

Tandem Realty Limited  
AUCKLAND




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<b>Applicant</b>	Tandem Realty Limited
<b>LIM address</b>	297A Wilson Road Wayby Valley Auckland 0972
<b>Application number</b>	8270254171
<b>Customer Reference</b>	
<b>Date issued</b>	22-Sep-2020
<b>Legal Description</b>	Allot 29 Psh Of Hoteo SO 732, Allot N23 Psh Of Hoteo SO 732
<b>Certificates of title</b>	NA599/232

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### 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: Unknown or unassessed wind zone

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](http://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.

### Flood Plain

This site (property parcel) spatially intersects with a Flood Plain, as displayed on the map attached to this LIM entitled "Special Land Features - Natural Hazards - Flooding", and may flood during significant rainfall events.

Flood Plains represent the predicted area of land inundated by runoff from a 1% Annual Exceedance Probability (AEP) magnitude event, often referred to as a '1 in 100-year event'.

Flood Plains are generally determined by computer based hydrological and hydraulic modelling.

The Auckland Unitary Plan contains policies and rules relating to development and/or works within or adjacent to Flood Plains.

Note: The terms “Flood Plain” and “Floodplain” are used interchangeably.

### 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.

### 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**


<b>Billing Number/ Rate Account:</b>	12345574881
<b>Rates levied for the Year 2020/2021 :</b>	\$1,185.19
<b>Total rates to clear for the current year (including any arrears and postponed rates):</b>	\$3,421.84

The rates figures are provided as at 8 a.m. 22/09/2020. 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

There are **NO** Planning resource consents recorded.

### Subdivisions

297A Wilson Road Wayby Valley Auckland 0972

Application No.	Description	Decision	Decision Date
SUB60317065	Subdivision Consent Consent to undertake a Transferable Rural Site Subdivision (TRSS) utilising eight TRSS to create 14 rural-residential lots in the Co untryside Living Zone. The proposal includes 0.79ha or riparian and wetland enhancement / protection and approximately 4,570m <sup>3</sup> of earthworks over an area of 5,769m <sup>2</sup> associated with the formation of the two rights of way. Significant Ecological Areas will be physically and legally protected on the donor sites	Granted	01/10/2018
CCT90073886	Subdivision completion cert ((s)224C) Donor Site: 297A Wilson Road - TTR signoff	Approved	12/11/2018

### 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

There is **NO** Building Work recorded.

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)

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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

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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

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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**

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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.

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- 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.

- Property specific : Additional Soils Information
- Consent Conditions : SUB60317065 Decision

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

### Address

297A Wilson Road Wayby Valley 0972

### Legal Description

Allot 29 Psh Of Hoteo SO 732, Allot N23 Psh Of Hoteo SO 732

### Appeals

### Modifications

### Zones

Rural - Rural Production Zone

### Precinct

### Controls

Controls: Macroinvertebrate Community Index - Exotic

Controls: Macroinvertebrate Community Index - Native

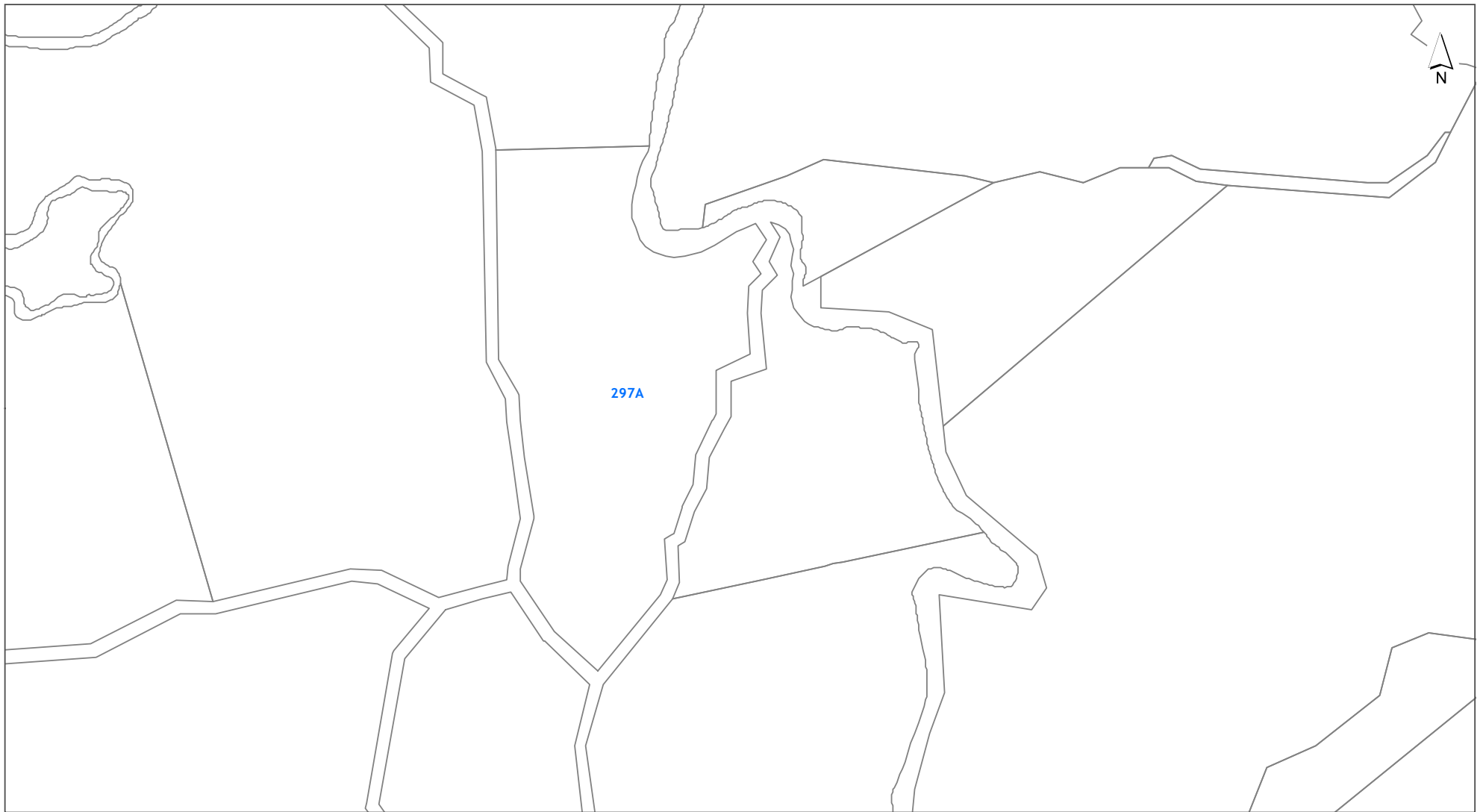
Controls: Macroinvertebrate Community Index - Rural

### Overlays

Natural Resources: Natural Stream Management Areas Overlay [rp]

Natural Resources: Significant Ecological Areas Overlay - SEA\_T\_910 - Terrestrial

### Designations



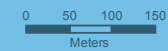
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**Built Environment**

297A Wilson Road Wayby Valley 0972

Allot 29 Psh Of Hoteo SO 732, Allot N23 Psh Of Hoteo SO 732

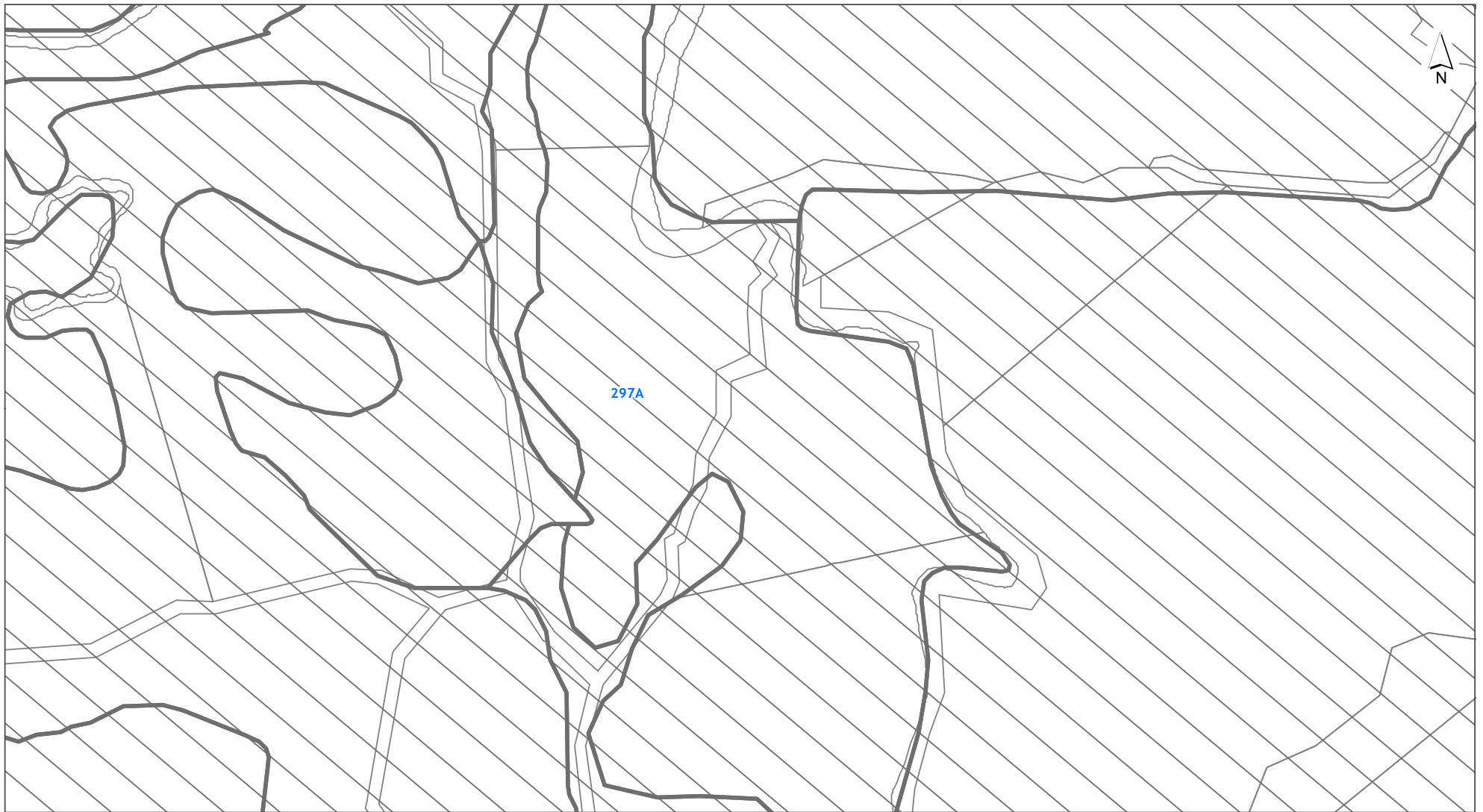


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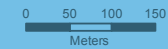
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**Controls**

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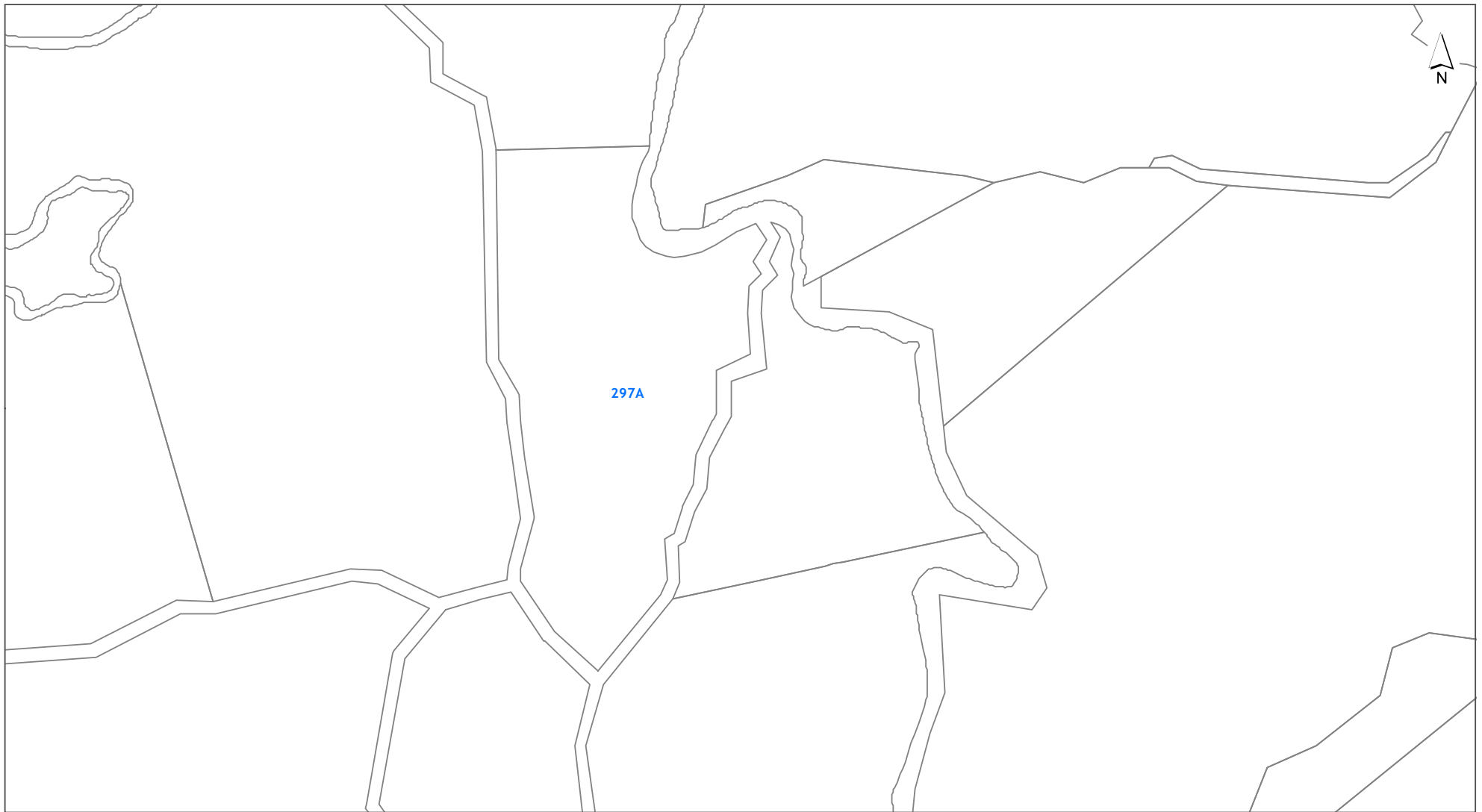


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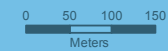
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**Designations**

**297A Wilson Road Wayby Valley 0972**

**Allot 29 Psh Of Hoteo SO 732, Allot N23 Psh Of Hoteo SO 732**

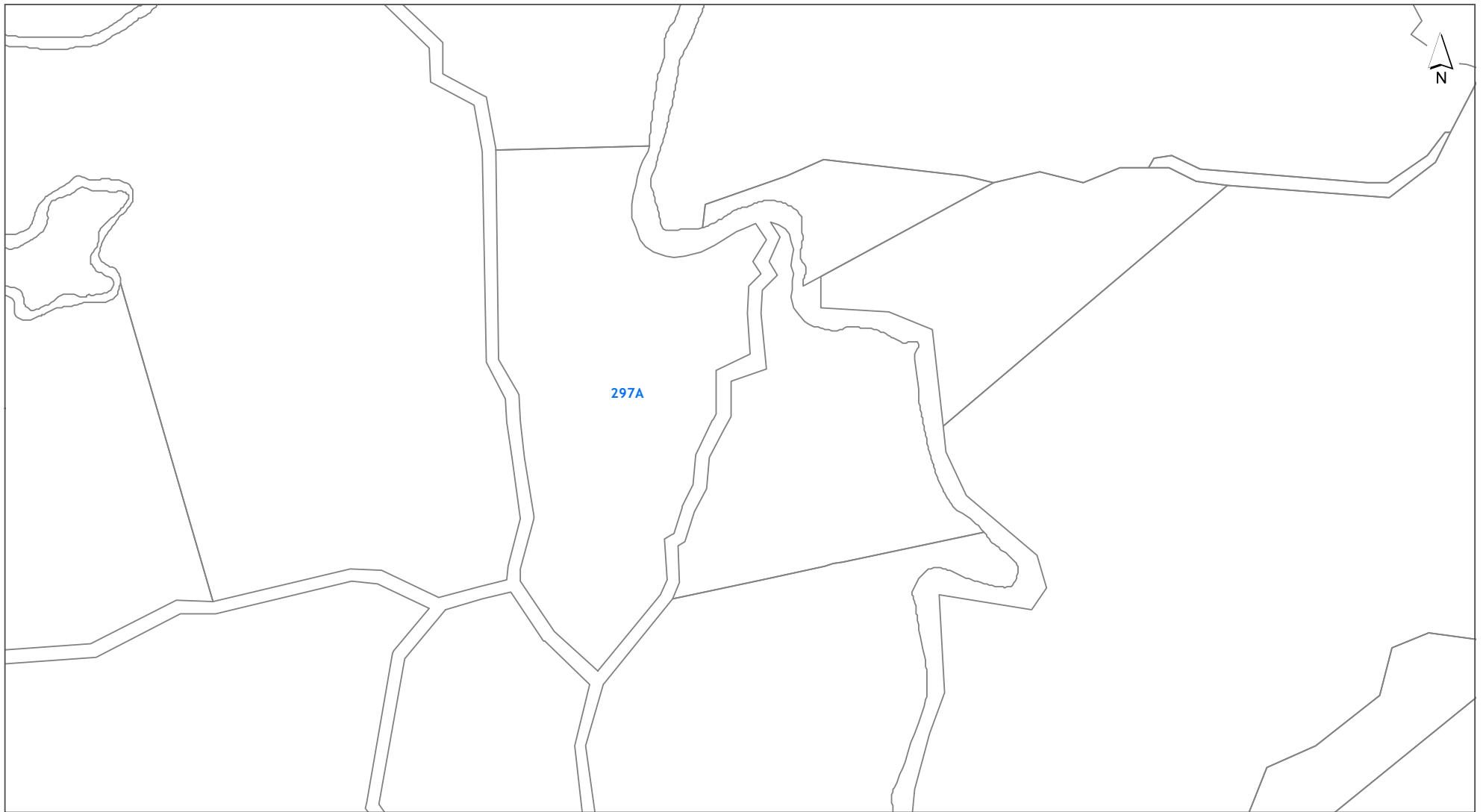


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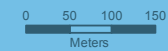
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**Historic Heritage and Special Character**

**297A Wilson Road Wayby Valley 0972**

**Allot 29 Psh Of Hoteo SO 732, Allot N23 Psh Of Hoteo SO 732**

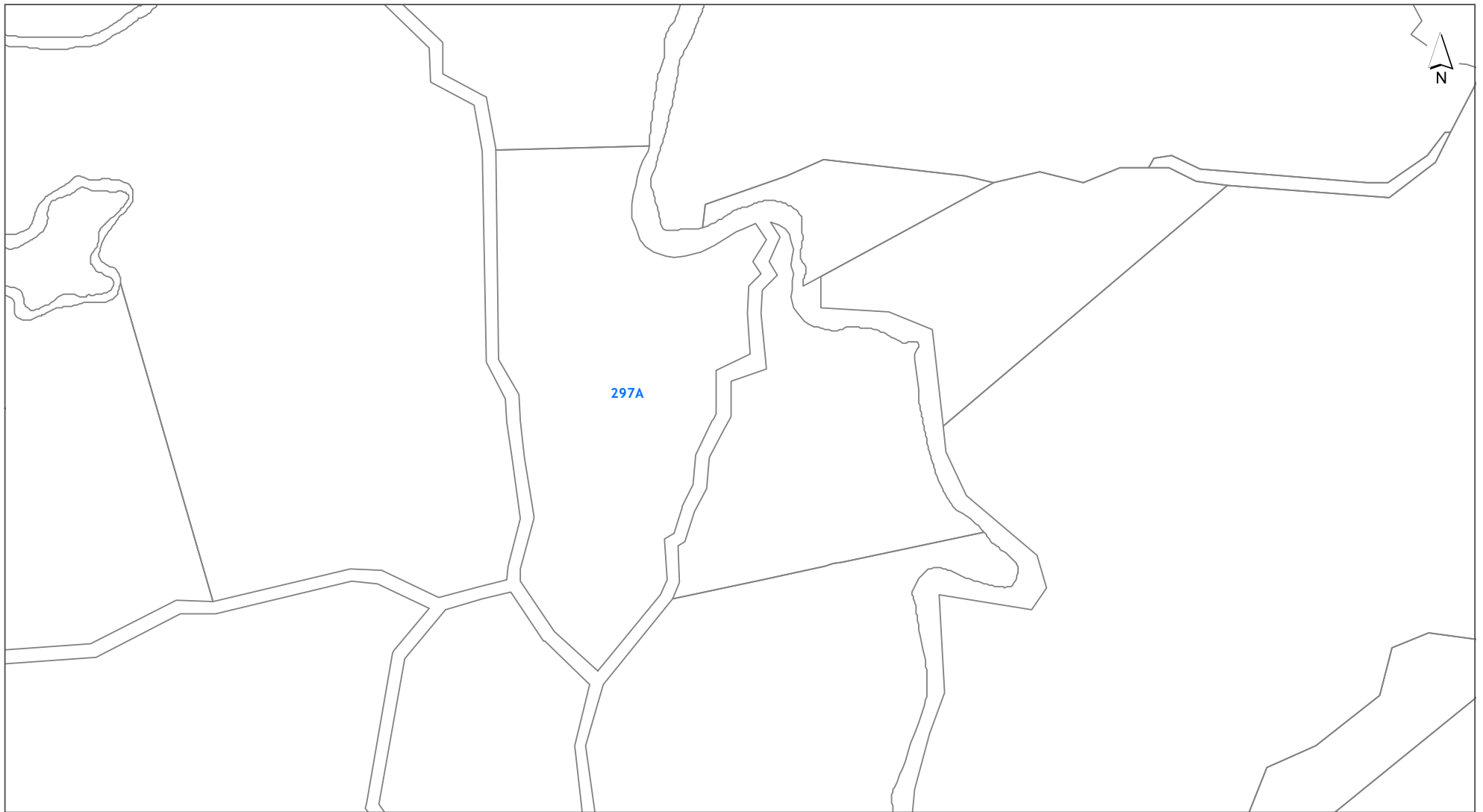


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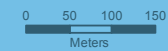
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**Infrastructure**

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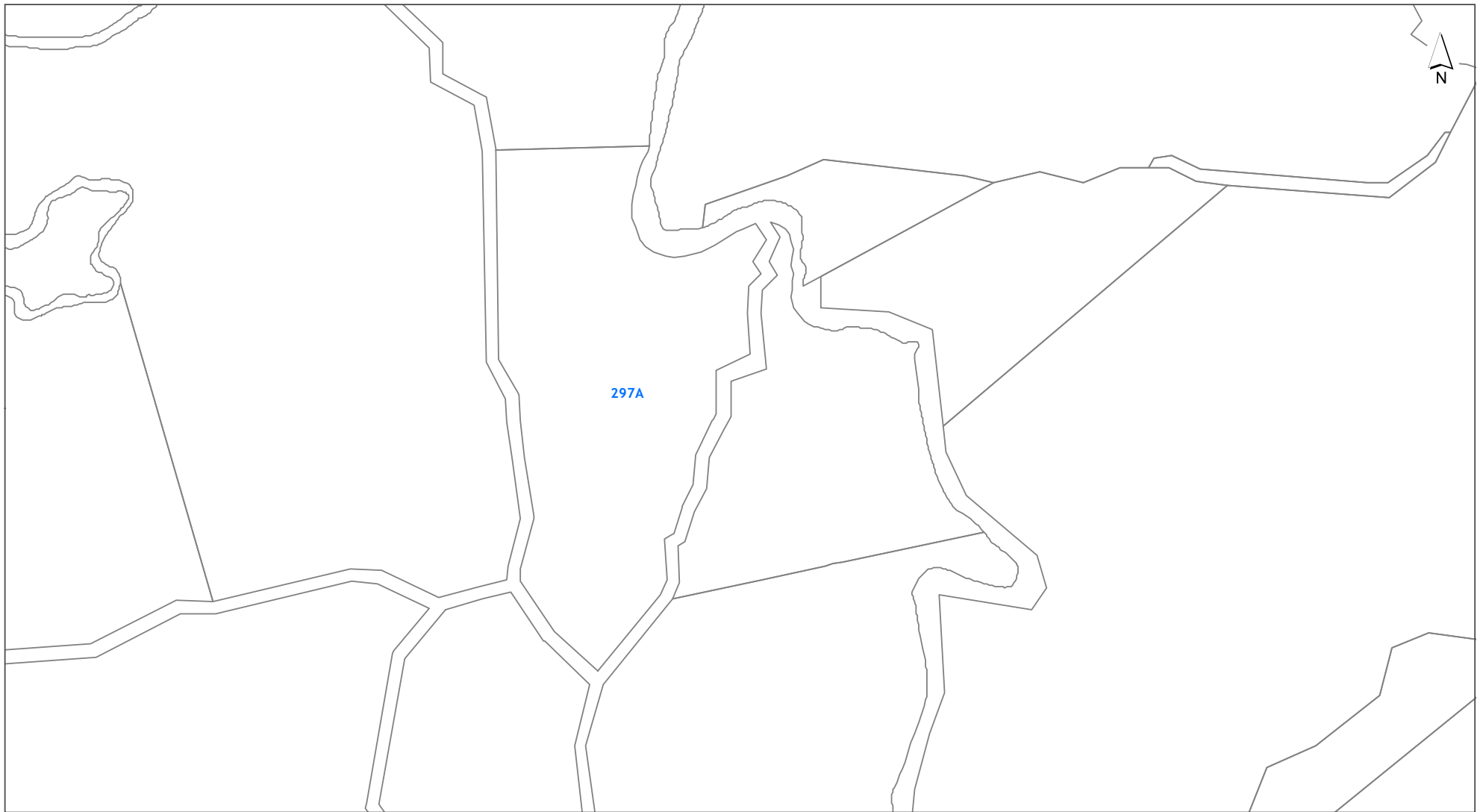


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**Mana Whenua**

**297A Wilson Road Wayby Valley 0972**

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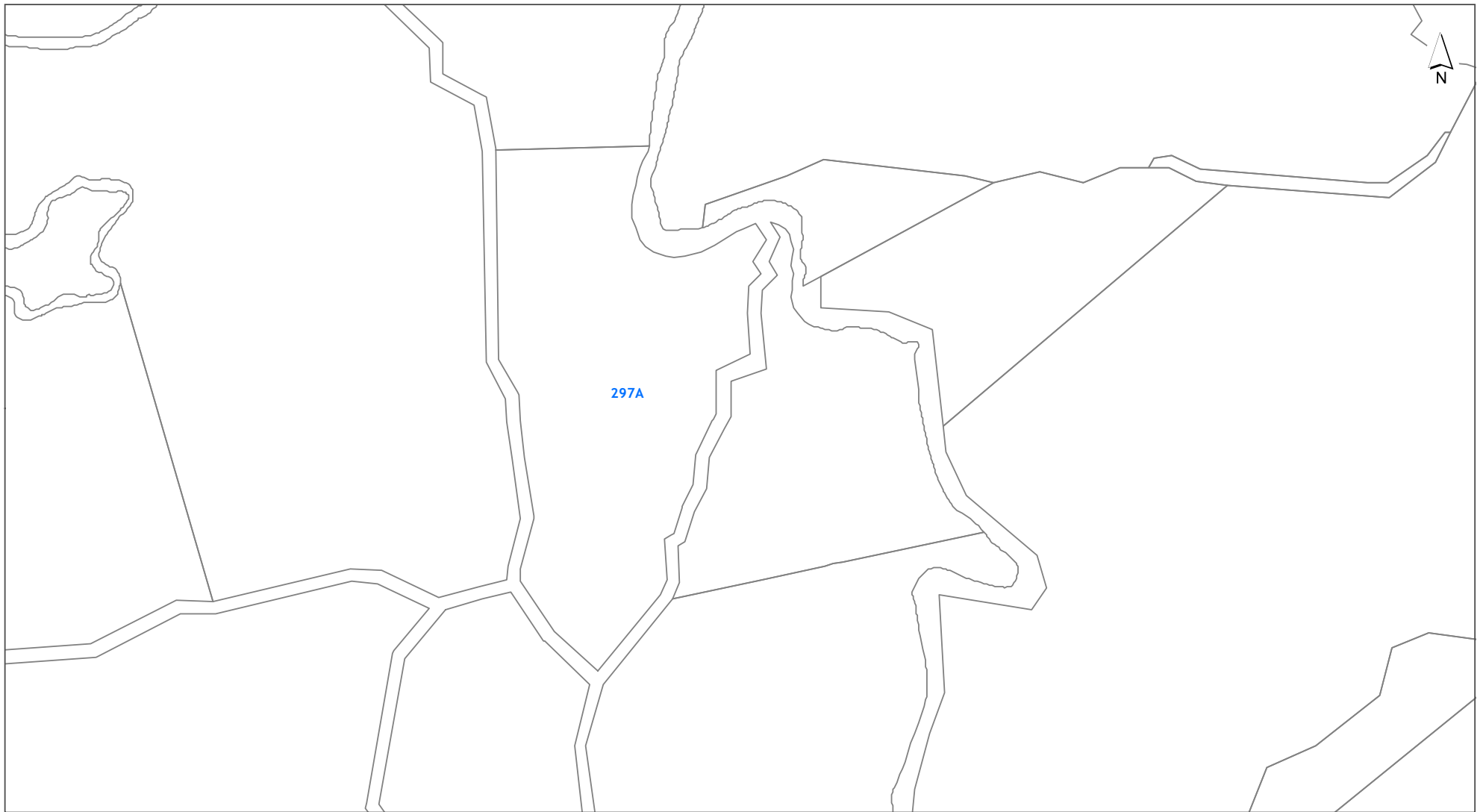
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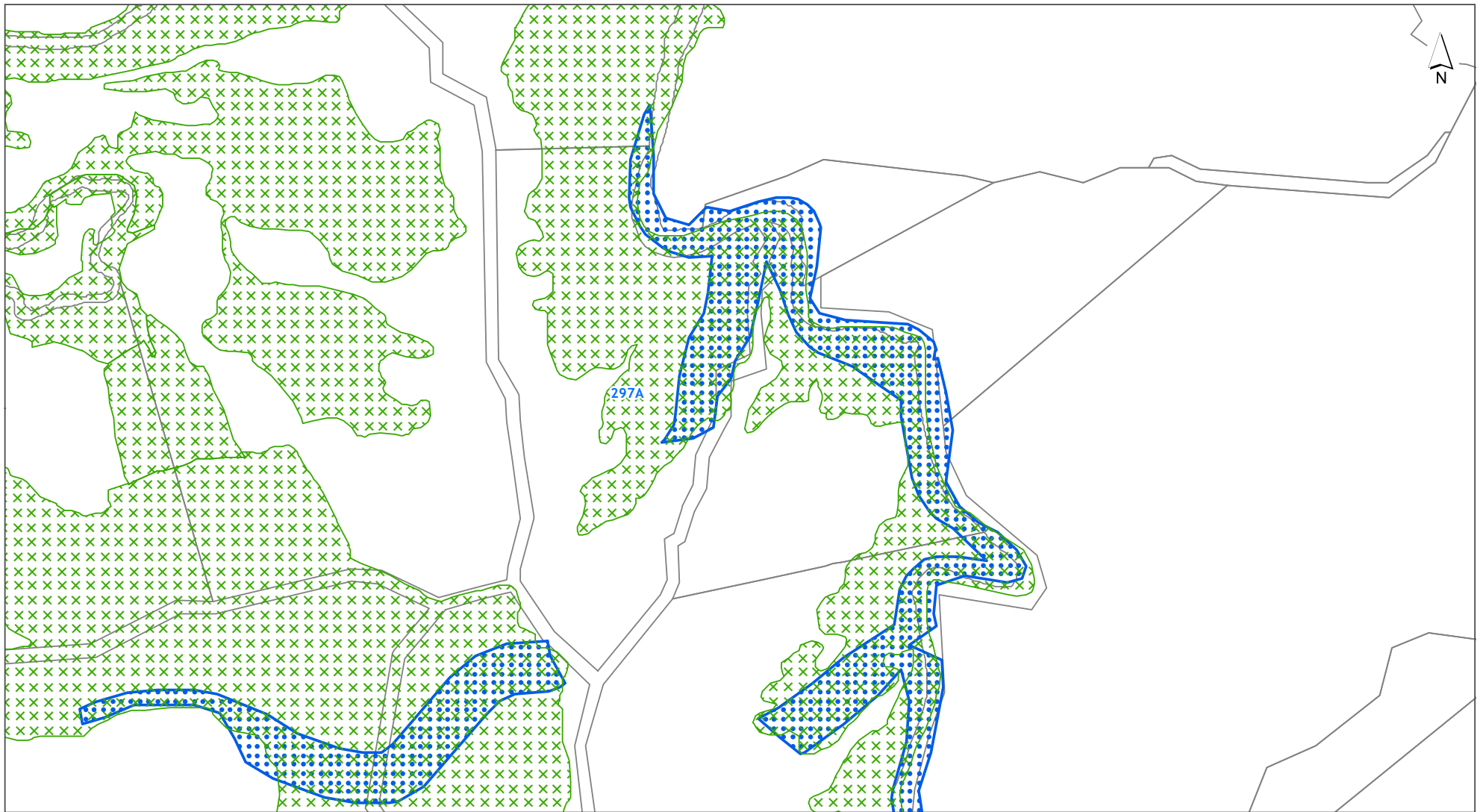
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**Natural Heritage**  
**297A Wilson Road Wayby Valley 0972**  
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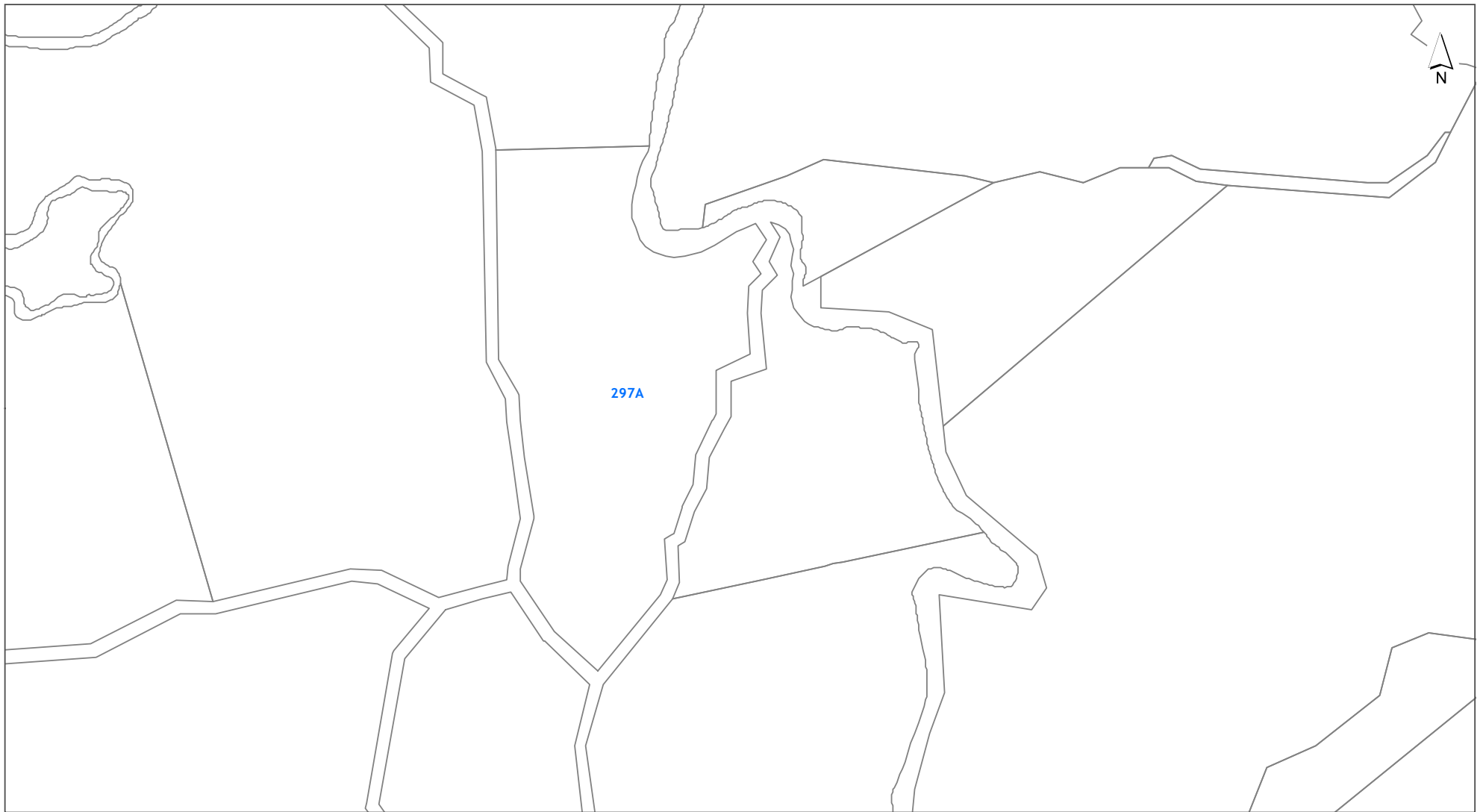
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**Natural Resources**  
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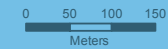
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**Precincts**

**297A Wilson Road Wayby Valley 0972**

**Allot 29 Psh Of Hoteo SO 732, Allot N23 Psh Of Hoteo SO 732**

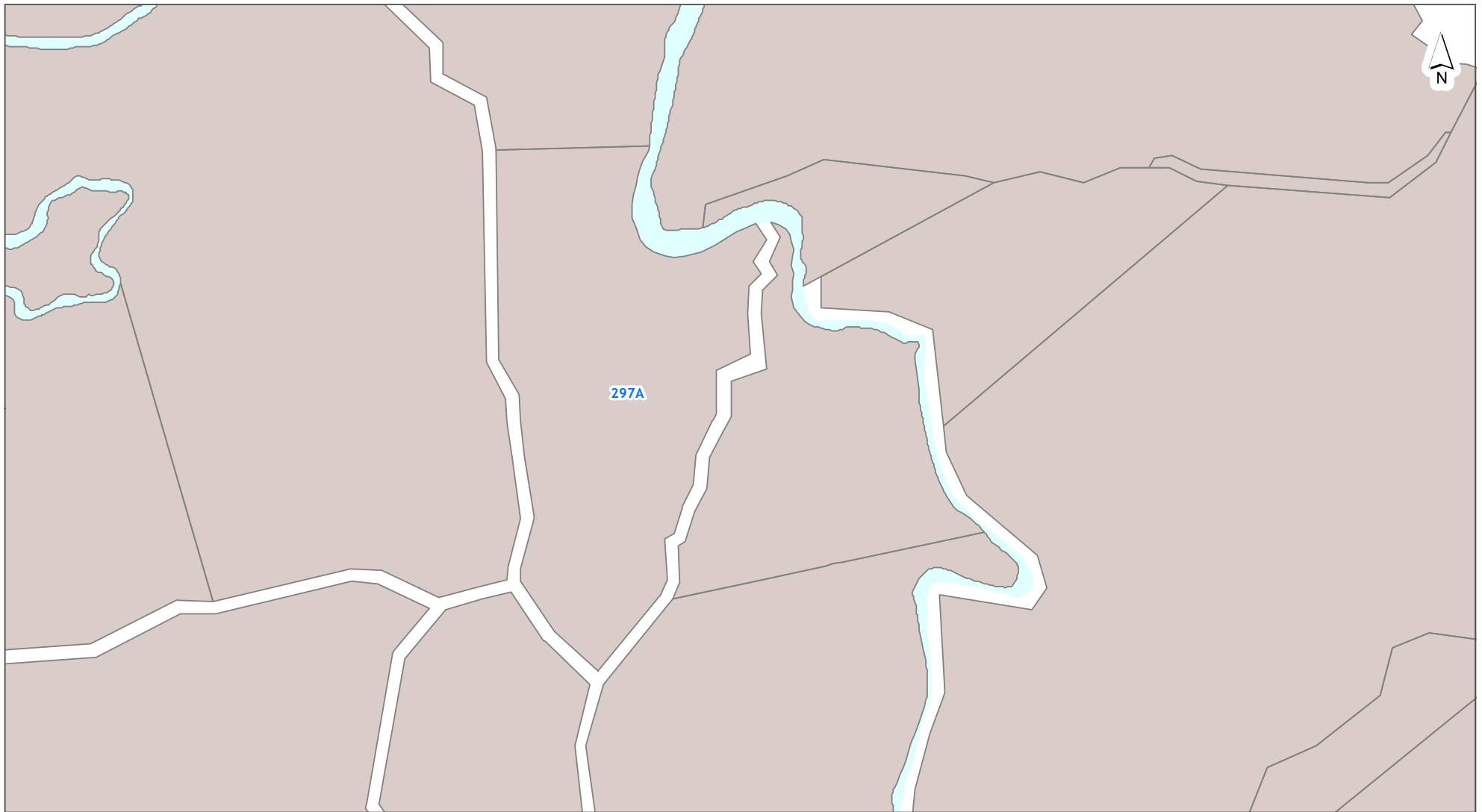


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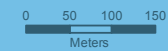
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**Zones and Rural Urban Boundary**

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# Auckland Unitary Plan Operative in part 15th November 2016 - LEGEND



Date: 15/07/2019

## NOTATIONS

### Appeals

- Properties affected by Appeals seeking change to zones or management layers
- Properties affected by Appeals seeking reinstatement of management layers

### Proposed Plan Modifications

- Notice of Requirements
- 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]
  -  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]
- } Significant Ecological Areas Overlay

### 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 Substation Corridor
  -  National Grid Yard Compromised
  -  National Grid Yard Uncompromised
- } National Grid Corridor Overlay



















### Mana Whenua

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








### Built Environment

-  Identified Growth Corridor Overlay











### Natural Heritage













-  Notable Trees Overlay
-  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
-  Height Sensitive Areas
-  Regionally Significant Volcanic Viewshafts & Height Sensitive Areas Overlay [rcp/dp]
-  Regionally Significant Volcanic Viewshafts Overlay Contours [i]
-  Locally Significant Volcanic Viewshafts Overlay [rcp/dp]
-  Locally Significant Volcanic Viewshafts Overlay Contours [i]
-  Modified
-  Natural
-  Ridgeline Protection Overlay
-  Local Public Views Overlay [rcp/dp]
-  Extent of Overlay
-  Subdivision Schedule
-  Waitakere Ranges Heritage Area Overlay

### 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

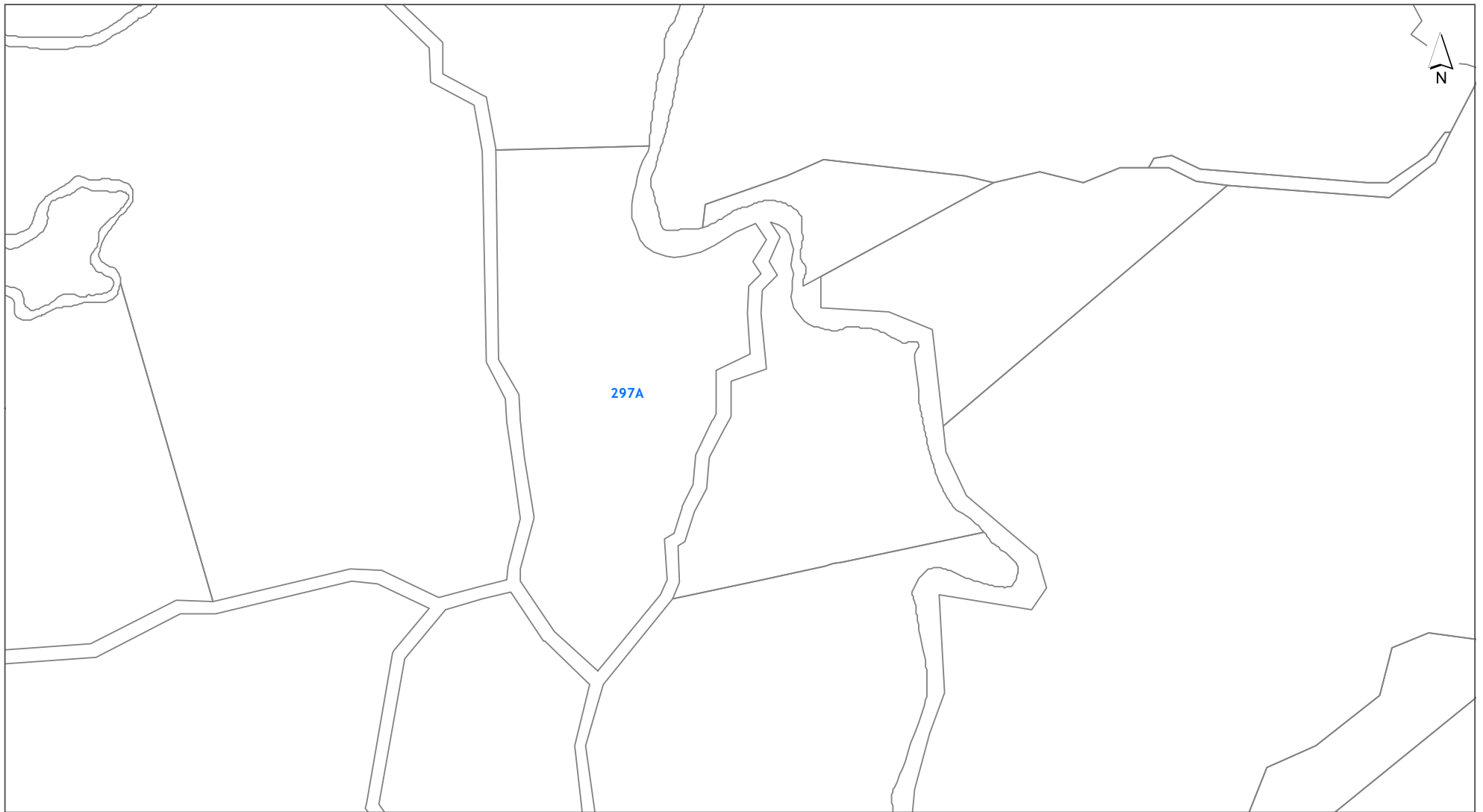
-  Key Retail Frontage
  -  General Commercial Frontage
  -  Adjacent to Level Crossings
  -  General
  -  Motorway Interchange Control
  -  Centre Fringe Office Control
  -  Height Variation Control
  -  Parking Variation Control
  -  Level Crossings With Sightlines Control
  -  Arterial Roads
- } Building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

-  Business Park Zone Office Control
-  Hazardous Facilities
-  Infrastructure
-  Emergency Management Area Control
-  Macroinvertebrate Community Index
-  Flow 1 [rp]
-  Flow 2 [rp]
-  Stormwater Management Area Control
-  Subdivision Variation Control
-  Surf Breaks [rcp]
-  Cable Protection Areas Control [rcp]
-  Coastal Inundation 1 per cent AEP Plus 1m Control

## Designations

-  Designations

-  Airspace Restriction Designations



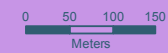
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**Underground Services**

297A Wilson Road Wayby Valley 0972

Allot 29 Psh Of Hoteo SO 732, Allot N23 Psh Of Hoteo SO 732



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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 (Bulk)                    |  |
| Local Pipe (In Service)              |  |
| Local Pipe (Abandoned)               |  |
| Transmission Pipe (In Service)       |  |
| Transmission Pipe (Out of Service)   |  |
| 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 (Main / Service Line)   |  |
| Local Pipe (Abandoned)             |  |
| Local Pipe (Future)                |  |
| Transmission Pipe (In Service)     |  |
| Transmission Pipe (Out Of Service) |  |
| Transmission Pipe (Proposed)       |  |
| Chamber                            |  |
| Structure (Non Watercare)          |  |
| Pump Station                       |  |
| Wastewater Catchment               |  |

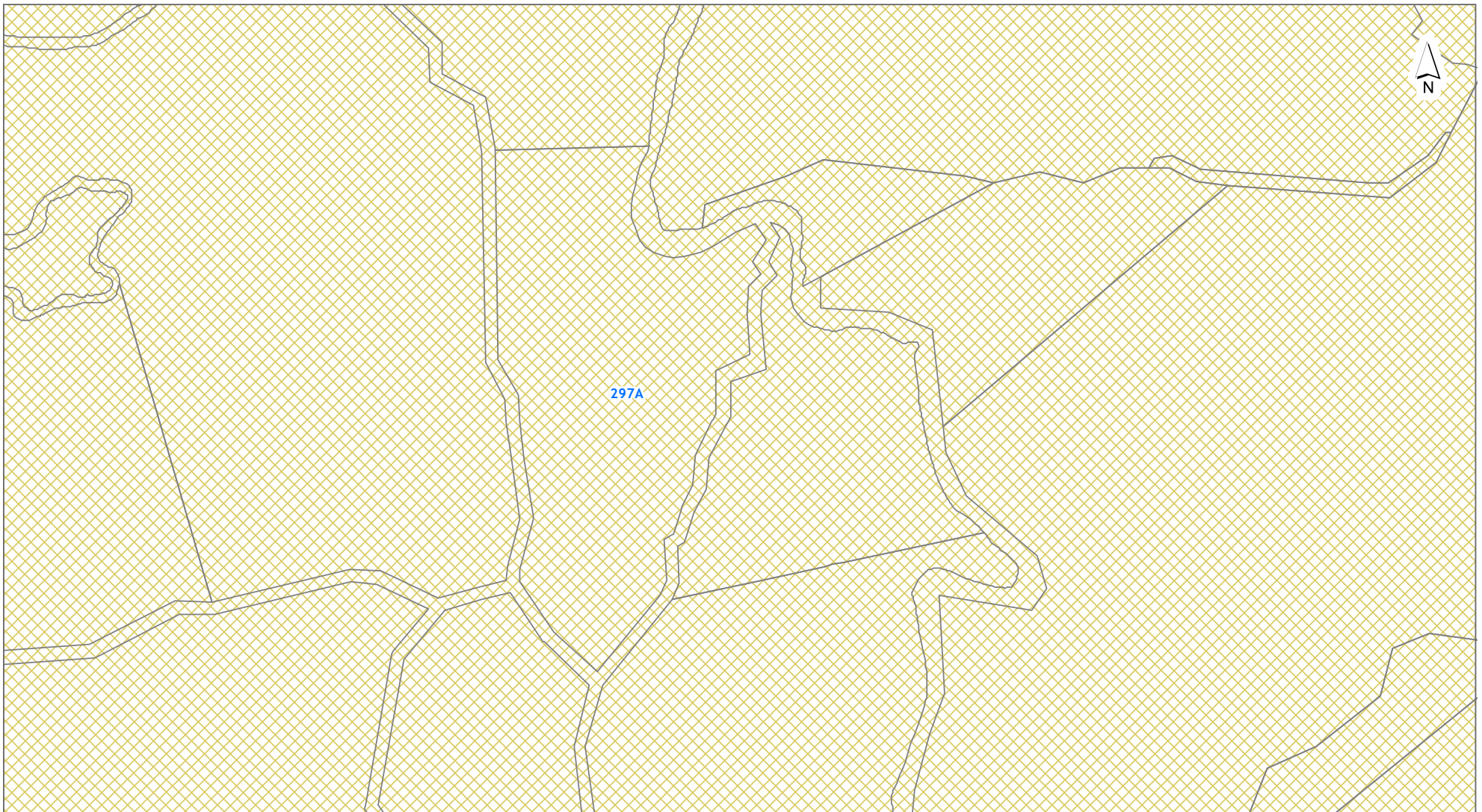
Utilities

- |                                         |  |
|-----------------------------------------|--|
| 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:  
15/08/2019





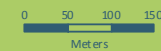


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**Hazards**

**297A Wilson Road Wayby Valley 0972**

**Allot 29 Psh Of Hoteo SO 732, Allot N23 Psh Of Hoteo SO 732**

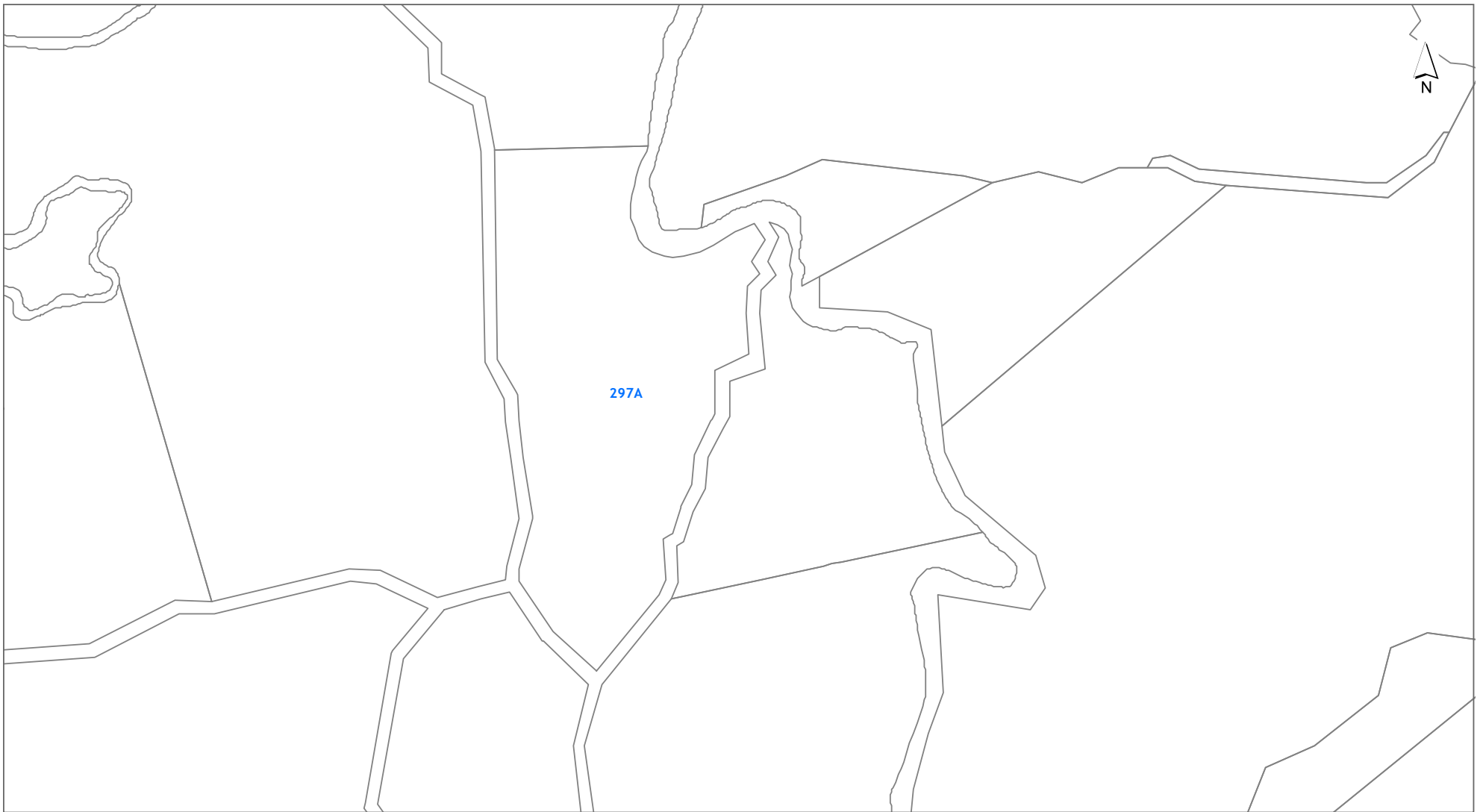


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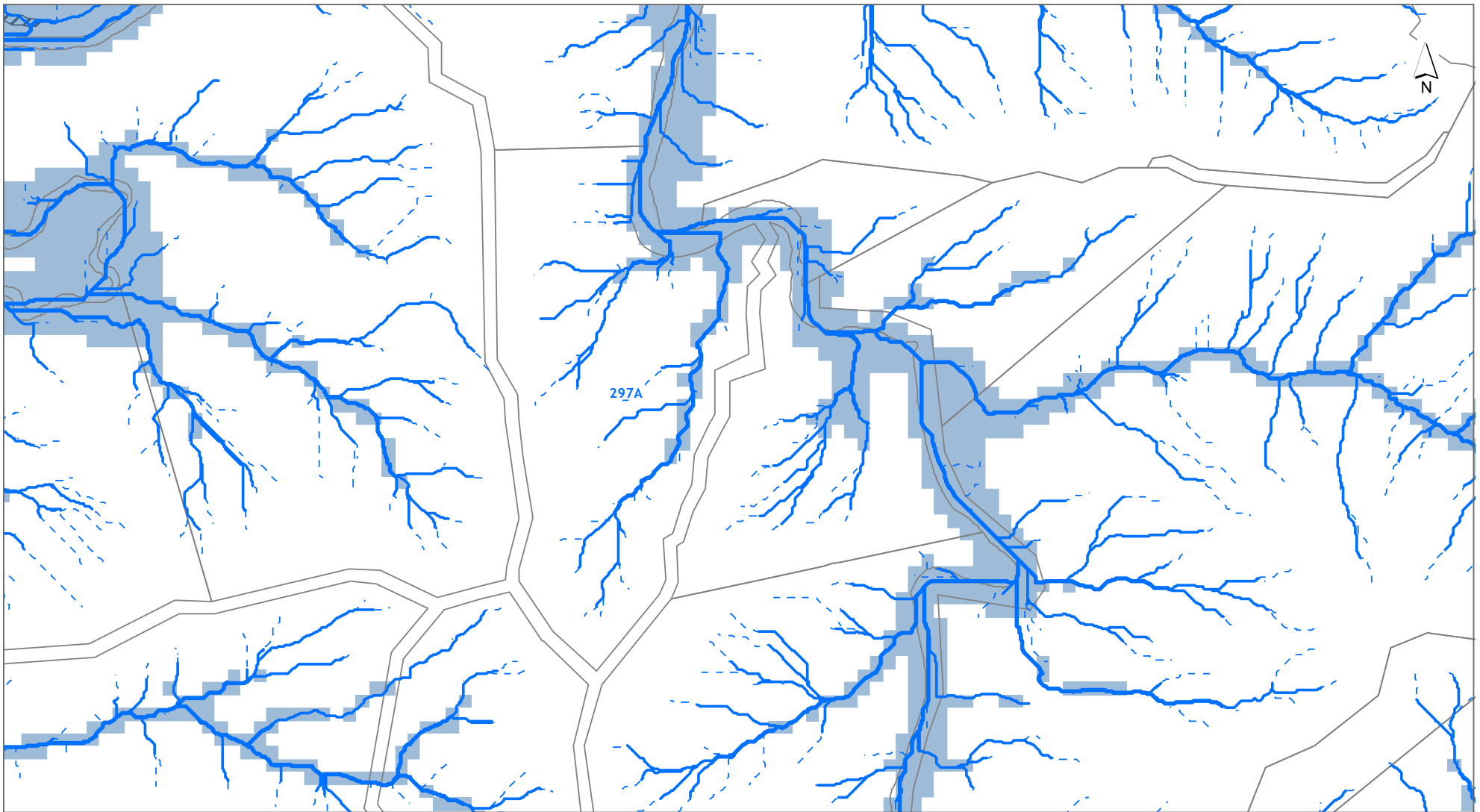
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**Natural Hazards - Coastal Inundation**  
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 Allot 29 Psh Of Hoteo SO 732, Allot N23 Psh Of Hoteo SO 732

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 Meters  
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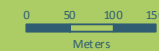


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**Natural Hazards - Flooding**

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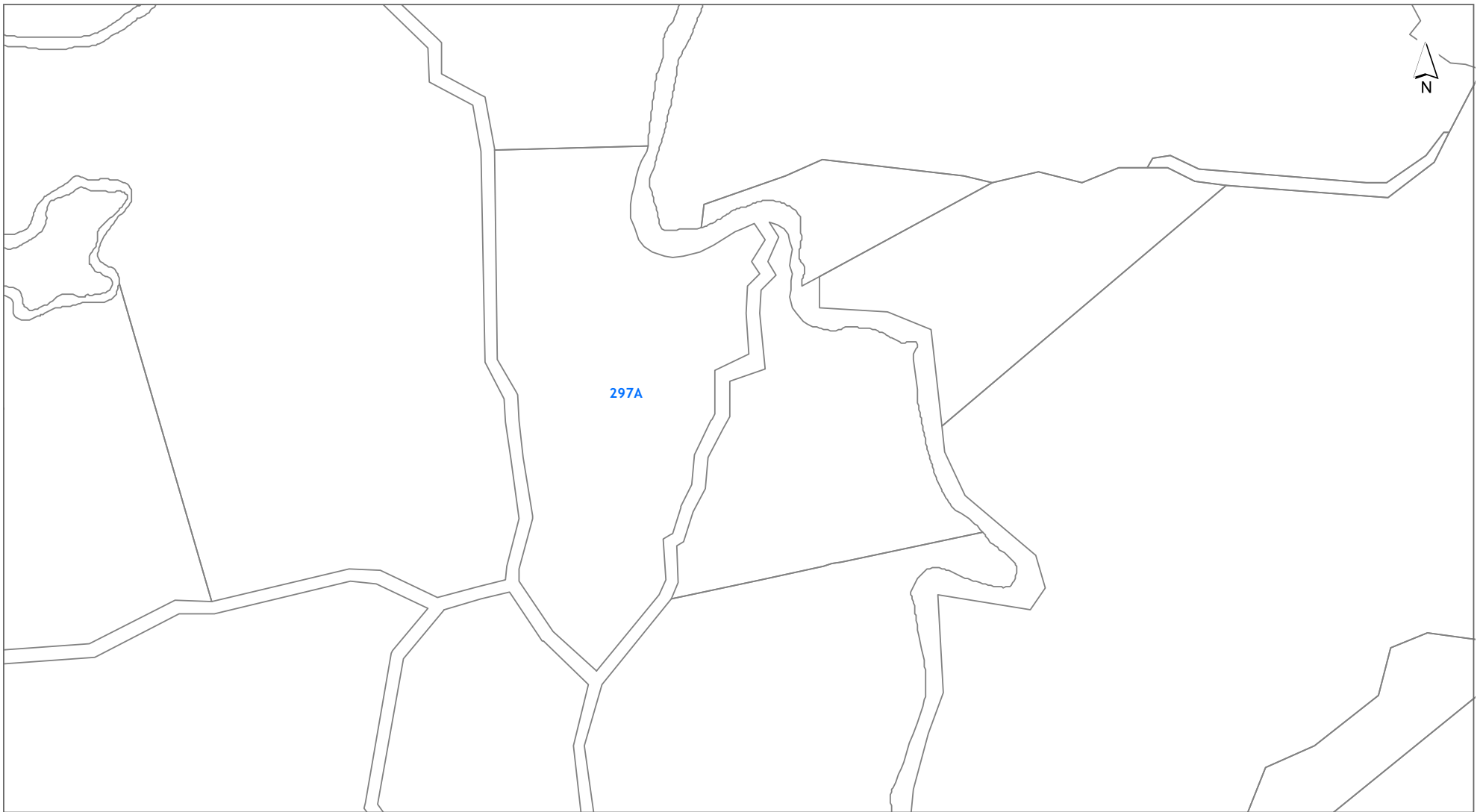


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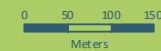


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**Natural Hazards - Sea Spray**

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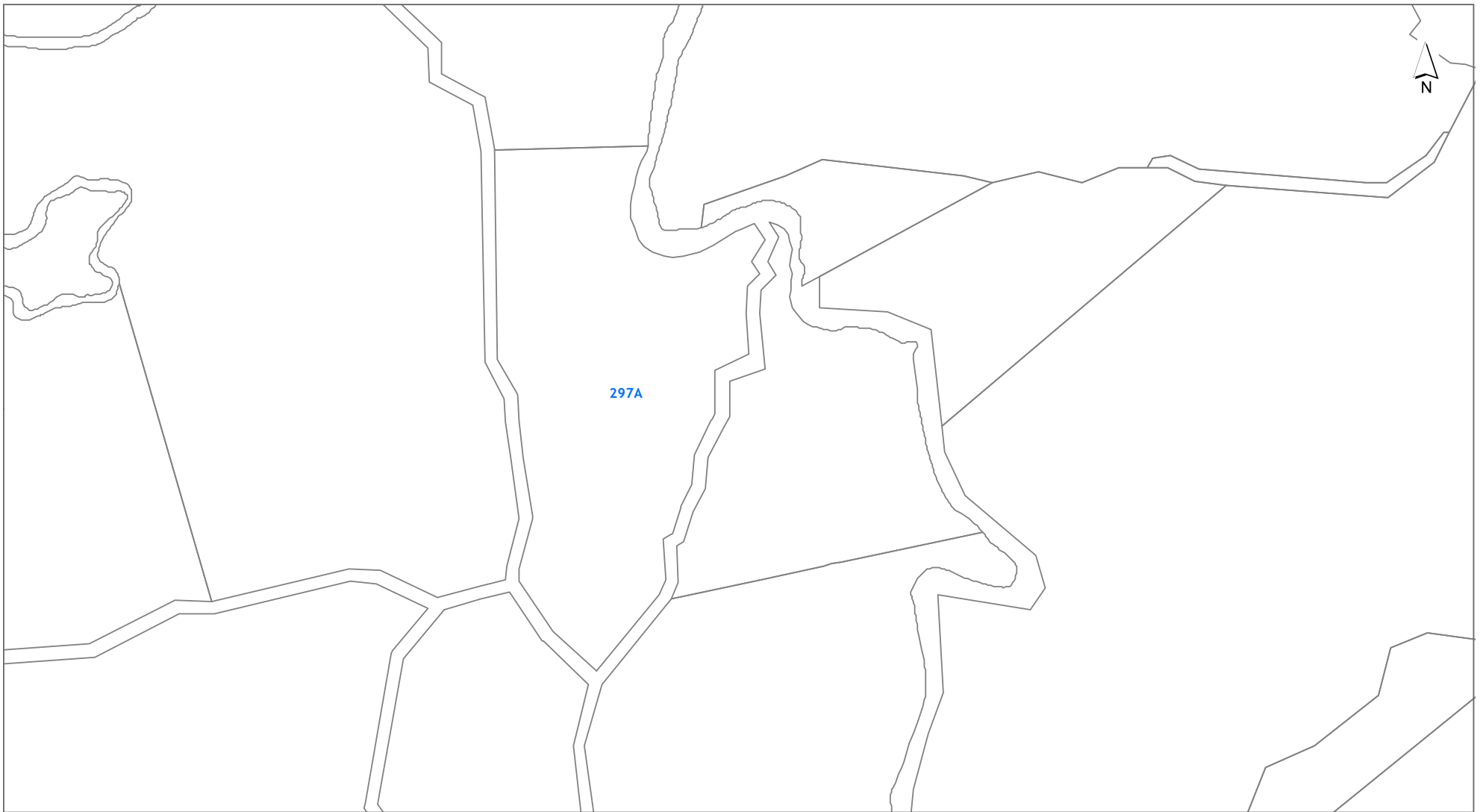


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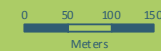


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**Natural Hazards - Volcanic Cones**

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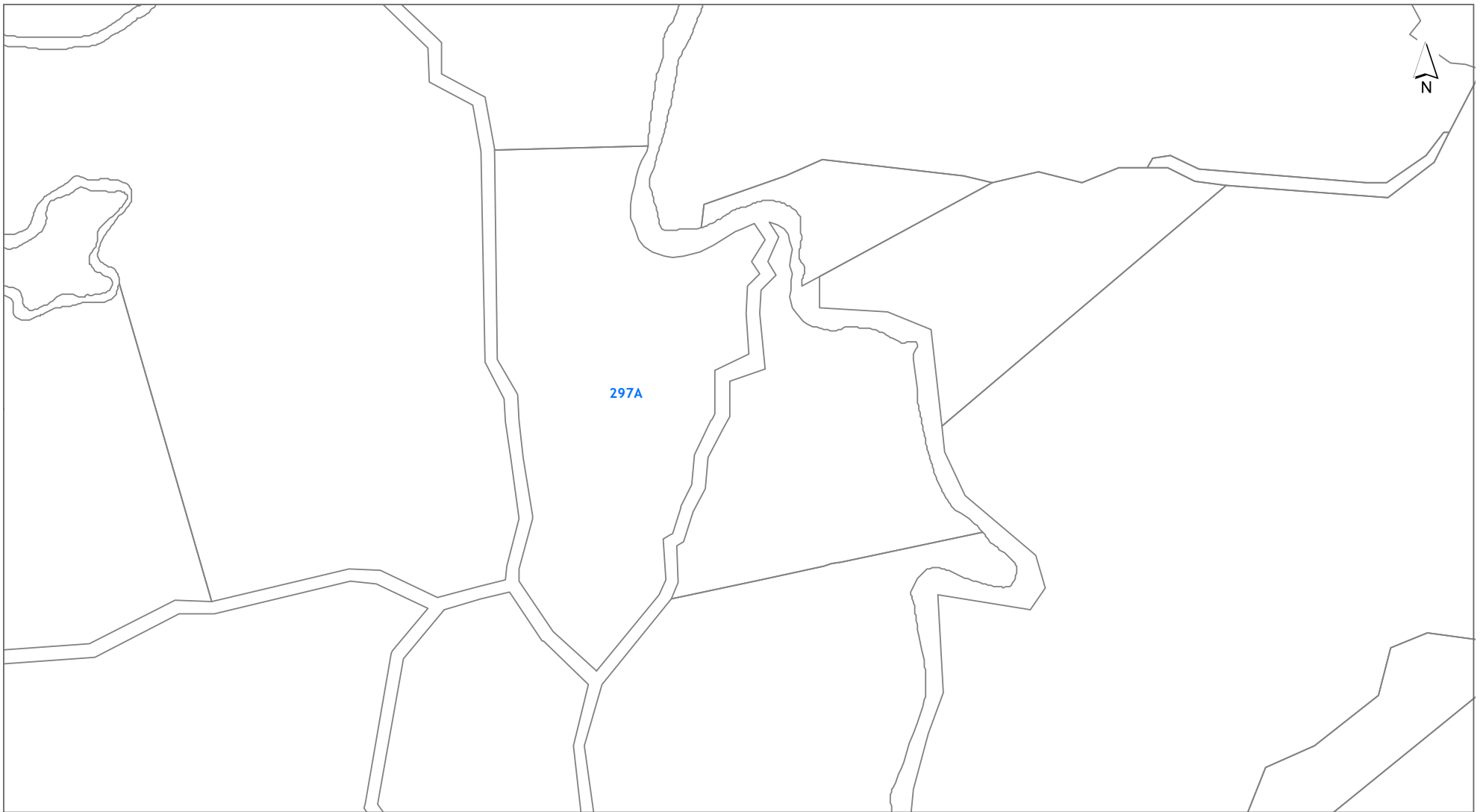


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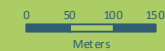


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Other  
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**Hazards**

**Soil Warning Area**

-  Fill (Franklin District only)
-  Advisory (Franklin District only)
-  Contamination (Franklin District only)
-  Erosion (Franklin District only)
-  Hazardous Activities & Industries List (HAIL) (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 2000m<sup>2</sup> to 3999 m<sup>2</sup>
-  Catchment area 4000 m<sup>2</sup> to 3 Ha
-  Catchment area 3 Ha and above
-  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

**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: 12/06/2018



*This information is to be read in conjunction with the Special Land Features Map and Legend*

## EXPANSIVE SOILS

Expansive Soils are soils that shrink as they dry out and swell as they become wetter.

A building on expansive soil requires a stiffer foundation if it is not to be damaged by the movement of the soil with moisture changes. With a highly expansive soil, significant relative movement can occur between the outer foundations and interior foundations of floor slabs.

The legacy Council commissioned a desktop survey by Riley Consultants Limited in 2001 to classify the expansiveness of soils within the Rodney District and the report is contained in the Council's Land Information Register. Over 90 percent of the Rodney District is categorised as expansive soils.

### SOIL CATEGORIES

The Council's zones are defined as "A", "B", "C" and "D" and it is important to distinguish them from the Building Code adopted Standard set out in AS2870 which classes expansiveness of soils as **non-expansive**, **slight**, **moderate**, **high** and **extreme**.

Please refer to the attached Special Land Features Legend, Soil Warning Areas

Expansive Category	Degree of Expansiveness	Type of Design	Design Specifications
<b>A</b>	"good ground"	Standard foundation design	This is in terms of that the soil is not expansive. For additional requirements refer to the definition of "good ground" in NZS 3604.
<b>B</b>	slightly expansive soils	Alternative Solution 1, AS1; <b>or</b> an engineer can be engaged to specifically design the foundation	Standard NZS 3604 type footings founded the greater of a minimum of 600mm depth below finished ground level or 450mm depth below cleared ground level with a minimum width of 300mm.
<b>C</b>	moderately expansive soils	Alternative Solution 2, AS2; <b>or</b> an engineer can be engaged to specifically design the foundation	Standard NZS 3604 type driven timber piles to 1.5m (min) depth below cleared ground level.
<b>D</b>	There is insufficient information to assess the expansiveness of the soils. A geotechnical engineer will be required to test and analyse the soil for design of appropriate foundation. Frequently test results indicate that the soil either falls into Category B or C.		

The Expansive Soils categories have been mapped and colour coded to show the presence of the four different types of soils (four zones). The four zones have been mapped with **buffer zones** to allow for uncertainties due to the scale of the source of the data.

For design purposes, a site within a buffer zone is classified as the worse of the two adjoining zones, unless site testing confirms otherwise.

**NOTE:** The report provides general recommendations for building foundations but does not deal with the possibility of other land features that would require specific attention, e.g. slopes, flooding, uncontrolled fill bearing strength etc. It is important to note that other site features such as slope instability, uncontrolled filling or flooding may also require investigation.



## Decision 2 on an application for resource consent(s) under the Resource Management Act 1991



### Non-complying activity

<b>Application number(s):</b>	BUN60317008, SUB60317065 and LUC60317065
<b>Applicant:</b>	J Sims, R & T Mihaljevich and B & G McKolskey
<b>Site address:</b>	200, 204 and 206 Tawa Road, Huapai – Receivers Wilson Road, Wayby Vally, Wellsford – Donor 297A Wilson Road Wayby Valley, Wellsford – Donor Douglas Road Waiuku, Franklin – Donor
<b>Legal description:</b>	200 Tawa Road – Lot 2 DP 205324 – 5.6494ha 204 Tawa Road – Lot 1 DP 205324 – 4.8242ha 206 Tawa Road – Lot 5 DP 56334 – 4.0544ha Wilson Road, Wellsford – Allotment 32 Parish of Hoteo – 25.4952ha 297A Wilson Road Wayby Valley, Wellsford - Allotment 29 Parish of Hoteo and Northern Portion Allotment 23 Parish of Hoteo – 32.3749ha Douglas Road Waiuku, Franklin - Lot 1 DP 164127 – 54.9720ha

### Proposal:

The applicants propose to undertake a Transferable Rural Site Subdivision (TRSS) utilising eight TRSS to create 14 rural-residential lots in the Countryside Living Zone. The proposal includes 0.79ha of riparian and wetland enhancement / protection and approximately 4,570m<sup>3</sup> of earthworks over an area of 5,769m<sup>2</sup> associated with the formation of the two rights of way. Significant Ecological Areas will be physically and legally protected on the donor sites.

The resource consents required are:

### Subdivision consents (s11) – SUB60317065

#### Auckland Unitary Plan (Operative in Part)

#### **E39 Subdivision – Rural**

##### Receiver sites

- To subdivide land that is located within the one per cent annual exceedance probability floodplain natural hazard is a Restricted Discretionary Activity under rule E39.4.1(A8).
- Any subdivision listed in the table not meeting standards in E39.6.1 is a discretionary activity. Standard E39.6.1.1(3) requires a 2000m<sup>2</sup> building area and E39.6.1.3(2) requires the

provision of sufficient water supply for fire-fighting purposes. The application proposes 1,000m<sup>2</sup> building areas and has not demonstrated compliance with the firefighting provisions. Therefore, this aspect of the proposal requires consideration as a Discretionary Activity.

- To subdivide the parent sites into fourteen lots, which is a subdivision in a Rural Countryside Living zone that is in accordance with Standard E39.6.5.2, is a discretionary activity under rule E39.4.2(A14). The proposed lots will comply with the minimum and average net site areas, however, due to the definition of frontage the right of way cannot be used to provide frontage and therefore technically the proposal does not comply with all the Standards and as a result requires consideration as a Non-Complying Activity.

#### Donor sites

- Transferable rural sites subdivision through protection of indigenous vegetation identified in the Significant Ecological Areas Overlay not complying with Standard E39.6.4.6 is a Non-Complying Activity under rule E39.4.2(A21). The proposal complies with the majority of Standard E39.6.4.6 with the necessary areas of bush being protected to yield TRSS. However, the applicant does not propose to provide a full 20m buffer around the bush and therefore infringes the standard. It is noted that this aspect of the standard is an error in the plan but because it remains in the plan it creates a technical non-compliance. These aspects of the proposal are a Non-Complying Activity.

#### Auckland Council District Plan (Rodney Section)

Rule 7.14.1.3(a) – Any subdivision not complying with the requirements for the particular subdivision under Rule 7.14.2- 7.14.13 shall be a Non-Complying Activity.

- (1) The proposed subdivision involves transferring titles into a zone that is not the Countryside Living Town zone as required by Rule 7.14.12.3.2.

#### Land use consents (s9) – LUC60317065

##### Auckland Unitary Plan Operative in Part

##### **E11 Land disturbance – Regional**

Rule E11.4.3(A8) – earthworks greater than 2,500m<sup>2</sup> where the land has a slope equal to or greater than 10 degrees is a restricted discretionary activity. Rule E11.4.3(A9) – earthworks greater than 2,500m<sup>2</sup> within the Sediment Control Protection Area (SCPA) is a restricted discretionary activity. The applicant proposes to undertake earthworks over an area of approximately 5,769m<sup>2</sup> partially within the SCPA and partially on land with a slope greater than 10 degrees. Therefore, this aspect of the proposal is considered a Restricted Discretionary Activity.

##### **E12 Land disturbance – District**

Rule E12.4.1(A6) and E12.4.1(A10) - earthworks exceeding 2,500m<sup>2</sup> and 2,500m<sup>3</sup> is a restricted discretionary activity. The applicant proposes to undertake approximately 4,570m<sup>3</sup> of earthworks over an area of 5,769m<sup>2</sup> and some of the earthworks will occur within the riparian yard. In accordance with C1.9(2) Infringement of standards, these aspects of the proposal are a Restricted Discretionary Activity.

## H19 Rural zones

Table H19.10.3.1 Minimum Yards specifies a riparian yard of 20m. The applicant has applied to infringe this yard by a maximum of 10m for Lot 10. In accordance with C1.9(2) Infringement of standards, this aspect of the proposal is a Restricted Discretionary Activity.

## Decision

I have read the application, supporting documents, and the report and recommendations on the application for resource consent(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.

Acting under delegated authority, under sections 104, 104D, 106,108 and Part 2 of the RMA, the resource consents are **GRANTED**.

## Reasons

The reasons for this decision are:

1. The proposal passes the tests under s104D for non-complying activities. As discussed below the proposal will have no more than minor effects and therefore passes at least one gateway test.
2. In accordance with an assessment under ss104(1)(a) and (ab) of the RMA the actual and potential effects from the proposal will be acceptable as:
  - (a) The proposed subdivision results in a density that is anticipated within the Countryside Living Zone, and therefore future development including vehicle movements generated are within that anticipated for the zone. Furthermore, the applicant has agreed to consent notice conditions which will ensure that a number of the future dwellings are constructed using recessive colours.
  - (b) Council's Development Engineer is satisfied with the technical information supplied and subject to recommended conditions of consent being imposed as volunteered and/or accepted by the applicant any potential stability, infrastructure and traffic effects will be avoided or mitigated and less than minor.
  - (c) Council's Specialist Landscape Architect has assessed the application, and subject to recommended conditions which has been accepted by the applicant, is comfortable that the proposal will be able to visually integrate into the immediate and wider rural landscape."
  - (d) The TRSS are being generated from the physical and legal protection of SEA bush as required by the AUP(OP). In addition, the applicant proposes to plant and physically and legally protect 0.79ha of riparian / wetland area. The environmental protection provided as part of the subdivision will result in positive environmental effects at both the donor and receiver sites.
  - (e) The proposed subdivision will not adversely affect the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

- (e) The proposal will result in a range of positive effects including the creation of additional rural-residential living opportunities and will allow the applicant to better provide for their economic well-being.
3. In accordance with an assessment under s104(1)(b) of the RMA the proposal is not considered contrary to the objectives and policies of the AUP(OP), however, it is contrary to the objectives and policies of the ACDP(RS). In regard to the AUP(OP) the relevant objectives and policies are contained within Section E39 rural subdivision and Section H19.7 Countryside Living Zone. The proposal results in subdivision of land creating countryside living lots that meet the density requirements. The lots are able to contain future dwellings that are able to be adequately serviced with on-site stormwater and wastewater disposal, and each site will have legal and physical access to other services and access to a public road. The proposal will not be contrary to the objectives and policies contained within chapters E11 and E12 (Earthworks Regional and District). The application has been assessed and deemed acceptable by the processing Development Engineer. Appropriate erosion and sediment controls will be implemented and a number of watercourses/wetland will have their banks planted and will be physically and legally protected. Considering the relevant objectives and policies, and the features of the development, the proposal will be consistent with and not contrary to the relevant objectives and policies of the AUP(OP). The proposal will be contrary to the objectives and policies of the ACDP(RS) as the titles are to be transferred to the former General Rural zone rather than the former Countryside Living Town zone.

The Countryside Living subdivision rules are not subject to appeal therefore greater weight has been applied to the AUP(OP).

4. In terms of section 104(1)(c) of the RMA, other relevant matters, including monitoring and development contributions have been considered. The imposition of conditions will ensure that the effects of the applicant's proposal are avoided, mitigated and in particular that the proposed works are carried out in accordance with the application material submitted.
5. The subdivision satisfies the relevant requirements of section 106 as the subdivision provides for stable, hazard-free building platforms and legal and practical access can be achieved.
6. 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, while creating an acceptable level of effects upon the environment.

## Conditions

Under section 108 and 220 of the RMA, these consents are subject to the following conditions:

### General conditions

1. The land use and subdivision activity shall be carried out in accordance with the documents and drawings and all supporting additional information submitted with the application, detailed below, and all referenced by the council as resource consent numbers BUN60317008, SUB60317065 and LUC60317065 and plans signed by Processing Planer Nick McCool dated 16 August 2018 and 23 August 2018.

- Application Form and Assessment of Environmental Effects prepared by Cato Bolam Consultants Ltd, dated 20 February 2018.

<b>Report title and reference</b>	<b>Author</b>	<b>Rev</b>	<b>Dated</b>
Assessment and Management Report for SEA Protection – Douglas Road, Awhitu	Cato Bolam Consultants Ltd		27/09/2017
Assessment and Management Report for SEA Protection – Allot 104, Wilson Road	Cato Bolam Consultants Ltd		29/05/2018
Assessment and Management Report for SEA Protection – 297A Wilson Road	Cato Bolam Consultants Ltd		29/08/2017
Ecological Assessment and Management Report	Cato Bolam Consultants Ltd		21/08/2018
Traffic Assessment Report	Commute Transportation Consultants Ltd		05/03/2018
Stormwater Neutrality Report	Cato Bolam Consultants Ltd	2	18/07/2018
Geotechnical Investigation Report	Lander Geotechnical Ltd		17/10/2017
Geotechnical Investigation Report	Lander Geotechnical Ltd		02/07/2018
Landscape and Visual Effects Assessment	Kaipara Coast Landscape Architecture		12/07/2018

<b>Drawing title and reference</b>	<b>Author</b>	<b>Rev</b>	<b>Dated</b>
Proposed Subdivision of Lots 1 & 2 DP 205324 & Lot 5 DP 56334	Cato Bolam Consultants Ltd	10	23/08/2018
Cover Page – 40774-DR-C-0001-A	Cato Bolam Consultants Ltd		Feb 2018
Proposed Contours Overall - 40774-DR-C-2000	Cato Bolam Consultants Ltd	B	12/07/2018
Proposed Contours Sheet 1 of 2 - 40774-DR-C-2001	Cato Bolam Consultants Ltd	B	12/07/2018
Proposed Contours Sheet 2 of 2 - 40774-DR-C-2002	Cato Bolam Consultants Ltd	B	12/07/2018
Cut Fill Contours Overall - 40774-DR-C-2100	Cato Bolam Consultants Ltd	B	12/07/2018
Cut Fill Contours Sheet 1 of 2 - 40774-DR-C-2101	Cato Bolam Consultants Ltd	B	12/07/2018
Cut Fill Contours Sheet 2 of 2 - 40774-DR-C-2102	Cato Bolam Consultants Ltd	B	12/07/2018
Erosion & Sediment Control Plan - 41069-DR-C-2200 E and S	Cato Bolam Consultants Ltd	B	03/03/2018
Erosion & Sediment Control Overall - 40774-DR-C-2200	Cato Bolam Consultants Ltd	B	12/07/2018

Erosion & Sediment Control Sheet 1 of 2 - 40774-DR-C-2201	Cato Bolam Consultants Ltd	B	12/07/2018
Erosion & Sediment Control Sheet 2 of 2 - 40774-DR-C-2202	Cato Bolam Consultants Ltd	B	12/07/2018
Erosion and Sediment Control, Standard Details, Sheet 1 of 2 - 40774-DR-C-2203	Cato Bolam Consultants Ltd	A	12/02/2018
Erosion and Sediment Control, Standard Details, Sheet 2 of 2 - 40774-DR-C-2204	Cato Bolam Consultants Ltd	A	12/02/2018
Driveway Layout Overall - 40774-DR-C-3000	Cato Bolam Consultants Ltd	C	12/07/2018
Driveway 1 - 40774-DR-C-3001	Cato Bolam Consultants Ltd	C	12/07/2018
Driveway 2 - 40774-DR-C-3002	Cato Bolam Consultants Ltd	C	12/07/2018
Driveway 2 Culvert - 40774-DR-C-3003	Cato Bolam Consultants Ltd	A	12/07/2018
Longsection Driveway 1, Sheet 1 of 2 - 40774-DR-C-3100	Cato Bolam Consultants Ltd	A	01/02/2018
Longsection Driveway 1, Sheet 2 of 2 - 40774-DR-C-3101	Cato Bolam Consultants Ltd	A	01/02/2018
Longsection Driveway 2, Sheet 1 of 3 - 40774-DR-C-3102	Cato Bolam Consultants Ltd	B	12/07/2018
Longsection Driveway 2, Sheet 2 of 3 - 40774-DR-C-3103	Cato Bolam Consultants Ltd	B	12/07/2018
Longsection Driveway 2, Sheet 3 of 3 - 40774-DR-C-3104	Cato Bolam Consultants Ltd	A	01/02/2018
Proposed Driveway Typical Sections - 40774-DR-C-3200	Cato Bolam Consultants Ltd	A	10/02/2018
Driveway 1, Cross Sections - 40774-DR-C-3300	Cato Bolam Consultants Ltd	A	25/05/2018
Access & Culvert Catchment Plan - 40774-DR-C-5200	Cato Bolam Consultants Ltd	A	07/06/2018
Individual Lots 1-3 & 6-13 Roof Stormwater Detention Tank - 40774-DR-C-5600	Cato Bolam Consultants Ltd	A	12/02/2018
Right of Way South, Drive 1, Stormwater Detention Tank - 40774-DR-C-5601	Cato Bolam Consultants Ltd	A	12/02/2018
Proposed Scheme and Fencing Plan, Audmore Dairy NZ Ltd	Cato Bolam Consultants Ltd		08/02/2018
Proposed Fencing Plan – Douglas Road	Cato Bolam Consultants Ltd		31/05/2018
Landscape Plan	Kaipara Coast Landscape Architecture		10/07/2018

<b>Other additional information</b>	<b>Author</b>	<b>Rev</b>	<b>Dated</b>
Email titled "RE [#CBC 40774] Tawa Road – Last receiver"	Michael Dance, Cato Bolam Consultants Ltd		04/04/2018
Email titled "RE [#CBC 40774] Tawa Road – Part s92 response"	Michael Dance, Cato Bolam Consultants Ltd		03/05/2018
Email titled "FW: [#CBC 40774] Tawa Road – S92Planning Response..."	Michael Dance, Cato Bolam Consultants Ltd		15/02/2018
Letter titled "Resource Consent Application (BUN60317008)"	Jessica Reaburn, Cato Bolam Consultants Ltd		31/05/2018
Email titled "RE: [#CBC 40774] Update Request"	Michael Dance, Cato Bolam Consultants Ltd		06/06/2018
Email titled "RE: [#CBC 41030]"	Jessica Reaburn, Cato Bolam Consultants Ltd		09/07/2018
Email titled "[#CBC 40774] Tawa Road	Michael Dance, Cato Bolam Consultants Ltd		19/07/2018
Email titled "RE: [#CBC 40774] 200-206 Tawa	Geraldine Bayly		30/07/2018
Memorandum titled "200, 204, 206 Tawa Road, Kumeu – Lot 3 Slope Stability	Lander Geotechnical		03/08/2018
Emails titled "RE: [#CBC 40774] Tawa Road – BUN60317008	Myles Goodwin, Cato Bolam Consultants Ltd		13/08/2018

### Lapse period

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; or
  - (c) In relation to the subdivision consent, the consent is given effect to (i.e. a survey plan in respect of the subdivision has been submitted to council under section 223 of the RMA), but shall thereafter lapse if the survey plan is not deposited in accordance with section 224 of the RMA.

### Monitoring

3. The consent holder shall pay the council an initial consent compliance monitoring charge of \$660 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 these consents.

**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.*

General conditions

4. Servants or agents of Auckland Council shall be permitted to have access to relevant parts of the property at all reasonable times for the purpose of carrying out inspections, surveys, investigations, tests, measurements and/or to take samples.
5. If work on site is abandoned, adequate preventative and remedial measures shall be taken to control sediment discharge and shall thereafter be maintained for so long as necessary to prevent sediment discharge from the site. All such measures shall be of a type and to a standard which are to the satisfaction of the Team Leader, Compliance Monitoring, North West (NW).
6. All personnel working on the site shall be made aware of and have access to the contents of this consent document and the associated erosion and sediment control plan and methodology.

Pre-commencement meeting

7. **Prior** to the commencement of the earthworks activity, the consent holder shall hold a pre-start meeting that:
  - (a) is located on the subject site;
  - (b) is scheduled **not less than five days** before the anticipated commencement of earthworks;
  - (c) includes Auckland Council Monitoring Advisor(s); Auckland Council Development Engineer and,
  - (d) includes representation from the contractors who will undertake the works.

The meeting shall discuss the erosion and sediment control measures, the earthworks methodology, culvert works and shall ensure all relevant parties are aware of and familiar with the necessary conditions of this consent.

The following information shall be made available at the pre-start meeting:

- (i) Timeframes for key stages of the works authorised under this consent;
- (ii) Resource consent conditions;
- (iii) Approved engineering plans and copy of approval letter;
- (iv) The Signed Corridor Access Request;



- (v) Signed copies of all Consents to Enter for Construction for works on land (including Council land) not owned by the consent holder.
- (vi) Chemical Treatment Management Plan.

A pre-start meeting shall be held prior to the commencement of the earthworks activity in each period between October 1 and April 30 that this consent is exercised.

**Advice Note:**

*To arrange the pre-start meeting please contact the Team Leader, Compliance Monitoring North West on [monitoring@aucklandcouncil.govt.nz](mailto:monitoring@aucklandcouncil.govt.nz), or 09 301 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.*

### Chemical Treatment Management Plan

8. **Prior** to the commencement of bulk earthworks at the site, a Chemical Treatment Management Plan (CTMP) shall be submitted for the written approval of the Team Leader, Compliance Monitoring, NW. The plan shall include as a minimum:
- (a) Specific design details of the chemical treatment dosing system based on a rainfall activated methodology for the site's decanting earth bunds;
  - (b) Monitoring, maintenance (including post storm) and contingency programme (including a record sheet);
  - (c) Details of optimum dosage (including assumptions);
  - (d) Results of initial chemical treatment trial;
  - (e) A spill contingency plan; and
  - (f) Details of the person or bodies that will hold responsibility for long term operation and maintenance of the chemical treatment system and the organisational structure which will support this system.

### Chemical treatment

9. The Decanting Earth Bunds shall be chemically treated in accordance with the approved Chemical Treatment Management Plan (CTMP). Any amendments to the CTMP shall be submitted in writing to the Team Leader, Compliance Monitoring NW, for written certification prior to implementation.

### Certified controls

10. Prior to bulk earthworks commencing, a certificate signed by an appropriately qualified and experienced person shall be submitted to the Team Leader, Compliance Monitoring NW, to certify that the erosion and sediment controls have been constructed in accordance with the erosion and sediment control plan as specified in **Condition 1** of this consent or otherwise approved in writing by the Team Leader, Compliance Monitoring, NW.

Certified controls shall include the decanting earth bunds, silt fence, stabilised construction entrance and diversion channels/bunds. The certification for these measures

shall be supplied immediately upon completion of construction of those measures.

Information supplied, if applicable shall include:

- a) Contributing catchment area,
- b) Volume of the structure (measured to the crest of the primary spillway),
- c) Shape of structure (dimensions of structure),
- d) Position of inlets/outlets, and
- e) Stabilisation of the structure.

**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, Compliance Monitoring NW prior to implementation to confirm that they are within the scope of this consent.*

Operation effectiveness

11. 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 1**, and certified under **Condition 10**, including the CTMP required by **Condition 8**, shall be maintained throughout the duration of earthworks, or until the site is permanently stabilised against erosion.

Deposition

12. There shall be no deposition of earth, mud, dirt or other debris on any road 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, the following methods may be adopted to prevent or address discharges should they occur:*

- a) *provision of a stabilised entry and exit(s) point for vehicles*
- b) *provision of wheel wash facilities*
- c) *ceasing of vehicle movement until materials are removed*
- d) *cleaning of road surfaces using street-sweepers*
- e) *silt and sediment traps*
- f) *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, Compliance Monitoring, NW for more details. Alternatively, please refer to Auckland Council's Guidance Document 005, Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region.*

### Progressive stabilisation

13. The site shall be progressively stabilised against erosion as soon as practicable as earthworks are finished over various areas of the site. Site stabilisation shall mean when the site is covered by a permanent erosion proof ground cover such as aggregate or vegetative cover which has obtained a density of more than 80 percent of a normal pasture sward.

**Advice Note:**

*Earthwork areas shall be progressively stabilised against erosion during all stages of the earthwork activity. Interim stabilisation measures may include:*

- a) *the use of waterproof covers, geotextiles, or mulching*
- b) *top-soiling and grassing of otherwise bare areas of earth*
- c) *aggregate or vegetative cover that has obtained a density of more than 80% of a normal pasture sward*

*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 Compliance Monitoring NW for more details. Alternatively, please refer to Auckland Council Guidance Document GD05, Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region.*

### Completion or abandonment

14. Upon completion or abandonment of the earthworks on the subject site all areas of bare earth shall be permanently stabilised against erosion to the satisfaction of the Team Leader, Compliance Monitoring, NW.

**Advice Note:**

*Should the earthworks be completed or abandoned, bare areas of earth shall be permanently stabilised against erosion. Measures may include:*

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

*The on-going monitoring of these measures is the responsibility of the consent holder. It is recommended that you discuss any potential measures with the Council's monitoring officer who will guide you on the most appropriate approach to take. Please contact the Team Leader, Compliance Monitoring, NW for more details. Alternatively, please refer to Auckland Council Technical Guidance Document GD05, Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region.*

#### Erosion and sediment control

15. Erosion and sediment control measures shall be constructed and maintained in general accordance with Auckland Council Guidance Document GD05; Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region and any amendments to this document, except where a higher standard is detailed in the documents referred to in conditions above, in which case the higher standard shall apply.

#### Earthworks stability

16. All earthworks shall be managed to ensure that they do not lead to any uncontrolled instability or collapse affecting either the site or adversely affecting any neighbouring properties. In the event that such collapse or instability does occur, it shall immediately be rectified.

#### Cleanfill

17. The consent holder shall ensure that the contamination level of any imported soil complies with cleanfill criteria as outlined in the Auckland Unitary Plan (Operative in Part).

### Specific conditions – earthworks

#### Seasonal Restriction

18. No earthworks on the site shall be undertaken between 1 May and 30 September in any year, without the prior written approval of the Team Leader, Compliance Monitoring NW. Revegetation/stabilisation is to be completed by 30 April in accordance with measures detailed in GD05 and any amendments to this document, unless otherwise agreed in writing by the Team Leader, Compliance Monitoring NW.

### Survey plan approval (s223) conditions

19. (conditions to be shown on survey title plan) Before the Council will approve the survey plan pursuant to s.223 of the Act, the owner shall:
  - (a) Show the right of way and services easements labelled A to I, O, T, V, Q, AE, AG and AH to be endorsed in a Memorandum of Easements attached to the cadastral survey dataset as a supporting document.
  - (b) The consent holder shall provide council with the calculated areas of riparian margin, wetland and landscape planting to be protected on lots 2, 9, 10, 11, 12, 13 and 14 (Areas N, Q, T, W, AJ and areas shown on the Landscape Plan) as shown on the approved scheme plan and landscape plan referred to in **Condition 1** and as defined by survey.

- (c) The survey title plan shall show and identify the areas of riparian margin and wetland to be protected (Areas N, Q, T, W, AJ) on lots 2, 9, 10, 11 and 12 as “areas to be subject to land covenant”. The boundaries of the covenant must coincide with the proposed fence line referred to in **Condition 20(h)**.
- (d) The survey title plan shall show and identify the areas of landscape planting shown on the landscape plan on lots 10, 11, 12, 13 and 14 as “areas to be subject to land covenant”.
- (e) In terms with the Auckland Council Road Naming Guidelines the Consent Holder shall suggest to the Council names for the new road, or access for more than five sites, shown on the Scheme Plan. The Council surveyor may be consulted in regard to the appropriateness of the name and road type. Council will obtain clearance from LINZ so that duplication of the name in any other part of the Auckland region is avoided. The consent holder shall then consult the local iwi for comment. The suggested names, including background regarding the historical connection, together with correspondence with Iwi should be submitted to Council.
- (f) Confirm Local Board approval has been obtained so addressing can be completed.

## Section 224(c) compliance conditions

20. (conditions to be carried out by the developer) Before the Council will issue a certificate pursuant to s224(c) of the Act, the consent holder shall satisfy the conditions of this consent at his/her/its full cost:

### Donor site - Allotment 104 Parish of Hoteo

#### Fencing

- (a) A permanent ungated continuous stock-proof fence, (minimum seven wire post and batten fence with no gates) capable of preventing browsing or other damage by animals, shall be constructed around the native bush to be protected on Allotment 104 Parish of Hoteo (Areas A, B and C) shown on the Scheme Plan of Proposed Protection Areas referred to in **Condition 1**. The Waiwhiu Stream is considered to constitute a stock proof fence. The fencing shall be maintained thereafter.

#### **Advice Note**

*Stock proof fencing maybe located on the property boundary rather than immediately around the significant native bush.*

- (b) If the stockproof fencing on Allotment 104 Parish of Hoteo, is not adjoining the native bush (Areas A, B and C) shown on the Scheme Plan of Proposed Protection Areas referred to in **Condition 1**, then the boundary of the covenant shall be fenced with demarcation fencing of a standard of no less than Number 1 (minimum 115mm diameter) posts, no less than 0.8m high (measured from ground level) or galvanised metal waratahs, no less than 0.8 high (measure from ground level). The posts or waratahs shall be placed at every change in direction and every 15m. The fencing shall be maintained thereafter.

- (c) If conservation planting has occurred on Allotment 104 Parish of Hoteo, (Areas D and E) shown on the Scheme Plan of Proposed Protection Areas referred to in **Condition 1**, then neither stock proof fencing nor demarcation fencing will be required between the native bush and the conservation planting. The Team Leader, Compliance Monitoring, NW, in conjunction with the Team Leader, Biodiversity can agree alternative fence types and locations.
- (d) Demarcation fencing of a standard of no less than Number 1 (minimum 115mm diameter) posts placed a maximum of 10m apart, no less than 0.8m high (measured from ground level) or galvanised metal waratahs placed a maximum of 10m apart, no less than 0.8 high (measure from ground level) with three wires (number 8 or equivalent) evenly disturbed vertically and properly strained, shall be erected on Allotment 104 Parish of Hoteo, around Area F, in accordance with the Scheme Plan of Proposed Protection Areas referred to in **Condition 1**. The fencing shall be maintained thereafter. Alternatively, stock proof fencing may be established around Area F, in which case a no stock covenant will not be required over this area.
- (e) The consent holder shall arrange with council's Team Leader, Northern Monitoring, NW, to inspect the stock-proof and demarcation fences in accordance with **conditions 20(a), (b) and (d)**.

#### Weed and pest animal control plan

- (f) The consent holder shall carry out weed and pest control within the native bush and possible future planting areas to be protected on the donor site (Allotment 104 Parish of Hoteo) (Areas A to E) in accordance with the approved Assessment and Management Report referred to in **Condition 1** to the satisfaction of council's Team Leader, Compliance Monitoring, NW.

#### **Advice Note:**

*Weed Control means, that there are no mature, fruiting and / or flowering individuals of weed species present within the covenant area and any 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 council's Team Leader, Northern Monitoring, Orewa or similar position.*

#### Protection and covenant

- (g) The consent holder shall arrange for a covenant document and associated plan to be submitted to Council's Surveyor for approval. These documents shall as a minimum contain and specify the following clauses:
  - i. The calculated areas of native bush on Allotment 104 Parish of Hoteo (Areas A, B and C) as shown on the Scheme Plan of Proposed Protection Areas and referred to in **Condition 1** and as defined by survey.
  - ii. A bush protection covenant plan showing Area's A, B and C as 'areas to be subject to land covenant'.

- iii. A no stock covenant plan (or one plan showing both covenant areas) showing the area between the native bush (Areas A, B and C) and the stock proof fence line as 'areas to be subject to no stock covenant'.
- iv. The existing native bush to be protected on Allotment 104 Parish of Hoteo (Areas A, B and C) shall be protected in perpetuity to the satisfaction of the Consents Manager.

The owners or their successors in title for the time being, of the above lots:

- Shall preserve the natural landscape trees, vegetation and areas of bush; and
- Shall 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, damaging or destruction of, any of such natural landscape trees, vegetation or areas of bush; and
- Shall 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 bush areas to protected; and
- Shall not do anything that would prejudice the health of any of such natural landscape trees, vegetation or areas of bush; and
- Shall control all invasive plants and control pest animals within the "areas to be subject to land covenant" and "no stock covenant" in accordance with but not limited to the approved Assessment and Management Report referred to in **Condition 1**.

**Advice Note:**

*Weed Control means, that there are no mature, fruiting and / or flowering individuals of weed species present within the covenant area and any 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 council's Team Leader, Compliance Monitoring, NW or similar position.*

- Maintain a stock-proof fence and demarcation fence as approved by the council around the areas to be protected and keep stock out of these areas.
- The owners shall be deemed not to be in breach of this covenant if any of such trees, vegetation or bush die from fire or natural causes not attributable to any act or default by or on behalf of the owners and for which the owners are responsible. Failure to comply with this condition may result in enforcement action being taken by the Council under the Resource Management Act 1991 to ensure full compliance and the continuing protection of the bush.

- The owners shall pay to the Council the fair and reasonable costs incurred by the Council in monitoring these conditions at not less than two-yearly intervals, unless required otherwise by a legitimate complaint. The owners will be advised of the costs, assessed under the Council's Schedule of Fees and Charges, as they fall due.
- (h) The consent holder shall provide evidence to Council's Surveyor that this covenant has been registered on the title of Allotment 104 Parish of Hoteo, prior to the s.224(c) certificate being issued.

### **Donor site - 297A Wilson Road Wayby Valley, Wellsford**

#### Fencing

- (i) A permanent ungated continuous stock-proof fence, (minimum seven wire post and batten fence with no gates) capable of preventing browsing or other damage by animals, shall be constructed around the native bush to be protected on Allot 29 Psh Of Hoteo SO 732, Allot N23 Psh Of Hoteo SO 732 shown on Figure 11: Proposed fencing to protect covenant referred to in **Condition 1**. The Waiwhiu Stream is considered to constitute a stock proof fence. The fencing shall be maintained thereafter.

#### **Advice Note**

*Stock proof fencing maybe located on the property boundary rather than immediately around the significant native bush.*

- (j) If the stockproof fencing on Allot 29 Psh Of Hoteo SO 732, Allot N23 Psh Of Hoteo SO 732, is not adjoining the native bush shown on the Plan of Proposed Protection Areas referred to in **Condition 1**, then the boundary of the covenant shall be fenced with demarcation fencing of a standard of no less than Number 1 (minimum 115mm diameter) posts, no less than 0.8m high (measured from ground level) or galvanised metal waratahs, no less than 0.8 high (measure from ground level). The posts or waratahs shall be placed at every change in direction and every 15m. The fencing shall be maintained thereafter.
- (k) If conservation planting has occurred Allot 29 Psh Of Hoteo SO 732, Allot N23 Psh Of Hoteo SO 732, then neither stock proof fencing nor demarcation fencing will be required between the native bush and the conservation planting. The Team Leader, Compliance Monitoring, NW, in conjunction with the Team Leader, Biodiversity can agree alternative fence types and locations.
- (l) The consent holder shall arrange with council's Team Leader, Northern Monitoring, NW, to inspect the stock-proof and demarcation fences in accordance with **conditions 20(i) and (j)**.

#### Weed and pest animal control plan

- (m) The consent holder shall carry out weed and pest control within the native bush and possible future planting areas to be protected on the donor site Allot 29 Psh Of Hoteo SO 732, Allot N23 Psh Of Hoteo SO 732 in accordance with the approved



Assessment and Management Report – 279A Wilson Road, Wellsford referred to in **Condition 1** to the satisfaction of council’s Team Leader, Compliance Monitoring, NW.

**Advice Note:**

*Weed Control means, that there are no mature, fruiting and / or flowering individuals of weed species present within the covenant area and any 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 council’s Team Leader, Northern Monitoring, Orewa or similar position.*

Protection and covenant

- (n) The consent holder shall arrange for a covenant document and associated plan to be submitted to Council’s Surveyor for approval. These documents shall as a minimum contain and specify the following clauses:
- i. The calculated areas of native bush on Allot 29 Psh Of Hoteo SO 732, Allot N23 Psh Of Hoteo SO 732 as shown on the Plan of Proposed Protection Areas and referred to in **Condition 1** and as defined by survey.
  - ii. A bush protection covenant plan showing the native bush as ‘areas to be subject to land covenant’.
  - iii. A no stock covenant plan (or one plan showing both covenant areas) showing the area between the native bush and the stock proof fence line as ‘areas to be subject to no stock covenant’.
  - iv. The existing native bush to be protected on Allot 29 Psh Of Hoteo SO 732, Allot N23 Psh Of Hoteo SO 732 shall be protected in perpetuity to the satisfaction of the Consents Manager.

The owners or their successors in title for the time being, of the above lots:

- Shall preserve the natural landscape trees, vegetation and areas of bush; and
- Shall 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, damaging or destruction of, any of such natural landscape trees, vegetation or areas of bush; and
- Shall 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 bush areas to protected; and
- Shall not do anything that would prejudice the health of any of such natural landscape trees, vegetation or areas of bush; and
- Shall control all invasive plants and control pest animals within the “areas to be subject to land covenant” and “no stock covenant” in accordance with but

not limited to the approved Assessment and Management Report referred to in **Condition 1**.

**Advice Note:**

*Weed Control means, that there are no mature, fruiting and / or flowering individuals of weed species present within the covenant area and any 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 council's Team Leader, Compliance Monitoring, NW or similar position.*

- Maintain a stock-proof fence and demarcation fence as approved by the council around the areas to be protected and keep stock out of these areas.
  - The owners shall be deemed not to be in breach of this covenant if any of such trees, vegetation or bush die from fire or natural causes not attributable to any act or default by or on behalf of the owners and for which the owners are responsible. Failure to comply with this condition may result in enforcement action being taken by the Council under the Resource Management Act 1991 to ensure full compliance and the continuing protection of the bush.
  - The owners shall pay to the Council the fair and reasonable costs incurred by the Council in monitoring these conditions at not less than two-yearly intervals, unless required otherwise by a legitimate complaint. The owners will be advised of the costs, assessed under the Council's Schedule of Fees and Charges, as they fall due.
- (o) The consent holder shall provide evidence to Council's Surveyor that this covenant has been registered on the title of Allot 29 Psh Of Hoteo SO 732, Allot N23 Psh Of Hoteo SO 732, prior to the s.224(c) certificate being issued.

**Donor site – Douglas Road**

Fencing

- (p) A permanent ungated continuous stock-proof fence, capable of preventing browsing or other damage by animals, shall be constructed around the native bush to be protected on Lot 1 DP 164127 as shown on the Plan of Proposed Protection Areas referred to in **Condition 1**. The fence shall be constructed in accordance with the Proposed Fencing Plan - Douglas Road, dated 31 May 2018 unless otherwise approved in writing by the Team Leader, Compliance Monitoring, South. The fencing shall be maintained thereafter.

**Advice Note**

*Stock proof fencing maybe located on the property boundary rather than immediately around the significant native bush.*

- (q) If the stockproof fencing on Lot 1 DP 164127, is not adjoining the native bush shown on the Plan of Proposed Protection Areas referred to in **Condition 1**, then the boundary of the covenant shall be fenced with demarcation fencing of a standard of no less than Number 1 (minimum 115mm diameter) posts, no less than 0.8m high (measured from ground level) or galvanised metal waratahs, no less than 0.8 high (measure from ground level). The posts or waratahs shall be placed at every change in direction and every 15m. The fencing shall be maintained thereafter.
- (r) If conservation planting has occurred on Lot 1 DP 164127 shown on the Plan of Proposed Protection Areas referred to in **Condition 1**, then neither stock proof fencing nor demarcation fencing will be required between the native bush and the conservation planting. The Team Leader, Compliance Monitoring, South, in conjunction with the Team Leader, Biodiversity can agree alternative fence types and locations.
- (s) The consent holder shall arrange with council's Team Leader, Compliance Monitoring, South, to inspect the stock-proof and demarcation fences in accordance with **conditions 20(p) and (q)**.

#### Weed and pest animal control plan

- (t) The consent holder shall carry out weed and pest control within the native bush and area between the stock proof fencing to be protected on the donor site (Lot 1 DP 164127 in accordance with the approved Assessment and Management Report referred to in **Condition 1** to the satisfaction of council's Team Leader, Compliance Monitoring, South.

#### **Advice Note:**

*Weed Control means, that there are no mature, fruiting and / or flowering individuals of weed species present within the covenant area and any 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 council's Team Leader, Compliance Monitoring, NW or similar position.*

#### Protection and covenant

- (u) The consent holder shall arrange for a covenant document and associated plan to be submitted to Council's Surveyor for approval. These documents shall as a minimum contain and specify the following clauses:
  - i. The calculated areas of native bush on Lot 1 DP 164127 as shown on the Plan of Proposed Protection Areas and referred to in **Condition 1** and as defined by survey.
  - ii. A bush protection covenant plan showing the native bush as 'areas to be subject to land covenant'.
  - iii. A no stock covenant plan (or one plan showing both covenant areas) showing the area between the native bush and the stock proof fence line as 'areas to be subject to no stock covenant'.

- iv. The existing native bush to be protected on Lot 1 DP 164127 shall be protected in perpetuity to the satisfaction of the Consents Manager.

The owners or their successors in title for the time being, of the above lots:

- Shall preserve the natural landscape trees, vegetation and areas of bush; and
- Shall 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, damaging or destruction of, any of such natural landscape trees, vegetation or areas of bush; and
- Shall 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 bush areas to protected; and
- Shall not do anything that would prejudice the health of any of such natural landscape trees, vegetation or areas of bush; and
- Shall control all invasive plants and control pest animals within the “areas to be subject to land covenant” and “no stock covenant” in accordance with but not limited to the approved Assessment and Management Report referred to in **Condition 1**.

**Advice Note:**

*Weed Control means, that there are no mature, fruiting and / or flowering individuals of weed species present within the covenant area and any 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 council's Team Leader, Compliance Monitoring, South or similar position.*

- Maintain a stock-proof fence and demarcation fence as approved by the council around the areas to be protected and keep stock out of these areas.
- The owners shall be deemed not to be in breach of this covenant if any of such trees, vegetation or bush die from fire or natural causes not attributable to any act or default by or on behalf of the owners and for which the owners are responsible. Failure to comply with this condition may result in enforcement action being taken by the Council under the Resource Management Act 1991 to ensure full compliance and the continuing protection of the bush.
- The owners shall pay to the Council the fair and reasonable costs incurred by the Council in monitoring these conditions at not less than two-yearly intervals, unless required otherwise by a legitimate complaint. The owners will be advised of the costs, assessed under the Council's Schedule of Fees and Charges, as they fall due.

- (v) The consent holder shall provide evidence to Council's Surveyor that this covenant has been registered on the title of Lot 1 DP 164127, prior to the s.224(c) certificate being issued.

### **Receiver site**

#### Planting

- (w) The consent holder shall carry out riparian, wetland and landscape planting in accordance with the approved Ecological Assessment and Management Report referred to in **Condition 1**. Any weeds present in these areas shall be controlled prior to planting. The advice note referred to in **Condition 20(g)** details what 'weed control' means. The consent holder will advise council when planting is initiated.

#### Fencing

- (x) A permanent continuous stock-proof fence, (minimum seven wire post and batten fence) capable of preventing browsing or other damage by farmed animals, shall be constructed outside of the dripline of the native vegetation/planting to be protected on Lot(s) 2, 9, 10 to 12 (Areas N, Q, T, V, W and AJ) and maintained. The location of the fence line shall be in accordance with the approved Scheme Plan referred to in **Condition 1**. Fence lines shall not impede the overland flow paths. If the fencing is constructed after the survey title plan has been approved under section 223, a certificate from a licensed cadastral surveyor shall be provided to confirm that the fencing of Areas N, Q, T, V, W and AJ is located on the covenant boundary.
- (y) The consent holder shall arrange with council's Team Leader, Compliance Monitoring, NW, to inspect the stock-proof fences which have been erected in accordance with **Condition 20 (aa)**.

#### Developer's Representative

- (z) Prior to the commencement of engineering works, the Consent Holder shall nominate, in writing, its Developer's Representative in terms of Council's "Standards for Engineering Design and Construction" to be the first point of contact for all engineering matters. Any subsequent change to the nominated Developer's Representative shall be immediately notified in writing to the Consents Engineer.

#### **Advice Note:**

*Prior to the commencement of engineering design for the works required by these conditions, the Consent Holder and the Developer's Representative shall provide to the Council proof of Professional Indemnity Insurance and Warranties in full satisfaction of section 102 of the "Standards for Engineering Design and Construction".*

#### Engineering Plans

- (aa) The engineering works required by this consent shall comply with the Council's "Standards for Engineering Design and Construction" as may be amended from time to time. Engineering Plans, as specified in the "Standards", shall be submitted to the Development Engineer, and approval thereto received in writing, **prior** to the commencement of works requiring approval.

Any variation or changes to the approved engineering plans shall be submitted for approval as an Amendment and approval received thereto prior to construction of the varied works.

The term 'engineering works' includes, but is not limited to:

- Earthworks,
- The formation of roads, the laying of pipes and other ancillary equipment to be vested in the Council for water supply, drainage or sewage disposal;
- The installation of gas, electrical or telecommunication reticulation including ancillary equipment;
- Any other works required by conditions of this consent.
- Building site or water disposal area stabilisation as required by the geotechnical engineer or required by the earthworks engineer to be installed.

**Advice Note:**

*The plans required under this condition are separate to, and do not form part of, any Building Consent that may be required on the subject site.*

*Engineering Plan approvals, monitoring of construction and processing of As Built plans will be subject to charges in terms of the Schedule of Fees and Charges determined from time to time by the Council.*

*Structures such as retaining walls, in-ground walls and bridges will require a separate Building Consent.*

#### Erosion and sediment control

- (bb) Before commencement of any works, adequate silt retention structures as detailed in GD 05 "Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region" shall be installed. These structures shall be maintained and cleaned out as necessary until such time as complete grass cover, or other non-erodible surface has been re-established over the area.

#### Earthworks

- (cc) All earthworks shall be managed to ensure that they do not lead to any uncontrolled instability or collapse affecting either the site or adversely affecting any neighbouring properties. In the event that such collapse or instability does occur, it shall immediately be rectified.

#### Works certification

- (dd) On completion of the engineering works the Chartered Professional Engineer who designed and supervised the earthworks will supply to the Development Engineer with an Earthworks Completion Report and a Certificate in the form of Appendix A of the "COP for Land Development and Subdivision" certifying the fill.

The Chartered Professional Engineer will certify that Lots 1, 2, 3, 6, 7, 8, 9, 10, 11, 12 & 13:

- have a defined building area with stability parameters equal or better than those published in the Auckland Council “Code of Practice for Land Development and Subdivision Section 2 – Earthworks and Geotechnical Requirements – v1.6 24 September 2013;”
- have a defined area suitable and stable for stormwater disposal and/or effluent disposal;
- have soil type permeability and water disposal rate restrictions with corresponding maximum dwelling size according to TP58, detailed in the as-built plans.

**Advice Note:**

*Information relating to the Building Platform position, geotechnical restrictions along with dwelling size restrictions will be registered on the title.*

Counterfort drains recording

- (ee) Any counterfort drain installations are to be plotted on an as-built plan plotted at a scale of 1: 100. This plan will be certified by the surveyor that it contains details of the pipe cover and drainage medium used. As-built plans are to be provided to the Development Engineer on completion.
- (ff) Earthworked slopes are to be merged sympathetically in with the surrounding slope. All cut and fill batters are to be vegetated in order to ensure complete coverage of exposed soils.
- (gg) Any retaining walls are to use natural materials or to be painted or stained with recessive colours so as to blend in with the natural landscape.

Construction of right of way

- (hh) The driveway and vehicle crossings thereto shall be constructed in accordance with the plans (In particular Cato Bolam Plan Nos 40774-DR-C; 3000 Rev C, 3001 Rev C, 3002 Rev C, 3003 Rev A; 3100 Rev A; 3101 Rev A, 3102 Rev B; 3103 Rev B; 3200 Rev A; 3300 Rev A; or any revision stamped with EPA) and to the Council’s “Standards for Engineering Design and Construction.” Retaining walls are to be separately consented.
- (ii) That right of way, driveway and pavement materials are to be low in reflectivity and visually recessive. Eg exposed aggregate concrete, asphalt, chip seal, concrete with a charcoal oxide tint.

Nameplates

- (jj) When a name has been resolved with Local Board approval, the Consent Holder shall erect nameplates, in accordance with the Council’s “Standards for Engineering Design and Construction”. Confirm nameplates are installed on the new road.

### Permeable materials

- (kk) Permeable materials, such as grass, gravels, and decks with gaps between should be used as an alternative to concrete and hard paving materials where possible.

### Provide for electric power

- (ll) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an electric supply has been made available to all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met or satisfactory arrangements have been concluded with the Consent Holder to complete the provision of the supply.

### Provide for telephone

- (mm) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of telephone services has been made available to all saleable lots created and that all the network supplier's requirements for making such services available have been met or satisfactory arrangements have been concluded with the Consent Holder to complete the provision of the service. This may be by wireless means, resulting in a 'Provision of Telecommunication Services' Consent Notice.

### Existing on-site domestic wastewater system

- (nn) If any part of a system not located in accordance with the recommended separation distance (Ref:TP58, Table 5.2) from a lot or ROW boundary is to be decommissioned, removed and re-established according to the recommended separation distances. A professional consultant experienced in on-site wastewater treatment must check the redundant drainage field earth and arrange de-contamination. He will provide a certificate to the Development Engineer confirming that he is satisfied that, that relocated systems have been de-commissioned in accordance with National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health and that all systems are operating correctly.

## Consent Notices

21. The following conditions of consent shall be complied with on a continuing basis by the consent holder (which includes the subdividing owner and subsequent owners) and shall be recorded in a consent notice issued pursuant to s221 of the Resource Management Act 1991:

### Riparian, wetland and landscape planting protection

- a) The areas of riparian, wetland and landscape planting to be protected on Lot(s) 2, 9, 10 to 14 identified by survey shall be protected in perpetuity to the satisfaction of the Council's Team Leader, Compliance Monitoring.

The owners or their successors in title of Lots 2, 9, 10 to 14 shall:

- i) Preserve the native vegetation, wildlife habitats and the natural landscape;



- ii) Maintain any stock crossings and/or fish passage(s) in accordance with any easement(s) through the covenant areas;
- iii) 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 protected areas;
- iv) Not do anything that would prejudice the health or ecological value of the areas of riparian margin to be protected, their long term viability and/or sustainability;
- v) 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 protected riparian margins; and
- vi) Control all invasive plants and control pest animals within the areas of riparian margin to be protected, in accordance with the approved Ecological Assessment and Management Report;

**Advice Note:**

*Weed Control means, that there are no mature, fruiting and / or flowering individuals of weed species present within the covenant area and any 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 council's Team Leader, Compliance Monitoring or similar position.*

- vii) Maintain a stock-proof fence as approved by the council around the perimeter of the areas of riparian and wetland vegetation to be protected on Lot(s) 2, 9, 10 to 12 and keep animals out of these areas. If the landscape vegetation is being affected by stock grazing then these areas shall be fenced to a stock proof standard to prevent stock grazing.

**On-site wastewater systems**

- b) As there is no piped wastewater system serving the allotments, the owners or their successors in the titles for Lots 1, 2, 3, 6, 7, 8, 9, 10, 11, 12 & 13 shall ensure that an on-site wastewater system shall be installed and made operational prior to the sites being occupied for residential purposes to the satisfaction of Council. The design, physical location and construction techniques for the above system, including any extensions that may be required in coming years for maintenance purposes, shall be in accordance with the recommendations of a Chartered Professional Engineer, and in accordance with Council requirements.

**Building restrictions geotechnical**

- c) Any buildings erected on the building sites identified on Lots 1, 2, 3, 6, 7, 8, 9, 10, 11, 12 & 13 shall be subject to the requirements of the Geotechnical report prepared by – Lander Geotechnical – RefJ00774 17 dated October 2017 and any subsequent reports and the restrictions placed on a lot by the completion report submitted by the

Chartered Professional Engineer who designed and supervised the earthworks.  
Copies of the said plan and report(s) will be held at the offices of the Council,  
Centreway Road, Orewa.

#### Building restrictions special geotechnical

- d) Any building erected on the building site on Lot 3, shall be subject to the requirements of Lander Geotechnical Memorandum, '200, 204, 206 Tawa Road, Kumeu – Slope Stability Report' and including plans, stability graphs and counterfort drain details – author Jasmine Lam – Dated 3 August 2018 and any subsequent reports and the restrictions placed on the lot by the completion report submitted by the Chartered Professional Engineer who designed and supervised the earthworks. Copies of the said plan and report(s) will be held at the offices of the Council, Centreway Road, Orewa.

#### Building restrictions - stormwater control

- e) All stormwater from buildings and paved areas on Lots 1, 2, 3, 6, 7, 8, 9, 10, 11, 12 & 13 shall be collected, treated and disposed of in accordance with Cato Bolam Consultants Ltd Stormwater Neutrality Report Ref 40774, Date 13 February 2018 and any subsequent amendment. The collection, treatment and disposal system shall be installed in conjunction with the impervious area created and shall thereafter be maintained to the specified capacity and standard in perpetuity.

#### Firefighting water supply

- f) At the time a building consent application is submitted for a dwelling on Lots 1, 2, 3, 6, 7, 8, 9, 10, 11, 12 and 13 it must be demonstrated that sufficient water supply and access to water supplies for firefighting purposes will be provided in accordance with NZ Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008, or its replacement, or, alternatively, written approval from the Fire Service of an alternative design can be provided with the building consent application.

#### Specified building platforms

- g) All buildings (including minor dwellings and ancillary structures) and curtilage on Lots 1-3 and Lots 6-13 shall be constructed within the specified building platforms as illustrated on the Scheme Plan **Revision 10** (prepared by Cato Bolam Consultants, dated 14.08.2018). This is to ensure the remaining open spaces within the scheme plan are undeveloped, as this characteristic is a key identifier within rural-residential neighbourhoods.

#### Telecommunications

- h) Future owners Lots 1, 2, 3, 6, 7, 8, 9, 10, 11, 12 and 13 shall be advised that physical telecommunication connections have not been provided. If such services are required, the full cost of providing these services will be met by the owners for the time being. This cost may include the installation of equipment to the utility providers and Council requirements and any growth or other applicable charges.

### Lot 7 building height

- i) All buildings (including minor dwellings and ancillary structures) on Lots 7 shall be no taller than 7 metres in height.

### Building colours and materials

- j) Exterior building materials not used for roof cladding shall be of a colour which has a -reflectivity value no more than 40 percent for greyness group A or B and shall have a roof colour darker to help ground and integrate the buildings into the rural-residential environment.
  - a) This shall apply to Lot 7 and is intended to mitigate the prominence and ground the dwelling on lot 7, which sits on a local ridge and appears with a sky backdrop.
  - b) This shall apply to Lots 8, 9, 10, 11, 12 and 13 and is intended to reduce the dominance and intensification of built form within the landscape.

### General landscaping

- k) That any water tank be either buried or screened from view from public places or surrounding neighbours.
- l) Earthworked slopes are to be merged sympathetically in with the surrounding slope. All cut and fill batters are to be vegetated in order to ensure complete coverage of exposed soils.
- m) Any retaining walls are to use natural materials or to be painted or stained with recessive colours so as to blend in with the natural landscape.

### Monitoring

- n) The respective owners of Lots 1 to 14 shall pay the Council monitoring charge or charges to recover the actual and reasonable costs that have been incurred to ensure compliance with the conditions attached to this consent.

Such charge/s shall be paid as part of the resource consent fee and the consent holder will be advised of the further monitoring charge or charges as they fall due. Such further charges are to be paid within one month of the date of invoice.

## Advice notes

1. *The proposed environmental protection on the donor sites can yield more donor TRSS than is required by this application. The applicant has indicated that the additional TRSS will be used by Rob Meenhorst & Deborah Wilmore – 80 Taupaki Road, Henderson, council reference BUN60318522; and Wuwei Investment Ltd – 624 Dairy Flat Highway, council reference SUB60313264. If the vegetation is covenanted on the donor sites before the other applications to use donor sites are granted, then those additional donor sites will be lost as the environmental benefit would have already occurred.*
2. *For the purpose of compliance with the conditions of consent, “the council” refers to the council’s monitoring inspector unless otherwise specified. Please email [monitoring@aucklandcouncil.govt.nz](mailto: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](http://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](http://www.mfe.govt.nz).*
4. *If you as the applicant 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 your receipt of this decision (for s357A) or receipt of the council invoice (for s357B).*
5. *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.*
6. *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 above are required to be in place to the satisfaction of Council.*
7. *Compliance with the consent conditions will be monitored by council (in accordance with section 35(d) of the RMA). The initial monitoring charge 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, 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.*
8. *Ongoing inspections of the covenanted area will be carried out from time to time by council ecologists, in accordance with the consent notice. These inspections will assess how the covenant is being managed and if the consent condition is complied with. A report will be produced for the landowner to assist them in the management of the covenant. The inspections are charged at a rate in accordance with the council's schedule of fees.*

Delegated decision maker:

Name: Erik Oosthuizen

Title: Team Leader, Resource Consents

Signed:



Date: 31 August 2018