

## Eastern Section LUC0188/24

### DRAFT CONDITIONS

#### General Conditions

- 1 The retirement village eastern extension must be undertaken in accordance with the information and plans submitted by the Consent Holder in support of application number LUC0188/24 except as amended by the conditions below.

In the case of inconsistency between the application and the conditions of this consent, the conditions of consent must prevail.

Copies of the Waikato District Council approved plans referenced below are attached.

The following Architectural Plan Set produced by Sanderson Group:

<b>Plan / Drawing Title</b>	<b>Drawing number</b>
Concept Design for Tamahere Country Club Stage 7 Extension: undated	01 Design Statement 02 Proposed Site Plan 03 Site Areas 04 Site Location Plan 05 Typology A Floor Plan and Elevations 06 Typology B Floor Plan and Elevations 07 Typology C Floor Plan and Elevation

The following Infrastructure and Engineering Plan Set: East Precinct Tamahere Drive, Tamahere, Dated June 2023 produced by Kotare Consultants:

<b>Drawing numbers</b>
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1011.04-10-EA-101: EARTHWORKS - EXISTING LAYOUT  
 1011.04-10-EA-111: EARTHWORKS - CUT FILL CONTOURS  
 1011.04-10-EA-121: EARTHWORKS - DESIGN CONTOURS  
 1011.04-20-RD-231: ROADING - LONGSECTION SHEET 1  
 1011.04-20-RD-232: ROADING - LONGSECTION SHEET 2  
 1011.04-40-SW-401: STORMWATER - PLAN LAYOUT  
 1011.04-40-SW-421: STORMWATER - LONGSECTION SHEET 1  
 1011.04-40-SW-422: STORMWATER - LONGSECTION SHEET 2  
 1011.04-40-SW-423: STORMWATER - LONGSECTION SHEET 3  
 1011.04-40-SW-491: STORMWATER - CATCHMENT PLAN  
 1011.04-50-WW-501: WASTEWATER - PLAN LAYOUT  
 1011.04-50-WW-521: WASTEWATER - LONGSECTION SHEET 1  
 1011.04-50-WW-522: WASTEWATER - LONGSECTION SHEET 2  
 1011.04-50-WW-523: WASTEWATER - LONGSECTION SHEET 3  
 1011.04-60-PW-601: WATER – POTABLE LAYOUT  
 1011.04-60-PW-602: WATER – FIREFIGHTING AND IRRIGATION LAYOUT

*Advice Note: These Plans are found in Doc Set ID: 4350583 Version 2 Version Date: 28/03/2024*

The following Landscape Master Plan produced by Boffa Miskell

Plan / Drawing Title	Dated	Version Number
Boffa Miskell, 2023. TAMAHERE COUNTRY CLUB, STAGE 6 AND EXTENSION <i>MASTERPLAN</i> . Report by Boffa Miskell Limited for Sanderson Group.	July 2023	Version 2

- 2 The retirement village activity must be operated in conjunction with LUC0597/21.03 or any subsequent variation of LUC0597/21.03.
- 3 Copies of the approved plans are attached. In the case of inconsistency between the application and the conditions of this consent, the conditions of the consent must prevail.
- 4 Pursuant to Section 36 of the Resource Management Act 1991 the Consent Holder must pay the actual and reasonable costs incurred by the Waikato District Council when monitoring the conditions of this consent.

Bulk and Location Conditions

- 5 The overall building coverage within the eastern extension sites must not exceed 29.2%.

#### Developer's Representative

- 6 Prior to the commencement of engineering design or construction works, the Consent Holder must appoint a Developer's Representative who must supervise and provide certification of the engineering works.

#### Notification of Intention to Start Works

- 7 The Consent Holder must notify the Waikato District Council, in writing, of their intention to commence any of the physical works associated with this consent, a minimum of 10 working days prior to commencing. Notification must include the following details:
- (a) Names and telephone number/s of the Developer's Representative/s
  - (b) Site Address to which the consent relates
  - (c) The Waikato District Council reference number
  - (d) A description of work to be undertaken
  - (e) Expected duration of the works
  - (f) Documentation required by other conditions of this consent.

#### Advice Note:

The preferred means of notification is via email to [monitoring@waidc.govt.nz](mailto:monitoring@waidc.govt.nz)

- 8 Prior to any soil disturbance a cultural blessing must be undertaken on the site in partnership with mana whenua.

#### **Remediation Works - NESCS**

- 9 Prior to any soil disturbance works commencing at 70 Tamahere Drive (Lot 1 DPS 80372) the consent holder must submit to Councils Contaminated Land Specialist, a site management plan (SMP) prepared by a suitably qualified and experienced practitioner in accordance with the current edition of the Ministry for Environment Contaminated Land Management Guidelines No.1 – *Reporting on Contaminated Sites in New Zealand*. The plan must detail the procedures, controls and contingency measures that must be implemented for the duration of the works in order to protect human health from identified soil contaminants by ensuring exposure pathways are minimized for the duration of the soil disturbance works and must include, but not be limited to:
- (a) Erosion and sediment controls
  - (b) Unexpected contamination discovery protocols
  - (c) Transport and disposal of any material transported off-site.
- 10 Soil disturbance works must be undertaken in accordance with the approved SMP. The procedures, controls and contingency measures outlined in the Plan must be implemented for the duration of the soil disturbance works to ensure minimal adverse effects on human health and the environment.
- 11 All material removed from the site in the course of the soil disturbance works must be disposed to a suitably licensed facility authorised for receipt of material of that kind.

- 12 Within two months of soil disturbance works being completed the consent holder must provide a works completion report to confirm that the methods outlined in the Site Management Plan were enforced for the period required, and that the measures were successful in ensuring the potential risks were adequately managed. The works completion report must include, but not be limited to:
- (a) Confirmation that the methods described in the SMP were followed;
  - (b) A summary of the works undertaken including:
    - (i) summary of the earthworks methodology followed;
    - (ii) volume of soil removed (if any) from the site;
  - (c) Details of any unexpected contamination encountered during the works and actions taken in respect of this;
  - (d) Copies of disposal receipts for any material removed from the site.

### **Prior to Construction**

- 13 Construction Management Plan (CMP)  
The consent holder must prepare and submit a Construction Management Plan (CMP) to Waikato District Council's Team Leader Monitoring for certification a minimum of 15 working days prior to the commencement of earthworks associated with this consent.

- (a) The staging of works planned and the description of works including site plans;
- (b) An erosion & sediment control plan;
- (c) Detailed management procedures for fill placement (all imported material must be cleanfill), treatment and/or stockpiling;
- (d) Details of the location of the Temporary Construction Depot and how the storage of Building and Construction materials will be managed.
- (e) Dust control plan;
- (f) Machinery to be used on site;
- (g) Communications Plan
- (h) Clarification of number of persons to be engaged in site works;
- (i) Health and Safety Plan;
- (j) Hours of work;
- (k) Construction access;
- (l) Mitigation/minimisation of off-site construction movements;
- (m) Temporary traffic management controls;
- (n) Appropriate guidance for Contractors on accidental discovery protocols.
- (o) Evidence of the archaeological authority obtained by Heritage NZ.

- 14 Construction Noise Management Plan (CNMP)  
15 working days prior to commencement of excavation construction activities on the site the consent holder must prepare and submit a Construction Noise Management Plan (CNMP) for certification by the Team Leader, Monitoring.

The objective of the CNMP is to determine and require the adoption of the Best Practicable Option for minimising all construction noise effects and to set out the measures required to ensure compliance with the noise limits of the Proposed District Plan. The CNMP must set out, at a minimum:

- a) a description of noise sources, including machinery, equipment and construction techniques to be used;
- b) the identification of activities and locations that will require the design of noise mitigation measures;
- c) the measures that will be undertaken by the Consent Holder to communicate noise management measures to surrounding village residents.
- d) the Best Practicable Option for compliance with relevant noise levels
- e) methods for monitoring and reporting on construction noise;
- f) methods for receiving and responding to complaints about construction noise;
- g) contact details of the key staff responsible for the implementation of the CNMP and for the handling of complaints;
- h) construction operator training procedures;
- i) duration of the construction works

The CNMP must be implemented and maintained throughout the entire construction period and must be updated when necessary with the certification by the Council.

#### Detailed Engineering Plans

15 At least 20 working days prior to construction starting, detailed engineering plans must be submitted for certification by, the Waikato District Council's Senior Land Development Engineer. (Engineering Plan Approval) for:

- (a) Earthworks Plans in accordance with the approved plans.
- (b) Internal road network layout, kerb and channels, cesspits, footpaths, and parking spaces as demonstrated on the approved Tamahere Country Club development concept plans. Including incorporating the recommendations set out in the ITA review by Gray Matter dated 8 September 2023 and the closure of Vehicle Crossings to Tamahere Road.
- (c) Internal lay-out of wastewater network in accordance with the approved plans.
- (d) Internal lay-out of stormwater network, run-offs treatment and soakage disposal management system in accordance with the approved plans and the restrictions and recommendations of
  - Tamahere Country Club Stormwater Design Report (Final Version) by Te Miro Water Consultants Ltd and dated 4/06/2021
  - Development Infrastructure Report, Tamahere CC Stage 3 Extension by Kotare Consultants May 2023 Rev 2, dated 27 March 2024, including Appendix B Te Miro SW Report dated 09-06-2023,
  - Te Miro s92 response dated 12-10-2023
- (e) Internal water supply network in accordance with the approved plans and supported by hydraulic flow and pressure test report. Design pressures must include the requirements of SNZ PAS4509:2008.

Designs must be in accordance with the Proposed District Plan Appeals Version and the Regional Infrastructure Technical Specifications (RITS)/ NZS:4404 and are to take into consideration any recommendations from the Geotechnical Assessment Report by HD Geo May 2023. Design plans and accompanying reports are to be provided to the Senior Land Development Engineer, Waikato District Council for certification.

#### Landscaping

- 16 Prior to commencement of any earthworks on the site, a detailed LVAMPP (Landscape, Visual Amenity and Mitigation Planting Plan) must be submitted for approval in a technical certification capacity by the Team Leader Monitoring or nominee. The LVAMPP must be in general accordance with the Tamahere Country Club, Stage 6 and Extension Masterplan, prepared by Boffa Miskell Ltd, Version 2 dated July 2023, and include (but not limited to), an implementation and maintenance programme prepared by a suitably qualified landscape architect.

The objectives of the LVAMPP are to:

- (a) Expand and further develop the Tamahere Country Club (TCC) Concept Masterplan to provide detail of the proposed landscape treatment and planting around the buildings including; independent villas and art and craft building, which must be context sensitive, and integrate with the existing village;
- (b) Enhance the visual amenity of the development for the residents living in adjoining properties;
- (c) Ensure sufficient mitigation strategies are implemented to minimise the dominance and density of the independent villas when viewed from Tamahere Road; and
- (d) Ensure recognition of the traditional cultural narrative, the 'whakapapa' of the area through development in partnership with mana whenua.

The LVAMPP design must include:

- (a) Park like tree, shrub planting along the Eastern site boundary and within the site around the communal spaces;
- (b) Use of planting and/or fencing around the service areas associated with the residential units and any refuse location(s) to provide screening from public spaces.
- (c) Locations and planting of low impact stormwater management devices such as rain gardens and swales;
- (d) Detailed landscape and planting plans for the development including; individual villas, roads (Laneways), communal spaces, boundary treatment and integration with the existing village.
- (e) Detailed design and treatments for roads, footpaths, fencing, letter boxes and refuse collection locations;
- (f) Swales to provide low impact stormwater management / soakage to ground;

- (g) Amenity planting throughout the site, including alongside internal access-ways, and communal spaces, incorporates species found in the surrounding environment;
- (h) Implementation of the recommendations of the ITA Review dated 8 September 2023 as they relate to landscaping design matters.
- (i) Use of taller trees (including a range of trees with a bag size of 150L (minimum height of 2.5m) to assist in reducing the density of independent villas when viewed from Tamahere Road;
- (j) A schedule of the species to be planted, including the name (including botanical name), numbers, location, spacing and size of plant species at time of planting, planting density, average height of each after 10 years of planting and at maturity, details on the timing of plantings and details of the existing planting to be retained; Incorporating native plant species in landscaping designs. Native plants that provide habitat and food sources for taonga species are preferred.
- (k) Measures to minimise clearing or storing of existing topsoil to preserve soil quality for planting; while taking into account the certified site management plan for remedial works for contaminated land.
- (l) Measures for the appropriate disposal and clearance of invasive/noxious weeds;
- (m) Proposed site preparation and plant establishment;
- (n) Ongoing vegetation maintenance and monitoring requirements;
- (o) Inclusion of interpretive signage or other material communicating the history and cultural significance of the place, developed in partnership with mana whenua; and
- (p) Integrate communal art installations and design elements that reflect the cultural heritage of the land. This could include sculptures, murals, or architectural features inspired by the cultural practices of the local community.
- (q) Incorporate green spaces and community gardens. These areas can pay homage to the previous orchards and market gardens, allowing residents to engage in sustainable gardening practices while fostering a sense of community and connection to the land.
- (r) All native planting is to be eco-sourced from the Waikato Region. Use of native cultivars is to be limited to private gardens.

Advice Note:

Mana whenua will be provided the first opportunity to be engaged to supply and install native plants.

Erosion & Sediment Controls

- 17 Prior to undertaking any earthworks activities on the site; erosion and sediment control measures must be installed in accordance with the approved Engineering Design Plans, Waikato Regional Council's Erosion and Sediment Control Guidelines for Soil Disturbing Activities: January 2009 to the satisfaction of a Monitoring Officer from the Waikato District Council.

Advice Note:

The Consent holder will need to consult with the Waikato Regional Council to determine whether or not the earthworks require consent under the Waikato Regional Plan.

## During Construction

- 18 Erosion and Sediment Control measures must continue to be operated and maintained for the duration of soil disturbing activities to the satisfaction of Councils Team Leader Monitoring.

### CMP Implementation

- 19 The activities associated with this consent must be undertaken in accordance with the CMP. Specifically, earthworks must be carried out in accordance with the approved CMP and Engineering Plans under the supervision of a Geo-professional to the satisfaction of Waikato District Council's Team Leader Monitoring. In the case of inconsistency between the CMP and the condition of this consent, the conditions of consent must prevail.

### LVAMPP Implementation

- 20 The certified LVAMPP must be implemented:

- (a) Wherever practicable prior to construction works for the relevant stage commencing; or
- (b) As soon as areas become available for planting due to the progress of the works; and/or
- (c) Within the first planting season for the relevant stage being issued with a Certificate of Practical Completion in accordance with NZS 3910:1998 Conditions of Contract for Building and Civil Engineering Construction.

### Construction Noise

- 21 All construction works, including maintenance and demolition work, must be designed and conducted to ensure that noise from the site is in accordance with the provisions of NZS6803:1999 Acoustics – Construction Noise. Sound levels must be measured and assessed in accordance with the provisions of NZS 6803:1999 Acoustics – Construction Noise, NZS6801:2008 Acoustics - Measurement of environmental sound and NZS6802:2008 Environmental Noise.

### Construction Hours

- 22 During construction works (including earthworks), the hours of operation must be limited to the days of Monday to Saturday between the hours of 7.00am – 6.00pm and Saturday 7.30am and 1pm. No works must be undertaken on Public Holidays or Sundays unless mitigation measures have been put in place in accordance with the Approved CMP.

### Archaeological Discovery

- 23 In the event of any archaeological site or waahi tapu being discovered or disturbed while undertaking activities associated with this consent, the works in the area of the discovery must cease immediately, and Ngati Haua, Waikato-Tainui, NZ Heritage and the Waikato District Council must be notified within 48 hours. Works must only recommence with the written approval of the Waikato District Council Team Leader Monitoring. Such approval must be given after the Waikato District Council has considered:

- (a) Tangata Whenua interests and values;
- (b) The Consent Holder's interests;
- (c) any archaeological or scientific evidence.

Advice Note:

An authority to modify, damage or destroy archaeological features/deposits is required to be obtained from Heritage New Zealand in accordance with the Historic Places Trust Act 1993.

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### Dust

- 24 During earthworks, the site must be managed in such a way that dust emissions do not cause an objectionable effect beyond the boundaries of the site to the satisfaction of Waikato District Council's Team Leader Monitoring.

#### Advice Note:

For the purposes of this condition, the Waikato District Council Monitoring Department will consider an effect that is objectionable or offensive to have occurred if any appropriately experienced officer of the Waikato District Council determines so after having regard to:

- (a) The frequency, intensity, duration, location and effect of dust emission(s); and/or,
- (b) Receipt of complaints from neighbours or the public; and/or,
- (c) Where relevant written advice from an experienced officer of the Waikato Regional Council or the Waikato District Health Board has been received.

### Debris Tracking/Spillage

- 25 During earthworks, earthworks must be managed in such a way that no material is tracked or spilled beyond the boundaries of the site onto any legal or private road to the satisfaction of Waikato District Council's Team Leader Monitoring. In the event of this occurring, the Consent Holder must remove this material as soon as practical, and within a maximum of 24 hours after the occurrence, or as otherwise directed by a Waikato District Council Monitoring Officer.

The Consent Holder, upon becoming aware of the need to clean up the roadway, must advise the Waikato District Council Monitoring Team of the need for the road to be cleaned up, and what actions are being taken to do so. The cost of the clean-up of the roadway and associated drainage facilities, together with any required temporary traffic control, must be met by the Consent Holder. Should the clean-up of the roadway and associated drainage facilities be undertaken by the Waikato District Council, the consent holder must pay the actual and reasonable costs of the clean-up.

In the event that damage to public roads, footpaths, berms, kerbs, drains, reserves or other public asset occurs as a result of the earthworks activity, the costs of rectifying and restoring the asset/s must be met by the Consent Holder.

#### Advice Note:

A traffic management plan may be required to be obtained from Waikato District Council for undertaking any works within the boundaries of the legal road. Please contact Council on 07 824 8633 to enquire about this.

### Internal Road Network

- 26 The Consent Holder must establish internal road network, including kerb and channel, cesspits, footpaths, vehicle crossing closures and parking spaces as per approved engineering plans to the satisfaction of the Consents Monitoring Officer, Waikato District Council.

### On-Site Wastewater System

- 27 The Consent Holder must upgrade the internal wastewater network as per approved engineering plans to the satisfaction of Consents Monitoring Officer – Waikato District Council.

Advice Note:

The Consent Holder is advised to provide a copy of its Discharge Consent from WRC to Consents Monitoring Officer – Waikato District Council prior to undertaking any upgrade of existing on-site wastewater treatment and effluent disposal fields.

On-Site Stormwater Management

- 28 The Consent Holder must establish internal stormwater pipe network, outlets, treatment, and disposal system in accordance with the approved engineering plans to the satisfaction of Consents Monitoring Officer – Waikato District Council.

Water Supply

- 29 The Consent Holder must establish internal potable water supply networks in accordance with the approved engineering plans to the satisfaction of Consents Monitoring Officer – Waikato District Council.

**At Completion of Earthworks**

- 30 All areas of earthworks (excluding any area covered by buildings and retaining walls) must be revegetated to achieve 80% ground cover within 12 months of the earthworks being commenced to the satisfaction of a Monitoring Officer of the Waikato District Council.

Statement of Professional Opinion

- 31 At completion of the earthworks for each stage of development and prior to undertaking any building works, the Consent Holder must provide a 'Statement of Professional Opinion on Suitability of Land for Building Consent', certificate by a Geoprofessional to confirm that the earthworks within the site is suitable for a development and must be submitted to the satisfaction of Consents Monitoring Officer - Waikato District Council.

Advice Note:

An acceptable format can be found in the 'Section 2 - Earthworks and Geotechnical Requirements' of Regional Infrastructure Technical Specifications (RITS) - Appendix 2A: Schedule 2A (NZS 4404:2010) - "Statement of Professional Opinion on Suitability of Land for Building Consent".

Contractor's Certificate – construction (Schedule 1B)

- 32 Prior to occupation of any residential unit on site, A 'Contractors Certificate – construction', for each work undertaken by contractor as part of the consented works must be provided to the satisfaction of Waikato District Council Consents Monitoring Officer. Advice Note: An acceptable format for certification upon completion of works can be found in the

NZS4404-2010 Schedule 1B (Contractor`s certificate upon completion of land development).

### **Prior to Operation**

#### Phone & Power

- 33 The Consent Holder must provide written confirmation from network utility operators for telecommunications and energy supply confirming that the networks have capacity to service the development and to confirm that connections and reticulations have been placed to the boundary of the site and the services are available for supply.

### **At time of Building Consent**

- 34 At time of building consent for the residential units, the Consent Holder vehicle turning tracking must be confirmed for each design vehicle and its associated travel path requirement to, from, within and around the site.

### **Ongoing Conditions**

- 35 All landscaping must be maintained in accordance with the approved LVMPP to the satisfaction of Council. If any of the landscaping dies and/or becomes diseased, the dead and/or diseased landscaping must be replaced in the same or similar location within the next planting season (generally between May and October) by a same or similar species of landscaping.

#### Deliveries

- 36 There must be no unloading or loading of vehicles or the receiving of deliveries associated with the activity before 7.30am or after 7.00pm on any given day.

#### Ongoing Management of Contamination

- 37 The consent holder must implement any approved ongoing site management plan and manage identified soil in accordance with the plan.

### **Advisory Notes**

#### Lapse Date

- 1 This Resource Consent for land use lapses five years after the commencement of the consent, unless:
- (a) the Consent is given effect to prior to that date. or
  - (b) an application is made to the consent authority to extend the period after which the consent lapses, and the consent authority decides to grant an extension after taking into account
    - (i) whether substantial progress or effort has been, and continues to be, made towards giving effect to the consent; and

- (ii) whether the applicant has obtained approval from persons who may be adversely affected by the granting of an extension; and
- (iii) the effect of the extension on the policies and objectives of any plan or proposed plan.

Other consents/permits may be required

- 2 To avoid doubt; except as otherwise allowed by this resource consent, all land uses must comply all remaining standards and terms of the relevant Waikato District Plan. The proposal must also comply with the Building Act 2004, Regional Council Infrastructure Technical Specifications and Waikato Regional Plans. All necessary consents and permits must be obtained prior to development.

Enforcement Action

- 3 Failure to comply with the conditions of consent may result in Council taking legal action under the provisions of Part 12 of the Resource Management Act (1991).

Corridor Access Request

- 4 Prior to undertaking any works within the Council road reserve, a Corridor Access Request (CAR) for the works to be carried out in the road reserve and submitted to the Waikato District Council for approval not less than fifteen (15) working days before starting these works.

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