be associated with this subdivision.
7. The following documentation is recommended as best practice guidelines for managing erosion and sediment-laden run-off and for the design and construction of erosion and sediment control measures for small sites:
 - ARC Technical Publication No. 90 Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region, March 1999.
 - Environment Canterbury, 2007 'Erosion and Sediment Control Guidelines for the Canterbury Region' Report No. CRCR06/23.
 - Environment Canterbury, 2007 "Erosion and Sediment Control Guidelines for Small Sites."
8. All aspects relating to the availability of the water for fire-fighting should be in accordance with SNZ PAS 4509:2008, being the Fire Service Code of Practice for Fire Fighting Water Supplies, unless otherwise approved by the New Zealand Fire Service. Any proposed dwelling must be constructed within 135m of an existing fire hydrant, otherwise the proposal will be non-compliant with fire fighting requirements.
9. It is advised that in the event of any new development on-site, Transport will review the provisions for access and parking at the time of any building consent or resource consent application for a specific proposal.
10. This consent does not address any earthworks or retaining wall construction that may be required as part of the development of either the lots or access arrangements. It is possible further resource consent will be required for these matters (refer section 17.7 of the District Plan), as well as a consent for soil disturbance pursuant to the provisions of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.
11. Any future development of this site will need to consider the following:
 - All walls retaining over 1.5m, or a surcharge/slope, including terracing, will require design, specification and supervision by appropriately qualified person/s.
 - Any earth fill over 0.6m thick supporting foundations must be specified and supervised by a suitably qualified person in accordance with NZS 4431-1989 Code of Practice for Earthfill for Residential Development.
 - All advice and recommendations provided in Geosolve's geotechnical report submitted with the application SUB-2018-63 should be adhered to.
12. Certain requirements for building on this land may be stipulated via the building consent process, and are likely to include the following points:
 - Stormwater from driveways, sealed areas, and drain coils is not to create a nuisance on any adjoining properties.
 - Surface water is not to create a nuisance on any adjoining properties.
 - For secondary flow paths, the finished floor level shall be set at the height of the secondary flow plus an allowance for free board.
 - As required by the New Zealand Building Code E1.3.2, surface water resulting from an event having a 2% probability of occurring annually, shall not enter buildings. The finished floor level shall be set accordingly.

13. The infrastructure for the servicing of this site is privately owned, and will not be managed or repaired by the Council.

Issued at Dunedin on 6 November 2018

A handwritten signature in black ink, appearing to read 'C. Weatherall', with a stylized, flowing script.

Colin Weatherall
Chair
Hearings Committee

Consent Type: Land Use
Consent Number: LUC-2018-655

Purpose: Residential activity on Lot 43 SUB-2018-63
Location of Activity: 90 Orokonui Road, Waitati.
Legal Description: Lot 81 SUB-2018-63, currently part of Lot 100 DP 506797 (CFR 768400). For clarity, this consent applies to Lot 81 only. While Lot 81 is part of the balance land of any stage of SUB-2018-63, the relevant consent for this land will be LUC-2018-347.
Lapse Date: Five years from the dated of the signing of the s223 certificate for Stage I of SUB-2018-63, unless the consent has been given effect to before this date.

*That, pursuant to sections 34A(1) and 104B of the Resource Management Act 1991, and having regard to Part II matters and sections 104 and 104D, the Dunedin City District Plan, and the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES), the Dunedin City Council **grants** consent to a **non-complying** activity being:*

- *Change of use, and the disturbance of soils for site remediation purposes under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ("the NES");*
- *Residential activity (one unit only) within the existing building or a replacement building;*

except where modified by the following:

1. *The proposal shall be given effect to generally in accordance with the plans prepared by Terramark Ltd, entitled, 'Orokonui Estate Proposed Subdivision of Lot 100 DP 506797,' and 'Lot 81 Orokonui Estate – The Female-2 Villa,' and the accompanying information submitted as part of LUC-2018-655 received at Council on 28 June 2018, except where modified by the following:*
2. *Any new building constructed on this land must comply with a height plane angle of 63° as measured from existing ground level at the boundary.*
3. *Any new building constructed on this land must comply with a maximum height of 9.0m as measured from existing ground level immediately below the structure.*
4. *The development on this land must not exceed a site coverage of 30%.*
5. *If a new residential unit is to be constructed on this land, then the existing building must be removed.*

NES:

6. *If, following the detailed site investigation of condition 27(a) of SUB-2018-63, it is determined that remediation work is requires soil disturbance of contaminated soils above the NES permitted levels, the consent holder must complete the following:*

- a) *A Contaminated Soils Management Plan (CSMP) must be prepared and provided to the Resource Consent Manager for review to rcmonitoring@dcc.govt.nz no less than 10 working days before the scheduled start date. The CSMP must be approved by the Resource Consent Manager before any work on site can commence. The CSMP is to address:*
- *works appropriate for the contaminants present on-site*
 - *duration of the works*
 - *storage of soils during works*
 - *safe transport and disposal of soils*
 - *methods to ensure site is made erosion resistant*
 - *communication to workers*
 - *dust and sediment control*
- b) *All soil disturbance works must be undertaken in accordance with the approved CSMP. All soils should be handled in strict accordance with the provisions of the CSMP.*
- c) *That the soils to be removed from the site must be tested and analysed for contaminants. A Site Soil Disposition Report must be submitted to the Council confirming that the conditions of the CSMP report have been met, and that the soils removed from the site have been disposed of appropriately.*
- d) *Any soils removed from the subject sites shall be disposed of to an appropriately licensed landfill for such material. Evidence of disposal must be delivered to Council and may be by way of waste manifests and/or weighbridge receipts to rcmonitoring@dcc.govt.nz.*

Advice Notes:

1. In addition to the conditions of a resource consent, the Resource Management Act 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. A similar responsibility exists under the Health Act 1956
2. The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.
3. Resource consents are not personal property. This consent attaches to the land to which it relates, and consequently the ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.
4. It is the consent holder's responsibility to comply with any conditions imposed on their 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.
5. Parts 4, 5 and 6 (Stormwater drainage, Wastewater and Water supply) of the Dunedin Code of Subdivision and Development 2010 shall be complied with.
6. The consent holder is to ensure that all practicable measures are used to mitigate erosion and to control and contain sediment-laden stormwater run-off from the site during any stages of site disturbance that may be associated with this subdivision.
7. The following documentation is recommended as best practice guidelines for managing erosion and sediment-laden run-off and for the design and construction of erosion and sediment control measures for small sites:
 - ARC Technical Publication No. 90 Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region, March 1999.

- Environment Canterbury, 2007 'Erosion and Sediment Control Guidelines for the Canterbury Region' Report No. CRCR06/23.
 - Environment Canterbury, 2007 "Erosion and Sediment Control Guidelines for Small Sites."
8. All aspects relating to the availability of the water for fire-fighting should be in accordance with SNZ PAS 4509:2008, being the Fire Service Code of Practice for Fire Fighting Water Supplies, unless otherwise approved by the New Zealand Fire Service. Any proposed dwelling must be constructed within 135m of an existing fire hydrant, otherwise the proposal will be non-compliant with fire fighting requirements.
 9. It is advised that in the event of any new development on-site, Transport will review the provisions for access and parking at the time of any building consent or resource consent application for a specific proposal.
 10. This consent does not address any earthworks or retaining wall construction that may be required as part of the development of either the lots or access arrangements. It is possible further resource consent will be required for these matters (refer section 17.7 of the District Plan), as well as a consent for soil disturbance pursuant to the provisions of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.
 11. Any future development of this site will need to consider the following:
 - All walls retaining over 1.5m, or a surcharge/slope, including terracing, will require design, specification and supervision by appropriately qualified person/s.
 - Any earth fill over 0.6m thick supporting foundations must be specified and supervised by a suitably qualified person in accordance with NZS 4431-1989 Code of Practice for Earthfill for Residential Development.
 - All advice and recommendations provided in Geosolve's geotechnical report submitted with the application SUB-2018-63 should be adhered to.
 12. Certain requirements for building on this land may be stipulated via the building consent process, and are likely to include the following points:
 - Stormwater from driveways, sealed areas, and drain coils is not to create a nuisance on any adjoining properties.
 - Surface water is not to create a nuisance on any adjoining properties.
 - For secondary flow paths, the finished floor level shall be set at the height of the secondary flow plus an allowance for free board.
 - As required by the New Zealand Building Code E1.3.2, surface water resulting from an event having a 2% probability of occurring annually, shall not enter buildings. The finished floor level shall be set accordingly.
 13. The infrastructure for the servicing of this site is privately owned, and will not be managed or repaired by the Council.

Issued at Dunedin on 6 November 2018



Colin Weatherall
Chair
Hearings Committee

Consent Type: Land Use
Consent Number: LUC-2018-656

Purpose: Residential activity on Lot 82 SUB-2018-63
Location of Activity: 90 Orokonui Road, Waitati.
Legal Description: Lot 82 SUB-2018-63, currently part of Lot 100 DP 506797 (CFR 768400). For clarity, this consent applies to Lot 82 only. While Lot 82 is part of the balance land of any stage of SUB-2018-63, the relevant consent for this land will be LUC-2018-347.
Lapse Date: Five years from the dated of the signing of the s223 certificate for Stage J of SUB-2018-63, unless the consent has been given effect to before this date.

*That, pursuant to sections 34A(1) and 104B of the Resource Management Act 1991, and having regard to Part II matters and sections 104 and 104D, and the Dunedin City District Plan, the Dunedin City Council **grants** consent to a **non-complying** activity being:*

- *Residential activity (one unit only) within a new residential dwelling,*

except where modified by the following:

1. *The proposal shall be given effect to generally in accordance with the plans prepared by Terramark Ltd, entitled, 'Orokonui Estate Proposed Subdivision of Lot 100 DP 506797,' and 'Lot 82 Orokonui Estate,' and the accompanying information submitted as part of LUC-2018-656 received at Council on 28 June 2018, except where modified by the following:*
2. *Any new building constructed on this land must comply with a height plane angle of 63° as measured from existing ground level at the boundary.*
3. *Any new building constructed on this land must comply with a maximum height of 9.0m as measured from existing ground level immediately below the structure.*
4. *The development on this land must not exceed a site coverage of 30%.*
5. *That the existing shed on this site must be demolished once residential activity is established in a new building.*

Advice Notes:

1. In addition to the conditions of a resource consent, the Resource Management Act 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. A similar responsibility exists under the Health Act 1956
2. The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.
3. Resource consents are not personal property. This consent attaches to the land to which it relates, and consequently the ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.

4. It is the consent holder's responsibility to comply with any conditions imposed on their 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.
5. Parts 4, 5 and 6 (Stormwater drainage, Wastewater and Water supply) of the Dunedin Code of Subdivision and Development 2010 shall be complied with.
6. The consent holder is to ensure that all practicable measures are used to mitigate erosion and to control and contain sediment-laden stormwater run-off from the site during any stages of site disturbance that may be associated with this subdivision.
7. The following documentation is recommended as best practice guidelines for managing erosion and sediment-laden run-off and for the design and construction of erosion and sediment control measures for small sites:
 - ARC Technical Publication No. 90 Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region, March 1999.
 - Environment Canterbury, 2007 'Erosion and Sediment Control Guidelines for the Canterbury Region' Report No. CRCR06/23.
 - Environment Canterbury, 2007 "Erosion and Sediment Control Guidelines for Small Sites."
8. All aspects relating to the availability of the water for fire-fighting should be in accordance with SNZ PAS 4509:2008, being the Fire Service Code of Practice for Fire Fighting Water Supplies, unless otherwise approved by the New Zealand Fire Service. Any proposed dwelling must be constructed within 135m of an existing fire hydrant, otherwise the proposal will be non-compliant with fire fighting requirements.
9. It is advised that in the event of any new development on-site, Transport will review the provisions for access and parking at the time of any building consent or resource consent application for a specific proposal.
10. This consent does not address any earthworks or retaining wall construction that may be required as part of the development of either the lots or access arrangements. It is possible further resource consent will be required for these matters (refer section 17.7 of the District Plan), as well as a consent for soil disturbance pursuant to the provisions of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.
11. Any future development of this site will need to consider the following:
 - All walls retaining over 1.5m, or a surcharge/slope, including terracing, will require design, specification and supervision by appropriately qualified person/s.
 - Any earth fill over 0.6m thick supporting foundations must be specified and supervised by a suitably qualified person in accordance with NZS 4431-1989 Code of Practice for Earthfill for Residential Development.
 - All advice and recommendations provided in Geosolve's geotechnical report submitted with the application SUB-2018-63 should be adhered to.
12. Certain requirements for building on this land may be stipulated via the building consent process, and are likely to include the following points:
 - Stormwater from driveways, sealed areas, and drain coils is not to create a nuisance on any adjoining properties.
 - Surface water is not to create a nuisance on any adjoining properties.
 - For secondary flow paths, the finished floor level shall be set at the height of the secondary flow plus an allowance for free board.

- As required by the New Zealand Building Code E1.3.2, surface water resulting from an event having a 2% probability of occurring annually, shall not enter buildings. The finished floor level shall be set accordingly.
13. The infrastructure for the servicing of this site is privately owned, and will not be managed or repaired by the Council.

Issued at Dunedin on 6 November 2018

A handwritten signature in black ink, appearing to read 'C. Weatherall', with a stylized, flowing script.

Colin Weatherall
Chair
Hearings Committee

Appendix One: Approved Plans for SUB-2018-63, LUC-2018-347, LUC-2018-646 and LUC-2018-648 to LUC-2018-656 (scanned images, not to scale)





Lot 41 Orokonui Estate The Hall	Scale:	Job No:
	1:600@ A4	D6230
	Date:	Plan No:
	June 2018	D6230/11 - 41
Plotted by: Maaike, duncan Date Plotted: 28/06/2018 12:05:49 p.m. P:\JOB FOLDERS\Orokonui Estate\Orokonui Estate Plans\8230_11 RC Scheme Plan.dwg		





Lot 42
Orokonui Estate
The Chapel

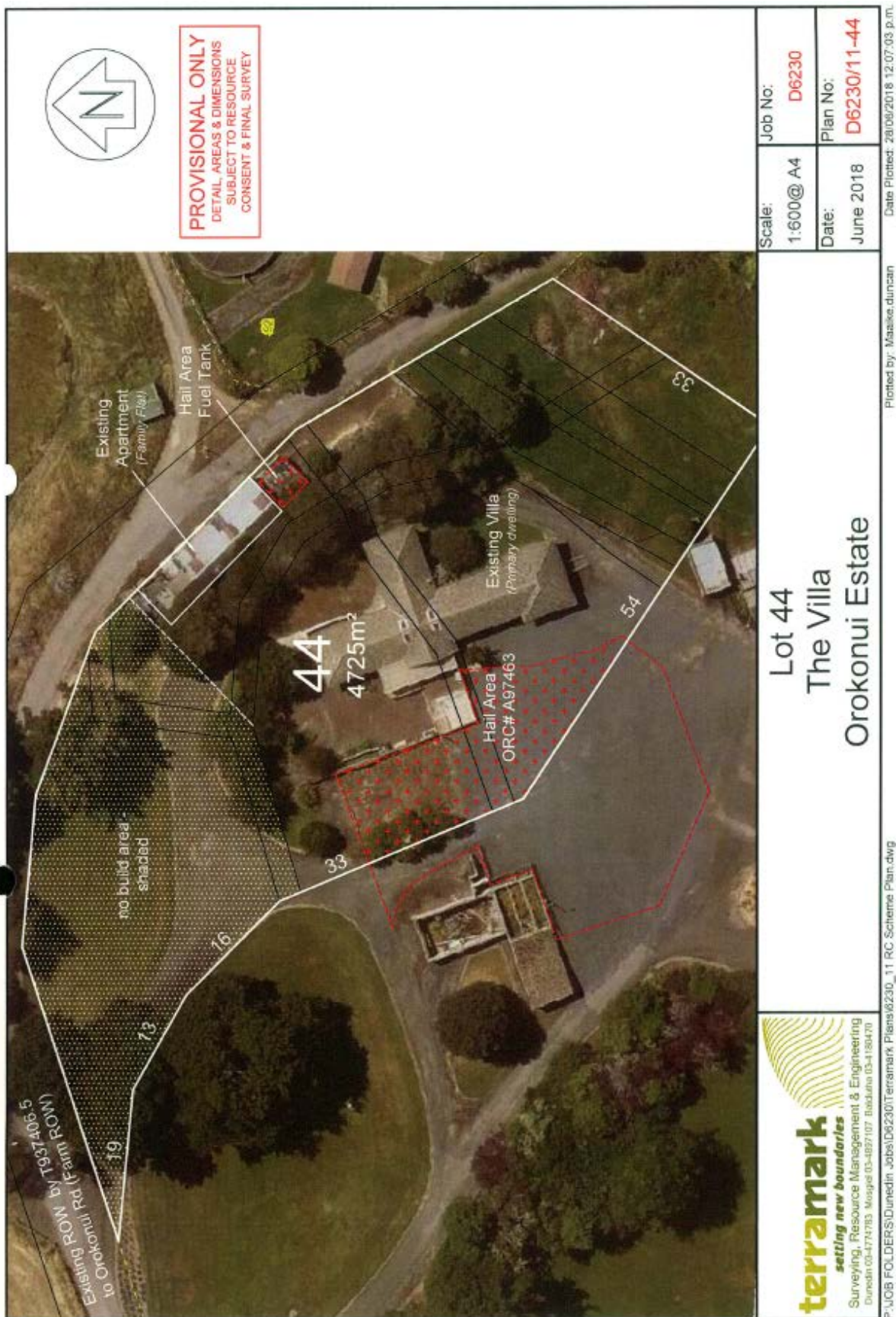
terramark
setting new boundaries
Surveying, Resource Management & Engineering
Dunedin 03-4774783 Moaia 03-4897107 Balclutha 03-4180470

Job No: D6230	Scale: 1:400 @ A4
Date: June 2018	Plan #: D6230/11-42

P:\JOB FOLDERS\Dunedin Jobs\D6230\Terramark Plans\6230_11 RC Scheme Plan.dwg

Plotted by: Maaike dunc Date Plotted: 28/06/2018 12:06:17 p.m.







PROVISIONAL ONLY
DETAIL, AREAS & DIMENSIONS
SUBJECT TO RESOURCE
CONSENT & FINAL SURVEY



Lot 51 Orokonui Estate

terramark
setting new boundaries
Surveying, Resource Management & Engineering
Dunedin 03-4774783 Mosgiel 03-4897107 Balclutha 03-4180470

Job No: D6230	Scale: 1:700 @ A4
Date: June 2018	Plan #: D6230/11-51

P:\JOB FOLDERS\Dunedin Jobs\D6230\Terramark Plans\6230_11 RC Scheme Plan.dwg

Plotted by: Maaika.duncanson Date Plotted: 28/06/2018 12:07:38 p.m.



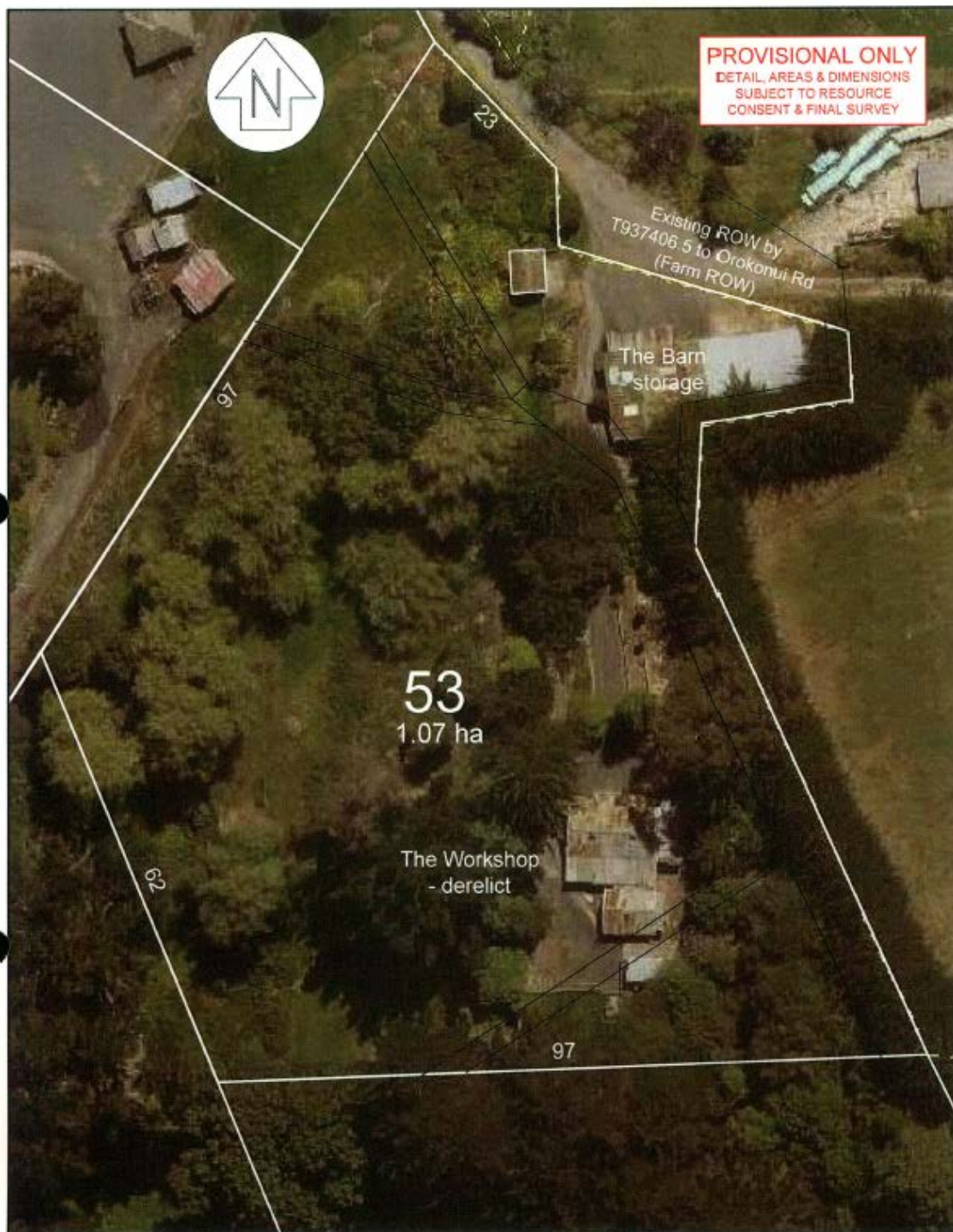
Lot 52
Orokonui Estate

terramark
setting new boundaries
Surveying, Resource Management & Engineering
Dunedin 03-4774783 Mosgiel 03-4897107 Balclutha 03-4180470

Job No: D6230	Scale: 1:700 @ A4
Date: June 2018	Plan #: D6230/11-52

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Plotted by: Masike.dunc Date Plotted: 28/06/2018 12:09:58 p.m.



Lot 53
Orokonui Estate
The Workshop and Barn

terramark
setting new boundaries
Surveying, Resource Management & Engineering
Dunedin 03-4774783 Moiraki 03-4897107 Balclutha 03-4180470

Job No: D6230	Scale: 1:700 @ A4
Date: June 2018	Plan #: D6230/11-53

P:\JOB FOLDERS\Dunedin Jobs\D6230\Terramark Plans\6230_11 RC Scheme Plan.dwg

Plotted by: Masike.dunc Date Plotted: 28/06/2018 12:10:13 p.m.



PROVISIONAL ONLY
DETAIL AREAS & DIMENSIONS
SUBJECT TO RESOURCE
CONSENT & FINAL SURVEY



Lot 61
Orokonui Estate
The Therapy Building

terramark
setting new boundaries
Surveying, Resource Management & Engineering
Dunedin 03-4774763 Mosgiel 03-4897107 Balclutha 03-4180470

Job No: D6230	Scale: 1:500 @ A4
Date: June 2018	Plan #: D6230/11-61

P:\JOB FOLDERS\Dunedin Jobs\D6230\Terramark Plans\6230_11 RC Scheme Plan.dwg

Plotted by: Maaike dunc Date Plotted: 28/06/2018 12:10:32 p.m.



PROVISIONAL ONLY
DETAIL, AREAS & DIMENSIONS
SUBJECT TO RESOURCE
CONSENT & FINAL SURVEY



Lot 71
Orokonui Estate
The Tennis Court

terramark
setting new boundaries
Surveying, Resource Management & Engineering
Dunedin 03-4774783 Moiraki 03-4997107 Balclutha 03-4180470

Job No: D6230	Scale: 1:400 @ A4
Date: June 2018	Plan #: 6230/11-71

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Plotted by: Msaik dunc Date Plotted: 28/06/2018 12:10:49 p.m.



Lot 81
Orokonui Estate
The Female-2 Villa

terramark
setting new boundaries
Surveying, Resource Management & Engineering
Dunedin 03-4774783 Mosgiel 03-4897707 Blakelys 03-4180470

Job No: D6230	Scale: 1:400 @ A4
Date: June 2018	Plan #: 6230/11-81

P:\JOB FOLDERS\Dunedin Jobs\D6230\Terramark Plans\6230_11 RC Scheme Plan.dwg

Plotted by: Masike.duncanson Date Plotted: 28/06/2018 12:11:12 p.m.

