

## **Recommended Conditions:**

1. The subdivision and associated land-use activities must be undertaken in general accordance with the following plans approved on XX November 2026 and documents, except where modified by another condition of these consents:
  - a. [final scheme plan title, author, drawing number, revision and date];
  - b. [the addendum prepared by author, titled, dated;
  - c. [approved staging plan title, author, drawing number, revision and date];
  - d. [approved Landscape Master Plan title, author, drawing number, revision and date];
  - e. [approved Landscape and Visual Assessment title, author and date];
  - f. [approved Ecological Management Plan title, author, revision and date];
  - g. [approved civil-engineering plans and reports, identified individually by title, author, reference, revision and date];
  - h. [approved transportation assessment and subsequent responses, identified individually by title, author and date]; and
  - i. [any other approved documents].
2. Where there is any inconsistency between an approved plan or document and a condition of these consents, the condition must prevail.
3. The consent holder shall ensure that the Land Transfer Plan submitted for certification under s223 of the Resource Management Act 1991 is in general accordance with the plans approved under Condition 1(a) and (c).
4. The consent holder shall ensure that Lots 203 and 204 are shown on the Land Transfer Plan submitted for s223 certification as road to vest in Council.
5. The consent holder shall ensure that the Land Transfer Plan submitted for s223 certification for each applicable stage of the subdivision is endorsed with the following amalgamation conditions:
  - a. Stage 1:

That Lot 101 hereon (legal access) be held as to 3 undivided one-third shares by the owners of Lots 13, 14 and 15 hereon as tenants in common in the said shares and that individual Records of Title be issued in accordance herewith. (LINZ reference 1997610);
  - b. Stage 2:

That Lot 107 hereon (legal access) be held as to 3 undivided one-third shares by the owners of Lots 63, 64 & 65 as tenants in common in the said shares and that individual Records of Title be issued in accordance herewith.

That Lot 108 hereon (legal access) be held as to 4 undivided one-fourth shares by the owners of Lots 67, 68, 69 & 70 as tenants in common in the said shares and that individual Records of Title be issued in accordance herewith. (LINZ reference 1997612);
  - c. Stage 3:

That Lot 102 hereon (legal access) be held as to 3 undivided one-third shares by the owners of Lots 20, 21 & 22 hereon as tenants in common in the said shares and that individual Records of Title be issued in accordance therewith.

That Lot 103 hereon (legal access) be held as to 3 undivided one-third shares by the owners of Lots 32, 34 & 36 hereon as tenants in common in the said shares and that individual Records of Title be issued in accordance therewith. (LINZ reference 1997613).

6. The consent holder shall ensure that the section 224(c) certification application for each stage lists and details how each condition has been met.

### **Staging**

7. The subdivision may be undertaken in three stages, in general accordance with the approved staging plan, subject to the following requirements:
  - a. unless a condition expressly provides otherwise, every condition of this consent applies separately to each stage;
  - b. any requirement that must be satisfied before physical works commence applies before physical works commence within each stage;
  - c. any requirement that must be satisfied before certification under section 223 or section 224(c) of the Resource Management Act 1991 applies before that certification is sought for each stage;
  - d. each stage must be designed, constructed and serviced so that it can operate independently until the subsequent stages are completed;
  - e. all works, services, mitigation, certifications, consent notices, covenants and other legal instruments required for a stage must be completed or secured before section 224(c) certification is sought for that stage;
  - f. physical works associated with a subsequent stage must not commence until Council has issued the 224(c) certificate for the preceding stage; and
  - g. any ongoing monitoring, maintenance, replacement or protection obligation continues to apply notwithstanding the completion of that stage or commencement of a subsequent stage.

### **Lapse**

8. Pursuant to section 125 of the Resource Management Act 1991, these consents will lapse five years after the date on which they commence unless:
  - a. the relevant consent has been given effect to before that date; or
  - b. Council grants an extension under section 125 of the Resource Management Act 1991.

### **Engineering plans**

9. No less than 20 working days before physical works commence within each stage, the consent holder must submit detailed engineering plans for that stage to Council for certification.
10. The engineering plans must be prepared by a suitably qualified and experienced professional or professionals with experience relevant to the works being designed.
11. The purpose of the engineering-plan certification is to confirm that the detailed design for the relevant stage is consistent with:
  - a. the approved plans and documents;
  - b. the applicable requirements of the Regional Infrastructure Technical Specifications;
  - c. the certified subdivision-wide Stormwater Management Plan;
  - d. the performance standards and other requirements of these conditions; and

- e. any departure from the Regional Infrastructure Technical Specifications or approved plans expressly authorised by these consents.
12. The engineering plans must, where relevant to the stage, include:
- a. the 25 m building restriction line measured from the top of the bank of the Waikato River;
  - b. the building setback determined by a 1V:2H projection from the toe of any slope exceeding 25 degrees;
  - c. the boundaries of all approved building areas, primary and reserve wastewater-disposal areas, ecological protection areas and bat-habitat setbacks;
  - d. earthworks, proposed finished contours and final landforms;
  - e. erosion and sediment-control measures;
  - f. the design of roads, intersections, rights of way and vehicle crossings, including carriageway widths, gradients and sight distances;
  - g. stormwater collection, conveyance, treatment, detention, soakage and discharge, including roadside swales, culverts, discharge points, overland-flow paths and erosion protection;
  - h. how the stormwater design for the stage implements the certified Stormwater Management Plan;
  - i. electricity and telecommunications infrastructure;
  - j. the existing Waikato River Trail where it is affected by roads, intersections, vehicle crossings, drainage works or sightline improvements, including any temporary diversion, local regrading or local realignment required during construction;
  - k. utility, access, drainage and maintenance easements;
  - l. the ownership and maintenance responsibility for each infrastructure asset; and
  - m. connections to infrastructure established or to be established through another stage.
13. Any material change to a certified engineering plan must be submitted to Council for further certification before the change is implemented. Council may certify the change only where it remains consistent with the matters identified in conditions 11 and 12.
14. Physical works associated with a stage must not commence until Council has certified in writing that the engineering plans for that stage satisfy conditions 9–12.

### **Construction management**

15. No less than 20 working days before physical works commence within each stage, the consent holder must submit a Construction Management Plan for that stage to Council for certification.
16. The purpose of the Construction Management Plan is to set out the procedures and measures that will be implemented to avoid or minimise adverse construction effects on neighbouring properties, the road network, the Waikato River, ecological areas, public infrastructure and public access.
17. The Construction Management Plan must include.
- a. the name and contact details of the contractor and site manager;
  - b. the anticipated construction programme;

- c. construction hours;
  - d. site access and construction-traffic arrangements;
  - e. contractor parking and loading areas;
  - f. the location of construction compounds, material-storage areas, equipment-storage areas and stockpiles, together with any screening measures;
  - g. dust, noise and vibration controls;
  - h. erosion and sediment controls;
  - i. temporary stormwater-management measures;
  - j. earthworks and stockpile management;
  - k. measures applying near the Waikato River, gullies and ecological areas;
  - l. measures for maintaining safe public use of the existing Waikato River Trail, including any temporary closure, diversion or local alteration required during construction;
  - m. procedures for receiving, recording and responding complaints;
  - n. procedures for preventing damage to public infrastructure; and
  - o. procedures for restoring any public or private property affected by the works.
18. Council may certify a Construction Management Plan only where it demonstrates that the purpose in condition 16 will be achieved and includes the information required by condition 17.
  19. Physical works within a stage must not commence until Council has certified the Construction Management Plan for that stage in writing.
  20. All construction activities must be undertaken in accordance with the certified Construction Management Plan. A copy of the certified plan must be held on site and made available to Council on request.

#### **Earthworks and geotechnical requirements**

21. Earthworks must be undertaken in general accordance with the approved earthworks plans, the certified engineering plans and the approved geotechnical recommendations.
22. Earthworks must be supervised by a suitably qualified and experienced geotechnical professional to the extent required by the approved geotechnical recommendations.
23. Any uncontrolled or unsuitable fill encountered during construction must be removed or remediated in accordance with the written recommendations of the supervising geotechnical professional.
24. Fill supporting a building area, road or other structure must be placed and compacted as engineered fill and certified by a suitably qualified and experienced geotechnical professional.
25. Earthworks must be undertaken so that runoff, sediment, dust or debris does not:
  - a. cause damage or nuisance beyond the area of works; or
  - b. enter the Waikato River, a wetland, gully or other waterbody.
26. Before earthworks commence within each stage, the erosion, sediment and dust-control measures required by the certified Construction Management Plan must be installed and made available for Council inspection.

27. Erosion and sediment-control measures must remain in place and be maintained in effective operating condition until the affected land has been stabilised against erosion.
28. The consent holder shall ensure that the following areas as confirmed by a suitably qualified and experienced geotechnical professional are identified using a unique identifier on the Land Transfer Plan submitted for s223 certification:
- a. the 25 m building restriction line measured from the top of the bank of the Waikato River;
  - b. for any lot containing slopes steeper than 25 degrees, the building setback determined by a 1V:2H projection from the toe of the relevant slope;
  - c. the relationship of those restrictions to the proposed lot boundaries and approved building areas;
  - d. any additional geotechnical restriction applying to an approved building area; and
  - e. the building restriction areas described in (a) and (b), and any additional area in which building is prohibited under (d), must be accurately shown and uniquely identified on the Land Transfer Plan submitted for certification under section 223.
29. No approved building area may be located within a building restriction or geotechnical setback identified under condition 28.
30. Before certification under section 224(c) of the Resource Management Act 1991 is sought for each stage, the consent holder must provide a geotechnical-completion report prepared by a suitably qualified and experienced geotechnical professional confirming:
- a. the nature, extent and depth of fill placed;
  - b. the compaction standards achieved;
  - c. the suitability of each approved building area;
  - d. any limitations applying to future buildings or foundations;
  - e. that the 25 m building restriction line and the setback determined by a 1V:2H projection from the toe of slopes exceeding 25 degrees have been accurately identified;
  - f. that the identified building restrictions and slope setbacks remain appropriate following completion of the earthworks; and
  - g. any geotechnical limitation or recommendation that must be secured through a consent notice.

#### **Roads and access**

31. The roads to vest in Council, intersections, rights of way and vehicle crossings must be designed and constructed in accordance with:
- a. the approved scheme plans;
  - b. the certified engineering plans;
  - c. the applicable Regional Infrastructure Technical Specifications; and
  - d. the transportation mitigation identified in Council's transportation-review documents dated 1 July 2025 and 14 August 2025.
32. The detailed engineering plans for each intersection with Horahora Road must:
- a. provide basic left-turn and right-turn widening as per Austroads;

- b. be prepared in accordance with Parts 4 and 4A of the Austroads Guide to Road Design;
  - c. demonstrate that all widening, entry and exit tapers, drainage infrastructure, roadside regrading and local alterations to the existing Waikato River Trail can be accommodated within the road reserve, unless an alternative legal arrangement has been secured;
  - d. maintain effective roadside drainage, including through culverts or equivalent measures where required; and
  - e. provide for the safe regrading, local realignment and reinstatement of the existing Waikato River Trail where it is affected by the intersection works.
- 33. Before section 224(c) certification is sought for the first stage relying on an intersection with Horahora Road, the consent holder must provide certification from a suitably qualified and experienced transportation engineer confirming that the intersection has been constructed in accordance with the certified engineering plans and condition 32.
- 34. Each vehicle crossing must:
  - a. be located generally in accordance with the approved scheme and transportation plans;
  - b. be formed in accordance with the applicable Regional Infrastructure Technical Specifications rural-residential vehicle-crossing standard;
  - c. have a gradient no steeper than 1 vertical in 12 horizontal within the vehicle-crossing formation;
  - d. be at or above the level of Horahora Road for at least the first 6 m measured from the edge of the road carriageway, unless an alternative design is certified under conditions 9-12 as providing the required sight distance;
  - e. provide the sight distance required by condition 35;
  - f. be designed so that stormwater does not discharge onto Horahora Road; and
  - g. provide for the safe crossing and continuity of the Waikato River Trail.
- 35. For the purpose of detailed intersection and vehicle-crossing design, sight distance must be assessed using the legal speed limit of the road along the development frontage and must provide:
  - a. at least 160 m sight distance at each vehicle crossing, measured in accordance with RTS 6; and
  - b. at least 248 m sight distance at each subdivision intersection, measured in accordance with the applicable Austroads requirements.
- 36. The sight distance available at every intersection and vehicle crossing created within a stage must be demonstrated through the engineering-plan certification required by conditions 9-12. The assessment must take account of:
  - a. the final intersection or vehicle-crossing location and level;
  - b. the driver-eye position prescribed by RTS 6;
  - c. the final road and vehicle-crossing gradients;
  - d. roadside vegetation;
  - e. roadside berms and embankments; and
  - f. the alignment and level of the Waikato River Trail.

37. Where the required sight distance cannot be conclusively demonstrated before construction, it must be verified on site following formation of the intersection or vehicle crossing. Before section 224(c) certification is sought for the relevant stage, the consent holder must provide certification from a suitably qualified and experienced transportation engineer confirming that the sight distance required by condition 35 has been achieved.
38. Where excavation or regrading of a roadside berm or embankment is necessary to provide the required sight distance or intersection widening, the consent holder must:
- a. maintain effective roadside drainage;
  - b. safely regrade or locally realign the existing Waikato River Trail where necessary;
  - c. reinstate the affected section of the trail in accordance with the certified engineering plans and to a standard consistent with the adjoining trail; and
  - d. before section 224(c) certification is sought for the relevant stage, provide certification from a suitably qualified and experienced engineer confirming that the drainage and trail-reinstatement works have been completed in accordance with the certified engineering plans.

**Access serving Lots 1 and 2**

39. Before section 224(c) certification is sought for the stage containing Lots 1 and 2, the roadside embankment north of the shared access serving those lots must be cut down and regraded to provide the sight distance shown on the approved transportation plans.
40. Where the works required by condition 39 affect the Waikato River Trail, the affected section of the trail must be safely realigned, regraded and reinstated in accordance with the certified engineering plans before the shared access is brought into use.

**Access serving Lots 13–15**

41. The shared access serving Lots 13–15 must:
- a. be located approximately 35 m north of the location originally assessed, as shown on the approved scheme and transportation plans;
  - b. include the removal of vegetation on the western side of the curve where it intrudes into the required sight envelope;
  - c. provide a sight envelope extending from the outside edge of the Horahora Road carriageway to a point 2 m behind the driver-eye position at the shared access;
  - d. maintain the sight envelope free of buildings, structures and vegetation that would obstruct visibility; and
  - e. provide headlight screening no more than 1 m high, located close to the eastern edge of the access carriageway and extending to the boundary with Lot 15, or for such other distance shown on the approved transportation plans.
42. Before section 224(c) certification is sought for the stage containing Lots 13–15:
- a. the sight-envelope works, vegetation removal and headlight screening required by condition 41 must be completed;
  - b. a suitably qualified and experienced transportation engineer must certify that the completed works provide the visibility and headlight mitigation shown on the approved transportation plans; and

- c. a consent notice must be prepared in registrable form against each lot containing or relying on the sight envelope or headlight screening, requiring those measures to be retained and maintained on an ongoing basis.

#### **Rights of way and gates**

- 43. All shared rights of way must be designed and constructed in accordance with the certified engineering plans and the applicable Regional Infrastructure Technical Specifications and must meet the following minimum standards:
  - a. where serving one residential lot, a formed carriageway width of 4.5 m;
  - b. where serving between two and six residential lots, a formed carriageway width of 6 m;
  - c. Lot 104 may have a minimum legal width of 6 m where it serves only Lots 43 and 47; and
  - d. all other shared rights of way must have a minimum legal width of 7 m.
- 44. Where a lot boundary is less than 8 m from the edge of the Horahora Road carriageway, any gate providing vehicle access from Horahora Road must be recessed at least 8 m from the edge of the carriageway.
- 45. No gate may be installed across the entrance of a shared right of way where it connects with Horahora Road.

#### **Horahora Road curve-safety improvements**

- 46. Before section 224(c) certification is sought for the first residential stage, the consent holder must complete the following safety improvements to the reverse curves adjoining the site:
  - a. install or reinstate edge-marker posts at the spacing required by the Traffic Control Devices Manual, including at approximately 15 m centres through the reverse curves where applicable;
  - b. install white raised reflective pavement markers at 20 m centres along the centreline and at 10 m centres along the solid centreline through the reverse curves;
  - c. install red raised reflective pavement markers at 10 m centres along the left-hand edge lines through the reverse curves;
  - d. install compliant advance curve-warning and advisory-speed signage;
  - e. install four-bar chevron sight boards on both approaches to the reverse curves; and
  - f. confirm that the existing chevron curve-indicator signs are located in accordance with the Traffic Control Devices Manual and relocate any non-compliant sign.

#### **Waikato River Trail**

- 47. Safe and continuous public use of the Waikato River Trail must be maintained throughout construction, except during a temporary closure or diversion undertaken in accordance with condition 48.
- 48. Before temporarily closing or diverting any part of the Waikato River Trail, the consent holder must:
  - a. obtain the prior written agreement of Council's trail manager;
  - b. provide a safe and clearly marked temporary route, where practicable;
  - c. install appropriate warning and directional signage;

- d. provide barriers or other public-safety measures appropriate to the nature of the works; and
  - e. notify trail users through the method and within the timeframe agreed with Council's trail manager.
49. Any part of the Waikato River Trail damaged or disturbed by construction must be:
- a. safely regraded or locally realigned where necessary to accommodate an approved intersection, vehicle crossing, roadside-drainage work or sightline improvement;
  - b. reinstated in accordance with the certified engineering plans;
  - c. reinstated to a formation width, surface and standard consistent with the adjoining trail; and
  - d. available for safe public use before section 224(c) certification is sought for the relevant stage.

### **Stormwater**

50. Before or at the same time as the detailed engineering plans for the first stage are submitted under condition 9, the consent holder must submit an updated subdivision-wide Stormwater Management Plan to Council for certification.
51. The purpose of the Stormwater Management Plan is to:
- a. identify the stormwater infrastructure and treatment measures required to service the subdivision;
  - b. ensure that stormwater runoff is collected, conveyed, treated and discharged in accordance with the approved stormwater design;
  - c. protect the Waikato River, gullies, wetlands and other receiving environments from scour, erosion, sediment and contaminants; and
  - d. establish clear and enforceable requirements for the operation, inspection, maintenance, repair and replacement of all private and communal stormwater infrastructure.
52. The Stormwater Management Plan must be prepared by a suitably qualified and experienced stormwater professional and must include:
- a. plans identifying all communal and on-lot stormwater infrastructure;
  - b. the stormwater collection, conveyance, treatment, detention, soakage and discharge measures applying to roads, accessways, common areas and residential lots;
  - c. the design and performance requirements for roadside swales, culverts, treatment devices, detention and soakage devices, discharge points and overland-flow paths;
  - d. erosion and scour protection at discharge points;
  - e. the stormwater-treatment measures required before discharge;
  - f. the ownership and maintenance responsibility for each stormwater asset;
  - g. the inspection, servicing, maintenance, repair and replacement requirements for each type of stormwater asset;
  - h. the required frequency of inspections and maintenance;
  - i. the allocation of maintenance, repair and replacement costs for any stormwater asset serving more than one lot;
  - j. any access arrangements required to inspect, maintain, repair or replace communal stormwater infrastructure;

- k. the records that must be retained to demonstrate inspection and maintenance;
  - l. procedures for responding to blockages, failures, erosion, flooding or other stormwater-related incidents; and
  - m. the ongoing obligations to be imposed on the owners of the residential lots through consent notices.
- 53. Council may certify the Stormwater Management Plan only where it demonstrates consistency with:
  - a. the approved stormwater design;
  - b. the applicable requirements of the Regional Infrastructure Technical Specifications;
  - c. the conditions of these consents;
  - d. any Waikato Regional Council consent held in relation to the land, or Waikato Regional Council Guideline for stormwater; and
  - e. the stormwater treatment, detention, soakage and discharge outcomes relied upon in the application and decision.
- 54. The detailed engineering plans for the first stage must not be certified until Council has certified the Stormwater Management Plan. The stormwater system for each stage must subsequently be designed and constructed in accordance with:
  - a. the certified Stormwater Management Plan;
  - b. the certified engineering plans; and
  - c. the conditions of these consents.
- 55. Any material amendment to the certified Stormwater Management Plan must be submitted to Council for further certification before it is implemented. Council may certify an amendment only where it achieves the purpose in condition 51 and remains consistent with the matters identified in condition 53.
- 56. Before section 224(c) certification is sought for each stage, the consent holder must provide Council with:
  - a. as-built plans identifying all stormwater infrastructure established within that stage;
  - b. certification from a suitably qualified and experienced stormwater professional confirming that the stormwater system has been constructed in accordance with the certified engineering plans and Stormwater Management Plan;
  - c. confirmation of the ownership and ongoing maintenance responsibility for every stormwater asset established within that stage; and
  - d. final version of the Stormwater Management Plan incorporating the as-built stormwater system for that stage.
- 57. Before section 224(c) certification is sought for each stage, the consent holder must prepare in registrable form a consent notice under section 221 of the Resource Management Act 1991 against every residential title created by that stage.
- 58. The consent notice required by condition 57 must:
  - a. identify the applicable Stormwater Management Plan by title, author, reference, revision and date;
  - b. identify the stormwater assets located on or serving the lot, state who owns each asset, and specify the lot owner's responsibilities for any shared

asset, including access, inspection, maintenance, repair, replacement and costs require;

- c. require the owner to inspect, operate, maintain, repair and replace all private stormwater devices located within the lot in accordance with the Stormwater Management Plan;
  - d. require the owner to comply with the responsibilities allocated to the lot for any communal stormwater infrastructure serving that lot;
  - e. require the owner to meet the lot's allocated share of the reasonable inspection, maintenance, repair and replacement costs for any communal stormwater infrastructure;
  - f. prohibit any building, structure, earthwork, planting or storage that would obstruct stormwater infrastructure, prevent access for maintenance or impede an identified overland-flow path; and
  - g. prohibit the modification, removal or obstruction of a stormwater device or overland-flow path except in accordance with a design prepared or certified by a suitably qualified and experienced stormwater professional and any required statutory authorisation.
59. Where the certified Stormwater Management Plan identifies that stormwater infrastructure serving one lot is located on another lot, or that access across another lot is required for its inspection, operation, maintenance, repair or replacement, the consent holder must, before section 224(c) certification is sought for the relevant stage, provide registrable private drainage and access easement instruments. The instruments must identify the burdened and benefited land, the stormwater assets and drainage rights, and the rights of entry and maintenance. They must be consistent with the ownership and cost responsibilities in the certified Stormwater Management Plan.

## **Wastewater**

60. Each residential lot must be capable of accommodating an on-site treatment and land-disposal system providing, as a minimum, secondary treatment of domestic wastewater.
- a. the design and performance of these systems must be compliant with Waikato Regional Council Regional Plan Rule 36.5.7.6 which governs effluent disposal loadings;
  - b. The disposal areas be planted with water-tolerant vegetation to assist with further treatment and environmental integration;
61. Each residential lot must contain both a primary land-disposal area and a reserve land-disposal area that:
- g. are suitable for the proposed on-site wastewater system;
  - h. comply with the required setbacks from boundaries, buildings, waterbodies, wetlands and the Waikato River;
  - i. are located outside any area subject to inundation or geotechnical instability;
  - j. are located outside any identified overland-flow path, ecological protection area or building restriction; and
  - k. are shown on the certified engineering plans.
62. Before section 224(c) certification is sought for each stage, a suitably qualified and experienced wastewater professional must provide written confirmation that each residential lot created by that stage can accommodate a compliant on-site

wastewater-treatment and land-disposal system within the areas identified under condition 61.

63. The consent holder shall ensure that the s224(c) certification application for each stage is accompanied by a consent notice in a registrable form under section 221 of the Resource Management Act 1991 against every residential title created by that stage recording that:
- a. wastewater must be treated through an on-site wastewater system providing, as a minimum, secondary treatment;
  - b. the wastewater system must be designed by a suitably qualified and experienced wastewater professional;
  - c. the primary and reserve land-disposal areas shown on the certified engineering plans must be retained and kept free of buildings, accessways and impermeable surfaces; and
  - d. where the wastewater discharge does not comply with the applicable permitted-activity requirements, the necessary regional resource consent must be obtained before the system is installed or operated.

#### **Water**

64. Before section 224(c) certification is sought for each stage, the consent holder must prepare in registrable form a consent notice under section 221 of the RMA against every residential title created by that stage. The consent notice must require the owner, before occupying a dwelling on the lot, to provide:
- a. a potable-water supply and storage of sufficient quality and capacity for the residential use; and
  - b. firefighting-water storage and access in accordance with SNZ PAS 4509:2008, New Zealand Fire Service Firefighting Water Supplies Code of Practice.

The design of these facilities must be provided with the building consent application, and the facilities must be installed before the dwelling is occupied.

#### **Electricity and telecommunications**

65. The consent holder must provide an electric power connection to the boundary of each residential lot created by that stage. Written confirmation from the network utility provider that a connection is completed to their satisfaction shall be submitted to Council prior to section 224(c) RMA certification
66. That either:
- a. The consent holder must provide evidence to prior to 224c that each residential lot created in the relevant stage, as shown on the approved scheme plan has been provided a wired telecommunications connection, OR
  - b. The consent holder must ensure that pursuant to section 221 of the Act the following consent notice conditions is imposed on the titles of each residential lot created in the relevant stage, as shown on the approved scheme plan stating; "Future owners of a lot to which this consent notice relates are advised that a wired telecommunications connection to the allotment has not been installed at the time of subdivision. Future owners are advised to investigate wired or wireless connections at their own expense."

#### **Landscape mitigation**

67. No less than 20 working days before physical works commence within each stage, the consent holder must submit a Landscape, Visual Amenity and Mitigation Planting Plan for that stage to Council for certification.

68. Each Landscape, Visual Amenity and Mitigation Planting Plan must:
- be prepared by a suitably qualified and experienced landscape architect;
  - be in general accordance with the approved Landscape Master Plan;
  - integrate the requirements of the certified Ecological Management Plan; and
  - demonstrate how the landscape mitigation required for the relevant stage will be established, protected and maintained.
69. Each Landscape, Visual Amenity and Mitigation Planting Plan must include:
- the location and extent of vegetation to be retained;
  - the location and extent of proposed planting;
  - the planting required along the Waikato River frontage, gullies, roads, accessways, ecological restoration areas and external site boundaries;
  - the planting required within or adjoining individual residential lots;
  - plant species, numbers, spacing and grades;
  - anticipated plant heights at establishment, 10 years after establishment and maturity;
  - site preparation, soil, staking, irrigation and mulching requirements;
  - planting-season requirements;
  - plant-maintenance and replacement requirements;
  - pest-plant and animal-pest control measures;
  - monitoring requirements and measurable performance targets;
  - the location and design of any fencing required to protect planting or retained vegetation; and
  - the person or entity responsible for implementing, monitoring and maintaining each planting area.
70. Council may certify a Landscape, Visual Amenity and Mitigation Planting Plan only where it demonstrates consistency with:
- the approved Landscape Master Plan;
  - the approved Landscape and Visual Assessment;
  - the certified Ecological Management Plan;
  - the conditions of these consents; and
  - the landscape and visual mitigation relied upon in the application and decision.
71. All landscape planting required for each stage must be completed before section 224(c) certification is sought for that stage, unless:
- planting during that period would be inconsistent with the planting season specified in the certified Landscape, Visual Amenity and Mitigation Planting Plan;
  - the consent holder has submitted an alternative implementation programme requiring the planting to be completed during the next specified planting season;
  - Council has certified that implementation programme; and

- d. the consent holder has provided a bond under section 108(2)(b) of the Resource Management Act 1991 sufficient to cover the reasonable cost of completing and maintaining the deferred planting.
- 72. Where planting is deferred under condition 71:
  - a. the planting must be completed during the next planting season specified in the certified Landscape, Visual Amenity and Mitigation Planting Plan;
  - b. a suitably qualified and experienced landscape architect must provide Council with written certification that the planting has been completed in accordance with the certified plan; and
  - c. the bond must not be released until Council has received the certification required by clause (b).
- 73. All landscape and visual mitigation planting must be maintained for:
  - a. a minimum of five years following completion of the planting; and
  - b. thereafter until at least 80% canopy cover and the other performance targets specified in the certified Landscape, Visual Amenity and Mitigation Planting Plan have been achieved,
  - c. provided that the active maintenance period required by this condition need not exceed 15 years.
- 74. During the maintenance period required by condition 73:
  - a. dead, diseased, damaged or failed plants must be replaced during the next appropriate planting season;
  - b. replacement planting must use the same species or an alternative species specified in the certified Landscape, Visual Amenity and Mitigation Planting Plan;
  - c. pest plants and animal pests must be controlled in accordance with the certified plan; and
  - d. fences, stakes, guards, irrigation and other measures required to protect the planting must be maintained in effective condition.
- 75. At the end of the maintenance period, the consent holder must provide Council with written certification from a suitably qualified and experienced landscape architect confirming that:
  - a. the required canopy cover has been achieved;
  - b. the other performance targets in the certified Landscape, Visual Amenity and Mitigation Planting Plan have been achieved; and
  - c. the planting is established and is likely to remain viable without active establishment maintenance.
- 76. Completion of the maintenance period does not authorise the removal or material reduction of planting required as landscape or visual mitigation. That planting must be retained thereafter, except where an individual plant is dead, diseased or presents a demonstrable safety risk, in which case replacement planting must be undertaken during the next appropriate planting season.
- 77. Before approval of the survey plan under section 223 of the Resource Management Act 1991 for each stage, the consent holder must ensure that any landscape or visual mitigation planting areas required ongoing retention within privately owned lots are identified on the survey/LT plan for that stage. The areas shown must be consistent with the certified Landscape, Visual Amenity and Mitigation Planting Plan and must be identified in the consent notice registered against each affected lot.

78. Before section 224(c) certification is sought for each stage the obligations in conditions 73–76, and condition 72 where planting has been deferred under condition 71 must be included, insofar as they apply to the lot concerned, in consent notices registered against the titles containing that planting.

### **Ecology**

79. Before physical works commence within the first stage, the consent holder must submit a final subdivision-wide Ecological Management Plan to Council for certification.
80. The Ecological Management Plan must be prepared by a suitably qualified and experienced ecologist and must:
- a. incorporate the recommendations of Council’s ecological reviewer dated 10 August 2026;
  - b. identify all existing and proposed ecological protection and restoration areas;
  - c. identify the bat-habitat setbacks applying to existing and proposed bat habitat;
  - d. specify the protocols applying to the inspection and removal of potential bat-roost trees;
  - e. specify the measures applying to potential lizard habitat;
  - f. set out the indigenous restoration and enhancement planting requirements;
  - g. set out the pest-plant and animal-pest control programme;
  - h. establish measurable planting, canopy-closure, habitat and pest-control performance targets;
  - i. specify the monitoring and reporting required to demonstrate that the performance targets are being achieved; and
  - j. identify the person or entity responsible for implementing, monitoring and maintaining each ecological protection or restoration area.
81. Council may certify the Ecological Management Plan only where it demonstrates consistency with:
- a. the approved ecological assessment and plans;
  - b. the recommendations of Council’s ecological reviewer dated 10 August 2026;
  - c. the approved Landscape Master Plan;
  - d. the conditions of these consents; and
  - e. the ecological mitigation and enhancement relied upon in the application and decision.
82. Physical works must not commence within any stage until Council has certified the Ecological Management Plan in writing.
83. Before physical works commence within each stage, the consent holder must provide Council with written confirmation from a suitably qualified and experienced ecologist that:
- a. the ecological protection and restoration areas within or adjoining that stage have been clearly marked or fenced;
  - b. the required bat-habitat setbacks have been identified and clearly marked;

- c. contractors have been inducted into the ecological requirements applying to the stage; and
  - d. the pre-works ecological inspections and surveys required by the certified Ecological Management Plan have been completed.
- 84. No building, structure, earthwork, accessway, construction compound, storage area or other construction or domestic activity may occur within an ecological protection area or bat-habitat setback, except where expressly shown on an approved plan and provided for in the certified Ecological Management Plan.
- 85. A 25 m-wide bat-habitat setback must be maintained around the outer edge of the existing and proposed bat habitat identified on the approved ecological plans and in the certified Ecological Management Plan, including the relevant parts of Areas D and AI and Areas BA, BB and BC.
- 86. A potential bat-roost tree must not be removed except:
  - a. in accordance with the Department of Conservation bat-roost protocols identified in the certified Ecological Management Plan; and
  - b. under the supervision of a suitably qualified and experienced bat ecologist.
  - c. Where a confirmed bat roost is removed, the consent holder must install:
  - d. at least four suitable bat-roost boxes for each confirmed roost removed; or
  - e. any higher replacement ratio specified in the certified Ecological Management Plan.
- 87. Trees supporting bat-roost boxes must be fitted with appropriate predator-exclusion devices. The boxes and predator-exclusion devices must be inspected and maintained in accordance with the certified Ecological Management Plan.
- 88. Before potential lizard habitat is cleared or disturbed, a suitably qualified and experienced herpetologist must:
  - a. assess the affected habitat;
  - b. undertake any survey required by the certified Ecological Management Plan; and
  - c. prepare and implement any salvage, relocation or habitat-protection measures required by the certified Ecological Management Plan.
- 89. Ecological restoration and enhancement planting must:
  - a. use indigenous species appropriate to the site and habitat type;
  - b. include supplementary canopy species at the time of initial planting;
  - c. include enhancement planting within gaps in the existing poplar areas;
  - d. include the restoration and enhancement planting required within Areas BA–BH;
  - e. achieve the planting densities and spacing specified for wetland and dryland areas; and
  - f. achieve the establishment and canopy-closure targets specified in the certified Ecological Management Plan.
- 90. Pest-plant and animal-pest control must be undertaken within all ecological protection and restoration areas in accordance with the certified Ecological Management Plan.
- 91. The pest-control programme contained in the Ecological Management Plan must identify:
  - a. the target pest-plant and animal-pest species;

- b. the control methods;
  - c. indicative device locations and spacings;
  - d. inspection and servicing frequencies;
  - e. measurable performance targets;
  - f. monitoring and reporting requirements; and
  - g. the person or entity responsible for implementing the programme on an ongoing basis.
92. Before section 224(c) certification is sought for each stage, all ecological protection and restoration areas located within that stage must be legally protected in perpetuity through:
- a. a registered conservation covenant; and
  - b. a consent notice under section 221 of the Resource Management Act 1991.
93. The legal protection required by condition 92 must:
- a. prohibit buildings, structures, earthworks, vegetation clearance, dumping, storage and domestic activities within the protected area, except where expressly authorised by the certified Ecological Management Plan;
  - b. require the indigenous vegetation, restoration planting and habitat values to be retained and protected;
  - c. require the pest-plant and animal-pest control programme to be implemented on an ongoing basis;
  - d. require continued compliance with the applicable monitoring, maintenance and replacement requirements of the certified Ecological Management Plan; and
  - e. identify the person or entity responsible for those obligations.

### **Lighting**

94. Exterior lighting must be designed, located and operated to minimise light spill onto the Waikato River margin, gullies, ecological protection areas and identified bat habitat.
95. Exterior lighting within or adjoining a bat-habitat setback must:
- a. be directed downward;
  - b. be shielded away from the Waikato River, gullies and vegetation;
  - c. use luminaires with a correlated colour temperature not exceeding 2700 Kelvin;
  - d. ensure that artificial light spill does not exceed 0.3 lux at the outer edge of the 25 m bat-habitat setback; and
  - e. be extinguished when not required for safety or essential access.

### **Accidental discovery**

96. If any archaeological material, kōiwi or taonga is discovered during earthworks:
- a. all works within 20 m of the discovery must cease immediately;
  - b. the discovery area must be secured against further disturbance;
  - c. Council, Heritage New Zealand Pouhere Taonga, Raukawa Charitable Trust and Ngāti Koroki Kahukura must be notified as soon as practicable;
  - d. the New Zealand Police must also be notified if the discovery includes kōiwi;

- e. the discovery must be managed in accordance with the requirements of the Heritage New Zealand Pouhere Taonga Act 2014 and any applicable tikanga agreed with tangata whenua; and
- f. works must not recommence within the affected area until any necessary statutory authority has been obtained and Council has received written confirmation that the applicable archaeological and cultural requirements have been addressed.

### **Esplanade strip**

97. Before section 224(c) certification is sought for each stage, the consent holder must, in relation to the part of the Waikato River frontage contained within that stage:
- a. create a 10 m-wide esplanade strip along the full extent of that frontage in accordance with sections 232 and 233 and Schedule 10 of the RMA;
  - b. identify the location and width of that part of the esplanade strip on the relevant survey plan;
  - c. submit the proposed esplanade-strip instrument to Council for certification;
  - d. register the certified instrument against each Record of Title containing part of the esplanade strip;
  - e. ensure that the esplanade strip established through that stage connects continuously with any adjoining part of the strip previously established or required to be established through another stage;
  - f. ensure that the registered instrument:
    - i. secures public access along the Waikato River frontage;
    - ii. binds the registered proprietors of the affected land and their successors in title; and
    - iii. specifies the applicable rights, restrictions and ongoing landowner responsibilities relating to the use and management of the strip; and
  - g. complete the fencing, planting, weed control, erosion protection and other works within or adjoining that part of the esplanade strip required by the approved plans, certified Landscape, Visual Amenity and Mitigation Planting Plan or certified Ecological Management Plan.

**Advice note:** *These consents do not require the Waikato River Trail to be permanently relocated into the esplanade strip. Any future relocation of the trail by Council would be undertaken separately. Any part of the existing trail disturbed by the subdivision works must be protected, temporarily managed and reinstated in accordance with the applicable conditions of this consent.*

### **Recreation reserve**

98. The consent holder shall ensure that Lot 37 is shown on the Land Transfer Plan submitted for s223 certification as Local Purpose Reserve (Recreation) to vest in Council.

### **Easements and legal instruments**

99. The consent holder shall ensure that for each stage, as part of the s223 certification application, all easements required to provide legal access, services, drainage, sightlines or rights of inspection and maintenance for the lots or infrastructure created by that stage must:
- a. be duly granted or reserved;

- b. be shown in the memorandum of easements on the relevant survey plan; and
  - c. be registered against the relevant Records of Title.
- 100. Public infrastructure located within private land must be protected by an easement in gross in favour of Council, except where these conditions expressly provide for the infrastructure to remain privately owned and managed in accordance with a certified management plan and consent notice.
- 101. Private infrastructure serving more than one lot must be protected by appropriate easements in favour of every lot relying on that infrastructure. The easements must provide sufficient rights of access for inspection, operation, maintenance, repair and replacement of the infrastructure.
- 102. The consent holder must, at its expense:
  - a. prepare all easement, covenant and consent-notice instruments required by these conditions;
  - b. submit the instruments to Council for certification before registration; and
  - c. register the certified instruments before section 224(c) certification is issued for the relevant stage.

#### **Financial contributions**

- 103. Pursuant to Rule FC-R2(1) and FC-R2(4) of the South Waikato Operative District Plan and section 108(2)(a) of the Resource Management Act 1991, the consent holder shall pay financial contributions totalling \$6,529.00 per additional allotment (GST inclusive). The consent holder shall pay the applicable contributions for each stage, prior to the release of the section 224(c) certificate for that stage.

The contribution is made up of \$4,632.00 for roading and \$1,897.00 for reserves with the total amount payable for each stage and the additional 72 allotments being created shown on the staging plan approved under Condition 1 being:

| <b>Stage</b> | <b>Additional Allotments Created</b> | <b>Total Contributions Payable per Stage</b> |
|--------------|--------------------------------------|----------------------------------------------|
| <b>1</b>     | 15                                   | \$97,935.00                                  |
| <b>2</b>     | 21                                   | \$137,109.00                                 |
| <b>3</b>     | 36                                   | \$235,044.00                                 |

#### **Consent notices**

- 104. The consent holder must submit to Council as part of the s224(c) certification application for each stage, and subsequently register under section 221 of the RMA, a consent notice against every residential title created by that stage.
- 105. For each balance lot created by Stage 1 or Stage 2, the section 224(c) application must identify any ongoing obligation under these conditions that will apply to that lot after the survey plan for that stage is deposited, including obligations relating to infrastructure, planting or ecological protection. The consent holder must submit the consent notice or other legal instrument required by these conditions to secure that obligation against the balance lot. An obligation that arises only upon commencement or completion of a subsequent stage need not be secured as part of the earlier stage.
- 106. Condition 104 applies to the following residential lots shown on the approved Cogswell Surveys Limited Scheme Plan, reference 5237, Revision I, dated 18 June 2026:

- a. Lots 1–36;
  - b. Lot 38; and
  - c. Lots 44–83.
107. Each consent notice must include the requirements of conditions 115-137 that are applicable to the lot concerned, together with:
- a. the applicable obligations contained in the certified Stormwater Management Plan;
  - b. the applicable on-site wastewater requirements;
  - c. the potable-water and firefighting-water requirements;
  - d. any landscape, ecological protection, planting, fencing, lighting or pest-control obligations applying to the lot;
  - e. for each lot containing a building restriction area identified under condition 28, the consent notice must identify that area by reference to its designation on the Land Transfer Plan and prohibit buildings and other structures, other than fencing, within it; the notice must also include any other geotechnical or natural-hazard restriction applying to the lot;
  - f. any reverse-sensitivity acknowledgment applying to the lot; and
  - g. any other ongoing obligation that these conditions expressly require to be secured through a consent notice.
108. Before section 224(c) certification is issued for a stage, the consent holder must provide Council with:
- a. copies of all consent notices and land covenants registered in relation to that stage; and
  - b. updated Records of Title confirming that the instruments have been registered against every title to which they apply.

#### LAXON FAMILY LAND COVENANT

109. Before section 224(c) certification is sought for the stage containing the relevant riverside residential lots, the consent holder must register a land covenant against each riverside residential title identified on the approved plans as being subject to the Laxon Family covenant.
110. The covenant required by condition 109 must:
- a. burden the relevant riverside residential titles;
  - b. be for the benefit of the land at 104 and 1/104 Finlay Road, Maungatautari, legally described as Lot 1 DP 597929, Record of Title 1158714, and Lot 1 DP 427392, Record of Title 508005, or such updated legal descriptions as apply at the date of registration;
  - c. be enforceable by the registered proprietors of the benefited land and their successors in title;
  - d. incorporate, in materially the same terms as the corresponding consent notices, the applicable building-location, building-design, colour, reflectivity, landscaping and vegetation-retention requirements imposed by these conditions;
  - e. provide that those obligations bind the registered proprietors of the burdened titles and their successors in title; and
  - f. not be varied, surrendered or extinguished without the prior written agreement of the registered proprietors of the benefited land.

111. Where a proposed variation, surrender or extinguishment of the covenant required by condition 109 would be inconsistent with a condition or consent notice imposed under this consent, the corresponding condition or consent-notice requirement must first be varied or cancelled in accordance with the RMA.

#### TAKAPOTO ESTATE LAND COVENANT AND CONSENT NOTICE

112. Before section 224(c) certification is sought for a stage, the consent holder must register the land covenant agreed between the applicant and Profile Farms Limited against every residential title created by that stage to which that agreement applies.
113. The covenant required by condition 112 must:
- a. be in materially the same terms as the covenant agreed between the applicant and Profile Farms Limited and attached to the Profile Farms Limited submission;
  - b. identify the relevant Takapoto Estate land, including:
    - i. Takapoto North at 43 and 81 Finlay Road, Maungatautari, also referred to as 37 Plantation Road, legally described as Lot 2 DPS 35212, Record of Title SA440/890; and
    - ii. Takapoto South at 80 Finlay Road, Maungatautari, legally described as Lot 2 DP 597929, Record of Title 868472;
  - c. acknowledge the existing and lawfully established activities and events undertaken at Takapoto Estate and the noise, traffic, lighting, visual and amenity effects that may arise from those activities;
  - d. include the agreed restriction relating to complaints concerning lawfully established activities and events at Takapoto Estate;
  - e. prohibit the discharge of firearms and setting off of fireworks on the burdened residential lots;
  - f. bind the registered proprietors and occupiers of the burdened titles and their successors in title; and
  - g. not be varied, surrendered or extinguished without the prior written agreement of Profile Farms Limited or the registered proprietor of the benefited land.
114. The acknowledgment of Takapoto Estate's existing activities and the prohibition on the discharge of firearms and setting off of fireworks must also be included in the consent notices registered against the residential lots to which those requirements apply.

#### BUILDING USE, LOCATION AND COVERAGE

115. No more than one dwelling may be constructed or used on each residential lot.
116. An accessory building may be established on a residential lot but must not be designed, constructed or used as a separate dwelling, minor residential unit, secondary dwelling or independent residential unit.
117. The combined building footprint of all buildings on a residential lot must not exceed:
- a. 500 m<sup>2</sup>; or
  - b. 10% of the net site area,
- whichever is the lesser.

118. Every dwelling and accessory building must be located wholly within the approved 800 m<sup>2</sup> building area shown for the lot on the approved plans, unless otherwise authorised by a subsequent resource consent.
119. No building or structure, except fencing along a boundary, may be located within:
- a. the approved 25 m building restriction line measured from the top of the Waikato Riverbank;
  - b. the setback defined by a 1 vertical to 2 horizontal projection from the toe of a slope exceeding 25 degrees; or
  - c. any other geotechnical or natural-hazard building restriction area shown on the approved plans.

#### BUILDING DESIGN

120. All buildings must comply with the following requirements:
- a. building height must not exceed 6 m above final ground level;
  - b. roof colours and materials must have a Light Reflectance Value of less than 20%;
  - c. wall colours and materials must have a Light Reflectance Value of less than 30%;
  - d. exterior materials must have a recessive appearance and must not be highly reflective; and
  - e. detached accessory buildings, water tanks and other vertical infrastructure must, where practicable, be located beside or behind the dwelling when viewed from the Waikato River.
121. The finished-floor level of every dwelling constructed on Lots 1–36, Lot 38 and Lots 44–83 must be no lower than 56.8 m RL in terms of New Zealand Vertical Datum 2016.

#### GEOTECHNICAL CONFIRMATION

122. Before an application for building consent is lodged for a dwelling or accessory building, a suitably qualified and experienced geotechnical professional must:
- a. confirm that the proposed building location is geotechnically suitable;
  - b. confirm that the building is located outside the building restriction areas shown on the approved plans;
  - c. identify any site-specific earthworks, foundation-design or slope-stability requirements; and
  - d. provide the resulting written assessment and recommendations with the building-consent application.

#### ON-LOT LANDSCAPING

123. The owner of each residential lot must establish all on-lot planting shown for that lot in the certified Landscape, Visual Amenity and Mitigation Planting Plan before the principal dwelling is occupied.
124. The planting required by condition 123 must be retained and maintained for the life of the development. Any dead, diseased, damaged or failed plant must be replaced during the next appropriate planting season with a plant of the same species or an alternative species specified in the certified Landscape, Visual Amenity and Mitigation Planting Plan.
125. Existing vegetation identified for retention on an approved plan or certified management plan must not be removed unless:

- a. the vegetation is dead, diseased or presents a demonstrable risk to people or property;
- b. its removal is supervised or approved by a suitably qualified and experienced arborist, ecologist or landscape architect, as appropriate; and
- c. replacement planting is undertaken in accordance with the applicable certified management plan.

#### STORMWATER

- 126. All development of a residential lot must comply with the certified Stormwater Management Plan, including the on-lot detention, soakage, conveyance, treatment and discharge measures specified for that lot.
- 127. The owner of each residential lot is responsible for inspecting, operating, maintaining, repairing and, when necessary, replacing every private stormwater device located within or serving the lot, in accordance with the certified Stormwater Management Plan.
- 128. No building, structure, earthwork, planting or other activity may:
  - a. obstruct or divert an overland-flow path identified in the certified Stormwater Management Plan;
  - b. reduce the effectiveness of an approved stormwater device; or
  - c. prevent reasonable access to a stormwater device for inspection, maintenance, repair or replacement.
- 129. No owner or occupier may modify or remove an approved stormwater device or depart from the certified Stormwater Management Plan unless the change has first been certified by Council in accordance with the stormwater conditions of this consent and any necessary regulatory approvals have been obtained.

#### WASTEWATER

- 130. Wastewater generated on a residential lot must be treated and discharged through an on-site wastewater-treatment and land-disposal system:
  - a. designed by a suitably qualified and experienced wastewater professional;
  - b. providing at least secondary treatment;
  - c. located within the approved primary land-disposal area;
  - d. provided with an approved reserve land-disposal area; and
  - e. installed and operated in accordance with the designer's requirements and all applicable regional requirements.
- 131. No building, structure, accessway, impermeable surface or activity that may compromise wastewater disposal may be established within an approved primary or reserve wastewater-disposal area.
- 132. Where an on-site wastewater discharge does not comply with the applicable permitted-activity requirements, the necessary regional consent must be obtained before the system is installed or operated.

#### WATER SUPPLY

- 133. The owner must provide with the building consent for any dwelling, information to demonstrate that the following requirements for water supply are met:
  - a. a potable-water supply of sufficient quality and capacity for the intended residential use; and
  - b. a firefighting water supply that meets the requirements of the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS

4509:2008 storage and Fire and Emergency New Zealand access that comply with the applicable firefighting-water requirements.

#### ECOLOGICAL, FENCING AND LIGHTING CONTROLS

134. No building, structure, earthwork, storage area or domestic activity may be established or undertaken within an ecological protection area or bat-habitat setback, except where expressly authorised by the certified Ecological Management Plan.
135. Fencing adjoining the Waikato River, an esplanade strip, or gully area must:
  - a. comprise rural-style post-and-rail, post-and-wire, or post-and-wire-netting fencing;
  - b. not exceed 1.2 m in height; and
  - c. not comprise solid panels or close-boarded fencing.
136. Exterior lighting on a residential lot must comply with the lighting conditions of this consent, including the applicable restrictions on the direction, shielding, colour temperature, hours of operation and maximum light spill of exterior lighting.
137. No domestic cat may be kept or permitted to remain on a residential lot.

#### RURAL REVERSE SENSITIVITY

138. Each consent notice must advise future owners and occupiers that the residential lot is located within a rural environment in which lawfully established farming and rural-production activities may generate noise, dust, odour, agrichemical spray, vibration, traffic, machinery movements, stock movements and other effects that are characteristic of the rural environment.

#### RIGHTS OF WAY AND GATES

139. The consent notice registered against each residential lot served by a shared right of way must include the requirement in condition 45 that no gate may be installed across the entrance to that of a right of way of way where it connects with Horahora Road.

#### ADVICE NOTES

- a. Plans required to be submitted to Council for certification shall be submitted electronically via [planningteam@southwaikato.govt.nz](mailto:planningteam@southwaikato.govt.nz)
- b. The consent holder shall pay to the South Waikato District Council the actual and reasonable costs associated with the monitoring of conditions (or review of consent conditions), or supervision of the resource consent as set in accordance with Section 36 of the Resource Management Act 1991. These costs\* may include site visits, correspondence and the actual costs of materials or services which may have to be obtained.  
\*Please refer to South Waikato District Council's current schedule of Resource Management fees for guidance on the current hourly rate chargeable for Council's staff.
- c. The consent holder shall notify the Council's Environmental Monitoring and Compliance Officer of the start and completion dates of the works in writing at least three working days before the works are carried out. The consent holder shall fill out and return (by email to the Environmental Monitoring and Compliance Officer at [planningteam@southwaikato.govt.nz](mailto:planningteam@southwaikato.govt.nz), or by post to Private Bag 7, Tokoroa 3444) the form that is attached to this decision.
- d. It is the consent holder's responsibility to comply with any conditions imposed on this resource consent prior to and during (as applicable) exercising this resource consent.
- e. If you disagree with any of the above conditions or disagree with the additional charges relating to the processing of the application, you have a right of objection pursuant to sections 357A or 357B of the Resource Management Act 1991. Any

objection must be made in writing to the Council's Resource Consents Manager within 15 working days of notification of the decision.

- f. The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety in Employment Act 1992), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.
- g. Additional fees will be required by the Council with the application(s) for the Section 223 and 224 certificates. The section 224 certificate will be issued following compliance with all conditions of consent set out above, and payment of any applicable financial contribution.
- h. Applications for sections 223 and 224(c) certifications shall be submitted electronically via [planningteam@southwaikato.govt.nz](mailto:planningteam@southwaikato.govt.nz)

DRAFT

## NOTICE OF COMMENCEMENT OF WORKS/OPERATION

**PLEASE POST OR EMAIL THIS COMPLETED PAGE AT LEAST 3 WORKING DAYS BEFORE COMMENCING ONSITE WORKS/OPERATION**

**To:** South Waikato District Council  
Private Bag 7  
TOKOROA 3444

**Or**

**Email:** [planningteam@southwaikato.govt.nz](mailto:planningteam@southwaikato.govt.nz)

**Attention:** Environmental Monitoring and Compliance Officer

|                                        |                                                                                                                                                                                                                                              |
|----------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Resource Consent</b>                | RM240115                                                                                                                                                                                                                                     |
| <b>Address</b>                         | 597 Horahora Road, Tirau                                                                                                                                                                                                                     |
| <b>Proposal</b>                        | Undertake a 73-lot rural lifestyle subdivision with two roads to vest and associated land use consent for earthworks and the future construction of a dwelling and an accessory building on each of the resulting rural lifestyle allotments |
| <b>Date works will commence onsite</b> |                                                                                                                                                                                                                                              |

|                                |  |
|--------------------------------|--|
| <b>Owner's contact details</b> |  |
| <b>Name</b>                    |  |
| <b>Phone number</b>            |  |
| <b>Postal address</b>          |  |
| <b>Email address</b>           |  |
| <b>Signature</b>               |  |

|                                                                  |  |
|------------------------------------------------------------------|--|
| <b>Contractor's contact details (e.g., building, earthmover)</b> |  |
| <b>Name</b>                                                      |  |
| <b>Phone number</b>                                              |  |
| <b>Email address</b>                                             |  |