

NOTE: The Landscape Mitigation plan may require an amendment to ensure there is no conflict with any existing or proposed land covenants and/or easements associated with the drainage/conveyance of stormwater within Lots 1 and 3 DP 447811.

Commented [CM1]: This is noted and agreed with. I intend to determine if there is a conflict prior to the hearing to have any required amendments undertaken.

Appendix Three: Proposed draft conditions of consent for SUB21/47711

Subject to the following conditions imposed under Section 108 of the Resource Management Act 1991:

1. The subdivision activity shall be carried out in accordance with the plans and all information submitted with the application, and all referenced by the Council as consent number SUB21/47711 including;
 - subdivision scheme plans submitted by Juffermans Surveyors Ltd and entitled "Proposed Subdivision of Lot 3 DP 447881"; Job Number 18007; Dated 15/05/18; and
 - Bluemarle Landscape Mitigation Plans entitled "Greensill Subdivision 1303 South Road – Drawing Title: (Reference TBC).
2. The application for a certificate under section 224(c) of the RMA shall be accompanied by certification from a professionally qualified surveyor or engineer that all the conditions of subdivision consent have been complied with and that in respect of those conditions that have not been complied with:
 - a. a completion certificate has been issued in relation to any conditions to which section 222 applies;
 - b. a consent notice has been or will be issued that in relation to any conditions to which section 221 applies;

Survey Plan Approval

3. The survey plan shall conform with the subdivision scheme plans submitted by Juffermans Surveyors Ltd and entitled "Proposed Subdivision of Lot 3 DP 447881"; Job Number 18007; Dated 15/05/18
4. Building platforms on Lots 2 and 3 shall be identified and marked on the survey plan.

Commented [CM2]: This is not necessary when taking into consideration the provision of the identified non-buildable areas and taking into consideration the District Plan setbacks from boundaries.
The application never sought to identify building platforms only to provide Geotech that they were suitable for the future provision of a building platform.
The identification of a building plan further reduces the development flexibility of the site and may result in a cumbersome process for future owners to make a slight variation to the platform, even if the variation complies with the District Plan. When considered with the offered design mitigations, no-build areas, District Plan controls, Geotech report, this seems onerous.

Building platforms and stormwater disposal

5. An inspection and report shall be carried out of soil compatibility by a suitably qualified person and submitted to the council to confirm the suitability of Lots 2 and 3 for on-site stormwater disposal.
6. A table or V drain shall be established within Lot 3 along Lot 3's southern boundary to re-instate the existing legal easement shown as X (Land Covenant)

and W (easement) registered on RT566010 and RT566009 for the right to drain/convey water.

7. A report shall be provided from a suitably qualified person to confirm that there is available within Lots 2 and 3 a stable flood free building platform suitable for building foundations in accordance with the requirements of the New Zealand Building Code – Acceptable Solution B1/AS4 of Approved Document B1/4; Structure Foundations.
8. Any recommendations requiring specific on-site stormwater controls and/or building platform requirements shall be subject to Consent Notice under Section 221 of the Resource Management Act 1991.

Vehicle Entrance and Right of Way

9. A Type D vehicle crossing shall be constructed to serve the ROW.
10. To ensure maximum sight visibility to the north is achieved any vegetation (other than pasture) within 20m of the western road boundary of Lot 1 shall be removed.
11. A covenant shall be imposed on Lot 1 specifying that no vegetation (other than pasture) shall be located within 20m of the western road boundary of Lot 1.
12. The ROW shall be constructed to the Standard specified in the Council's Land Development & Subdivision Infrastructure Standard.
13. A convex mirror shall be designed and installed so that vehicles travelling down the right of way are able to see other vehicles travelling along their respective driveways toward the ROW. The convex mirror shall also be designed and located so that vehicles travelling along their respective driveways toward the ROW are also able to see vehicles travelling down the ROW and towards the State Highway.

Commented [CM3]: Who is the property owner entering the covenant with? It has to be Council I assume, because it cant be conditioned to be NZTA since they are a third party to the application. Is this a consent notice requirement instead? Or could it be added to the landscape mitigation plan consent notice requirement?

Advice Note

- a) An application with the appropriate fee shall be made to the Council for a new and or upgraded Vehicle Crossing, and upon approval the vehicle crossing is to be installed by a Council approved contractor at the applicant's cost.

Commented [CM4]: This was discussed in the pre-hearing meeting as a possible solution to concerns raised by Mohammed Zabidin & Jannaya. This was not offered as a condition after the meeting by the applicants and my understanding was that no traffic concerns were raised. Therefore, this condition does not seem to be required or linked to effects of the proposal.

Consent Notices Lots 2 & 3

14. The consent holder or future owners of proposed Lots 2 and 3 shall comply with the following:
 - a) Only one habitable dwelling shall be established on Lot 2 or 3 while carrying a rural or rural lifestyle zoning.

- b) Only recessive non-glare colours are permitted for the roof of any new buildings established on Lot 2 or 3 and shall have a light reflectance value (LRV) of less than 25%.
- c) Any future dwelling within Lot 2 or 3 shall be limited to a maximum height of 6.0 metres above existing ground level.
- d) No closed board fencing taller than 1.2 metres should be constructed beyond 10m from any future dwelling.
- e) Fencing (where fencing is required) of all boundaries shall consist of either post and rail or wire, post and batten fencing only.
- f) Driveways shall be recessively coloured, eg metal, chip-seal or dark coloured concrete.
- g) All exterior lighting shall all be 'hooded'.
- h) In accordance with the Bluemarble Landscape Mitigation Plans referenced under Condition 1 of SUB21/47711, and within the first planting season following 224 certification, the driveway and western boundary of Lot 3 shall be planted with native evergreen specimen trees at a maximum of 7m spacing.
- i) In accordance with the Bluemarble Landscape Mitigation Plans referenced under condition 1 of SUB21/47711, and within the first planting season following 224 certification, native plants (Egmont Ecological District) shall be planted along the eastern and southern boundaries of Lot 3 and the eastern boundary of Lot 2. The planting shall comprise of mixed native planting and be a minimum of 3m wide.
- j) All planting established in accordance with the Bluemarble Landscape Mitigation Plans referenced under condition 1 of SUB21/47711 shall be maintained by the owner (and any subsequent owners) and shall not be destroyed or removed. The owner shall replace any dead or dying plants with the same species within the following planting season.

Lot 1

- a) There shall be no habitable buildings constructed within 60 metres of the centreline of State Highway 45.
- b) All planting established in accordance with the Bluemarble Landscape Mitigation Plans referenced under condition 1 of SUB21/47711 shall be maintained by the owner (and any subsequent owners) and shall not be destroyed or removed. The owner shall replace any dead or dying plants with the same species within the following planting season.

Riparian & Mitigation Planting

13. In accordance with the Bluemarble Landscape Mitigation Plans referenced under condition 1 of SUB21/47711. Areas A, B, C, D, E and F shall be planted (if not already) with native plant species (Egmont Ecological District) and any pest plants listed under TRC Regional Pest management Plan 2018 shall be removed, prior to 224 certification.

14. All planting established, or existing planting referenced under condition 13 shall be maintained by the owner (and any subsequent owners) and shall not be destroyed or removed. The owner shall replace any dead or dying plants with the same species within the following planting season.
15. Conditions 14 and 15 shall be subject to consent notice pursuant to Section 221 of the Act.
16. All riparian Fencing shall be stock proof permanent fencing as per the Taranaki Regional Council (TRC) Guidelines.

Commented [CM5]: Slight correction needed in regards to the referencing of conditions. Should be Conditions 13 and 14.

Advice notes

- a) *Fire and Emergency staff are available free of charge to advise on means of compliance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.*
- b) *The installation of a sprinkler system is Fire and Emergency New Zealand's recommended means of compliance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 in non-reticulated areas.*
- c) *There is no reticulated water supply available to the site. Any dwelling constructed on will require provision for the water needs of the project in accordance with the provisions of the Building Code. The activity will require you to provide for its own potable water supply in accordance with the standards specified by the Building Code. Details showing how this is to be provided for will need to be provided as part of the Building Consent application for the project. Bore or well water supply will require a water quality test and results report. No firefighting water is available to this development. It is recommended that a 75mm instantaneous female coupling and valve be fitted to any water storage tanks that may be constructed as part of this work. The requirements of the New Zealand Fire Services Firefighting Water Supplies Code of Practice may have to be met.*
- d) *A Development Contribution for off-site services of \$1744.50 excluding GST for Lots 2 and 3 is payable by the consent holder and shall be invoiced separately. The 224 release of this subdivision will not be approved until payment of this contribution is made.*

Consent Lapse Date

This consent lapses on XXXX unless the consent is given effect to before that date; or unless an application is made before the expiry of that date for the Council to

grant an extension of time for establishment of the use. An application for an extension of time will be subject to the provisions of section 125 of the Resource Management Act 1991.

This consent is subject to the right of objection as set out in section 357A of the Resource Management Act 1991.