

**IN THE ENVIRONMENT COURT  
AT CHRISTCHURCH  
I TE KŌTI TAIAO O AOTEAROA  
KI ŌTAUTAHĪ**

**Decision No. [2023] NZEnvC 205**

IN THE MATTER of the Resource Management Act 1991

AND an appeal under s120 of the Act

BETWEEN LINDY KELLY

(ENV-2022-CHC-60)

Appellant

AND NELSON CITY COUNCIL

Respondent

Environment Judge J J M Hassan – sitting alone under s279 of the Act

In Chambers at Christchurch

Date of Consent Order: 20 September 2023

---

**CONSENT ORDER**

---

A: Under s279(1)(b) RMA,<sup>1</sup> the Environment Court, by consent, orders that:

- (1) the appeal is allowed and the conditions of resource consents RM215224, RM215228, RM215229, RM215230, RM215231, RM215232, RM215233 are amended as set out in Appendix B attached to and forming part of this Order; and

---

Resource Management Act 1991.

KELLY v NELSON CITY COUNCIL – CONSENT ORDER



(2) the appeal is otherwise dismissed.

B: Under s285 RMA, there is no order as to costs.

## **REASONS**

### **Introduction**

[1] This proceeding concerns an appeal filed on a resource consent issued by a hearing commissioner to Enner Glynn Limited, for resource consents to undertake a boundary adjustment subdivision between Lot 1 DP 549973 and Lot 1 DP 398831, and to create six residential allotments, associated earthworks, land use and discharge permits.

[2] I have read and considered the memorandum of the parties dated 1 August 2023 seeking a consent order, and the memorandum of the parties dated 18 August 2023 providing explanation and context for the agreed amendments to the consent conditions.

### **Other relevant matters**

[3] The parties to the appeal are listed in Appendix A. They agree that no costs order should be made.

### **Outcome**

[4] The court makes this order under s279(1) RMA, such order being by consent rather than representing a decision or determination on the merits pursuant to s297. The court understands for the present purposes that:

- (a) all parties to the proceeding have executed the memoranda requesting this order;
- (b) all parties are satisfied that all matters for the court's endorsement fall

within the court's jurisdiction and conform to the relevant requirements and objectives of the RMA, including in particular, pt 2.



---

**J J M Hassan**  
**Environment Judge**



**Appendix A – List of Parties**

Appellant: Lindy Kelly

Respondent: Nelson City Council

Applicant: Enner Glynn Limited

Section 274 parties: Bruce Dyer  
Moana Guerin  
Harvey Ruru  
Amy Shattock

**Appendix B – conditions of consent (clean/tracked versions)**

<b>B1</b>	RM215224 (subdivision) - Clean
<b>B2</b>	RM215224 (subdivision) - Tracked
<b>B3</b>	RM215228 (Earthworks) - Clean
<b>B4</b>	RM215228 (Earthworks) - Tracked
<b>B5</b>	RM215229; RM215230; RM215231; RM215232; RM215233 (Wastewater) - Clean
<b>B6</b>	RM215229; RM215230; RM215231; RM215232; RM215233 (Wastewater) - Tracked

## Appendix B1 - RM215224 (Subdivision) - clean

### CONDITIONS

#### RM215224 7 Lot Subdivision including Boundary Adjustment with Lot 1 DP 549973

##### The activity to which this decision relates:

Staged subdivision of Lot 1 DP 398831 to create 6 rural residential allotments, and undertake a boundary adjustment with Lot 1 DP 549973 (100 Enner Glynn Road)

**Advisory Note:** This consent should be read in conjunction with the following Land Use and Discharge Permit Consents:

- RM215225, 215226, 215227 – Structures in the Landscape Overlay
- RM215228 – Earthworks in relation to Subdivision of 32 Enner Glynn Road (Lot 1 DP 398831) and partially within the Landscape Overlay
- RM215229, RM215230, RM215231, RM215232, RM215233 Discharge to land – effluent
- RM215235 Discharge to land – Stormwater (proposed Lots-5)
- RM205343 – Cancel consent notice

##### General

1. The subdivision and boundary adjustment shall be carried out in general accordance with the information and plans submitted with the application lodged with the Council on 17th December and relodged on the 19<sup>th</sup> July 2021, including all supporting information and additional information submitted to the Council and held on Council file, including documentation and information presented in the appeal process, specifically the 11 May 2023 Stormwater Report prepared by Tasman Consulting Engineers. In the event that any of the provisions of those documents conflict with the requirements of these conditions of consent, these conditions of consent shall prevail.
2. The development shall proceed generally in accordance with the RM215224 Approved Plan A attached to the decision report and prepared by Planscapes (NZ) Ltd titled: Lots 1-7 Being Proposed Subdivision of Lot 1 DP 398831 & Lot 2 DP 508041, and dated: Oct 2020, received by the Council on 24 February 2021; the attached RM215224 Approved Plan B prepared by Canopy Landscape Architects Ltd titled: Landscape Plan, and dated: October 2021; the RM215224 Approved Plan C prepared by Planscapes and dated July 2023; and RM215224 Approved Plan D prepared by Tasman Consulting Engineers titled Culvert X discharge mitigation, and dated 4 July 2023.

**Advisory Note:** RM215224 Approved Plans A-D attach and form part of this consent.

3. Where there is any apparent conflict between the application and consent conditions, the consent conditions shall prevail.

##### Staging and Lapse Date

4. The subdivision shall be staged as set out in the application as follows. The consent shall lapse for each stage in accordance with Section 125 of the Act if not given effect to by the date specified:

Stage:	Lots	Lapsing Date
A	1-3, 7 and balance	9 September 2027
B	4-6	9 September 2032

*Stage B may be extended for up to an additional 24 months at the discretion of the Council's Manager Consents and Compliance or Team Leader Resource Consents for unanticipated delays such as adverse conditions or accidental discoveries, provided these delays are minimised as much as practicable and managed accordingly.*

Before a Section 224(c) Certificate is issued for any stage, all conditions relevant to that stage shall be complied with.

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

5. All necessary easements as required for right to drain water, right to convey water, telecommunications, computer media, electricity, rights of way, and associated culverts and sediment traps, and micro-wetland areas shall be shown under a Memorandum of Easements on the Survey Plan submitted for the purposes of section 223 of the Act.

All documentation for the registration of the easements shall be prepared at the Consent Holder's expense.

#### **Geotechnical Investigation**

6. Any earthworks proposed as part of lot/building site development, including upgrades to the existing accessway and accessways to the Building Location Areas (BLA's) shall be surveyed by a Registered Surveyor, investigated and detail design carried out in full by a suitably experienced geotechnical engineer or an experienced Engineering Geologist ("Geo-professional"). This information shall be submitted to Council for review and approval by Council's Geotechnical Advisor. The investigations and detailed design shall highlight areas of potential instability and detail the necessary solutions required. For the avoidance of doubt, no earthworks subject to RM215228 shall take place until this information has been reviewed and approved by the Council's Geo-professional.
7. Any detailed plans in respect to condition 6 for earthworks subject to RM215228 shall incorporate the following minimum design requirements:
  - a. Stormwater control; including confirmation that the final contours of the site will not result in additional stormwater catchment draining to the adjacent property at 100 Enner Glynn Road, or that the effects of any additional catchment or runoff shall be mitigated by following the processes required in the current version of the Nelson Tasman Land Development manual.
  - b. Design details of any subsoil drain network;
  - c. Maintenance details of deep subsoil drains and any dependence of stability on the subsoil drains;
  - d. Methods to identify and manage any areas, of high plasticity clay and/or weak, sheared clay, and areas of slope stability mitigation;
  - e. The calculated factor of safety for static and seismic loads, worst case ground water conditions and risk assessment for proposed finished earthworks;
  - f. Identification of stockpile areas and stability controls on stockpile placement including the maintenance of temporary stability;
  - g. Design details of any engineered retaining walls; and
  - h. Excavation Management Plan (EMP) for cuts greater than 2m in height.

#### **Ecology - Prior to earthworks and tree removals**

8. Tree clearance shall take place outside of the key breeding period for native forest birds (breeding period is October to January inclusive). Where it cannot avoid the key bird breeding period, any areas proposed for tree clearance shall be assessed by a suitably qualified and experienced ecologist to ensure that 'Threatened' or 'At Risk' species of native birds are not breeding within those areas.
9. Lizard-sensitive clearance protocols shall be adopted prior to earthworks on the site. At this site, this means ensuring that pasture grassland around Lot 4 and Lot 6 are progressively grazed down to a low-level by stock removing clumps of dense pasture and allowing any potential resident skink to naturally disperse into surrounding habitats. If this is not achieved prior to earthworks commencing, a preclearance lizard survey shall be undertaken by a DOC-permitted herpetologist to determine if native lizards are present on site. If native lizards are present DOC will be notified and the applicant will follow an appropriate mitigation process determined by DOC. This may involve salvage and relocation of lizards that are within the construction footprint.
10. No less than 10 working days prior to the commencement of any earthworks, the Consent Holder shall submit to the Council's Monitoring Officer the preclearance survey by a suitably qualified ecologist. No earthworks shall commence until the Council's Monitoring Officer is satisfied that all salvage and relocation of lizards (if required) is complete.

#### **Engineering Plans**

11. Prior to the approval of the Survey Plan under Section 223 the Consent Holder shall:
  - a. Submit design engineering plans for all works to be undertaken for the purposes of conditions 6, 7, 20, 22 - 25 for the approval of the Group Manager Infrastructure.

#### **Prior to the issuing of a Section 224(c) Certificate for the subdivision Stage A – Mitigation Planting**

12. The Consent Holder shall submit a detailed Landscape Plan for Lots 1 and 3 prepared by a Registered Landscape Architect and in general accordance with 'Critical Mitigation Planting', 'Revegetation planting' and poplars (associated with Lots 1 and 3) as shown on the Canopy Landscape Architects Ltd Landscape Plan attached to this decision report as RM215224 Approved Plan B for the certification of the Manager Consents and Compliance or Team Leader Resource Consents. The appointed Registered Landscape Architect shall be familiar with the matters and issues raised in the application, the topography of the Lot, site constraints for vegetation growth and existing soil types, and any recommendations of the Geo-professional appointed to oversee earthworks and subdivision certification on the appropriate method to be used to permanently stabilise the site. The Landscape Plan shall incorporate plant species suitable to the soil and climate conditions so that plants will establish and shall include (but not be limited to) native revegetation species sourced from the Living Heritage Guide and shall consist of plants of low flammability where located in the defensible space around the building platform. Should the Manager Consents and Compliance or Team Leader Resource Consents refuse to certify the Landscape Plan for Lot 1 and Lot 3 the Consent Holder shall submit a revised Landscape Plan for certification.
13. The landscape planting required under Condition 12 for Lots 1 and 3 shall be undertaken generally in accordance with the Landscape Plan certified by the Manager Consents and Compliance or Team Leader Resource Consents and in accordance with best horticultural practice (including ongoing weed and pest management as necessary) that responds to site constraints. The landscaping shall be completed prior to the issuing of a Section 224(c) Certificate for the subdivision of these lots.



14. The area marked on RM215244 Approved Plan B as 'Critical Mitigation planting' for Lot 5 and shown on the Canopy Landscape Architects Ltd Landscape Plan attached to this decision report as RM215224 Approved Plan B shall be planted by the consent holder using native plant species in general accordance with 'Critical Mitigation Planting' and shall commence within 24 months of the commencement of any works within Stage A

#### Stage B – Mitigation Planting

15. The Consent Holder shall, following the substantial completion of earthworks for the creation of the Building Location Areas (BLA's) within Lot 4 and 6 and authorised under RM215228, permanently stabilise any exposed ground within the worked areas by planting, seeding, mulching or other means of covering so as to minimise the risk of dust, erosion and sedimentation and to enhance slope stability adjacent to the worked areas. Recommendations of the Geo-professional appointed to oversee earthworks and subdivision certification on the appropriate method shall also be used to permanently stabilise the site.

**Advice Note:** *Substantial completion shall be determined by the Council's Monitoring Officer.*

16. The Consent Holder shall submit a detailed Landscape Plan for Lots 4 and 6 prepared by a Registered Landscape Architect and in general accordance with the Canopy Landscape Architects Ltd Landscape Plan attached to this decision report as RM215224 Approved Plan B and showing the 'Critical Mitigation Planting' and 'Revegetation Planting' areas and poplars (associated with Lots 4 and 6) and attached to this decision report as RM215244 Approved Plan B for the certification of the Manager Consents and Compliance or Team Leader Resource Consents. Should the Manager Consents and Compliance or Team Leader Resource Consents refuse to certify the Landscape Plan for Lots 4 and 6 the Consent Holder shall submit a revised Landscape Plan for certification.
17. The appointed Registered Landscape Architect shall be familiar with the matters and issues raised in the application, the topography of the Lot, site constraints for vegetation growth and existing soil types, and any recommendations of the Geo-professional appointed to oversee earthworks and subdivision certification on the appropriate method to be used to permanently stabilise the site. The Landscape Plan shall incorporate plant species suitable to the soil and climate conditions within the building platform area so that plants will establish and shall include (but not be limited to) native revegetation species sourced from the Living Heritage guidelines and shall consist of plants of low flammability.
18. The 'Critical Mitigation Planting' for Lots 4 and 6, shall be maintained until a Registered Landscape Architect certifies in writing to the Council's Monitoring Officer that they are satisfied that the planting is established to an appropriate height and vegetation density, to effectively mitigate visual effects of a dwelling on the lot, and to ensure that built form is integrated into the site and is not overly visible from major transportation routes below the site, and as described below in a-d.

Approval of the Registered Landscape Architects certification shall be obtained by the Manager Consents and Compliance or Team Leader Resource Consents prior to issuing of the s224c certificate for each stage. Effective mitigation planting shall be assessed by the following measurables:

- a. The planting achieving an average density of one plant per 1.5m spacing's within the Critical Mitigation Planting area (the actual spacing between species may vary, with larger faster growing species spaced at 2.0m spacing, with 1.5m spacing considered desirable for most plants and closer spacings being required for smaller plants).

- b. The Critical Mitigation Planting is intended to read as a continuous vegetative cover of healthy trees and shrubs, that will continue to grow in height and stature past the five-year monitoring timeframe generally to a minimum height of 3m. Prior to the third growing season the Critical Mitigation Planting areas shall be formally reviewed by a Registered Landscape Architect and a report provided to council detailing the condition of these areas. Where gaps or failures are identified and reported, supplementary plantings shall be undertaken using species designed to fill these gaps within the 2 years following the report. Any species that appear unhealthy or struggling at this time shall be replaced with those that are thriving.
  - c. For any final inspection by a Registered Landscape Architect, the required Critical Mitigation Planting shall have reached an average height of 1.5m high above ground level, the area shall be weed free and where gaps exist in the canopy, the Registered Land Architect must be satisfied that the plants within those gaps are healthy and thriving.
  - d. Species shall generally consist of 50% Olearia solandri, Olearia panniculata, Pittosporum eugenoides 30% Myoporum laetum, Aristotelia serrata, Coprosma Robusta; and 5% mix of Cordyline australis and Pseudopanax arboreus which are all from the lowland hill country plant list from the Living Heritage Guide, with moderate – low flammability. The remaining 15% shall be made up of the species listed on the Canopy landscape plan dated October 2021 (also sourced from the Living Heritage Guide) with a rating no higher than moderate – low flammability as measured by the fire research report.
19. The designated spoil stockpile area within Lot 5 shall include a row of mitigation planting along the eastern perimeter of the designated stockpile area, as shown as the 'Revegetation planting' area on RM215228 Approved Plan B, to achieve visual screening of the stockpile relative to the adjacent property at 100 Enner Glynn Road. Species for the planting shall consist of Pittosporum eugenoides, planted at an average density of one plant per 2.0m spacing. The landscaping shall be completed prior to the issuing of a Section 224(c) Certificate for Stage B.

#### **Vehicle Accesses**

20. Separate all-weather vehicle accesses shall be constructed from the Right of Way (ROW) to the Building Location Areas on Proposed Lots 1 – 4 and 6 as shown on the RM215224 Approved Plan A attached to this decision report, generally in accordance with the relevant specifications set out in Section 4.10 of the Nelson Tasman Land Development Manual 2020.

**Advice Note:** Prior to section 224 certification for any stage, the formation of all rights of way that serve as access to the respective stage shall be completed.

**Advice Note:** Proposed Lot 5 has an existing vehicle access.

#### **Rights of Way**

21. With respect to the right of way as shown on the RM215224 Approved Plan A attached to this decision report, and extending from the public road (Enner Glynn Road) to the common boundary between proposed Lots 5 & 6:
- a. The entrance from Enner Glynn Road shall be upgraded to generally meet the Nelson Tasman Land Development Manual (NTLDM) 2020 requirements and shall fully meet the visibility splay requirements and the NTLDM *Diagram 1: SD409 Rural Access Details*. The entrance shall be widened to provide a minimum width of 5.0m and chipseal surfaced for a length of 10m from the edge of the access adjoining Enner Glynn Road into the site.

- b. The entrance way shall provide an area suitable for all letterboxes and rubbish / recycling points used by the existing and potential future landowners of the properties, taking into consideration the visibility splay.
- c. The right of way shall be formed with passing bays installed at least every 50 metres, or at the ends of straights where intervisibility allows greater spacing, in accordance with the specifications set out in Table 4-13 (private access and crossing width) of the NTLDM except that the right of way shall not be permanently surfaced / sealed.
- d. The right of way width shall be no less than 3.0 metres, except on straight sections of the right of way where adequate visibility for both opposing vehicles can nevertheless be provided, the width narrowing may be reduced to 2.5m.
- e. It shall achieve a maximum overall grade of 1 in 5.
- f. Be designed and constructed to achieve no greater than a 30 km/h speed environment.
- g. The final cross section of the ROW shall be generally contoured to a single cross-fall to the upslope side (not crowned) to enable stormwater to flow on the upslope side of the ROW.
- h. There shall be no cut off drains located on the downslope side of the ROW, with the exception of the existing drain in the first hairpin bend of the ROW (identified as **drain 2** on RM215224 Approved Plan D).
- i. Certification that the ROW has been constructed in accordance with the conditions of this consent shall be provided to the Council's Monitoring Officer from the relevant professional(s). The certification requirements outlined in this condition shall be obtained by the Manager Consents and Compliance or Team Leader Resource consents prior to issuing of the s224c certificate for each stage.

**Note:** Prior to any commencement of works on road reserve:

- (i) *Separate authorisation is required from Council to undertake works within the road. Application forms for permission to alter or install a vehicle crossing are available on Council's website at the following address:*  
<http://www.nelsoncitycouncil.co.nz/assets/Building-Planning/Downloads/Vehicle-crossing-application-form-989703.pdf>
- (ii) *A road opening notice is required where seal is removed to install a vehicle crossing.*
- (iii) *All costs associated with the above shall be met by the Consent Holder.*

#### **Storm Water/ Culverts**

- 22. The stormwater system and associated discharges within each stage of the development shall be designed by a chartered professional engineer practising in either civil and/or geotechnical engineering and shall be carried out in general accordance with the details contained in the Tasman Consulting Engineers (TCEL) stormwater report dated 11 May 2023, and RM215224 Approved Plan D prepared by Tasman Consulting Engineers titled *Culvert X discharge mitigation*, dated 4 July 2023, and unless these reports are inconsistent with the conditions of this consent, in which case these conditions shall prevail, specifically:

- a. In accordance with the geotechnical and slope stability earthworks consent RM215228; and

- b. No concentration of flows on to downstream properties outside of the designated stormwater systems.
- c. All culverts shall be designed with adequate shaped and protected inlets and protected outlets and shall incorporate energy dissipation measures. Culverts shall include erosion protection where deemed necessary by the Geo-professional.
- d. There shall be no cut off drains located on the downslope side of the ROW, with the exception of the existing drain in the first hairpin bend of the ROW (identified as drain 2 on RM215224 Approved Plan D).
- e. The final cross section of the ROW shall be generally contoured to a single cross-fall to the upslope side (not crowned) to enable stormwater to flow on the upslope side of the ROW
- f. There shall be no stormwater cut off drains above the wastewater disposal field on Lot 6 that directs stormwater in the direction of the adjacent property at 100 Enner Glynn Road. If a cut off drain or clay bund is required above the wastewater disposal field on Lot 6, stormwater must be diverted through drain 9.
- g. The plans and documentation shall contain sufficient detail and information to confirm that the final contours of each stage of development will not result in additional stormwater catchment draining to the adjacent property at 100 Enner Glynn Road or that the effects of any additional catchment or runoff shall be mitigated by following the processes required in the Nelson Tasman Land Development Manual.
- h. The plans shall show the removal of Culverts 6e and 7e and shall incorporate Culvert X (as generally shown on RM215224 Approved Plan D).
- i. Long section and cross section plans of the location, dimensions and levels of any stormwater management devices/structures for each stage of development, including all proposed culverts and structures within or alongside the ROW, and within the gully below Culvert X. These structures shall include energy dissipation structures within the gully, such as check dams as detailed in the TCEL stormwater report dated 11 May 2023.
- j. A Stormwater Operation and Maintenance Plan shall be submitted that sets out how the stormwater management system is to be operated and maintained to ensure that adverse environmental effects are minimised. The Stormwater Operation and Maintenance Plan shall include:
  - Details of how the stormwater management system for each stage is designed to operate and how flows are mitigated; and
  - Plans and details that show the stormwater system for each stage of the development; and
  - Details of who will hold responsibility for long term maintenance of the stormwater management system and the organisational structure which will support this process; and
  - Individual lot owners roles and responsibilities and limitations around development of impervious surfaces and control of the stormwater runoff from the lots; and
  - A programme for regular maintenance and inspection of the stormwater management system; and

- A programme for the collection and disposal of debris and sediment collected by the stormwater management devices or practices, and
  - A programme for post storm inspection and maintenance; and
  - A programme for inspection and maintenance of structures.
- k. Certification that the stormwater system and associated discharges within each stage of the development has been constructed in accordance with the conditions of RM215224 shall be provided to the Council's Monitoring Officer from the relevant professional(s). The certification shall be obtained by the Manager Consents and Compliance or Team Leader Resource consents prior to issuing of the s224c certificate for each stage.
23. Developed areas shall, so far as reasonably practical, discharge to the same location as the undeveloped areas and existing watercourses within the site boundary with the exception of existing discharges to Culvert 6e, Culvert 7e, which are to be diverted to Culvert X and Culvert 5 in accordance with RM215224 Approved Plan D. The following actions shall be undertaken in this regard:
- Lot 1 -4 and 6 Building Location Areas (BLA's)
- BLA surfaces shall be formed so that runoff from the BLA drains, as far as possible, in the same direction as the existing runoff.
- Lot 3
- The Lot 3 accessway shall drain to a channel on the upslope side. Flows from this drain channel shall flow to Culvert X and Culvert 5 in accordance with RM215224 Approved Plan D either down the side of the accessway to the RoW alone or also with a culvert under the accessway to the natural gully flowing to Culvert X location.
  - Any culverts under the access way shall be provided with a silt trap on the uphill/inlet side and provided with erosion protection at the outlet.
- Lot 4
- The Lot 4 accessway shall drain to a channel on the upslope side of the accessway. Flows from this drain channel shall flow to Culvert X in accordance with RM215224 Approved Plan D either down the side of the accessway alone to the RoW or also with a culvert under the accessway to the natural gully. Any culverts under the access way shall be provided with a silt trap on the uphill/inlet side and provided with erosion protection at the outlet.
  - Any stormwater discharge shall not cause the production of conspicuous oil or grease films, scums or foams, or floatable or suspended material in any receiving water.
24. Culverts and cut off drains shall be provided with silt and sediment traps upstream of the inlet and erosion control measures downstream of the outlet.
25. The works shall be graded and/or appropriate drainage put in place to prevent ponding and to divert water away from potential slope failure features by piping the flows well clear of these features. Potential slope failure areas shall be shown on detailed engineering plans submitted for approval of the Group Manager Infrastructure prior to commencement of construction works.
26. Culverts shall be designed by a chartered professional engineer practising in either civil or geotechnical engineering to convey a 1:15 year flood event with 0.4 m freeboard and have a minimum diameter of 375mm.

### **Wastewater**

27. A statement of professional opinion shall be provided by the subdivision Geo-professional that the identified primary and reserve effluent discharge fields are geotechnically suitable and not subject to slope instability. The statement of professional opinion shall include specific recommendations for the method of irrigation considered geotechnically suitable for the LAAs.

### **Telephone and Power Cabling**

28. Telephone (if to be supplied) and electric power connections shall be provided to the boundary of Proposed Lots 1-4 and 6, as shown on the RM215224 Approved Plan A attached to this decision report. All cabling shall be underground. Cabling shall be installed in accordance with the relevant specifications set out in Chapter 9 of the Nelson Tasman Land Development Manual 2020.
29. Confirmation of the above from the supply authority and a copy of the service provider's Certificate of Compliance shall be provided to the Council prior to the issue of a Section 224(c) Certificate. Certification shall be in accordance with the requirements set out in Chapter 9 of the Nelson Tasman Land Development Manual 2020.

**Note:** *Proposed Lot 5 has existing telephone and electric power connection.*

### **Engineering Design and Construction**

30. All of the works within each stage, required by Conditions 6, 7, 20, 22 – 25 and prior to construction, shall be shown on "Design" engineering drawings prepared in accordance with the requirements set out in Chapter 2 of the Nelson Land Development Manual 2020, except as amended by any specific conditions of consent.
31. The "Design" engineering drawings shall be submitted to the Council's Group Manager Infrastructure for approval. No works shall commence until the design engineering drawings have been approved.

**Note:** *The plans submitted with the application are deemed concept only and full details and calculations will be required at the time the engineering plans are submitted for approval*

32. The works within each stage, required by Conditions 6, 7, 20, 22 – 25 shall be completed by the Consent Holder in accordance with the approved design drawings to the satisfaction of the Council's Group Manager Infrastructure prior to the issue of a Section 224(c) Certificate.

### **As-built Plans**

33. The works within each stage, required by Conditions 6, 7, 20, 22 – 25 shall be shown on as-built engineering drawings prepared in accordance with the requirements set out in Chapter 2 of the Nelson Land Development Manual 2020, and shall be completed by the Consent Holder to the satisfaction of the Council's Group Manager Infrastructure, prior to the issue of a Section 224(c) Certificate.

### **Engineering Certification**

34. At the completion of works, and prior to the issue of a Section 224(c) Certificate, a chartered professional engineer or registered professional surveyor shall provide the Council's Manager Consents and Compliance with written certification that all works have been completed in accordance with the requirements of the conditions of this consent, the Nelson Tasman Land Development Manual 2020 and approved engineering plans and:

- a. This written certification shall be on the prescribed form '*Certificate upon Completion*

of *Subdivisional Work*’ contained in Chapter 2 of the Nelson Tasman Land Development Manual 2020.

- b. Provide written certification from a Registered Professional Surveyor that the services have been installed and completed in accordance with the approved design engineering drawings and are located centrally within the respective easement area shown on the Record of Title Plan.

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

35. Certification that proposed Lot 1-4 and 6, as shown on the RM215224 Approved Plan A attached to this decision report, contain accessible sites suitable for the erection of residential buildings, accessory buildings and water tanks shall be submitted to Council by a chartered professional engineer practising in geotechnical engineering or from an experienced engineering geologist (“Geo-professional”). The certification shall comply with the requirements of *NZS4404:2010 Land Development and Subdivision Infrastructure*.
36. The certification shall define building structure site locations within the Building Location Areas (BLA’s) for Proposed Lots 1-4 and 6 shown on the RM215224 Approved Plan A attached to this decision report that are suitable for building on and shall list development conditions pertaining to the building site locations and the lots generally.

**Advisory Note:** *The building structure site locations shall be defined with respect to boundary pegs and / or survey co-ordinates, the latter to be provided by a registered surveyor.*

37. Should any mitigation measures be required as part of the building site certification then these measures shall be designed and constructed under the supervision of the certifier of the building sites. Any mitigation measures requiring ongoing monitoring and / or maintenance shall be subject to a consent notice on the title of Proposed Lots 1-4 and 6 shown on the as shown on the RM215224 Approved Plan A attached to this decision report.
38. A Section 224(c) Certificate will not be granted if suitable building structure site locations are not defined.
39. Any lots upon which a certified building structure site location has not been identified shall be amalgamated with an adjacent lot containing a certified building structure site location.

#### **Maintenance Performance Bond**

40. The Consent Holder shall provide the Council with a performance bond in accordance with the Nelson Tasman Land Development Manual 2020. The amount of the bond shall be \$1,500 per lot (to a maximum of \$32,000) and shall run for a period of two years from the date of issue of a Section 224(c) Certificate for the last stage of the subdivision.
41. The bond shall provide that fair wear and tear and damage by third parties will be exempted. Provision shall be made for resolution of disputes which is satisfactory to both parties.
42. The Council and the Developer shall enter into a Maintenance Contract to give effect to the above condition.

#### **Consent notices**

43. The following conditions shall be complied with in perpetuity and shall be registered on the titles of all relevant lots by way of Consent Notice pursuant to sections 221 and 224 of the Act. The Consent Notices shall be prepared by the Consent Holder's solicitor and submitted to Council for approval and signing. All costs associated with approval and registration of the consent notices shall be paid by the Consent Holder.

#### General – Lots 1 – 4 and 6

44. Any new residential and accessory buildings, and water tanks, on Lots 1 – 4 and 6 shown on the RM215224 Approved Plan A attached to this decision report, shall only be located within the areas labelled 'Building Location Areas' on the building site and / or geotechnical certification plans required by Conditions 34 and 35 of resource consent RM215224.
45. No construction or building works shall proceed without the prior approval of a Construction Traffic Management Plan (CTMP) by Council's Group Manager Infrastructure. Appropriate Temporary Traffic Management, including stop/go operations to manage heavy vehicles on Enner Glynn Road, shall be incorporated into the CTMP and approved by the Group Manager Infrastructure, the stop/go operations shall be implemented prior to heavy vehicles approaching and leaving the site(s) during construction and earthworks activities and subsequent building of houses.

#### Ecological Requirements

46. The owners of Lots 1-4 and Lot 6 are prohibited from owning or keeping domestic cats, or goats. The owners of Lot 5 shall not acquire any new cats.
47. Areas proposed for vegetation clearance shall be assessed by a suitably qualified and experienced ecologist to ensure that 'Threatened' or 'At Risk' species of native birds are not breeding within those areas. An assessment report by the ecologist shall be provided to the Council's Monitoring Officer confirming these birds are not breeding within those areas prior to the commencement of any tree clearing.

#### Buildings

48. Construction materials for all buildings shall not contain Zincolume®, galvanized cladding or lead-head nails, lead paint or similar products that may leach metals (i.e., zinc, lead and copper) into the environment.
49. Colours of future residential buildings shall be complimentary to the colours of the local landscape with a reflectance of no greater than 20% for the roof colours and 40% for the wall colours. All water tanks, stormwater tanks and septic tanks shall be partially buried or screened from public view with planting".
50. All exterior lighting within the Building Location Areas (building platforms) or on the buildings on the southern and eastern sides are to be downward facing so as to minimise any light spill when viewed from the wider environment.
51. Buildings within Lots 4 and 6 shall be a maximum height of 4.5 metres above finished ground level.
52. Buildings within Lots 1 - 3 shall be a maximum height of 5.5 meters above finished ground level.
53. No buildings or structures are to be constructed within the building platforms of Lots 4 and 6 other



than water tanks to provide irrigation for landscape planting, prior to the landscape planting being certified by the Manager Consents and Compliance or Team Leader Resource Consents as meeting the minimum density and height approved under the Nelson City Council certified Landscape Plan for the stage.

54. No building, structures or stockpiling are to be constructed or occur on the designated spoil stockpile area within Lot 5 and shown as the hatched area on RM215228 Approved Plan A adjacent to the eastern boundary of Lot 5, without the approval of a suitably qualified Geo-professional. A report by a Geo-professional shall be submitted to the Council's Monitoring Officer outlining the suitability of the location or any restrictions that are required to be adhered to, a minimum of ten working days prior to the use of or construction of a building in this area.

#### Pest plant management

55. Landowners shall undertake measures to control problem exotic weeds and pests to minimize the risk of their spread to adjacent properties.

#### Potable water supply

56. All new residential buildings shall be supplied with water tanks with a storage capacity of at least 15,000 litres for potable water supply purposes. All water tanks for potable purposes shall be located within the areas labelled 'building site locations' on the building site / geotechnical certification plans required by Conditions 34 and 35 of resource consent RM215224.
57. The potable water supply shall be filtered to comply with NZBC Clause G12, and the Drinking Water Standards for New Zealand 2005 (Revised 2008).

#### Firefighting water supply

58. At the time building consent is sought for any dwelling on Lots 1 – 4 and 6 firefighting water supply shall be demonstrated for the Lots.

All new residential buildings shall be supplied with either:

- a. a sprinkler system installed in accordance with SNZ PAS 4509:2008 and plumbed to ensure 7,000 litres of water is always available to the sprinkler system in the event of a fire; or
- b. water tank(s) with a storage capacity of at least 45,000 litres for firefighting purposes, at least 23,000 litres of which must be stored permanently and be separate to the potable water supply tanks. Tanks must be fitted with a 100mm female screw thread controlled by a valve. All water tanks for firefighting purposes shall be located more than 6 metres and less than 90 metres away from the building concerned.

#### Stormwater disposal

59. The owners of Lots 1 – 4 and 6, shown on the RM215224 Approved Plan A, shall not undertake any construction of any building on any of the lots until a final engineering design for the stormwater disposal for the Lot in question has been approved by the Nelson City Council Group Manager Infrastructure.
60. Lots 1 - 6 that have culverts and / or cut off drains shall maintain the silt and sediment traps upstream of the inlets and any erosion control measures downstream of the outlet / discharge point so that

the structures are operating appropriately and are fully functioning. The Landowners shall carry out regular maintenance checks (annually and / or after a large rain event being 60mm in 24 hours).

61. Stormwater retention and detention systems and tanks shall be installed on Lots 1 - 6 to receive stormwater flows from houses, garages, sheds and all other roofs for the following purposes:

- Retention tank(s) for potable water and firefighting water purposes;
- Detention tank for extended detention to slow down flows from frequently occurring storm events to mitigate effects on erosion and stream health;
- Detention tank to attenuate flood flows from large storm events to predevelopment flows.

62. All works required for stormwater detention shall be undertaken in accordance with good practice. The system shall be designed and constructed in general accordance with the current version of the Nelson Tasman Land Development Manual (NTLDM) and the Tasman Consulting Engineers (TCEL) stormwater design reports listed in Appendix 1 to this decision and shall be arranged in series such that stormwater runoff flows firstly into the retention tank(s) then when this tank is full overflows into the extended detention tank and then when this tank is full overflows into the flood attenuation tank. Stormwater tanks shall include a primary filter on the inlet to the tank or downpipe to minimise debris entering the tank. The orifice installed on the outlet shall be accessible from the outside of the tank: this can be installed on the outlet pipe downstream of a gate valve with union connector to make it accessible for inspection and cleaning.

63. Landowners shall undertake inspections of the stormwater detention tanks at least every two years to ensure they are operating as designed. Inspections shall be carried out by a suitably qualified and experienced engineer.

64. The tanks shall be sized as given in the following table:

Lot	Retention Tank Volume in Litres	Extended Detention Tank Volume	Stormwater Attenuation Tank Volume	Maximum Impermeable Roof Area Served
1 to 6	As required for potable water and firefighting purposes but min 45,000 litres based on FW2 fire water classification	Min 15,000 litres	Min 25,000 litres	350 m <sup>2</sup>

65. The tank volumes shall be confirmed at Building Consent Stage based on the final roof and other impervious areas in each Lot. If it is found at Building Consent Stage that the roof and impervious areas in a Lot are larger than 350m<sup>2</sup>, then assessment of the stormwater runoff shall be undertaken based on the updated areas and the tank detention volumes shall be recalculated and provided accordingly.

66. The stormwater tanks and associated pipework shall have the following requirements.

- a. Extended detention tanks shall be provided with a 10mm diameter outlet orifice as per the TCEL report and a 3m diameter tank. The orifice shall be protected from blockage by the use of a mesh screen. The openings in the mesh shall be substantially smaller than the outlet orifice size. The mesh screen shall be large enough to ensure that the flow capacity of the

screen is a magnitude higher than the outlet capacity of the orifice.

- b. Stormwater attenuation tanks shall be provided with a 25mm diameter outlet orifice as per TCEL report and a 3.5m diameter tank.
  - c. The tanks and associated system shall be designed to allow for safe periodic maintenance of the tanks and associated stormwater system.
  - d. Roof gutters and connecting pipework shall be sized to take the future 1% AEP design storm to the stormwater tanks without overflow. Gutter outlets shall be fitted to the underside of the gutter to minimise sludge build up and water retention in the gutter.
  - e. Gutter outlet strainers shall be provided at entry to downpipes to reduce risk of blockage. Gutter screens shall be provided to prevent build-up of debris in the gutters.
  - f. In line leaf and debris diverters shall be fitted to downpipes to improve water quality and reduce the risk of orifice blockage and reduce tank maintenance requirements.
  - g. The tanks shall have 150mm dead storage i.e. the base of the tank shall be 150mm minimum below the tank outlet invert level.
  - h. Flow diverters shall be installed in downpipes to prevent dirty water entering the tank when cleaning gutters.
  - i. A controlled inlet shall be provided to each tank to reduce the risk of sediment resuspension in the tank.
  - j. A gauge shall be provided to each tank to allow monitoring of water levels in the tanks.
  - k. Additional measures shall be incorporated to improve water quality for potable water purposes:
    - Light proof pipes and fittings to minimise daylight penetration and algal growth in water.
    - Fitting first flush diverter to improve water quality.
    - Vector screens fitted to all tank openings.
67. Prior to construction of buildings within Lots 1 – 4 and 6, detailed design drawings shall be submitted to Nelson City Council for the approval of the Group Manager Infrastructure. No construction shall commence prior to the approval of the Group Manager Infrastructure of the detailed design drawings.
68. The quality of treated stormwater discharge from the stormwater detention tanks shall not exceed the following quality standards:
- (a) Total petroleum hydrocarbons      15 milligrams per litre
  - (b) Total suspended solids              100 milligrams per litre
  - Any stormwater discharge shall not cause the production of conspicuous oil or grease films, scums or foams, or floatable or suspended material in any receiving water.
69. The owners of Lots 1, 2 and 6 containing the infiltration micro-wetland swales shall carry out regular maintenance checks (annually and / or after a large rain event being 60mm in 24 hours). The micro-

wetland swales shall be operated and maintained in accordance with the design and construction specifications of the detailed design drawings for the micro-wetlands.

70. No impervious areas including for buildings (whether requiring resource or building consent or not), driveways or parking areas shall be constructed unless, prior to construction, the Landowner provides a suitably qualified, professional opinion to the Manager Consents and Compliance or Team Leader Resource Consents that proposed mitigation devices will detain stormwater in accordance with the detention volume and design requirements of Conditions 58-63 [or corresponding consent notice condition reference] above. The professional opinion may be reviewed by the Council's experts at the Landowner's expense. Construction of any impervious surfaces shall not commence without the approval of the Manager Consents and Compliance or Team Leader Resource Consents.

*Advice Note: The accessways formed to the BLA's on Lots 1-4 and 6 (as required to be constructed at subdivision stage by Condition 19 are not 'impervious driveway areas', and this condition does not apply to their formation.*

71. The owners of Lots 1 - 6 shall not undertake or permit any activity that results in changes to the cross-sectional gradient of the ROW as designed and certified in accordance with Condition 22. For clarity, the final cross section of the ROW shall be generally contoured to a single cross-fall to the upslope side (not crowned) to enable stormwater to flow on the upslope side of the ROW.
72. The owners of Lots 1- 6 shall not undertake or permit any activity within or alongside the ROW or the individual allotments that results in the flow of stormwater to the downslope side of the ROW (the boundary shared with the property at 100 Enner Glynn Road), other than structures that are expressly authorised under this resource consent. This includes, but is not limited to, the construction of any new outlets/outfalls/culverts/cut off drains or other structures, or the recontouring of any land to the extent that it results in additional stormwater catchment draining to the adjacent property at 100 Enner Glynn Road. For clarity:
  - a. This condition does not authorize discharge from the ROW from any points other than those detailed as cut-off drains 2 and 9, and Culverts 5 and X on approved Plan D.
  - b. There shall be no construction of any new outlets/outfalls/culverts/cut off drains or other structures, or the recontouring of any land within Areas A and B on RM215224 Approved Plan C, within Lots 2 and 5, that would result in additional stormwater catchment or concentration of flows within these areas draining to the adjacent property at 100 Enner Glynn Road.
73. The Landowners shall carry out regular maintenance checks and shall ensure that the stormwater management system for the entirety of the site is managed in accordance with the approved Stormwater Operation and Maintenance Plan under Condition 22. This shall be required in perpetuity.
74. The owners of Lot 6 shall not undertake or permit any activity whereby any cut off drains or clay bunds are located above the wastewater disposal field on Lot 6 that directs stormwater flow in the direction of 100 Enner Glynn Road. If a cut off drain or clay bund is required above the wastewater disposal field on Lot 6, stormwater must be diverted through drain 9 as shown in RM215224 Approved Plan D.

#### Wastewater disposal

75. The owners of Lots 1 – 4 and 6 shall at the time of building consent provide plans for the installation

of an onsite domestic wastewater system that provides no less than secondary treatment for a maximum of 6 persons. The onsite wastewater systems shall be installed prior to the occupation of any residential unit on Proposed Lots 1 – 4 and 6 in general accordance with the associated wastewater discharge permit.

76. The system shall be designed to ensure effluent disposal fields are located a minimum of 5m from any dwelling; a minimum of 5m downslope of the toe of any fill slopes for the building platforms, and a minimum of 6m or twice the height of any cut from the top of any cutslope whichever is greater, that will have been formed for a road, access, or building platform.
77. The owners of Lots 1 – 4 and 6 shall not undertake any construction of any building on each of the lots until final engineering designs for the wastewater treatment and land application disposal areas have been approved by the Group Manager Infrastructure Nelson City Council.
78. The design, supervision of construction/installation and certification of the wastewater treatment system and land application disposal areas shall be undertaken by a suitably experienced Chartered Professional Engineer.
79. A suitably qualified and experienced wastewater disposal engineer shall provide a written certificate(s) or producer statement construction review(s) (PS3 or PSCR4) to the Council's Monitoring Officer prior to the exercise of the associated discharge permits Lots 1 – 4 and 6. The certificate or producer statement shall include sufficient information to enable Council to determine compliance with Condition 1 of resource consent RM215224 and shall also confirm the following:
  - a. that all components of the wastewater treatment and disposal systems (including wastewater disposal fields) have been inspected and installed in accordance with standard engineering practice and the manufacturer's specifications;
  - b. that all components of the wastewater treatment and disposal systems (including wastewater disposal fields) are in sound condition for continued use for the term of this resource consent.
80. All land application areas shall be protected from vehicles and grazing animals to ensure the soil structure is not detrimentally affected and to avoid the risk of lateral damage.
81. The owners of Proposed Lots 1 – 4 and 6 shown on the RM215224 Approved Plan A attached to the decision report, or their agents, shall submit a final 'as-built' plan or plans to the Council's Monitoring Officer, showing the location of all components of the wastewater treatment and disposal systems (including wastewater disposal fields) for the lot(s) concerned. For the purpose of this condition, the 'as-built' plans shall be drawn to scale and provide sufficient detail for a Council Monitoring Officer to locate all structures identified on the plans.
82. Sampling points to allow collection of a sample of the treated wastewater shall be provided at a point located after the final pump-out chamber and before the point where the wastewater discharges to each wastewater disposal field.
83. A cut off drain or clay bund shall be installed upslope of the Land Application Area (LAA) on Lots 1-5 prior to the discharge occurring and shall be maintained for the duration of this consent to divert all upslope surface water away from the land application areas. If Lot 6 requires the installation of cut off drains or clay bunds upslope of the Land Application Area (LAA), these shall not direct stormwater flow in the direction of the adjacent property at 100 Enner Glynn Road. If a cut off drain or clay bund is required above the wastewater disposal field on Lot 6, stormwater must be diverted through drain

- 9.
84. Water tank overflow pipes and house stormwater shall be directed away from the wastewater land application areas.
85. All reserve land application areas shall remain undeveloped (no buildings or structures shall be constructed on the area set aside as reserve land application areas (and as shown on the Discharge Permits for each of the allotments), however the reserve areas may be planted with trees or other vegetation.
86. The Landowners shall enter, and maintain in force at all times, a written maintenance and monitoring contract with an experienced wastewater treatment plant operator, or a person trained in the wastewater treatment operation by the system designer, for the ongoing maintenance of the treatment and land application systems. The contract shall specify the frequency of treatment plant inspections (but not less than once a year) and maintenance during the term of the pertinent discharge permit and shall include an inspection and maintenance schedule that is in accordance with the conditions of the consent.
87. Prior to occupation of any building, the landowners shall provide a copy of the maintenance and monitoring contract for the wastewater treatment and land application systems to the Council's Monitoring Officer.

#### Earthworks

88. The owners of those lots containing subsoil drains shall not undertake any activity that compromises the integrity of the subsoil drains. In the event that a subsoil drain is damaged it shall be repaired or replaced under the direction of a Chartered Professional Engineer practising in Geotechnical Engineering.
89. The owners of those lots containing subsoil drain outlets shall not undertake or permit any activity that obstructs or interferes with the outlet to any subsoil drain.
90. The owners of those lots containing subsoil drain outlets shall maintain a record of regular inspections (a minimum of annually) of the subsoil drain outlets on their property, whether located at manholes, sumps or discharging to open ground, to ensure that the outlets have not been damaged and are free of obstruction. This record shall be made available to Council's Monitoring Officer's upon request.
91. The owners of those lots where mitigation measures are required as part of the building site certification (detailed by the Geo-professional certifying the Lots) shall regularly undertake ongoing monitoring and/or maintenance in accordance with the identified mitigation measures. A record of any monitoring and/or maintenance requirements detailed by the Geo-professional certifying the Lots shall be made available to Council's Monitoring Officer's upon request.

#### Landscape planting

92. The Landowners of Lots 3, 4 and 6 shall prepare and submit Landscape Planting Plans and building plans at the time building consent is sought from Nelson City Council. The Landscape Plan shall be prepared by a recognised Landscape Designer / Architect which builds on the already certified critical mitigation and revegetation planting undertaken by the consent holder and shall be submitted for certification to the Manager Consents and Compliance or Team Leader Resource Consents. These

plantings plans shall specifically address the prominence of the proposed structures when viewed both from the north and southerly aspects. Plants shall consist of native revegetation species sourced from the Living Heritage guidelines at a density of 1.5m centres to complement existing native communities.

93. The Landscape planting within Lots 1, 3, 4 and 6 and shown on the attached Landscape Mitigation Planting Plan for RM215224, RM215225, RM215226 and RM215227, shall be retained in perpetuity and plants kept alive or replaced if dead or dying using best horticultural practice and as certified by the Manager Consents and Compliance or Team Leader Resource Consents and held on Council file. The Landscape vegetation can be added to with plants of low flammability (i.e. kanuka, Manuka, totara shall not be planted near building platforms). Landscape planting areas around building platforms shall be fenced from stock and shall consist of post and wire unless stated otherwise as a detail on the landscape plan which is certified by the Manager Consents and Compliance or Team Leader Resource Consents as appropriate.
94. All Critical Mitigation Landscape Planting areas around building platforms and which have been certified by the Manager Consents and Compliance or Team Leader Resource Consents shall be fenced from stock. Fencing shall consist of post and wire unless stated otherwise as a detail on the landscape plan which is accepted by the Manager Consents and Compliance or Team Leader Resource Consents as appropriate.
95. Areas of Critical Landscape Planting, within proposed Lots 3, 4, 5 and 6 and as shown on RM215224 Approved Plan B – Landscape Plan by Canopy Landscape Architects Ltd, dated October 2021, Job no. 2157 shall have ongoing maintenance and environmental weed management and pest animal control to maintain the canopy closure, and in accordance with the Registered Landscape Architects approval gained prior to s224c certification. Any dead or dying plants shall be replaced in general accordance with the species listed in the Nelson Living Heritage – Growing Native Plants in Nelson ‘Lowland hill country’ ecosystem plant list, including native species eco-sourced from the Bryant Ecological District within the next planting season. A recommended species list is provided on RM215224 Approved Plan B – Landscape Plan by Canopy Landscape Architects Ltd, dated October 2021, Job no. 2157.

#### Lots 1 – 6

96. Fencing of boundaries shall consist of post and wire unless stated otherwise as a detail on the landscape plan which has been certified by the Manager Consents and Compliance or Team Leader Resource Consents as appropriate.

#### Lot 2

97. The remnant area of bush in the eastern gully of proposed Lot 2 shown on the RM215224 Approved Plan B – Landscape Plan by Canopy Landscape Architects Ltd, dated October 2021, Job no. 2157 shall be left to enable natural regeneration (that is currently occurring) to continue. No major earthworks or clearance of native vegetation shall occur within this area.
98. The area of existing pine trees that are within proposed Lot 2, as generally shown as Area A on RM215224 Approved Plan C, shall remain in long-term vegetative cover in perpetuity. In the event that any of the pines within this defined area are subjected to vegetative thinning over time, this area shall:

- a. Be underplanted with poplar species to replace any trees removed, and;
- b. Be planted with two rows of vegetation along the perimeter of the area of existing pine trees, as generally shown as Area A on RM215224 Approved Plan C. This planting shall comprise one row at the upper extent of the area, below the ROW and existing row of poplar trees, the other at the lower extent of Area A. These two rows of mitigation planting shall be undertaken within 12 months of commencement of any vegetation removal within Area A. Species for the two rows of planting shall consist of *Pittosporum eugenoides*, to be planted at an average density of one plant per 2.0m spacing. The planting shall be undertaken within the first available planting season following removal of pine trees within Area A, using best horticultural practice.

99. The mitigation planting detailed in condition 98 shall be retained in perpetuity. The planting within Area A of RM215224 Approved Plan, if dead or dying, shall be replaced within the next available planting season, using best horticultural practice.

#### Lot 5

100. The area of existing pine trees that are within proposed Lot 5, as generally shown as Area B of RM215224 Approved Plan C, shall remain in long-term vegetative cover in perpetuity. In the event that any of the pines within this defined area are subjected to vegetative thinning over time, this area shall:

- a. Be underplanted with poplar species to replace any trees removed, and;
- b. Be planted with two rows of vegetation along the perimeter of the area of existing pine trees, as generally shown as Area B on RM215224 Approved Plan C. This planting shall comprise one row at the upper extent of the area, below the ROW and existing row of poplar trees, the other at the lower extent of Area B. These two rows of mitigation planting shall be undertaken within 12 months of commencement of any vegetation removal within Area B. Species for the two rows of planting shall consist of *Pittosporum eugenoides*, to be planted at an average density of one plant per 2.0m spacing. The replacement planting shall be undertaken within the first available planting season following removal of pine trees within Area A, using best horticultural practice.

101. The mitigation planting detailed in condition 100 shall be retained in perpetuity. The planting within Area B of RM215224 Approved Plan C, if dead or dying, shall be replaced within the next available planting season, using best horticultural practice.

#### Lots 4 and 6

- 102. Prior to construction of a building on Lot 6 water tanks currently located on top of the hill to the north of proposed Lot 6 shall be removed.
- 103. Structures, such as yards, retaining walls and bridges should be of natural materials, such as timber, in forms and lines appropriate for the landscape, and left to weather naturally or finished with low reflectivity colours.



## Earthworks

104. Any tracks shall, as much as possible, be located on the edges of landform and vegetation patterns. They shall have a curving alignment and should run generally parallel with contours and on flatter areas. Tracks shall be kept to a minimum and not exceed 0.8m in cut depth or fill height. Tracks shall avoid steep zigzag alignments. Any tracks shall be finished to a natural contour, married to adjacent slopes and revegetated with woody or herbaceous plants as appropriate for the context.

**Advisory Note:** *this does not apply to driveways*

105. The owners of Lots 1, 2 and 6 containing the infiltration micro-wetland swales shall carry out regular maintenance checks (annually or after a 1 in 20 year rain event) and specify the requirements for the operation and maintenance for the infiltration micro-wetland swales and ensure they are operated and maintained according to those specifications. If incorporated into the right of way, these maintenance requirements shall be included in the easement documentation for this right of way.

### Lot 6

106. The Owner shall not, and shall procure that any person occupying any part of the Land shall not:
- a. Oppose, complain about; or take, encourage, assist, finance or contribute, or participate in any proceeding seeking to curtail:

Any lawfully established activities within the covenanted conservation area of 100 Enner Glynn Road, including farming activities on the properties at 11 Bills Drive or 100 Enner Glynn Road which are permitted under the Nelson Resource Management Plan or any successor plan, or authorised resource consent.

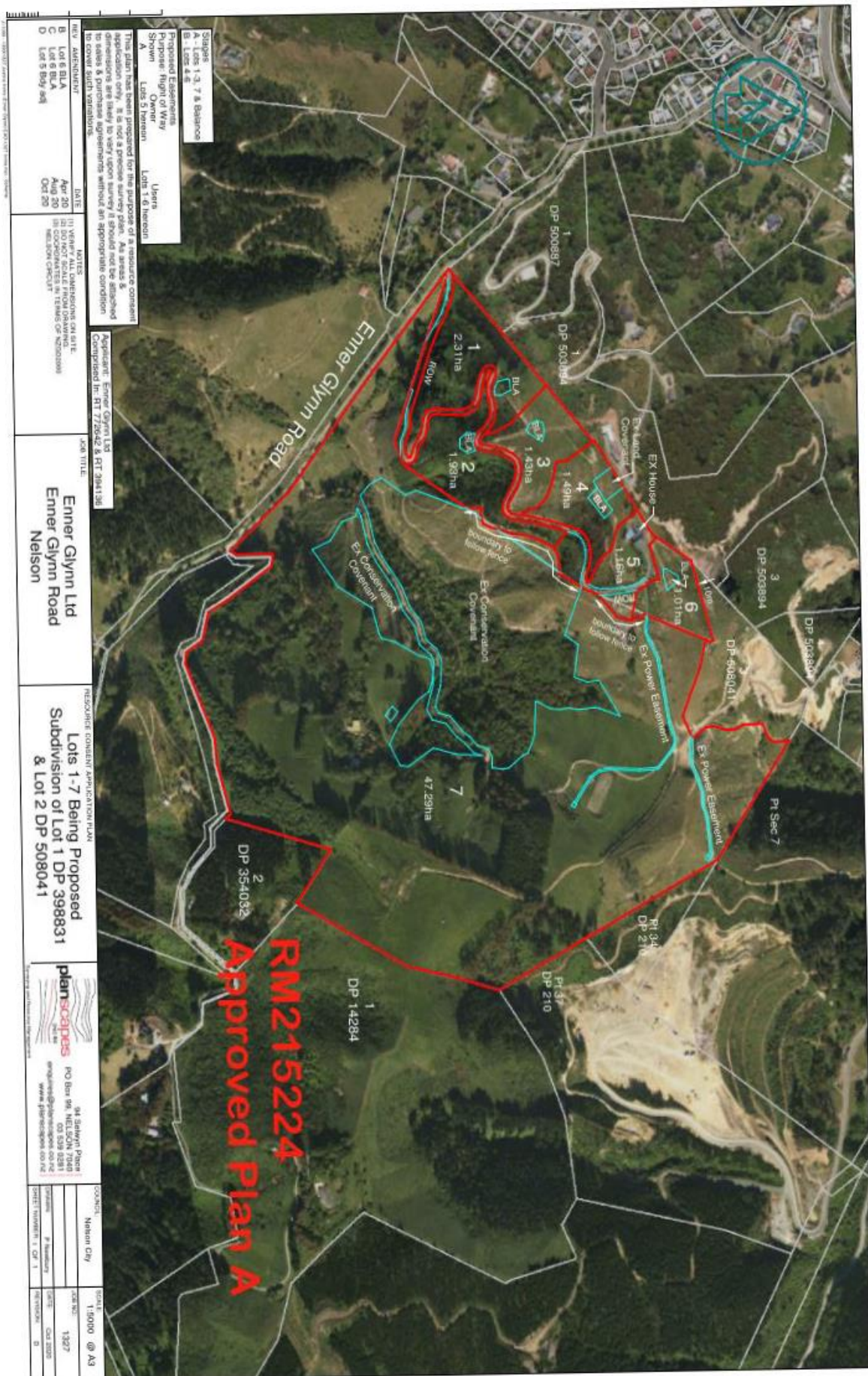
## **ADVICE NOTES**

### **Development Contributions**

1. The Consent Holder shall pay a Development Contribution for Lot(s) 1 – 4 and 6 in accordance with the Council's Development Contributions Policy 2021, 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 for each stage.
  - (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.
2. Conditions of this consent have been imposed pursuant to Sections 108 and 220 of the Act.
3. 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.
4. 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.

5. The Consent Holder should note that this resource consent does not override any registered interest on the property title. 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 of \$320.00 (GST inclusive).
6. 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.





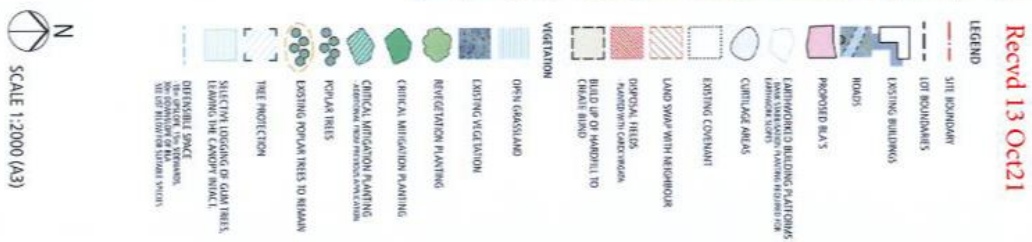


FIGURE 2

LANDSCAPE PLAN

OCTOBER 2021

JOB NO. 2157

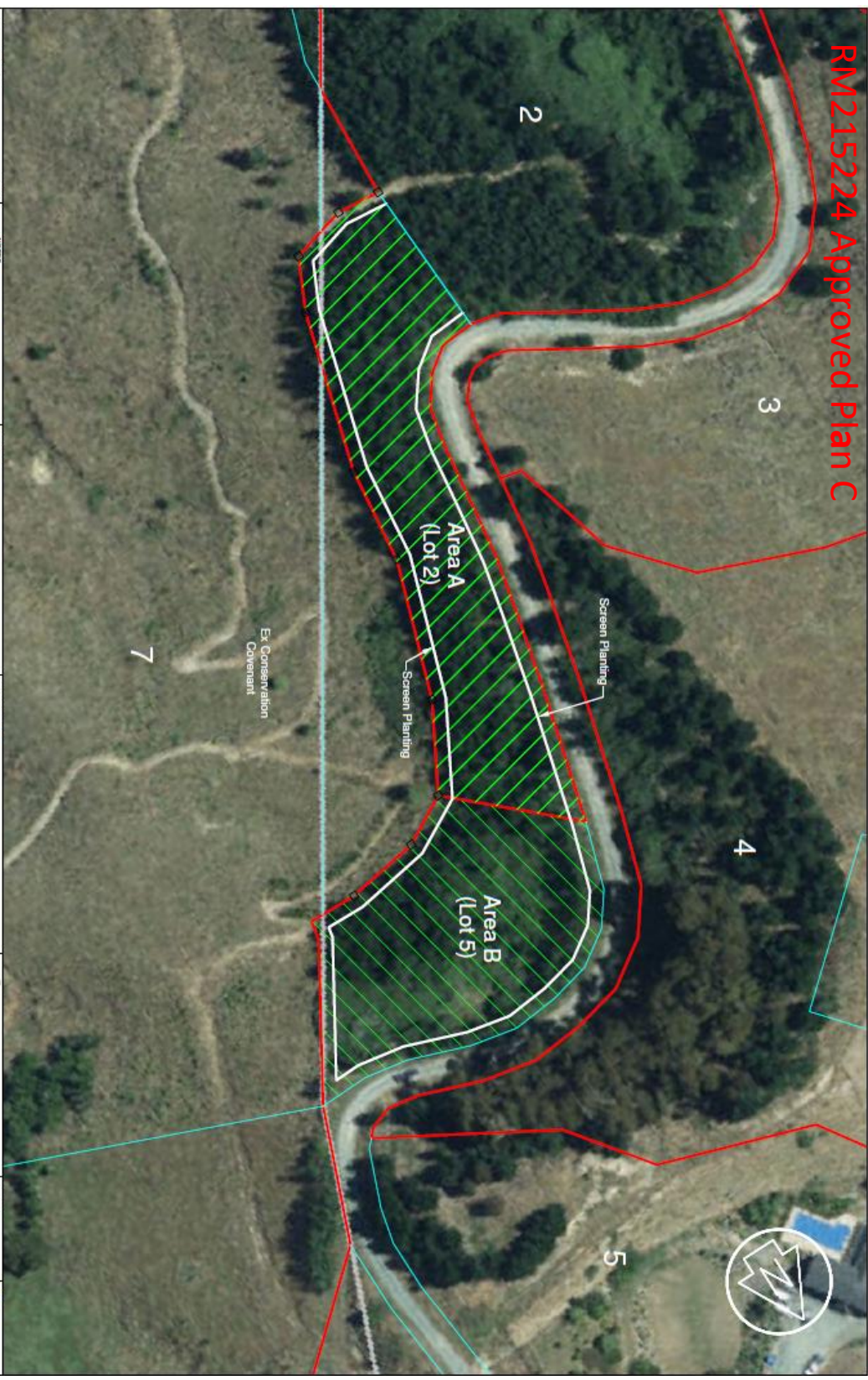
IRVINE SUBDIVISION

NELSON

SCALE 1:2000 (A3)



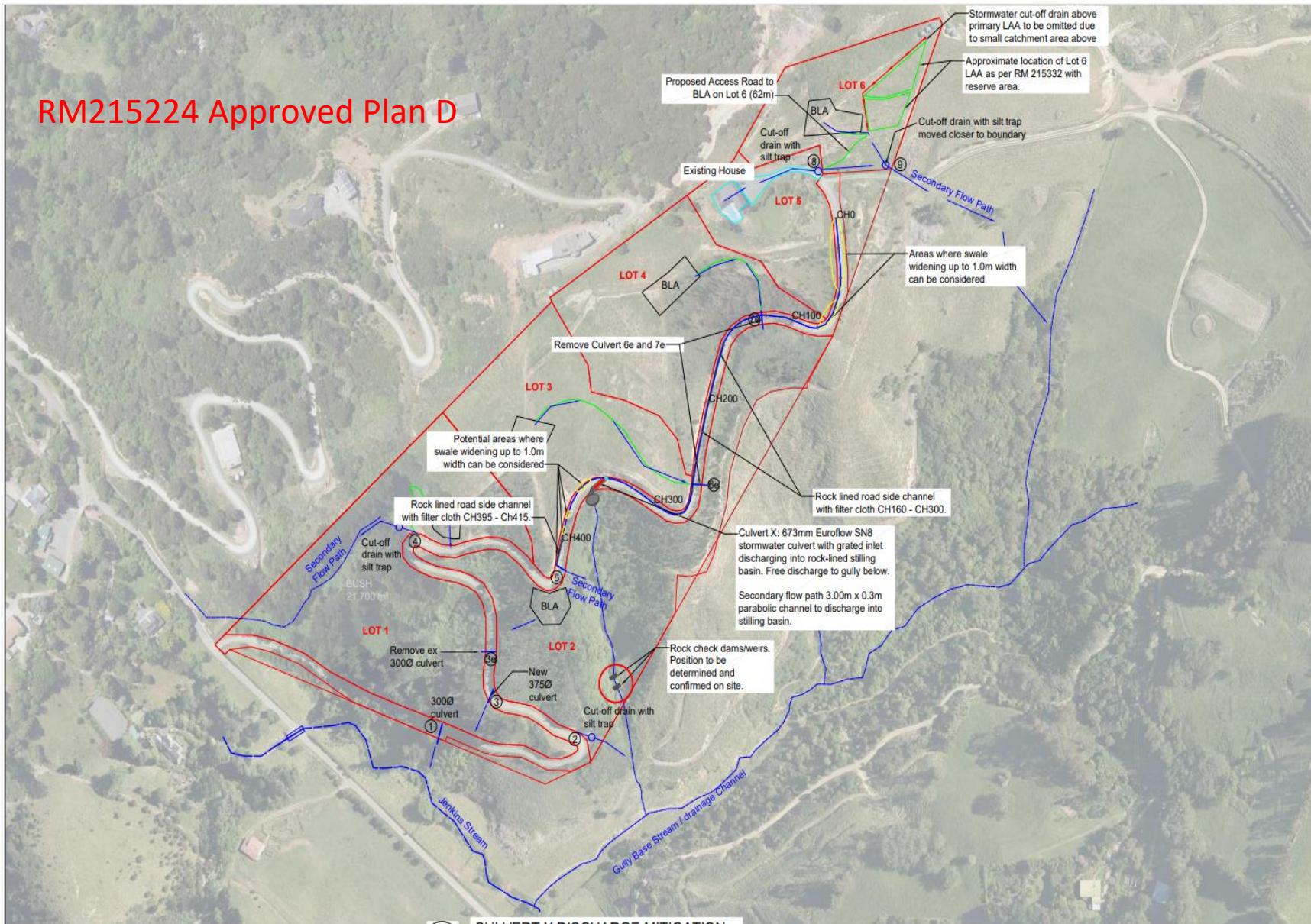
# RM215224 Approved Plan C



REV. AMENDMENT	DATE	NOTES	JOB TITLE	DRAWING TITLE	planiscapes	SCALE
		(1) VERIFY ALL DIMENSIONS ON SITE (2) VERIFY ALL DIMENSIONS ON SITE (3) COORDINATES IN TERMS OF NZGD2000 (4) NELSON CIRCUIT	Enner Glynn Ltd Enner Glynn Road Nelson	Diagram of Vegetation Management Area	34 SHAWYR PLACE PO BOX 99, NELSON 6100 enquiries@planiscapes.co.nz WWW.PLANISCAPES.CO.NZ	1:750 @ A3
					PROJ. NO. 215224	1327
					DATE: 20 JUL 2023	
					BY: [Signature]	
					SCALE: 1:750 @ A3	



# RM215224 Approved Plan D



2 CULVERT X DISCHARGE MITIGATION  
Scale 1 : 2500

This drawing is copyright to Tasman Consulting Engineers Ltd

**TASMAN CONSULTING ENGINEERS**  
195A Queen St  
PO Box 3631  
Richmond NELSON  
P: (03) 544 6404  
W: tcel.co.nz

Revision History:

**CULVERT X DISCHARGE MITIGATION**  
**ENNER GLYNN LIMITED**  
32 ENNER GLYNN RD, ENNER GLYNN, NELSON 7011

Scale	1:2500	Original size A3	Sheet	S2
Date	04-07-2023		of	2
Drawn	MG		File	19343



## Appendix B2 - RM215224 (Subdivision) - tracked

### CONDITIONS

#### RM215224 7 Lot Subdivision including Boundary Adjustment with Lot 1 DP 549973

##### The activity to which this decision relates:

Staged subdivision of Lot 1 DP 398831 to create 6 rural residential allotments, and undertake a boundary adjustment with Lot 1 DP 549973 (100 Enner Glynn Road)

**Advisory Note:** This consent should be read in conjunction with the following Land Use and Discharge Permit Consents:

- RM215225, 215226, 215227 – Structures in the Landscape Overlay
- RM215228 – Earthworks in relation to Subdivision of 32 Enner Glynn Road (Lot 1 DP 398831) and partially within the Landscape Overlay
- RM215229, RM215230, RM215231, RM215232, RM215233 Discharge to land – effluent
- RM215235 Discharge to land – Stormwater (proposed Lots-5)
- RM205343 – Cancel consent notice

##### General

1. The subdivision and boundary adjustment shall be carried out in general accordance with the information and plans submitted with the application lodged with the Council on 17th December and relodged on the 19<sup>th</sup> July 2021, including all supporting information and additional information submitted to the Council and held on Council file, including documentation and information presented in the appeal process, specifically the 11 May 2023 Stormwater Report prepared by Tasman Consulting Engineers. In the event that any of the provisions of those documents conflict with the requirements of these conditions of consent, these conditions of consent shall prevail.
2. The development shall proceed generally in accordance with the RM215224 Approved Plan A attached to the decision report and prepared by Planscapes (NZ) Ltd titled: Lots 1-7 Being Proposed Subdivision of Lot 1 DP 398831 & Lot 2 DP 508041, and dated: Oct 2020, received by the Council on 24 February 2021; the attached RM215224 Approved Plan B prepared by Canopy Landscape Architects Ltd titled: Landscape Plan, and dated: October 2021; the RM215224 Approved Plan C prepared by Planscapes and dated July 2023; and RM215224 Approved Plan D prepared by Tasman Consulting Engineers titled Culvert X discharge mitigation, and dated 4 July 2023.

**Advisory Note:** RM215224 Approved Plans A-D attach and form part of this consent.

3. Where there is any apparent conflict between the application and consent conditions, the consent conditions shall prevail.

##### Staging and Lapse Date

4. The subdivision shall be staged as set out in the application as follows. The consent shall lapse for each stage in accordance with Section 125 of the Act if not given effect to by the date specified:

Stage:	Lots	Lapsing Date
A	1-3, 7 and balance	9 September 2027
B	4-6	9 September 2032



*Stage B may be extended for up to an additional 24 months at the discretion of the Council's Manager Consents and Compliance or Team Leader Resource Consents for unanticipated delays such as adverse conditions or accidental discoveries, provided these delays are minimised as much as practicable and managed accordingly.*

Before a Section 224(c) Certificate is issued for any stage, all conditions relevant to that stage shall be complied with.

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

5. All necessary easements as required for right to drain water, right to convey water, telecommunications, computer media, electricity, rights of way, and associated culverts and sediment traps, and micro-wetland areas shall be shown under a Memorandum of Easements on the Survey Plan submitted for the purposes of section 223 of the Act.

All documentation for the registration of the easements shall be prepared at the Consent Holder's expense.

#### **Geotechnical Investigation**

6. Any earthworks proposed as part of lot/building site development, including upgrades to the existing accessway and accessways to the Building Location Areas (BLA's) shall be surveyed by a Registered Surveyor, investigated and detail design carried out in full by a suitably experienced geotechnical engineer or an experienced Engineering Geologist ("Geo-professional"). This information shall be submitted to Council for review and approval by Council's Geotechnical Advisor. The investigations and detailed design shall highlight areas of potential instability and detail the necessary solutions required. For the avoidance of doubt, no earthworks subject to RM215228 shall take place until this information has been reviewed and approved by the Council's Geo-professional.
7. Any detailed plans in respect to condition 6 for earthworks subject to RM215228 shall incorporate the following minimum design requirements:
  - a. Stormwater control; including confirmation that the final contours of the site will not result in additional stormwater catchment draining to the adjacent property at 100 Enner Glynn Road, or that the effects of any additional catchment or runoff shall be mitigated by following the processes required in the current version of the Nelson Tasman Land Development manual.
  - b. Design details of any subsoil drain network;
  - c. Maintenance details of deep subsoil drains and any dependence of stability on the subsoil drains;
  - d. Methods to identify and manage any areas, of high plasticity clay and/or weak, sheared clay, and areas of slope stability mitigation;
  - e. The calculated factor of safety for static and seismic loads, worst case ground water conditions and risk assessment for proposed finished earthworks;
  - f. Identification of stockpile areas and stability controls on stockpile placement including the maintenance of temporary stability;
  - g. Design details of any engineered retaining walls; and
  - h. Excavation Management Plan (EMP) for cuts greater than 2m in height.

#### **Ecology - Prior to earthworks and tree removals**

8. Tree clearance shall take place outside of the key breeding period for native forest birds (breeding period is October to January inclusive). Where it cannot avoid the key bird breeding period, any areas proposed for tree clearance shall be assessed by a suitably qualified and experienced ecologist to ensure that 'Threatened' or 'At Risk' species of native birds are not breeding within those areas.
9. Lizard-sensitive clearance protocols shall be adopted prior to earthworks on the site. At this site, this means ensuring that pasture grassland around Lot 4 and Lot 6 are progressively grazed down to a low-level by stock removing clumps of dense pasture and allowing any potential resident skink to naturally disperse into surrounding habitats. If this is not achieved prior to earthworks commencing, a preclearance lizard survey shall be undertaken by a DOC-permitted herpetologist to determine if native lizards are present on site. If native lizards are present DOC will be notified and the applicant will follow an appropriate mitigation process determined by DOC. This may involve salvage and relocation of lizards that are within the construction footprint.
10. No less than 10 working days prior to the commencement of any earthworks, the Consent Holder shall submit to the Council's Monitoring Officer the preclearance survey by a suitably qualified ecologist. No earthworks shall commence until the Council's Monitoring Officer is satisfied that all salvage and relocation of lizards (if required) is complete.

#### **Engineering Plans**

11. Prior to the approval of the Survey Plan under Section 223 the Consent Holder shall:
  - a. Submit design engineering plans for all works to be undertaken for the purposes of conditions 6, 7, 20, 22 - 25 for the approval of the Group Manager Infrastructure.

#### **Prior to the issuing of a Section 224(c) Certificate for the subdivision Stage A – Mitigation Planting**

12. The Consent Holder shall submit a detailed Landscape Plan for Lots 1 and 3 prepared by a Registered Landscape Architect and in general accordance with 'Critical Mitigation Planting', 'Revegetation planting' and poplars (associated with Lots 1 and 3) as shown on the Canopy Landscape Architects Ltd Landscape Plan attached to this decision report as RM215224 Approved Plan B for the certification of the Manager Consents and Compliance or Team Leader Resource Consents. The appointed Registered Landscape Architect shall be familiar with the matters and issues raised in the application, the topography of the Lot, site constraints for vegetation growth and existing soil types, and any recommendations of the Geo-professional appointed to oversee earthworks and subdivision certification on the appropriate method to be used to permanently stabilise the site. The Landscape Plan shall incorporate plant species suitable to the soil and climate conditions so that plants will establish and shall include (but not be limited to) native revegetation species sourced from the Living Heritage Guide and shall consist of plants of low flammability where located in the defensible space around the building platform. Should the Manager Consents and Compliance or Team Leader Resource Consents refuse to certify the Landscape Plan for Lot 1 and Lot 3 the Consent Holder shall submit a revised Landscape Plan for certification.
13. The landscape planting required under Condition 12 for Lots 1 and 3 shall be undertaken generally in accordance with the Landscape Plan certified by the Manager Consents and Compliance or Team Leader Resource Consents and in accordance with best horticultural practice (including ongoing weed and pest management as necessary) that responds to site constraints. The landscaping shall be completed prior to the issuing of a Section 224(c) Certificate for the subdivision of these lots.

14. The area marked on RM215244 Approved Plan B as 'Critical Mitigation planting' for Lot 5 and shown on the Canopy Landscape Architects Ltd Landscape Plan attached to this decision report as RM215224 Approved Plan B shall be planted by the consent holder using native plant species in general accordance with 'Critical Mitigation Planting' and shall commence within 24 months of the commencement of any works within Stage A

### Stage B – Mitigation Planting

15. The Consent Holder shall, following the substantial completion of earthworks for the creation of the Building Location Areas (BLA's) within Lot 4 and 6 and authorised under RM215228, permanently stabilise any exposed ground within the worked areas by planting, seeding, mulching or other means of covering so as to minimise the risk of dust, erosion and sedimentation and to enhance slope stability adjacent to the worked areas. Recommendations of the Geo-professional appointed to oversee earthworks and subdivision certification on the appropriate method shall also be used to permanently stabilise the site.

**Advice Note:** *Substantial completion shall be determined by the Council's Monitoring Officer.*

16. The Consent Holder shall submit a detailed Landscape Plan for Lots 4 and 6 prepared by a Registered Landscape Architect and in general accordance with the Canopy Landscape Architects Ltd Landscape Plan attached to this decision report as RM215224 Approved Plan B and showing the 'Critical Mitigation Planting' and 'Revegetation Planting' areas and poplars (associated with Lots 4 and 6) and attached to this decision report as RM215244 Approved Plan B for the certification of the Manager Consents and Compliance or Team Leader Resource Consents. Should the Manager Consents and Compliance or Team Leader Resource Consents refuse to certify the Landscape Plan for Lots 4 and 6 the Consent Holder shall submit a revised Landscape Plan for certification.
17. The appointed Registered Landscape Architect shall be familiar with the matters and issues raised in the application, the topography of the Lot, site constraints for vegetation growth and existing soil types, and any recommendations of the Geo-professional appointed to oversee earthworks and subdivision certification on the appropriate method to be used to permanently stabilise the site. The Landscape Plan shall incorporate plant species suitable to the soil and climate conditions within the building platform area so that plants will establish and shall include (but not be limited to) native revegetation species sourced from the Living Heritage guidelines and shall consist of plants of low flammability.
18. The 'Critical Mitigation Planting' for Lots 4 and 6, shall be maintained until a Registered Landscape Architect certifies in writing to the Council's Monitoring Officer that they are satisfied that the planting is established to an appropriate height and vegetation density, to effectively mitigate visual effects of a dwelling on the lot, and to ensure that built form is integrated into the site and is not overly visible from major transportation routes below the site, and as described below in a-d.

Approval of the Registered Landscape Architects certification shall be obtained by the Manager Consents and Compliance or Team Leader Resource Consents prior to issuing of the s224c certificate for each stage. Effective mitigation planting shall be assessed by the following measurables:

- a. The planting achieving an average density of one plant per 1.5m spacing's within the Critical Mitigation Planting area (the actual spacing between species may vary, with larger faster growing species spaced at 2.0m spacing, with 1.5m spacing considered desirable for

most plants and closer spacings being required for smaller plants).

- b. The Critical Mitigation Planting is intended to read as a continuous vegetative cover of healthy trees and shrubs, that will continue to grow in height and stature past the five-year monitoring timeframe generally to a minimum height of 3m. Prior to the third growing season the Critical Mitigation Planting areas shall be formally reviewed by a Registered Landscape Architect and a report provided to council detailing the condition of these areas. Where gaps or failures are identified and reported, supplementary plantings shall be undertaken using species designed to fill these gaps within the 2 years following the report. Any species that appear unhealthy or struggling at this time shall be replaced with those that are thriving.
- c. For any final inspection by a Registered Landscape Architect, the required Critical Mitigation Planting shall have reached an average height of 1.5m high above ground level, the area shall be weed free and where gaps exist in the canopy, the Registered Land Architect must be satisfied that the plants within those gaps are healthy and thriving.
- d. Species shall generally consist of 50% Olearia solandri, Olearia panniculata, Pittosporum eugenoides 30% Myoporum laetum, Aristotelia serrata, Coprosma Robusta; and 5% mix of Cordyline australis and Pseudopanax arboreus which are all from the lowland hill country plant list from the Living Heritage Guide, with moderate – low flammability. The remaining 15% shall be made up of the species listed on the Canopy landscape plan dated October 2021 (also sourced from the Living Heritage Guide) with a rating no higher than moderate – low flammability as measured by the fire research report.

19. The designated spoil stockpile area within Lot 5 shall include a row of mitigation planting along the eastern perimeter of the designated stockpile area, as shown as the 'Revegetation planting' area on RM215228 Approved Plan B, to achieve visual screening of the stockpile relative to the adjacent property at 100 Enner Glynn Road. Species for the planting shall consist of Pittosporum eugenoides, planted at an average density of one plant per 2.0m spacing. The landscaping shall be completed prior to the issuing of a Section 224(c) Certificate for Stage B.

#### Vehicle Accesses

19-20. Separate all-weather vehicle accesses shall be constructed from the Right of Way (ROW) to the Building Location Areas on Proposed Lots 1 – 4 and 6 as shown on the RM215224 Approved Plan A attached to this decision report, generally in accordance with the relevant specifications set out in Section 4.10 of the Nelson Tasman Land Development Manual 2020.

**Advice Note:** Prior to section 224 certification for any stage, the formation of all rights of way that serve as access to the respective stage shall be completed.

**Advice Note:** Proposed Lot 5 has an existing vehicle access.

#### Rights of Way

20-21. With respect to the right of way as shown on the RM215224 Approved Plan A attached to this decision report, and extending from the public road (Enner Glynn Road) to the common boundary between proposed Lots 5 & 6:

- a. The entrance from Enner Glynn Road shall be upgraded to generally meet the Nelson Tasman Land Development Manual (NTLDM) 2020 requirements and shall fully meet the visibility splay requirements and the NTLDM *Diagram 1: SD409 Rural Access Details*. The entrance shall be widened to provide a minimum width of 5.0m and chipseal surfaced for a length of 10m from the edge of the access adjoining Enner Glynn Road into the site.

- b. The entrance way shall provide an area suitable for all letterboxes and rubbish / recycling points used by the existing and potential future landowners of the properties, taking into consideration the visibility splay.
- c. The right of way shall be formed with passing bays installed at least every 50 metres, or at the ends of straights where intervisibility allows greater spacing, in accordance with the specifications set out in Table 4-13 (private access and crossing width) of the NTLDM except that the right of way shall not be permanently surfaced / sealed.
- d. The right of way width shall be no less than 3.0 metres, except on straight sections of the right of way where adequate visibility for both opposing vehicles can nevertheless be provided, the width narrowing may be reduced to 2.5m.
- e. It shall achieve a maximum overall grade of 1 in 5.

f. Be designed and constructed to achieve no greater than a 30 km/h speed environment.

g. The final cross section of the ROW shall be generally contoured to a single cross-fall to the upslope side (not crowned) to enable stormwater to flow on the upslope side of the ROW.

h. There shall be no cut off drains located on the downslope side of the ROW, with the exception of the existing drain in the first hairpin bend of the ROW (identified as drain 2 on RM215224 Approved Plan D).-

i. Certification that the ROW has been constructed in accordance with the conditions of this consent shall be provided to the Council's Monitoring Officer from the relevant professional(s). The certification requirements outlined in this condition shall be obtained by the Manager Consents and Compliance or Team Leader Resource consents prior to issuing of the s224c certificate for each stage.

**Note:** Prior to any commencement of works on road reserve:

(i) Separate authorisation is required from Council to undertake works within the road. Application forms for permission to alter or install a vehicle crossing are available on Council's website at the following address:

<http://www.nelsoncitycouncil.co.nz/assets/Building-Planning/Downloads/Vehicle-crossing-application-form-989703.pdf>

(ii) A road opening notice is required where seal is removed to install a vehicle crossing.

(iii) All costs associated with the above shall be met by the Consent Holder.

#### **Storm Water/ Culverts**

21-22. The stormwater system and associated discharges within each stage of the development shall be designed by a chartered professional engineer practising in either civil and/or geotechnical engineering and shall be carried out in general accordance with the details contained in the Tasman Consulting Engineers (TCEL) stormwater report dated 11 May 2023, and RM215224 Approved Plan D prepared by Tasman Consulting Engineers titled Culvert X discharge mitigation, dated 4 July 2023, and unless these reports are inconsistent with the conditions of this consent, in which case these conditions shall prevail, specifically:

- a. In accordance with the geotechnical and slope stability earthworks consent RM215228; and
- b. No concentration of flows on to downstream properties outside of the designated stormwater systems.
- c. All culverts shall be designed with adequate shaped and protected inlets and protected outlets and shall incorporate energy dissipation measures. Culverts shall include erosion protection where deemed necessary by the Geo-professional.
- d. There shall be no cut off drains located on the downslope side of the ROW, with the exception of the existing drain in the first hairpin bend of the ROW (identified as drain 2 on RM215224 Approved Plan D).
- d.e. The final cross section of the ROW shall be generally contoured to a single cross-fall to the upslope side (not crowned) to enable stormwater to flow on the upslope side of the ROW
- e.f. There shall be no stormwater cut off drains above the wastewater disposal field on Lot 6 that directs stormwater in the direction of the adjacent property at 100 Enner Glynn Road. If a cut off drain or clay bund is required above the wastewater disposal field on Lot 6, stormwater must be diverted through drain 9.
- g. The plans and documentation shall contain sufficient detail and information to confirm that the final contours of each stage of development will not result in additional stormwater catchment draining to the adjacent property at 100 Enner Glynn Road or that the effects of any additional catchment or runoff shall be mitigated by following the processes required in the Nelson Tasman Land Development Manual.
- h. The plans shall show the removal of Culverts 6e and 7e and shall incorporate Culvert X (as generally shown on RM215224 Approved Plan D).
- i. Long section and cross section plans of the location, dimensions and levels of any stormwater management devices/structures for each stage of development, including all proposed culverts and structures within or alongside the ROW, and within the gully below Culvert X. These structures shall include energy dissipation structures within the gully, such as check dams as detailed in the TCEL stormwater report dated 11 May 2023.
- j. A Stormwater Operation and Maintenance Plan shall be submitted that sets out how the stormwater management system is to be operated and maintained to ensure that adverse environmental effects are minimised. The Stormwater Operation and Maintenance Plan shall include:
- Details of how the stormwater management system for each stage is designed to operate and how flows are mitigated; and
  - Plans and details that show the stormwater system for each stage of the development; and
  - Details of who will hold responsibility for long term maintenance of the stormwater management system and the organisational structure which will support this process; and

- Individual lot owners roles and responsibilities and limitations around development of impervious surfaces and control of the stormwater runoff from the lots; and
- A programme for regular maintenance and inspection of the stormwater management system; and
- A programme for the collection and disposal of debris and sediment collected by the stormwater management devices or practices, and
- A programme for post storm inspection and maintenance; and
- A programme for inspection and maintenance of structures.

f.k. Certification that the stormwater system and associated discharges within each stage of the development has been constructed in accordance with the conditions of RM215224 shall be provided to the Council's Monitoring Officer from the relevant professional(s). The certification shall be obtained by the Manager Consents and Compliance or Team Leader Resource consents prior to issuing of the s224c certificate for each stage.

22-23. Developed areas shall, so far as reasonably practical, discharge to the same location as the undeveloped areas and existing watercourses within the site boundary with the exception of existing discharges to Culvert 6e, Culvert 7e, which are to be diverted to Culvert X and Culvert 5 in accordance with RM215224 Approved Plan D. The following actions shall be undertaken in this regard:

Lot 1 -4 and 6 Building Location Areas (BLA's)

- BLA surfaces shall be formed so that runoff from the BLA drains, as far as possible, in the same direction as the existing runoff.

Lot 3

- The Lot 3 accessway shall drain to a channel on the upslope side. Flows from this drain channel shall flow to Culvert X and Culvert 5 in accordance with RM215224 Approved Plan D either down the side of the accessway to the RoW alone or also with a culvert under the accessway to the natural gully flowing to Culvert X location.
- Any culverts under the access way shall be provided with a silt trap on the uphill/inlet side and provided with erosion protection at the outlet.

Lot 4

- The Lot 4 accessway shall drain to a channel on the upslope side of the accessway. Flows from this drain channel shall flow to Culvert X in accordance with RM215224 Approved Plan D either down the side of the accessway alone to the RoW or also with a culvert under the accessway to the natural gully. Any culverts under the access way shall be provided with a silt trap on the uphill/inlet side and provided with erosion protection at the outlet.
- Any stormwater discharge shall not cause the production of conspicuous oil or grease films, scums or foams, or floatable or suspended material in any receiving water.

23-24. Culverts and cut off drains shall be provided with silt and sediment traps upstream of the inlet and erosion control measures downstream of the outlet.

24-25. The works shall be graded and/or appropriate drainage put in place to prevent ponding and to divert water away from potential slope failure features by piping the flows well clear of these

features. Potential slope failure areas shall be shown on detailed engineering plans submitted for approval of the Group Manager Infrastructure prior to commencement of construction works.

~~25-26.~~ Culverts shall be designed by a chartered professional engineer practising in either civil or geotechnical engineering to convey a 1:15 year flood event with 0.4 m freeboard and have a minimum diameter of 375mm.

#### **Wastewater**

~~26-27.~~ A statement of professional opinion shall be provided by the subdivision Geo-professional that the identified primary and reserve effluent discharge fields are geotechnically suitable and not subject to slope instability. The statement of professional opinion shall include specific recommendations for the method of irrigation considered geotechnically suitable for the LAAs.

#### **Telephone and Power Cabling**

~~27-28.~~ Telephone (if to be supplied) and electric power connections shall be provided to the boundary of Proposed Lots 1-4 and 6, as shown on the RM215224 Approved Plan A attached to this decision report. All cabling shall be underground. Cabling shall be installed in accordance with the relevant specifications set out in Chapter 9 of the Nelson Tasman Land Development Manual 2020.

~~28-29.~~ Confirmation of the above from the supply authority and a copy of the service provider's Certificate of Compliance shall be provided to the Council prior to the issue of a Section 224(c) Certificate. Certification shall be in accordance with the requirements set out in Chapter 9 of the Nelson Tasman Land Development Manual 2020.

***Note:** Proposed Lot 5 has existing telephone and electric power connection.*

#### **Engineering Design and Construction**

~~29-30.~~ All of the works within each stage, required by Conditions 6, 7, 20, 22 – 25 and prior to construction, shall be shown on "Design" engineering drawings prepared in accordance with the requirements set out in Chapter 2 of the Nelson Land Development Manual 2020, except as amended by any specific conditions of consent.

~~30-31.~~ The "Design" engineering drawings shall be submitted to the Council's Group Manager Infrastructure for approval. No works shall commence until the design engineering drawings have been approved.

***Note:** The plans submitted with the application are deemed concept only and full details and calculations will be required at the time the engineering plans are submitted for approval*

~~31-32.~~ The works within each stage, required by Conditions 6, 7, 20, 22 – 25 shall be completed by the Consent Holder in accordance with the approved design drawings to the satisfaction of the Council's Group Manager Infrastructure prior to the issue of a Section 224(c) Certificate.

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

~~32-33.~~ The works within each stage, required by Conditions 6, 7, 20, 22 – 25 shall be shown on as-built engineering drawings prepared in accordance with the requirements set out in Chapter 2 of the Nelson Land Development Manual 2020, and shall be completed by the Consent Holder to the satisfaction of the Council's Group Manager Infrastructure, prior to the issue of a Section 224(c) Certificate.

#### **Engineering Certification**



~~33-34.~~ At the completion of works, and prior to the issue of a Section 224(c) Certificate, a chartered professional engineer or registered professional surveyor shall provide the Council's Manager Consents and Compliance with written certification that all works have been completed in accordance with the requirements of the conditions of this consent, the Nelson Tasman Land Development Manual 2020 and approved engineering plans and:

- a. This written certification shall be on the prescribed form '*Certificate upon Completion of Subdivisional Work*' contained in Chapter 2 of the Nelson Tasman Land Development Manual 2020.
- b. Provide written certification from a Registered Professional Surveyor that the services have been installed and completed in accordance with the approved design engineering drawings and are located centrally within the respective easement area shown on the Record of Title Plan.

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

~~34-35.~~ Certification that proposed Lot 1-4 and 6, as shown on the RM215224 Approved Plan A attached to this decision report, contain accessible sites suitable for the erection of residential buildings, accessory buildings and water tanks shall be submitted to Council by a chartered professional engineer practising in geotechnical engineering or from an experienced engineering geologist ("Geo- professional"). The certification shall comply with the requirements of *NZS4404:2010 Land Development and Subdivision Infrastructure*.

~~35-36.~~ The certification shall define building structure site locations within the Building Location Areas (BLA's) for Proposed Lots 1-4 and 6 shown on the RM215224 Approved Plan A attached to this decision report that are suitable for building on and shall list development conditions pertaining to the building site locations and the lots generally.

**Advisory Note:** *The building structure site locations shall be defined with respect to boundary pegs and / or survey co-ordinates, the latter to be provided by a registered surveyor.*

~~36-37.~~ Should any mitigation measures be required as part of the building site certification then these measures shall be designed and constructed under the supervision of the certifier of the building sites. Any mitigation measures requiring ongoing monitoring and / or maintenance shall be subject to a consent notice on the title of Proposed Lots 1-4 and 6 shown on the as shown on the RM215224 Approved Plan A attached to this decision report.

~~37-38.~~ A Section 224(c) Certificate will not be granted if suitable building structure site locations are not defined.

~~38-39.~~ Any lots upon which a certified building structure site location has not been identified shall be amalgamated with an adjacent lot containing a certified building structure site location.

#### **Maintenance Performance Bond**

~~39-40.~~ The Consent Holder shall provide the Council with a performance bond in accordance with the Nelson Tasman Land Development Manual 2020. The amount of the bond shall be \$1,500 per lot (to a maximum of \$32,000) and shall run for a period of two years from the date of issue of a Section 224(c) Certificate for the last stage of the subdivision.

~~40-41.~~ The bond shall provide that fair wear and tear and damage by third parties will be exempted. Provision shall be made for resolution of disputes which is satisfactory to both parties.

~~41-42.~~ The Council and the Developer shall enter into a Maintenance Contract to give effect to the above condition.

#### **Consent notices**

~~42-43.~~ The following conditions shall be complied with in perpetuity and shall be registered on the titles of all relevant lots by way of Consent Notice pursuant to sections 221 and 224 of the Act. The Consent Notices shall be prepared by the Consent Holder's solicitor and submitted to Council for approval and signing. All costs associated with approval and registration of the consent notices shall be paid by the Consent Holder.

#### General – Lots 1 – 4 and 6

~~43-44.~~ Any new residential and accessory buildings, and water tanks, on Lots 1 – 4 and 6 shown on the RM215224 Approved Plan A attached to this decision report, shall only be located within the areas labelled 'Building Location Areas' on the building site and / or geotechnical certification plans required by Conditions 34 and 35 of resource consent RM215224.

~~44-45.~~ No construction or building works shall proceed without the prior approval of a Construction Traffic Management Plan (CTMP) by Council's Group Manager Infrastructure. Appropriate Temporary Traffic Management, including stop/go operations to manage heavy vehicles on Enner Glynn Road, shall be incorporated into the CTMP and approved by the Group Manager Infrastructure, the stop/go operations shall be implemented prior to heavy vehicles approaching and leaving the site(s) during construction and earthworks activities and subsequent building of houses.

#### Ecological Requirements

~~45-46.~~ The owners of Lots 1-4 and Lot 6 are prohibited from owning or keeping domestic cats, or goats. The owners of Lot 5 shall not acquire any new cats.

~~46-47.~~ Areas proposed for vegetation clearance shall be assessed by a suitably qualified and experienced ecologist to ensure that 'Threatened' or 'At Risk' species of native birds are not breeding within those areas. An assessment report by the ecologist shall be provided to the Council's Monitoring Officer confirming these birds are not breeding within those areas prior to the commencement of any tree clearing.

#### Buildings

~~47-48.~~ Construction materials for all buildings shall not contain Zinalume®, galvanized cladding or lead- head nails, lead paint or similar products that may leach metals (i.e., zinc, lead and copper) into the environment.

~~48-49.~~ Colours of future residential buildings shall be complimentary to the colours of the local landscape with a reflectance of no greater than 20% for the roof colours and 40% for the wall colours. All water tanks, stormwater tanks and septic tanks shall be partially buried or screened from public view with planting".

~~49-50.~~ All exterior lighting within the Building Location Areas (building platforms) or on the buildings

on the southern and eastern sides are to be downward facing so as to minimise any light spill when viewed from the wider environment.

~~50-51.~~ Buildings within Lots 4 and 6 shall be a maximum height of 4.5 metres above finished ground level.

~~51-52.~~ Buildings within Lots 1 - 3 shall be a maximum height of 5.5 meters above finished ground level.

~~52-53.~~ No buildings or structures are to be constructed within the building platforms of Lots 4 and 6 other than water tanks to provide irrigation for landscape planting, prior to the landscape planting being certified by the Manager Consents and Compliance or Team Leader Resource Consents as meeting the minimum density and height approved under the Nelson City Council certified Landscape Plan for the stage.

~~53-54.~~ No building, structures or stockpiling are to be constructed or occur on the designated spoil stockpile area within Lot 5 and shown as the hatched area on RM215228 Approved Plan A adjacent to the eastern boundary of Lot 5, without the approval of a suitably qualified Geo-professional. A report by a Geo-professional shall be submitted to the Council's Monitoring Officer outlining the suitability of the location or any restrictions that are required to be adhered to, a minimum of ten working days prior to the use of or construction of a building in this area.

#### Pest plant management

~~54-55.~~ Landowners shall undertake measures to control problem exotic weeds and pests to minimize the risk of their spread to adjacent properties.

#### Potable water supply

~~55-56.~~ All new residential buildings shall be supplied with water tanks with a storage capacity of at least 15,000 litres for potable water supply purposes. All water tanks for potable purposes shall be located within the areas labelled 'building site locations' on the building site / geotechnical certification plans required by Conditions 34 and 35 of resource consent RM215224.

~~56-57.~~ The potable water supply shall be filtered to comply with NZBC Clause G12, and the Drinking Water Standards for New Zealand 2005 (Revised 2008).

#### Firefighting water supply

~~57-58.~~ At the time building consent is sought for any dwelling on Lots 1 – 4 and 6 firefighting water supply shall be demonstrated for the Lots.

All new residential buildings shall be supplied with either:

- a. a sprinkler system installed in accordance with SNZ PAS 4509:2008 and plumbed to ensure 7,000 litres of water is always available to the sprinkler system in the event of a fire; or
- b. water tank(s) with a storage capacity of at least 45,000 litres for firefighting purposes, at least 23,000 litres of which must be stored permanently and be separate to the potable water supply tanks. Tanks must be fitted with a 100mm female screw thread controlled by a valve. All water tanks for firefighting purposes shall be located more than 6 metres and less than 90 metres away from the building concerned.

#### Stormwater disposal

~~58-59.~~ The owners of Lots 1 – 4 and 6, shown on the RM215224 Approved Plan A, shall not undertake any construction of any building on any of the lots until a final engineering design for the stormwater disposal for the Lot in question has been approved by the Nelson City Council Group Manager Infrastructure.

~~59-60.~~ Lots 1 - 6 that have culverts and / or cut off drains shall maintain the silt and sediment traps upstream of the inlets and any erosion control measures downstream of the outlet / discharge point so that the structures are operating appropriately and are fully functioning. The Landowners shall carry out regular maintenance checks (annually and / or after a large rain event being 60mm in 24 hours).

~~60-61.~~ Stormwater retention and detention systems and tanks shall be installed on Lots 1 - 6 to receive stormwater flows from houses, garages, sheds and all other roofs for the following purposes:

- Retention tank(s) for potable water and firefighting water purposes;
- Detention tank for extended detention to slow down flows from frequently occurring storm events to mitigate effects on erosion and stream health;
- Detention tank to attenuate flood flows from large storm events to predevelopment flows.

~~61-62.~~ All works required for stormwater detention shall be undertaken in accordance with good practice. The system shall be designed and constructed in general accordance with the current version of the Nelson Tasman Land Development Manual (NTLDM) and the Tasman Consulting Engineers (TCEL) stormwater design reports listed in Appendix 1 to this decision and shall be arranged in series such that stormwater runoff flows firstly into the retention tank(s) then when this tank is full overflows into the extended detention tank and then when this tank is full overflows into the flood attenuation tank. Stormwater tanks shall include a primary filter on the inlet to the tank or downpipe to minimise debris entering the tank. The orifice installed on the outlet shall be accessible from the outside of the tank: this can be installed on the outlet pipe downstream of a gate valve with unio connector to make it accessible for inspection and cleaning.

~~62-63.~~ Landowners shall undertake inspections of the stormwater detention tanks at least every two years to ensure they are operating as designed. Inspections shall be carried out by a suitably qualified and experienced engineer.

~~63-64.~~ The tanks shall be sized as given in the following table:

Lot	Retention Tank Volume in Litres	Extended Detention Tank Volume	Stormwater Attenuation Tank Volume	Maximum Impermeable Roof Area Served
1 to 6	As required for potable water and firefighting purposes but min 45,000 litres based on FW2 fire water classification	Min 15,000 litres	Min 25,000 litres	350 m <sup>2</sup>

~~64-65.~~ The tank volumes shall be confirmed at Building Consent Stage based on the final roof and other impervious areas in each Lot. If it is found at Building Consent Stage that the roof and impervious areas in a Lot are larger than 350m<sup>2</sup>, then assessment of the stormwater runoff shall be undertaken based on the updated areas and the tank detention volumes shall be recalculated and

provided accordingly.

~~65-66.~~ The stormwater tanks and associated pipework shall have the following requirements.

- a. Extended detention tanks shall be provided with a 10mm diameter outlet orifice as per the TCEL report and a 3m diameter tank. The orifice shall be protected from blockage by the use of a mesh screen. The openings in the mesh shall be substantially smaller than the outlet orifice size. The mesh screen shall be large enough to ensure that the flow capacity of the screen is a magnitude higher than the outlet capacity of the orifice.
- b. Stormwater attenuation tanks shall be provided with a 25mm diameter outlet orifice as per TCEL report and a 3.5m diameter tank.
- c. The tanks and associated system shall be designed to allow for safe periodic maintenance of the tanks and associated stormwater system.
- d. Roof gutters and connecting pipework shall be sized to take the future 1% AEP design storm to the stormwater tanks without overflow. Gutter outlets shall be fitted to the underside of the gutter to minimise sludge build up and water retention in the gutter.
- e. Gutter outlet strainers shall be provided at entry to downpipes to reduce risk of blockage. Gutter screens shall be provided to prevent build-up of debris in the gutters.
- f. In line leaf and debris diverters shall be fitted to downpipes to improve water quality and reduce the risk of orifice blockage and reduce tank maintenance requirements.
- g. The tanks shall have 150mm dead storage i.e. the base of the tank shall be 150mm minimum below the tank outlet invert level.
- h. Flow diverters shall be installed in downpipes to prevent dirty water entering the tank when cleaning gutters.
- i. A controlled inlet shall be provided to each tank to reduce the risk of sediment resuspension in the tank.
- j. A gauge shall be provided to each tank to allow monitoring of water levels in the tanks.
- k. Additional measures shall be incorporated to improve water quality for potable water purposes:
  - Light proof pipes and fittings to minimise daylight penetration and algal growth in water.
  - Fitting first flush diverter to improve water quality.
  - Vector screens fitted to all tank openings.

~~66-67.~~ Prior to construction of buildings within Lots 1 – 4 and 6, detailed design drawings shall be submitted to Nelson City Council for the approval of the Group Manager Infrastructure. No construction shall commence prior to the approval of the Group Manager Infrastructure of the detailed design drawings.

~~67-68.~~ The quality of treated stormwater discharge from the stormwater detention tanks shall not exceed the following quality standards:

- (a) Total petroleum hydrocarbons      15 milligrams per litre
- (b) Total suspended solids              100 milligrams per litre
  
- Any stormwater discharge shall not cause the production of conspicuous oil or grease films, scums or foams, or floatable or suspended material in any receiving water.

68-69. The owners of Lots 1, 2 and 6 containing the infiltration micro-wetland swales shall carry out regular maintenance checks (annually and / or after a large rain event being 60mm in 24 hours). The micro- wetland swales shall be operated and maintained in accordance with the design and construction specifications of the detailed design drawings for the micro-wetlands.

69-70. No impervious areas including for buildings (whether requiring resource or building consent or not), driveways or parking areas shall be constructed unless, prior to construction, the Landowner provides a suitably qualified, professional opinion to the Manager Consents and Compliance or Team Leader Resource Consents that proposed mitigation devices will detain stormwater in accordance with the detention volume and design requirements of Conditions 58-63 [or corresponding consent notice condition reference] above. The professional opinion may be reviewed by the Council's experts at the Landowner's expense. Construction of any impervious surfaces shall not commence without the approval of the Manager Consents and Compliance or Team Leader Resource Consents.

*Advice Note: The accessways formed to the BLA's on Lots 1-4 and 6 (as required to be constructed at subdivision stage by Condition 19 are not 'impervious driveway areas', and this condition does not apply to their formation.*

71. The owners of Lots 1 - 6 shall not undertake or permit any activity that results in changes to the cross-sectional gradient of the ROW as designed and certified in accordance with Condition 22. For clarity, the final cross section of the ROW shall be generally contoured to a single cross-fall to the upslope side (not crowned) to enable stormwater to flow on the upslope side of the ROW.

72. The owners of Lots 1- 6 shall not undertake or permit any activity within or alongside the ROW or the individual allotments that results in the flow of stormwater to the downslope side of the ROW (the boundary shared with the property at 100 Enner Glynn Road), other than structures that are expressly authorised under this resource consent. This includes, but is not limited to, the construction of any new outlets/outfalls/culverts/cut off drains or other structures, or the recontouring of any land to the extent that it results in additional stormwater catchment draining to the adjacent property at 100 Enner Glynn Road. For clarity:

- a. This condition does not authorize discharge from the ROW from any points other than those detailed as cut-off drains 2 and 9, and Culverts 5 and X on approved Plan D.
- b. There shall be no construction of any new outlets/outfalls/culverts/cut off drains or other structures, or the recontouring of any land within Areas A and B on RM215224 Approved Plan C, within Lots 2 and 5, that would result in additional stormwater catchment or concentration of flows within these areas draining to the adjacent property at 100 Enner Glynn Road.

73. The Landowners shall carry out regular maintenance checks and shall ensure that the stormwater management system for the entirety of the site is managed in accordance with the approved Stormwater Operation and Maintenance Plan under Condition 22. This shall be required in perpetuity.

74. The owners of Lot 6 shall not undertake or permit any activity whereby any cut off drains or clay

bunds are located above the wastewater disposal field on Lot 6 that directs stormwater flow in the direction of 100 Enner Glynn Road. If a cut off drain or clay bund is required above the wastewater disposal field on Lot 6, stormwater must be diverted through drain 9 as shown in RM215224 Approved Plan D.

#### Wastewater disposal

~~70-75.~~ The owners of Lots 1 – 4 and 6 shall at the time of building consent provide plans for the installation of an onsite domestic wastewater system that provides no less than secondary treatment for a maximum of 6 persons. The onsite wastewater systems shall be installed prior to the occupation of any residential unit on Proposed Lots 1 – 4 and 6 in general accordance with the associated wastewater discharge permit.

~~71-76.~~ The system shall be designed to ensure effluent disposal fields are located a minimum of 5m from any dwelling; a minimum of 5m downslope of the toe of any fill slopes for the building platforms, and a minimum of 6m or twice the height of any cut from the top of any cutslope whichever is greater, that will have been formed for a road, access, or building platform.

~~72-77.~~ The owners of Lots 1 – 4 and 6 shall not undertake any construction of any building on each of the lots until final engineering designs for the wastewater treatment and land application disposal areas have been approved by the Group Manager Infrastructure Nelson City Council.

~~73-78.~~ The design, supervision of construction/installation and certification of the wastewater treatment system and land application disposal areas shall be undertaken by a suitably experienced Chartered Professional Engineer.

~~74-79.~~ A suitably qualified and experienced wastewater disposal engineer shall provide a written certificate(s) or producer statement construction review(s) (PS3 or PSCR4) to the Council's Monitoring Officer prior to the exercise of the associated discharge permits Lots 1 – 4 and 6. The certificate or producer statement shall include sufficient information to enable Council to determine compliance with Condition 1 of resource consent RM215224 and shall also confirm the following:

- a. that all components of the wastewater treatment and disposal systems (including wastewater disposal fields) have been inspected and installed in accordance with standard engineering practice and the manufacturer's specifications;
- b. that all components of the wastewater treatment and disposal systems (including wastewater disposal fields) are in sound condition for continued use for the term of this resource consent.

~~75-80.~~ All land application areas shall be protected from vehicles and grazing animals to ensure the soil structure is not detrimentally affected and to avoid the risk of lateral damage.

~~76-81.~~ The owners of Proposed Lots 1 – 4 and 6 shown on the RM215224 Approved Plan A attached to the decision report, or their agents, shall submit a final 'as-built' plan or plans to the Council's Monitoring Officer, showing the location of all components of the wastewater treatment and disposal systems (including wastewater disposal fields) for the lot(s) concerned. For the purpose of this condition, the 'as-built' plans shall be drawn to scale and provide sufficient detail for a Council Monitoring Officer to locate all structures identified on the plans.

~~77-82.~~ Sampling points to allow collection of a sample of the treated wastewater shall be provided at a point located after the final pump-out chamber and before the point where the wastewater

discharges to each wastewater disposal field.

~~78~~83. A cut off drain or clay bund shall be installed upslope of the Land Application Area (LAA) on Lots 1-5 prior to the discharge occurring and shall be maintained for the duration of this consent to divert all upslope surface water away from the land application areas. If Lot 6 requires the installation of cut off drains or clay bunds upslope of the Land Application Area (LAA), these shall not direct stormwater flow in the direction of the adjacent property at 100 Enner Glynn Road. If a cut off drain or clay bund is required above the wastewater disposal field on Lot 6, stormwater must be diverted through drain 9.

~~79~~84. Water tank overflow pipes and house stormwater shall be directed away from the wastewater land application areas.

~~80~~85. All reserve land application areas shall remain undeveloped (no buildings or structures shall be constructed on the area set aside as reserve land application areas (and as shown on the Discharge Permits for each of the allotments), however the reserve areas may be planted with trees or other vegetation.

~~81~~86. The Landowners shall enter, and maintain in force at all times, a written maintenance and monitoring contract with an experienced wastewater treatment plant operator, or a person trained in the wastewater treatment operation by the system designer, for the ongoing maintenance of the treatment and land application systems. The contract shall specify the frequency of treatment plant inspections (but not less than once a year) and maintenance during the term of the pertinent discharge permit and shall include an inspection and maintenance schedule that is in accordance with the conditions of the consent.

~~82~~87. Prior to occupation of any building, the landowners shall provide a copy of the maintenance and monitoring contract for the wastewater treatment and land application systems to the Council's Monitoring Officer.

#### Earthworks

~~83~~88. The owners of those lots containing subsoil drains shall not undertake any activity that compromises the integrity of the subsoil drains. In the event that a subsoil drain is damaged it shall be repaired or replaced under the direction of a Chartered Professional Engineer practising in Geotechnical Engineering.

~~84~~89. The owners of those lots containing subsoil drain outlets shall not undertake or permit any activity that obstructs or interferes with the outlet to any subsoil drain.

~~85~~90. The owners of those lots containing subsoil drain outlets shall maintain a record of regular inspections (a minimum of annually) of the subsoil drain outlets on their property, whether located at manholes, sumps or discharging to open ground, to ensure that the outlets have not been damaged and are free of obstruction. This record shall be made available to Council's Monitoring Officer's upon request.

~~86~~91. The owners of those lots where mitigation measures are required as part of the building site certification (detailed by the Geo-professional certifying the Lots) shall regularly undertake ongoing monitoring and/or maintenance in accordance with the identified mitigation measures. A record of any monitoring and/or maintenance requirements detailed by the Geo-professional certifying the Lots shall be made available to Council's Monitoring Officer's upon request.



## Landscape planting

**87-92.** The Landowners of Lots 3, 4 and 6 shall prepare and submit Landscape Planting Plans and building plans at the time building consent is sought from Nelson City Council. The Landscape Plan shall be prepared by a recognised Landscape Designer / Architect which builds on the already certified critical mitigation and revegetation planting undertaken by the consent holder and shall be submitted for certification to the Manager Consents and Compliance or Team Leader Resource Consents. These plantings plans shall specifically address the prominence of the proposed structures when viewed both from the north and southerly aspects. Plants shall consist of native revegetation species sourced from the Living Heritage guidelines at a density of 1.5m centres to complement existing native communities.

**88-93.** The Landscape planting within Lots 1, 3, 4 and 6 and shown on the attached Landscape Mitigation Planting Plan for RM215224, RM215225, RM215226 and RM215227, shall be retained in perpetuity and plants kept alive or replaced if dead or dying using best horticultural practice and as certified by the Manager Consents and Compliance or Team Leader Resource Consents and held on Council file. The Landscape vegetation can be added to with plants of low flammability (i.e. kanuka, Manuka, totara shall not be planted near building platforms). Landscape planting areas around building platforms shall be fenced from stock and shall consist of post and wire unless stated otherwise as a detail on the landscape plan which is certified by the Manager Consents and Compliance or Team Leader Resource Consents as appropriate.

**89-94.** All Critical Mitigation Landscape Planting areas around building platforms and which have been certified by the Manager Consents and Compliance or Team Leader Resource Consents shall be fenced from stock. Fencing shall consist of post and wire unless stated otherwise as a detail on the landscape plan which is accepted by the Manager Consents and Compliance or Team Leader Resource Consents as appropriate.

**90-95.** Areas of Critical Landscape Planting, within proposed Lots 3, 4, 5 and 6 and as shown on RM215224 Approved Plan B – Landscape Plan by Canopy Landscape Architects Ltd, dated October 2021, Job no. 2157 shall have ongoing maintenance and environmental weed management and pest animal control to maintain the canopy closure, and in accordance with the Registered Landscape Architects approval gained prior to s224c certification. Any dead or dying plants shall be replaced in general accordance with the species listed in the Nelson Living Heritage – Growing Native Plants in Nelson ‘Lowland hill country’ ecosystem plant list, including native species eco-sourced from the Bryant Ecological District within the next planting season. A recommended species list is provided on RM215224 Approved Plan B – Landscape Plan by Canopy Landscape Architects Ltd, dated October 2021, Job no. 2157.

### Lots 1 – 6

**91-96.** Fencing of boundaries shall consist of post and wire unless stated otherwise as a detail on the landscape plan which has been certified by the Manager Consents and Compliance or Team Leader Resource Consents as appropriate.

### Lot 2

**97.** The remnant area of bush in the eastern gully of proposed Lot 2 shown on the RM215224 Approved Plan B – Landscape Plan by Canopy Landscape Architects Ltd, dated October 2021, Job no. 2157 shall

be left to enable natural regeneration (that is currently occurring) to continue. No major earthworks or clearance of native vegetation shall occur within this area.

98. The area of existing pine trees that are within proposed Lot 2, as generally shown as Area A on RM215224 Approved Plan C, shall remain in long-term vegetative cover in perpetuity. In the event that any of the pines within this defined area are subjected to vegetative thinning over time, this area shall:

a. Be underplanted with poplar species to replace any trees removed, and;

b. Be planted with two rows of vegetation along the perimeter of the area of existing pine trees, as generally shown as Area A on RM215224 Approved Plan C. This planting shall comprise one row at the upper extent of the area, below the ROW and existing row of poplar trees, the other at the lower extent of Area A. These two rows of mitigation planting shall be undertaken within 12 months of commencement of any vegetation removal within Area A. Species for the two rows of planting shall consist of Pittosporum eugenoides, to be planted at an average density of one plant per 2.0m spacing. The planting shall be undertaken within the first available planting season following removal of pine trees within Area A, using best horticultural practice.

99. The mitigation planting detailed in condition 98 shall be retained in perpetuity. The planting within Area A of RM215224 Approved Plan, if dead or dying, shall be replaced within the next available planting season, -using best horticultural practice.

#### Lot 5

100. The area of existing pine trees that are within proposed Lot 5, as generally shown as Area B of RM215224 Approved Plan C, shall remain in long-term vegetative cover in perpetuity. In the event that any of the pines within this defined area are subjected to vegetative thinning over time, this area shall:

a. Be underplanted with poplar species to replace any trees removed, and;

a.b. Be planted with two rows of vegetation along the perimeter of the area of existing pine trees, as generally shown as Area B on RM215224 Approved Plan C. This planting shall comprise one row at the upper extent of the area, below the ROW and existing row of poplar trees, the other at the lower extent of Area B. These two rows of mitigation planting shall be undertaken within 12 months of commencement of any vegetation removal within Area B. Species for the two rows of planting shall consist of Pittosporum eugenoides, to be planted at an average density of one plant per 2.0m spacing. The replacement planting shall be undertaken within the first available planting season following removal of pine trees within Area A, using best horticultural practice.

92,101. The mitigation planting detailed in condition 100 shall be retained in perpetuity. The planting within Area B of RM215224 Approved Plan C, if dead or dying, shall be replaced within the next available planting season, using best horticultural practice.

Lots 4 and 6

~~93-102.~~ Prior to construction of a building on Lot 6 water tanks currently located on top of the hill to the north of proposed Lot 6 shall be removed.

~~94-103.~~ Structures, such as yards, retaining walls and bridges should be of natural materials, such as timber, in forms and lines appropriate for the landscape, and left to weather naturally or finished with low reflectivity colours.

#### Earthworks

~~95-104.~~ Any tracks shall, as much as possible, be located on the edges of landform and vegetation patterns. They shall have a curving alignment and should run generally parallel with contours and on flatter areas. Tracks shall be kept to a minimum and not exceed 0.8m in cut depth or fill height. Tracks shall avoid steep zigzag alignments. Any tracks shall be finished to a natural contour, married to adjacent slopes and revegetated with woody or herbaceous plants as appropriate for the context.

***Advisory Note:*** *this does not apply to driveways*

~~96-105.~~ The owners of Lots 1, 2 and 6 containing the infiltration micro-wetland swales shall carry out regular maintenance checks (annually or after a 1 in 20 year rain event) and specify the requirements for the operation and maintenance for the infiltration micro-wetland swales and ensure they are operated and maintained according to those specifications. ~~Needs to be amended to make sense.~~ If incorporated into the right of way, these maintenance requirements shall be included in the easement documentation for this right of way.

Lot 6

~~97-106.~~ The Owner shall not, and shall procure that any person occupying any part of the Land shall not:

- a. Oppose, complain about; or take, encourage, assist, finance or contribute, or participate in any proceeding seeking to curtail:

Any lawfully established activities within the covenanted conservation area of 100 Enner Glynn Road, including farming activities on the properties at 11 Bills Drive or 100 Enner Glynn Road which are permitted under the Nelson Resource Management Plan or any successor plan, or authorised resource consent.

#### **ADVICE NOTES**

##### **Development Contributions**

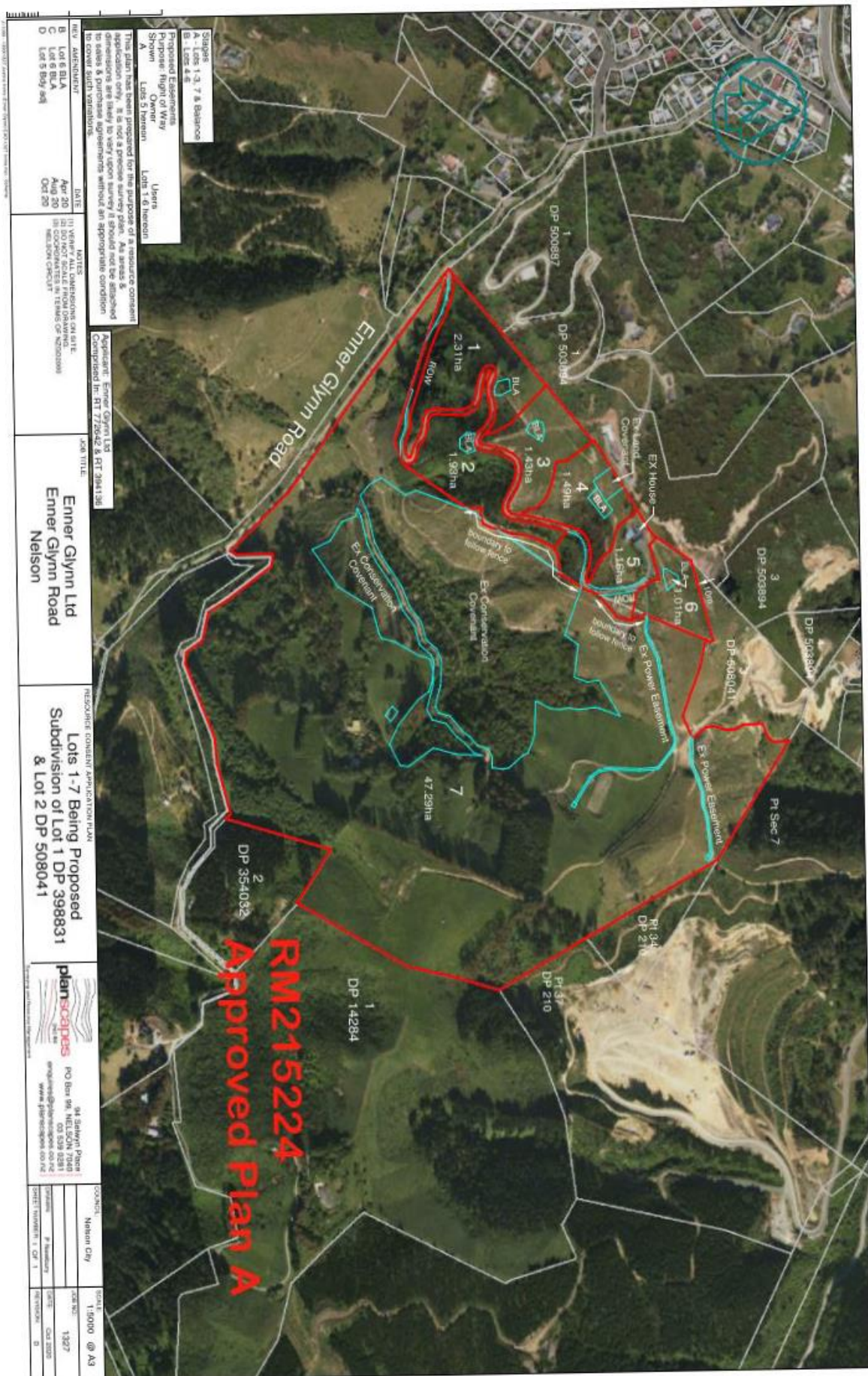
1. The Consent Holder shall pay a Development Contribution for Lot(s) 1 – 4 and 6 in accordance with the Council's Development Contributions Policy 2021, which can be viewed on Council's website.
  - (a) The Development Contribution shall be paid prior to the issuing of a Section 224(c) Certificate for the subdivision for each stage.
  - (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.
2. Conditions of this consent have been imposed pursuant to Sections 108 and 220 of the Act.
3. 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.

4. 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.
5. The Consent Holder should note that this resource consent does not override any registered interest on the property title. 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 of \$320.00 (GST inclusive).
6. 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.







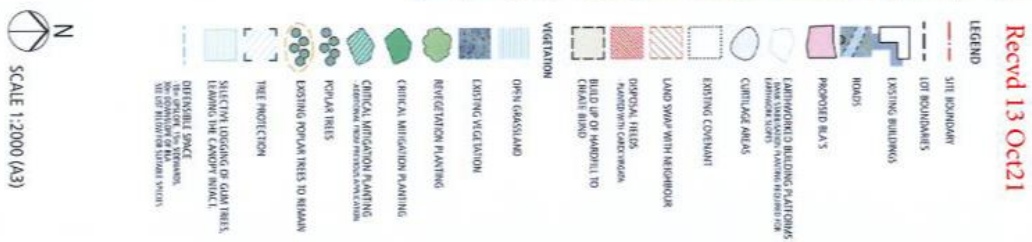


FIGURE 2

LANDSCAPE PLAN

OCTOBER 2021

JOB NO. 2157

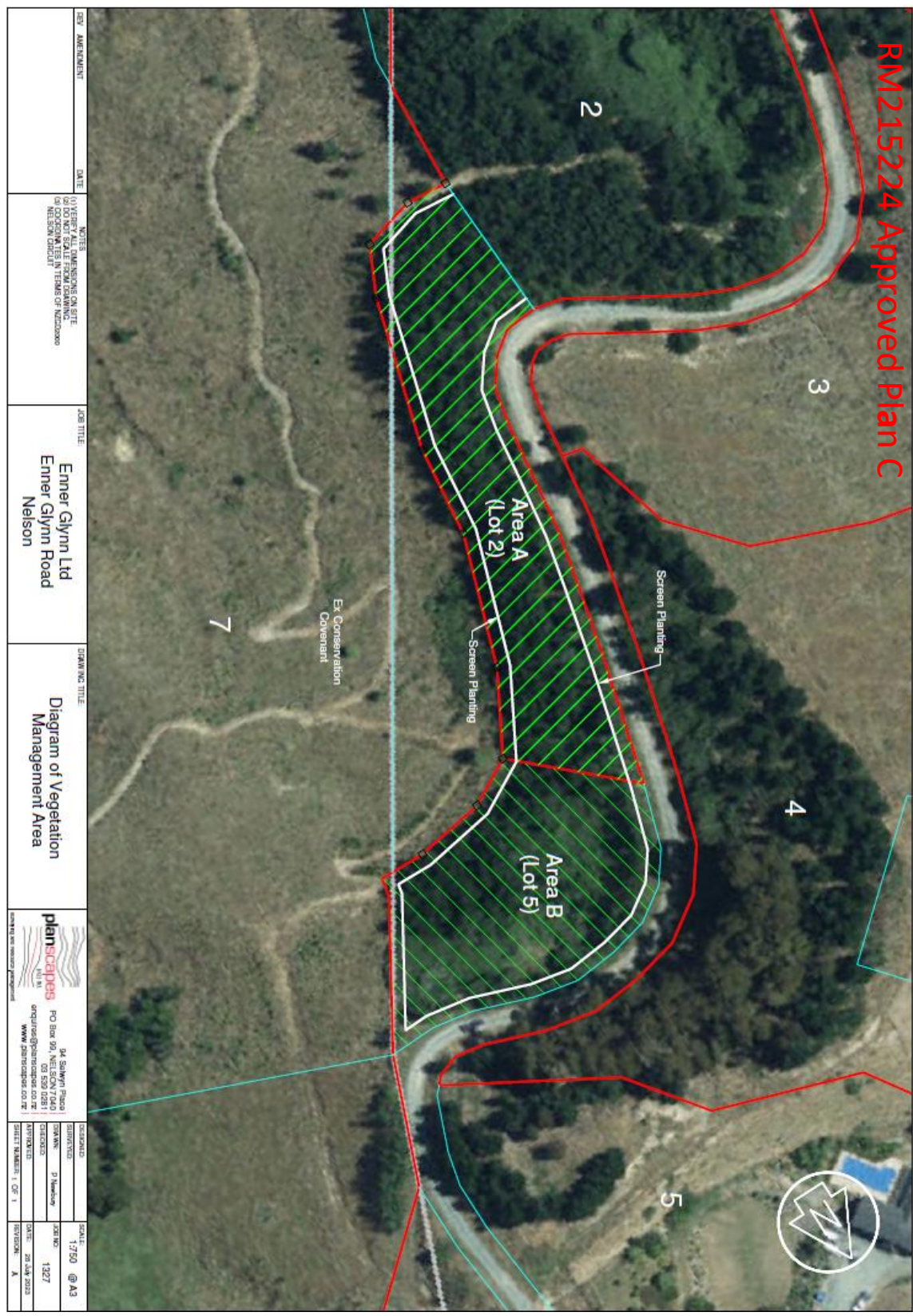
IRVING NELSON

LANDSCAPE PLAN  
OCTOBER 2021  
JOB NO. 2157

IRVINE SUBDIVISION  
NELSON



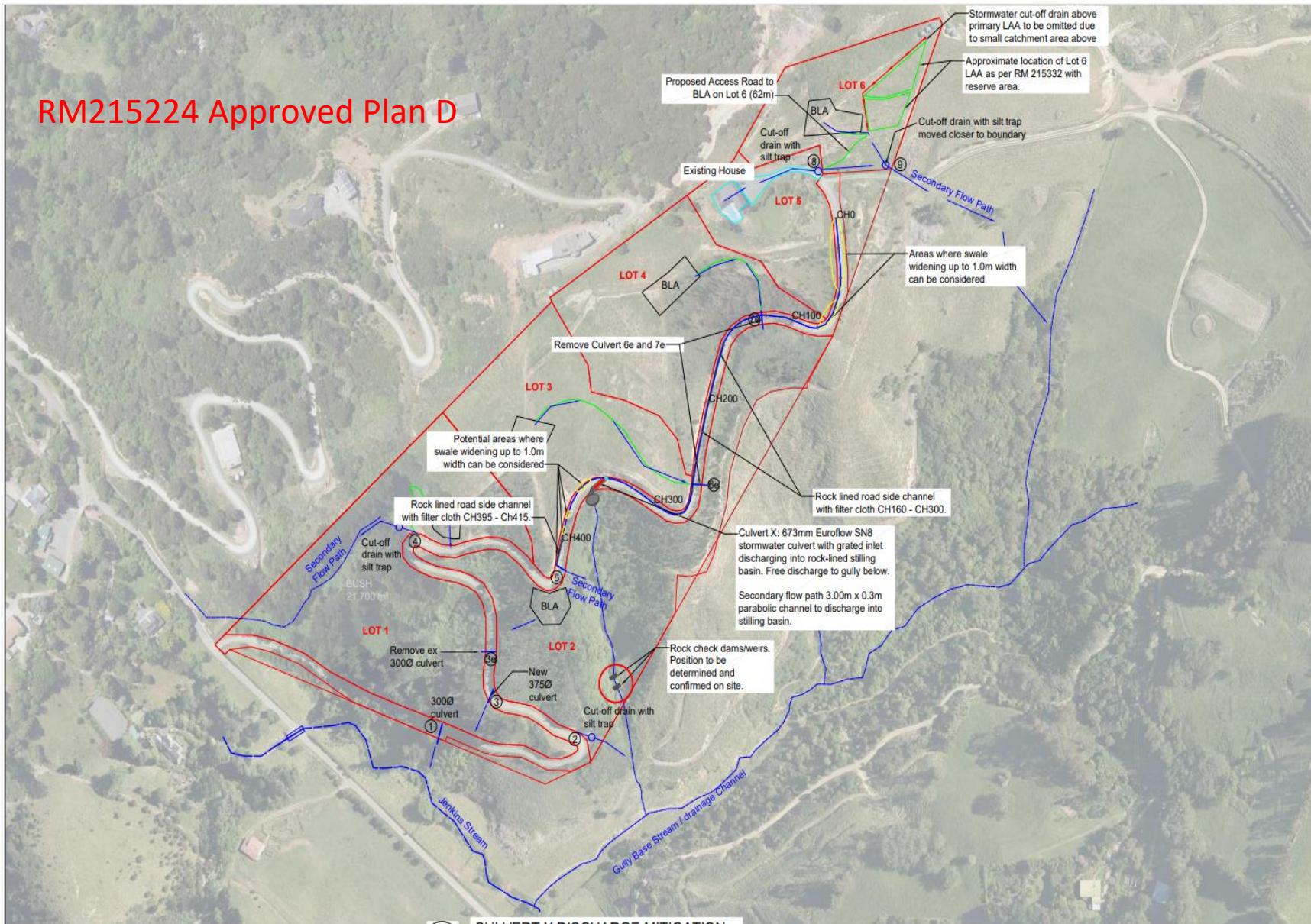
# RM215224 Approved Plan C



REV. AMENDMENT	DATE	NOTES	JOB TITLE	DRAWING TITLE	planiscapes	SCALE
		(1) VERIFY ALL DIMENSIONS ON SITE (2) VERIFY ALL DIMENSIONS ON SITE (3) COORDINATES IN TERMS OF NZGD2000 (4) NELSON CIRCUIT	Enner Glynn Ltd Enner Glynn Road Nelson	Diagram of Vegetation Management Area	<div> <div> <div>planiscapes</div> <div>                     34 SHAWYR PLACE                      PO BOX 99, NELSON 6011                      enquiries@planiscapes.co.nz                      www.planiscapes.co.nz                 </div> </div> <div>                     1:750 @ A3                      1327                      20 JUL 2023                      K                 </div> </div>	



# RM215224 Approved Plan D



2

## CULVERT X DISCHARGE MITIGATION

Scale 1 : 2500

This drawing is copyright to Tasman Consulting Engineers Ltd



**TASMAN**  
CONSULTING  
ENGINEERS  
195A Queen St  
PO Box 3631  
Richmond NELSON  
P: (03) 544 6404  
W: tcel.co.nz

Revision History:

**CULVERT X DISCHARGE MITIGATION**  
**ENNER GLYNN LIMITED**  
32 ENNER GLYNN RD, ENNER GLYNN, NELSON 7011

Scale 1:2500  
Original size A3  
Date 04-07-2023  
Drawn MG

Sheet  
**S2**  
of 2  
File 19343





## Appendix B3 - RM215228 (Earthworks) - clean

### Resource Consent number RM215228

Pursuant to section 104B of the Resource Management Act 1991 ("the Act"), the Nelson City Council ("the Council") hereby **grants** resource consent to:

Enner Glynn Limited

#### The activity to which this decision relates:

Earthworks (cut and fill) exceeding 3m height to develop Building Location Areas, accessways, right of way and passing bays as well as earthworks to create the designated spoil stockpile area on the hatched area adjacent to the eastern boundary on Lot 5 and shown on RM215228 Approved Plan A and earthworks within the Landscape Overlay within proposed Lots 3, 4 and 6

**Advice Note:** This consent should be read in conjunction with RM215224 Staged Subdivision of 32 Enner Glynn Road

#### Location details:

Address of property: 32 Enner Glynn Road, Nelson

Description: Lot 1 – 4 and 6  
(as shown on the attached RM215228 Approved Plan B)

Approximate  
Location co-ordinates: E 1621775.391 N 5426874.782  
(NZ Transverse Mercator)

#### General

1. The activity shall be carried out in general accordance with the application lodged with Council on 17 December 2019 and again on 19 July 2021, including all supporting information submitted and held on Council file for the subdivision and development at 32 Enner Glynn Road. In the event that any of the provisions of those documents conflict with the requirements of these conditions of consent, these conditions of consent shall prevail.
2. The earthworks shall proceed in accordance with the Approved RM215228 Plans A – J.
3. The consent holder shall advise the Council's Monitoring Officer in writing, at least 14 working days prior to works commencing on site, so that monitoring of the conditions of this consent can be undertaken. Please email [regulatory@ncc.govt.nz](mailto:regulatory@ncc.govt.nz) and advise the consent number, RM215228.

**Advice Notes:** Failure to notify the Council as stated in the above condition may result in enforcement action.

*A monitoring charge of \$170.00 has been included in your invoice, as conditions of consent requiring monitoring have been imposed. This charge covers the costs involved in the first hour of monitoring compliance with the consent conditions. Where additional monitoring costs are required to determine that conditions have been met, these will be charged as provided in the Council's Fees and Charges Schedule.*

4. Earthworks for the right of way, passing bays and vehicle accessways shall be staged in conjunction with the associated subdivision consent RM215224.
5. Once commenced, the earthworks authorised by this consent, for each particular stage of the development (stage A and B in conjunction with RM215224 – Subdivision) to create the right of way, passing bays the building platforms and accessways to Building Location Areas (BLA's) shall be completed within 6 months.

**Advice note:** The construction period for the right of way, passing bays, vehicle accessways to the BLA's and the BLA's may be extended for up to an additional 2 months at the discretion of the Council's

*Manager Consents and Compliance or Team Leader Resource Consents for unanticipated delays such as adverse conditions, accidental discoveries, of Covid related delays provided these delays are minimised as much as practicable and managed accordingly.*

6. At no time during the works, including backfilling and drainage, shall the earthworks encroach onto any other property.
7. Upon substantial completion of the earthworks, within each stage, and as soon as climatic conditions allow, the Consent Holder shall plant or otherwise cover any exposed ground so as to minimise erosion and enhance slope stability. Such measures shall be approved by the geo-professional.

#### **Vegetation removal**

8. The consent holder shall ensure that the removal of any vegetation on site is limited to only that which is necessary for the earthworks authorised by this consent, for the removal of pine trees on the site, or for pest plant control.

#### **Ecology - Prior to earthworks and tree removals**

9. Tree clearance shall take place outside of the key breeding period for native forest birds (breeding period is October to January inclusive). Where it cannot avoid the key bird breeding period, any areas proposed for tree clearance shall be assessed by a suitably qualified and experienced ecologist to ensure that 'Threatened' or 'At Risk' species of native birds are not breeding within those areas.
10. Lizard-sensitive clearance protocols shall be adopted prior to earthworks on the site. At this site, this means ensuring that pasture grassland around Lot 4 and Lot 6 are progressively grazed down to a low-level by stock removing clumps of dense pasture and allowing any potential resident skink to naturally disperse into surrounding habitats. If this is not achieved prior to earthworks commencing, a preclearance lizard survey shall be undertaken by a DOC-permitted herpetologist to determine if native lizards are present on site. If native lizards are present DOC will be notified and the applicant will follow an appropriate mitigation process determined by DOC. This may involve salvage and relocation of lizards that are within the construction footprint.

#### **Construction Traffic and Environmental Management Plan (CTEMP)**

11. No less than 10 working days prior to the commencement of earthworks for the construction of any right of way works or Building Location Area (BLA) site development works, cuts and / or fills (including the fill to be placed the designated spoil stockpile area on the hatched area adjacent to the eastern boundary on Lot 5 and shown on RM215228 Approved Plan A – Swanney Geotechnical and Civil Engineering Lt drawing Dated 21 April 2020), associated with the subdivision RM215224, the consent holder shall provide to Council's Monitoring Officer a CTEMP which includes the Dust Erosion and Sediment Control Plan (DESCP) required by conditions 18 for the review and certification by the Manager Consents and Compliance or Team Leader Resource Consents.

**Advice Note:** *The purpose of the CTEMP is to ensure construction effects including noise, dust and sediment control, and vehicle traffic are effectively managed.*

12. The CTEMP shall be provided to the Consent Holders Geo-professional for review and approval prior to providing it to Council's Monitoring Officer for Certification by the Manager Consents and Compliance or Team Leader Resource Consents.
13. The CTEMP shall address all matters relevant to achieve its purpose, including but not limited to the following matters:
  - a) Measures to manage construction vehicle traffic using Enner Glynn Road and parking;
  - b) Details of on-site access, turning and manoeuvring for heavy vehicles;
  - c) The location and content of any construction signage;

- d) Description of the works, laydown areas, anticipated equipment and processes;
- e) Anticipated duration of earthworks in each stage;
- f) Methodology for the timing and staging of site earthworks including details of stormwater control diversion drains design, earthworks design and supporting figures (such as slope angles and catchment size);
- g) The requirements of conditions 18 & 27.
- h) Procedures for avoiding and reporting any incidents resulting from a significant rainfall event to the Council's Monitoring Officer;

**Note:** For the purposes of this criterion, a significant rainfall events is 60mm or more over a 24-hour period or 20mm/hr over the catchment as measured at either Nelson Airport or the Tasman District Council/Nelson City Council rainfall recording site at Princes Drive.

- i) Procedures for the management of construction stormwater; including detail to demonstrate that construction stormwater runoff is appropriately managed, including where it will flow towards the adjacent property at 100 Enner Glynn Road.
- j) Details of how the performance of control measures shall be measured and responded to on-site, including:
  - i. processes to be adopted in the event of any control measures failing; and
  - ii. timeframes and reporting responsibilities for notifying the Council in writing of all incidences where trigger points are exceeded or control measures failed, and the remedial measures taken.
- k) Methodology to minimise adverse vibration and noise effects (such as appropriate mufflers or digital reverse beepers) on adjacent properties including how the requirements of conditions 45 and 46 shall be complied with and how the earthworks timing in the immediate proximity to the boundary shared with 100 Enner Glynn Road may be able to be avoided towards the beginning and end of a working day, where applicable.
- l) Protocols to be adopted for the discovery of any unrecorded archaeological site;
- m) Details relating to the storage of fuel and/or lubricants and any handling procedures along with contingency plans (including use of spill kits);
- n) Contact details for site manager;
- o) Complaints procedures and register; and
- p) Procedures for the monitoring, audit and review of the CTEMP.

**Advice Note:** For the purpose of this condition, suitably qualified experts shall mean the contractor, and the supervising Geo-professional.

- 14. Should the Manager Consents and Compliance or Team Leader Resource Consents refuse to approve the CTEMP, the Consent Holder shall submit a revised CTEMP to the Manager Consents and Compliance or Team Leader Resource Consents for approval. The approval process shall follow the same procedure and requirements as outlined in conditions 11 - 13. No construction or earthworks activities shall commence on the site prior to the CTEMP being approved.
- 15. No less than 2 days prior to the commencement of any site development for each stage, the Consent Holder or an agent working on their behalf, chartered professional engineer experienced in geotechnical engineering or an experienced Engineering Geologist ('the Geo-professional'), the Contractor, the Landscape Architect, any other experienced professional considered necessary by the Consent Holder, and Council's Monitoring Officer shall attend a pre-construction meeting onsite to discuss the matters within the certified CTEMP to ensure compliance with the conditions of this consent.

**Advice Note:** The Consent Holder shall be responsible for facilitating the pre-construction meeting of all above mentioned participants.

16. All construction works on the site shall be carried out in general accordance with the approved CTEMP.
17. The CTEMP may be amended at any time by the Consent Holder. Any amendments to the CTEMP shall be submitted by the Consent Holder to the Monitoring Officer for the approval of the Manager Consents and Compliance or Team Leader Resource Consents. If the amended CTEMP is approved, then it becomes the approved plan for the purposes of condition 10. Any amendments to the CTEMP shall be:
  - a) for the purposes of improving the measures outlined in the CTEMP for achieving the CTEMP purpose (see condition 3);
  - b) consistent with the conditions of this resource consent; and
  - c) prepared by a suitably qualified expert or experts.

#### **Earthworks – Dust, Erosion and Sediment Control (DESCP)**

18. Prior to any earthworks taking place under this consent, a detailed dust, erosion and sedimentation control plan (DESCP) in accordance with the Nelson/Tasman Erosion and Sediment Control Guidelines – June 2019<sup>10</sup> shall be prepared by the Geo-professional or by the Contractor which shall be reviewed and approved by the Geo-professional. The DESCP shall be included in the CTEMP required by condition 11.
19. Prior to or within one month of the commencement of the earthworks, the Consent Holder shall engage the services of a suitably qualified professional to undertake soil testing and / or analysis, interpretation of the test results and to provide recommendations for revegetation of all exposed ground including the designated spoil stockpile area shown as the hatched area adjacent to the eastern boundary on Lot 5 shown on RM215228 Approved Plan A, to enhance slope stability.

**Advice Note:** *This condition is in addition to the landscaping vegetation required under RM215224 and is to ensure that appropriate revegetation methods are undertaken to mitigate potential effects of erosion or sediment transport, ensure proper installation of appropriate revegetation measures which will enable a favourable growing environment for faster, more complete vegetative growth and sustainable establishment.*

20. The final approved DESCP plan shall be submitted to Council's Monitoring Officer for acceptance at least 10 working days prior to the start of earthworks for each stage.
21. The DESCP shall include the locations of and control for all temporary stockpiles.

#### **Earthworks – DESCP Monitoring**

22. The Contractor shall undertake weekly inspections of the erosion and sedimentation control measures, unless a rainfall event greater than 60 mm or more over a 24-hour period or 20mm/hr over the catchment is forecast or occurs, at which time an inspection by both the Contractor and the Geo-professional shall inspect erosion and control measures during and after the above-mentioned rainfall events. If any erosion and sediment control measures are compromised or malfunctioning all earthworks shall cease until the Geo-professional or the engineer confirms it is rectified to efficient operating condition.

**Advice Note:** *For the purposes of this criterion, a significant rainfall events i mm or more over a 24-hour period or 20mm/hr over the catchment as measured at either Nelson Airport or the Tasman District Council/Nelson City Council rainfall recording site at Princes Drive.*

---

<sup>10</sup> <http://www.nelson.govt.nz/environment/healthy-streams/erosion-and-sediment-control/>

## Earthworks – Design & Methodology

23. Prior to any earthworks commencing on site, the Consent Holder shall forward to the Council's Monitoring Officer a letter of engagement from the Geo-professional, confirming availability to undertake the geotechnical and engineering supervision, reviews and inspections for the proposed earthworks during the implementation of this consent.
24. No earthworks shall commence without the prior agreement of the Geo-professional.
25. Earthworks to form any Building Location Area's, passing bays, the designated spoil stockpile area within Lot 5, or batter slopes shall be designed, implemented, and inspected during construction under the supervision of the Geo-professional.
26. Prior to any earthworks commencing on site the Consent Holder shall forward to the Council's Monitoring Officer an earthworks plan for each stage of the earthworks and approved by the applicant's Geo-professional and include the requirements of the relevant Conditions of this consent.

**Advice note:** *The Earthworks Plan may be submitted as part of the CTEMP.*

27. No less than 10 working days prior to the commencement of earthworks and once detailed design plans are approved by Council engineering officers, the Contractor shall provide the Earthworks Plan to the Council's Monitoring Officer for the approval of Council's engineering officers. The Earthworks Plan shall be approved by the applicant's Geo-professional and shall include details such as: planned areas of earthworks, cross sections of the accessways, cross section details of any fill buttressing, engineering details for any subsoil drainage, stormwater discharge energy dissipation measures, culvert outfalls and any required channel linings.

**Advice Note:** *The Earthworks Plan may be submitted as part of the CTEMP.*

28. Any changes to the approved earthworks plan is to be provided to Council's Monitoring Officer, for review by the Council's Geo-professional, prior to the start of earthworks, for approval to any changes to works being undertaken.
29. Earthworks, including drainage, diversion bunds or channels shall be implemented and inspected during construction under the supervision of the Geo-professional. In particular, the accessway to Lot 3 where shallow instability has been identified within Swanney Geotechnical and Civil Engineering assessment report, dated 19 November 2019.
30. All cuts exceeding 1.2m depth shall be designed and supervised during construction by the Geo-professional.
31. All earthworks shall be designed to ensure that ongoing risk of slope instability is low or very low. The design shall incorporate documented slope stability analysis for static, seismic and worst-case groundwater conditions.
32. Cut batters shall be designed to a maximum permanent angle of 2V:1H in competent rock up to 3m high and shall be confirmed as stable by the Geo-professional following completion of earthworks. Any cut batter steeper than 2V:1H shall only be carried out under instruction by the Geo-professional and shall be confirmed in writing.
33. Cut slope face angles in soil slopes shall be specifically investigated and designed by a Geo-professional experienced in hillslope design. Upon completion of works the cut slopes shall be certified by the Geo-professional to be stable.
34. Slope face angles of the designated spoil stockpile area shown as the hatched area adjacent to the eastern boundary on Lot 5 on RM215228 Approved Plan A, shall be specifically investigated and



designed by a Geo-professional experienced in hillslope design.

35. All unreinforced fill batters shall be specifically designed with a maximum permanent angle of 1V:1.5H, and shall be confirmed as stable by the Geo-professional following completion of earthworks. Any fill batter proposed to be steeper than 1V:1.5H shall be designed as a reinforced earthfill. All fills shall be inspected by the Geo-professional and certified as stable on completion of works.
36. If at any stage in the implementation of this consent earthworks reveal adverse ground conditions, such as the presence of soft and / or water saturated ground, or layers of plastic clay; forestry slash, or evidence of slope movement is observed, all works shall be ceased immediately and the services of the Geo-professional shall be obtained. Subsequent works shall follow the recommendations made by the Geo-professional.
37. All fills shall be investigated, designed, constructed and certified in accordance with NZS 4431:1989 – Code of Practice for Earth Fill for Residential Development and the Nelson Tasman Land Development Manual 2020, by the Geo-professional.
38. Any unsuitable material or excess spoil and / or fill material shall be either removed from the site to an approved landfill or be placed under the direction of the Geo-professional in the designated spoil stockpile area on the hatched area adjacent to the eastern boundary on Lot 5 and shown on RM215228 Approved Plan A – Swanney Geotechnical and Civil Engineering Ltd drawing Dated 21 April 2020.

#### **Drainage**

39. The earthworks shall be graded and/or appropriate drainage put in place to prevent ponding and to divert collected water away from slope risk areas.
40. Stormwater and drainage including drainage behind any retaining walls shall be conveyed in a controlled manner and any discharge of captured water flows shall not create scour or initiate slope instability within the receiving environment.
41. The earthworks shall not detrimentally alter surface drainage of the site or of neighbouring properties.
42. Discharge locations for any drains or culverts shall be approved by the Geo-professional and to a location that will not initiate new or worsen any existing slope instability. No stormwater shall be allowed to discharge over fill batter slopes.
43. Stormwater discharge locations shall not be to an area identified by the Geo-professional as unstable.
44. All drainage pipes shall have at least one sufficient inspection point to allow future inspection and monitoring.

#### **Earthworks – Noise**

45. The Consent Holder shall comply with the following hours for earthworks construction including warm up and cool down of machinery:
  - a) Earthworks or activities related to the earthworks subject to this consent shall only take place within the hours from 7:00am to 6pm Monday to Friday and Saturdays 8am to 4pm. No earthworks or associated works shall occur outside these times or on Sundays or public holidays.
  - b) No warmup of machinery (including diggers, plant dump trucks and vibrating compactors shall occur prior to 7am on weekdays and 8am on Saturdays.
  - c) Earthworks construction noise shall comply with maximum noise limits specified in the

- d) Exceptions to the above mentioned hours are permitted for emergency remedial works or in relation to general safety issues on the site or adjoining sites relative to the proposed earthworks and or sediment control measure repairs after heavy rainfall.
46. For the duration of the earthworks, the Consent Holder shall ensure that a person is available to respond to any reasonable requests and/or complaints made by the public and that a phone number at which that person can be contacted will be advised to the Nelson City Council's Monitoring Officer prior to any earthworks commencing.

#### **Māori Archaeological Sites**

47. The consent holder or his agent shall ensure that all contractors working on the site are briefed on the possibility of encountering archaeological sites, how to identify possible archaeological sites during works and the responsibilities with regard to notification of the discovery of archaeological sites under the Heritage New Zealand Pouhere Toanga Act (2014).
48. In the event of Māori archaeological sites (e.g. shell midden, hangi or ovens, garden soils, pit depressions, occupation evidence, burials, taonga) or koiwi (human remains) being uncovered, activities in the vicinity of the discovery shall cease. The Consent Holder shall then notify Te Ātiawa, and Heritage New Zealand Pouhere Taonga Central Regional Office (phone 04 494 8320) and shall not recommence works in the area of the discovery until the relevant approvals to damage, destroy or modify such sites have been obtained.

**Advisory Note:** *The discovery of any pre-1900 archaeological site (Māori or non-Māori) which is subject to the provisions of the Historic Places Act needs an application to Heritage NZ for an authority to damage, destroy or modify the site.*

#### **Upon Substantial Completion of Earthworks for Each Stage**

49. Within six months of substantial completion of construction earthworks for each stage, the spoil stockpile area within Lot 5 shall be certified by the Geo-professional to be stable and the certification provided to Council's Monitoring Officer. Any remediation required to gain this certification shall be undertaken as soon as possible and shall follow the recommendations made by the Geo-professional.

**Advice Note:** Substantial completion may be determined by the Council's Monitoring Officer.

50. Where practical to do so the Consent Holder shall, on completion of the earthworks and as soon as climatic conditions allow, plant, or otherwise cover any exposed ground and cover the spoil area within Lot 5, to minimise erosion and enhance slope stability. Such measures shall be approved by the Geo-professional.

#### **Upon Completion of Earthworks for Each Stage**

51. Within one month of completing the earthworks a Geotechnical Maintenance Schedule (GMS) or similar shall be supplied to the Council's Monitoring Officer by the Geo-professional at the completion of the works to clearly identify the scope and timing of any ongoing monitoring or anticipated maintenance required. The Consent Holder shall adhere to the requirements in the GMS.
52. Within two months of the completion of the earthworks for each stage of the development the Consent Holder shall forward to the Council's Monitoring Officer documentation from the Geo-professional that the works authorised by this consent, including drainage, have been satisfactorily completed. The documentation shall include:
- a) An as-built plan showing the layout of the earthworks and drainage, and:
  - b) The location of all fill and the status of that fill (including spoil and / or unsuitable fill areas).
  - c) Certification in accordance with NZS 4431:1989 – *Code of Practice for Earth Fill for Residential*

**ADVISORY NOTE:**

*Failure to notify the Council as stated in the above conditions may result in enforcement action.*

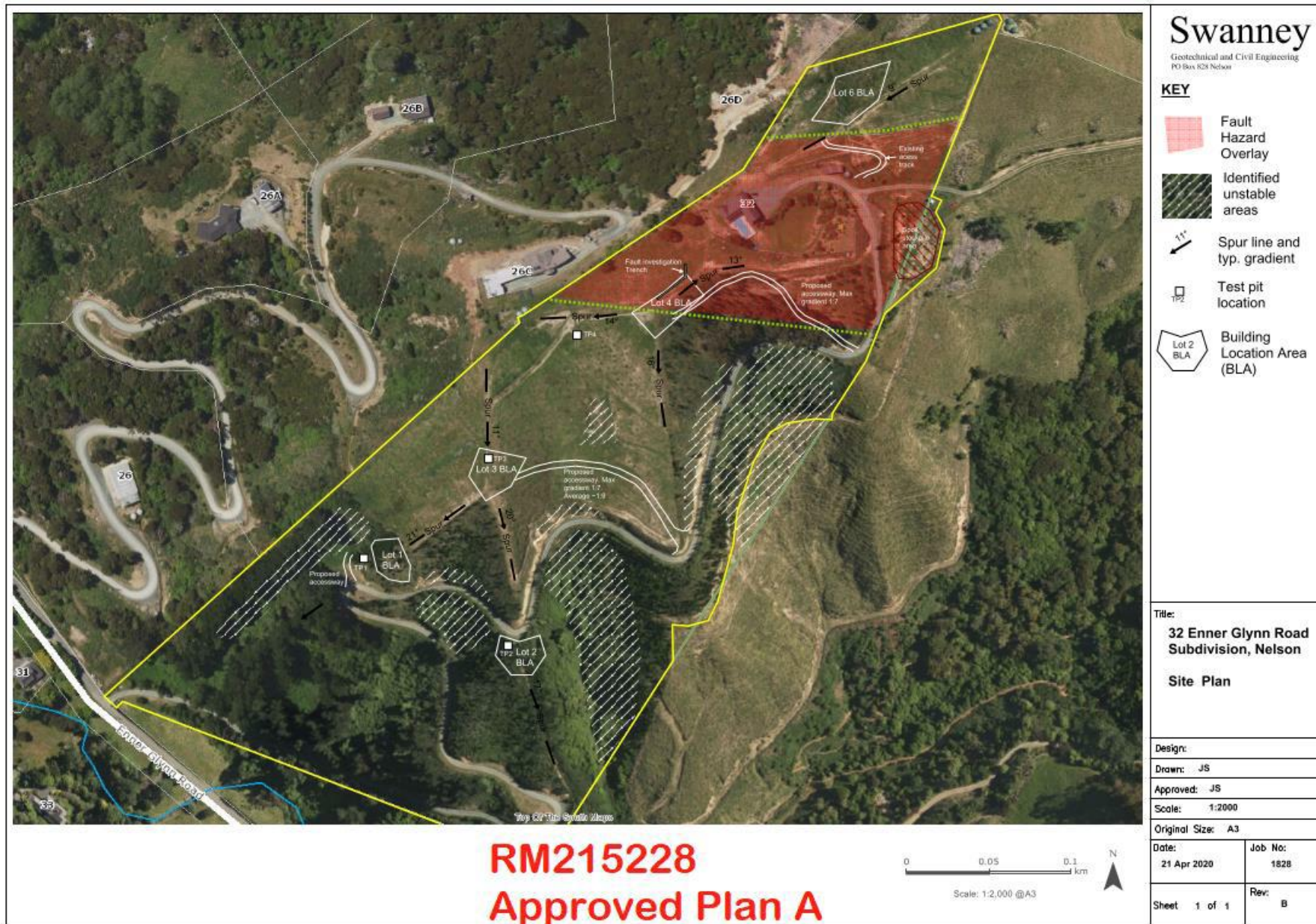
**Review Condition**

53. For the purposes of, and pursuant to Section 128 of the Resource Management Act 1991, the Council reserves the right to review this consent annually commencing 12 months from the date this consent is granted, for any of the following purposes:

- (a) To modify existing conditions of consent relating to the effects of the activity on the environment.
- (b) To require the Consent Holder to adopt the best practicable option to remove or reduce any adverse effect upon the environment, arising from the generated effects of the activity.
- (c) If the Council deems that it is necessary to do so in order to deal with any adverse effect on the environment which may arise from the exercise of this consent, and which is appropriate to deal with at a later date.

**ADVICE NOTES**

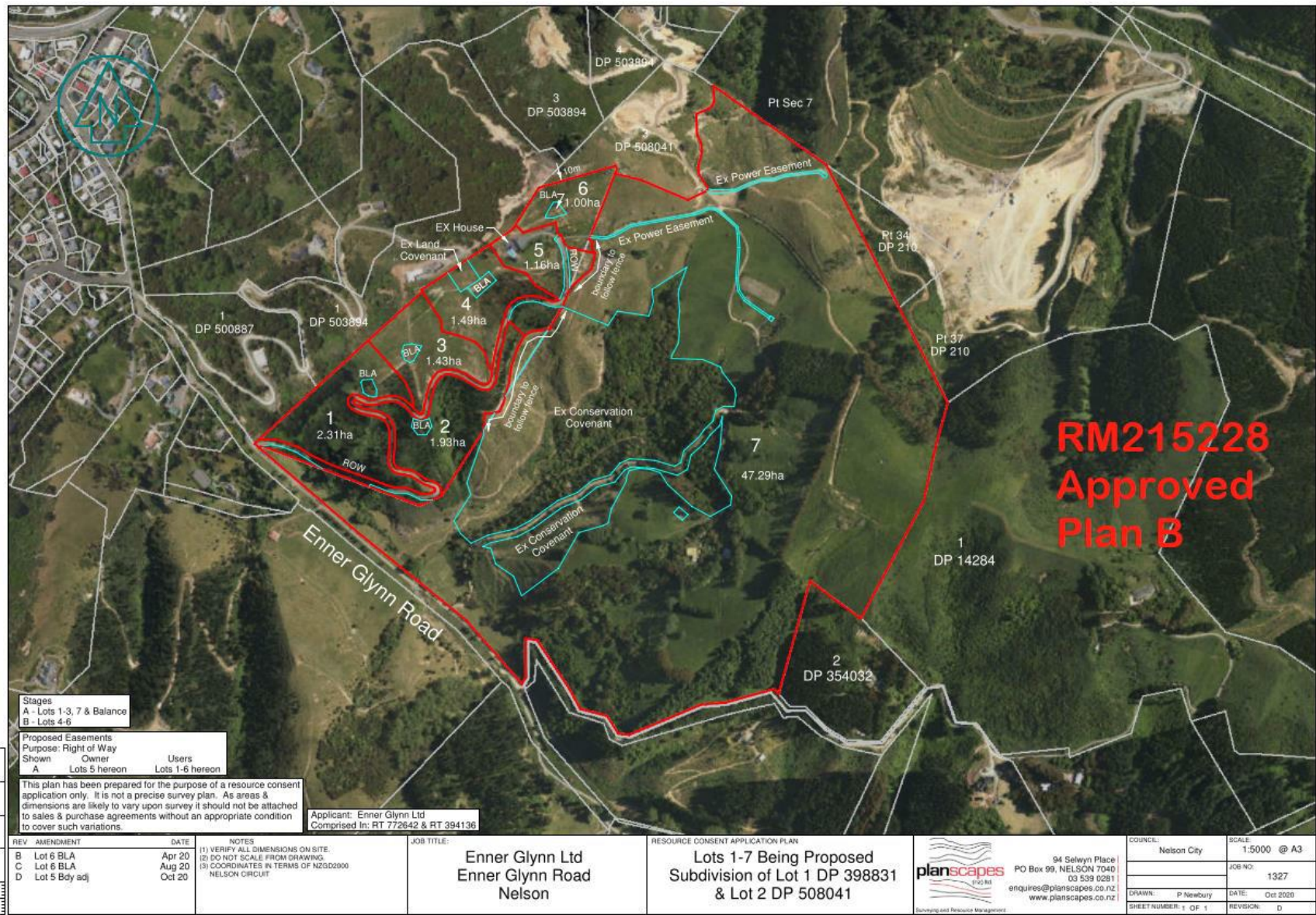
- 1. Conditions of this consent have been imposed pursuant to Section 108 of the Act.
- 2. This is not a building consent, and the Consent Holder shall meet the requirements of the Council for all Bylaws, Regulations and Acts.
- 3. This resource consent authorises only the activity described above. Any 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.
- 4. This consent is granted to the Consent Holder, but Section 134 of the Act states that such land use consent “attach to the land”, and accordingly, may be enjoyed by any subsequent owners and occupiers of the land. Therefore, any reference to “Consent Holder” in 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.



RM215224 & Associated Consents

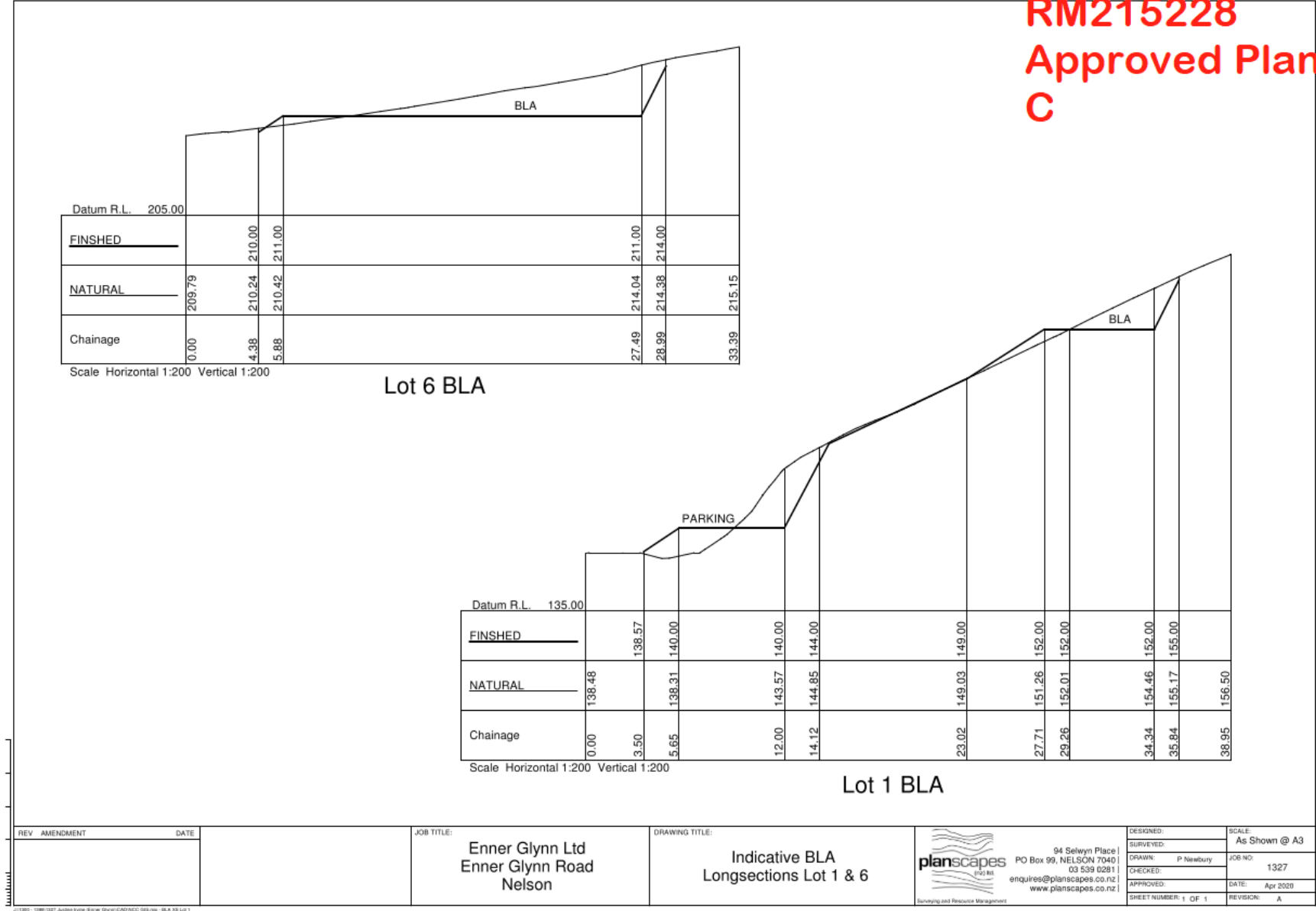
Notice of Decision





RM215224 & Associated Consents

Notice of Decision

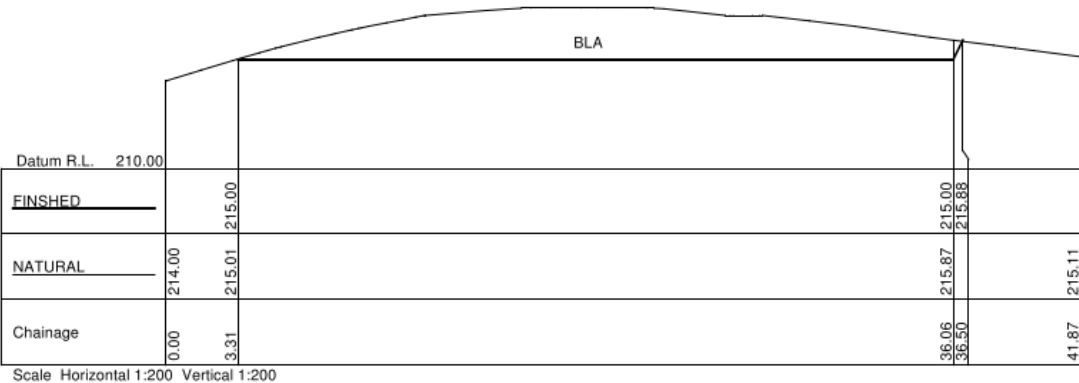


RM215224 & Associated Consents

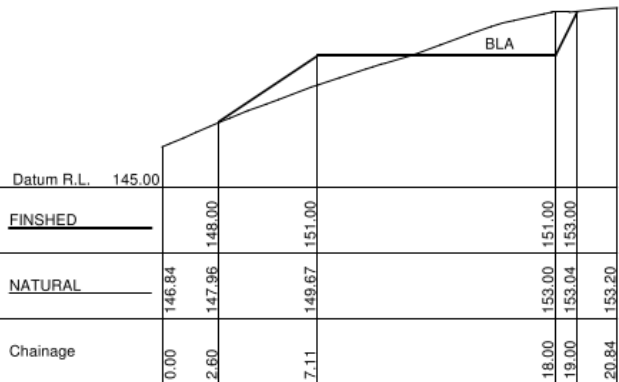
Notice of Decision



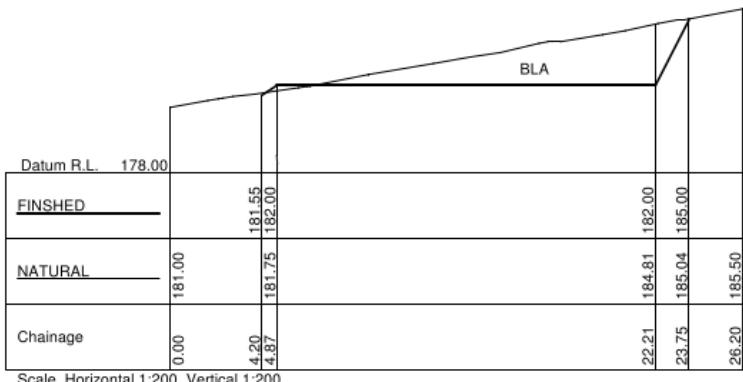
RM215228  
Approved Plan  
D



Lot 4 BLA



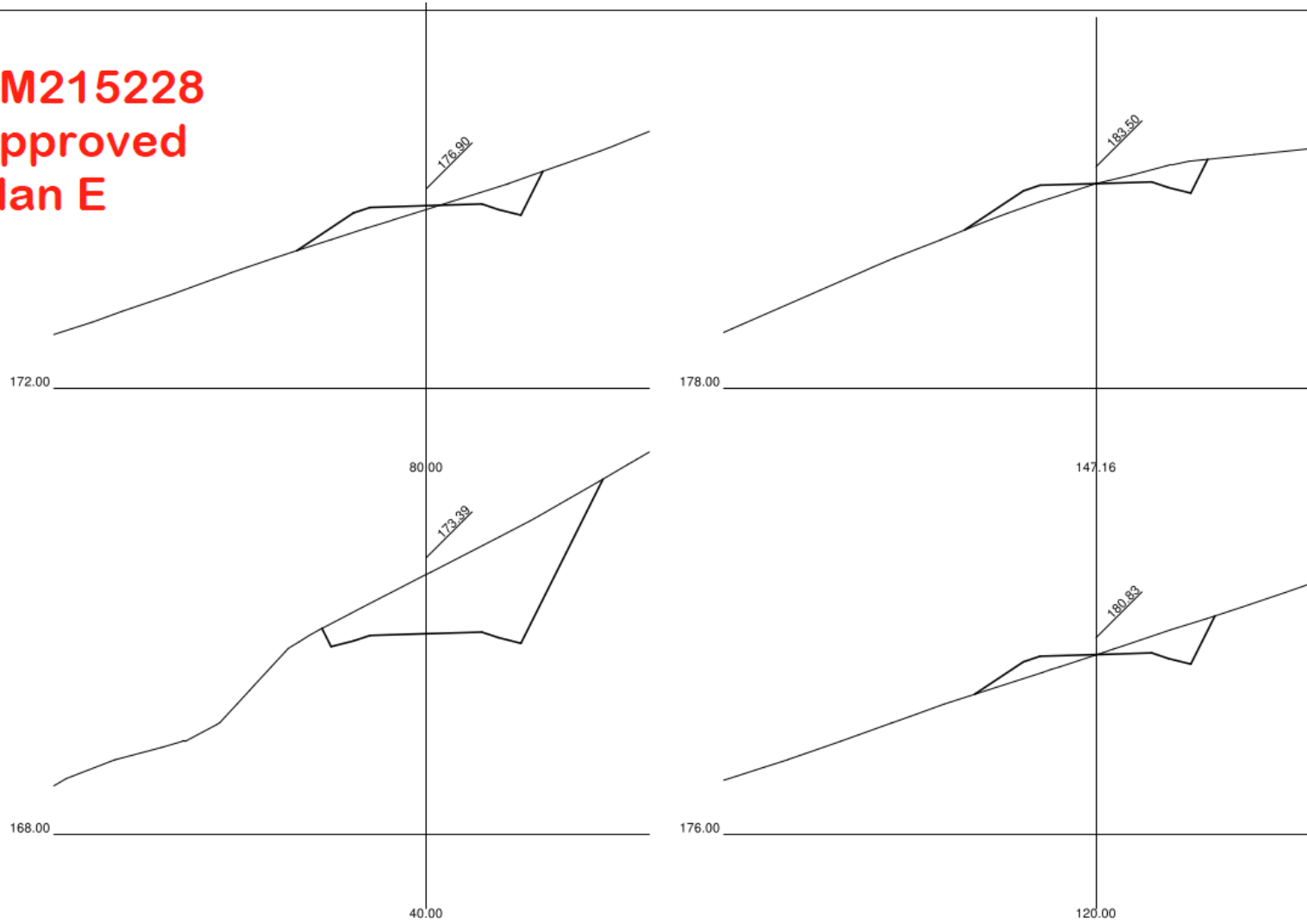
Lot 2 BLA



Lot 3 BLA

REV	AMENDMENT	DATE	JOB TITLE:	DRAWING TITLE:	DESIGNED:	SCALE:
			Enner Glynn Ltd Enner Glynn Road Nelson	Indicative BLA Longsections Lots 2, 3 & 4	94 Selwyn Place PO Box 99, NELSON 7040 03 539 0281 enquires@planscapes.co.nz www.planscapes.co.nz	As Shown @ A3
					DRAWN: P Newbury	JOB NO: 1327
					CHECKED:	DATE: April 2020
					APPROVED:	REVISION: A
					SHEET NUMBER: 1 OF 1	

# RM215228 Approved Plan E



Scale Horizontal 1:100 Vertical 1:100

REV	AMENDMENT	DATE

JOB TITLE:  
Enner Glynn Ltd  
Enner Glynn Road  
Nelson

DRAWING TITLE:  
Driveway Lot 3 Cross Sections

**planscapes**  
PO Box 99, NELSON 7040  
03 539 0281  
enquiries@planscapes.co.nz  
www.planscapes.co.nz

DESIGNED:	SCALE: As Shown @ A3
SURVEYED:	JOB NO: 1327
DRAWN: P Newbury	DATE: Mar 2020
CHECKED:	REVISION: A
APPROVED:	
SHEET NUMBER: 1 OF 1	

201801-108801087 Autodesk Inventor 2018 (C:\Program Files\Autodesk\Inventor 2018\bin\iutils.exe) - Drive Lot 3 3/3

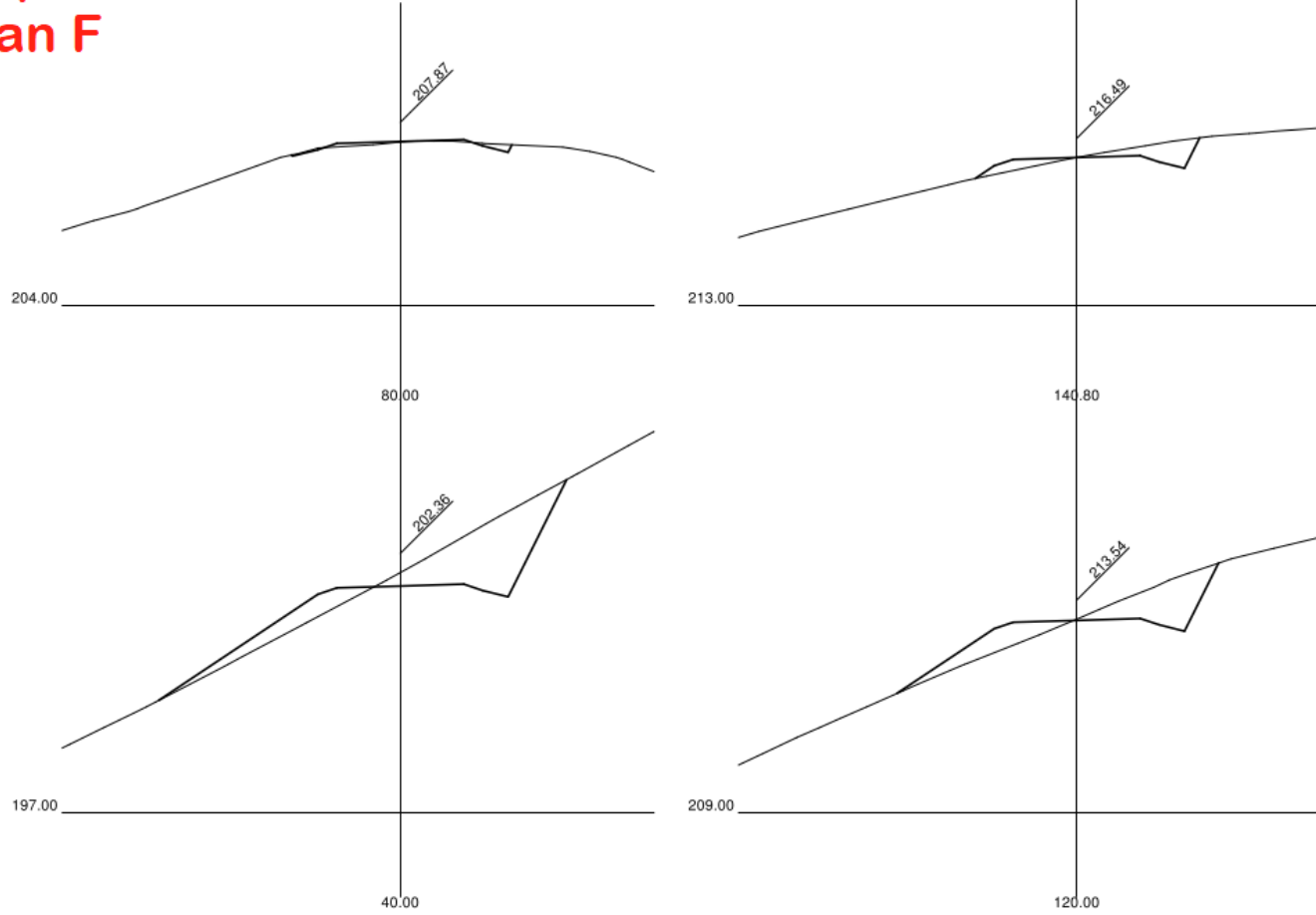
RM215224 & Associated Consents

Notice of Decision

**Nelson The Smart Little City**  
He tāone tōrire a Whakatū

**Nelson City Council**  
te kaunihera o whakatū

# RM215228 Approved Plan F



Scale Horizontal 1:100 Vertical 1:100

REV	AMENDMENT	DATE	JOB TITLE:	DRAWING TITLE:	DESIGNED:	SCALE:
			Enner Glynn Ltd Enner Glynn Road Nelson	Driveway Lot 4 Cross Sections	As Shown @ A3	
					DRAWN: P Newbury	JOB NO: 1327
					CHECKED:	DATE: Mar 2020
					APPROVED:	REVISION: A
					SHEET NUMBER: 1 OF 1	

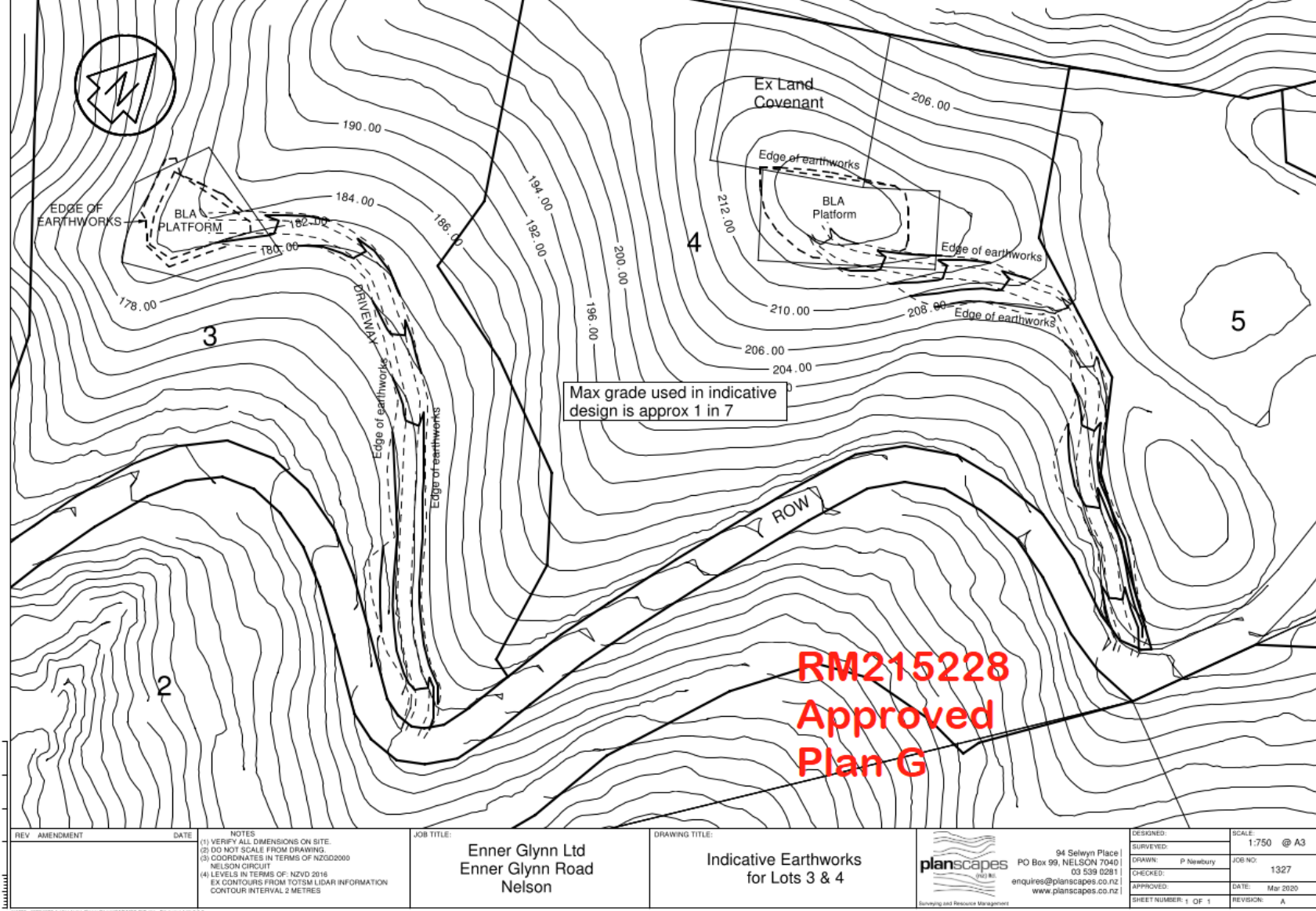
planscapes  
94 Selwyn Place  
PO Box 99, NELSON 7040  
03 539 0281  
enquiries@planscapes.co.nz  
www.planscapes.co.nz  
Surveying and Resource Management

RM215224 & Associated Consents

Notice of Decision

Nelson The Smart Little City  
He tāone tōrire a Whakatū

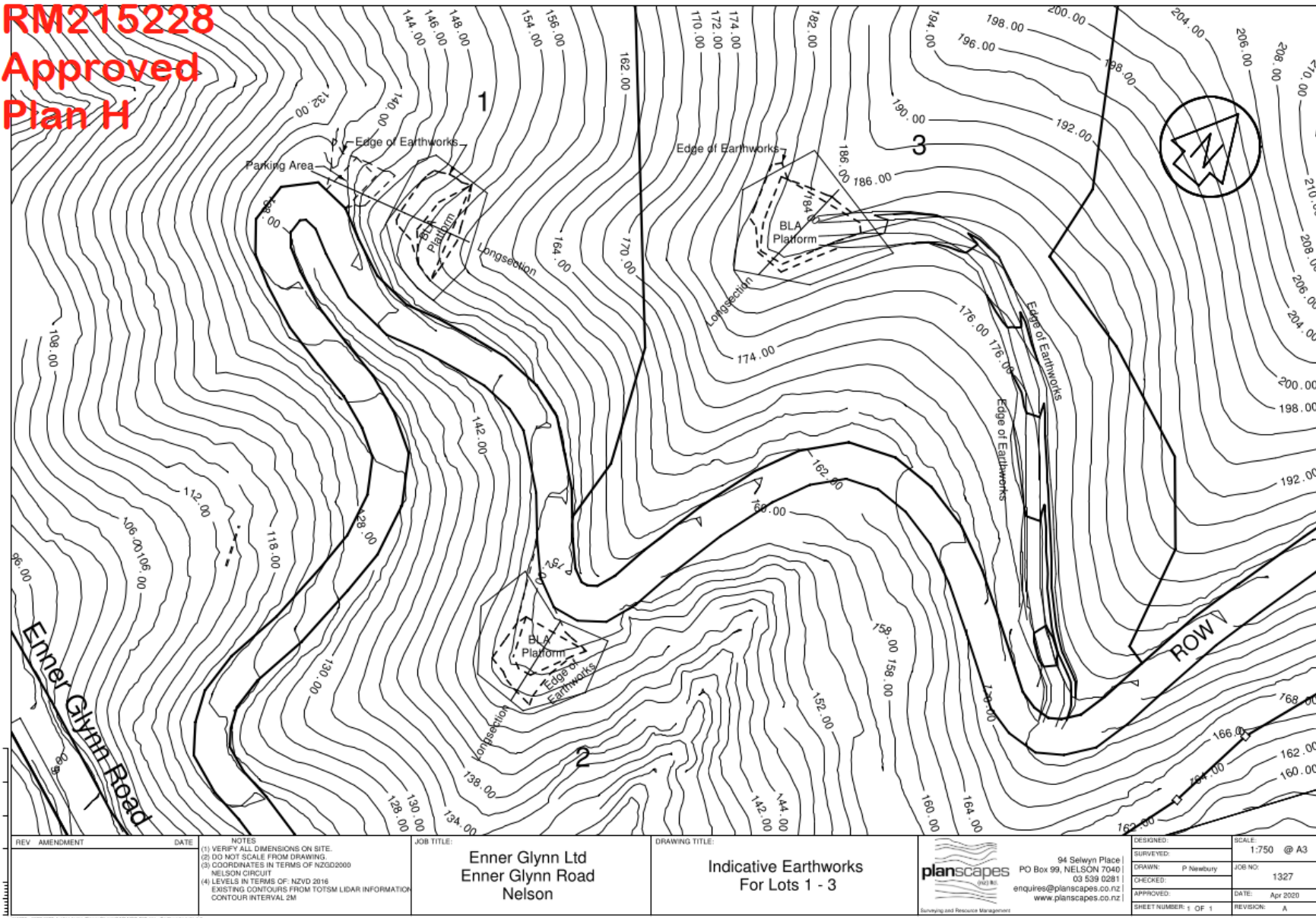
Nelson City Council  
te kaunihera o whakatū



RM215224 & Associated Consents

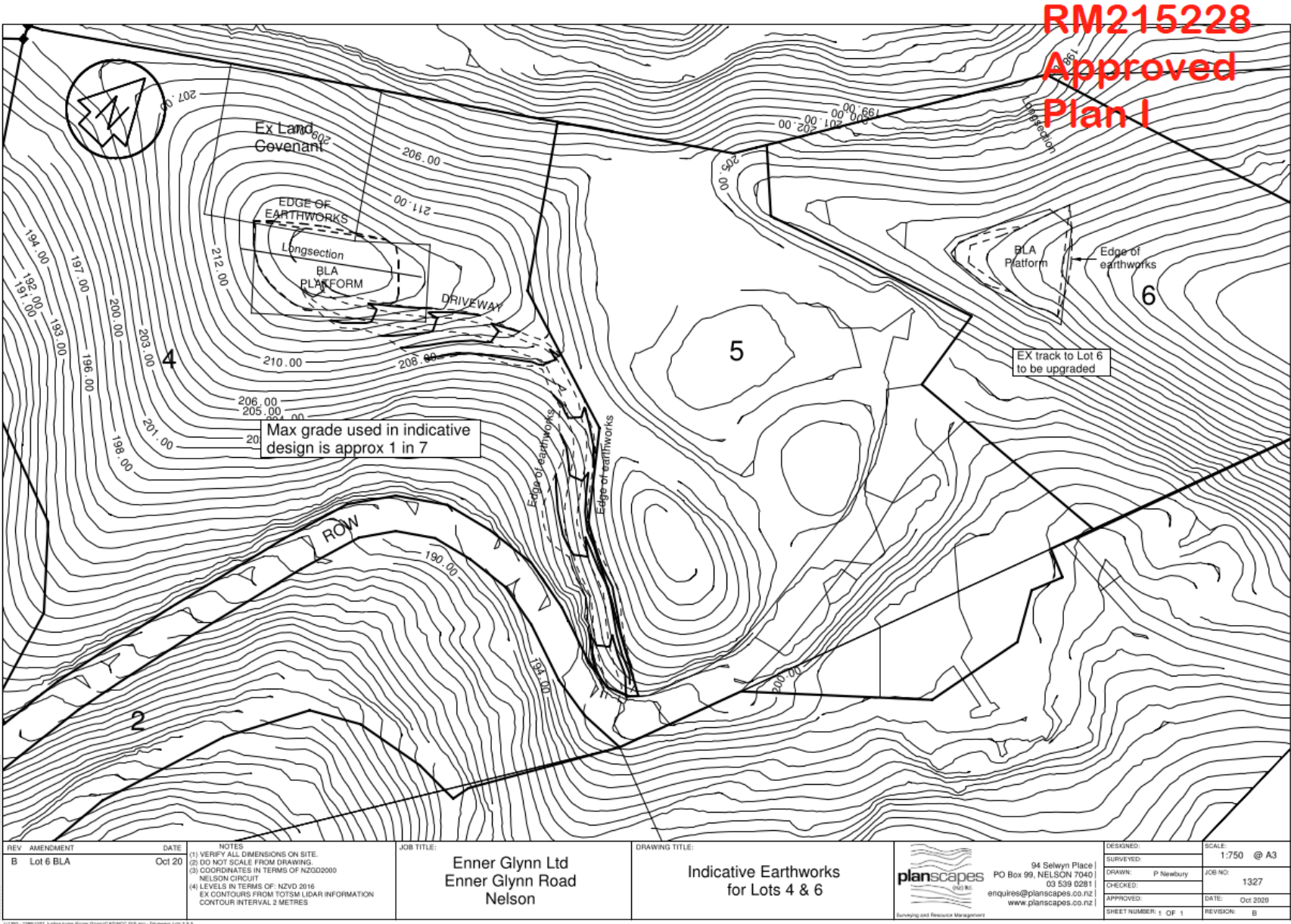
Notice of Decision

RM215228  
Approved  
Plan H



REV	AMENDMENT	DATE	NOTES	JOB TITLE	DRAWING TITLE	DESIGNED	SCALE
			(1) VERIFY ALL DIMENSIONS ON SITE. (2) DO NOT SCALE FROM DRAWING. (3) COORDINATES IN TERMS OF NZGD2000 NELSON CIRCUIT (4) LEVELS IN TERMS OF NZVD 2016 EXISTING CONTOURS FROM TDSM LIDAR INFORMATION CONTOUR INTERVAL 2M	Enner Glynn Ltd Enner Glynn Road Nelson	Indicative Earthworks For Lots 1 - 3	94 Selwyn Place PO Box 99, NELSON 7040 03 539 0281 enquiries@planscapes.co.nz www.planscapes.co.nz	1:750 @ A3
						DRAWN: P Newbury	JOB NO: 1327
						CHECKED:	DATE: Apr 2020
						APPROVED:	REVISION: A
						SHEET NUMBER: 1 OF 1	







# RM215228 Approved Plan B



Recvd 13 Oct21

## LEGEND

- SITE BOUNDARY
- LOT BOUNDARIES
- EXISTING BUILDINGS
- ROADS
- PROPOSED BLAYS
- EARTHWORKED BUILDING PLATFORMS (EARTHWORKED SLOPES)
- CURTAIN AREAS
- EXISTING CONCRETE
- LAND SWAMP WITH NEIGHBORING
- DISPOSAL FIELDS (PLANTED WITH CAREYVIRGA)
- BUILD UP OF HARDTILL TO CRANE RIM

## VEGETATION

- OPEN GRASSLAND
- EXISTING VEGETATION
- REVEGETATION PLANTING
- CRITICAL VEGETATION PLANTING
- CRITICAL VEGETATION PLANTING (DISTURBED AREA PREVIOUSLY AFFECTED)
- POPCAL TREES
- EXISTING POPCAL TREES TO REMAIN
- TREE PROTECTION
- SELECTIVE LOGGING OF GLIM TREES (LEAVING THE CANOPY INTACT)
- DEFENSIBLE SPACE (NO SPECIFIC TREE SPECIES, BUT FIRST REMOVAL OF SENSITIVE TREES)



SCALE 1:2000 (A3)

REVEGETATION PLANTING SPECIES	COMMON NAME	HEIGHT (m)	SPACING (m)
Brachyglottis repens	Manuka	7	2
Carpodetus serratus	Manuka	4	4
Corydalis albastris	Manuka	4	4
Coprosma propinqua	Manuka	2	2
Coprosma repens	Manuka	2	2
Coprosma robusta	Manuka	2	2
Coprosma virens	Manuka	2	2
Corynocarpus laevigatus	Manuka	2	2
Dodonaea viscosa	Manuka	2	2
Geranium robertianum	Manuka	2	2
Hebe	Manuka	2	2
Kunzea robusta	Manuka	2	2
Malvastrum laetifolium	Manuka	2	2
Oleandra paniculata	Manuka	2	2
Oleandra repens	Manuka	2	2
Pennantia corymbosa	Manuka	2	2
Pseudopanax arboreum	Manuka	2	2
Pseudopanax crassifolium	Manuka	2	2
Sorbus microphylla	Manuka	2	2
Veronica stricta	Manuka	2	2
Wentworthia repens	Manuka	2	2

unsuitable species for Delandale Space  
disturbance species for achieving mitigation within 5 year window

FIGURE 2

## Appendix B4 - RM215228 (Earthworks) - tracked

### Resource Consent number RM215228

Pursuant to section 104B of the Resource Management Act 1991 ("the Act"), the Nelson City Council ("the Council") hereby **grants** resource consent to:

Enner Glynn Limited

### The activity to which this decision relates:

Earthworks (cut and fill) exceeding 3m height to develop Building Location Areas, accessways, right of way and passing bays as well as earthworks to create the designated spoil stockpile area on the hatched area adjacent to the eastern boundary on Lot 5 and shown on RM215228 Approved Plan A and earthworks within the Landscape Overlay within proposed Lots 3, 4 and 6

**Advice Note:** This consent should be read in conjunction with RM215224 Staged Subdivision of 32 Enner Glynn Road

### Location details:

Address of property: 32 Enner Glynn Road, Nelson

Description: Lot 1 – 4 and 6  
(as shown on the attached RM215228 Approved Plan B)

Approximate  
Location co-ordinates: E 1621775.391 N 5426874.782  
(NZ Transverse Mercator)

### General

1. The activity shall be carried out in general accordance with the application lodged with Council on 17 December 2019 and again on 19 July 2021, including all supporting information submitted and held on Council file for the subdivision and development at 32 Enner Glynn Road. In the event that any of the provisions of those documents conflict with the requirements of these conditions of consent, these conditions of consent shall prevail.
2. The earthworks shall proceed in accordance with the Approved RM215228 Plans A – J.
3. The consent holder shall advise the Council's Monitoring Officer in writing, at least 14 working days prior to works commencing on site, so that monitoring of the conditions of this consent can be undertaken. Please email [regulatory@ncc.govt.nz](mailto:regulatory@ncc.govt.nz) and advise the consent number, RM215228.

**Advice Notes:** Failure to notify the Council as stated in the above condition may result in enforcement action.

*A monitoring charge of \$170.00 has been included in your invoice, as conditions of consent requiring monitoring have been imposed. This charge covers the costs involved in the first hour of monitoring compliance with the consent conditions. Where additional monitoring costs are required to determine that conditions have been met, these will be charged as provided in the Council's Fees and Charges Schedule.*

4. Earthworks for the right of way, passing bays and vehicle accessways shall be staged in conjunction with the associated subdivision consent RM215224.
5. Once commenced, the earthworks authorised by this consent, for each particular stage of the development (stage A and B in conjunction with RM215224 – Subdivision) to create the right of way, passing bays the building platforms and accessways to Building Location Areas (BLA's) shall be completed within 6 months.

**Advice note:** The construction period for the right of way, passing bays, vehicle accessways to the BLA's and the BLA's may be extended for up to an additional 2 months at the discretion of the Council's

*Manager Consents and Compliance or Team Leader Resource Consents for unanticipated delays such as adverse conditions, accidental discoveries, of Covid related delays provided these delays are minimised as much as practicable and managed accordingly.*

6. At no time during the works, including backfilling and drainage, shall the earthworks encroach onto any other property.
7. Upon substantial completion of the earthworks, within each stage, and as soon as climatic conditions allow, the Consent Holder shall plant or otherwise cover any exposed ground so as to minimise erosion and enhance slope stability. Such measures shall be approved by the geo-professional.

#### **Vegetation removal**

8. The consent holder shall ensure that the removal of any vegetation on site is limited to only that which is necessary for the earthworks authorised by this consent, for the removal of pine trees on the site, or for pest plant control.

#### **Ecology - Prior to earthworks and tree removals**

9. Tree clearance shall take place outside of the key breeding period for native forest birds (breeding period is October to January inclusive). Where it cannot avoid the key bird breeding period, any areas proposed for tree clearance shall be assessed by a suitably qualified and experienced ecologist to ensure that 'Threatened' or 'At Risk' species of native birds are not breeding within those areas.
10. Lizard-sensitive clearance protocols shall be adopted prior to earthworks on the site. At this site, this means ensuring that pasture grassland around Lot 4 and Lot 6 are progressively grazed down to a low-level by stock removing clumps of dense pasture and allowing any potential resident skink to naturally disperse into surrounding habitats. If this is not achieved prior to earthworks commencing, a preclearance lizard survey shall be undertaken by a DOC-permitted herpetologist to determine if native lizards are present on site. If native lizards are present DOC will be notified and the applicant will follow an appropriate mitigation process determined by DOC. This may involve salvage and relocation of lizards that are within the construction footprint.

#### **Construction Traffic and Environmental Management Plan (CTEMP)**

11. No less than 10 working days prior to the commencement of earthworks for the construction of any right of way works or Building Location Area (BLA) site development works, cuts and / or fills (including the fill to be placed the designated spoil stockpile area on the hatched area adjacent to the eastern boundary on Lot 5 and shown on RM215228 Approved Plan A – Swanney Geotechnical and Civil Engineering Lt drawing Dated 21 April 2020), associated with the subdivision RM215224, the consent holder shall provide to Council's Monitoring Officer a CTEMP which includes the Dust Erosion and Sediment Control Plan (DESCP) required by conditions 18 for the review and certification by the Manager Consents and Compliance or Team Leader Resource Consents.

**Advice Note:** *The purpose of the CTEMP is to ensure construction effects including noise, dust and sediment control, and vehicle traffic are effectively managed.*

12. The CTEMP shall be provided to the Consent Holders Geo-professional for review and approval prior to providing it to Council's Monitoring Officer for Certification by the Manager Consents and Compliance or Team Leader Resource Consents.
13. The CTEMP shall address all matters relevant to achieve its purpose, including but not limited to the following matters:
  - a) Measures to manage construction vehicle traffic using Enner Glynn Road and parking;
  - b) Details of on-site access, turning and manoeuvring for heavy vehicles;
  - c) The location and content of any construction signage;



- d) Description of the works, laydown areas, anticipated equipment and processes;
- e) Anticipated duration of earthworks in each stage;
- f) Methodology for the timing and staging of site earthworks including details of stormwater control diversion drains design, earthworks design and supporting figures (such as slope angles and catchment size);
- g) The requirements of conditions 18 & 27.
- h) Procedures for avoiding and reporting any incidents resulting from a significant rainfall event to the Council's Monitoring Officer;

**Note:** For the purposes of this criterion, a significant rainfall events is 60mm or more over a 24-hour period or 20mm/hr over the catchment as measured at either Nelson Airport or the Tasman District Council/Nelson City Council rainfall recording site at Princes Drive.

- i) Procedures for the management of construction stormwater; including detail to demonstrate that construction stormwater runoff is appropriately managed, including where it will flow towards the adjacent property at 100 Enner Glynn Road.
- j) Details of how the performance of control measures shall be measured and responded to on-site, including:
  - i. processes to be adopted in the event of any control measures failing; and
  - ii. timeframes and reporting responsibilities for notifying the Council in writing of all incidences where trigger points are exceeded or control measures failed, and the remedial measures taken.
- k) Methodology to minimise adverse vibration and noise effects (such as appropriate mufflers or digital reverse beepers) on adjacent properties including how the requirements of conditions 45 and 46 shall be complied with and how the earthworks timing in the immediate proximity to the boundary shared with 100 Enner Glynn Road may be able to be avoided towards the beginning and end of a working day, where applicable.
- l) Protocols to be adopted for the discovery of any unrecorded archaeological site;
- m) Details relating to the storage of fuel and/or lubricants and any handling procedures along with contingency plans (including use of spill kits);
- n) Contact details for site manager;
- o) Complaints procedures and register; and
- p) Procedures for the monitoring, audit and review of the CTEMP.

**Advice Note:** For the purpose of this condition, suitably qualified experts shall mean the contractor, and the supervising Geo-professional.

14. Should the Manager Consents and Compliance or Team Leader Resource Consents refuse to approve the CTEMP, the Consent Holder shall submit a revised CTEMP to the Manager Consents and Compliance or Team Leader Resource Consents for approval. The approval process shall follow the same procedure and requirements as outlined in conditions 11 - 13. No construction or earthworks activities shall commence on the site prior to the CTEMP being approved.
15. No less than 2 days prior to the commencement of any site development for each stage, the Consent Holder or an agent working on their behalf, chartered professional engineer experienced in geotechnical engineering or an experienced Engineering Geologist ('the Geo-professional'), the Contractor, the Landscape Architect, any other experienced professional considered necessary by the Consent Holder, and Council's Monitoring Officer shall attend a pre-construction meeting onsite to discuss the matters within the certified CTEMP to ensure compliance with the conditions of this consent.

**Advice Note:** The Consent Holder shall be responsible for facilitating the pre-construction meeting of all above mentioned participants.

16. All construction works on the site shall be carried out in general accordance with the approved CTEMP.
17. The CTEMP may be amended at any time by the Consent Holder. Any amendments to the CTEMP shall be submitted by the Consent Holder to the Monitoring Officer for the approval of the Manager Consents and Compliance or Team Leader Resource Consents. If the amended CTEMP is approved, then it becomes the approved plan for the purposes of condition 10. Any amendments to the CTEMP shall be:
  - a) for the purposes of improving the measures outlined in the CTEMP for achieving the CTEMP purpose (see condition 3);
  - b) consistent with the conditions of this resource consent; and
  - c) prepared by a suitably qualified expert or experts.

#### **Earthworks – Dust, Erosion and Sediment Control (DESCP)**

18. Prior to any earthworks taking place under this consent, a detailed dust, erosion and sedimentation control plan (DESCP) in accordance with the Nelson/Tasman Erosion and Sediment Control Guidelines – June 2019<sup>10</sup> shall be prepared by the Geo-professional or by the Contractor which shall be reviewed and approved by the Geo-professional. The DESCP shall be included in the CTEMP required by condition 11.
19. Prior to or within one month of the commencement of the earthworks, the Consent Holder shall engage the services of a suitably qualified professional to undertake soil testing and / or analysis, interpretation of the test results and to provide recommendations for revegetation of all exposed ground including the designated spoil stockpile area shown as the hatched area adjacent to the eastern boundary on Lot 5 shown on RM215228 Approved Plan A, to enhance slope stability.

**Advice Note:** *This condition is in addition to the landscaping vegetation required under RM215224 and is to ensure that appropriate revegetation methods are undertaken to mitigate potential effects of erosion or sediment transport, ensure proper installation of appropriate revegetation measures which will enable a favourable growing environment for faster, more complete vegetative growth and sustainable establishment.*

20. The final approved DESCP plan shall be submitted to Council's Monitoring Officer for acceptance at least 10 working days prior to the start of earthworks for each stage.
21. The DESCP shall include the locations of and control for all temporary stockpiles.

#### **Earthworks – DESCP Monitoring**

22. The Contractor shall undertake weekly inspections of the erosion and sedimentation control measures, unless a rainfall event greater than 60 mm or more over a 24-hour period or 20mm/hr over the catchment is forecast or occurs, at which time an inspection by both the Contractor and the Geo-professional shall inspect erosion and control measures during and after the above-mentioned rainfall events. If any erosion and sediment control measures are compromised or malfunctioning all earthworks shall cease until the Geo-professional or the engineer confirms it is rectified to efficient operating condition.

**Advice Note:** *For the purposes of this criterion, a significant rainfall events i mm or more over a 24-hour period or 20mm/hr over the catchment as measured at either Nelson Airport or the Tasman District Council/Nelson City Council rainfall recording site at Princes Drive.*

---

<sup>10</sup> <http://www.nelson.govt.nz/environment/healthy-streams/erosion-and-sediment-control/>

## Earthworks – Design & Methodology

23. Prior to any earthworks commencing on site, the Consent Holder shall forward to the Council's Monitoring Officer a letter of engagement from the Geo-professional, confirming availability to undertake the geotechnical and engineering supervision, reviews and inspections for the proposed earthworks during the implementation of this consent.
24. No earthworks shall commence without the prior agreement of the Geo-professional.
25. Earthworks to form any Building Location Area's, passing bays, the designated spoil stockpile area within Lot 5, or batter slopes shall be designed, implemented, and inspected during construction under the supervision of the Geo-professional.
26. Prior to any earthworks commencing on site the Consent Holder shall forward to the Council's Monitoring Officer an earthworks plan for each stage of the earthworks and approved by the applicant's Geo-professional and include the requirements of the relevant Conditions of this consent.

**Advice note:** *The Earthworks Plan may be submitted as part of the CTEMP.*

27. No less than 10 working days prior to the commencement of earthworks and once detailed design plans are approved by Council engineering officers, the Contractor shall provide the Earthworks Plan to the Council's Monitoring Officer for the approval of Council's engineering officers. The Earthworks Plan shall be approved by the applicant's Geo-professional and shall include details such as: planned areas of earthworks, cross sections of the accessways, cross section details of any fill buttressing, engineering details for any subsoil drainage, stormwater discharge energy dissipation measures, culvert outfalls and any required channel linings.

**Advice Note:** *The Earthworks Plan may be submitted as part of the CTEMP.*

28. Any changes to the approved earthworks plan is to be provided to Council's Monitoring Officer, for review by the Council's Geo-professional, prior to the start of earthworks, for approval to any changes to works being undertaken.
29. Earthworks, including drainage, diversion bunds or channels shall be implemented and inspected during construction under the supervision of the Geo-professional. In particular, the accessway to Lot 3 where shallow instability has been identified within Swanney Geotechnical and Civil Engineering assessment report, dated 19 November 2019.
30. All cuts exceeding 1.2m depth shall be designed and supervised during construction by the Geo-professional.
31. All earthworks shall be designed to ensure that ongoing risk of slope instability is low or very low. The design shall incorporate documented slope stability analysis for static, seismic and worst-case groundwater conditions.
32. Cut batters shall be designed to a maximum permanent angle of 2V:1H in competent rock up to 3m high and shall be confirmed as stable by the Geo-professional following completion of earthworks. Any cut batter steeper than 2V:1H shall only be carried out under instruction by the Geo-professional and shall be confirmed in writing.
33. Cut slope face angles in soil slopes shall be specifically investigated and designed by a Geo-professional experienced in hillslope design. Upon completion of works the cut slopes shall be certified by the Geo-professional to be stable.
34. Slope face angles of the designated spoil stockpile area shown as the hatched area adjacent to the eastern boundary on Lot 5 on RM215228 Approved Plan A, shall be specifically investigated and

designed by a Geo-professional experienced in hillslope design.

35. All unreinforced fill batters shall be specifically designed with a maximum permanent angle of 1V:1.5H, and shall be confirmed as stable by the Geo-professional following completion of earthworks. Any fill batter proposed to be steeper than 1V:1.5H shall be designed as a reinforced earthfill. All fills shall be inspected by the Geo-professional and certified as stable on completion of works.
36. If at any stage in the implementation of this consent earthworks reveal adverse ground conditions, such as the presence of soft and / or water saturated ground, or layers of plastic clay; forestry slash, or evidence of slope movement is observed, all works shall be ceased immediately and the services of the Geo-professional shall be obtained. Subsequent works shall follow the recommendations made by the Geo-professional.
37. All fills shall be investigated, designed, constructed and certified in accordance with NZS 4431:1989 – Code of Practice for Earth Fill for Residential Development and the Nelson Tasman Land Development Manual 2020, by the Geo-professional.
38. Any unsuitable material or excess spoil and / or fill material shall be either removed from the site to an approved landfill or be placed under the direction of the Geo-professional in the designated spoil stockpile area on the hatched area adjacent to the eastern boundary on Lot 5 and shown on RM215228 Approved Plan A – Swanney Geotechnical and Civil Engineering Ltd drawing Dated 21 April 2020.

#### **Drainage**

39. The earthworks shall be graded and/or appropriate drainage put in place to prevent ponding and to divert collected water away from slope risk areas.
40. Stormwater and drainage including drainage behind any retaining walls shall be conveyed in a controlled manner and any discharge of captured water flows shall not create scour or initiate slope instability within the receiving environment.
41. The earthworks shall not detrimentally alter surface drainage of the site or of neighbouring properties.
42. Discharge locations for any drains or culverts shall be approved by the Geo-professional and to a location that will not initiate new or worsen any existing slope instability. No stormwater shall be allowed to discharge over fill batter slopes.
43. Stormwater discharge locations shall not be to an area identified by the Geo-professional as unstable.
44. All drainage pipes shall have at least one sufficient inspection point to allow future inspection and monitoring.

#### **Earthworks – Noise**

45. The Consent Holder shall comply with the following hours for earthworks construction including warm up and cool down of machinery:
  - a) Earthworks or activities related to the earthworks subject to this consent shall only take place within the hours from 7:00am to 6pm Monday to Friday and Saturdays 8am to 4pm. No earthworks or associated works shall occur outside these times or on Sundays or public holidays.
  - b) No warmup of machinery (including diggers, plant dump trucks and vibrating compactors shall occur prior to 7am on weekdays and 8am on Saturdays.
  - c) Earthworks construction noise shall comply with maximum noise limits specified in the



- d) Exceptions to the above mentioned hours are permitted for emergency remedial works or in relation to general safety issues on the site or adjoining sites relative to the proposed earthworks and or sediment control measure repairs after heavy rainfall.
46. For the duration of the earthworks, the Consent Holder shall ensure that a person is available to respond to any reasonable requests and/or complaints made by the public and that a phone number at which that person can be contacted will be advised to the Nelson City Council's Monitoring Officer prior to any earthworks commencing.

#### **Māori Archaeological Sites**

47. The consent holder or his agent shall ensure that all contractors working on the site are briefed on the possibility of encountering archaeological sites, how to identify possible archaeological sites during works and the responsibilities with regard to notification of the discovery of archaeological sites under the Heritage New Zealand Pouhere Taonga Act (2014).
48. In the event of Māori archaeological sites (e.g. shell midden, hangi or ovens, garden soils, pit depressions, occupation evidence, burials, taonga) or koiwi (human remains) being uncovered, activities in the vicinity of the discovery shall cease. The Consent Holder shall then notify Te Ātiawa, and Heritage New Zealand Pouhere Taonga Central Regional Office (phone 04 494 8320) and shall not recommence works in the area of the discovery until the relevant approvals to damage, destroy or modify such sites have been obtained.

**Advisory Note:** *The discovery of any pre-1900 archaeological site (Māori or non-Māori) which is subject to the provisions of the Historic Places Act needs an application to Heritage NZ for an authority to damage, destroy or modify the site.*

#### **Upon Substantial Completion of Earthworks for Each Stage**

49. Within six months of substantial completion of construction earthworks for each stage, the spoil stockpile area within Lot 5 shall be certified by the Geo-professional to be stable and the certification provided to Council's Monitoring Officer. Any remediation required to gain this certification shall be undertaken as soon as possible and shall follow the recommendations made by the Geo-professional.

**Advice Note:** Substantial completion may be determined by the Council's Monitoring Officer.

50. Where practical to do so the Consent Holder shall, on completion of the earthworks and as soon as climatic conditions allow, plant, or otherwise cover any exposed ground and cover the spoil area within Lot 5, to minimise erosion and enhance slope stability. Such measures shall be approved by the Geo-professional.

#### **Upon Completion of Earthworks for Each Stage**

51. Within one month of completing the earthworks a Geotechnical Maintenance Schedule (GMS) or similar shall be supplied to the Council's Monitoring Officer by the Geo-professional at the completion of the works to clearly identify the scope and timing of any ongoing monitoring or anticipated maintenance required. The Consent Holder shall adhere to the requirements in the GMS.
52. Within two months of the completion of the earthworks for each stage of the development the Consent Holder shall forward to the Council's Monitoring Officer documentation from the Geo-professional that the works authorised by this consent, including drainage, have been satisfactorily completed. The documentation shall include:
- a) An as-built plan showing the layout of the earthworks and drainage, and:
  - b) The location of all fill and the status of that fill (including spoil and / or unsuitable fill areas).
  - c) Certification in accordance with NZS 4431:1989 – *Code of Practice for Earth Fill for Residential*

**ADVISORY NOTE:**

*Failure to notify the Council as stated in the above conditions may result in enforcement action.*

**Review Condition**

53. For the purposes of, and pursuant to Section 128 of the Resource Management Act 1991, the Council reserves the right to review this consent annually commencing 12 months from the date this consent is granted, for any of the following purposes:

- (a) To modify existing conditions of consent relating to the effects of the activity on the environment.
- (b) To require the Consent Holder to adopt the best practicable option to remove or reduce any adverse effect upon the environment, arising from the generated effects of the activity.
- (c) If the Council deems that it is necessary to do so in order to deal with any adverse effect on the environment which may arise from the exercise of this consent, and which is appropriate to deal with at a later date.

**ADVICE NOTES**

- 1. Conditions of this consent have been imposed pursuant to Section 108 of the Act.
- 2. This is not a building consent, and the Consent Holder shall meet the requirements of the Council for all Bylaws, Regulations and Acts.
- 3. 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.
- 4. This consent is granted to the Consent Holder, but Section 134 of the Act states that such land use consent “attach to the land”, and accordingly, may be enjoyed by any subsequent owners and occupiers of the land. Therefore, any reference to “Consent Holder” in 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.



**RM215228**  
**Approved Plan A**



**Swanney**

Geotechnical and Civil Engineering  
PO Box 1028 Nelson

**KEY**

- Fault Hazard Overlay
- Identified unstable areas
- Spur line and typ. gradient
- Test pit location
- Building Location Area (BLA)

Title:

**32 Enner Glynn Road  
Subdivision, Nelson**

**Site Plan**

Design:

Drawn: JS

Approved: JS

Scale: 1:2000

Original Size: A3

Date:  
21 Apr 2020

Job No:  
1828

Sheet 1 of 1

Rev:  
B

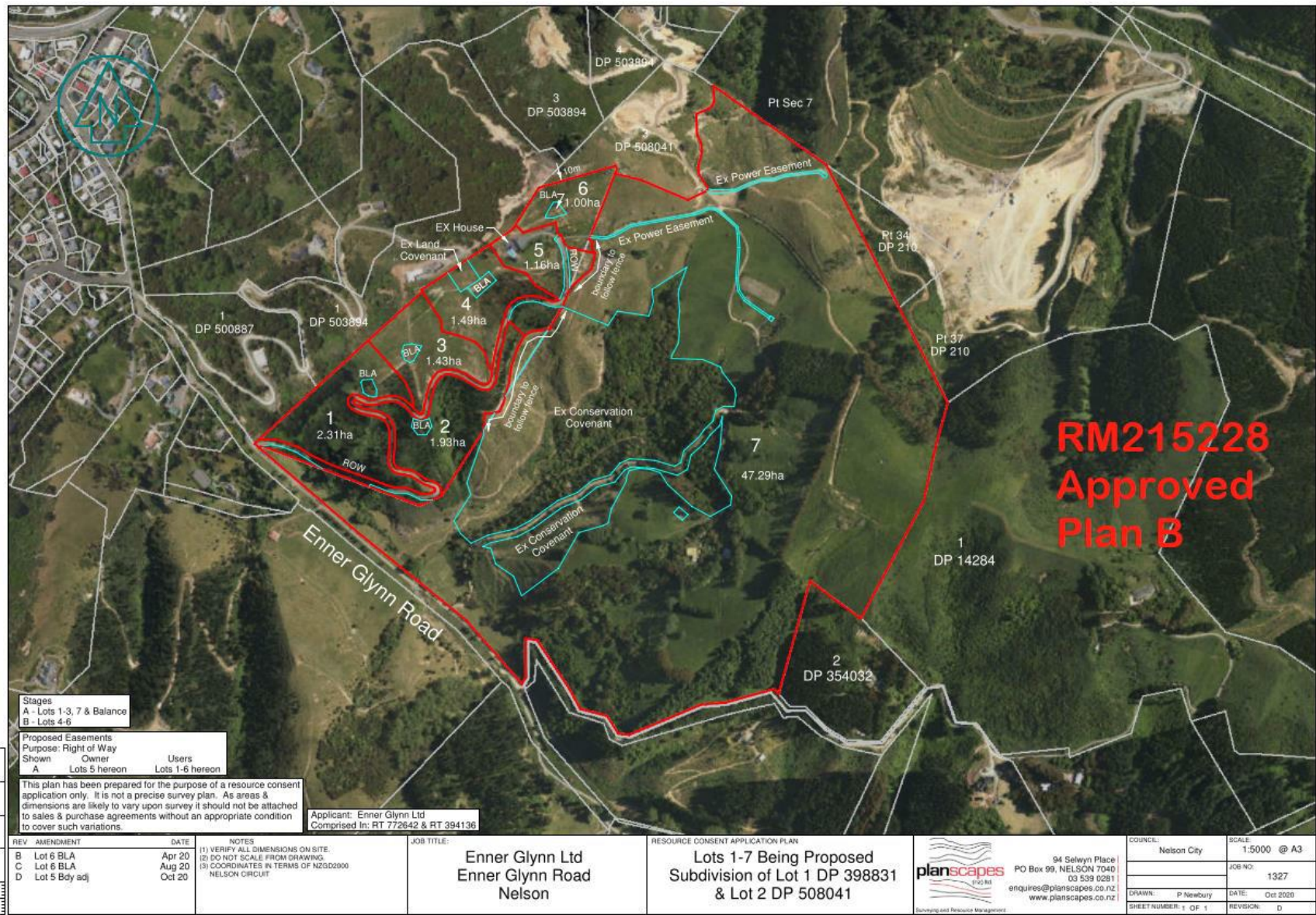
RM215224 & Associated Consents

Notice of Decision

**Nelson The Smart Little City**  
He tāone tōrire a Whakatū

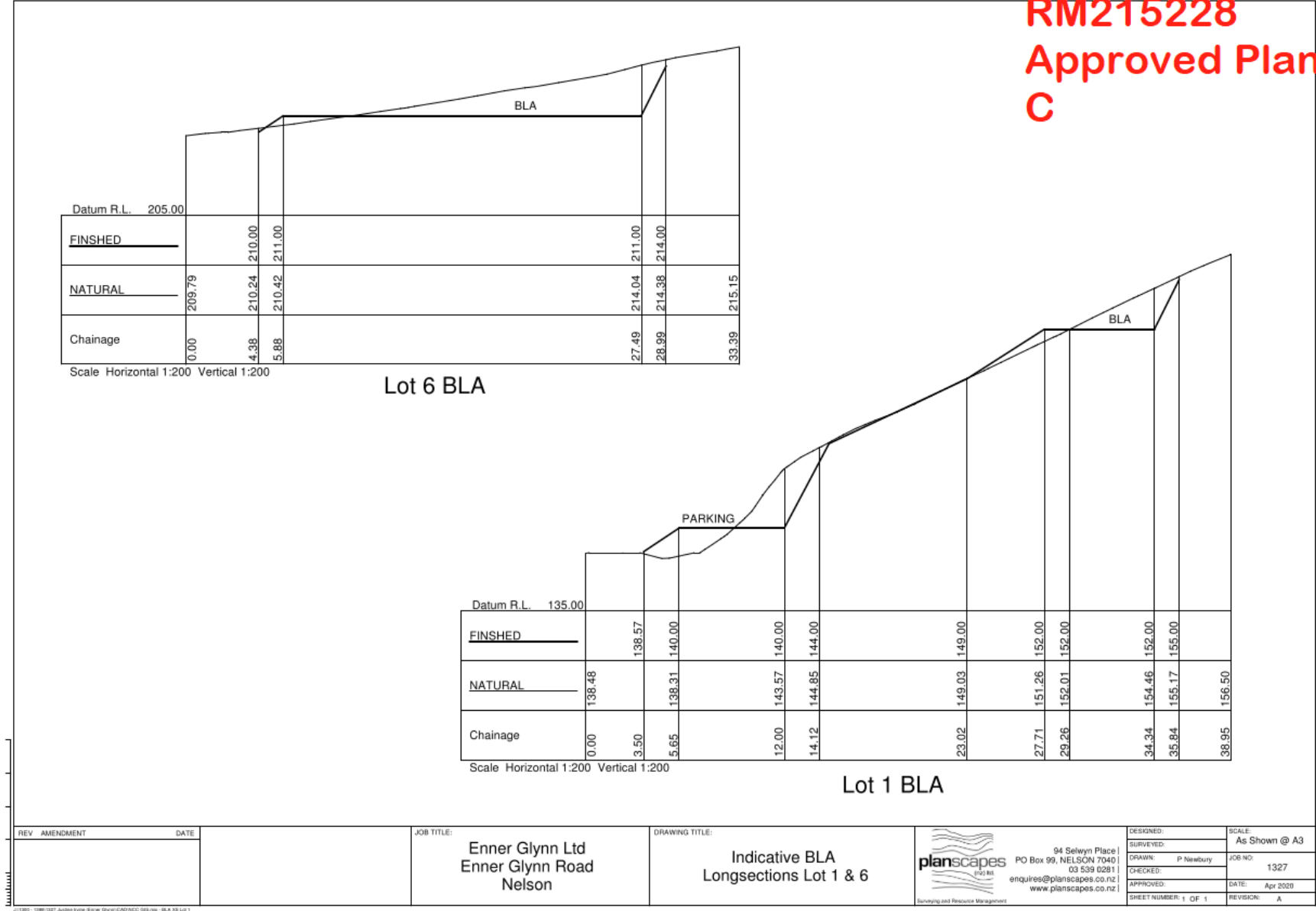
**Nelson City Council**  
te kaunihera o whakatū





RM215224 & Associated Consents

Notice of Decision

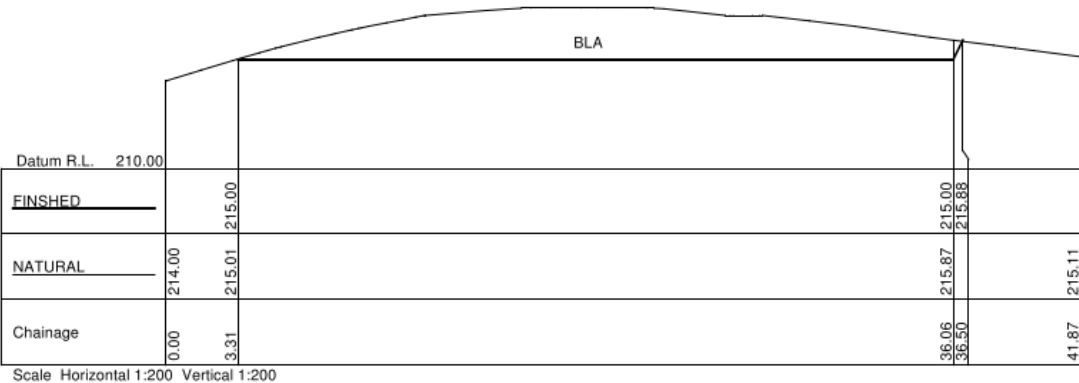


RM215224 & Associated Consents

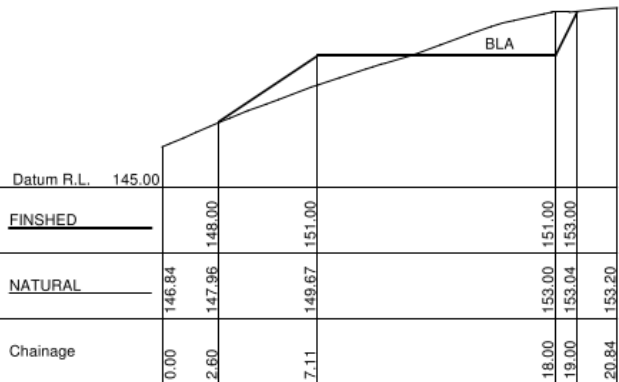
Notice of Decision



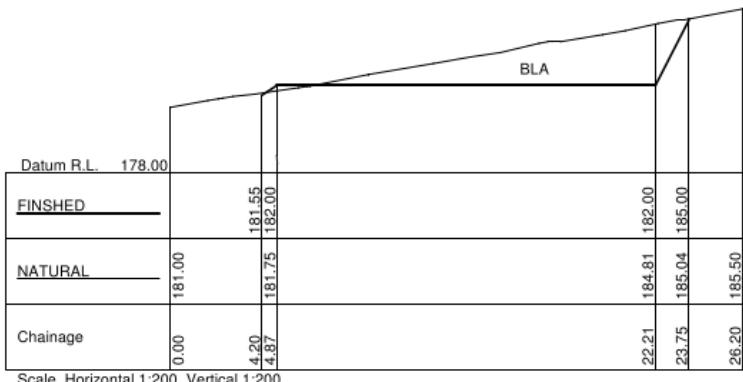
RM215228  
Approved Plan  
D



Lot 4 BLA



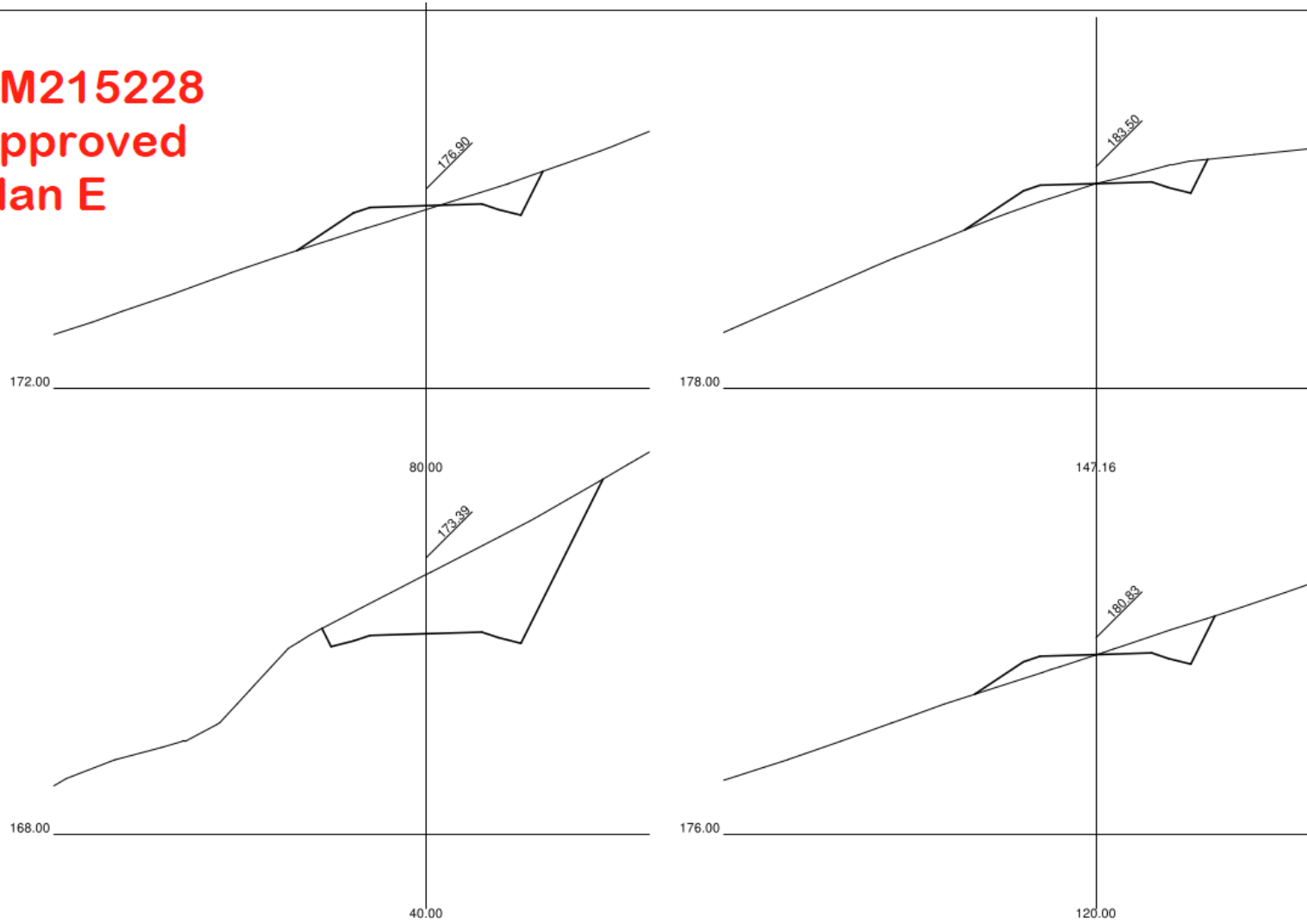
Lot 2 BLA



Lot 3 BLA

REV	AMENDMENT	DATE	JOB TITLE:	DRAWING TITLE:	DESIGNED:	SCALE:
			Enner Glynn Ltd Enner Glynn Road Nelson	Indicative BLA Longsections Lots 2, 3 & 4	94 Selwyn Place PO Box 99, NELSON 7040 03 539 0281 enquires@planscapes.co.nz www.planscapes.co.nz	As Shown @ A3
					DRAWN: P Newbury	JOB NO: 1327
					CHECKED:	DATE: April 2020
					APPROVED:	REVISION: A
					SHEET NUMBER: 1 OF 1	

# RM215228 Approved Plan E



Scale Horizontal 1:100 Vertical 1:100

REV	AMENDMENT	DATE

JOB TITLE:  
Enner Glynn Ltd  
Enner Glynn Road  
Nelson

DRAWING TITLE:  
Driveway Lot 3 Cross Sections



94 Selwyn Place  
PO Box 99, NELSON 7040  
03 539 0281  
enquiries@planscapes.co.nz  
www.planscapes.co.nz

Surveying and Resource Management

DESIGNED:	SCALE: As Shown @ A3
SURVEYED:	JOB NO: 1327
DRAWN: P Newbury	DATE: Mar 2020
CHECKED:	REVISION: A
APPROVED:	
SHEET NUMBER: 1 OF 1	

201801-108801087 Autodesk Inventor 2018 (C:\Program Files\Autodesk\Inventor 2018\bin\iutils.exe) - Drive Lot 3 3/3

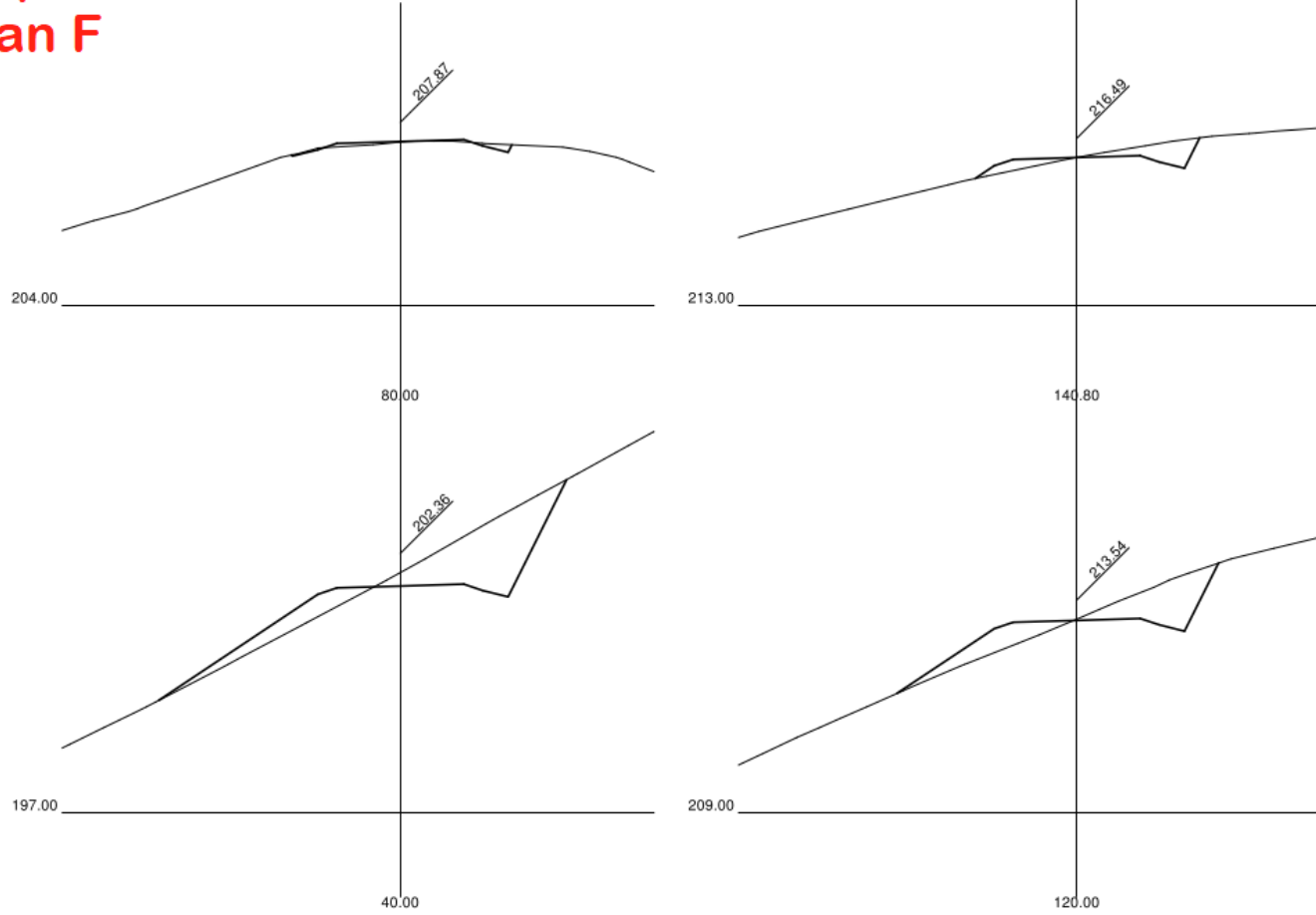
RM215224 & Associated Consents

Notice of Decision

Nelson The Smart Little City  
He tāone tōrire a Whakatū

Nelson City Council  
te kaunihera o whakatū

# RM215228 Approved Plan F



Scale Horizontal 1:100 Vertical 1:100

REV	AMENDMENT	DATE

JOB TITLE:  
**Enner Glynn Ltd  
Enner Glynn Road  
Nelson**

DRAWING TITLE:  
**Driveway Lot 4 Cross Sections**

**planscapes**  
94 Selwyn Place  
PO Box 99, NELSON 7040  
03 539 0281  
enquiries@planscapes.co.nz  
www.planscapes.co.nz  
Surveying and Resource Management

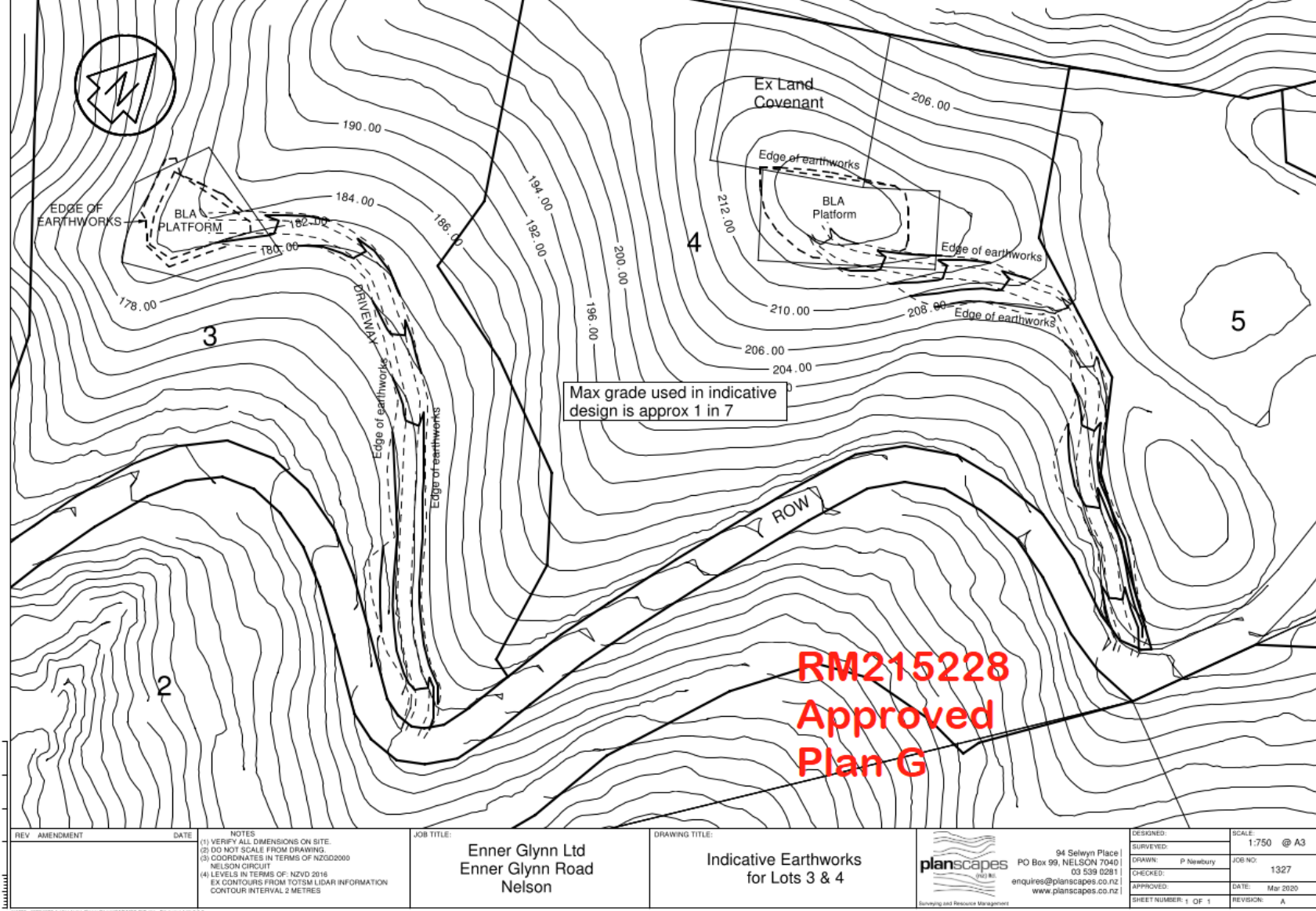
DESIGNED:	SCALE: As Shown @ A3
SURVEYED:	JOB NO: 1327
DRAWN: P Newbury	DATE: Mar 2020
CHECKED:	REVISION: A
APPROVED:	SHEET NUMBER: 1 OF 1

RM215224 & Associated Consents

Notice of Decision

**Nelson The Smart Little City**  
He tāone tōrire a Whakatū

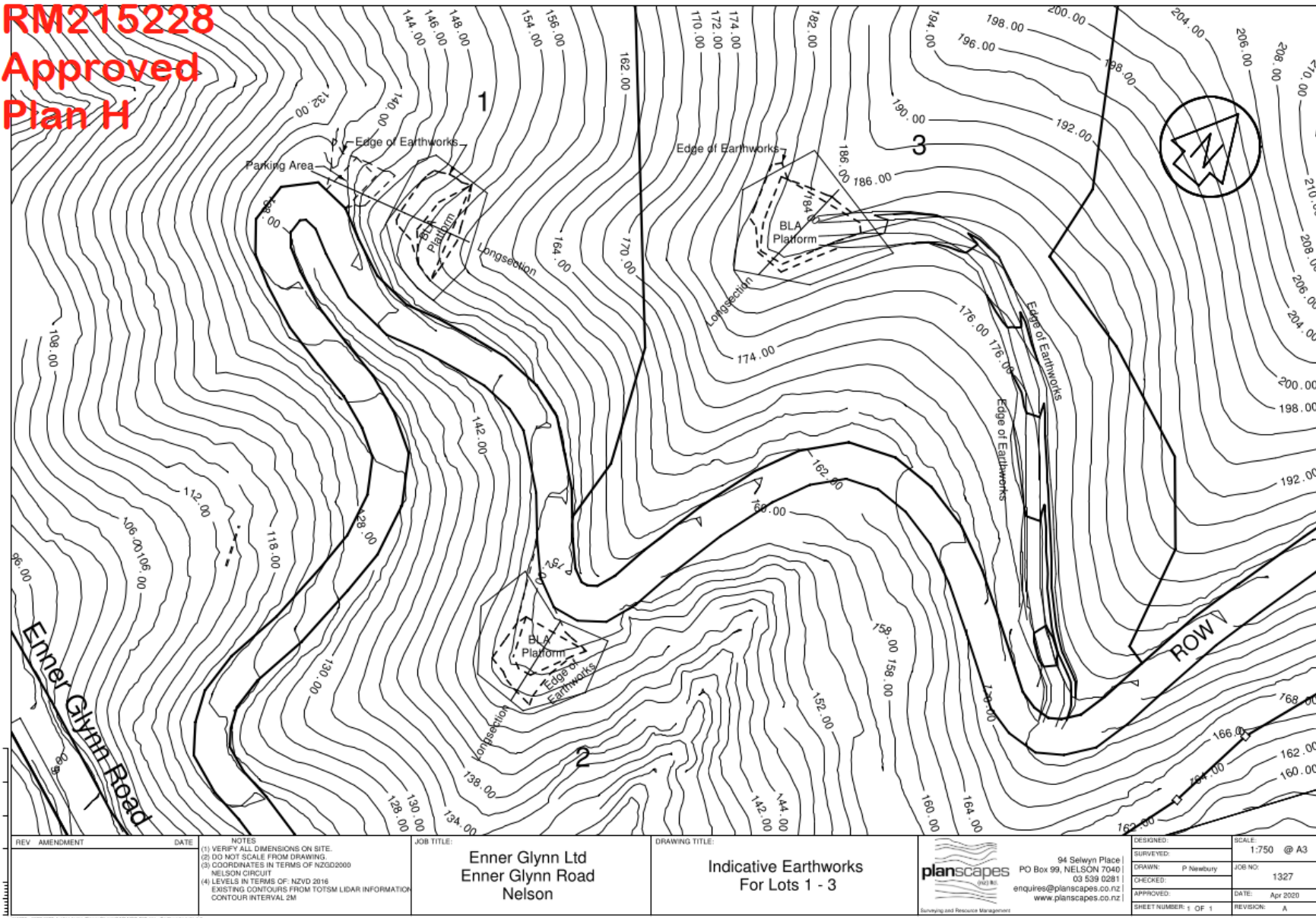
**Nelson City Council**  
te kaunihera o whakatū



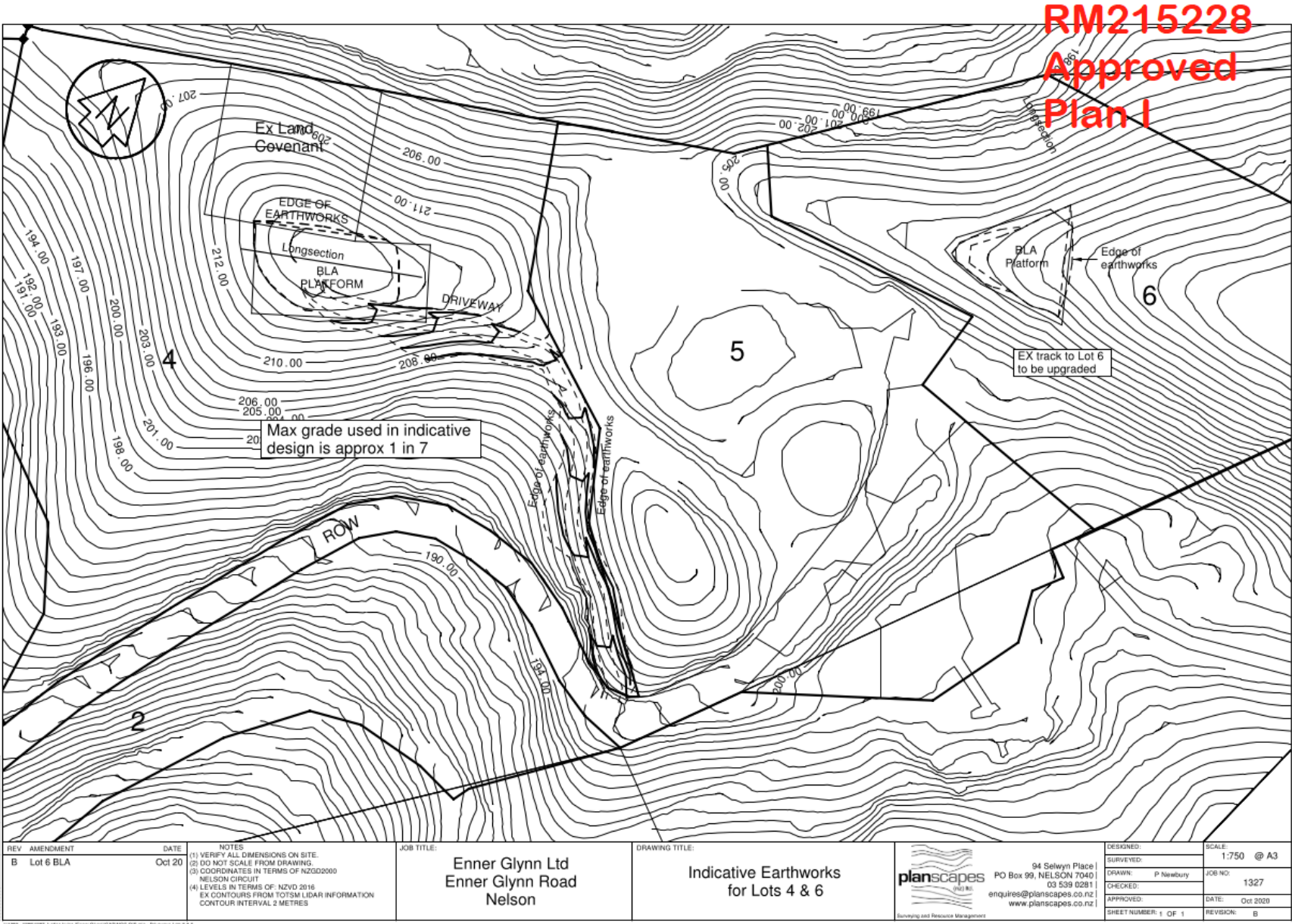
RM215224 & Associated Consents

Notice of Decision

RM215228  
Approved  
Plan H









# RM215228 Approved Plan B



Recvd 13 Oct21



**REVEGETATION PLANTING SPECIES:**

Brachyglottis repanda 1, 2	Common NAME	HEIGHT	SPACING
Carpodetus serratus 1, 2	Manuka	4	7
Corydalis albastris 1, 2	Manuka	4	7
Coprosma propinqua 1	Manuka	2	10
Coprosma repens 1	Manuka	0.6	0.5
Coprosma robusta 1, 2	Manuka	1.5	1.5
Coprosma virens 1	Manuka	3	3
Corynocarpus laevigatus 1, 2	Manuka	4	4
Dodonaea viscosa Ait.	Manuka	4	4
Geranium robertianum 1	Manuka	4	4
Hebe stricta 1	Manuka	4	4
Kunzea robusta 1	Manuka	4	4
Malvastrum laetifolium 1, 2	Manuka	4	4
Oleandra paniculata 1, 2	Manuka	4	4
Oleandra stricta 1	Manuka	4	4
Oleandra stricta 1	Manuka	4	4
Pennantia corymbosa 1	Manuka	4	4
Pseudopanax arboreum 1, 2	Manuka	4	4
Pseudopanax crassifolium 1, 2	Manuka	4	4
Sorbus microphylla 1, 2	Manuka	4	4
Veronica stricta var. stricta 1, 2	Manuka	4	4
Wentworthia racemosa 1	Manuka	4	4

FIGURE 2

**Appendix B5 - RM215229; RM215230; RM215231; RM215232; RM215233 (Wastewater) - clean Discharges to New Effluent Disposal Systems within Lots 1 – 4 and 6**

**Resource Consent number RM215229**

Pursuant to section 104B of the Resource Management Act 1991 (“the Act”), the Nelson City Council (“the Council”) hereby **grants** resource consent to:

Enner Glynn Limited

**The activity to which this decision relates:**

To discharge secondary treated domestic wastewater to a new effluent disposal system within proposed Lot 1 (as shown on RM215229 Approved Plan A)

**Advice Note:** This consent should be read in conjunction with RM215224 Subdivision of 32 Enner Glynn Road

**Location details:**

Address of property: 32 Enner Glynn Road, Nelson

Description: Lot 1 (as shown on RM215229 Approved Plan A)

Approximate

Location co-ordinates: E 1621775.391 N 5426874.782

(NZ Transverse Mercator)

**Lapse date:**

Your consent will lapse five years from the date building consent is granted for a dwelling within Lot 1 unless you have given effect to it before then (section 125 of the Act).

**Discharge to Land**

Primary Type	Area of Field m <sup>2</sup>	Reserve Field m <sup>2</sup>	Treatment Method
Wastewater	720	720	Secondary Treatment

**CONDITIONS**

**General**

1. The design, construction and operation of the domestic wastewater treatment plant and land application system shall be in accordance with the design report prepared by Rounce Project Solutions Ltd, submitted in support of the resource consent application RM215224 received by Council on 19 July 2021, the attached RM215229 plan A and the following conditions of consent.

Where there is any apparent conflict between the application and consent conditions, the consent conditions shall prevail.

2. Prior to the construction of any building on the lots, the Consent Holder shall obtain building consent which shall include the final engineering designs for the associated wastewater treatment and land application disposal areas. As part of the engineering design, the ground conditions, including soil type and land stability at the disposal sites shall be verified by a Chartered Geotechnical Engineer.
3. The dwellinghouse on Lot 1 shall be designed with four or fewer bedrooms and an occupancy not exceeding 6 people.

**Advice Note:** Each person is anticipated (under Standard AS/NZS 1547:2012) to discharge up to 180 litres of water per day into the system. Should future owners of the dwelling wish to install a system which differs from that consented, (i.e. provides for more people or a house with more bedrooms), then either a variation to this consent, or a new consent will be required.

**Monitoring**

4. The consent holder shall advise the Council’s Monitoring Officer in writing, at least 5 working days prior to works commencing on site, so that monitoring of the conditions of this consent can be undertaken. Please email [regulatory@ncc.govt.nz](mailto:regulatory@ncc.govt.nz) and advise the consent number, RM215229.

**Advice Note:** Failure to notify the Council as stated in the above condition may result in enforcement action.

**Advice Note:** A monitoring charge of \$170.00 has been included in your invoice, as conditions of consent requiring monitoring have been imposed. This charge covers the costs involved in the first hour of monitoring compliance with the consent conditions. Where additional monitoring costs are required to determine that conditions have been met, these will be charged as provided in the Council's Fees and Charges Schedule.

**Advice Note:** The Consent Holder is advised that the Council applies annual environmental monitoring charges to resource consent holders to contribute to environmental monitoring and science costs. The costs for this consent will be \$60 annually from 1 July 2020 until the consent expires or works are completed. For further information please contact Council's Environmental Programmes Adviser.

#### **Duration of Consent**

5. This consent shall expire 15 years from the time building consent is issued to install the secondary wastewater system authorised by this consent.

#### **Treatment and Land Application System**

6. The design, supervision of construction/installation and certification of the pressure compensated drip line irrigation wastewater treatment system and land application disposal area (LAA) shall be undertaken by a suitably experienced Chartered Professional Engineer or qualified wastewater professional practicing in wastewater design.
7. No land application areas shall be placed on or beneath supporting fill batters.
8. Any trees being removed to install the LAA shall be cut with stump and root system remaining to preserve slope stability and any disturbed areas shall be revegetated with dense native plantings to aid in the take up of surplus treated wastewater.
9. The maximum rate of wastewater discharge shall not exceed 1.5 mm per day and shall occur in the general location shown on RM215229 Plan A for Lot 1 as the Land Application Area (LAA).
10. Wastewater shall be evenly dosed over the land application area using a pressure compensating dripline over the LAA shown on RM215229 Plan A to existing and / or new vegetation at a daily irrigation rate (DIR) of 2mm/day or less (as required to be adjusted for the slope of the LAA).
11. Flushing valves shall be at a maximum of 100m drip length and to allow regular flushing as part of the maintenance cycle.
12. The wastewater treatment system shall be fitted with an audible and visual alarm to notify that there is a high level in the tank, pump failure, daily flow exceedance.
13. A sampling point to allow collection of a sample of treated wastewater shall be provided at a point located after the final pump out chamber and before the point where the wastewater discharges to the land application area.
14. A suitable reserve land application area equivalent to not less than the area of the primary LAA shall be kept available for future use as a wastewater disposal field. It shall be located within the area marked 'Reserve LAA' on the attached RM215229 Plan A. No buildings or structures shall be constructed on the area set aside as reserve area. However, the area may be planted with trees or other vegetation.
15. A cut off drain or clay bund shall be installed upslope of the Land Application Area (LAA) prior to the discharge occurring and shall be maintained for the duration of this consent to divert all upslope surface water away from the land application areas.
16. The treated wastewater entering the LAA, as measured at the sampling point required to be installed in accordance with condition 13, shall comply at all times with the following limits:
  - (a) the 5 day biochemical oxygen demand (BOD<sub>5</sub>) in any single sample shall not exceed 20 grams per cubic metre (or 20mg/L);
  - (b) the concentration of total suspended solids (TSS) in any single sample shall not exceed 30 grams per cubic metre (or 30mg/L).
17. The dripline irrigation lines shall be laid parallel to the ground elevation contours amongst existing and / or new vegetation in subsurface hand cultivated ground trenches and pinned at 5m centres and covered with site soils/vegetation litter/bark to uniformly distribute the treated wastewater to the



topsoil/plant root zone.

18. Existing vegetation shall be retained and supplementary dense planting between drip line laterals with appropriate species of water tolerant plants suitable for on-site wastewater disposal (e.g. sedges like *Carex virgata*) is required to provide shallow slope stability.
19. The land application area shall be protected from vehicles and grazing animals to ensure the soil structure is not detrimentally affected and to avoid the risk of lateral damage.
20. Prior to any wastewater discharge occurring, the engineer referred to in Condition 6 shall provide a written certificate or producer statement construction review (PS4) which shall be forwarded to the Council's Monitoring Officer from the Consent Holder. The certificate or producer statement shall include sufficient information to enable Council to determine compliance with Condition 1 and shall also confirm the following:
  - (a) that all components of the wastewater system (including the treatment plant and the land application area) have been inspected and installed in accordance with standard engineering practice and the manufacturer's specifications;
  - (b) that all components of the wastewater system are in sound condition and suitable for continued use throughout the duration of this resource consent.
21. The Consent Holder shall submit a set of final 'as-built' plans to the Council's Monitoring Officer, showing the location of all components of the wastewater treatment and land application system prior to the discharge occurring. For the purpose of this condition, the Consent Holder shall ensure that the 'as-built' plans are drawn to scale and provide sufficient detail for a Council Monitoring Officer to locate all structures identified on the plans.

#### **Maintenance and Monitoring**

22. Samples of the treated wastewater shall be taken at 6, 12 and 24 months following the first exercise of the consent for ensuring compliance with condition 16. The samples shall be tested for BOD5 and TSS by an accredited environmental testing laboratory. Results of these tests shall be forwarded to Council's Monitoring Officer within 10 working days of the results of each test being received by the Consent Holder.
23. The samples required by Condition 22 shall be taken at times where the wastewater treatment and disposal system is being used in a typical fashion. "Typical fashion" means that the occupancy, at the time of sampling and during the preceding 48 hours, varies by no more than one person from the number of people who would normally reside in the dwelling. The samples shall be taken using laboratory-supplied containers and using appropriate procedures as directed by the accredited environmental testing laboratory and shall be transported to the laboratory.
24. Where a primary septic tank is installed, the primary septic tank shall be pumped out at least every 3 years or when sludge volume occupies 1/3 of the primary tank volume.
25. Where a primary septic tank is installed, the effluent filter shall be checked at the same times as collecting the samples in condition 22 and cleaned as required by the manufacturer's specifications.
26. The Consent Holder shall enter into, and maintain in force at all times, a written maintenance and monitoring contract with an experienced wastewater treatment plant operator, or a person trained in the wastewater treatment operation by the system designer, for the ongoing maintenance of the treatment and land application system. The contract shall specify the frequency of treatment plant inspections (but not less than once per year) and maintenance during the term of the resource consent and shall include an inspection and maintenance schedule that is in accordance with the conditions of the consent.
27. A signed copy of the contract required by Condition 26 shall be forwarded to the Council's Monitoring Officer prior to the exercise of this consent.



28. Notwithstanding Condition 26, the wastewater treatment and land application system shall be inspected and serviced at least every 12 months. A copy of the service provider's maintenance report shall be forwarded to the Council's Monitoring Officer if requested by Council's Monitoring Officer within 2 weeks of each inspection. The inspection report shall include, but not be limited to, the following information:

- (a) the date the inspection was undertaken and the name of the service provider.
- (b) a list of all components of the treatment and land application systems that were inspected and the state of those components.
- (c) any maintenance undertaken during the visit or still required, and a timetable for the expected completion of this work (the Consent Holder shall ensure any recommendations or maintenance highlighted in the inspection is completed within the timeframes recommended in the inspection report).
- (d) a description of the appearance of the filter/s, dose chamber, pump and tanks.
- (e) the location and source of any odour detected from the system; and
- (f) a description of the appearance of the land application area (ponding, vegetation growth or recommendations for new planting, dripper line exposure, etc).

#### **REVIEW CONDITION**

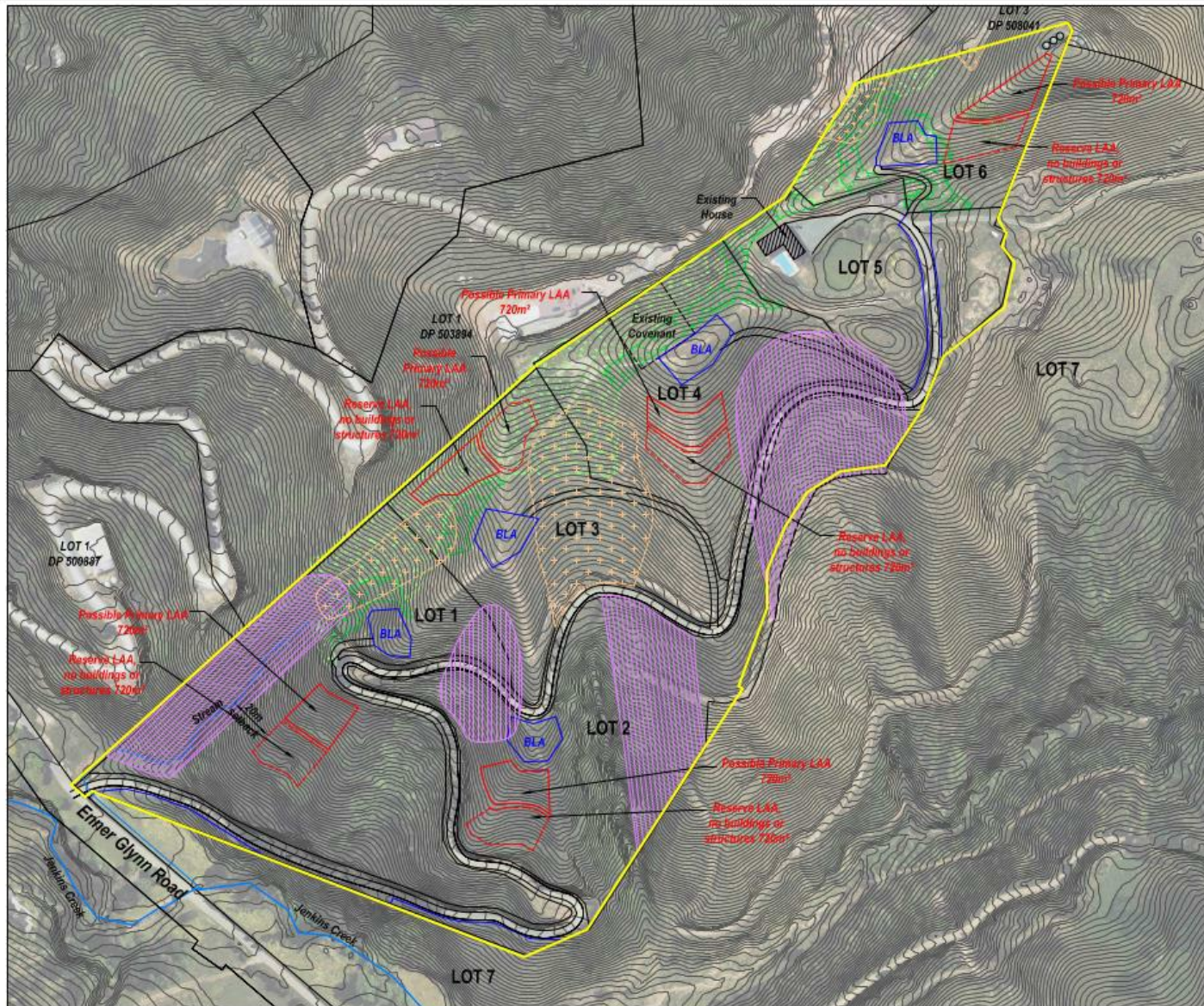
29. For the purposes of, and pursuant to Section 128 of the Resource Management Act 1991, the Council reserves the right to review this consent annually commencing 12 months from the date this consent is granted, for any of the following purposes:

- (a) To modify existing conditions of consent relating to the effects of the activity on the environment.
- (b) To require the Consent Holder to adopt the best practicable option to mitigate any adverse effect upon the environment, arising from the generated effects of the activity.
- (c) If the Council deems that it is necessary to do so in order to deal with any adverse effect on the environment which may arise from the exercise of this consent, and which is appropriate to deal with at a later date.

#### **ADVICE NOTES**

1. This is not a building consent, and the Consent Holder shall meet the requirements of the Council for all Bylaws, Regulations and Acts.
2. 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.
3. This discharge permit is granted to the above mentioned Consent Holder, and relates to a particular location. Section 137 of the Act states that the Consent Holder may apply to the Council to transfer the whole or part of the Consent Holder's interest in the permit to any owner or occupier of the site in respect of which the permit is granted; or a local authority; but not to another site unless the consent or a rule in the Nelson Resource Management Plan expressly provides otherwise. This means that if the property in which the discharge occurs is sold to a new landowner, the discharge permit will be required to be transferred to the new property owner.
4. 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. Any such objection must be made in writing setting out the reasons for the objection and must be lodged with the Council, together with a fixed fee of \$320.00 (GST inclusive), within 15 working days of receiving this letter.
5. 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.

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



- Key:**
- Mitigation Planting (from Canopy Landscape Architects plan)
  - Revegetation Planting (from Canopy Landscape Architects plan)
  - Council GIS Instability Areas (1940)
  - Swamp / Wet Land Areas
  - BLA Building Platform

# RM215229 Approved Plan A

Job Title

**Enner Glynn Ltd  
Enner Glynn Road  
Nelson**



Drawing Title

**Site Plan  
Wastewater**

Plan Information

Scale @ A3 = 1:2000		
Job No.	CAD File No.	Sheet
1086	1086-R1112	PLAN 1
Drawn No.	Date	
2	29/05/2020	
Drawn	Checked	Signature
A SCH	M Rounce	
Approvals		



## Resource Consent number RM215230

Pursuant to section 104B of the Resource Management Act 1991 ("the Act"), the Nelson City Council ("the Council") hereby **grants** resource consent to:

Enner Glynn Limited

### The activity:

To discharge secondary treated domestic wastewater to a new effluent disposal system within proposed Lot 2 (as shown on RM215229 Approved Plan A)

**Advice Note:** This consent should be read in conjunction with RM215224 Subdivision of 32 Enner Glynn Road

### Location details:

Address of property: 32 Enner Glynn Road, Nelson  
Description: Lot 2 (as shown on RM215229 Approved Plan A)  
Approximate  
Location co-ordinates: E 1621922.692 N 5426829.562  
(NZ Transverse Mercator)

### Lapse date:

Your consent will lapse five years from the date building consent is granted for a dwelling within Lot 2 unless you have given effect to it before then (section 125 of the Act).

### Discharge to Land

Primary Type	Area of Field m²	Reserve Field m²	Treatment Method
Wastewater	720	720	Secondary Treatment

### CONDITIONS

#### General

1. The design, construction and operation of the domestic wastewater treatment plant and land application system shall be in accordance with the design report prepared by Rounce Project Solutions Ltd, submitted in support of the resource consent application RM215224 received by Council on 19 July 2021, the attached RM215229 plan A and the following conditions of consent.

Where there is any apparent conflict between the application and consent conditions, the consent conditions shall prevail.

2. Prior to the construction of any building on the lots, the Consent Holder shall obtain building consent which shall include the final engineering designs for the associated wastewater treatment and land application disposal areas. As part of the engineering design, the ground conditions, including soil type and land stability at the disposal sites shall be verified by a Chartered Geotechnical Engineer.
3. The dwellinghouse on Lot 2 shall be designed with four or fewer bedrooms and an occupancy not exceeding 6 people.

**Advice Note:** Each person is anticipated (under Standard AS/NZS 1547:2012) to discharge up to 180 litres of water per day into the system. Should future owners of the dwelling wish to install a system which differs from that consented, (i.e. provides for more people or a house with more bedrooms), then either a variation to this consent, or a new consent will be required.

#### Monitoring

4. The consent holder shall advise the Council's Monitoring Officer in writing, at least 5 working days prior to works commencing on site, so that monitoring of the conditions of this consent can be undertaken. Please email [regulatory@ncc.govt.nz](mailto:regulatory@ncc.govt.nz) and advise the consent number, **RM215230**.

**Advice Note:** Failure to notify the Council as stated in the above condition may result in enforcement action.

**Advice Note:** A monitoring charge of \$170.00 has been included in your invoice, as conditions of consent requiring monitoring have been imposed. This charge covers the costs involved in the first hour

*of monitoring compliance with the consent conditions. Where additional monitoring costs are required to determine that conditions have been met, these will be charged as provided in the Council's Fees and Charges Schedule.*

**Advice Note:** *The Consent Holder is advised that the Council applies annual environmental monitoring charges to resource consent holders to contribute to environmental monitoring and science costs. The costs for this consent will be \$60 annually from 1 July 2020 until the consent expires or works are completed. For further information please contact Council's Environmental Programmes Adviser.*

#### **Duration of Consent**

5. This consent shall expire 15 years from the time building consent is issued to install the secondary wastewater system authorised by this consent.

#### **Treatment and Land Application System**

6. The design, supervision of construction/installation and certification of the pressure compensated drip line irrigation wastewater treatment system and land application disposal area (LAA) shall be undertaken by a suitably experienced Chartered Professional Engineer or qualified wastewater professional practicing in wastewater design.
7. No land application areas shall be placed on or beneath supporting fill batters.
8. Any trees being removed to install the LAA shall be cut with stump and root system remaining to preserve slope stability and any disturbed areas shall be revegetated with dense native plantings to aid in the take up of surplus treated wastewater.
9. The maximum rate of wastewater discharge shall not exceed 1.5 mm per day and shall occur in the general location shown on RM215229 Plan A for Lot 2 as the Land Application Area (LAA).
10. Wastewater shall be evenly dosed over the land application area using a pressure compensating dripline over the LAA shown on RM215230 Plan A to existing and / or new vegetation at a daily irrigation rate (DIR) of 2 mm/day or less (as required to be adjusted for the slope of the LAA).
11. Flushing valves shall be at a maximum of 100m drip length and to allow regular flushing as part of the maintenance cycle.
12. The wastewater treatment system shall be fitted with an audible and visual alarm to notify that there is a high level in the tank, pump failure, daily flow exceedance.
13. A sampling point to allow collection of a sample of treated wastewater shall be provided at a point located after the final pump out chamber and before the point where the wastewater discharges to the land application area.
14. A suitable reserve land application area equivalent to not less than the area of the primary LAA shall be kept available for future use as a wastewater disposal field. It shall be located within the area marked 'Reserve LAA' on the attached RM215230 Plan A. No buildings or structures shall be constructed on the area set aside as reserve area. However, the area may be planted with trees or other vegetation.
15. A cut off drain or clay bund shall be installed upslope of the Land Application Area (LAA) prior to the discharge occurring and shall be maintained for the duration of this consent to divert all upslope surface water away from the land application areas.
16. The treated wastewater entering the LAA, as measured at the sampling point required to be installed in accordance with condition 13, shall comply at all times with the following limits:
  - (a) the 5 day biochemical oxygen demand (BOD<sub>5</sub>) in any single sample shall not exceed 20 grams per cubic metre (or 20mg/L);
  - (b) the concentration of total suspended solids (TSS) in any single sample shall not exceed 30 grams per cubic metre (or 30mg/L).
17. The dripline irrigation lines shall be laid parallel to the ground elevation contours amongst existing and / or new vegetation in subsurface hand cultivated ground trenches and pinned at 5m centres and covered with site soils/vegetation litter/bark to uniformly distribute the treated wastewater to the topsoil/plant root zone.
18. Existing vegetation shall be retained and supplementary dense planting between drip line laterals with appropriate species of water tolerant plants suitable for on-site wastewater disposal (e.g. sedges like *Carex virgata*) is required to provide shallow slope stability.



19. The land application area shall be protected from vehicles and grazing animals to ensure the soil structure is not detrimentally affected and to avoid the risk of lateral damage.
20. Prior to any wastewater discharge occurring, the engineer referred to in Condition 6 shall provide a written certificate or producer statement construction review (PS4) which shall be forwarded to the Council's Monitoring Officer from the Consent Holder. The certificate or producer statement shall include sufficient information to enable Council to determine compliance with Condition 1 and shall also confirm the following:
  - (a) that all components of the wastewater system (including the treatment plant and the land application area) have been inspected and installed in accordance with standard engineering practice and the manufacturer's specifications;
  - (b) that all components of the wastewater system are in sound condition and suitable for continued use throughout the duration of this resource consent.
21. The Consent Holder shall submit a set of final 'as-built' plans to the Council's Monitoring Officer, showing the location of all components of the wastewater treatment and land application system prior to the discharge occurring. For the purpose of this condition, the Consent Holder shall ensure that the 'as-built' plans are drawn to scale and provide sufficient detail for a Council Monitoring Officer to locate all structures identified on the plans.

### **Maintenance and Monitoring**

22. Samples of the treated wastewater shall be taken at 6, 12 and 24 months following the first exercise of the consent for ensuring compliance with condition 16. The samples shall be tested for BOD5 and TSS by an accredited environmental testing laboratory. Results of these tests shall be forwarded to Council's Monitoring Officer within 10 working days of the results of each test being received by the Consent Holder.
23. The samples required by Condition 22 shall be taken at times where the wastewater treatment and disposal system is being used in a typical fashion. "Typical fashion" means that the occupancy, at the time of sampling and during the preceding 48 hours, varies by no more than one person from the number of people who would normally reside in the dwelling. The samples shall be taken using laboratory-supplied containers and using appropriate procedures as directed by the accredited environmental testing laboratory and shall be transported to the laboratory.
24. Where a primary septic tank is installed, the primary septic tank shall be pumped out at least every 3 years or when sludge volume occupies 1/3 of the primary tank volume.
25. Where a primary septic tank is installed, the effluent filter shall be checked at the same times as collecting the samples in condition 22 and cleaned as required by the manufacturer's specifications.
26. The Consent Holder shall enter into, and maintain in force at all times, a written maintenance and monitoring contract with an experienced wastewater treatment plant operator, or a person trained in the wastewater treatment operation by the system designer, for the ongoing maintenance of the treatment and land application system. The contract shall specify the frequency of treatment plant inspections (but not less than once per year) and maintenance during the term of the resource consent and shall include an inspection and maintenance schedule that is in accordance with the conditions of the consent.
27. A signed copy of the contract required by Condition 26 shall be forwarded to the Council's Monitoring Officer prior to the exercise of this consent.
28. Notwithstanding Condition 26, the wastewater treatment and land application system shall be inspected and serviced at least every 12 months. A copy of the service provider's maintenance report shall be forwarded to the Council's Monitoring Officer if requested by Council's Monitoring Officer within 2 weeks of each inspection. The inspection report shall include, but not be limited to, the following information:
  - (a) the date the inspection was undertaken and the name of the service provider.

- (b) a list of all components of the treatment and land application systems that were inspected and the state of those components.
- (c) any maintenance undertaken during the visit or still required, and a timetable for the expected completion of this work (the Consent Holder shall ensure any recommendations or maintenance highlighted in the inspection is completed within the timeframes recommended in the inspection report).
- (d) a description of the appearance of the filter/s, dose chamber, pump and tanks.
- (e) the location and source of any odour detected from the system; and
- (f) a description of the appearance of the land application area (ponding, vegetation growth or recommendations for new planting, dripper line exposure, etc).

## **REVIEW CONDITION**

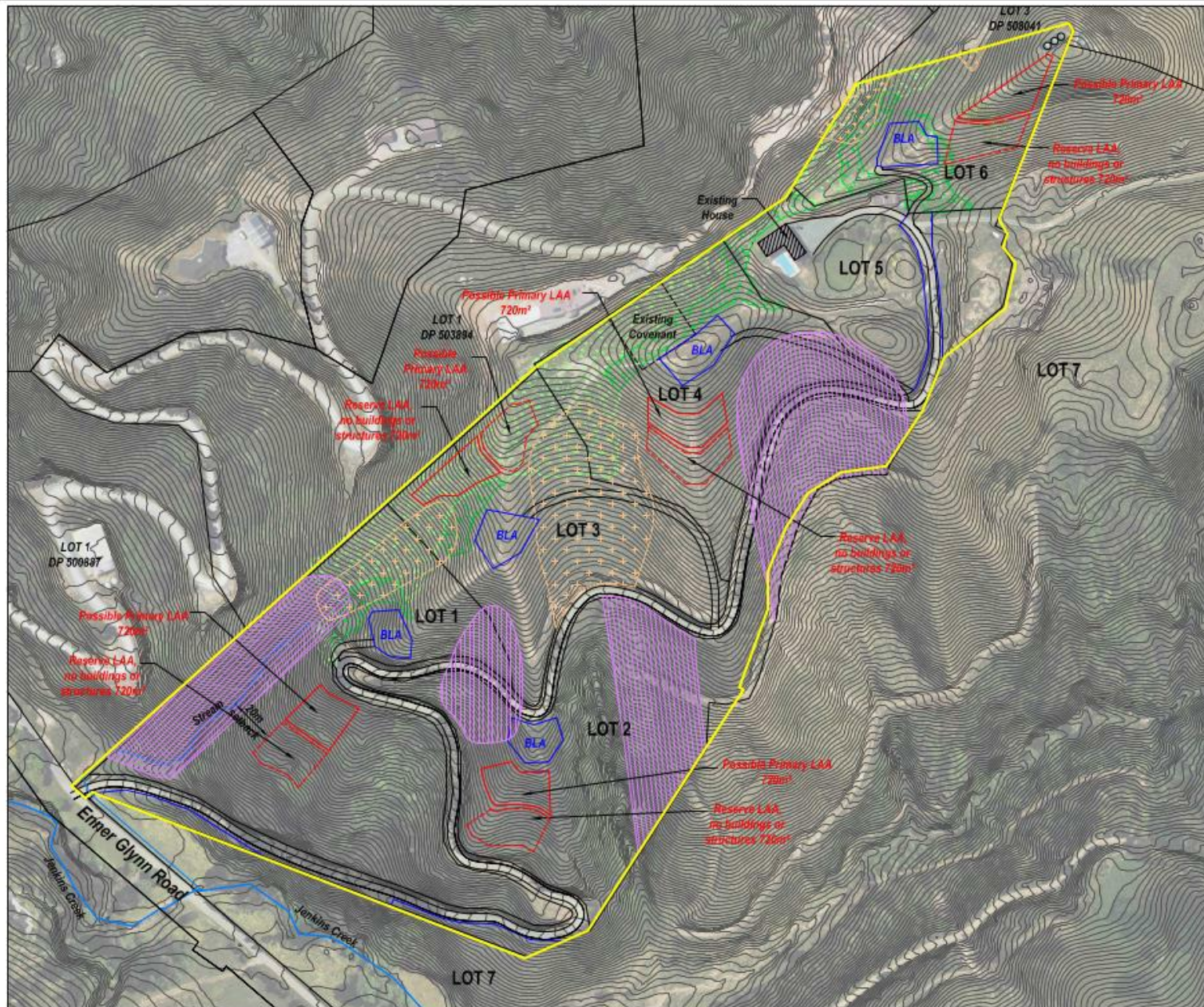
29. For the purposes of, and pursuant to Section 128 of the Resource Management Act 1991, the Council reserves the right to review this consent annually commencing 12 months from the date this consent is granted, for any of the following purposes:

- (a) To modify existing conditions of consent relating to the effects of the activity on the environment.
- (b) To require the Consent Holder to adopt the best practicable option to mitigate any adverse effect upon the environment, arising from the generated effects of the activity.
- (c) If the Council deems that it is necessary to do so in order to deal with any adverse effect on the environment which may arise from the exercise of this consent, and which is appropriate to deal with at a later date.

## **ADVICE NOTES**

1. This is not a building consent, and the Consent Holder shall meet the requirements of the Council for all Bylaws, Regulations and Acts.
2. 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.
3. This discharge permit is granted to the above mentioned Consent Holder, and relates to a particular location. Section 137 of the Act states that the Consent Holder may apply to the Council to transfer the whole or part of the Consent Holder's interest in the permit to any owner or occupier of the site in respect of which the permit is granted; or a local authority; but not to another site unless the consent or a rule in the Nelson Resource Management Plan expressly provides otherwise. This means that if the property in which the discharge occurs is sold to a new landowner, the discharge permit will be required to be transferred to the new property owner.
4. 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. Any such objection must be made in writing setting out the reasons for the objection and must be lodged with the Council, together with a fixed fee of \$320.00 (GST inclusive), within 15 working days of receiving this letter.
5. 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.
6. The Consent Holder should note that this resource consent does not override any registered interest on the property title.





- Key:**
- Mitigation Planting  
(from Canopy Landscape Architects plan)
  - Revegetation Planting  
(from Canopy Landscape Architects plan)
  - Council GIS Instability Areas (1940)
  - Swamp / Wet Land Areas
  - BLA Building Platform

# RM215229 Approved Plan A

Job Title:

**Enner Glynn Ltd  
Enner Glynn Road  
Nelson**



Drawing Title:

**Site Plan  
Wastewater**

Plan Information:

Scale: @ A3 = 1:2000

Job No.	CAD File No.	Sheet
1086	1086-R1112	PLAN 1
Drawn No.	Date	
2	29/05/2020	
Drawn	Checked	Signature
A SCH	M Rounce	
Approved by:		





## Resource Consent number RM215231

Pursuant to section 104B of the Resource Management Act 1991 ("the Act"), the Nelson City Council ("the Council") hereby **grants** resource consent to:

Enner Glynn Limited

### The activity:

To discharge secondary treated domestic wastewater to a new effluent disposal system within proposed Lot 3 (as shown on RM215229 Approved Plan A)

**Advice Note:** This consent should be read in conjunction with RM215224 Subdivision of 32 Enner Glynn Road

### Location details:

Address of property: 32 Enner Glynn Road, Nelson  
Description: Lot 3 (as shown on RM215229 Approved Plan A)  
Approximate  
Location co-ordinates: E 1621905.109 N 5427026.942  
(NZ Transverse Mercator)

### Lapse date:

Your consent will lapse five years from the date building consent is granted for a dwelling within Lot 3 unless you have given effect to it before then (section 125 of the Act).

### Discharge to Land

Primary Type	Area of Field m <sup>2</sup>	Reserve Field m <sup>2</sup>	Treatment Method
Wastewater	720	720	Secondary Treatment

## CONDITIONS

### General

1. The design, construction and operation of the domestic wastewater treatment plant and land application system shall be in accordance with the design report prepared by Rounce Project Solutions Ltd, submitted in support of the resource consent application RM215224 received by Council on 19 July 2021, the attached RM215229 plan A and the following conditions of consent.

Where there is any apparent conflict between the application and consent conditions, the consent conditions shall prevail.

2. Prior to the construction of any building on the lots, the Consent Holder shall obtain building consent which shall include the final engineering designs for the associated wastewater treatment and land application disposal areas. As part of the engineering design, the ground conditions, including soil type and land stability at the disposal sites shall be verified by a Chartered Geotechnical Engineer.
3. The dwellinghouse on Lot 3 shall be designed with four or fewer bedrooms and an occupancy not exceeding 6 people.

**Advice Note:** Each person is anticipated (under Standard AS/NZS 1547:2012) to discharge up to 180 litres of water per day into the system. Should future owners of the dwelling wish to install a system which differs from that consented, (i.e. provides for more people or a house with more bedrooms), then either a variation to this consent, or a new consent will be required.

### Monitoring

4. The consent holder shall advise the Council's Monitoring Officer in writing, at least 5 working days prior to works commencing on site, so that monitoring of the conditions of this consent can be undertaken. Please email [regulatory@ncc.govt.nz](mailto:regulatory@ncc.govt.nz) and advise the consent number, **RM215231**.

**Advice Note:** Failure to notify the Council as stated in the above condition may result in enforcement



action.

**Advice Note:** A monitoring charge of \$170.00 has been included in your invoice, as conditions of consent requiring monitoring have been imposed. This charge covers the costs involved in the first hour of monitoring compliance with the consent conditions. Where additional monitoring costs are required to determine that conditions have been met, these will be charged as provided in the Council's Fees and Charges Schedule.

**Advice Note:** The Consent Holder is advised that the Council applies annual environmental monitoring charges to resource consent holders to contribute to environmental monitoring and science costs. The costs for this consent will be \$60 annually from 1 July 2020 until the consent expires or works are completed. For further information please contact Council's Environmental Programmes Adviser.

#### **Duration of Consent**

5. This consent shall expire 15 years from the time building consent is issued to install the secondary wastewater system authorised by this consent.

#### **Treatment and Land Application System**

6. The design, supervision of construction/installation and certification of the pressure compensated drip line irrigation wastewater treatment system and land application disposal area (LAA) shall be undertaken by a suitably experienced Chartered Professional Engineer or qualified wastewater professional practicing in wastewater design.
7. No land application areas shall be placed on or beneath supporting fill batters.
8. Any trees being removed to install the LAA shall be cut with stump and root system remaining to preserve slope stability and any disturbed areas shall to be revegetated with dense native plantings to aid in the take up of surplus treated wastewater.
9. The maximum rate of wastewater discharge shall not exceed 1.5 mm per day and shall occur in the general location shown on RM215229 Plan A for Lot 3 as the Land Application Area (LAA).
10. Wastewater shall be evenly dosed over the land application area using a pressure compensating dripline land application over the LAA shown on RM215231 Plan A to existing and / or new vegetation at a daily irrigation rate (DIR) of 2mm/day or less (as required to be adjusted for the slope of the LAA).
11. Flushing valves shall be at a maximum of 100m drip length and to allow regular flushing as part of the maintenance cycle.
12. The wastewater treatment system shall be fitted with an audible and visual alarm to notify that there is a high level in the tank, pump failure, daily flow exceedance.
13. A sampling point to allow collection of a sample of treated wastewater shall be provided at a point located after the final pump out chamber and before the point where the wastewater discharges to the land application area.
14. A suitable reserve land application area equivalent to not less than the area of the primary LAA shall be kept available for future use as a wastewater disposal field. It shall be located within the area marked 'Reserve LAA' on the attached RM215231 Plan A. No buildings or structures shall be constructed on the area set aside as reserve area. However, the area may be planted with trees or other vegetation.
15. A cut off drain or clay bund shall be installed upslope of the Land Application Area (LAA) prior to the discharge occurring and shall be maintained for the duration of this consent to divert all upslope surface water away from the land application areas.
16. The treated wastewater entering the LAA, as measured at the sampling point required to be installed in accordance with condition 13, shall comply at all times with the following limits:
  - (a) the 5 day biochemical oxygen demand (BOD<sub>5</sub>) in any single sample shall not exceed 20 grams

per cubic metre (or 20mg/L);

- (b) the concentration of total suspended solids (TSS) in any single sample shall not exceed 30 grams per cubic metre (or 30mg/L).

17. The dripline irrigation lines shall be laid parallel to the ground elevation contours amongst existing and /or new vegetation in subsurface hand cultivated ground trenches and pinned at 5m centres and covered with site soils/vegetation litter/bark to uniformly distribute the treated wastewater to the topsoil/plant root zone.

**Advice note:** *Planned landscape mitigation planting should provide substantial vegetation litter deposits suitable for placing dripline irrigation effluent disposal. The existing vegetation is best left with minimal disturbance to provide protection of soil structure, mitigate erosion risk, enhance slope stability and aid in the take up of surplus effluent.*

18. Existing vegetation shall be retained and supplementary dense planting between drip line laterals with appropriate species of water tolerant plants suitable for on-site wastewater disposal (e.g. sedges like *Carex virgata*) is required to provide shallow slope stability.

19. The land application area shall be protected from vehicles and grazing animals to ensure the soil structure is not detrimentally affected and to avoid the risk of lateral damage.

20. Prior to any wastewater discharge occurring, the engineer referred to in Condition 6 shall provide a written certificate or producer statement construction review (PS4) which shall be forwarded to the Council's Monitoring Officer from the Consent Holder. The certificate or producer statement shall include sufficient information to enable Council to determine compliance with Condition 1 and shall also confirm the following:

- (a) that all components of the wastewater system (including the treatment plant and the land application area) have been inspected and installed in accordance with standard engineering practice and the manufacturer's specifications;
- (b) that all components of the wastewater system are in sound condition and suitable for continued use throughout the duration of this resource consent.

21. The Consent Holder shall submit a set of final 'as-built' plans to the Council's Monitoring Officer, showing the location of all components of the wastewater treatment and land application system prior to the discharge occurring. For the purpose of this condition, the Consent Holder shall ensure that the 'as-built' plans are drawn to scale and provide sufficient detail for a Council Monitoring Officer to locate all structures identified on the plans.

### **Maintenance and Monitoring**

22. Samples of the treated wastewater shall be taken at 6, 12 and 24 months following the first exercise of the consent for ensuring compliance with condition 16. The samples shall be tested for BOD5 and TSS by an accredited environmental testing laboratory. Results of these tests shall be forwarded to Council's Monitoring Officer within 10 working days of the results of each test being received by the Consent Holder.

23. The samples required by Condition 22 shall be taken at times where the wastewater treatment and disposal system is being used in a typical fashion. "Typical fashion" means that the occupancy, at the time of sampling and during the preceding 48 hours, varies by no more than one person from the number of people who would normally reside in the dwelling. The samples shall be taken using laboratory-supplied containers and using appropriate procedures as directed by the accredited environmental testing laboratory and shall be transported to the laboratory.

24. Where a primary septic tank is installed, the primary septic tank shall be pumped out at least every 3 years or when sludge volume occupies 1/3 of the primary tank volume.

25. Where a primary septic tank is installed, the effluent filter shall be checked at the same times as collecting the samples in condition 22 and cleaned as required by the manufacturer's specifications.

26. The Consent Holder shall enter into, and maintain in force at all times, a written maintenance and monitoring contract with an experienced wastewater treatment plant operator, or a person trained in the wastewater treatment operation by the system designer, for the ongoing maintenance of the treatment and land application system. The contract shall specify the frequency of treatment plant inspections (but not less than once per year) and maintenance during the term of the resource consent and shall include an inspection and maintenance schedule that is in accordance with the conditions of the consent.
27. A signed copy of the contract required by Condition 26 shall be forwarded to the Council's Monitoring Officer prior to the exercise of this consent.
28. Notwithstanding Condition 26, the wastewater treatment and land application system shall be inspected and serviced at least every 12 months. A copy of the service provider's maintenance report shall be forwarded to the Council's Monitoring Officer if requested by Council's Monitoring Officer within 2 weeks of each inspection. The inspection report shall include, but not be limited to, the following information:
  - (a) the date the inspection was undertaken and the name of the service provider.
  - (b) a list of all components of the treatment and land application systems that were inspected and the state of those components.
  - (c) any maintenance undertaken during the visit or still required, and a timetable for the expected completion of this work (the Consent Holder shall ensure any recommendations or maintenance highlighted in the inspection is completed within the timeframes recommended in the inspection report).
  - (d) a description of the appearance of the filter/s, dose chamber, pump and tanks.
  - (e) the location and source of any odour detected from the system; and
  - (f) a description of the appearance of the land application area (ponding, vegetation growth or recommendations for new planting, dripper line exposure, etc).

#### **REVIEW CONDITION**

29. For the purposes of, and pursuant to Section 128 of the Resource Management Act 1991, the Council reserves the right to review this consent annually commencing 12 months from the date this consent is granted, for any of the following purposes:
  - (a) To modify existing conditions of consent relating to the effects of the activity on the environment.
  - (b) To require the Consent Holder to adopt the best practicable option to mitigate any adverse effect upon the environment, arising from the generated effects of the activity.
  - (c) If the Council deems that it is necessary to do so in order to deal with any adverse effect on the environment which may arise from the exercise of this consent, and which is appropriate to deal with at a later date.

#### **ADVICE NOTES**

1. This is not a building consent, and the Consent Holder shall meet the requirements of the Council for all Bylaws, Regulations and Acts.
2. 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.
3. This discharge permit is granted to the above-mentioned Consent Holder and relates to a particular location. Section 137 of the Act states that the Consent Holder may apply to the Council to transfer the whole or part of the Consent Holder's interest in the permit to any owner or occupier of the site in

respect of which the permit is granted; or a local authority; but not to another site unless the consent or a rule in the Nelson Resource Management Plan expressly provides otherwise. This means that if the property in which the discharge occurs is sold to a new landowner, the discharge permit will be required to be transferred to the new property owner.

4. 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. Any such objection must be made in writing setting out the reasons for the objection and must be lodged with the Council, together with a fixed fee of \$320.00 (GST inclusive), within 15 working days of receiving this letter.
5. 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.
6. The Consent Holder should note that this resource consent does not override any registered interest on the property title.







## Resource Consent number RM215232

Pursuant to section 104B of the Resource Management Act 1991 ("the Act"), the Nelson City Council ("the Council") hereby **grants** resource consent to:

Enner Glynn Limited

### The activity:

To discharge secondary treated domestic wastewater to a new effluent disposal system within proposed Lot 4 (as shown on RM215229 Approved Plan A)

**Advice Note:** This consent should be read in conjunction with RM215224 Subdivision of 32 Enner Glynn Road

### Location details:

Address of property: 32 Enner Glynn Road, Nelson  
Description: Lot 4 (as shown on RM215229 Approved Plan A)  
Approximate  
Location co-ordinates: E 1622005.374 N 5427047.218  
(NZ Transverse Mercator)

### Lapse date:

Your consent will lapse five years from the date building consent is granted for a dwelling within Lot 4 unless you have given effect to it before then (section 125 of the Act).

### Discharge to Land

Primary Type	Area of Field m <sup>2</sup>	Reserve Field m <sup>2</sup>	Treatment Method
Wastewater	720	720	Secondary Treatment

## CONDITIONS

### General

1. The design, construction and operation of the domestic wastewater treatment plant and land application system shall be in accordance with the design report prepared by Rounce Project Solutions Ltd, submitted in support of the resource consent application RM215224 received by Council on 19 July 2021, the attached RM215229 plan A and the following conditions of consent.

Where there is any apparent conflict between the application and consent conditions, the consent conditions shall prevail.

2. Prior to the construction of any building on the lots, the Consent Holder shall obtain building consent which shall include the final engineering designs for the associated wastewater treatment and land application disposal areas. As part of the engineering design, the ground conditions, including soil type and land stability at the disposal sites shall be verified by a Chartered Geotechnical Engineer.
3. The dwellinghouse on Lot 4 shall be designed with four or fewer bedrooms and an occupancy not exceeding 6 people.

**Advice Note:** Each person is anticipated (under Standard AS/NZS 1547:2012) to discharge up to 180 litres of water per day into the system. Should future owners of the dwelling wish to install a system which differs from that consented, (i.e. provides for more people or a house with more bedrooms), then either a variation to this consent, or a new consent will be required.

### Monitoring

4. The consent holder shall advise the Council's Monitoring Officer in writing, at least 5 working days prior to works commencing on site, so that monitoring of the conditions of this consent can be undertaken. Please email [regulatory@ncc.govt.nz](mailto:regulatory@ncc.govt.nz) and advise the consent number, **RM215232**.

**Advice Note:** Failure to notify the Council as stated in the above condition may result in enforcement action.

**Advice Note:** A monitoring charge of \$170.00 has been included in your invoice, as conditions of consent requiring monitoring have been imposed. This charge covers the costs involved in the first hour of monitoring compliance with the consent conditions. Where additional monitoring costs are required to determine that conditions have been met, these will be charged as provided in the Council's Fees and Charges Schedule.

**Advice Note:** The Consent Holder is advised that the Council applies annual environmental monitoring charges to resource consent holders to contribute to environmental monitoring and science costs. The costs for this consent will be \$60 annually from 1 July 2020 until the consent expires or works are completed. For further information please contact Council's Environmental Programmes Adviser.

#### **Duration of Consent**

5. This consent shall expire 15 years from the time building consent is issued to install the secondary wastewater system authorised by this consent.

#### **Treatment and Land Application System**

6. The design, supervision of construction/installation and certification of the pressure compensated drip line irrigation wastewater treatment system and land application disposal area (LAA) shall be undertaken by a suitably experienced Chartered Professional Engineer or qualified wastewater professional practicing in wastewater design.
7. No land application areas shall be placed on or beneath supporting fill batters.
8. The maximum rate of wastewater discharge shall not exceed 1.5 mm per day and shall occur in the general location shown on RM215229 Plan A for Lot 4 as the Land Application Area (LAA).
9. Wastewater shall be evenly dosed over the land application area using a pressure compensating dripline over the LAA shown on RM215232 Plan A to existing and / or new vegetation at a daily irrigation rate (DIR) of 2mm/day or less (as required to be adjusted for the slope of the LAA).
10. Flushing valves shall be at a maximum of 100m drip length and to allow regular flushing as part of the maintenance cycle.
11. The wastewater treatment system shall be fitted with an audible and visual alarm to notify that there is a high level in the tank, pump failure, daily flow exceedance.
12. A sampling point to allow collection of a sample of treated wastewater shall be provided at a point located after the final pump out chamber and before the point where the wastewater discharges to the land application area.
13. A suitable reserve land application area equivalent to not less than the area of the primary LAA shall be kept available for future use as a wastewater disposal field. It shall be located within the area marked 'Reserve LAA' on the attached RM215232 Plan A. No buildings or structures shall be

constructed on the area set aside as reserve area. However, the area may be planted with trees or other vegetation.

14. A cut off drain or clay bund shall be installed upslope of the Land Application Area (LAA) prior to the discharge occurring and shall be maintained for the duration of this consent to divert all upslope surface water away from the land application areas.
15. The treated wastewater entering the LAA, as measured at the sampling point required to be installed in accordance with condition 12, shall comply at all times with the following limits:
  - (a) the 5 day biochemical oxygen demand (BOD<sub>5</sub>) in any single sample shall not exceed 20 grams per cubic metre (or 20mg/L);
  - (b) the concentration of total suspended solids (TSS) in any single sample shall not exceed 30 grams per cubic metre (or 30mg/L).
16. The dripline irrigation lines shall be laid parallel to the ground elevation contours in subsurface trenches of between 100mm to 150mm depth amongst existing and / or new vegetation in subsurface hand cultivated ground trenches and pinned at 5m centres and covered with site soils/vegetation litter/bark to uniformly distribute the treated wastewater to the topsoil/plant root zone.
17. Existing vegetation shall be retained and supplementary dense planting between drip line laterals with appropriate species of water tolerant plants suitable for on-site wastewater disposal (e.g. sedges like *Carex virgata*) is required to provide shallow slope stability.
18. The land application area shall be protected from vehicles and grazing animals to ensure the soil structure is not detrimentally affected and to avoid the risk of lateral damage.
19. Prior to any wastewater discharge occurring, the engineer referred to in Condition 6 shall provide a written certificate or producer statement construction review (PS4) which shall be forwarded to the Council's Monitoring Officer from the Consent Holder. The certificate or producer statement shall include sufficient information to enable Council to determine compliance with Condition 1 and shall also confirm the following:
  - (a) that all components of the wastewater system (including the treatment plant and the land application area) have been inspected and installed in accordance with standard engineering practice and the manufacturer's specifications;
  - (b) that all components of the wastewater system are in sound condition and suitable for continued use throughout the duration of this resource consent.
20. The Consent Holder shall submit a set of final 'as-built' plans to the Council's Monitoring Officer, showing the location of all components of the wastewater treatment and land application system prior to the discharge occurring. For the purpose of this condition, the Consent Holder shall ensure that the 'as-built' plans are drawn to scale and provide sufficient detail for a Council Monitoring Officer to locate all structures identified on the plans.

#### **Maintenance and Monitoring**

21. Samples of the treated wastewater shall be taken at 6, 12 and 24 months following the first exercise of the consent for ensuring compliance with condition 15. The samples shall be tested for BOD<sub>5</sub> and TSS by an accredited environmental testing laboratory. Results of these tests shall be forwarded to Council's Monitoring Officer within 10 working days of the results of each test being received by the Consent Holder.
22. The samples required by Condition 21 shall be taken at times where the wastewater treatment and disposal system is being used in a typical fashion. "Typical fashion" means that the occupancy, at the

time of sampling and during the preceding 48 hours, varies by no more than one person from the number of people who would normally reside in the dwelling. The samples shall be taken using laboratory-supplied containers and using appropriate procedures as directed by the accredited environmental testing laboratory and shall be transported to the laboratory.

23. Where a primary septic tank is installed, the primary septic tank shall be pumped out at least every 3 years or when sludge volume occupies 1/3 of the primary tank volume.
24. Where a primary septic tank is installed, the effluent filter shall be checked at the same times as collecting the samples in condition 22 and cleaned as required by the manufacturer's specifications.
25. The Consent Holder shall enter into, and maintain in force at all times, a written maintenance and monitoring contract with an experienced wastewater treatment plant operator, or a person trained in the wastewater treatment operation by the system designer, for the ongoing maintenance of the treatment and land application system. The contract shall specify the frequency of treatment plant inspections (but not less than once per year) and maintenance during the term of the resource consent and shall include an inspection and maintenance schedule that is in accordance with the conditions of the consent.
26. A signed copy of the contract required by Condition 25 shall be forwarded to the Council's Monitoring Officer prior to the exercise of this consent.
27. Notwithstanding Condition 25, the wastewater treatment and land application system shall be inspected and serviced at least every 12 months. A copy of the service provider's maintenance report shall be forwarded to the Council's Monitoring Officer if requested by Council's Monitoring Officer within 2 weeks of each inspection. The inspection report shall include, but not be limited to, the following information:
  - (a) the date the inspection was undertaken and the name of the service provider.
  - (b) a list of all components of the treatment and land application systems that were inspected and the state of those components.
  - (c) any maintenance undertaken during the visit or still required, and a timetable for the expected completion of this work (the Consent Holder shall ensure any recommendations or maintenance highlighted in the inspection is completed within the timeframes recommended in the inspection report).
  - (d) a description of the appearance of the filter/s, dose chamber, pump and tanks.
  - (e) the location and source of any odour detected from the system; and
  - (f) a description of the appearance of the land application area (ponding, vegetation growth or recommendations for new planting, dripper line exposure, etc).

#### **REVIEW CONDITION**

28. For the purposes of, and pursuant to Section 128 of the Resource Management Act 1991, the Council reserves the right to review this consent annually commencing 12 months from the date this consent is granted, for any of the following purposes:
  - (a) To modify existing conditions of consent relating to the effects of the activity on the environment.
  - (b) To require the Consent Holder to adopt the best practicable option to mitigate any adverse effect upon the environment, arising from the generated effects of the activity.
  - (c) If the Council deems that it is necessary to do so in order to deal with any adverse effect on the environment which may arise from the exercise of this consent, and which is appropriate to deal with at a later date.

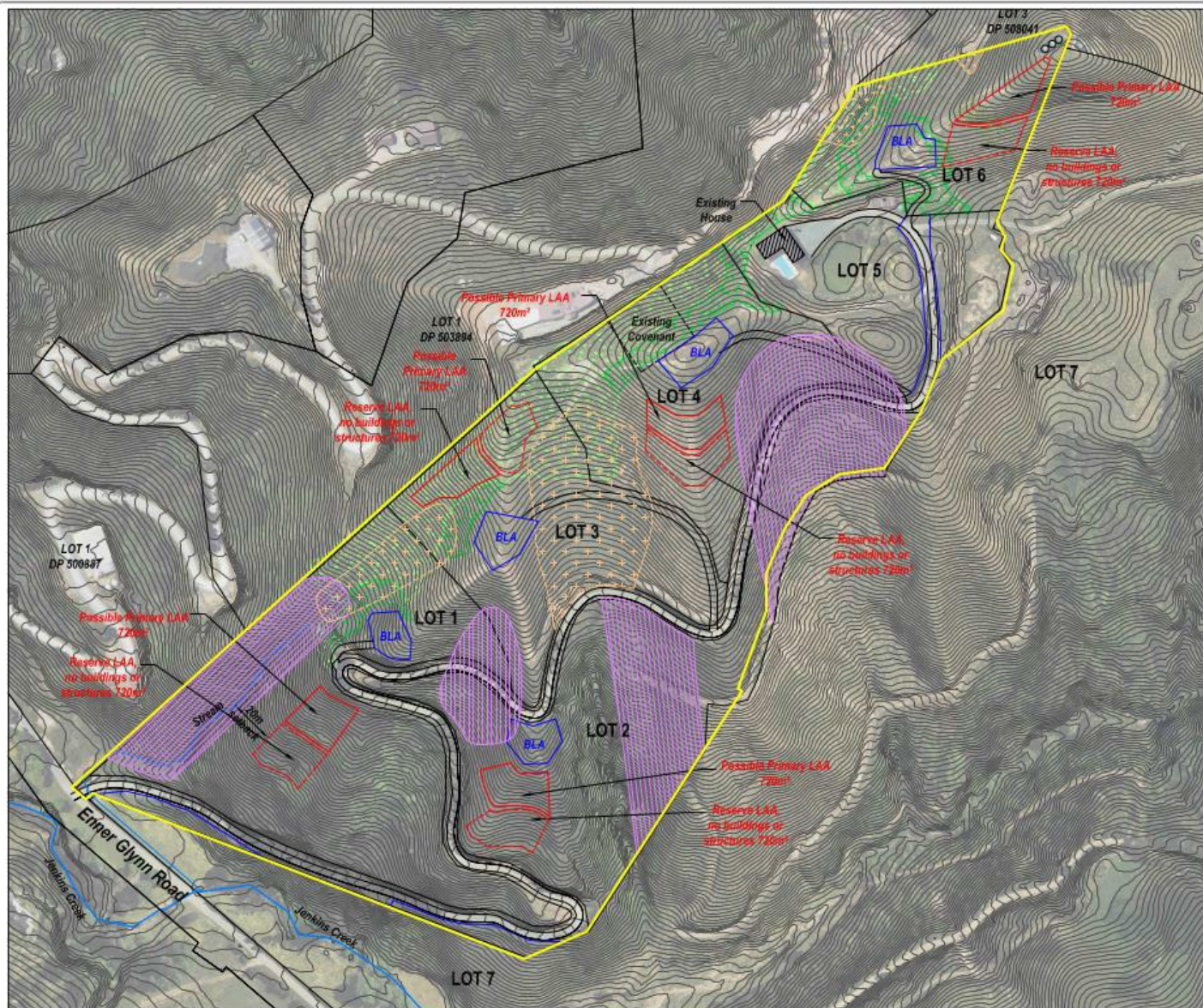
#### **ADVICE NOTES**

1. This is not a building consent, and the Consent Holder shall meet the requirements of the Council for all Bylaws, Regulations and Acts.
2. 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.
3. This discharge permit is granted to the above mentioned Consent Holder, and relates to a particular location. Section 137 of the Act states that the Consent Holder may apply to the Council to transfer the whole or part of the Consent Holder's interest in the permit to any owner or occupier of the site in respect of which the permit is granted; or a local authority; but not to another site unless the consent or a rule in the Nelson Resource Management Plan expressly provides otherwise. This means that if the property in which the discharge occurs is sold to a new landowner, the discharge permit will be required to be transferred to the new property owner.
  4. 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. Any such objection must be made in writing setting out the reasons for the objection and must be lodged with the Council, together with a fixed fee of \$320.00 (GST inclusive), within 15 working days of receiving this letter.
  5. 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.
  6. The Consent Holder should note that this resource consent does not override any registered interest on the property title.





- Key:**
- Mitigation Planting  
(from Canopy Landscape Architects plan)
  - Revegetation Planting  
(from Canopy Landscape Architects plan)
  - Council GIS Instability Areas (1940)
  - Swamp / Wet Land Areas
  - BLA Building Platform

## RM215229 Approved Plan A

Job Title

Enner Glynn Ltd  
Enner Glynn Road  
Nelson



Drawing Title

Site Plan  
Wastewater

Plan Information

Scale @ A3 = 1:2000

Job No.	CAD File No.	Sheet
1086	1086-R1112	PLAN 1
Drawn	Date	
2	29/05/2020	
Drawn	Checked	Signature
A SCH	M Rounce	

Amendments:

## Resource Consent number RM215233

Pursuant to section 104B of the Resource Management Act 1991 ("the Act"), the Nelson City Council ("the Council") hereby **grants** resource consent to:

Enner Glynn Limited

### The activity:

To discharge secondary treated domestic wastewater to a new effluent disposal system within proposed Lot 6 (as shown on RM215229 Approved Plan A)

**Advice Note:** This consent should be read in conjunction with RM215224 Subdivision of 32 Enner Glynn Road

### Location details:

Address of property: 32 Enner Glynn Road, Nelson  
Description: Lot 6 (as shown on RM215229 Approved Plan A)  
Approximate  
Location co-ordinates: E 1622185.484 N 5427187.243  
(NZ Transverse Mercator)

### Lapse date:

Your consent will lapse five years from the date building consent is granted for a dwelling within Lot 6 unless you have given effect to it before then (section 125 of the Act).

### Discharge to Land

Primary Type	Area of Field m <sup>2</sup>	Reserve Field m <sup>2</sup>	Treatment Method
Wastewater	720	720	Secondary Treatment

## CONDITIONS

### General

1. The design, construction and operation of the domestic wastewater treatment plant and land application system shall be in accordance with the design report prepared by Rounce Project Solutions Ltd, submitted in support of the resource consent application RM215224 received by Council on 19 July 2021, the attached RM215229 plan A and the following conditions of consent.

Where there is any apparent conflict between the application and consent conditions, the consent conditions shall prevail.

2. Prior to the construction of any building on the lots, the Consent Holder shall obtain building consent which shall include the final engineering designs for the associated wastewater treatment and land application disposal areas. As part of the engineering design, the ground conditions, including soil type and land stability at the disposal sites shall be verified by a Chartered Geotechnical Engineer.
3. The dwellinghouse on Lot 6 shall be designed with four or fewer bedrooms and an occupancy not exceeding 6 people.

**Advice Note:** Each person is anticipated (under Standard AS/NZS 1547:2012) to discharge up to 180 litres of water per day into the system. Should future owners of the dwelling wish to install a system



*which differs from that consented, (i.e. provides for more people or a house with more bedrooms), then either a variation to this consent, or a new consent will be required.*

## **Monitoring**

4. The consent holder shall advise the Council's Monitoring Officer in writing, at least 5 working days prior to works commencing on site, so that monitoring of the conditions of this consent can be undertaken. Please email [regulatory@ncc.govt.nz](mailto:regulatory@ncc.govt.nz) and advise the consent number, **RM215233**.

**Advice Note:** *Failure to notify the Council as stated in the above condition may result in enforcement action.*

**Advice Note:** *A monitoring charge of \$170.00 has been included in your invoice, as conditions of consent requiring monitoring have been imposed. This charge covers the costs involved in the first hour of monitoring compliance with the consent conditions. Where additional monitoring costs are required to determine that conditions have been met, these will be charged as provided in the Council's Fees and Charges Schedule.*

**Advice Note:** *The Consent Holder is advised that the Council applies annual environmental monitoring charges to resource consent holders to contribute to environmental monitoring and science costs. The costs for this consent will be \$60 annually from 1 July 2020 until the consent expires or works are completed. For further information please contact Council's Environmental Programmes Adviser.*

## **Duration of Consent**

5. This consent shall expire 15 years from the time building consent is issued to install the secondary wastewater system authorised by this consent.

## **Treatment and Land Application System**

6. The design, supervision of construction/installation and certification of the pressure compensated drip line irrigation wastewater treatment system and land application disposal area (LAA) shall be undertaken by a suitably experienced Chartered Professional Engineer or qualified wastewater professional practicing in wastewater design.
7. No land application areas shall be placed on or beneath supporting fill batters.
8. The maximum rate of wastewater discharge shall not exceed 1.5 mm per day and shall occur in the general location shown on RM215229 Plan A for Lot 4 as the Land Application Area (LAA).
9. Wastewater shall be evenly dosed over the land application area using a pressure compensating dripline over the LAA shown on RM215233 Plan A to existing and / or new vegetation at a daily irrigation rate (DIR) of 2mm/day or less (as required to be adjusted for the slope of the LAA).
10. Flushing valves shall be at a maximum of 100m drip length and to allow regular flushing as part of the maintenance cycle.
11. The wastewater treatment system shall be fitted with an audible and visual alarm to notify that there is a high level in the tank, pump failure, daily flow exceedance.
12. A sampling point to allow collection of a sample of treated wastewater shall be provided at a point located after the final pump out chamber and before the point where the wastewater discharges to the land application area.
13. A suitable reserve land application area equivalent to not less than the area of the primary LAA shall be kept available for future use as a wastewater disposal field. It shall be located within the area marked 'Reserve LAA' on the attached RM215233 Plan A. No buildings or structures shall be constructed on the area set aside as reserve area. However, the area may be planted with trees or other vegetation.
14. At all times, there shall be no cut off drains or clay bunds installed upslope of the Land Application Area (LAA) on Lot 6 that directs stormwater flow in the direction of the adjacent property at 100 Enner Glynn Road. If a cut off drain or clay bund is required above the wastewater disposal field on Lot 6, stormwater must be diverted through drain 9.

15. The treated wastewater entering the LAA, as measured at the sampling point required to be installed in accordance with condition 12, shall comply at all times with the following limits:
  - (a) the 5 day biochemical oxygen demand (BOD<sub>5</sub>) in any single sample shall not exceed 20 grams per cubic metre (or 20mg/L);
  - (b) the concentration of total suspended solids (TSS) in any single sample shall not exceed 30 grams per cubic metre (or 30mg/L).
16. The dripline irrigation lines shall be laid parallel to the ground elevation contours amongst existing and / or new vegetation in subsurface hand cultivated ground trenches and pinned at 5m centres and covered with site soils/vegetation litter/bark to uniformly distribute the treated wastewater to the topsoil/plant root zone.
17. Existing vegetation shall be retained and supplementary dense planting between drip line laterals with appropriate species of water tolerant plants suitable for on-site wastewater disposal (e.g. sedges like *Carex virgata*) is required to provide shallow slope stability.
18. The land application area shall be protected from vehicles and grazing animals to ensure the soil structure is not detrimentally affected and to avoid the risk of lateral damage.
19. Prior to any wastewater discharge occurring, the engineer referred to in Condition 6 shall provide a written certificate or producer statement construction review (PS4) which shall be forwarded to the Council's Monitoring Officer from the Consent Holder. The certificate or producer statement shall include sufficient information to enable Council to determine compliance with Condition 1 and shall also confirm the following:
  - (a) that all components of the wastewater system (including the treatment plant and the land application area) have been inspected and installed in accordance with standard engineering practice and the manufacturer's specifications;
  - (b) that all components of the wastewater system are in sound condition and suitable for continued use throughout the duration of this resource consent.
20. The Consent Holder shall submit a set of final 'as-built' plans to the Council's Monitoring Officer, showing the location of all components of the wastewater treatment and land application system prior to the discharge occurring. For the purpose of this condition, the Consent Holder shall ensure that the 'as-built' plans are drawn to scale and provide sufficient detail for a Council Monitoring Officer to locate all structures identified on the plans.

#### **Maintenance and Monitoring**

21. Samples of the treated wastewater shall be taken at 6, 12 24, 48 and 72 months following the first exercise of the consent for ensuring compliance with condition 15. The samples shall be tested for BOD<sub>5</sub> and TSS by an accredited environmental testing laboratory. Results of these tests shall be forwarded to Council's Monitoring Officer within 10 working days of the results of each test being received by the Consent Holder.
22. The samples required by Condition 21 shall be taken at times where the wastewater treatment and disposal system is being used in a typical fashion. "Typical fashion" means that the occupancy, at the time of sampling and during the preceding 48 hours, varies by no more than one person from the number of people who would normally reside in the dwelling. The samples shall be taken using laboratory-supplied containers and using appropriate procedures as directed by the accredited environmental testing laboratory and shall be transported to the laboratory.
23. Where a primary septic tank is installed, the primary septic tank shall be pumped out at least every 3 years or when sludge volume occupies 1/3 of the primary tank volume.
24. Where a primary septic tank is installed, the effluent filter shall be checked at the same times as collecting the samples in condition 22 and cleaned as required by the manufacturer's specifications.

25. The Consent Holder shall enter into, and maintain in force at all times, a written maintenance and monitoring contract with an experienced wastewater treatment plant operator, or a person trained in the wastewater treatment operation by the system designer, for the ongoing maintenance of the treatment and land application system. The contract shall specify the frequency of treatment plant inspections (but not less than once per year) and maintenance during the term of the resource consent and shall include an inspection and maintenance schedule that is in accordance with the conditions of the consent.
26. A signed copy of the contract required by Condition 25 shall be forwarded to the Council's Monitoring Officer prior to the exercise of this consent.
27. Notwithstanding Condition 25, the wastewater treatment and land application system shall be inspected and serviced at least every 12 months. A copy of the service provider's maintenance report shall be forwarded to the Council's Monitoring Officer if requested by Council's Monitoring Officer within 2 weeks of each inspection. The inspection report shall include, but not be limited to, the following information:
  - (a) the date the inspection was undertaken and the name of the service provider.
  - (b) a list of all components of the treatment and land application systems that were inspected and the state of those components.
  - (c) any maintenance undertaken during the visit or still required, and a timetable for the expected completion of this work (the Consent Holder shall ensure any recommendations or maintenance highlighted in the inspection is completed within the timeframes recommended in the inspection report).
  - (d) a description of the appearance of the filter/s, dose chamber, pump and tanks.
  - (e) the location and source of any odour detected from the system; and
  - (f) a description of the appearance of the land application area (ponding, vegetation growth or recommendations for new planting, dripper line exposure, etc).

#### **REVIEW CONDITION**

28. For the purposes of, and pursuant to Section 128 of the Resource Management Act 1991, the Council reserves the right to review this consent annually commencing 12 months from the date this consent is granted, for any of the following purposes:
  - (a) To modify existing conditions of consent relating to the effects of the activity on the environment.
  - (b) To require the Consent Holder to adopt the best practicable option to mitigate any adverse effect upon the environment, arising from the generated effects of the activity.
  - (c) If the Council deems that it is necessary to do so in order to deal with any adverse effect on the environment which may arise from the exercise of this consent, and which is appropriate to deal with at a later date.

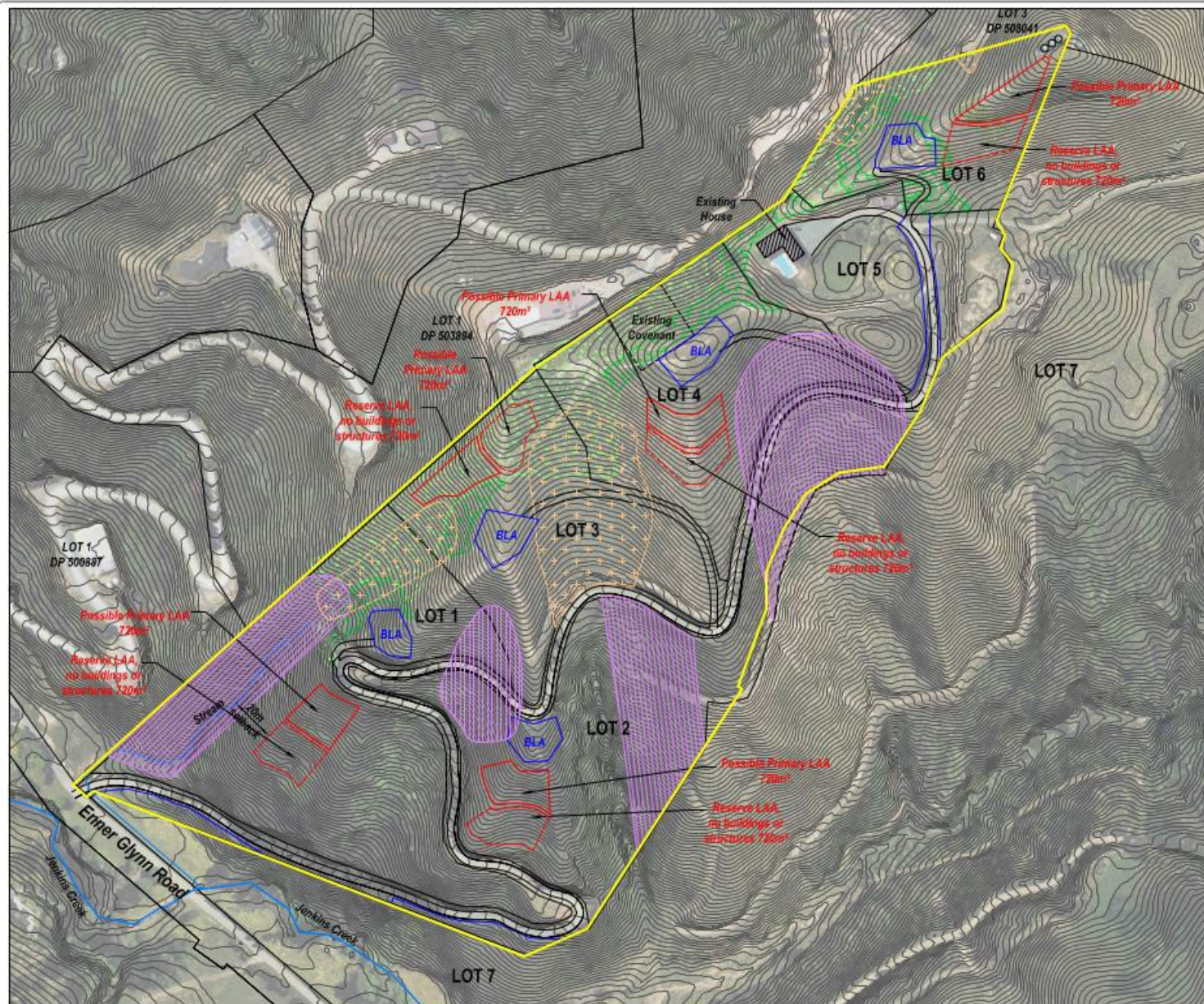
#### **ADVICE NOTES**

1. This is not a building consent, and the Consent Holder shall meet the requirements of the Council for all Bylaws, Regulations and Acts.
2. 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.
3. This discharge permit is granted to the above mentioned Consent Holder, and relates to a particular location. Section 137 of the Act states that the Consent Holder may apply to the Council to transfer the whole or part of the Consent Holder's interest in the permit to any owner or occupier of the site in respect of which the permit is granted; or a local authority; but not to another site unless the



consent or a rule in the Nelson Resource Management Plan expressly provides otherwise. This means that if the property in which the discharge occurs is sold to a new landowner, the discharge permit will be required to be transferred to the new property owner.

4. The driveway consented under RM185006 will have a portion of it located to the west and downslope of the Land Application System Area. Any extensions to the cut of this driveway to the northeast directly downslope of the LAS may result in subsurface seepage being exposed in road cut batter.
5. 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. Any such objection must be made in writing setting out the reasons for the objection and must be lodged with the Council, together with a fixed fee of \$320.00 (GST inclusive), within 15 working days of receiving this letter.
6. 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.
7. The Consent Holder should note that this resource consent does not override any registered interest on the property title.



- Key:**
- Mitigation Planting (from Canopy Landscape Architects plan)
  - Revegetation Planting (from Canopy Landscape Architects plan)
  - Council GIS Instability Areas (1940)
  - Swamp / Wet Land Areas
  - BLA Building Platform

# **RM215229** **Approved** **Plan A**

Job Title

**Enner Glynn Ltd**  
**Enner Glynn Road**  
**Nelson**



Drawing Title

**Site Plan**  
**Wastewater**

Plan Information

Scale: @ A3 = 1:2000		
Job No.	CAD File No.	Sheet
1086	1086-R1112	PLAN 1
Drawn By	Date	
2	29/05/2020	
Drawn	Checked	Signature
A SCH	M. Rounce	
Approvals		



**Resource Consent number RM215229**

Pursuant to section 104B of the Resource Management Act 1991 ("the Act"), the Nelson City Council ("the Council") hereby **grants** resource consent to:

Enner Glynn Limited

**The activity to which this decision relates:**

To discharge secondary treated domestic wastewater ~~and effluent~~ to a new effluent disposal system within proposed Lot 1 (as shown on RM215229 Approved Plan A)

**Advice Note:** This consent should be read in conjunction with RM215224 Sub*division* of 32 Enner Glynn Road

**Location details:**

Address of property: 32 Enner Glynn Road, Nelson  
Description: Lot 1 (as shown on RM215229 Approved Plan A)  
Approximate  
Location co-ordinates: E 1621775.391 N 5426874.782  
(NZ Transverse Mercator)

**Lapse date:**

Your consent will lapse five years from the date building consent is granted for a dwelling within Lot 1 unless you have given effect to it before then (section 125 of the Act).

**Discharge to Land**

Primary Type	Area of Field m <sup>2</sup>	Reserve Field m <sup>2</sup>	Treatment Method
Wastewater	720	720	Secondary Treatment

**CONDITIONS**

**General**

1. The design, construction and operation of the domestic wastewater treatment plant and land application system shall be in accordance with the design report prepared by Rounce Project Solutions Ltd, submitted in support of the resource consent application RM215224 received by Council on 19 July 2021, the attached RM215229 plan A and the following conditions of consent.

Where there is any apparent conflict between the application and consent conditions, the consent conditions shall prevail.

2. Prior to the construction of any building on the lots, the Consent Holder shall obtain building consent which shall include the final engineering designs for the associated wastewater treatment and land application disposal areas. As part of the engineering design, the ground conditions, including soil type and land stability at the disposal sites shall be verified by a Chartered Geotechnical Engineer.
3. The dwellinghouse on Lot 1 shall be designed with four or fewer bedrooms and an occupancy not exceeding 6 people.

**Advice Note:** Each person is anticipated (under Standard AS/NZS 1547:2012) to discharge up to 180 litres of water per day into the system. Should future owners of the dwelling wish to install a system which differs from that consented, (i.e. provides for more people or a house with more bedrooms), then either a variation to this consent, or a new consent will be required.

**Monitoring**

4. The consent holder shall advise the Council's Monitoring Officer in writing, at least 5 working days prior to works commencing on site, so that monitoring of the conditions of this consent can be undertaken. Please email [regulatory@ncc.govt.nz](mailto:regulatory@ncc.govt.nz) and advise the consent number, RM215229.

**Advice Note:** Failure to notify the Council as stated in the above condition may result in enforcement action.

**Advice Note:** A monitoring charge of \$170.00 has been included in your invoice, as conditions of consent requiring monitoring have been imposed. This charge covers the costs involved in the first hour of monitoring compliance with the consent conditions. Where additional monitoring costs are required to determine that conditions have been met, these will be charged as provided in the Council's Fees and Charges Schedule.

**Advice Note:** The Consent Holder is advised that the Council applies annual environmental monitoring charges to resource consent holders to contribute to environmental monitoring and science costs. The costs for this consent will be \$60 annually from 1 July 2020 until the consent expires or works are completed. For further information please contact Council's Environmental Programmes Adviser.

#### **Duration of Consent**

5. This consent shall expire ~~in~~ 15 years from the time building consent is issued to install the secondary wastewater system authorised by this consent.

#### **Treatment and Land Application System**

6. The design, supervision of, construction/installation and certification of the pressure compensated drip line irrigation wastewater treatment system and land application disposal area (LAA) shall be undertaken by a suitably experienced Chartered Professional Engineer or qualified wastewater professional practicing in wastewater design.
7. No land application areas shall be placed on or beneath supporting fill batters.
8. Any trees being removed to install the LAA shall be cut with stump and root system remaining to preserve slope stability and any disturbed areas shall be revegetated with dense native plantings to aid in the take up of surplus ~~effluent~~treated wastewater.
9. The maximum rate of wastewater discharge shall not exceed 1.5 mm per day and shall occur in the general location shown on RM215229 Plan A for Lot 1 as the Land Application Area (LAA).
10. Wastewater shall be evenly dosed over the land application area using a pressure compensating dripline ~~land application~~ over the LAA shown on RM215229 Plan A to existing and / or new vegetation at a daily irrigation rate (DIR) of 2mm/day 2.0L/hr or less (as required to be adjusted for the slope of the LAA).
11. Flushing valves shall be at a maximum of 100m drip length and to allow regular flushing as part of the maintenance cycle.
12. The wastewater treatment system shall be fitted with an audible and visual alarm to notify that there is a high level in the tank, pump failure, daily flow exceedance.
13. A sampling point to allow collection of a sample of treated wastewater shall be provided at a point located after the final pump out chamber and before the point where the wastewater discharges to the land application area.
14. A suitable reserve land application area equivalent to not less than the area of the primary LAA shall be kept available for future use as a wastewater disposal field. It shall be located within the area marked 'Reserve LAA' on the attached RM215229 Plan A. No buildings or structures shall be constructed on the area set aside as reserve area. However, the area may be planted with trees or other vegetation.
15. A cut off drain or clay bund shall be installed upslope of the Land Application Area (LAA) prior to the discharge occurring and shall be maintained for the duration of this consent to divert all upslope surface water away from the land application areas.
16. The treated wastewater entering the LAA, as measured at the sampling point required to be installed in accordance with condition 13, shall comply at all times with the following limits:
  - (a) the 5 day biochemical oxygen demand (BOD<sub>5</sub>) in any single sample shall not exceed 20 grams per cubic metre (or 20mg/L);
  - (b) the concentration of total suspended solids (TSS) in any single sample shall not exceed 30 grams per cubic metre (or 30mg/L).
17. The dripline irrigation lines shall be laid parallel to the ground elevation contours amongst existing and

/or new vegetation in subsurface hand cultivated ground trenches and pinned at 5m centres and covered with site soils/vegetation litter/bark to uniformly distribute the treated wastewater to the topsoil/plant root zone.

18. Existing vegetation shall be retained and supplementary dense planting between drip line laterals with appropriate species of water tolerant plants suitable for on-site wastewater disposal (e.g. sedges like *Carex virgata*) is required to provide shallow slope stability.
19. The land application area shall be protected from vehicles and grazing animals to ensure the soil structure is not detrimentally affected and to avoid the risk of lateral damage.
20. Prior to any wastewater discharge occurring, the engineer referred to in Condition 6 shall provide a written certificate or producer statement construction review (PS4) which shall be forwarded to the Council's Monitoring Officer from the Consent Holder. The certificate or producer statement shall include sufficient information to enable Council to determine compliance with Condition 1 and shall also confirm the following:
  - (a) that all components of the wastewater system (including the treatment plant and the land application- area) have been inspected and installed in accordance with standard engineering practice and the manufacturer's specifications;
  - (b) that all components of the wastewater system are in sound condition and suitable for continued use throughout the duration of this resource consent.
21. The Consent Holder shall submit a set of final 'as-built' plans to the Council's Monitoring Officer, showing the location of all components of the wastewater treatment and land application system prior to the discharge occurring. For the purpose of this condition, the Consent Holder shall ensure that the 'as-built' plans are drawn to scale and provide sufficient detail for a Council Monitoring Officer to locate all structures identified on the plans.

#### **Maintenance and Monitoring**

22. Samples of the treated wastewater shall be taken at 6, 12 and 24 months following the first exercise of the consent for ensuring compliance with condition 16. The samples shall be tested for BOD5 and TSS by an accredited environmental testing laboratory. Results of these tests shall be forwarded to Council's Monitoring Officer within 10 working days of the results of each test being received by the Consent Holder.
23. The samples required by Condition 22 shall be taken at times where the wastewater treatment and disposal system is being used in a typical fashion. "Typical fashion" means that the occupancy, at the time of sampling and during the preceding 48 hours, varies by no more than one person from the number of people who would normally reside in the dwelling. The samples shall be taken using laboratory-supplied containers and using appropriate procedures as directed by the accredited environmental testing laboratory and shall be transported to the laboratory.
24. Where a primary septic tank is installed, t~~t~~he primary septic tank shall be pumped out at least every 3 years or when sludge volume occupies 1/3 of the primary tank volume.
25. Where a primary septic tank is installed, t~~t~~he effluent filter shall be checked at the same times as collecting the samples in condition 22 and cleaned as required by the manufacturer's specifications.
26. The Consent Holder shall enter into, and maintain in force at all times, a written maintenance and monitoring contract with an experienced wastewater treatment plant operator, or a person trained in the wastewater treatment operation by the system designer, for the ongoing maintenance of the treatment and land application system. The contract shall specify the frequency of treatment plant inspections (but not less than once per year) and maintenance during the term of the resource consent and shall include an inspection and maintenance schedule that is in accordance with the conditions of the consent.
27. A signed copy of the contract required by Condition 26 shall be forwarded to the Council's Monitoring



Officer prior to the exercise of this consent.

28. Notwithstanding Condition 26, the wastewater treatment and land application system shall be inspected and serviced at least every 12 months. A copy of the service provider's maintenance report shall be forwarded to the Council's Monitoring Officer if requested by Council's Monitoring Officer within 2 weeks of each inspection. The inspection report shall include, but not be limited to, the following information:

- (a) the date the inspection was undertaken and the name of the service provider.
- (b) a list of all components of the treatment and land application systems that were inspected and the state of those components.
- (c) any maintenance undertaken during the visit or still required, and a timetable for the expected completion of this work (the Consent Holder shall ensure any recommendations or maintenance highlighted in the inspection is completed within the timeframes recommended in the inspection report).
- (d) a description of the appearance of the filter/s, dose chamber, pump and tanks.
- (e) the location and source of any odour detected from the system; and
- (f) a description of the appearance of the land application area (ponding, vegetation growth or recommendations for new planting, dripper line exposure, etc).

#### **REVIEW CONDITION**

29. For the purposes of, and pursuant to Section 128 of the Resource Management Act 1991, the Council reserves the right to review this consent annually commencing 12 months from the date this consent is granted, for any of the following purposes:

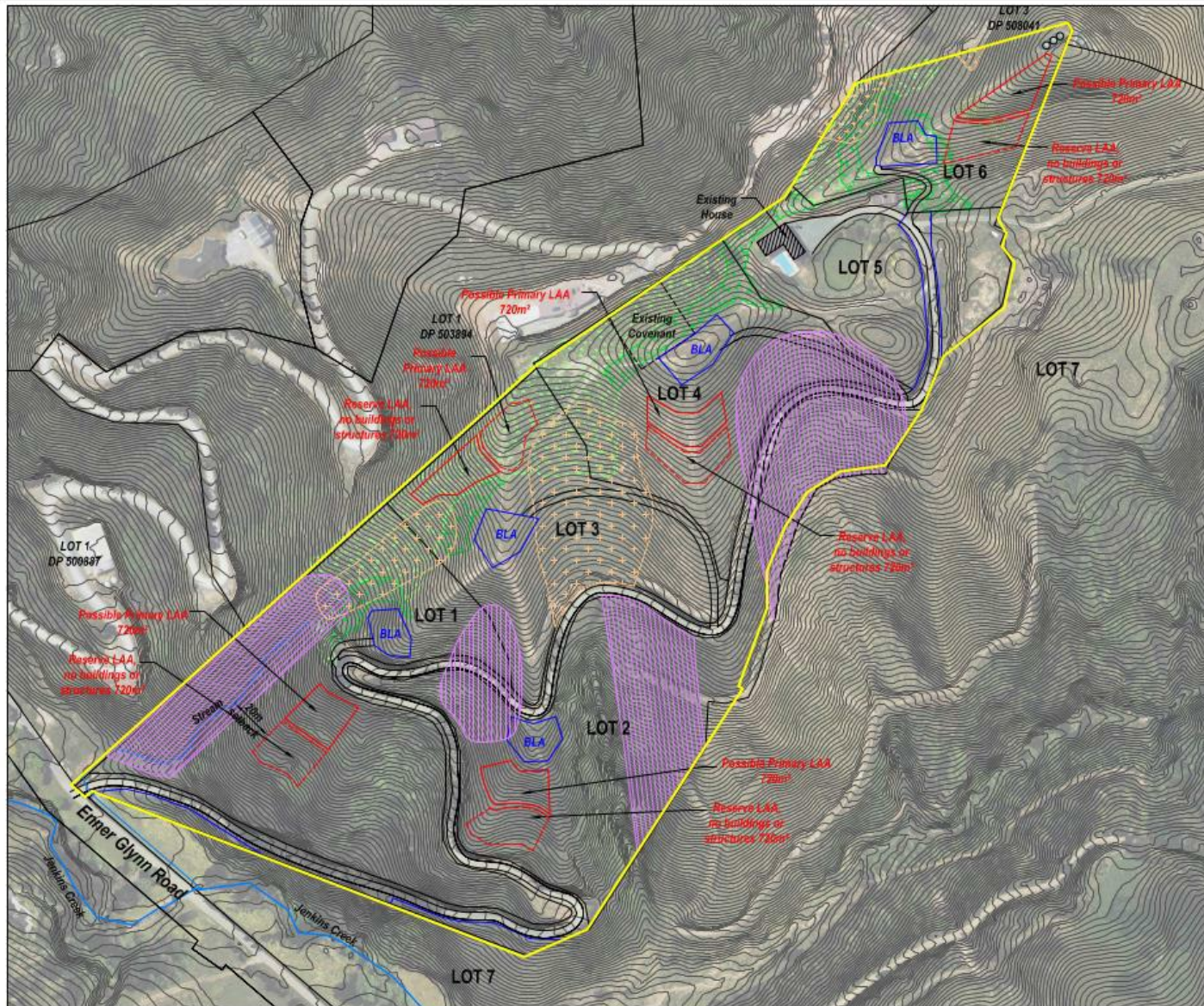
- (a) To modify existing conditions of consent relating to the effects of the activity on the environment.
- (b) To require the Consent Holder to adopt the best practicable option to mitigate any adverse effect upon the environment, arising from the generated effects of the activity.
- (c) If the Council deems that it is necessary to do so in order to deal with any adverse effect on the environment which may arise from the exercise of this consent, and which is appropriate to deal with at a later date.

#### **ADVICE NOTES**

1. This is not a building consent, and the Consent Holder shall meet the requirements of the Council for all Bylaws, Regulations and Acts.
2. 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.
3. This discharge permit is granted to the above mentioned Consent Holder, and relates to a particular location. Section 137 of the Act states that the Consent Holder may apply to the Council to transfer the whole or part of the Consent Holder's interest in the permit to any owner or occupier of the site in respect of which the permit is granted; or a local authority; but not to another site unless the consent or a rule in the Nelson Resource Management Plan expressly provides otherwise. This means that if the property in which the discharge occurs is sold to a new landowner, the discharge permit will be required to be transferred to the new property owner.
4. 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. Any such objection must be made in writing setting out the reasons for the objection and must be lodged with the Council, together with a fixed fee of \$320.00 (GST inclusive), within 15 working days of receiving this letter.
5. 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.

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



- Key:**
- Mitigation Planting (from Canopy Landscape Architects plan)
  - Revegetation Planting (from Canopy Landscape Architects plan)
  - Council GIS Instability Areas (1940)
  - Swamp / Wet Land Areas
  - BLA Building Platform

# RM215229 Approved Plan A

Job Title:

Enner Glynn Ltd  
Enner Glynn Road  
Nelson



Drawing Title:

Site Plan  
Wastewater

Plan Information:

Scale: @ A3 = 1:2000		
Job No.	CAD File No.	Sheet
1086	1086-R1112	PLAN 1
Drawn No.	Date	
2	29/05/2020	
Drawn	Checked	Signature
A SCH	M Rounce	
Amendments		



## Resource Consent number RM215230

Pursuant to section 104B of the Resource Management Act 1991 ("the Act"), the Nelson City Council ("the Council") hereby **grants** resource consent to:

Enner Glynn Limited

### The activity:

To discharge secondary treated domestic wastewater ~~and effluent~~ to a new effluent disposal system within proposed Lot 2 (as shown on RM215229 Approved Plan A)

**Advice Note:** This consent should be read in conjunction with RM215224 Sub*division* of 32 Enner Glynn Road

### Location details:

Address of property: 32 Enner Glynn Road, Nelson  
Description: Lot 2 (as shown on RM215229 Approved Plan A)  
Approximate  
Location co-ordinates: E 1621922.692 N 5426829.562  
(NZ Transverse Mercator)

### Lapse date:

Your consent will lapse five years from the date building consent is granted for a dwelling within Lot 2 unless you have given effect to it before then (section 125 of the Act).

### Discharge to Land

Primary Type	Area of Field m²	Reserve Field m²	Treatment Method
Wastewater	720	720	Secondary Treatment

### CONDITIONS

#### General

1. The design, construction and operation of the domestic wastewater treatment plant and land application system shall be in accordance with the design report prepared by Rounce Project Solutions Ltd, submitted in support of the resource consent application RM215224 received by Council on 19 July 2021, the attached RM215229 plan A and the following conditions of consent.

Where there is any apparent conflict between the application and consent conditions, the consent conditions shall prevail.

2. Prior to the construction of any building on the lots, the Consent Holder shall obtain building consent which shall include the final engineering designs for the associated wastewater treatment and land application disposal areas. As part of the engineering design, the ground conditions, including soil type and land stability at the disposal sites shall be verified by a Chartered Geotechnical Engineer.
3. The dwellinghouse on Lot 2 shall be designed with four or fewer bedrooms and an occupancy not exceeding 6 people.

**Advice Note:** Each person is anticipated (under Standard AS/NZS 1547:2012) to discharge up to 180 litres of water per day into the system. Should future owners of the dwelling wish to install a system which differs from that consented, (i.e. provides for more people or a house with more bedrooms), then either a variation to this consent, or a new consent will be required.

#### Monitoring

4. The consent holder shall advise the Council's Monitoring Officer in writing, at least 5 working days prior to works commencing on site, so that monitoring of the conditions of this consent can be undertaken. Please email [regulatory@ncc.govt.nz](mailto:regulatory@ncc.govt.nz) and advise the consent number, **RM215230**.

**Advice Note:** Failure to notify the Council as stated in the above condition may result in enforcement action.

**Advice Note:** A monitoring charge of \$170.00 has been included in your invoice, as conditions of consent requiring monitoring have been imposed. This charge covers the costs involved in the first hour

of monitoring compliance with the consent conditions. Where additional monitoring costs are required to determine that conditions have been met, these will be charged as provided in the Council's Fees and Charges Schedule.

**Advice Note:** The Consent Holder is advised that the Council applies annual environmental monitoring charges to resource consent holders to contribute to environmental monitoring and science costs. The costs for this consent will be \$60 annually from 1 July 2020 until the consent expires or works are completed. For further information please contact Council's Environmental Programmes Adviser.

#### Duration of Consent

5. This consent shall expire ~~in~~ 15 years from the time building consent is issued to install the secondary wastewater system authorised by this consent.

#### Treatment and Land Application System

6. The design, supervision of, construction/installation and certification of the pressure compensated drip line irrigation wastewater treatment system and land application disposal area (LAA) shall be undertaken by a suitably experienced Chartered Professional Engineer or qualified wastewater professional practicing in wastewater design.
7. No land application areas shall be placed on or beneath supporting fill batters.
8. Any trees being removed to install the LAA shall be cut with stump and root system remaining to preserve slope stability and any disturbed areas shall be revegetated with dense native plantings to aid in the take up of surplus treated wastewater effluent.
9. The maximum rate of wastewater discharge shall not exceed 1.5 mm per day and shall occur in the general location shown on RM215229 Plan A for Lot 2 as the Land Application Area (LAA).
10. Wastewater shall be evenly dosed over the land application area using a pressure compensating dripline ~~land application~~ over the LAA shown on RM215230 Plan A to existing and / or new vegetation at a daily irrigation rate (DIR) of 2 mm/day 2.0L/hr or less (as required to be adjusted for the slope of the LAA).
11. Flushing valves shall be at a maximum of 100m drip length and to allow regular flushing as part of the maintenance cycle.
12. The wastewater treatment system shall be fitted with an audible and visual alarm to notify that there is a high level in the tank, pump failure, daily flow exceedance.
13. A sampling point to allow collection of a sample of treated wastewater shall be provided at a point located after the final pump out chamber and before the point where the wastewater discharges to the land application area.
14. A suitable reserve land application area equivalent to not less than the area of the primary LAA shall be kept available for future use as a wastewater disposal field. It shall be located within the area marked 'Reserve LAA' on the attached RM215230 Plan A. No buildings or structures shall be constructed on the area set aside as reserve area. However, the area may be planted with trees or other vegetation.
15. A cut off drain or clay bund shall be installed upslope of the Land Application Area (LAA) prior to the discharge occurring and shall be maintained for the duration of this consent to divert all upslope surface water away from the land application areas.
16. The treated wastewater entering the LAA, as measured at the sampling point required to be installed in accordance with condition 13, shall comply at all times with the following limits:
  - (a) the 5 day biochemical oxygen demand (BOD<sub>5</sub>) in any single sample shall not exceed 20 grams per cubic metre (or 20mg/L);
  - (b) the concentration of total suspended solids (TSS) in any single sample shall not exceed 30 grams per cubic metre (or 30mg/L).
17. The dripline irrigation lines shall be laid parallel to the ground elevation contours amongst existing and / or new vegetation in subsurface hand cultivated ground trenches and pinned at 5m centres and covered with site soils/vegetation litter/bark to uniformly distribute the treated wastewater to the topsoil/plant root zone.
18. Existing vegetation shall be retained and supplementary dense planting between drip line laterals with



appropriate species of water tolerant plants suitable for on-site wastewater disposal (e.g. sedges like *Carex virgata*) is required to provide shallow slope stability.

19. The land application area shall be protected from vehicles and grazing animals to ensure the soil structure is not detrimentally affected and to avoid the risk of lateral damage.
20. Prior to any wastewater discharge occurring, the engineer referred to in Condition 6 shall provide a written certificate or producer statement construction review (PS4) which shall be forwarded to the Council's Monitoring Officer from the Consent Holder. The certificate or producer statement shall include sufficient information to enable Council to determine compliance with Condition 1 and shall also confirm the following:
  - (a) that all components of the wastewater system (including the treatment plant and the land application area) have been inspected and installed in accordance with standard engineering practice and the manufacturer's specifications;
  - (b) that all components of the wastewater system are in sound condition and suitable for continued use throughout the duration of this resource consent.
21. The Consent Holder shall submit a set of final 'as-built' plans to the Council's Monitoring Officer, showing the location of all components of the wastewater treatment and land application system prior to the discharge occurring. For the purpose of this condition, the Consent Holder shall ensure that the 'as-built' plans are drawn to scale and provide sufficient detail for a Council Monitoring Officer to locate all structures identified on the plans.

#### **Maintenance and Monitoring**

22. Samples of the treated wastewater shall be taken at 6, 12 and 24 months following the first exercise of the consent for ensuring compliance with condition 16. The samples shall be tested for BOD5 and TSS by an accredited environmental testing laboratory. Results of these tests shall be forwarded to Council's Monitoring Officer within 10 working days of the results of each test being received by the Consent Holder.
23. The samples required by Condition 22 shall be taken at times where the wastewater treatment and disposal system is being used in a typical fashion. "Typical fashion" means that the occupancy, at the time of sampling and during the preceding 48 hours, varies by no more than one person from the number of people who would normally reside in the dwelling. The samples shall be taken using laboratory-supplied containers and using appropriate procedures as directed by the accredited environmental testing laboratory and shall be transported to the laboratory.
24. Where a primary septic tank is installed, the primary septic tank shall be pumped out at least every 3 years or when sludge volume occupies 1/3 of the primary tank volume.
25. Where a primary septic tank is installed, the effluent filter shall be checked at the same times as collecting the samples in condition 22 and cleaned as required by the manufacturer's specifications.
26. The Consent Holder shall enter into, and maintain in force at all times, a written maintenance and monitoring contract with an experienced wastewater treatment plant operator, or a person trained in the wastewater treatment operation by the system designer, for the ongoing maintenance of the treatment and land application system. The contract shall specify the frequency of treatment plant inspections (but not less than once per year) and maintenance during the term of the resource consent and shall include an inspection and maintenance schedule that is in accordance with the conditions of the consent.
27. A signed copy of the contract required by Condition 26 shall be forwarded to the Council's Monitoring Officer prior to the exercise of this consent.
28. Notwithstanding Condition 26, the wastewater treatment and land application system shall be inspected and serviced at least every 12 months. A copy of the service provider's maintenance report shall be forwarded to the Council's Monitoring Officer if requested by Council's Monitoring Officer within 2 weeks of each inspection. The inspection report shall include, but not be limited to, the

following information:

- (a) the date the inspection was undertaken and the name of the service provider.
- (b) a list of all components of the treatment and land application systems that were inspected and the state of those components.
- (c) any maintenance undertaken during the visit or still required, and a timetable for the expected completion of this work (the Consent Holder shall ensure any recommendations or maintenance highlighted in the inspection is completed within the timeframes recommended in the inspection report).
- (d) a description of the appearance of the filter/s, dose chamber, pump and tanks.
- (e) the location and source of any odour detected from the system; and
- (f) a description of the appearance of the land application area (ponding, vegetation growth or recommendations for new planting, dripper line exposure, etc).

## **REVIEW CONDITION**

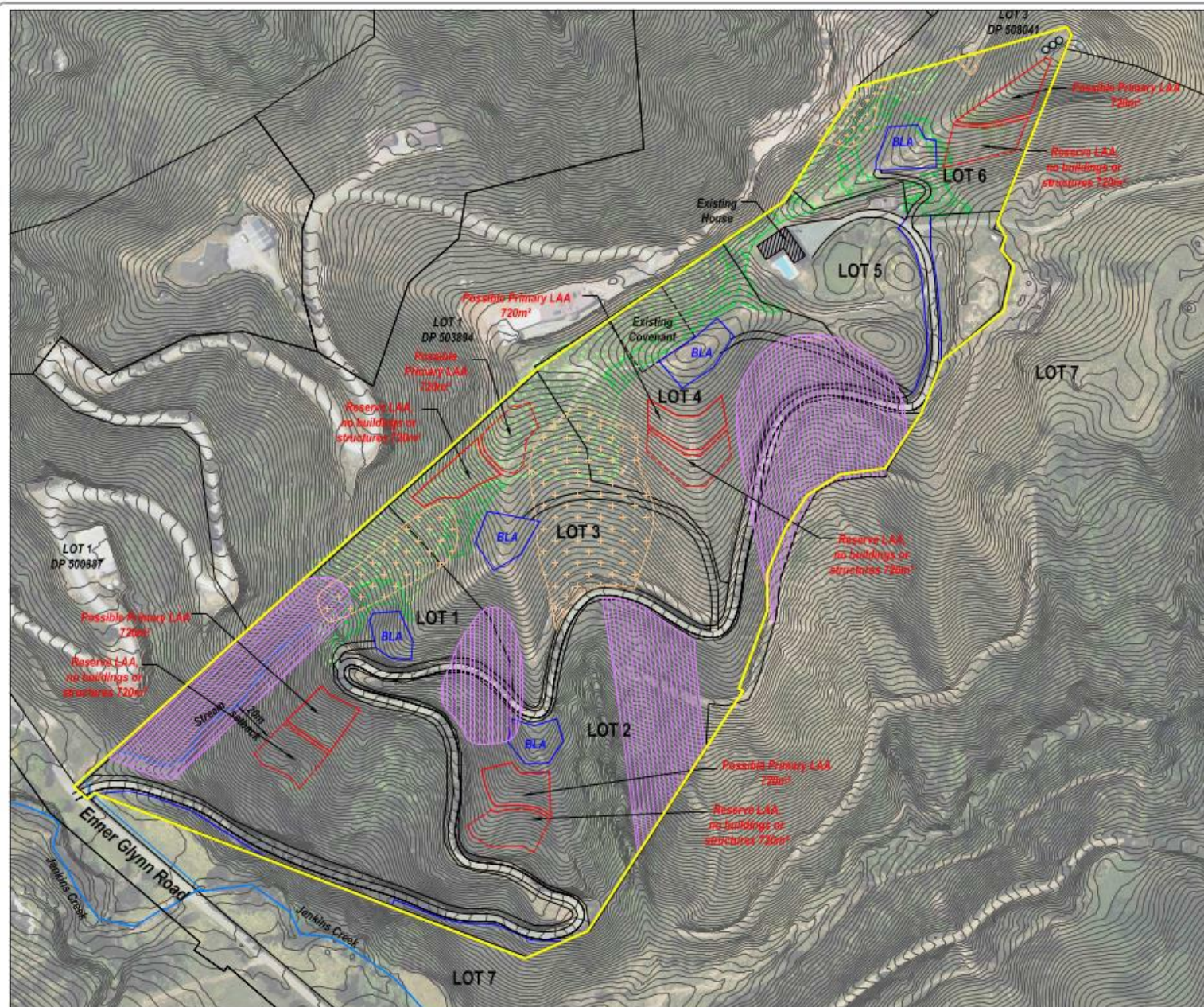
29. For the purposes of, and pursuant to Section 128 of the Resource Management Act 1991, the Council reserves the right to review this consent annually commencing 12 months from the date this consent is granted, for any of the following purposes:

- (a) To modify existing conditions of consent relating to the effects of the activity on the environment.
- (b) To require the Consent Holder to adopt the best practicable option to mitigate any adverse effect upon the environment, arising from the generated effects of the activity.
- (c) If the Council deems that it is necessary to do so in order to deal with any adverse effect on the environment which may arise from the exercise of this consent, and which is appropriate to deal with at a later date.

## **ADVICE NOTES**

1. This is not a building consent, and the Consent Holder shall meet the requirements of the Council for all Bylaws, Regulations and Acts.
2. 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.
3. This discharge permit is granted to the above mentioned Consent Holder, and relates to a particular location. Section 137 of the Act states that the Consent Holder may apply to the Council to transfer the whole or part of the Consent Holder's interest in the permit to any owner or occupier of the site in respect of which the permit is granted; or a local authority; but not to another site unless the consent or a rule in the Nelson Resource Management Plan expressly provides otherwise. This means that if the property in which the discharge occurs is sold to a new landowner, the discharge permit will be required to be transferred to the new property owner.
4. 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. Any such objection must be made in writing setting out the reasons for the objection and must be lodged with the Council, together with a fixed fee of \$320.00 (GST inclusive), within 15 working days of receiving this letter.
5. 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.
6. The Consent Holder should note that this resource consent does not override any registered interest on the property title.





**RM215229**  
**Approved**  
**Plan A**

**Enner Glynn Ltd**  
**Enner Glynn Road**  
**Nelson**



## Site Plan Wastewater

Plan Information Scale: @ A3 = 1:2000		
Job No.	CAD File No.	Sheet
1086	1086-R1112	PLAN 1
Date Iss.	Date	
2	29/05/2020	
Drawn	Checked	Signature
A SCH	M.Rounce	
Approved/checked		





## Resource Consent number RM215231

Pursuant to section 104B of the Resource Management Act 1991 ("the Act"), the Nelson City Council ("the Council") hereby **grants** resource consent to:

Enner Glynn Limited

### The activity:

To discharge secondary treated domestic wastewater ~~and effluent~~ to a new effluent disposal system within proposed Lot 3 (as shown on RM215229 Approved Plan A)

**Advice Note:** This consent should be read in conjunction with RM215224 Sub*idivisi*on of 32 Enner Glynn Road

### Location details:

Address of property: 32 Enner Glynn Road, Nelson  
Description: Lot 3 (as shown on RM215229 Approved Plan A)  
Approximate  
Location co-ordinates: E 1621905.109 N 5427026.942  
(NZ Transverse Mercator)

### Lapse date:

Your consent will lapse five years from the date building consent is granted for a dwelling within Lot 3 unless you have given effect to it before then (section 125 of the Act).

### Discharge to Land

Primary Type	Area of Field m <sup>2</sup>	Reserve Field m <sup>2</sup>	Treatment Method
Wastewater	720	720	Secondary Treatment

## CONDITIONS

### General

1. The design, construction and operation of the domestic wastewater treatment plant and land application system shall be in accordance with the design report prepared by Rounce Project Solutions Ltd, submitted in support of the resource consent application RM215224 received by Council on 19 July 2021, the attached RM215229 plan A and the following conditions of consent.

Where there is any apparent conflict between the application and consent conditions, the consent conditions shall prevail.

2. Prior to the construction of any building on the lots, the Consent Holder shall obtain building consent which shall include the final engineering designs for the associated wastewater treatment and land application disposal areas. As part of the engineering design, the ground conditions, including soil type and land stability at the disposal sites shall be verified by a Chartered Geotechnical Engineer.
3. The dwellinghouse on Lot 3 shall be designed with four or fewer bedrooms and an occupancy not exceeding 6 people.

**Advice Note:** Each person is anticipated (under Standard AS/NZS 1547:2012) to discharge up to 180 litres of water per day into the system. Should future owners of the dwelling wish to install a system which differs from that consented, (i.e. provides for more people or a house with more bedrooms), then either a variation to this consent, or a new consent will be required.

### Monitoring

4. The consent holder shall advise the Council's Monitoring Officer in writing, at least 5 working days prior to works commencing on site, so that monitoring of the conditions of this consent can be undertaken. Please email [regulatory@ncc.govt.nz](mailto:regulatory@ncc.govt.nz) and advise the consent number, **RM215231**.

**Advice Note:** Failure to notify the Council as stated in the above condition may result in enforcement



action.

**Advice Note:** A monitoring charge of \$170.00 has been included in your invoice, as conditions of consent requiring monitoring have been imposed. This charge covers the costs involved in the first hour of monitoring compliance with the consent conditions. Where additional monitoring costs are required to determine that conditions have been met, these will be charged as provided in the Council's Fees and Charges Schedule.

**Advice Note:** The Consent Holder is advised that the Council applies annual environmental monitoring charges to resource consent holders to contribute to environmental monitoring and science costs. The costs for this consent will be \$60 annually from 1 July 2020 until the consent expires or works are completed. For further information please contact Council's Environmental Programmes Adviser.

#### Duration of Consent

5. This consent shall expire ~~in~~ 15 years from the time building consent is issued to install the secondary wastewater system authorised by this consent.

#### Treatment and Land Application System

6. The design, supervision of, construction/installation and certification of the pressure compensated drip line irrigation wastewater treatment system and land application disposal area (LAA) shall be undertaken by a suitably experienced Chartered Professional Engineer or qualified wastewater professional practicing in wastewater design.
7. No land application areas shall be placed on or beneath supporting fill batters.
8. Any trees being removed to install the LAA shall be cut with stump and root system remaining to preserve slope stability and any disturbed areas shall to be revegetated with dense native plantings to aid in the take up of surplus ~~\_-treated wastewater\_~~effluent.
9. The maximum rate of wastewater discharge shall not exceed 1.5 mm per day and shall occur in the general location shown on RM215229 Plan A for Lot 3 as the Land Application Area (LAA).
10. Wastewater shall be evenly dosed over the land application area using a pressure compensating dripline land application over the LAA shown on RM215231 Plan A to existing and / or new vegetation at a daily irrigation rate (DIR) of 2mm/day~~2.0L/hr~~ or less (as required to be adjusted for the slope of the LAA).
11. Flushing valves shall be at a maximum of 100m drip length and to allow regular flushing as part of the maintenance cycle.
12. The wastewater treatment system shall be fitted with an audible and visual alarm to notify that there is a high level in the tank, pump failure, daily flow exceedance.
13. A sampling point to allow collection of a sample of treated wastewater shall be provided at a point located after the final pump out chamber and before the point where the wastewater discharges to the land application area.
14. A suitable reserve land application area equivalent to not less than the area of the primary LAA shall be kept available for future use as a wastewater disposal field. It shall be located within the area marked 'Reserve LAA' on the attached RM215231 Plan A. No buildings or structures shall be constructed on the area set aside as reserve area. However, the area may be planted with trees or other vegetation.
15. A cut off drain or clay bund shall be installed upslope of the Land Application Area (LAA) prior to the discharge occurring and shall be maintained for the duration of this consent to divert all upslope surface water away from the land application areas.
16. The treated wastewater entering the LAA, as measured at the sampling point required to be installed in accordance with condition 13, shall comply at all times with the following limits:
  - (a) the 5 day biochemical oxygen demand (BOD<sub>5</sub>) in any single sample shall not exceed 20 grams

per cubic metre (or 20mg/L);

- (b) the concentration of total suspended solids (TSS) in any single sample shall not exceed 30 grams per cubic metre (or 30mg/L).

17. The dripline irrigation lines shall be laid parallel to the ground elevation contours amongst existing and /or new vegetation in subsurface hand cultivated ground trenches and pinned at 5m centres and covered with site soils/vegetation litter/bark to uniformly distribute the treated wastewater to the topsoil/plant root zone.

**Advice note:** *Planned landscape mitigation planting should provide substantial vegetation litter deposits suitable for placing dripline irrigation effluent disposal. The existing vegetation is best left with minimal disturbance to provide protection of soil structure, mitigate erosion risk, enhance slope stability and aid in the take up of surplus effluent.*

18. Existing vegetation shall be retained and supplementary dense planting between drip line laterals with appropriate species of water tolerant plants suitable for on-site wastewater disposal (e.g. sedges like *Carex virgata*) is required to provide shallow slope stability.

19. The land application area shall be protected from vehicles and grazing animals to ensure the soil structure is not detrimentally affected and to avoid the risk of lateral damage.

20. Prior to any wastewater discharge occurring, the engineer referred to in Condition 6 shall provide a written certificate or producer statement construction review (PS4) which shall be forwarded to the Council's Monitoring Officer from the Consent Holder. The certificate or producer statement shall include sufficient information to enable Council to determine compliance with Condition 1 and shall also confirm the following:

- (a) that all components of the wastewater system (including the treatment plant and the land application area) have been inspected and installed in accordance with standard engineering practice and the manufacturer's specifications;
- (b) that all components of the wastewater system are in sound condition and suitable for continued use throughout the duration of this resource consent.

21. The Consent Holder shall submit a set of final 'as-built' plans to the Council's Monitoring Officer, showing the location of all components of the wastewater treatment and land application system prior to the discharge occurring. For the purpose of this condition, the Consent Holder shall ensure that the 'as-built' plans are drawn to scale and provide sufficient detail for a Council Monitoring Officer to locate all structures identified on the plans.

### **Maintenance and Monitoring**

22. Samples of the treated wastewater shall be taken at 6, 12 and 24 months following the first exercise of the consent for ensuring compliance with condition 16. The samples shall be tested for BOD5 and TSS by an accredited environmental testing laboratory. Results of these tests shall be forwarded to Council's Monitoring Officer within 10 working days of the results of each test being received by the Consent Holder.

23. The samples required by Condition 22 shall be taken at times where the wastewater treatment and disposal system is being used in a typical fashion. "Typical fashion" means that the occupancy, at the time of sampling and during the preceding 48 hours, varies by no more than one person from the number of people who would normally reside in the dwelling. The samples shall be taken using laboratory-supplied containers and using appropriate procedures as directed by the accredited environmental testing laboratory and shall be transported to the laboratory.

24. Where a primary septic tank is installed, ~~the~~ the primary septic tank shall be pumped out at least every 3 years or when sludge volume occupies 1/3 of the primary tank volume.

25. Where a primary septic tank is installed, ~~the~~ the effluent filter shall be checked at the same times as collecting the samples in condition 22 and cleaned as required by the manufacturer's specifications.

26. The Consent Holder shall enter into, and maintain in force at all times, a written maintenance and monitoring contract with an experienced wastewater treatment plant operator, or a person trained in the wastewater treatment operation by the system designer, for the ongoing maintenance of the treatment and land application system. The contract shall specify the frequency of treatment plant inspections (but not less than once per year) and maintenance during the term of the resource consent and shall include an inspection and maintenance schedule that is in accordance with the conditions of the consent.
27. A signed copy of the contract required by Condition 26 shall be forwarded to the Council's Monitoring Officer prior to the exercise of this consent.
28. Notwithstanding Condition 26, the wastewater treatment and land application system shall be inspected and serviced at least every 12 months. A copy of the service provider's maintenance report shall be forwarded to the Council's Monitoring Officer if requested by Council's Monitoring Officer within 2 weeks of each inspection. The inspection report shall include, but not be limited to, the following information:
  - (a) the date the inspection was undertaken and the name of the service provider.
  - (b) a list of all components of the treatment and land application systems that were inspected and the state of those components.
  - (c) any maintenance undertaken during the visit or still required, and a timetable for the expected completion of this work (the Consent Holder shall ensure any recommendations or maintenance highlighted in the inspection is completed within the timeframes recommended in the inspection report).
  - (d) a description of the appearance of the filter/s, dose chamber, pump and tanks.
  - (e) the location and source of any odour detected from the system; and
  - (f) a description of the appearance of the land application area (ponding, vegetation growth or recommendations for new planting, dripper line exposure, etc).

#### **REVIEW CONDITION**

29. For the purposes of, and pursuant to Section 128 of the Resource Management Act 1991, the Council reserves the right to review this consent annually commencing 12 months from the date this consent is granted, for any of the following purposes:
  - (a) To modify existing conditions of consent relating to the effects of the activity on the environment.
  - (b) To require the Consent Holder to adopt the best practicable option to mitigate any adverse effect upon the environment, arising from the generated effects of the activity.
  - (c) If the Council deems that it is necessary to do so in order to deal with any adverse effect on the environment which may arise from the exercise of this consent, and which is appropriate to deal with at a later date.

#### **ADVICE NOTES**

1. This is not a building consent, and the Consent Holder shall meet the requirements of the Council for all Bylaws, Regulations and Acts.
2. 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.
3. This discharge permit is granted to the above-mentioned Consent Holder and relates to a particular location. Section 137 of the Act states that the Consent Holder may apply to the Council to transfer the whole or part of the Consent Holder's interest in the permit to any owner or occupier of the site in

respect of which the permit is granted; or a local authority; but not to another site unless the consent or a rule in the Nelson Resource Management Plan expressly provides otherwise. This means that if the property in which the discharge occurs is sold to a new landowner, the discharge permit will be required to be transferred to the new property owner.

4. 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. Any such objection must be made in writing setting out the reasons for the objection and must be lodged with the Council, together with a fixed fee of \$320.00 (GST inclusive), within 15 working days of receiving this letter.
5. 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.
6. The Consent Holder should note that this resource consent does not override any registered interest on the property title.





## Resource Consent number RM215232

Pursuant to section 104B of the Resource Management Act 1991 ("the Act"), the Nelson City Council ("the Council") hereby **grants** resource consent to:

Enner Glynn Limited

### The activity:

To discharge secondary treated domestic wastewater ~~and effluent~~ to a new effluent disposal system within proposed Lot 4 (as shown on RM215229 Approved Plan A)

**Advice Note:** This consent should be read in conjunction with RM215224 Sub*id*ivisi*o*n of 32 Enner Glynn Road

### Location details:

Address of property: 32 Enner Glynn Road, Nelson  
Description: Lot 4 (as shown on RM215229 Approved Plan A)  
Approximate  
Location co-ordinates: E 1622005.374 N 5427047.218  
(NZ Transverse Mercator)

### Lapse date:

Your consent will lapse five years from the date building consent is granted for a dwelling within Lot 4 unless you have given effect to it before then (section 125 of the Act).

### Discharge to Land

Primary Type	Area of Field m <sup>2</sup>	Reserve Field m <sup>2</sup>	Treatment Method
Wastewater	720	720	Secondary Treatment

## CONDITIONS

### General

1. The design, construction and operation of the domestic wastewater treatment plant and land application system shall be in accordance with the design report prepared by Rounce Project Solutions Ltd, submitted in support of the resource consent application RM215224 received by Council on 19 July 2021, the attached RM215229 plan A and the following conditions of consent.

Where there is any apparent conflict between the application and consent conditions, the consent conditions shall prevail.

2. Prior to the construction of any building on the lots, the Consent Holder shall obtain building consent which shall include the final engineering designs for the associated wastewater treatment and land application disposal areas. As part of the engineering design, the ground conditions, including soil type and land stability at the disposal sites shall be verified by a Chartered Geotechnical Engineer.
3. The dwellinghouse on Lot 4 shall be designed with four or fewer bedrooms and an occupancy not exceeding 6 people.

**Advice Note:** Each person is anticipated (under Standard AS/NZS 1547:2012) to discharge up to 180 litres of water per day into the system. Should future owners of the dwelling wish to install a system which differs from that consented, (i.e. provides for more people or a house with more bedrooms), then either a variation to this consent, or a new consent will be required.

### Monitoring

4. The consent holder shall advise the Council's Monitoring Officer in writing, at least 5 working days prior to works commencing on site, so that monitoring of the conditions of this consent can be undertaken. Please email [regulatory@ncc.govt.nz](mailto:regulatory@ncc.govt.nz) and advise the consent number, **RM215232**.



**Advice Note:** Failure to notify the Council as stated in the above condition may result in enforcement action.

**Advice Note:** A monitoring charge of \$170.00 has been included in your invoice, as conditions of consent requiring monitoring have been imposed. This charge covers the costs involved in the first hour of monitoring compliance with the consent conditions. Where additional monitoring costs are required to determine that conditions have been met, these will be charged as provided in the Council's Fees and Charges Schedule.

**Advice Note:** The Consent Holder is advised that the Council applies annual environmental monitoring charges to resource consent holders to contribute to environmental monitoring and science costs. The costs for this consent will be \$60 annually from 1 July 2020 until the consent expires or works are completed. For further information please contact Council's Environmental Programmes Adviser.

#### Duration of Consent

5. This consent shall expire ~~in~~ 15 years from the time building consent is issued to install the secondary wastewater system authorised by this consent.

#### Treatment and Land Application System

6. The design, supervision of, construction/installation and certification of the pressure compensated drip line irrigation wastewater treatment system and land application disposal area (LAA) shall be undertaken by a suitably experienced Chartered Professional Engineer or qualified wastewater professional practicing in wastewater design.
7. No land application areas shall be placed on or beneath supporting fill batters.
8. The maximum rate of wastewater discharge shall not exceed 1.5 mm per day and shall occur in the general location shown on RM215229 Plan A for Lot 4 as the Land Application Area (LAA).
9. Wastewater shall be evenly dosed over the land application area using a pressure compensating dripline ~~land application~~ over the LAA shown on RM215232 Plan A to existing and / or new vegetation at a daily irrigation rate (DIR) of ~~2mm/day 2.0L/hr~~ or less (as required to be adjusted for the slope of the LAA).
10. Flushing valves shall be at a maximum of 100m drip length and to allow regular flushing as part of the maintenance cycle.
11. The wastewater treatment system shall be fitted with an audible and visual alarm to notify that there is a high level in the tank, pump failure, daily flow exceedance.
12. A sampling point to allow collection of a sample of treated wastewater shall be provided at a point located after the final pump out chamber and before the point where the wastewater discharges to the land application area.
13. A suitable reserve land application area equivalent to not less than the area of the primary LAA shall be kept available for future use as a wastewater disposal field. It shall be located within the area marked 'Reserve LAA' on the attached RM215232 Plan A. No buildings or structures shall be

constructed on the area set aside as reserve area. However, the area may be planted with trees or other vegetation.

14. A cut off drain or clay bund shall be installed upslope of the Land Application Area (LAA) prior to the discharge occurring and shall be maintained for the duration of this consent to divert all upslope surface water away from the land application areas.
15. The treated wastewater entering the LAA, as measured at the sampling point required to be installed in accordance with condition 12, shall comply at all times with the following limits:
  - (a) the 5 day biochemical oxygen demand (BOD<sub>5</sub>) in any single sample shall not exceed 20 grams per cubic metre (or 20mg/L);
  - (b) the concentration of total suspended solids (TSS) in any single sample shall not exceed 30 grams per cubic metre (or 30mg/L).
16. The dripline irrigation lines shall be laid parallel to the ground elevation contours in subsurface trenches of between 100mm to 150mm depth amongst existing and / or new vegetation in subsurface hand cultivated ground trenches and pinned at 5m centres and covered with site soils/vegetation litter/bark to uniformly distribute the treated wastewater to the topsoil/plant root zone.
17. Existing vegetation shall be retained and supplementary dense planting between drip line laterals with appropriate species of water tolerant plants suitable for on-site wastewater disposal (e.g. sedges like *Carex virgata*) is required to provide shallow slope stability.
18. The land application area shall be protected from vehicles and grazing animals to ensure the soil structure is not detrimentally affected and to avoid the risk of lateral damage.
19. Prior to any wastewater discharge occurring, the engineer referred to in Condition 6 shall provide a written certificate or producer statement construction review (PS4) which shall be forwarded to the Council's Monitoring Officer from the Consent Holder. The certificate or producer statement shall include sufficient information to enable Council to determine compliance with Condition 1 and shall also confirm the following:
  - (a) that all components of the wastewater system (including the treatment plant and the land application area) have been inspected and installed in accordance with standard engineering practice and the manufacturer's specifications;
  - (b) that all components of the wastewater system are in sound condition and suitable for continued use throughout the duration of this resource consent.
20. The Consent Holder shall submit a set of final 'as-built' plans to the Council's Monitoring Officer, showing the location of all components of the wastewater treatment and land application system prior to the discharge occurring. For the purpose of this condition, the Consent Holder shall ensure that the 'as-built' plans are drawn to scale and provide sufficient detail for a Council Monitoring Officer to locate all structures identified on the plans.

#### **Maintenance and Monitoring**

21. Samples of the treated wastewater shall be taken at 6, 12 and 24 months following the first exercise of the consent for ensuring compliance with condition ~~15~~<sup>16</sup>. The samples shall be tested for BOD<sub>5</sub> and TSS by an accredited environmental testing laboratory. Results of these tests shall be forwarded to Council's Monitoring Officer within 10 working days of the results of each test being received by the Consent Holder.
22. The samples required by Condition 21 shall be taken at times where the wastewater treatment and disposal system is being used in a typical fashion. "Typical fashion" means that the occupancy, at the

time of sampling and during the preceding 48 hours, varies by no more than one person from the number of people who would normally reside in the dwelling. The samples shall be taken using laboratory-supplied containers and using appropriate procedures as directed by the accredited environmental testing laboratory and shall be transported to the laboratory.

23. Where a primary septic tank is installed, ~~T~~he primary septic tank shall be pumped out at least every 3 years or when sludge volume occupies 1/3 of the primary tank volume.
24. Where a primary septic tank is installed, ~~T~~he effluent filter shall be checked at the same times as collecting the samples in condition 22 and cleaned as required by the manufacturer's specifications.
25. The Consent Holder shall enter into, and maintain in force at all times, a written maintenance and monitoring contract with an experienced wastewater treatment plant operator, or a person trained in the wastewater treatment operation by the system designer, for the ongoing maintenance of the treatment and land application system. The contract shall specify the frequency of treatment plant inspections (but not less than once per year) and maintenance during the term of the resource consent and shall include an inspection and maintenance schedule that is in accordance with the conditions of the consent.
26. A signed copy of the contract required by Condition 25 shall be forwarded to the Council's Monitoring Officer prior to the exercise of this consent.
27. Notwithstanding Condition 25, the wastewater treatment and land application system shall be inspected and serviced at least every 12 months. A copy of the service provider's maintenance report shall be forwarded to the Council's Monitoring Officer if requested by Council's Monitoring Officer within 2 weeks of each inspection. The inspection report shall include, but not be limited to, the following information:
  - (a) the date the inspection was undertaken and the name of the service provider.
  - (b) a list of all components of the treatment and land application systems that were inspected and the state of those components.
  - (c) any maintenance undertaken during the visit or still required, and a timetable for the expected completion of this work (the Consent Holder shall ensure any recommendations or maintenance highlighted in the inspection is completed within the timeframes recommended in the inspection report).
  - (d) a description of the appearance of the filter/s, dose chamber, pump and tanks.
  - (e) the location and source of any odour detected from the system; and
  - (f) a description of the appearance of the land application area (ponding, vegetation growth or recommendations for new planting, dripper line exposure, etc).

#### **REVIEW CONDITION**

28. For the purposes of, and pursuant to Section 128 of the Resource Management Act 1991, the Council reserves the right to review this consent annually commencing 12 months from the date this consent is granted, for any of the following purposes:
  - (a) To modify existing conditions of consent relating to the effects of the activity on the environment.
  - (b) To require the Consent Holder to adopt the best practicable option to mitigate any adverse effect upon the environment, arising from the generated effects of the activity.
  - (c) If the Council deems that it is necessary to do so in order to deal with any adverse effect on the environment which may arise from the exercise of this consent, and which is appropriate to deal with at a later date.

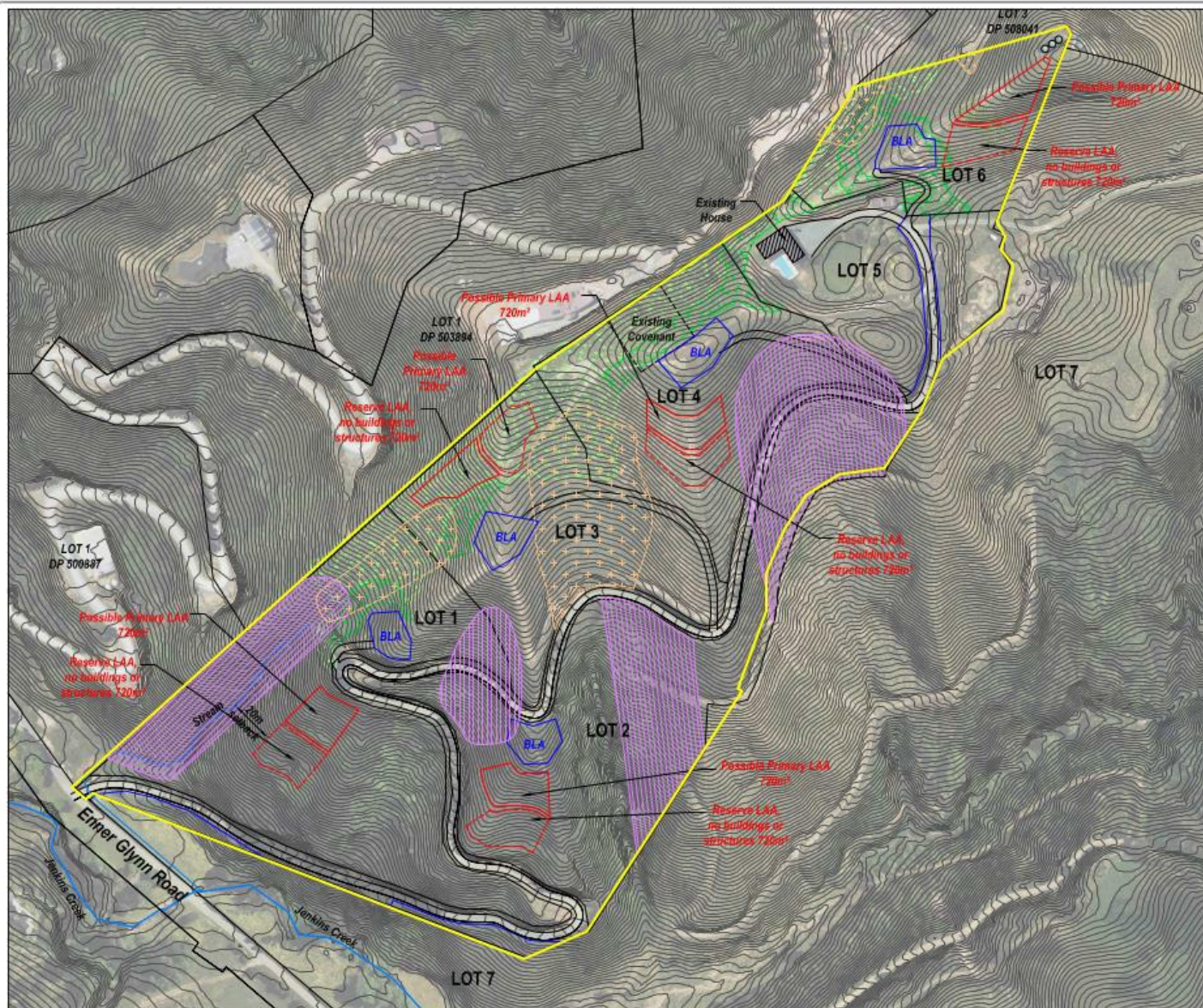
#### **ADVICE NOTES**

1. This is not a building consent, and the Consent Holder shall meet the requirements of the Council for all Bylaws, Regulations and Acts.
2. 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.
3. This discharge permit is granted to the above mentioned Consent Holder, and relates to a particular location. Section 137 of the Act states that the Consent Holder may apply to the Council to transfer the whole or part of the Consent Holder's interest in the permit to any owner or occupier of the site in respect of which the permit is granted; or a local authority; but not to another site unless the consent or a rule in the Nelson Resource Management Plan expressly provides otherwise. This means that if the property in which the discharge occurs is sold to a new landowner, the discharge permit will be required to be transferred to the new property owner.
  4. 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. Any such objection must be made in writing setting out the reasons for the objection and must be lodged with the Council, together with a fixed fee of \$320.00 (GST inclusive), within 15 working days of receiving this letter.
  5. 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.
  6. The Consent Holder should note that this resource consent does not override any registered interest on the property title.



- Key:**
- Mitigation Planting (from Canopy Landscape Architects plan)
  - Revegetation Planting (from Canopy Landscape Architects plan)
  - Council GIS Instability Areas (1940)
  - Swamp / Wet Land Areas
  - BLA Building Platform

# **RM215229** **Approved** **Plan A**

Job Title

**Enner Glynn Ltd**  
**Enner Glynn Road**  
**Nelson**



Drawing Title

**Site Plan**  
**Wastewater**

Plan Information

Scale @ A3 = 1:2000

Job No.	CAD File No.	Sheet
1086	1086-R1112	PLAN 1
Drawn	Date	
2	29/05/2020	
Drawn	Checked	Signature
A SCH	M Rounce	

Approved by:

## Resource Consent number RM215233

Pursuant to section 104B of the Resource Management Act 1991 ("the Act"), the Nelson City Council ("the Council") hereby **grants** resource consent to:

Enner Glynn Limited

### The activity:

To discharge secondary treated domestic wastewater ~~and effluent~~ to a new effluent disposal system within proposed Lot 6 (as shown on RM215229 Approved Plan A)

**Advice Note:** This consent should be read in conjunction with RM215224 Sub*divi*sion of 32 Enner Glynn Road

### Location details:

Address of property: 32 Enner Glynn Road, Nelson  
Description: Lot 6 (as shown on RM215229 Approved Plan A)  
Approximate  
Location co-ordinates: E 1622185.484 N 5427187.243  
(NZ Transverse Mercator)

### Lapse date:

Your consent will lapse five years from the date building consent is granted for a dwelling within Lot 6 unless you have given effect to it before then (section 125 of the Act).

### Discharge to Land

Primary Type	Area of Field m <sup>2</sup>	Reserve Field m <sup>2</sup>	Treatment Method
Wastewater	720	720	Secondary Treatment

## CONDITIONS

### General

1. The design, construction and operation of the domestic wastewater treatment plant and land application system shall be in accordance with the design report prepared by Rounce Project Solutions Ltd, submitted in support of the resource consent application RM215224 received by Council on 19 July 2021, the attached RM215229 plan A and the following conditions of consent.

Where there is any apparent conflict between the application and consent conditions, the consent conditions shall prevail.

2. Prior to the construction of any building on the lots, the Consent Holder shall obtain building consent which shall include the final engineering designs for the associated wastewater treatment and land application disposal areas. As part of the engineering design, the ground conditions, including soil type and land stability at the disposal sites shall be verified by a Chartered Geotechnical Engineer.
3. The dwellinghouse on Lot 6 shall be designed with four or fewer bedrooms and an occupancy not exceeding 6 people.

**Advice Note:** Each person is anticipated (under Standard AS/NZS 1547:2012) to discharge up to 180 litres of water per day into the system. Should future owners of the dwelling wish to install a system



which differs from that consented, (i.e. provides for more people or a house with more bedrooms), then either a variation to this consent, or a new consent will be required.

## Monitoring

4. The consent holder shall advise the Council's Monitoring Officer in writing, at least 5 working days prior to works commencing on site, so that monitoring of the conditions of this consent can be undertaken. Please email [regulatory@ncc.govt.nz](mailto:regulatory@ncc.govt.nz) and advise the consent number, **RM215233**.

**Advice Note:** Failure to notify the Council as stated in the above condition may result in enforcement action.

**Advice Note:** A monitoring charge of \$170.00 has been included in your invoice, as conditions of consent requiring monitoring have been imposed. This charge covers the costs involved in the first hour of monitoring compliance with the consent conditions. Where additional monitoring costs are required to determine that conditions have been met, these will be charged as provided in the Council's Fees and Charges Schedule.

**Advice Note:** The Consent Holder is advised that the Council applies annual environmental monitoring charges to resource consent holders to contribute to environmental monitoring and science costs. The costs for this consent will be \$60 annually from 1 July 2020 until the consent expires or works are completed. For further information please contact Council's Environmental Programmes Adviser.

## Duration of Consent

5. This consent shall expire ~~in~~ 15 years from the time building consent is issued to install the secondary wastewater system authorised by this consent.

## Treatment and Land Application System

6. The design, supervision of, construction/installation and certification of the pressure compensated drip line irrigation wastewater treatment system and land application disposal area (LAA) shall be undertaken by a suitably experienced Chartered Professional Engineer or qualified wastewater professional practicing in wastewater design.
7. No land application areas shall be placed on or beneath supporting fill batters.
8. The maximum rate of wastewater discharge shall not exceed 1.5 mm per day and shall occur in the general location shown on RM215229 Plan A for Lot 4 as the Land Application Area (LAA).
9. Wastewater shall be evenly dosed over the land application area using a pressure compensating dripline ~~land application~~ over the LAA shown on RM215233 Plan A to existing and / or new vegetation at a daily irrigation rate (DIR) of ~~2.0L/hr~~ 2mm/day or less (as required to be adjusted for the slope of the LAA).
10. Flushing valves shall be at a maximum of 100m drip length and to allow regular flushing as part of the maintenance cycle.
11. The wastewater treatment system shall be fitted with an audible and visual alarm to notify that there is a high level in the tank, pump failure, daily flow exceedance.
12. A sampling point to allow collection of a sample of treated wastewater shall be provided at a point located after the final pump out chamber and before the point where the wastewater discharges to the land application area.
13. A suitable reserve land application area equivalent to not less than the area of the primary LAA shall be kept available for future use as a wastewater disposal field. It shall be located within the area marked 'Reserve LAA' on the attached RM215233 Plan A. No buildings or structures shall be constructed on the area set aside as reserve area. However, the area may be planted with trees or other vegetation.
14. A-At all times, there shall be no cut off drains or clay bunds shall be installed upslope of the Land Application Area (LAA) on Lot 6 that directs stormwater flow in the direction of the adjacent property at 100 Enner Glynn Road. If a cut off drain or clay bund is required above the wastewater disposal field

~~on Lot 6, stormwater must be diverted through drain 9. prior to the discharge occurring and shall be maintained for the duration of this consent to divert all upslope surface water away from the land application areas.~~

15. The treated wastewater entering the LAA, as measured at the sampling point required to be installed in accordance with condition 12, shall comply at all times with the following limits:
  - (a) the 5 day biochemical oxygen demand (BOD<sub>5</sub>) in any single sample shall not exceed 20 grams per cubic metre (or 20mg/L);
  - (b) the concentration of total suspended solids (TSS) in any single sample shall not exceed 30 grams per cubic metre (or 30mg/L).
16. The dripline irrigation lines shall be laid parallel to the ground elevation contours amongst existing and / or new vegetation in subsurface hand cultivated ground trenches and pinned at 5m centres and covered with site soils/vegetation litter/bark to uniformly distribute the treated wastewater to the topsoil/plant root zone.
17. Existing vegetation shall be retained and supplementary dense planting between drip line laterals with appropriate species of water tolerant plants suitable for on-site wastewater disposal (e.g. sedges like *Carex virgata*) is required to provide shallow slope stability.
18. The land application area shall be protected from vehicles and grazing animals to ensure the soil structure is not detrimentally affected and to avoid the risk of lateral damage.
19. Prior to any wastewater discharge occurring, the engineer referred to in Condition 6 shall provide a written certificate or producer statement construction review (PS4) which shall be forwarded to the Council's Monitoring Officer from the Consent Holder. The certificate or producer statement shall include sufficient information to enable Council to determine compliance with Condition 1 and shall also confirm the following:
  - (a) that all components of the wastewater system (including the treatment plant and the land application area) have been inspected and installed in accordance with standard engineering practice and the manufacturer's specifications;
  - (b) that all components of the wastewater system are in sound condition and suitable for continued use throughout the duration of this resource consent.
20. The Consent Holder shall submit a set of final 'as-built' plans to the Council's Monitoring Officer, showing the location of all components of the wastewater treatment and land application system prior to the discharge occurring. For the purpose of this condition, the Consent Holder shall ensure that the 'as-built' plans are drawn to scale and provide sufficient detail for a Council Monitoring Officer to locate all structures identified on the plans.

#### **Maintenance and Monitoring**

21. Samples of the treated wastewater shall be taken at 6, 12 ~~and 24~~, 48 and 72 months following the first exercise of the consent for ensuring compliance with condition 15. The samples shall be tested for BOD<sub>5</sub> and TSS by an accredited environmental testing laboratory. Results of these tests shall be forwarded to Council's Monitoring Officer within 10 working days of the results of each test being received by the Consent Holder.
22. The samples required by Condition 21 shall be taken at times where the wastewater treatment and disposal system is being used in a typical fashion. "Typical fashion" means that the occupancy, at the time of sampling and during the preceding 48 hours, varies by no more than one person from the number of people who would normally reside in the dwelling. The samples shall be taken using laboratory-supplied containers and using appropriate procedures as directed by the accredited environmental testing laboratory and shall be transported to the laboratory.
23. Where a primary septic tank is installed, ~~the~~ the primary septic tank shall be pumped out at least every 3 years or when sludge volume occupies 1/3 of the primary tank volume.



24. Where a primary septic tank is installed, the effluent filter shall be checked at the same times as collecting the samples in condition 22 and cleaned as required by the manufacturer's specifications.
25. The Consent Holder shall enter into, and maintain in force at all times, a written maintenance and monitoring contract with an experienced wastewater treatment plant operator, or a person trained in the wastewater treatment operation by the system designer, for the ongoing maintenance of the treatment and land application system. The contract shall specify the frequency of treatment plant inspections (but not less than once per year) and maintenance during the term of the resource consent and shall include an inspection and maintenance schedule that is in accordance with the conditions of the consent.
26. A signed copy of the contract required by Condition 25 shall be forwarded to the Council's Monitoring Officer prior to the exercise of this consent.
27. Notwithstanding Condition 25, the wastewater treatment and land application system shall be inspected and serviced at least every 12 months. A copy of the service provider's maintenance report shall be forwarded to the Council's Monitoring Officer if requested by Council's Monitoring Officer within 2 weeks of each inspection. The inspection report shall include, but not be limited to, the following information:
- (a) the date the inspection was undertaken and the name of the service provider.
  - (b) a list of all components of the treatment and land application systems that were inspected and the state of those components.
  - (c) any maintenance undertaken during the visit or still required, and a timetable for the expected completion of this work (the Consent Holder shall ensure any recommendations or maintenance highlighted in the inspection is completed within the timeframes recommended in the inspection report).
  - (d) a description of the appearance of the filter/s, dose chamber, pump and tanks.
  - (e) the location and source of any odour detected from the system; and
  - (f) a description of the appearance of the land application area (ponding, vegetation growth or recommendations for new planting, dripper line exposure, etc).

#### **REVIEW CONDITION**

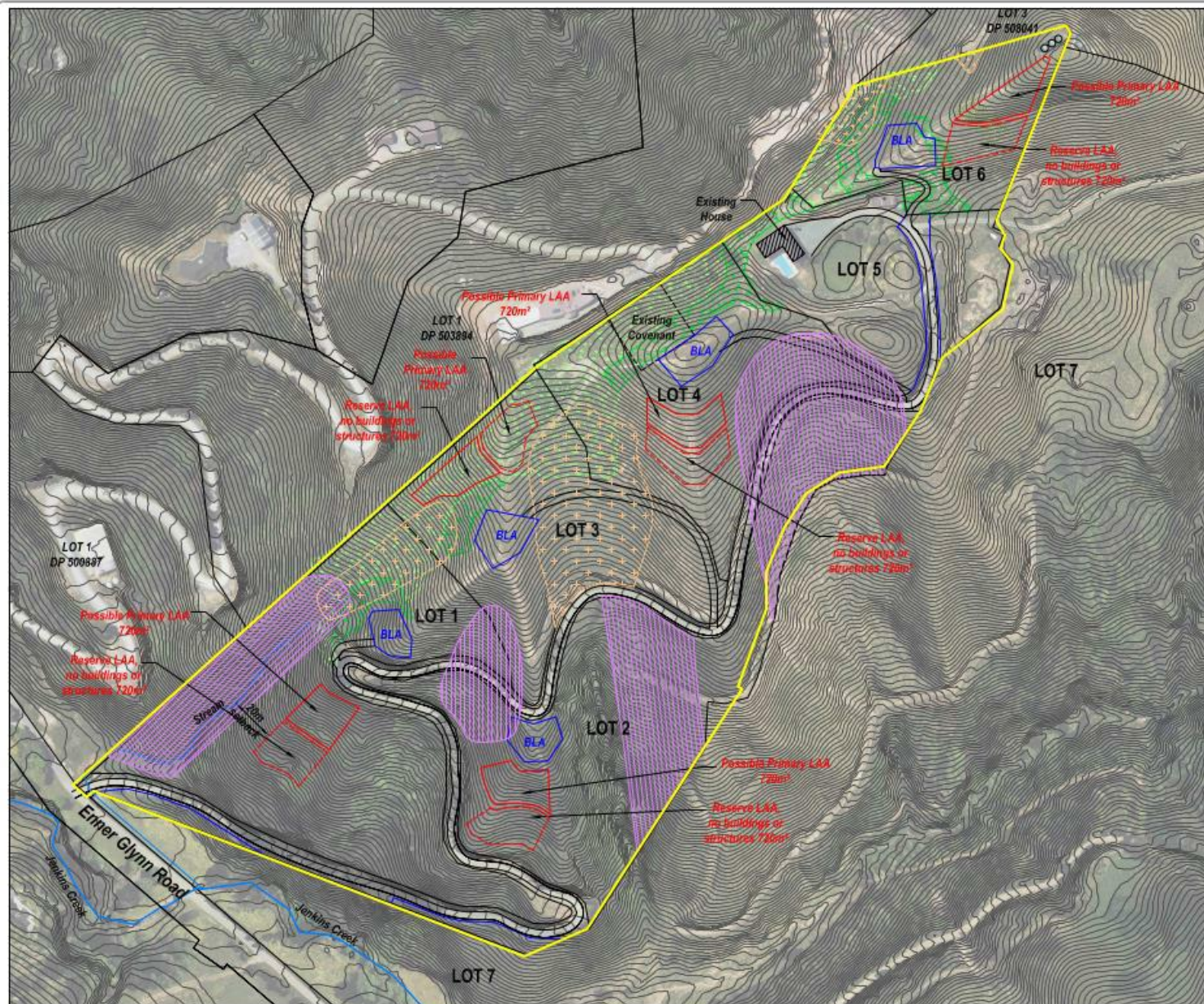
28. For the purposes of, and pursuant to Section 128 of the Resource Management Act 1991, the Council reserves the right to review this consent annually commencing 12 months from the date this consent is granted, for any of the following purposes:
- (a) To modify existing conditions of consent relating to the effects of the activity on the environment.
  - (b) To require the Consent Holder to adopt the best practicable option to mitigate any adverse effect upon the environment, arising from the generated effects of the activity.
  - (c) If the Council deems that it is necessary to do so in order to deal with any adverse effect on the environment which may arise from the exercise of this consent, and which is appropriate to deal with at a later date.

#### **ADVICE NOTES**

1. This is not a building consent, and the Consent Holder shall meet the requirements of the Council for all Bylaws, Regulations and Acts.
2. 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.

3. This discharge permit is granted to the above mentioned Consent Holder, and relates to a particular location. Section 137 of the Act states that the Consent Holder may apply to the Council to transfer the whole or part of the Consent Holder's interest in the permit to any owner or occupier of the site in respect of which the permit is granted; or a local authority; but not to another site unless the consent or a rule in the Nelson Resource Management Plan expressly provides otherwise. This means that if the property in which the discharge occurs is sold to a new landowner, the discharge permit will be required to be transferred to the new property owner.
4. The driveway consented under RM185006 will have a portion of it located to the west and downslope of the Land Application System Area. Any extensions to the cut of this driveway to the northeast directly downslope of the LAS may result in subsurface seepage being exposed in road cut batter.
5. 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. Any such objection must be made in writing setting out the reasons for the objection and must be lodged with the Council, together with a fixed fee of \$320.00 (GST inclusive), within 15 working days of receiving this letter.
6. 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.
7. The Consent Holder should note that this resource consent does not override any registered interest on the property title.





- Key:**
- Mitigation Planting (from Canopy Landscape Architects plan)
  - Revegetation Planting (from Canopy Landscape Architects plan)
  - Council GIS Instability Areas (1940)
  - Swamp / Wet Land Areas
  - BLA Building Platform

# **RM215229** **Approved** **Plan A**

Job Title

**Enner Glynn Ltd**  
**Enner Glynn Road**  
**Nelson**



Drawing Title

**Site Plan**  
**Wastewater**

Plan Information

Scale	@ A3 = 1:2000	
Job No.	CAD File No.	Sheet
1086	1086-R1112	PLAN 1
Drawn By	Date	
2	29/05/2020	
Drawn	Checked	Signature
A SCH	M. Rounce	
Approved		

