

*That pursuant to section 34A(1) and 104B and sections 104 and 104D of the Resource Management Act 1991, the Dunedin City Council **grants** consent to a **non-complying** activity being the establishment of a residential landscape platform on an undersized lot, subject to the conditions below, imposed under Section 108 of the Act:*

Location of Activity: 533 Mount Cargill Road, Dunedin

Legal Description: Section 5 Block VII North Harbour & Blueskin Survey District (Computer Freehold Register CT OT79/251) and Section 6 Block VII North Harbour & Blueskin Survey District (Computer Freehold Register CT OT260/294)

Lapse Date: XX July 2022, unless the consent has been given effect to before this date.

**Conditions:**

- 1 The proposal shall be constructed generally in accordance with the plans and relevant details submitted with the resource consent application received by Council on 3 March 2017 and additional information received on 13 March 2017 and in accordance with the conditions below:*

**Landscape**

- 2 Prior to commencing any development within the approved building platform, a land covenant shall be registered on the Certificates of Title requiring the allotments within the composite site area to be amalgamated. The covenant shall specify the following:*

*"Section 5 Block VII North Harbour & Blueskin Survey District (Computer Freehold Register CT OT79/251) and Section 6 Block VII North Harbour & Blueskin Survey District (Computer Freehold Register CT OT260/294) shall be amalgamated together prior to any residential occupation to reduce the fragmentation of land within the Flagstaff- Mt Cargill Landscape Conservation Area (VPA) with the establishment of residential use on the site".*

- 3 Prior to commencing any development within the approved building platform, a survey (to-scale) shall be completed by a suitably qualified person identifying on a Site Plan and quantifying (m<sup>2</sup>) the bush regeneration area and the details submitted to the Planning Manager for ~~approval~~certification. ~~to allow monitoring of the success of any~~*
- 4 All buildings, including accessory buildings, and residential curtilage are to be located within the identified building platform (which is centralised along the 295 contour).*
- 5 All buildings shall be a maximum of ~~5m~~6m in height above existing ground level.*
- 6 All buildings shall be finished in naturally weathered timber or locally appropriate stone, or in colours that have low levels of contrast with the colours of the wider bushland setting. Painted surfaces will have light reflecting ratings of no more than 15%.*
- 7 All services with the exception of effluent disposal shall be located below ground.*
- 8 The driveway is to retain an informal rural character with gravel surface and soft edges (i.e. no kerbs). Monumental gates and driveway lighting are not permitted.*
- 9 A lighting plan for any buildings proposed within the approved building platform shall be submitted to the Planning Manager for approval within 1 month of construction of*

any building within the approved building platform. The lighting plan shall include the following design considerations:

- (i) Outdoor lighting shall be down lighting only;
- (ii) All outdoor lighting shall be of low luminance (XXX acceptable limit specified).
- (iii) Any exterior lighting shall be limited to the approved building platform only.

To achieve the following objective:

- (i) Low visibility of domestication in distant views to the north along Mount Cargill Road and Green Road.

10 All areas of existing indigenous vegetation (not including the native under storey to the exotic species) are to be retained and managed to protect and enhance their extent and quality.

11 The vegetation within the screen planting area (Area C on the Development Concept Plan) shall be managed to ensure that effective screening of the building platform area from Mt Cargill Road to the south, and the visual effect of a strongly planted backdrop to the building platform area from viewpoints to the north and north-east, is maintained.

~~1112 A landscape plan for the area labelled screen planting area shall be submitted to the Planning Manager for approval and implemented (in the event that the Macrocarpa Shelterbelt is removed) with the objective of providing screening and of residential activity within the landscape platform area from 539 Mount Cargill Road and Mount Cargill Road.~~

~~12 A landscape structure plan for the areas to the north and north east of the dwelling shall be submitted to the Planning Manager for approval prior to commencing any development within the approved landscape platform and prior to establishing a dwelling on the site. The plan shall include the following:~~

- ~~(i) New native vegetation established on the northern and north eastern side of the building platform.~~
- ~~(ii) Clustered plantings to reduce unnatural alignment.~~
- ~~(iii) Additional landscaping on the north and north east boundaries (Mount Cargill Road and Green Road).~~
- ~~(iv) Temporary retention of exotic woodlot around the northern and north eastern aspects of the approved building platform until such time as native planting is established and providing partial screening of the dwelling.~~
- ~~(v) Planting shall be clustered and follow the contour lines of the site.~~
- ~~(vi) Planting shall be of native species.~~
- ~~(vii) The date of any exotic woodlot removal.~~

~~For the following objectives:~~

- ~~(i) To provide additional partial screening of the dwelling in distant views from the north and north east (Mount Cargill Road and Green Road).~~
- ~~(ii) To reduce the visual dominance of domestication in distant views (Mount Cargill Road and Green Road).~~

~~(iii) To provide temporary screening of domestication elements until such time as native vegetation provides a level of screening which integrates the development into the site.~~

~~13 Any building established on the site shall be finished in colours which will unobtrusively blend with colours of the surrounding landscape. Roof colours shall have a reflectivity value of no more than 10% and the main cladding colour shall have a reflectivity value of no more than 30%.~~

~~1413 The dwelling shall not exceed 5 metres in elevation from the existing ground level.~~

~~1514 Prior to commencing any development within the approved building platform, a Bush Regeneration Management Plan (BRMP) shall be submitted by the Applicant to the Planning Manager for approval setting out the methods and timeframes for managing the identified Bush Regeneration Area to encourage natural regeneration of indigenous species and regrowth, to maintain the native trees and bush and to control the establishment of exotic species. A Pest and Indigenous Vegetation Management Strategy shall be included in the BRMP detailing the actions to be undertaken by the property owner to:~~

- ~~(i) Establish processes to protect and enhance the indigenous vegetation in the area.~~
- ~~(ii) Undertake and monitor the control of noxious weed, including wood weeds such as elder, hawthorn and holly, to enhance native vegetation cover.~~
- ~~(iii) Progressively remove all exotic trees using methods appropriately for minimising damage to surrounding native species and the timeframe to carry out this work.~~
- ~~(iv) Prevent any future stock damage, in the event that part of the site is converted for grazing. All bush regenerating areas and landscape planting areas shall be fenced with a permanent fence designed to exclude stock from these areas.~~

#### **Additional Bush Regeneration Areas**

~~1615 The consent holder shall enter into a covenant with the Council to protect the proposed bush regeneration areas identified by the applicant and existing areas of indigenous vegetation protected in accordance with condition 10 above. and to provide an additional 10m wide landscape planting covenanted area along the north and north eastern side of the approved building platform. The covenant shall be prepared at the consent holders expense, and shall be registered on the title of the subject site before building consent is issued for any new dwelling on the property. A detailed design of the covenanted area shall be forwarded to the Planning Manager, Dunedin City Council for approval. The covenant shall specify the plant species, density of planting, on-going maintenance obligations of the landscape planting strip, and the requirement to have 80% of the new plants successfully established on site to a height of at least 2.0m before the property owner obtains building consent for the new dwelling relevant matters of condition 14 above. The covenant is intended to achieve a reduced visibility of development within the platform and to promote a greater level of provide for the ongoing legal protection of the regenerating bush areas within the site to provide additional conservation values for the Flagstaff Mt Cargill Landscape Management Area.~~

#### **Transport**

~~17. Prior to commencing any building within the approved building platform, a plan shall be submitted to the Planning Manager showing a re-configured access to improve sight lines to the south when exiting the property.~~

#### **Advice Notes:**

1. In addition to the conditions of 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.
2. 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.
3. The lapse period specified above may be extended on application to the Council pursuant to Section 125 of the Resource Management Act 1991.
4. It is the responsibility of any party exercising this consent 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. This is resource consent. Please contact the Building Control Office, Development Services, about the need for building consent for the work.

~~6. As the proposed building extends to the side boundaries care should be taken by the consent holder to accurately identify the position of these boundaries prior to building construction. Confirmation by a licenced cadastral surveyor may be required.~~

~~7. The vehicle access, from the carriageway to the property boundary, is over legal road and is therefore required to be constructed in accordance with the Dunedin City Council Vehicle Entrance Specification (available from Transportation).~~

~~8. In the event of any future development on the site, Council's Transport Department would assess provisions for access, parking and manoeuvring at the time of resource consent/building consent application.~~

~~9. Code of Subdivision~~

~~Parts 4, 5 and 6 (Stormwater Drainage, Wastewater and Water Supply) of the Dunedin Code of Subdivision and Development 2010 must be complied with.~~

#### 10.6. Fire-fighting Requirements

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.

#### 11.7. Erosion and Sediment Control

The following documents are recommended as best practice guidelines for managing erosion and sediment-laden run-off:

- Environment Canterbury, 2007 "Erosion and Sediment Control Guideline 2007" Report No. R06/23.
- Dunedin City Council "Silt and Sediment Control for Smaller Sites" (information brochure).

#### 12. Private Drainage Matters

~~Private drainage issues and requirements (including any necessary works) are to be addressed via the building consent process.~~

- ~~• Certain requirements for building on this site 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.~~
- ~~For sites level with or above the road, the finished floor level of any building is to be a minimum of 150mm above the crown of the road.~~
- ~~For sites below the road, the finished floor level is to be no less than 150mm above the lowest point on the site boundary. 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 dwellings. The finished floor level shall be set accordingly.