

## PROPOSED SUBDIVISION CONSENT CONDITIONS – PROJECT MARTHA

16 NOVEMBER 2018

### NOTES:

**Black** – Changes agreed between the OGNZL and HDC;

**Red** – Changes proposed by OGNZL not accepted by HDC; and

**Blue** – Changes proposed by HDC not accepted by OGNZL.

### GENERAL

1. That the subdivision shall be carried out generally in accordance with the following plans:
  - a. Proposed Subdn of Lot 1 DPS88853 Lot 2 DPS 28618 & Lot 3 DPS78565 12 Cambridge Road, WAIHI; Waihi Land Surveyors Ltd; Drawing No 3119B; Dated 13 September 2018; and
  - b. Road Realignment Plan (Preliminary Plan); Traffic Design Group; Drawing No 14618N1J; Dated 15 May 2018 (submitted as part of the Assessment of Environmental Effects, Appendix E - Traffic Assessment)

### ENGINEERING GENERAL

2. That all design and specifications must be generally in accordance with the HDC Engineering Manual (2010) (HDCEM), incorporating the Hamilton City Development Manual (2009) HCDM, Volumes 2 and 3.
3. That engineering drawings and specifications shall be submitted to the Group Manager Planning and Environmental Services for certification prior to commencement of any work. This shall include but not be limited to pavement design, road markings and signage, street lighting, proposed pedestrian crossings, stormwater disposal, water supply and wastewater details and should include any necessary geotechnical reports and design calculations supporting the engineering drawings submitted.

**Advice Note:**

*Street lighting and geotechnical design may be peer reviewed by a third party at the cost of the consent holder.*

4. The consent holder shall appoint a representative to be the contact person for Council on all technical matters.
5. As built plans and associated compliance documentation for all physical works associated with this development must be certified by a Chartered Professional Engineer and shall be submitted to Council upon completion of construction. This shall be in accordance with the HDCEM, Volumes 3 and 4. Electronic versions, being Arcview Shapefile format (.dbf, .shp, .shx, and .prj files) and PDF format, shall be provided, plus one paper copy.

### CONSTRUCTION MANAGEMENT PLAN

6. 20 working days prior to commencing construction activities associated with the re-alignment of Bulltown / Cambridge Roads, the consent holder shall prepare and submit a Construction Management Plan for certification by the Council. If certification is not provided within 20 working days of Council's receipt of the Construction Management Plan construction activities authorised by this consent may commence.

7. The Construction Management Plan shall indicate:
  - a. Activities to be carried out, including their sequence and duration;
  - b. Plant and equipment to be used;
  - c. Any activities likely to be undertaken on land beyond the ownership or control of the consent holder, the duration of such activities, and proposed measures to mitigate adverse effects that might be experienced by the general public and/or adjacent residents as a consequence of these activities;
  - d. Proposals with respect to the removal or demolition of existing houses lying within or adjacent to the proposed road realignment; and
  - e. Proposed measures to mitigate potential adverse effects (in particular noise, dust and traffic disruption) occurring as a consequence of construction, demolition and relocation activities, in particular measures aimed at safeguarding adjacent residential amenity.

**Advice Note**

*The consent holder should ensure that the Construction Management Plan developed for this consent is not inconsistent with that developed for the Project Martha land use consent.*

**CONSTRUCTION ACTIVITIES**

8. The construction noise conditions in this consent apply to the following activities authorised as part of this consent:
  - a. All road re-alignment works at Bulltown / Cambridge Roads;
  - b. House relocation and demolition.

**CONSTRUCTION NOISE**

9. All construction activities authorised by this consent shall not exceed the following noise limits at the boundary of any occupied dwelling\*:

Monday - Friday	Saturday	L <sub>Aeq</sub>	L <sub>AFmax</sub>
0630 - 0730		60 dB	75 dB
0730 - 1800	0730 - 1800	75 dB	90 dB
1800 - 2000		70 dB	85 dB

\* 'Occupied dwelling' means any building or part of a building lawfully used for residential purposes.

10. At all other times, including Sundays and public holidays, the noise level from all construction activities authorised by this consent shall not exceed 40 dB LAeq.
11. Construction noise shall be managed, measured and assessed in accordance with New Zealand Standard NZS6803:1999 *Acoustics – Construction Noise*.
12. All construction noise shall be measured at any occupied dwelling not owned by the consent holder or related company, or not subject to an agreement with the consent holder or related company.
13. The construction noise limits above shall not apply to any property or site that is:

- a. Owned by the consent holder or a related company; or
  - b. Owned by a third party which is subject to either a registered covenant or a written agreement (a copy of which is provided to the Council) whereby noise effects on the property caused by activities authorised under this consent are not to be taken into account for monitoring and compliance purposes.
14. The consent holder shall prepare a Noise Management Plan for certification by the Council. The objective of the Noise Management Plan is to provide detail on how compliance with Conditions 9 to 11 will be achieved for the duration of the construction activities referred to in Condition 8.

As a minimum, the Noise Management Plan shall consider the requirements of Annex E of New Zealand Standard NZS6803:1999 *Acoustics – Construction Noise*, design limits, complaints procedures and noise monitoring. With respect to noise monitoring, the Noise Management Plan shall record that the company will assess and record representative noise levels on a weekly basis during construction activities and provide a summary report to the Council on a three-monthly basis.

The Noise Management Plan shall be submitted to the Council at least 20 working days prior to the first exercise of this consent. The Noise Management Plan may be reviewed and amended from time to time, subject to the certification of the Council but not in a manner inconsistent with these conditions.

#### **BOND**

15. In accordance with Volume 1, Part 1 Clause 1.4.11 of the HDCEM, the consent holder is to bond a sum of 10% of the total construction cost of vested assets (to be agreed with the Hauraki District Council Group Manager Engineering Services) prior to the issue of the 224(c) Certificate. The bond will be released upon completion of outstanding work (if any) required at the end of the defects liability period.
16. The defects liability period for all works shall be 12 months from the date of issue of the 224(c) Certificate.
17. The bond is to be prepared at the cost of the consent holder and will contain terms as the Council may reasonably require and shall have either a cash surety to be deposited with the Council (with interest to accrue to Council) or a guarantee from a New Zealand registered trading bank.

#### **EARTHWORKS**

18. That all earthworks are to be undertaken in accordance with the HDCEM Volume 2 Part 2.
19. That all earthworks shall be certified by a Chartered Professional Engineer, experienced in geotechnical investigation, as meeting the requirements of NZS 4431:1989. This includes the final as built drawings for the earthworks.
20. That the consent holder shall implement the requirements of Waikato Regional Council's "Erosion and Sediment Control - Guidelines for Soil Disturbing Activities, dated January 2009" to mitigate dust, sedimentation and erosion.

#### **Advice Note:**

*In particular, the consent holder will need to:*

- a. *Control all surface runoff from the exposed bare surface areas associated with the site excavations to prevent silt contamination of downstream catchments.*

- b. *Contact the Hauraki District Council Development Engineer (07 862 8609) to organise an engineering site inspection of the silt control measures prior to the commencement of earthworks; and*
  - c. *Ensure all bare ground surface areas are treated to prevent fugitive dust nuisance during and after construction.*
21. That the consent holder shall make good any damage to the road infrastructure caused by earthworks or construction machinery during the construction operations. This shall be to the satisfaction of the Hauraki District Council's Group Manager – Planning and Environmental Services.
22. That any soil spilled or tracked onto any public road during the earthworks and construction shall be removed from the road immediately, without being allowed to enter stormwater channels and catchments.
23. That all cut to waste materials shall be disposed of to a site where either disposal of the quantities involved is a Permitted Activity under the District Plan and the Waikato Regional Plan, or a resource consent has been obtained.

**Advice Note:**

*A resource consent may be required for the disposal of material off -site. If disposal off-site is proposed, the consent holder shall contact the Duty Planner on 07 862 8609 to check whether an additional resource consent is required.*

**WASTEWATER**

24. That the development shall be reticulated for wastewater disposal in accordance with the requirements of the HDCEM and performance standard 8.5.1 of the operative Hauraki District Plan. Lot 1 shall be provided with a connection, with the end of the connection capped and the location marked.

**WATER SUPPLY**

25. Lot 1 shall be provided with a separate metered water connection. This shall be installed in accordance with the requirements of the HDCEM and performance standard 8.5.3 of the operative Hauraki District Plan. The meter shall be located in the road reserve within 0.5m of the boundary. The connection, including the meter, is to be installed by HDC at the cost of the consent holder.

**RELOCATION OF INFRASTRUCTURE**

26. That the existing water and sewer mains shall be relocated to the western side of the newly realigned Cambridge/Bulltown Roads.
27. That the existing power and telecommunications infrastructure shall be relocated to the western side of the newly realigned Cambridge/Bulltown Roads.

**ACCESS**

28. That Lot 2 shall be vested in Council as Road.
29. That the road network within this subdivision shall be designed and constructed in general accordance with the requirements of a Collector Road as detailed in Table 3.1 and Volumes 2 and 3 of the HDCEM with the following specific exceptions noted:
- a. A legal road width of at least 20m;

- b. The width of the formed realigned road shall taper from the eastern portion of Cambridge Road (near the corner) to the top of Bulltown Road;
- c. Kerb and channel shall be constructed along both sides of the new alignment to at least the same standard as currently exists;
- d. Reinstatement of streetlights to AS/NZS 1158;
- e. A footpath shall be constructed along the western side of Cambridge/Bulltown Roads to at least the same standard as currently exists and of at least the same length;
- f. A pedestrian crossing point and refuge shall be constructed/marked out from the northern end of the footpath to the start of the Pit Rim walkway (across Cambridge/ Bulltown Road).

#### **POWER AND TELECOMMUNICATIONS**

- 30. That the consent holder shall reticulate the subdivision for electricity, including providing a connection to Lot 1.
- 31. That the consent holder shall reticulate the subdivision for telecommunications, including providing a connection to Lot 1.

#### **HERITAGE FEATURES**

- 32. Prior to commencing construction of the realignment of Bulltown / Cambridge Roads, the consent holder shall relocate the dwelling at 12 Cambridge Road to a suitable site within the urban area of Waihi as close to its original location as practicable, having regard to site conditions, access, amenity values and heritage values.

#### **ACCIDENTAL DISCOVERY PROTOCOL**

- 33. In the event that an unidentified archaeological site is located as part of the activities authorised by this consent, the following procedures will be undertaken by the consent holder:
  - a. All work shall cease, and machinery shut down, within 20 m of the discovery;
  - b. The Site Manager shall notify the Heritage New Zealand Regional Archaeologist;
  - c. If the site is of Maori origin, the Site Manager shall also notify the appropriate tangata whenua of the discovery and ensure site access to enable appropriate cultural procedures and tikanga to be undertaken (as long as all statutory requirements under the Heritage New Zealand Pouhere Taonga Act 2014 and the Protected Objects Act 1975 have been met);
  - d. If human remains (koiwi tangata) are discovered, the Site Manager shall also advise the New Zealand Police. ~~The remains are not to be moved until such time as tangata whenua and Heritage New Zealand have responded;~~ and
  - e. Works affecting the discovery shall not recommence until Heritage New Zealand provides written approval or an archaeological authority has been obtained and this authorisation is provided to the Councils.

#### **Advice note**

*Condition 33 shall only apply to those areas not subject to an archaeological authority obtained under the Heritage New Zealand Pouhere Taonga Act 2014.*

*The Heritage New Zealand Pouhere Taonga Act 2014 provides for the recording, protection and preservation of archaeological sites where registered or not. As such, any land use activity likely to*

damage, modify or destroy any pre-1900 archaeological site (whether recorded or unrecorded) will require an archaeological authority from Heritage New Zealand for the work to lawfully proceed. This applies to all sites, regardless of whether a building or resource consent has been granted or not.

The site curtilage associated with the dwellings at 12 Cambridge Road and 77 Bulltown Road have been identified as having potential for sub-surface archaeological remains. Earthworks associated with the realignment of Cambridge/Bulltown Roads will therefore require an archaeological authority.

## **MONITORING**

34. That pursuant to Section 36(1)(b) of the Resource Management Act 1991, the consent holder shall pay Hauraki District Council charges for receiving, processing and granting the Resource Consent.
35. That pursuant to Section 36(1) (c) of the Resource Management Act 1991 the consent holder shall pay Hauraki District Council a fee of \$110.00 for the administration associated with the monitoring of the consent, and thereafter shall pay to Hauraki District Council, all costs that arise for monitoring this consent, including all costs associated with site visits, and the consideration and certification of plans and details associated with the consent, as appropriate.

### **Advice Notes**

- a. *This resource consent will lapse in 5 years from the date of the commencement of the consent (as defined under Section 116 of the RMA) unless the consent is given effect to or an application is made under Section 125 of the RMA to extend the period after which consent lapses.*
- b. *Compliance with the conditions of this resource consent does not remove the need to comply with all other applicable Acts, regulations, bylaws, and rules of law.*

### **Engineering General**

- c. *24 hours' notice must be given for any engineering inspections that are required to be undertaken during engineering works. The Design Plan acceptance letter will indicate the frequency of inspections required. All requests in this regard must be directed to the Hauraki District Council Development Engineer, on 07-862 8609.*
- d. *Any work undertaken in the road reserve, including entrance construction, shall be processed under a Corridor Access Request. This must be submitted for approval 10 working days prior to the commencement of any works. This should be done through [www.hauraki-dc.govt.nz](http://www.hauraki-dc.govt.nz) All enquiries in this regard must be directed to the Technical Services Business Unit Administrator on 07 862 8609.*

### **Network Utilities**

- e. *The consent holder is advised that there are Powerco assets on the street adjacent to the site and in the location of the proposed noise bund. It is recommended that the consent holder makes contact with Powerco prior to works commencing on site to ensure that these assets are protected and safely relocated/reinstated. Works around Powerco assets will need to be supervised and undertaken by a Powerco approved contractor (refer to: [www.powerco.co.nz/get-connected/electricity/approved-contractors](http://www.powerco.co.nz/get-connected/electricity/approved-contractors)). Works around Powerco assets can also be arranged through the Customer Initiated Works process by contacting: [Customerworkseastern@powerco.co.nz](mailto:Customerworkseastern@powerco.co.nz)*
- f. *The consent holder is advised that it is its responsibility to meet the costs of any project related works that are required in order to protect, relocate and/or reinstate existing network utilities. Such methods shall be consistent with provisions of the Electricity Act 1992.*

- g. *That, should there be phone lines to relocate to the western side of the road realignment, contact be made with Spark prior to works commencing on site to ensure its assets are protected and safely relocated.*

#### Street Lights

- h. *The procedure to be followed for new street lighting in the HDC area is:*
  - i. *The lights are to be connected as per the supply regulations for a private installation. A Certificate of Compliance, signed by a registered electrician and an authorised inspector is to be completed and submitted as part of the as-built documentation.*
  - ii. *The lights can be tested but must remain isolated upon completion of the work.*
  - iii. *A HDC SlimM form is to be completed for each light installed and submitted as part of the as-built documentation.*
  - iv. *A power authority form for each light is to be sent to the appropriate power authority noting that the lights are isolated. A copy is to be supplied to the HDC as part of the as-built documentation; and*
  - v. *HDC will authorise its contractor to commission the lights. This is at the consent holder's cost.*