

## SUBDIVISION

### Plan of Subdivision

- The subdivision shall be undertaken in accordance with the plan of subdivision being Landpro - CHP Developments Ltd Overall Scheme Plan - Plan 17164, Drawing 01 Rev B dated 1 November 2017 that is attached at Appendix 1, subject to any amendments required to achieve compliance with the conditions below, including:
  - Replacement of all stormwater swales with in-road kerb and channel.

### Code of Practice

- All subdivisional designs and approvals are to be in accordance with NZS 4404:2004 and the CODC Addendum, which is the Council's current Code of Practice for Urban Subdivision except as modified by these conditions of consent.

### Roading and Access

- The formed carriageways of the Road Lots must be formed in general accordance with the following, and shall capture stormwater using standard kerb and channel as opposed to stormwater swales:

Road Lot	Road Reserve width	Parking lane (paved)	Traffic lanes	Cycli ng	Footpath	Berms (grassed, planted with trees)
<b>Lot 300 and 301</b>	20m	1 x 2.5m	2 x 4.2m	No	2 x 1.5m	2 x 2 m + 1 x 2.1m
<b>Lot 302</b>	20m at the Eastern end narrowing to 18m at Western end	East: 1 x 2.5m West: 1 x 2.5m	East: 2 x 4.2m West: 2 x 3.0m	No	East: 2 x 1.5m West: 2 x 1.5m	East: 2 x 2m + 1 x 2.1m West: 2 x 2m + 1 x 2.5m
<b>Lot 309</b>	16m	1 x 2.5m	2 x 3.0m	No	2 x 1.5m	2 x 2.25m
<b>Lot 303</b>	18m	1 x 2.5m	2 x 3.0m	No	2 x 1.5m	2 x 2m + 1 x 2.5m
<b>Lot 306</b>	16m	1 x 2.5m	2 x 3.0m	No	2 x 1.5m	2 x 2.25m
<b>Lot 304</b>	16m	1 x 2.5m	2 x 3.0m	No	2 x 1.5m	2 x 2.25m

<b>Lot 307 + 308</b>	20m	1 x 2.5m	2 x 3.0m	No	2 x 1.5m	2 x 2.125 + 1 x 2.25m + 1 x 2m
<b>Lot 305</b>	20m	1 x 2.5m	2 x 3.0m	No	2 x 1.5m	2 x 2.125 + 1 x 2.25m + 1 x 2m
<b>Lot 311</b>	16m	1 x 2.5m	2 x 3.0m	No	2 x 1.5m	2 x 2.25m
<b>Lot 312</b>	10m	1 x 2.5m	4m	No	1 x 1.5m	1 x 2m
<b>Lot 310</b>	16m	1 x 2.5m	2 x 3.0m	No	2 x 1.5m	2 x 2.25m
<b>Lot 125 and Lot 130</b>	8m	No	Shared 6.0m surface			No

*Note: Pictorial detail of the road formation for the above Lots may be found in the Cromwell Top 10 Holiday Park Redevelopment – Landscape Master Plan and using the street typologies “Cromwell Top 10 Holiday Park Redevelopment – Access Strategy and Street Typologies” as appended to the evidence of Tony Milne and attached to these conditions. For ease of reference the street typologies for each road Lot are as follows:*

<b>Road Lot</b>	<b>Street typology</b>
Lots 300 and 301	Typology 1b
Lot 302	Typology 1a
Lot 303	Typology 1a
Lot 304	Typology 2a
Lot 305	Typology 3
Lot 306	Typology 2a
Lot 307	Typology 3
Lot 308	Typology 3
Lot 309	Typology 2a
Lot 310	Typology 4
Lot 311	Typology 2a
Lot 312	Typology 2b

4. Subject to condition 3 above the carriageways within the road network shall be constructed in accordance with NZS 4404: 2004 and Table 3.1 of Council’s July 2008 Addendum for Residential Collector Road Classification as applicable:
- Subgrade CBR >7.
  - Subbase 150mm depth AP 65

- (c) Basecourse 100mm TNZ M/4 AP40.
  - (d) Two coat Grade 3 and 5 chip seal, asphalt or other approved surface treatment.
  - (e) 4% normal camber.
  - (f) Kerb and channel over 75mm depth AP 40 metal.
  - (g) Intersection or pedestrian crossing points may be concrete or paving.
  - (g) All necessary traffic signs and road markings shall be provided.
  - (h) Footpaths to be constructed as follows:
    - 1. 1.5m wide and 4% crossfall to channel.
    - 2. 25mm depth of asphaltic concrete over 75mm compacted depth AP20 metal.
    - 3. 75mm x 40mm H4 timber edging pegged at 1.0 metre intervals.
    - 4. Crossings at intersections to NZS 4121:2001 requirements.
  - (i) Grass verges shall provide 100mm depth topsoil trimmed and grassed to a mowable standard including:
    - 1. Formed at 4% crossfall to channel.
    - 2. Cut/fill batters with a maximum of 4.1 gradient to match existing ground.
    - 3. Any tree planting and associated irrigation shall be to the satisfaction of the Chief Executive.
  - (j) LED Full cut off luminaires to be used for street lighting and be in accordance with NZS 4404:2004.
  - (k) A temporary 9.0m radius asphalt surfaced turning circle shall be provided at the end of staged works.
5. Prior to the issue of section 224(c) certification for Lots 1-5 the consent holder shall construct a footpath on the west side of Alpha Street adjacent to Lots 1-5, such footpath to be to the following standard:
- 1. 1.5 metre wide and 4% crossfall to channel.
  - 2. 25mm depth of asphaltic concrete over 75mm compacted depth AP20 metal
  - 3. 75mm x 40mm H4 timber edging pegged at 1.0 metre intervals.
  - 4. Crossing at intersections to be to NZS 4121:2001 requirements.
6. The consent holder shall provide for the Council's approval a proposed name for roads within the subdivision and when approved it shall be the consent holder's responsibility to supply and erect appropriate signs of a design consistent with the road sign design used in Cromwell.
7. The consent holder must form the road from The Dunes to the boundary of Lots 6-7 to the same Standard as The Dunes.
- Note: The consent holder is party of Easement Instrument 5564255.8 enabling access from the Dunes to 3 Lots (being Lots 6-8). The terms of that easement will continue to apply and will need to be complied with when establishing access to Lots 6-8.*
8. Prior to section 224(c) certification the consent holder shall be responsible for providing sealed vehicle entrances between the road carriageway and the boundary of Lots 1-28, 33-57, 61-104, -173 in accordance with the Council's Vehicle Crossing Policy and as follows:
- i. 30mm asphaltic concrete over 150mm compacted depth AP40 basecourse metal.
  - ii. 75mm x 40mm H4 timber edging pegged at 1.0 metre intervals.

9. Prior to approval under section 224(c) the consent holder shall establish heavy duty kerb crossings for Lots 29-32, 58-60, 105,106, 130,131, 122-124, 125 - 129 and 137/138-140/141 in accordance with the Council's Roading Policies January 2015, Part 29.
10. No Lots may have a vehicle crossing formed onto Lot 300 or 301.
11. No Lots, except Lots 102-104 may have a vehicle crossing formed onto Lot 302.
12. A sight distance of no less than 40m must be provided for each vehicle access.
13. Prior to section 224(c) the consent holder will provide a report to Council confirming that a 40m sight distance (in both directions) is achieved for the vehicle accesses from Lots 5, 9, 19, 20, 23, 25, 27, 29, 37, 38, 41, 47, 49, 50, 57, 70, 76, 77, 78, 83, 84, 92, 93, 100, 101, 134, 135, 139, 142, 145, 157, 158, 159, 171, 172, 173.
14. Where the 40m sightline identified for a Lot subject to condition 13 above crosses over land outside of the Road Reserve a sight line protection area will be identified as a covenant area on the relevant Lot and a consent notice registered on the relevant computer freehold register pursuant to section 221 of the Resource Management Act as follows:
  - (a) *The sight line protection area within Lot XX, marked X on DPXXXXX, must be maintained free from any vegetation, buildings, fencing, vehicles or other objects exceeding 1m in height to ensure vehicle access sight distances are not compromised.*
  - (b) *Vehicle access to and from Lots XX and the adjacent road must be via the vehicle crossing provided to the Lot at the time of the underlying subdivision only.*
15. Lots 400 and 401 must be retained by the consent holder and must not be developed for residential purposes for 5 years from date of 224(c) approval for Stage 1 of this subdivision, unless they are transferred to the registered proprietor of Lot 1 DP18843 or as may be otherwise agreed with Council.
16. In the event Lot 400 and 401 are transferred to the registered proprietor of Lot 1 DP18843 they must not be used for any purpose other than providing road connectivity from this subdivision to Lot 1 DP18843.
17. If, at the end of the 5 year period Lots 400 and 401 have not been transferred to the registered proprietor of Lot 1 DP18843 or Council the consent holder must as part of the next stage of this subdivision vest Lot 400 as Local Purpose Reserve (Road Access).
18. Upon deposit of survey plan, Lots 300-312 as shown on the plan of subdivision shall vest in the name of Central Otago District Council as Road.

### **Easements**

19. Any easements necessary to achieve reciprocal rights of way over access strips and to provide access to services shall be duly granted and reserved at the consent holder's expense.

### **Staging**

20. The subdivision may be staged and any conditions relevant to a stage shall be satisfied prior to section 224(c) certification for that stage.

### **Water**

21. Prior to s224(c) certification, the adequacy of existing water reticulation at the boundary of the subdivision shall be demonstrated by water modelling to be sufficient to supply the subdivision under peak water demand and to fire fighting requirements.

*Note: Access to the Council's Water Model is able to be arranged by the Council at the consent holder's cost.*

22. The consent holder shall be responsible for providing appropriate water supply reticulation (including fire hydrants and valves and necessary incidental equipment) from the point(s) of connection to the network identified from the water modelling process as being adequate for the purpose; and such water supply reticulation shall be adequate to serve the subdivision and meet the requirements of NZS 4404:2004 and the Council's July 2008 Addendum.
23. The consent holder shall be responsible for providing starters for future stages of the subdivision.
24. The water reticulation shall meet the requirements of The Fire fighting Water Supplies Code of Practice SNZ PAS 4509:2003.
25. Separate 20 mm diameter water supply connections with Acuflo toby valves, meters and approved boxes shall be provided to the boundary of Lots 1-173.
26. Water laterals shall be extended to the buildable area of rear allotments.

#### **Wastewater**

27. Prior to section 224(c) certification, the adequacy of the existing downstream wastewater system adjacent to the subdivision shall be demonstrated by wastewater modelling to be sufficient to accommodate the subdivision under peak discharge conditions.

*Note: Access to the Council's Wastewater Model is able to be arranged by the Council at the consent holder's cost.*

28. The consent holder shall install wastewater reticulation to the point of connection to the Council's wastewater network that is identified from the wastewater modelling processes as being adequate for the purpose; and such wastewater reticulation shall be in accordance with NZS 4404:2004 and the Council's July 2008 Addendum and shall be adequate to meet the needs of the subdivision.
29. The consent holder shall be responsible for providing standard 110mm diameter wastewater connections from the wastewater reticulation to the boundaries of Lots 1-173.
30. Wastewater laterals shall be extended to the buildable area of rear allotments.
31. In the event that a new pumped system is required or an existing pump station is required to be upgraded, the pump station/system shall comply with Clause 5.3.10 of the Council's July 2008 Addendum to NZS 4404:2004.

#### **Stormwater**

32. All stormwater from roads shall be discharged to ground by standard mudtanks and soakpits unless otherwise approved by Council.

33. Stormwater from within Lots 1-173 shall be discharged to ground by soakpits unless otherwise approved by Council.

*Note: In the event stormwater is to be discharged to soakpits, Condition 33 shall be subject to a consent notice that shall be registered on the relevant computer freehold register identifiers pursuant to section 221 of the Resource Management Act 1991.*

### **Power and Telecommunication**

34. The consent holders must obtain the consent of the relevant utility service provider for the provision of electricity and telecommunication services to serve Lots 1-173. The consent holder must install all such new services underground to the boundary of Lots 1-173 prior to section 224(c) certification.
35. Electricity and telecommunication services must be extended to the buildable area of all rear allotments.
36. The consent holder must supply evidence of the consents referred to in condition 34 to the Chief Executive prior to section 224(c) certification.
37. It is the consent holder's responsibility to meet the costs associated with the installation of electricity and telecommunication services necessary to meet the needs of the subdivision.

### **Reserves and Landscape Treatment**

38. Prior to the first exercise of this consent the consent holder shall provide a detailed Landscape Plan for approval by Council's Parks and Reserves Manager addressing the following:
- a. all clearing, contouring, retention of existing trees/features. Where existing trees are to be retained, a report as to their amenity value and sound condition is to be provided for Council approval;
  - b. Planting Plan including identification of a species list for plants to be established within the subdivision.
  - c. Identification of the location of plantings within Roads and Reserves, particularly with respect to water services and service structures (such as valves, hydrants, man holes and cleaning eyes).
  - d. New Trees within Lot 201 must comply with the following:
    - (1) Be planted at least 2m from any footpath
    - (2) Be planted 7m from any boundary fence
  - e. New Trees within the reserves, road reserve and verges shall be placed with reference to the *Central Otago District Tree Management and Operational Guidelines*.
  - f. Location of cycle/walkways, fencing and associated features including identification of proposed Park furniture.
  - g. Automated irrigation layout for all Reserve Lots
  - h. Maintenance Plan for plantings within Roads and Reserve Lots including details for replacement planting if any plant dies or becomes diseased.

*Notes: Any planting within Golf Course will require the lessee approval.*

39. Any Park furniture must be:
- a. Hardwood with powder coated galvanised legs/fittings
  - b. Sourced from reputable suppliers
  - c. Situated over paved areas to provide mowing edge and prevent scuffing

*Note: Advice regarding reputable suppliers for park furniture may be obtained from the Council.*

40. The automated irrigation system to be installed must have its water supply provided from the consent holder's existing Lake Dunstan water take.
41. The consent holder will be responsible for the maintenance of planting and grassed areas within the Reserves and Roads in accordance with the Landscape Maintenance Plan (refer condition 38 above) until completion of the final stage of the subdivision.

*Note: The landowners within the subdivision will be responsible for the ongoing maintenance of grassed areas on the roads in front of their properties (refer condition 55).*

42. Prior to section 224(c) certification for the final stage of the subdivision the consent holder must transfer the ownership of the pumping infrastructure and associated equipment used to convey water to the site from the consent holder's existing Lake Dunstan water take, the water permit and any other associated interests required to the Council.
43. A 2.0m width asphaltic concrete surfaced cycle/walkway shall be constructed through:
  - Lot 200 linking to the Golf Course.
  - Lot 202 linking roads 310 and 301.
  - Lot 201 linking the roads to the north, south and east
  - Lot 203 linking the subdivision with Alpha Street

*Note: For avoidance of doubt the development of a cycle/walkway within the Golf Course is subject to the approval of the Lessee and Council.*

44. Provide fencing of the various areas as follows prior to section 224c certification:
  - a. Standard Council timber bollards along road boundaries with reserves.
  - b. 1.8m high coloured steel or paling fence along boundary with Freeway Orchard.
  - c. Fences along Residential Lot boundaries with Reserves (Lots 200-203) must be no more than in 1.4m height and constructed of coloured steel, timber paling or to an alternative design approved by Council's Parks and Reserves Manager.
  - d. All subdivision boundaries that front onto the Cromwell Golf Course shall be fenced to 1.2m height with a 50% visually permeable fence (such that rolling/bouncing golf balls will not penetrate into adjacent private properties).
45. Upon deposit of the survey plan Lots 200, 201, 202, 203 must be vested in the name of the Central Otago District Council as Local Purpose Reserve (Accessway).
46. Payment of a reserves contribution of \$116,487.00 (exclusive of goods and services tax) calculated in terms of Rule 15.6.1(1)(a)(i) of the Operative District Plan on the basis of 129 residential allotments (allowing a credit for 3 existing titles in the Rural Resource Area and a credit for land to be vested as reserve being 4143m<sup>2</sup> that is rounded off to the equivalent of a contribution in money for 41 lots).

## **RESERVE AND ROAD LIGHTING**

47. All LED lighting within the Roads and Reserves must be full cut off luminaires.
48. LED reserve lighting must be provided along the footpath/cycleway in Lots 200 - 203 to appropriate standards and to the satisfaction of Council's Roding Manager.

## **NES**

49. The small volume of hydrocarbon contaminated soils shall be removed and legally disposed of and the consent holder shall comply with all other recommendations contained in the Preliminary and Detailed Site Investigation lodged with the application.

## **CONSENT NOTICE BUILDING CONTROLS**

50. Prior to section 224(c) certification and in accordance with section 221 a consent notice shall be registered on the relevant computer freehold registers for the performance of the following conditions (51 – 55) on a continuing basis. This condition does not apply to Lot 8.

### **51. Street Scene**

Minimum building setback from road boundaries shall be 4.5m with the following exceptions:

- a. Where a garage has a vehicle door facing the Road or a shared access, the minimum setback of the garage door shall be 7m from the road or shared access; and
- b. Garages, carports and other accessory buildings shall be no closer to the road boundary than the majority the front façade of the residential unit nearest to the road boundary.
- c. For Lots 102-106, 125-133 and 157-173 the following shall apply:
  - i. the minimum building setback from the Road shall be 3m; and
  - ii. Where a garage has a vehicle door facing the Road or a shared access, the minimum setback of the garage door shall be 5m from the Road or shared access.
- d. For Lots 5, 9, 25, 26, 27, 29, 30, 41, 70, 83, 92, 100 the minimum setback of the side yard boundary with Lot 300-302 must be 3m.

### **52. Fencing**

- a. Front Fencing -
  - (i) Front fences or walls must be constructed of materials consistent with the materials and style of the building they belong to.
  - (ii) The letterbox/street number must be integrated into the boundary treatment.
  - (iii) Subject to condition 13 and 14, fences or walls exceeding 50% visual permeability may be up to 1.4m in height
  - (iv) Subject to condition 13 and 14, fences or walls less than 50% visually permeable must be no more than 1m in height. If a height of 1.4m is desired, the remaining 0.4m height can be achieved through fencing exceeding 50% visual permeability.
  - (v) Subject to condition 13 and 14 Fence posts and/or gate posts may exceed 1.4m in height to provide visual interest.
  - (vi) Fences or walls must not be constructed of metal sheeting, chain link or other similar industrial materials.



- (vii) Side/rear fences/walls must be of the same materials and height as the front fence to at least the front facade of the building they belong to after which point. The fence/wall may increase in height to 1.8m and change in material if desired.
- b. **Boundary with The Dunes -**
  - (i) Any fences/walls along the boundary with the Dunes development (rear boundary of Lots 6-8, 58-69 and 107) must meet the following requirements:
    - (1) Fences/walls must be no more than 1.7m in height.
    - (2) Solid wall fencing must have a plaster finish. Material accents (timber, stone etc) may be used for up to 10% of wall area.
    - (3) Timber fencing may not exceed 7m continuous length. 7m sections of timber fencing must be broken up by sections no less than 3m in length constructed in an alternative material or a planted hedge.
- c. **Boundary with the Cromwell Golf Course -**
  - (i) Any fences along the boundary with the Cromwell Golf Course (Southern boundary of Lots 107-124) must meet the following requirements:
    - (1) Be a maximum height of 1.2m;
    - (2) Be 50% visually permeable;
    - (3) Have spaces small enough to prevent a rolling or bouncing golf ball from passing through the fence.
- d. **Boundaries of Reserves or accessways -**
  - (i) Any fences along a boundary with a public reserve (Lots 106-108, 123, 124, 127-131, 157-163, 167, and 168) must meet the following requirements:
    - (1) Fences/walls along boundaries to accessways (permeable or solid) shall be a maximum height of 1.4m.

### 53. **Front yard interface**

- a. All dwellings on Lots 1-127 and 132-156 must incorporate the following:
  - (1) A transition area measuring a minimum of 1.8m wide and 2m long, located adjacent the front façade and main entrance to the house, that shall incorporate a treatment (i.e. planting, paved area, pergola, veranda etc.) so as to distinguish the front door/main entrance of the dwelling from the front yard.
  - (2) Garages and/or carports to occupy no more than 50% of the street frontage or 7.5m, whichever is the lesser.
- b. For Lots 127-131, 157-173 a minimum of 40% of the front yard must be planted.

### 54. **Integration of boundaries into the wider landscape**

- a. Any boundary with the Cromwell Golf Course (Southern boundary of Lots 107-124) must meet the following requirements:
  - (i) Establish a 2.5m deep planted landscape strip along the boundaries adjacent the Cromwell Golf Course.
    - (1) The landscape strip shall be 100% planted and contain at least 5 plants that grow to a minimum mature height of 1.5m.
- b. Any boundary with The Dunes (rear boundary of Lots 6-8, 58-69 and 107) must meet the following requirements:

- (i) 2.5m deep planted landscape strip shall be provided along the boundaries adjacent the Dunes development.
- (ii) The landscape strip shall be 100% planted and contain at least 5 plants that grow to a minimum mature height of 1.5 and be maintained to a maximum mature height of 4m.
- (iii) A minimum of 60% of the plants within the landscape strip must be native species selected from the native species list included within the Landscape Plan approved in accordance with this consent.

**55. Landscape Maintenance**

The registered proprietor of each Lot must maintain the landscaping (including grassed and planted areas) within the road directly in front of their property in accordance with the Landscape Maintenance Plan.

**CONSENT NOTICE CONTROLS FOR LOT 8**

56. Prior to section 224(c) certification and in accordance with section 221 a consent notice shall be registered on the computer freehold register for Lot 8 for the performance of the following conditions on a continuing basis:
- (a) *The parking of boats and caravans is not permitted outside dwellings on the property for continuous periods exceeding three weeks.*
  - (b) *The dwelling shall not be used for travellers' accommodation.*

**GENERAL**

57. Prior to the issue of a certificate in terms of section 224(c) the consent holder shall provide the Chief Executive RAMM inventory data and asset information with associated costings (in the form of a schedule) of all infrastructure works to vest in the Council.
58. The consent holder shall provide producer statements in an approved format from a suitably qualified professional certifying the engineering adequacy and compliance with consent conditions relating to engineering design, construction and construction review (supervision) of the subdivision works.
59. The name and the qualifications of the person referred to in condition 58 shall be forwarded in writing to the Chief Executive prior to the submission of any design documentation. This person shall be acceptable to the Chief Executive.
60. Prior to the commencement of any works on the subdivision, the consent holder shall provide to the Chief Executive for review and approval, copies of specifications, calculations and design drawings for water supply, wastewater disposal, firefighting, stormwater disposal, access and roading infrastructure as are considered to be both necessary and adequate to meet the conditions of this consent, as appropriate for completed staging.
61. Prior to section 224(c) certification, the consent holder shall submit evidence to Council that the required engineering works have been carried out in accordance with the details approved under Condition 60. This is to include construction management of adverse effects like dust and noise.

62. As built drawings are to be lodged with the Chief Executive in accordance with Clause 1.5.10(b) of NZS 4404:2004 and shall show the location and individual identification number for each water meter and shall identify any areas of certified fill. The as built drawings are to be draughted on computer and are to be compatible with a CAD system nominated by the Chief Executive. As built plans shall be lodged on computer disk or in a hard copy A3 format.

### **SITE MANAGEMENT PLAN**

63. Prior to the commencement of any works the consent holder shall provide a Site Management Plan to the Chief Executive which shall specify the operating conditions that contractors will be required to adhere to. The Site Management Plan is to include matters such as operating hours, procedures for controlling dust during periods of high winds, restrictions on the use of specific equipment during sensitive periods of the day and provision for a complaints register. The Site Management Plan will confirm that construction noise will comply with the current New Zealand Standard for managing construction noise.

### **ACCIDENTAL DISCOVERY PROTOCOL**

64. If the consent holder:

- a) Does not have an archaeological authority from Heritage New Zealand Pouhere Taonga and 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 shall without delay:
- (i) notify the Council, Tangata whenua and Heritage New Zealand Pouhere Taonga 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 the Heritage New Zealand Pouhere Taonga and the appropriate runanga and their advisors, who shall determine whether the discovery is likely to be extensive, if a thorough site investigation is required, and whether an Archaeological Authority is required.

Any koiwi tangata discovered shall be handled and removed by tribal elders responsible for the tikanga (custom) appropriate to its removal or preservation. Site work shall only recommence following consultation with Council, the New Zealand Pouhere Taonga, 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 shall without delay:
- (i) stop work within the immediate vicinity of the discovery or disturbance and;
  - (ii) advise the Council, Heritage New Zealand Pouhere Taonga and in the case of Maori features or materials, the Tangata whenua and if required, shall make an application for an Archaeological Authority pursuant to the New Zealand Pouhere Taonga Act 2014 and;
  - (iii) arrange for a suitably qualified archaeologist to undertake a survey of the site.

Site work shall only recommence following consultation with Council.

### **LAPSING OF CONSENT**

65. Pursuant to section 125 of the Resource Management Act 1991 this subdivision consent shall lapse 7 years after the date of commencement of this consent.

*Notes:* 1. All charges incurred by the Council relating the administration, inspection and supervision of conditions of subdivision consent shall be paid prior to section 224(c) certification.

2. The works involving roads will require an approved Road Opening Notice and Works Completion and Maintenance Notices in accordance with Council's July 2008 Addendum to NZS 4404:2004.

3. Development contributions are payable for water, wastewater and roading respectively pursuant to the Council's Policy on Development and Financial Contributions contained in the Long Term Council Community Plan. Payment is due upon application under the Resource Management Act 1991 for certification pursuant to section 224(c). The Council may withhold a certificate under section 224(c) of the Resource Management Act 1991 if the required Development and Financial Contributions have not been paid, pursuant to section 208 of the Local Government Act 2002 and Section 15.5.1 of the amended Proposed District Plan.

4. The consent holder is advised that land use consent may be required for earthworks (except for those required for or in connection with the formation or construction of any road) if the 2000m<sup>2</sup>/3000m<sup>3</sup> limit specified in Rule 4.7.6J(b) is breached.

## **LAND USE CONSENT CONDITIONS**

1. This land use consent authorises residential activity on Lots 1-173 as shown on the plan of subdivision being Landpro- CHP Developments Ltd Overall Scheme Plan - Plan 17164, Drawing 01 Rev B dated 1 November 2017 that is attached at Appendix 1.

*Note: For the avoidance of doubt this land use consent is deemed to be a separate land use consent for each of Lots 1-173 as shown on the plan referred to in Condition 1.*

## **BUILDING CONTROLS**

2. In addition to the controls identified and secured by consent notice pursuant to the subdivision consent (conditions 50-55) all buildings on Lots 1-7 and 9-173 (including residential dwellings and garages) shall be constructed in accordance with the following:

3. **Open space**

- (a) The net area of any site covered by buildings (including garages and carports) shall be no more than 40% with the following exceptions:
  - (i) For Lots 102-106, 125-133 and 157-173, the net area of any site covered by buildings (including garages and carports) must be no more than 50%.
- (b) Each Lot shall contain a minimum 5m diameter are of open space for outdoor living.
- (c) The 5m diameter open space area shall be readily accessible from a living area of each unit.
- (d) At least half of the required 5m diameter minimum open space area shall be able to receive sunshine on the shortest day of the year.

4. **Building Height**

The maximum height of any building shall be: 7.5m.

5. **Sunlight and outlook for neighbours**

- (a) Buildings shall meet the following building height and recession plane guidelines:
  - (i) No part of any building (including accessory buildings such as garages) can protrude through a recession line, starting 3.6m above ground level along the side and rear yard lines, at an angle of 25° inclining upwards towards the site.
  - (ii) In the case of a gable end, the apex of a single gable end of a building may have a maximum height of 6 metres and up to one third of the gable height may exceed the building envelope, provided the maximum height of the building shall not exceed 7.5 metres.
  - (iii) No side yard or recession plane is required for the internal boundary of Lots 102-106, 125-133 and 157-173, where they share a party wall boundaries with the adjacent lot(s).

6. **Separation from neighbours**

- (a) The consent holder will identify yards as follows:

- (i) **Rear site of generally rectangular shape:** Two rear yards and two side yards shall apply to boundaries nominated by the owner other than the access strip.
  - (ii) **Corner and through sites:** Where a front site has more than one road frontage the following shall apply – A front yard to one road frontage to be nominated by the owner; two rear yards (3m) to two boundaries to be nominated by the owner, one which must include the remaining road frontage; and one side yard (1.8m) to the remaining boundary. In each case the rear and side yard shall not include that part of the site that is included in the front yard.
- (b) The minimum building setback from internal rear boundaries shall be 3m.
  - (b) The minimum building setbacks from internal side boundaries shall be one of 1.8m and one of 3m.
  - (c) Notwithstanding the above an accessory building, garage or carport whether freestanding or attached to the principal building on the site may be erected in the side or rear yards where:-
    - (i) 3.0 metres unobstructed access to the rear of the site is provided on at least one side yard.
    - (ii) The length of the building or buildings within the yard does not exceed 10 metres in total length adjacent to any one boundary.
    - (iii) The height of the building within the yard does not exceed a maximum of 2.7 metres at the boundary or encroach into the plane, referred to in Condition 5 above, if the plane is extended from the minimum side or rear yard to the boundary.
    - (iv) Written consent of adjoining owner is obtained and submitted to Council with the building consent application.
  - (d) For Lots 102-106, 125-133 and 157-173 buildings must only be setback from one internal side boundary only. The minimum building setback must be 1.8m.
  - (e) For Lots 6-7, 58-69 and 107 the minimum setback from the boundary adjacent to the Dunes development must be 5m.
  - (f) For Lots 107-124 the minimum setback from the boundary adjacent to the Cromwell Golf Course must be 5m.

**7. Ground floor habitable room and orientation to the street**

- (a) Each residential unit with a room or garage on the ground floor shall have a habitable room located at the ground level which is internally accessible to the rest of the unit.
- (b) The ground floor habitable rooms shall provide a total window area of at least 3m<sup>2</sup> that overlooks the setback from the road boundary.

*Note: for the purposes of this condition habitable room means “a room used, or intended to be used, for dwelling purposes including a kitchen, bedroom or lounge but not a bathroom or utility room.”*

**CONSTRUCTION OF BUILDINGS ON LOT 8**

8. In addition to the controls identified and secured by consent notice pursuant to the subdivision consent all buildings on Lot 8 shall be constructed in accordance with the following:
  - a.. Buildings constructed on Lot 8 must comply with the *Scheme Outline and Design Guidelines for The Dunes at Cromwell* as attached to these conditions of consent.
  - b. When submitting an application for building consent to construct a dwelling on Lot 8 the consent holder must provide written confirmation from The Dunes Owners Committee that the proposed house design complies with condition 2A above. Such written confirmation is not required if the consent holder demonstrates that the plans were submitted to the Dunes Owners Committee not less than 60 days prior to the application for building consent being filed. Where no response has been received from the Dunes Owners Committee within 60 days the Committee is deemed to have confirmed compliance of the proposed design with Condition 2A above.

### **GENERAL CONDITIONS**

9. A minimum of two on-site parking spaces shall be provided for each residential activity.
10. Pursuant to section 125(1) of the Resource Management Act 1991 this land use consent lapses 10 years after the date of commencement of the consent.
11. Unless it is otherwise specified in the conditions of this consent, compliance with any monitoring requirement imposed by this consent shall be at the consent holder's expense.
12. The consent holder shall pay to the Council all required administration charges fixed by the Council pursuant to section 36 of the Act in relation to:
  - a) Administration, monitoring and inspection relating to this consent; and
  - b) Charges authorised by regulations.
13. Upon establishment of the residential activity, the consent holder shall advise the Chief Executive in writing (quoting RC 170378) that all conditions of this consent have been adhered to.

