

Section 127 variation of consent conditions RM120928V2

being a variation to land use consent RM120928V1

This consent documentation was re-issued on 21 July 2021. It corrects minor errors in the varied condition 1, and as a result of the replacement of the care facility building also includes for clarity consequential deletions of other conditions. This was done under section 133A of the Resource Management Act 1991.

The reasons are identified in Section 34 of the re-issued Hearing Commissioners' Decision.

Under sections 104B and 127 of the Resource Management Act 1991 (the Act), the Tasman District Council (the Council) varies resource consent RM120928V1 held by:

Olive Estate Lifestyle Village Limited

(the Consent Holder)

Location details

Address Langdale Drive, Richmond

Legal description Lot 2 Deeds 1763 held in RT NL56/85

Condition 1 of RM120928V1 is amended as follows

[underline are insertions, strikethrough are deletions]

- 1. The construction and operation of the lifestyle village ("the lifestyle village") for people aged 55 years and over shall be in general accordance with the information provided in the application and the information submitted as part of the variation application RM120928V1, as varied by the suite of applications received by the Council on 1 July 2019 (referenced RM120928V2, RM190790, RM190789, RM190791 & RM191308) and the plans labelled Masterplans 3.2 to 3.5 (014 to 017) 17115, 4th Amendment dated 30 March 2021 ..., marked as RM190790 A1 to A4 in condition 1 of land use consent RM190790 and dated 24 June 2021 (and for reference the latter attached as Appendix One to this resource consent). in general accordance with the following Plans prepared by Weir Walker Architecture, Canopy Landscape Architecture and Verrall & Partners Ltd, attached to this consent:
 - Development Master Plan, C-01 dated 28 August 2017;
 - Setbacks and Private Space, C-02 dated 28 August 2017;

- Open Spaces and Linkages, 1208 103, Revision 3 May 2013;
- Street Trees, 1208-104, Revision 3 May 2013;
- Park trees, 1208 105, Revision 3 May 2013;
- Sections B, 1208 107, Revision 3 May 2013;
- Conceptual Road Calming Treatment Plan, 1208 114, Revision November 2013; and
- Proposed Boundary Adjustment 109 Wensley Road, Richmond being Lots 2, 3, and Pt 4
 Deeds 1763 and Lot 2 DP 489806 NL 56/85 and 705790, Plan dated May 2017.

In addition, the construction and operation of the lifestyle village shall be in general accordance with the following plans prepared by Weir Walker Architecture, Canopy Landscape Architecture and Verrall & Partners Ltd, attached to this consent:

- Staging Plan, 1208 108A, Revision October 2013; and
- Indicative Mains Services Layout 109 Wensley Road, Richmond being Lots 2, 3, and Pt 4
 Deeds 1763 comprised in CTs 56/85 and 56/87.

Where there are any discrepancies or apparent conflict between the information provided with the application and any conditions of this consent, the conditions shall prevail.

The Staging Plan, 1208 - 108A is indicative only and no conditions restrict the staging. It is expected that the development will proceed generally along the lines of the plan, but that the stages may proceed in any order and that the dates indicated may not be adhered to.

Consequential deletion of references to the care facility building as follows:

6. The proposed new buildings shall not exceed the following specified heights measured from ground level:

The Lake House Building 7.6 metres
Carriage House 10.2 metres
The Apartment Blocks (AP1- 2) 9 metres
The Care Facility 10 metres

- 8. The care facility shall be located at least 18.8 metres from the rear south-eastern boundary (adjoining Lot 2 DP7794).
- 9. The care facility shall be "benched" into the landscape on which it is to be constructed such that the height of the face of the building fronting on to Lot 2 DP 7794 (the Nicoll Block) shall not exceed 5.3 metres in height when measured from ground level (as per Tasman Resource Management Plan definition) and the north-western face of the building shall not exceed 10 metres above ground level.
- 10. The footprint of the care facility shall not exceed an area of 5231.53 square metres in accordance with the information submitted and attached plan entitled Development Master Plan, C-01 dated 28 August 2017.

- 11. The care facility building shall be designed to include the following elements:
 - (a)—a residential style, character and external appearance;
 - (b)—shall be clad in at least two different building materials;
 - (c) shall contain an offset of at least 2 metres at intervals no greater than 15 metres along any wall;
 - (d) the exterior of the care facility building shall be finished in colours that are appropriate for the residential environment. The Consent Holder shall submit to the Council's Environment & Planning Manager for certification prior to applying for building consent the following details of the colours proposed to be used on the walls and roof of the building:
 - (i) the material to be used (eg, paint, Colorsteel);
 - (ii)—the name and manufacturer of the product or paint;
 - (iii) the reflectance value of the colour;
 - (iv) the proposed finish (eg, matt, low-gloss, gloss); and
 - (v) either the BS5252:1976 (British Standard Framework for Colour Co ordination for Building Purposes) descriptor code, or if this is not available, a sample colour chip.

The building shall be finished in colours that have been certified by the Council.

Advice note

The purpose of the above condition is to ensure the building has elements of a residential building and good urban design. Colours do not necessarily need to be recessive or dark, but should be carefully chosen to be compatible with a residential environment and to create a high quality urban space.

12. A landscape plan prepared by a landscape architect shall be developed for the length of the care facility fronting on to Lot 2 DP 7794 (the Nicoll Block) and 16 Fawdan Way. The plan shall be submitted to the Council's Environment & Planning Manager for certification prior to the commencement of the construction of the care facility.

The landscape plan shall include the following elements and details:

- The plan shall be drawn to a known scale, specify the proposed species including botanical names, their height at maturity and their layout position.
- The plan shall be designed so that the landscaping and planting will avoid a continuous hedging or shelter belt effect.
- Trees shall be not be planted within 2 metres of the boundary to allow all or most of the canopy to remain within the Consent Holder's site.

- Trees proposed within 4 metres from the property boundary shall consist of species that at maturity are no greater than 6 metres in height.
- Trees between 4 and 8 metres of the property boundary shall consist of species that at maturity are no greater than 8 metres in height.
- All trees planted between 8 to 18 metres of the boundary can at maturity be greater than those heights specified above.
- The species utilised shall predominantly be species that provide seasonal fruit, flower and nectar production that is suitable for insects and native birds. In the event that it is impractical to do so the reasons and rationale for not doing so shall be stated in the plan.
- A maintenance schedule shall be provided to address the first two growing seasons and for ongoing management to ensure successful establishment and maintenance. Details shall include staking, mulching, watering, weed control, trimming and replacement of dead or dying plants.
- 13. The landscaping shall be implemented prior to occupation of the care facility and maintained in accordance with the approved plan and any plants that die shall be replaced in the next planting season (May to August inclusive).
- 14. Prior to the operation of the care facility, a minimum of 30 car parking spaces shall be provided and located as shown on the plan entitled Development Master Plan, C-01, dated 28 August 2017; and attached to this consent. All parking spaces shall be formed and finished with an all-weather dust-free surface prior to the activities commencing.
- 15. No staff or contractors working at the care facility shall park their vehicles off the Olive Estate site.
- 16. Any area for outdoor storage or rubbish holding and collection for the care facility shall be fenced and landscaped so that it is screened from the view of any neighbour(s) and the general public, and shall also be:
 - (a) covered to prevent any windblown debris from leaving the storage area;
 - (b) separated from and not encroaching into any boundary setback for building or parking area.

Condition 1 as varied reads:

1. The construction and operation of the lifestyle village ("the lifestyle village") for people aged 55 years and over shall be in general accordance with the information provided in the application and the information submitted as part of the variation application RM120928V1 as varied by the suite of applications received by the Council on 1 July 2019 (referenced RM120928V2, RM190790, RM190789, RM190791 & RM191308) and the plans labelled

Masterplans 3.2 to 3.5 (014 to 017) 17115, 4th Amendment dated 30 March 2021, marked as RM190790 A1 to A4 in condition 1 of land use consent RM190790 and dated 24 June 2021 (and for reference the latter are attached as Appendix One to this resource consent).

An additional condition 7A is inserted between conditions 7 and 8 and reads:

7A. Villas V25-D and V24-B as shown on Master plan 3.5 'Proposed Development' referenced 17115 – 4th Amendment and dated 30 March 2021 attached to this decision and marked RM120928V2 A1, shall be constructed so as to comply with rules 17.1.3.1 (m) and (n) 'building envelope' and 17.1.3.1 (q), (r) and (s) 'setbacks' of the Tasman Resource Management Plan.

Note

New consent documentation RM120928V2 incorporating these changes is appended.

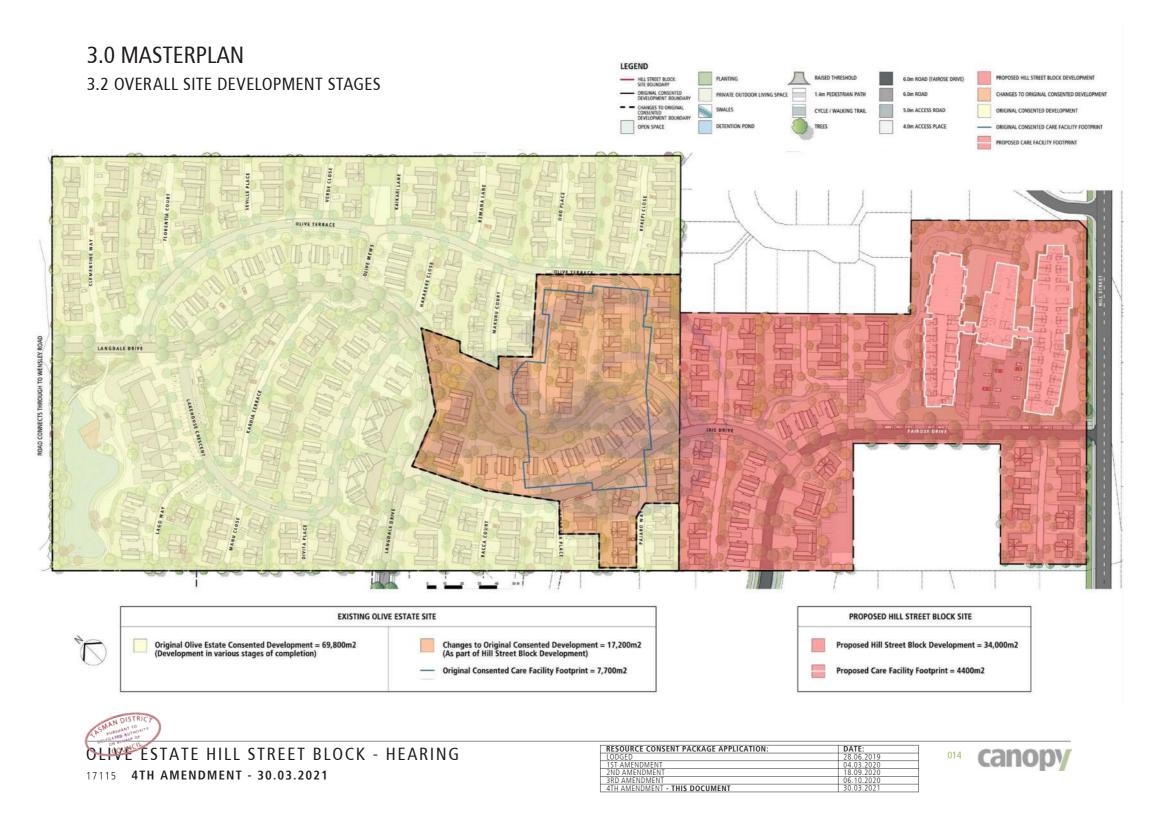


3.0 MASTERPLAN3.4 OVERALL SITE MASTERPLAN



Appendix One to RM120928V2 conditions (page 1 of 4)

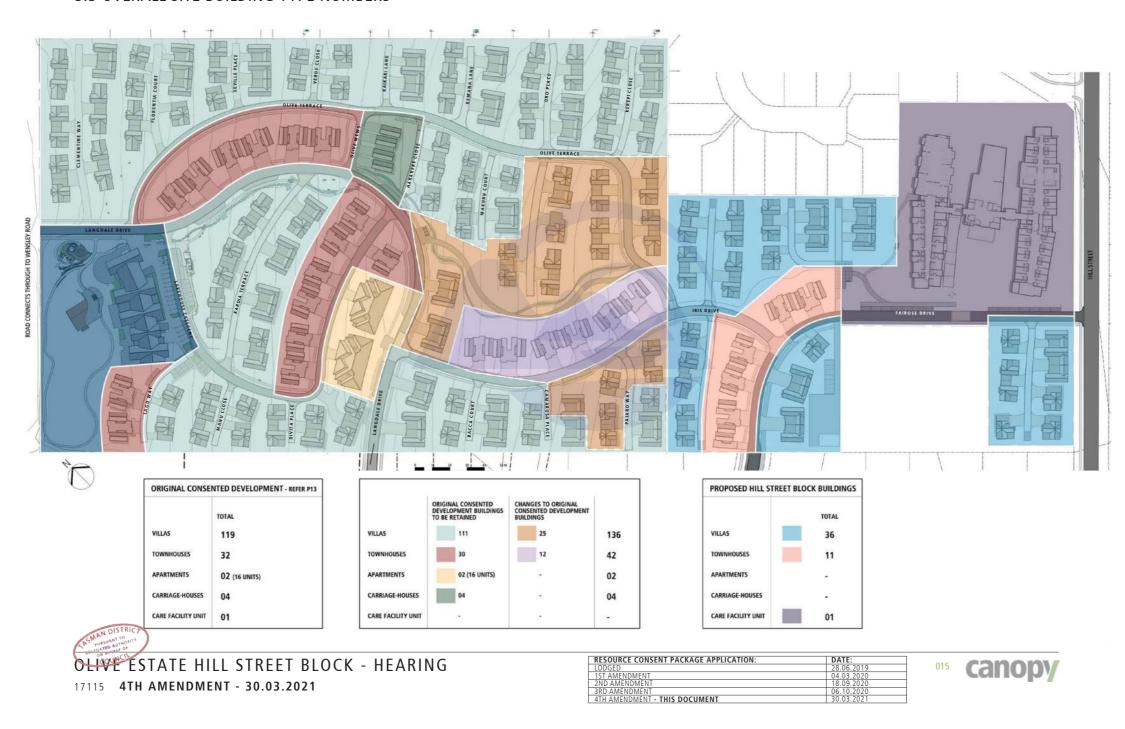
Approved plan A1



Approved plan A2

3.0 MASTERPLAN

3.3 OVERALL SITE BUILDING TYPE NUMBERS







Appendix to RM120928V2 - granted section 127 variation of consent conditions. Consent documentation incorporating changes.



RESOURCE CONSENT RM120928V2

The following is a re-issue of consent documentation with conditions as varied by RM120928V2, including consequential amendments because of the replacement of the care facility building as part of the variation. It includes changes under s 133A of the Resource Management Act 1991, as detailed in Section 34 of the Decision of the Hearing Commissioners.

Pursuant to Section 104B and Section 127 of the Resource Management Act 1991 ("the Act"), the Tasman District Council ("the Council") has granted resource consent to:

Olive Estate Lifestyle Village

(hereinafter referred to as 'the Consent Holder')

Activity authorised by this consent:

- 119 single-storey villas, 32 two-storey terraced houses, 4 carriage houses and 2 apartment blocks (containing 16 apartments total);
- A care facility including rest home, dementia ward, hospital care and 58 apartments;
- A commercial and community precinct within the lake house development. The building will contain a swimming pool, gymnasium, small theatre/craft room, library, club and function rooms, general store, beauty salon, café/bar, sales and corporate offices; and
- Village green, pond, associated landscaping and car parking provisions.

Location details:

Address of property: Langdale Drive, Richmond

Legal description: Lot 2 Deeds 1763

Record of title: NL56/85 Valuation number: 1960000305

Co-ordinates: Easting: 1615126 Northing: 5422180 (NZTM)

CONDITIONS

General

The construction and operation of the lifestyle village ("the lifestyle village") for people aged 55 years and over shall be in general accordance with the information provided in the application and the information submitted as part of the variation application RM120928V1 as varied by the suite of applications received by the Council on 1 July 2019 (referenced RM120928V2, RM190790, RM190789, RM190791 & RM191308) and the plans labelled Masterplans 3.2 to 3.5 (014 to 017) 17115, 4th Amendment

dated 30 March 2021, marked as RM190790 A1 to A4 in condition 1 of land use consent RM190790 and dated 24 June 2021 (and for reference the latter attached as Appendix One to this resource consent).

Where there are any discrepancies or apparent conflict between the information provided with the application and any conditions of this consent, the conditions shall prevail.

- Either when the temporary access strip ceases to be used for construction traffic and legal access is provided by Wensley Road Developments Ltd, or after 2 years from the date that this consent has been given effect to, whichever is the sooner, the following works shall be implemented:
 - (a) the main access road to Olive Estate shall be installed;
 - (b) a right turn bay along Wensley Road shall be installed; and
 - (c) a pedestrian refuge crossing shall be installed on Wensley Road (subject to Condition 4).

Advice Note:

This condition is subject to a legal agreement between the Consent Holder and Wensley Road Developments Ltd. The agreement is sufficiently certain to allow this condition to be imposed.

3 No traffic of residents of Olive Estate shall use the temporary access strip.

Advice Note:

This condition is to ensure that the Consent Holder must implement the road through the Wensley Road Developments Ltd land and install the right turn bay and pedestrian refuge prior to residents moving onto the site.

The pedestrian refuge referred to in Condition 2 shall be constructed at the most appropriate location in the vicinity of the cemetery on Wensley Road. The actual location shall be identified by the Council's Transportation Manager.

The most appropriate location for the refuge is identified as the point at the north-east end of the angle parking in front of the cemetery just before the boundary between the cemetery and 78 Wensley Road. Construction of the pedestrian refuge may require extending the kerb into one or so of the angle parks to allow pedestrians easy access to and from the footpath on the north side of the road. Any such works shall be done by the Consent Holder as part of the construction of the refuge.

In the event that the Transportation Manager decides that construction of the refuge at the above location is not a feasible crossing location then compliance of this condition may be waived.

Reserves and Community Services Financial Contributions

The Consent Holder shall, no later than at the time of uplifting the building consent for the building, pay a reserves and community services financial contribution to the Council. The amount of the financial contribution shall be assessed as a percentage of the value of the building consent component in accordance with the following table:

Financial Contribution - Building			
Component	Contribution		
Building Consent (\$0 to \$50,000 value)	0%		
Building Consent (\$50,001 to \$200,000 value)	0.5%		
Building Consent (above \$200,001 value)	0.25%		

Notes:

- (1) The financial contribution is GST inclusive.
- (2) The building consent value is GST exclusive.
- (3) The contribution due on a building should be identified separately from other contributions set for any resource consent for an activity that includes buildings.
- (4) The financial contribution shall be determined by taking the total estimated value of the work required for a building consent and applying each component identified in the table to that value and the contribution is the sum of the components.

Maximum Height

The proposed new buildings shall not exceed the following specified heights measured from ground level:

The Lake House Building	7.6 metres
Carriage House	10.2 metres
The Apartment Blocks (AP1-2)	9 metres

Advice Note:

For the avoidance of doubt, ground level is defined in the Tasman Resource Management Plan as follows: means the natural ground level, or where that has been altered by subdivision, means the actual finished ground level when all works associated with the subdivision of the land are completed, and excludes any excavation or filling associated with the building activity.

Setbacks

- The proposed new buildings shall be set back to achieve as a minimum the setbacks from external site boundaries detailed on the attached plan entitled Setbacks and Private Space, C-02 dated 28 August 2017.
- 7A Villas V25-D and V24-B as shown on Master plan 3.5 'Proposed Development' referenced 17115 4th Amendment and dated 30 March 2021 attached to this decision and marked RM120928V2 A1, shall be constructed so as to comply with rules 17.1.3.1 (m) and (n) 'building envelope' and 17.1.3.1 (q), (r) and (s) 'setbacks' of the Tasman Resource Management Plan.

Care Facility Building

- 8 [deleted under RM120928V2]
- 9 [deleted under RM120928V2]
- **10** [deleted under RM120928V2]
- **11** [deleted under RM120928V2]

- **12** [deleted under RM120928V2]
- **13** [deleted under RM120928V2]
- 14 [deleted under RM120928V2]
- 15 [deleted under RM120928V2]
- **16** [deleted under RM120928V2]

Buildings Other than the Care Facility

- 17 The apartments and carriage houses shall be designed to include the following elements:
 - (a) a residential style, character and external appearance:
 - (b) shall be clad in at least two different building materials;
 - (c) the exterior of the buildings shall be finished in colours that are appropriate for the residential environment. The Consent Holder shall submit to the Council's Environment & Planning Manager for certification prior to applying for building consent the following details of the colours proposed to be used on the walls and roof of the building:
 - (i) the material to be used (eg, paint, Colorsteel);
 - (ii) the name and manufacturer of the product or paint;
 - (iii) the reflectance value of the colour;
 - (iv) the proposed finish (eg, matt, low-gloss, gloss); and
 - (v) either the BS5252:1976 (British Standard Framework for Colour Co-ordination for Building Purposes) descriptor code, or if this is not available, a sample colour chip.

The buildings shall be finished in colours that have been certified by the Council.

Advice Note:

The purpose of the above condition is to ensure the buildings have elements of a residential building and good urban design. Colours do not necessarily need to be recessive or dark, but should be carefully chosen to be compatible with a residential environment and to create a high-quality urban space.

- 18 The lake house shall be designed to include the following elements:
 - (a) a residential style, character and external appearance;
 - (b) shall be clad in at least two different building materials;
 - (c) the exterior of the buildings shall be finished in colours that are appropriate for the residential environment. The Consent Holder shall submit to the Council's Environment & Planning Manager for certification prior to applying for building consent the following details of the colours proposed to be used on the walls and roof of the building:

- (i) the material to be used (eg, paint, Colorsteel);
- (ii) the name and manufacturer of the product or paint;
- (iii) the reflectance value of the colour;
- (iv) the proposed finish (eg, matt, low-gloss, gloss); and
- (v) either the BS5252:1976 (British Standard Framework for Colour Co-ordination for Building Purposes) descriptor code, or if this is not available, a sample colour chip.

The buildings shall be finished in colours that have been certified by the Council.

Advice Note:

The purpose of the above condition is to ensure the building has elements of a residential building and good urban design. Colours do not necessarily need to be recessive or dark, but should be carefully chosen to be compatible with a residential environment and to create a high-quality urban space. A range of colour palettes with various colour options and tonal ranges will be suggested, so as to achieve variation and interest in the streetscape whilst clearly identifying particular neighbourhoods.

- 19 The town houses and villas shall be designed to include the following elements:
 - (a) a residential style, character and external appearance;
 - (b) shall be clad in at least two different building materials;
 - (c) the Consent Holder shall submit to the Council's Environment & Planning Manager for certification prior to applying for building consent the following details of the colours proposed to be used on the walls and roof of the building:
 - (i) the material to be used (eg, paint, Colorsteel);
 - (ii) the name and manufacturer of the product or paint;
 - (iii) the reflectance value of the colour;
 - (iv) the proposed finish (eg, matt, low-gloss, gloss); and
 - (v) either the BS5252:1976 (British Standard Framework for Colour Co-ordination for Building Purposes) descriptor code, or if this is not available, a sample colour chip.

The building shall be finished in colours that have been certified by the Council.

Advice Note:

The purpose of the above condition is to ensure the building has elements of a residential building and good urban design. Colours do not necessarily need to be recessive or dark, but should be carefully chosen to be compatible with a residential environment and to create a high-quality urban space. A range of colour palettes with various colour options and tonal ranges will be suggested, so as to achieve variation and interest in the streetscape whilst clearly identifying particular neighbourhoods.

Outdoor Living Areas

20 Each villa, terraced house, townhouse, carriage house and apartment shall be provided with an outdoor living area to which its occupants have exclusive rights of use in

general accordance with the attached plan entitled Setbacks and Private Space, C-02 dated 28 August 2017.

Advice Note:

It is noted that the apartment blocks and care facility apartments will contain balconies providing outdoor living spaces above ground level.

Landscaping

The landscape plans and design guide shall be implemented for each stage of the development in general accordance with the guide entitled "Olive Estate Design Guide" prepared by Canopy Landscape Architects and attached to the application as Appendix B, and in accordance with the plans entitled Open Spaces and Linkages, 1208 - 103, Revision 3 May 2013; Street Trees, 1208-104, Revision 3 May 2013; and Park Trees, 1208 - 105, Revision 3 May 2013 all attached to this consent.

The landscaping shall be maintained and any plants that die shall be replaced in the next planting season (May to August inclusive). The landscaping provided for each stage shall be completed prior to occupation of the buildings within that stage.

Pedestrian Connectivity

In the event that any walkway connection is legally established over a site between the Olive Estate site and Chelsea Avenue, the Consent Holder shall undertake any such works as necessary to continue that public walkway connection into the site at an appropriate location taking account of any built development on the Olive Estate site. This may involve additional surfacing of a walkway, planting and/or fencing.

Advice Note:

An indicative walkway is currently in the Tasman Resource Management Plan over 20 Chelsea Avenue. While this connection has not been formed, it is possible that at some stage in the future a walkway connection may be formed over this property or another property along Chelsea Avenue. The Consent Holder has agreed to a condition on this consent requiring that connection be made to a future walkway.

Commercial and Facilities Precinct

- The lake house building and associated car parking shall be located entirely within proposed Lot 1 and Lot 2 established in accordance with the information provided and with the attached plan entitled Development Master Plan, C 01 Dated 28 August 2017.
- 24 [Deleted]
- The hours of operation for the commercial activities listed in Condition 26 shall be limited to 8.00 am to 9.00 pm 7 days a week, except that the café/bar may remain open until no later than 11.00 pm on 1 night per week.

Advice Note:

Liquor licence restrictions may further restrict these opening hour times for the café/bar.

The activities operating from the lake house building shall be limited to a swimming pool, gymnasium, small theatre/craft room, library, club and function rooms, general store, beauty salon, café/bar, sales and corporate offices.

- Prior to the commencement of any of the activities described in Condition 26 taking place in the lake house building a minimum of 32 parking spaces shall be provided and located as shown on the plan entitled Development Master Plan, C-01 dated 28 August 2017 and attached to this consent. The parking spaces shall be formed and finished with an all-weather dust-free surface prior to the activities commencing in the building.
- Any area for outdoor storage or rubbish holding and collection for the lake house building shall be fenced and landscaped so that it is screened from the view of any neighbour(s) and the general public, and shall also be:
 - (a) covered to prevent any windblown debris from leaving the storage area;
 - (b) separated from and not encroaching into any boundary setback for building or parking area.

Service Deliveries

All delivery and service vehicles entering and exiting the site for the purposes of the operation of the care facility and commercial and community activities within the proposed lake house building shall be restricted to 7.00 am to 9.00 pm.

Lighting

All site lighting shall be designed to ensure that light spill or glare onto neighbouring properties is avoided and that the light is directed onto the site. All site lighting shall also be designed to ensure that vertical light spill is avoided to the maximum extent practicable. This shall be achieved by either outdoor lighting being shielded from above in such a manner that the edge of the shield shall be below the whole of the light source; and/or low powered street-level lights are used (eq. bollard lighting).

Visual Impact of Equipment

All heat pumps, cooling fans and generators shall be either screened or positioned in locations where they are not visually intrusive.

Noise

The operation of the care facility, and activities in the commercial and facilities precinct and associated activities shall not exceed the noise limits in the Tasman Resource Management Plan for the Residential Zone, at the boundary of the site unless a subsequent resource consent is obtained that authorises the exceedance of the noise limits:

Noise generated by the activity measured at or within the boundary of any site within the zone, other than the site from which the noise is generated, does not exceed:

	Day	Night
Leq	55dBA	40dBA
Lmax		70dBA

Where Day = 7.00 am to 9.00 pm Monday to Friday inclusive and 7.00 am to 6.00 pm Saturday (but excluding public holidays);

Night = All other times plus public holidays.

All plant and equipment (such as heat pumps, cooling fans, generators) shall be located, designed, installed and maintained using the best practicable option to ensure that the noise does not exceed the noise limits in the Tasman Resource Management Plan for the Residential Zone, at the boundary of the site unless a subsequent resource consent is obtained that authorises the exceedance of the noise limits:

Noise generated by the activity measured at or within the boundary of any site within the zone, other than the site from which the noise is generated, does not exceed:

	Day	Night
Leq	55dBA	40dBA
Lmax		70dBA

Where Day = 7.00 am to 9.00 pm Monday to Friday inclusive and 7.00 am to 6.00 pm Saturday (but excluding public holidays);

Night = All other times plus public holidays.

Construction Management Plan

A detailed Construction Management Plan shall be prepared by a suitably qualified and experienced person and submitted to the Council's Co-ordinator Compliance Monitoring for certification at least 20 working days prior to the commencement of work on site.

The Construction Management Plan shall establish acceptable performance standards regarding public safety and amenity protection during the construction process of this development. Such standards are expected to include but not be limited to the following:

- a contact telephone (mobile) number(s) for the on-site manager where contact could be made 24 hours a day/7 days a week;
- details of appropriate local signage/information on the proposed work including the location of a large (greater than 1 m²) noticeboard on the site that clearly identifies the name, telephone number and address for service of the site manager, including cell phone and after hours contact details;
- a communication and complaints procedure for adjoining property owners/occupiers, passers-by and the like;
- a timetable and nature of the construction works proposed;
- hours of operation;
- safety fencing and associated signage for the construction site;
- dust mitigation measures (the noise aspect of the Management Plan should be written with reference to NZS 6803:1999 Acoustics - Construction Noise); and
- measures to ensure dirt, mud or debris is not left on the road, and does not enter the Council's stormwater system.

The Council's Co-ordinator Compliance Monitoring will certify the Construction Management Plan in a timely fashion following consultation with appropriate officers within the Tasman District Council.

Construction Traffic Management Plan

A detailed Construction Traffic Management Plan must be prepared by a suitably qualified and experienced person and submitted to the Council's Co-ordinator Compliance Monitoring for certification at least 20 working days prior to the commencement of work on site.

The Construction Traffic Management Plan will establish acceptable performance standards regarding public safety and amenity protection during the construction process of this development. Such standards shall include but not be limited to the following:

- hours at which construction vehicle movements may take place;
- defining the routes which construction vehicles will take to and from the site;
- the exclusion of Fairose Drive from use for any construction traffic;
- temporary traffic management on Wensley Road;
- identifying potential impacts on pedestrians and cycle movements within the vicinity and how these will be addressed;
- measures to ensure dirt, mud or debris is not left on the road, and does not enter the Council's stormwater system;
- staff parking areas; and
- communication and complaint procedures.

The Council's Co-ordinator Compliance Monitoring will certify the Construction Management Plan in a timely fashion following consultation with appropriate officers within the Tasman District Council.

The Construction Management Plan and Construction Traffic Management Plan approved under Conditions 30 and 31 above must be implemented and maintained throughout the entire construction period and modified as directed by the Council's Co-ordinator Compliance Monitoring to deal with any deficiencies in their operation.

Engineering Works

All engineering works shall be designed and constructed to comply with the conditions of consent, the approved engineering plans and the Council's Engineering Standards & Policies 2013, or where the engineering plans or Standards & Policies 2013 are not complied with, to the Council's Engineering Manager's satisfaction.

Engineering Plans

Engineering plans showing the details of all works required, detailing all services, roading, footpaths and access, right turn bay and pedestrian refuge on Wensley Road,

and including works for stormwater control, sediment control during earthworks for each stage or phase of construction work (see Condition 4 of RM130347) shall be submitted to Council's Engineering Manager for approval prior to any works on that phase or stage being carried out. The plans will be approved by the Engineering Manager if the works are designed to comply with the conditions of consent, and they are in accordance with the Engineering Standards & Policies 2013 or, where the latter is not complied with, they are to the satisfaction of Council's Engineering Manager.

Prior to the occupation of any residential buildings or commencement of activities within the commercial and community precinct in each respective stage, as-built plans detailing all services and access formation shall be provided for approval and signing by the Tasman District Council Engineering Manager. All plan details are to be in accordance with the Tasman District Council Engineering Standards & Policies 2013 or to the satisfaction of Council's Engineering Manager.

Commencement of Works and Inspection

The Tasman District Council Engineering Department shall be contacted 5 working days prior to the commencement of any engineering works. No work shall commence on each phase or stage until the engineering plans for that phase or stage, required under Condition 38, are approved and signed by Council's Engineering Manager.

Engineering Certification

At the completion of works for each stage or phase, and prior to occupation of any residential building in respective stage or phase, a suitably experienced chartered professional engineer or registered professional surveyor shall provide the Council's Engineering Manager with written certification that the works have been constructed in accordance with the approved engineering plans, drawings and specifications and any approved amendments.

Traffic and Connecting Road

- 42 All vehicle access and car parking shall be in general accordance with the information provided in the application, the plans attached to this consent and the specific conditions set out on the subdivision consent RM130346V1.
- All internal roading and car parking shall be constructed in accordance with the 2013 Engineering Standards, or to the approval of the Council's Engineering Manager.

Advice Note:

Minor roads shall meet the standard of a right of way of at least 5.0m sealed carriageway width and remain in private ownership.

- 44 All roading and car parking shall be shown on the engineering plans required under Condition 38 in each respective phase or stage of work.
- When a phase of development is undertaken that will result in the total developed area of the site reaching or exceeding 65% of the site, the Consent Holder shall as part of that phase entirely form the collector road within Lot 4 through to the boundary with Lot 1 DP 411576 (or the replacement title) and shall vest Lot 4 as road to the Council.

Notwithstanding the above, any phase of work that includes construction of the care facility shall also trigger the completion of the collector road and vesting as set out above.

In any event, after 10 years has elapsed from the date that this consent is first given effect to the Consent Holder shall complete the road and vest Lot 4 in its entirety.

Advice Note:

The connector road link to the boundary is an important strategic linkage for the development of this area. This condition ensures that connection is made to the boundary in a timely fashion in step with the development of this site.

Servicing

Full separate servicing shall be provided for the residential dwellings, carriage houses, apartments and the proposed lake houses and care facility buildings in general accordance with the attached plan entitled Indicative Services Plan prepared by Verrall & Partners Limited and dated July 2013.

Advice Note:

Connection fees will be payable to Council at the time building consent is issued.

47 Prior to the residential dwellings, carriage houses, apartments and the proposed lake house and care facility buildings being occupied, a separate water connection shall be provided to the buildings in accordance with the Tasman District Council Engineering Standards & Policies 2013.

Advice Note:

Connection fees will be payable to Council for each residential dwelling, apartment, carriage houses and the proposed lake house and care facility buildings at the time building consent is issued.

48 The servicing provided shall include:

(a) Water Supply

Water reticulation shall be provided to the residential dwellings, apartments, carriage houses and the proposed lake house and care facility buildings, complete with all mains, valves, fire hydrants and other necessary fittings. The final layout of water reticulation and location of water meters shall be confirmed at the engineering plan stage.

(b) Sewer

Full sewer reticulation discharging to Council's approved system shall be installed complete with any necessary manholes and connection to the residential dwellings, apartments, carriage houses and proposed lake house and care facility buildings. Wastewater services provided through the site shall contain connections for Lot 2 DP 7794 (the Nicoll Block) in general accordance with the Indicative Services Plan 12039-1a attached to this consent.

(c) Stormwater

Full stormwater reticulation discharging to Council's approved system shall be installed. The reticulated network will involve a detention pond on-site designed to control flows up to a 100 year return period 15 minute duration rainfall event, as required by Council's current Engineering Standards & Policies 2013. The stormwater will discharge from the pond at a maximum rate of 400 litres per

second via a pipe connected to a new outfall to Hart Stream. The new pipe outlet from the detention pond will operate over a range of events and have a controlled graduated release of stormwater to Hart Stream.

Stormwater (including secondary flow paths) services provided through the site shall contain connections for Lot 2 DP 7794 (the Nicoll Block) in general accordance with the Indicative Services Plan 12039-1a attached to this consent.

(d) Electricity and Telephone

Live telephone and electric power connections shall be provided to each dwelling and all wiring to all dwellings shall be run underground.

Advice Note:

Services connection fees will be payable for each residential dwelling, apartment building, carriage houses, lake house and care facility buildings to Council in accordance with Council's Long Term Plan at the time building consent is issued.

49 All the services referred to in conditions of this consent shall be installed in accordance with the Tasman District Council's Engineering Standards & Policies 2013.

Firefighting Water Supply

All domestic-scale residential buildings (villas and town houses) shall be provided with a firefighting water supply system and access to this system that complies with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.

As a minimum, each residential unit shall be within 135 metres of a working fire hydrant and also within 270 metres of a second working fire hydrant. Both fire hydrants must be capable of delivering 12.5 litres per second to achieve compliance with SNZ PAS 4509:2008.

Advice Note:

The optimal means of compliance with the New Zealand Fire Service Code is considered by the NZ Fire Service to be the installation of domestic sprinkler systems in accordance with Fire Sprinkler Systems for Houses NZS 4517:2010.

- The carriage houses, apartments, commercial and facilities building and care facility shall be provided with a firefighting water supply in accordance with the SNZ PAS 4509:2008.
- Notwithstanding the above, the carriage houses, apartments, commercial and facilities building and care facility shall be provided with a sprinkler system in accordance with the relevant requirements of the Building Code.
- The firefighting water supply shall be shown on the engineering plans required under Condition 38.

Stormwater Management Plan

The Consent Holder shall produce a stormwater management plan that provides for maintenance and servicing of the pond and release system to ensure it is at all times in a fully operational state. In addition to the maintenance of the pond and release system, the plan shall also address land use in the contributing catchment with the

- objectives of maximising ground soakage and avoiding the transfer of silt, bark, mulch and contaminants being entrained in the stormwater system.
- The stormwater management plan shall be finalised prior to any residents being accommodated in Olive Estate and a copy of the plan shall be provided to the Council. Any update to the plan shall also be provided to the Council.

Lapsing Date

This consent shall lapse 10 years after the date that it commences, unless it has been given effect to, or unless the Council has granted an extension pursuant to Section 125(1)(b) of the Act.

Advice Note:

This consent commences when it can legally be given effect to.

GENERAL ADVICE NOTES

Council Regulations

This is not a building consent and the Consent Holder shall meet the requirements of Council with regard to all Building and Health Bylaws, Regulations and Acts.

Other Tasman Resource Management Plan Provisions

This resource consent only authorises the activity described above. Any matters or activities not referred to in this consent or covered by the conditions must either:

1) comply with all the criteria of a relevant permitted activity rule in the Tasman Resource Management Plan (TRMP); 2) be allowed by the Resource Management Act; or 3) be authorised by a separate resource consent.

Consent Holder

This consent is granted to the abovementioned Consent Holder but Section 134 of the Act states that such land use consents "attach to the land" and accordingly may be enjoyed by any subsequent owners and occupiers of the land. Therefore, any reference to "Consent Holder" in the conditions shall mean the current owners and occupiers of the subject land. Any new owners or occupiers should therefore familiarise themselves with the conditions of this consent as there may be conditions that are required to be complied with on an ongoing basis.

Development Contributions

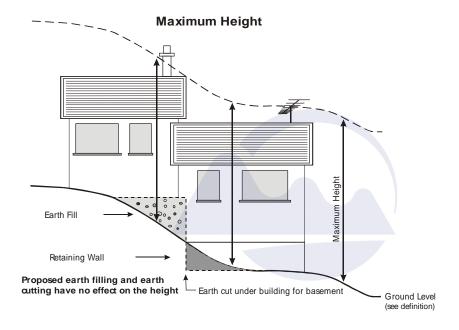
The Consent Holder is liable to pay a development contribution in accordance with the Development Contributions Policy found in the Long Term Plan (LTP). The amount to be paid will be in accordance with the requirements that are current at the time the relevant development contribution is paid. Council will not issue a Code Compliance Certificate until all development contributions have been paid in accordance with Council's Development Contributions Policy under the Local Government Act 2002.

Interests Registered on Property Title

The Consent Holder should note that this resource consent does not override any registered interest on the property title.

Height

- For the avoidance of doubt, "height" is defined in The Tasman Resource Management Plan as follows:
 - **Height** in relation to a building, means the vertical distance between ground level at any point and the highest part of the building immediately above that point. For the purpose of calculating height, account is taken of parapets, but not of:
 - (a) radio and television aerials, provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 2.5 metres;
 - (b) chimneys (not exceeding 1.1 metres in any direction); or finials, provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 1.5 metres.



Monitoring

Monitoring of this resource consent will be undertaken by the Council as provided for by Section 35 of the Act and a one-off fee has already been charged for this monitoring. Should the monitoring costs exceed this fee, the Council reserves the right to recover these additional costs from the Consent Holder. Costs can be minimised by consistently complying with conditions, thereby reducing the necessity and/or frequency of Council staff visits.

Archaeological

Council draws your attention to the provisions of the Historic Places Act 1993. In the event of discovering an archaeological find during the earthworks (eg, shell, midden, hangi or ovens, garden soils, pit depressions, occupation evidence, burials, taonga, etc) you are required under the Historic Places Act, 1993 to cease the works immediately until, or unless, authority is obtained from the New Zealand Historic Places Trust under Section 14 of the Historic Places Act 1993.

Firefighting Standards

- 9 The Consent Holder should address the requirements of the New Zealand Fire Service Firefighting Water Supplies Code of Practice (SNZ PAS 4509:2008). The NZ Fire Service Commission considers the optimal means of compliance with the NZFS Code is the installation of a domestic sprinkler system in accordance with Fire Sprinkler Systems for Houses NZS 4517:2010.
- For the larger buildings (carriage houses, apartments, commercial and facilities buildings and care facility) the sprinkler requirements of the Building Code are applicable.
- 11 Regarding the design of the care facility it is recommended that early contact is made with New Zealand Fire Service fire risk management personnel to discuss management and integration of the evacuation scheme and alarm system requirements.
- The first point of contact for discussing firefighting requirements as set out in the conditions of consent and in advice notes above is Rob Dalton, Senior Fire Risk Management Officer on (03) 577 8211 or 027 4956 691.

Signage

Any signage proposed must comply with the Tasman Resource Management Plan standards in Section 16.1 for the Residential Zone. Separate resource consent would be required for any signage that does not comply with these rules, including for each commercial tenancy within the Olive Market Building.

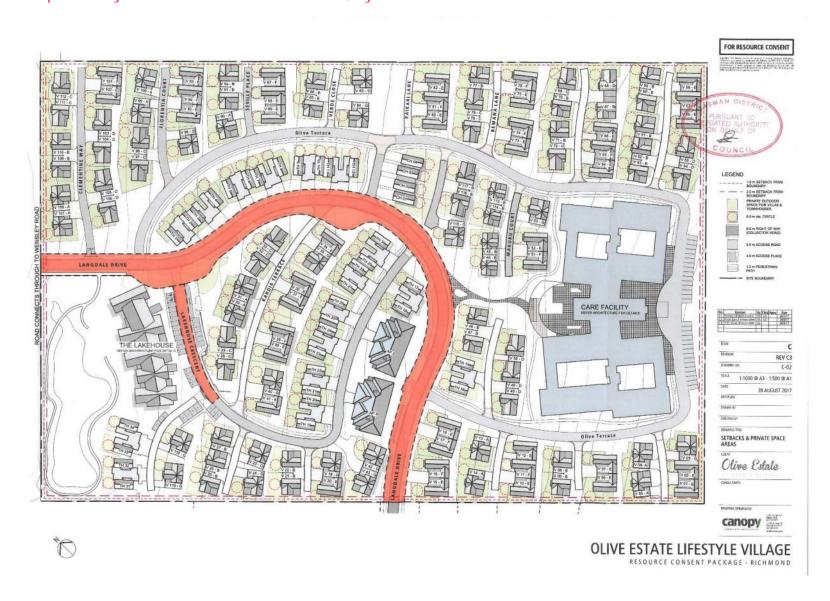
Sale of Liquor

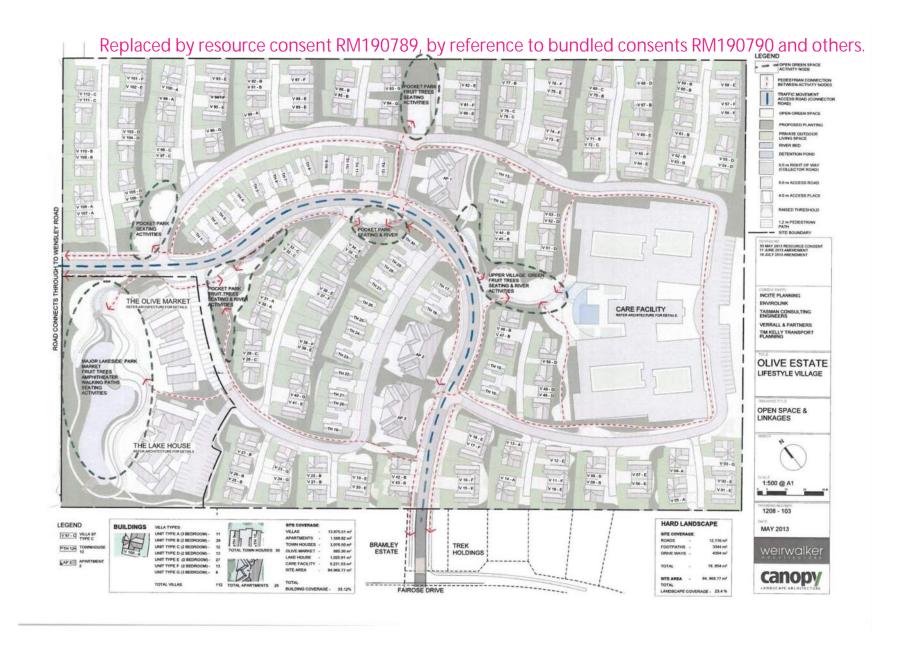
No liquor sales shall take place until the required licences pursuant to the Sale & Supply of Alcohol Act 2012 are issued.

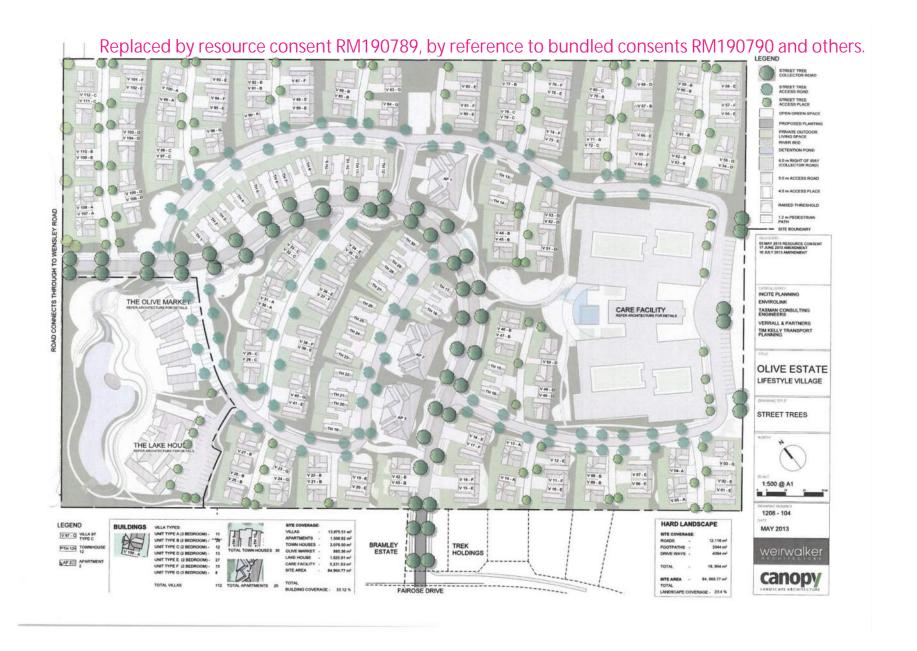
Development Master Plan C-01 dated 28 August 2017. Replaced by resource consent RM 190789, by reference to bundled consents RM 190790 and others.



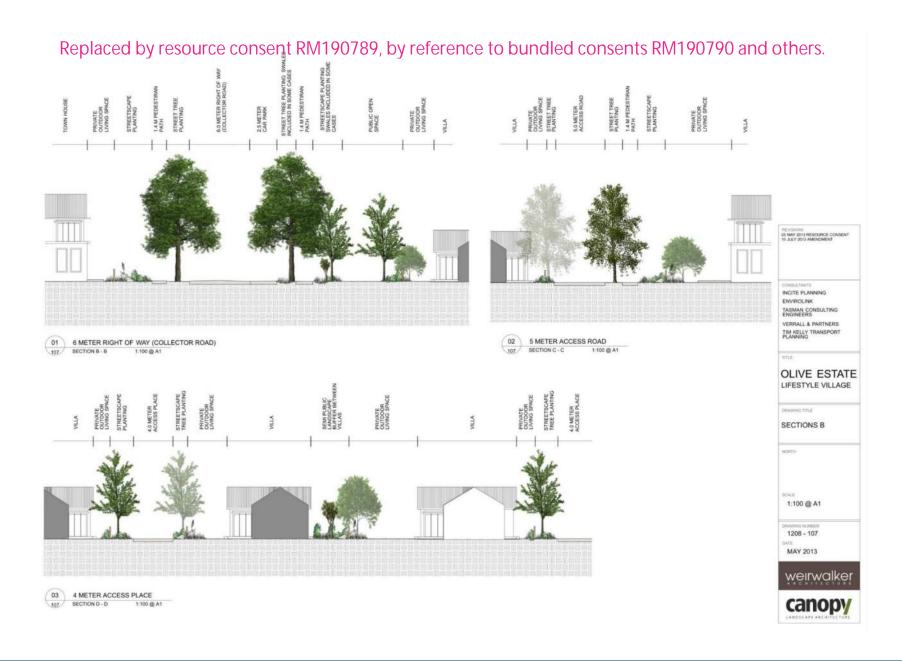
Setbacks and Private Space C-02 dated 28 August 2017. Replaced by resource consent RM 190789, by reference to bundled consents RM 190790 and others.

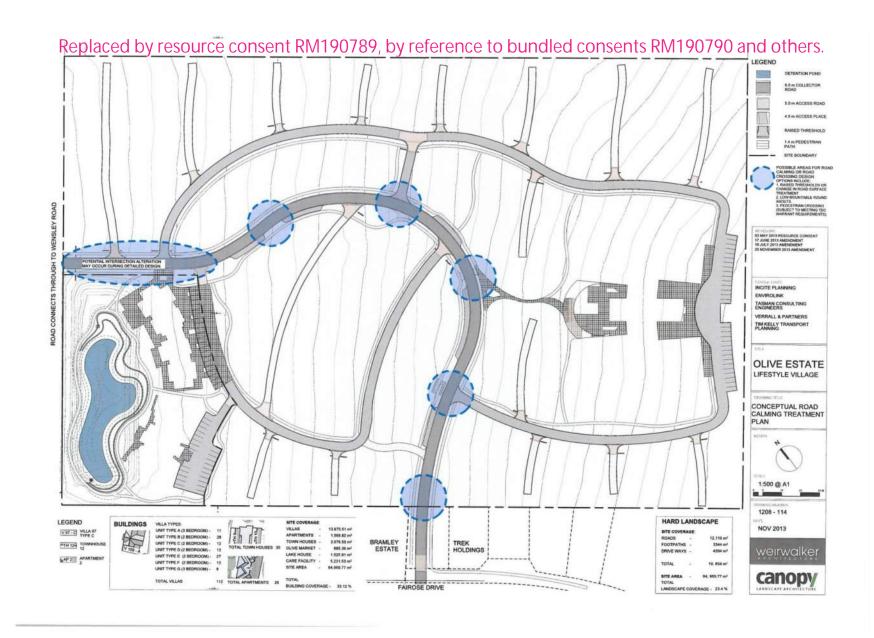


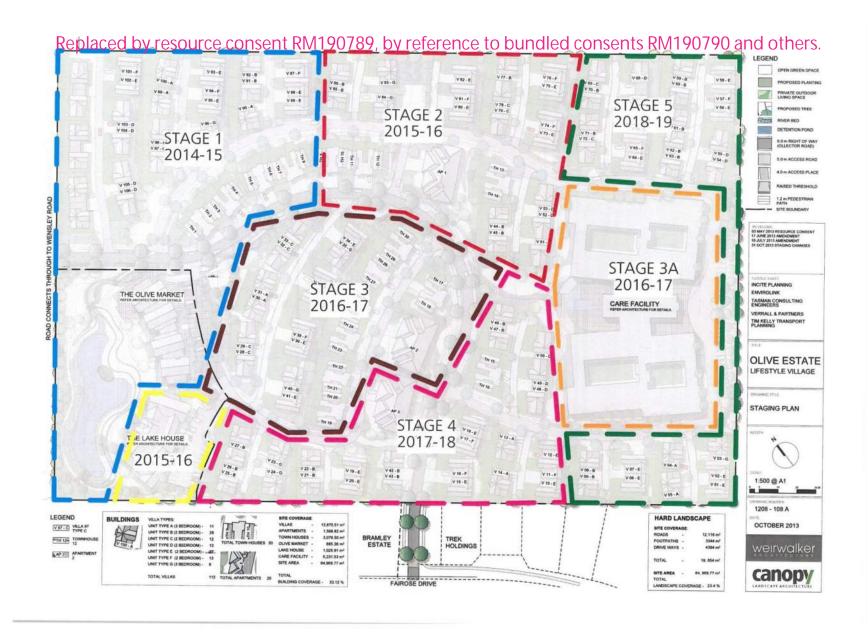






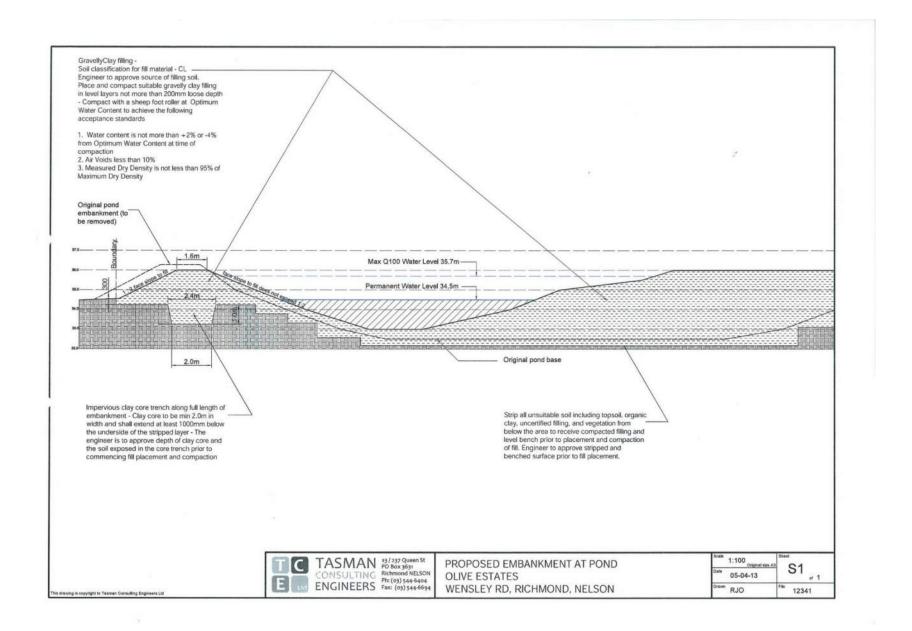






Replaced by resource consent RM190789, by reference to bundled consents RM190790 and others.



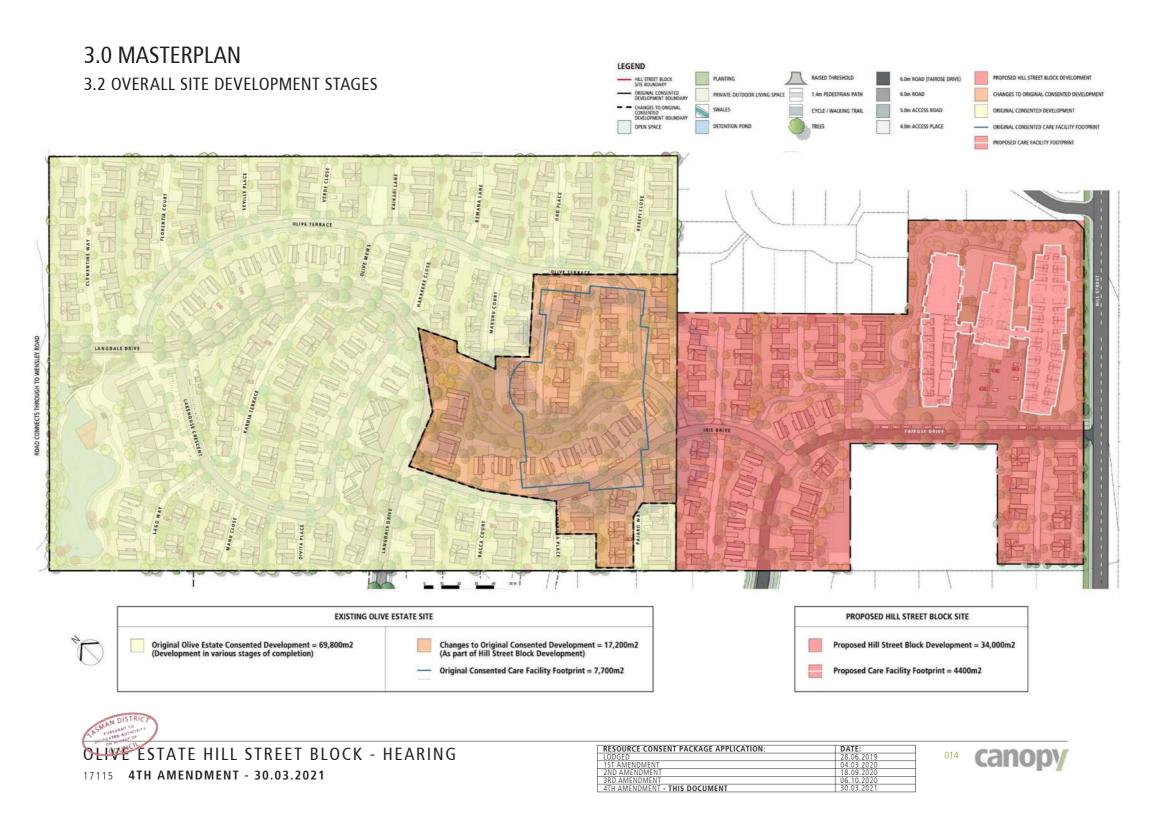


3.0 MASTERPLAN3.4 OVERALL SITE MASTERPLAN



Appendix One to RM120928V2 conditions (page 1 of 4)

Approved plan A1



Approved plan A2

3.0 MASTERPLAN

3.3 OVERALL SITE BUILDING TYPE NUMBERS

