IN THE ENVIRONMENT COURT AT AUCKLAND

I TE KŌTI TAIAO O AOTEAROA KI TĀMAKI MAKAURAU

Decision [2025] NZEnvC 219

IN THE MATTER OF an appeal under section 120 the Resource

Management Act 1991

BETWEEN NZHG GISBORNE LIMITED

(ENV-2024-AKL-000260)

Appellant

AND GISBORNE DISRTICT COUNCIL

Respondent

AND RONALD CLANCY

SUSIE TAYLOR

Section 274 Parties

Court: Environment Judge M J L Dickey, sitting alone under s 279 of

the Act

Last case event: 17 June 2025

Date of Order: 2 July 2025 Date of Issue: 2 July 2025

A:

CONSENT ORDER

Under s 279(1)(b) of the Resource Management Act 1991, the Environment Court, by consent, <u>orders</u> that:

ZHG Gisborne Limited v Gisborne District Council

- (1) the appeal is allowed to the extent that land use and subdivision consent is granted to construct a 10-unit residential development, site works, access (joint owned access lot) and on-site carparking arrangements at 556 to 560 Aberdeen Road, Gisborne, subject to the conditions of consent set out in **Annexure 1**, attached to and forming part of this Order; and
- (2) the appeal is otherwise dismissed.
- B: Under s 285 of the Act, there is no order as to costs.

REASONS

Introduction

- [1] This consent order concerns an appeal by NZHG Gisborne Limited (**NZHG**) against Gisborne District Council's decision to refuse its applications for (**Decision**):
 - (a) land use consent to construct 12 residential dwellings at 556 to 560 Aberdeen Road, Gisborne;
 - (b) a fee simple subdivision consent to create 12 residential lots and a jointowned access lot; and
 - (c) a resource consent under Regulation 10 of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.
- [2] The Decision was made by an Independent Commissioner on behalf of the Council on 2 December 2024. The Commissioner's main concerns with the proposal were its failure to:
 - (a) meet specific assessment criteria under Rule DD1.6.1(17) of the Tairāwhiti Resource Management Plan (**TRMP**), particularly regarding density, building mass, and visual dominance; and

- (b) be consistent with the relevant TRMP objective to ensure the proposal enhances or maintains the residential amenity values of the local environment.
- [3] Although the consents were refused, the Decision suggested that the proposal might have been more acceptable in land use policy terms if NZHG had provided for a lower density for the overall site and adjusted the orientation of the dwellings.

The appeal

- [4] NZHG appealed the Decision on 19 December 2024 and provided a revised proposal aimed at addressing the density and amenity effects outlined in the Decision (**Revised Proposal**).
- [5] In summary, the components of the Revised Proposal include:
 - (a) reduction in total units from 12 to 10;
 - (b) reduction in lots along the boundary of Asquith Street from five to four;
 - (c) single (rather than double) storey dwellings and increased separation distances on the Asquith Street boundary; and
 - (d) more streetscape variety (design, form and materials).
- [6] Ronald Clancy and Susie Taylor joined the appeal under s 274 of the Act. Both reside on Asquith Street, with properties directly adjacent to the proposed development. Their s 274 notices both raise concerns that the Revised Proposal would still give rise to unacceptable bulk, density and rural character effects.

Agreement reached

[7] The parties participated in Court-assisted mediation on 10 April 2025. The parties reached an agreement in principle that the Revised Proposal was an appropriate basis on which land use and subdivision consents could be granted, subject to further refinement of the conditions and to the Court's approval.

- [8] A mediation agreement reached between the parties records a separate side agreement between NZHG and the s 274 parties addressing amenity effects. In broad terms, NZHG has agreed to provide window treatment and fencing to address those concerns.
- [9] The s 274 parties are prepared to rely on the Council's endorsement of the proposed conditions. They are satisfied that the mediation agreement addresses their specific amenity concerns.
- [10] The parties have agreed on a suite of conditions as set out at **Annexure 1** to this Order. The parties consider that the proposed conditions are of a standard nature and are framed in a manner which is considered to be vires, clear and enforceable.
- [11] The proposed conditions address the following key matters:

Land use consent

- (a) Demolition of existing buildings on site;
- (b) Engineering matters relating to bulk earthworks, finished floor levels, access and parking, three-waters design and controls;
- (c) Construction management (including dust, complaints, sediment and erosion control);
- (d) Provision for the jointly owned access lot and privately owned stormwater ("rainsmart") system (including installation and ongoing maintenance);
- (e) Contaminated land management;
- (f) Geotechnical matters; and
- (g) Landscaping.

Subdivision consent

- (a) Vehicle crossing, access and manoeuvring;
- (b) Services;

- (c) Consent notice conditions to ensure ongoing maintenance of landscaping and the stormwater ("rainsmart") system; and
- (d) Amalgamation and easements.
- [12] On 3 June 2025, the Court issued a Minute requesting that the Council provide an affidavit setting out reasons for its change in position and confirming the appropriateness of the conditions. The Minute also stated that the conditions of consent ought to attach the amended plans and include a description of the proposal at the outset.
- [13] On 17 June 2025, the parties filed an affidavit of Kimberley Joy Morete, the Council's planner. Ms Morete's affidavit records that the Council was able to change its position because it was satisfied that the Revised Proposal and proposed conditions addressed the Commissioner's main concerns and reasons for refusing the application.
- [14] The parties have also filed an amended version of the consent conditions which includes a description of the proposal at the outset and affixing the plans to which they attach. Other minor consequential amendments have been made to refer to those plans.
- [15] The Court is now satisfied that the orders can be made as sought.

Consideration

- [16] The Court has now read and considered:
 - (a) NZHG's notice of appeal dated 19 December 2024;
 - (b) the joint memorandum dated 5 May 2025;
 - (c) the joint memorandum dated 17 June 2025; and
 - (d) the affidavit of Kimberley Joy Morete affirmed 17 June 2025.

¹ Affirmed 17 June 2025.

[17] The Court is making this Order under s 279(1) of the Act, such order being by consent, rather than representing a decision or determination on the merits. The Court understands for present purposes that:

- (a) all parties to the proceedings have executed the memorandum requesting this Order; and
- (b) all parties are satisfied that all matters proposed for the Court's endorsement fall within the Court's jurisdiction, and conform to the relevant requirements and objectives of the Act including, in particular, Part 2.

[18] I am satisfied that the agreement reached is one that represents the various interests of the parties. The parties have considered the concerns raised in the Decision and have addressed those in the agreement reached. Overall, I consider the sustainable management purpose and the other relevant requirements of the Act are broadly met.

Order

- [19] Accordingly, under s 279(1)(b) of the Resource Management Act 1991, the Environment Court, by consent, <u>orders</u> that:
 - (a) the appeal is allowed to the extent that land use and subdivision consent is granted to construct a 10-unit residential development, site works, access (joint owned access lot) and on-site carparking arrangements at 556 to 560 Aberdeen Road, Gisborne, subject to the conditions of consent set out in **Annexure 1**, attached to and forming part of this Order; and
 - (b) the appeal is otherwise dismissed.
- [20] Under s 285 of the Act, there is no order as to costs.

M J L Dickey

Environment Judge | Kaiwhakawā o te Kōti Taiao

Annexure 1 - Conditions for the revised proposal

Pursuant to sections 104, 104B, 108, 220 and 221 of the Resource Management Act 1991, land use consent, subdivision consent, and consent under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 is granted to NZHG Gisborne Limited for a 10-unit residential development (dwellings and fee simple allotments), site works, access (joint owned access lot) and on-site carparking arrangements at 556 to 560 Aberdeen Road, Gisborne, subject to the following conditions.

LANDUSE

General Conditions

The development shall proceed in general accordance with the information and plans submitted with the application LU-2023-112105-00; SG-2023-112106-00 and NC-2003-112107-00, received by Council on 24 November 2023 as amended by the information and plans received by Council on 19 December 2024 (attached to the Notice of Appeal by NZHG Gisborne Limited) and appended to these conditions of consent. The approved plans are listed in the table below. If a conflict arises between any conditions of this consent and the application, the conditions of this consent will prevail.

Document	Prepared by:	Drawing Name	Sheet No.	Date
Proposed Site	ATKINSON	NZHG Aberdeen	03	19/12/2024
Plan	HARWOOD ARCHITECTURE	Road 556 - 560	Revision: 06	
Unit Plan		Aberdeen Road	04	
			Revision: 04	
Typology Floor			06	
Plans 01			Revision: 03	
Typology Floor			07	
Plans 02			Revision: 02	
Typology Floor			08	
Plans 03			Revision: 03	
Site Elevations -			09	
External			Revision: 03	
Boundaries				
Site Elevations -			10	
Inner			Revision: 03	
Boundaries				

Document	Prepared by:	Drawing Name	Sheet No.	Date
3D Perspectives			11	
& Colour				
Selections				
3D Perspectives			12	

- Pursuant to Section 36 of the Resource Management Act 1991, the consent holder shall pay the actual and reasonable costs incurred by the Gisborne District Council when monitoring the conditions of this consent.
- 3. The consent holder shall notify the Gisborne District Council Compliance Manager in writing (compliance.admin@gdc.govt.nz) at least two weeks prior to the commencement of activities associated with this consent.
 - <u>Advice Note</u>: For the purposes of this consent, commencement of activities or works includes the removal/demolition of any existing structures on the site and/or earthworks in preparation of construction activities.
- 4. All existing buildings located on the subject site shall be removed/demolished prior to the erection of the proposed buildings.

Engineering

5. The consent holder shall submit an updated Servicing Report to Gisborne District Council's Development Engineer for certification within 3 months following the approval of consent.

The Servicing Report shall include (but need not limited to) details of:

- a. Bulk earthworks design;
- b. Finished floor levels;
- c. Access and parking design;
- d. Wastewater design;
- e. Water supply including firefighting supply, and
- f. Stormwater controls. With respect to stormwater management, the design shall include the specified mitigation measures detailed in Condition 25 of this consent.

Council's certification function is limited to certifying that the Servicing Report achieves the purpose of this condition by addressing the matters specified in (a)-(f) above, and that the stormwater management design incorporates the mitigation measures required by Condition 25.

Finished Floor Levels

6. The finished floor levels of the dwellings on Lots 1 – 10 shall be erected in accordance with the minimum floor levels detailed in the Servicing Report required by Condition 5 above.

Access and vehicle crossing

7. Prior to occupation of any dwelling, the access, parking and manoeuvring areas shall be constructed formed, sealed and drained in accordance with the Tairāwhiti Resource Management Plan and Gisborne District Council's Engineering Code of Practice 2000.

Construction Management

- 8. The consent holder shall submit a Construction Management Plan (CMP) to the Gisborne District Council's Compliance Manager for certification at least 20 working days prior to commencement of the activity and shall comply with the certified CMP. The purpose of the CMP is to ensure the effects of construction related activities are appropriately managed through provision for the matters required by this condition. The CMP shall provide for (but not necessarily be limited to) the following matters:
 - a. Scheduling and staging of the works;
 - b. Responsibilities of all relevant parties;
 - c. Contact details for all relevant parties;
 - d. Expectations regarding communication between all relevant parties;
 - e. Details of how construction noise and vibration standards will be met;
 - f. Limitation on working hours as identified in the application;
 - g. Identification of surrounding noise and vibration sensitive receivers;
 - h. Details of noise and vibration mitigation measures;
 - i. Procedures for response to concerns from neighbours and dealing with any complaints;
 - j. Details for ensuring that contractors and operators on site are aware of the requirement to minimise noise and vibration effects on the neighbouring sites:
 - k. Details on how the environmental impacts of dust and soil tracking off site will be managed.

Any changes to the certified CMP shall be submitted to Council for certification prior to giving effect to these changes. Council's certification function is limited to certifying that the purpose of the CMP specified in this condition is achieved through provision for the matters required by this condition.

<u>Advice Note</u>: For the purposes of this consent, construction work includes any work in connection with any excavation, demolition, site preparation, or other preparatory work carried for the purposes of exercising this consent.

9. Written communication shall take place with occupants of all properties within 30m of the site not less than 10 days prior to works commencing. In this case, the pre-developed site that this condition refers to is the cumulative area of land

contained within the Records of Title defined as Lot 2 DP 1585, Part Lot 1 DP 1585 and Lot 1 DP 1817.

- 10. Subject to any other condition of this consent, the activity shall be carried out in accordance with the CMP certified under condition 8 above.
- 11. The consent holder shall maintain a complaints register, which shall be kept onsite at all times, and be available to Council monitoring staff on request.

Any complaints pertaining to the construction activity shall be recorded by the consent holder and shall include:

- a. The date, time and nature of the complaint;
- b. Name, phone number and address of the complainant unless the complainant wishes to remain anonymous;
- c. Action taken by the consent holder to remedy the problem;
- d. Date and name of the person making the entry.

Details of any complaint shall be provided to the Gisborne District Council's Compliance Manager within 24 hours of the complaint(s) being made or the next working day, whichever occurs sooner.

Dust

- 12. All operations on the site shall be carried out in such a manner as to avoid the generation of objectionable or offensive dust travelling beyond the boundary of the site.
- 13. Should offensive or objectionable dust be observed beyond the boundary of the site, the activities on site generating the dust shall cease immediately and shall not restart until such time as condition 12 is complied with. In this case, the predeveloped site that this condition refers to is the cumulative area of land contained within the Records of Title defined as Lot 2 DP 1585, Part Lot 1 DP 1585 and Lot 1 DP 1817.

Earthworks

14. Earthworks during construction (including drainage) shall be carried out under the supervision of a geo-professional practising in geotechnical engineering or a suitably qualified professional.

Sediment And Erosion Control

15. The consent holder shall submit an Erosion and Sediment Control Plan (**ESCP**) that is in accordance with the Auckland Council Guideline Document 2016/005 - Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region (**Guidelines**) to Council's Compliance Manager for certification no less than 20 working days prior to commencement of any earthworks. The purpose of the ESCP is to ensure that erosion and sediment associated with the

consented activities is managed in accordance with the Guidelines and Council's certification function is limited to certifying that the ESCP accords with the Guidelines. If there is any inconsistency between the requirements of the approved ESCP and a condition of this consent, the condition has priority.

Advice Note: The certified ESCP may be amended to reflect any changes in design, construction methods or management of effects without further process. If there is a material change required to the certified ESCP or a change required to address unforeseen adverse effects arising from construction and/or unresolved complaints, the Consent Holder must submit the updated or revised document to the Council for certification as soon as practicable following identification of the need for an update or revision.

- 16. The consent holder shall provide certification from a suitably qualified professional that all sediment control structures have been constructed in accordance with the certified Erosion and Sediment Control Plan required by condition 15 above. The certification statement shall be provided to the Gisborne District Council's Compliance Manager within 5 working days of completion of the structures concerned. Information contained in the certification statement shall include the following information as a minimum:
 - a. Confirmation of contributing catchment areas;
 - b. The location, capacity and design of each structure;
 - c. Position of inlets and outlets;
 - d. Stability of the structures;
 - e. Measures to control erosion; and
 - f. Any other relevant matter.

<u>Advice Note</u>: Bulk earthworks include cut and fill operations required to re-grade an area. It also applies to larger scale earthworks such as for building excavations, construction of temporary access tracks and earthworks.

- 17. The consent holder shall ensure that all personnel working on the site are aware of the Erosion and Sediment Control Plan and comply with its requirements. The certified Erosion and Sediment Control Plan and any modified plan shall be kept on site for inspection by the Council's Monitoring Officer.
- 18. The consent holder shall ensure that all erosion and sediment controls are inspected and in good working order at least once per week and within 24 hours of each rainstorm event that is likely to impair the function or performance of the controls. The consent holder shall further ensure that all erosion and sediment controls are maintained such that optimal sediment capture efficiency is achieved at all times.
- 19. The consent holder shall ensure those areas of the site where earthworks have been completed shall be stabilised against erosion as soon as practically possible and within a period not exceeding 14 days after completion of any works authorised by this consent. Stabilisation shall be undertaken by providing adequate measures (vegetative and/or structural) that will minimise sediment

runoff and erosion to the satisfaction of the Council's Monitoring Officer acting in a technical certification capacity. The consent holder shall monitor and maintain the site until vegetation is established to such an extent that it prevents erosion and prevents sediment from entering any water body.

Material On The Road

The consent holder shall ensure that all vehicles and earthmoving machinery 20. exiting the site do not carry earth-worked materials onto the surrounding roading network. In the event material is tracked onto the road, the consent holder must clean and repair the road back to its original condition on a daily basis or as otherwise directed by Council's Monitoring Officer.

Jointly Owned Access Lots

- The consent holder shall paint yellow "No Parking" lines along the Jointly Owned 21. Access Lot, outside of the dedicated parking areas, to ensure access and manoeuvring is not blocked by parked vehicles.
- 22. The consent holder shall prepare and implement a Jointly Owned Access Leg lighting layout plan in accordance with the lighting shown on the approved Proposed Site Plan prepared by AHA Architecture prior to the occupation of the dwellings for acceptance by Gisborne District Council's Compliance Manager.

Stormwater

- Prior to the installation of the Rainsmart system on the site, the consent holder shall undertake additional soil and water table testing to determine the final design and size of the system. The final design of the system together with the results of the soil and water table testing shall be submitted to Council's Development Engineer for certification at least 20 working days prior to construction. The Council's certification function is limited to ensuring that the final design and size of the system remains appropriate having regard to the soil and water table testing undertaken.
- 24. Prior to occupation of any of the proposed dwellings, the stormwater controls shall be installed in accordance with the following documents:
 - The Engineering Servicing Report required by Condition 5. a.
 - b. Resource Consent Plans prepared by AHA Architecture titled NZHG Aberdeen Road, 556 – 560 Aberdeen Road, dated 19/12/2024.
- 25. The following stormwater management works shall be constructed for the following catchment areas and design requirements, and shall be completed prior to occupation of any of the proposed dwellings:

Works to be undertaken

impervious

Catchment area: Catchment area:

pervious

Design requirement(s)

Stormwater tanks	attenuation	All roof surfaces	None	Designed in accordance with TP10 and/or Rational Method (whichever is more conservative) to achieve peak flow attenuation of 10% and 1% AEP storms to pre-development levels
Rainsmart Sys	tem	All ground level paved surfaces	None	To manufacturer specifications and in accordance with approved engineering plans.
Hynds First I capacity unit	t (or similar	All ground-level paved surfaces	None	Gross pollutant contaminant removal to best practice standards

- 26. At least 10 working days prior to occupation of any dwelling, an Operation and Maintenance Plan (**OMP**) shall be submitted by the consent holder to Council's Development Engineer for certification. The purpose of the OMP is to demonstrate how the stormwater management system within the JOAL is to be operated and maintained on an ongoing basis including by future lot owners to ensure that adverse environmental effects are minimised. The plan shall include:
 - details of who will hold responsibility for long-term maintenance of the stormwater management system, including financial responsibility, and the organisational structure which will support this process;
 - b. a programme for regular maintenance and inspection of the stormwater management system;
 - c. a programme for the collection and disposal of debris and sediment collected by the stormwater management devices or practices;
 - d. a programme for post storm inspection and maintenance;
 - e. a programme for inspection and maintenance of the outfall; and
 - f. general inspection checklists for all aspects of the stormwater management system, including visual checks (This should reference the specific visual checks required for the specific devices to be installed onsite).

The Council's certification function is limited to certifying that the OMP meets the purpose and contains the information set out in this condition. No dwellings shall be occupied unless and until the OMP has been certified.

- 27. Any amendments or alterations to the OMP shall be submitted to the Council's Development Engineer for certification at least 10 working days prior to implementation. The OMP shall be updated and submitted to the Development Engineer for certification upon request.
- 28. The stormwater management system shall be managed at all times in accordance with the current version of the certified OMP.
- 29. Details of all inspections and maintenance for the stormwater management system, for the preceding three years, shall be retained by the consent holder. A maintenance report shall be provided to the Development Engineer on request.

- 30. At least 20 working days prior to commencement of any construction activities, the consent holder shall provide complete engineering design plans to Council's development engineer for certification including:
 - a. Accessway, parking and manoeuvring areas
 - b. Vehicle crossing and footpaths
 - c. Water supply
 - d. Wastewater
 - e. Stormwater.

The engineering design plans shall be in accordance with Gisborne District Council's Engineering Code of Practice 2000, Council's relevant standards contained in the Tairawhiti Resource Management Plan and NZS4404:2010 or Austroads. Council's certification function is limited to certifying that the design plans satisfactorily achieve the relevant standards referred to in this condition.

Wastewater

31. The consent holder shall submit design/construction drawings for proposed wastewater connection to each approved lot. Each wastewater connection shall include a terminal vent at the highest point of—each DN150 sewer lateral connections to each unit.

Contaminated land

- 32. Any soil intended for off-site disposal shall be disposed of at a facility consented to accept the relevant level of contamination unless further testing shows the soils to be cleanfill. Relevant evidence of testing and results, and where the material has been taken, shall be provided to the Compliance Manager within 30 days of disposal.
- 33. The consent holder shall ensure that all imported soil:
 - a. Complies with the definition of 'Cleanfill material', as per the definition set out in the Auckland Unitary Plan; and
 - b. Is solid material of an inert nature; and
 - c. Does not contain hazardous substances or contaminants above natural background levels of the receiving site.
- 34. The consent holder shall submit a Site Management Plan to Gisborne District Council's Compliance Manager for certification at least 10 working days prior to commencement of any works on site to ensure all works are in accordance with the Remediation Action and Contaminated Site Management Plan titled "Remediation Action and Contaminated Site Management Plan 556 560 Aberdeen Road, Gisborne Project No. EAM2410-02 Prepared for TW Group, Prepared by Karen Toulmin August 2024". The Council's certification function is limited to ensuring that all proposed works accord with the plans referred to in this condition. All works must be undertaken in accordance with those plans. No works may commence until the certification required by this condition is obtained.

Geotechnical

- 35. Any development, including earthworks, building platform, foundation design, site access and roading, retaining walls, and drainage, shall be undertaken in accordance with the recommendations contained in the Geotechnical Investigation Reports prepared by LDE Limited, or any recommendations contained with any addendums to this report as set out in a detailed geotechnical assessment undertaken by a geo-professional specialising in the field of geotechnical engineering. Report references are:
 - NZHG Gisborne Limited, Geotechnical Assessment Report for Proposed Residential Dwelling, Lot 1 and 2, 556 – 560 Aberdeen Road, Te Hapara, Gisborne. Project Reference 24477, Dated October 13, 2023.
 - NZHG Gisborne Limited, Geotechnical Assessment Report for Proposed Residential Dwelling, Lot 3, 556 560 Aberdeen Road, Te Hapara, Gisborne. Project Reference 24477, Dated October 12, 2023.
 - NZHG Gisborne Limited, Geotechnical Assessment Report for Proposed Residential Dwelling, Lot 4, 556 560 Aberdeen Road, Te Hapara, Gisborne. Project Reference 24477, Dated October 13, 2023.
 - NZHG Gisborne Limited, Geotechnical Assessment Report for Proposed Residential Dwelling, Lot 5 and 6, 556 – 560 Aberdeen Road, Te Hapara, Gisborne. Project Reference 24477, Dated October 13, 2023.
 - NZHG Gisborne Limited, Geotechnical Assessment Report for Proposed Residential Dwelling, Lot 7 and 8, 556 – 560 Aberdeen Road, Te Hapara, Gisborne. Project Reference 24477, Dated October 13, 2023.
 - NZHG Gisborne Limited, Geotechnical Assessment Report for Proposed Residential Dwelling, Lot 9 and 10, 556 560 Aberdeen Road, Te Hapara, Gisborne. Project Reference 24477, Dated October 13, 2023.
 - NZHG Gisborne Limited, Geotechnical Assessment Report for Proposed Residential Dwelling, Lot 11 and 12, 556 560 Aberdeen Road, Te Hapara, Gisborne. Project Reference 24477, Dated October 13, 2023.
- 36. Any application(s) for building consent to erect any structure on Lots 1 10 shall include a 'Detailed Geotechnical Report' prepared by a geo-professional specialising in the field of geotechnical engineering, which is in accordance with the recommendations in the Geotechnical Investigation Reports referenced in Condition 35 above, or any recommendations contained with any addendums to this report which shall include but not limited to:
 - a. Certifies to the satisfaction of the Consent Authority that the design of the foundations of the proposed building(s) are suitable with respect to the bearing strength of the supporting ground (In accordance with the relevant New Zealand Standards); and
 - Addresses any potential for expansive and/or compressible soils, nonengineered fill and if appropriate liquefaction or differential settlement that may need to be incorporated into the foundation design for new buildings; and

- c. Includes site specific geological, geomorphological and stability analysis that confirms that the proposed development will not be subject to natural hazards; and
- d. Specifies as appropriate, any remedial works or mitigation measures to be undertaken to protect the development from natural hazards; and
- e. Foundations designed by a suitably qualified Geotechnical Engineer to mitigate against the identified geohazards.

The building(s) shall be constructed in accordance with the recommendations in the submitted Detailed Geotechnical Report.

<u>Advice Note</u>: Reference should be made to the minimum requirements outlined in the Gisborne District Council 'Minimum Requirements for Geotechnical Reports' document – December 2021 and the 'Bearing Capacity and Geotechnical Investigation Requirements for Buildings' - 2022.

37. Prior to occupation of any of the dwelling units, a geotechnical completion report prepared by a qualified geo-professional (as defined in NZS4404:2010) who has monitored the work, shall be submitted to the Gisborne District Council's Compliance Manager in writing (compliance.admin@gdc.govt.nz) attesting to the suitability of the land for its intended purpose. The form in Schedule 2A of NZS 4404:2010 shall be completed and submitted along with the geotechnical completion report.

<u>Advice note:</u> The Council may require this report to be subject to independent peer review at the consent holder's cost.

Landscaping

- 38. The consent holder shall prepare and submit a final landscaping and planting plan prepared by a suitably qualified person to Gisborne District Council's Compliance Manager (compliance.admin@gdc.govt.nz) for certification at least 20 working days prior to any landscaping or planting commencing. The purpose of this plan is to ensure that the proposed landscaping, planting and maintenance is appropriate having regard to the following matters, which must be included in the landscape and planting plan (which may also include additional matters):
 - a. A description of the existing planting and the proposed planting;
 - b. A schedule of species to be planted with the mature height for each;
 - c. How the public space (footpath) will be clearly demarcated from the private space along the dwelling frontages. It is not preferable for front doors and/or access ramps to exit directly onto the footpath;
 - d. Any effect on underground or overhead services;
 - e. A maintenance programme;
 - f. Confirmation that the minimum sight distances required for the vehicle entrance into the subject site are not adversely affected by any planting proposed in the vicinity of the entrance;
 - g. The qualifications and experience of the person preparing the plan.

The Council's certification function is limited to certifying that the plan required by this condition meets the purpose and contains the matters set out in this condition. Any subsequent changes to the certified landscape and planting plan shall be submitted to Gisborne District Council's Compliance Manager for certification (compliance.admin@gdc.govt.nz) at least 20 working days prior to giving effect to these changes.

- 39. The consent holder shall ensure that it obtains certification of the landscape and planting plan required by condition 38 and then comply with the certified plan. The required planting shall take place during the next planting season immediately following completion of the physical work associated with the exercise of this consent.
- 40. The consent holder shall maintain the planting required by Condition 39 in good health and condition until all of the lots created by the related subdivision consent reference SG-2023-112106-00 have been sold, at which time the owners of the lots are required to maintain the planting pursuant to the consent notices required by condition 51.b. Any plant assessed by an arborist experienced in the assessment of plant health as being a danger to life or property and / or any dead, dying or diseased plants shall be removed, and subsequently replaced by the consent holder so as to maintain the mitigation planting intended by these conditions.

SUBDIVISION

The following conditions shall be completed either before obtaining a Code of Compliance Certificate for any of the dwellings authorised by the associated land use consent (Resource Consent LU-2023-112105-00 and NC-2023-112107-00) or prior to requesting approval pursuant to section 224 of the Resource Management Act 1991 (whichever comes first).

- 41. The dwellings within Lots 1 10 shall not be occupied until all service connections and access to the dwellings are provided and constructed in accordance with the certified plans and to the satisfaction of the Gisborne District Council's Compliance Manager.
- 42. Prior to requesting approval under Section 224 of the Resource Management Act 1991 the consent holder shall provide confirmation of compliance with Conditions (1)-(40) above.

Vehicle Crossing

43. The consent holder shall construct new vehicle crossings to access Lots 2 and Lot 8 from Aberdeen Road, in accordance with the subdivision application, and to meet Gisborne District Council's Engineering Code of Practice 2000. The vehicle crossings shall be formed with concrete or sealed between the existing seal edge of Aberdeen Road and the property boundary.

- 44. The consent holder shall construct a new vehicle crossing into Lot 100, providing vehicle access to Lots 1, 3 7 and 9-10 on Aberdeen Road, in accordance with the subdivision application, and to meet Gisborne District Council's Engineering Code of Practice 2000. The vehicle crossing shall be formed with concrete or sealed between the existing seal edge of Aberdeen Road and the property boundary.
- 45. The consent holder shall submit design/construction drawings for the proposed accessway, parking and manoeuvring areas to Gisborne District Council's Development Engineer for certification at least 20 working days prior to carrying out any construction work required by this consent Council's certification function is limited to certifying that the drawings comply with Council's relevant standards as set out in Gisborne District Council Tairawhiti Resource Management Plan and NZS4404:2010 or Austroads and that the submitted drawings include (but need not limited to):
 - a. Pavement design based on testing of existing ground; and
 - b. Test results of in-situ ground for the portion of new pavement to be constructed and for the existing formation; and
 - c. Disposal of stormwater including all structures and erosion control; and
 - d. Surface treatment i.e. sections to be sealed/concreted.

Form Schedule 1A of NZS 4404:2010 shall be completed and submitted along with the drawings. All work associated with the accessway lots shall be designed, constructed and completed to the satisfaction of the Council's Development Engineer.

- 46. The consent holder shall construct the proposed accessway (Lot 100) to Council's standards as set out in the Gisborne District Council Tairawhiti Resource Management Plan and Section 3.3.16 of NZS 4404:2010. All work shall be completed to the satisfaction of Council's Development Engineer. The following issue(s) shall also be addressed:
 - a. The accessway lot shall be in accordance with the certified engineering plans required by condition 45 of this consent.
- 47. The consent holder shall submit a written statement from a suitably qualified professional, that:
 - a. The physical works required by conditions 43, 44, 45 and 46 have been carried out in accordance with the accepted engineering plans.
 - b. The physical works meet Gisborne District Council's Engineering Code of Practice 2000 or the relevant standards.
 - c. (Form Schedule 1C of NZS 4404:2010) shall be completed and submitted along with the written statement.

Services

48. The consent holder shall reticulate the entire subdivision/development with connections to the following services (this includes provision of individual connections for Lots 1 through to 10):

- Water supply
- Wastewater
- Stormwater
- Power
- Telecommunications

<u>Advice Note</u>: All existing Water and Wastewater lateral connections to this site that have not been integrated into the latest infrastructure design drawings must be discontinued and terminated at their connection point to the main line.

As builts

49. The consent holder shall submit 'as built' plans detailing the works required by conditions 43 to 48 above. The 'as-built' plans shall be in accordance with Gisborne District Council's Engineering Code of Practice 2000.

<u>Advice note</u>: an alternative standard may be used but must be agreed upon by the consent holder and Gisborne District Council's Development Engineer prior to application for section 224 approval.

For services we would expect to receive:

- A plan(s) with all the services including manholes, lid levels, diameter & invert inlets and outlet levels, pipes diameter material, and joint types.
- A profile section of all assets runs and any change of grade.
- Service connections diameter, length and material types. Also in the case of water, valves, hydrants, tee's and any change of pipe direction and service connections and manifold positions.
- A list of survey coordinates in terms of Poverty Bay 20000/GVD(26) or vertical datum NZVD2016.
- Position of lighting poles and location of all wiring
- Location of power, telecom, fibre optics, infrastructure
- All section servicing
- All in-road assets
- Stormwater swales, channels and outlets

For the total subdivision we would expect to receive:

- A contour plan of the finished subdivision.
- 50. Prior to application for certification pursuant to section 224 of the Resource Management Act 1991, the consent holder shall conduct a CCTV survey of any public and private sewer and stormwater reticulation constructed and/or existing within the proposed subdivision, to assess, but not be limited to, pipe condition,

pipe jointing, and gradient variations. The CCTV survey shall be recorded onto digital format and submitted for certification by Council's Development Engineer. The Council's certification function is limited to certifying that the condition of the reticulation is acceptable and meets the required standards contained in the GDC Engineering Code of Practice. All work shall be carried out in accordance with the Guidelines as set out in the New Zealand Pipe Inspection Manual 2006 (3rd Edition) and be at the consent holder's expense. The following matters shall also be addressed:

- a) The CCTV shall be completed after all major earthworks have been finished and prior to sealing where located under new roading.
- b) The CCTV files submitted shall be accompanied by a report from a suitably qualified professional detailing each separate pipeline surveyed highlighting any defects found and suggested remedy for the repair/elimination of defects found.
- c) The CCTV shall be for all existing and proposed sewer and stormwater reticulation intended to be connected to Council reticulation.

Consent Notices

- 51. Pursuant to Section 221 of the Resource Management Act 1991 a consent notice condition shall be imposed on the record of title of Lots 1-10 to record the following obligations to be complied with on a continuing basis by the lot owners advising as follows:
 - a. The stormwater management system shall be maintained and managed on an ongoing basis by the owners of each Lot in accordance with the certified Operation and Maintenance Plan required by Condition 26 of the associated Land Use and Subdivision Consent (Resource Consent LU-2023-112105-00, SG-2023-112106-00, NC-2023-112107-00) and each Lot owner shall be jointly and severally responsible for ongoing compliance with the certified OMP.
 - b. The planting required by Condition 39 of the associated Land Use Consent (Resource Consent LU-2023-112105-00) shall be maintained in good health and condition unless any plant is assessed by an arborist experienced in the assessment of plant health as being a danger to life or property. Any such dangerous plant, or any dead, dying or diseased plants, shall be replaced in the subsequent planting season so as to maintain the mitigation planting intended by Condition 39 of the Land Use Consent

Amalgamation Conditions

- 52. That Lot 100 (legal access) be held as to eight (8) undivided one-eighth shares by the owners of Lots 1, 3-7 and 9-10 as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
- 53. That lot 4 hereon and lot 1004 hereon be held in the same record of title.

- 54. That lot 5 hereon and lot 1005 hereon be held in the same record of title.
- 55. That lot 6 hereon and lot 1006 hereon be held in the same record of title.
- 56. That lot 7 hereon and lot 1007 hereon be held in the same record of title.
- 57. That lot 9 hereon and lot 1009 hereon be held in the same record of title.
- 58. That lot 10 hereon and lot 1010 hereon be held in the same record of title.

Easements

59. All easements shown on the schedule of easements shall be duly granted and reserved and included on the cadastral survey dataset.

Sheet Index				
Layout ID	Layout Name	Status Code		
01	Site Aerial and Existing Site Plan	RC		
02	Neighbourhood Context	RC		
03	Proposed Site Plan	RC		
04	Unit Plan	RC		
05	Landscaping and Fencing Plan	RC		
06	Typology Floor Plans 01	RC		
07	Typology Floor Plans 02	RC		
08	Typology Floor Plans 03	RC		
09	Site Elevations - External Boundaries	RC		
10	Site Elevations - Inner Boundaries	RC		
11	3D Persepctives & Colour Selections	RC		
12	3D Perspectives	RC		



Resource Consent

Issue Date: 19/12/2024 556 - 560 Aberdeen Road

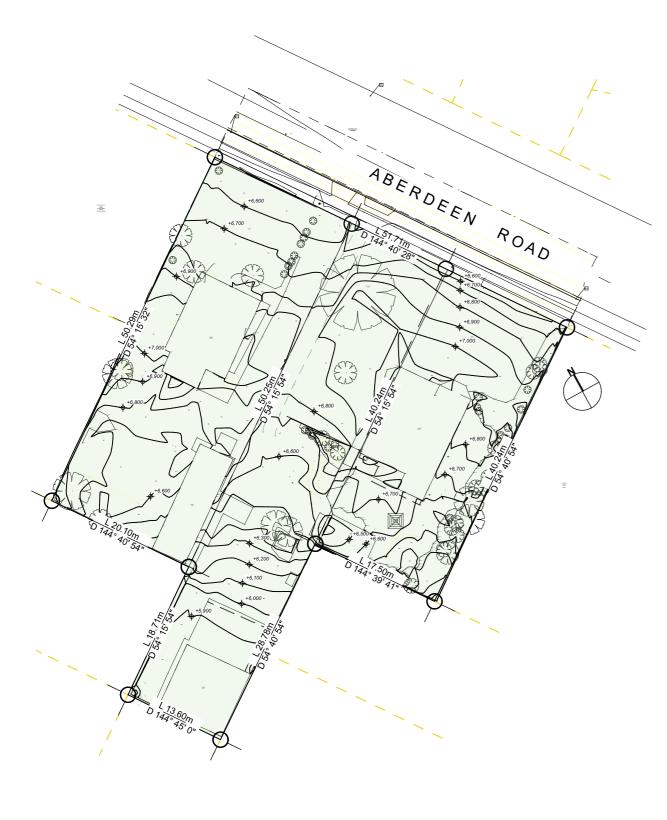
Gisborne New Zealand NZHG Aberdeen Road

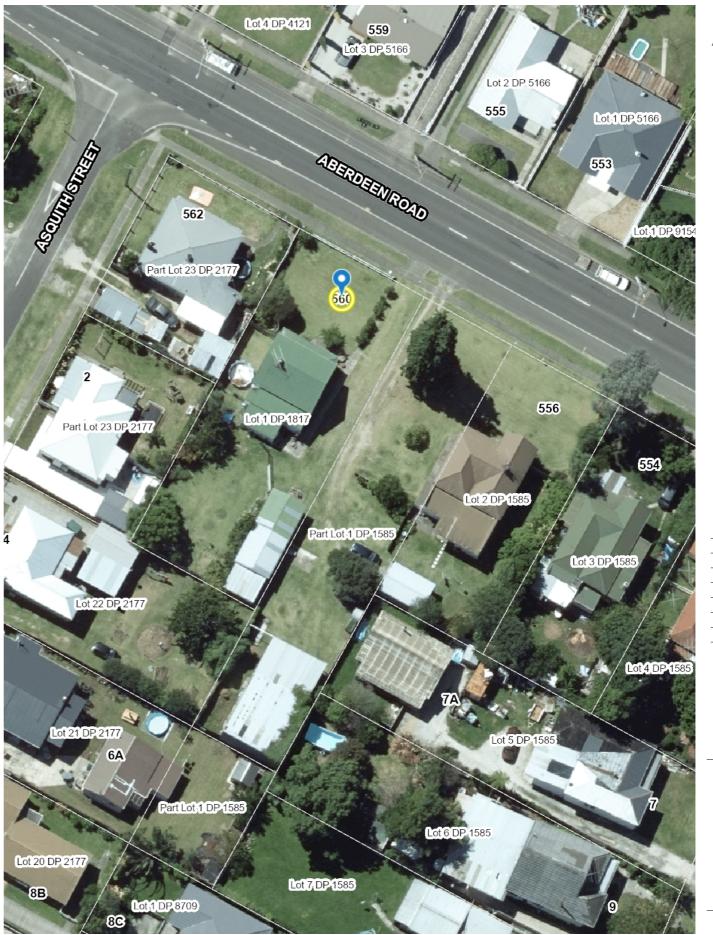


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p: 027 465 9236







Site Aerial

Site Aerial and Existing Site Plan

Resource Consent

NZHG Aberdeen Road 556 - 560 Aberdeen Road

Revision:

Scale at A3:

1:500

Date Issued:

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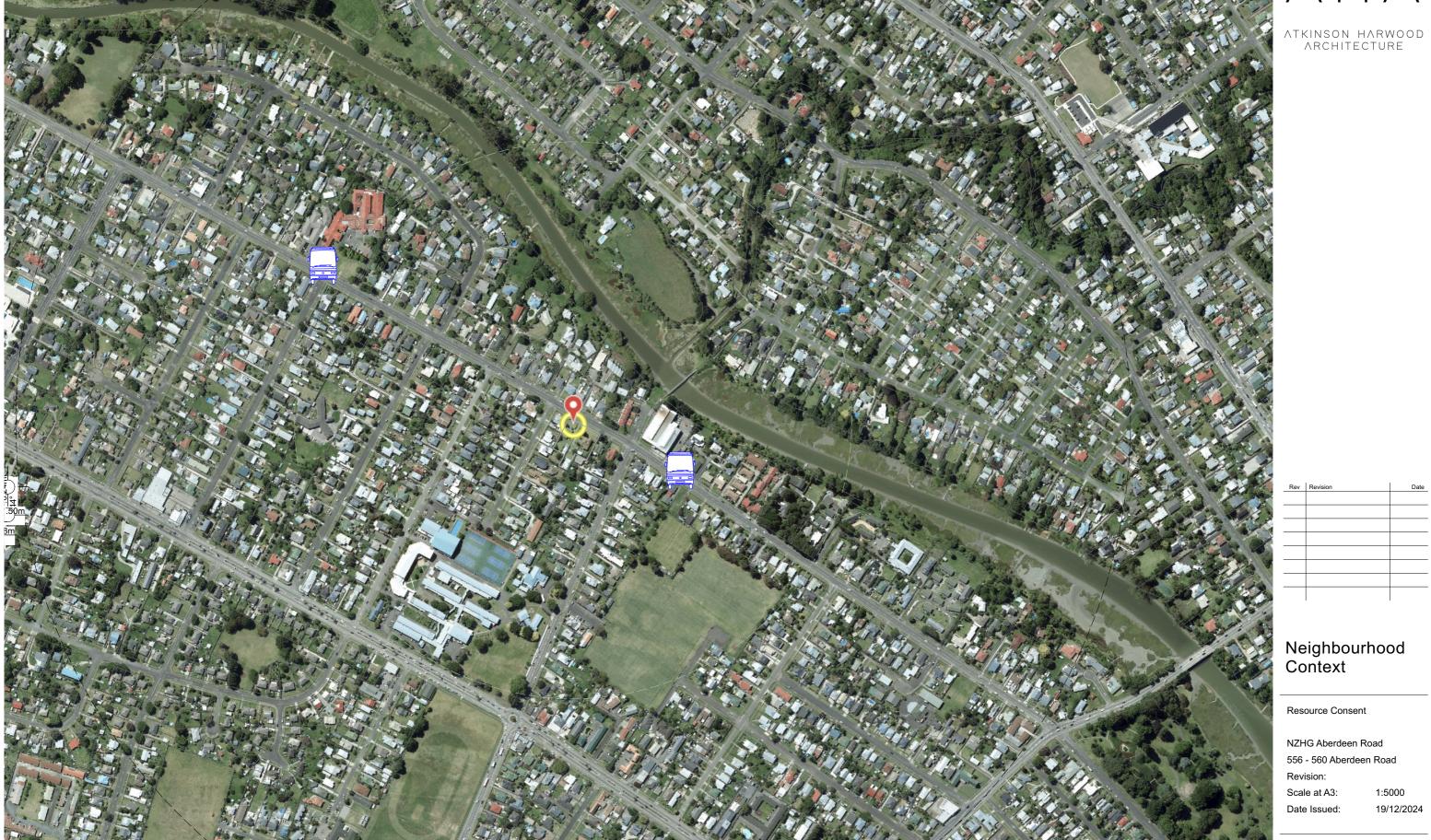
Existing Site Plan

Scale 1:500

1:1.0712,

19/12/2024





Neighbourhood Context

Resource Consent

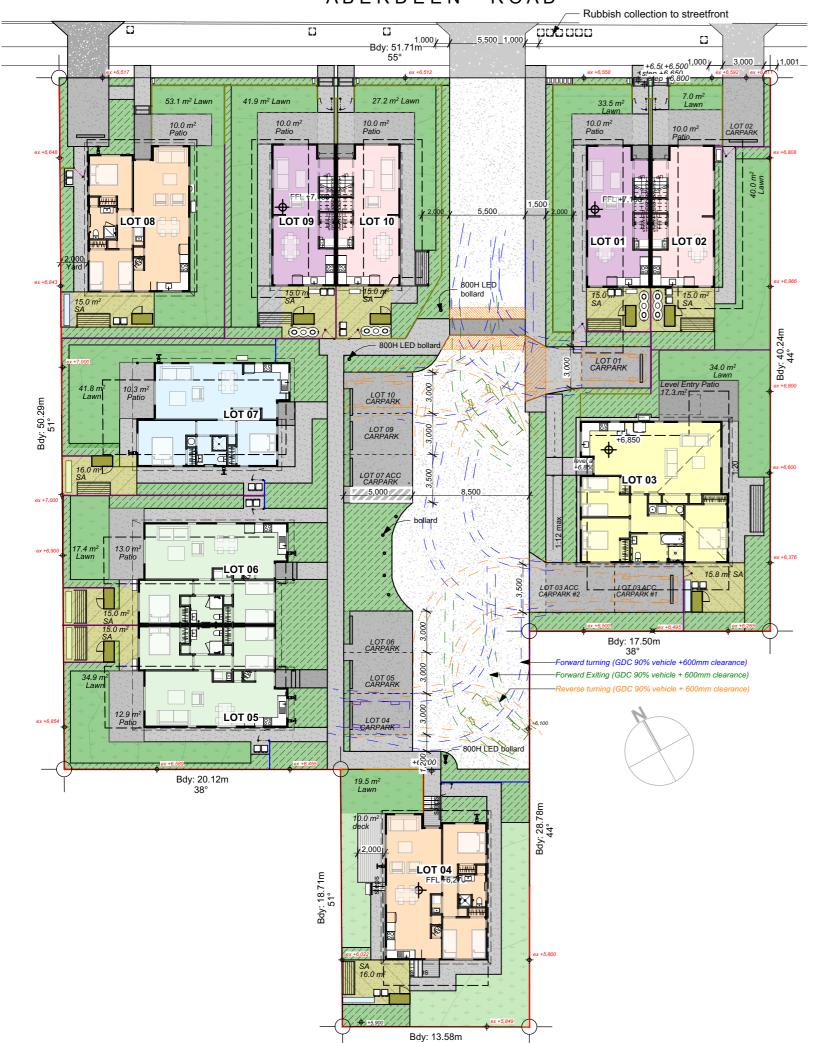
NZHG Aberdeen Road 556 - 560 Aberdeen Road

Revision:

Scale at A3: 1:5000 Date Issued: 19/12/2024

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ABERDEEN ROAD





FENCE	KE
-------	----

1.5m Timber Pailing Fence with visually permeable upper section 1.25m Timber Pailing Fence 1.85m Closed board Timber Pailing Fence 1.85m Timber Pailing Fence 1.85m Timber Pailing Fence with visually permeable upper section

Gate - 1.2m Aluminium Gate: 1.8m Timber Paling on Metal frame SITE FEATURES 28m Washing Line 1000L APD Tank **600** BTS2000 Exterior AC unit Garden Master Shed 1.53 x 0.785 Letter Box Rubbish Bins Washing Line: SwiftDry Skyline 40m SITE WORKS Concrete Paving (Broom Finish)

	Garden Bed with Mulch
	New Vehicle Crossing
	Private Carpark (Broom Finished with Sawcu
	Service Court Concrete (Broom Finish)
△	Shared Driveway (Broom Finished with 4% Oxide)
TYPOLOGIES	
	i2 Two Storey Duplex

Z2 BE Duplex

Z2 FE House

Z2+ BE FUD

Z3+ BE ACC

Proposed Site Plan

Resource Consent

02-1 Lot 7&8 service area position

03-1 Typology adjusted 03-2 Positioning adjusted 04-1 Tracking curves updated with 600mm recomended clearance

05-1 New 10 Lot Scheme

06-1 New 10 Lot Scheme update 16/12/2024

2/04/2024

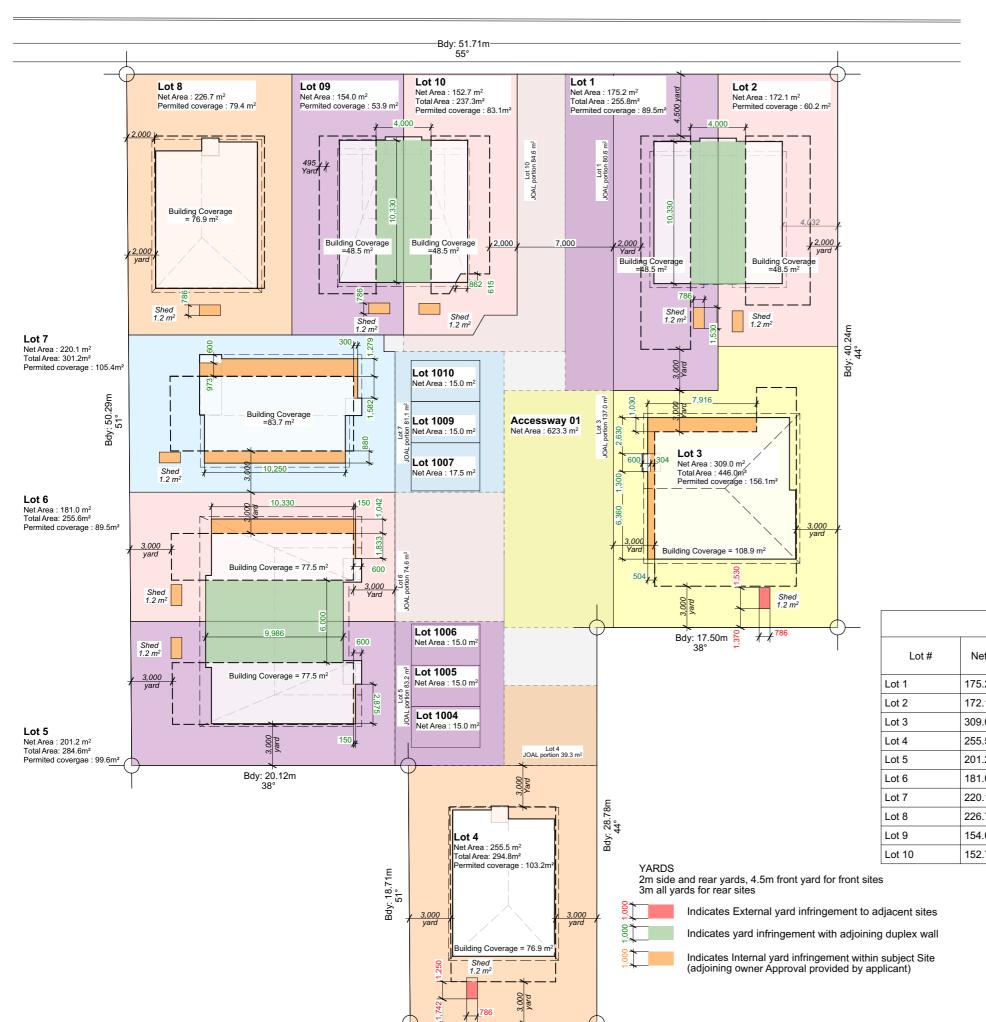
1/10/2024

10/12/2024

NZHG Aberdeer	n Road
556 - 560 Aberd	een Road
Revision:	06
Scale at A3:	1:275, 1:1
Date Issued:	19/12/2024

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Bdy: 13.58m 38°

Lot Sizes and GDC Site Coverage					
Lot # Net Area (m²) Total Area (m²) GDC Allowed Coverage portion) 35% (m²) Proposed Building Coverage (m²) Proposed Si					
Lot 1	175.2	254	89.5	49.7	Complies
Lot 2	172.1	157.4	60.2	49.7	Complies
Lot 3	309.0	446.6	156.1	110.1	Complies
Lot 4	255.5	294.8	103.2	78.1	Complies
Lot 5	201.2	284.6	99.6	78.7	Complies
Lot 6	181.0	255.6	89.5	78.7	Complies
Lot 7	220.1	301.2	105.4	84.9	Complies
Lot 8	226.7	226.7	79.4	78.1	Complies
Lot 9	154.0	154.0	53.9	49.7	Complies
Lot 10	152.7	237.3	83.1	49.7	Complies

Total Site Coverage: 707.4m²

Overall site coverage: 26.5%

Total Site Area: 2,671.0m²

Unit Plan

Resource Consent

NZHG Aberdeen Road 556 - 560 Aberdeen Road

Site coverage updated based on Net Site + Portt of JOAL. Interala yard infringments coloured Orange

04-1 New 10 Lot Scheme update

03-1 New 10 Lot Scheme

Revision:

Scale at A3:

Date Issued: 19/12/2024

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04

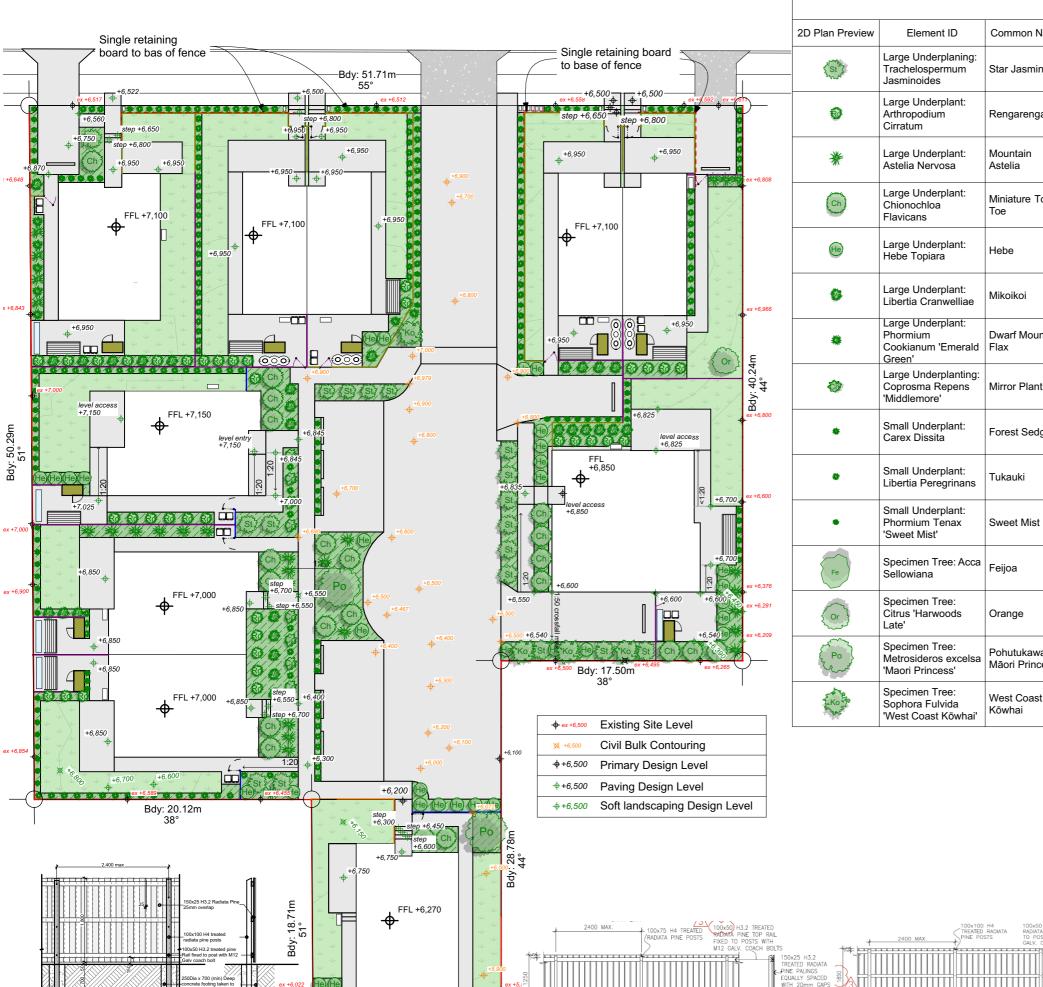
1:275, 1:1

31/07/2024

23/08/2024

10/12/2024

16/12/2024



TIMBER FENCE

1.2m Timber Pailing Fence

-Fence

Fence

1.85m Timber Pailing Fence

Fence

1.85m Closed Board Timber Pailing Fence

-Timber palings with 25mm overlap



95

1,000

4,000

2,000

shade

(deciduous)



Rev	Revision	Date
01-1	Entrance width increased	
01-2	Grass and planting areas calcualtion	23/02/2024
02-1	New 10 Lot Scheme update	16/12/2024

Landscaping and Fencing Plan

Resource Consent

NZHG Aberdeen Road 556 - 560 Aberdeen Road

Revision:

1:274.0922, Scale at A3:

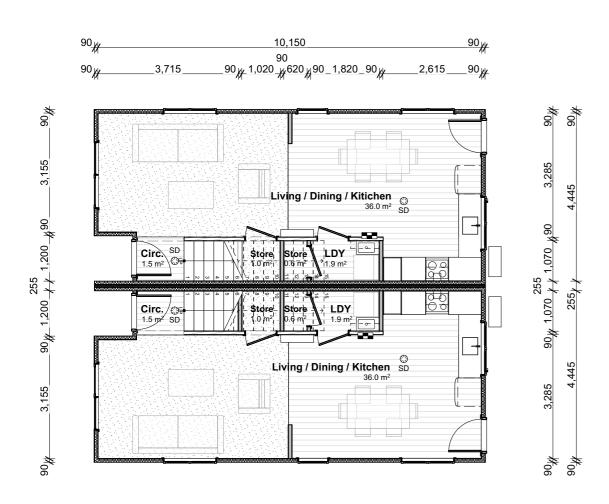
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1:1, 1:300, 1:81.0689

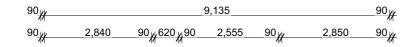
Date Issued: 19/12/2024

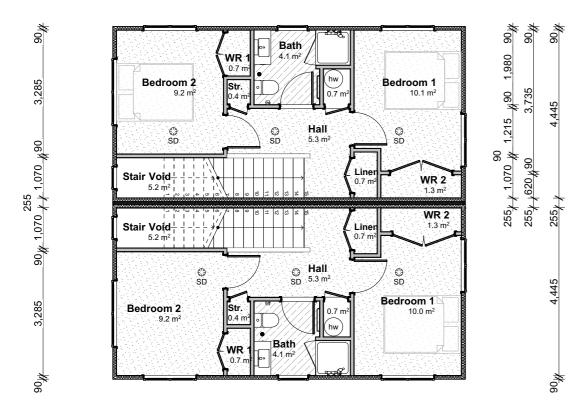
e: sol@atkinsonharwood.co.nz p: 027 465 9236

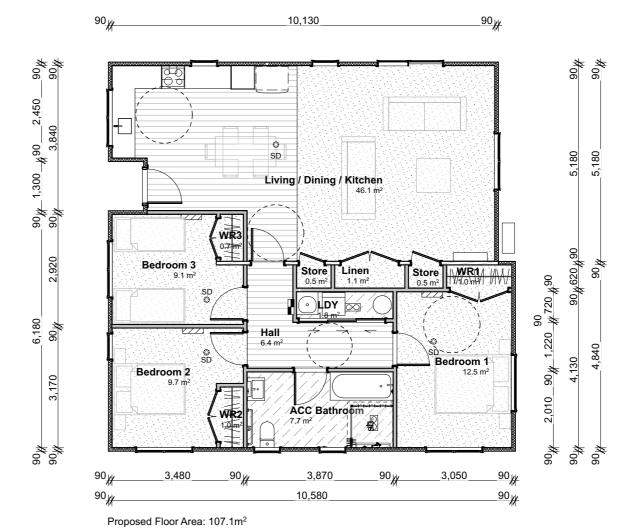
Fence 1.85m / 1.55 Timber Fence with visually permeable upper section - 1.55m / 1.25m Timber Pailing Fence



12 DUPLEX GROUND FLOOR







Z3+ ACC BE HOUSE

LOT 3

I2 Areas (per Unit)	
Space Name	Area (m²)
Footprint Per Unit	
First Floor Footprint	37.4
Ground Floor Footprint	46.8
	84.2 m²
Unit 1	
Bath	4.1
Bedroom 1	10.1
Bedroom 2	9.2
Circ.	1.5
Hall	5.3
HWC	0.0
LDY	1.9
Linen	0.7
Living / Dining / Kitichen	36.0
Stair Void	5.2
Store	1.0
Store	0.6
Str.	0.4
WR 1	0.7
WR 2	1.3

Areas				
	Space Name	Area (m²)		
Z3+ A	VCC			
	ACC Bathroom	0.4		
	Bedroom 1	0.6		
	Bedroom 2	0.5		
	Bedroom 3	0.5		
	Hall	0.3		
	LDY	0.1		
	Linen	0.1		
	Living / Dining / Kitchen	2.3		
	Store	0.0		
	Store	0.0		
	WR1	0.1		
	WR2	0.0		
	WR3	0.0		



Rev	Revision	Date
01-1	Typology adjusted	31/07/2024
02-1	New 10 Lot Scheme	10/12/2024
03-1	New 10 Lot Scheme update	16/12/2024

Typology Floor Plans 01

Resource Consent

NZHG Aberdeen Road 556 - 560 Aberdeen Road

Revision: Scale at A3:

Date Issued:

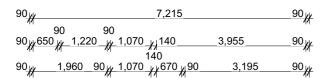
e: sol@atkinsonharwood.co.nz

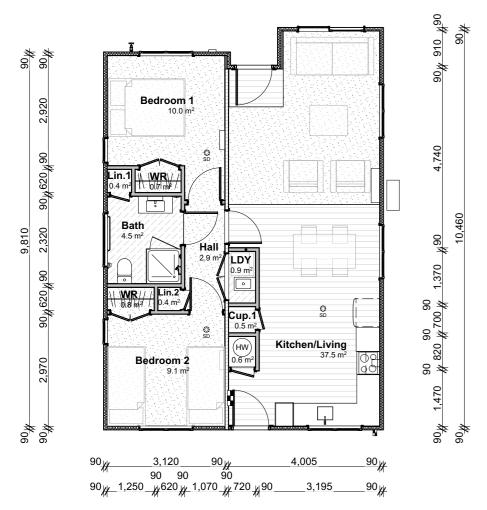
p: 027 465 9236

12 DUPLEX FIRST FLOOR

1:100, 1:1

19/12/2024





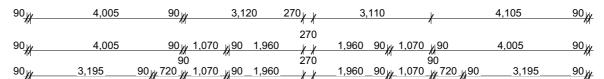
Proposed Floor Area: 75.4m²

Z2 FE HOUSE

Scale 1:100

LOT 4 & 8

Areas				
	Space Name	Area (m²)		
Z2 F	ront Entry			
	Bath	4.5		
	Bedroom 1	10.0		
	Bedroom 2	9.1		
	Cup.1	0.5		
	Entry	1.4		
	Hall	2.9		
	HW	0.6		
	Kitchen/Living	36.1		
	LDY	0.9		
	Lin.1	0.4		
	Lin.2	0.4		
	WR	0.8		
	WR	0.7		





Z2 BE DUPLEX

Scale 1:100

LOT 5 & 6

Proposed Floor Area: 75.3m²



Rev	Revision	Date
01-1	New 10 Lot Scheme	10/12/2024
02-1	New 10 Lot Scheme update	16/12/2024
	1	I

Typology Floor Plans 02

Resource Consent

NZHG Aberdeen Road 556 - 560 Aberdeen Road

Revision:
Scale at A3:
Date Issued:

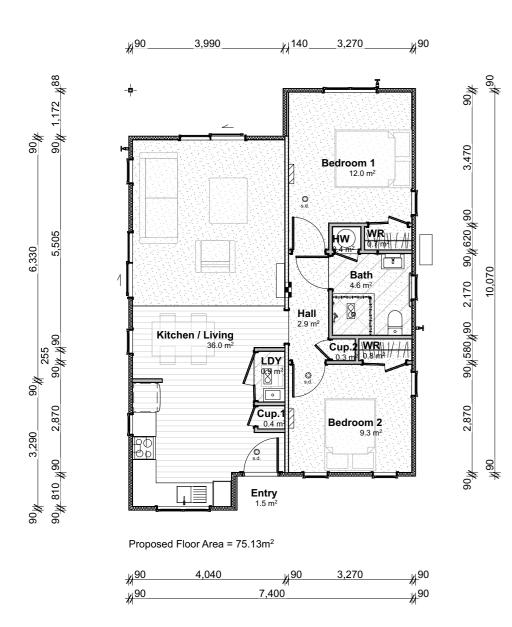
e at A3: 1:100 e Issued: 19/12/2024

02

e: sol@atkinsonharwood.co.nz p: 027 465 9236

p. 027 403 3230





Z2 BE HOUSE

Scale 1:100

LOT 7

	Areas	
	Space Name	Area (m²)
Z2 FUD		
	WR	0.81
	Kitchen / Living	35.95
	Hall	2.95
	LDY	0.93
	Bath	4.62
	Bedroom 2	9.26
	Bedroom 1	11.96
	WR	0.74
	Cup.2	0.32
	HW	0.44
	Cup.1	0.42
	Entry	1.49

Rev	Revision	Date
01-1	Typology adjusted	31/07/2024
02-1	New 10 Lot Scheme	10/12/2024
03-1	New 10 Lot Scheme update	16/12/2024

Typology Floor Plans 03

Resource Consent

NZHG Aberdeen Road 556 - 560 Aberdeen Road

Revision: Scale at A3:

Date Issued:

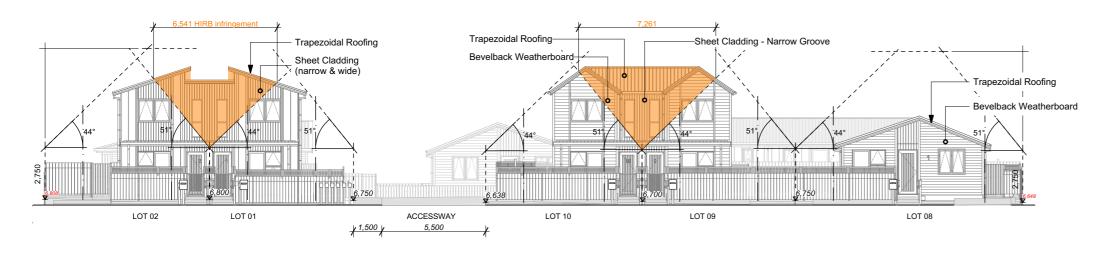
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1:100

19/12/2024

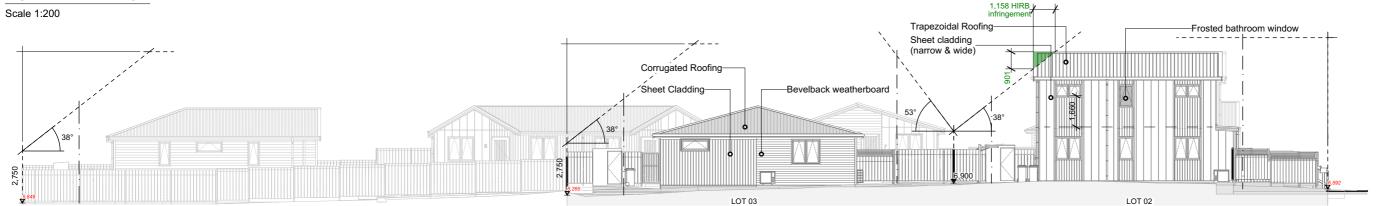
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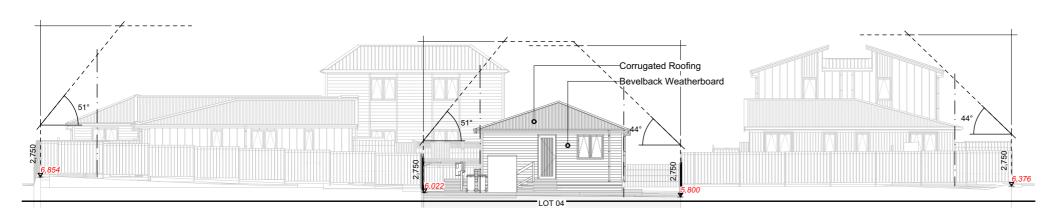


NORTH ELEVATION



EAST ELEVATION

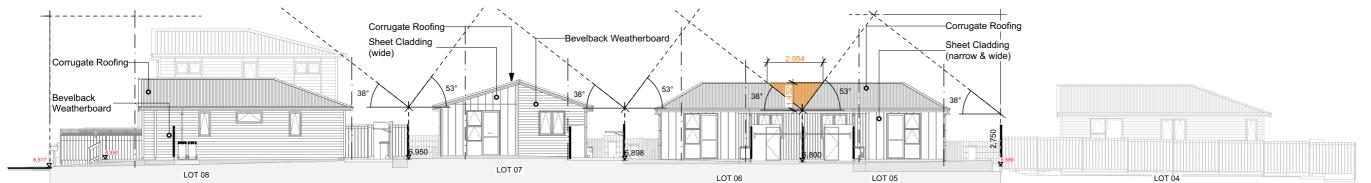
Scale 1:200



Rev	Revision	Date
01-1	Positioning adjusted	31/07/2024
02-1	New 10 Lot Scheme	10/12/2024
03-1	New 10 Lot Scheme update	16/12/2024
		I

SOUTH ELEVATION

Scale 1:200



Site Elevations -External Boundaries

Resource Consent

NZHG Aberdeen Road 556 - 560 Aberdeen Road Revision: 03

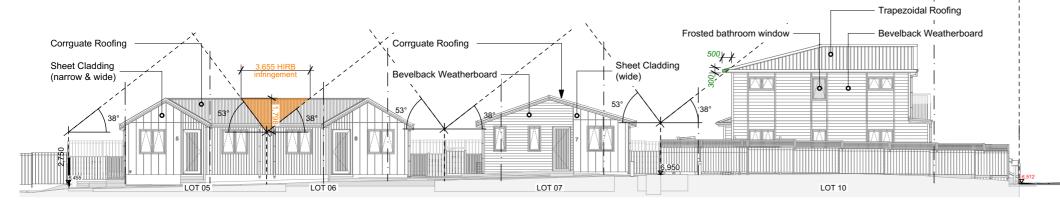
Scale at A3: 1:200

Date Issued: 19/12/2024

e: sol@atkinsonharwood.co.nz p: 027 465 9236

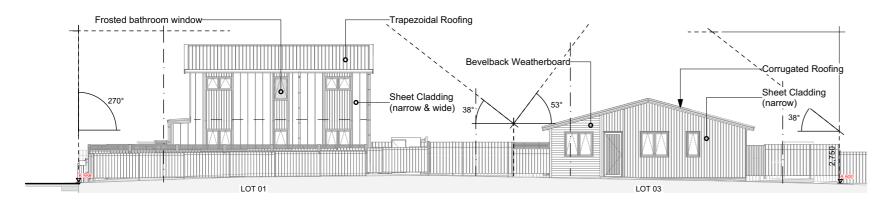
WEST ELEVATION

Scale 1:200



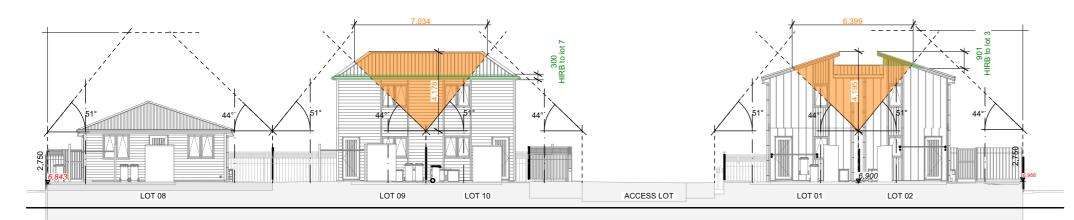
EAST ELEVATION INNER

Scale 1:200



WEST ELEVATION INNER

Scale 1:200



SOUTH ELEVATION INNER

Scale 1:200

PROPOSED COLOUR SCHEME

LOT 01 & 02





Roofing: Gull Grey Exterior Joinery: Appliance White Matt Front Door: Mist Green (Paddock) and Scoria Sheet Cladding: Half Foundry and Concrete

I OT 03



Roofing: Gull Grey
Exterior Joinery: Appliance White Matt
Front Door: Lignite
Bevelback Weatherboard: Quarter Delta
Sheet Cladding: Paddock & Pendragon (Entry)

LOT 04



Roofing: Gull Grey Exterior Joinery: Appliance White Matt Front Door: New Denim Blue Bevelback Weatherboard: Concrete Sheet Cladding: Pendragon

LOT 05 & 06



Roofing: Gull Grey Exterior Joinery: Appliance White Matt Front Door: Mist Green (Paddock) & Lignite Sheet Cladding: Foundry & New Denim Blue

LOT 07



Roofing: Gull Grey Exterior Joinery: Appliance White Matt Front Door: Lignite Bevelback Weatherboard: Quarter Delta Sheet Cladding: Paddock

LOT 08





Roofing: Gull Grey
Exterior Joinery: Appliance White Matt
Front Door: Scoria
Bevelback Weatherboard: Quarter Delta
Sheet Cladding: Pendragon

LOT 09 & 10











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Revision:

Scale at A3:

Date Issued:

01-1 Positioning adjusted

02-1 New 10 Lot Scheme

03-1 New 10 Lot Scheme update

Site Elevations -

Inner Boundaries

Resource Consent

NZHG Aberdeen Road

556 - 560 Aberdeen Road

03

1:200

19/12/2024

31/07/2024

10/12/2024

16/12/2024

Roofing: Gull Grey
Exterior Joinery: Appliance White Matt
Front Door: Mist Green (Paddock) & Scoria
Bevelback Weatherboard: Concrete
Sheet Cladding: New Denim Blue





NORTH VIEW

PROPOSED COLOUR SCHEME

LOT 01 & 02











Roofing: Gull Grey Exterior Joinery: Appliance White Matt Front Door: Mist Green (Paddock) and Scoria Sheet Cladding: Half Foundry and Concrete

LOT 03





Front Door: Lignite
Bevelback Weatherboard: Quarter Delta
Sheet Cladding: Paddock & Pendragon (Entry)

LOT 04









Roofing: Gull Grey
Exterior Joinery: Appliance White Matt
Front Door: New Denim Blue
Bevelback Weatherboard: Concrete
Sheet Cladding: Pendragon

LOT 05 & 06



Roofing: Gull Grey Exterior Joinery: Appliance White Matt Front Door: Mist Green (Paddock) & Lignite Sheet Cladding: Foundry & New Denim Blue



CENTRAL VIEW

LOT 07













LOT 08









LOT 09 & 10





Roofing: Gull Grey
Exterior Joinery: Appliance White Matt
Front Door: Mist Green (Paddock) & Scoria
Bevelback Weatherboard: Concrete
Sheet Cladding: New Denim Blue







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Revision: Scale at A3:

Date Issued:

3D Persepctives

& Colour

Selections

Resource Consent

NZHG Aberdeen Road

556 - 560 Aberdeen Road

19/12/2024







Rev	Revision	Date

3D Perspectives

Resource Consent

NZHG Aberdeen Road 556 - 560 Aberdeen Road Revision:

Scale at A3:

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19/12/2024