

Robe and Roche Subdivision SUB21/47803

Draft Conditions to support S.42A Report

21 March 2025

Subject to the following conditions imposed under Section 108 and Section 220 of the Resource Management Act 1991:

General Conditions

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 SUB21/47303 including the following:
 - Assessment of Environmental Effects, titled "Application for Resource Consent 56 Pohutukawa Place, Bell Block" prepared by McKinlay Surveyors dated 26 May 2021.
 - The updated and final set of Scheme Plans titled "Proposed Subdivision of Lot 2 DP 521660 – 56 Pohutukawa Place" prepared by McKinlay Surveyors with reference B-231212 Drw 1 – 4 dated 05/02/25.
 - [Other relevant reports/plans from hearing].
2. Individual certifications pursuant to sections 223 and 224(c) of the Resource Management Act 1991 may be issued for this subdivision in a series of stages, in accordance with the staging proposed on approved plan McKinlay Surveyors with reference B-231212 Drw 1 – 4 dated 05/02/25 as follows:
 - (a) Stage 6 – Lots 1 – 39, 301, 302 and 303;
 - (b) Stage 7 – Lots 40 – 65, 304 and 305;
 - (c) Stage 8 – Lots 66 – 109 and 306; and
 - (d) Stage 9 – Lots 110 – 117, 307 and 308.
3. Unless otherwise specified all conditions shall apply for all stages. The consent holder shall demonstrate at S.223 and S.224 that all relevant conditions applicable to that stage have been completed and are in accordance with Condition 1 above. In addition, the consent holder shall demonstrate that any staging and completion of conditions will not impede or restrict the ability of the consent to be exercised in full compliance with all conditions of this consent
4. [Archaeological Authority Linkage Condition – Applicant to confirm scope and timing of any necessary authorities]

Survey Plan Section 223 (RMA) Approval

5. The survey plan shall conform with the subdivision Scheme Plans titled "Proposed Subdivision of Lot 2 DP 521660 – 56 Pohutukawa Place" prepared by McKinlay Surveyors with references B-231212 Drw 1 – 4 dated 05/02/25.
6. Easements – a memorandum shall be shown on the subdivisional plan and easements created at the time of depositing the plan for the right of way, water, sewerage services, stormwater, telecommunications, electricity and easements in gross.
7. Easements shall be provided in favour of the Council where the Council owned pipeline crosses private property, or to provide access over private property to the Council's assets, and around Council assets for the purposes of maintenance and operation.
 - a) Such easements should be 3 metres wide in the case of pipelines or access, and shall be provided at least 2 metres clearance around other Council assets e.g. manholes.
 - b) Where the pipes are laid to a depth of 2 metres or more, greater easement width may be required to facilitate maintenance.
8. Prior to approval under Section 223 of the Resource Management Act 1991, the Land Transfer Plan shall show Lots 303, 305 - 307 as 'Road to Vest' in New Plymouth District Council.
9. Prior to approval under Section 223 of the Resource Management Act 1991, the Land Transfer Plan shall show Lots 301, 302, 304 as 'Local Purpose Reserve - (Esplanade) to Vest' in 'New Plymouth District Council'.
10. Prior to approval under Section 223 of the Resource Management Act, a right to convey water easement shall be created and included on the memorandum over the water main connection to Pohutukawa Place (Stage 8).

Section 224 (RMA) Approval

11. 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 a section 221 applies;
12. All works are to be designed and constructed in accordance with New Plymouth District Council's Land Development & Subdivision Infrastructure Standard.

Kaitiaki Forum and Tikanga Māori Conditions

13. The Consent Holder shall take all reasonable endeavours, and act in good faith, to convene and resource a Kaitiaki Forum. The Forum shall establish and commence immediately following granting of consent, and prior to the preparation of any plans and works commencing on the site.

14. The function and purpose of the Kaitiaki Forum shall be formally agreed by the Consent Holder and Puketapu Hapū, and be formally documented in a Forum Collaboration Agreement. This agreement shall include (but not be limited to):
- (a) Input into the design and application process for any stormwater infrastructure associated with the development;
 - (b) Confirmation of the scope and matters for engagement with, and input by the Forum to, including but not limited to;
 - Changes to engineering design where these may have an effect on key issues of significance to Puketapu Hapū. This includes works within or adjacent to waterbodies, wetlands, quality of stormwater discharge and stormwater infrastructure discharging to waterbodies;
 - Hard and soft landscaping;
 - Cultural monitoring of earthworks and water quality; and
 - Management plans.
 - (c) The entities to be represented on the Forum are the Consent Holder, Puketapu Hapū and Te Kotahitanga o Te Atiawa;
 - (d) The entities that form the quorum;
 - (e) The number of representatives and the representatives from the entities on the Forum;
 - (f) The frequency the Forum shall meet. There is an expectation that meetings shall be arranged on a more regular basis when bulk earthworks, works in proximity to Waipu and any other sensitive areas are underway. In addition, meetings on a regular two monthly cycle are anticipated unless the parties agree otherwise;
 - (g) Any / decision-making process that will be used by the Forum;
 - (h) The duration of the Forum;
 - (i) A dispute resolution clause;
 - (j) Any role for New Plymouth District Council and/or Taranaki Regional Council staff in relation to the role and function of the Forum; and
 - (k) Anything further the participating entities deem appropriate to consider.
15. A copy of the Forum Collaboration Agreement shall be provided to the New Plymouth District Council – Planning Lead or nominee prior to the commencement of works.
16. The Consent Holder shall engage with the Kaitiaki Forum to:
- (a) Contribute to the induction process of all persons working on the site, control and provide over-sight of all earthworks undertaken within the development;
 - (b) Provide Puketapu Hapū with the opportunities to undertake a pre-start blessing and cultural monitoring of the earthworks within the application site. Puketapu Hapū shall be engaged no less than ten (10) working days prior to any earthworks commencing.

17. The Consent Holder shall make an application for road names in accordance with New Plymouth District Council road naming policy.

Advice Note:

This shall include engagement and collaboration with Puketapu Hapū with a view to gaining endorsement for any road name requests.

18. Prior to a s.223 certificate application, the Consent Holder shall undertake a co-design process with Puketapu Hapū and NPDC Planning and Design team that will include details for all works proposed to implement Applied Cultural Expression across the development to finalise a Cultural Expression Plan. This Cultural Expression Plan shall include:
- (a) The location of any Toi Māori to be installed across the development; and
 - (b) How this plan will co-exist with the Reserve Plan (required under condition 18); and
 - (c) Details on all ongoing maintenance requirements; and
 - (d) Naming of the reserve/s.
19. In the event any unrecorded Historic Heritage (at the date of this consent condition), is encountered through the construction / earthworks phase of the development, the Applied Cultural Expression Plan and any other relevant management plans and documents, shall be reviewed by the Kaitiaki Forum who shall certify how this information may be incorporated into the overall design, construction and operation of any parts of the site.

[For discussion/clarification at hearing: This CVA condition refers to a consent notice condition. However, this would only apply condition after the issue of title]

Archaeological Sites and Discovery Protocols

20. If the Consent Holder discovers any material of a cultural origin including but not limited to kōiwi, wāhi taonga (resources of importance), wāhi tapu (places or features of special significance) or other Māori artefacts, the Consent Holder shall implement the following Accidental Discovery Protocol without delay:
- (a) Notify the Consent Authority, Tangata Whenua and Heritage New Zealand and in the case of kōiwi, the New Zealand Police.
 - (b) Stop work with the immediate vicinity of the discovery to allow a site inspection by Heritage New Zealand Pouhere Taonga and Puketapu Hapū and their advisors, who shall determine whether the discovery is likely to be extensive, if further site investigation is required, and whether an Archaeological Authority is required.
 - (c) Any kōiwi discovered shall be handled by kaumatua responsible for the tikanga appropriate to its removal or preservation.
 - (d) Site works shall recommence following engagement with the Consent Authority, Heritage New Zealand Pouhere Taonga, Tangata Whenua and in the case of kōiwi, the New Zealand Police.
 - (e) Adopt and implement any additional or alternative Accidental Discovery Protocol as agreed by the Kaitiaki Forum.

Esplanade and Road Reserves – Co Design Process

21. Prior to a s.223 certificate application and /or engineering approval, the Consent Holder shall undertake a co-design process with Puketapu Hapū and NPDC Planning and Design Team to confirm a Reserve Plan that will include all details for all works within the proposed reserve areas to be vested for approval. This plan will include (but not be limited to):
- (a) The Ecological Management Plan (refer condition 26)
 - (b) All earthworks and changes to the existing topography;
 - (c) Provision for Toi Māori, planting and fencing within the reserve and in particular along the boundary interface;
 - (d) Provision and construction for public access into and across the proposed reserve that avoids interfering with wāhi tapu;
 - (e) The location and construction details of all fencing adjoining the reserve area;
 - (f) Details on how the works satisfy and align with any consent and conditions associated with the Taranaki Regional Council;
 - (g) The location, planting, habitat creation and operation of constructed stormwater treatment swales within the development;
 - (h) Measures necessary to ensure the conclusions and recommendations set out in the Wildlands Ecology Report contract report 6969 are achieved; and
 - (i) Details of ongoing maintenance requirements.

Advice Notes:

As part of the Council review of the Plan, Council will meet Puketapu Hapū to discuss the plan and details before making any decision on the final works.

A Developer Agreement may be required to set out the agreed design and costings for any construction work, including Toi Māori through the reserve.

22. Prior to a s.224 certificate application, the Consent Holder shall complete all approved works as determined in accordance with Condition 21.
23. All earthwork batters and/or retaining structures on land adjacent to existing land owned by, or to be vested in, the New Plymouth District Council, shall be located on an approved residential allotment(s).

Advice Note:

The intention of this condition is to ensure that any retaining elements are contained within private land and to avoid any future ongoing maintenance obligations for New Plymouth District Council. Batters are preferred over retaining walls adjacent to reserve areas. Reserve boundary batter and/or retaining structures should be as minimal in height as possible so as not to create a 'wall' or dramatic height difference between the private lots and reserve boundary.

Fencing of Reserves

24. The common boundaries between all residential lots and existing reserve or esplanade reserve to vest are to be fenced to the standards set out below;
- (a) the fencing shall be erected along the surveyed property boundary;
 - (b) the fencing shall be both dog-proof and provide for passive surveillance of the adjacent reserve from private properties;

- (c) the fencing shall be of a minimum of 1.2m in height;
 - (d) the fencing shall not exceed 1.5 m in height, and the portion between 1m and 1.5m shall be at least 50% visually permeable (e.g. open lattice, vertical rails or pool style bars).
25. A covenant shall be registered on the titles for all private Lots with a common boundary with existing or additional esplanade reserve, setting out the following;
- (a) an ongoing landowner obligation to maintain in good repair or replace fencing to the standards set out in condition #25;
 - (b) indemnifying the Council against all costs of erection and maintenance of the fencing.

Esplanade Reserves – Ecological Management Plan

26. An Ecological Management Plan (EMP) for the esplanade reserve allotments to vest shall be submitted for Council certification by the Planning and Development Lead (or nominee) at time of engineering approval. The EMP is to be prepared by the consent holders consultant Ecologist and/or Landscape Architect, and any planting layout and species palates are to be co-designed with input from Puketapu Hapū and Council's Growth and Planning Lead or delegate. The EMP shall include, but not be limited to:
- (a) A Puketapu Hapū statement of association and values set out as follows: Kaitiakitanga - Active Protection of the Waipu Lagoons, the environment and knowledge; Kanohi ki te Kanohi - Engagement and Formal Consultation; Manawhenua - Recognition of the mana of Puketapu Hapū and respect for the Puketapu Hapū's relationship with its Waipu Lagoons sites; Tikanga - Appropriate action; and Rangatiratanga - leadership, integrity and ethical behaviour in all actions and decisions.
 - (b) Detailed design plans;
 - (c) Detailed specifications for landscape and ecological elements and processes;
 - (d) Consideration of the recommendations and conclusions set out in Wildland Consulting Report #6969 'Assessment of Potential Ecological Effects for a Proposed Subdivision at Pōhutukawa Drive, Bell Block, Taranaki';
 - (e) Measures to eliminate risk of sediment entry to the Waipu Lagoons;
 - (f) Any earthworks, changes to site topography, and provisions around earthworks to protect the ecological and cultural environment;
 - (g) Drainage engineering requirements to be met, as set out in the Stormwater Control conditions and Engineering Plans, Supervision and Certification conditions;
- Advice Note
Design of stormwater management measures will also need to meet any conditions of resource consent issued by the Taranaki Regional Council.
- (h) Fencing alignment, and standards in keeping with the Parks Standards Manual;
 - (i) A planting plan(s), showing varying planting zones and areas in m²;
 - (j) Lists and or tabular information on intended planting species, spacing and numbers for varying planting zones, informed by both; the coastal and semi-coastal zones of the Egmont Ecological District, and; general availability in nursery propagation/cultivation;
 - (k) A works implementation schedule;

- (l) An 18 month maintenance plan for planting areas;
 - (m) A plan for the control of environmental weeds and mammalian vertebrate pests, including an 18 month maintenance plan;
 - (n) Areas to remain in cultivated turf grass, including an 18 month maintenance plan;
 - (o) Tentative walkway alignment through proposed Lot 302, to remain unplanted.
 - (p) A process for reporting on planning and works progress to Councils' Growth and Service Lead, including at completion of works prior to s224 approvals.
27. In the event that application is made to the New Plymouth District Council for certification pursuant to Section 224 of the Resource Management Act 1991 before the maintenance period for all planting approved under Conditions 21 and 26 [insert certified planting plan condition and maintenance period condition] is completed, then the consent holder shall pay to the New Plymouth District Council a bond in the form of a refundable cash deposit. The purpose of this bond shall be for ensuring compliance with Condition <condition number> [insert certified planting plan condition and maintenance period condition] and shall only be entered into if the Council is satisfied that the amount of the bond is sufficient to achieve this purpose, and that 50% of the estimated cost for the maintenance period has been added.

Landscape Management Plan for Road Reserve areas

28. A Road Reserve Landscape Management Plan (RRLMP) shall be submitted for Council certification by the Planning and Development Lead (or nominee) at time of engineering approval. The RRLP is to provide for all planting and turf areas located within Roads to VestLots 303, 305 and 306, and is to be prepared by the consent holders consultant Landscape Architect. Design elements (including Toi Māori elements), planting layout and species palates are to be co-designed with input from Puketapu Hapu in accordance with Condition 16. The RRLP shall include, but not be limited to:
- (a) Detailed design plans;
 - (b) Detailed specifications for landscape elements and processes;
 - (c) Esplanade Reserve fencing alignment, and standards in keeping with the Parks Standards Manual;
 - (d) Treatment of road verges fronting Esplanade Reserve Lots;
 - (e) Establishment of grass verges fronting residential Lots;
 - (f) Selection, planting and maintenance of street trees;
 - (g) Detailed specifications for raingarden plantings;
 - (h) A works implementation schedule;
 - (i) An 18 month maintenance plan for RRLP installations/as-builts; and
 - (j) A process for reporting on planning and works progress to Councils' Growth and Service Lead, including at completion of works prior to s224 approvals.

Advice Note:

Section Seven Landscape of the NPDC, STDC and SDC Land Development and Subdivision Infrastructure Standard (Local Amendments Version 3) Based on NZS 4404:2010 is to be considered, in the drafting of Ecological Management Plan and the Road Reserve Landscape Plan as required by conditions 26 and 27.

Developer Agreement

29. During the exercise of this consent where works additional to the above are identified and required to be completed within Esplanade Reserve or Road Reserve areas by the consent holder, such as potential track formation, these may be subject to a Developer Agreement to define the scope and nature of works and the reasonable timeframe for completion:

Restriction on Domestic Cats

30. [Placeholder – potential consent notice condition for a restriction or prohibition on domestic cats. To be addressed further at the hearing]

Water Supply

31. **Urban** An individual water connection incorporating a manifold assembly and water meter shall be provided for Lots 1 – 117.
- a) All new reticulation shall be designed and constructed to the requirements of:
- i) The NPDC Consolidated Bylaws 2014.
 - ii) The Council's Land Development & Subdivision Infrastructure Standard requirements.
 - iii) The New Zealand Fire Services "Code of Practice for Fire Fighting Water Supplies" requirements.
- b) The consent holder shall confirm that there are no cross-boundary water connections is required.
- c) The consent holder shall cover the cost of each water meter as part of the service connection fee. Each meter shall be supplied and installed by Council.

Advice Notes:

An application for service connection and infrastructure connection to the existing Council main is required. The connection and meter shall be installed by a Council approved contractor. An as built plan of all connections is required from the approved contractor and the supply of this plan by the contractor forms part of this consent.

Jumbo manifold boxes are to be used if two or more connections are provided at the road boundary. Each manifold shall be tagged with the relevant Lot number (and street numbers if known).

32. For Stage 6 and 7, the existing 150mm line along Parklands Ave shall be extended to service the proposed lots.
33. For Stage 8, a water line will be required to join the existing water line in Pohutukawa Place to provide a loop in order to provide fire-fighting supply.

Wastewater

34. A sewer connection shall be provided for Lots 1 - 117 in accordance with the following;
- (a) All new reticulation shall be designed and constructed to the requirements of:
 - i) The Building Code,
 - ii) The NPDC Consolidated Bylaws 2014,
 - iii) The Council's Land Development & Subdivision Infrastructure Standard.
 - (b) For all new connections to the sewer main an application with the appropriate fee is to be made to Council, and upon approval this connection is to be installed by a Council approved contractor at the consent holders's cost.
 - (c) If any Lots cannot be serviced by a gravity connection, the consent holder shall install an access chamber and boundary kit as close to the road boundary as possible and shall comply with the Infrastructure Standard CI 5.3.11.1.
 - (d) Where a common private wastewater drain serves more than 2 single dwelling units a manhole will be required at the point where the common drain meets the Council reticulated system.
35. For Stage 6 and 7, the 150mm sewer line vested in Council that currently runs through this property is to be removed and a new sewer line installed along the line of the new road. The replacement of the Council sewer line shall be designed by the consent holder's engineer so this aligns with sewer system required for the development. NPDC will pay for this design to be undertaken.
- Advice Notes:
NPDC will pay for this design to be undertaken.
- The replacement of this line shall be funded largely by Council. The Developers agent shall model the existing sewer system to ensure that this new line has the capacity to accommodate the proposed additional flow. If the new Council line requires upgrading in size then the difference in cost shall be borne by the developer. If the realigning of the new Council line alleviates the need for the proposed private pumping lines then the offset cost of this to the developer shall be reflected in the developer's contribution to Council for the new 150mm line.*
36. The consent holder or future owners of proposed Lots 1- 117 shall comply with the following should they not be provided with a gravity sewer connection:
- Lot [insert allotment number(s)] does not have a gravity sewer connection to the main and the owner will need to install and maintain a suitable private pump at their expense. The owner shall include with their application for Building Consent for the construction of a Dwelling, details of the pumping system to be installed which shall be designed and constructed in accordance with Clause 5.3.11.0 of the New Plymouth District Council Land Development and Subdivision Infrastructure Standard (Local Amendments Version 3).*
37. Condition 33 shall be imposed by way of a section 221 consent notice registered against the new Record of Title for proposed Lot/s <Lot number/s> of the subdivision of <Legal description of land being subdivided> as shown on <Company responsible for plan> Job No./ Drawing No. <Drawing number> Rev.<Rev number> and shall be prepared by the Council at the cost of the consent holder.

SW Management and Disposal

38. The consent holder shall demonstrate the suitability of each Lot to be able to dispose of all stormwater from dwellings and paved areas by on-site disposal by providing a soil suitability report including results of on-site stormwater soakage testing as per NZBC E1/VM1 Section 9.0.2. If it is demonstrated that on-site disposal is not suitable then an alternative method of disposal is to be identified and made available. Secondary flow paths shall be shown on a Plan and shall not be across private property. If this is not achievable then the following applies:

If stormwater detention is required it shall be designed to comply fully with the Land Development and Subdivision Infrastructure Standard, and shall achieve on the following additional criteria:

- a) The post-development peak flow and volume (utilising HIRDS V4 RCP8.5 2081-2100) for the 20%, 10%, 2% and 1% AEP storm events shall not exceed the pre-development peak flow and volume (utilising HIRDS V4 Historical Data) for each storm event.
39. Secondary flow paths shall not be across private property. In circumstances where this cannot be avoided, secondary flow paths shall be hard formed ie. Concrete or rock lined, and shall have an easement in gross in favour of Council. This easement shall not be obstructed, no building or structure shall be built within 1.5m from the edge of the secondary flow path.
40. For all residential lots adjacent to secondary flow paths and/or ponding areas the building platform level or underside of floor slab or floor joists shall be 500mm above the specified 1% (1 in 100 yr) AEP (utilising HIRDS V4 RCP6.0 2081-2100) flood level. This will allow for the minimum freeboard protection as referred to in Clause 4.3.5.2 of the Infrastructure Standard. Finished floor levels for all sections shall be shown on the final engineering report. Levels shall be shown in relation to Taranaki Datum.
41. Where it is not possible to achieve the level of protection by use of secondary flow paths, then the primary flow path shall be increased in capacity until the level of protection can be achieved.
42. Stormwater runoff from road surfaces and hard stand areas will require water quality treatment before discharge to receiving environments and wetlands.

Advice Note:

The consent holder has gained consent from Taranaki Regional Council for the discharge of stormwater to the Waipu lagoons. The consent holder will need to ensure that the design of the stormwater management and treatment system is able to satisfy the conditions of the stormwater discharge.

The Council shall accept the responsibility for any consent for an infrastructure asset upon acceptance of that asset.

43. No flooding or nuisance is to be created by increased stormwater surface flow in the catchment upstream or downstream of the development. To ensure that this does not occur, a stormwater report will be required from a suitably qualified and experienced person detailing:
- a) A clear and descriptive design statement, detailing the existing stormwater management and groundwater conditions, and the intended design approach.

- b) A stormwater catchment / sub-catchment plan to accompany any stormwater calculations which can be easily related to the calculations.
- c) Stormwater design calculations for both the primary and secondary stormwater systems, including hydraulic neutrality for peak flow and volume for each.
- d) Stormwater design calculations for detention tanks / ponds.
- e) Stormwater runoff water quality treatment design calculations, specifications of any proposed treatment devices including treatment effectiveness and location of devices.
- f) An Operations and Maintenance Plan is required at the Detailed Design for Stormwater systems including any treatment devices
- g) Adequate on-site soakage testing for the proposed Lots as per NZBC E1/VM1 Section 9.0.2, to demonstrate the capability for on-site SW disposal.

Roading and Access

- 44. All right-of-ways shall be formed to the requirements of the New Plymouth District Plan and the Council's Land Development & Subdivision Infrastructure Standard including on-site stormwater control and splays.
- 45. Prior to issue of certification under Section 224 of the Resource Management Act 1991, the consent holder shall construct and seal new vehicle crossings serving the Right of Ways identified as Areas A - E on plan and allotments containing access legs in accordance with the New Plymouth District Council Land Development and Subdivision Infrastructure Standard (Local Amendments Version 3).
- 46. For Stage 6 and 7:

Lot 303 and 305 shall vest in the Council as road and in accordance with the following conditions/standards;
 - a) The proposed road shall be constructed to the Council's Land Development & Subdivision Infrastructure Standard requirements and designed to Austroads.
 - b) A road pavement design shall be provided using asphaltic concrete and shall meet the deflections for Benkelman Beam testing appropriate for the specific design.
 - c) A "Give Way" sign and associated road markings, as defined in NZTA publication "Manual of Traffic Signs and Markings" (MOTSAM) shall be installed at the intersection of roads 1 & 2.
 - d) A Road Safety Audit shall be organised by NPDC but at the cost of the developer. This audit shall be completed prior to final sign off of the engineering plans detailed design so that any recommendations from the audit can be included at design stage. The Road Safety Audit shall cover aspects as referred to in Cl. 3.2.7 of the Infrastructure Standard. This audit shall be provided at Stage 1 but shall also cover Stage 2.
 - e) A turning head shall be constructed at the end of cul-de-sac. Where a temporary turning head is required two MOTSAM PW66 (2 chevron option) chevron boards shall be erected to indicate the end of the road.
 - f) Kerb & channel, footpath, berm, stormwater disposal and street lighting shall be provided on the proposed road.

- g) A light industrial vehicle crossing shall be installed to serve lot 302. The crossing shall be able to meet the visibility set out in TRAN-S2 of the district plan.

47. For Stage 8 and 9:

Lot 306 307 shall vest in the Council as road and in accordance with the following conditions/standards;

- a) The proposed road shall be constructed to the Council's Land Development & Subdivision Infrastructure Standard requirements and Austroads design.
- b) A road pavement design shall be provided using asphaltic concrete and shall meet the deflections for Benkelman Beam testing appropriate for this specific design.
- c) A "Give Way" sign and associated road markings, as defined in NZTA publication "Manual of Traffic Signs and Markings" (MOTSAM) shall be installed at the intersection of roads 1 & 9.
- d) A turning head shall be constructed at the end of cul-de-sac. Where a temporary turning head is required two MOTSAM PW66 (2 chevron option) chevron boards shall be erected to indicate the end of the road.
- e) Kerb & channel, footpath, berm, stormwater disposal and street lighting shall be provided on the proposed road.
- f) The proposed road shall be constructed to the Council's Land Development & Subdivision Infrastructure Standard requirements and designed to Austroads.
- g) The intersection for the future alignment with Impact Ave shall require the same construction dimensions as the existing Impact Ave. Road 1 shall be classed as an Arterial Road and complying sight distances at this intersection shall be required. A long section of this future connection to Impact Ave will be required at the time of engineering plans for this proposal

Earthworks

48. The subdivider shall appoint a suitably qualified engineer to design, control and certify all earthworks.
- a) All earthworks shall be carried out under the direct control of a suitably qualified engineer.
 - b) Any uncompacted fill shall be identified and shall be shown on the final plans.
 - c) Any works undertaken on site shall employ the best practical means of minimising the escape of silted water or dust from the site. A description of the proposed means of mitigating these temporary effects shall be submitted with the Engineering Plan and approved and installed prior to any works commencing. Regional Council approval shall be obtained where required for sediment control.
 - d) Excavation works associated within the subdivision must be kept wholly within the subject site and not encroach past the boundary on to neighbouring land or road reserve.
 - e) Any excavation works that take place over or near Council reticulation shall ensure that backfill/compaction and adequate cover complies with the Infrastructure Standard.

49. Any retaining wall that falls outside the scope of Schedule 1 of the Building Act (2004) shall require a building consent. Earthworks that have the potential to undermine the stability of any adjoining property is to be assessed by a suitably qualified engineer with any remedial work to comply with the NZ Building Act 2004.

Advice Notes:

It is recommended that developments are designed to minimise changes to landfill except in circumstances where a Geo-Professional assesses that the natural landform presents risks to health, infrastructure or the environment.

Any excavation that takes place within road reserve during this development shall require an approved Corridor Access Request (CAR). Refer to the "National Code of Practice for Utility Operators' Access to Transport Corridors" for additional information. Applications can be made via the website www.beforeUdig.co.nz or 0800 248 344. A CAR along with a Traffic Management Plan must be submitted a minimum of 5 working days before an operator intends to start work for minor works or 15 working days for major works and project works. All costs incurred shall be at the applicant's expense.

50. A Geotechnical Completion Report as detailed under Chapter 2 of Council's Land Development & Subdivision Infrastructure Standard authored by a suitably qualified geo-professional (refer NZS4404:2010 Definitions) shall be submitted to the Council's Planning Team prior to 224 certification to confirm a stable, flood free building platform that meets the requirements of the NPDC District Plan, including the soil's suitability to dispose of stormwater, is available on proposed Lots 1 & 2. This would demonstrate that the site is suitable for building foundations in accordance with the requirements of the New Zealand Building Code B1.
51. If the report identifies limitations needed to be raised with future property owners the consent holder shall apply for consent notices at the time of Section 224 certification. The limitations and ability to identify constraints on consent notices will be considered by Council at the time of the Section 224 certification and the Planning Lead shall retain discretion of whether consent notices are applicable in this regard.

Telecommunication and Power connections

52. An individual power connection shall be provided to Lots 1 - 117.
53. An individual telecommunications connection shall be provided to Lots 1 - 117.

Engineering Plans and Approvals

54. An engineering plan and specification for the right of way/sewer/water/stormwater/sediment and silt control/secondary flow paths/earthworks/roading/roading pavement design/street lighting isolux design/common service trenches/location of above ground utility structures/street tree planting design shall be submitted to and approved by the Council prior to the commencement of work. For private stormwater disposal systems on right-of-ways, such as soakholes, a building consent will be required.

Advice Note:

In terms of the internal road design the follow matters will need to be assessed/detailed:

- Access to Lots 36, 37 and 76 will need careful consideration regarding location, due to the splitter islands and separation from roundabout.*

- *The northernmost curve on Road 2 might restrict visibility from the access on Lot 40.*
 - *The roundabouts will need to be checked for swept paths for HCV's.*
55. All work shall be constructed under the supervision of a suitably qualified person who shall also certify that the work has been constructed to the approved *Engineering Plan/Infrastructure Standard* requirements.
56. The supervision of the work, *and its certification and the provision of as built plans* shall be as prescribed in sections 1.8 and 2.0 of NPDC Land Development & Subdivision Infrastructure Standard.
57. A Council engineering plan approval/inspection fee shall apply at cost.
58. A schedule of assets vested and SW infrastructure Operations and Maintenance Manual shall be provided to Council.

GENERAL ADVICE NOTES

- a) *A Development Contribution for off-site services of:*
- *Stage 6: Lots 1–39 \$294,037.96 excl GST*
 - *Stage 7: Lots 40–65 \$196,025.30 excl GST*
 - *Stage 8: Lots 66–75, 78– 105 \$286,498.52 excl GST*
 - *Stage 9: Lots 106–113 \$60,315.48 Excl GST*
- 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.*
- b) *Other alternative solutions may be approved for those aspects where the Infrastructure Standards are unable to be met or can be achieved in a different way.*
- c) *Any excavation that takes place within road reserve during this development shall require an approved Corridor Access Request (CAR). Refer to the "National Code of Practice for Utility Operators' Access to Transport Corridors" for additional information. Applications can be made via the website www.beforeUdig.co.nz or 0800 248 344. A CAR along with a Traffic Management Plan must be submitted a minimum of 5 working days before an operator intends to start work for minor works or 15 working days for major works and project works. All costs incurred shall be at the applicant's expense.*
- d) *Damage to council assets*
The owner is required to pay for any damage to the road or Council assets that results from their development. The developer must notify the Council of any damage and the Council will engage their contractor to carry out the repair work. The owner, builder/developer or appointed agent responsible for building/development work must repair, to the satisfaction of Council, damaged roads, channels drains, vehicle crossings and other assets vested in council adjacent to the land where the building/construction work takes place. Safe and continuous passage by pedestrians and vehicles shall be provided for. Footpath or road shall be restored to the Council's satisfaction as early as practicable. Developers are required to pay for any damage to the road or street that results from their development. The developer must employ a council approved contractor to carry out such work.

- e) *Street light design can be found <http://www.nzta.govt.nz/assets/resources/specification-and-guidelines-for-road-lighting-design/docs/m30-accepted-luminaires.pdf>. A street lighting design can be undertaken to incorporate the location and predicted height of street trees. This may lead to a reduction in the number of trees on the site. (NPDC will not accept painted poles)*
- f) *This consent lapses on **XX XXXXX** 2030 unless the consent is given effect to before that date; or unless an application is made before the expiry of that date for Council to grant an extension of time. An application for an extension of time will be subject to the provisions of section 125 of the Resource Management Act 1991.*

S.42A Draft Conditions