

I	Subdivision (s11)	Maitahi Village subdivision and development
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**Resource Consent:** .....

**Grants to:** CCKV Maitai Dev Co Limited Partnership

**Lapse Date:** 10 years after consent commences

**Expiry date:** No expiry

**Location:** 7 Ralphine Way, Maitai Valley, Nelson

*Subject to the following conditions:*

**Lapse date:**

Your consent will lapse in ten years unless you have given effect to it before then (section 125 of the Act). For subdivisions the consent is given effect to when you have submitted a survey plan to the Council for the subdivision under Section 223 of the Act. Once the survey plan has been approved by the Council under Section 223 of the Act, the consent lapses three years thereafter unless it has been deposited with the District Land Registrar as outlined in Section 224 of the Act.

**CONDITIONS**

**General**

1. The activity shall be carried out in accordance with the application for resource consent, including any further information provided, and in accordance with the following conditions of consent. Where there is any apparent conflict between the application and consent conditions, the consent conditions shall prevail.
2. The subdivision shall proceed in accordance with the subdivision scheme plans A-L identified in Appendix A and labelled:
  - *'Proposed Subdivision Scheme Plan – Maitahi Village'* (Davis Ogilvie, Drawings 350-362, Version H, dated July 2025)

**Staging & Servicing Constraints**

3. The subdivision shall be undertaken in accordance with the subdivision scheme plan referred to in Condition 2.
  - a) Stage 0 is for a boundary adjustment.
  - b) Stage 1 is for 1 future development lot serviced by Road 1 (Lot 2000) and includes lot 500 (to be vested as Local Purpose - Stormwater Reserve), Lot 517 (to be vested as Local Purpose – Amenity Reserve) (at no cost to Council)).
  - c) Stage 2 is for 1 future development lot serviced by Road 1 (Lot 2001).
  - d) Stage 3 is for 37 residential lots serviced by Roads 2 & 5 (Lot 2002) and includes Lots 501 and 502 (to be vested as Local Purpose - Stormwater Reserve)
  - e) Stage 4 is for 19 residential lots serviced by Road 4 (Lot 2004) and includes Lot 514 (to be vested as Local Purpose – Protection Reserve)

- f) Stage 5 is for 11 residential lots and 1 commercial lot serviced by Roads 2 & 3 (Lot 2003) and includes Lots 515 (to be vested as Local Purpose - Protection Reserve), and 503 (to be vested as Local Purpose - Recreation Reserve – Neighbourhood Park).
  - g) Stage 6 is for 34 residential lots serviced by Roads 1, 9 & 10 (Lot 2005) and includes 504 (to be vested as Local Purpose - Amenity Reserve (at no cost to Council))
  - h) Stage 7 is for 14 residential lots serviced by Road 1 (Lot 2006) and includes Lots 505 (to be vested as Local Purpose - Stormwater Reserve).
  - i) Stage 8 is for 24 residential lots serviced by Road 11 (Lot 2007) and includes Lots 506 and 507 (to be vested as Local Purpose - Stormwater Reserve) and 508 (to be vested as Local Purpose -Amenity Reserve (at no cost to Council))
  - j) Stage 9 is for 19 residential lots serviced by Road 8 (Lot 2008), ROW 1 and includes Lots 509, 510 and 511 (to be vested as Local Purpose - Stormwater Reserve).
  - k) Stage 10 is for 24 residential lots serviced by Road 3 (Lot 2010), ROW's 3 & 4 and includes Lot 513 (to be vested as Esplanade Reserve) and 512(to be vested as Local Purpose - Amenity Reserve (at no cost to Council))
  - l) Stage 11 is for 2 balance lots.
4. Stages 0 and 1 shall proceed in numerical sequence. All other stages may proceed in any sequence or combined subject to the lot(s) within each stage being provided with legal and physical access to a road, connections to all reticulated network utilities for water, wastewater, stormwater, power and telecommunications, and overland stormwater flow paths to a Council approved system.
  5. Prior to the issue of Section 224(c) Certificate for any particular stage, all conditions relevant to that stage shall be complied with.
  6. Prior to the issue of Section 224 for any Stage other than Stage 0, the following transport constraints shall be completed and signed off by Council's Group Manager Infrastructure:
    - (a) The upgraded intersection of Nile Street East and Maitai Road;
    - (b) The works consented within RM245337-340.

#### **Geotechnical Risk Assessment of Land to Vest to Council**

7. A Geotechnical Risk Assessment that assesses the stability of the land to vest to Council for the purpose intended, and any works that are required to mitigate this risk to a level that is acceptable to Council, shall be provided for all Reserves to vest in each stage.

#### **Impervious Area Assessment**

8. An impervious area and stormwater flow assessment, that calculates the level of revegetation that will need to be planted to achieve no increases in post development stormwater flows on the downstream environment, shall be provided with any "Design" Engineer drawing for any stage (required by Condition 9).

#### **Channels & Stormwater Wetland Treatment Areas**

9. The widths of the channels and stormwater wetland treatment areas shown on the approved plans (required by Condition 9) shall be sufficient to meet the standards of the NTLDM.

## Prior to approval of the Survey Plan pursuant to Section 223 of the Act

### Staged Detailed Design (Stages 1-10)

10. Prior to applying for Section 223 for any of stages 1-10, detailed “Design” drawings, in accordance with the requirements of the Nelson Tasman Land Development Manual 2020 (NTLDM) and in accordance with the approved plans (except as otherwise required by any specific condition of consent) shall be provided to the Council’s Manager Utilities Activity Management. These “Design” drawings shall include the roads (including footpaths), rights of way, vehicle crossings, cycleways, reserve maintenance access and reticulated service networks (including secondary flowpaths).

Detailed landscaping plans shall also be prepared in accordance with the conditions of (consent #'s) and provided with the detailed design drawings.

The detailed “Design” drawings shall be supported with technical reporting and assessments that shall address but not be limited to the following matters in these respective stages:

#### A) **Stage 1:**

##### Transport

- i) A Road Safety Audit report (detailed design audit), to review the upgraded intersection of Nile Street East and Maitai Road and transport infrastructure within the stage, to determine whether the measures are effective design solutions, shall be undertaken by an independent and suitably qualified Safe System Auditor.
- ii) A traffic signal peer review, for the Nile Street East / Clousten Terrace / Maitai Road intersection to inform the traffic signal and intersection design, shall be undertaken by an independent suitably qualified traffic signal design specialist.
- iii) Bus Stops at 15m in length and 2.5m wide shall be incorporated into the road design of Road 1 (Lot 2000), and the roundabout design provides for a 12m long bus to undertake a 270 degree turn at the Road 1 and Road 3 intersection.
- iv) Deflection is provided in the roundabout intersection design for northbound vehicles to manage approach speeds for traffic safety.
- v) Re-arrangement of the boundaries for Lot 25 to allow the alignment of Road 5 to curve with a radius of 40m minimum into Road 2 and the remaining Road 5 creates a T-intersection.
- vi) The incorporation of a temporary turning head at the end of Road 1.
- vii) Increase in the services berm to 1.6m in width on both sides of Road 1.
- viii) Street Tree and Open Channel Planting Plans (where applicable).

##### Stormwater & Flood Risk

- ix) Long sections and cross sections of all channels showing:
  - a. channel profile, design flow (including AEP), depth, velocity, freeboard, and setback distances from the road edge and property boundaries, along with longitudinal sections;

- b. The location and depth of proposed underground services shown on the same typical cross sections if applicable.
  - c. Indicate the surface materials and construction methods to be used to withstand scouring effects from flood flows that overtop Culvert 3 in Road 1 without the road deteriorating or resulting in failure.
- x) An assessment by a suitably qualified and experienced stormwater engineer ('the stormwater engineer') outlining the extent of rainwater tank installation and use required for allotments in order to achieve a 25% reduction in mean annual run-off volumes. This assessment shall include which allotments require tanks, the volume of the tanks, and for what stage(s) from the Western and Central catchments the tanks will be installed to mitigate potential stream bank erosion in small low frequency rain events. In the event at least 25% reduction cannot be achieved through rain tank storage, the additional storage required to achieve 25% shall be included into the wetland design.
  - xi) A critical storm assessment undertaken by the stormwater engineer using variable scenarios including the nested rainfall pattern for small catchments in section 3.2 of the Nelson City Council's Inundation Practice Note to determine: the setting of building platform/ground levels and Infrastructure under the 2130 RCP8.5M 1% AEP Maitai/Mahitahi River flood level unless that Infrastructure is designed to be flood resistant; culvert and bridge blockage assessment from a 1 in 500 year storm event debris flow risk.
  - xii) A calculated design by the stormwater engineer reviewed and approved by a suitably experienced ecologist of all the wetland ponds and treatment areas based on allotment size and estimated impervious areas for all stages of the subdivision development including a document that outlines the operational and maintenance requirements of the wetland and any associated structures including but not limited to: Inspection and maintenance; anticipated frequency for maintenance activities, odour and insect control and estimated costs.
  - xiii) A review of the Esplanade Reserve Landscape Planting Plan by a suitably qualified flood or stormwater engineer to determine the extent and type of planting required to avoid adverse flooding effects on the wider environment or on any neighbouring properties.
  - xiv) Design of all outfalls and connecting stormwater drains required for Lots 1000 and 1001 as shown in the Davis Ogilvie *Arvida Engineering Design Overall Layout* Dwg No C100 Rev A2 dated 27/06/25 and outfalls from Road 1 similar to the Davis Ogilvie *Mahitahi Development Engineering Design Overall Drainage Plan* Dwg No C200 Rev A2 dated 09/0725.

#### Wastewater

- xv) Designs of the wastewater pump station and associated infrastructure.
- xvi) An assessment by a chartered professional wastewater engineer that confirms the wastewater pump station is designed to service the maximum yield for the catchments in which the pump station will serve, including the maximum yield of super lot 1002, up to 200 lots for Bayview Nelson Limited, and taking into consideration the Recreation Reserve toilet block.

## Water

- xvii) Designs of the temporary water reservoir and associated infrastructure to connect to Lot 1000 for firefighting purposes and details of the access track to the temporary water reservoir. The designs shall be accompanied by a detailed water design report for the overall development that shall address at least the minimum information:
- a. The platform level of the reservoir.
  - b. The contour the reservoir can service by gravity – that will meet the minimum pressure and flow requirements of the NTLDM plus any requirement for pressure and/or flow boosting for upper levels of the Maitahi Village development
  - c. Any pressure control measures necessary within the development area and at the property connection to the NCC trunkmain in Ralphine Way.
  - d. How this reservoir will be managed when the NCC 2,500m<sup>3</sup> and 500m<sup>3</sup> bulk storage reservoirs are constructed and if it has a longer-term purpose.
  - e. How chlorine residuals will be maintained in order to ensure a potable water supply.
  - f. How service and fire-fighting water requirements for the various stages of the development will be met from the proposed reservoir.

## Landscaping

- xviii) Detailed design plans of the Esplanade Reserves prepared by a suitably qualified experienced Landscape Architect that is consistent with the approved Ecological Restoration Plan (ERP) and Fire and Emergency New Zealand Guidelines (FENZ) showing all paths, tracks, plantings, and structures (being walls, fences, benches or art). The planting plans shall be supported by a planting methodology and monitoring and maintenance programme.

## **B) Stage 2**

### Transport

- i) Bridge design for Road 1 (Lot 2001) including freeboard requirements to the NTLDM.
- ii) Street Tree and Open Channel Planting Plans.
- iii) The incorporation of a temporary turning head at the end of Road 1.

### Stormwater

- iv) A critical storm assessment undertaken by the stormwater engineer for culverts, waterways, open drains and bridge blockage assessment from a 1 in 500-year storm event debris flow risk.

### **C) Stage 3**

#### Transport

- i) Incorporation of a temporary turning head at the end of Road 2.
- ii) Street and Open Channel Planting Plans.
- iii) Evidence that driveways compliant with the NTLDM can be achieved for the first 5m into the allotments without the need for retaining structures on Road Reserve.

#### Stormwater

- iv) Long Sections and Cross section of Channels 3 (a & b) showing:
  - a. Cross section channel profiles, design flow (including AEP), depth, velocity, freeboard, and setback distances from road edge and property boundaries, along with longitudinal sections;
  - b. The location and depth of proposed underground services shown on the same typical cross sections if applicable;
  - c. Typical cross and long sections (to scale and fully dimensioned) of proposed vehicle entrances and culverts;
  - d. A longitudinal section of the proposed wastewater and stormwater laterals from Road 2 (Lot 2002) to the eastern lots, demonstrating sufficient cover and grade;
  - e. Details of secondary flow capacity and how overland flow will be managed in the event of a culvert blockage, including whether driveways are designed with low points to allow overland flow to re-enter the channel downstream.
- v) Indicate the surface materials and construction methods to be used to withstand scouring effects from flood flows that overtop Culvert 3a in Road 2 without the road deteriorating or resulting in failure.

#### Landscaping

- vi) Detailed Planting plan for Lots 501 and 502.

### **D) Stage 4**

#### Transport

- i) Realignment and modification to the property boundaries be made during detailed design (where required) to provide one smooth radius.
- ii) Evidence that driveways compliant with the NTLDM can be achieved for the first 5m into the allotments without the need for retaining structures on Road Reserve.

#### Stormwater & Flood Risk

- iii) The design and surfacing of the diversion bund in Lots 514 & 515 (in Stage 5) detailing the bund profile and the location for access for future operation and maintenance requirements for machinery to remove debris to the requirements of the NTLDM.

#### Landscaping

- iv) Detailed planting plans for Lots 514 & 515 (in Stage 5) including the footpath from Road 4 (Lot 2004) to the Road 2 (Lot 2003) connection point in Stage 5.

**E) Stage 5**

Transport

- i) Incorporation of increased berms on both sides of Road 3 by providing a 750mm width and this shall be increased if other services require more space as per the NTLDM or insufficient space has been provided for proposed street tree planting.
- ii) An assessment from a suitably experienced traffic engineer outlining whether any insert parking adjacent Lot 505 (the Recreation Reserve) is required and recommendations on how the parking will be designed if required.
- iii) Incorporation of a temporary turning head at the end of Road 3.
- iv) An assessment from a suitably qualified traffic engineer indicating that the proposed under-width road reserve arrangement for Road 3 can operate safely, efficiency and house all necessary services. In addition, this assessment shall indicate the maximum potential residential traffic yield that could use the proposed under-width road reserve arrangement for Road 3. If the assessment indicates that Road 3 cannot operate safely, efficiency and house all necessary services and / or cannot provide for the potential residential yield of Lot 6000, the width of Road 3 (Lot 2003) shall be increased to accommodate the potential traffic numbers.
- v) Subject to Condition 10.E.vii below, any dip in the road must ensure intersection visibility is not compromised.

Stormwater & Flood risk

- vi) The design and surfacing of the diversion bund in Lots 514 & 515 detailing the bund profile and the location for access for future operation and maintenance requirements for machinery to remove debris to the requirements of the NTLDM (only if Stage 5 occurs before Stage 4).
- vii) A critical storm assessment under variable scenarios including the nested rainfall pattern for small catchments in section 3.2 of the Nelson City Council's Inundation Practice Note to determine the potential for culvert blockage as the NTLDM and from a 1 in 500-year storm event debris flow risk and design solutions to mitigate and potential adverse effects on the road formation. This assessment shall also determine the design solution to convey flows or debris over Road 3 whether it is a dip in the road or an alternative solution.

Geotechnical Risk Assessment Reserve

- viii) Geotechnical plans showing the Mechanically Stabilised Earth retaining wall is entirely located within Lot 1003.

**F) Stage 6**

Transport

- i) Design of the linking walkways between Roads 9 & 10 through Lot 504 and connecting to the Esplanade Reserve.
- ii) Detailed plans of Street trees and planting of Channel 5.
- iii) An adjustment to the road alignment in the vicinity of Lot 90 to Lot 97 to provide one smooth curve of a consistent radius along with design methods from the Traffic Engineer to consider on-street parking and how this will influence lane geometry.
- iv) Any cycle crossing at the Road 9 and Road 1 intersection shall include signs that give cyclists on the cycleway priority.

Stormwater

- v) Long sections and cross section of Channels 5b & 5b1 showing:
  - a. channel profile, design flow (including AEP), depth, velocity, freeboard, and setback distances from road edge and property boundaries, along with longitudinal sections;
  - b. The location and depth of proposed underground services shown on the same typical cross sections if applicable.
  - c. Indicate the surface materials and construction methods to be used to withstand scouring effects from flood flows to Road 1.

**G) Stage 7**

Transport

- i) The incorporation of a turning head at the end of Road 1 (within legal road or covered by a right of way easement in gross in favour of Council over Bayview land).
- ii) Evidence that driveways compliant with the NTLDM can be achieved for the first 5m into the allotments without the need for retaining structures on Road Reserve.
- iii) Street trees and Channel planting.

Stormwater

- iv) Long sections and cross sections of Channels 5b & 5b1 showing:
  - a. channel profile, design flow (including AEP), depth, velocity, freeboard, and setback distances from road edge and property boundaries, along with longitudinal sections;
  - b. The location and depth of proposed underground services shown on the same typical cross sections if applicable.
  - c. Indicate the surface materials and construction methods to be used to withstand scouring effects from flood flows to Road 1.
- v) A critical storm assessment under variable scenarios including the nested rainfall pattern for small catchments in section 3.2 of the Nelson City Council's Inundation Practice Note to determine the potential for culvert blockage as the NTLDM and from a 1 in 500-year storm event debris flow risk and design solutions to mitigate and potential adverse effects on the road formation.

Services General

- vi) All network utilities extended to the boundary of Lot 7000 (Bayview Nelson Limited) in Road 1.



## **H) Stage 8**

### Transport

- i) Detailed plans of the walking track through Lot 508.
- ii) Detailed plans of street trees.

### Stormwater

- iii) Long sections and cross-section of Channels 5b & 5b2 showing:
  - a. channel profile, design flow (including AEP), depth, velocity, freeboard, and setback distances from road edge and property boundaries, along with longitudinal sections;
  - b. The location and depth of proposed underground services shown on the same typical cross sections if applicable.
  - c. Indicate the surface materials and construction methods to be used to withstand scouring effects from flood flows to Road 1.
- iv) A critical storm assessment under variable scenarios including the nested rainfall pattern for small catchments in section 3.2 of the Nelson City Council's Inundation Practice Note to determine the potential for culvert blockage as the NTLDM and from a 1 in 500-year storm event debris flow risk and design solutions to mitigate and potential adverse effects on the road formation of Road 11.

### Landscaping

- v) A detailed plan shall be provided by a suitably qualified experienced Landscape Architect in accordance with the Ecological Restoration Plan (ERP) provided by the Ecologist, outlining the area of replanting for the Residential Green Overlay to ensure that native vegetation achieves 80% canopy cover within the Residential Green Overlay area within each lot.

## **I) Stage 9**

### Transport

- i) Detailed plans for street planting.

### Stormwater

- ii) A critical storm assessment under variable scenarios including the nested rainfall pattern for small catchments in section 3.2 of the Nelson City Council's Inundation Practice Note to determine the potential for culvert blockage as the NTLDM and from a 1 in 500-year storm event debris flow risk and design solutions to mitigate and potential adverse effects on the road formation of Road 8.

## **J) Stage 10**

### Transport

- i) Detail and changes needed as a result of the assessment in Condition 3.E.iv in respect to Road 3 width and overall design.
- ii) A temporary turning head at the end of Road 3.

### Stormwater

- iii) Details on the cut-off drain or diversion bund extended from Channel 2a along and within the boundaries of Lots 163-173.
- iv) Details of foot/cycle bridges within the reserves in accordance with Table 10.3 of the NTLDM.

#### Services General

- v) All network utilities services extended to the boundary of Lot 6000.

#### Landscaping

- iii) Details of the planting, walking tracks, structures such as but not limited to bridges, benches, fences or art.
11. The “Design” engineering drawings and landscaping plans (with proposed easements also shown) shall be submitted to the Council’s Group Manager Infrastructure and Group Manager Environmental Management for approval. Please email drawings to [land.development@ncc.govt.nz](mailto:land.development@ncc.govt.nz). **No works relating to the construction of stormwater treatment wetlands, roads, building development or any reticulated services shall commence until the “Design” engineering drawings have been approved by Council.**

#### **Easements**

- 12. All necessary easements as required for right of way, right to drain water and sewage and right to convey water, telecommunications, computer media and electricity shall be shown under a Memorandum of Easements on the Survey Plan for each respective stage in accordance with the approved detailed “Design” drawings submitted for the purposes of section 223 of the Act.
- 13. An easement in gross in favour of Council for a right of way, to drain water, convey water, electricity and telecommunications shall be provided to the temporary water reservoir in Stage 1.
- 14. The location and widths of easements in gross in favour of Council shall be determined at the Detailed “Design” stage for each respective subdivision stage and may also need to cover channels and overland flow paths that are part of other stages for the efficiency of ongoing maintenance for the public. The approved easement areas shall be shown on the Survey Plan for the purposes of Section 223.
- 15. All documentation for the preparation and registration of the easements and the instruments review by Council shall be at the Consent Holder’s expense.

#### **Certification**

- 16. Prior to the approval of the Survey Plan under Section 223 for each respective stage, the Consent Holder shall submit as-built engineering plans for the approval of the Group Manager Infrastructure & Group Manager Environmental Management.

#### **Vesting**

- 17. Lots 513 and 500 shall vest in the Nelson City Council as Esplanade Reserve in their respective stages unless the land has been assessed as having an unacceptable land instability risk to Council, in which case the land shall be amalgamated to adjoining land.

18. Lots 501, 502, 505, 506, 507, 509, 510, and 511 shall vest to Council as Local Purpose- Utility Stormwater Reserve in their respective stages unless the land has been assessed as having an unacceptable land instability risk to Council, in which case the land shall be amalgamated to adjoining land.
19. Lot 3000 shall vest as Local Purpose Utility Reserve – Wastewater pumpstation in Stage 1.
20. Lots 503 shall vest to Council as Recreation Reserve - Neighbourhood Park in Stage 5.
21. Lot 514 and 515 shall vest to Council as Protection Reserve in their respective stages .
22. Lots 504, 508, 512, 517 shall vest to Council as Local Purpose- Amenity Reserve in their respective stages unless the land has been assessed as having an unacceptable land instability risk to Council, in which case the land shall be amalgamated to adjoining land.
23. Lots 2000 to 2008 shall vest to Council as legal road in their respective stages.

#### **Prior to the issuing of a Section 224(c) Certificate for the subdivision**

##### **Site Validation**

24. Prior to the issue of a Section 224(c) Certificate for Stage 1, a Site Validation Report by a Suitably Qualified Experienced Practitioner in contaminated soils shall be provided to Council that shall confirm that the land within the Reserves has been remediated to the standards of the NESCS for Recreational Reserve Standards.
25. Prior to the issue of a Section 224(c) Certificate for Stage 11, a Ongoing Site Management Plan (OSMP) by a Suitably Qualified Experienced Practitioner in contaminated soils shall be provided to Council for the encapsulated cell on Lot 6000. This Report shall include, but not be limited to:
  - a) confirmation the contaminated soil cell is sealed and is not a risk to human health,
  - b) identification of the cells' specific location by way of a registered professional survey, and
  - c) provide an OSMP where required, or confirmation that a Site Specific Management Plan is not required. If an OSMP is required, it shall be the subject to a Consent Notice to be registered on the title of the land it is within.

##### **Revegetation and Residential Green Overlays**

26. The Revegetation planting as required by condition 7 shall be planted prior to the issue of a Section 224 certificate for that stage.
27. The planting of the Residential Green Overlay, (as designed to achieve 80% canopy cover), shall be undertaken prior to the issue of a Section 224 Certificate for Stage 8.

##### **Civil Engineering and Reserves Construction**

28. All of the planned works as shown in the stage approved "Design" drawings subject to Conditions 4 (all), 5, 20, 21, 23, and 24 shall be completed in accordance with the approved design drawings to the satisfaction of the Council's Group Manager Infrastructure and Group Manager Environmental Management prior to the issue of a Section 224(c) Certificate for their respective stage.

29. Any identified secondary flow path over a residential allotment shall be subject to a Consent Notice registered on the title that prevents the alteration or obstruction of the flow path.
30. Any vehicle crossing or right of way that has a secondary flow path overtop at the location of the culverts or any similar devices shall have the surface of the vehicle crossing or right of way at that point designed to resist scour forces.
31. The stormwater assessment in Condition 10A.x. relating to the number and volumes of rainwater reuse tanks in order to mitigate stream bank erosion in small frequent events shall indicate which allotments in in what stages these allotments relate. These allotments shall be subject to a Consent Notice condition that requires the rainwater reuse tanks installation and ongoing maintenance by the lot owner.
32. At each stage, every residential allotment shall be provided with a connection to a network utility for water, stormwater, wastewater, power and telecommunications and a vehicle crossing or approved connection to a legal road.
33. The location and details of the meters for each residential allotment shall be recorded on Council's Water Meter Location Form which shall be submitted to Council for approval prior to the issue of a Section 224(c) Certificate.
34. Written confirmation of the above from the supply authority shall be provided to the Council in accordance with Section 9.11.3.6 of the Nelson Tasman Land Development Manual 2020.

#### **As-built Plans**

35. All of the works in the approved "Design" drawings relating to roading, water, stormwater and wastewater shall be shown on "As-built" engineering drawings to the requirements of the Nelson Tasman Land Development Manual 2020, and to the satisfaction of the Council's Group Manager Infrastructure.

#### **Engineering and Reserve Certifications**

36. Prior to the issue of a Section 224(c) Certificate for each stage a suitably qualified chartered professional engineer or registered professional surveyor shall provide the Council's Manager Resource Consents with written certification that all works have been completed in accordance with the requirements of the conditions of this consent and the Nelson Tasman Land Development Manual 2020.

This written certification shall be on the prescribed form 'Certificate upon completion of Subdivision Work' contained in Appendix D of Section 2 of the Nelson Tasman Land Development Manual 2020.

*Note: If any of the works required in Condition 4 are carried out and signed off at Building Consent stage before Section 224(c) Certification is applied for, the Consent Holder must still ensure that the Certification required under Condition 36 is provided in the prescribed form at the time Section 224(c) Certification is applied for. Sign off under a Building Consent does not fulfil Condition 24 of this consent.*

37. Prior to the issue of a Section 224(c) Certificate for Stages 1 the Ecologist and Landscape Architect shall provide written certification that the wetlands, and plantings of any Reserve to vest has been undertaken in accordance with the conditions of consent #'s)

#### **Building Site/Geotechnical Certification**

38. Prior to the issue of a Section 224 Certificate for each stage (other than stages 0 & 11), a Geotechnical Site Certification Report shall be submitted to Council by a chartered professional engineer practising in geotechnical engineering or from an experienced engineering geologist that all the proposed residential allotment in that stage contains an accessible site suitable for the erection of a residential building and confirm the risk any land to vest to Council is of an acceptable level considering its purpose.
- a) The certification shall define the area within each stage that is suitable for building on and shall list development conditions pertaining to the site and the lot generally that shall become Consent Notices on the relevant titles.
  - b) Should any mitigation measures be required as part of the building site certification or be located on balance land, then these shall be designed and constructed under the supervision of the certifier of the building site. Any mitigation measures requiring ongoing monitoring and/or maintenance shall be subject to a **consent notice** on the title of the relevant lots. With the exception of any debris catch fences or similar devices on land to be vested, such devices shall be located within the allotment(s) it is relevant to protecting from potential adverse effects.
  - c) A Section 224(c) Certificate will not be granted if a suitable building site is not defined or the risk of instability to land to vest to Council is not of an acceptable level.
  - d) Any lots upon which a certified building site has not been identified or contains land to vest to Council that does not have a risk level acceptable to Council shall be amalgamated with an adjacent lot containing a certified building site or the balance land.

#### **Maintenance Performance Bond**

39. The Consent Holder shall provide the Council with a performance bond for each stage in accordance with Section 1.4 of Appendix 1 of the Nelson Tasman Land Development Manual 2020. The bond for defects will be for the sum of \$1,500 per lot or residential site from a minimum of \$5,000 to a maximum of \$30,000 per stage, plus a bond administration fee of \$150 except for Stage 1 which shall have the maximum \$xxxxx applied. For significant infrastructure items that are to vest with Council, an additional bond amount will be required. This amount will be set by Council's Engineering Manager.

The term of the performance bond for defects liability will be for a minimum period of twenty-four (24) months from the issue of a 224 certificate as required under the RMA for all civil works whereas a five-year period from the issue of a 224 certificate shall be imposed for all works and plantings within the Reserves.

40. The bond shall provide that fair wear and tear and damage by third parties will be excepted. Provision shall be made for resolution of disputes which is satisfactory to both parties.
41. The Council and the Developer shall enter into a Maintenance Contract to give effect to the above condition.

#### **Consent Notices/Ongoing Conditions**

42. The following conditions (in addition to those conditions above that require Consent Notice conditions) shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notice pursuant to Section 221 of the Act. The Consent Notice(s) documentation shall be prepared by the Consent Holder's Solicitor and all costs associated with the approval and registration of the Consent Notice(s) shall be met by the Consent Holder. Where a Consent Notice

condition refers to an assessment outcome or management plan, the wording of the Consent Notice shall be determined by the Council's Delegated Officer based on the recommendations of that assessment at the time of Section 224 application.

#### General

- a) The discharge to air from any small-scale solid fuel burning appliance (including any small scale ultra-low emission or pellet burning appliance) installed within a building shall not be permitted.
- b) Exclusion of zincalume, copper or bare corrugated iron roofing.
- c) The recommendations from the Geotechnical certification report
- d) The ongoing maintenance of the reuse tanks
- e) On going maintenance of the encapsulation cell on the balance land, and future Lot 6000, in accordance with consent conditions Ref. xxxxxxx.
- f) Any identified secondary flow path over a residential allotment shall be subject to a Consent Notice registered on the title that prevents the alteration or obstruction of the flow path.

#### Stage 1

##### Lot 1000 (Arvida A)

- g) The finished ground level and finished floor levels on Lot 1000 shall meet the requirements in the conclusions of the critical storm assessment report required in Condition 10.A.xi.
- h) A low-pressure onsite wastewater system will be required for this lot. Details of the system design shall be provided to Council no later than the time of the application for Building Consent. The lot owner shall be responsible for all ongoing monitoring and maintenance of the system.

#### Stage 2

##### Lot 1001

- i) The finished ground level and finished floor levels on Lot 1001 shall meet the requirements in the conclusions of the critical storm assessment report required in Condition 10.A.xi.
- j) A low-pressure onsite wastewater system will be required for this lot. Details of the onsite system design shall be provided to Council no later than the time of the application for Building Consent. The lot owner shall be responsible for all ongoing monitoring and maintenance of the system.
- k) The ongoing maintenance of the proprietary stormwater treatment devices.

#### Stage 3

- l) The owners of Lots 11, 13, 14, 15 and 16 with a culvert or similar device under the vehicle crossing for their lot shall be responsible for the ongoing maintenance and any replacement of this device, (and shall repair any associated damage to their vehicle crossing) at their own cost.

#### Stage 5

- m) With the exception of the Koata House development (RM Ref), any future development and activities within Lot 1003 shall adhere to the rules and standards of the Nelson Resource Management Plan's Chapter 9 Suburban Commercial Zone rules or any subsequent Plan

Change relating to Suburban Commercial Zoning. Any breach of these rules shall be considered under a resource consent assessing those matters relevant to the rules in which consent is sought.

#### Stage 7

- n) The residential use of lots 100, 101 and 180

#### Stage 8

- o) Lot owners with lots subject to the plantings of the Residential Green Overlay in Stage 8 (including any balance land) shall be responsible for the ongoing maintenance of all the plantings on their lot. These planting shall not be removed unless the planting is dead or dying. In the event the planting is dead or dying, the planting shall be removed and replaced with another plant of the same species

#### Stage 9

- p) The residential use of lot 140

#### Stage 10

- q) The lot owners of the surface cut-off drain or diversion bund ('the device') subject to Condition 10.J.iii, shall be responsible for the ongoing monitoring and maintenance and costs of repair of the device to prevent it from becoming obstructed. The lot owners shall not undertake any activity that compromises the function of the device.

#### Stage 1

- r) The owner of Lot 6000 shall adhere to any recommendations of the Ongoing Site Management Plan subject to Condition 25 of this consent.

#### Lot 5000 Revegetation

- s) Lot 5000 shall be managed in accordance with the Ecological Restoration Plan (ERP).

#### Fencing

- t) Any fence located within 1.5m of the boundary with a Reserve or future Reserve subject to this consent shall:
  - i) Not exceed 1.2m in height; or
  - ii) Not exceed 1.8m in height and be visually permeable for its entire length and height;
  - iii) In either case, where board or paling fences are constructed, the structural posts and railings shall not face the Reserve;
  - iv) be constructed at the cost of the lot owner.

#### Arvida (Stages 1 and 2)

- u) The long term maintenance of any Proprietary WSD devices.

#### Prohibition on Vehicle Washing in Driveways

- v) The washing of vehicles shall not be undertaken on any impervious surface, including driveways, private accessways, or paved areas, where washwater may enter the stormwater

system. This restriction is imposed to prevent the discharge of contaminants to the environment via the stormwater network.

The registered proprietor of the lot shall ensure that all residents and occupiers of the property are made aware of this restriction.

## **ADVICE NOTES**

### **Development Contributions**

1. The Consent Holder shall pay a Development Contribution for Lot(s) X, Y & Z for transport, water, wastewater, stormwater and community infrastructure and reserves in accordance with the Council's Development Contributions Policy 2024, which can be viewed on Council's website.
  - (a) The Development Contribution shall be paid prior to the issuing of a Section 224(c) Certificate for the subdivision.
  - (b) Under Section 208(a) (i) of the Local Government Act 2002, the Council may withhold the issuing of the Section 224(c) Certificate if the Development Contribution is not paid.
  - (c) Should a Building Consent be issued for any dwelling(s) on Lot(s) X, Y & Z before a Section 224(c) Certificate is issued, any Development Contributions paid under the Building Consent will be deducted from the required amounts.
  - (d) The Development Contribution for community infrastructure and reserves shall be calculated in accordance with Section 7.4 of the Council's Development Contributions Policy 2024, and Section 203(1) of the Local Government Act 2002.

### **Street Naming**

3. Roads to Vest in Council – under the Council's Road Naming Procedure, the Developer is asked to submit three names for each road to vest. The names will be considered by the Council's Hearings Panel. The full road naming policy and guidelines are available on request from Council officers. The Developer is encouraged to liaise with iwi regarding appropriate names. Iwi contact details are available from the Resource Consents Administrator.
4. Any application for street naming should be submitted at the time the 223 application is submitted, or at any time before that. If more than one street is to be named, the application should include all the roads to be named (including names for roads to vest at later stages), so that the Hearings Panel can consider the names as a group.

### **Naming of Private Ways**

5. Land Information New Zealand (LINZ) requires that in the case of any right of way or jointly owned access lot that serves more than more than 5 lots, the properties on the Right of Way must receive whole numbers, or alternatively the Right of Way may be named as a private way.

### **Easements over Reserve Land**

6. If any easement is to be registered over reserve land that is to vest in Council, full Council approval is required, as set out in the Minister's delegations of the Reserves Act 1977. This requires Council Officers to present a paper to the relevant Committee and then to a meeting of full Council.



Depending on timing and the Committee schedule this may take one to three months. Please take this into consideration when providing Nelson City Council with easement documentation for signing over reserve land.

### **Specific Conditions**

#### Condition 10(D).ii

7. Consideration should also be provided at the same time how on street parking will be used and if any restrictions will be required as that will influence the lane geometry.

#### Condition 10(D).iii

8. The space for maintenance access will assist in determining the extent of the boundaries for Lots 514 & 515.

#### Condition 11

9. It is acknowledged that some design plans may be approved under different consent conditions relating to the stream re-alignment, earthworks or other land use consents associated with the overall development. It is expected that the Consent Holder will manage each consent and ensure all conditions for all consents are being met, and will ensure for efficiency at the time of Section 224 that all reports and conditions are provided to the above email address regardless of whether these were previously provided to the Monitoring Officer under other consents.

#### Condition 14

10. Easements over the Reserves as shown on the approved consent plans may be subject to change or not required. If these are to remain these easements may be subject to Section 239 of the RMA.

#### Condition 16

11. Approval of the LT plan or scheme plan is facilitated by the provision of a LT plan or scheme plan with as built details overlaid on the plan to show services. Alternatively, provide a copy of the As Built Plan with easement boundaries overlaid on the plan.
12. Where there are services easements through private lots and right of ways please show the stormwater pipe in green and the wastewater in red line colour and show all pipe laterals. Please show the water pipe as blue.
13. Where there are roads to vest, please show the kerb lines and footpath as magenta colour.
14. Condition 38(a)
15. The building site shall be defined with respect to boundary pegs and/or survey co-ordinates, the latter to be provided by a registered surveyor.

### **General**

16. Conditions of this consent have been imposed pursuant to Sections 108 and 220 of the Act.
17. This resource consent authorises only the activity described above. Any matters or activities not consented to by this consent or covered by the conditions above must either:
  - (a) comply with all the criteria of a relevant Permitted Activity in the Nelson Resource Management Plan (NRMP); or
  - (b) be allowed by the Resource Management Act 1991; or
  - (c) be authorised by a separate resource consent.

18. This consent is granted to the Consent Holder, but Section 134 of the Act states that such consent “attaches to the land” and accordingly may be enjoyed by any subsequent owners and occupiers of the land. Therefore, any reference to “Consent Holder” in any 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.
19. The Consent Holder should note that this resource consent does not override any registered interest on the property title.
20. Section 357A of the Act provides you with the right to lodge an objection with the Council in respect of this decision and/or any associated conditions. Section 357B provides a right of objection to any additional charges. Any objection must be made in writing setting out the reasons for the objection and be lodged with the Council within 15 working days of receiving this letter. The administration cost for an objection under section 357A is a fixed fee and can be found on Council’s website under Fees & Charges.
21. In addition to objection rights section 120 of the Act provides you with the right to lodge an appeal with the Environment Court in respect of this decision and/or any associated conditions. Section 121 of the Act requires that any such appeal must be made in the prescribed form, must state the reasons for the appeal, the relief sought, state any matters required by regulations and must be lodged with both the Environment Court and the Council within 15 working days of receiving this letter.

## **Appendix A**

*Proposed Subdivision Scheme Plan – Maitahi Village* (Davis Ogilvie, Drawings 350-362, Version H, dated July 2025)

Plan A: Stage 0

Plan B: Stage Overall

Plan C: Stage 1

Plan D: Stage 2

Plan E: Stage 3

Plan F: Stage 4

Plan G: Stage 5

Plan H: Stage 6

Plan I: Stage 7

Plan J: Stage 8

Plan K: Stage 9

Plan L: Stage 10

Plan M: Stage 11