

LUC-2022-177 - Draft conditions as requested in Minute 1 issued by the Committee – 19-12-2022

Lapse date

1. *This resource consent will lapse after 12 years. Prior to the lapse date all the units established as part of this resource consent are to be removed, unless a further resource consent is obtained.*

General

2. *The facility must have an on-site Manager who resides on the site. The role of the Manager includes: being the first point of contact, community liaison, and to implement and maintain the Site Management Plan.*
3. *The Manager's contact details will be provided to adjacent neighbours, and clearly displayed at the site entrance.*
4. *The individual residential units must not be rented or leased separately.*
5. *The one-bedroom residential units may accommodate a maximum of 1 person, and there is to be no 'motelling' of units (i.e. generally, the units are to be allocated to specific individuals, who can return to the same unit upon returning from leave).*

Site Management Plan

6. *Prior to the implementation of this resource consent, the consent holder shall provide a Site Management Plan for approval by the Resource Consents Manager to rcmonitoring@dcc.govt.nz.*

The Site Management Plan must include the following:

- a.) **Management Protocols:** *The following management protocols are to form part of the managers roles/responsibilities:*
 - *The Manager is to be readily contactable by both on-site residents and the general Brighton community. All voicemails and emails are to be acknowledged within 2 days.*
 - *The Manager is to hold community liaison meetings. The first meeting is to be within 1 month of the Manager starting, then at least every 3 months. After 3 meetings, any further meetings will be at the request of the community, and are to be arranged within 10 working days of a request being made in writing to the Manager. The maximum number of community liaison meetings is to be 4 per calendar year.*
 - *The Manager is to seek to resolve any matter raised within 14 days, with a reply in writing being sent to the person who raised the matter.*
- b.) **Resident Protocols:** *Resident Protocols are to form part of the induction process of all residents, and each individual resident is to sign a copy of the protocols acknowledging they have received, read and understood the Resident Protocols.*

The protocols are to include at least the following:

- *Measures for mitigating noise from the site and its residents on adjoining residential occupiers;*
- *Measures for mitigating noise from within the site on other residents;*
- *The procedure for dealing with any disorderly behaviour from residents and their guests;*
- *Information about the Council's requirements/expectations regarding use of the local Brighton reserves as set out in the Reserves Management Plan: General Policies;*

- *Information about the requirements/expectations in regards to parking of vehicles in the public domain within Brighton, which is to align with the conditions of this resource consent;*
- *Visitors are permitted, but only under the following conditions: prior permission has been given by the Manager, the visitors are to sign-in upon arrival (which includes agreeing to abide by the relevant protocols), and visitors are only allowed on the site between 8am and 10pm.*
- *Use of vehicles on the site between 10pm and 6am is discouraged.*

c.) General Protocols: are to be documented and include at least the following:

- *Security is to include a security camera which records movements at the site entrance 24 hours/day for 7 days/week, with footage stored for at least 14 days.*
- *The employer of the people living on-site is to have a staff health policy relevant to staff living away from their normal homes. A copy of which is to be made available to all residents upon their arrival, along with an information booklet that discusses the common challenges faced by workers who are working away from home for an extended period, along with the contact details for agencies that provide support that may be helpful to residents (i.e. agencies that assist with anxiety, stress and other mental health issues).*
- *All residents are to have the ability to access internet services, which must be at a reasonable connection speed.*
- *Measures to mitigate the effects of noise from established activities on adjoining sites, on residents of the workers accommodation;*
- *Emergency and evacuation procedures to manage events such as fire, flooding and tsunami;*
- *All rubbish and recycling is to be stored onsite, with collection completed within the site.*
- *Procedures for ensuring the site and outdoor amenity areas remain in a tidy condition.*
- *Measures to ensure that unimpeded access to the Council's wastewater pumping station is maintained at all times.*
- *A community notice board is to be erected within the covered shared space. This is to include notices for:*
 - *Contact details for the local doctor and counsellors.*
 - *Contact details for agencies that provide support that may be helpful to residents (i.e. agencies that assist with anxiety, stress and other mental health issues).*
 - *Recreational opportunities in the immediate area.*
 - *A list of local clubs and societies, along with contact details.*
- *A regular unit cleaning service is to be provided.*
- *Use of vehicles on the site between 10pm and 6am is discouraged.*

Noise Management Plan

7. A noise management plan must be submitted for approval by the Resource Consents Manager via rcmonitoring@dcc.govt.nz. The noise management plan must cover the following matters:

- *Environmental noise (music, people, parties);*
- *Inner-tenancy noise;*
- *Mechanical noise from any structure/equipment on site, and;*
- *How such noise sources will be managed/mitigated.*

The approved noise management plan must be adhered to on an ongoing basis.

Transportation

8. *The surface of all parking, associated access and manoeuvring areas must be formed, hard surfaced and adequately drained for their entirety, and parking spaces permanently marked in accordance with the application plans.*
9. *Parking spaces must be clearly marked and no parking may take place outside these designated parking areas. Outdoor amenity spaces may not be used for vehicle parking.*
10. *The largest passenger vehicle used on the site must have a seating capacity no larger than 21 seats.*
11. *The car parks must be permanently marked and must comply with the minimum dimensions stipulated in Rule 6.6.1 of the 2GP District Plan.*
12. *Sufficient manoeuvring space must be provided on the site to prevent vehicles, including service vehicles such as rubbish collection vehicles, reversing directly onto or off Brighton Road. The area must be large enough so that an 85th percentile design motor car is only required to make one reversing movement when manoeuvring.*
13. *Tracking curves demonstrating that a for a 21 seat van can turn around on site must be provided at building consent stage.*
14. *The applicant must supply confirmation of adequate access consistent with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 at building consent stage.*
15. *Any damage to any part of the footpath or road formation as a result of the demolition or construction works must be reinstated at the applicant's cost.*
16. *Shared transportation to and from the site for employment is to be provided.*
17. *Residents may not park private vehicles off-site within 300m of the site entrance.*
18. *Within 7 days of the proposal being implemented (and then yearly), letters will be delivered to all properties within a 300m radius of the site entrance informing them that site residents are not to utilise off-site parking within that 300m radius, and if any resident has a concern relating to the use of on street parking, then they are to contact the site manager, with the site manager details being provided.*
19. *The applicant must provide confirmation for the Council's records that Land Information New Zealand agrees to the ongoing use of the portion of 1046 Brighton Rd that currently forms part of the access to the site, or in the event that LINZ does not provide such approval, further details of the operation of the narrower access and a management plan for any issues this creates such as emergency vehicle access, rubbish collection access, must be provided for approval to rcmonitoring@dcc.govt.nz at least 10 working days prior to the implementation of the activity authorised by this consent.*
22. *Pursuant to section 128 of the Resource Management Act, the transportation requirements of this consent may be reviewed one year after the commencement of the activity, and annually thereafter, to ensure any adverse effects on the transportation network and are sufficiently managed. This condition relates to, but is not necessarily restricted to the following components:*
 - *Operation of the site access*

- *Management of overspill parking including the need for additional on-site parking to be provided, or a formal off-site parking area to be arranged/leased by the operator.*

Rubbish collection

21. *Waste collection and recycling must be undertaken privately by a commercial operator and must be undertaken entirely within the site.*
22. *No household rubbish from the site may be deposited at any Council reserves or public rubbish bins.*
23. *Pursuant to section 128 of the Resource Management Act, the waste management requirements of this consent may be reviewed one year after the commencement of the activity, and annually thereafter, to ensure any adverse effects on the local public reserves and transportation network and are sufficiently managed.*

Laundry

24. *Any laundry associated with bedding is to be taken off site for washing.*

Covered outdoor space

25. *The semi-enclosed area to be used as a recreation area must be fully covered, enclosed and heated so that it is suitable for use throughout the year and in all weather conditions.*

Landscaping

26. *At least 10 working days prior to construction commencing, details of the colour/s of the roofs of the units, and any unit walls that face the Ōtokia Creek, shall be submitted to rcmonitoring@dcc.govt.nz for approval by the Council's Landscape Architect. The colours must be visually recessive with a light reflectance value of less than 30%.*
27. *At least 10 working days prior to construction commencing, a landscape plan shall be submitted to rcmonitoring@dcc.govt.nz for approval by the Council's Landscape Architect. The landscape plan must include the following:*
 - a.) Details of all proposed riparian planting, including the proposed plant species, plant sizes at time of planting, plant locations, plant spacings, and timing of planting. Any areas of riparian planting of less than 2m, as shown on the site plans attached to this decision, must be increased to at least 2m in width.*
 - b.) Details of any existing trees and shrubs at the edge of the creek that are proposed for removal. Preference should be given to retaining existing trees where possible due to their amenity value and the screening they provide, however consideration will be given to removing individual non-native trees if this is necessary to improve the viability of new riparian planting.*
 - c.) A programme of establishment and post establishment protection and maintenance (weed removal, pest management, replacement of dead/poorly performing plants)*
 - d.) The location of all proposed internal native tree planting. At least 1 tree for every 4 units shall be distributed throughout the development. Trees in containers are acceptable if containers have a volume of at least 0.75m³. Minimum height of trees to be 2.5m. In the case of trees in containers, this height can be measured from ground level.*
 - e.) The location of all areas to be grassed and the location of an all-weather pedestrian path (paved or gravel) to all units.*

- f.) *The location of the proposed service area. This area must be entirely screened by fencing and located as remotely as possible from the residential units and outdoor amenity spaces.*
- g.) *A detailed design for the outdoor amenity area near units 11 and 12 including planting or trees in containers, and fencing to define the area as an amenity space and demarcate it from adjoining parking spaces; surfacing; details and location of furniture, BBQ's and sporting equipment. Trees in containers shall be in addition to the 1 tree for every 4 units mentioned under 27d.) above.*

The approved landscape plan must be implemented prior to occupation of the units, except planting which may be undertaken as per the timeframe set out in condition 28, and must thereafter be adhered to on an ongoing basis.

- 28. *The planting as detailed on the landscape plan must be implemented within the first planting season (May to September) following the establishment of the units on the site.*
- 29. *All planting must be maintained thereafter in accordance with the management plan submitted with the approved landscape plan for the life of the consented activity (12 years).*
- 30. *Any dead, diseased, or damaged planting must be replaced by the consent holder within the following planting season (extending from 1 April to 30 September) with plants of the same species.*
- 31. *Once the riparian planting has been completed, a small windbreak must be erected on the landward side of the riparian planting and maintained for a period of 2 years unless the Ōtokia Creek and Marsh Habitat Trust agrees to its removal earlier than this. The purpose of this condition is to assist with the establishment of the plantings by avoiding trampling.*

Fishing

- 32. *Residents may not fish from the site into the adjacent waterway. The purpose of this condition is to maintain recovering populations of freshwater species within the creek.*

Construction phase

- 33. *A Traffic Management Plan shall be submitted to and approved by Dunedin City Council, prior to the commencement of any construction works, including traffic control works for any works within the road reserve. Traffic shall be managed in accordance with the approved plan.*
- 34. *With regard to construction activity, this shall be limited to the times set out below and shall be designed and conducted to comply with the following noise limits as per New Zealand Standard NZS 6803:1999 Acoustics – Construction noise:*

Time of Week	Time Period	Leq (dBA)	Lmax(dBA)
Weekdays	0630-0730	60	75
	0730-1800	75	90
	1800-2000	70	85
	2000-0630	45	75
Saturdays	0630-0730	45	75
	0730-1800	75	90
	1800-2000	45	75
	2000-0630	45	75
Sundays and public holidays	0630-0730	45	75
	0730-1800	55	85
	1800-2000	45	75
	2000-0630	45	75

Sound levels must be

measured and assessed in accordance with the provisions of NZS 6803:1999 Acoustics – Construction noise.

35. *Should the consent holder cease, abandon, or stop work on site for a period longer than 6 weeks, the consent holder must first take adequate preventative and remedial measures to control sediment discharge/run-off and dust emissions, and must thereafter maintain these measures for so long as necessary to prevent sediment discharge or dust emission from the site. All such measures must be of a type and to a standard which are to the satisfaction of the Resource Consent Manager.*
36. *At the completion of any earthworks (or earlier, if conditions allow) any exposed areas remaining must be immediately adequately tip-soiled and vegetated (e.g. hydro-seeded) as soon as possible to limit sediment mobilisation.*
37. *All measures (including dampening of loose soil) must be undertaken to ensure that dust, resulting from the proposed earthworks, does not escape the property boundary, including during the transportation of material off the site.*
38. *No soil disturbance or soil shifting, unloading, loading shall take place if wind speed is higher than 14 metres per second if the soil is dry and prone to becoming airborne, unless a dust suppressant is applied.*
39. *To ensure effective management of erosion and sedimentation on the site, measures shall be taken and devices shall be installed where necessary to:*
 - a. *Divert clean run-off away from disturbed ground*
 - b. *Control and contain stormwater run-off; and*
 - c. *Avoid sediment laden run-off from the site.*
40. *Any fill material to be introduced to the site must comprise clean fill only.*
41. *As-built records of the final extent and thickness of any un-engineered fill must be recorded and provided to the Council for its records.*

Water services

42. *An RPZ boundary backflow prevention device shall be installed on the water connection, to the satisfaction of the 3 Waters.*

Stormwater

43. *A Stormwater Management Plan (SWMP) must be provided to and approved by 3 Waters prior to construction commencing.*
44. *Any modifications to stormwater flow or new culverts must be designed by an appropriately qualified person/s and ensure that overland stormwater flows are not interrupted and not increase any adverse effects from local ponding during storm rainfall events.*
45. *Any modification to the site must not increase any adverse ponding effects on neighbouring lots as a result of the work.*

Wastewater services

46. *New wastewater services must be installed.*

Low flow devices

47. *The consent holder must implement water saving devices, including but not limited to, low-flow shower heads, 6/3 dual flush toilets and aerated sink mixers. The purpose of this condition is to reduce water consumption and therefore the volume of wastewater generated.*

Earthworks in proximity to Council water and wastewater infrastructure:

48. *No earthworks may be undertaken within 1.5m of any Council-owned network utility structure within the site, such as wastewater pipes, unless approval has been obtained from 3 Waters.*
49. *The applicant must provide site plans and cross-sections showing the proximity of the works to the Dunedin City Council owned wastewater and stormwater pipes within this property. No works may go ahead until these plans have approval from the 3 Waters Subdivision Engineer.*
50. *Where earthworks would be undertaken within 2.5m of any Dunedin City Council wastewater pipe within the property, pre-construction CCTV filming must be undertaken. The CCTV report must be submitted to the 3 Waters Subdivision Engineer as soon as it is received. No work may be carried out until the filming has been approved by the 3 Waters Subdivision Engineer.*
51. *Where earthworks would be undertaken within 2.5m of any Dunedin City Council wastewater pipe within the property, post-construction CCTV filming must be undertaken. The CCTV report must be submitted to the 3 Waters Subdivision Engineer as soon as it is received.*

Accidental Discovery Protocol

52. *If the consent holder:*

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

- (i) *notify the Consent Authority, Tangata whenua and Heritage New Zealand and in the case of skeletal remains, the New Zealand Police.*
- (ii) *stop work within the immediate vicinity of the discovery to allow a site inspection by Heritage New Zealand and the appropriate runanga and their advisors, who must determine whether the discovery is likely to be extensive, if a thorough site investigation is required, and whether an Archaeological Authority is required.*

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

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

- (i) *stop work within the immediate vicinity of the discovery or disturbance; and*
- (ii) *advise the Consent Authority, Heritage New Zealand, and in the case of Maori features or materials, the Tangata whenua, and if required, must make an application for an Archaeological Authority pursuant to the Historic Places Act 1993; and*
- (iii) *arrange for a suitably qualified archaeologist to undertake a survey of the site.*

Site work must recommence following consultation with the Consent Authority.

Advice notes

Light spill

1. This consent does not authorize any exceedance of the light spill standard set out in Rule 9.3.5 of the Proposed 2GP. The consent holder is advised that light spill must comply with this rule or further resource consent will be required.

Construction Noise and Vibration

2. This consent does not authorise any exceedance of the noise and vibration standards set out in Rule 4.5.4.1 of the Proposed 2GP (copied below). The consent holder is advised that construction noise and vibration must comply with Rule 4.5.4.1 of the Proposed 2GP or further resource consent will be required.

i. Construction noise received in residential zones and dwellings in rural and rural residential zones, and buildings housing any noise sensitive activities in any other zone

Time of week	Time period	Duration of work					
		1. Typical duration (dBA)		2. Short-term duration (dBA)		3. Long-term duration (dBA)	
		LAeq	Lmax	LAeq	Lmax	LAeq	Lmax
Weekdays	1. 6.30am - 7.30am	60	75	65	75	55	75
	2. 7.30am - 6.00pm	75	90	80	95	70	85
	3. 6.00pm - 8.00pm	70	85	75	90	65	80
	4. 8.00pm - 6.30am	45	75	45	75	45	75
Saturdays	5. 7.30am - 6.00pm	75	90	80	95	70	85
	6. 6.00pm - 7.30am	45	75	45	75	45	75
Sundays and Public Holidays	7. 7.30am - 6.00pm	55	85	55	85	55	85
	8. 6.00pm - 7.30am	45	75	45	75	45	75

ii. Construction noise received in industrial, Port and commercial and mixed use zones for all days of the year

Time period	Duration of work		
	1. Typical duration	2. Short-term duration	3. Long-term duration
	LAeq (dBA)	LAeq (dBA)	LAeq (dBA)
1. 7.30am - 6.00pm	75	80	70
2. 6.00pm - 7.30am	80	85	75

- b. Vibration from construction must not exceed a maximum particle velocity measured on any foundation of an adjacent building on another site, or the same site if different ownership, of 25mm/second for commercial buildings or 10mm/second for buildings housing noise sensitive activities.

Earthworks

3. This consent does not authorise any breaches of the earthworks rules set out in section 8A of the Proposed 2GP. Any breach of earthworks rules will require further resource consent.

Code of Subdivision & Development

4. All aspects of this development shall be compliant with Parts 4, 5 and 6 of the Dunedin Code of Subdivision and Development 2010.

Water services

5. Detail of the water supply application process can be found at <http://www.dunedin.govt.nz/services/water-supply/new-water-connections>.
6. Installation of a boundary backflow prevention device requires a building consent, or an exemption from a building consent. Further information is available at <http://www.dunedin.govt.nz/services/water-supply/backflow>.
7. All aspects relating to the availability of 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.

Erosion and sediment control

9. The following documents are recommended as best practice guidelines for managing erosion and sediment-laden run-off:
 - The Erosion & Sediment control Toolbox for Canterbury found on the ECan website link CRC Erosion & Sediment Control Toolbox <http://esccanterbury.co.nz>
 - Dunedin City Council “Silt and Sediment Control for Smaller Sites” (information brochure).

Minimum floor levels

10. The consent holder is advised that minimum Floor Levels will be set at building consent stage. Please contact Dunedin City Council Building Services for guidance about likely minimum floor levels for the development.

Noise management

11. Noise between occupiers in this large accommodation site is dealt by the landlord under the Residential Tenancies Act 1986.
12. Noise control is considered the landlords responsibility and in the event of any such offences could be liable to a fine.

Transportation

13. It is advised that in the event of any future development on the site, Transport would assess provisions for access, parking and manoeuvring at the time of resource consent/building consent application.

Watercourses

14. Any work within a watercourse (including piping) or discharge of stormwater to the watercourse must comply with the requirements of the Regional Plan: Water, and with any building consent requirements for related structures. It is recommended that the applicant contacts the Otago Regional Council (ORC) to discuss permitted rules in regards to the watercourse, and whether regional council consent is required.

You are responsible for:

- Ensuring that there are no obstructions or impediments in the watercourse which may inhibit the flow of water.
- Ensuring that any grates or outlets within your property are kept clear of debris at all times.
- Any work you undertake in relation to a watercourse to meet your responsibilities must comply with the Regional Plan: Water.

More information on watercourses can be found at:
http://www.dunedin.govt.nz/_data/assets/pdf_file/0008/338552/Watercourse-Information-2014v2.pdf