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INTEREST: DURING MARKETING CAMPAIGNS DATES AND TIMEFRAMES SOMETIMES CHANGE. IF YOU HAVE NOT MADE US AWARE THAT YOU ARE INTERESTED IN PURSUING THE PROPERTY, WE WILL NOT BE ABLE TO INFORM YOU OF ANY CHANGES AND YOU MAY LOSE OUT.

2 March 2022

Re: 11 Greenwoods Close, Titirangi

Thank you for your interest in the above property currently listed with us and for sale by **BY NEGOTIATION**.

We have made available to you the following:

- Certificate of Title
- LIM
- Rates information from Auckland Council
- School Zones
- REA Code of Conduct
- REA Guide to Selling and Buying
- Conditions of sale

11 Greenwoods Close is 749m² more or less fee simple estate Certificate of Title 892961 Lot 5 Deposited Plan 537194. Zoning: Residential – Single House Zone

THINGS WE WANT TO DRAW YOUR ATTENTION TO:

Land Information Memorandum (LIM)

Wind Zones for this property	Low wind speed of 32 m/s
Overland Flow Path	This site spatially intersects with one or more Overland Flow Paths.

Special Feature - General	04/08/2015 - Other than the existing driveway leading to the existing dwelling and two existing sheds on the land described in the Second Schedule hereto, the Owner shall not carry out any development, nor place, erect, construct any buildings, structures, swimming pool, tennis court, nor excavate land, plant native trees, install drainage or carry out any other activity that may preclude a future access formation on all the land contained within the area shown "C" on the Scheme Plan, Plan No SC.01, Job No: 20660, Rev A, dated 20.03.2013
Planning	<p>LUC-2010-851 Land Use Consent Earthworks associated with the formation of a road Granted 14/09/2010</p> <p>LUC-2013-194 Change of Condition (s127) Sec 127 application to cancel conditions (FC3) and (FC4) of SUB 2010-766 Withdrawn 25/03/2013</p> <p>LUC-2016-2178 Land Use - Stream Consent Proposed 9 lot subdivision over 3 stages and undertake associated earthworks and vegetation removal to construct an extension to Greenwoods Close and a right of way. Granted 16/11/2017</p> <p>LUC-2016-2178 Land Use Consent Proposed 9 lot subdivision over 3 stages and undertake associated earthworks and vegetation removal to construct an extension to Greenwoods Close and a right of way. Granted (Construction Monitoring Underway) 16/11/2017</p>
Subdivision	<p>SUB-2013-416 Subdivision Consent 2 lot subdivision around existing development Granted 09/04/2013</p> <p>LUC-2016-2178 Subdivision Consent Proposed 9 lot subdivision associated with LUC-2016-2178 Granted 16/11/2017</p> <p>LUC-2016-2178 Subdivision survey plan ((s)223) S223 Application - Lt Plan 537194 Granted 04/12/2019</p> <p>LUC-2016-2178 Subdivision completion cert ((s)224C) S224C Application - Lt Plan 537194 - 14 lot subdivision Approved 24/12/2019</p>
Building	<p>ABA-2000-547 Dwelling 10/03/2000 CCC Not Issued</p> <p>ABA-2002-1528 Heater installation 16/05/2002 CCC Issued 05/06/2002</p>

Settlement Date on Offer: Prior to 27 March 2022



The ProAgent Team

PREMIER
MEMBER 19 - 20

Gaston Coma
021 234 3788 | gaston.coma@raywhite.com

Bronwyn Scott-Woods
021 613 632 | bronwyn.scott-woods@raywhite.com

Austar Realty Ltd Licensed (REAA 2008) | 423 Titirangi Road, Titirangi 0604

The PRO AGENT.CO.NZ Team

Disclosures:

- The owner is going through the process to obtain final CCC. Contact the agent to discuss further.
- The purchaser is aware of the following:
 - (a) The garage door has been removed and replaced with a non-load bearing wall and bi-fold doors inside the existing garage door frame. This work was done by a Licenced Building Practitioner in 2010. The vendors may be required to make changes to this according to Council requirements; and
 - (b) The outdoor pergolas have clear polycarbonate roofing, whereas the consented plans show the pergolas as uncovered. The vendors may be required by Council to remove this roofing, but will leave onsite for the new owner; and
 - (c) The upper-level hallway wooden balustrade was not signed off by an engineer and is likely to require replacement in order to obtain the CCC from Council. The balustrade will be left onsite for the new owner.

We recommend that when purchasing a property, you seek legal advice, complete due diligence including getting a building report and arrange your finance.

This information has been supplied to us by a third party. Accordingly, the Vendor and Austar Reality Limited are merely passing over this information as supplied to us by others. While we have passed on this information supplied by a third party, we have not checked, audited, or reviewed records or documents and therefore to the maximum extent permitted by law neither the Vendor nor Austar Realty Limited or any of its' salespersons or employees accept any responsibility for the accuracy of the materials. Intending purchasers are advised to conduct their own investigation

Regards

Gaston Coma & Bronwyn Scott-Woods



The ProAgent Team **PREMIER**
MEMBER 19 - 20

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021 234 3788 | gaston.coma@raywhite.com

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021 613 632 | bronwyn.scott-woods@raywhite.com

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STATEMENT OF PASSING OVER INFORMATION:

This information has been supplied to us by a third party. Accordingly, the Vendor and Austar Realty Limited are merely passing over this information as supplied to us by others. While we have passed on this information supplied by a third party, we have not checked, audited, or reviewed the records or documents and therefore to the maximum extent permitted by law neither the Vendor nor Austar Realty Limited or any of its' salespersons or employees accept any responsibility for the accuracy of the materials. Intending purchasers are advised to conduct their own investigation.

Austar Realty Ltd
PO Box 69139
Glendene
AUCKLAND 0645



Applicant	Austar Realty Ltd
LIM address	11 Greenwoods Close Titirangi Auckland 0604
Application number	8270372269
Customer Reference	
Date issued	15-Feb-2022
Legal Description	LOT 5 DP 537194
Certificates of title	892961

Disclaimer

This Land Information Memorandum (LIM) has been prepared for the applicant for the purpose of section 44A of the Local Government Official Information and Meetings Act 1987.

The LIM includes information which:

- Must be included pursuant to section 44A of the Local Government Official Information and Meetings Act 1987
- Council at its discretion considers should be included because it relates to land
- Is considered to be relevant and reliable

This LIM does not include other information:

- Held by council that is not required to be included
- Relating to the land which is unknown to the council
- Held by other organisations which also hold land information

Council has not carried out an inspection of the land and/or buildings for the purpose of preparing this LIM. Council records may not show illegal or unauthorised building or works on the land.

The applicant is solely responsible for ensuring that the land or any building on the land is suitable for a particular purpose and for sourcing other information held by the council or other bodies. In addition, the applicant should check the Certificate of Title as it might also contain obligations relating to the land.

The text and attachments of this document should be considered together.

This Land Information Memorandum is valid as at the date of issue only.

s44A(2)(a) Information identifying any special feature or characteristics of the land

This information should not be regarded as a full analysis of the site features of this land, as there may be features that the Council is unaware of. The applicant is solely responsible for ensuring that the land is suitable for a particular purpose including development.

Site Contamination

No land contamination data are available in Council's regulatory records.

Wind Zones

Wind Zone(s) for this property: Low wind speed of 32 m/s

The wind zones are based on wind speed data specific to all building sites as outlined in NZS 3604:2011. Other factors such as topographic classes, site exposure and ground roughness determine the actual wind bracing demands and bracing elements required for the building.

For further information refer to NZS 3604:2011 Section 5 — Bracing Design

Soil Issues

The Auckland Council is not aware of any soil issues in relation to this land. If any soil information/reports have been prepared in relation to this property, they will be available for viewing at an Auckland Council Service Centre or via the property file product services.

Flooding

This statement entitled "Flooding" appears on all LIMs.

Known flooding information is displayed on the map attached to this LIM entitled "Special Land Features – Natural Hazards - Flooding".

The information shown in the "Special Land Features - Natural Hazards - Flooding" map is also shown on the Auckland Council online map viewer (Geomaps), at www.aucklandcouncil.govt.nz, which is updated from time to time.

Any proposed development may require a flooding assessment to be provided by the applicant.

The absence of flooding on the "Special Land Features - Natural Hazards - Flooding" map does not exclude the possibility of the site flooding, particularly from Overland Flow Paths which may be on other properties.

Overland Flow Path

This site (property parcel) spatially intersects with one or more Overland Flow Paths, as displayed on the map attached to this LIM entitled "Special Land Features – Natural Hazards - Flooding".

Overland Flow Paths are lines representing the predicted route of overland flow, based on analysis of a Digital Terrain Model (derived from aerial laser survey). Overland Flow Paths do not show the width or extent of flow.

Overland Flow Paths are based solely on the terrain and are indicative only.

Overland Flow Paths may flood depending on the amount of rain.

The Auckland Unitary Plan contains policies and rules relating to development and/or works within or adjacent to Overland Flow Paths.

Note: The terms “Flow Path” and “Flowpath” are used interchangeably.

Exposure Zones

New Zealand Standard 3604:2011E classifies all properties in New Zealand into zones based on environmental features including wind, earthquake, snow load and exposure. These zones are relevant to building requirements, such as strength of buildings, materials that should be used and maintenance. All building sites are classified as being in Exposure Zones Extreme Sea Spray, B, C, or D, depending on the severity of exposure to wind driven salt.

This property is classified as: Unknown or Unassessed Corrosion Zone

Unknown or unassessed - No known information is available relating to these sites. Recommended that specific sites and/or product designed and to consult suppliers information for specific durability requirements.

Coastal Erosion

This explanation appears on all LIMs, not just sites that may be susceptible to coastal erosion.

The map entitled “Natural Hazards - Coastal Erosion” shows information on potential coastal erosion and resulting land instability, if any, in relation to this site.

Coastal erosion is the wearing away of land due to coastal processes such as waves and currents. Coastal instability is the movement of land (typically as a landslide) resulting from the loss of support caused by coastal erosion.

Where applicable, the map shows lines that indicate areas susceptible to coastal instability and erosion (ASCIE) within the next 100 years. The lines do not show the future position of the coast. Rather, they show the landward edge of the area that might become unstable as a result of coastal erosion. The area between this line and the sea is considered to be potentially susceptible to erosion, or instability caused by erosion.

The lines represent three timescales, and take into account projected sea level rise based on carbon emission scenarios known as representative concentration pathways (RCP):

- 2050 (0.28 m of sea level rise; RCP 8.5)
- 2080 (0.55 m of sea level rise; RCP 8.5)
- 2130 (1.18 m of sea level rise; RCP 8.5)
- 2130 (1.52 m of sea level rise; RCP 8.5+)

The RCP projections are from the Intergovernmental Panel on Climate Change fifth assessment report (2015), and the related sea level rise values align with Ministry for the Environment Coastal Hazards and Climate Change Guidance for Local Government (2017).

The lines are based on data from a regional study (“Predicting Auckland’s Exposure to Coastal Instability and Erosion”, available on the Council website). The lines may not take into account local variability, and are not intended for site-specific use.

Development on sites affected by potential coastal erosion may be subject to Auckland Unitary Plan activity controls and may require a detailed coastal hazard assessment report to be completed by a qualified expert.

Special Features - General

Effective Date	Description	Details
04/08/2015	Miscellaneous feature	Other than the existing driveway leading to the existing dwelling and two existing sheds on the land described in the Second Schedule hereto, the Owner shall not carry out any development, nor place, erect, construct any buildings, structures, swimming pool, tennis court, nor excavate land, plant native trees, install drainage or carry out any other activity that may preclude a future access formation on all the land contained within the area shown "C" on the Scheme Plan, Plan No SC.01, Job No: 20660, Rev A, dated 20.03.2013 (held in Council's records under RMA SUB 2013-416.

s44A(2)(b) Information on private and public stormwater and sewerage drains

Information on private and public stormwater and sewerage drains is shown on the **underground services map** attached.

Note: Private drainage is the responsibility of the land owner up to and including the point of connection to the public sewer or drain.

s44(2)(ba) Information notified to Council by a drinking water supplier under Section 69ZH of the Health Act 1956

Prospective purchasers should be aware of other drinking water systems connected to this property. There may also be private drinking water supply systems such as rainwater tanks or private water bores. You are advised to clarify the drinking water supply with the current landowner.

No Information has been notified to Council.

s44A(2)(bb) Information Council holds regarding drinking water supply to the land

For metered water information, please contact **Watercare (09) 442 2222** for services provided to this property.

s44A(2)(c) Information relating to any rates owing in relation to the land


Billing Number/ Rate Account:	12346037162
Rates levied for the Year 2021/2022 :	\$3,322.42
Total rates to clear for the current year (including any arrears and postponed rates):	\$1,661.20

The rates figures are provided as at 8 a.m. 15/02/2022. It is strongly advised these are not used for settlement purposes.

Retrofit Your Home Programme

The Retrofit Your Home programme provides financial assistance, advice and information to householders wanting to create an improved home environment.

The scheme contributes to the achievement of the Air Quality National Environmental Standards encouraging the installation of clean heat and insulation in homes as well as supporting access to central government grants and subsidies. The programme offers homeowners a retrofit plan for their homes and financial assistance up to \$5000 repaid through a targeted rate.

 Auckland Council (09) 890 7898 if you require further information

 retrofit@aucklandcouncil.govt.nz

s44A(2)(d) Consents, Certificates, Notices, Orders or Requisitions affecting the land or any buildings on the land(da) the information required to be provided to a territorial authority under section 362T(2) of the Building Act 2004:s44A and (2)(e) Information concerning any Certificate issued by a Building Certifier pursuant to the Building Act 1991 or the Building Act 2004

Note: if the land is part of a cross lease title or unit title, consents and permits for the other flats or units may be included in this LIM. If the land has been subdivided there may be consents and permits included that relate to the original property.

It is recommended that the full property file is viewed and compared with the actual building and activities on the land to identify any illegal or unauthorised building works or activities.

Financial / development contributions

Financial and development contributions are relevant for recently subdivided land, vacant lots, new residential unit(s) or where there is further development of a site. If any financial or development contribution has not been paid, Council can recover outstanding amount(s) from a subsequent owner of the land.

Please note that financial contributions and development contributions may be paid in land, cash or a combination of these. The form of payment of contributions may be subject to negotiation but final discretion remains with the Council.

Resource Management

Planning

11 Greenwoods Close Titirangi Auckland 0604

Application No.	Description	Decision	Decision Date
LUC-2010-851	Land Use Consent Earthworks associated with the formation of a road	Granted	14/09/2010
LUC-2013-194	Change of Condition (s127) Sec 127 application to cancel conditions (FC3) and (FC4) of SUB 2010-766	Withdrawn	25/03/2013

Application No.	Description	Decision	Decision Date
LUC-2016-2178	Land Use - Stream Consent Proposed 9 lot subdivision over 3 stages and undertake associated earthworks and vegetation removal to construct an extension to Gre enwoods Close and a right of way.	Granted	16/11/2017
LUC-2016-2178	Land Use Consent Proposed 9 lot subdivision over 3 stages and undertake associated earthworks and vegetation removal to construct an extension to Gre enwoods Close and a right of way.	Granted(Constructi on Monitoring Underway)	16/11/2017

Subdivisions

11 Greenwoods Close Titirangi Auckland 0604

Application No.	Description	Decision	Decision Date
SUB-2013-416	Subdivision Consent 2 lot subdivision around existing development	Granted	09/04/2013
LUC-2016-2178	Subdivision Consent Proposed 9 lot subdivision associated with LUC-2016-2178	Granted	16/11/2017
LUC-2016-2178	Subdivision survey plan ((s)223) S223 Application - Lt Plan 537194	Granted	04/12/2019
LUC-2016-2178	Subdivision completion cert ((s)224C) S224C Application - Lt Plan 537194 - 14 lot subdivision	Approved	24/12/2019

Engineering Approvals

There are **NO** Engineering approvals recorded.

If there are any conditions, then only that portion of the consent will be included in the attachments section. The applicant should satisfy themselves as to whether all conditions of resource consents for this property have been met.

Further Information

The Council may hold additional information for this property, for example concerning resource consents for discharges to air, land or water issued by the former Auckland Regional Council prior to 1 November 2010. If you would like Auckland Council to search for this type of information, please contact us.

Building

11 Greenwoods Close Titirangi Auckland 0604

Application No.	Description	Issue Date	Status
ABA-2000-547	Dwelling	10/03/2000	CCC Not Issued (See Note 3)

Application No.	Description	Issue Date	Status
ABA-2002-1528	Heater installation	16/05/2002	CCC Issued 05/06/2002 (See Note 2)

Note	Description
2	Code Compliance Certificate (CCC) for this consent was issued.
3	Consent approved but a final Code Compliance Certificate (CCC) for this consent has not been issued. To obtain a CCC an inspection to confirm compliance with the approved plans and standards may be sought.

Please note that prior to the Building Act 1991; Councils were not required to maintain full records of building consents [etc] issued under the Building Act. While Auckland Council has always endeavoured to maintain full records of pre-Building Act 1991 matters, not all records for this period have survived and in other cases where building work is documented, information may be incomplete. Council does not accept responsibility for any omission.

It is recommended that the Council property file is viewed and compared with the actual building and activities on site to identify any illegal or unauthorised building works or activities.

Compliance Schedules (Building Warrant of Fitness)

The Council has no record of a Compliance Schedule for this property/building.

If it is evident that any specified systems such as lifts or commercial fire alarms are present in the building, the owner must ensure there is a current compliance schedule or building warrant of fitness.

Swimming/Spa Pool Barriers

The Council has no record of a swimming pool or spa pool being registered on this property. Swimming pools and spa pools must have a barrier that complies with the Building Act 2004.

Pool barrier information is available for viewing at <http://www.aucklandcouncil.govt.nz>

Licences

There are NO current licences recorded

s44A(2)(ea) Information notified under Section 124 of the Weathertight Homes Resolution Services Act 2006

The Council has not been notified of any information under Section 124 of the Weathertight Homes Resolution Services Act 2006 relating to this property.

s44A (2)(f) Information relating to the use to which the land may be put and any conditions attached to that use

Purchasers or those intending to develop the land should satisfy themselves that the land is suitable for any intended use or future development proposal. In addition to any site specific limitations recorded below, general restrictions that apply across the region may be relevant to any development proposals on this property.

Auckland Unitary Plan - Operative in Part (AUP:OP)

The **Auckland Unitary Plan - Operative in part(AUP:OP)** applies to this property and should be carefully reviewed and considered, as it may have implications for how this property can be developed and/or used. Those parts of the Auckland Unitary Plan that are operative replace the corresponding parts of legacy regional and district plans. However, certain parts of the AUP:OP are the subject of appeals and have not become operative. If a property is subject to an appeal this will be identified on the attached Unitary Plan Property Summary Report. Where this is the case, both the Auckland Unitary Plan Decisions version and the legacy regional and district plans will need to be considered.

The AUP:OP zones, controls, overlays, precincts, and designations that apply to this property are set out in the Property Summary Report, which is attached to this memorandum.

The AUP:OP can be viewed here:

<https://www.aucklandcouncil.govt.nz/unitaryplan>

The legacy regional and district plans can be viewed here:

<https://www.aucklandcouncil.govt.nz/districtplans>

<https://www.aucklandcouncil.govt.nz/regionalplans>

The appeals to the AUP:OP can be viewed here:

<https://www.aucklandcouncil.govt.nz/unitaryplanappeals>

Auckland Council District Plan - Hauraki Gulf Islands Section (Operative 2013) (DP:HGI)

While the regional provisions in the AUP:OP apply to the Hauraki Gulf Islands, and are set out in the Property Summary Report attached to this memorandum, the AUP:OP does not contain any district provisions for the Hauraki Gulf Islands. If the Property Summary Report attached to this memorandum lists its zone as "Hauraki Gulf Islands", the district provisions that apply are in the Auckland Council District Plan Hauraki Gulf Islands Section (Operative 2013) (**DP:HGI**).

The relevant maps of the DP:HGI are attached to this memorandum, if applicable. The text of the DP:HGI can be found here:

<https://www.aucklandcouncil.govt.nz/haurakigulfislands>

Plan Changes and Notices of Requirement

Changes to the AUP:OP and DP:HGI may be proposed from time to time. These proposed plan changes may relate to either the maps or the text of those plans. Any proposed changes to the AUP:OP relevant to this property will be listed as a modification in the Property Summary Report attached to this memorandum. However, proposed changes to the DP:HGI will not appear on the Property Summary report. That information can be found on the Auckland Council website.

Please refer to the AUP:OP for information on any proposed Plan Changes or see the Auckland Council modifications website at:

<https://www.aucklandcouncil.govt.nz/unitaryplanmodifications>

Information relating to any proposed Plan Changes to DP:HGI can be found here:

<https://www.aucklandcouncil.govt.nz/haurakigulfislands>

From time to time a requiring authority, such as a Ministry of the Crown or a council controlled organisation,

may notify Auckland Council that they require certain land to be designated for a certain purpose. If this property is the subject of such a notice of requirement, that notice may have implications for how this property can be developed or used from the date it is received by Council.

If this property is not on the Hauraki Gulf Islands, any notices of requirement applicable will be listed as a modification in the Property Summary Report attached to this memorandum.

If this property is on the Hauraki Gulf Islands, any notice of requirement will be available on the Auckland Council Website.

Information on all current notices of requirement can be found on the modifications page here:

<https://www.aucklandcouncil.govt.nz/unitaryplanmodifications>

Copies of the appeals to the Auckland Unitary Plan can be viewed online at:

<https://www.aucklandcouncil.govt.nz/unitaryplanappeals>

Auckland Unitary Plan

Please note that the Auckland Unitary Plan (Operative in part) applies to this property. The Unitary Plan should be carefully reviewed and considered, as it may have implications for how this property can be developed or used. Parts of the Unitary Plan that are relevant to this property relating to zones, overlays, controls, designations and other restrictions are identified in the Property Summary Report attached to this LIM.

The Unitary Plan can be accessed at Council service centres and libraries and can be found on the following internet page:

<http://www.aucklandcouncil.govt.nz/EN/planspoliciesprojects/plansstrategies/unitaryplan/Pages/home.aspx>

Information concerning Caveat, Bond, Encumbrance, Consent Notice and Covenant

For any information concerning Caveats, Bonds, Encumbrances, Consent Notices or Covenants, please refer to the Certificate of Title for this property.

s44A(2)(g) Information regarding the land which has been notified to Council by another statutory organisation

No information has been notified to Council.

s44A(2)(h) Information regarding the land which has been notified to Council by any network utility operator pursuant to the Building Act 1991 or Building Act 2004

Underground Services and District Plan maps are attached.

Please note: Height restrictions apply where overhead power lines cross the site. Works near water services utilities may require approval. Works near high-pressure Gas, Oil or LPG pipelines create risk of damage and must first be approved. Please contact the relevant Utility provider in your area for further information.

Any escape of gas or liquid from the pipelines is potentially dangerous and requires immediate action as soon as discovered (Dial 111 and ask for the Fire Service).

Attachments

As the placement of the building/s on the attached maps is based on aerial photography we cannot guarantee the accuracy. A formal survey will indicate the exact location of the boundaries.

- Auckland Unitary Plan Property Summary Report
- Auckland Unitary Plan - Operative in part Maps and Map Legend
- Auckland Council District Plan - Hauraki Gulf Islands Section (if applicable)
- Underground Services & Utilities Map and Map Legend
- Special Land Features Map and Map Legend

Please note Map Legends have been created for use across the region and may contain features which were not captured by the previous legacy Councils; therefore the information may not be available for these maps. Please contact the Resource Management Planning Team in your area for further information on any features which may or may not appear on your map.

- Consent Conditions : LUC20162178
- Consent Conditions : LUC-2010-851

Auckland Unitary Plan Operative in part (15th November 2016) Property Summary Report

Address

11 Greenwoods Close Titirangi 0604

Legal Description

LOT 5 DP 537194

Appeals

Modifications

Zones

Residential - Single House Zone

Precinct

Controls

Controls: Macroinvertebrate Community Index - Native

Controls: Macroinvertebrate Community Index - Urban

Overlays

Natural Resources: Significant Ecological Areas Overlay - SEA_T_4814 - Terrestrial

Designations

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Built Environment

11 Greenwood Close Titirangi 0604

LOT 5 DP 537194

0 7 14 21
Meters

Scale @ A4
= 1:1,000

Date Printed:
15/02/2022

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Controls

11 Greenwood's Close Titirangi 0604

LOT 5 DP 537194

0 7 14 21
Meters

Scale @ A4
= 1:1,000

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Designations

11 Greenwood Close Titirangi 0604

LOT 5 DP 537194

0 7 14 21
Meters

Scale @ A4
= 1:1,000

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Historic Heritage and Special Character

11 Greenwoods Close Titirangi 0604

LOT 5 DP 537194

0 7 14 21
Meters

Scale @ A4
= 1:1,000

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Infrastructure

11 Greenwoods Close Titirangi 0604

LOT 5 DP 537194

0 7 14 21
Meters

Scale @ A4
= 1:1,000

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Mana Whenua

11 Greenwoods Close Titirangi 0604

LOT 5 DP 537194



Scale @ A4
= 1:1,000

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Natural Heritage

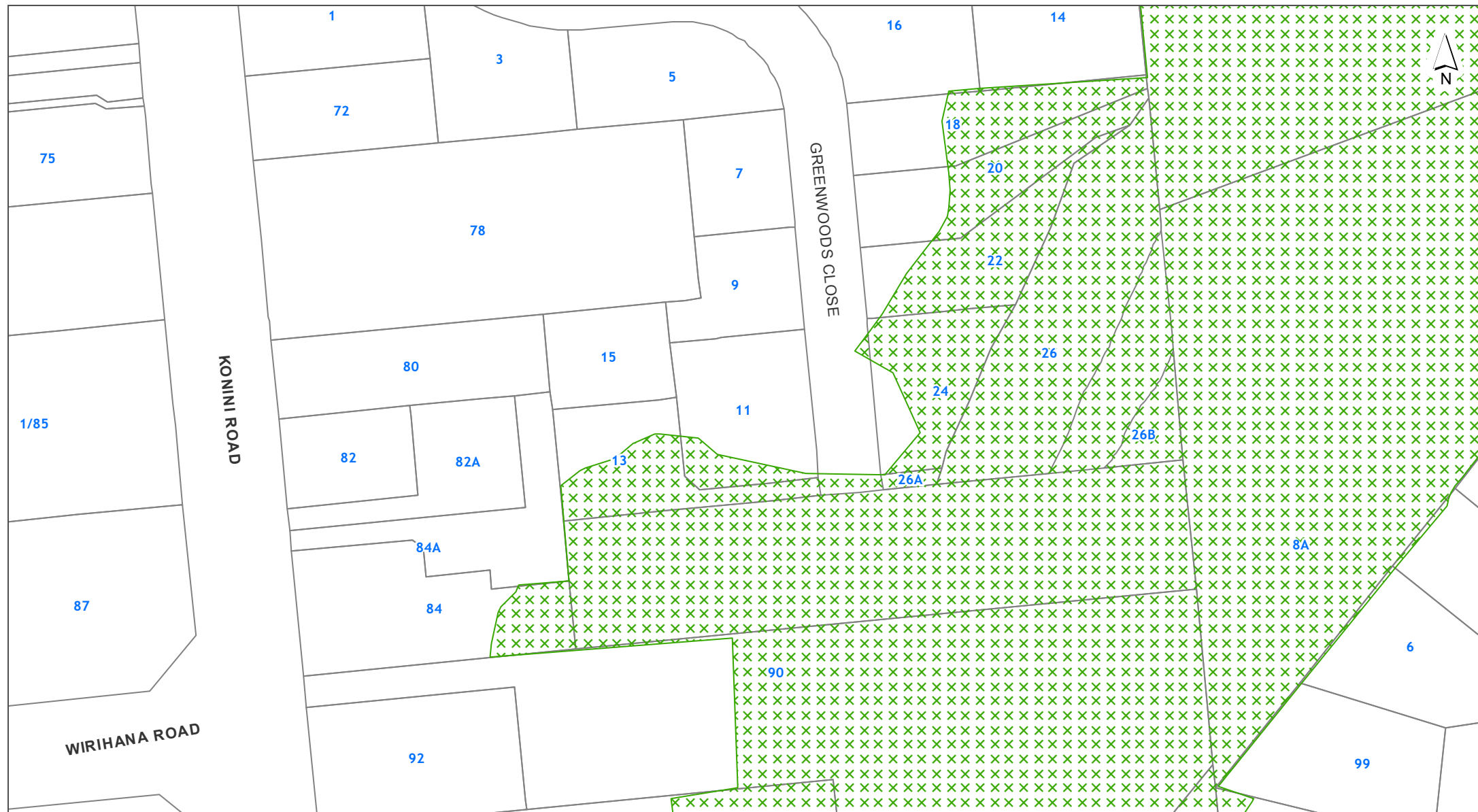
11 Greenwoods Close Titirangi 0604

LOT 5 DP 537194

0 7 14 21
Meters

Scale @ A4
= 1:1,000

Date Printed:
15/02/2022

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Natural Resources

11 Greenwood Close Titirangi 0604

LOT 5 DP 537194

0 7 14 21
Meters

Scale @ A4
= 1:1,000

Date Printed:
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Precincts

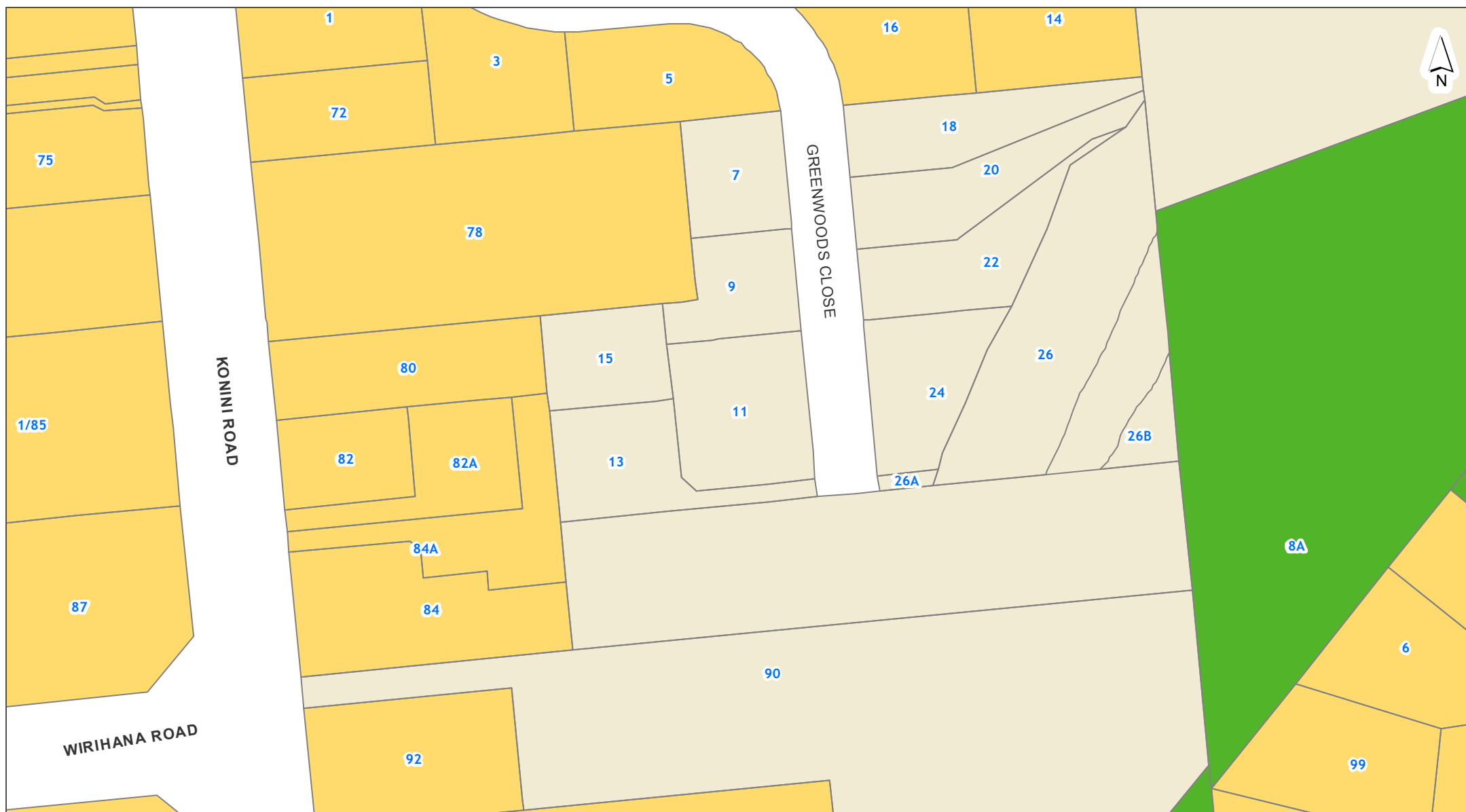
11 Greenwood Close Titirangi 0604

LOT 5 DP 537194



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Zones and Rural Urban Boundary

11 Greenwood's Close Titirangi 0604

LOT 5 DP 537194


0 7 14 21
Meters

Scale @ A4
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15/02/2022

NOTATIONS

Appeals to the Proposed Plan

 Appeals seeking changes to zones or management layers

Proposed Plan Modifications to Operative in part Plan

 Notice of Requirements

 Proposed Plan Changes

Tagging of Provisions:

[i] = Information only

[rp] = Regional Plan



[rcp] = Regional Coastal Plan

[rps] = Regional Policy Statement

[dp] = District Plan (only noted when dual provisions apply)

ZONING

Residential

-  Residential - Large Lot Zone
-  Residential - Rural and Coastal Settlement Zone
-  Residential - Single House Zone
-  Residential - Mixed Housing Suburban Zone
-  Residential - Mixed Housing Urban Zone
-  Residential - Terrace Housing and Apartment Buildings Zone








Business

-  Business - City Centre Zone
-  Business - Metropolitan Centre Zone
-  Business - Town Centre Zone
-  Business - Local Centre Zone
-  Business - Neighbourhood Centre Zone
-  Business - Mixed Use Zone
-  Business - General Business Zone
-  Business - Business Park Zone
-  Business - Heavy Industry Zone
-  Business - Light Industry Zone

Open space

-  Open Space - Conservation Zone
-  Open Space - Informal Recreation Zone
-  Open Space - Sport and Active Recreation Zone
-  Open Space - Civic Spaces Zone
-  Open Space - Community Zone
-  Water [i]



Rural

-  Rural - Rural Production Zone
-  Rural - Mixed Rural Zone
-  Rural - Rural Coastal Zone
-  Rural - Rural Conservation Zone
-  Rural - Countryside Living Zone
-  Rural - Waitakere Foothills Zone
-  Rural - Waitakere Ranges Zone

Future Urban

-  Future Urban Zone
-  Green Infrastructure Corridor (Operative in some Special Housing Areas)

Infrastructure

-  Special Purpose Zone - Airports & Airfields
Cemetery
Quarry
Healthcare Facility & Hospital
Tertiary Education
Māori Purpose
Major Recreation Facility
School
-  Strategic Transport Corridor Zone

Coastal

-  Coastal - General Coastal Marine Zone [rcp]
-  Coastal - Marina Zone [rcp/dp]
-  Coastal - Mooring Zone [rcp]
-  Coastal - Minor Port Zone [rcp/dp]
-  Coastal - Ferry Terminal Zone [rcp/dp]
-  Coastal - Defence Zone [rcp]
-  Coastal - Coastal Transition Zone














Precincts

--- Rural Urban Boundary









--- Indicative Coastline [i]

Overlays


Natural Resources

	Terrestrial [rp/dp]	} Significant Ecological Areas Overlay
	Marine 1 [rcp]	
	Marine 2 [rcp]	
	Water Supply Management Areas Overlay [rp]	
	Natural Stream Management Areas Overlay [rp]	
	High-Use Stream Management Areas Overlay [rp]	
	Natural	
	Urban	
	High-Use Aquifer Management Areas Overlay [rp]	
	Quality-Sensitive Aquifer Management Areas Overlay [rp]	
	Wetland Management Areas Overlay [rp]	

Infrastructure

	Airport Approach Surface Overlay	
	Aircraft Noise Overlay	
	City Centre Port Noise Overlay [rcp / dp]	
	Quarry Buffer Area Overlay	
	National Grid Subdivision Corridor	} National Grid Corridor Overlay
	National Grid Substation Corridor	
	National Grid Yard Compromised	
	National Grid Yard Uncompromised	


















Mana Whenua

	Sites & Places of Significance to Mana Whenua Overlay [rcp/dp]
--	--








Built Environment

	Identified Growth Corridor Overlay
--	------------------------------------












Natural Heritage












	Verified position of tree	} Notable Trees Overlay
	Unverified position of tree	
	Group of Trees	
	Outstanding Natural Features Overlay [rcp/dp]	
	Outstanding Natural Landscapes Overlay [rcp/dp]	
	Outstanding Natural Character Overlay [rcp/dp]	
	High Natural Character Overlay [rcp/dp]	
	Viewshafts	} Regionally Significant Volcanic Viewshafts & Height Sensitive Areas Overlay [rcp/dp]
	Height Sensitive Areas	
	Regionally Significant Volcanic Viewshafts Overlay Contours [i]	
	Locally Significant Volcanic Viewshafts Overlay [rcp/dp]	
	Locally Significant Volcanic Viewshafts Overlay Contours [i]	
	Modified	} Ridgeline Protection Overlay
	Natural	
	Local Public Views Overlay [rcp/dp]	
	Extent of Overlay	} Waitakere Ranges Heritage Area Overlay
	Subdivision Schedule	

Historic Heritage & Special Character

	Historic Heritage Overlay Place [rcp/dp]
	Historic Heritage Overlay Extent of Place [rcp/dp]
	Special Character Areas Overlay Residential and Business
	Auckland War Memorial Museum Viewshaft Overlay [rcp/dp]
	Auckland War Memorial Museum Viewshaft Overlay Contours [i]
	Stockade Hill Viewshaft Overlay – 8m height area
	Stockade Hill Viewshaft [i]

Controls

	Key Retail Frontage	} Building Frontage Control
	General Commercial Frontage	
	Adjacent to Level Crossings	
	General	} Vehicle Access Restriction Control
	Motorway Interchange Control	
	Centre Fringe Office Control	
	Height Variation Control	
	Parking Variation Control	
	Level Crossings With Sightlines Control	
	Arterial Roads	
	Business Park Zone Office Control	

	Hazardous Facilities	} Emergency Management Area Control
	Infrastructure	
	Macroinvertebrate Community Index	
	Flow 1 [rp]	} Stormwater Management Area Control
	Flow 2 [rp]	
	Subdivision Variation Control	
	Indigenous Vegetation 749.7 ha	} Kawau Island Rural Subdivision SEAs Control
	Freshwater Wetland 14.6 ha	
	Surf Breaks [rcp]	
	Cable Protection Areas Control [rcp]	
	Coastal Inundation 1 per cent AEP Plus 1m Control	

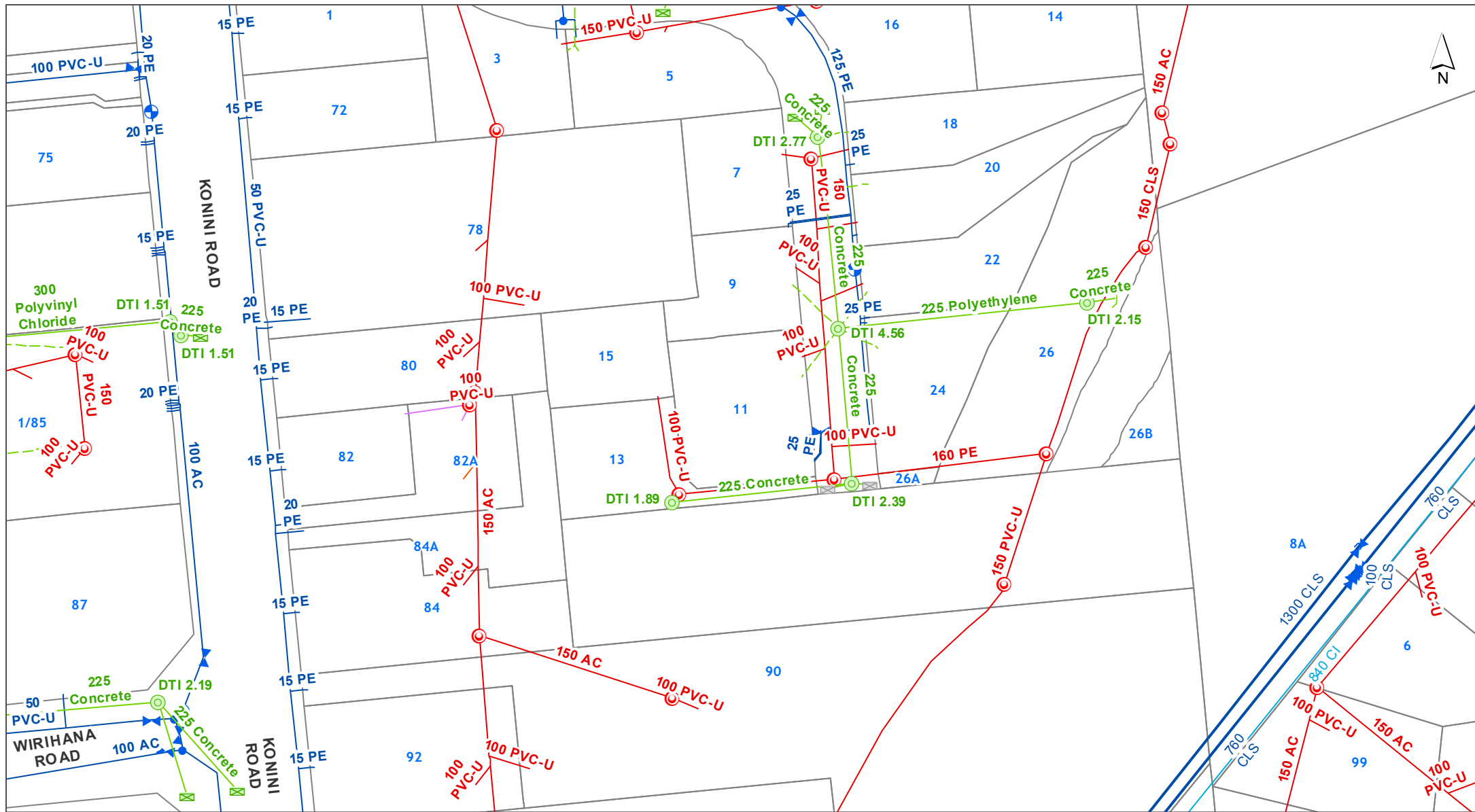
Designations



Designations



Airspace Restriction Designations

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Underground Services

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LOT 5 DP 537194



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Stormwater

Note: Unless otherwise specified in the text below, the *colour* of a Stormwater symbol is determined by the ownership or usage status, using the following colour scheme:

Public, **Private** or **Abandoned**

	Treatment Device		Overland Flowpath (Public)
	Septic Tank		Overland Flowpath (Private)
	Septic Tank (Hi-Tech)		Forebay (Public)
	Soakage System		Forebay (Private)
	Inspection Chamber		Treatment Facility (Public)
	Manhole (Standard / Custom)		Treatment Facility (Private)
	Inlet & Outlet Structure		Pump Station
	Inlet & Outlet (No Structure)		Planting
	Catchpit		Embankment
	Spillway		Viewing Platform
	Safety Benching		Bridge
	Culvert / Tunnel		Erosion & Flood Control (Other Structure)
	Subsoil Drain		Erosion & Flood Control (Wall Structure)
	Gravity Main		
	Rising Main		
	Connection		
	Fence		
	Lined Channel		
	Watercourse		

Water

	Valve
	Hydrant
	Fitting
	Other Watercare Point Asset
	Other Watercare Linear Asset
	Local Pipe (Operational-NonPotable)
	Local Pipe (Operational-Potable)
	Local Pipe (Operational Not Vested)
	Local Pipe (Abandoned / Not Operational)
	Transmission Pipe (Operational-NonPotable)
	Transmission Pipe (Operational-Potable)
	Transmission Pipe (Not Operational)
	Transmission Pipe (Proposed)
	Pump Station
	Reservoir
	Other Structure (Local)
	Chamber (Transmission)
	Water Source (Transmission)
	Other Watercare Structures and Areas

Wastewater

	Fitting
	Fitting (Non Watercare)
	Manhole
	Pipe (Non Watercare)
	Local Pipe (Operational)
	Local Pipe (Operational Not Vested)
	Local Pipe (Abandoned / Not Operational)
	Transmission Pipe (Operational)
	Transmission Pipe (Not Operational)
	Transmission Pipe (Proposed)
	Chamber
	Structure (Non Watercare)
	Pump Station
	Wastewater Catchment

Utilities

	Transpower Site
	Pylon (Transpower)
	110 kv - Electricity Transmission
	220 kv - Electricity Transmission
	400 kv - Electricity Transmission
	Aviation Jet A1 Fuel Pipeline
	Liquid Fuels Pipeline [Marsden to Wiri]
	Gas Transmission Pipeline
	High-Pressure Gas Pipeline
	Medium-Pressure Gas Pipeline
	Indicative Steel Mill Slurry Pipeline
	Indicative Steel Mill Water Pipeline
	Fibre Optic Cable (ARTA)
	Contour Interval

Legend
updated:
21/09/2020



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Hazards

11 Greenwood Close Titirangi 0604

LOT 5 DP 537194

0 6.5 13 19.5
Meters

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Date Printed:
15/02/2022



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Natural Hazards - Coastal Erosion ASCIE

11 Greenwood Close Titirangi 0604

LOT 5 DP 537194



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Natural Hazards - Coastal Inundation

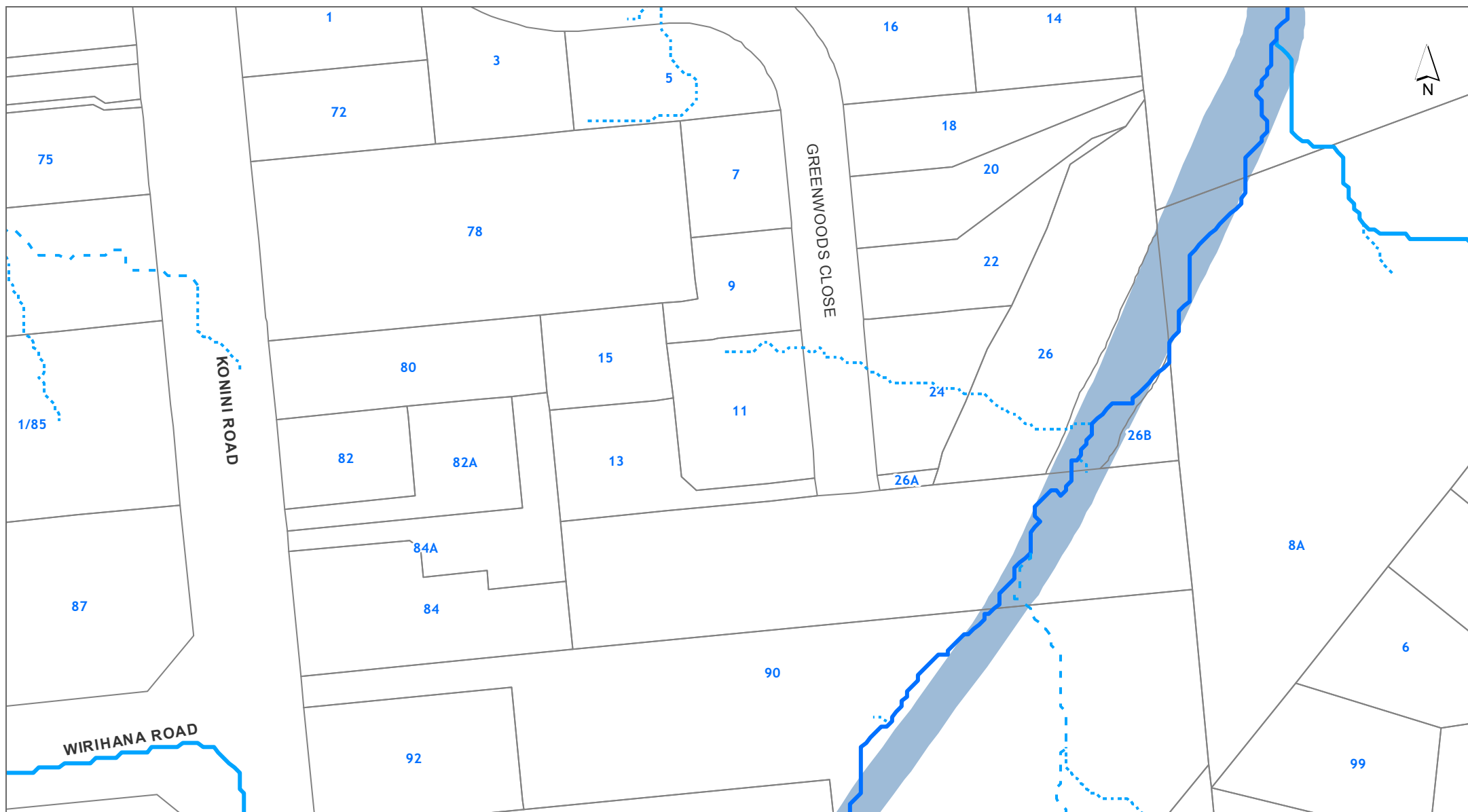
11 Greenwood Close Titirangi 0604

LOT 5 DP 537194

0 6.5 13 19.5
 Meters

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Natural Hazards - Flooding

11 Greenwood Close Titirangi 0604

LOT 5 DP 537194

0 6.5 13 19.5
Meters

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Natural Hazards - Sea Spray

11 Greenwood Close Titirangi 0604

LOT 5 DP 537194

0 6.5 13 19.5
 Meters

Scale @ A4
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Natural Hazards - Volcanic Cones

11 Greenwood Close Titirangi 0604

LOT 5 DP 537194

0 6.5 13 19.5
 Meters

Scale @ A4
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Other

11 Greenwood's Close Titirangi 0604

LOT 5 DP 537194

0 6.5 13 19.5
 Meters

Scale @ A4
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

Hazards

Soil Warning Area

-  Fill (Franklin District only)
-  Advisory (Franklin District only)
-  Contamination (Franklin District only)
-  Erosion (Franklin District only)
-  Hazardous Activities & Industries List (HAII) (Franklin District only)
-  Inundation (Franklin District only)
-  Rainfall Event (Franklin District only)
-  Slippage (Franklin District only)
-  Subsidence (Franklin District only)
-  Slippage / Subsidence / Erosion etc (Auckland City and Papakura District only)
-  Uncertified Fill (Auckland City and Papakura District only)
-  Organic Soil (Auckland City and Papakura District only)
-  Filled / Weak Ground (Auckland City and Papakura District only)
-  Refuse Tips Site / Weak Area (Auckland City and Papakura District only)
-  Unstable / Suspected Ground (Auckland City and Papakura District only)
-  Allochthon Waitemata (Rodney District only)
-  Motatau Complex (Rodney District only)
-  Puriri Mudstone (Rodney District only)
-  Mahurangi Limestone (Rodney District only)
-  Mangakahia Complex (Rodney District only)
-  Hukerenui Mudstone (Rodney District only)
-  Whangai Formation (Rodney District only)
-  Tangihua Complex (Rodney District only)
-  within 150m of Northland Allochthon (Rodney District only)










Hazards

Soil Warning Area continued




-  Soil D (Rodney District only)
-  within 150m of Soil D (Rodney District only)
-  Soil C (Rodney District only)
-  within 150m of Soil C (Rodney District only)
-  Soil B (Rodney District only)
-  within 150m of Soil B (Rodney District only)
-  Soil A (Rodney District only)
-  Gas Main Pipeline
-  Petroleum Pipeline
-  Closed Landfill (Auckland Council owned)
-  Closed Landfill (Privately owned)
-  Air Discharge (Franklin District only)
-  No Soakage (Franklin District only)
-  Indicative Steel Mill Slurry Line 20m Buffer (Franklin District only)
-  Indicative Steel Mill Water Line 20m Buffer (Franklin District only)

Natural Hazards






Overland Flow Path

-  Catchment area 100 Ha and above
-  Catchment area 3 Ha to 100 Ha
-  Catchment area 1 Ha and 3 Ha
-  Catchment area 4000 m² to 1 Ha
-  Catchment area 2000 m² to 4000 m²
-  1% AEP Flood Plain
-  Flood Prone Areas
-  Flood Sensitive Areas
-  Sea Spray
-  Volcanic Cones

Coastal Inundation








-  1% AEP
-  1% AEP plus 1m sea level rise
-  1% AEP plus 2m sea level rise

Areas Susceptible to Coastal Instability and Erosion (ASCIE)

-  ASCIE 2050 (RCP8.5)
-  ASCIE 2080 (RCP8.5)
-  ASCIE 2130 (RCP8.5)
-  ASCIE 2130 (RCP8.5+)
-  Marine Area (Based on MHSW10, from Unitary Plan)

Other

Cultural Heritage Index

-  Archaeological Site
-  Hayward and Diamond
-  Historic Botanical Site
-  Historic Structure
-  Maori Heritage Area
-  Maritime Site
-  Reported Historic Site

The information Council holds in relation to Special Land Features differs based on the area a property is located in. Those areas where information is held on a Special Land Feature is denoted in the legend above.

Legend updated: 22/07/2021

Report for a non-complying resource consent application under the Resource Management Act 1991 (RMA)



1. Application description

Application number(s):	BUN30582385/LUC20162178/SUB20162181/ LUS60069275
Applicant's name:	Alastair & Vanessa Riddell
Site address:	7 Greenwoods Close, Titirangi
Legal description:	Lot 2 DP 486573
Site area:	8067m ²
AUP Operative in Part (AUP OP) zoning & precinct:	Residential – Single House Zone
Special features, overlays etc:	Natural Resources: Significant Ecological Areas Overlay - SEA_T_4814, Terrestrial
	Controls: Macroinvertebrate Community Index [rcp/dp] - Native
	Controls: Macroinvertebrate Community Index [rcp/dp] - Urban

Locality Plan

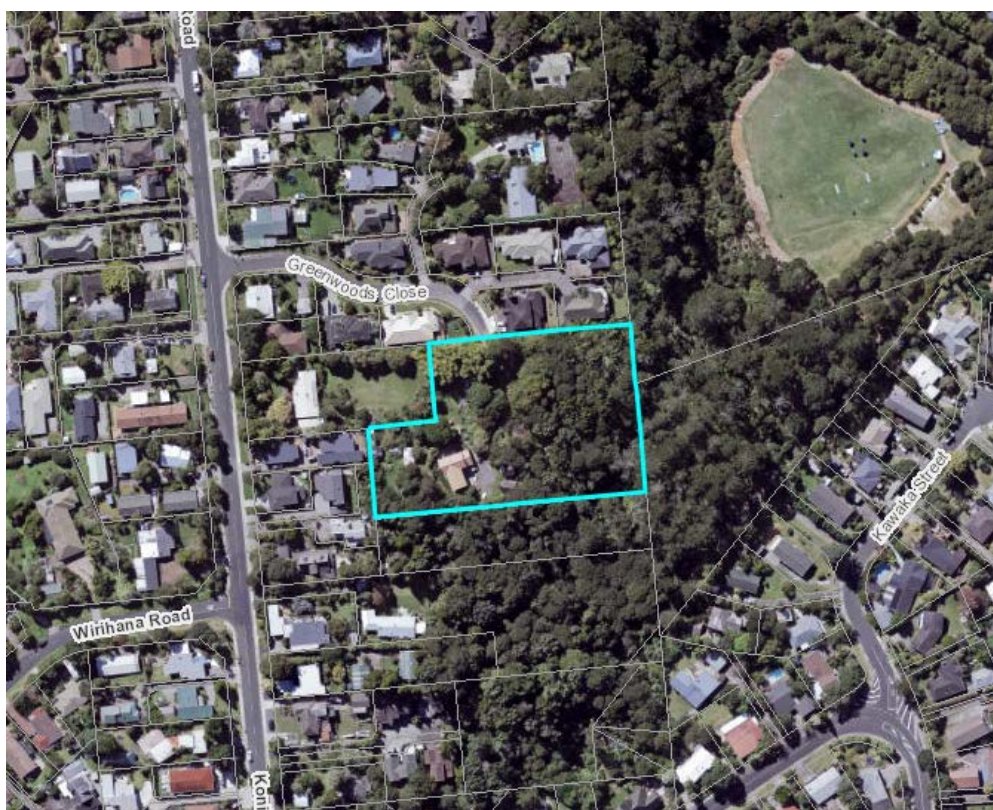


Image 1 Location of subject site (Source: Council's online Geomaps Viewer)

2. The proposal, site and locality description

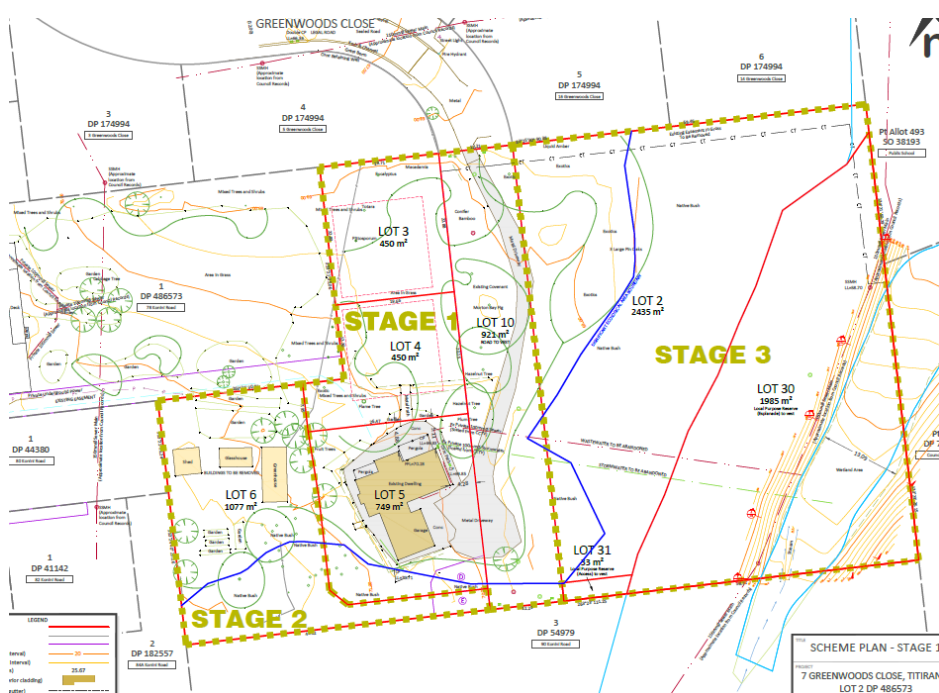
Proposal

Tracey Morse of Envivo has provided a description of the proposal and subject site in a form and manner that is accepted by council. Having undertaken a site visit on 13 March 2017, I concur with that description of the site and have no further comment. This can be found in the Assessment of Environmental Effects (AEE) titled: *9 Lot subdivision and Associated Land Use*, dated 8 August 2016, ref 22790.5.

In relation to the proposal I provide the following additional comments;

The proposal seeks consent for a staged subdivision consisting of three stages, outlined as below:

Stage 1

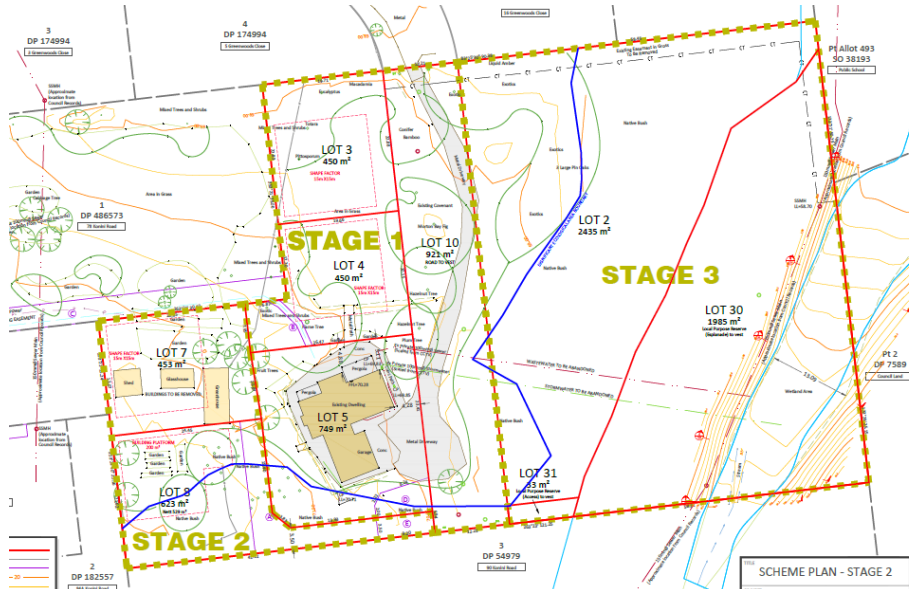


Stage 1 will create proposed residential Lots 3, 4, 5 and 6; balance Lot 2; Lot 10 road to vest and local purpose reserve Lots 30 & 31 (esplanade and access). The applicant has confirmed that construction of the roadway and installation of required services will occur at Stage 1, including the installation of the stormwater outfall.

	Size (gross)	Purpose
Lot 2	2435m ²	Balance lot
Lot 3	450m ²	Residential
Lot 4	450m ²	Residential
Lot 5	749m ²	Residential (existing dwelling)
Lot 6	1077m ²	Balance lot

Lot 10	921m ²	Road to vest
Lot 30	1985m ²	Esplanade reserve
Lot 31	33m ²	Access reserve

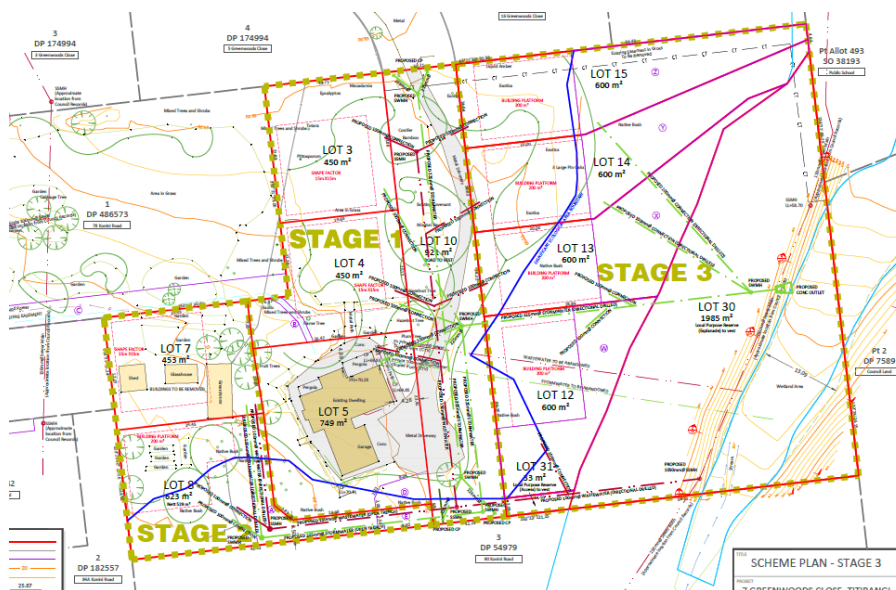
Stage 2



Stage two further subdivides balance Lot 6 into two (2) vacant residential lots, being Lots 7 & 8. The construction of the shared right of way providing access to proposed Lots 7 & 8 will be undertaken at Stage 2.

	Size (gross)	Purpose
Lot 7	453m ²	Residential
Lot 8	623m ²	Residential

Stage 3



Stage 3 creates four (4) vacant residential lots, Lots 12-15, all from balance Lot 2.

	Size (gross)	Purpose
Lot 12	600m ²	Residential
Lot 13	600m ²	Residential
Lot 14	600m ²	Residential
Lot 15	600m ²	Residential

The AEE notes that associated site works for the proposed development will involve displacement of 185m³ of soil over an area of 1140m². Further information provided following s92 request, identifies that works within the SEA area will involve 130m³ cut/fill over an area of 250m², with 10m³ being taken offsite. However, further information provided within Envivo Consultants Plan No 300, Rev B, *Proposed Development Cut & Fill*, dated 05/09/17, identifies the earthwork volumes as a total area of 1,184.04m², cut of 240.67m³ and fill of 142.09m³, resulting in a total of 98.58m³ being taken offsite. This plan identifies that works within the SEA area will incorporate a cut/fill volume of 120.81m³ over an area of 243.48m².

The proposal requires the removal of up to 58m² of native vegetation within the SEA area contained within the site, as well as a number of individual, non-protected trees. It is noted the removal of vegetation for any future development on lots containing areas of SEA is outside the scope of this consent. Additional resource consent will be required for future vegetation removal required within SEA areas on proposed Lots 8, 12, 13 14 and 15 inclusive.

Stormwater from the existing dwelling currently discharges to the stream contained within the southeastern boundary of the site. This existing outfall is proposed to be abandoned and a new concrete wingwall outlet will be installed. This outfall will discharge stormwater from the new stormwater network proposed for the lots.

Subject Site

The subject site is a large residential site accessed from the cul-de-sac end of Greenwoods Close. The site is level on the western portion, sloping in a moderate manner to the adjoining stream on the eastern and southeastern boundaries.

The site is subject to a significant ecological area overlay (SEA), and contains a large area of significant native bush, including large specimen kauris, on the eastern and southern portions of the site. The western and northern portions of the site contain more residential style lawns and garden areas.

The existing dwellings on the site include a two-storey dwelling and attached double garage, two garages/storage sheds to the southeastern corner and small 'garden-style' sheds to the west and north west of the site.

Surrounding area

The surrounding area consists of predominantly residentially-zoned land, of a suburban nature with one house per site being the dominant visible density. Site sizes are varied within the zone,

with recent infill subdivisions evident within the immediate surrounding area. The site is outside the WRHA, lying to the east of the Waitakere Foothills.

Kaurilands Primary School adjoins the site to the north east, and a site zoned as open space-conservation, known as Kawa Glade, bounds the subject site to the southeast. A tributary of the Hibernia Stream bisects the site in the southeastern corner.

Background

The site was created by way of subdivision consent for a two-lot subdivision around two existing dwellings, granted by Council on 8 May 2013, reference SUB-2013-416.

This application was lodged prior to Councils' updated systems with legacy file references of LUC20162178 and SUB20162181.

A pre-application meeting, reference PREP-2014-442, was held with Council representatives on 17 December 2014, to discuss proposed subdivision and development on the site. The minutes from this meeting were included with the application. The subdivision plan provided at the pre-application meeting is similar in concept to Stage 1 of this application.

3. Status of the applications

The appropriate practice is to consider the applications together if there is an overlap between: the consents required; the matters over which the plan(s) has/have limited its discretion; the effects of the activities; and whether consideration of one would likely affect the outcome of another. In this instance, the consents required and relevant plans overlap and are considered together as a **non-complying activity** overall.

Land use consents (s9) – LUC60020040

Auckland Unitary Plan (Operative in part)

District

Earthworks

- To undertake general earthworks of 1184.04m² and 382.76m³, as the earthworks are greater than 500m² and 250m³ in a residential zone, is a **restricted discretionary** activity under rules E.12.4.1(A5) and (A8) respectively.

Regional

Earthworks

- To undertake land disturbance of 243.48m² and 120m³ within a SEA overlay, as the land disturbance is greater than 5m² and 5m³, is a **restricted discretionary** activity under Rules E11.4.3(A28) and E11.4.3(A30) respectively.

Vegetation Removal

- To remove 249m² of native vegetation within an SEA not otherwise provided for, is a **discretionary** activity under Rule E15.4.2 (A43).

- To remove and alter vegetation within 10m of an urban stream is a **restricted discretionary** activity under Rule E15.4.1 (A19).
- To remove and alter vegetation within a Significant Ecological Area to construct an extension of the existing Greenwoods Close for the purposes of access provision to proposed Lots 3, 4, 11, 12, 13, 14, 15 and 31; and to construct a shared right of way for access to Lots 7 & 8, which will enable the create of sites with a density of one dwelling per site, and which does not exceed 300m² of removal or alteration, is a **controlled activity** under Rule E15.4.2 (A29).

Subdivision consent (s11): SUB60039477

Auckland Unitary Plan (Operative in part)

- To subdivide a site that is identified on Council planning maps as being within the 1% AEP floodplain, is a **restricted discretionary** activity under Rule E38.4.1 (A11).
- To subdivide land creating an esplanade strip, that does not provide a 20m minimum wide esplanade, as required by Standard E38.7.3.2 (1), is a **discretionary activity** under Rule E38.4.1 (A13).
- To subdivide land around existing buildings, complying with Standard E38.8.2.2, is a **restricted discretionary** activity under Rule E38.4.2 (A15).
- To undertake a vacant site subdivision involving a parent site of less than 1ha, which will result in 4 of the proposed lots having a nett site area less than 600m², and therefore being non-compliant with the minimum threshold required under Standard E38.8.2.3, is a **discretionary** activity under Rule E38.4.2 (A17).
- To undertake a subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay, not complying with Standard E38.8.2.5 (2)(b), is a **non-complying** activity under Rule E38.4.2 (A23).
Standard E38.8.2.5(2)(b) requires that residential lots created by a subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay be located entirely within the areas available for residential subdivision. The proposed development will create six (6) lots within the SEA overlay and is unable to comply with this standard.
- To undertake a subdivision within a residential zone that does not meet the standards required by E38.8.1.1 (2)(f), is a **discretionary** activity under Rule E38.4.2 (A31).
 - Standard E38.8.1.1(2)(f) requires all vacant sites to be able to contain a rectangle of 8 metres by 15 metres located outside areas identified as SEA areas. Proposed Lots 8, 12, 13, 14 and 15 have building platforms that are located within SEA areas identified on the parent site and are non-compliant with this required standard.

Streamworks consent (s13): LUS60069275

Regional

Streamworks

- To install a stormwater outfall, compliant with Standards in E3.6.1.14, within a Significant Ecological Area overlay is a **restricted discretionary** activity under Rule E3.4.1 (A39).

Overall, the application requires resource consent as a **Non-Complying Activity**.

4. Notification Assessment

Public notification assessment (sections 95A, 95C-95D)

Section 95A gives the council discretion in deciding whether to publicly notify an application or not. However, an application must be publicly notified if (a) the activity will have or is likely to have adverse effects on the environment that are more than minor; (b) the applicant requests public notification of the application; or (c) a rule or national environmental standard ("NES") requires public notification.

The applicant has not requested public notification.

All further information requested (under s92) has been provided by the due date.

No rules in the plan or in any NES preclude or require public notification of this application.

The following assessment addresses the adverse effects of the activity on the environment. The council must decide whether the activity will have, or is likely to have, adverse effects on the environment that are more than minor.

Adverse effects assessment (sections 95A and 95D)

The consultant has provided in accordance with schedule 4 of the RMA, an assessment of adverse environmental effects in such detail as corresponds with the scale and significance of the effects that the activity may have on the environment. This can be found on pages 14-17 of the AEE. Additionally, further information was requested and provided by the applicant within two separate responses, dated 17 February 2017 and 23 May 2017.

The applicant/consultant has accurately identified all adjacent land for the purposes of a s95A assessment on page 13 of the AEE. I concur with this assessment. Image 2 below, indicates the properties considered to be adjacent to the subject site, as identified within the AEE.



Image 2: Location of adjacent properties to subject site. Source – Councils' GIS.

The AEE concludes that:

Section 6.2.2. Summary of adverse effects on the environment

The adverse effects on the environment that are generated by the proposal relate to amenity and local character, protected flora and fauna, natural hazards, servicing, site works and access and parking. These effects have been assessed in Section 5.0 and are considered to be less than minor.

Permitted baseline

In terms of the subdivision, it is considered that there is no level of adverse effects that constitute a permitted baseline as any subdivision requires resource consent as a controlled activity at the minimum.

In terms of earthworks occurring outside of the SEA overlay contained within the site, adverse effects resulting from the undertaking of a permitted level of land disturbance are considered to be a relevant baseline, which is the level of effects emanating from the disturbance of an area up to 500m² and a volume of up to 250m³.

In terms of earthworks occurring within the SEA, the area and volume of land permitted by the planning document is set at a low threshold of 5m² and 5m³ respectively. Given the proposed amount of land disturbance within the SEA, of 244m² and 121m³, it is not considered helpful to take into account the level of adverse effects that would constitute a permitted baseline for this activity.

There are no unimplemented consents existing for the subject site that could be reasonably considered in an assessment of the receiving environment. However, it is noted that activities that could occur on the site include the conversion of the existing dwelling into two dwellings, the operation of supported residential care, visitor accommodation or boarding houses accommodating up to 10 people per site, inclusive of staff and residents.

Receiving environment

The nature of the receiving environment in relation to the subject site is one of a low density residential site, dominated by high-quality bush over the eastern portion, with the building being recessive against this vegetated backdrop.

The wider receiving environment has been described earlier in this report, and consists of urban style development at a density of one dwelling per site, with varied site sizes ranging from larger bush covered sites to more recently developed smaller lots. The immediate environment of Greenwoods Close includes multiple smaller lots containing two-storey residential dwellings with urban infrastructure, which results in a suburban residential character. Built structures are dominant over vegetation within close range public viewpoints obtainable from the roadway, However, the backdrop of the Waitakere Ranges visually dominates the wider landscape.

The AEE assessed the following effects as being key adverse effects arising from the proposal;

Local Character and Amenity

The AEE notes that the proposed subdivision will result in residential lots of a size anticipated for within the zone and comply with required standards in terms of building platforms, stability and servicing. This report also notes that, due to the vacant lot nature of the development, any future development is subject to controls and standards to ensure adherence to the character and amenity sought by the AUP(OP) for the zone, with any non-compliance being subject to a resource consent application.

I concur with the conclusion of the AEE that any adverse effects on local character and amenity will be less than minor for the reasons as stated, and for the following reasons;

- The anticipated residential use of the lots at a density of one dwelling per site, is consistent with the existing and anticipated character of the zone.
- Adverse effects in terms of visual amenity resulting from the undertaking of associated works will be less than minor due to the location of the works at the end of the cul-de-sac. All worked areas will either be covered by the new roadway or regressed upon completion of works.
- The applicant is required to comply with relevant standards in terms of hours of operation, dust, odours and noise levels. Further it is considered that the undertaking of the works will be of a short and temporary duration.
- The retention of existing vegetation and creation of an esplanade reserve will provide ongoing amenity and retain the vegetated character that has been established, along the streambank. Additionally, the public access provided by vesting of Lot 31 as Local Purpose Reserve, will increase recreational amenity within the surrounding area.
- It is noted that under Standard E38.8.2.5 (2) (c) of the AUP(OP), minimum net site area of 600m² required for the zone, are not applicable to residential development of the parent site outside of SEA overlay. It is noted that the three (3) proposed lots which have nett site areas of less than 600m², Lots 3, 4 and 7, are outside the area of the parent lot subject to a SEA overlay. Further, the reduction of these lots below the minimum lot sizes anticipated for the zone will not affect the neighbourhood character due to the spacious characteristics of the locality, with the protected bush, stream and roadway maintaining a sense of open space and suburban character. Given that the surrounding

neighbourhood is predominantly zoned as Residential Mixed Housing Suburban, the reduced nett sizes of these proposed lots will not be incongruous to the established character.

Effects on Protected Flora and Fauna

The proposed subdivision will require the removal of up to 585m² of vegetation from within the SEA contained within the site. This vegetation removal will also involve the removal of approximately three climax trees. The vegetation removal is required for installation of new stormwater network and outfall, future building platforms on Lots 8 and 12-15, the extension of Greenwoods Close to provide access to the subdivision, and a shared accessway to Lots 7 & 8. Additionally, works within driplines of trees being retained on site, are required for installation of the road and shared access.

The applicant proposes using directional drilling methods for installation of required infrastructure, in order to minimise soil and vegetation disturbance within the SEA.

Potential adverse effects arising from the required works include degradation to water quality, loss of biodiversity, and adverse effects on existing landscape character and amenity values of the surrounding area.

The AEE considers that adverse effects upon the protected flora and fauna of the subject site and locality, will be less than minor for the following reasons;

- The limited scale and duration of the proposed works.
- The implementation of a pest plant and animal management plan
- The design and scale of the subdivision, with the lots within Stage 1 able to be developed without “any impact upon protected flora”, while adverse effects arising from development of lots at Stages 2 and 3 will be mitigated by the establishment of protected esplanade and access lots and the design of the lots, which minimises adverse effects due to the restriction of future development location and vegetation removal on these lots,
- Additionally, specialist reports provided with the application, rate the quality of the areas of native vegetation and habitat within the proposed building platforms on these lots (Lots 12-15), as “currently low”.

An arboricultural assessment report was completed by Andrew Benson of Arborlab Consultancy Services Ltd, dated 28th June 2016, ref 24740, and included as part of the application. This report was further revised on 3rd February following a request for additional information from Councils’ Consultant Arborist, Adrian Lamont.

An on-site meeting was held between Peter van Loon from Arborlab, and Mr Lamont, in order to identify vegetation contained within the building footprint and within 3m from this footprint, on Lots 12 and 13, and to identify the vegetation required to be removed to enable machinery access to install new stormwater network and the proposed stormwater outfall. This information was detailed within a s92 Response Memorandum prepared by Mr van Loon, dated 26 April 2017.

Mr Lamont has reviewed the application and provides the following assessment;

Overall, in my opinion, the proposed removals of protected vegetation will give rise to no more than minor adverse environmental effects, as they are predominantly of specimens of common, pioneer species with only a small number of climax species of moderate stature to be removed, all located on the margins of the bush. The great majority of established climax species trees within the site shall be retained. Adverse environmental effects associated with the removals will arise predominantly from 'edge effects,' i.e. reduction in shelter of adjacent trees to be retained and the potential for weed ingress further into the bush. These effects can be partially mitigated by the methods the applicant has offered to undertake, i.e. relocating seedlings from within the accessways and proposed building footprints, combined with weed control. The proposed site layout is such that the length of the SEA's margin will not be increased overall.

The installation of services and associated structures within the SEA has significant potential to cause damage to vegetation through soil compaction, accidental striking of trees, inappropriate removals etc. These issues can be addressed to an acceptable degree by strict implementation of the measures proposed by the applicant. These form the basis of the recommended conditions of consent provided below.

Mr Lamont is able to support the application and associated tree removal/works within dripline, subject to proposed conditions. These conditions have been reviewed and accepted by the applicant.

An ecological assessment report, prepared by Mr Van Loon of Arborlab Consultancy Services Ltd, dated 28th June 2016, ref 24740, was also provided as part of the application. This report was updated on 3rd February 2017, subsequent to a request for further information under s92, with the aforementioned s92 Response Memorandum, dated 26 April 2017 in addition to this report. Councils' Senior Ecologist, Jane Andrews, has reviewed this information and notes that;

- Mitigation planting will be required in order to offset proposed vegetation clearance and ensure no loss of biodiversity
- Animal pest control should be undertaken, despite the consideration by Arborlab that this is not required due to lack of coordinated control across neighbouring sites, as merit is still gained from such control and, at the very least, control of rat populations should be undertaken.
- Weed control is required in order to reduce edge effects which will result from development of the sites.

Ms Andrews concludes that Council is able to support the application, subject to recommended conditions, which have been reviewed and accepted by the applicant.

The proposal will create five (5) residential vacant lots within a SEA identified on the site (Lots 8, 12, 13, 14 and 15). This will result in the fragmentation of the ecological area and non-contiguous ownership. However, it is considered that this is a technicality, in terms of adverse effects, as the imposition of boundary lines in itself, does not necessarily present a physical loss of ecological linkage or habitat, given that the protection mechanisms are not dependent on ownership basis. However, the potential for adverse effects arises from the increased development potential enabled by the subdivision. In this instance, it is considered that such adverse effects have been appropriately minimised through the restriction on vegetation removal (protection enabled) and location of any future dwelling to be within the building platform identified on the scheme plan. The placement of the building platforms for Lots 12 – 15 have taken the SEA into consideration, being as far outside this area as possible, with the building platform for Lot 15 being completely outside the SEA overlay. The building platform on Lot 12 will have the greatest adverse effect in terms of the identified SEA overlay, however it is

noted that the existing vegetation site in the region of proposed Lot 12 is currently modified and contains several accessory buildings. This is likewise the case for the proposed building platform for Lot 8, with the vegetation on the south-western edge of the property containing a high number of weed species, principally Monkey Apple tree (*Syzygium smithii*).

I have reviewed the reports from both Mr Lamont and Ms Andrews and concur with their conclusions and adopt their findings. In addition, I note that the subject site contains several significant sized Kauri, and careful measures are required to reduce potential for spreading of kauri dieback bacteria. These measures form a condition of consent, and have been accepted by the applicant.

It is also noted that resource consent will be required for removal of vegetation required for future development of Lots 8, and 12-15 inclusive, owing to the SEA overlay existing on these proposed lots. Additionally, the requirement for building to occur within the identified building platforms on these lots, imposed as condition of consent and accepted by the applicant, will minimise the encroachment effects of residential structures.

Given the proposed methodology for construction of required stormwater infrastructure, accessways and stormwater outfall, the mitigation proposed in terms of restrictive covenant to be placed on CTs for Lots 12-15, the low quality of vegetation within the proposed building platform and accessway to Lots 7 & 8, the revegetation and pest and the ongoing protection of the adjoining waterway and vegetation through the creation of an esplanade reserve, it is considered that the adverse effects upon flora and fauna are less than minor.

Natural Hazards

Council records indicate the presence of a flood plain area within the subject site, aligned with the existing waterway. An engineering report prepared by Envivo Ltd, dated April 2016, ref 22790, has assessed the extent of such flooding during a 1% AEP occurrence, and provided plans and representations of this (1% AEP Overland Flow & Flooding plan 22790-700). This report confirms that only Lots 12 and 13 will be affected by the 1% AEP Floodplain, with calculations indicating that the flood plain would reach a relative level of 59.52m during such an event, and a finished floor level of RL60.02. The proposed sites provide suitable building platforms for adherence to this recommendation.

A geotechnical investigation report, prepared by Geoconsult Geotechnical Consultants, dated 7th June 2016, reference GH757, was provided with the application, with an addendum being provided following amendments to proposed lot layout, dated 15th February 2017. These reports conclude that the site stability will not be adversely affected by the proposed, and provide recommendations in terms of construction requirements for future dwellings, structural design of buildings and retaining walls, and stormwater control. The AEE provided with the application confirms that all recommendations within the above reports will be complied with by the consent holder.

Councils' Development Engineer, Ravinesh Chand, has reviewed the application in regards to natural hazards, and is satisfied that the proposed subdivision will not result in an increased risk from flooding and instability issues onsite or to the wider surrounding area.

I have reviewed Mr Chands' report and adopt his findings. Given the ability for building platforms to be located outside of the floodplain and the commitment of the applicant to adhere to

geotechnical recommendations (which will form conditions of consent), it is considered that any adverse effects arising from instability and/or flooding issues will be less than minor.

Earthworks

The proposed subdivision will involve site works for the extension to Greenwoods Close, the shared access for lots 7 & 8 and installation of services necessary for the proposed lots, including replacement of the existing stormwater lines and stream outlet. Proposed Development Cut & Fill Drawing Plan No 300, Rev A, dated 07/04/16; and Earthworks within Significant Ecological Area, Plan No 303, Rev B, dated 02/02/17, identify the areas and volumes of proposed works, being the following;

Location	Area	Cut	Fill
SEA	213.85m ² – roading	37.49m ³ – roading	56.27m ³ – roading
	29.63m ² – drainage	27.05m ³ – drainage	0m ³ - drainage
Remaining site	940.55m ²	176.13m ³	85.82m ³
Totals	1184.04m ²	240.67m ³	142.09m ³

Sediment and erosion control mitigation proposed involves installation of silt fencing on the eastern side of the proposed works, a clearwater bund to the southwest of the proposed works and a stabilised and metalled construction entrance at the start of the road extension.

Councils' Specialist Advisor – Earthworks and Streamworks, Carl Tutt, has reviewed the proposal and information provided and is satisfied that the proposed mitigation will adequately manage any adverse effects on the environment from sediment discharges during the works, with specific relevance to works proposed within the SEA.

Councils' Development Engineer, Ravinesh Chand, has also reviewed the proposed works in regards to site stability, and is satisfied that any adverse effects upon stability arising from the proposed works, will be less than minor both onsite and to surrounding properties.

As noted above, the site contains several kauris and mitigation will be required in order to minimise the risk of kauri dieback disease being spread to other sites, or being brought onto the site. Conditions have been recommended in this regard, and have been reviewed and accepted by the applicant.

I have reviewed Mr Tutts' and Mr Chands reports and concur with their findings, and adopt their conclusion that any adverse effects upon water quality, biodiversity, and stability, arising from the proposed earthworks, will be less than minor due to the proposed mitigation controls. All earthworks will be completed as part of Stage 1 of the subdivision, and will be either covered by paving or revegetated upon completion of works. Additionally, the works being undertaken within the SEA area are of a relatively small scale.

Servicing of subdivision

The existing dwelling on the site is currently connected to public networks for provision of water, wastewater disposal and power/telecommunications. Due to the topography of the site, the

existing dwelling is not connected to public stormwater networks, but discharges runoff into the adjoining waterway by way of a stormwater outfall.

The applicant proposes to abandon the existing private connections for wastewater, potable water and stormwater and install extensions to the existing public networks to service all proposed lots. This will require the installation of manholes and a new outlet. Details for the stormwater outlet have been provided for the applicant, demonstrating compliance with required standards.

It is considered that provision for firefighting will be specifically addressed at time of subdivision development, however the extension of the public water supply network is considered to be appropriate for this provision. A *Water Supply/Wastewater Planning Assessment* and associated calculations have been prepared and provided as further information by Envivo Consultants (Technical Memorandum, dated 26/04/17). This memorandum confirms that sufficient capacity is available within the existing water and wastewater networks for the proposed subdivision subsequent to future development.

Councils' Specialist Advisor – Stormwater & Industrial and Trade Activities, Hillary Johnston, has reviewed the proposal and confirmed that consent is not required for the proposed impervious area of 986m², which is within the threshold permitted under Rule E8.4.1(A8) of the AUP(OP). Stormwater runoff from the road surface will be directed to the road reserves and to a subsoil drain with filter sock.

Councils' Development Engineer, Ravinesh Chand, has reviewed the proposal in regards to provision of services, and is satisfied that the lots will be able to be adequately and appropriately serviced through expansion of the existing networks. Additionally, preliminary approval has been granted by Watercare to the proposed wastewater and water extensions and use, subject to recommended conditions, which the applicant has reviewed and accepted.

Given the above, it is considered that any adverse effects upon the existing networks arising from the increased demand resulting from future development of the lots, will be less than minor due to the small scale of development, the compliant size of proposed lots and the residential use of the sites anticipated with future development.

Access, Parking, Traffic Generation

The AEE concludes that the access and parking effects associated with this residential development will be less than minor as;

- All lots will gain access to public roading network via an extension of Greenwoods Close identified as Lot 10, and a shared accessway for Lots 7 & 8 from off Greenwoods Close.
- Formation of accessway and road extension will be in accordance with requirements of AUP(OP) and Auckland Transport Code of Practice.
- All proposed residential lots will have sufficient room to accommodate compliant parking and safe onsite manoeuvring upon development.

It is noted that the proposed road extension aligns with the existing legal instrument 10115077.4, registered on the certificate of title for the site.

The proposed roading extension plan, *Proposed Roding Design Levels*, Plan No 400, rev D, dated 18/4/2017, resolves concerns raised by Councils' Traffic Engineer, Nagaraj Prabhakara, and Auckland Transports' Principal Consent Specialist Pragati Vasisht, in regards to construction, cul-de-sac design and continuance of footpath provision to rear lots, parking controls and provision of adequate tracking for the larger Council rubbish trucks (10.3m long).

Following handover from Ms Vasisht, Auckland Transports' Senior Consent Specialist Andrew Gratton, has confirmed that all matters have been satisfactorily addressed. Mr Gratton has also considered that a provision of footpath on one side of the road only is sufficient in this instance.

Mr Prabhakara has reviewed the application and all further information provided and concludes that the proposal is in general accordance with Chapter E27 *Transport* of the AUP(OP), and supports the application, subject to recommended conditions of consent.

I have reviewed Mr Prabhakaras' report and adopt his findings and conclusion. The applicant has reviewed and accepted the recommended conditions in relation to roading and access.

Cultural Effects

Consultation with mana whenua has been undertaken through the Councils' iwi facilitation process, with a response being provided from Robin Taua-Gordon of Te Kawerau Iwi Tribal Authority & Settlement Trust. Ms Taua-Gordon advised the applicant that no Cultural Impact Assessment was considered necessary, and the iwi did not oppose this development. Considerations raised by Te Kawerau Iwi Tribal Authority & Settlement Trust in relation to cultural values, are generally consistent with conditions of consent recommended by Councils' Officers.

Given the above, it is considered that any adverse effects upon the relationship with Mana Whenua and their customs and traditions will be less than minor.

Streamworks

The site contains a tributary of the Hibernia Stream, entering the site on the eastern end of the southern rear boundary and exiting on the southern end of the eastern side boundary. An existing stormwater outfall will be abandoned and a new concrete wingwall outlet installed, so the increased runoff anticipated subsequent to development of the proposed lots, can be discharged with minimal stream bed scour and erosion effects.

Prior to installation of the new outfall, the stream will be diverted through a cofferdam, to allow for construction of the outfall. This is anticipated to be a duration of 3 days and divert a length of stream bed of approximately 2-3 metres. This diversion structure will be removed once the outfall is installed, with the stream flow reinstated.

Councils' Specialist Advisor – Earthworks and Streamworks, Carl Tutt, has assessed the proposed outfall design and construction methodology, and is satisfied that the resultant effects on the environment will be appropriately managed, given the erosion and sediment mitigation controls proposed.

I have reviewed Mr Tutts' report and adopt his findings and conclusion.

Given the temporary duration of the stream diversion, the proposed methodology of construction and design and small scale of the outfall, it is considered that any adverse effects upon the

water quality, ecosystem health and biodiversity of the stream and surrounds will be less than minor. Additionally, proposed mitigation in terms of sediment controls will ensure that any adverse sedimentation effects will be less than minor.

Esplanade Reserve

The applicant proposes to create two local purpose reserves to vest to Council, proposed Lot 30 and proposed Lot 31. Lot 30 will be an esplanade reserve and will provide a total area of 1985m², which is 17m² smaller than the area that would be provided by a fully compliant 20m esplanade reserve. The reduction in reserve area occurs at the northern end of the eastern boundary, and occurs due to the seeking of compliance with minimum net site areas of 600m² for proposed Lots 12-15. This reduced area has been offset by the provision of an additional Local Purpose Reserve lot (Lot 31), which vests an area of 33m² to Council for public access purposes, as a result of discussion and agreement reached between Councils' Senior Parks Planner, Mimouk Hannan and the applicants.

Ms Hannan has reviewed the application and further information, and supports the reduced esplanade reserve, noting that Proposed Lot 31 will provide a better access to the adjoining Kawa Glade, a council owned reserve on the eastern and southern sides of subject site.

Ms Hannan further notes that insufficient information around the specific construction methodology for underground services to be located within Lot 30, was provided at the time of her assessment, and recommends that conditions be imposed at Engineering Plan Approval (EPA) stage, along with recommendations for ongoing maintenance and revegetation of the reserve areas. However, it is noted that the applicant has indicated that directional drilling methodology will be used for the installation of required infrastructure, and a small excavator will be used for construction of the outfall, requiring an access path of approximately 2.5m. This information is contained within the S92 Response Memorandum, prepared by Arborlab Consultancy Services Ltd, dated 26 April 2017.

It is considered that the reduction in provision of esplanade will not adversely affect public access, conservation, recreation and/or amenity values due to the small scale of reduction; the useable, practicable and larger area of access provided by Lot 31 and the edge effects occurring within the area of reduced reserve provision due to the proximity to adjoining residential dwellings. The vesting of Lot 31 to Council enables connectivity to Kawa Reserve, a significant sized Council owned conservation lot.

Given the above, it is considered that adverse effects on biodiversity, amenity and landscape values, and habitat, arising as a result of the reduced esplanade area, will be less than minor, and that appropriate conditions can be imposed to ensure that adverse effects upon the reserve arising from construction of required infrastructure, will be less than minor.

Overall, I agree with the AEE and conclude that adverse environmental effects resulting from the proposed subdivision and associated site works, will be less than minor due to the proposed methodology, mitigation measures and small scale.

Special circumstances and general discretion

Special circumstances are those that are:

- exceptional or unusual, but something less than extraordinary;

- outside of the common run of applications of this nature; or
- circumstances which makes notification desirable, notwithstanding the conclusion that the adverse effects will be no more than minor.

In this instance I have turned my mind specifically to the existence of any special circumstances under s95A(4) and conclude that there is nothing exceptional or unusual about the application, and that the proposal has nothing out of the ordinary run of things to suggest that public notification should occur

I have also considered whether substantive decision making, in terms of achieving the sustainable management purpose of the RMA, would benefit from information brought about via public notification of this application. Within this context I consider there is nothing to warrant exercise of the residual general discretion under s95A(1).

Public notification conclusion

This application can be processed without public notification for the following reasons:

- Adverse effects are considered to be less than minor for the reasons as outlined above.
- There are no special circumstances to warrant notification.
- No reasons exist to exercise the general discretion under s95A(1).

In summary, it is considered that the activity will have or is likely to have adverse effects on the environment that are less than minor and that there are no special circumstances nor reasons to exercise the general discretion. Therefore, it is recommended that this application be processed without public notification.

5. Limited notification assessment (sections 95B, 95E-95G)

If the application(s) are is not publicly notified the council must decide if there are any affected persons, or customary rights or title groups. These persons must then be notified.

There are no rules that preclude limited notification.

In deciding if a person is affected:

- A person is affected if the adverse effects of the activity on that person are minor or more than minor (but not less than minor).
- Adverse effects permitted by a rule in a plan (the permitted baseline) may be disregarded.
- The adverse effects on those persons who have provided their written approval must be disregarded.
- The council must have regard to any statutory acknowledgement under schedule 11. Within the Auckland region the following are relevant:
 - Te Uri o Hau Claims Settlement Act 2002
 - Ngāti Manuhiri Claims Settlement Act 2012
 - Ngāti Whātua Ōrākei Claims Settlement Act 2012
 - Ngāti Whātua o Kaipara Claims Settlement Act 2013
 - Te Kawerau ā Maki Claims Settlement Act 2015

Adversely affected persons assessment (section 95E)

The consultant has provided in accordance with Schedule 4 of the RMA, an assessment of adversely affected persons in such detail as corresponds with the scale and significance of the effects that the activity may have on persons in the surrounding environment. This assessment can be found on pages 19-21 of the AEE. It is noted that this assessment is based on the original proposed scheme plan, where no provision of open space reserves to be vested to Council, was made.

The AEE assessed effects on identified properties as follows;

14 and 16 Greenwoods Close

These two properties adjoin the north-eastern boundary of the site, adjoining proposed Lot 15 subsequent to subdivision. The AEE assessed adverse effects on the occupants of these adjoining properties as less than minor due to;

- The location of building platform to the west of the boundary being offset by an existing right of way easement (CT interest 10115077.6).
- Any future development would be subject to relevant planning provisions, or required to obtain separate resource consent,
- The adherence of Proposed Lot 10 with the building restriction requirements imposed by CT interest K73221. This restriction was to enable the extension of Greenwoods Close south to Daffodil Street, and, as such, adverse effects upon these adjoining occupants would have previously been assessed as being less than minor by Council.
- The limited duration of, and compliance with required standards for, the construction of accessway.

5 Greenwoods Close

This property adjoins the north-western boundary of the site, which will be identified as Lot 3 subsequent to subdivision. The AEE assesses adverse effects upon the occupants of this adjoining property as less than minor due to;

- Any future development would be subject to relevant planning provisions, or required to obtain separate resource consent,
- The adherence of Proposed Lot 10 with the building restriction requirements imposed by CT interest K73221. This restriction was to enable the extension of Greenwoods Close south to Daffodil Street, and, as such, adverse effects upon these adjoining occupants would have been assessed as being less than minor by Council.
- The limited duration of, and compliance with required standards for, the construction of accessway.

78, 80, 82A and 84A Konini Road

These properties adjoin or are adjacent to the western boundary of the site. It is noted within the AEE, that 82A Konini Road does not adjoin the subject site, but that is considered to be

adjacent, given the small area of land contained within 84A Konini Road, that exists between 82A Konini Road and the subject site.

The AEE assesses that adverse effects upon the occupants of these adjoining/adjacent properties, as less than minor due to;

- The limited duration of, and compliance with required standards for, the construction of accessway.
- Any future development would be subject to relevant planning provisions, or required to obtain separate resource consent.

90 Konini Road

This property adjoins the southern boundary of the site and will be adjoined by the boundaries of proposed Lots 8, 31 and 30. The AEE considers that adverse effects upon the occupants of this adjoining property to be less than minor due to;

- Any future development would be subject to relevant planning provisions, or required to obtain separate resource consent.

109 Atkinson Road (Kaurilands Primary School)

Kaurilands Primary School adjoins the north-eastern boundary of the subject site, and will be adjacent to Lot 30, being the esplanade reserve. The AEE has assessed adverse effects upon the occupants of this adjoining lot to be less than minor due to;

- The existing right of way easement imposed by CT interest item 10115077.6.
- The non-utilisation of the area adjoining the boundary of the subject site, by the school due to the dense native bush and stream environment contained within this area.
- Any future development would be subject to relevant planning provisions, or required to obtain separate resource consent.

8A Kawaka Street (Kawa Glade)

This adjoining property is an Auckland Council open space reserve known as Kawa Glade. The AEE assesses that adverse effects upon users of this site will be less than minor due to;

- The existing right of way easement imposed by CT interest item 10115077.6.
- The non-utilisation of the area adjoining the boundary of the subject site due to the dense native bush and stream environment contained within this area.
- Any future development would be subject to relevant planning provisions, or required to obtain separate resource consent.

Overall, I agree with the AEE and consider that adverse effects on the occupants of the identified neighbouring properties will be less than minor due to;

- The consistency of the sizes of proposed Lots 3, 4 & 7 with adjoining sites in terms of area and layout, resulting in an overall subdivision of the parent site that is in keeping with the existing character and amenity established within the neighbourhood.

- The overall average site sizes achieved by the subdivision provide the sense of spaciousness sought by the AUP(OP) for the zone, albeit that individual site sizes are below the minimum 600m² threshold, with the variation in site size providing a range of housing opportunities and visual relief within the context of the neighbourhood.
- The protection of native bush through the vesting to Council and covenants on titles created for Lots 12-15, will maintain the landscape amenity provided through spaciousness, large trees and visual relief from built structures. Additionally, the public access provided by vesting of Lot 31 as Local Purpose Reserve, will increase recreational amenity within the surrounding area.
- The requirement for any future development to comply with required planning standards or gain resource consent for variation from these standards
- The intended residential use of proposed Lots 1-15, subsequent to subdivision.
- The restriction of building platform location and vegetation removal imposed upon Lots 12-15 and agreed to by the applicant as a condition of consent, and the low quality of vegetation within the indicative building platform for Lot 8.
- The adherence of the location of the extension to Greenwoods Close, contained within Lot 10, with outcomes sought by Council by way of building line restriction.
- The vesting of open space reserves (Lots 30 and 31) to Council for the purposes of esplanade reserve and public access.
- The proposed revegetation and weed/pest control which will maintain and enhance amenity values for occupants of neighbouring properties.
- The temporary duration and small scale of works proposed, which are necessary to establish appropriate access for the proposed lots. Additionally, the applicant has agreed to required conditions in terms of noise, hours of operation, dust, lights, truck movements and kauri dieback protection measures.

Therefore, it is recommended that this application be processed without limited notification because there are no affected persons under s95E.

6. Notification recommendation

Non-notification

For the above reasons under section 95A these applications may be processed without public notification.

In addition, under section 95B limited notification is not required.

Accordingly, I recommend that these applications are processed non-notified.



Pamela Unkovich

6 November 2017

Consultant Planner, Thomas Consultants

Peer Reviewed prior to release to Council by



27 September 2017

Team Leader, Thomas Consultants

7. Notification determination

Acting under delegated authority, and for the reasons set out in the above assessment and recommendation, under sections 95A and 95C to 95D, and 95B and 95E to 95G of the RMA these applications shall be processed non-notified.



14 November 2017

Kristin Spyve
Team Leader
Resource Consents

Date

Decision on application(s) for resource consent under the Resource Management Act 1991



Non-complying activity

Application number(s): BUN30582385/LUC60020040/SUB60039477/LUS60069275
Applicant: Alastair & Vanessa Riddell
Site address: 7 Greenwoods Close, Titirangi
Legal description: Lot 2 DP 486573

Proposal:

To undertake a 3-stage, 17-lot subdivision including the creation of an access lot and two open space reserves, with associated earthworks and streamworks for the installation of required infrastructure. The staging of the subdivision will be;

- Stage 1 – creation of Lots 3 and 4, being new vacant residential lots of 450m², creation of Lot 10, being a road to vest comprising 921m², Lot 5, containing the existing dwelling and being 1826m², Lot 6, being a vacant residential lot of 1077m², Lot 30, being the esplanade reserve and comprising 1985m², and Lot 2, being the balance lot comprising 2435m².
- Stage 2 – Subdivision of parent Lot 6 to create; Lots 7 and 8, being vacant residential lots of 453m² and 623m² respectively.
- Stage 3 – Subdivision of parent Lot 2 to create; Lots 12-15, all comprising 600m².

The resource consents required are:

Land use consents (s9) – LUC60020040

Auckland Unitary Plan (Operative in part)

District

Earthworks

- To undertake general earthworks of 1184.04m² and 382.76m³, as the earthworks are greater than 500m² and 250m³ in a residential zone, is a **restricted discretionary** activity under rules E.12.4.1(A5) and (A8) respectively.

Regional

Earthworks

- To undertake land disturbance of 243.48m² and 120m³ within a SEA overlay, as the land disturbance is greater than 5m² and 5m³, is a **restricted discretionary** activity under Rules E11.4.3(A28) and E11.4.3(A30) respectively.

Vegetation Removal

- To remove 249m² of native vegetation within an SEA not otherwise provided for, is a **discretionary** activity under Rule E15.4.2 (A43).
- To remove and alter vegetation within 10m of an urban stream is a **restricted discretionary** activity under Rule E15.4.1 (A19).
- To remove and alter vegetation within a Significant Ecological Area to construct an extension of the existing Greenwoods Close for the purposes of access provision to proposed Lots 3, 4, 11, 12, 13, 14, 15 and 31; and to construct a shared right of way for access to Lots 7 & 8, which will enable the create of sites with a density of one dwelling per site, and which does not exceed 300m² of removal or alteration, is a **controlled activity** under Rule E15.4.2 (A29).

Subdivision consent (s11): SUB60039477

Auckland Unitary Plan (Operative in part)

- To subdivide a site that is identified on Council planning maps as being within the 1% AEP floodplain, is a **restricted discretionary** activity under Rule E38.4.1 (A11).
- To subdivide land creating an esplanade strip, that does not provide a 20m minimum wide esplanade, as required by Standard E38.7.3.2 (1), is a **discretionary activity** under Rule E38.4.1 (A13).
- To subdivide land around existing buildings, complying with Standard E38.8.2.2, is a **restricted discretionary** activity under Rule E38.4.2 (A15).
- To undertake a vacant site subdivision involving a parent site of less than 1ha, which will result in 4 of the proposed lots having a nett site area less than 600m², and therefore being non-compliant with the minimum threshold required under Standard E38.8.2.3, is a **discretionary** activity under Rule E38.4.2 (A17).
- To undertake a subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay, not complying with Standard E38.8.2.5 (2)(b), is a **non-complying** activity under Rule E38.4.2 (A23).
 - Standard E38.8.2.5(2)(b) requires that residential lots created by a subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay be located entirely within the areas available for residential subdivision. The proposed development will create six (6) lots within the SEA overlay and is unable to comply with this standard.
- To undertake a subdivision within a residential zone that does not meet the standards required by E38.8.1.1 (2)(f), is a **discretionary** activity under Rule E38.4.2 (A31).
 - Standard E38.8.1.1(2)(f) requires all vacant sites to be able to contain a rectangle of 8 metres by 15 metres located outside areas identified as SEA areas. Proposed Lots 8, 12, 13, 14 and 15 have building platforms that are located within SEA areas identified on the parent site and are non-compliant with this required standard.

Streamworks consent (s13): LUS60069275

Regional

Streamworks

- To install a stormwater outfall, compliant with Standards in E3.6.1.14, within a Significant Ecological Area overlay is a **restricted discretionary** activity under Rule E3.4.1 (A39).

Decision

I have read the application(s), supporting documents, and the report and recommendations on the consent application(s). I am satisfied that I have adequate information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on the application(s).

Acting under delegated authority, under sections 104, 104B, 104D, 105, 106 & 107 the application(s) are **GRANTED**.

1. Reasons

The reasons for this decision are:

1. The proposal passes the tests under s104D for non-complying activities. The proposal is not contrary with the relevant objectives and policies of the AUP(OP) in that it provides for residential development within a site zoned as such. Ongoing protection and enhancement of identified SEA on the site will be provided through both legal protection and relevant planning rules with public access and ecological linkages provided. Adequate servicing and access is available for the lots. Consideration has been given to mana whenua values through consultation with the relevant iwi identifying as holding mana whenua for the locality. The application provides for appropriate esplanade and access reserves which will be vested to Council to provide appropriate linkages with established reserves in the area. Physical works on the site will be undertaken with appropriate sediment and erosion controls used to adequately manage adverse effects upon water quality of the surrounding receiving waterways, while construction methodology will minimise the impacts of installation for necessary services and infrastructure. Overall development will result in the creation of lots that are not inconsistent with the existing suburban character and amenity values of the surrounding area. Additionally, the proposal will have less than minor adverse effects upon the environment.
2. In accordance with an assessment under s104(1)(a) of the RMA the actual and potential effects from the proposal will be acceptable as:
 - The anticipated residential use of the lots at a density of one dwelling per site, is consistent with the existing and anticipated character of the zone. The overall development will provide a sense of openness and suburban character anticipated within the zone, through the variation in site sizes, the creation of an esplanade reserve and protection of areas of indigenous vegetation.
 - The clustering of Lots 3, 4 and 7 to the northwest, aligns with the existing developed character of the surrounding area and results in an efficient use of the site in terms of

layout and servicing, albeit that these sites are below the minimum site area threshold for the zone. Additionally, the overall average lot size of 672m² will ensure that the existing and anticipated character is not undermined by the reduced nett site area for these three lots.

- The existing sense of spaciousness within the neighbourhood, will be retained through the retention and legal protection of the majority of bush on the area, and the requirement for any future development to comply with relevant standards in terms of building coverage and impervious area, or otherwise obtain resource consent for variations from these standards.
- The ongoing protection and enhancement of the native bush within the SEA and riparian margins will be provided through the creation of an esplanade reserve. Councils' Parks Planner is able to support the reduced esplanade area, given the offset provided by the additional 33m² of open-space access created by Lot 31. As such, any adverse conservation, public access, and amenity effects resulting from the esplanade reserve reduction will be less than minor.
- The subdivision of the site creates multiple ownership of SEA on the site, which can be considered as fragmentation of these areas. However, it is considered that this is a technicality, in terms of adverse effects, as the imposition of boundary lines, in itself, does not necessarily present a physical loss of ecological linkage or habitat, given that the protection mechanisms are not dependent on ownership basis. However, the potential for adverse effects arises from the increased development potential enabled by the subdivision. In this instance, it is considered that such adverse effects have been appropriate minimised through the restriction on vegetation removal (protection enabled) and location of any future dwelling to be within the building platform identified on the scheme plan. The placement of the building platforms for Lots 12 – 15 have taken the SEA into consideration, being as far outside this area as possible, with the building platform for Lot 15 being completely outside the SEA overlay. The building platform will Lot 12 will have the greatest adverse effect in terms of the identified SEA overlay, however it is noted that the existing vegetation site in the region of proposed Lot 12 is currently modified and contains several accessory buildings. This is likewise the case for the proposed building platform for Lot 7, with the vegetation on the south-western edge of the property containing a high number of weed species, principally Monkey Apple tree (*Syzygium smithii*).
- The proposed revegetation and pest management will enhance the existing bush and adequately mitigate the removal of native bush under this application. The proposal is able to be supported by Councils' Parks Planner, Councils' Senior Ecologist and Councils' Consultant Arborist. As such, any adverse effects on the biodiversity and ecological values will be less than minor.
- The proposed methodology for the installation of required infrastructure will minimise impacts upon the vegetation and surrounding environment as far as is practicable. Councils' Streamworks Specialist is able to support the installation and establishment of the proposed stormwater outfall. As such, any adverse effects upon indigenous vegetation, stream ecology and water quality will be less than minor.

- The proposed sediment and erosion control measures will minimise impact from required siteworks upon the surrounding ecosystems and waterways, such that any adverse effects upon water quality, biodiversity and ecology within the surrounding area will be less than minor
- Safe and suitable access is available to all sites, and the proposed road extension adheres to envisaged road linkages identified by building line restrictions on the site, encumbered in favour of Council. The road extension also complies with all required standards in terms of design and construction, and is supported by Councils' Traffic Engineer and Auckland Transports Senior Planner. It is considered that any adverse effects upon traffic safety and uninterrupted use by other traffic networks users will be less than minor
- Stable and level building platforms, outside of identified 1% AEP floodplains, are achievable on all proposed lots. As such, any adverse effects from land instability and flood hazards, on or offsite will be less than minor.
- Adequate servicing is able to be provided to all lots, and Councils' Development Engineer is able to support the proposed servicing. As such, any adverse effects upon capacity of existing infrastructure will be less than minor.
- Appropriate mitigation methods in terms of kauri dieback, have been agreed to by the applicant, and are accepted as best current practice in terms of minimising risk of spread of the disease. As such, any adverse effects in terms of spread of kauri dieback disease will be less than minor
- The proposed directional drilling methodology for construction of required stormwater infrastructure, accessways and stormwater outfall will minimise land disturbance within the SEA area. As such, any adverse effects in terms of land disturbance, erosion and sediment will be less than minor.
- The proposed building platforms for Lots 8, 12, 13, 14 and 15 minimise the area of vegetation removal required within the SEA overlay. Additionally, the shared access for Lots 7 & 8 will remove an area of lesser quality bush that contains numerous weed pest plants. The restricted covenant required on the certificate of titles for the lots will maintain an ability for Council to monitor vegetation removal and construction location on the sites.
- Consultation has been undertaken with relevant iwi, with no opposition to the proposed development being raised by Te Kawerau Iwi Tribal Authority & Settlement Trust, who responded as mana whenua for the area.

2. In terms of positive effects:

- Public access to the open space reserves both within the development and adjoining, will be improved by the additional access provided through the creation of Lot 31.
- The creation of an esplanade reserve will protect and enhance biodiversity and ecological linkages within the area, as well as enhancing public access to the stream margins for the wider community.

- The additional residential lots will increase the available land for residential development within an existing modified urban area, while minimising impacts upon the environment.
 - The extension of Greenwoods Close will provide increased connectivity within the existing roading network.
3. In accordance with an assessment under s104(1)(b) of the RMA the proposal is consistent with the relevant statutory documents, being the Auckland Unitary Plan (Operative in Part). In particular:

Objectives E3.2 and Policies E3.3 [rp]

The above objectives and policies relate to the management of the beds of lakes, rivers, streams and wetlands in order that ecological and biodiversity values, and water quality are maintained and enhanced, and the natural processes and conveyance of flood water is retained. Specific regard is had to the provision for structures in, on, under or over the bed of streams where functional and/or operation needs for the structure to be in the location exist. The recognition of Mana Whenua values in relation mauri of water and cultural heritage is also highlighted within the objectives and policies.

It is considered that the proposed development is consistent with these objectives and policies as there is a functional requirement for the stormwater outfall to be located within the banks of the urban stream contained within the site boundaries, and the design and construction methodology minimises adverse effects upon the environment through sediment and erosion controls.

Objectives D9.2 and Policies D9.3 [rcp/rp/dp]

The above objectives and policies seek to manage adverse effects of development upon areas identified as having significant ecological value, and enhance the biodiversity values associated with these areas. The recognition of, and provision for, the relationship Mana Whenua have with indigenous flora and fauna also forms a core component of objectives and policies.

It is considered that the proposed development is not contrary to the above objectives and policies as the required loss of vegetation is limited to that required for the provision of access, suitable mitigation measures are proposed for controlling sediment and erosion effects, low impact methodology will be used for installation of required infrastructure and the site works will be of a temporary and short duration. Additionally, revegetation and weed/pest management will be undertaken as part of the development, with legal protection given to the bush during any future development by way of restrictions on building platform location. Further, consultation has been undertaken with Mana Whenua, who support the application; and the riparian margins will be protected to perpetuity through the creation of an esplanade reserve to vest to Council.

With specific reference to Policy D9.3 (2), the subdivision will create a fragmentation of indigenous habitat, and introduce future development ability with the potential to reduce the size and extent of such habitats and ecosystems. However, in this instance, it is considered that the proposal is not contrary to the outcomes sought by the objectives and policies of the SEA overlay, given the consideration given in locations of the proposed building platforms,

the mitigation proposed in terms of revegetation and weed and pest management, and legal protection for all areas of indigenous vegetation on the proposed lots, including a small area outside of the SEA overlay. Additionally, the fragmentation of the SEA arises from legal mechanism, being a subdivision, which disrupts the contiguous ownership of the area. This does not necessarily result in any greater physical fragmentation occurring within the indigenous vegetation, given the protection offered by both the planning rules and the legal protection by way of consent notices. Additionally, Councils' Consultant Arboreal Specialist has noted that where SEA is within proposed residential lots (Lots 8 and 12-15), the better quality and more established trees are outside of the indicative building platforms.

Objectives E1.2. and E2.2., and Policies E1.3. and E2.3.

These objectives and policies relate to management of freshwater, and seek to reduce adverse effects of development upon the quality and quantity of freshwater, and maintain and/or progressively improve the quality of freshwater and sediment over time. Recognition of the importance that freshwater has to mana whenua, through seeking to maintain or improve the mauri of freshwater, also forms a key focus of these objectives and policies.

It is considered that the proposed development is not contrary to these objectives and policies as discharges from the intended works will be appropriately managed so as to reduce impacts upon the adjacent waterways and sufficient infrastructure is proposed to mitigate increased runoff from future development on the sites. The retention and protection of indigenous vegetation cover, which will be enhanced through proposed revegetation, will provide for natural filtration and ecological processes to occur. The scale of proposed development is not contrary to the scale envisaged for the zone by Council, and it is considered that sufficient capacity exists within the public networks to absorb the increased demand without impacting water quality or quantity to any level that could be considered more than minor. Preliminary approval to the proposal has been provided by Watercare.

Objectives E11.2. and E12.3. and Policies E11.3. and E12.3

The objectives and policies within these chapters relate to regional and district considerations, and seek to manage adverse effects upon people and the environment through ensuring accidental discovery protocols and best practice methodology are followed including limiting amount of land able to be disturbed at any one time, preventing sediment entering waterways, particularly within sensitive environments, and protecting the stability of surrounding land, buildings and structures.

The proposed development is considered to be not contrary to (and is consistent with) the outcomes sought by these objectives and policies as appropriate sediment and erosion control measures are proposed, the site has been identified by suitably qualified geotechnical professionals as being suitable to contain the proposed development and siteworks with no increased risk of instability onsite or to surrounding land and/or buildings.

Objectives E15.2 and Policies E15.3 [rcp/rp/dp]

These objectives seek to ensure that;

- Ecosystems and biodiversity services and values are maintained and enhanced while providing for appropriate subdivision, use and development

- Restoration and enhancement of indigenous biodiversity occurs in areas of degraded ecological values and development.

These outcomes are achieved by policies that require protection, management and enhancement of indigenous vegetation cover, and in riparian margins and areas prone to natural hazards. Management of effects of activities in order to minimise adverse effects on biodiversity and ecosystems also is a core component of these policies, with specific regard to providing for pest management and control of kauri dieback.

It is considered that the proposed development is not contrary to (and is consistent with) the outcomes sought by these objectives and policies as mitigation measures, including sediment and erosion control and construction methodology, revegetation and weed and pest management will enhance the existing indigenous bush cover and offset the area of vegetation required to be removed to provide for building platforms and access. Restricting the location of development on the proposed lots containing vegetation identified as being within a Significant Ecological Area through registered covenants on the certificate of titles will provide legal protection, as well the vesting of an esplanade reserve to Council.

Objectives E27.2 and Policies E27.3

These objectives and policies seek to minimise adverse effects of increased traffic upon all other users of the surrounding transport network, and to ensure that pedestrian and non-vehicular use is provided for.

It is considered that the proposed development is consistent with the outcomes sought by the above objectives and policies as the proposed access and road extension will be constructed to required standards and best practices, all lots are able to obtain appropriate access to the road and the scale of development proposed is of a small scale and increased traffic will be able to be absorbed into the wider roading network. Appropriate provision is made for pedestrian use of the roadway.

Objectives E38.2 and Policies E38.3

These objectives and policies seek to ensure to enable subdivision of land that;

- is in accordance with outcomes sought for the relevant zone, being residential in this instance;
- provides for the long-term needs of the community;
- minimises adverse effects of future development on the environment;
- vests land to provide for esplanade reserves;
- provides infrastructure at time of subdivision or development;
- provides a layout that is safe, efficient, convenient and accessible;
- manages adverse effects on Historic heritage of Maori cultural heritage;
- maintains or enhances the natural features and landscapes contributing to character and amenity values;

- does not increase risk from natural hazards to people, property, infrastructure or the environment;
- protects indigenous vegetation or wetlands within residential zones; and
- maintains the function of flood plains and overland flow paths to safely convey flood waters, taking into account climate change effects.

It is considered that proposed subdivision is not contrary to the outcomes sought by the above objectives and policies albeit that three of the proposed residential lots will be under the minimum site sizes anticipated for the zone. This consideration arises from the provision of access and infrastructure to all sites, the location of the building platforms outside of areas subject to natural hazards, the maintenance of the natural conveyance processes of floodplains and overland flowpaths enabled through the subdivision, the minimisation of adverse environmental effects through revegetation planting, weed and pest control and sediment and erosion protection measures during site works. The retention and legal protection of the majority of existing indigenous vegetation, and the achievement of an overall average site area of 672m² will maintain the spaciousness and density anticipated for the zone, and be in keeping with the amenity values obtained within the surrounding neighbourhood. Additionally, the subdivision vests esplanade and access reserve to Council and will not result in significant modification of existing landforms. It is considered that the reduced net site area for Lots 3, 4 and 7 are not contrary to outcomes sought by the objectives and policies, given the ability of any future development on the sites to comply with relevant planning controls and the consistency of the proposed lot sizes with existing lots adjoining the site, which have a higher density residential zoning. It is also considered that the protection of the existing native vegetation within the SEA and by an esplanade reserve provides a backdrop of open space amenity and expansiveness sought within the single house zone.

With specific reference to Policy E38.3 (5) seeks to provide for *subdivision of residential zoned sites containing indigenous vegetation scheduled in the D9 SEA overlay, where the significant ecological area is to be protected, and enable the same or a similar number of sites to be created as would be enabled if the site did not contain a significant ecological area*, the proposed subdivision will be consistent with the outcomes sought by this policy as the SEA (outside of clearance area required for building platform) will be protected through legal mechanisms, and the number of sites created is below that which could be created if the site was not subject to a SEA overlay.

Objectives H3.2. and Policies H3.3

The above objectives and policies seek to ensure that any development is in keeping with the amenity and character values existing within and anticipated for, the surrounding suburban neighbourhood, with this character expressed as being single dwellings of one to two storey high buildings.

It is considered that, notwithstanding the non-compliance of three of the proposed residential lots with minimum site sizes, the proposed subdivision is not contrary to the outcomes sought by these objectives, as sufficient space is provided to enable the establishment of compliant dwellings on the site, the residential use anticipated for the lots is in accordance with the existing residential nature of the surrounding neighbourhood, and

the continued sense of spaciousness provided by the creation of an esplanade reserve and ongoing protection of indigenous vegetation. Additionally, it is considered that the reduced site sizes are anticipated for within subdivision of sites involving indigenous vegetation identified as being ecologically significant.

The extension to Greenwoods Close, with provision for pedestrian access, and the open space access reserve to be vested to Council, creates increased connectivity and walkability within the neighbourhood, thereby enhancing amenity values.

4. In accordance with an assessment under s104(1)(c) of the RMA, the following other matters are considered relevant: monitoring, development contributions, timeframes of consent and consent notices. These have been recommended within conditions of consent and are considered to be relevant in terms of consideration of the potential effects on the environment of allowing the activity. Further, the existing encumbrance in favour of Council, on the Certificate of Title for the site is considered to be relevant in terms of the consideration of adverse effects arising both the physical location of the road on the site, and the siteworks required for the establishment of this road. In relation to timeframes, it is noted that a length of 35 years has been accorded for the duration of the stream works consent LUS60069275. Given the nature of the infrastructure for which consent has been granted, and low potential for further subdivision and therefore intensification of use to occur, this timeframe is considered to be suitable
5. In accordance with an assessment under s106 of the RMA, the proposal is consistent with the relevant statutory documents as the land is not and is not likely to be, subject to material damage by erosion, falling debris, subsidence, slippage or inundation; and any subsequent use of the land is not likely to accelerate or worsen the risk of the aforementioned material damage. Sufficient provision has been made for physical and legal access to each proposed lot.
6. In accordance with an assessment under s229 of the RMA, the proposed esplanade will be in accordance with the required purposes as it will contribute to protection of conservation values by protecting the natural values associated with the esplanade reserve and will enable public recreational use of the esplanade reserve, should Council consider such use compatible with conservation values.
7. Section 107(1) of the RMA places restrictions on the granting of certain discharge permits that would contravene Sections 15 or 15A of the RMA. The proposal will not give rise to any of the effects listed in Section 107(1).
8. The application is considered to meet the relevant provisions of Part 2 of the RMA as the proposal achieves the purpose of the RMA being sustainable management of natural and physical resources. In particular, the application is consistent with Section 7(b) and (c) as the proposal seeks to efficiently use natural and physical resources whilst maintaining acceptable amenity levels to nearby residents.
9. Overall the proposal is to merit a decision to grant consent.

2. Conditions

Under section 108 of the RMA, these consents are subject to the following conditions:

General conditions

These conditions apply to all resource consents.

- The non-complying activity shall be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the council as consent numbers BUN30582385 / LUC60020040 / SUB60039477 / LUS60069275

- Application Form, and Assessment of Environmental Effects prepared by Tracey Morse of Envivo Ltd, dated 5 August 2016.

Report title and reference	Author	Rev	Dated
Geotechnical Investigation Report ref GH757	Geoconsult Geotechnical Consultants	-	7 th June 2016
Ecological Assessment ref 24740 (revised)	Arborlab Consultancy Services Ltd	-	3 rd February 2017
Aboricultural Assessment ref 24740 (revised)	Arborlab Consultancy Services Ltd	-	3 rd February 2017
Engineering Report ref 22790	Envivo Ltd	-	April 2016
Technical Memorandum – Additional Civil Engineering Assessment	Envivo Ltd	-	7/02/2017
Additional Traffic Engineering Assessment, Job No: 22790	Envivo Ltd	-	10/02/2017
Technical Memorandum – Traffic Impact Assessment for Proposed 9 Lot Subdivision	Envivo Ltd	-	8 December 2016
Addendum to Geotechnical Assessment, Ref. GH757	Geoconsult Geotechnical Consultants	-	15 th February 2017
S92 Response Memorandum	Arborlab Consultancy Services Ltd	-	26 April 2017
Technical Memorandum, Further Civil Engineering Matters (Council email dated 5 th April, 2017)	Envivo Ltd	-	26/04/2017
Technical Memorandum – Further Civil Engineering Matters [Traffic] (Council email dated 5 th April, 2017)	Envivo Ltd	-	12/05/2017

Plan title and reference	Author	Rev	Dated
Scheme Plan – Stage 1, Plan No 130	Envivo Ltd	G	31/10/17
Scheme Plan – Stage 2, Plan No 131	Envivo Ltd	G	31/10/17
Scheme Plan – Stage 3, Plan No 132	Envivo Ltd	G	31/10/17
Proposed Roding Design Levels, Plan	Envivo Ltd	D	18/04/17

No 400

Lots 7 & 8 Right of Way, Plan No 401	Envivo Ltd	C	18/04/17
Proposed Development Cut & Fill, Plan No 300	Envivo Ltd	B	15/09/17
Proposed Servicing, Plan No 500	Envivo Ltd	B	02/02/17
Stormwater Outfall Details Plan No 580	Envivo Ltd	A	10/02/17
1% AEP Overland Flow & Flooding, Plan No 700	Envivo Ltd	A	08/04/16
Erosion & Sediment Controls, Plan No 301	Envivo Ltd	A	08/04/16
Erosion & Sediment Control Typical Details, Plan No 302	Envivo Ltd	A	08/04/16
Roadway Lighting Plan – AT Spill Light, Drawing No 1	Kendelier Lighting	-	2/12/2016
Roadway Lighting Plan – AT Spill Light, Drawing No 2	Kendelier Lighting	-	2/12/2016
Roadway Lighting Plan - Drawing No 1	Kendelier Lighting	-	2/12/2016
Roadway Lighting Plan - Drawing No 2	Kendelier Lighting	-	2/12/2016
Roadway Lighting Plan - Tree Clearance Indicators, Drawing No 1	Kendelier Lighting	-	2/12/2016
Roadway Lighting Plan – Tree Clearance Indicators, Drawing No 2	Kendelier Lighting	-	2/12/2016
Tree Location and Site Works Plan, Drawing Number ARB-24740-01	Envivo Ltd/Arborlab Consultancy Services Ltd	C	27/6/16

Other additional information	Author	Rev	Dated
Response to Request for Additional Information Resource Consent Application – 7 Greenwoods Close, Titirangi	Tracey Morse, Envivo Ltd	-	17 February 2017
Response to Request for Additional Information Resource Consent Application – 7 Greenwoods Close, Titirangi	Tracey Morse, Envivo Ltd	-	23 May 2017

2. Under section 125 of the RMA, this consent lapses five years after the date it is granted unless:
 - a. The consent is given effect to; or
 - b. The council extends the period after which the consent lapses.
3. The consent holder shall pay the council an initial consent compliance monitoring charge of \$1280 (inclusive of GST), plus any further monitoring charge or charges to recover the actual and reasonable costs incurred to ensure compliance with the conditions attached to this consent/s.

Advice Note

The initial monitoring deposit is to cover the cost of inspecting the site, carrying out tests, reviewing conditions, updating files, etc., all being work to ensure compliance with the resource consent. In order to recover actual and reasonable costs, monitoring of conditions, in excess of those covered by the deposit, shall be charged at the relevant hourly rate applicable at the time. The consent holder will be advised of the further monitoring charge. Only after all conditions of the resource consent have been met, will the council issue a letter confirming compliance on request of the consent holder.

Pre-commencement conditions – Earthworks

4. Prior to the commencement of the earthworks activity, the consent holder shall hold a pre-start meeting that:
 - is located on the subject site
 - is scheduled not less than 5 days before the anticipated commencement of earthworks
 - includes all concern officer[s] e.g. Monitoring officer, Aborist etc.
 - includes representation from the contractors who will undertake earthworks and suitably qualified professionals
 - The following information shall be made available at the pre-start meeting including specific references to all relevant documentation:
 - Timeframes for key stages of the works authorised under this consent;
 - Resource consent conditions;
 - Stormwater Outfall Details and;
 - Erosion and Sediment Control Plan.
 - Copy of Temporary Traffic Management Plan/Construction Traffic Management Plan, as approved by Auckland Transport (required by Conditions 5 & 19).
 - Details of temporary fencing for protection of vegetation and any other required vegetative protection (required by Conditions 13, 14, 15 and 16).
 - Details for the route for machinery access and memos titled 'Greenwoods Close, Titirangi – S92 Response Memorandum' provided by Peter van Loon of Arborlab Consultancy Services Limited, dated 26th April 2017 and 'Technical Memorandum' (in response to an S92 request) provided by Chris Shortt of Envivo Limited, dated 26/4/2017 (required by Condition 41).
 - Copy of the detailed Planting/Revegetation and Maintenance Plan (required by Condition 17).
 - Details of phytosanitary/kauri dieback protection measures established onsite (required by Conditions 14 and 50) or confirmation that such measures are not required (pursuant to Condition 52).

- Copy of the Weed and Pest Control Plan (required by Conditions 18 and 37). The meeting shall discuss the erosion and sediment control measures, the earthworks methodology and shall ensure all relevant parties are aware of and familiar with the necessary conditions of this consent.

Advice Note

To arrange the pre-start meeting required by Condition 4, please contact the Team Leader West Monitoring & Incidents to arrange this meeting +64 9 301 0101. The conditions of consent should be discussed at this meeting. All additional information required by the Council should be provided 2 days prior to the meeting.

5. Prior to the commencement of the earthworks activity, the consent holder shall obtain the approval of Auckland Transport for Temporary Traffic Management Plan (TMP) specifically addressing control of construction access to the site and traffic control adjacent to the site, and the protection of the public. No earthworks activity shall commence until a copy of the approved TMP is provided to the Team Leader West Monitoring & Incidents. A copy of the Traffic Management Plan, together with the verification letter shall be kept on the site at all times. All measures for the protection of the public and other personnel set out in the verified Plan shall be maintained and complied with at all times until such time as the works are completed.
6. The Team Leader West Monitoring & Incidents shall be notified at least two (2) working days prior to earthwork activities commencing on the subject site.
7. Prior to the commencement of earthworks activity, all required erosion and sediment control measures on the subject site shall be constructed and carried out.
8. Prior to earthworks commencing, a certificate signed by a suitably qualified, experienced person shall be submitted to the Team Leader, West Monitoring & Incidents, to certify that the erosion and sediment controls have been constructed in accordance with the *Erosion and Sediment Controls*, plan number 301, Rev A. drawn by AM of Envivo Ltd and dated 8 April 2016, and Councils' GD05.
9. Certified sediment and erosion controls shall include the stabilised construction entrance, super silt fences, clean water diversion bunds and stream diversion. The certification for these measures shall be supplied immediately upon completion of their construction. Information supplied if applicable, shall include:
 - a) Contributing catchment area;
 - b) Volume of structure (dimensions of structure);
 - c) Position of inlets/outlets;
 - d) Stabilisation of the structure; and,
 - e) Retention volume of the structure (measured to the invert of the emergency spillway).
 - f) Stabilisation of the structure.

Advice Note

It is recommended that you discuss any potential measures with Council's monitoring officer who will guide you on the most appropriate approach to take. Please contact the Team Leader

*West Monitoring & Incidents on +64 9 301 0101 for more details. Alternatively, please refer to Auckland Council Guideline Document 2016/005 "Auckland Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region".*Pre-commencement conditions - Arboricultural

10. The consent holder shall employ a suitably experienced arborist (appointed arborist) to ensure compliance with all consent conditions relating to tree protection for the duration of the works and to supervise all works within the root zones of trees to be retained.
11. Prior to works commencing there shall be a pre-commencement meeting on site with the consent holder, the project manager/site foreman and the consent holder's appointed monitoring arborist. This meeting shall discuss the proposed work, how it is to be done, installation of the temporary access for the machinery necessary to install the two manholes and outfall within the SEA, hygiene requirements, areas for storing equipment and materials, conditions of consent, temporary fencing and tree protection measures.
12. The pre-commencement meeting may also be attended by Council's Parks Arborist who is responsible for the public tree asset. The consent holder shall give Council's Arborist at least 10 working days prior notice of the intended date of the meeting.
13. Prior to works commencing, suitable protective fencing shall be erected where necessary to isolate retained, protected trees. The exact location and nature of the protective fence shall first be agreed upon with the works arborist. For the duration of the time the protective fence is in place, the areas protected by the fence shall be regarded as sacrosanct, and no material is to be stored, emptied or disposed of within those areas. No person, vehicle or machinery may enter the protected areas unless otherwise authorised to do so by the works arborist.
14. Prior to any physical works commencing on site, a phytosanitary wash station shall be established. The wash station shall be kept stocked with an adequate supply of Sterigene (or suitable equivalent) and cleaning equipment for the duration of the project.
15. Prior to the commencement of any physical works, as many seedlings and small trees (< ≈2m) as possible from within the proposed cleared areas (future building platforms, driveways, road extension and temporary accessways) should be carefully dug out using hand operated tools only. The plants should be temporarily stored on site in suitably sized pots or moist hessian using only soil material derived from the site until such time as they can be replanted at suitable locations. The plants should be watered daily during periods of prolonged drought such as during the summer months. The seedlings shall be relocated to suitable areas within the SEA, particularly to where pest plants have been removed.

Pre-commencement conditions - Ecological

16. The remaining native SEA vegetation to be retained shall be cordoned off from the works area by a sturdy 1.8m high framed tree protection fence erected at a minimum distance of 1m from the outside edge of the canopy spread of the vegetation to be protected, prior to the commencement of any work on the site, including earthworks. Any necessary reduction of this 1m separation distance will require prior written approval from Councils' Arborist and Councils' Monitoring Officer and shall only be undertaken on the recommendation of the works arborist required to be appointed by Condition 10. Any such reduction identified through annotations on relevant memos and or plans, signed and dated by approving parties.

This fence/barrier shall remain in place until all completion of all works on site. The fence shall be constructed to a standard that will prevent:

- a) construction personnel from entering the protected area;
- b) vehicles, machinery, equipment, spoil and/or material being positioned, operated, stored or driven within the protected area;
- c) the area being used for the temporary storage of building materials;
- d) the modification of the area's existing contour;
- e) excavations within the area such as trenching or alteration of the soil grade;
- f) cement/concrete washing and leaching of chemicals

Accordingly, none of the above listed works shall occur within those areas demarcated by the fence/barrier.

The fence shall be strong and appropriate to both the degree of the construction works taking place and the vegetation that requires protection and shall be inspected and approved by the Team Leader, West Monitoring & Incidents prior to construction works commencing on the site.

Advice Note

Tree protection fencing must meet the minimum requirements in the industry best practice publication titled 'A Guideline for Tree Protection Fencing on Development Sites' published by the New Zealand Arboricultural Association dated April 2011 (or subsequent versions).

17. Prior to the commencement of any works and/or vegetation removal on the site, the consent holder shall provide a detailed Planting/Revegetation and Maintenance Plan from a suitably qualified ecologist, including an implementation and maintenance programme for a minimum of 3 years, to Council's Ecologist for approval and certification.
- a) The plan shall include details of the plant sizes (Pb Grade) at the time of planting, plant spacing and intended species (reflecting the local native biodiversity of the ecological district). All plants are to be native species, complementary to the existing vegetation on site, and must be eco-sourced from the Waitakere Ecological District.
 - b) The planting/revegetation plan shall be implemented in full within the first planting season following the completion of the works on the site. All planting required to be undertaken shall be undertaken in accordance with the approved Planting Plan. Following completion of the required planting the consent holder shall submit a completion report to Council's Team Leader Compliance and Monitoring (West) for approval.
 - c) The planting shall be maintained in accordance with the specified maintenance programme within the approved plan. Once established the planting is to be maintained in perpetuity thereafter. Plant maintenance includes the ongoing replacement of plants that do not survive. All invasive weeds and animal pests shall be controlled in accordance with the Weed and Pest Animal Control Plan both at the time of initial planting and any replacement planting if required and on an ongoing basis.

18. Prior to commencement of any works, the consent holder shall submit a Weed and Pest Control Plan to the Team Leader, West Monitoring & Incidents, for approval. This plan shall specify how existing weed populations and pest animals are to be controlled within the bush areas in perpetuity. Any chemical control to be used must follow best practice methodology and be suitable for the purpose and the environment in which it is to be used.

Advice Note

*Weed Control means, that there are no fruiting and / or flowering individuals of weed species present within the covenant area and any mature weed species present are dead. In **addition**, there shall be no areas where weed species are smothering and / or out competing native vegetation including suppressing the natural regeneration processes. Control shall be demonstrated to the satisfaction of the Team Leader West Monitoring or similar position.*

Pre-commencement conditions - Construction Traffic Management Plan

19. Prior to the commencement of any physical activities, the consent holder shall submit to the Council (Team Leader Compliance and Monitoring) a Construction Traffic Management Plan (CTMP) prepared in accordance with the Council's requirements for CTMPs and New Zealand Transport Authority's Code of Practice for Temporary Traffic Management. No construction activity is permitted to commence until the CTMP for the work has been approved by the Council (Team Leader Compliance and Monitoring – West) and all construction traffic shall be managed in accordance with the approved CTMP.

Advice Note:

It is the responsibility of the consent holder to seek approval for the Construction Traffic Management Plan from Auckland Transport. Please contact Auckland Transport on (09) 355 3553 and review www.beforeudig.co.nz before commencing works.

Specific conditions – land use consent LUC60020040

Earthworks - District

20. All earthworks shall be managed to ensure that no debris, soil, silt, sediment or sediment-laden water is discharged from the subject site either to land, stormwater drainage systems, watercourses or receiving waters. In the event that a discharge occurs, works shall cease immediately and the discharge shall be mitigated and/or rectified to the satisfaction of the Team Leader West Monitoring & Incidents.
21. The site shall be progressively stabilised against erosion at all stages of the earthwork activity.
22. All earthworks activity on the subject site shall comply with the New Zealand Standard 6803:1999 for Acoustics – Construction Noise.
23. The use of noise generating motorised equipment and vehicle movements to and from the site associated with earthworks activity on the subject site shall be restricted to between the following hours:

Monday to Friday: 7:30 a.m. to 7p.m.

Saturday: 8:00am to 5:30pm

There is to be no operation of noise-generating, motorised equipment and vehicles associated with earthworks activity on the subject site on Sundays or public holidays.

24. There shall be no obstruction of access to public footpaths, berms, private properties, public services/utilities, or public reserves resulting from the earthworks activity. All materials and equipment shall be stored within the subject site's boundaries.
25. There shall be no airborne or deposited dust beyond the subject site as a result of the earthworks activity that in the opinion of the Team Leader West Monitoring & Incidents is noxious, offensive or objectionable.

Advice Note

It is recommended that potential measures as discussed with Council's monitoring officer who will guide you on the most appropriate approach to take. Please contact the Team Leader West Monitoring & Incidents on +64 9 301 0101 for more details. Alternatively, please refer to the Ministry for the Environment publication "Good Practice Guide for Assessing and Managing the Environmental Effects of Dust Emissions".

26. There shall be no damage to public roads, footpaths, berms, kerbs, drains, reserves or other public asset as a result of the earthworks activity. In the event that such damage does occur, the Team Leader West Monitoring & Incidents, will be notified within 24 hours of its discovery. The costs of rectifying such damage and restoring the asset to its original condition will be met by the consent holder.

Advice Note

In order to prevent damage occurring during the earthwork activity, the consent holder should consider placing protective plates over footpaths, kerbs, and drains. Where necessary, prior to works commencing, photographing or video recording of roads, paths and drains may be appropriate.

If you would like further details or suggestions on how to protect public assets during the earthwork phase, please contact the Team Leader West Monitoring & Incidents on +64 9 301 0101

27. Notice shall be provided to the Team Leader West Monitoring & Incidents, at least two (2) working days prior to the removal of any erosion and sediment control works.

Geotechnical Conditions:

28. The construction of retaining structures and all associated earthworks shall be supervised by a suitable qualified engineering professional. In supervising the works, the suitable qualified engineering professional shall ensure that they are constructed and otherwise completed in accordance with NZS 4431:1989 Code of Practice for Earthfill for residential Development or NZS4404:2004 Code of Practice for Urban Land Development & Subdivision Engineering and "Section 2 of the Code of Practice: City Infrastructure and Land Development.

Advice Note

Changes made on the approved drawing should be referred back to Council's Resource Consenting Team for assessment. This may require an amendment of the approved consent.

29. All associated earthworks must not result in any reductions of on-site flood storage capacity, must be contained within the subject site and must not change the flood characteristics beyond the boundary of the subject site for a range of flood events in ways that result in:
- Loss of flood storage
 - Increase in flood depth or frequency
 - Loss of/changes to flow paths including overland flow paths
 - Acceleration or retardation of flows; or
 - Any reduction in flood warning times elsewhere on the flood plain
30. For Retaining walls greater than 1.5m high: Upon completion of earthworks, the designer or the suitable qualified engineering professional who supervises the work of the retaining walls must confirm durability life of these structures to be at least 50 years. Written evidence shall be provided to the Team Leader West Monitoring & Incidents in a form of a receipt, producer statement or similar.
31. Retaining walls design surcharge: Upon completion of earthworks, the designer or the suitable qualified engineering professional who supervises the work of the retaining must confirm design surcharge of at least 12kPa. Written evidence shall be provided to the Team Leader West Monitoring & Incidents in a form of a receipt, producer statement or similar.
32. Subsurface drainage behind all retaining structures shall be connected to the Stormwater system. Written evidence shall be provided to the Team Leader West Monitoring & Incidents in the form of a receipt, producer statement or similar.
33. Within one (1) month of completion of earthworks, a Certificate, signed by the suitable qualified engineering professional who supervised the works, shall be provided to the Team Leader West Monitoring & Incidents. The certificate shall determine if the earthworks have been carried out in accordance with the conditions of consent and that the site has been left in a condition suitable for its intended use. The written evidence shall be in the form of a receipt, producer statement or similar.

Arboricultural

34. For the duration of the time the protective fence, required by Conditions 13 and 16, is in place, the areas protected by the fence shall be regarded as sacrosanct, and no material is to be stored, emptied or disposed of within those areas. No person, vehicle or machinery may enter the protected areas unless otherwise authorised to do so by the works arborist.
35. The consent holder shall ensure that all contractors, sub-contractors and work site supervisory staff who are carrying out any works within the root zone of any protected vegetation covered by this consent are advised of the conditions of consent and act in accordance with the conditions. A copy of the conditions of consent shall be available at all times on the work site.
36. All equipment used on site, including but not limited to excavator buckets and tracks, shovels, picks, wheelbarrows and any other ground penetrating tools or equipment, as well as footwear, shall be thoroughly cleaned and all loose material removed prior to arrival on site and prior to leaving site.

37. Pest plants (as identified in the Auckland Regional Council Pest Management Strategy - ARPMS) on site shall be brought under control through a combination of manual removal and careful treatment with suitable herbicides, in accordance with ARPMS guidelines. A pest plant management programme, to be implemented for 5 years from the date of Consent, shall be submitted by the consent holder to Council for approval within 3 months of Consent being issued.

During work conditions

38. Competent arborists/tree surgeons shall carry out the approved tree removals in accordance with accepted good arboricultural practice using controlled felling techniques where necessary to avoid damage to adjacent vegetation to be retained.
39. No materials, spoil, fill soil or equipment will be stored or temporarily placed within the root zone of any protected tree to be retained and no machinery operated within the root zone of any protected tree unless it is approved by the appointed arborist and is wholly within the bounds of an existing load bearing surface, driveway etc. or a temporary load-bearing surface installed to the satisfaction of the appointed arborist.
40. Access for machinery within the SEA to install the required manholes and outfall shall be restricted to a temporary 2.5m wide track to be installed to the satisfaction of the appointed arborist, avoiding any tree >4m in height. Ground protection measures such as geogrid, track mats, an adequate thickness of mulch (minimum 150mm) or equivalent shall be employed to construct the accessway.
41. The route for machinery access shall be as depicted and described in the memos titled 'Greenwoods Close, Titirangi – S92 Response Memorandum' provided by Peter van Loon of Arborlab Consultancy Services Limited, dated 26th April 2017 and 'Technical Memorandum' (in response to an S92 request) provided by Chris Shortt of Envivo Limited, dated 26/4/2017, unless a variation is agreed to by both Councils' Arborist and Councils' Monitoring staff at the pre-start meeting required to be held in accordance with Condition 4. Such variation agreement must be in writing, with signed and dated annotations on relevant memos and/or plans, and must be supplied to Team Leader, West, Monitoring & Incidents subsequent to agreement of variation.
42. Any access of machinery into the SEA shall be supervised by the appointed arborist at all times.
43. The first 500mm depth of the faces of the excavations required to install the two manholes and outfall structure shall be excavated by hand under the direct supervision of the appointed arborist. Roots whose removal is necessary to complete the works shall be cleanly cut back to the edge of the excavation by or under the supervision of the appointed arborist, using a sharp implement such as handsaw or secateurs. Excavations may then be completed by machine.
44. Exposed root ends shall be covered with hessian or similar and kept damp until backfilling occurs.
45. Within the SEA, all service ducts / pipes shall be installed at a depth of not less than 800mm below ground level using directional drilling (trenchless) methods only.
46. The shared right of way vehicle access for Lots 7 and 8 shall be constructed on grade with minimal soil excavation and constructed of permeable materials.

Post-work conditions

47. The appointed arborist shall supply a completion memorandum to the Team Leader – Western Monitoring (monitoring@aucklandcouncil.govt.nz or via the call centre on 09 301 0101 for more details) upon completion of all works on site. This memorandum shall include minutes of the pre-commencement meeting that is required as a condition of consent, a log of all site visits and actions undertaken by the appointed arborist, details of seedling relocation (approximate number, size, species and location of relocated seedlings), a log of pest plant management activity to date and confirmation that all tree protection conditions were adhered to for the duration of the works.

Ecological

During works conditions

48. Any tree felling should be undertaken outside of the breeding season (September-January).
49. A suitably qualified and experienced ecologist/herpetologist, acceptable to the council, shall be onsite to supervise all and any habitat removal in order to search for and rescue any native lizards found and relocate them to a suitable alternative location on the site.

Kauri contamination zone

50. As New Zealand kauri trees (*Agathis australis*) (and soil and material surrounding them) may contain the pathogen that causes kauri dieback (*Phytophthora agathidicida* (formerly PTA)) strict hygiene procedures are required when works occur on or around kauri trees so as to avoid the spread of kauri dieback. All vegetation, soil, and other material from within a “kauri contamination zone” (defined as 3 (three) x the radius of the canopy dripline of any kauri tree) must remain on site or be taken to a licenced landfill. For further information please contact the Kauri Dieback Programme on 0800 NZ KAURI (69 52874) or visit the website www.kauridieback.co.nz
51. Any material (including soil) from within the “kauri contamination zone” that is to be removed to a licensed landfill site (not transfer station) must be buried with the ground. Where the material is to be loaded onto the back of an open top vehicle, the material must be covered with a tarpaulin (or similar) to prevent the material from leaving the vehicle whilst it is in motion. After the material has been emptied from the truck, the areas of the truck which were previously exposed to the material and the tarpaulin must be thoroughly washed with Sterigene (or other suitable agent) prior to the truck or tarpaulin being used for the transportation of any other material.
52. All footwear, clothing, tools, vehicles and equipment used on site must be cleaned of all soil, vegetation, or other material that has, or may have, come from a kauri contamination zone and must be thoroughly washed with Sterigene (or other suitable agent) on entry and exit from the site, on every occasion, to avoid the spread of kauri dieback (*Phytophthora agathidicida* (formerly PTA)).

Advice Note

Further advice can be found within the guidelines titled ‘Hygiene Procedures for Kauri Dieback’ and ‘Procedures for Tree Removal and Pruning’ published by the Ministry for

Primary Industries Kauri Dieback Management Programme which can be found at www.kauridieback.co.nz or copies can be obtained from Auckland Council.

53. Conditions 50 to 52 above, will not apply if the consent holder is able to demonstrate, to the satisfaction of the Team Leader West Monitoring & Incidents, that the site in question is free of infection from kauri dieback (*Phytophthora agathidicida* (formerly PTA)) and that any proposed actions relating to trees, soil, and other material on site will pose no potential risk for the spread of kauri dieback within or beyond the site.

Advice Note

*The process for identifying the absence of kauri dieback (*Phytophthora agathidicida*) includes a biosecurity assessment, soil sampling, analysis by a suitably qualified and experience person, and reporting to the council.*

General Advice Note

*The pathogen that causes kauri dieback (*Phytophthora agathidicida* (formerly PTA)) is classified as an unwanted organism under the Biosecurity Act 1993 and in accordance with section 52 of that Act no person shall knowingly communicate, cause to be communicated, release, cause to be released, or otherwise spread the organism.*

Post works conditions

54. Upon completion of works, all findings resulting from the search and rescue during vegetation removal condition (Condition 49) shall be recorded by a suitably qualified and experienced ecologist/herpetologist approved by the council on an Amphibian/Reptile Distribution Scheme (ARDS) Card (or similar form that provides the same information) and sent the Team Leader (North/West) Biodiversity.

Development Engineering

Bond - roading

55. The consent holder shall provide a maintenance bond – roading, to council, equivalent 2½% (minimum \$2500) of the value of works being taken over by Council. The bond may be varied or cancelled or renewed at any time by agreement between the holder & council. This maintenance bond will be held for six months from the date of 224C issue, or until 31 October 2018, whichever is longer. Maintenance of these assets is the responsibility of the developer during the maintenance period. At the end of the maintenance period the Development Engineer will undertake a maintenance inspection to ascertain whether the assets are still in satisfactory condition and if so, will instruct the bond to be released, and council will take over maintenance responsibilities from that time forward. Where defects occur during the developer's maintenance liability period, the costs of repairing such defects are full responsibility of the developer. Where the developer does not repair the defects, Council will retain the bond money for use in repairing the defects, and refund any residual money held to the developer. The developer's liability is not limited to the amount of the maintenance bond, and any additional costs will be invoiced to the developer and will become a debt due to the Council.

Advice Note

Provision of the maintenance bond – roading, required under Condition 56, at subdivision consent will supersede the requirement for provision of the bond under land use consent.

General Conditions – Regional – Earthworks LUC60020040 & Streamworks LUS60069275

56. The earthworks and streamworks erosion and sediment control activity shall be undertaken in accordance with the following plans:
- a) Reports: '9 Lot Subdivision and Associated Land Use – 7 Greenwoods Close, Titirangi', prepared by Tracey Morse of Envivo, dated 5 August 2016.
 - b) 'Engineering Report Proposed Subdivision – 7 Greenwoods Close, Titirangi', prepared by Andre Menzies of Envivo, dated 11 April 2016.
 - c) Plans: 'Proposed Development Cut and Fill', plan number 300, Rev.A, drawn by AM of Envivo, dated 7 April 2016.
 - d) 'Erosion and Sediment Controls', plan number 301, Rev.A, drawn by AM of Envivo, dated 8 April 2016.
 - e) 'Earthworks within Significant Ecological Area', plan number 303, Rev.B, drawn by AM of Envivo, dated 2 February 2017.
 - f) 'Stormwater Outfall Details', plan number 580, Rev.A, drawn by AM of Envivo, dated 10 February 2017.
 - g) 'S92: Additional Engineering Assessment', prepared by Chris Shortt of Envivo, dated 7 February 2017.

Advice Note:

In the event that minor amendments to the erosion and / or sediment controls are required, any such amendments should be limited to the scope of this consent. Any amendments which affect the performance of the controls may require an application to be made in accordance with section 127 of the RMA. Any minor amendments should be provided to the Team Leader – Western Monitoring prior to implementation to confirm that they are within the scope of this consent.

Specific Conditions - Regional Earthworks - LUC60020040

57. Consent LUC60020040 shall expire five years from the date of issue unless it has been surrendered or cancelled at an earlier date pursuant to the RMA.
58. The operational effectiveness and efficiency of all erosion and sediment control measures specifically required as a condition of resource consent or by the Erosion and Sediment Control Plan referred to in Condition 56 shall be maintained throughout the duration of earthworks activity, or until the site is permanently stabilised against erosion.
59. There shall be no deposition of earth, mud, dirt or other debris on any road or footpath resulting from earthworks activity on the subject site. In the event that such deposition does occur, it shall immediately be removed. In no instance shall roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses or receiving waters.

Advice Note:

In order to prevent sediment laden water entering waterways from the road, the following methods may be adopted to prevent or address discharges should they occur:

- *provision of a stabilised entry and exit(s) point for vehicles*
- *provision of wheel wash facilities*
- *ceasing of vehicle movement until materials are removed*
- *cleaning of road surfaces using street-sweepers*
- *silt and sediment traps*
- *catchpits*

In no circumstances should the washing of deposited materials into drains be advised or otherwise condoned.

It is recommended that you discuss any potential measures with the Council's monitoring officer who may be able to provide further guidance on the most appropriate approach to take. Please contact the Team Leader – Western Monitoring for more details. Alternatively, please refer to Auckland Council, Guideline Document 2016/005, Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region.

60. Upon completion or abandonment of earthworks on the subject site all areas of bare earth shall be permanently stabilised against erosion to the satisfaction of Team Leader West Monitoring & Incidents.

Advice Note:

In accordance with Condition 62 should the earthworks be completed or abandoned, bare areas of earth shall be permanently stabilised against erosion. Measures may include:

- *the use of mulching*
- *top-soiling and grassing of otherwise bare areas of earth aggregate or vegetative cover that has obtained a density of more than 80% of a normal pasture sward.*

Specific conditions – streamworks consent LUS60069275

61. Consent LUS60069275 shall expire thirty-five (35) years from the date of issue unless it has been surrendered or cancelled at an earlier date pursuant to the RMA.
62. The consent holder shall ensure that all machinery operates from the stream banks at all times. No machinery shall enter the wetted cross section of the permanent or intermittent watercourses at any time.
63. All machinery shall be operated in a way, which ensures that spillages of fuel, oil and similar contaminants are prevented, particularly during stabilisation and machinery servicing and maintenance. Refuelling and lubrication activities shall be carried out away from any water body such that any spillage can be contained so it does not enter the watercourse associated with this consent. The use of grouts and concrete products shall also be limited adjacent to the

watercourse with all mixing of products carried out outside the 100-year floodplain area such that any spillage can be contained so it does not enter the watercourses, associated with this consent.

64. Streamworks shall be carried out only during periods when all flows, up to the 24-hour, 20-year return period storm event, can be diverted around the area of works and a three-day weather forecast predicts no rainfall for the site location. During periods of flow greater than the capacity of the diversion, up to the 100-year flood event, a stabilised flowpath shall be provided to ensure no scour or erosion occurs and so that flows can pass safely around or through the area of works with minimum nuisance and damage and with no sediment generation or discharge.

Monitoring

65. The sediment and erosion controls at the site of the works shall be inspected on a regular basis and within 24 hours of each rainstorm event that is likely to impair the function or performance of the erosion and sediment controls. A record shall be maintained of the date, time and any maintenance undertaken in association with this condition which shall be forwarded to the Team Leader, West, Monitoring & Incidents on request.

Specific conditions – subdivision consent SUB60039477

(Note: Conditions 66 – 184) below, apply to the Subdivision consent only)

66. Under section 125 of the RMA, this consent lapses five years after the date it is granted unless:
- The consent is given effect to; or
 - The Council extends the period after which the consent lapses.

Advice Note:

Take note that the subdivision consent is given effect to on the day Council issues the s223 certificate. In accordance with Sections 125(2) and 224(h) of the RMA 1991, this subdivision consent will lapse if the Section 224(c) certificate is not lodged with the District Land Registrar (LINZ) within 3 years of the Section 223 certification by Council. It is the responsibility of the consent holder to ensure all conditions of the consent are complied with within the necessary timeframe to ensure s224(c) certificate can be issued by Council.

Stage 1 – Creation of 8 lots

Survey Plan Approval (s223) Conditions

Relating to Lots 2, 3, 4, 5, 6, 10, 30 and 31

67. Provide a survey plan of the subdivision to Council to be approved pursuant to Section 223 of the Act. The application requesting the s223 certification:
- Shall be in writing, and
 - Shall provide a detailed explanation addressing how each of the following conditions (68-74) have been satisfied.
68. The survey Plan shall be in accordance with the plan titled:

- *Scheme Plan – Stage 1, Plan No 130*, prepared by Envivo Ltd, Revision G, dated 31/10/17.

All referenced by Council as SUB60039477 and the information submitted with the application, (including further information).

The Plan shall include the following:

- a) The reserves shall be shown as Local Purpose (accessway and esplanade) Reserves;
- b) The location of the bank of the stream is clearly defined and located by recent survey;
- c) The bed of the river that is required by Section 237A of the RMA to be shown on the survey plan, shall vest in council pursuant to Section 239 of the Act.
- d) Remove existing easement in gross, as required under Condition 69.

Advice Notes:

- *The Landonline documentation shall include the s223 and any other Council Certificates applicable. Note that the Council Reference number is SUB60067173.*
- *The consent holder must ensure that placement of the services and/or driveway/s occurs entirely within the easement/s and/or lot boundaries as shown.*
- *Take note that street numbers for the lots on the survey plan will be allocated by Council subsequent to Section 223 approval, and these numbers must be used for future applications for building consent. A copy of the survey plan with the Council allocated numbers will be provided.*

Cancellation of easements

69. The existing easements for the purpose of Right of Way, in gross over area marked D, created by the easement instrument 10115077.6 over Lot 2 DP 486573, shall be cancelled under section 243(e) of the RMA. The consent holder shall prepare the section 243(e) resolution within the Land Information NZ Landonline Territorial Authority Certifications portal as part of the survey plan application for this subdivision.

Easements

70. Provide drainage and water supply easements for private services that pass through adjacent Lots to protect the existing or proposed private drains and water supply mains in a Memorandum of Easements endorsed on the survey plan.
71. The rights-of-way and any services easements over parts of lots 5 & 6 shall be included in a memorandum of easements endorsed on the survey plan and shall be duly granted or reserved. The consent holder shall meet the costs for the preparation, review and registration of the easement instruments on the relevant computer registers (certificates of title).

Roads to vest

72. The proposed road shown as Lot 10 on the plan of proposed subdivision, shall vest in the council as public road. The consent holder shall meet all costs associated with the vesting of the road.

Roads

73. The consent holder shall provide and install road naming signs in accordance with the council's standards for both public and private roads, common access lots and access strips that serve six or more lots within the subdivision. The names shall be as approved by the council.

Advice Note:

Land Information New Zealand (LINZ) requires that proposed roads, private roads within common access lots or lot accesses comprising panhandle access strips and/or reciprocal rights of way easements that serve six (6) or more lots are to be named. LINZ has indicated that a name for the road or private road should be in place before the survey plan of subdivision is approved by the council under section 223 of the RMA and advises that if no name is in place this could be problematic when titles are later requested. The consent holder should obtain evidence of acceptance from LINZ that the proposed names are not duplicated within the Auckland Council area before submitting the names to the council for reporting to the relevant Local Board for approval. In giving its approval, the Local Board will have regard to the relevance of the road names to the locality, or determine that the names are otherwise appropriate.

Esplanade and Access Reserves

74. The consent holder shall vest Lots 30 and 31 in Auckland Council as Local Purpose Reserves (Esplanade and Access) at nil cost, pursuant to section 239 of the RMA 1991.

Advice Notes

- *The Landonline documentation shall include the s223 and any other TA Certificates applicable. Note that the TA Ref. is SUB60070036 (West).*
- *The consent holder must ensure that placement of the services and driveway/s occurs entirely within the easement/s and/or lot boundaries as shown.*
- *Take note that street numbers for the lots on the survey plan will be allocated by Council subsequent to Section 223 approval, and these numbers must be used for future applications for building consent. A copy of the survey plan with the Council allocated numbers will be provided.*

Section 224(c) Compliance Conditions

Prior to the release by the Council of the Section 224(c) certificate for this subdivision the consent holder shall comply with the following conditions to the satisfaction of Council. The application requesting the 224(c) release:

- shall be in writing, accompanied by official Council 224(c) application form, and
- shall include the advertised 224(c) processing fee, and
- shall provide a detailed explanation address how each of the following conditions (75-114) have been satisfied.

Earthworks

75. A Certificate or Earthworks Completion Report, signed by the suitably qualified engineer who supervised the works and is familiar with the contents and requirements of the submitted geotechnical report, completed by Geoconsult Geotechnical Consultants, dated 7th June 2016 shall be provided to the Team Leader West - Subdivision. The certificate shall determine if the earthworks have been carried out in accordance with the conditions of consent and aforementioned Geotechnical Report, and that the site has been left in a condition suitable for its intended use. The certificate shall include a "Professional Statement" the extent of inspection, revisit and review of all references and assumptions made during the investigation, assess the results of testing and opinion on the compliance of the development.

Wastewater

76. Prior to the issue of the 224c certificate all necessary pipes and ancillary equipment shall be supplied and laid to construct a new public wastewater system to service proposed Lots 3 and 4 and the existing dwelling contained within Lot 5, in accordance with the engineering plan prepared by Envivo Titled: *Proposed Servicing, Job No: 22790, Drawing No: 500, Rev: B* and dated 02/02/17.

Advice Notes

- a) *Note that a minimum of 1.2m gravity fall is required from soffit of the public wastewater drain and lowest floor level. All levels are in terms of the Auckland Vertical Datum 1946 (msl).*
 - b) *The connections for all the dwellings to the Watercare supply main should be designed and constructed in accordance with Watercare Ltd's (WSL) "Standards" and be made by a Water Care Services Ltd approved contractor. For details, please contact Water Care Services.*
77. The consent holder shall provide and install a complete public wastewater system to serve Lots 3, 4 and 5, in accordance with the approved Engineering Plans to the satisfaction of Development Engineering Team West.
78. An Engineering Completion Certificate certifying that all public wastewater pipes and individual wastewater connections have been constructed in accordance with the approved Engineering Plan and the Water and Wastewater Code of Practice for Land Development and Subdivision, May 2015 prepared by Watercare Services Limited shall be provided in support of the 224(c) application.
79. Video inspections of all public wastewater pipes as-built plans for all public wastewater lines shall be supplied with the 224(c) application. The video inspections shall be carried out within one month prior to the lodgement of the application for the 224(c) certificate.
80. The consent holder shall provide a certificate from Watercare Services Limited confirming that separate wastewater connections have been provided for the existing dwelling on Lot 5, and the residential Lots 3 and 4, shall be provided in support of the 224(c) application.

Advice Note:

Installation of public drainage requires engineering plan approval.

Water Supply

81. Prior to the issue of the 224c certificate private connections shall be supplied and laid to the public water supply system for the in accordance with the engineering plan prepared by Envivo Titled: *Proposed Servicing, Job No: 22790, Drawing No: 500, Rev: B* and dated 02/02/17.

Advice Note

The connections for all the dwellings to the Watercare supply main should be designed and constructed in accordance with Watercare Ltd's (WSL) "Standards" and be made by a Water Care Services Ltd approved contractor. For details, please contact Water Care Services and under future building consent for new buildings and for the retaining walls part of the subdivision, retaining walls shown within 2m from the 'existing' mains require approval from Watercare.

82. The consent holder shall provide and install a complete water supply reticulation system to serve Lots 3, 4 and 5 in accordance with the approved Engineering Plans to the satisfaction of Development Engineering Team West.
83. The consent holder shall complete a successful pressure test for all new water mains prior to the connection to the existing public water supply reticulation system to the satisfaction of Council. Evidence of undertaking a successful pressure test for new water mains in accordance with the Water and Wastewater Code of Practice for Land Development and Subdivision, May 2015 prepared by Watercare Services Limited, shall be supplied with an application for 224(c) certificate.
84. The consent holder shall provide an Engineering Completion Certificate certifying that all public water pipes and individual water supply connections have been constructed in accordance with the approved Engineering Plan and the Water and Wastewater Code of Practice for Land Development and Subdivision, May 2015, prepared by Watercare Services Limited. This certificate shall be supplied in support of the 224(c) application.
85. The consent holder shall provide as-built plans for all public and individual private water supply lines and a certificate from Watercare Services Limited confirming that separate water supply connections have been provided for each residential lot, being Lots 3, 4 and 5. These plans shall be supplied with the 224(c) application.

Advice Note

Installation of public drainage requires engineering plan approval.

Stormwater

86. Prior to the issue of the 224c certificate, all necessary pipes and ancillary equipment shall be supplied and laid to upgrade and extend the existing and proposed public stormwater system to service each proposed Lot 3 and 4 and the dwelling on Lot 5 in accordance with the engineering plan prepared by Envivo Titled: *Proposed Drainage Plan, Project: 22790, Drawing No: 500, and Rev: P 1.0*
87. Prior to the issue of the 224c certificate, all the necessary pipes and ancillary equipment shall be supplied and laid to provide individual stormwater private connections to and within the boundary of each Lot 3, 4 and 5, into the existing public stormwater lines or proposed extension of the public stormwater lines.

Advice Note

Building consent will be required for private SW cesspits.

88. The consent holder shall provide and install a complete public stormwater system to serve Lots 3, 4 and 5, in accordance with the approved Engineering Plans to the satisfaction of the Development Engineering Team West.
89. The consent holder shall provide and install a stormwater outfall in accordance with the approved Engineering Plans to the satisfaction of the Development Engineering Team West.
90. The consent holder shall provide an Engineering Completion Certificate certifying that all public stormwater pipes and individual stormwater connections have been constructed in accordance with the approved Engineering Plan and the Auckland Council Code of Practice for Land Development and Subdivision – Chapter 4: Stormwater, in support of the 224(c) application.
91. Video inspections of all public stormwater pipes and as-built plans for all public stormwater lines shall be supplied with the 224(c) application. The video inspections shall be carried out within one month prior to the lodgement of the application for the 224(c) certificate.

Advice Notes

As-built documentation for all assets to be vested in Council required by this condition shall be in accordance with the current version of the Development Engineering As-built Requirement'. A valuation schedule for all asset to be vested in Council shall be included as part of the as-built documentation.

Installation of public drainage requires engineering plan approval

Certification of as built plans

92. Provide an “as built” plans from a Licensed Cadastral Surveyor at the 224c identifying and certifying that all services and driveways have been located in accordance with the locations on registered easements, or within legal boundaries to the satisfaction of the Team Leader - Development Engineering.

Roading

93. The consent holder shall form and construct the proposed new road in accordance to the Auckland Transport Code of Practice to the satisfaction of Council.
94. Vehicle crossing widths must be in accordance with Council's AUP OP table E27.6.4.3.2.
95. All new vehicle crossings shall be designed and formed in accordance with the Auckland Transport Code of Practice 2013. The new crossing shall maintain an at-grade (level) pedestrian footpath across the length of the crossing, using the same materials, kerbing, paving, patterns and finish as the footpath on each side of the crossing.

Advice Notes

An Engineering Approval for construction for this work is required to be submitted to the Auckland Council and approved prior to the works commencing. The street intersection geometry, street furniture, street lighting and safety features will be finalized through the Engineering Plan approval process.

All road markings are to be resolved through the AT Traffic Control Committee.

96. The consent holder shall provide no less than a 150mm deep layer of topsoil free of deleterious material on all allotments, including the road berms to the satisfaction of the Council.
97. Prior to the release of the 224 Certificate, provide to Council all RAMM data and as built plans of the new roads formed.

Advice Note

The as-built plans required by Condition 98 above, will be inclusive of kerb lines, cesspits, street lighting, and footpaths, parking bays, intersection control devices, traffic calming devices, signs, street furniture, landscaping, vehicle crossings, pedestrian access ways and property boundaries. Certified as built plans shall be submitted to the Council in accordance with the Auckland Council Asset Data Standards. Certified as built plan shall be provided in accordance with Auckland Transport requirements for roading services assets.

Esplanade and Access Reserves

98. At Engineering Plan Approval stage, the consent holder shall submit for the approval of the Team Leader, Compliance and Monitoring (in consultation with the Parks Planning Team Leader) detailed engineering and construction plans for the stormwater and wastewater infrastructure within the reserves to vest. The plan(s) shall;
- a) Be prepared by suitably qualified person/s;
 - b) Show an area marked for construction access which identifies the existing trees to be retained;
 - c) Indicates geoweb matting or similar to avoid soil compaction and root disturbance;
 - d) Adjusts the location of the SW lines to amalgamate lines through lots 12-15 and provide only one pipe through the esplanade reserve to vest;
 - e) Design details of a cast in situ rock rip rap outfall.
99. At Engineering Plan Approval stage, the consent holder shall submit for the approval of the Team Leader, Compliance and Monitoring (in consultation with the Parks Planning Team Leader) detailed street tree planting plans, and revegetation and weed management plans for the reserves to vest. The plan(s) and supporting planting methodology, to be submitted for approval, shall;
- a) Be in general accordance with the principles outlined in “Arboricultural Assessment” prepared by Andrew Benson, Arborlab, dated 28th June 2016, revised 3rd February 2017 and “Ecological Assessment” prepared by Peter van Loon, Arborlab, dated 28th June 2016 revised 3rd February 2017
 - b) Include a weed management plan including, but not limited to, weed eradication and control methods for the reserve to vest, prior to and after planting.
 - c) Identify revegetation planting to be undertaken on the site including details of the intended species, spacing, quantities, location, plant sizes at the time of planting, their likely heights on maturity and how planting will be staged and established.
 - d) A street tree planting plan.
100. Prior to lodgement of section 224(c) certification, all works within the reserves (Lots 30 and 31) shall be implemented in accordance with the approved plans to the satisfaction of the Team Leader, Monitoring and Compliance and the Parks Planning Team Leader, in particular:
- a) Good quality topsoil, free of stones and clay lumps, shall be retained from the site for use on the reserves. All planted areas shall be completed with a minimum topsoil depth of 400mm.
 - b) The reserves shall be free of any construction material, rubbish and surplus soil, and shall be maintained in a neat and tidy condition.
 - c) All topsoil used should be certified contaminant free.
 - d) The consent holder shall undertake maintenance within the access and esplanade reserves to vest, in accordance with the approved plan for a two-year period

commencing on the date that the section 224(c) certificate is issued. Any maintenance issues deemed unsuitable by the Parks Planning Team Leader during this period shall be remedied by the consent holder at their expense.

- e) Grassing and/or planting shall be carried out by a suitably qualified landscape contractor in the planting season (May to September) and when the weather is suitable (mild, dull and moist) and when the ground is moist and workable.
- f) All works shall be undertaken in accordance with the (legacy) Waitakere City Council Code of Practice section 7.
- g) Be free of possible health and safety hazards such as large holes, dangerous trees, unstable retaining walls etc.
- h) Removal of all invasive weed species as listed in the Regional Pest Management Strategy (Auckland Regional Council) and as per the approved weed management plan.
- i) If any damage/theft to the planting occurs during within the maintenance period, the consent holder shall replace damaged/stolen plants with the same species and height, and shall be maintained for a period of two years following the replacement planting, to the satisfaction of the Parks Planning Team Leader.

101. Prior to 224c street landscaping shall be implemented in accordance with the approved plans and to the following specifications to the satisfaction of the Parks Planning Team Leader as follows:

- a) All works shall be undertaken in accordance with the (legacy) Waitakere City Council Code of Practice section 7.
- b) The street shall be cleared of any construction material, rubbish and surplus soil, and shall be maintained in a neat and tidy condition.
- c) All topsoil used should be certified contaminant free.
- d) Top soil levels should be matched to surrounding landscape features such as paths, kerbs and manholes.
- e) Be free of possible health and safety hazards such as large holes, dangerous trees, unstable retaining walls etc.
- f) The consent holder shall undertake maintenance within the streetscape in accordance with the approved plan for a two-year period commencing on the date that the section 224(c) certificate is issued. Any maintenance issues deemed unsuitable by the Parks Planning Team Leader during this period shall be remedied by the consent holder at their expense.
- g) If any damage/theft to the planting occurs during within the maintenance period, the consent holder shall replace damaged/stolen plants with the same species and height, and shall be maintained for a period of two years following the replacement planting, to the satisfaction of the Parks Planning Team Leader.

- h) Grassing and/or planting shall be carried out by a suitably qualified landscape contractor in the planting season (May to September) and when the weather is suitable (mild, dull and moist) and when the ground is moist and workable.

As-built plans

102. Prior to the issue of the 224(c) certificate, the consent holder will provide to the Development Engineer and Parks Consents Planning Team Leader as built plans for landscape works (hard and soft) within the esplanade reserve and streets in CAD (NZTM 2000) and pdf form including the following details;
- a) Asset names.
 - b) All finished hard and soft landscape asset locations and type, and any planted areas must be shown to scale with the square metres of planting, species and number of plants.
 - c) All underground services, irrigation and drainage.
 - d) All paint colours, graffiti coatings, pavers and concrete types with names of products to be included on the assets schedule.

Consent Notices

103. Pursuant to Section 221 of the Resource Management Act 1991 a Consent Notice shall be registered on the certificates of title for Lots 3 and 4 to require that any future development on the lots is undertaken:
- a) in accordance with the geotechnical report submitted with the application and referenced in Condition 75 above, and has been subject to further geotechnical investigation and slope stability analysis by a suitably qualified geotechnical engineer familiar with the contents of this geotechnical report, prior any development
104. Pursuant to Section 221 a Consent Notice is required on Lots 3 and 4 to be entered into, in favour of Council, to record and advise any future owners of the need to comply with this condition on an on-going basis.

At the building consent stage for each dwelling, the consent holder shall demonstrate that the following methods and specific requirements are adopted and met in full for the dwelling, to the satisfaction of the Development Engineering Team West

- a) Maintain stormwater runoff flows, volumes, and timing to the pre-development levels for the 1 in 2-year storm event.
 - b) Each dwelling also has to provide additional 2,200litres capacity in the stormwater mitigation system as required in the above condition 105(a), to compensate stormwater runoff from the public road and the shared driveway
 - c) Non-potable rainwater reuse shall be utilised from the dwelling to toilet, laundry and garden.
105. Pursuant to Section 221 a Consent Notice is required on Lots 3 and 4 to be entered into, in favour of Council, to record and advise any future owners of the need to comply with this condition on an on-going basis.
- a) There is an onsite stormwater management system on the affected lot.

- b) The owner must operate, monitor and maintain the stormwater management system (*stormwater tank*) in accordance with the conditions below:
- i. Regular maintenance (as specified in the Operation and Maintenance Manual) of the stormwater management system shall be carried out by the owner as required to ensure efficient operation.
 - ii. *Auckland Council* may at any time upon prior written notice by its officers, employees, agents or contractors enter the property; to inspect or test the stormwater management system and; to inspect the owner's records in relation to the operation, monitoring and maintenance of the system.
 - iii. *Auckland Council* may, by notice in writing, instruct the owner to carry out any actions or works in relation to the operation, monitoring and maintenance of the stormwater management system. If the owner fails to carry out those actions or works within 7 working days of receiving Auckland Council's Notice, Auckland Council may carry out said work itself and enter the property to execute the work. Council may recover all costs of carrying out said work from the owner.
 - iv. The owner must not modify or remove the stormwater management system without express written permission of *Auckland Council*.

Legal Documentation

106. The Consent Notices required by Condition(s) 103, 104 and 105 above, will be prepared by the Council Solicitor at the consent holder's cost when the following information has been received:
- All necessary technical information.
 - A copy of the Land Transfer plan showing the Deposited Plan and Certificate(s) of Title numbers allocated by Land Information New Zealand, and
 - The name and address of the solicitor acting for the owner.

Advice Note:

If this subdivision is completed prior to the land use consent, the consent notices will supersede the requirement for easements under the land use consent.

107. Where any condition imposed upon this consent to subdivision is to be complied with on an ongoing basis by the subdividing owner and subsequent owners after the deposit of a survey plan (not being a condition in respect of which a Bond is required to be entered into by the subdividing owner of a completion certificate is capable of being or has been issued), the subdividing owner shall pay the Council's Solicitors legal costs and disbursements relating to the preparation and registration of a Consent Notice pursuant to Section 221 of the Resource Management Act 1991, and shall do all acts and things necessary to enable registration of such Notice to be completed.

Fees, Bonds & Contributions

Uncompleted Works Bonds

108. Prior to the lodgement of the section 224(c) certificate and in accordance with section 108(2)(b) of the RMA, an unconditional, on demand bond will be entered into where any landscape works

required by the conditions of this consent have not been completed in accordance with the approved plans, at the councils' discretion. The bond amount shall be 1.5 x the contracted rate of any outstanding works and shall be agreed in consultation with the Parks Planning Team Leader prior to lodging the bond. The liability of the consent holder shall not be limited to the amount of the bond.

Maintenance Bond - Roading

109. Applicant shall provide a maintenance bond to council, equivalent 2½% (minimum \$2500) of the value of works being taken over by Council. The bond may be varied or cancelled or renewed at any time by agreement between the holder & council. This maintenance bond will be held for six months from the date of 224C issue, or until 31 October 2018, whichever is longer. Maintenance of these assets is the responsibility of the developer during the maintenance period. At the end of the maintenance period the Development Engineer will undertake a maintenance inspection to ascertain whether the assets are still in satisfactory condition and if so, will instruct the bond to be released, and council will take over maintenance responsibilities from that time forward. Where defects occur during the developer's maintenance liability period, the costs of repairing such defects are full responsibility of the developer. Where the developer does not repair the defects, Council will retain the bond money for use in repairing the defects, and refund any residual money held to the developer. The developer's liability is not limited to the amount of the maintenance bond, and any additional costs will be invoiced to the developer and will become a debt due to the Council.

Advice Note

It is the responsibility of the consent holder to seek approval for the Construction Traffic Management Plan from Auckland Transport. Please contact Auckland Transport on (09) 355 3553 and review www.beforeudig.co.nz before commencing works.

Advice Note

Provision of the maintenance bond – roading, required under Condition 110, at landuse consent will supersede the requirement for provision of the bond under subdivision consent.

Maintenance Bond - Landscaping

110. Prior to the issue of the 224(c) certificate, and in accordance with section 108(2)(b) of the RMA, the consent holder will provide the Council a refundable bond in respect of the maintenance of the landscaping works required by the conditions of this consent. The maintenance bond will be held for a period of two/five years from the issues of a practical completion certificate. The amount of the bond will be 1.5 x the contracted rate for maintenance and shall be agreed in consultation with the Parks Planning Team Leader.
111. Pay a 2.5% maintenance deposit on the value of works being taken over by Council which is refundable upon final acceptance of the works at the end of the maintenance period.

General

112. Supply to Council the 'Schedule of Land and Assets to vest in Council' including their cost to be made in respect of proposed public services and land to vest in and be transferred to the Council.

113. Provide confirmation from a Licensed Cadastral Surveyor that all services and driveways have been located entirely within the locations on the registered easement/s and/or lot boundaries to the satisfaction of the Manager: Resource Consents and the Team Leader – Development Engineering.
114. Provide confirmation from the Network Utility Operators that:
- a) Lots 3 and 4 are satisfactorily provided with underground power and telecommunication services to the net area of the lot(s).
 - b) Lot 5 (existing dwelling) is satisfactorily provided with power and telecommunication services.

Stage 2 – creation of 2 lots

Survey Plan Approval (s223) Conditions

Relating to Lots 7 and 8

115. Provide a survey plan of the subdivision to Council to be approved pursuant to Section 223 of the Act. The application requesting the s223 certification:
- Shall be in writing, and
 - Shall provide a detailed explanation addressing how each of the following conditions (116-117) have been satisfied.
116. The survey Plan shall be in accordance with the plan titled:
- *Scheme Plan – Stage 2, Plan No 131, prepared by Envivo Ltd, Revision G, dated 31/10/17.*

All referenced by Council as SUB60039477 and the information submitted with the application, (including further information).

Advice Notes:

- *The Landonline documentation shall include the s223 and any other Council Certificates applicable. Note that the Council Reference number is SUB60067173.*
- *The consent holder must ensure that placement of the services and/or driveway/s occurs entirely within the easement/s and/or lot boundaries as shown.*
- *Take note that street numbers for the lots on the survey plan will be allocated by Council subsequent to Section 223 approval, and these numbers must be used for future applications for building consent. A copy of the survey plan with the Council allocated numbers will be provided.*

Easements

117. Provide drainage and water supply easements for private services that pass through adjacent Lots to protect the existing or proposed private drains and water supply mains in a Memorandum of Easements endorsed on the survey plan.

Section 224(c) Compliance Conditions

Prior to the release by the Council of the Section 224(c) certificate for this subdivision the consent holder shall comply with the following conditions to the satisfaction of Council. The application requesting the 224(c) release:

- shall be in writing, accompanied by official Council 224(c) application form, and
- shall include the advertised 224(c) processing fee, and
- shall provide a detailed explanation address how each of the following conditions (118-149) have been satisfied.

Wastewater

118. Prior to the issue of the 224c certificate all necessary pipes and ancillary equipment shall be supplied and laid to construct a new public wastewater system to service Lots 7 and 8 in accordance with the engineering plan prepared by Envivo, titled *Proposed Servicing, Job No: 22790*, Drawing No: 500, Rev: B and dated 02/02/17.

Advice Notes

- a) *Note that a minimum of 1.2m gravity fall is required from soffit of the public wastewater drain and lowest floor level. All levels are in terms of the Auckland Vertical Datum 1946 (msl).*
- b) *The connections for all the dwellings to the Watercare supply main should be designed and constructed in accordance with Watercare Ltd's (WSL) "Standards" and be made by a Water Care Services Ltd approved contractor. For details, please contact Water Care Services.*

119. The consent holder shall provide and install a complete public wastewater system to serve Lots 7 and 8 in accordance with the approved Engineering Plans to the satisfaction of Development Engineering Team West.
120. An Engineering Completion Certificate certifying that all public wastewater pipes and individual wastewater connections have been constructed in accordance with the approved Engineering Plan and the Water and Wastewater Code of Practice for Land Development and Subdivision, May 2015 prepared by Watercare Services Limited shall be provided in support of the 224(c) application.
121. Video inspections of all public wastewater pipes as-built plans for all public wastewater lines shall be supplied with the 224(c) application. The video inspections shall be carried out within one month prior to the lodgement of the application for the 224(c) certificate.
122. The consent holder shall provide a certificate from Watercare Services Limited confirming that separate wastewater connections have been provided for Lots 7 and 8, shall be provided in support of the 224(c) application.

Advice Note:

Installation of public drainage requires engineering plan approval.

Water Supply

123. Prior to the issue of the 224c certificate private connections shall be supplied and laid to the public water supply system for the in accordance with the engineering plan prepared by Envivo, titled *Proposed Servicing, Job No: 22790, Drawing No: 500, Rev: B* and dated 02/02/17.

Advice Note

The connections for all the dwellings to the Watercare supply main should be designed and constructed in accordance with Watercare Ltd's (WSL) "Standards" and be made by a Water Care Services Ltd approved contractor. For details, please contact Water Care Services and under future building consent for new buildings and for the retaining walls part of the subdivision, retaining walls shown within 2m from the 'existing' mains require approval from Watercare.

124. The consent holder shall provide and install a complete water supply reticulation system to serve Lots 7 and 8 in accordance with the approved Engineering Plans to the satisfaction of Development Engineering Team West.
125. The consent holder shall complete a successful pressure test for all new water mains prior to the connection to the existing public water supply reticulation system to the satisfaction of Council. Evidence of undertaking a successful pressure test for new water mains in accordance with the Water and Wastewater Code of Practice for Land Development and Subdivision, May 2015 prepared by Watercare Services Limited, shall be supplied with an application for 224(c) certificate.
126. The consent holder shall provide an Engineering Completion Certificate certifying that all public water pipes and individual water supply connections have been constructed in accordance with the approved Engineering Plan and the Water and Wastewater Code of Practice for Land Development and Subdivision, May 2015, prepared by Watercare Services Limited. This certificate shall be supplied in support of the 224(c) application.
127. The consent holder shall provide as-built plans for all public and individual private water supply lines and a certificate from Watercare Services Limited confirming that separate water supply connections have been provided for each residential lot, being Lots 7 and 8. These plans shall be supplied with the 224(c) application.

Advice Note

Installation of public drainage requires engineering plan approval.

Stormwater

128. Prior to the issue of the 224c certificate, all necessary pipes and ancillary equipment shall be supplied and laid to upgrade and extend the existing and proposed public stormwater system to service Lots 7 and 8 in accordance with the engineering plan prepared by Envivo, titled *Proposed Servicing, Job No: 22790, Drawing No: 500, Rev: B* and dated 02/02/17.
129. Prior to the issue of the 224c certificate, all the necessary pipes and ancillary equipment shall be supplied and laid to provide individual stormwater private connections to and within the boundary of each Lot 7 and 8, into the existing public stormwater lines or proposed extension of the public stormwater lines.

Advice Note

Building consent will be required for private SW cesspits.

130. The consent holder shall provide and install a complete public stormwater system to serve Lots 7 and 8 in accordance with the approved Engineering Plans to the satisfaction of the Development Engineering Team West.
131. The consent holder shall provide an Engineering Completion Certificate certifying that all public stormwater pipes and individual stormwater connections have been constructed in accordance with the approved Engineering Plan and the Auckland Council Code of Practice for Land Development and Subdivision – Chapter 4: Stormwater, in support of the 224(c) application.
132. Video inspections of all public stormwater pipes and as-built plans for all public stormwater lines shall be supplied with the 224(c) application. The video inspections shall be carried out within one month prior to the lodgement of the application for the 224(c) certificate.

Advice Notes

As-built documentation for all assets to be vested in Council required by this condition shall be in accordance with the current version of the Development Engineering As-built Requirement'. A valuation schedule for all asset to be vested in Council shall be included as part of the as-built documentation.

Installation of public drainage requires engineering plan approval

Shared Driveway

133. Design, form and construct a Right of Way for Lots 7 and 8, to the Council's satisfaction. The design is to provide for stormwater catchpits and/or slot drains within the boundaries of the Right of Way. Where necessary the provision of kerbing or similar to prevent water flowing on to other property shall be provided.

Advice Note

The Consent Holder is to lodge an application for an Engineering Right of Way application for construction with Auckland Council. The application is to be approved by Development Engineering prior to the works commencing.

134. Provide an "as built" plans from a Licensed Cadastral Surveyor at the 224c identifying and certifying that all services and driveways have been located in accordance with the locations on registered easements, or within legal boundaries to the satisfaction of the Team Leader - Development Engineering.

Right of Way

135. The consent holder shall install a minimum 0.6m diameter convex mirror on the bend of the ROW for safe vehicle movements, to Councils satisfaction
136. Vehicle crossing widths must be in accordance with Council's AUP OP table E27.6.4.3.2.
137. The vehicle access for Lots 7 and 8 shall be constructed on grade with minimal soil excavation and constructed of permeable materials.

Roading

138. All new vehicle crossings shall be designed and formed in accordance with the Auckland Transport Code of Practice 2013. The new crossing shall maintain an at-grade (level) pedestrian footpath across the length of the crossing, using the same materials, kerbing, paving, patterns and finish as the footpath on each side of the crossing.

Advice Notes

An Engineering Approval for construction for this work is required to be submitted to the Auckland Council and approved prior to the works commencing.

139. The consent holder shall provide no less than a 150mm deep layer of topsoil free of deleterious material on all allotments, including the road berms to the satisfaction of the Council.

Consent Notices

140. Pursuant to Section 221 of the Resource Management Act 1991 a Consent Notice shall be registered on the certificates of title for Lots 7 and 8 to require that any future development on the lots is undertaken:

- a) in accordance with the geotechnical report submitted with the application and referenced in Condition 76 above, and has been subject to further geotechnical investigation and slope stability analysis by a suitably qualified geotechnical engineer familiar with the contents of this geotechnical report, prior any development

141. Pursuant to Section 221 a Consent Notice is required on Lots 7 and 8, to be entered into, in favour of Council, to record and advise any future owners of the need to comply with this condition on an on-going basis.

At the building consent stage for each dwelling, the consent holder shall demonstrate that the following methods and specific requirements are adopted and met in full for the dwelling, to the satisfaction of the Development Engineering Team West

- a) Maintain stormwater runoff flows, volumes, and timing to the pre-development levels for the 1 in 2-year storm event.
- b) Each dwelling also has to provide additional 2,200litres capacity in the stormwater mitigation system as required in the above condition 143(a) to compensate stormwater runoff from the public road and the shared driveway
- c) Non-potable rainwater reuse shall be utilised from the dwelling to toilet, laundry and garden.

142. Pursuant to Section 221 a Consent Notice is required on Lots 7 and 8 to be entered into, in favour of Council, to record and advise any future owners of the need to comply with this condition on an on-going basis.

- a) There is an onsite stormwater management system on the affected lot.
- b) The owner must operate, monitor and maintain the stormwater management system (*stormwater tank*) in accordance with the conditions below:
 - i. Regular maintenance (as specified in the Operation and Maintenance Manual) of the stormwater management system shall be carried out by the owner as required to ensure efficient operation.

- ii. Auckland Council may at any time upon prior written notice by its officers, employees, agents or contractors enter the property; to inspect or test the stormwater management system and; to inspect the owner's records in relation to the operation, monitoring and maintenance of the system.
- iii. Auckland Council may, by notice in writing, instruct the owner to carry out any actions or works in relation to the operation, monitoring and maintenance of the stormwater management system. If the owner fails to carry out those actions or works within 7 working days of receiving Auckland Council's Notice, Auckland Council may carry out said work itself and enter the property to execute the work. Council may recover all costs of carrying out said work from the owner.
- iv. The owner must not modify or remove the stormwater management system without express written permission of Auckland Council.

Advice Note

Council's Hazards and Special Features Register will be advised of the above requirements.

143. Pursuant to Section 221 of the RMA, a Consent Notice is required on Lot 8 to be entered into, in favour of Council, to record and advise any future owners of the need to comply with this condition on an on-going basis:
- a) Any future development on Lot 8 is to be limited to the specified building area as identified on the approved Scheme Plan prepared by Envivo Ltd, titled *Scheme Plan – Stage 2*, Job No 22790, Plan No 131, Rev G, dated 3/10/17.

Legal Documentation

144. The Consent Notices required by Condition(s) 141, 142, 143 and 144 above will be prepared by the Council Solicitor at the consent holder's cost when the following information has been received:
- All necessary technical information.
 - A copy of the Land Transfer plan showing the Deposited Plan and Certificate(s) of Title numbers allocated by Land Information New Zealand, and
 - The name and address of the solicitor acting for the owner.

Advice Note:

If this subdivision is completed prior to the land use consent, the consent notices will supersede the requirement for easements under the land use consent.

145. Where any condition imposed upon this consent to subdivision is to be complied with on an ongoing basis by the subdividing owner and subsequent owners after the deposit of a survey plan (not being a condition in respect of which a Bond is required to be entered into by the subdividing owner of a completion certificate is capable of being or has been issued), the subdividing owner shall pay the Council's Solicitors legal costs and disbursements relating to the preparation and registration of a Consent Notice pursuant to Section 221 of the Resource Management Act 1991, and shall do all acts and things necessary to enable registration of such Notice to be completed.

Fees, Bonds & Contributions

146. Pay a 2.5% maintenance deposit on the value of works being taken over by Council which is refundable upon final acceptance of the works at the end of the maintenance period.

General

147. Supply to Council the 'Schedule of Assets to vest in Council' including their cost to be made in respect of proposed public services to vest in and be transferred to the Council.
148. Provide confirmation from a Licensed Cadastral Surveyor that all services and driveways have been located entirely within the locations on the registered easement/s and/or lot boundaries to the satisfaction of the Manager: Resource Consents and the Team Leader – Development Engineering.
149. Provide confirmation from the Network Utility Operators that:
- (a) Lots 7 and 8 are satisfactorily provided with underground power and telecommunication services to the net area of the lot(s).

Stage 3 – Creation of 4 lots

Survey Plan Approval (s223) Conditions

Relating to Lots 12, 13, 14, and 15

150. Provide a survey plan of the subdivision to Council to be approved pursuant to Section 223 of the Act. The application requesting the s223 certification:
- Shall be in writing, and
 - Shall provide a detailed explanation addressing how each of the following conditions (152-154) have been satisfied.
151. The survey Plan shall be in accordance with the plan titled:
- *Scheme Plan – Stage 3, Plan No 132*, prepared by Envivo Ltd, Revision G, dated 31/10/17.

All referenced by Council as SUB60039477 and the information submitted with the application, (including further information).

Advice Notes:

- *The Landonline documentation shall include the s223 and any other Council Certificates applicable. Note that the Council Reference number is SUB60039477*
- *The consent holder must ensure that placement of the services and/or driveway/s occurs entirely within the easement/s and/or lot boundaries as shown.*
- *Take note that street numbers for the lots on the survey plan will be allocated by Council subsequent to Section 223 approval, and these numbers must be used for future applications for building consent. A copy of the survey plan with the Council allocated numbers will be provided.*

Easements

152. Provide drainage and utilities easements for private services that pass through adjacent Lots to protect the existing or proposed private drains and water supply mains in a Memorandum of Easements endorsed on the survey plan.
153. Define the 1 in 100-year overland flow path, and provide a drainage easement(s) in gross in favour of Council in a Memorandum of Easements endorsed on the survey plan. Include on the survey plan, "*subject to the granting or reserving of the easement(s) set out in the Memorandum hereon*". Specific requirements:
 - The easement document will be prepared by Council's Solicitor at the applicant's cost.
 - The easement document shall advise the owner of their responsibility to maintain the overland flow path in its approved state, and to keep it unobstructed by buildings, earthworks, solid walls or fences, or any other impediments to the free flow of water through the easement area.

Advice Notes

- *The Landonline documentation shall include the s223 and any other TA Certificates applicable. Note that the TA Ref. is SUB60070036 (West).*
- *The consent holder must ensure that placement of the services and driveway/s occurs entirely within the easement/s and/or lot boundaries as shown.*
- *Take note that street numbers for the lots on the survey plan will be allocated by Council subsequent to Section 223 approval, and these numbers must be used for future applications for building consent. A copy of the survey plan with the Council allocated numbers will be provided.*

Section 224(c) Compliance Conditions

Prior to the release by the Council of the Section 224(c) certificate for this subdivision the consent holder shall comply with the following conditions to the satisfaction of Council. The application requesting the 224(c) release:

- shall be in writing, accompanied by official Council 224(c) application form, and
- shall include the advertised 224(c) processing fee, and
- shall provide a detailed explanation address how each of the following conditions (155-184) have been satisfied.

Wastewater

154. Prior to the issue of the 224c certificate all necessary pipes and ancillary equipment shall be supplied and laid to construct a new public wastewater system to service proposed Lots 12, 13, 14 and 15 in accordance with the engineering plan prepared by Envivo, titled *Proposed Servicing, Job No: 22790, Drawing No: 500, Rev: B and dated 02/02/17.*

Advice Notes

a) *Note that a minimum of 1.2m gravity fall is required from soffit of the public wastewater drain and lowest floor level. All levels are in terms of the Auckland Vertical Datum 1946 (msl).*

b) *The connections for all the dwellings to the Watercare supply main should be designed and constructed in accordance with Watercare Ltd's (WSL) "Standards" and be made by a Water Care Services Ltd approved contractor. For details, please contact Water Care Services.*

155. The consent holder shall provide and install a complete public wastewater system to serve Lots 12, 13, 14 and 15, in accordance with the approved Engineering Plans to the satisfaction of Development Engineering Team West.

156. An Engineering Completion Certificate certifying that all public wastewater pipes and individual wastewater connections have been constructed in accordance with the approved Engineering Plan and the Water and Wastewater Code of Practice for Land Development and Subdivision, May 2015 prepared by Watercare Services Limited shall be provided in support of the 224(c) application.

157. Video inspections of all public wastewater pipes as-built plans for all public wastewater lines shall be supplied with the 224(c) application. The video inspections shall be carried out within one month prior to the lodgement of the application for the 224(c) certificate.

158. The consent holder shall provide a certificate from Watercare Services Limited confirming that separate wastewater connections have been provided for Lots 12, 13, 14 and 15, which shall be provided in support of the 224(c) application.

Advice Note:

Installation of public drainage requires engineering plan approval.

Water Supply

159. Prior to the issue of the 224c certificate private connections shall be supplied and laid to the public water supply system for the in accordance with the engineering plan prepared by Envivo, titled *Proposed Servicing, Job No: 22790, Drawing No: 500, Rev: B and dated 02/02/17.*

Advice Note

The connections for all the dwellings to the Watercare supply main should be designed and constructed in accordance with Watercare Ltd's (WSL) "Standards" and be made by a Water Care Services Ltd approved contractor. For details, please contact Water Care Services and under future building consent for new buildings and for the retaining walls part of the subdivision, retaining walls shown within 2m from the 'existing' mains require approval from Watercare.

160. The consent holder shall provide and install a complete water supply reticulation system to serve Lots 12, 13, 14 and 15 in accordance with the approved Engineering Plans to the satisfaction of Development Engineering Team West.

161. The consent holder shall complete a successful pressure test for all new water mains prior to the connection to the existing public water supply reticulation system to the satisfaction of Council. Evidence of undertaking a successful pressure test for new water mains in accordance

with the Water and Wastewater Code of Practice for Land Development and Subdivision, May 2015 prepared by Watercare Services Limited, shall be supplied with an application for 224(c) certificate.

162. The consent holder shall provide an Engineering Completion Certificate certifying that all public water pipes and individual water supply connections have been constructed in accordance with the approved Engineering Plan and the Water and Wastewater Code of Practice for Land Development and Subdivision, May 2015, prepared by Watercare Services Limited. This certificate shall be supplied in support of the 224(c) application.
163. The consent holder shall provide as-built plans for all public and individual private water supply lines and a certificate from Watercare Services Limited confirming that separate water supply connections have been provided for Lots 12, 13, 14 and 15. These plans shall be supplied with the 224(c) application.

Advice Note

Installation of public drainage requires engineering plan approval.

Stormwater

164. Prior to the issue of the 224c certificate, all necessary pipes and ancillary equipment shall be supplied and laid to upgrade and extend the existing and proposed public stormwater system to service each Lot 12, 13, 14 and 15 in accordance with the engineering plan prepared by Envivo, titled *Proposed Servicing, Job No: 22790, Drawing No: 500, Rev: B* and dated 02/02/17.
165. Prior to the issue of the 224c certificate, all the necessary pipes and ancillary equipment shall be supplied and laid to provide individual stormwater private connections to and within the boundary of each Lot 12, 13, 14 and 15, into the existing public stormwater lines or proposed extension of the public stormwater lines.

Advice Note

Building consent will be required for private SW cesspits.

166. The consent holder shall provide and install a complete public stormwater system to serve Lots 12, 13, 14 and 15 in accordance with the approved Engineering Plans to the satisfaction of the Development Engineering Team West.
167. The consent holder shall provide an Engineering Completion Certificate certifying that all public stormwater pipes and individual stormwater connections have been constructed in accordance with the approved Engineering Plan and the Auckland Council Code of Practice for Land Development and Subdivision – Chapter 4: Stormwater, in support of the 224(c) application.
168. Video inspections of all public stormwater pipes and as-built plans for all public stormwater lines shall be supplied with the 224(c) application. The video inspections shall be carried out within one month prior to the lodgement of the application for the 224(c) certificate.

Advice Notes

As-built documentation for all assets to be vested in Council required by this condition shall be in accordance with the current version of the Development Engineering As-built Requirement'.

A valuation schedule for all asset to be vested in Council shall be included as part of the as-built documentation.

Installation of public drainage requires engineering plan approval

169. The consent holder shall provide “as built” plans from a Licensed Cadastral Surveyor at the 224c identifying and certifying that all services and driveways have been located in accordance with the locations on registered easements, or within legal boundaries to the satisfaction of the Team Leader - Development Engineering.

Roading

170. Vehicle crossing widths must be in accordance with Council’s AUP OP table E27.6.4.3.2.
171. All new vehicle crossings shall be designed and formed in accordance with the Auckland Transport Code of Practice 2013. The new crossing shall maintain an at-grade (level) pedestrian footpath across the length of *the crossing*, using the same materials, kerbing, paving, patterns and finish as the footpath on each side of the crossing.
172. The consent holder shall provide no less than a 150mm deep layer of topsoil free of deleterious material on all allotments, including the road berms, to the satisfaction of the Council.

Consent Notices

173. Pursuant to Section 221 of the Resource Management Act 1991 a Consent Notice shall be registered on the certificates of title for Lots 12, 13 14 and 15 to require that any future development on the lots is undertaken:
- c) in accordance with the geotechnical report submitted with the application and referenced in Condition 76 above, and has been subject to further geotechnical investigation and slope stability analysis by a suitably qualified geotechnical engineer familiar with the contents of this geotechnical report, prior any development;
 - d) and limited to the relevant building platform for each lot, as identified on the approved Scheme Plan titled *Scheme Plan – Stage 3, Envivo*, Rev G and dated 31/10/17.
174. Pursuant to Section 221 a Consent Notice is required on Lots 12, 13, 14 and 15 to be entered into, in favour of Council, to record and advise any future owners of the need to comply with this condition on an on-going basis.

At the building consent stage for each dwelling, the consent holder shall demonstrate that the following methods and specific requirements are adopted and met in full for the dwelling, to the satisfaction of the Development Engineering Team West

- a) Maintain stormwater runoff flows, volumes, and timing to the pre-development levels for the 1 in 2-year storm event.
- b) Each dwelling also has to provide additional 2,200litres capacity in the stormwater mitigation system as required in the above condition 176(a) to compensate stormwater runoff from the public road and the shared driveway
- c) Non-potable rainwater reuse shall be utilised from the dwelling to toilet, laundry and garden.

175. Pursuant to Section 221 a Consent Notice is required on Lots 12, 13, 14 and 15, to be entered into in favour of Council, to record and advise any future owners of the need to comply with this condition on an on-going basis.

- a) There is an onsite stormwater management system on the affected lot.
- b) The owner must operate, monitor and maintain the stormwater management system (*stormwater tank*) in accordance with the conditions below:
 - v. Regular maintenance (as specified in the Operation and Maintenance Manual) of the stormwater management system shall be carried out by the owner as required to ensure efficient operation.
 - vi. Auckland Council may at any time upon prior written notice by its officers, employees, agents or contractors enter the property; to inspect or test the stormwater management system and; to inspect the owner's records in relation to the operation, monitoring and maintenance of the system.
 - vii. Auckland Council may, by notice in writing, instruct the owner to carry out any actions or works in relation to the operation, monitoring and maintenance of the stormwater management system. If the owner fails to carry out those actions or works within 7 working days of receiving Auckland Council's Notice, Auckland Council may carry out said work itself and enter the property to execute the work. Council may recover all costs of carrying out said work from the owner.
 - viii. The owner must not modify or remove the stormwater management system without express written permission of Auckland Council.

Advice Note

Council's Hazards and Special Features Register will be advised of the above requirements.

176. Pursuant to Section 221 of the RMA, a Consent Notice is required on Lots 12, 13, 14 and 15 to be entered into, in favour of Council, to record and advise any future owners of the need to comply with this condition on an on-going basis.

- a) Any fencing, hedging or planting along boundaries or within 2 metres of boundaries of the esplanade reserve must be either low height (1.2m) or at least 50% visually permeable (max height 1.8m). Landscape planting may be implemented on either side of the fence and must be maintained to ensure 50% visual permeability. The council is exempt from sharing costs.

177. Pursuant to Section 221 of the RMA, a Consent Notice is required on Lots 12, 13, 14 and 15 to be entered into, in favour of Council, to record and advise any future owners of the need to comply with this condition on an on-going basis:

The owners or their successors in title of Lots 12, 13, 14, and 15 shall:

- a. Preserve in perpetuity, the native vegetation, wildlife habitats and the natural landscape within the areas of native vegetation to be protected and marked on the approved scheme plan as areas 'I', 'G', 'H', 'U', 'V', 'W', 'X', 'Y' and 'Z'.

- b. Not (without the prior written consent of the Council and then only in strict compliance with any conditions imposed by the Council) cut down, damage or destroy, or permit the cutting down, damage or destruction of the vegetation or wildlife habitats within the natural areas to be protected. Such prior written consent may be withheld for any reason at the total discretion of Auckland Council.
- c. Not (without the prior written consent of the Council and then only in strict compliance with any conditions imposed by the Council) undertake any earthworks or land modifications within the areas of native vegetation to be protected. Such prior written consent may be withheld for any reason at the total discretion of Auckland Council.
- d. Not do anything that would prejudice the health or ecological value of the natural areas to be protected, their long-term viability and/or sustainability;
- e. Not plant any species (either native or exotic) not outlined in a Council approved planting plan.
- f. Control all invasive plants and control pest animals within the areas of to be protected in accordance with the approved Weed and Pest Management Report.

Legal Documentation

178. The Consent Notices required by Condition(s) 174, 175, 176, 177 and 178 above, will be prepared by the Council Solicitor at the consent holder's cost when the following information has been received:
- All necessary technical information.
 - A copy of the Land Transfer plan showing the Deposited Plan and Certificate(s) of Title numbers allocated by Land Information New Zealand, and
 - The name and address of the solicitor acting for the owner.

Advice Note:

If this subdivision is completed prior to the land use consent, the consent notices will supersede the requirement for easements under the land use consent.

179. Where any condition imposed upon this consent to subdivision is to be complied with on an ongoing basis by the subdividing owner and subsequent owners after the deposit of a survey plan (not being a condition in respect of which a Bond is required to be entered into by the subdividing owner of a completion certificate is capable of being or has been issued), the subdividing owner shall pay the Council's Solicitors legal costs and disbursements relating to the preparation and registration of a Consent Notice pursuant to Section 221 of the Resource Management Act 1991, and shall do all acts and things necessary to enable registration of such Notice to be completed.

Fees, Bonds & Contributions

180. Pay a 2.5% maintenance deposit on the value of works being taken over by Council which is refundable upon final acceptance of the works at the end of the maintenance period.

General

181. Supply to Council the 'Schedule of Assets to vest in Council' including their cost to be made in respect of proposed public services to vest in and be transferred to the Council.
182. Provide confirmation from a Licensed Cadastral Surveyor that all services and driveways have been located entirely within the locations on the registered easement/s and/or lot boundaries to the satisfaction of the Manager: Resource Consents and the Team Leader – Development Engineering.
183. Provide confirmation from the Network Utility Operators that:
 - a) Lots 12, 13, 14 and 15 are satisfactorily provided with underground power and telecommunication services to the net area of the lot(s).

Advice notes

1. *Any reference to number of days within this decision refers to working days as defined in s2 of the RMA.*
2. *For the purpose of compliance with the conditions of consent, "the council" refers to the council's monitoring inspector unless otherwise specified. Please contact the Team Leader, West Monitoring & Incidents or monitoring@aucklandcouncil.govt.nz to identify your allocated officer.*
3. *For more information on the resource consent process with Auckland Council see the council's website www.aucklandcouncil.govt.nz. General information on resource consents, including making an application to vary or cancel consent conditions can be found on the Ministry for the Environment's website: www.mfe.govt.nz.*
4. *If you disagree with any of the above conditions, or disagree with the additional charges relating to the processing of the application, you have a right of objection pursuant to sections 357A or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of notification of the decision.*
5. *Please read the conditions of this resource consent carefully and make sure that you understand all the conditions that have been imposed before commencing the development.*
6. *This resource consent will lapse five years after the date of Council's decision **unless**:*

Land Use

- a) *it is given effect to before the end of that period. To give effect to this consent, the activity allowed by this consent must be established and the conditions contained in the consent complied with. Please note that there must be compliance with all of the consent conditions once the land use has been established, or;*
- b) *an application is made and granted prior to the expiry of that period for a time extension. The statutory considerations that apply to extensions are set out in section 125 of the RMA.*

Subdivision

Take note that the subdivision consent is given effect to on the day Council issues the s223 certificate. In accordance with Sections 125(2) and 224(h) of the RMA 1991, this subdivision consent will lapse if the Section 224(c) certificate is not lodged with the District Land Registrar

(LINZ) within 3 years of the Section 223 certification by Council. It is the responsibility of the consent holder to ensure all conditions of the consent are complied with within the necessary timeframe to ensure s224(c) certificate can be issued by Council.

- a) unless an application is made and granted prior to the expiry of that period for a time extension. The statutory considerations that apply to extensions are set out in section 125 of the RMA

Note: all charges owing at the time council's decision is notified must be paid before a consent can commence.

7. The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.

A copy of this consent should be held on site at all times during the establishment and construction phase of the activity. The consent holder is requested to notify Council, in writing, of their intention to begin works at least 14 days prior to work starting on the consented development. A "Notice of Works Starting" Form is included in your Resource Consent Pack to facilitate this notice. "Notice of Works Starting" forms can be emailed to rcmadmin@aucklandcouncil.govt.nz, faxed to (09) 353 9186 or posted to:

Administration Officer, Compliance and Monitoring,
Resource Consenting and Compliance,
Auckland Council,
Private Bag 92300,
Auckland 1142.

8. The granting of this resource consent does not in any way allow the consent holder to enter and undertake works within neighbouring properties, without first obtaining the agreement of all owners and occupiers of said land to undertake the proposed works. Any negotiation or agreement is the full responsibility of the consent holder, and is a private agreement that does not involve Council. Should any disputes arise between the private parties, these are civil matters which can be taken to independent mediation or disputes tribunal for resolution. It is recommended that the private agreement be legally documented to avoid disputes arising. To obtain sign-off for the resource consent, the services described by the conditions above are required to be in place to the satisfaction of Council.
9. Compliance with the consent conditions will be monitored by Council in accordance with section 35(d) of the Resource Management Act. This will typically include site visits to verify compliance (or non-compliance) and documentation (site notes and photographs) of the activity established under the Resource Consent. In order to recover actual and reasonable costs, inspections, in excess of those covered by the base fee paid, shall be charged at the relevant hourly rate applicable at the time. Only after all conditions of the Resource Consent have been met, will Council issue a letter on request of the consent holder.

10. Development contributions levied under the Local Government Act 2002 are payable in relation to this application. The consent holder will be advised of the development contributions payable separately from this resource consent decision. Further information about development contributions may be found on the Auckland Council website at www.aucklandcouncil.govt.nz.

Delegated decision maker:

Name: Kristin Spyve

Title: Team Leader, Resource Consents

Signed:



Date: 15/11/2017

CITY OF WAITAKERE DISTRICT PLAN

REPORT FOR LIMITED DISCRETIONARY ACTIVITY APPLICATION SECTIONS 95A-95F, 104 & 104C ASSESSMENT AND DETERMINATION IN ACCORDANCE WITH THE RESOURCE MANAGEMENT ACT 1991

1.0 SUMMARY OF PROPOSAL

The formation of road that would require earthworks within one metre of the boundary, 88m³ of earthworks (cut) over 219m². The works are associated with subdivision (SUB 2010-0766)

2.0 APPLICATION DETAILS

Planner:	Nitya Reddy
Site Address:	Greenwoods Close
Applicant:	R.G and A.B Riddell
Date Received:	18 August 2010
Resource Consent No:	LUC 2010-0851
Legal Description:	Lot 14 DP 174994
Address for Service:	C/- BCL Surveyors P.O.Box 109207 New Market Auckland 1149
	Attn: Mike Wong
Site Area:	219m ²

Operative District Plan:	
Human Environment:	Living 2
Natural Area:	General
Landscape Elements:	N/A
Hazards:	Stability Sensitive
Roading Hierarchy:	Local

Further Information Requested	No
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Site Visit:	24 June 2010
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Section 37 Applied:	Not applicable
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Any Affected Persons:	No
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Locality Diagram:



Source: Waitakere City Council GIS, Enterprise View 4.2

- 2.1 Documents considered for this report include the application documentation and the site visit images.

3.0 REASON FOR APPLICATION- RELEVANT DISTRICT PLAN RULES Extent of Infringement and Type of Activity Proposed

3.1 Operative District Plan

General Natural Area

Rule 3.3 of the General Natural Area states that earthworks not meeting the performance standards in Rule 3.1, and *inter alia*, not exceeding 300m³, requires consent as a limited discretionary activity. The proposal involves earthworks that require scrape excavation of 88m³ of earth works over an area of 219m² adjacent to the east, west and south boundary of Lot 14 DP174994.

Overall the application is considered to be a Limited Discretionary activity.

4.0 SITE AND PROPOSAL

4.1 Site Description

Lot 14 on DP 174994 is land owned by Council as a reserve under the Reserves Act 1977.

At present, this portion of unformed strip of land is located at the southern end of Greenwood Close, is metalled and is used to provide informal access to the dwellings located at 16 Greenwood Close and 78 Konini Road.

This site does not contain any trees, or other notable vegetation..

The site is buffered by residential sites.

4.2 Proposal

In light of the associated subdivision, this parcel of land is to be formed as a road and vest in Council as road under the Local Government Act in order to provide a legal access to the proposed Lot 2.

4.3 Information Received

The following information has been provided:

- Covering Letter, Application Form, Assessment of Environmental Effects and supporting information prepared by BCL Surveyors , received 03/09/10
- Drawing No 7101/10/02, revision K, received on 06/09/2010.

It is considered that sufficient information has been provided to enable Council to fully assess the proposal and determine the application.

ASSESSMENT OF NON-NOTIFIED RESOURCE CONSENT APPLICATION UNDER SECTION 95 OF THE RESOURCE MANAGEMENT ACT 1991

5.0 STATUTORY CONSIDERATIONS

Section 95A of the Resource Management Act provides for resource consents to be processed on a non-notified basis unless Council decides that the activity will have, or is likely to have, adverse effects on the environment that are more than minor.

.In regards to full notification in determining whether or not an adverse activity will have, or is likely to have, adverse effects on the environment that are more than minor, the following matters will be disregarded:

- Effects on persons who own and occupy the land in, on or over, which the activity will occur or land adjacent to the land over which the activity will occur;
- An adverse effect of the activity on the environment that does not relate to a matter specified in a rule or national environmental standard where discretion has not been restricted;
- Any effect on a person who has given written approval to the application;
- Trade competition and the effects of trade competition.

The consent authority may also disregard an adverse effect of the activity on the environment if a rule or national environmental standard permits an activity with that effect.

If notification is required under Section 95A, Section 95A(3) states that applications must not be publicly notified if a rule in a plan or national environmental standard expressly precludes public notification. A provision exists within the Waitakere District Plan whereby applications for resource consent need not be notified for Limited Discretionary Activities (Rule 1.1 under the respective Human Environment / Natural Area Zoning).

If the consent authority does not publicly notify an application, Council must determine if the activity will have, or is likely to have, adverse effects on any persons or order holders, including adjacent land owners. If it is decided that there are affected persons / affected order holder from whom consent has not been obtained (unless unreasonable and / or withdrawn) then the application is subject to limited notification.

If limited notification is required under Section 95B, Section 95B(2) states that applications must not be limited notified if a rule or national environmental standard expressly precludes limited notification. Such a provision exists within the Waitakere District Plan where written approvals of affected persons will not be required for Limited Discretionary Activities (Rule 1.1 under the respective Human Environment / Natural Area Zoning).

Notwithstanding the above, a consent authority shall have regard to whether special circumstances apply. In such cases, the application may be publicly notified (Section 95A (4)).

6.0 ADVERSE EFFECTS ASSESSMENT

The following assessment of effects is undertaken on the basis that the level of effects arising is avoided, remedied or mitigated (as appropriate) by the proposed consent conditions contained in this report. The assessment has regard to the provisions of Section 95.

- The earthworks are of a very limited scale, and undertaken in accordance with appropriate sediment control measures, as outlined in the Erosion / Sediment Control Measures Appendix, will have less than minor, if any, adverse effects from the offsite transportation of sediment on water quality or on amenity values.
- The cut relative to the side boundary is very limited, being a surface scraping of 400mm for a length of 20m on a site possessed of a gentle contour, and consequentially it is considered there will be no adverse effects in regard to safety, stability, or accentuation of any hazard.
- The proposal, long term will not cause detriment to the visual amenities of the site and wider locality.
- Any adverse effects will be temporary and localised in nature and adequately controlled and / or mitigated by proposed conditions of consent.
- Overall, any adverse effects are considered no more than minor in nature.

6.1 AFFECTED ORDER HOLDER

There are no affected order holder's adversely affected by the proposed activity.

7.0 SPECIAL CIRCUMSTANCES

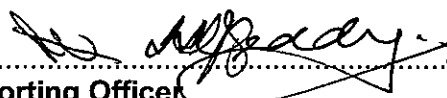
Special Circumstances are generally those that are unusual or exceptional or involve some significant or important public interest element.

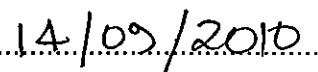
The proposal, in itself, is not considered to give rise to special circumstances and there is no basis for Council to exercise its discretion under s95A (4).

8.0 SECTION 95 RECOMMENDATION

Pursuant to Sections 95A-95F of the Resource Management Act 1991, it is recommended that this application LUC2010-0851 be processed as a non-notified application for the following reasons:

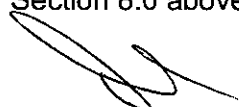
- The adverse effect on the environment of the activity for which consent is sought will be no more than minor, if any, for reasons referred to in Section 6.0 of this report
- A provision exists within the plan in that applications for resource consent need not be notified for Limited Discretionary Activities.
- A provision exists within the plan in that written approvals of affected persons will not be required for Limited Discretionary Activities.
- There are no affected order holders adversely affected by the proposed activity.
- There are no special circumstances to warrant notification of this application.



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Reporting Officer


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Date:

9.0 SECTION 95 DETERMINATION

Acting under delegated authority and for the reasons set out in the above assessment this application LUC 2010-0851 for resource consent shall be non-notified as recommended in Section 8.0 above.


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Team Leader Consents


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Date:

Please contact Nitya Reddy (Ph 839 0400) if you have any queries about this resource consent and associated report.

ASSESSMENT OF NON-NOTIFIED RESOURCE CONSENT APPLICATION UNDER SECTIONS 104 AND 104C OF THE RESOURCE MANAGEMENT ACT 1991

10.0 STATUTORY CONSIDERATIONS

The proposal requires consideration as a Limited Discretionary Activity under the provisions of the Resource Management Act 1991. In considering the application, the consent authority shall have regard to the matters specified in Section 104. The considerations are as follows:

When considering an application for a resource consent, the consent authority must, subject to Part 2, have regard to:

- Any actual and potential effects on the environment of allowing the activity; and
- Any relevant provisions of—
 - a national environmental standard
 - other regulations
 - a national policy statement
 - a New Zealand coastal policy statement
 - a regional policy statement or proposed regional policy statement
 - a plan or proposed plan; and
- Any other matter the consent authority considers relevant and reasonably necessary to determine the application.

When forming an opinion for the purposes of considering the actual and potential effects on the environment of allowing the activity, a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard, or the plan, permits an activity with that effect.

In considering an application the consent authority must not have regard to trade competition or: or the effects of trade competition; or any effect on a person who has given written approval to the application.

As a Limited Discretionary Activity, a consent authority must consider only those matters to which it has restricted the exercise of its discretion as specified in its plan or proposed plan, or as specified in national environmental standards or other regulations.

A consent authority may grant or refuse the application to the matters over which it has restricted its discretion.

If the consent is granted it may impose conditions under section 108 only for those matters to which it has restricted the exercise of its discretion, as specified in national environmental standards or other regulations; or in its plan or proposed plan.

11.0 ASSESSMENT

11.1 Actual and Potential Effects on the Environment (s104 (1)(a))

The District Plan has been prepared with a clear “effects-based” emphasis. Consideration of the proposed development in relation to each of the Plan’s assessment criteria would ensure that all the relevant matters to which Council has restricted its discretion have been addressed.

The relevant matters to which Council has restricted its discretion in relation to the application will therefore be considered in accordance with the assessment criteria.

The relevant assessment criteria from the District Plan, together with comments as to whether each criterion can be satisfied are summarised as follows:

Assessment Criteria Rule 3: Earthworks.

The proposed earthworks are considered consistent with the scale of development, and necessary for the formation of vehicle access. As the site is located on a site in an urbanised area, having regard to the limited scale of earthworks proposed, there are no implications in regard to fauna habitat, natural features (Criterion 3(c)) natural landscape features (Criterion 3(d)), nor is it close to any water body or watercourse. Thus, with appropriate sediment control measures, it is considered off site sediment transportation can be avoided. The proposal will not cause detriment to the visual amenities of the site or wider locality.

11.2 A Regional Policy Statement, or Proposed Regional Policy Statement (s104 (b)(v))

The Auckland Regional Policy Statement became operative in 1999 (subject to plan changes at various stages in the statutory process) sets out the broad resource management issues, objectives and policies for the Auckland Region to achieve the integrated management of its natural and physical resources. The Policy Statement functions as an umbrella policy document for environmental planning and policy development within the Region, under which the Waitakere City Operative District Plan has been prepared.

The proposed development by reason of its residential nature within an existing residential environment, its size and scale, and matters discussed elsewhere in this report is not considered to be contrary to the Regional Policy Statement, or any Proposed Plan Change associated with this document.

12.0 A plan or proposed plan(s104 (b)(vi))

The District Plan Assessment Criteria, developed to address the issues covered in the relevant objectives and policies, have already been discussed in section 11.1.

The proposed development is considered to be consistent with these assessment criteria. For this reason the proposed development is also considered to be consistent with the relevant Objectives and Policies.

13.0 Other Matters (Section 104(1(c)))

Long Term Council Community Plan

Under the Local Government Act 2002, Councils were permitted to take development contributions towards the costs that capital growth imposes on the community. The financial contribution policy of the Waitakere City Council's Long Term Council Community Plan incorporates a development contribution based on the City's capital expenditure for infrastructure and community facilities for that ten year period. As the proposal does not create additional allotments there will be no development contribution charge applicable as per Section 25 (a)(v) of the Policy.

There are no other matters relevant to this application.

14.0 PART II OF THE ACT- PURPOSE AND PRINCIPLES

Section 5 in Part II of the Act identifies the purpose of the Act as being the sustainable management of natural and physical resources. This means managing the use of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

It is considered that the proposal is consistent with sustainable resource management. In particular this proposal is concerned with the sustainable management of the Living Environment in such a way that the communities' social and cultural aspirations are realised whilst the quality of the environment and amenity values of the neighbourhood are maintained. The proposal would allow for the establishment of a minor household unit and provide additional habitable space within the existing dwelling in a manner, form and scale that would be appropriate within the environment and would be able to establish and operate in such a way that the amenities of the neighbourhood would not be adversely affected.

The proposal is not considered to adversely affect any matters of national importance. It is considered that the adverse effects arising from the proposal and the proposed mitigation are limited in significance to the surrounding urban neighbourhood.

The proposal is not considered to impact upon the Treaty of Waitangi.

Section 7 identifies a number of "other matters" to be given particular regard by Council in the consideration of any assessment for resource consent, and includes the efficient use of natural and physical resources, and the maintenance and enhancement of amenity values.

The potential effects of the proposal on the amenity and character of the area have been discussed in detail in the effects assessment contained in Section 11 of this report. Subject to conditions, it is concluded that the proposed development would be compatible with the surrounding built and natural environment and the existing amenity of the area would not be reduced.

15.0 TIME PERIOD IN WHICH TO IMPLEMENT THE CONSENT

Under section 125 of the Resource Management Act 1991, unless it is given effect to, a consent lapses either on the date that is specified in the consent or if no date is specified, 5 years after the date of commencement of the consent.

There is no known reason to either decrease or increase the timeframe in this instance.

16.0 MONITORING

The proposal will need to be monitored in accordance with the conditions specified in this report, and the requirements contained in the District Plan.

17.0 RECOMMENDED DECISION

Pursuant to Sections 104, 104C, and 108 of the Resource Management Act 1991, **consent is granted** to the application by A B Riddell and R G Riddell to form road access involving earthworks of 88m³ over an area of 219m² cut within 1m of boundary for a length of 20m (as more accurately defined in Sections 3 and 4 of this report) at 7 Greenwoods Close, Titirangi, being Lot 14 DP 174994 for the following reasons:

- (i) Any actual or potential effects on the environment by the proposal are considered to be less than minor, if any, and will be adequately avoided, remedied or mitigated by the conditions of consent.
- (ii) The proposed earthworks are appropriate in scale to enable the development proposed, being limited to the area for the formation of road. The earthworks will not generate any stability issues nor cause harm to property or person.
- (iii) The proposal satisfies the relevant objectives, policies, rules and other provisions of the Waitakere City Operative District Plan and the Regional Policy Statement.
- (iv) The proposal is not contrary to Part II of the Resource Management Act.

GENERAL

- (GN 1) The development shall proceed in accordance with Plan Reference No 7101/10/02, revision M, dated 09/09/10, titled "Scheme Plan" and the information, submitted with the application prepared by BCL Surveyors Limited, received 07/09/10, referenced by Council as LUC-2010-0851.
- (GN 2) A copy of this Resource Consent shall be held on site throughout the period of work. Prior to works commencing, it shall be the responsibility of the consent holder to explain the Conditions of Consent to all contractors, sub-contractors and work site supervisory staff who are carrying out any works associated with the project.
- (GN 3) A consent compliance monitoring fee of \$583.00 (inclusive of G.S.T.) is required to be paid to the Council. This fee is to recover the actual and reasonable costs incurred ensuring compliance with the conditions of this consent. If, on inspection all conditions have not been satisfactorily met, a reinspection shall be required at the relevant hourly rate applicable at the time the re-inspection is carried out.

EARTHWORKS

- (EW 1) Before commencement of any works and until completion of exposed site works, adequate sediment and erosion control measures shall be constructed and maintained by the consent holder. The consent holder shall notify Council's Monitoring Officer when controls are in place. Works shall not commence until approval has been gained in writing from the Manager Resource Consents. The control measures must be maintained until the site has been adequately stabilised against erosion and sediment-laden run off. The construction and maintenance shall be in accordance with the Erosion/Sediment Control Measures Appendix to the Natural Area rules of the Waitakere City Council District Plan.
- (EW 2) Prior to any earthworks commencing the applicant shall contact Council on phone 8390400 to arrange an inspection of the erosion and sediment controls required by conditions (EW1) above.

(EW3) Footpaths, berms and kerbs shall be protected from damage by crossing or parking vehicles to the satisfaction of the Manager Resource Consents. Any damage which is attributed to the earthworks operation shall be rectified at the cost of the consent holder and at the direction of Council. The consent holder shall notify Council's Monitoring Officer when entranceway controls are in place. Work shall not commence until approval has been gained in writing from Manager Resource Consents.

(EW4) The noise from earthworks shall not exceed the following levels (as measured at the boundary of any site zoned "Living Environment")

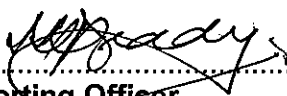
Mon to Fri	7:00 am - 5:00 pm	50dBA, L ₁₀
Saturday	8:00 am - 5:00 pm	50dBA, L ₁₀

Measurements to be in accordance with the provisions of NZS 6801:1991 and NZS 6802 :1991

Advice Notes:

1. Where indicated in the conditions it is the consent holders responsibility to inform the Environmental Monitoring Officer when inspection is required. Inspections can be requested through the Call Centre on 839 0400.
2. The resource consent lapses on the expiry of **five years** after the commencement of this consent, unless the consent is given effect to by the end of that period. To give effect to this consent, the activity allowed by this consent must be established and the conditions contained in the consent complied with. Please note that there must be compliance with all of the consent conditions once the land use has been established.
3. The granting of this resource consent does not in any way allow the applicant to enter and construct drainage within neighbouring property, without first obtaining the agreement of all owners and occupiers of said land to undertake the proposed works. Any negotiation or agreement is the full responsibility of the applicant, and is a private agreement that does not involve Council. Should any disputes arise between the private parties, these are civil matters which can be taken to independent mediation or disputes tribunal for resolution. It is recommended that the private agreement be legally documented to avoid disputes arising. To obtain sign-off for the resource consent, the services described by the conditions below are required to be in place to the satisfaction of Council.
4. Compliance with the consent conditions will be monitored by Councils Environmental Monitoring Officer in accordance with section 35(d) of the Resource Management Act. This will typically include site visits to verify compliance (or non compliance) and documentation (site notes and photographs) of the activity established under the Resource Consent. In order to recover actual and reasonable costs, inspections, in excess of those covered by the base fee paid, shall be charged at the relevant hourly rate applicable at the time. Only after all conditions of the Resource Consent have been met, will Council issue a letter on request of the consent holder.
5. If you are not satisfied with the decision and/or any of the conditions of consent you may lodge an objection in writing to the decision and / or conditions pursuant to S.357A of the Resource Management Act.

Objections must be in writing and addressed to the Principal Planner, Resource Management, Waitakere City Council, Private Bag 93109, Henderson 0650.


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Reporting Officer

14/09/2010.
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Date:

18.0 CONSENT GRANTED AS RECOMMENDED

Acting under delegated authority and for the reasons set out in the above recommendation to LUC 2010-0851, consent shall be granted subject to the conditions set out in Section 17.0 above.


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Team Leader Consents

14/09/11
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Date:

Please contact Nitya Reddy (Ph 839 0400) if you have any queries about this resource consent and associated report.