

Elgin Blignaut
492A Hibiscus Coast Highway
Oreaw
AUCKLAND 0931



Applicant	Elgin Blignaut
LIM address	12 Toia Lane Silverdale Auckland 0931
Application number	8270155256
Customer Reference	
Date issued	18-Apr-2019
Legal Description	LOT 67 DP 492775, 1/11 SH LOT 200 DP 492775
Certificates of title	717057

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

Soil issues recorded. The land may not be suitable for particular development or land use purposes. A soil report may be required to/must be submitted with any building and/or resource consent application.

Effective Date	Description	Details
19/02/2016	Geotechnical completion/ investigation report on file	Geotech Completion Report or Geotechnical Investigation Report Available.

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.

Flooding

This statement entitled "Flooding" appears on all LIMs.

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

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

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

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

Overland Flow Path

This site (property parcel) spatially intersects with one or more Overland Flow Paths, as displayed on the

map attached to this LIM entitled “Special Land Features – Natural Hazards - Flooding”.

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

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

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

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

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

Exposure Zones

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

This property is classified as: Unknown or Unassessed Corrosion Zone

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

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) 422 2222** for services provided to this property.

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

Billing Number/ Rate Account:	12342080047
Rates levied for the Year 2018/2019 :	\$1,947.90
Total rates to clear for the current year (including any arrears):	\$486.96

The rates figures are provided as at 8 a.m. 18/04/2019. 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

12 Toia Lane Silverdale Auckland 0931

Application No.	Description	Decision	Decision Date
LAN-52299	Land Use Consent Consent for the installation of three signs to advertise the subdivision and development at Silverdale North.	Granted	22/06/2007
LAN-53638	Land Use Consent Consent to an extension to the lapse periods of Resource Consent L53638, granted by Rodney District Council on 14 March 2008. This application is made under the provisions of s125 of the Resource Management Act 1991. The extension date requested is until 31 May 2016.	Granted	14/03/2008
LAN-53638	Extension of lapse date Consent to an extension to the lapse periods of Resource Consent L53638, granted by Rodney District Council on 14 March 2008. This application is made under the provisions of s125 of the Resource Management Act 1991. The extension date requested is until 31 May 2016.	Granted	14/03/2008
LAN-54535	Land Use Consent Consent to enable bulk earthworks, involving approximately 790,00m ³ of cut to 780,000m ³ of fill within the Orewa River Catchment, including the removal of all vegetation within the extent of works.	Granted	15/10/2008
LAN-54535	Extension of lapse date Consent to enable bulk earthworks, involving approximately 790,00m ³ of cut to 780,000m ³ of fill within the Orewa River Catchment, including the removal of all vegetation within the extent of works.	Granted	15/10/2008
LAN-59726	Land Use Consent Resource consent to remove all vegetation (except grass) from the subject sites.	Granted(Construction Monitoring Underway)	08/03/2013
LAN-54535/B	Change of Condition (s127) Consent to enable bulk earthworks, involving approximately 790,00m ³ of cut to 780,000m ³ of fill within the Orewa River Catchment, including the removal of all vegetation within the extent of works. **Variation to condition 1 alter the contouring of the site##	Withdrawn	25/11/2013
REG-62752	Land Use Consent Earthworks/Sediment Control - Bundled consent for bulk earthworks of 920,000m ³ cut and 750,000m ³ fill over 39.05 hectares	Granted	19/09/2014
SLC-63158	Land Use Consent HPO-SHA-CONSENT: Consent for the construction of fifty-two new dwellings including subdivision of the site to create individual titles, two balance lots and one lot to vest as road reserve, and provision of infrastructure.	Granted	19/02/2015

Application No.	Description	Decision	Decision Date
LAN-54535/A	Change of Condition (s127) Withdrawn/ Superseded as per correspondence 23.2.15 Consent to enable bulk earthworks, involving approximately 790,00m ³ of cut to 780,000m ³ of fill within the Orewa River Catchment, including the removal of all vegetation within the extent of works. * 26.10.10 variation to conditions 1 and 19.	Withdrawn	23/02/2015
REG-63533	Land Use - Stream Consent Stream works associated with the development of a wetland within Highgate Business Park.	Granted	27/02/2015
REG-64051	Discharge Consent Stormwater Discharge: Bundled consent for the first stage of subdivision associated with the development of the Highgate Stage 1 Development Concept Plan Area and associated works including stormwater discharge, the installation of a dam and streamworks.	Granted	27/02/2015
SLC-63530	Land Use Consent The application proposes a five stage subdivision development (Stages 1A to Stage 1E) comprising 13 commercial lots, 4 roads to vest and 1 stormwater drainage reserve (proposed wetland and permanent stream). A balance lot will be held for future development The construction of a stormwater catchment wetland to service the subdivision is proposed, associated with a large dam which is offline and discharges to the head of the head of the permanent stream via a spilling basin. Approximately 53,300m ³ (42,600m ³ of fill and 10,730m ³ of fill) of earthworks over an area of 0.8ha is required, along with streamworks for the infilling of approximately 80m of non permanent stream.	Granted	27/02/2015
SLC-64824	Land Use Consent HPO-SHA-CONSENT: Construction of 14 new dwellings, subdivision of the site to create individual titles, and the provision of infrastructure.	Granted (Monitoring Complete)	31/07/2015
SLC-63530/A	Change of Condition (s127) To change the conditions of R63530 in order to enable a change to the staging provisions and some minor alterations to lot boundaries.	Granted	17/02/2016
LAN-66586	Land Use Consent To erect a large building, containing a warehouse and ancillary office activity, in accordance with an approved Development Concept Plan, within the Highgate Business Park area	Granted(Construction Monitoring Underway)	07/03/2016
LAN-67473	Land Use Consent HPO SHA CONSENT - To change a consent notice imposed under Consent SLC-63158 to reflect the 2015 price point for the relative affordable dwellings authorised by SLC-63158, changes to conditions 1, 64 and 65.	Granted (Monitoring Complete)	30/06/2016

Application No.	Description	Decision	Decision Date
SLC-63530/B	Change of Condition (s127) Consent to vary conditions 1, 7, 8 and 9 (q) and a consent notice condition R63530 to enable changes to the staging provisions and lots to be created.	Granted	15/07/2016

Subdivisions

12 Toia Lane Silverdale Auckland 0931

Application No.	Description	Decision	Decision Date
SLC-63158	Subdivision Consent HPO-SHA-CONSENT: Consent for the construction of fifty-two new dwellings including subdivision of the site to create individual titles, two balance lots and one lot to vest as road reserve, and provision of infrastructure.	Granted	19/02/2015
SLC-63530	Subdivision Consent The application proposes a five stage subdivision development (Stages 1A to Stag 1E) comprising 13 commercial lots, 4 roads to vest and 1 stormwater drainage reserve (proposed wetland and permanent stream). A balance lot will be held for future development. Easements and amalgamations are proposed as well as infrastructural requirements including water, wastewater, stormwater and utilities. The construction of a stormwater catchment wetland to service the subdivision is proposed, associated with a large dam which is offline and discharges to the head of the head of the permanent stream via a spilling basin. Approximately 53,300m ³ (42,600m ³ of fill and 10,730m ³ of fill) of earthworks over an area of 0.8ha is required, along with streamworks for the infilling of approximately 80m of non permanent stream. Detailed and extensive earthworks catchments and erosion and sediment controls are proposed.	Granted	27/02/2015
SLC-64824	Subdivision Consent HPO-SHA-CONSENT: Construction of 14 new dwellings, subdivision of the site to create individual titles, and the provision of infrastructure.	Granted	31/07/2015

Engineering Approvals

12 Toia Lane Silverdale Auckland 0931

Application No.	Description	Decision	Decision Date
ENG-406	Engineering Compliance Application for engineering approval - Earthworks. Refer L62751	Approved	09/10/2014

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

12 Toia Lane Silverdale Auckland 0931

Application No.	Description	Issue Date	Status
ABA-1025320	RBW - Two level terrace house	22/11/2016	CCC Issued 20/03/2018 (See Note 2)

Note	Description
2	Code Compliance Certificate (CCC) for this consent was issued.

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

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

Compliance Schedules (Building Warrant of Fitness)

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

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

Swimming/Spa Pool Barriers

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

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

Licences

There are NO current licences recorded

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

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

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

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

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

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

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

The AUP:OP can be viewed here:

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

The legacy regional and district plans can be viewed here:

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

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

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

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

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

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

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

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

Plan Changes and Notices of Requirement

Changes to the AUP:OP and DP:HGI may be proposed from time to time. These proposed plan changes may relate to either the maps or the text of those plans. Any proposed changes to the AUP:OP relevant to this property will be listed as a modification in the Property Summary Report attached to this memorandum.

However, proposed changes to the DP:HGI will not appear on the Property Summary report. That information can be found on the Auckland Council website.

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

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

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

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

From time to time a requiring authority, such as a Ministry of the Crown or a council controlled organisation, may notify Auckland Council that they require certain land to be designated for a certain purpose. If this property is the subject of such a notice of requirement, that notice may have implications for how this property can be developed or used from the date it is received by Council.

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

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

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

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

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

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

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

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

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

No information has been notified to Council.

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

Underground Services and District Plan maps are attached.

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

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

Attachments

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

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

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

- Consent Conditions : RMA 53638 Decision
- Consent Conditions : RMA 52299 Decision
- Consent Conditions : RMA 63158 Decision
- Consent Conditions : RMA 63530 Decision
- Consent Conditions : RMA 54535 Decision
- Consent Conditions : RMA 64824 Decision
- Consent Conditions : RMA 59726 Decision
- Consent Conditions : LAN 67473 Decision
- Consent Conditions : RMA 63530A Decision
- Consent Conditions : RMA 63530B Decision
- Consent Conditions : RMA 66586 Decision
- As Built Drainage Plan : ABA 1025320 As Built Drainage Plan

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Built Environment

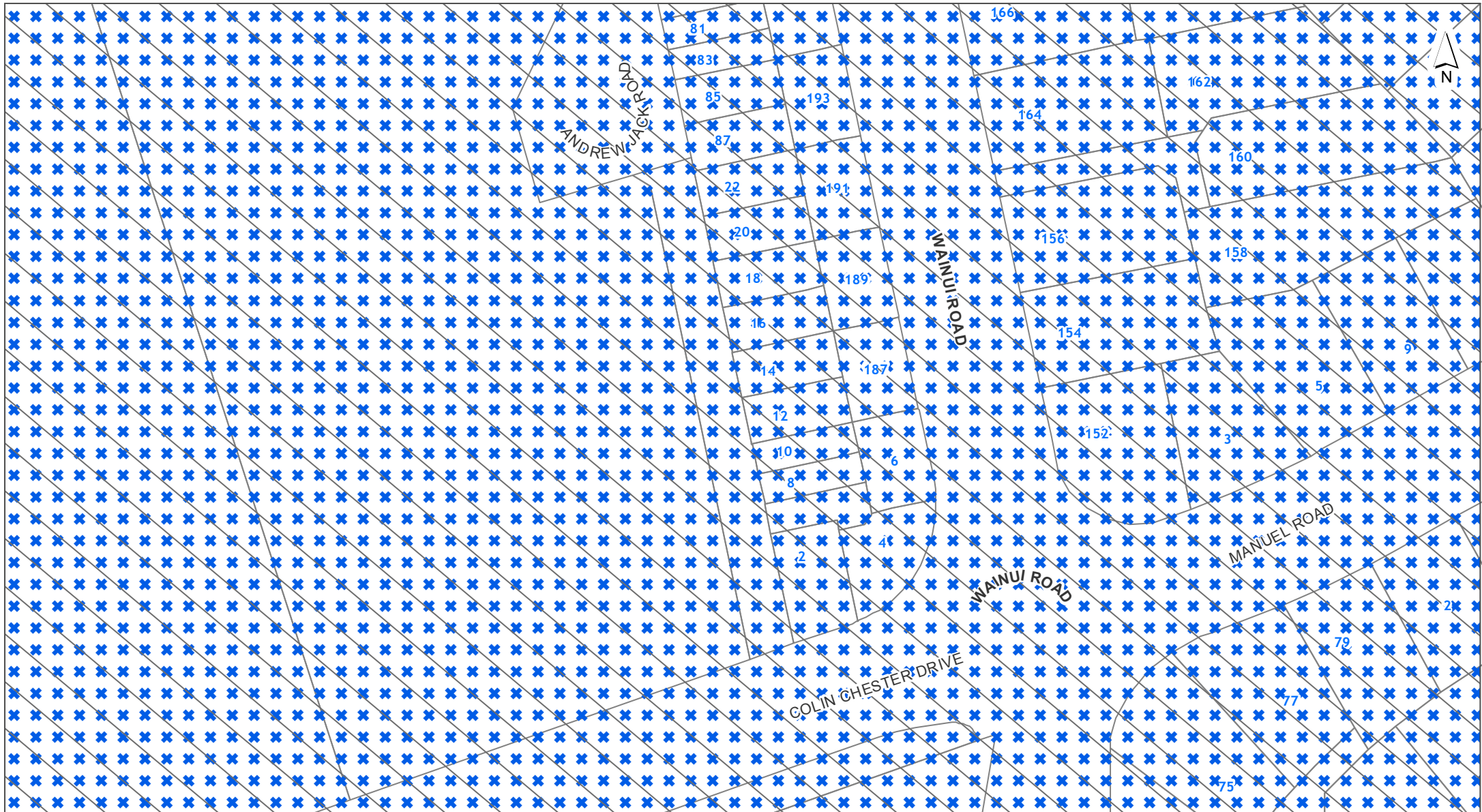
12 Toia Lane Silverdale 0931

LOT 67 DP 492775, 1/11 SH LOT 200 DP 492775

0 7 14 21
Meters

Scale @ A4
= 1:1,000

Date Printed:
18/04/2019

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Controls

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Designations

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Historic Heritage and Special Character

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Infrastructure

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Mana Whenua

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Natural Heritage

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Natural Resources

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Precincts

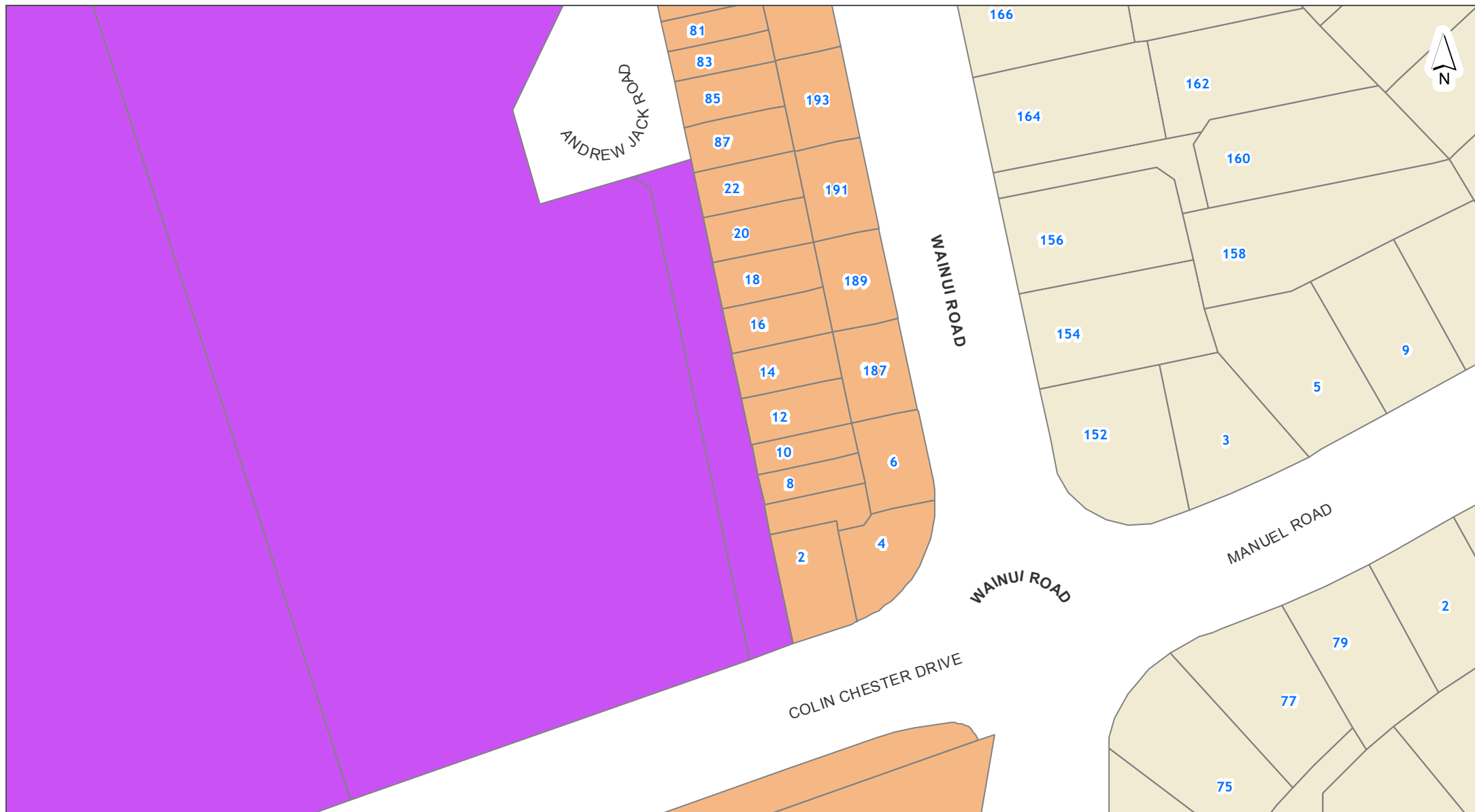
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Zones and Rural Urban Boundary

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

Appeals

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

Plan Modifications

-  Notice of Requirements
-  Plan Changes

ZONES

- 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 - 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 - Conservation Zone
- Open Space - Informal Recreation Zone
- Open Space - Sport and Active Recreation Zone
- Open Space - Civic Spaces Zone
- Open Space - Community Zone

ZONES

- 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 Zone
- Green Infrastructure Corridor (Operative in some Special Housing Areas)
- 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
- Special Purpose Zone- Airports & Airfields, Cemetery, Quarry, Healthcare Facility & Hospital, Tertiary Education, Maori Purpose, Major Recreation Facility, School
- Strategic Transport Corridor Zone
- Water [i]

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)

DESIGNATIONS

-  Designations
-  Airspace Restriction Designations

Natural Resources

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

Infrastructure

- Airport Approach Surface Overlay
- Aircraft Noise Overlay
- City Centre Port Noise Overlay [rcp / dp]
- Quarry Buffer Area Overlay
- National Grid Subdivision Corridor
- National Grid 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]

CONTROLS

- Key Retail Frontage
- General Commercial Frontage
- Adjacent to Level Crossings
- General
- Motorway Interchange Control
- Coastal Inundation 1 per cent AEP Plus 1m Control
- Business Park Zone Office Control
- Cable Protection Areas Control [rcp]
- Centre Fringe Office Control
- Height Variation Control
- Arterial Roads

CONTROLS

- Hazardous Facilities
- Infrastructure
- Flow 1 [rp]
- Flow 2 [rp]
- Level Crossings With Sightlines Control
- Macroinvertebrate Community Index
- Parking Variation Control
- Subdivision Variation Control
- Surf Breaks [rcp]

Natural Heritage

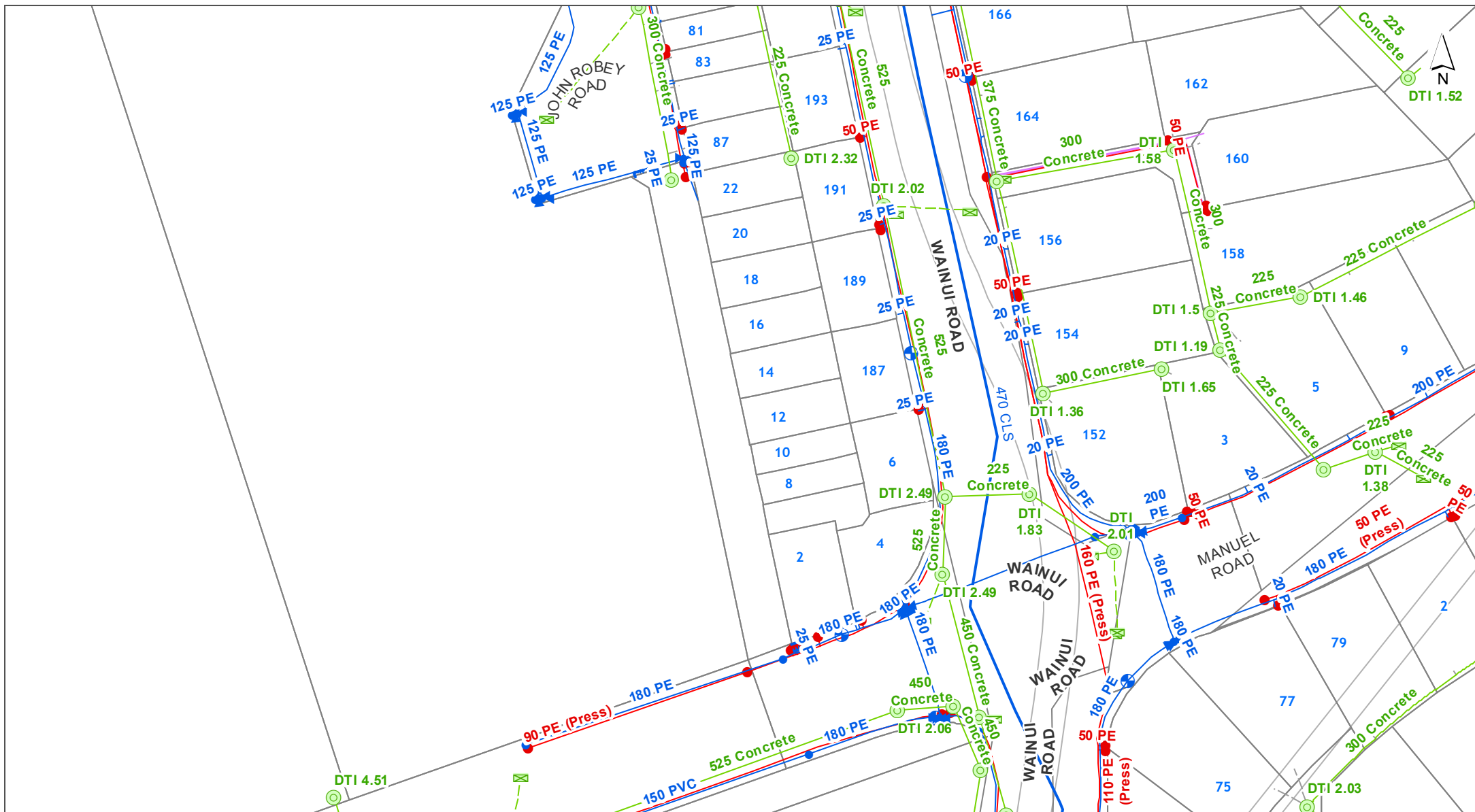
- Notable Trees Overlay
- Outstanding Natural Features Overlay [rcp/dp]
- Outstanding Natural Landscapes Overlay [rcp/dp]
- Outstanding Natural Character Overlay [rcp/dp]
- High Natural Character Overlay [rcp/dp]
- Local Public Views Overlay [rcp/dp]
- Viewshafts
- Height Sensitive Areas
- Regionally 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]
- Extent of Overlay
- Subdivision Schedule
- Modified
- Natural
- Waitakere Ranges Heritage Area Overlay
- Ridgeline Protection 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 [rcp/dp]

Built Environment

- Identified Growth Corridor Overlay
- Hazardous Facilities
- Infrastructure
- Flow 1 [rp]
- Flow 2 [rp]
- Level Crossings With Sightlines Control
- Macroinvertebrate Community Index
- Parking Variation Control
- Subdivision Variation Control
- Surf Breaks [rcp]

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Underground Services

12 Toia Lane Silverdale 0931

LOT 67 DP 492775, 1/11 SH LOT 200 DP 492775



Scale @ A4
= 1:1,000

Date Printed:
18/04/2019

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

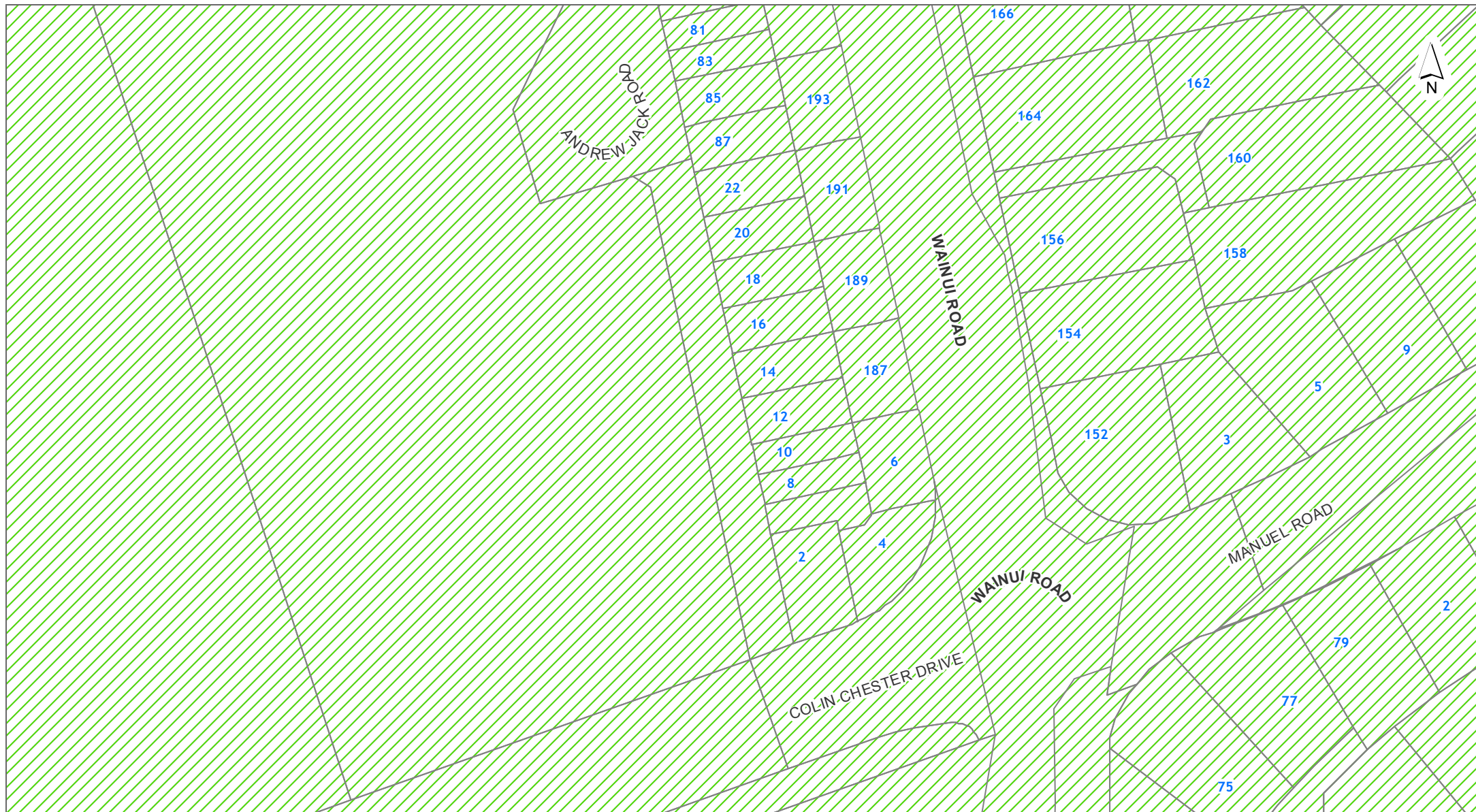
Wastewater

	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)
	220kv Line (Transpower)
	110kv Line (Transpower)
	33kv Line (Transpower) & Underground Line (Mercury)
	Transmission Line (Vector)
	Oil Services Pipeline [Wiri]
	Liquid Fuels Pipeline [Wiri to Marsden]
	High-Pressure Gas Pipeline (Vector & Orion)
	Medium-Pressure Gas Pipeline (Vector & Orion)
	Indicative Steel Mill Slurry Pipeline
	Indicative Steel Mill Water Pipeline
	Fibre Optic Cable (ARTA)
	Contour Interval

Legend
updated:
9/05/2018

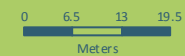
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Hazards

12 Toia Lane Silverdale 0931

LOT 67 DP 492775, 1/11 SH LOT 200 DP 492775



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18/04/2019



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Natural Hazards - Coastal Inundation

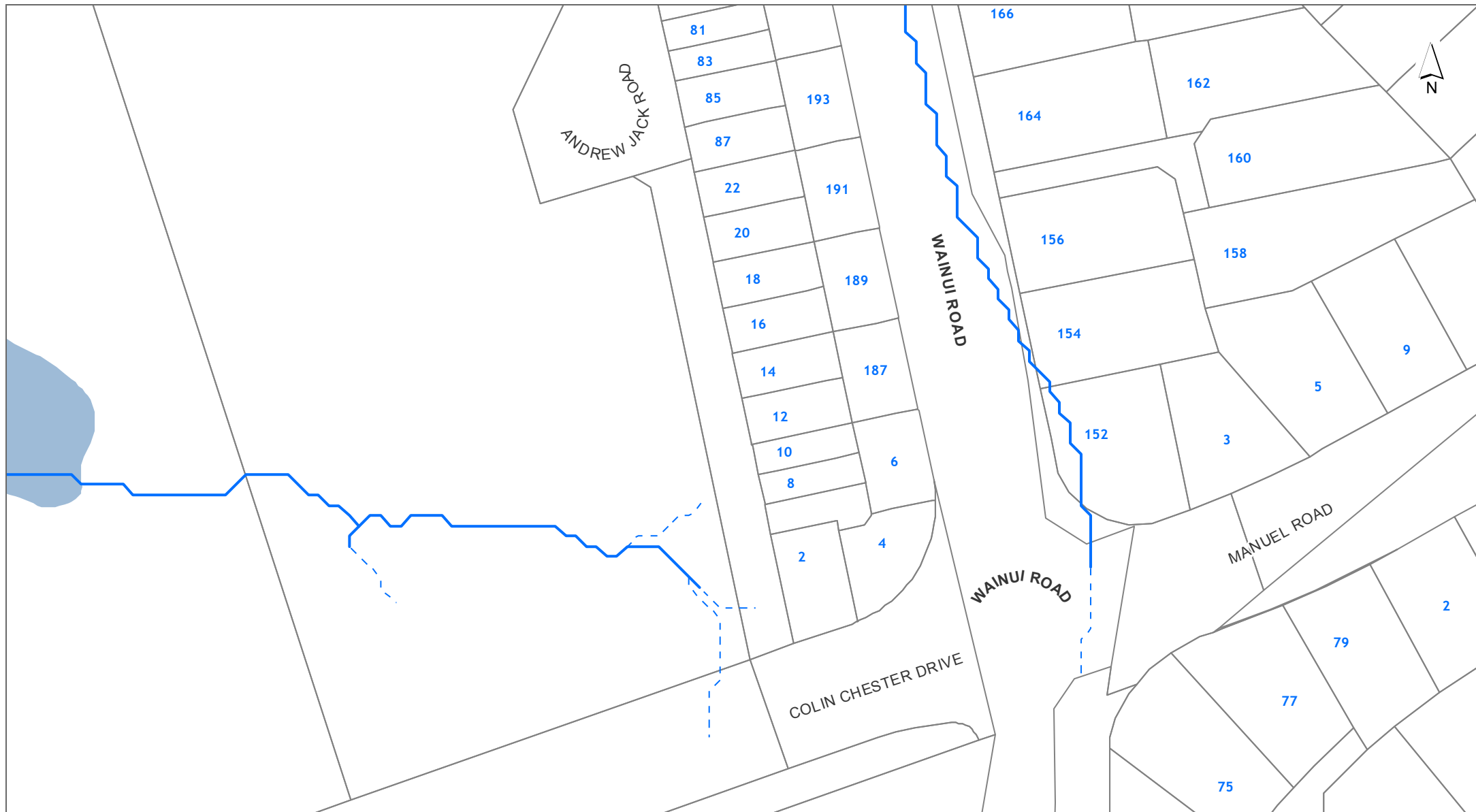
12 Toia Lane Silverdale 0931

LOT 67 DP 492775, 1/11 SH LOT 200 DP 492775

0 6.5 13 19.5
 Meters

Scale @ A4
 = 1:1,000

Date Printed:
 18/04/2019

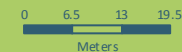
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Natural Hazards - Flooding

12 Toia Lane Silverdale 0931

LOT 67 DP 492775, 1/11 SH LOT 200 DP 492775



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Natural Hazards - Sea Spray

12 Toia Lane Silverdale 0931

LOT 67 DP 492775, 1/11 SH LOT 200 DP 492775

0 6.5 13 19.5
 Meters

Scale @ A4
 = 1:1,000

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Natural Hazards - Volcanic Cones

12 Toia Lane Silverdale 0931

LOT 67 DP 492775, 1/11 SH LOT 200 DP 492775

0 6.5 13 19.5
 Meters

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Other

12 Toia Lane Silverdale 0931

LOT 67 DP 492775, 1/11 SH LOT 200 DP 492775

0 6.5 13 19.5
 Meters

Scale @ A4
 = 1:1,000

Date Printed:
 18/04/2019

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 2000m² to 3999 m²
-  Catchment area 4000 m² 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

RESOURCE CONSENT L53638

Silverstone Business Park Ltd
c/o Wood & Partners Consultants
PO Box 6752
Wellesley Street
Auckland

Attn: Stuart Penfold
Your Ref: 60160TA

FILE:	L53638	
APPLICANT:	Silverstone Business Park Ltd	
ADDRESS:	217 Wainui Road & 38 Waterloo Road Silverdale North	
LEGAL DESCRIPTION:	Lot 1 DP114318, Lot 2 DP114318, Lot 1 DP105691, Sections 1 -4 and 7 SO70732	
ZONING:	Plan Change 55 Variation 52	General Rural Special 19.- Knowledge Economy Business Precinct
APPLICATION:	<i>Land use consent for bulk earthworks of 100,000m³ of cut and 100,000m³ of fill (relocated within the main area of works) over an area of 9.3ha (approximately). The maximum permitted earthworks is 200m³ or 750m². The removal of 24 individual exotic trees or stands of trees over 6m in height also forms part of this application.</i>	
STAGING:	None	
ACTIVITY STATUS:	Plan Change 55 Variation 52	Discretionary Non Complying

DECISION UNDER DELEGATED AUTHORITY

Pursuant to sections 104 and 108 of the Resource Management Act 1991, consent be granted, subject to the condition attached, to the application for a Non Complying Activity for the reasons stated.

Signed under Delegated Authority



Manager Resource Management/Land Surveyor/
Team Leader Resource Consents/Senior Planner

14/03/08
Date

CONDITIONS

1. (general) The development shall proceed in general accordance with the application submitted, and the plans drawn by Wood & Partners Consultants Ltd, dated 26th October 2007, numbered S1v1 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 001, 002, (information relating to earthworks and vegetation removal only, not roads or lots as depicted on plans), LU 110 (13/07/07) and signed by Consultant Planner Kate Madsen, dated 12th March 2008.

Note: (building consent) The granting of this resource consent does not preclude the consent holder from the need to obtain a building consent prior to construction commencing.

2. (resource consent and monitoring charges) The resource consent holder shall pay to the Council within one month of the issue of this consent or prior to the activity commencing (whichever is earlier) the cost, including specialist services, staff time and administration for the processing of this application together with initial charges for the following inspections:

Ecology Advisor	1	x site visit;
-----------------	---	---------------

Environmental protection	2	x site visit.
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Monitoring deposits will be invoiced by the Council together with the consent processing charges.

Should further monitoring be required to ensure compliance, the Council will recover the actual and reasonable costs that are incurred for this monitoring as set out in the Council's Schedule of Fees and Charges.

3. (lapsing of consent) This resource consent will lapse on 30th April 2013 unless (a) it is given effect to before the end of that period; or (b) upon application made up to 3 months after the expiry of that period the Council fixes a longer period. The statutory considerations that apply to extensions are set out in section 125(1) (b) of the Resource Management Act 1991.
4. (notification of commencement) At least 7 days prior to the work commencing the resource consent holder shall notify the Council's RMA Compliance Administrator by telephone (0800 426 5169) the expected date of work commencing.
5. (earthworks design/supervision) All earthworks shall be specifically designed and programmed to the "Standards for Engineering Design and Construction" and NZS 4431 by a Chartered Professional Engineer experienced in soil mechanics, who shall be retained to supervise the execution of the works. The work shall be designed and executed in compliance with the recommendations contained in the geotechnical report, prepared by Coffey Geotechnics, reference 12930, dated 5 November 2007.
6. (effect of the earthworks on roads) Prior to the earthworks commencing provide to the Consents Engineer details of the monitoring regime to be carried out by the geotechnical engineer to ensure that vibrations from the earthmoving and compaction plant do not have an adverse effect on the State Highway and Wainui Road.

7. (Traffic Management Plan). A detailed Traffic Management Plan in accordance with the Code of Practice for Temporary Traffic Management specifically addressing control of construction access to the site and traffic control adjacent to the site, and the protection of the public, shall be submitted to the Consents Engineer. Verification that it meets the Council's requirements shall have been received in writing, prior to the commencement of any works on the site (refer s.109.2 of the "Standards for Engineering Design and Construction".) A copy of the Traffic Management Plan, together with the verification letter shall be kept on the site at all times. All measures for the protection of the public and other personnel set out in the verified Plan shall be maintained and complied with at all times until such time as the works are completed.
8. (developer's representative) 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.
9. (engineering works) 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.
10. (pre-construction meeting) The Developer's Representative shall give the Consents Field Supervisor at least 5 working days notice of the on-site pre-construction site meeting (refer section 103.15 of the "Standards for Engineering Design and Construction"). Construction work shall not commence on the site until such meeting has been held and all necessary documentation presented.

Note: Attention is drawn to the requirements of section 103.15.3 "Standards for Engineering Design and Construction" for the following documentation to be presented at the preconstruction meeting:

- Health and Safety Plan;
 - Traffic Management Plan;
 - The relevant Resource or Subdivision Consent (and all conditions attached thereto);
 - Copies of any Auckland Regional Council Consents necessary for the works.
11. (silt retention) Before the commencement of any work on site, adequate silt retention structures as detailed in the Auckland Regional Council Technical Publication No. 90 "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 surfacing, has been established or re-established over the site.
 12. (dust control) All necessary actions shall be taken to prevent a dust nuisance to neighbouring properties and public roads; including, but not limited to:
 - The staging of areas of the works;
 - The retention of any existing shelter belts and vegetation;
 - The installation and maintenance of wind fences and vegetated strips;
 - Watering of all haul roads and manoeuvring areas during dry periods;
 - Spraying of load dumping operations;
 - Suspension of all operations if necessitated by the prevailing conditions.

- The site, or parts thereof as appropriate, shall be regrassed or otherwise protected from wind and water erosion immediately on the completion of bulk earthworks whether or not other works are completed.
13. (completion of earthworks) On completion of the bulk earthworks covered by this consent, an Earthworks Completion Report signed by the Chartered Professional Engineer who designed and supervised the works, shall be provided to the Consents Engineer.
 14. (exposure of archaeological) If any artefact, including human remains is exposed during any site works the following procedures shall apply:
 - Immediately when an artefact has been exposed, all site works shall cease; and
 - The site supervisor shall immediately secure the area in a way that ensures that any artefacts or remains are untouched; and
 - The site supervisor shall notify tangata whenua, the New Zealand Historic Places Trust, the Department of Conservation and the Council's RMA Compliance Administration Officer (telephone 0800 426 5169) and in the case of human remains the Police, that an archaeological site has been exposed, so that appropriate action can be taken. This includes such people being given a reasonable time as determined by the Council to record and recover the archaeological features discovered before work may recommence on the site.
 15. (archaeology notification) Ngati Manuhiri and the NZ Historic Place Trust must be informed 10 days prior to any earthworks commencing on the site to allow Ngati Manuhiri to monitor the earthworks and establish whether any sub surface archaeological features might be present.
 16. (construction noise) Noise from construction activities shall not exceed the limits recommended in, and shall be measured and assessed in accordance with, New Zealand Standard NZS 6803:1999 "Acoustics – Construction Noise"
 17. (hours of operation) The activity shall be restricted to operating between the hours of:
 - Monday to Friday 7.30am to 6.00pm
 - Saturday 8.30am – 1pm
 - No work authorised with this consent shall take place on Sundays or Public Holidays or outside the hours specified above.
 18. (protection of trees) The dripline area of the trees and vegetated areas to be retained shall be protected by a suitable buffer zone. The buffer zone shall be provided by cordoning off the trees and vegetated areas to be retained from the remainder of the property by a suitable fence/barrier. The precise location and design of the fence/barrier shall be agreed with Council's Ecological Advisor and shall be erected prior to the commencement of any work on site. The fence/barrier shall be strong and appropriate to both the degree of the construction works taking place and the vegetation or tree that requires protection as determined by Council's Ecological Advisor. This fence/barrier shall remain until all the work on the site has been completed. The fence/barrier shall be constructed to a standard that will prevent:
 - Construction personnel from entering the protected area
 - vehicular traffic over the root zone;
 - the area being used for the temporary storage of building materials;
 - the modification of the area's existing contour;
 - excavations within the area such as trenching or alteration of the soil grade

- the lighting of fires within the area.
- cement/concrete washing and leaching of chemicals

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

19. (tree removal) The removal of the vegetation demarked for removal as identified on Table 1 page 11 of the submitted application shall be undertaken by a suitably qualified arborist, using currently accepted arboricultural dismantling methods and practices, in a manner so as to cause no damage to other trees and vegetation to be retained.

20. (Protection of wildlife) Prior to the commencement of the development hereby approved an ecological management plan for the site, from a suitably qualified ecologist, shall be submitted to and approved in writing by the Council's Ecologist. The management plan shall include the methodology to be used in any site clearance, the results of an ecological survey of the site, and a detailed scheme of protection, mitigation and compensation measures to be incorporated within the development, including a timetable for the implementation of the scheme, including any Department of Conservation permits required, and for the monitoring of the impact of the development on the ecological features. The development and the requirements of the management plan shall subsequently be commenced prior to the development or vegetation clearance being commenced and carried out in accordance with the approved details.

As a reference the mitigation program, this shall incorporate, but not be limited to

- State the timing for implementation of the program (the program should be implemented over a minimum of an 8 week period in favorable weather, outside winter months with more intensive trapping 2 weeks prior to habitat removal);
- Describe the nature and placement of artificial habitats intended for trapping of fauna; where captured fauna are to be relocated to, including the locality and nature of habitat to be created if applicable; if required, the nature of fauna protective fencing when and where it is to be erected, and what herpetofauna landscaping mitigation is to be undertaken if required;
- State the ecologist/herpetologist, to be approved by Council, and their contact details to manage the implementation of the program.

The approved program shall be completed to satisfaction of the Council's Ecology Advisor prior to earthworks or vegetation removal commencing. To this end the ecologist/herpetologist approved by the Council shall certify that the mitigation program has been carried out according to the approved program 5 working days prior to earthworks occurring; record should be submitted to Council's Ecologist that any species found have been removed and/or relocated; where applicable the consultant herpetologist shall submit to DOC a completed Amphibian and Reptile Distribution Scheme (ARDS) card and a copy shall be forwarded to Council's Ecologist.

REASONS

- 1 The proposal is considered to be generally in accordance with the vision of future development in the Silverdale North area.
- 2 The vegetated areas or landform within the subject site(s) has not been overlaid with Significant Natural Heritage in the District Plan(s)
- 3 There are no identified items of historic or cultural significance within the area of works and adequate and ongoing consultation is continuing with local iwi.
- 4 The effects on amenity (visual impact, noise, dust, traffic, hours of operation and people movement/activity) during the proposed earthworks and vegetation removal are predominately site specific and temporary in nature.
- 5 The proposal is considered to have no more than minor adverse effect on the two closest rural-residential properties due to their distance from the proposed works, the remaining mature trees in between and the short duration of the works. No other parties are considered to be affected.
- 6 The works subject to this assessment will also be subject to erosion and sediment control measures in accordance with ARC TP90 guidelines.
- 7 The earthworks proposed are all site specific and the scale and form of the proposed earthworks will not alter the existing landscape to any noticeable degree, nor will the natural landforms be significantly modified by the proposed earthworks.
- 8 The earthworks are to be completed within a short timeframe and be stabilised/re-grassed on completion which assists in reducing the time frame for temporary visual effects.
- 9 Sufficient information has been provided to confirm that the earthworks and vegetation removal can be carried out without any adverse effects on the stability of the site or the adjoining land.
- 10 The proposed works do not fix any final levels, including building and road platform construction, and the applicant is submitting the application and will undertake any approved works on a 'without prejudice' basis in respect of future applications and the land use of the site.
- 11 The application is not contrary to the relevant objectives, policies and assessment criteria of Plan Change 55, the Proposed District Plan and Variation 52, in particular the provisions that relate to:
 - avoiding, remedying or mitigating adverse effects of earthworks on vegetation and habitats,
 - protecting the key natural features and distinctive character of the area;
 - avoiding the adverse effects of stormwater runoff
 - recognising the original topography of the land and reflecting it in the final landform.
- 12 The proposal is consistent with the purpose and principles of Part II of the Resource Management Act 1991, in particular those areas of Part II that relate to safeguarding life supporting capacity, avoiding remedying or mitigating any adverse effects and protecting outstanding natural features and landscapes from inappropriate subdivision use and development. The proposal is considered to be consistent with those particular Part II matters that have been identified because conditions have been set to assist the applicant in avoiding remedying or mitigating any adverse effects.

THIS APPLICATION HAS BEEN ASSESSED WITH REGARD TO:

	Status	Rules	Assessment criteria	Objectives & Policies
Plan Change 55	Discretionary	3.3 (p 324 - 328)	3.3 (p 328 - 329)	1.1 & 1.2 (p 317 - 318); 5.1 - 5.16 (p45 - 47)
Variation 52	Non Complying	12.8.19.10.2 18.9.2; 18.10	12.8.19.39.218.13; 18.12.1.2; 18.12.3.2; 18.12.5.2; 18.12.7.2; 18.12.9.2	18.3; 18.4; 13.3; 13.4

ADVICE NOTE

A resource consent lapses on the expiry of five years after the date of commencement of the consent, or after the expiry of such shorter or longer period as is expressly provided for in the consent.

If you disagree with the decision or any condition imposed on the consent, you may either:

- *lodge an objection with the Council to review the decision/condition(s). Your objection must be in writing and lodged with the Council within 15 working days of receiving this letter. You should include with the objection reasons as to why you are seeking the review. The Council will consider the objection by way of a hearing, at which you and/or your representative may present evidence.*

or

- *lodge an appeal with the Environment Court. The appeal must be lodged with the Court and Council within 15 days of receiving this letter and be in the proper format. It is suggested that if you do intend to lodge an appeal, you obtain legal advice to ensure that the appeal is valid.*

You may not start any work on the proposal/consent if you intend to lodge an objection with the Council.

Ref: L53638

Silverdale Business Park Limited
c/-Planning Focus Ltd
PO Box 911-361
Auckland 1142
Attention: Paul Arnesen

Decision for Extension of a lapsing period for Resource Consent L53638

APPLICATION DESCRIPTION

The applicant is requesting an extension to the lapse periods of Resource Consent L53638, granted by Rodney District Council on 14 March 2008. This application is made under the provisions of s125 of the Resource Management Act 1991. The extension date requested is until 31 May 2016.

Application and Property Details

Consent Application
Number(s):

L53638

Site Address:

38 Waterloo Road and 217 Wainui Road Silverdale

Applicant's Name:

Silverdale Business Park Limited

Legal Description:

Lot 2 DP85630, Sec. 2 SO Plan 308837, Lot 4 DP85630, Lot 1 DP98968, Lot 1 DP145917, Lot1 DP211452, Sec.1 SO Plan 70750, Lot 4 DP83197, Lot 1 DP105961, Lot 1 & 2 DP114318, Sec. 1-4, 7 SO Plan 70732

Lot 1 & 2 DP 114318 - water right (Transfer 381746.1), subject to Part IVA Conservation Act 1987 & subject to Section 11 Crown Minerals Act 1991.

Lot 1 DP105961 - Gazette Notice 1994 acquiring part within land in connection with the Auckland -Waiwera Motorway and vested in the Crown.

Section 1-4, 7 SO 70732 - Gazette Notice (2002) imposing restrictions under S236 Public Works Act 1981; subject to a right to convey petrol, water and other liquids or gases over part Section 1 and part Section 7 in favour of Natural Gas Corp of NZ

Subject to Part IVA Conservation Act 1987

Subject to a right to a stormwater easement over part marked A in favour of Her Majesty the Queen

Operative Plans Applying:

Auckland District Council Plan – Rodney Section 2011

Zoning:

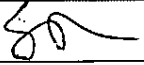
Special 19 – Knowledge Economy Zone, Knowledge Economy Business Park Zone

DECISION UNDER DELEGATED AUTHORITY

Pursuant to sections 125 of the RMA, consent is **granted** to the application for extension to the lapse period of Resource Consent L53638 until 31 May 2016 by Silverdale Business Park Limited at 217 Wainui Road and 38 Waterloo Road Silverdale North.

Signed under Delegated Authority

Team Leader Resource
Consents



Date:

25/6/12

1.0 REASONS FOR DECISION

The reasons for this decision are as follows:

- a) It is considered that sufficient effort has been made by the new landowners/applicant towards giving effect to the consent
- b) No persons are considered affected by the extension to the lapse date
- c) There are no effects in regard to consideration of the objectives and policies of the District Plan in relation to the extension of time.

Advice Notes

1. *The Applicant/Consent Holder must comply with the conditions of the original resource consent (L53638) carefully and make sure that they understand all the conditions that have been imposed before commencing the development.*

2. ***This resource consent will lapse on 31 May 2016 unless:***

- (a) *it is given effect to before the end of that period. To give effect to this consent, the activity allowed by this consent must be established and the conditions contained in the consent complied with. Please note that there must be compliance with all of the consent conditions once the land use has been established, or*
- (b) *an application is made and granted prior to the expiry of that period for a time extension. The statutory considerations that apply to extensions are set out in section 125 of the RMA. (Delete and re-number accordingly if lapse date is specified in clause 10 under Conditions section above)*

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

3. *The consent holder shall obtain all other necessary consents and permits, including those under the Building Act 2004, and the Historic Places Trust Act 1993. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007), 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. Please note that the approval of this resource consent, including consent conditions specified above, may affect a previously issued building consent for the same project, in which case a new building consent may be required.*

4. *A copy of this consent should be held on site at all times during the establishment and construction phase of the activity. The consent holder is requested to notify Council, in writing,*

of their intention to begin works, a minimum of seven days prior to commencement. Such notification should be sent to the Resource Consents Compliance Administrator, Orewa Service Centre and include the following details:

- *name and telephone number of the project manager and the site owner;*
 - *site address to which the consent relates;*
 - *activity to which the consent relates; and*
 - *expected duration of works.*
5. *If you disagree with any of the 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 RMA. Any objection must be made in writing to Council within 15 working days of notification of the decision.*
 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 Resource Management Act. This will typically include site visits to verify compliance (or non compliance) and documentation (site notes and photographs) of the activity established under the Resource Consent. In order to recover actual and reasonable costs, inspections, in excess of those covered by the base fee paid, shall be charged at the relevant hourly rate applicable at the time. Only after all conditions of the Resource Consent have been met, will Council issue a letter on request of the consent holder.*

RESOURCE CONSENT L52299

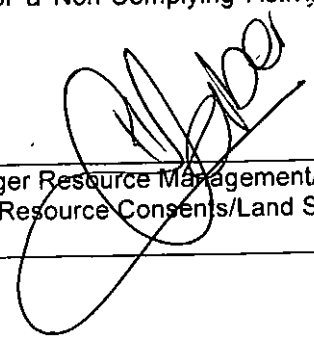
Silverstone Business Park Ltd
% Cornerstone Group
P.O.Box 300-456
Albany

Attn: Tim Sinclair
Your Ref:

FILE:	L52299
APPLICANT:	Silverstone Business Park Ltd
ADDRESS:	8 & 35 Waterloo Road and 229 Wainui Road Silverdale North
LEGAL DESCRIPTION:	Lot 4 DP 83197, Lot 4 DP 98968 & Pt Lot 1 DP 105961
ZONING:	Variation 52 Knowledge Economy Business Park Proposed District Plan 2000 Future Urban
APPLICATION:	Retrospective application for the construction and display of three non-illuminated free standing signs.
STAGING:	None indicated
ACTIVITY STATUS:	Variation 52 Non-Complying Proposed District Plan 2000 Restricted Discretionary

DECISION UNDER DELEGATED AUTHORITY

Pursuant to sections 104 and 108 of The Resource Management Act 1991, consent is granted to the application for a Non-Complying Activity for the reasons stated below and subject to the conditions attached.



Manager Resource Management/Team Leader
Resource Consents/Land Surveyor

22/06/2007

Date

CONDITIONS

1. (general) The development shall proceed in general accordance with the application submitted, and the plans drawn by Cornerstone Realty Limited, dated 2 April 2007 and signed by the Council's Processing Planner Carl Jenkins on 18 June 2007.

Note: (building consent) The granting of this resource consent does not preclude the consent holder from the need to obtain a building consent.

2. (resource consent and monitoring charges) The resource consent holder shall pay to the Council within one month of the issue of this consent or prior to the activity commencing (whichever is earlier) the cost, including specialist services, staff time and administration for the processing of this application together with initial charges for the following inspections:

Environmental protection 2 number x site visit.

Monitoring deposits will be invoiced by the Council together with the consent processing charges.

Should further monitoring be required to ensure compliance, the Council will recover the actual and reasonable costs that are incurred for this monitoring as set out in the Council's Schedule of Fees and Charges.

3. (maintenance) The signs shall be maintained in a safe condition, in good order and free from graffiti.
4. (removal of signs) The signs shall cease to be displayed and shall be removed from the site on or before the expiration of 5 years from the date of this consent.

REASONS

1. The signs are considered to be reasonably necessary and satisfactory in terms of number, size and location for the purposes of marketing the site.
2. The signs are of simple appearance and colour finish and it is considered that the effects on the visual appearance of the area and the landscape quality will be no more than minor.
3. It is considered that the proposal will have insignificant adverse effects on the amenities of adjacent residential properties.
4. It is considered that the proposed signs have no adverse effects on highway/traffic safety. The applicant has obtained the written approval of TRANSIT New Zealand.
5. The proposal is considered to be consistent with the objectives and policies of the District Plans.
6. The proposal is considered to be consistent with the purpose and principles of Part II of The Resource Management Act 1991.

THIS APPLICATION HAS BEEN ASSESSED WITH REGARD TO:

	Status	Rules	Assessment Criteria	Objectives & Policies
Variation 52	Non-Complying	12.8.19.22.2; 12.8.19.22.1; 12.8.19.23;	n/a	12.8.19.4; 12.8.19.5;
Proposed District Plan 2000	Restricted Discretionary	16.16.2.2; 13.8.1.4; 13.8.1.5;	13.8.1.7.1;	13.3; 13.4;

ADVICE NOTE

A resource consent lapses on the expiry of five years after the date of commencement of the consent, or after the expiry of such shorter or longer period as is expressly provided for in the consent.

If you disagree with the decision or any condition imposed on the consent, you may either:

- lodge an objection with the Council to review the decision/condition(s). Your objection must be in writing and lodged with the Council within 15 working days of receiving this letter. You should include with the objection reasons as to why you are seeking the review. The Council will consider the objection by way of a hearing, at which you and/or your representative may present evidence.*

or

- lodge an appeal with the Environment Court. The appeal must be lodged with the Court and Council within 15 days of receiving this letter and be in the proper format. It is suggested that if you do intend to lodge an appeal, you obtain legal advice to ensure that the appeal is valid.*

You may not start any work on the proposal/consent if you intend to lodge an objection with the Council.

Decision on an Application for a Resource Consent under the Housing Accords and Special Housing Area Act 2013 and Resource Management Act 1991

Application Number:	SLC-63158
Applicant's Name:	Highgate Residential Limited
Site Address:	187 and 217 Wainui Road, Silverdale
Legal Description:	Part Lot 1 DP 105961 and Part Lot 2 DP 12080
Proposal:	Construction of fifty-two new dwellings including subdivision of the site to create individual titles, two balance lots and one lot to vest as road reserve, and provision of infrastructure.

I have read the application, supporting documents, and the report and recommendations on the consent application. I am satisfied that I have sufficient information to consider the matters required by the Housing Accords and Special Housing Areas Act 2013 (HASHAA) and Resource Management Act 1991 (RMA) and make a decision under delegated authority on this application.

This requires resource consent for the following reasons:

Proposed Auckland Unitary Plan (PAUP) 2013

- The proposal involves the formation of new roads 4A, 5A and 5B.
 - Part 3, Chapter H, Rule 1.1.2 – **Restricted discretionary** consent is required for the construction of new (paper) roads.
- 52 residential units are proposed.
 - Part 3, Chapter H (Auckland-wide rules), Rule 1.2.3.1.1 – **Restricted discretionary** consent is required for the traffic generation of any residential development that exceeds the 30 dwelling threshold.
- A single garage has been provided for each 4 bedroom dwelling on Lots 10 and 33.

- Part 3, Chapter H (Auckland-wide rules), Rule 1.2.3.2.1 – **Restricted discretionary** consent is required where a 2+ bedroom dwelling in the single house zone does not have at least 2 parking spaces.
- Vehicle access ways of duplex dwellings are adjoining.
 - Part 3, Chapter H (Auckland-wide rules), Rule 1.2.3.4.2.1 – **Restricted discretionary** consent is required where crossings serving adjacent sites are not at least 2m apart.
- 5,740.6m² of impervious area associated with new dwellings is being created in a Stormwater Mitigation Area – Flow (SMAF) 1.
 - Part 3, Chapter H, Rule 4.14.2.1 – **Controlled** consent is required for impervious areas (other than for a public road) greater than 25m² in a SMAF 1 or 2 that meet hydrology requirements.
- 6,240m² of impervious area associated with roads is being created within a SMAF 1 area.
 - Part 3, Chapter H, Rule 4.14.3.1 – **Restricted discretionary** consent is required for new high-use public roads with impervious area that does not meet the permitted and controlled activity controls (i.e. is greater than 5000m² and does not meet stormwater quality management requirements).
- Subdivision of the site will occur along an undefined boundary.
 - Part 3, Chapter H, Rule 5.1 – **Restricted discretionary** consent is required for subdivision of the site along an undefined boundary.
- **Discretionary** consent is required for the infringement of three or more of the following development controls:
 - Part 3, Chapter I, Rule 1.6.3 – The proposed buildings will infringe the 2.5m + 45 degree recession plane by up to 4m in the vertical and 10.5m in the horizontal;
 - Lot 56: up to 4.0m horizontal & vertical, for 10.5m (north plane)
 - Lots 4, 7, 35 & 37: up to 3.8m horizontal & vertical, for 6.3m (west); up to 0.6m horizontal & vertical, for 6.0m (south plane)
 - Lot 27: up to 3.8m horizontal & vertical, for 10.5m (north plane)
 - Lots 28 & 57: up to 3.8m horizontal & vertical, for 10.5m (south plane)
 - Lots 19 & 50: up to 3.6m horizontal & vertical, for 10.5m (north plane)
 - Lots 23 & 60: up to 3.4m horizontal & vertical, for 10.5m (north plane)
 - Lots 5 & 8: up to 3.2m horizontal & vertical, for 8.9m (west plane); up to 1.8m horizontal & vertical, for 6.0m (south plane)
 - Lots 38 & 40: up to 3.2m horizontal & vertical, for 6.3m (west plane); up to 1.8m horizontal & vertical, for 6.0m (south plane)

- Lot 34: up to 3.2m horizontal & vertical, for 6.3m (west plane); up to 1.4m horizontal & vertical, for 6.0m (south plane)
- Lot 39: up to 3.2m horizontal & vertical, for 6.3m (west plane); up to 0.6m horizontal & vertical, for 6.0m (south plane)
- Lots 6 & 9: up to 3.2m horizontal & vertical, for 8.9m (west plane); up to 0.6m horizontal & vertical, for 6.0m (south plane)
- Lots 36 & 41: up to 3.2m horizontal & vertical, for 8.9m (west plane); up to 0.4m horizontal & vertical, for 6.0m (south plane)
- Lots 17 & 31: up to 3.2m horizontal & vertical, for 10.5m (north plane)
- Lots 20 & 43: up to 3.2m horizontal & vertical, for 10.5m (south plane)
- Lot 10: up to 3.2m horizontal & vertical, for 10.5m (west plane)
- Lot 42: up to 3.0m horizontal & vertical, for 10.5m (north plane)
- Lot 24: up to 3.0m horizontal & vertical, for 10.5m (south plane)
- Lots 58 & 48: up to 3.0m horizontal & vertical, for 9.3m (north plane)
- Lots 18 & 45: up to 2.8m horizontal & vertical, for 10.5m (south plane)
- Lot 59: up to 2.8m horizontal & vertical, for 9.3m (south plane)
- Lots 51 & 61: up to 2.6m horizontal & vertical, for 10.5m (south plane)
- Lots 25 & 52: up to 2.6m horizontal & vertical, for 9.3m (north plane)
- Lot 44: up to 2.4m horizontal & vertical, for 9.3m (north plane)
- Lots 21, 46 & 54: up to 2.2m horizontal & vertical, for 10.5m (north plane)
- Lots 26 & 49: up to 2.2m horizontal & vertical, for 9.3m (south plane)
- Lot 29: up to 2.0m horizontal & vertical, for 10.5m (north plane)
- Lot 53: up to 2.0m horizontal & vertical, for 9.3m (south plane)
- Lot 22: up to 1.8m horizontal & vertical, for 10.5m (south plane)
- Lot 33: up to 1.8m horizontal & vertical, for 8.0m (west plane)
- Lots 30 & 47: up to 1.6m horizontal & vertical, for 10.5m (south plane)
- Lot 55: up to 1.4m horizontal & vertical, for 10.5m (south plane)
- Lot 32: up to 1.2m horizontal & vertical, for 10.5m (south plane)
- Part 3, Chapter I, Rule 1.6.6 – A number of proposed dwellings will infringe the 60% maximum impervious area by up to 6%;
 - Lots 35, 37 and 39 infringe by 6%
 - Lots 19, 20, 27, 28, 56 and 57 infringe by 4%
 - Lots 4, 17, 18, 21-24, 29-31, 34, 46, 50, 51, 54, 55, 60 and 61 infringe by 2%
 - Lot 7 infringes by 1%.
- Part 3, Chapter I, Rule 1.6.7 – The proposed buildings will infringe the 35% maximum building coverage by up to 14%;

- Lots 19, 20, 27, 28, 56 and 57 infringe by 14%
- Lots 35, 37 and 39 infringe by 13%
- Lots 17, 18, 21-24, 29-31, 46, 50, 51, 54, 55, 60 and 61 infringe by 11%
- Lots 4, 42 and 45 infringe by 10%
- Lots 7 and 32 infringe by 9%
- Lots 43 and 47 infringe by 8%
- Lot 34 infringes by 7%
- Lots 38, 40 and 41 infringe by 6%
- Lots 9 and 36 infringe by 4%
- Lots 5 and 8 infringe by 3%
- Lot 6 infringes by 2%.
- Part 3, Chapter I, Rule 1.6.8 – The proposed buildings will infringe the 40% minimum landscaped area by up to 23% (that is, as little as 17% is proposed).
 - Lot 33 infringes by 23%
 - Lot 7 infringes by 9%
 - Lots 4 and 43 infringe by 8%
 - Lots 35, 37, 39 and 42 infringe by 6%
 - Lots 19, 20, 27, 28, 47, 56 and 57 infringe by 4%
 - Lots 5, 6, 8, 32 and 45 infringe by 3%
 - Lots 9, 17, 18, 21-24, 29-31, 46, 50, 51, 54, 55, 60 and 61 infringe by 2%
 - Lots 36 and 44 infringe by 1%.
- The proposal involves the construction of buildings in accordance with an approved framework plan.
 - Part 3, Chapter K, Rule 5.44.1 – **Restricted discretionary** consent is required.
- The proposal does not comply with the Silverdale North sub-precinct B development control regarding yards.
 - Part 3, Chapter K, Rule 5.44.4.5 – **Restricted discretionary** consent is required for sites where a side yard is less than 3m, any other side yard is less than 1m and rear yards are less than 6m.
 - Lots 17-24, 27-31, 45, 46, 50, 51, 54-57, 60 and 61 have side yards of 1m.
 - Lots 25, 26, 32, 42, 49, 52, 53, 58 and 59 have side yards of 1.5m
 - Lot 48 has a side yard of 1m – 2m
 - Lot 44 has a side yard of 2m
 - Lot 43 has a side yard of 1.5 – 3m
 - Lots 4, 7, 35, 37 and 39 have a side yard of 2.7m

- Lot 10 has a rear yard of 1m
- Lots 4-9 and 34-41 have rear yards of 1.5m
- Lots 17-24, 27-32, 42, 43, 45-47, 50, 51, 54-57, 60 and 61 have rear yards of 4m
- Lots 25, 26, 44, 48, 49, 52, 53, 58 and 59 have rear yards of 5.7m
- The proposal does not comply with the Silverdale North sub-precinct B development controls regarding solar access to private open space.
 - Part 3, Chapter K, Rule 5.44.4.5 – **Restricted discretionary** consent is required for sites where the private outdoor living space do not receive at least 5 hours of sunshine between 9am and 3pm on 22 March/September.
 - Lots 4-10 and 17-61 do not receive the required sunshine hours.
- The proposal involves subdivision to a minimum of 120m²; 9 sites are under 150m².
 - Part 3, Chapter K, Rule 5.44.5.3.2 – **Restricted discretionary** consent is required for site sizes that do not comply with the Silverdale North sub-precinct B density controls (being 150m² for 20% of sub-precinct B; 450m² for 25-45% of sub-precinct B; 650m² for 45-65% of sub-precinct B)
 - Lots 25, 26, 49, 52, 53, 58 and 59 are 120m²; Lot 48 is 132m²; Lot 44 is 137m².
- Civil works, subdivision and construction of dwellings (within Area 7 of Precinct Plan 2) is proposed ahead of the completion of south-facing ramps on State Highway 1A at Wainui Road and the commencement of the construction of Penlink and associated local road improvements.
 - Part 3, Chapter K, Rule 5.44.5.6 – **Non-complying consent** is required for development out of sequence with the precinct staging provisions.
- A design statement independent of the AEE has not been submitted.
 - Part 3, Chapter K, Rule 5.44.7.6 – a design statement is required for development of 3 or more dwellings in the Silverdale North precinct.

It is noted that the applicant has stated that restricted discretionary consent is required for the approval of a framework plan. However, as discussed above, the approved Highgate DCP is in effect and, by definition, the PAUP adopts approved Concept Development Plans as approved framework plans:

Approved framework plan –

A framework plan that has been granted consent by the council and the consent has commenced under s.116 of the RMA. In addition, where Comprehensive Development Plans have been approved under previous district plans prior to the Unitary Plan rules requiring a framework plan taking legal effect, those Comprehensive Development Plans are deemed to be an approved framework plans for the purposes of this definition.

Additionally, no changes have been made to the DCP therefore consent is not required.

Auckland Council District Plan – Rodney Section 2011

As indicated in the Background section of this report, 709m² associated with proposed residential lots is outside the SHA boundary, as are the two balance lots. These areas are therefore zoned Special Zone 19 under the operative Auckland District Plan – Rodney Section 2011. It is noted that while the HPO generally accepted this would occur within a few metres of the western SHA boundary, Lot 17 substantially exceeds the SHA boundary in the northern direction. The two balance lots are also outside the SHA boundary. Having regard to this, resource consent is needed for the following reasons:

- Development is proposed in area 8A1 ahead of the staging required in Appendix 12T.
 - Rule 12.8.19.22.1(h) – **Non-complying consent** is required for all activities not complying with the Silverdale North Staging provisions in Activity Table 12T.2.
- The proposal involves construction of a dwelling on Lot 17.
 - Rule 12.8.19.22.2 – **Restricted discretionary consent** is required for the erection, addition to or alteration of buildings.
- The proposed dwelling on Lot 17 is 2 storeys high.
 - Rule 12.8.19.22.2 – **Non-complying consent** is required for household units at first floor level and above.
- The proposal involves subdivision of Lot 17, the 1698m² balance lot and the 51502m² balance lot.
 - Rule 12.8.19.26.1(ii) – **Restricted discretionary consent** is required for the subdivision of land which is in conformity with an existing consented Development Concept Plan for the land.
- **Restricted discretionary consent** is required for infringement of each of the following development controls:
 - Rule 12.8.19.23.3 – The dwelling on Lot 17 is 7m high at a horizontal distance of 1.5m from the side boundary.
 - Rule 12.8.19.23.4 – The front yard of Lot 17 is 3.8m; the side yard is 1m and the rear yard is 4.2m.
 - Rule 12.8.19.23.5 – A 2.0m x 2.4m deck is located in the front yard of Lot 17.
 - Rule 12.8.19.23.6 (i) – The external stacked car park on Lot 17 is not screened from the street frontage by dense landscaping.
 - Rule 12.8.19.23.6 (j) – The minimum dimension of landscaping on Lot 17 is 1.5m (side boundary).
 - Rule 12.8.19.23.6 (m) – The front yard of Lot 17 is partially bound by a 1.4m high feature fence.

- Rule 12.8.19.26.1 – The proposed subdivision is in conformity with an existing approved DCP.
- Rule 12.8.19.27.1.1 – The site frontage of proposed Lot 17 is 9m wide.
- Rule 12.8.19.27.1.2 – The dimensions of Lot 17 and the balance lot are proportionately long and narrow.

Acting under delegated authority, under section 37 of the HASHAA, and section 104B of the RMA 1991, this application is **GRANTED, SUBJECT TO CONDITIONS.**

Reasons

Under section 39 of the HASHAA and section 113 of the RMA, the reasons for this decision are:

- a) The proposal aligns with the purpose of the HASHAA as it will contribute to housing affordability by increasing housing supply and improving housing choice in the Silverdale area.
- b) It is considered that the proposal is consistent with Part 2 of the RMA as it will promote sustainable management of natural and physical resources. The proposal is aligned to the approved Highgate framework plan which sets out the integrated management of the wider area in a way that makes efficient use of the site whilst minimising any effects on the environment.
- c) An assessment of the scheme against actual and potential effects, the PAUP provisions and the Highgate framework plan has been undertaken and the proposal found to be appropriate because:
 - Existing land use strategy at the site has anticipated its development for residential development that improves the variety of housing available in the area, particularly higher density typologies.
 - The overall design of the proposal creates interest, variety and establishes a strong neighbourhood character. It complements the emerging urban form at Millwater while embracing the higher densities appropriate for neighbourhoods adjoining business areas.
 - Incorporating universal accessibility and sustainability principles, and balancing higher density with solar accessibility, the proposed dwellings support a diverse and healthy community.
 - The proposal, including its commencement prior to the completion of the south-facing ramps at Wainui Road, is not expected to generate significant effects on the primary road network. The trips generated by the proposed dwellings will not exceed the number expected to be generated by the previous business zoning.

- The construction of local roads, works to extend existing water and wastewater networks and construction of the necessary stormwater devices and reticulation are included in the scheme. It will therefore be adequately serviced by the necessary infrastructure.
- d) The proposal has responded positively to the legacy planning aspirations for the area and is not contrary to the objectives and policies of the Rodney District Plan or the Proposed Auckland Unitary Plan. The potential adverse effects of the development – notably increased density and impervious area – have been sufficiently addressed so as to be considered minor or less, while the provision of affordable housing and a range of housing typologies will improve housing choice in the area. The effects of the proposal are therefore considered acceptable overall.
- e) The proposal is considered to align with the seven essential design qualities of the Urban Design Protocol. In particular, the proposal resonates with the design qualities of context, character and choice:
- *Context* – The overall layout, form and character of the proposed dwellings is consistent with the vision for Silverdale North sub-precinct B, and the Knowledge Economy Business Park preceding it. The proposal creates an appropriate transition between the imminent low-medium density at Millwater and the future commercial area at Highgate.
 - *Character* – While density has been embraced as a key point of difference for the proposed neighbourhood, the layout and design of the dwellings facing into Wainui Road also respect a strong relationship to Millwater.
 - *Choice* – the proposed mix of house typologies and tenures provides for the needs of a range of households, thereby creating opportunities for diverse communities.
- f) Overall, the proposal is in accordance with the aspirations of the PAUP, which seek to provide for high quality neighbourhoods and the efficient use of land to ensure that housing affordability is achieved.

Conditions

Under section 37 and section 38 of the HASHAA, and section 108 of the RMA, this consent is subject to the following conditions:

General Land Use and Subdivision Conditions

1. The construction and subdivision for 52 dwellings, landscaping, balance lots, roading, infrastructure and associated works shall be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the authorising agency as consent number SLC-63158:

- Application Form and Assessment of Environmental Effects prepared by Alex van Son of Planning Focus Limited, titled *Application for a Qualifying Development – Highgate Residential Limited - Planning Report & Statutory Assessment*, dated October 2014
- Amendment to application prepared by Alex van Son of Planning Focus Limited, titled *Amendment to Resource Consent Application SLC-63158*, dated 12 November 2014
- Supplementary assessment of effects [letter] prepared by Alex van Son of Planning Focus Limited to Stephanie Lam, Auckland Council, dated 15 December 2014.
- Drawings and reports as detailed below:

Specialist Reports				
Specialist Report	Title	Prepared by	Rev	Date
Infrastructure Report	Wainui Road, Silverdale Infrastructure Report for Special Housing Area, Stage One	Woods Consultants Limited	-	29 Sept 2014
Traffic Impact Assessment	Highgate SHA application	Traffic Design Group Limited	-	14 July 2014
Wastewater Network Report	Highgate Business Park Pressure Sewer Servicing Concept Report*	GHD		6 May 2014
Water Network Report	Water Network Analysis for Highgate Business Park Development*	Woods Consultants Limited		28 May 2014
Stormwater Management Strategy	Highgate Business Park Residential Development Stage 1 Stormwater Management Strategy*	Stormwater Solutions Consulting Limited	C	12 Dec 2014

* Supplied in response to request for further information.

Drawings				
Drawing Ref. No.	Title	Architect / Author	Rev	Date
A-100	Master Plan*	Brewer Davison Architects Limited	B	11 Nov 2014
A-101	Block H1 – Plan*	Brewer Davison Architects Limited	B	11 Nov 2014
A-102	Block H2 – Plan*	Brewer Davison Architects Limited	B	11 Nov 2014
A-103	H1 – Fencing and front yard landscaping plan*	Brewer Davison Architects Limited	B	11 Nov 2014
A-104	H2 – Fencing and front yard landscaping plan*	Brewer Davison Architects Limited	B	11 Nov 2014
A-110	Type 1 Duplex House	Brewer Davison Architects Limited	-	2 Sept 2014
A-111	Type 1 – Plan Option	Brewer Davison Architects Limited	-	2 Sept 2014

A-112	Type 1 – Plan Option	Brewer Davison Architects Limited	-	2 Sept 2014
A-113	Type 1 – Plan Option	Brewer Davison Architects Limited	-	2 Sept 2014
A-114	Type 2 Duplex House	Brewer Davison Architects Limited	-	2 Sept 2014
A-115	Type 2 – Plan Option	Brewer Davison Architects Limited	-	2 Sept 2014
A-116	Type 2 – Plan Option	Brewer Davison Architects Limited	-	2 Sept 2014
A-117	Type 2 – Plan Option	Brewer Davison Architects Limited	-	2 Sept 2014
A-118	Type 3 Zero Lot House	Brewer Davison Architects Limited	-	2 Sept 2014
A-119	Type 3 – Plan	Brewer Davison Architects Limited	-	2 Sept 2014
A-120	Type 4 Zero Lot House	Brewer Davison Architects Limited	-	2 Sept 2014
A-121	Type 4 – Plan	Brewer Davison Architects Limited	A	2 Sept 2014
A-122	Type 5 Duplex House	Brewer Davison Architects Limited	-	2 Sept 2014
A-123	Type 5 – Plan	Brewer Davison Architects Limited	-	2 Sept 2014
A-124	Type 6 House	Brewer Davison Architects Limited	-	2 Sept 2014
A-125	Type 6 – Plan	Brewer Davison Architects Limited	-	2 Sept 2014
A-126	Type 7 House	Brewer Davison Architects Limited	-	2 Sept 2014
A-127	Type 7 – Plan	Brewer Davison Architects Limited	-	2 Sept 2014
A-128	Universal access house – Type 2	Brewer Davison Architects Limited	-	2 Sept 2014
A-200	Street elevation – Wainui Road Block H1*	Brewer Davison Architects Limited	A	6 Nov 2014
A-201	Street elevation – Wainui Road Block H2	Brewer Davison Architects Limited	-	12 Sept 2014
A-202	Street elevation – Road 5 Block H1*	Brewer Davison Architects Limited	A	6 Nov 2014
A-203	Street elevation – Road 5 Block H2	Brewer Davison Architects Limited	-	12 Sept 2014
A-204	Street elevation – Roads 2 & 4*	Brewer Davison Architects Limited	A	6 Nov 2014
A-205	Sections	Brewer Davison Architects Limited	-	12 Sept 2014
A-300	Aerial Perspectives*	Brewer Davison Architects Limited	A	6 Nov 2014
A-301	Street Perspectives*	Brewer Davison Architects Limited	A	6 Nov 2014
60160-SH1- MSC-901	Roundabout Tracking Plan*	Woods Consultants Limited	-	Oct 2014
60160-SH1- GE-003	Existing Title Boundary Plan	Woods Consultants Limited	-	Sept 2014
60160-SH1- GE-025	Scheme Plan*	Woods Consultants Limited	2	6 Nov 2014
60160-SH1- GE-026	Scheme Plan*	Woods Consultants Limited	2	6 Nov 2014

60160-SH1-GE-027	Scheme Plan*	Woods Consultants Limited	2	11 Nov 2014
60160-SH1-EW-100	Existing Contour Plan	Woods Consultants Limited		Sept 2014
60160-SH1-EW-102	Proposed Final Contour Plan Over Original Consented	Woods Consultants Limited	-	Sept 2014
60160-SH1-EW-104	Slope Analysis Plan	Woods Consultants Limited	-	Sept 2014
60160-SH1-EW-105	Design Slope Analysis Plan	Woods Consultants Limited	-	Sept 2014
60160-SH1-EW-120	Earthworks – Land Form Layout Plan	Woods Consultants Limited	-	Sept 2014
60160-SH1-EW-121	Land Form Cross Sections	Woods Consultants Limited	-	Sept 2014
60160-SH1-EW-200	Roading Layout Plan	Woods Consultants Limited	-	Sept 2014
60160-SH1-EW-220	Road Typical Cross Sections	Woods Consultants Limited	-	Sept 2014
60160-SH1-EW-260-262	Road Longitudinal Sections	Woods Consultants Limited	-	Sept 2014
60160-SH1-DR-300	Highgate Business Park – Special Housing Application – Stage 1 – SW Drainage Plan*	Woods Consultants Limited	2	10 Dec 2014
60160-SH1-DR-301	Highgate Business Park – Special Housing Application – Stage 1 – SW Drainage Plan*	Woods Consultants Limited	2	10 Dec 2014
60160-SH1-DR-302	Highgate Business Park – Special Housing Application – Stage 1 – SW Drainage Plan*	Woods Consultants Limited	2	10 Dec 2014
60160-SH1-DR-360-365	Rain Garden Plan & Details	Woods Consultants Limited	-	Sept 2014
60160-SH1-DR-400	Wastewater Drainage Plan	Woods Consultants Limited	-	Sept 2014
60160-SH1-DR-602	Water Reticulation Plans	Woods Consultants Limited	-	Sept 2014
60160-SHA-GE-000	Scheme Plan Lots 1, 4-10, 17-61, 100 and 1000 being a subdivision of Pt Lot 1 DP 105961 and Pt Lot 2 DP 12080*	Woods Consultants Limited	B	25 Nov 2014

60160-SHA-GE-001	Scheme Plan Lots 1, 4-10, 17-61, 100 and 1000 being a subdivision of Pt Lot 1 DP 105961 and Pt Lot 2 DP 12080*	Woods Consultants Limited	B	25 Nov 2014
60160-SHA-GE-002	Scheme Plan Lots 1, 4-10, 17-61, 100 and 1000 being a subdivision of Pt Lot 1 DP 105961 and Pt Lot 2 DP 12080*	Woods Consultants Limited	B	25 Nov 2014

* Supplied in response to request for further information.

In the event of any inconsistency between the approved drawings and supplementary documentation, the approved drawings will prevail.

Amended Plans

1(A) The consent holder shall provide amended plans as follows:

- (i) Amend the access ways as approved for Lots 7 and 8 so that the maximum width at each boundary crossing is 3.0m and the distance between those access ways is 18m.

The amended plans are to be submitted to and approved by the SHA Consenting Manager, Housing Project Office prior to any works commencing on site.

Other Additional Information	
Reference / Title / Author	Date
Homestar registration letter (updated)	7 Nov 2014
Email from Alex van Son (Planning Focus Limited) to Stephanie Lam (Auckland Council); subject: <i>Re: Wainui Road</i>	12 Nov 2014
Email from Alex van Son (Planning Focus Limited) to Stephanie Lam (Auckland Council); subject: <i>Re: Wainui Road SHA</i>	15 Dec 2014
Email from Alex van Son (Planning Focus Limited) to Stephanie Lam (Auckland Council); subject: <i>Re: Highgate</i>	2 Feb 2014
60160-01-300 and 60160-01-301 Highgate Business Park Special Housing Application Stage 1 – SW Drainage Plan [hand-annotated]	11 Dec 2014
Email from David Bae (Gaia Engineers) to Alex van Son (Planning Focus Limited); subject: <i>1929-01-PF-04 (Stormwater – Geotechnical Statements)</i>	2 Dec 2014
60160-01-350 Highgate Business Park Commercial Subdivision – Stage 1 Stormwater Wetland Plan [SLC-63530]	Jan 2015
60160-01-300 Highgate Business Park Commercial Subdivision – Stage 1 Overall SW Drainage Plan [SLC-63530]	Nov 2014

Charges

2. This consent (or any part thereof) shall not commence until such time as the following charges, which are owing at the time the Council's decision is notified, have been paid in full:
 - a. All fixed charges relating to the receiving, processing and granting of this resource consent applied under section 77 of the Housing Accords and Special Housing Area Act (HASHAA) 2013; and
 - b. All additional charges imposed under section 76 the HASHAA to enable the Council to recover its actual and reasonable costs in respect of this application, which are beyond challenge; and
 - c. All development contributions relating to the development authorised by this consent, unless the HPO Director has otherwise agreed in writing to a different payment timing or method.
3. The consent holder shall pay any subsequent further charges imposed under section 77 of the Housing Accords and Special Housing Area Act (HASHAA) 2013 relating to the receiving, processing and granting of this resource consent within 20 days of receipt of notification of a requirement to pay the same, provided that, in the case of any additional charges under section 77 HASHAA that are subject to challenge, the consent holder shall pay such amount as is determined by that process to be due and owing, within 20 days of receipt of the relevant decision.

Advice Note:

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

Consent Duration

4. Under section 51 of the Housing Accords and Special Housing Area Act (HASHAA) 2013, this consent lapses 3 years after the date it is granted.

Advice Note:

This timeframe is deemed acceptable as the works required to give effect to the consent would be anticipated to take three years from the date of granting consent, taking into consideration the necessary earthworks, building and infrastructure construction.

Monitoring Charges

5. The consent holder shall pay the Council an initial consent compliance monitoring charge of \$1,500 (inclusive of GST), plus any further 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.

Advice Note:

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. 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. Only after all conditions of the resource consent have been met, will Council issue a letter confirming compliance on request of the consent holder.

Construction Management Plan

6. Prior to the commencement of construction and / or any earthworks activity, a finalised Construction Management Plan (CMP) shall be submitted to the Senior Compliance Advisor, SHA Consenting for approval. No construction activity shall commence until written approval of the CMP has been obtained from the Senior Compliance Advisor, SHA Consenting and all measures identified in that plan as needing to be established prior to commencement of works have been.

The CMP should contain sufficient detail to address the following matters:

- Measures to address noise;
 - Traffic management;
 - Dust control;
 - Erosion and sediment control plan for the site including stabilised construction accessways and silt control measures to prevent the discharge of dirty water from the site;
 - Stockpiling of construction materials.
7. All construction and earthworks activities on the subject site shall comply with the New Zealand Standard 6803:1999 for Acoustics – Construction Noise, at all times.

The use of noise generating tools, motorised equipment, and vehicles that are associated with construction and/or earthworks activity on the subject site shall therefore be restricted to between the following hours to comply with this standard:
 - Monday to Saturday: 7:30am to 7:00pm
 - Sundays or Public Holidays: no works
 8. All construction activities shall be managed to ensure that no debris, soil, silt, sediment or sediment-laden water is discharged beyond the subject site to either land, stormwater drainage systems, watercourses or receiving waters. In the event that a discharge occurs, works shall cease immediately and the discharge shall be mitigated and/or rectified to the satisfaction of the Senior Compliance Advisor, SHA Consenting.

Advice Note:

Discharge from the site includes the following:

- *Discharge of water from sediment control devices such as silt fences that may contain dissolved contaminants delete if contaminants at this site are in particulate form, not dissolved;*
- *Infiltration of stormwater into open excavations that may be contaminated.*
- *Disposal of water (e.g. perched groundwater or collected stormwater) from excavations.*

Measures such as covering excavations overnight and during rainfall, diverting overland flow around the works area, and disposal of any collected water in an excavation may be required to comply with this condition.

Corridor Access Request

9. The Consent Holder or his Contractor shall obtain a Corridor Access Request (CAR) from Auckland Transport prior to the commencement of any works within the legal road.

Advice Note:

To ensure all work on roads are as safe as possible for works, motorists, pedestrians and cyclists, anyone or any business planning to dig up part of an existing road, must obtain a CAR permit from Auckland Transport. A CAR permit is required for, but not limited to, the following activities:

- *Any activity that will alter or cause to be altered the surface of any part of the road reserve, including but not be limited to excavating, drilling and resurfacing;*
- *The placement of any pipe, duct, pole, cabinet or other structure below, on or above the road reserve;*
- *A new driveway.*

For any activity that varies the normal operating conditions of any part of the road reserve (boundary to boundary), a Traffic Management Plan and a site or layout plan shall be provided with the application for a CAR permit.

10. A copy of the approved Traffic Management Plan in accordance with the Code of Practice for Temporary Traffic Management specifically addressing control of access to the site, and traffic control adjacent to the site, and the protection of the public, shall be submitted to the Senior Compliance Advisor, Housing Project Office. A copy of the Traffic Management Plan, together with the verification letter shall be kept on the site at all times. All measures for the protection of the public and other personnel set out in the verified Plan shall be maintained and complied with at all times until such time as the importation of fill is completed.

Pre-Construction Meeting

11. Prior to the commencement of the construction and / or earthworks activity, the consent holder shall hold a pre-construction meeting that:

- is located on the subject site
- is scheduled not less than 5 days before the anticipated commencement of earthworks
- includes the Senior Compliance Advisor, SHA Consenting - HPO
- includes the supervising Registered Engineer
- includes representation from the contractors who will undertake the works.

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

- Timeframes for key stages of the works authorised under this consent
- Resource consent conditions
- Construction Management Plan (required by condition 6)
- Lighting Plan (required by condition 12)
- Final approved Corridor Access Request (incorporating traffic management plans)
- Landscape Plan (required by condition 13)

A pre-construction 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-construction meeting please contact the Senior Compliance Advisor – SHA Consenting specialhousingarea@aucklandcouncil.govt.nz or phone 09 373 6292. 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.

Engineering Plan Approval

12. Prior to the commencement of any construction work or prior to the approval of the survey plan pursuant to s45 of the HASHAA and 223 of the RMA, whichever is the earlier, the consent holder shall submit 2 hard copies and one PDF/CD version of complete engineering plans (including engineering calculations and specifications) to the SHA Consenting Manager, Housing Project Office for approval. Details of the registered engineer who shall act as the developer's representative for the duration of the development shall also be provided with the application for Engineering Plan Approval.

The Engineering Plans shall include but not be limited to the information regarding the following engineering works:

- Detailed design of all proposed roads, including
 - Temporary turning head at the southern end of Road 5
 - Design of footpaths and location of pedestrian crossing points
 - Landscape buffer strip and access ways on the western side of Road 5
- Lighting plan
- Proposed public stormwater network
- Temporary private stormwater network and pond
- Decommissioning plan of the temporary pond and new connection to the wetland pond
- Proposed public watermain reticulation system and connection(s) to existing network
- Proposed public wastewater network and connection(s) to existing network
- Finalised Construction Management Plan / Traffic Management Plan as per Conditions 6 and 10 respectively.

Landscape Planting Plan

13. Prior to the commencement of any construction work or prior to the approval of the survey plan pursuant to s45 of the HASHAA and 223 of the RMA, whichever is the earlier, a Landscape Planting Plan for street planting (including rain gardens or tree pits, and formation of the berm to an urban standard) on the proposed roads (including Wainui Road) shall be provided to Council for approval in conjunction with the Engineering Plan Approval. The Landscape Planting Plan shall include final species and planting sizes, details of tree pits and planting methodology and the maintenance programmes of the street planting.

Retaining Walls

14. In the event that retaining walls are proposed, any ancillary and supporting structures (e.g. post, rail and subsoil drain) of a retaining wall shall be clear of the proposed lot boundary immediately parallel to the wall. A certificate from a licensed cadastral surveyor shall be provided certifying the compliance with this requirement at the lodgement of the survey plan for approval.

Any retaining wall to retain a public road or land to be vested in Council after the completion of the subdivision shall be located within the road reserve or within the boundary of the land to be vested in Council.

Roads and Traffic

15. All roads and ancillary facilities such as traffic lights, street lighting, and traffic calming devices if any, marking, street signs, bus bays and street furniture to be vested in Council shall be constructed in accordance with the approved Engineering Plans to the satisfaction of the Council's SHA Consenting Manager.

16. An Engineering Completion Certificate certifying that all proposed roads and the ancillary facilities on the roads to be vested in Auckland Council have been constructed in accordance with the approved Engineering Plans shall be provided in support of the 224 application.
17. All RAMM as-built plans and data for all new roads shall also be provided with the 224(c) application. This shall be inclusive of kerb lines, cesspits, footpath, intersection control devices, pavement marking, bus bay, street lighting, street furniture, street name and directional signs etc.
18. A report from a suitably qualified and registered electrician shall be supplied with the 224(c) application. The report shall certify that all street lightings have complied with the relevant safety standards and that they are connected to the network and are operational.

Reinstatement of Existing Roads

19. Any damaged footpath, kerb, crossing as a result of the construction work shall be repaired, reinstated or reconstructed in accordance with the Auckland Transport Code of Practice to the satisfaction of the Council's SHA Consenting Manager.
20. An Engineering Completion Certificate certifying that the above condition has been met shall be provided in support of the 224 application, as per s46 of the HASHAA.

Vehicle Crossings

21. Vehicle crossings for Lots 7, 8, 17 – 32 and 42 – 61 shall be formed, paved and drained in accordance with the approved engineering plans to the satisfaction of the Council's SHA Consenting Manager. Where a footpath intersects a new vehicle crossing, the overlapped area shall be designed and constructed to the same levels, using the same materials, kerbing, paving, patterns and finish as the footpath, on each side of the crossing.

Advice Note:

The vehicle crossings on lots 7 and 8 are each to be 3m wide at the front site boundary and spaced in order that a bus stop is able to be accommodated between them.

22. An Engineering Completion Certificate certifying that the crossings have been constructed in accordance with the approved engineering plans shall be provided in support of the 224 application, as per s46 of the HASHAA.

Stormwater Connections (land use condition)

23. Each residential lot shall be equipped to provide retention (volume reduction) of a stormwater volume equal to the runoff volume of a 10mm, 24 hour rainfall event for the impervious area of that lot, via appropriately sized retention tanks which are plumbed into the respective building for non-potable water re-use. The consent holder shall submit the detailed design of the stormwater retention system for Council approval at the building consent stage. The device shall be constructed and tested to the satisfaction of Council's SHA Consenting Manager, and in commission prior to the occupation of the respective residential lot.

24. Prior to the issue of the 224c certificate pursuant to s46 of the HASHAA or prior to the occupation of any dwelling, whichever is the earlier, the consent holder shall provide and install a complete public stormwater system to serve the development in accordance with the approved Engineering Plans listed in Condition 12 to the satisfaction of Council's SHA Consenting Manager.
25. Prior to the issue of the 224c certificate pursuant to s46 of the HASHAA or prior to the occupation of any dwelling, whichever is the earlier, individual private stormwater connections to the public stormwater systems for each lot/dwelling at the lowest point within the boundary shall be provided and installed in accordance with the approved Engineering Plans to the satisfaction of the Council's SHA Consenting Manager.
26. An Engineering Completion Certificate certifying that all public stormwater pipes and individual stormwater connections have been constructed in accordance with the approved Engineering Plan and the Auckland Council Code of Practice for Land Development and Subdivision – Chapter 4: Stormwater shall be provided in support of the 224(c) application pursuant to Section 46 of HASHAA.
27. Video inspections of all public stormwater pipes and as-built plans for all public and individual private stormwater lines shall be supplied with the 224(c) application pursuant to Section 46 of the HASHAA. The video inspections shall be carried out within one month of the lodgement of the application for the 224(c) certificate.

Temporary Stormwater Pond

28. In the event that the temporary stormwater pond is proposed for the development, the pond shall be constructed in accordance with the approved engineering plan prior to the issue of the 224c certificate pursuant to s46 of the HASHAA. The consent holder shall maintain the temporary stormwater pond until the public stormwater system is available.
29. The consent holder is responsible for decommissioning of the temporary stormwater pond and network as well as the re-connection to the public system when the wetland pond is constructed and operational. A consent notice shall be registered against the Certificate of Section 1 SO 70732.

Advice note

It is noted that the subdivision proposed by lodged application Council reference SLC-63530 denotes the location of the temporary pond as Lot 150 (balance lot of 213,752m²).

Where the temporary stormwater management device is located on private land, an easement in gross shall be instated for the temporary drainage. This easement shall terminate upon implementation of the complete final solution. All costs associated with the creation and removal of the easement will be at the cost of the owner of the temporary device.

Should the land on which the temporary device is located be vested in Auckland Council, the construction costs for decommissioning the temporary device will be payable to Auckland Council.

Operation and Maintenance Manual

30. The consent holder shall prepare an Operation and Maintenance Manual for the temporary stormwater pond and its ancillary devices, setting out the principles for the general operation and maintenance of the temporary pond and outlet. The Operation and Maintenance Manual shall be submitted to the SHA Consenting Manager for approval. The Operation and Maintenance Manual shall include, but not to be limited to:
- All the requirements as defined within the Auckland Council Code of Practice for Land Development and Subdivision: Chapter 4 – Stormwater
 - Monitoring (minimum of monthly) of water levels, and outflow discharge (for minimum 24 months of records) to ensure the pond and pipe systems are operating in accordance with the design
 - Confirmation that the temporary pond will be designed and maintained as Stormwater detention pond only and not used for Sediment control in a concurrent configuration.

Wastewater

31. Prior to the occupation of any dwelling or prior to the issue of the s224c Certificate pursuant to s46 of the HASHAA, whichever is the earlier, the consent holder shall provide and install a complete public wastewater system to serve all lots in accordance with the approved Engineering Plans to the satisfaction of Council's SHA Consenting Manager.
32. An Engineering Completion Certificate certifying that all public wastewater pipes and individual wastewater connections have been constructed and tested in accordance with the approved Engineering Plan and the Water and Wastewater Code of Practice for Land Development and Subdivision shall be provided in support of the 224(c) application pursuant to s46 of the HASHAA.

Water Network System

33. The proposed water network system for the development shall be designed to ensure that the maximum peak instantaneous demand shall not exceed 40L/s unless mitigation measures are proposed and approved by Watercare Services Limited. Detailed design of the water network system shall be provided as part of the Engineering Plan approval.
34. Prior to the commencement of the construction of any dwelling or prior to the issue of the 224c certificate pursuant to s46 of the HASHAA, the existing public water reticulation system adjacent to the site shall be extended to provide public water supply to the development to the satisfaction of Watercare Services Limited. The extension of the water reticulation system shall include:
- A connection to the existing water pipe on Manuel Road;
 - Construction of two water main crossings at the corners of Manuel Road and Wainui Road, and Ridgedale Road and Wainui Road
 - A connection to the existing 315mm pipe at the corner of Manuel Rd and Bankside Rd.

35. Any water pipe proposed shall be 200mm diameter and shall be designed in accordance with the Water and Wastewater Code of Practice for Land Development and Subdivision. The detailed design of the extension shall be submitted to Auckland Council for approval as part of the Engineering Plan Approval as per Condition 12.

Water Supply

36. The consent holder shall provide and install a complete water supply reticulation system to serve all lots in accordance with the approved Engineering Plans to the satisfaction of Council's SHA Consenting Manager.
37. The consent holder shall complete a successful pressure test for all new water mains prior to the connection to the existing public water supply reticulation system to the satisfaction of Watercare Services Limited. Evidence of undertaking a successful pressure test for new water mains in accordance with the Water and Wastewater Code of Practice for Land Development and Subdivision shall be supplied with an application for 224(c) certificate pursuant to Section 46 of the HASHAA.
38. Individual private water connections to the proposed public water reticulation system for each residential lot shall be provided in accordance with the approved Engineering Plans. Each lot shall have an individual water meter at the road reserve boundary. Ducting of provider lines is recommended where they cross driveways.
39. An Engineering Completion Certificate certifying that all public water pipes for the development and individual water supply connections have been constructed in accordance with the approved Engineering Plan and the Water and Wastewater Code of Practice for Land Development and Subdivision shall be provided in support of the 224(c) application pursuant to Section 46 of the HASHAA.
40. As-built plans for all public and individual private water supply lines and a certificate from Watercare Services Limited confirming that separate water supply connections have been provided for each residential lot shall be supplied with the 224(c) application pursuant to Section 46 of the HASHAA.

Advice Note:

All applications for new water and wastewater connections shall be lodged through connections@water.co.nz. Watercare Services Limited have advised that at the time of application for a water and/or wastewater connection (or application for demand increase), completed in conjunction with building consent, a water and wastewater Infrastructure Growth Charge per additional equivalent unit shall apply. Details of the charge are available at www.watercare.co.nz.

Fire Hydrants

41. Fire hydrants shall be designed, provided and installed within 135m of the furthest point on any property and within 65m of the end of a cul-de-sac in accordance with Water and Wastewater Code of Practice to the satisfaction of Watercare Services Limited. Detailed design and location of fire hydrant shall be submitted to Council for approval via Engineering Plans.

42. The consent holder shall undertake a comprehensive hydrant flow test result to confirm or otherwise that the existing public water supply system can meet the fire flow requirement for the development as stipulated in the NZFS COP; and domestic supply can meet the minimum 200kPa residual pressure at the proposed connection to the public main.
43. Evidence of undertaking the hydrant flow test and compliance with the standards as per Condition 42 above shall be provided with the 224 application.

Network Utility Services

44. Individual private connection to the underground reticulation of electricity, gas and telecommunication services to the boundary of each lot shall be provided and installed to the satisfaction of the appropriate network utility providers.
45. Certificates from the network utility providers and certified 'as-built' given locations of all plinths, cables and ducts shall be supplied to Council as part of the 224 application, as per s46 of the HASHAA.

Replacement of Damaged Plants

46. If any damage to the existing planting on the existing road occurs during the construction, the consent holder shall replace damaged plants with the same species and height, and shall be maintained for two years following the replacement planting, to the satisfaction of the Manager, Local and Sports Parks (North).
47. A maintenance bond is payable if a 224(c) Certificate pursuant to s46 of HASHAA is to be issued within the maintenance period.
48. A written statement from the Manager, Local and Sports Parks (North) stating that all damaged plants have been replaced to the satisfaction of Council.

Universal Access (Land use condition)

49. Prior to the construction of the dwellings, plans shall be submitted for approval by the Senior Compliance Advisor, SHA Consenting identifying the units that are designed and will be constructed in compliance with the Universal Access rules of the Proposed Auckland Unitary Plan 2013 – Part 3, Chapter I, Rule 1.7.22.

Sustainability (Land use condition)

50. At building consent stage for each new dwelling, the consent holder shall provide, for approval in writing of the Senior Compliance Advisor, SHA Consenting, copies of the design ratings demonstrating that the dwellings achieve the 6-star level from the New Zealand Green Building Council Homestar Tool (2013) requirement of Chapter H, Rule 6.4.2.1 of the Proposed Auckland Unitary Plan 2013.
51. Prior to the occupation of the dwellings or the issuing of Code of Compliance for the building (whichever comes first), the consent holder shall provide copies of all New Zealand Green Building Council Homestar Certificates in order to demonstrate that each dwelling has been constructed in accordance with the design ratings approved under Condition 50 to the satisfaction of the Senior Compliance Advisor, SHA Consenting.

Specific Subdivision Conditions

Section 223 Condition Requirements (s45 HASHAA)

Street Names

52. The consent holder shall submit a road naming application for proposed new road for approval by the Hibiscus and Bays Local Board prior to the approval of the survey plan for the subdivision.

Advice Note:

The road naming application should provide suggested street names (one preferred plus two alternative names) and include evidence of meaningful consultation with local iwi groups.

Section 223 Survey Plan

53. Within 3 years of the decision of the subdivision consent, the Consent holder shall submit a survey plan of the subdivision to Auckland Council for approval pursuant to section 45 of HASHAA. The survey plan shall be generally in accordance with the approved subdivision scheme plans in Condition 1 of the consent.

The consent holder shall ensure that the following conditions have been met to the satisfaction of Council's SHA Consenting Manager prior to the approval of the survey plan for the subdivision:

- The Memorandum of Easement in accordance with the approved subdivision scheme plans shall be duly granted or reserved
- In the event that the temporary stormwater pond is proposed, an easement in gross for the 'right to drain water' over Section 1 SO 70732 in favour of Auckland Council shall be duly granted and reserved as per Condition 59
- Lot 100 shall be vested in Auckland Council as a public road
- A certificate from a licensed cadastral surveyor shall be provided certifying that all retaining walls have been constructed in accordance with Condition 14.

Section 224 Requirements (s46 HASHAA)

Street Trees

54. All street trees shall be implemented in accordance with the approved Landscape Planting Plan in the first planting season following completion of the construction works for the proposed road or prior to the issue of the 224c certificate pursuant to s46 of the HASHAA, whichever is the earlier.

55. The consent holder shall continue to maintain all plantings on the proposed road for a period of two years or three planting seasons whichever is the longer following written approval from the Manager, Local and Sports Parks (North) stating that the planting has been implemented in accordance with the approved Landscape Planting Plan as per Condition 46.
56. A maintenance bond is payable if a 224(c) Certificate pursuant to s46 of the HASHAA is to be issued within the maintenance period.
57. A written statement from the Manager, Local and Sports Parks (North) stating that the street trees and landscape planting within the reserves have been implemented in accordance with the Landscape Planting Plan approved under Condition 13.

Section 224c Certificate

58. The application for a Certificate pursuant to sections 46 of the HASHAA and 224(c) of the RMA shall be accompanied by a letter outlining those conditions to discharge that are relevant to the subdivision. The letter shall be prepared by a suitably qualified Engineer/Surveyor confirming that the General Land Use and Subdivision conditions (1 - 51) and Specific Subdivision conditions (5 – 57) of consent have been met.

Easement in Gross

59. In the event that an easement in gross over Section 1 SO 70732 is created over the temporary stormwater pond and the associated pipeline, the easement in gross is for the 'right to drain water' in favour of Auckland Council to enable the discharge of stormwater from the public stormwater system onto the temporary pond and associated devices. The instrument shall be prepared by the Council's solicitor at the consent holder's expense and shall advise that:
 - The owner(s) of the lot is responsible for the maintenance of the temporary pond (at the owner's expense) on the site in accordance with the Operation and Maintenance Manual approved by Auckland Council until the wetland pond (Stormwater Reserve, Council reference SLC-63530) is operational and new connection to the wetland pond is provided for this development (Lots 4-10, 17-61 and 100, Council reference SLC-63158).
 - No buildings, structures, fencings or filling shall be placed in the easement areas or other works carried out hereon, except with specific approval from Council.
 - The easement instrument would only be cancelled when the new connection to the wetland pond is provided to the residential lots (Lots 4-10 and 17-61) to the satisfaction of Auckland Council. The owner(s) of the lot is responsible for the costs associated with the cancellation of the easement.

Consent Notice

Temporary Stormwater Pond

60. A Consent Notice pursuant to section 221 of the RMA (section 44 of HASHAA) shall be entered into against the Certificates of Title of Section 1 SO 70732 to ensure that the following conditions are to be complied with on a continuing basis:

"The temporary stormwater pond on the site is to collect stormwater runoff from the residential development approved under the Qualifying Development application SLC-63158. The owner(s) of this lot is responsible for maintaining the temporary stormwater pond in accordance with the Operation and Maintenance Manual approved by Council at the expense of the owner of the lot.

Once the public stormwater system is constructed, operational and vested in Auckland Council, the owner(s) of the lot shall undertake decommissioning work of the temporary pond and provide new connection to the public stormwater system (wetland pond) in accordance with the approved EPA to the satisfaction of Team Leader, Development Engineer (North). The owner(s) is responsible for all costs associated with the decommissioning work and the connection to the new public system."

On-site stormwater system

61. A Consent Notice pursuant to section 221 of the RMA (section 44 of HASHAA) shall be entered into against the Certificates of Title of each lot, requiring that the following hydrology mitigation shall be provided for any development on each lot:

- Retention (volume reduction) of a 10mm, 24 hour rainfall event for the impervious area of that lot, by way of an appropriately sized retention tank which is plumbed into the respective building for non-potable water re-use.

The owner must operate, monitor and maintain the above system in accordance with the conditions below:

- Regular maintenance of the detention system shall be carried out by the owner as required (and no less than once every two years) to ensure efficient operation.
- Auckland Council may at any time upon prior written notice by its officers, employees, agents or contractors enter the property to inspect or test the detention system and to inspect the owner's records in relation to the operation, monitoring and maintenance of the system.
- Auckland Council may, by notice in writing, instruct the owner to carry out any actions or works in relation to the operation, monitoring and maintenance of the detention system. If the owner fails to carry out those actions or works within 7 working days of receiving Auckland Council's Notice, Auckland Council may carry out said work itself and enter the property to execute the work. Council may recover all costs of carrying out said work from the owner.
- The owner must not modify or remove the stormwater system without express written permission of Auckland Council.

Vehicle Crossings

62. A Consent Notice pursuant to section 221 of the RMA (section 44 of HASHAA) shall be entered into against the Certificates of Title of lots 17 - 32 and 42 - 61 to ensure that the following condition is complied with on a continuing basis:

"This lot is to use the installed vehicle crossing on the approved Engineering Plan for vehicle access to the lot. Additional or alternative vehicle crossings onto Road 5 are prohibited."

63. A Consent Notice pursuant to section 221 of the RMA (section 44 of HASHAA) shall be entered into against the Certificates of Title of lots 7 and 8 to ensure that the following condition is complied with on a continuing basis:

"This lot is to use the installed vehicle crossing on the approved Engineering Plan for vehicle access to the lot. Additional or alternative vehicle crossings onto Wainui Road are prohibited."

Affordable Housing

64. The dwellings on lots 25, 26, 44, 48, 49, 52, 53, 58 and 59 are allocated as affordable dwellings that shall meet the affordability criteria set out in the Housing Accords and Special Housing Areas (Auckland) Amendment Order 2013, Schedule 9C Silverdale Special Housing Area dated 13 December 2013.

The price at which a dwelling on these lots may be sold shall not exceed 75% of the Auckland Region Median House Price published by the Real Estate Institute of New Zealand for September 2014.

Advice Note:

The 9 lots secured as affordable dwellings in this consent equate to 17% of the total yield. The affordable dwellings additional to the 10% requirement may be utilised toward satisfaction of the affordable housing requirement of Highgate Stage 2, should resource consent for that development be pursued under the HASHAA.

65. A Consent Notice pursuant to s221 of the RMA (s44 of HASHAA) shall be entered into against the Certificates of Title for lots 25, 26, 44, 48, 49, 52, 53, 58 and 59 to ensure that the following conditions are complied with on a continuing basis:

"This lot is deemed to be for the building of affordable dwellings under Criteria A of the affordability criteria set out in the Housing Accords and Special Housing Areas (Auckland) Amendment Order 2013, Schedule 9C Silverdale special housing area dated 13 December 2013. Before the Certificate of Title of this lot is transferred or the dwelling is occupied, the consent holder shall provide to the Council's Manager SHA Consenting a statutory declaration from the purchaser of the dwelling that the purchaser meets all the following criteria:

- (i) The purchaser's gross household income, as at the date of the declaration, does not exceed 120% of the Auckland median household income;

- (ii) The purchaser has paid a price for the finished dwelling and land which is not more than that defined under Criteria A of the affordability criteria set out in the Housing Accords and Special Housing Areas (Auckland) Order 2013, Schedule 9C Silverdale special housing area dated 13 December 2013, being \$461,250;
- (iii) The purchaser has the legal right to and intends to own and occupy the affordable dwelling exclusively as their residence for not less than 3 years after gaining title to the dwelling;
- (iv) The purchaser is a first home buyer and has never owned any other real property; and
- (v) The purchaser is a natural person and is purchasing the affordable dwelling in their own name and not in the name of any other person."

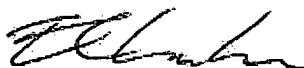
The consent notice shall specify that it ceases to have effect 3 years after the date of transfer of title to the first purchaser.

Delegated Decision Maker:

Name: Evita Key

Title: Lead Project Planner, Housing Project Office

Signed:



Date:

19 February 2015

Decision on Application(s) for Resource Consent under the Resource Management Act 1991



Application number(s): R63530 (District Consent)
REG-63532 (Regional Dam Consent)
REG-63533 (Regional Streamworks Consent)
REG-64051 (Regional Stormwater Discharge Consent)

Applicant's name: Highgate Business Park Ltd

Site address: 187 Wainui Road Silverdale

Legal description: Pt Lot 1 DP 105961 (3.295ha); Sec 1 SO 70732 (8.8264ha); Sec 2 SO 70732 (0.2337ha); Sec 3 SO 70732 (0.1837ha); Sec 4 SO 70732 (0.0389ha); Sec 7 SO 70732 (0.0389ha); Lot 4 DP 85630 (3.6055ha); Lot 2 DP 85630 (0.2322ha); Lot 1 DP 114318 (6.753ha); Lot 2 DP 114318 (6.19ha); Pt Lot 2 DP 98968 (0.9473ha); Lot 1 DP 145917 (1.288ha); Sec 1 SO 70750 (0.867ha); Lot 4 DP 83197 (2.314ha); Lot 1 DP 211452 (15.1252 ha); State Highway 1

Proposal: The application proposes a five stage subdivision development (Stages 1A to Stag 1E) comprising 13 commercial lots, 4 roads to vest and 1 stormwater drainage reserve (proposed wetland and permanent stream). A balance lot will be held for future development. Easements and amalgamations are proposed as well as infrastructural requirements including water, wastewater, stormwater and utilities.

The construction of a stormwater catchment wetland to service the subdivision is proposed, associated with a large dam which is offline and discharges to the head of the head of the permanent stream via a spilling basin.

Approximately 53,300m³ (42,600m³ of fill and 10,730m³ of fill) of earthworks over an area of 0.8ha is required, along with streamworks for the infilling of approximately 80m of non-permanent stream. Detailed and extensive earthworks catchments and erosion and sediment controls are proposed.

The resource consents required are:

Land use consents (s9) – R63530

Auckland Council District Plan (Rodney section)

- Rule 12.8.19.26.1(ii) Subdivision in conformity with an existing consented Development Concept Plan – **Restricted Discretionary Activity** (The subdivision is in accordance with an approved DCP)
- Rule 12.8.19.26.3 – Any subdivision not complying with one or more of the Subdivision Standards – **Restricted Discretionary Activity** (The application does not comply with Rule 12.8.19.27.1.3 – Landscape Plan in accordance with Rule 12.8.19.23.6)
- Rule 12.8.19.22.1 Activity Table defers to Chapter 18 (Urban Land Modification & Vegetation Protection) for earthworks.
- Rule 18.9.2 Activity Table 1 Earthworks greater than a total volume of 200m³ and/or an area of 1000m² which do not comply with Rule 18.10 – **Discretionary Activity** (Any activity not listed in Table 1). (The proposal does not comply with Rule 18.10.2(b)(i) earthworks within 10m of a stream less than 3m wide; or Rule 18.10.3 earthworks and unretained filling within 2m of a site boundary and works that intercept the 2:1 control plane)
- Rule 19.12.1(b) Subdivision of land for the purpose of creating a site for a utility structure (maximum site size greater than 50m²) – **Discretionary Activity** (The proposal involves the creation of a 27,741m² site for the stormwater catchment device)
- Rule 19.8.4 Activity Table 3 Permanent stormwater treatment & flow attenuation pond, vegetated strips and grass swales greater than 150m² in area – **Discretionary Activity** (The proposed wetland exceeds 150m² in area)
- Rule 19.8.4 Activity Table 3 Earthworks necessary for the establishment of any Discretionary Activity in Activity Table 3 – **Discretionary Activity** (Earthworks associated with the wetland/dam include 730m³ cut and 42,600m³ fill)

Auckland Council Regional Plan: Sediment Control

- Rule 5.4.3.1 Earthworks over an area greater than 0.25ha within a sediment control protection area -**Restricted Discretionary activity** (0.8ha of earthworks are required within the sediment control protection area)

Proposed Auckland Unitary Plan

- District land use consent for rule H.4.2.1.1 - earthworks exceeding 2,500m² and 2,500m³ within a residential zone – **Restricted Discretionary Activity**
- rule H.4.2.1.2 - earthworks greater than 1000m² and 1000m³ within the 100-year ARI flood plain – **Restricted Discretionary Activity**

Streamworks consents (ss13 & 14) – REG-63533

Proposed Auckland Unitary Plan

- Regional land use consent for rule H.4.13.1 - new reclamation or drainage of the bed of an intermittent stream - **Non-Complying Activity**.

Stormwater permits (ss14 & 15) – REG-64051 (Stormwater Discharge) & REG-63532 (Damming of Water)

Auckland Council Regional Plan: Air, Land & Water

- Rule 5.5.4 Consent to divert and discharge stormwater - **Discretionary Activity** (the total proposed impervious surface is more than 10,000m²).
- Rule 6.5.55 Consent to dam water - **Controlled Activity** (the application does not comply with the permitted activity controls).

Proposed Auckland Unitary Plan

- Rule H.4.14.1.1 Consent to divert and discharge stormwater - **Discretionary Activity** (proposed additional impervious area will increase the total site impervious to more than 5000m²).
- Rule H.4.14.2 – Impervious areas within a SMAF 1 or 2 that do not meet the permitted and controlled activity controls (being between 1,000m² and 5,000m²) – **Restricted Discretionary Activity** (30,000m² of impervious road is proposed approx.)
- Rule H.4.14.3.1 Consent for Stormwater Management – Quality - **Controlled Activity** (proposal creates more than 5000m² of high use roads and does meet the quality management requirements).
- Rule H.4.17.1 Consent to dam water - **Discretionary Activity** (the construction of a new off-stream dam, not able to meet the permitted activity controls).

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

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

1. Reasons

Under section 113 of the RMA the reasons for this decision are:

- The proposal passes the tests under s104D for non-complying activities. As discussed below the proposal is consistent with the relevant objectives and policies and will have no more than minor adverse effects.
- In accordance with an assessment under s104(1)(a) of the Resource Management Act it is concluded that the applicant has submitted a thorough and detailed explanation of the proposed subdivision and associated development works, and adequately addressed potential effects on the environment and presented recognised tools/methods to avoid, remedy and/or mitigate adverse effects. The proposal has been reviewed by a number of Council experts, who have each concluded that effects in relation to their area of expertise will be no more than minor, and have recommended conditions of consent (which have been accepted by the applicant). It is considered that although the development proposed is extensive and ambitious, it is reflective of both the zoning outcomes for the land, the limitations of the existing landform and topography, and is also accepting of the need to preserve the existing permanent section of stream and control discharges and contaminants into the natural environment in an ecologically friendly and culturally sensitive manner. In conclusion, it is considered that the proposal will result in adverse effects on the environment that are no more than minor.
- Positive effects, such as the establishment of infrastructure to serve the anticipated land-uses for the underlying zoning and the protection and enhancement of the section of permanent stream and wetland area are acknowledged as part of the assessment.
- Written approval has been provided by potentially adversely affected parties – in this case NZTA and C & H Chester of 165 Wainui Road, and it is considered that no other parties are affected over the 'less than minor' threshold, particularly when considered against the receiving environment.
- In accordance with an assessment under s104(1)(b) of the Resource Management Act the proposal will be consistent with the relevant statutory documents. In particular:
 - i. The applicant addresses the objectives and policies of the ACRP: SC in Section 6.7 of the Application Report including Objectives 5.1.1 and 5.1.2 and Policies 5.2.1 and 5.2.2 as follows:
 - The applicant considers the proposed erosion and sediment controls, which will be constructed and maintained in accordance with TP90 as adequate to avoid adverse effects on receiving waterbodies. As water quality will be maintained, the applicant states that the proposed earthworks will be in accordance with the objectives and policies of the ACRP: SC.
 - It is considered that the proposed earthworks are not inconsistent with the ACRP: SC objectives and policies. This conclusion is based on considering the timing of the works, as well as the proposed erosion and sediment controls, which are in alliance with TP90 recommendations and will be able to sufficiently control and treat any generated sediment laden runoff.

- ii. The applicant addresses the objectives and policies of the ACRP:ALW in Section 6.7 of the AEE, including objectives 5.3.1, 5.3.3, 5.3.4, 6.3.2, 6.3.5, 6.3.6 and 6.3.7 and policies 5.4.2, 5.4.3, 5.4.4, 5.4.4A, 5.4.4C, 6.4.1, 6.4.2, 6.4.13, 6.4.40, 6.4.41, 6.4.44, 6.4.45 and 6.4.47 as follows:
- Any adverse effects from dams must avoid remedy or mitigate the adverse environmental effects of dams on ecology and on health and safety in the event of a potential dam failure. All necessary measures have and will be taken in the design of the dam to avoid potential adverse effects that may arise through a dam failure.
- iii. The applicant addresses the objectives and policies of the ACDP:RS in Section 6.7 of the AEE, in particular looking at objectives and policies of the Special 19 Zone, Chapter 18 (earthworks), Chapter 21 (Transport) and Chapter 23 (Subdivision) and concluded that:
- The application is consistent with overarching objectives and policies of the Special 19 Zone in that it is consistent with the most recently approved DCP and with the Silverdale North Outline Plan. In addition, the application facilitates the development of an area that will provide opportunities for employment in knowledge based businesses, aimed at reducing the need for local residents to commute outside the district and create a self-sufficient business community, without compromising high amenity values and achieving a landscaped 'campus-like' setting. The orientation of the existing landform has been retained, and natural features (such as the permanent section of stream) have been integrated into the layout and design.
 - The application is considered to be consistent with the objectives and policies found in Chapter 18 of the Operative Plan. They aim to avoid, remedy or mitigate the adverse effects of earthworks and vegetation removal on natural resources, vegetation and waterways, coastal character and visual amenity values, stability of sites and earthworks/erosion.
 - The application is considered to be consistent with the objectives and policies found in Chapter 21 in that the integration of land use and transport activity will be established in a safe and efficient manner, whilst minimising adverse effects on the surrounding environment and the amenity values of adjoining areas. In particular, the roads have been designed to minimise effects on water quality during the construction phase, including road runoff.
 - The application is considered to be consistent with the objectives and policies found in Chapter 23. In particular: the design of the subdivision (including the size and shape of sites and site access) creates an acceptable pattern of landholding, and appropriate provision of utilities and services are proposed in order to facilitate urban development whilst avoiding, remedying and mitigating adverse effects associated with the land modification and infrastructural works required to facilitate the subdivision.

- iv. The applicant addresses the relevant objectives and policies of the PAUP in Section 6.7 and concludes that
- The applicant concludes that the proposed earthworks activities will not be contrary to the PAUP objectives and policies as sediment generation will be minimised through the use of appropriate controls, and the risk of natural hazards will not be increased. (Chapter C 5.2.2: Objectives 1-3 and Policies 1-4)
 - It is considered that the proposed earthworks and streamworks will not be contrary to the objectives and policies of the PAUP given the erosion and sediment controls proposed, and the duration of works which will all ensure that any generated sediment laden runoff is appropriately managed to prevent sedimentation of the receiving environment.
 - The objective which the application is not in full agreement with is Objective 6, which states that "reclamation and drainage of the bed of a lake river, stream and wetland is avoided". While reclamation of an intermittent stream is occurring, given the weighting of the PAUP, the lack of mitigation for the intermittent stream is not considered reason enough to recommend declining the consent application. (Chapter C, 5.14: Objectives 1, 2, 3, 5, and 6 and Policies 3-5 and 10)
- v. The following statutory documents have been taken into account and it is concluded that the proposal is in accordance with the relevant objectives and policies of these documents:
- Auckland Regional Policy Statement (in particular Chapter 8 Water Quality),
 - National Policy Statement for Freshwater Management 2014
 - New Zealand Coastal Policy Statement
- In accordance with an assessment under s104(1)(c) of the Resource Management Act the following other matters are considered appropriate:
 - i. The provisions of Section 105 have been met as it has been determined that there are no significant effects on the receiving environment as concluded in Section 4 of this memo. It has been assessed that the applicant's reasons for the proposed choice of stormwater management are appropriate in the circumstances.
 - ii. Matters Relevant to subdivision consents (s106) – the land will not be subject to material damage and subsequent uses of the land will not accelerate or result in material damage to the land or structures. This includes inundation. In addition, sufficient provision has been made for legal and physical access to each allotment.
 - iii. Section 107(1) of the RMA places restrictions on the granting of certain discharge permits that would contravene Sections 15 or 15A of the RMA. The proposal will not give rise to any of the effects listed in Section 107(1).
 - iv. Duration of consent: Section 123 It is appropriate to set a term of 35 years for the diversion and discharge and the damming of water consent because the nature of the

activity subject to consent is unlikely to alter during this period, and the ongoing maintenance of the stormwater management systems as required by the recommended conditions of consent will ensure that the required standards continue to be met.

- v. It is considered appropriate to set a term of 5 years for the earthworks activity to allow for any unforeseen delays to the development. With regard to the streamworks, in accordance with s123(a) a consent duration is not required and this reflects the permanent nature of the reclamation works.
- This application is considered to be consistent with Part 2 of the Resource Management Act because the applicant, in collaboration with Council during the application process, is using both proactive and reactive mitigating measures to ensure the impact on the environment remains no more than minor. Efficient tools and methods are proposed to avoid the adverse effects of stormwater, sediment, erosion and discharge. The applicant has undertaken a suite of specialist studies including ecological, engineering and traffic reports in order to ensure the protection of natural resources and enhancement of amenity features for future generations, particularly as the community of Silverdale North seeks to grow and expand.

Overall the proposal is reasonable and acceptable, particularly in that it seeks to realise the anticipated zoning of the site with tools and methods that avoid, remedy and/or mitigate adverse effects, particularly in relation to land modification, ecology and stream management, design and layout, services, infrastructure and roads, cultural heritage, natural hazards and amenity values. Affected landowners have provided written neighbour approvals, and no other parties are considered to be adversely affected over and above the 'less than minor' threshold. Finally, the application is considered to be consistent with the objectives and policies of the relevant plans and other statutory documents, and there is no reason that consent may not be granted on a non-notified basis.

2. Conditions

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

General Conditions

These conditions apply to all resource consents.

1. The subdivision, earthworks, stream reclamation, dam and wetland activity shall be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the council as consent numbers R63530 (District Consent), REG-63532 (Regional Dam Consent), REG-63533 (Regional Streamworks Consent), REG-64051 (Regional Stormwater Discharge Consent)
 - *'Land Use, Subdivision, Dam Permit, and Stream Works Resource Consent Application – Highgate Commercial Limited – Assessment of Environmental Effects & Statutory Assessment'* prepared by Planning Focus limited and dated November 2014.

Report title and reference	Author	Dated
Stage 1 Infrastructure Report	Woods	

Report title and reference	Author	Dated
Stage 1 Earthworks Report, Stream Erosion & Sediment Control Methodology	Woods	13 November 2014
Stormwater Report	Woods	15 December 2014
Stream Ecological Valuation	Boffa Miskell Ltd	14 November 2014
Geotechnical Report 7739	Engineering Geology Ltd	17 November 2014
Cultural Impact Assessment	Fiona McKenzie Manuhiri Kaitiaki Charitable Trust	November 2014

Plan title and reference	Author	Rev	Dated
60160-01-GE-001-002 Zoning Plans	Woods		November 2014
60160-01-GE-003 Existing Title Boundary Plan	Woods		November 2014
60160-01-GE-024 Reserve & Open Space	Woods		November 2014
60160-01-GE-025 Scheme Plan	Woods		November 2014
60160-01-GE-0026-029 Staging Plan	Woods		November 2014
60160-01-GE-030 Road Hierarchy Plan	Woods		November 2014
60160-01-GE-031-033 Road Typical Cross Sections	Woods		November 2014
60160-01-EW-100 Proposed Final Contour Plan	Woods		November 2014
60160-01-EW-120 Earthworks – Land Form Layout Plan	Woods		November 2014
60160-01-EW-121 & 122 Land Form Cross Sections	Woods		November 2014
60160-01-EW-150 Retaining Wall Plan	Woods		November 2014
60160-01-RD-200-202 Rooding Layout Plans	Woods		November 2014
60160-01-RD-260-264 Road Longitudinal Sections	Woods		November 2014
60160-01-DR-300-305 Stormwater	Woods		November

Plan title and reference	Author	Rev	Dated
Drainage Plans			2014
60160-01-DR-350 Stormwater Wetlands Plan	Woods	1	11/02/15
60160-01-DR-360-365 Rain Garden Plan & Details	Woods	1	11/02/15
60160-01-DR-390 Overland Flow Path	Woods		November 2014
60160-01-DR-391 Catchments Plan	Woods		November 2014
60160-01-DR-400 Overall Wastewater Drainage Plans	Woods		November 2014
60160-01-WS-600-605 Water Reticulation Plans	Woods		November 2014
Stream Earthworks	Woods		November 2014
60160-E01-GE-001 Existing Title Boundary Plan			
Stream Earthworks	Woods		November 2014
60160-E01-GE-002 Scheme Plan			
Stream Earthworks	Woods		November 2014
60160-E01-EW-100 Existing Contour Plan			
Stream Earthworks	Woods		November 2014
60160-E01-EW-101 Proposed Final Contour plans			
Stream Earthworks	Woods		November 2014
60160-E01-EW-102 Cut and Fill Plan			
Stream Earthworks	Woods		November 2014
60160-E01-EW-103 Existing Slope Analysis Plan			
Stream Earthworks	Woods		November 2014
60160-E01-EW-104 Design Slope Analysis Plan			
Stream Earthworks	Woods		November 2014
60160-E01-EW-120 Earthworks – Land Form Layout Plan			
Stream Earthworks	Woods		November 2014
60160-E01-EW-121 Land Form Cross			

Plan title and reference	Author	Rev	Dated
Sections			
Stream Earthworks	Woods		November 2014
60160-E01-EW-130 Erosion & Sediment Control Plan			
Stream Earthworks	Woods		November 2014
60160-E01-EW-131-132 Erosion & Sediment Details			
Stormwater Wetland Design Plans	Woods		November 2014
Proposed Landscape Concept Plans	Boffa Miskell Ltd		14 Nov 14
Proposed Landscape Concept Plan with Contours	Boffa Miskell Ltd		14 Nov 14
Proposed Planting Plan – Draft	Boffa Miskell Ltd		14 Nov 14
Indicative Stream Planting Sections	Boffa Miskell Ltd		14 Nov 14
Indicative Wetland Planting Sections	Boffa Miskell Ltd		14 Nov 14
Indicative Planting – Long Sections	Boffa Miskell Ltd		14 Nov 14
Proposed Planting Schedule	Boffa Miskell Ltd		14 Nov 14

Other additional information	Author	Rev	Dated
Email Correspondence (as on file)			
S92 Response including:			
Highgate Water Network Report	Woods	Rev 2	22/01/15
Highgate Pressure Sewer Servicing Concept Report	GHD		6 may 14
Water Supply Planning Assessment Form	Woods		27/01/15
Watercare Peer Review	Watercare		4 Feb 15
Emails clarifying Watercare's position re upgrades to Wainui Road & limits of extending the network extension (relates to condition 9(j) below)	Colin Dryland (Woods), Melanie Skeen (Watercare)		24 th /26th Feb 15

2. This consent (or any part thereof) shall not commence until such time as the following charges, which are owing at the time the council's decision is notified, have been paid in full:
 - a. All fixed charges relating to the receiving, processing and granting of this resource consent under section 36(1) of the Resource Management Act 1991 (RMA); and
 - b. All additional charges imposed under section 36(3) of the RMA to enable the council to recover its actual and reasonable costs in respect of this application, which are beyond challenge.

3. The consent holder shall pay any subsequent further charges imposed under section 36 of the RMA relating to the receiving, processing and granting of this resource consent within 20 days of receipt of notification of a requirement to pay the same, provided that, in the case of any additional charges under section 36(3) of the RMA that are subject to challenge, the consent holder shall pay such amount as is determined by that process to be due and owing, within 20 days of receipt of the relevant decision.
4. 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 submitting a survey plan in respect of the subdivision that has been submitted to Council under s223, but shall thereafter lapse if the survey plan has not been deposited in accordance with s224 of the RMA or;
 - b. The council extends the period after which the consent lapses.
5. The consent holder shall pay the council an initial consent compliance monitoring charge of \$810 (inclusive of GST), plus any further 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.
6. (new road names) The Consent Holder shall suggest to the Council a name for the new road shown on the Scheme Plan after consulting the local iwi for comment, together with clearance from Addresses@linz.govt.nz so that duplication of the name in any other part of the Auckland region is avoided. The Council Surveyor should be consulted in the first instance in regard to the appropriateness of the name and road type. 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".
7. The consent is to be undertaken in 5 Stages (Stage 1A to Stage 1E) as shown on Plan 60160-01-GE-0026-029 Staging Plan by Woods, November 2014

Survey Plan Approval (s223) Conditions

8. (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 undertake to give effect and to show on the survey plan:

Amalgamation

- a) Pursuant to s220 (1)(b)(iv) of the Act, have endorsed on the survey plan the following condition of amalgamation:
 - i. "That Lot 120 hereon (legal access) be held as to 3 undivided one-third shares by the owners of Lots 5, 6 and 7 hereon as tenants in common in the said shares and that individual Computer Registers be issued to in accordance therewith."
- b) Pursuant to s220 (1)(b)(i) of the Act, have endorsed on the survey plan the following condition of amalgamation:
 - i. "That Lot 13 hereon be transferred to the owner of Lot 2 DP 98969 (CT 53D/814) or proposed Lot 500 (Balance Lot) and that one computer register be issued to include both parcels"

Vesting

c)

- i. (vesting of roads) Show Lots 102, 104, 106, 108, 110, 111 to vest in Auckland Council as road.
- ii. (vesting of reserves) Show Lot 100 to vest in Auckland Council as Local Purpose (Drainage) Reserves.

Easement

- d) The right of way easements labelled A, B, C & D on the scheme plan are to be endorsed on a Memorandum of Easements attached to the cadastral survey dataset as a supporting document.

Section 224(c) Compliance Conditions

Subdivision Conditions (District) R63530

9. (conditions to be complied with prior to s224(c)) Before the Council will issue a certificate pursuant to section 224(c) of the Act, the Consent Holder shall satisfy the following conditions at their full cost:

Engineering

- a) (developer's representative) Prior to the commencement of engineering design, 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.
- b) (insurance and warranties for engineering works) 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".
- c) (engineering plans) 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 Consents Engineer, and approval thereto received in writing, prior to the commencement of any works on the site.

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;
 - Street lights, landscaping or structures on land vested, or to be vested, in the Council;
 - The installation of gas, electrical or telecommunication reticulation including ancillary equipment;
 - Any other works required by conditions of this consent.
- d) (as built record plans) As Built record plans to requirements of the Council's "Standards for Engineering Design and Construction" shall be submitted to the Consents Engineer, and approval thereof received in writing.
- e) (vested assets) provide a schedule of assets to be vested in Council in a form acceptable to Council.
- f) (Traffic Management Plan) An approved Traffic Management Plan in accordance with the Code of Practice for Temporary Traffic Management specifically addressing control of construction access to the site and traffic control adjacent to the site, and the protection of the public, shall be submitted to the Consents Engineer. A copy of the Traffic Management Plan, together with the verification letter shall be kept on the site at all times. All measures for the protection of the public and other personnel set out in the verified Plan shall be maintained and complied with at all times until such time as the works are completed.
- g) (earthworks certification) On completion of earthworks, an Earthworks Completion Report and a Certificate in the form of Appendix A of the "Standards for Engineering Design and Construction" signed by the Chartered Professional Engineer who designed and supervised the works shall be provided to the Consents Engineer.
- h) (stormwater reticulation) The existing public stormwater system which lies within or is contiguous to the land in the development shall be extended to the requirements of the Council's "Standards for Engineering Design and Construction" to serve all Lots within the development to become part of the public services of the District.
- i) (wastewater reticulation) The existing public pressure wastewater system which lies within or is contiguous to the land in the development shall be extended to the requirements of the Council's "Standards for Engineering Design and Construction" to serve all Lots within the development to become part of the public services of the District.
- j) (water reticulation) The existing public water system which lies within or is contiguous to the land in the development shall be extended to the requirements of the Council's "Standards for Engineering Design and Construction" to serve all Lots within the development to become part of the public services of the District, including the works required by the Watercare Peer Review Application, reference 36817, dated 4 February 2015
- k) (road construction) The proposed new roads shall be constructed to the standards comprised in the Council's "Standards for Engineering Design and Construction". Maintenance manuals shall be provided for the rain gardens located within the road reserve.

- l) (provide for road/amenity lighting) All streets and public accessways shall be lit to the requirements of the Council's "Standards for Engineering Design and Construction". The type of pole and light fittings shall be acceptable to Auckland Transport.
- m) (provide for electric power) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an electric supply has been made available by underground means 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.
- n) (provide for telephone) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of telephone services has been made available by underground means 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.
- o) (stormwater mitigation) A stormwater treatment wetland shall be designed and constructed in general accordance with the plans provided, TP 10 and the "Standards for Engineering Design and Construction". The proposed wetland shall be fully landscaped and have adequate access for future maintenance purposes. As built drawings of the facility including a site survey and geotechnical completion report shall be provided to the Council upon completion.
- p) (stormwater mitigation maintenance) The developer shall maintain the stormwater treatment wetland until either 80% of the building sites within the subdivision discharging to it, have been developed or for a period of 2 years from the date of the final 224(c) for the subdivision, whichever is the shortest period. The developer shall remove sediment from the ponds resulting from the development of the subject site, if required by the Council, prior to final handover of the facility to the Council for maintenance. At the time of handover there shall be a 95% plant survival rate. Updated operation and maintenance manuals for the pond shall be provided to the Council at the time of the handover of the pond. Unless otherwise agreed to, a bond may be required at the time of application for the 224(c) certificate to ensure the ongoing maintenance of the pond. The bond will be based on the cost to maintain the pond over the two year period plus 50% of the cost.
- q) (landscape plan) Final Landscape Plans (including road reserve landscaping), with an implementation and maintenance programme shall be submitted to and approved by Council's Resource Consents Team Leader (or nominated party) within 3 months of the commencement of works on the site. The following conditions relating to the Landscape Plans must be adhered to by the Consent Holder:
 - i. The plans shall include details of the tree and plant sizes at the time of planting and intended species. Such a plan shall include appropriate measures to ensure that amenity landscape and cultural values are maintained within the submitted Landscape Plans prepared by Boffa Miskell and dated 14 November 2014 and recommendations of the CIA referred to in Condition 1

- ii. The plans shall include details of riparian planting along the permanent stream margin within Lot 100 including a planting and maintenance schedule
 - iii. The plans shall include details on planting within the Landscape Buffer Area adjacent to State Highway 1A on Lots 2, 3, 5, 6, 7, 8, 9 & 10 in accordance with Rule 12.8.19.23.6 (c)
 - iv. The landscaping for the Drainage Reserve to be vested, street planting and planting referred to in iii. above shall be implemented by the Consent Holder (or nominated party) in accordance with the approved planting plan within the first planting season (May to October) following the completion of each stage of development. The vegetation/trees shall be maintained for at least 3 years in accordance with the landscape planting plans.
 - v. A planting specification and maintenance plan shall be provided for approval prior to planting, to include mulching, staking, fertiliser application, weeding and replacement planting.
- r) (landscaping bond) The Consent Holder shall enter into a bond or cash deposit for the value of the planting and the maintenance of the landscaping including replacing 5% of the plants over a 3 year period prior to the granting of the s224(c) certificate being issued to ensure compliance with Condition (q) above. The bond/cash deposit shall be released by Council on receipt of evidence that the tree planting has been completed and maintained in accordance with the approved Landscaping Plans for at least 3 years.
- s) The consent holder shall provide to the Stormwater Assets/Parks and Open Space Specialist 'as built' plans for landscape works (hard and soft) within the drainage reserve (Lot 100) and road reserves in CAD and pdf form including the following details:
- i. Grades of batter slopes associated with the drainage reserve
 - ii. All finished hard and soft landscape asset locations and type, and any planted areas must be shown to scale with the square metres of planting, species and number of plants
 - iii. All underground services, irrigation and drainage
 - iv. All paths, pavers and concrete types with names of products to be included on the assets schedule
 - v. Evidence of consultation with iwi as recommended in the CIA (recommendation 5.11 - see condition 1)
- t) (fencing) Any fencing along boundaries or within 2m of boundaries of open spaces (reserves) must be either low height (1.2m or at least 25% visually permeable (max height 1.8m). Landscape planting may be implemented on either side of the fence and must be maintained to ensure 25% visual permeability.

Note: this condition does not require fencing to be constructed

General conditions – District Land Use Consent SLC-63530

Landscaping/Ecology

- 10. The 80m of permanent stream on Lot 100 is to be retained in its natural alignment

Transportation/Traffic

11. The grade for Road 7 must be increased to a minimum of 1% or as agreed with Auckland Transport.
12. Pedestrian crossings are provided within the development. The details of these are to be provided at Engineering Plan Approval stage.
13. Details of street lighting are to be provided at the Engineering Plan Approval stage.
14. Details of planting within the road reserve are to be provided within 3 months of the commencement of works on the site, or at the request of Auckland Transport at engineering stage.
15. All construction is in accordance with the RDC Standards for Engineering Design and Construction.

Specific conditions – District & Regional Earthworks Consent SLC-63530 & REG-63533 (NRSI 43797)

16. The earthwork activity shall be carried out in accordance with the plans and all information submitted with the application and under section 92, outlined in condition 1 above, all referenced by council as SLC-63530 & REG-63533 including but not limited to:

Reports

'Land Use, Subdivision, Dam Permit, and Stream Works Resource Consent Application – Highgate Commercial Limited – Assessment of Environmental Effects & Statutory Assessment' prepared by Planning Focus limited and dated November 2014.

Cultural Impact Assessment – Fiona McKenzie, Manuhiri Kaitiaki Charitable Trust, November 2014

Plans

'Stream Earthworks Erosion and Sediment Control Plan', Drawing No. 160160-E01-EW-130, prepared by Woods, dated November 2014.

17. Upon abandonment or completion of earthworks on the subject site all areas of bare earth shall be permanently stabilised against erosion to the satisfaction of the Team Leader, Northern Monitoring.
18. Prior to the pre-start meeting a finalised Erosion and Sediment Control Plan (ESCP) which includes super silt fences shall be prepared and submitted to Team Leader, Northern Monitoring.

Pre-commencement meeting

19. 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 officer[s]
- d) Includes representation from the contractors who will undertake the works

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

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.

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

- e) Timeframes for key stages of the works authorised under this consent
- f) Resource consent conditions
- g) All updated plans in accordance with conditions 1 and 9.

Seasonal Restrictions

- 20. No earthworks or streamworks on the site shall be undertaken between 30 April and 1 October in any year, without the prior written approval of the Team Leader Northern Monitoring at least two weeks prior to 30 April of any year. Revegetation/stabilisation is to be completed by 30 April in accordance with measures detailed in TP90 and any amendments to this document.

Specific Conditions - Earthworks

- 21. Resource consent SLC-63530 shall expire five years from the date of issue unless it has been surrendered or cancelled at an earlier date pursuant to the RMA.
- 22. 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, Northern Monitoring. The plan shall include as a minimum:
 - a) Specific design details of the chemical treatment system based on a rainfall activated methodology for the DEBS
 - 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
 - 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.
- 23. Prior to bulk earthworks commencing, a certificate signed by an appropriately qualified and experienced engineer shall be submitted to the Team Leader, Northern Monitoring, to certify that the erosion and sediment controls have been constructed in accordance with the erosion and sediment control plans as specified in condition 9 and 12 of this consent.

Certified controls shall include the decanting earth bunds, diversion channels/bunds and super silt fences. The certification for these subsequent measures shall be supplied

immediately upon completion of construction of those measures. Information supplied if applicable, shall include:

- a) Contributing catchment area;
- b) Shape of structure (dimensions of structure);
- c) Position of inlets/outlets; and
- d) Stabilisation of the structure.

- 24. There shall be no deposition of earth, mud, dirt or other debris on any road or footpath resulting from earthworks activity on the subject site. In the event that such deposition does occur, it shall immediately be removed. In no instance shall roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses or receiving waters.
- 25. 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 9 and 12 shall be maintained throughout the duration of earthworks activity, or until the site is permanently stabilised against erosion.
- 26. The site shall be progressively stabilised against erosion at all stages of the earthwork activity, and shall be sequenced to minimise the discharge of contaminants to groundwater or surface water.
- 27. All perimeter controls shall be operational before earthworks commence. All 'cleanwater' runoff from stabilised surfaces including catchment areas above the site shall be diverted away from earthworks areas via a stabilised system, so as to prevent surface erosion.
- 28. Erosion and sediment control measures shall be constructed and maintained in accordance with Auckland Regional Council's Technical Publication 90; Erosion and Sediment Control Guidelines for Soil 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.
- 29. No sediment laden runoff shall leave the site without prior treatment via an approved sediment control device.

Specific conditions – Regional Streamworks Consent REG-63533 (NRSI 43798)

- 30. Pursuant to 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.
- 31. The consent holder shall ensure that all exposed areas, including the bed of the stream and the area within the 100 year flood plain are stabilised at the end of each construction day.
- 32. Streamworks shall be carried out only during periods when all flows, up to the 24 hour 20 year return period storm event, can be diverted around the area of works and a two day weather forecast predicts no rainfall for the site location. During periods of flow greater than the capacity

of the diversion, up to the 100 year flood event, a stabilised flowpath shall be provided to ensure no scour or erosion occurs and so that flows can pass safely around or through the area of works with minimum nuisance and damage and with no sediment generation or discharge.

33. There shall be no discharge of contaminants (e.g. oil, diesel, petrol, effluent) to the stream as a result of the exercise of this consent.
34. All machinery shall be operated in a way which ensures that spillages of fuel, oil and similar contaminants are prevented, particularly during stabilisation and machinery servicing and maintenance. Refuelling and lubrication activities shall be carried out away from any water body such that any spillage can be contained so it does not enter the stream associated with this consent. The formation of the scour resistant auxiliary spillway from the adjacent Wetland into the stream channel should be managed such that any concrete or grout products required to prevent scour are used so with robust provisions to prevent contamination to the existing stream, to the satisfaction of the Team Leader, Northern Monitoring. A methodology should be submitted prior to construction of the spillway scour protection.
35. Sediment shall not be stockpiled within the 100 year flood plain area.

Specific conditions –REG-63532 (Damming of Water) & REG-64051 (Diversion & Discharge of Stormwater)

Stormwater works

36. Stormwater diversion and discharge and the damming of water permit shall expire on 24th February 2050 (35 years) unless it has lapsed, been surrendered or been cancelled at an earlier date pursuant to the RMA.
37. The following stormwater management works are constructed for the following catchment areas and design standards and they are completed prior to construction of further impervious surfaces.

Works to be undertaken	Catchment area	Design specifications
<i>Stormwater Wetland</i>	39.76ha	TP10, TP108

38. In the event that any minor modifications to the stormwater management system are required, the following information shall be provided:
 - Plans and drawings outlining the details of the modifications; and
 - Supporting information that details how the proposal does not detrimentally affect the capacity or performance of the stormwater management system.

All information shall be submitted to, and verified by the Team Leader – Northern Monitoring, prior to implementation.

Advice note: All proposed changes must be discussed with the Team Leader – Northern Monitoring, prior to implementation. Any changes to the proposal which will affect the capacity

or performance of the stormwater system or will result in a change to the conditions of this consent will require an application to be made in accordance with Section 127 of the RMA.

Construction meetings

39. Five working days prior to initiation of the construction of the wetland, a pre-construction site meeting between the Team Leader - Northern Monitoring and all relevant parties, including the site stormwater engineer, shall be arranged.
40. The following information shall be provided at the pre-construction meeting:
 - i) Timeframes for key stages of the works authorised under this consent;
 - ii) Contact details of the site contractor and site stormwater engineer; and
 - iii) Approved (signed/stamped) construction plans.

Advice Note: To arrange the pre-construction meeting required by this consent, please contact the Team Leader - Northern Monitoring.

Post-construction meeting

41. A post-construction meeting shall be held by the consent holder, within 20 working days of completion of the stormwater management works, that:
 - a) is located on the subject area;
 - b) includes representation from the Team Leader - Northern Monitoring; and
 - c) includes representation from the site stormwater engineer and contractors who have undertaken the works and any other relevant parties.

Advice Note: To arrange the post-construction meeting required by this consent, please contact the Team Leader - Northern Monitoring.

Certification of construction works

42. Within 30 days of practical completion, As-Built certification and plans of the stormwater management works, which are certified (signed) by a suitably qualified registered surveyor or engineer as a true record of the stormwater management system, shall be provided to the Team Leader – Northern Monitoring.
 - a. The As-Built plans shall include, but not be limited to:
 - a) Location and dimensions of stormwater treatment device (wetland, discharge point to stream);
 - b) Documentation of any discrepancies between the design plans and the As-Built plans.

Operation and maintenance

43. An Operation and Maintenance Plan for the stormwater management and treatment system shall be developed and sent to the Team Leader – Northern Monitoring 5 days prior to the post-construction meeting required by this consent.
44. The Operation and Maintenance Plan shall set out how the stormwater management and treatment system is to be operated and maintained to ensure adverse environmental effects are minimised. The plan shall include, but not be limited to:

- a) A programme for regular maintenance and inspection of the stormwater management system;
 - b) A programme for the collection and disposal of debris and sediment collected by the stormwater management devices or practices;
 - c) A programme for post storm maintenance;
 - d) General inspection checklists for all aspects of the stormwater management system, including visual checks;
 - e) Details of who will hold responsibility for long-term maintenance of the stormwater management system;
45. The stormwater management and treatment system shall be managed in accordance with the Operation and Maintenance Plan.

Maintenance report

46. A maintenance report shall be provided to the Team Leader – Northern Monitoring on request. The maintenance report shall include but not be limited to the following:
- a) Details of who is responsible for maintenance of the stormwater management system;
 - b) Details of any maintenance undertaken; and
 - c) Details of what inspections were completed over the preceding twelve months.
47. Details of all inspections and maintenance for the stormwater management system for the preceding three years shall be retained.

Overland flow paths

48. For stormwater flows in excess of the capacity of the primary drainage systems, major secondary flow paths shall be provided and kept free from significant obstructions such as buildings and solid fences to allow surplus stormwater from critical storms to discharge with the minimum of nuisance and damage.

Ongoing Conditions/Consent Notices

The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notices pursuant to s.221 of the Act.

(building restrictions) Any buildings erected on the Lots shall be subject to the requirements of the report required by condition 9(g), copies of which are held at the offices of the Council, Centreway Road, Orewa.

(building restrictions - stormwater control and treatment) All stormwater from buildings and paved areas shall be collected and disposed of in accordance with Appendix J & K of the stormwater design report prepared by Woods, reference 60160, dated December 2014. The collection and disposal system shall be installed in conjunction with the erection of any buildings and shall thereafter be maintained to the specified capacity and standard in perpetuity.

(landscaping) Lots 1 – 12 shall comply with the Landscape Plan(s) and requirements as approved under SLC-63530 & LAN-62751 (including Development Concept Plans and Framework Plans). Council will require bonds to ensure compliance and ongoing maintenance to achieve the landscape outcome proposed in the Landscape Plan(s)

3. Advice notes

1. *Please read the conditions of this resource consent carefully and make sure that you understand all the conditions that have been imposed before commencing the development.*
2. *The consent holder shall obtain all other necessary consents and permits, 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), 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. Please note that the approval of this resource consent, including consent conditions specified above, may affect a previously issued building consent for the same project, in which case a new building consent may be required.*
3. *A copy of this consent should be held on site at all times during the establishment and construction phase of the activity.*
4. *Compliance with the consent conditions will be monitored by Council in accordance with section 35(d) of the Resource Management Act. This will typically include site visits to verify compliance (or non compliance) and documentation (site notes and photographs) of the activity established under the Resource Consent. In order to recover actual and reasonable costs, inspections, in excess of those covered by the base fee paid, shall be charged at the relevant hourly rate applicable at the time. Only after all conditions of the Resource Consent have been met, will Council issue a letter on request of the consent holder.*
5. *Development contributions levied under the Local Government Act 2002 are payable in relation to this application. The consent holder will be advised of the development contributions payable separately from this resource consent decision. Further information about development contributions may be found on the Auckland Council website at www.aucklandcouncil.govt.nz.*
6. *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, Northern Monitoring prior to implementation to confirm that they are within the scope of this consent.*
7. *To arrange the pre-start meeting required by Condition 19 please contact the Team Leader, Northern Monitoring on kerry.flynn@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.*

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

- *The use of mulching.*
- *Top-soiling, grassing and mulching of otherwise bare areas of earth.*
- *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, Northern Monitoring for more details. Alternatively, please refer to Auckland Regional Council, Technical Publication No. 90, Erosion & Sediment Control: Guidelines for Land Disturbing Activities in the Auckland Region.

9. *In the event that minor amendments to the CTMP (see Condition 22) are required, any such amendments should be limited to the scope of this consent. Any amendments which affect the performance of the CTMP 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, Northern Monitoring prior to implementation to confirm that they are within the scope of this consent.*

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

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

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, Northern Monitoring for more details. Alternatively, please refer to Auckland Regional Council, Technical Publication No. 90, Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region.

11. *In accordance with Condition (26) earthworks shall be progressively stabilised against erosion during all stages of the earthwork activity. Interim stabilisation measures may include:*

- *the use of waterproof covers, geotextiles, or mulching*
- *top-soiling and grassing of otherwise bare areas of earth*

- aggregate or vegetative cover that has obtained a density of more than 80% of a normal pasture sward

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, Northern Monitoring for more details. Alternatively, please refer to Auckland Regional Council, Technical Publication No. 90, Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region.

12. *perimeter controls include cleanwater diversions, silt fences and any other erosion control devices that are appropriate to divert stabilised upper catchment runoff from entering the site, and to prevent sediment-laden water from leaving the site.(refer condition 27)*

- *The Heritage New Zealand Pouhere Taonga Act 2014 (the Act) provides for the identification, protection, preservation and conservation of the historic and cultural heritage of New Zealand. All archaeological sites are protected by the provisions of the Act (section 42). It is unlawful to modify, damage or destroy an archaeological site without prior authority from Heritage New Zealand. An authority is required whether or not the land on which an archaeological site may be present is designated, a resource or building consent has been granted, or the activity is permitted under regional or district plan.*
- *According to the Act (section 6) archaeological site means, subject to section 42(3),—*

(a) any place in New Zealand, including any building or structure (or part of a building or structure), that—

(i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and

(ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and

(b) includes a site for which a declaration is made under section 43(1)

13. *If any archaeological features are uncovered on the site, it is recommended that works cease and council's representative monitoring your application is notified immediately. For guidance and advice on managing the discovery of archaeological features contact the Team Leader Cultural Heritage Implementation on 09 301 0101. Archaeological features' may in practice include shell middens, hangi or ovens, pit depressions, defensive ditches, artefacts, or koiwi tangata (human skeletal remains). Please note in the event of a discovery, contacting New Zealand Historic Places Trust (on 09 307 9920), as well as the local iwi Manuhiri Kaitiaki Charitable Trust, Fiona McKenzie – f.mckenzie@ngatimanuhiri.iwi.nz is recommended.*

14. *If you disagree with any of the above conditions, or disagree with the additional charges relating to the processing of the application you have a right of objection pursuant to sections 357A or 357B of the RMA. Any objection must be made in writing to Council within 15 working days of notification of the decision.*

Delegated decision maker:

Name: STEVE SEAGER
Title: Team Leader, Resource Consents
Signed: 
Date: 27/2/15

RESOURCE CONSENT L54535

Silverstone Business Park Limited
c/o Wood & Partners Consultants Ltd
PO Box 6752
Wellesley Street
Auckland 1141

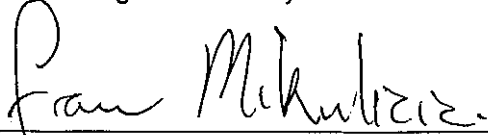
Attn: Neil Pye/ Stuart Penfold
Your Ref: 60160TA

FILE:	L54535	
APPLICANT:	Silverstone Business Park Limited	
ADDRESS:	217 Wainui Road and 38 Waterloo Road Silverdale North	
LEGAL DESCRIPTION:	Lot 1 & 2 DP114318, Lot 1 DP 105971 & Sec. 1-4 & 7 SO70732	
ZONING:	Plan Change 55 Variation 52	General Rural Zone Special 19, Knowledge Economy Business Park (KEBP) and Knowledge Economy Mixed Use (KEMUC) Policy Areas
APPLICATION:	<i>The applicant proposes to undertake bulk earthworks and enabling works over Precinct 8A within Silverdale North, involving 790,000m³ of cut and 780,000m³ of fill over approximately 31.9ha where the permitted volume of earthworks is 1000m³. The earthworks are proposed over 2 ARC earthworks seasons. It is also proposed to remove all vegetation within Precinct 8A including individual exotic trees and shelterbelts ranging between 7 and 20 metres in height, and a small number of native trees (mainly Pohutukawa) ranging between 5 to 7 metres. Several of the native and exotic trees are greater than 6m in height, and the removal of vegetation exceeds the maximum permitted of 250m² in area.</i>	
STAGING:	To be staged over two earthworks seasons, with Phase A being two steps over one earthworks season and Phase B being seven steps over the subsequent earthworks season.	
ACTIVITY STATUS:	Plan Change 55 Variation 52	Discretionary Non Complying

DECISION UNDER DELEGATED AUTHORITY

Pursuant to sections 104 and 108 of the Resource Management Act 1991, consent be granted, subject to the condition attached, to the application for a Discretionary Activity for the reasons stated.

Signed under Delegated Authority



Fran Mikulicic – Principal Planner (Appeals), Team
Leader Silverdale North

15/10/08
Date

CONDITIONS

1. (general) The development shall proceed in general accordance with the application submitted, and the plans drawn by Wood & Partners Consultants Ltd, (as listed below) and signed by Consultant Planner Kate Madsen, dated 7th October 2008.

8A-001 & 002 (01/09/09) – Existing & Proposed Contours
 8A-701 (01/09/08) – Indicative Contours
 8A-100 -102 (10/09/08) Indicative Contours & Cut/Fill Plan
 8A-120 & 121 (01/09/08) Erosion and Sediment Control Phase A & B
 8A-122 (01/09/08) Earthworks Methodology & Staging
 8A-123 (01/09/08) Soil Loss Equation Catchments Phase A
 8A-124 (10/09/08) Soil Loss Equation Catchments Phase B
 8A-203-211 (10/09/08) Cross Sections

Note: (building consent) The granting of this resource consent does not preclude the consent holder from the need to obtain a building consent prior to construction commencing.

2. (resource consent and monitoring charges) The resource consent holder shall pay to the Council within one month of the issue of this consent or prior to the activity commencing (whichever is earlier) the cost, including specialist services, staff time and administration for the processing of this application together with initial charges for the following inspections:

Ecologist	4	x site visit;
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Environmental protection	4	x site visit.
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Monitoring deposits will be invoiced by the Council together with the consent processing charges.

Should further monitoring be required to ensure compliance, the Council will recover the actual and reasonable costs that are incurred for this monitoring as set out in the Council's Schedule of Fees and Charges.

3. (exposure of archaeological) If any artefact, including human remains is exposed during any site works the following procedures shall apply:
 - Immediately when an artefact has been exposed, all site works shall cease; and
 - The site supervisor shall immediately secure the area in a way that ensures that any artefacts or remains are untouched; and
 - The site supervisor shall notify tangata whenua, the New Zealand Historic Places Trust, the Department of Conservation and the Council's RMA Compliance Administration Officer (telephone 0800 426 5169) and in the case of human remains the Police, that an archaeological site has been exposed, so that appropriate action can be taken. This includes such people being given a reasonable time as determined by the Council to record and recover the archaeological features discovered before work may recommence on the site.
4. (archaeology notification) Ngati Manuhiri and the NZ Historic Place Trust must be informed 10 days prior to any earthworks commencing on the site to allow Ngati Manuhiri to monitor the earthworks and establish whether any sub surface archaeological features might be present.
5. (construction noise) Noise from construction activities shall not exceed the limits recommended in, and shall be measured and assessed in accordance with, New Zealand Standard NZS 6803:1999 "Acoustics – Construction Noise". The Consent Holder shall undertake a Noise Level Reading (by a Council recognised Acoustic Specialist) within one week of works commencing and submit results to the designated Environmental Protection Officer to verify levels comply with the above standards.

6. (hours of operation) The activity shall be restricted to operating between the hours of:
- Monday to Saturday 8am to 5.30pm
 - No work authorised with this consent shall take place on Sundays or Public Holidays or outside the hours specified above.
7. (protection of trees) The dripline area of the trees and vegetated areas to be retained shall be protected by a suitable buffer zone. The buffer zone shall be provided by cordoning off the trees and vegetated areas to be retained from the remainder of the property by a suitable fence/barrier. The precise location and design of the fence/barrier shall be agreed with Council's Ecological Advisor and shall be erected prior to the commencement of any work on site. The fence/barrier shall be strong and appropriate to both the degree of the construction works taking place and the vegetation or tree that requires protection as determined by Council's Ecological Advisor. This fence/barrier shall remain until all the work on the site has been completed. The fence/barrier shall be constructed to a standard that will prevent:
- Construction personnel from entering the protected area
 - vehicular traffic over the root zone;
 - the area being used for the temporary storage of building materials;
 - the modification of the area's existing contour;
 - excavations within the area such as trenching or alteration of the soil grade
 - the lighting of fires within the area.
 - cement/concrete washing and leaching of chemicals
- Accordingly none of the above listed works shall occur within those areas demarcated by the fence/barrier.
8. (tree removal) The removal of the vegetation demarked for removal as identified on Table 1 page 11 of the submitted application (other than Tree groupings 101 and 102, which shall be protected) shall be undertaken by a suitably qualified arborist, using currently accepted arboricultural dismantling methods and practices, in a manner so as to cause no damage to other trees and vegetation to be retained.
9. (vegetation relocation plan) A qualified Ecologist nominated by the Consent Holder, shall undertake a Vegetation Relocation Plan prior to works commencing to determine the following:
- i. If any existing plants or regenerating vegetation within Bush Lot 8 is suitable for relocation elsewhere on the applicant's landholdings
 - ii. If such vegetation is identified, provide a plan and report (including timing) for the identified plants to be excavated and re-planted.
 - iii. Submit this plan to Council to be approved by Team Leader Resource Consents in consultation with Council's Ecology Advisor.
 - iv. Implement the approved plan prior to works commencing on the site, and notify Council when works are complete.

Note: This relocation plan may be incorporated into the Ecological Management Plan in Condition 10.

10. (Protection of wildlife) Prior to the commencement of the development hereby approved an Ecological Management Plan for the entire area of earthworks and vegetation removal, from a suitably qualified ecologist, shall be submitted to and approved in writing by the Council's Ecologist. The management plan shall include the methodology to be used in any site clearance, the results of an ecological survey of the site, and a detailed scheme of protection, mitigation and compensation measures to be incorporated within the development, including a timetable for the implementation of the scheme, including any Department of Conservation permits required, and for the monitoring of the impact of the development on the ecological features. The development and the requirements of the management plan shall subsequently be commenced prior to the development or vegetation clearance being commenced and carried out in accordance with the approved details.

As a reference the mitigation program shall incorporate, but not be limited to:

- State the timing for implementation of the program (the program should be implemented over a minimum of an 8 week period in favorable weather, outside winter months with more intensive trapping 2 weeks prior to habitat removal);
- Describe the nature and placement of artificial habitats intended for trapping of fauna; where captured fauna are to be relocated to, including the locality and nature of habitat to be created if applicable; if required, the nature of fauna protective fencing when and where it is to be erected, and what herpetofauna landscaping mitigation is to be undertaken if required;
- State the ecologist/herpetologist, to be approved by Council, and their contact details to manage the implementation of the program.

The approved program shall be completed to the satisfaction of the Council's Ecology Advisor prior to earthworks or vegetation removal commencing. To this end the ecologist/herpetologist approved by the Council shall certify that the mitigation program has been carried out according to the approved program 5 working days prior to earthworks occurring; record should be submitted to Council's Ecologist that any species found have been removed and/or relocated; where applicable the consultant herpetologist shall submit to DOC a completed Amphibian and Reptile Distribution Scheme (ARDS) card and a copy shall be forwarded to Council's Ecologist.

11. (notification of commencement) At least 7 days prior to the work commencing the resource consent holder shall notify the Council's RMA Compliance Administrator by telephone (0800 426 5169) the expected date of work commencing.
12. (vibration) Within one week of earthworks commencing provide to the Consents Engineer results of Vibration Monitoring to be carried out by an approved geotechnical engineer to ensure that vibrations from the earthmoving and compaction plant comply with District Plan standards at the common boundary between the subject site and numbers 165 and 187 Wainui Road.
13. (effects on highway) To avoid any adverse effects on State Highway 1A attributable to vibrations caused by earthwork operations along the western reaches of the consented area of works, the following requirements shall be complied with:
 - The Consent Holder shall undertake trial monitoring of vibration on the first day of earthworks at the closest point to the Highway, in accordance with the methodology described in "Method Statement, Vibration Monitoring, Wainui Road, Silverdale" (Coffey Geotechnics dated 4 April 2008)
 - Where works are required to be stopped/restarted due to vibration findings, work shall only resume following agreement between the Vibration Monitoring Team, the Consent Holder, NZ Transport Agency & Rodney District Council on the methodology to be employed ensure that vibrations are kept within acceptable levels under DIN4150-3:1999.
14. (stormwater discharge) Ensure that pre development flows to the State Highway 1A drainage system are maintained both during construction and on completion of the earthworks so that the culvert under the Highway continues to be able to accommodate the flow and there are no flooding or other adverse effects on the Highway as a result of the earthworks. Details of the measures proposed to meet this requirement shall be shown on the Engineering Plans for approval.
15. (earthworks design/supervision) All earthworks shall be specifically designed and programmed to the "Standards for Engineering Design and Construction" and NZS 4431 by a Chartered Professional Engineer experienced in soil mechanics, who shall be retained to supervise the execution of the works. The work shall be designed and executed in compliance with the recommendations contained in the geotechnical report, prepared by Coffey Geotechnics, reference 12930, dated 5 November 2007 and the Supplementary Report of the same reference.
16. (Traffic Management Plan) A detailed Construction Traffic Management Plan in accordance with the Code of Practice for Temporary Traffic Management specifically addressing control of construction access to the site and traffic control adjacent to the site, and the protection of the public, shall be submitted to the Consents Engineer. Verification that it meets the Council's requirements shall have been received in writing, prior to the commencement of any works on the

site (refer s.109.2 of the "Standards for Engineering Design and Construction".) A copy of the Traffic Management Plan, together with the verification letter shall be kept on the site at all times. All measures for the protection of the public and other personnel set out in the verified Plan shall be maintained and complied with at all times until such time as the works are completed.

17. (developer's representative) 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.
18. (engineering works) 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.
19. (boundary treatment) The Consent Holder shall ensure that on the common boundary with the subject site and numbers 165 and 187 Wainui Road the following will occur:
 - i. An earthworks exclusion zone is implemented well outside the dripline and root zone of the shelterbelt of trees along the common boundary, with a minimum setback of 5m for the entire length of the boundaries;
 - ii. Bush Lot 8 adjacent to 187 Wainui Road is left undisturbed from the common boundary back 30 metres onto the consent holders land
 - iii. Suitable fencing/barriers are erected (as outlined in Condition 7)
 - iv. The earthworks drawings as submitted are amended in accordance with the plan emailed on 30th September 2008 identifying the works exclusion zone and numbered in the file 8A-EXC
20. (pre-construction meeting) The Developer's Representative shall give the Consents Field Supervisor at least 5 working days notice of the on-site pre-construction site meeting (refer section 103.15 of the "Standards for Engineering Design and Construction"). Construction work shall not commence on the site until such meeting has been held and all necessary documentation presented.

Note: Attention is drawn to the requirements of section 103.15.3 "Standards for Engineering Design and Construction" for the following documentation to be presented at the preconstruction meeting:

 - Health and Safety Plan;
 - Traffic Management Plan;
 - The relevant Resource or Subdivision Consent (and all conditions attached thereto);
 - Copies of any Auckland Regional Council Consents necessary for the works.
21. (neighbour notification) At least 10 days before the commencement of any work on site, the Consent Holder shall notify the owners and occupiers of numbers 165 and 187 Wainui Road of the intended date works are to begin, and present them with contact details for an Onsite Manager as a first point of contact.
22. (silt retention) Before the commencement of any work on site, adequate silt retention structures as detailed in the Auckland Regional Council Technical Publication No. 90 "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 surfacing, has been established or re-established over the site.
23. (dust control) All necessary actions shall be taken to prevent a dust nuisance to neighbouring properties and public roads; including, but not limited to:

- The staging of areas of the works;
- The retention of any existing shelter belts and vegetation;
- The installation and maintenance of wind fences and vegetated strips;
- Watering of all haul roads and manoeuvring areas during dry periods;
- Spraying of load dumping operations;
- Suspension of all operations if necessitated by the prevailing conditions

The site, or parts thereof as appropriate, shall be re-grassed or otherwise protected from wind and water erosion immediately on the completion of bulk earthworks whether or not other works are completed.

24. (grass cover) All areas affected by the works shall be re-grassed, re-vegetated or otherwise protected from wind and water erosion within two months of the completion of the works. Areas to remain un-worked for more than two months shall be re-grassed, or otherwise sealed against wind and water erosion, even if further works are intended at a later date.
25. (timing of works) The bulk earthworks approved under this Consent are to be completed within two consecutive ARC earthworks seasons, and the land is to be re-grassed and stabilised at the end of each season, unless an alternative agreement in regard to timing is reached with Council (in consultation with Team Leader – Resource Consents or equivalent person) for reasons outside the Consent Holders control.
26. (completion of earthworks) On completion of the bulk earthworks covered by this consent, an Earthworks Completion Report signed by the Chartered Professional Engineer who designed and supervised the works, shall be provided to the Consents Engineer.
27. (review condition) Pursuant to section 128 of the Resource Management Act 1991, the Council may serve notice on the consent holder of its intention to review Condition 6 'Hours of Operation' of this consent:
 - i. At any time during each consecutive earthworks season once the activity has commenced on site; and
 - ii. For the purpose of reviewing the hours of operation should any nearby property owner lodge a reasonable complaint with Council in relation to the hours of operation on site.

If the Manager – Resource Consents considers such a review is required, Council reserve the right to reduce the given hours of operation to 9am – 4pm temporarily and/or to suspend works between Christmas and New Year.

The actual and reasonable costs incurred by the Council in undertaking this review shall be paid by the resource consent holder within one month of being invoiced.

REASONS

- 1 The proposal is considered to be generally in accordance with the vision of future development in the Silverdale North area.
- 2 The vegetated areas or landform within the subject site(s) has not been overlaid with Significant Natural Heritage in the District Plan(s), and sufficient additional reports from ecological experts have confirmed that the vegetation to be removed is of low quality.
- 3 The applicant is accepting that a comprehensive faunal mitigation programme be undertaken before works can commence on both Bush Lot 8 and the rank grasslands.
- 4 There are no identified items of historic or cultural significance within the area of works and adequate and ongoing consultation is continuing with local iwi.
- 5 The effects on amenity (visual impact, noise, dust, traffic, hours of operation and people movement/activity) during the proposed earthworks and vegetation removal are predominately site specific and temporary in nature.
- 6 The proposal is considered to have no more than de minimis adverse effect on the two closest rural-residential properties due to the distance of the dwellings from the proposed works, the remaining mature trees in between, the earthworks exclusion zone and the relatively short duration of the works. No other parties are considered to be affected any more than de minimis.
- 7 The works subject to this assessment will also be subject to erosion and sediment control measures in accordance with ARC TP90 guidelines.
- 8 The earthworks are to be completed within two earthworks seasons and be stabilised/re-grassed on completion which assists in reducing the time frame for temporary visual effects.
- 9 Sufficient information has been provided to confirm that the earthworks and vegetation removal can be carried out without any adverse effects on the stability of the site or the adjoining land.
- 10 The proposed works do not fix any final levels, including building and road platform construction, and the applicant is submitting the application and will undertake any approved works on a 'without prejudice' basis in respect of future applications and the land use of the site. This is in light of the pending notified hearing in regard to the DCP and full site works under L52912.
- 11 The application is not contrary to the relevant objectives, policies and assessment criteria of Plan Change 55, the Proposed District Plan and Variation 52, in particular the provisions that relate to:
 - avoiding, remedying or mitigating adverse effects of earthworks on vegetation and habitats,
 - protecting the key natural features and distinctive character of the area;
 - avoiding the adverse effects of stormwater runoff
 - recognising the original topography of the land and reflecting it in the final landform.
- 12 The proposal is consistent with the purpose and principles of Part II of the Resource Management Act 1991, in particular those areas of Part II that relate to safeguarding life supporting capacity, avoiding remedying or mitigating any adverse effects and protecting outstanding natural features and landscapes from inappropriate subdivision use and development. The proposal is considered to be consistent with those particular Part II matters that have been identified because conditions have been set to assist the applicant in avoiding remedying or mitigating any adverse effects.

THIS APPLICATION HAS BEEN ASSESSED WITH REGARD TO:

	Status	Rules	Assessment criteria	Objectives & Policies
Plan Change 55	Discretionary	3.3 (p 324 - 328)	3.3 (p 328 - 329)	1.1 & 1.2 (p 317 - 318); 5.1 - 5.16 (p45 - 47)
Variation 52	Non Complying	12.8.19.10.2 18.9.2; 18.10	12.8.19.39.218.13; 18.12.1.2; 18.12.3.2; 18.12.5.2; 18.12.7.2; 18.12.9.2	18.3; 18.4; 13.3; 13.4

ADVICE NOTE

A resource consent lapses on the expiry of five years after the date of commencement of the consent unless given effect to, or after the expiry of such shorter or longer period as is expressly provided for in the consent.

If you disagree with the decision or any condition imposed on the consent, you may either:

- *lodge an objection with the Council to review the decision/condition(s). Your objection must be in writing and lodged with the Council within 15 working days of receiving this letter. You should include with the objection reasons as to why you are seeking the review. The Council will consider the objection by way of a hearing, at which you and/or your representative may present evidence.*
- or*
- *lodge an appeal with the Environment Court. The appeal must be lodged with the Court and Council within 15 days of receiving this letter and be in the proper format. It is suggested that if you do intend to lodge an appeal, you obtain legal advice to ensure that the appeal is valid.*

You may not start any work on the proposal/consent if you intend to lodge an objection with the Council.



Ref: L54535

Silverdale Business Park Limited
c/-Planning Focus Ltd
PO Box 911-361
Auckland 1142
Attention: Paul Arnesen

Decision for Extension of a lapsing period for Resource Consent L54535

APPLICATION DESCRIPTION

The applicant is requesting an extension to the lapse periods of Resource Consent L54535, granted by Rodney District Council on 15 October 2008. This application is made under the provisions of s125 of the Resource Management Act 1991. The extension date requested is until 31 May 2016.

Application and Property Details

Consent Application
Number(s):

L54535

Site Address:

38 Waterloo Road and 217 Wainui Road Silverdale

Applicant's Name:

Silverdale Business Park Limited

Legal Description:

Lot 2 DP85630, Sec. 2 SO Plan 308837, Lot 4 DP85630, Lot 1 DP98968, Lot 1 DP145917, Lot1 DP211452, Sec.1 SO Plan 70750, Lot 4 DP83197, Lot 1 DP105961, Lot 1 & 2 DP114318, Sec. 1-4, 7 SO Plan 70732

Lot 1 & 2 DP 114318 - water right (Transfer 381746.1), subject to Part IVA Conservation Act 1987 & subject to Section 11 Crown Minerals Act 1991.

Lot 1 DP105961 - Gazette Notice 1994 acquiring part within land in connection with the Auckland -Waiwera Motorway and vested in the Crown.

Section 1-4, 7 SO 70732 - Gazette Notice (2002) imposing restrictions under S236 Public Works Act 1981; subject to a right to convey petrol, water and other liquids or gases over part Section 1 and part Section 7 in favour of Natural Gas Corp of NZ

Subject to Part IVA Conservation Act 1987

Subject to a right to a stormwater easement over part marked A in favour of Her Majesty the Queen

Operative Plans Applying:

Auckland District Council Plan – Rodney Section 2011

Zoning:

Special 19 – Knowledge Economy Zone, Knowledge Economy Business Park Zone

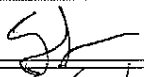
DECISION UNDER DELEGATED AUTHORITY

Pursuant to sections 125 of the RMA, consent is **granted** to the application for extension to the lapse period of Resource Consent L54535 until 31 May 2016 by Silverdale Business Park Limited at 217 Wainui Road and 38 Waterloo Road Silverdale North.

Signed under Delegated Authority

Team Leader Resource
Consents

Date:


25/6/12

1.0 REASONS FOR DECISION

The reasons for this decision are as follows:

- a) It is considered that sufficient effort has been made by the new landowners/applicant towards giving effect to the consent
- b) No persons are considered affected by the extension to the lapse date
- c) There are no effects in regard to consideration of the objectives and policies of the District Plan in relation to the extension of time.

Advice Notes

1. *The Applicant/Consent Holder must comply with the conditions of the original resource consent (L54535) carefully and make sure that they understand all the conditions that have been imposed before commencing the development.*

2. ***This resource consent will lapse on 31 May 2016 unless:***

- (a) *it is given effect to before the end of that period. To give effect to this consent, the activity allowed by this consent must be established and the conditions contained in the consent complied with. Please note that there must be compliance with all of the consent conditions once the land use has been established, or*
- (b) *an application is made and granted prior to the expiry of that period for a time extension. The statutory considerations that apply to extensions are set out in section 125 of the RMA. (Delete and re-number accordingly if lapse date is specified in clause 10 under Conditions section above)*

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

3. *The consent holder shall obtain all other necessary consents and permits, including those under the Building Act 2004, and the Historic Places Trust Act 1993. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007), 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. Please note that the approval of this resource consent, including consent conditions specified above, may affect a previously issued building consent for the same project, in which case a new building consent may be required.*

4. *A copy of this consent should be held on site at all times during the establishment and construction phase of the activity. The consent holder is requested to notify Council, in writing,*

of their intention to begin works, a minimum of seven days prior to commencement. Such notification should be sent to the Resource Consents Compliance Administrator, Orewa Service Centre and include the following details:

- name and telephone number of the project manager and the site owner;*
 - site address to which the consent relates;*
 - activity to which the consent relates; and*
 - expected duration of works.*
- 5. If you disagree with any of the 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 RMA. Any objection must be made in writing to Council within 15 working days of notification of the decision.*
- 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 Resource Management Act. This will typically include site visits to verify compliance (or non compliance) and documentation (site notes and photographs) of the activity established under the Resource Consent. In order to recover actual and reasonable costs, inspections, in excess of those covered by the base fee paid, shall be charged at the relevant hourly rate applicable at the time. Only after all conditions of the Resource Consent have been met, will Council issue a letter on request of the consent holder.*

Decision on an Application for a Resource Consent under the Housing Accords and Special Housing Area Act 2013 and Resource Management Act 1991

Application Number:	SLC-64824
Applicant's Name:	Highgate Residential Limited
Site Address:	187 Wainui Road, Silverdale
Legal Description:	Part Lot 2 DP 12080
Proposal:	Construction of 14 dwellings including subdivision of residential lots and two jointly owned access lots, and provision of servicing infrastructure.

I have read the application, supporting documents, and the report and recommendations on the consent application. I am satisfied that I have sufficient information to consider the matters required by the Housing Accords and Special Housing Areas Act 2013 (HASHAA) and Resource Management Act 1991 (RMA) and make a decision under delegated authority on this application.

This requires resource consent for the following reasons:

Proposed Auckland Unitary Plan (PAUP) 2013

Auckland-wide rules

- 6.5m of manoeuvring space is proposed to service the parking spaces of houses on lots 62 – 70.
 - Part 3 Chapter H Rule 1.2.3.3.1a – **restricted discretionary** consent is required for providing less than 7.0m manoeuvring space for a 2.6m wide parking space (90 degree angle).
- The driveways of lots 62 & 63, 64 & 65 and 66 & 67 are separated by 0.6m; the driveway of lot 69 is separated from the shared driveway of lots 70 – 72 by 1.8m

- Part 3 Chapter H Rule 1.2.3.4.2 – **restricted discretionary** consent is required where driveways on adjoining sites are separated by less than 2.0m.
- The shared access way (lot 200) is formed as a shared space for vehicles and pedestrians.
 - Part 3 Chapter H Rule 1.2.3.4.3 – **restricted discretionary** consent is required where a 1.5m pedestrian path is not provided for the shared access way.
- 1,631.6m² of impervious area associated with new dwellings and 1003m² associated with access ways (for a total of 2,634.6m²) is being created in a Stormwater Mitigation Area – Flow (SMAF) 1.
 - Part 3, Chapter H Rule 4.14.2.1 – **restricted discretionary** consent is required for impervious areas (other than for a public road) greater than 25m² in a SMAF 1 or 2 that do not meet hydrology requirements.
- Subdivision is being proposed concurrently with land use consent.
 - Part 3, Chapter H Rule 5.1 – **Restricted discretionary** consent is required for subdivision in the Single House zone.
- The proposed sites infringe the relevant access and manoeuvring rules, with respect to manoeuvring space, reverse manoeuvring and access way dimensions.
 - Part 3, Chapter H Rule 5.2.3.1.2 – **Restricted discretionary** consent is required for subdivision which does not meet the Auckland-wide and zone rules regarding site size and shape.
- The shared access way (lot 200) serves 11 dwellings.
 - Part 3, Chapter H Rule 5.2.3.1.4 – **Restricted discretionary** consent is required for jointly owned access lots which serve more than 8 dwellings.
- Lot 200 is proposed as a shared pedestrian and vehicular space.
 - Part 3, Chapter H Rule 5.2.3.1.5 – **Restricted discretionary** consent is required where a driveway serving 6+ rear sites does not have a separated pedestrian access.

Precinct rules (Silverdale North)

- The proposal generally accords with the consented Highgate Development Concept Plan.
 - Part 3, Chapter K, Rule 5.44.1 Table 2 – **Restricted discretionary** consent is required for subdivision complying with an approved framework plan.
 - Part 3, Chapter K, Rule 5.44.1 Table 5 – **Restricted discretionary** consent is required for any buildings, subdivision or development complying with an approved framework plan, in sub-precinct B.

- The proposed lots range in size between 120m² – 258m².
 - Part 3, Chapter K Rule 5.44.3.4 – **Discretionary** consent is required for site sizes that do not comply with the Silverdale North sub-precinct B density controls (being 150m² for 20% of sub-precinct B; 450m² for 25-45% of sub-precinct B; 650m² for 45-65% of sub-precinct B).
- The proposal does not comply with the yard provisions of the Silverdale North sub-precinct B development controls.
 - Part 3, Chapter K, Rule 5.44.4.2 – **Restricted discretionary** consent is required for sites where a side yard is less than 3m, any other side yard is less than 1m (except zero lot boundaries) and rear yards are less than 6m.
 - Yards of lots 62, 64 and 66 are 1.0m (north side) and 4.2m (rear).
 - Yards of lots 63, 65 and 67 are 1.0m (south side) and 4.2m (rear).
 - Yards of lot 68 are 1.5m (north side) and 5.7m (rear).
 - Yards of lot 69 are 1.5m (south side) and 5.7m (rear).
 - Yards of lot 70 are 1.5m (east and west sides).
 - Yards of lots 72 and 74 are 2.5m (north side) and 1.5m (rear).
 - Yards of lots 73 and 75 are 1.5m (rear).
- At lots 71, 73 and 75, the required 4.5m square of private outdoor space is in the side yard.
 - Part 3, Chapter K, Rule 5.44.4.4 – **Restricted discretionary** consent is required where the required 4.5m square of private outdoor space is not behind the street façade of the dwelling.
- Lots 62 – 68 receive approximately 3 hours of sunlight on 22 March/September.
 - Part 3, Chapter K, Rule 5.44.4.5 – **Restricted discretionary** consent is required for sites where the private outdoor living space does not receive at least 5 hours of sunshine between 9am and 3pm on 22 March/September.
- Lots 68 and 69 are each 120m².
 - Part 3, Chapter K Rule 5.44.5.3 – **Restricted discretionary** consent is required for site sizes that do not comply with the Silverdale North sub-precinct B density controls (being 150m² for 20% of sub-precinct B; 450m² for 25-45% of sub-precinct B; 650m² for 45-65% of sub-precinct B).

Zone rules (Single House)

- **Discretionary** consent is required for the infringement of three or more of the following development controls:

- Part 3, Chapter I, Rule 1.6.3 – The proposed buildings will infringe the 2.5m + 45 recession plane by up to 3.3m in the vertical for a maximum of 10.5m:
 - Lot 62: up to 1.6m (v) for 10.5m (north)
 - Lot 63: up to 1.0m (v) for 10.5m (south)
 - Lot 64: up to 3.0m (v) for 10.5m (north)
 - Lot 65: up to 2.2m (v) for 10.5m (south)
 - Lot 66: up to 3.3m (v) for 10.5m (north)
 - Lot 67: up to 3.1m (v) for 10.5m (south)
 - Lot 68: up to 2.4m (v) for 9.3m (north)
 - Lot 69: up to 1.9m (v) for 9.3m (south)
 - Lot 70: up to 1.0m (v) for 9.0m (east)
 - Lot 72: up to 3.2m (v) for 6.3m (west).
 - Lot 73: three instances, being up to 1.4m (v) for 6.0m (south); 1.6m (v) for 6.0m (south); and up to 3.2m (v) for 8.9m (west).
 - Lot 74: up to 3.2m (v) for 6.3m (west).
 - Lot 75: three instances, being up to 1.5m (v) for 6.0m (south); 1.7m (v) for 6.0m (south); and up to 3.2m (v) for 8.9m (west).
- Part 3, Chapter I, Rule 1.6.6 – A number of proposed dwellings will infringe the 60% maximum impervious area by up to 4%;
 - Lots 62 – 65 infringe by 2%
 - Lots 66, 67 and 72 infringe by 4%.
- Part 3, Chapter I, Rule 1.6.7 – The proposed buildings will infringe the 35% maximum building coverage by up to 14%;
 - Lots 73 and 75 infringe by 6%
 - Lot 71 infringes by 7%
 - Lots 62 – 65 infringe by 11%
 - Lot 72 infringes by 12%
 - Lot 74 infringes by 13%
 - Lots 66 and 67 infringe by 14%.
- Part 3, Chapter I, Rule 1.6.8 – The proposed buildings will infringe the 40% minimum landscaped area by up to 4% (that is, as little as 36% is proposed).
 - Lots 62 – 65 infringe by 2%
 - Lots 66, 67 and 72 infringe by 4%
 - Lot 74 infringes by 6%

- Lot 71 features a 1.8m high fence in the front yard.
 - Part 3, Chapter I, Rule 1.6.10 – **Restricted discretionary** consent is required where fences in the front yard exceed 1.6m in height.

Auckland Council District Plan – Rodney Section 2011 (lots 62 – 68)

As indicated in the *Proposal* section of this report, a narrow strip of land across the front of several proposed residential lots is outside the SHA boundary, as is the jointly owned access lot. This area is therefore subject to the Special 19 Zone under the operative Auckland District Plan – Rodney Section 2011. The two balance lots are also outside the SHA boundary. Having regard to this, resource consent is needed for the following reasons:

KEBP and KEMUC Development Controls –

- **Restricted discretionary** consent is required for infringement of each of the following development controls:
 - Rule 12.8.19.23.4: The front yard of Lots 62 – 67 are 3.8m; the side yards of lots 62 – 67 are 1m.
 - Rule 12.8.19.23.5: A 2.0m x 2.4m deck is located in the front yard of Lots 62 – 67.
 - Rule 12.8.19.23.6(b): Lots 62 – 67 do not provide the minimum 3m width of the required 50% front yard landscaping.
 - Rule 12.8.19.23.6(i): The external stacked car parks on Lots 62 – 67 are not screened from the street frontage by dense landscaping.
 - Rule 12.8.19.23.6(j): The minimum dimension of landscaping on Lots 62 – 67 is 1.6m.
 - Rule 12.8.19.23.6(l): Landscaping on lots 62 – 67 is proposed to a maximum height of 1.4m.
 - Rule 12.8.19.23.6(m): The front yards of Lots 62 – 67 are partially bound by a 1.4m high feature fence.

KEBP and KEMUC Subdivision –

- The proposal involves subdivision of residential Lots 62 – 67 and the 874m² jointly owned access lot (Lot 200), in a location indicated for residential activities on the consented Development Concept Plan.
- Rule 12.8.19.26.1(ii): **Restricted discretionary** consent is required for the subdivision of land which is in conformity with the consented Development Concept Plan for the land.

Acting under delegated authority, under section 37 of the HASHAA, and section 104B of the RMA 1991, this application is **GRANTED, SUBJECT TO CONDITIONS.**

Reasons

Under section 39 of the HASHAA and section 113 of the RMA, the reasons for this decision are:

- a) The proposal aligns with the purpose of the HASHAA as it will contribute to housing affordability by increasing housing supply and improving housing choice in the Silverdale area.
- b) It is considered that the proposal is consistent with Part 2 of the RMA as it will promote sustainable management of natural and physical resources. The proposal is aligned to the approved Highgate framework plan which sets out the integrated management of the wider area in a way that makes efficient use of the site whilst minimising any effects on the environment.
- c) An assessment of the scheme against actual and potential effects, the PAUP provisions and the Highgate framework plan has been undertaken and the proposal found to be appropriate because:
 - Existing land use strategy at the site has anticipated its development for residential development that improves the variety of housing available in the area, particularly higher density typologies.
 - The overall design of the proposal creates interest, variety and establishes a strong neighbourhood character. It complements the emerging urban form at Millwater while embracing the higher densities appropriate for neighbourhoods adjoining business areas.
 - Incorporating universal accessibility and sustainability principles, and balancing higher density with solar accessibility, the proposed dwellings support a diverse and healthy community.
 - The proposal is not expected to generate significant effects on the primary road network. The trips generated by the proposed dwellings will not exceed the number expected to be generated by the previous business zoning.
 - The construction of local roads, works to extend existing water and wastewater networks and construction of the necessary stormwater devices and reticulation are included in the scheme. It will therefore be adequately serviced by the necessary infrastructure.
- d) The proposal has responded positively to the legacy planning aspirations for the area and is not contrary to the objectives and policies of the Rodney District Plan or the Proposed Auckland Unitary Plan. The potential adverse effects of the development – notably increased density and impervious area – have been sufficiently addressed so as to be considered less than minor, while the provision of affordable housing and a range of housing typologies will improve housing choice in the area. The effects of the proposal are therefore considered acceptable overall.
- e) The proposal is considered to align with the seven essential design qualities of the Urban Design Protocol. In particular, the proposal resonates with the design qualities of context, character and choice:

- *Context* – The overall layout, form and character of the proposed dwellings is consistent with the vision for Silverdale North sub-precinct B, and the Knowledge Economy Business Park preceding it. The proposal creates an appropriate transition between the imminent low-medium density at Millwater and the future commercial area at Highgate.
 - *Character* – While density has been embraced as a key point of difference for the proposed neighbourhood, the layout and design of the dwellings facing into Wainui Road also respect a strong relationship to Millwater.
 - *Choice* – the proposed mix of house typologies and tenures provides for the needs of a range of households, thereby creating opportunities for diverse communities.
- f) Overall, the proposal is in accordance with the aspirations of the PAUP, which seek to provide for high quality neighbourhoods and the efficient use of land to ensure that housing affordability is achieved.

Conditions

Under section 37 and section 38 of the HASHAA, and section 108 of the RMA, this consent is subject to the following conditions:

General Land Use and Subdivision Conditions

1. The construction of 14 dwellings including subdivision of residential lots and two jointly owned access lots, and provision of servicing infrastructure shall be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the authorising agency as consent number SLC-64824:
 - Application Form and Assessment of Effects prepared by Alex van Son of Planning Focus Limited, titled *Application for a Qualifying Development – Highgate Residential Limited – Planning Report & Statutory Assessment – Silverdale North Special Housing Area Stage H2A*, dated April 2015.

Specialist Reports				
Specialist Report	Title	Prepared by	Rev	Date
Infrastructure Report	Wainui Road, Silverdale – Infrastructure Report – H2A Residential	Woods Consultants Limited		April 2015
Stormwater Management Strategy	Highgate Business Park Residential Development Stage 1 Stormwater Management Strategy	Stormwater Solutions Consulting Limited	C	12 Dec 2014
Traffic Impact	Highgate SHA application	Traffic Design Group	-	14 July 2014

Assessment		Limited		
Water Network Analysis	Water Network Analysis for Highgate Business Park Development	Woods Consultants Limited		28 May 2014

Drawings				
Drawing Ref. No.	Title	Architect / Author	Rev	Date
H2A-100	Master Plan	Brewer Davidson Architects Limited	B	02/09/14
H2A-101	Block H2A – Plan	Brewer Davidson Architects Limited	B	02/09/14
H2A-102	Block H2A – Fencing and Front Yard Landscaping Plan	Brewer Davidson Architects Limited	B	02/09/14
A-110	Type 1 Duplex House	Brewer Davidson Architects Limited	-	02/09/14
A-111	Type 1 – Plan Option	Brewer Davidson Architects Limited	A	02/09/14
A-112	Type 1 – Plan Option	Brewer Davidson Architects Limited	A	02/09/14
A-113	Type 1 – Plan Option	Brewer Davidson Architects Limited	A	02/09/14
A-114	Type 2 Duplex House	Brewer Davidson Architects Limited	-	02/09/14
A-115	Type 2 – Plan Option	Brewer Davidson Architects Limited	A	02/09/14
A-116	Type 2 – Plan Option	Brewer Davidson Architects Limited	A	02/09/14
A-117	Type 2 – Plan Option	Brewer Davidson Architects Limited	A	02/09/14
A-118	Type 3 Zero Lot House	Brewer Davidson Architects Limited	-	02/09/14
A-119	Type 3 – Plan	Brewer Davidson Architects Limited	-	02/09/14
A-120	Type 4 Zero Lot House	Brewer Davidson Architects Limited	-	02/09/14
A-121	Type 4 – Plan	Brewer Davidson Architects Limited	-	02/09/14
A-122	Type 5 Duplex House	Brewer Davidson Architects Limited	-	02/09/14
A-123	Type 5 – Plan	Brewer Davidson Architects Limited	-	02/09/14

A-129	Type 8 – Zero Lot House	Brewer Davidson Architects Limited	-	02/09/14
A-130	Type 8 – Plan	Brewer Davidson Architects Limited	A	02/09/14
A-131	Type 9 Corner Lot House	Brewer Davidson Architects Limited	-	02/09/14
A-132	Type 9 – Plan	Brewer Davidson Architects Limited	A	02/09/14
A-135	Type 3A – H2A Lot 9 Plan	Brewer Davidson Architects Limited	-	02/09/14
H2A-200	Street elevation – Wainui Road Block H2A	Brewer Davidson Architects Limited	-	02/09/14
H2A-201	Street elevation – Private Road Block & Road 7 H2A	Brewer Davidson Architects Limited	-	02/09/14
H2A-202	Sections	Brewer Davidson Architects Limited	-	02/09/14
H2A-300	Aerial Perspectives	Brewer Davidson Architects Limited	-	02/09/14
H2A-301	Street Perspectives	Brewer Davidson Architects Limited	-	02/09/14
H2A-302	Sun Study Diagrams	Brewer Davidson Architects Limited	-	02/09/14
60160-H2A-GE-003	Existing Title Boundary Plan	Woods Consultants Limited	1	5/6/2015
60160-H2A-GE-025	Scheme Plan of lots 62-76, 200 and 201 being a subdivision of lots 11 & 12 of granted consent 63530 and part Wainui Road	Woods Consultants Limited	3	2/7/2015
60160-H2A-GE-026	Scheme Plan of lots 62-71, 76, 200, 201 & 500 being a subdivision of lots 11 & 12 of granted consent 63530 and part Wainui Road	Woods Consultants Limited	1	10/7/2015
60160-H2A-EW-100	Existing Contour Plan	Woods Consultants Limited	2	22/6/2015
60160-H2A-EW-101	Final Contour Plan	Woods Consultants Limited	2	22/6/2015
60160- H2A - RD-200	Roading Layout Plan	Woods Consultants Limited	3	6/7/2015
60160-H2A-RD-210	Road Long Sections	Woods Consultants Limited	3	6/7/2015
60160-H2A-RD-220	Road Typical Cross Sections	Woods Consultants Limited	3	6/7/2015
60160-H2A-RD-221	Road Typical Cross Sections	Woods Consultants Limited	3	6/7/2015

60160-H2A-DR-300	Stormwater Drainage Plan	Woods Consultants Limited	3	6/7/2015
60160-H2A-DR-320	Stormwater Catchment Plan	Woods Consultants Limited	3	6/7/2015
60160- H2A - DR-400	Wastewater Reticulation Plan [annotated by U. Datt, Watercare Services Limited]	Woods Consultants Limited	3	7/7/2015
60160- H2A - WS-600	Water Reticulation Layout Plan [annotated by U. Datt, Watercare Services Limited]	Woods Consultants Limited	3	7/7/2015

Other Additional Information	
Reference / Title / Author	Date
Letter of confirmation (registration for Homestar Ratings and Certification), from Rochelle Ade, Homestar to Kevin Brewer, Brewer Davidson Architects Limited.	13 July 2015
Email from Alex van Son (Planning Focus Limited) to Stephanie Lam (Auckland Council); subject: <i>Re: Highgate H2a</i> ; sent 8/7/15 at 9.37am.	8 July 2015
Memorandum from Alex van Son (Planning Focus Limited) to Stephanie Lam (Auckland Council); subject: <i>Mixed Housing Suburban Zone Development Controls Assessment</i> .	24 June 2015
<i>Highgate H2a s28 queries response</i> , prepared by Alex van Son (Planning Focus Limited).	15 June 2015
Letter from Doug Snell (Auckland Transport) to Craig Ewington (Shieff Angland); subject: Highgate Business Park Limited – Wainui Road, Silverdale – Road Stopping.	21 May 2015

Charges

2. This consent (or any part thereof) shall not commence until such time as the following charges, which are owing at the time the Council's decision is notified, have been paid in full:
 - a. All fixed charges relating to the receiving, processing and granting of this resource consent applied under section 77 of the Housing Accords and Special Housing Area Act (HASHAA) 2013; and
 - b. All additional charges imposed under section 76 the HASHAA to enable the Council to recover its actual and reasonable costs in respect of this application, which are beyond challenge.

3. The consent holder shall pay any subsequent further charges imposed under section 77 of the Housing Accords and Special Housing Area Act (HASHAA) 2013 relating to the receiving, processing and granting of this resource consent within 20 days of receipt of notification of a requirement to pay the same, provided that, in the case of any additional charges under section 77 HASHAA that are subject to challenge, the consent holder shall pay such amount as is determined by that process to be due and owing, within 20 days of receipt of the relevant decision.

Advice Note:

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

Lapse of Consent

4. Pursuant to section 51 of the Housing Accords and Special Housing Area Act (HASHAA) 2013, this consent lapses 2 years after the date it is granted.

Advice Note:

This timeframe is deemed acceptable as the works required to give effect to the consent would be anticipated to take three years from the date of granting consent, taking into consideration the necessary earthworks, building and infrastructure construction.

Monitoring Charges

5. The consent holder shall pay the Council an initial consent compliance monitoring charge of \$750.00 (inclusive of GST), plus any further 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.

Advice Note:

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. 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. Only after all conditions of the resource consent have been met, will Council issue a letter confirming compliance on request of the consent holder.

Construction Management Plan

6. Prior to the commencement of construction and / or any earthworks activity, a finalised Construction Management Plan (CMP) shall be submitted to the Senior Compliance Advisor, SHA Consenting for approval. No construction activity shall commence until written approval of the CMP has been obtained from the Senior Compliance Advisor, SHA Consenting and all measures identified in that plan as needing to be established prior to commencement of works have been.

The CMP should contain sufficient detail to address the following matters:

- Measures to address noise;
 - Traffic management;
 - Dust control;
 - Erosion and sediment control plan for the site including stabilised construction accessways and silt control measures to prevent the discharge of dirty water from the site;
 - Stockpiling of construction materials.
7. All construction and earthworks activities on the subject site shall comply with the New Zealand Standard 6803:1999 for Acoustics – Construction Noise, at all times.

The use of noise generating tools, motorised equipment, and vehicles that are associated with construction and/or earthworks activity on the subject site shall therefore be restricted to between the following hours to comply with this standard:

- Monday to Saturday: 7:30am to 6:00pm
- Sundays or Public Holidays: no works

No earthworks or construction activities on the site shall be undertaken outside the above hours/days, without the prior written approval of the Senior Compliance Advisor, SHA Consenting.

8. All construction activities shall be managed to ensure that no debris, soil, silt, sediment or sediment-laden water is discharged beyond the subject site to either land, stormwater drainage systems, watercourses or receiving waters. In the event that a discharge occurs, works shall cease immediately and the discharge shall be mitigated and/or rectified to the satisfaction of the Senior Compliance Advisor, SHA Consenting.

Corridor Access Request

9. The Consent Holder or his Contractor shall obtain a Corridor Access Request (CAR) from Auckland Transport prior to the commencement of any works within the legal road.

Advice Note:

To ensure all work on roads are as safe as possible for works, motorists, pedestrians and cyclists, anyone or any business planning to dig up part of an existing road, must obtain a CAR permit from Auckland Transport. A CAR permit is required for, but not limited to, the following activities:

- *Any activity that will alter or cause to be altered the surface of any part of the road reserve, including but not be limited to excavating, drilling and resurfacing;*
- *The placement of any pipe, duct, pole, cabinet or other structure below, on or above the road reserve;*
- *A new driveway.*

For any activity that varies the normal operating conditions of any part of the road reserve (boundary to boundary), a Traffic Management Plan and a site or layout plan shall be provided with the application for a CAR permit.

Traffic Management Plan

10. A Traffic Management Plan prepared in accordance with the Code of Practice for Temporary Traffic Management specifically addressing control of access to the site, and traffic control adjacent to the site, and the protection of the public, shall be submitted to and approved by the Senior Compliance Advisor, Housing Project Office. A copy of the Traffic Management Plan, together with the verification letter shall be kept on the site at all times. All measures for the protection of the public and other personnel set out in the verified Plan shall be maintained and complied with at all times until such time as the importation of fill is completed.

Pre-Start Meeting

11. Prior to the commencement of the construction and / or earthworks activity, the consent holder shall hold a pre-start meeting that:
 - is located on the subject site
 - is scheduled not less than 5 days before the anticipated commencement of earthworks
 - includes the Senior Compliance Advisor, Housing Project Office
 - includes the supervising Registered Engineer
 - includes representation from the contractors who will undertake the works.

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

- Timeframes for key stages of the works authorised under this consent
- Resource consent conditions

- Construction Management Plan
- Final approved Corridor Access Request (incorporating traffic management plans)

A pre-construction 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-construction meeting please contact the Senior Compliance Advisor – SHA Consenting specialhousingarea@aucklandcouncil.govt.nz or phone 09 373 6292. 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.

Engineering Plan Approval

12. Prior to the commencement of any construction work or prior to the approval of the survey plan pursuant to s45 of the HASHAA and 223 of the RMA, whichever is the earlier, the consent holder shall submit 2 hard copies and one PDF/CD version of complete engineering plans (including engineering calculations and specifications) to the SHA Consenting Manager, Housing Project Office for approval. Details of the registered engineer who shall act as the developer's representative for the duration of the development shall also be provided with the application for Engineering Plan Approval.

The Engineering Plans shall include but not be limited to the information regarding the following engineering works:

- Detailed design of the shared access way
- Detailed design of vehicle crossings
- Landscape planting plan for street planting and landscaping of the shared access ways
- Proposed connections to the public stormwater network
- Proposed connections to the public water supply network
- Proposed connections to the public wastewater network
- Finalised Construction Management Plan / Traffic Management Plan.

Stormwater

13. Each residential lot shall be equipped to provide retention (volume reduction) of a stormwater volume equal to the runoff volume of a 10mm, 24 hour rainfall event for the impervious area of that lot, via appropriately sized retention tanks which are plumbed into the respective building for non-potable water re-use. The consent holder shall submit the detailed design of the stormwater retention system for Council approval at the building consent stage. The device shall be constructed and tested to the satisfaction of Council's SHA Consenting Manager, and in commission prior to the occupation of the respective residential lot.

Temporary Stormwater Pond

14. In the event that the temporary stormwater pond is proposed for the development, the pond shall be constructed in accordance with the approved engineering plan (Council reference ENG-423, or as otherwise approved by Auckland Council) prior to the issue of the 224c certificate pursuant to s46 of the HASHAA. The consent holder shall maintain the temporary stormwater pond until the public stormwater system is available.
15. The consent holder is responsible for decommissioning of the temporary stormwater pond and network as well as the re-connection to the public system when the wetland pond is constructed and operational. A consent notice shall be registered against the Certificate of Section 1 SO 70732.

Advice note

It is noted that the subdivision proposed by lodged application Council reference SLC-63530 denotes the location of the temporary pond as Lot 150 (balance lot of 213,752m²).

Where the temporary stormwater management device is located on private land, an easement in gross shall be instated for the temporary drainage. This easement shall terminate upon implementation of the complete final solution. All costs associated with the creation and removal of the easement will be at the cost of the owner of the temporary device.

Should the land on which the temporary device is located be vested in Auckland Council, the construction costs for decommissioning the temporary device will be payable to Auckland Council.

Reinstatement of Existing Roads

16. Any damaged footpath, kerb, crossing as a result of the construction work shall be repaired, reinstated or reconstructed in accordance with the Auckland Transport Code of Practice to the satisfaction of the Council's SHA Consenting Manager.
17. An Engineering Completion Certificate certifying that the above condition has been met shall be provided in support of the 224 application, as per s46 of the HASHAA.

Landscape Planting Plan: street planting

18. Prior to the commencement of any construction work or prior to the approval of the survey plan pursuant to s45 of the HASHAA and 223 of the RMA, whichever is the earlier, a Landscape Planting Plan for street planting (including rain gardens, tree pits, and formation of the berm to an urban standard) shall be provided to Council for approval in conjunction with the Engineering Plan Approval. The Landscape Planting Plan shall include final species and planting sizes, details of tree pits and planting methodology and the maintenance programmes of the street planting.

Landscape Planting Plan: jointly owned access lots (lots 200 & 201)

19. Prior to the completion of the new dwellings on site, the consent holder shall submit a final landscape implementation, planting (including species, density, Pb and height at time of planting) and maintenance plan for lots 200 and 201, for approval in writing by the Senior Compliance Advisor, Housing Project Office.

Advice note:

The landscape planting plan shall include specimen trees at either end of the grass swale in lot 200 and in the landscaped strip of lot 201. The species, Pb and height at time of planting shall be generally consistent with the Landscape Strategy of the Highgate Development Concept Plan.

20. The landscape planting shall be undertaken within the planting season (autumn – spring) immediately following the completion of the construction works and be maintained thereafter.

Vehicle Crossings

21. Vehicle crossings shall be formed, paved and drained in accordance with the approved engineering plans to the satisfaction of the Council's SHA Consenting Manager. Where a footpath intersects a new vehicle crossing, the overlapped area shall be designed and constructed to the same levels, using the same materials, kerbing, paving, patterns and finish as the footpath, on each side of the crossing.

Building design and construction

22. Prior to the construction of any dwellings, a plan identifying the dwellings that are to be built in accordance with the universal access provisions of the Proposed Auckland Unitary Plan shall be provided to the satisfaction of the Senior Compliance Advisor, Housing Project Office.

Advice note:

This condition is to ensure compliance with the Universal Access rule of the Proposed Auckland Unitary Plan (Chapter I, Rule 1.7.22).

23. For each dwelling, the consent holder shall use inert roofing, spouting and cladding materials, unless agreed otherwise in writing by the Senior Compliance Advisor, Housing Project Office.

Advice note:

This condition is to ensure compliance with the stormwater rule of the Proposed Auckland Unitary Plan (Chapter H, Rule 4.14.3.1).

Height in relation to boundary: foundation check

24. No building works shall proceed beyond the foundation stage on lots 62 – 70 and 72 – 75 until a registered surveyor or licensed cadastral surveyor, engaged by the consent holder, has provided written certification to the Senior Compliance Advisor, HPO that the works:
- Have been completed in accordance with the approved plans as referred to in Condition 1 of this consent, or
 - Do not exceed the vertical or horizontal extent of any breach, infringement or non-compliance approved under this consent.

Advice Note:

The person providing the written certification should ensure that the finished floor level is clearly marked on the subject site before the foundations are put in place.

The purposes of certification at the foundation stage of construction are to:

- *provide assurance that the building works, to that point, have been undertaken in accordance with the consent*
- *reduce the risk of non-compliance as the works continue.*

Written certification should include the following:

- *the finished ground level is clearly marked on the subject site*
- *the relevant consent reference number and site address*
- *levels, calculations, plans and drawings of the structure(s) that are the subject of certification*
- *the quantification of the extent of any breach, infringement or non-compliance identified at the time of survey, where this has occurred*
- *written certification is to be provided directly to the officer specified in this condition.*

Height in relation to boundary: roof framing check

25. No building works shall proceed beyond the roof framing stage on lots 62 – 70 and 72 – 75 until a registered surveyor or licensed cadastral surveyor, engaged by the consent holder, has provided written certification to the Senior Compliance Advisor, HPO that the works:
- have been completed in accordance with the approved plans as referred to in Condition 1 of this consent, or
 - do not exceed the vertical or horizontal extent of any breach, infringement, or non-compliance approved under this consent.

Advice Note:

The purposes of certification at the roof framing stage of construction are to:

- *provide assurance that the building works, to that point, have been undertaken in accordance with the consent*
- *reduce the risk of non-compliance as the works are completed.*

Written certification should include the following:

- *the finished ground level is clearly marked on the subject site*
- *the relevant consent reference number and site address*
- *levels, calculations, plans and drawings of the structure(s) that are the subject of certification*
- *the quantification of the extent of any breach, infringement or non-compliance identified at the time of survey, where this has occurred.*
- *Written certification is to be provided directly to the officer specified in this condition.*

Sustainability (Land use condition)

26. At lodgement of building consent for each new dwelling, the consent holder shall provide, for approval in writing of the Senior Compliance Advisor, SHA Consenting, copies of the design ratings demonstrating that the dwellings achieve the 6-star level from the New Zealand Green Building Council Homestar Tool (2013) requirement of Chapter H, Rule 6.4.2.1 of the Proposed Auckland Unitary Plan 2013.
27. Prior to the occupation of the dwellings or the issuing of Code of Compliance for the building (whichever comes first), the consent holder shall provide copies of all New Zealand Green Building Council Homestar Certificates in order to demonstrate that each dwelling has been constructed in accordance with the design ratings approved under the above condition, to the satisfaction of the Senior Compliance Advisor, SHA Consenting.

Specific Subdivision Conditions

Section 223 Survey Plan

28. Within 3 years of the decision of the subdivision consent, the Consent holder shall submit a survey plan of the subdivision to Auckland Council for approval pursuant to section 45 of HASHAA.

The survey plan shall be generally in accordance with the approved subdivision scheme plans in Condition 1 of the consent, entitled *Scheme Plan of lots 62-76, 200 and 201 being a subdivision of lots 11 & 12 of granted consent 63530 and part Wainui Road*, drawing number 60160-H2A-GE-025, revision 3, prepared by Woods Consultants Limited, dated 2 July 2015 and all referenced by council as SLC-64824, and the information submitted with the application (including further information).

The consent holder shall ensure that the following conditions have been met to the satisfaction of Council's SHA Consenting Manager prior to the approval of the survey plan for the subdivision:

- a) The Memorandum of Easement in accordance with the approved subdivision scheme plans shall be duly granted or reserved.
- b) The proposed easements shown on the approved subdivision scheme plans shall be shown as a Memorandum of Easement on the survey plan and shall be duly granted or reserved.
- c) As built plans and details to confirm that all services/structures are entirely within the easements to be created.
- d) That Lot 200 hereon (legal access) is to be held as eleven undivided one-eleventh shares by the owners of Lots 62 – 72 hereon as tenants in common in the said shares and that individual computer registers be issued in accordance therewith.
- e) That Lot 201 hereon (legal access) is to be held as two undivided half shares by the owners of Lots 71 and 72 hereon as tenants in common in the said shares and that individual computer registers be issued in accordance therewith.

29. In the event that the road stopping and amalgamation process for the section of Wainui Road adjacent to proposed lots 72 – 75 is not completed prior to the section 223 survey plan being lodged in accordance with the above condition, the section 223 survey plan shall be generally in accordance with the scheme plan entitled *Scheme Plan of lots 62-71, 76, 200, 201 & 500 being a subdivision of lots 11 & 12 of granted consent 63530 and part Wainui Road*, drawing number 60160-H2A-GE-026, revision 1, prepared by Woods Consultants Limited, dated 1 July 2015.

The consent holder shall ensure that the following conditions have been met to the satisfaction of Council's SHA Consenting Manager prior to the approval of the survey plan for the subdivision:

- a) The Memorandum of Easement in accordance with the approved subdivision scheme plans shall be duly granted or reserved.
- b) The proposed easements shown on the approved subdivision scheme plans shall be shown as a Memorandum of Easement on the survey plan and shall be duly granted or reserved.
- c) As built plans and details to confirm that all services/structures are entirely within the easements to be created.
- d) That Lot 200 hereon (legal access) is to be held as eleven undivided one-eleventh shares by the owners of Lots 62 – 71 & 500 hereon as tenants in common in the said shares and that individual computer registers be issued in accordance therewith.

- e) That Lot 201 hereon (legal access) is to be held as two undivided half shares by the owners of Lots 71 and 72 hereon as tenants in common in the said shares and that individual computer registers be issued in accordance therewith.

Section 224 Requirements (s46 HASHAA)

Section 224c Certificate

30. The application for a Certificate pursuant to sections 46 of the HASHAA and 224(c) of the RMA shall be accompanied by a letter outlining those conditions to discharge that are relevant to the subdivision. The letter shall be prepared by a suitably qualified Engineer/Surveyor confirming that the General Land Use and Subdivision conditions (1 - 29) and Specific Subdivision conditions (30 – 51) of consent have been met.

Stormwater connections

31. Prior to the issue of the 224c certificate pursuant to s46 of the HASHAA or prior to the occupation of any dwelling, whichever is the earlier, the consent holder shall provide and install a complete public stormwater system to serve the development in accordance with the approved Engineering Plans to the satisfaction of Council's SHA Consenting Manager.
32. Prior to the issue of the 224c certificate pursuant to s46 of the HASHAA or prior to the occupation of any dwelling, whichever is the earlier, individual private stormwater connections to the public stormwater systems for each lot/dwelling at the lowest point within the boundary shall be provided and installed in accordance with the approved Engineering Plans to the satisfaction of the Council's SHA Consenting Manager.
33. An Engineering Completion Certificate certifying that all public stormwater pipes and individual stormwater connections have been constructed in accordance with the approved Engineering Plan and the Auckland Council Code of Practice for Land Development and Subdivision – Chapter 4: Stormwater shall be provided in support of the 224(c) application pursuant to Section 46 of HASHAA.
34. Video inspections of all public stormwater pipes and as-built plans for all public and individual private stormwater lines shall be supplied with the 224(c) application pursuant to Section 46 of the HASHAA. The video inspections shall be carried out within one month of the lodgement of the application for the 224(c) certificate.

Easement in Gross

35. In the event that an easement in gross over Section 1 SO 70732 is created over the temporary stormwater pond and the associated pipeline, the easement in gross is for the 'right to drain water' in favour of Auckland Council to enable the discharge of stormwater from the public stormwater system onto the temporary pond and associated devices. The instrument shall be prepared by the Council's solicitor at the consent holder's expense and shall advise that:
- The owner(s) of the lot (Section 1 SO 70732) is responsible for the maintenance of the temporary pond (at the owner's expense) on the site in accordance with the Operation

and Maintenance Manual approved by Auckland Council until the wetland pond (Stormwater Reserve, Council reference SLC-63530) is operational and new connection to the wetland pond is provided for the development of Lots 62 – 75, 200 and 201 (Council reference SLC-64824).

- No buildings, structures, fencings or filling shall be placed in the easement areas or other works carried out hereon, except with specific approval from Council.
- The easement instrument would only be cancelled when new connections to the wetland pond (SLC-63530) are provided to the development of Lots 62 – 75, 200 and 201 (Council reference SLC-64824) to the satisfaction of Auckland Council. The owner(s) of lot Section 1 SO 70732 is responsible for the costs associated with the cancellation of the easement.

Wastewater

36. Prior to the occupation of any dwelling or prior to the issue of the s224c Certificate pursuant to s46 of the HASHAA, whichever is the earlier, the consent holder shall provide and install a complete public wastewater system to serve all lots in accordance with the approved Engineering Plans to the satisfaction of Council's SHA Consenting Manager.

This will include providing from public mains boundary kit to be located within public road reserve to provide each of the lots with a private service connection into the boundary kit in accordance with Watercare's Engineering Standards and the approved Engineering Plans.

37. An Engineering Completion Certificate certifying that all public wastewater pipes and individual wastewater connections have been constructed and tested in accordance with the approved Engineering Plan and the Water and Wastewater Code of Practice for Land Development and Subdivision shall be provided in support of the 224(c) application pursuant to s46 of the HASHAA.

Water Supply

38. Prior to the commencement of the construction of any dwelling or prior to the issue of the 224c certificate pursuant to s46 of the HASHAA, whichever is the earlier, the consent holder shall provide and install a complete water supply reticulation system to serve all lots in accordance with the approved Engineering Plans to the satisfaction of Council's SHA Consenting Manager. This shall include:

- Connections from each residential lot to water meter banks within the public road reserve;
- FW2 fire flow from the 125mm main in Road 5 and the 180mm main in Road 7 via water mains and fire hydrants.

39. An Engineering Completion Certificate certifying that all public water pipes for the development and individual water supply connections have been constructed in accordance with the approved Engineering Plan and the Water and Wastewater Code of Practice for Land Development and Subdivision shall be provided in support of the 224(c) application pursuant to Section 46 of the HASHAA.

40. As-built plans for all public and individual private water supply lines and a certificate from Watercare Services Limited confirming that separate water supply connections have been provided for each residential lot shall be supplied with the 224(c) application pursuant to Section 46 of the HASHAA.

Advice Note:

All applications for new water and wastewater connections shall be lodged through connections@water.co.nz. Watercare Services Limited have advised that at the time of application for a water and/or wastewater connection (or application for demand increase), completed in conjunction with building consent, a water and wastewater Infrastructure Growth Charge per additional equivalent unit shall apply. Details of the charge are available at www.watercare.co.nz.

Network Utility Services

41. Individual private connection to the underground reticulation of electricity, gas and telecommunication services to the boundary of each lot shall be provided and installed to the satisfaction of the appropriate network utility providers.
42. Certificates from the network utility providers and certified 'as-built' given locations of all plinths, cables and ducts shall be supplied to Council as part of the 224 application, as per s46 of the HASHAA.

Jointly owned access lots (lots 200 and 201)

43. Prior to issue of the s224c certificate pursuant to s46 of the HASHAA, the JOALs and any vehicle crossings associated with the JOALs shall be constructed in accordance with the conditions of this consent, and shall be formed, paved and drained to Auckland Council specifications including the provision of stormwater mitigation. Where necessary the provision of kerbing or similar to prevent water flowing on to any other property (including the footpath) shall be provided, all to the satisfaction of the Manager, SHA Consenting, unless an alternative detailed design is approved in writing by the Manager, SHA Consenting.
44. An Engineering Completion Certificate certifying that the JOALs have been constructed in accordance with the approved Engineering Plans shall be provided in support of the 224c application pursuant to s46 of the HASHAA.

Bond for JOAL construction

45. In the event that lots 200 and 201 (including any vehicle crossings associated with these lots) have not been constructed to the satisfaction of the Manager, SHA Consenting, prior to the issue of the 224c Certificate pursuant to section 46 of the HASHAA for the subdivision, the consent holder shall enter into a bond for any uncompleted work to Auckland Council. The rationale for the amount of the bond shall be based on 150% of the cost of the construction of the JOALs in accordance with the conditions of this consent. The consent holder shall provide a valuation schedule for the total costs of the construction of lots 200 and 201.

The bond shall be paid in cash or by way of a bank bond at the time of the issue of the 224c Certificate for the subdivision and the full amount of the bond shall be held for a minimum of 24 months or until lots 200 and 201 have been constructed in accordance with the conditions of this consent, whichever is the earlier.

The bond shall be prepared by Auckland Council at the cost of the consent holder. Any costs incurred by the council in preparing, checking, assessing and release of the bond must be met by the consent holder prior to repayment of the bond. The bond will not be released until the consent holder provides evidence to the satisfaction of the council that the conditions of this consent have been met to the satisfaction of the Manager, SHA Consenting,

In the event that the consent holder fails to comply with Conditions 12, 19 – 21 and 43 – 44 within 24 months following issue of the 224c certificate pursuant to section 46 of the HASHAA, the council may undertake the works to construct the JOALs (lots 200 and 201) to the standards required by this consent and the cost of this work may be deducted from the bond.

Consent Notice

On-site stormwater system

46. A Consent Notice pursuant to section 221 of the RMA (section 44 of HASHAA) shall be entered into against the Certificates of Title of each residential lot, requiring that the following hydrology mitigation shall be provided for any development on each lot:

- Retention (volume reduction) of a 10mm, 24 hour rainfall event for the impervious area of that lot, by way of an appropriately sized retention tank which is plumbed into the respective building for non-potable water re-use.

The owner must operate, monitor and maintain the above system in accordance with the conditions below:

- a) Regular maintenance of the detention system shall be carried out by the owner as required (and no less than once every two years) to ensure efficient operation.
- b) Auckland Council may at any time upon prior written notice by its officers, employees, agents or contractors enter the property to inspect or test the detention system and to inspect the owner's records in relation to the operation, monitoring and maintenance of the system.
- c) Auckland Council may, by notice in writing, instruct the owner to carry out any actions or works in relation to the operation, monitoring and maintenance of the detention system. If the owner fails to carry out those actions or works within 7 working days of receiving Auckland Council's Notice, Auckland Council may carry out said work itself and enter the property to execute the work. Council may recover all costs of carrying out said work from the owner.
- d) The owner must not modify or remove the stormwater system without express written permission of Auckland Council.

Stormwater device: swale

47. A Consent Notice pursuant to section 221 of the RMA (section 44 of HASHAA) shall be entered into against the Certificate of Title of lot 200, to ensure that the following condition is complied with on a continuing basis:

"The stormwater device located on this lot is to be retained in perpetuity unless otherwise approved by Auckland Council. The operation and maintenance of the device shall be the ongoing responsibility of the owner of the lot, and be undertaken in accordance with the Auckland Council Code of Practice for Land Development and Subdivision: Chapter 4 – Stormwater, and the Auckland Council Swales and Filter Strips – Operation and Maintenance guide."

Temporary Stormwater Pond

48. A Consent Notice pursuant to section 221 of the RMA (section 44 of HASHAA) shall be entered into against the Certificate of Title of Section 1 SO 70732 to ensure that the following conditions are to be complied with on a continuing basis:

"The temporary stormwater pond on this site is to collect stormwater runoff from the residential development approved under the Qualifying Development application SLC-64824. The owner(s) of this lot is responsible for maintaining the temporary stormwater pond in accordance with the Operation and Maintenance Manual approved by Council at the expense of the owner of the lot."

Once the public stormwater system is constructed, operational and vested in Auckland Council, the owner(s) of the lot shall undertake decommissioning work of the temporary pond and provide new connection to the public stormwater system (wetland pond) in accordance with the approved EPA to the satisfaction of Team Leader, Development Engineer (North). The owner(s) is responsible for all costs associated with the decommissioning work and the connection to the new public system."

Vehicle Crossings

49. A Consent Notice pursuant to section 221 of the RMA (section 44 of HASHAA) shall be entered into against the Certificates of Title of lots 62 – 69 and 200 to ensure that the following condition is complied with on a continuing basis:

"This lot is to be served by a vehicle crossing installed in accordance with the approved Engineering Plan for vehicle access to the lot. Additional or alternative vehicle crossings are prohibited, unless approval from Council's Principal Development Engineer (HPO) or Team Leader, Development Engineering (North) is obtained."

Affordable Housing

50. The dwellings on lots 68 and 69 are allocated as affordable dwellings that shall meet the affordability criteria set out in the Housing Accords and Special Housing Areas (Auckland) Amendment Order 2013, Schedule 9C Silverdale Special Housing Area dated 13 December 2013.

The price at which a dwelling on these lots may be sold shall not exceed 75% of the Auckland Region Median House Price published by the Real Estate Institute of New Zealand for September 2014, being \$461,250.

Advice Note:

In combination with the 9 affordable lots secured under SLC-63158, the 2 lots secured for affordable dwellings in this consent equates to 17% of the total dwellings consented in the Silverdale SHA. As previously agreed between the Applicant and the Housing Project Office, the affordable dwellings additional to the 10% required by the Order in Council may be utilised toward satisfaction of the affordable housing requirement of forthcoming Highgate residential stages, should resource consent for that development be pursued under the HASHAA.

51. A Consent Notice pursuant to s221 of the RMA (s44 of HASHAA) shall be entered into against the Certificates of Title for lots 68 and 69 to ensure that the following conditions are complied with on a continuing basis:

"This lot is deemed to be for the building of affordable dwellings under Criteria A of the affordability criteria set out in the Housing Accords and Special Housing Areas (Auckland) Amendment Order 2013, Schedule 9C Silverdale special housing area dated 13 December 2013. Before the Certificate of Title of this lot is transferred or the dwelling is occupied, the consent holder shall provide to the Council's Manager SHA Consenting a statutory declaration from the purchaser of the dwelling that the purchaser meets all the following criteria:

- (i) The purchaser's gross household income, as at the date of the declaration, does not exceed 120% of the Auckland median household income;
- (ii) The purchaser has paid a price for the finished dwelling and land which is not more than that defined under Criteria A of the affordability criteria set out in the Housing Accords and Special Housing Areas (Auckland) Order 2013, Schedule 9C Silverdale special housing area dated 13 December 2013, being \$461,250;
- (iii) The purchaser has the legal right to and intends to own and occupy the affordable dwelling exclusively as their residence for not less than 3 years after gaining title to the dwelling;
- (iv) The purchaser is a first home buyer and has never owned any other real property; and
- (v) The purchaser is a natural person and is purchasing the affordable dwelling in their own name and not in the name of any other person."

The consent notice shall specify that it ceases to have effect 3 years after the date of transfer of title to the first purchaser.

Delegated Decision Maker:

Name: Evita Key

Title: Lead Project Planner, Housing Project Office

Signed: 

Date: 31 July 2015



Ref: LAN-59726

Silverdale Business Park Limited
C/- Woods
PO Box 6752
Wellesley Street
Auckland 1141

RESOURCE CONSENT LAN-59726 Section 104 and 108 Decision

APPLICATION DESCRIPTION

Resource consent to remove all vegetation (except grass) from the subject sites.

Application and Property Details

Consent Application
Number(s):

LAN-59726

Site Address:

187 & 217 Wainui Road and 38 Waterloo Road, Silverdale

Applicant's Name:

Silverdale Business Park Limited

Legal Description
& Site Area:

*Lot 1 DP 105961 - 4.39ha
Sec 1 -4, 7 SO Plan 70732 – 9.37ha
Lot 2 DP 114318 – 6.19ha
Lot 1 DP 114318 – 6.75ha
Lot 1 DP 98968 – 0.9473ha
Sec 1 SO Plan 710750 & Lot 4 DP 83197 – 3.181ha
Sec 2 SO Plan 308837 & Lot 4 DP 85630 – 5.839ha
Lot 1 DP 145917 – 1.288ha
Allot 338 Psh of Waiwera & Lot 1 DP 211453 – 0.0105
Lot 2 DP 85630 – 0.2322ha
Lot 1 DP 211452 – 15.125ha
Pt Lot 2 DP 12080 – 4.0835ha*

Operative Plans Applying:

Auckland Council District Plan (Rodney Section)

Zoning:

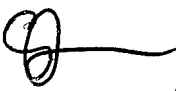
*Special 19 – Silverdale North – Precent 8 – Knowledge Economy
Business Park*

DECISION UNDER DELEGATED AUTHORITY

Pursuant to sections 104, 104B, 104D and 108 of the RMA, consent is **granted** to the non-complying activity application by Silverdale Business Park Limited to authorise resource consent for removal of vegetation at 187 & 217 Wainui Road and 38 Waterloo Road, Silverdale, being Lot 1 DP 105961, Sec 1 -4 & 7 SO Plan 70732, Lot 2 DP 114318, Lot 1 DP 114318, Lot 1 DP 98968, Sec 1 SO Plan 710750, Lot 4 DP 83197, Sec 2 SO Plan 308837, Lot 4 DP 85630, Lot 1 DP 145917, Allot 338 Psh of Waiwera, Lot 1 DP 211453, Lot 2 DP 85630, Lot 1 DP 211452, and Pt Lot 2 DP 12080 (Consent Application LAN-59726).

Signed under Delegated Authority

Team Leader Resource
Consents/ ~~Land Surveyor~~
~~Senior Planner/ Manager~~
Resource Consents



Date:

8/3/2013

1.0 REASONS FOR DECISION

The reasons for this decision are as follows:

- (a) In terms of section 104(1)(a) of the RMA, the actual and potential adverse effects on the environment will be minor, as detailed in section 4.1.5 of this report. In particular, the development will have no greater than minor adverse effect on the landscape character and amenity values of the surrounding environment.

This has been confirmed through the assessment of the application and works methodologies by suitably qualified and experienced technical experts for the Applicant and by peer reviews for the Council.

- (b) In terms of section 104(1)(b) of the RMA, the proposal is generally in accord with the objectives and policies and assessment criteria of the Auckland Council District Plan (Rodney Section). The scale of the overall development strikes the right balance between maximising the efficient use of the natural and physical resources, and avoiding, remedying and mitigating the adverse effects of development on the surrounding environment. The activity can be carried out in a way that will maintain the character, amenity values and environmental quality of the surrounding environment.
- (c) In terms of section 104(1)(b) of the RMA, The proposal is not contrary with the relevant provisions of the Auckland Council Regional Policy Statement.
- (d) In terms of section 104(1)(c) of the RMA, other relevant matters, including monitoring, have been considered in the determination of the application.
- (e) In terms of section 104D the application meets both of the s104D tests therefore the application can be assessed against the provisions of s104B of the RMA and a substantive decision made.

- (f) The proposal will be consistent with Part 2 of the RMA by promoting the sustainable management of natural and physical resources. In particular, the proposal will provide for the social and economic wellbeing of the applicant, while avoiding, remedying and mitigating adverse effects of the proposal on the environment. Overall, it is considered the cumulative safeguards of section 5(2)(a) to (c) have been met. The proposal is further consistent with sections 6, 7 and 8 in Part 2 RMA in terms of considerations that include the efficient use of resources, amenity values and the quality of the environment.

2.0 CONDITIONS

Activity in accordance with plans

1. The activity shall be carried out in accordance with all information submitted with the application being referenced by the Council as L59726 and the plans:

Reference number	Title	Architect/Author	Date
60160 Veg., Rev. 2	Extent of Vegetation Removal	Woods	Feb 2013

referenced by the Council as L59726, signed by Processing Planner Laura Marriott, dated 8 March 2013.

2. This consent (or any part thereof) shall not commence until such time as the following charges, which are owing at the time the Council's decision is notified, have been paid in full:
- a) All fixed charges relating to the receiving, processing and granting of this resource consent under section 36(1) of the Resource Management Act 1991 (RMA); and
 - b) All additional charges imposed under section 36(3) of the RMA to enable the Council to recover its actual and reasonable costs in respect of this application, which are beyond challenge.
3. The consent holder shall pay any subsequent further charges imposed under section 36 of the RMA relating to the receiving, processing and granting of this resource consent within 20 days of receipt of notification of a requirement to pay the same, provided that, in the case of any additional charges under section 36(3) of the RMA that are subject to challenge, the consent holder shall pay such amount as is determined by that process to be due and owing, within 20 days of receipt of the relevant decision.

Lapse of Consent

4. Pursuant to 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.

Monitoring

5. The consent holder shall pay the Council an initial consent compliance monitoring charge of \$256.00 (inclusive of GST), plus any further 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.
6. The \$256.00 (inclusive of GST) charge 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.

Notification of Commencement

7. Prior to the commencement of the works, the consent holder shall hold a pre-start meeting that:
 - a. is located on the subject site;
 - b. is scheduled not less than 5 working days before the anticipated commencement of works;
 - c. includes Council's Ecological Advisor; and
 - d. includes representation from the contractors who will undertake the works

The following matters shall be discussed at the meeting:

- The vegetation removal programme
- Methods to protect other vegetation adjacent to the works areas
- The details of implementing the Ecological Management Plan

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

- Timeframes for key stages of the works authorised under this consent
- Resource consent conditions
- Vegetation Removal Plan
- Ecological Management Plan

8. The Team Leader, Compliance Monitoring, Orewa shall be notified at least five (5) working days prior to vegetation removal activities commencing on the subject site.

Sediment Control

9. All earthworks shall be managed to ensure that no debris, soil, silt, sediment or sediment-laden water is discharged from the subject site to either land, stormwater drainage systems, watercourses or receiving waters. In the event that a discharge occurs, works shall cease immediately and the discharge shall be mitigated and/or rectified to the satisfaction of the Team Leader, Compliance Monitoring, Orewa.
10. To prevent discharge of sediment-laden water or other debris into any public stormwater drainage systems or watercourses and therefore into receiving waters, and to prevent nuisance and amenity impacts on users of the road reserve, there shall be no deposition of earth, mud, dirt or other debris on any public road or footpath resulting from earthworks activity on the subject site. In the event that such deposition does occur, it shall immediately be removed. In no instance shall roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses or receiving waters.

11. All areas affected by the works shall be re-grassed, re-vegetated or otherwise protected from wind and water erosion within two months of the completion of the works.

Access

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

Advice Note:

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

If you would like further details or suggestions on how to protect public assets during the earthwork phase, please contact the Team Leader, Compliance Monitoring, Orewa.

Dust

13. There shall be no airborne or deposited dust beyond the subject site as a result of the earthworks activity, that in the opinion of the Team Leader, Compliance Monitoring, Orewa, noxious, offensive or objectionable.

Noise

14. All construction activities on the subject site shall comply with the New Zealand Standard 6803:1999 for Acoustics – Construction at all times.

Hours of Operation

15. The activity shall be restricted to operating between the following hours:

- Monday to Saturday 7:00am – 6:00pm

No work authorised by this consent shall take place on Sundays or Public Holidays or outside the hours specified above.

Herpetofauna

16. The requirements of the Ecological Management Plan (EMP) prepared by Boffa Miskell for Silverdale Business Park Limited, dated September 2012 shall be commenced prior to any works commencing on the sites (including checking of the artificial retreats, manual searches and nocturnal spotting) and the works shall be carried out in accordance with this EMP (including destructive searches, site clearance methodology, lizard release and habitat enhancement and fencing) to the satisfaction of Council's Ecological Advisor.

Evidence shall be provided to Council's Ecological Advisor within 10 working days following commencement of the vegetation removal works to confirm:

- that any herpetofauna species found have been removed and / or relocated from the works areas;
- the locations of the log disks that have been installed within the release sites;

- that the buffer planting of flax (*Phormium tenax*) around the perimeter of the release sites has been completed;
- lizard fencing has been established around the perimeter of any of the vegetation patches 3 and 6 which are utilised as herpetofauna release sites.

The EMP requires the relocated lizards to be checked initially 4-8 weeks after relocation (during suitable weather conditions) and then monitored annually for three years using artificial retreats for skinks. The results of the initial check and the three annual surveys are to be provided in writing to Council's Ecological Advisor within four weeks of the completion of each annual survey.

Note: As a result of the long hot / dry summer that is currently being experienced, where vegetation is deemed to be prime fauna habitat it shall be not removed until such time that temperatures have dropped and there has been some rainfall in order to aid in any capture and relocation efforts of herpetofauna. Therefore consultation should be undertaken with Council's Ecological Advisor prior to any works commencing.

Vegetation

17. A temporary fence shall be erected along the extent of vegetation removal boundary (as shown on the plan identified in Condition 1) adjacent to vegetation patches 1 and 3 on Lot 4 DP 83197 and Lot 1 DP 211452 prior to the commencement of any work on the site. This fence/barrier shall remain until the approved vegetation removal on the site has been completed. The fence/barrier shall be constructed to a standard that will prevent:
 - vehicular traffic over the root zone;
 - the area being used for the temporary storage of building materials;
 - the modification of the area's existing contour;
 - excavations within the area;
 - the lighting of fires within the area.
18. The removal of vegetation as identified in the application and specially in the reports prepared by Arborlab dated 13 July 2007 and 25 January 2012 (excluding vegetation located on 165 Wainui Road which shall be retained), shall be undertaken by a suitably qualified arborist, using currently accepted arboricultural dismantling methods and practices, in a manner so as to cause no damage to other trees and vegetation to be retained.

*Note: to reduce the spread of Dutch Elm Disease (DED) best practice methods should be undertaken in the removal of elm trees (*Ulmus procera* & *Ulmus glabra* 'Lutescens'), including the use of hygiene requirements relating to the disposal of this material and basic machinery sterilisation.*

Advice Notes

1. Please read the conditions of this resource consent carefully and make sure that you understand all the conditions that have been imposed before commencing the development.
2. The consent holder shall obtain all other necessary consents and permits, including those under the Building Act 2004, and the Historic Places Trust Act 1993. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007), 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. Please note that the approval of this resource consent, including consent conditions specified above, may affect a previously issued building consent for the same project, in which case a new building consent may be required.

3. *To arrange the pre-start meeting required by Condition 7 please contact the Team Leader, Compliance Monitoring, Orewa to arrange this meeting on 0800 4265169. 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.*
4. *Condition 8 requires the consent holder to notify Council of their intention to begin works a minimum of seven working days prior to commencement. Such notification should be sent to the Orewa Compliance Administrator at ResourceConsentAdmin@aucklandcouncil.govt.nz or 0800 4265169 to advise of the start of works.*
5. *In order to manage dust on the site consideration should be given to adopting the following management techniques:*
 - *stopping of works during high winds*
 - *watering of haul roads, stockpiles and manoeuvring areas during dry periods*
 - *installation and maintenance of wind fences and vegetated strips*
 - *grassing or covering of stockpiles*
 - *retention of existing shelter belts and vegetation*
 - *positioning of haul roads, manoeuvring areas and stockpiles or the staging of works (in relation to sensitive receptors such as dwellings)*

In assessing whether the effects are noxious, offensive or objectionable, the following factors will form important considerations:

- *The frequency of dust nuisance events*
- *The intensity of events, as indicated by dust quantity and the degree of nuisance*
- *The duration of each dust nuisance event*
- *The offensiveness of the discharge, having regard to the nature of the dust*
- *The location of the dust nuisance, having regard to the sensitivity of the receiving environment.*

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

6. *A copy of this consent should be held on site at all times during the establishment and construction phase of the activity.*
7. *If you disagree with any of the above conditions, or disagree with the additional charges relating to the processing of the application you have a right of objection pursuant to sections 357A or 357B of the RMA. Any objection must be made in writing to Council within 15 working days of notification of the decision.*
8. *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.*

9. *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.*

Decision on a Discretionary Activity Variation to a conditions of consent and for a Qualifying Development and a consent notice under the Housing Accords and Special Housing Area Act 2013 (HASHAA)



Application Numbers:	LAN- 67473, 10311681.2. (Consent Notice Number)
Original Application Numbers:	SLC – 63158
Applicant's Name:	Universal Homes Limited
Site Address:	187 and 217 Wainui Road, Silverdale
Legal Description:	Pt Lot 1 DP 105961 and Pt Lot 2 DP 12080
Proposal:	To change consent notice 10311681.2. imposed under Consent SLC-63158 to reflect the 2015 price point for the relative affordable dwellings authorised by SLC-63158, changes to conditions 1, 64 and 65 of SLC-63158.

I have read the application, supporting documents, and the report and recommendations on the consent application. I am satisfied that I have sufficient information to consider the matters required by the Housing Accords and Special Housing Areas Act 2013 (HASHAA) and make a decision under delegated authority on this application.

This proposal requires a change to conditions of consent and a consent notice pursuant to sections 44 and 52 of HASHAA and the changes shall be as outlined below in sections A and B

Pursuant to sections 34, 36, 37, 38 and 52 of HASHAA this application for variation to the consent notice and changes to the consent conditions shall be **GRANTED**.

Reasons

Under section 34 of the HASHAA the reasons for this decision are:

- (a) The proposal continues to directly align with the purpose of the HASHAA, and complementary to the anticipated residential development of the Silverdale Special Housing Area. This outcome is not changed by the variations sought.
- (b) It is considered that the proposal is consistent with Part 2 of the RMA as the change in price will enable the progression of housing construction whilst managing the health and safety of people and communities.
- (c) An assessment of the provisions against the PAUP objectives, policies and assessment criteria has demonstrated that the change in price point not inhibit the development of quality urban growth. The nature, scale and intensity of the development have not changed.
- (d) The variation will not undermine the future achievement of a high quality development outcome on the site. There are no adverse effects. No changes are proposed to infrastructure that will service the future development of the site.
- (e) There are not considered to be any other matters requiring consideration.
- (f) The proposal will be in accordance with the seven essential design quality of the Urban Design Protocol.
- (g) Overall, the proposed variation is in accordance with the aspirations of the PAUP in terms of the development of affordable housing.

A. Changes to Conditions wording

Condition 1- Changes to the description of the referenced Plans (N.B the plan reference numbers remain the same)

A-200	Street Elevation – Wainui Road Block H1	Universal	Revision	April 2016
A-201	Street Elevation –	Universal	Revision	April 2016

	Wainui Road Block H2			
A-202	Road 5A Block H1 Andrew Jack Road Lots 17-32	Universal	Revision	April 2016
A-203	Road 5B Block H1 Andrew Jack Road Lots 42-61	Universal	Revision	April 2016
A-204	Street Elevation – Roads 2 & 4A	Universal	Revision	April 2016

Conditions 64 and 65

Affordable Housing

64. The dwellings on lots 25,26,44,48,49,52,53 and 59 are allocated as affordable dwellings that shall meet the affordability criteria set out in the Housing Accords and Special Housing Area (Auckland) Amendment Order 2013, Schedule 9C Silverdale Special Housing Area dated 13 December 2013.

The price at which a dwelling on these lots may be sold shall not exceed 75% of the Auckland Region Median House Price published by the Real Estate Institute of New Zealand for September 2015.

Advice Note:

The 9 lots secured as affordable dwellings in this consent equate to 17% of the total yield. The affordable dwellings additional to the 10% requirement may be utilised toward satisfaction of the affordable housing requirement of Highgate Stage 2, should resource consent for the development be pursued under the HASHAA.

65. A Consent Notice pursuant to s221 of the RMA (S44 of HASHAA) shall be entered into against the Certificates of Title for lots 25,26,44,48,49,52,53,58 and 59 to ensure that the following conditions are complied with on a continuing basis:

This lot is deemed to be for the building of affordable dwellings under Criteria A of the affordability criteria set out in the Housing Accords and Special Housing Areas (Auckland) Amendment Order 2013, Schedule 9C Silverdale special housing area dated 13 December 2013. Before the Certificate of Title of this lot is transferred or the dwelling is occupied, the consent holder shall provide to the Council's Manager SHA Consenting a statutory declaration from the purchaser of the dwelling that the purchaser meets all the following criteria:

- i. The purchaser's gross household income, as at the date of the declaration, does not exceed 120% of the Auckland median household income;*
- ii. The purchaser has paid a price for the finished dwelling and land which is not more than that defined under Criteria A of the affordability criteria set out in the Housing Accords and Special Housing Areas (Auckland) Order 2013,*
- iii. Schedule 9C Silverdale special housing area dated 13 December 2013, being \$578,250;*
- iv. The purchaser has the legal right to and intends to own and occupy the affordable dwelling exclusively as their residence for not less than 3 years after gaining title to the dwelling;*
- v. The purchaser is a first home buyer and has never owned any other real property; and*
- vi. The purchaser is a natural person and is purchasing the affordable dwelling in their own name and not in the name of any other person.*
- vii. The consent notice shall specify that it ceases to have effect 3 years after the date of transfer of title to the first purchaser.*

B. Changes to Consent Notice 10311681.2. wording

The price at which a dwelling on the lot may be sold shall not exceed 75% of the Auckland Region Median House Price published by the Real Estate Institute of New Zealand for September 2015, which is \$578,250;

This lot is deemed to be for the building of affordable dwellings under Criteria A of the affordability criteria set out in the Housing Accords and Special Housing Areas (Auckland) Amendment Order 2013, Schedule 9C Silverdale special housing area dated 13 December 2013. Before the Certificate of Title of this lot is transferred or the dwelling is occupied, the consent holder shall provide to the Council's Manager SHA Consenting a statutory declaration from the purchaser of the dwelling that the purchaser meets all the following criteria:

- a) The purchaser's gross household income, as at the date of the declaration, does not exceed 120% of the Auckland median household income;*
- b) The purchaser has paid a price for the finished dwelling and land which is not more than that defined under Criteria A of the affordability criteria set out in the Housing Accords and Special Housing Areas (Auckland) Order 2013,*
- c) Schedule 9C Silverdale special housing area dated 13 December 2013, being \$578,250;*
- d) The purchaser has the legal right to and intends to own and occupy the affordable dwelling exclusively as their residence for not less than 3 years after gaining title to the dwelling;*
- e) The purchaser is a first home buyer and has never owned any other real property; and*

- f) *The purchaser is a natural person and is purchasing the affordable dwelling in their own name and not in the name of any other person.*
- g) *The consent notice shall specify that it ceases to have effect 3 years after the date of transfer of title to the first purchaser.*

Advice notes:

1. *This consent is to be read in conjunction with the previously approved resource consents **SLC-63158** and does not negate the consent holder's requirement to continue to comply with the conditions of the original resource consents, subject to the amendments approved above.*

Delegated decision maker:

Name: Elizabeth Wells

Title: SHA Programme Director Consenting
Development Programme Office

Signed: 

Date: 30 June 2016

Decision on an application for a change / cancellation of consent condition(s) under the Resource Management Act 1991



Application number(s): R63530A

Applicant's name: Highgate Business Park Ltd

Site address: 187 Wainui Road Silverdale

Legal description: Pt Lot 1 DP 105961 (3.295ha);
Sec 1 SO 70732 (8.8264ha);
Sec 2 SO 70732 (0.2337ha);
Sec 3 SO 70732 (0.1837ha);
Sec 4 SO 70732 (0.0389ha);
Sec 7 SO 70732 (0.0389ha);
Lot 4 DP 85630 (3.6055ha);
Lot 2 DP 85630 (0.2322ha);
Lot 1 DP 114318 (6.753ha);
Lot 2 DP 114318 (6.19ha);
Pt Lot 2 DP 98968 (0.9473ha);
Lot 1 DP 145917 (1.288ha);
Sec 1 SO 70750 (0.867ha);
Lot 4 DP 83197 (2.314ha);
Lot 1 DP 211452 (15.1252 ha);
State Highway 1

Proposal:

To change the conditions of R63530 in order to enable a change to the staging provisions and some minor alterations to lot boundaries.

I have read the application, supporting documents, and the report and recommendations on the section 127 application. I am satisfied that I have sufficient information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on this application.

Acting under delegated authority, under sections 104, 104B, 108 and 127 this application to change / cancel conditions is **GRANTED**.

1. Reasons

Under section 113 of the RMA the reasons for this decision are:

- The proposal is reasonable in nature and will have less than minor adverse impacts, particularly as the proposal does not trigger any changes to the physical works on site.
- The scope of the variation to the amended staging provisions will not generate additional effects over and above those previously assessed.
- There are no persons considered to be affected by the change.

- Overall, the proposal is considered to be consistent with the objectives and policies of the Auckland Council District Plan: Rodney Section and the Proposed Auckland Unitary Plan.
- The proposal is consistent with the purpose and principles at Part 2 of the Resource Management Act 1991, in that it allows for development of physical resources which enable people to provide for their social and economic wellbeing whilst avoiding, remedying and mitigating any adverse effects on the environment.

Conditions

Under section 127 of the RMA, Condition 1 is **CHANGED** as set out below. **Bold underlined text** denotes new text. ~~Strikethrough text~~ denotes deleted text.

1. The proposed subdivision, earthworks, stream reclamation, dam and wetland activity shall be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the council as consent numbers R63530 (District Consent), REG-63532 (Regional Dam Consent), REG-63533 (Regional Streamworks Consent), REG-64051 (Regional Stormwater Discharge Consent) **and as varied by R63530A**
 - *'Land Use, Subdivision, Dam Permit, and Stream Works Resource Consent Application – Highgate Commercial Limited – Assessment of Environmental Effects & Statutory Assessment'* prepared by Planning Focus limited and dated November 2014 **and Letter entitled "187 Wainui Road Silverdale, Stage 1 Subdivision (R63530) Section 127 Application" prepared by Planning Focus dated 18th December 2015**

Report title and reference	Author	Dated
Stage 1 Infrastructure Report	Woods	
Stage 1 Earthworks Report, Stream Erosion & Sediment Control Methodology	Woods	13 November 2014
Stormwater Report	Woods	15 December 2014
Stream Ecological Valuation	Boffa Miskell Ltd	14 November 2014
Geotechnical Report 7739	Engineering Geology Ltd	17 November 2014
Cultural Impact Assessment	Fiona McKenzie Manuhiri Kaitiaki Charitable Trust	November 2014

Plan title and reference	Author	Rev	Dated
60160-01-GE-001-002 Zoning Plans	Woods		November 2014
60160-01-GE-003 Existing Title Boundary Plan	Woods		November 2014
<u>60160-01-GE-003 Existing Title Boundary Plan</u>	<u>Woods</u>	<u>2</u>	<u>November 2014</u>
60160-01-GE-024 Reserve & Open Space	Woods		November 2014

Plan title and reference	Author	Rev	Dated
60160-01-GE-025 Scheme Plan	Woods		November 2014
60160-01-GE-026-029 Staging Plan	Woods		November 2014
<u>60160-01-GE-025 Scheme Plan</u>	<u>Woods</u>	<u>2</u>	<u>November 2014</u>
<u>60160-01-GE-026 Staging Plan – Stage 1A</u>	<u>Woods</u>	<u>2</u>	<u>November 2014</u>
<u>60160-01-GE-027 Staging Plan – Stage 1B</u>	<u>Woods</u>	<u>2</u>	<u>November 2014</u>
<u>60160-01-GE-028 Staging Plan – Stage 1C</u>	<u>Woods</u>	<u>2</u>	<u>November 2014</u>
<u>60160-01-GE-029 Staging Plan – Stage 1D</u>	<u>Woods</u>	<u>2</u>	<u>November 2014</u>
<u>60160-01-GE-029a Staging Plan – Stage 1E</u>	<u>Woods</u>	<u>2</u>	<u>December 2015</u>
60160-01-GE-030 Road Hierarchy Plan	Woods		November 2014
60160-01-GE-031-033 Road Typical Cross Sections	Woods		November 2014
60160-01-EW-100 Proposed Final Contour Plan	Woods		November 2014
60160-01-EW-120 Earthworks – Land Form Layout Plan	Woods		November 2014
60160-01-EW-121 & 122 Land Form Cross Sections	Woods		November 2014
60160-01-EW-150 Retaining Wall Plan	Woods		November 2014
60160-01-RD-200-202 Roding Layout Plans	Woods		November 2014
60160-01-RD-260-264 Road Longitudinal Sections	Woods		November 2014
60160-01-DR-300-305 Stormwater Drainage Plans	Woods		November 2014
60160-01-DR-350 Stormwater Wetlands Plan	Woods	1	11/02/15
60160-01-DR-360-365 Rain Garden Plan & Details	Woods	1	11/02/15
60160-01-DR-390 Overland Flow Path	Woods		November 2014
60160-01-DR-391 Catchments Plan	Woods		November 2014
60160-01-DR-400 Overall Wastewater Drainage Plans	Woods		November 2014

Plan title and reference	Author	Rev	Dated
60160-01-WS-600-605 Water Reticulation Plans	Woods		November 2014
Stream Earthworks	Woods		November 2014
60160-E01-GE-001 Existing Title Boundary Plan			
Stream Earthworks	Woods		November 2014
60160-E01-GE-002 Scheme Plan			
Stream Earthworks	Woods		November 2014
60160-E01-EW-100 Existing Contour Plan			
Stream Earthworks	Woods		November 2014
60160-E01-EW-101 Proposed Final Contour plans			
Stream Earthworks	Woods		November 2014
60160-E01-EW-102 Cut and Fill Plan			
Stream Earthworks	Woods		November 2014
60160-E01-EW-103 Existing Slope Analysis Plan			
Stream Earthworks	Woods		November 2014
60160-E01-EW-104 Design Slope Analysis Plan			
Stream Earthworks	Woods		November 2014
60160-E01-EW-120 Earthworks – Land Form Layout Plan			
Stream Earthworks	Woods		November 2014
60160-E01-EW-121 Land Form Cross Sections			
Stream Earthworks	Woods		November 2014
60160-E01-EW-130 Erosion & Sediment Control Plan			
Stream Earthworks	Woods		November 2014
60160-E01-EW-131-132 Erosion & Sediment Details			
Stormwater Wetland Design Plans	Woods		November 2014
Proposed Landscape Concept Plans	Boffa Miskell Ltd		14 Nov 14
Proposed Landscape Concept Plan with Contours	Boffa Miskell Ltd		14 Nov 14
Proposed Planting Plan – Draft	Boffa Miskell Ltd		14 Nov 14
Indicative Stream Planting Sections	Boffa Miskell Ltd		14 Nov 14
Indicative Wetland Planting Sections	Boffa Miskell Ltd		14 Nov 14

Plan title and reference	Author	Rev	Dated
Indicative Planting – Long Sections	Boffa Miskell Ltd		14 Nov 14
Proposed Planting Schedule	Boffa Miskell Ltd		14 Nov 14
Other additional information	Author	Rev	Dated
Email Correspondence (as on file)			
S92 Response including:			
Highgate Water Network Report	Woods	Rev 2	22/01/15
Highgate Pressure Sewer Servicing Concept Report	GHD		6 may 14
Water Supply Planning Assessment Form	Woods		27/01/15
Watercare Peer Review	Watercare		4 Feb 15
Emails clarifying Watercare's position re upgrades to Wainui Road & limits of extending the network extension (relates to condition 9(j) below)	Colin Dryland (Woods), Melanie Skeen (Watercare)		24 th /26 th Feb 15

7. The consent is to be undertaken in 5 Stages (Stage 1A to Stage 1E) as shown on ~~Plan 60160-01-GE-0026-029~~ **Plans 60160-01-GE-026 Staging Plan – Stage 1A; 60160-01-GE-027 Staging Plan – Stage 1B; 60160-01-GE-028 Staging Plan – Stage 1C; 60160-01-GE-029 Staging Plan – Stage 1D; 60160-01-GE-029a Staging Plan – Stage 1E** Staging Plan by Woods, November 2014 **and December 2015**.

All other conditions of resource consent R63530 remain unchanged.

A consolidated set of all conditions incorporating the above change is attached as a Schedule to this decision.

Delegated decision maker:

Name:

Title: Team Leader, Resource Consents

Signed:

Date:

Schedule to decision

This schedule sets out the conditions of resource consent R63530 and incorporates changes made to condition 1 as a result of an application under section 127 of the RMA (reference R63530A).

Conditions

Under section 108 and 220 of the RMA, this consent is subject to the following conditions:

1. The subdivision, earthworks, stream reclamation, dam and wetland activity shall be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the council as consent numbers R63530 (District Consent), REG-63532 (Regional Dam Consent), REG-63533 (Regional Streamworks Consent), REG-64051 (Regional Stormwater Discharge Consent) and as varied by R63530A.

- *'Land Use, Subdivision, Dam Permit, and Stream Works Resource Consent Application – Highgate Commercial Limited – Assessment of Environmental Effects & Statutory Assessment'* prepared by Planning Focus limited and dated November 2014 and Letter entitled "187 Wainui Road Silverdale, Stage 1 Subdivision (R63530) Section 127 Application" prepared by Planning Focus dated 18th December 2015

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60160-01-GE-024 Reserve & Open Space	Woods		November 2014
60160-01-GE-025 Scheme Plan	Woods	2	November 2014
60160-01-GE-0026 Staging Plan – Stage 1A	Woods	2	November 2014
60160-01-GE-0027 Staging Plan – Stage 1B	Woods	2	November 2014
60160-01-GE-0028 Staging Plan – Stage 1C	Woods	2	November 2014
60160-01-GE-0029 Staging Plan – Stage 1D	Woods	2	November 2014
60160-01-GE-0029a Staging Plan – Stage 1E	Woods	2	December 2015
60160-01-GE-030 Road Hierarchy Plan	Woods		November 2014
60160-01-GE-031-033 Road Typical Cross	Woods		November

Plan title and reference	Author	Rev	Dated
Sections			2014
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60160-01-EW-120 Earthworks – Land Form Layout Plan	Woods		November 2014
60160-01-EW-121 & 122 Land Form Cross Sections	Woods		November 2014
60160-01-EW-150 Retaining Wall Plan	Woods		November 2014
60160-01-RD-200-202 Rooding Layout Plans	Woods		November 2014
60160-01-RD-260-264 Road Longitudinal Sections	Woods		November 2014
60160-01-DR-300-305 Stormwater Drainage Plans	Woods		November 2014
60160-01-DR-350 Stormwater Wetlands Plan	Woods	1	11/02/15
60160-01-DR-360-365 Rain Garden Plan & Details	Woods	1	11/02/15
60160-01-DR-390 Overland Flow Path	Woods		November 2014
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Stream Earthworks	Woods		November 2014
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Stream Earthworks	Woods		November 2014
60160-E01-EW-100 Existing Contour Plan			
Stream Earthworks	Woods		November 2014
60160-E01-EW-101 Proposed Final Contour plans			
Stream Earthworks	Woods		November 2014
60160-E01-EW-102 Cut and Fill Plan			
Stream Earthworks	Woods		November 2014
60160-E01-EW-103 Existing Slope Analysis Plan			

Plan title and reference	Author	Rev	Dated
Stream Earthworks 60160-E01-EW-104 Design Slope Analysis Plan	Woods		November 2014
Stream Earthworks 60160-E01-EW-120 Earthworks – Land Form Layout Plan	Woods		November 2014
Stream Earthworks 60160-E01-EW-121 Land Form Cross Sections	Woods		November 2014
Stream Earthworks 60160-E01-EW-130 Erosion & Sediment Control Plan	Woods		November 2014
Stream Earthworks 60160-E01-EW-131-132 Erosion & Sediment Details	Woods		November 2014
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Emails clarifying Watercare's position re upgrades to Wainui Road & limits of extending the network extension (relates to condition 9(j) below)	Colin Dryland (Woods), Melanie Skeen (Watercare)		24 th /26th Feb 15

2. This consent (or any part thereof) shall not commence until such time as the following charges, which are owing at the time the council's decision is notified, have been paid in full:
 - a) All fixed charges relating to the receiving, processing and granting of this resource consent under section 36(1) of the Resource Management Act 1991 (RMA); and
 - b) All additional charges imposed under section 36(3) of the RMA to enable the council to recover its actual and reasonable costs in respect of this application, which are beyond challenge.
3. The consent holder shall pay any subsequent further charges imposed under section 36 of the RMA relating to the receiving, processing and granting of this resource consent within 20 days of receipt of notification of a requirement to pay the same, provided that, in the case of any additional charges under section 36(3) of the RMA that are subject to challenge, the consent holder shall pay such amount as is determined by that process to be due and owing, within 20 days of receipt of the relevant decision.
4. 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 submitting a survey plan in respect of the subdivision that has been submitted to Council under s223, but shall thereafter lapse if the survey plan has not been deposited in accordance with s224 of the RMA or;
 - b) The council extends the period after which the consent lapses.
5. The consent holder shall pay the council an initial consent compliance monitoring charge of \$810 (inclusive of GST), plus any further 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.
6. (new road names) The Consent Holder shall suggest to the Council a name for the new road shown on the Scheme Plan after consulting the local iwi for comment, together with clearance from Addresses@linz.govt.nz so that duplication of the name in any other part of the Auckland region is avoided. The Council Surveyor should be consulted in the first instance in regard to the appropriateness of the name and road type. 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".
7. The consent is to be undertaken in 5 Stages (Stage 1A to Stage 1E) as shown on Plans 60160-01-GE-026 Staging Plan – Stage 1A; 60160-01-GE-027 Staging Plan – Stage 1B; 60160-01-GE-028 Staging Plan – Stage 1C; 60160-01-GE-029 Staging Plan – Stage 1D; 60160-01-GE-029a Staging Plan – Stage 1E_by Woods, November 2014 and December 2015.

Survey Plan Approval (s223) Conditions

8. (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 undertake to give effect and to show on the survey plan:

Amalgamation

- a) Pursuant to s220 (1)(b)(iv) of the Act, have endorsed on the survey plan the following condition of amalgamation:
 - i. “That Lot 120 hereon (legal access) be held as to 3 undivided one-third shares by the owners of Lots 5, 6 and 7 hereon as tenants in common in the said shares and that individual Computer Registers be issued to in accordance therewith.”
- b) Pursuant to s220 (1)(b)(i) of the Act, have endorsed on the survey plan the following condition of amalgamation:
 - i. “That Lot 13 hereon be transferred to the owner of Lot 2 DP 98969 (CT 53D/814) or proposed Lot 500 (Balance Lot) and that one computer register be issued to include both parcels”.

Vesting

- c) Pursuant to s220 (1)(b)(iv) of the Act, have endorsed on the survey plan the following condition of amalgamation:
 - i. (vesting of roads) Show Lots 102, 104, 106, 108, 110, 111 to vest in Auckland Council as road.
 - ii. (vesting of reserves) Show Lot 100 to vest in Auckland Council as Local Purpose (Drainage) Reserves.

Easement

- d) The right of way easements labelled A, B, C & D on the scheme plan are to be endorsed on a Memorandum of Easements attached to the cadastral survey dataset as a supporting document.

Section 224(c) Compliance Conditions

Subdivision Conditions (District) R63530

- 9. (conditions to be complied with prior to s224(c)) Before the Council will issue a certificate pursuant to section 224(c) of the Act, the Consent Holder shall satisfy the following conditions at their full cost:

Engineering

- a) (developer's representative) Prior to the commencement of engineering design, 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.

- b) (insurance and warranties for engineering works) 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".
- c) (engineering plans) 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 Consents Engineer, and approval thereto received in writing, prior to the commencement of any works on the site.

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;
 - Street lights, landscaping or structures on land vested, or to be vested, in the Council;
 - The installation of gas, electrical or telecommunication reticulation including ancillary equipment;
 - Any other works required by conditions of this consent.
- d) (as built record plans) As Built record plans to requirements of the Council's "Standards for Engineering Design and Construction" shall be submitted to the Consents Engineer, and approval thereof received in writing.
- e) (vested assets) provide a schedule of assets to be vested in Council in a form acceptable to Council.
- f) (Traffic Management Plan) An approved Traffic Management Plan in accordance with the Code of Practice for Temporary Traffic Management specifically addressing control of construction access to the site and traffic control adjacent to the site, and the protection of the public, shall be submitted to the Consents Engineer. A copy of the Traffic Management Plan, together with the verification letter shall be kept on the site at all times. All measures for the protection of the public and other personnel set out in the verified Plan shall be maintained and complied with at all times until such time as the works are completed.
- g) (earthworks certification) On completion of earthworks, an Earthworks Completion Report and a Certificate in the form of Appendix A of the "Standards for Engineering Design and Construction" signed by the Chartered Professional Engineer who designed and supervised the works shall be provided to the Consents Engineer.

- h) (stormwater reticulation) The existing public stormwater system which lies within or is contiguous to the land in the development shall be extended to the requirements of the Council's "Standards for Engineering Design and Construction" to serve all Lots within the development to become part of the public services of the District.
- i) (wastewater reticulation) The existing public pressure wastewater system which lies within or is contiguous to the land in the development shall be extended to the requirements of the Council's "Standards for Engineering Design and Construction" to serve all Lots within the development to become part of the public services of the District.
- j) (water reticulation) The existing public water system which lies within or is contiguous to the land in the development shall be extended to the requirements of the Council's "Standards for Engineering Design and Construction" to serve all Lots within the development to become part of the public services of the District, including the works required by the Watercare Peer Review Application, reference 36817, dated 4 February 2015
- k) (road construction) The proposed new roads shall be constructed to the standards comprised in the Council's "Standards for Engineering Design and Construction". Maintenance manuals shall be provided for the rain gardens located within the road reserve.
- l) (provide for road/amenity lighting) All streets and public accessways shall be lit to the requirements of the Council's "Standards for Engineering Design and Construction". The type of pole and light fittings shall be acceptable to Auckland Transport.
- m) (provide for electric power) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an electric supply has been made available by underground means 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.
- n) (provide for telephone) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of telephone services has been made available by underground means 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.
- o) (stormwater mitigation) A stormwater treatment wetland shall be designed and constructed in general accordance with the plans provided, TP 10 and the "Standards for Engineering Design and Construction". The proposed wetland shall be fully landscaped and have adequate access for future maintenance purposes. As built drawings of the facility including a site survey and geotechnical completion report shall be provided to the Council upon completion.

- p) (stormwater mitigation maintenance) The developer shall maintain the stormwater treatment wetland until either 80% of the building sites within the subdivision discharging to it, have been developed or for a period of 2 years from the date of the final 224(c) for the subdivision, whichever is the shortest period. The developer shall remove sediment from the ponds resulting from the development of the subject site, if required by the Council, prior to final handover of the facility to the Council for maintenance. At the time of handover there shall be a 95% plant survival rate. Updated operation and maintenance manuals for the pond shall be provided to the Council at the time of the handover of the pond. Unless otherwise agreed to, a bond may be required at the time of application for the 224(c) certificate to ensure the ongoing maintenance of the pond. The bond will be based on the cost to maintain the pond over the two year period plus 50% of the cost.
- q) (landscape plan) Final Landscape Plans (including road reserve landscaping), with an implementation and maintenance programme shall be submitted to and approved by Council's Resource Consents Team Leader (or nominated party) within 3 months of the commencement of works on the site. The following conditions relating to the Landscape Plans must be adhered to by the Consent Holder:
- i. The plans shall include details of the tree and plant sizes at the time of planting and intended species. Such a plan shall include appropriate measures to ensure that amenity landscape and cultural values are maintained within the submitted Landscape Plans prepared by Boffa Miskell and dated 14 November 2014 and recommendations of the CIA referred to in Condition 1
 - ii. The plans shall include details of riparian planting along the permanent stream margin within Lot 100 including a planting and maintenance schedule
 - iii. The plans shall include details on planting within the Landscape Buffer Area adjacent to State Highway 1A on Lots 2, 3, 5, 6, 7, 8, 9 & 10 in accordance with Rule 12.8.19.23.6 (c)
 - iv. The landscaping for the Drainage Reserve to be vested, street planting and planting referred to in iii. above shall be implemented by the Consent Holder (or nominated party) in accordance with the approved planting plan within the first planting season (May to October) following the completion of each stage of development. The vegetation/trees shall be maintained for at least 3 years in accordance with the landscape planting plans.
 - v. A planting specification and maintenance plan shall be provided for approval prior to planting, to include mulching, staking, fertiliser application, weeding and replacement planting.
- r) (landscaping bond) The Consent Holder shall enter into a bond or cash deposit for the value of the planting and the maintenance of the landscaping including replacing 5% of the plants over a 3 year period prior to the granting of the s224(c) certificate being issued to ensure compliance with Condition (q) above. The bond/cash deposit shall be released by Council on receipt of evidence that the tree planting has been completed and maintained in accordance with the approved Landscaping Plans for at least 3 years.

- s) The consent holder shall provide to the Stormwater Assets/Parks and Open Space Specialist 'as built' plans for landscape works (hard and soft) within the drainage reserve (Lot 100) and road reserves in CAD and pdf form including the following details:
- i. Grades of batter slopes associated with the drainage reserve
 - ii. All finished hard and soft landscape asset locations and type, and any planted areas must be shown to scale with the square metres of planting, species and number of plants
 - iii. All underground services, irrigation and drainage
 - iv. All paths, pavers and concrete types with names of products to be included on the assets schedule
 - v. Evidence of consultation with iwi as recommended in the CIA (recommendation 5.11 - see condition 1)
- t) (fencing) Any fencing along boundaries or within 2m of boundaries of open spaces (reserves) must be either low height (1.2m or at least 25% visually permeable (max height 1.8m). Landscape planting may be implemented on either side of the fence and must be maintained to ensure 25% visual permeability.

Note: this condition does not require fencing to be constructed

General conditions – District Land Use Consent SLC-63530

Landscaping/Ecology

10. The 80m of permanent stream on Lot 100 is to be retained in its natural alignment.

Transportation/Traffic

11. The grade for Road 7 must be increased to a minimum of 1% or as agreed with Auckland Transport.
12. Pedestrian crossings are provided within the development. The details of these are to be provided at Engineering Plan Approval stage.
13. Details of street lighting are to be provided at the Engineering Plan Approval stage.
14. Details of planting within the road reserve are to be provided within 3 months of the commencement of works on the site, or at the request of Auckland Transport at engineering stage.
15. All construction is in accordance with the RDC Standards for Engineering Design and Construction.

Specific conditions – District & Regional Earthworks Consent SLC-63530 & REG-63533 (NRSI 43797)

16. The earthwork activity shall be carried out in accordance with the plans and all information submitted with the application and under section 92, outlined in condition 1 above, all referenced by council as SLC-63530 & REG-63533 including but not limited to:

Reports

'Land Use, Subdivision, Dam Permit, and Stream Works Resource Consent Application – Highgate Commercial Limited – Assessment of Environmental Effects & Statutory Assessment' prepared by Planning Focus limited and dated November 2014.

Cultural Impact Assessment – Fiona McKenzie, Manuhiri Kaitiaki Charitable Trust, November 2014

Plans

'Stream Earthworks Erosion and Sediment Control Plan', Drawing No. 160160-E01-EW-130, prepared by Woods, dated November 2014.

17. Upon abandonment or completion of earthworks on the subject site all areas of bare earth shall be permanently stabilised against erosion to the satisfaction of the Team Leader, Northern Monitoring.
18. Prior to the pre-start meeting a finalised Erosion and Sediment Control Plan (ESCP) which includes super silt fences shall be prepared and submitted to Team Leader, Northern Monitoring.

Pre-commencement meeting

19. 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 officer[s]
 - d) Includes representation from the contractors who will undertake the works

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

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.

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

- e) Timeframes for key stages of the works authorised under this consent
- f) Resource consent conditions
- g) All updated plans in accordance with conditions 1 and 9.

Seasonal Restrictions

20. No earthworks or streamworks on the site shall be undertaken between 30 April and 1 October in any year, without the prior written approval of the Team Leader Northern Monitoring at least two weeks prior to 30 April of any year. Revegetation/stabilisation is to be completed by 30 April in accordance with measures detailed in TP90 and any amendments to this document.

Specific Conditions - Earthworks

21. Resource consent SLC-63530 shall expire five years from the date of issue unless it has been surrendered or cancelled at an earlier date pursuant to the RMA.
22. 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, Northern Monitoring. The plan shall include as a minimum:
- a) Specific design details of the chemical treatment system based on a rainfall activated methodology for the DEBS
 - 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
 - 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.
23. Prior to bulk earthworks commencing, a certificate signed by an appropriately qualified and experienced engineer shall be submitted to the Team Leader, Northern Monitoring, to certify that the erosion and sediment controls have been constructed in accordance with the erosion and sediment control plans as specified in condition 9 and 12 of this consent.

Certified controls shall include the decanting earth bunds, diversion channels/bunds and super silt fences. The certification for these subsequent measures shall be supplied immediately upon completion of construction of those measures. Information supplied if applicable, shall include:

- a) Contributing catchment area;
 - b) Shape of structure (dimensions of structure);
 - c) Position of inlets/outlets; and
 - d) Stabilisation of the structure.
24. There shall be no deposition of earth, mud, dirt or other debris on any road or footpath resulting from earthworks activity on the subject site. In the event that such deposition does occur, it shall immediately be removed. In no instance shall roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses or receiving waters.

25. 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 9 and 12 shall be maintained throughout the duration of earthworks activity, or until the site is permanently stabilised against erosion.
26. The site shall be progressively stabilised against erosion at all stages of the earthwork activity, and shall be sequenced to minimise the discharge of contaminants to groundwater or surface water.
27. All perimeter controls shall be operational before earthworks commence. All 'cleanwater' runoff from stabilised surfaces including catchment areas above the site shall be diverted away from earthworks areas via a stabilised system, so as to prevent surface erosion.
28. Erosion and sediment control measures shall be constructed and maintained in accordance with Auckland Regional Council's Technical Publication 90; Erosion and Sediment Control Guidelines for Soil 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.
29. No sediment laden runoff shall leave the site without prior treatment via an approved sediment control device.

Specific conditions – Regional Streamworks Consent REG-63533 (NRSI 43798)

30. Pursuant to 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.
31. The consent holder shall ensure that all exposed areas, including the bed of the stream and the area within the 100 year flood plain are stabilised at the end of each construction day.
32. Streamworks shall be carried out only during periods when all flows, up to the 24 hour 20 year return period storm event, can be diverted around the area of works and a two day weather forecast predicts no rainfall for the site location. During periods of flow greater than the capacity of the diversion, up to the 100 year flood event, a stabilised flowpath shall be provided to ensure no scour or erosion occurs and so that flows can pass safely around or through the area of works with minimum nuisance and damage and with no sediment generation or discharge.
33. There shall be no discharge of contaminants (e.g. oil, diesel, petrol, effluent) to the stream as a result of the exercise of this consent.

34. All machinery shall be operated in a way which ensures that spillages of fuel, oil and similar contaminants are prevented, particularly during stabilisation and machinery servicing and maintenance. Refuelling and lubrication activities shall be carried out away from any water body such that any spillage can be contained so it does not enter the stream associated with this consent. The formation of the scour resistant auxiliary spillway from the adjacent Wetland into the stream channel should be managed such that any concrete or grout products required to prevent scour are used so with robust provisions to prevent contamination to the existing stream, to the satisfaction of the Team Leader, Northern Monitoring. A methodology should be submitted prior to construction of the spillway scour protection.
35. Sediment shall not be stockpiled within the 100 year flood plain area.

Specific conditions –REG-63532 (Damming of Water) & REG-64051 (Diversion & Discharge of Stormwater)

Stormwater works

36. Stormwater diversion and discharge and the damming of water permit shall expire on 24th February 2050 (35 years) unless it has lapsed, been surrendered or been cancelled at an earlier date pursuant to the RMA.
37. The following stormwater management works are constructed for the following catchment areas and design standards and they are completed prior to construction of further impervious surfaces.

Works to be undertaken	Catchment area	Design specifications
<i>Stormwater Wetland</i>	39.76ha	TP10, TP108

38. In the event that any minor modifications to the stormwater management system are required, the following information shall be provided:
- Plans and drawings outlining the details of the modifications; and
 - Supporting information that details how the proposal does not detrimentally affect the capacity or performance of the stormwater management system.

All information shall be submitted to, and verified by the Team Leader – Northern Monitoring, prior to implementation.

Advice note: All proposed changes must be discussed with the Team Leader – Northern Monitoring, prior to implementation. Any changes to the proposal which will affect the capacity or performance of the stormwater system or will result in a change to the conditions of this consent will require an application to be made in accordance with Section 127 of the RMA.

Construction meetings

39. Five working days prior to initiation of the construction of the wetland, a pre-construction site meeting between the Team Leader - Northern Monitoring and all relevant parties, including the site stormwater engineer, shall be arranged.

40. The following information shall be provided at the pre-construction meeting:
- i) Timeframes for key stages of the works authorised under this consent;
 - ii) Contact details of the site contractor and site stormwater engineer; and
 - iii) Approved (signed/stamped) construction plans.

Advice Note: To arrange the pre-construction meeting required by this consent, please contact the Team Leader - Northern Monitoring.

Post-construction meeting

41. A post-construction meeting shall be held by the consent holder, within 20 working days of completion of the stormwater management works, that:
- a) is located on the subject area;
 - b) includes representation from the Team Leader - Northern Monitoring; and
 - c) includes representation from the site stormwater engineer and contractors who have undertaken the works and any other relevant parties.

Advice Note: To arrange the post-construction meeting required by this consent, please contact the Team Leader - Northern Monitoring.

Certification of construction works

42. Within 30 days of practical completion, As-Built certification and plans of the stormwater management works, which are certified (signed) by a suitably qualified registered surveyor or engineer as a true record of the stormwater management system, shall be provided to the Team Leader – Northern Monitoring.
- a) The As-Built plans shall include, but not be limited to:
 - a) Location and dimensions of stormwater treatment device (wetland, discharge point to stream);
 - b) Documentation of any discrepancies between the design plans and the As-Built plans.

Operation and maintenance

43. An Operation and Maintenance Plan for the stormwater management and treatment system shall be developed and sent to the Team Leader – Northern Monitoring 5 days prior to the post-construction meeting required by this consent.
44. The Operation and Maintenance Plan shall set out how the stormwater management and treatment system is to be operated and maintained to ensure adverse environmental effects are minimised. The plan shall include, but not be limited to:
- a) A programme for regular maintenance and inspection of the stormwater management system;

- b) A programme for the collection and disposal of debris and sediment collected by the stormwater management devices or practices;
 - c) A programme for post storm maintenance;
 - d) General inspection checklists for all aspects of the stormwater management system, including visual checks;
 - e) Details of who will hold responsibility for long-term maintenance of the stormwater management system;
45. The stormwater management and treatment system shall be managed in accordance with the Operation and Maintenance Plan.

Maintenance report

46. A maintenance report shall be provided to the Team Leader – Northern Monitoring on request. The maintenance report shall include but not be limited to the following:
- a) Details of who is responsible for maintenance of the stormwater management system;
 - b) Details of any maintenance undertaken; and
 - c) Details of what inspections were completed over the preceding twelve months.
47. Details of all inspections and maintenance for the stormwater management system for the preceding three years shall be retained.

Overland flow paths

48. For stormwater flows in excess of the capacity of the primary drainage systems, major secondary flow paths shall be provided and kept free from significant obstructions such as buildings and solid fences to allow surplus stormwater from critical storms to discharge with the minimum of nuisance and damage.

Ongoing Conditions/Consent Notices

The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notices pursuant to s.221 of the Act.

(building restrictions) Any buildings erected on the Lots shall be subject to the requirements of the report required by condition 9(g), copies of which are held at the offices of the Council, Centreway Road, Orewa.

(building restrictions - stormwater control and treatment) All stormwater from buildings and paved areas shall be collected and disposed of in accordance with Appendix J & K of the stormwater design report prepared by Woods, reference 60160, dated December 2014. The collection and disposal system shall be installed in conjunction with the erection of any buildings and shall thereafter be maintained to the specified capacity and standard in perpetuity.

(landscaping) Lots 1 – 12 shall comply with the Landscape Plan(s) and requirements as approved under SLC-63530 & LAN-62751 (including Development Concept Plans and Framework Plans). Council will require bonds to ensure compliance and ongoing maintenance to achieve the landscape outcome proposed in the Landscape Plan(s)

3. Advice notes

1. *Please read the conditions of this resource consent carefully and make sure that you understand all the conditions that have been imposed before commencing the development.*
2. *The consent holder shall obtain all other necessary consents and permits, 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), 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. Please note that the approval of this resource consent, including consent conditions specified above, may affect a previously issued building consent for the same project, in which case a new building consent may be required.*
3. *A copy of this consent should be held on site at all times during the establishment and construction phase of the activity.*
4. *Compliance with the consent conditions will be monitored by Council in accordance with section 35(d) of the Resource Management Act. This will typically include site visits to verify compliance (or non compliance) and documentation (site notes and photographs) of the activity established under the Resource Consent. In order to recover actual and reasonable costs, inspections, in excess of those covered by the base fee paid, shall be charged at the relevant hourly rate applicable at the time. Only after all conditions of the Resource Consent have been met, will Council issue a letter on request of the consent holder.*
5. *Development contributions levied under the Local Government Act 2002 are payable in relation to this application. The consent holder will be advised of the development contributions payable separately from this resource consent decision. Further information about development contributions may be found on the Auckland Council website at www.aucklandcouncil.govt.nz.*
6. *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, Northern Monitoring prior to implementation to confirm that they are within the scope of this consent.*
7. *To arrange the pre-start meeting required by Condition 19 please contact the Team Leader, Northern Monitoring on kerry.flynn@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.*

8. *Should the earthworks be completed or abandoned, bare areas of earth shall be permanently stabilised against erosion. Measures may include:*
- *The use of mulching.*
 - *Top-soiling, grassing and mulching of otherwise bare areas of earth.*
 - *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, Northern Monitoring for more details. Alternatively, please refer to Auckland Regional Council, Technical Publication No. 90, Erosion & Sediment Control: Guidelines for Land Disturbing Activities in the Auckland Region.

9. *In the event that minor amendments to the CTMP (see Condition 22) are required, any such amendments should be limited to the scope of this consent. Any amendments which affect the performance of the CTMP 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, Northern Monitoring prior to implementation to confirm that they are within the scope of this consent.*
10. *In order to prevent sediment laden water entering waterways from the road, the following methods may be adopted to prevent or address discharges should they occur:*
- *provision of a stabilised entry and exit(s) point for vehicles*
 - *provision of wheel wash facilities*
 - *ceasing of vehicle movement until materials are removed*
 - *cleaning of road surfaces using street-sweepers*
 - *silt and sediment traps*
 - *catchpits or enviropods*

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, Northern Monitoring for more details. Alternatively, please refer to Auckland Regional Council, Technical Publication No. 90, Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region.

11. *In accordance with Condition (26) earthworks shall be progressively stabilised against erosion during all stages of the earthwork activity. Interim stabilisation measures may include:*
- *the use of waterproof covers, geotextiles, or mulching*

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

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, Northern Monitoring for more details. Alternatively, please refer to Auckland Regional Council, Technical Publication No. 90, Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region.

12. *perimeter controls include cleanwater diversions, silt fences and any other erosion control devices that are appropriate to divert stabilised upper catchment runoff from entering the site, and to prevent sediment-laden water from leaving the site.(refer condition 27)*

- *The Heritage New Zealand Pouhere Taonga Act 2014 (the Act) provides for the identification, protection, preservation and conservation of the historic and cultural heritage of New Zealand. All archaeological sites are protected by the provisions of the Act (section 42). It is unlawful to modify, damage or destroy an archaeological site without prior authority from Heritage New Zealand. An authority is required whether or not the land on which an archaeological site may be present is designated, a resource or building consent has been granted, or the activity is permitted under regional or district plan.*
- *According to the Act (section 6) archaeological site means, subject to section 42(3),—*

(a) any place in New Zealand, including any building or structure (or part of a building or structure), that—

(i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and

(ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and

(b) includes a site for which a declaration is made under section 43(1)

13. *If any archaeological features are uncovered on the site, it is recommended that works cease and council's representative monitoring your application is notified immediately. For guidance and advice on managing the discovery of archaeological features contact the Team Leader Cultural Heritage Implementation on 09 301 0101. Archaeological features' may in practice include shell middens, hangi or ovens, pit depressions, defensive ditches, artefacts, or koiwi tangata (human skeletal remains). Please note in the event of a discovery, contacting New Zealand Historic Places Trust (on 09 307 9920), as well as the local iwi Manuhiri Kaitiaki Charitable Trust, Fiona McKenzie – f.mckenzie@ngatimanuhiri.iwi.nz is recommended.*

14. *If you disagree with any of the above conditions, or disagree with the additional charges relating to the processing of the application you have a right of objection pursuant to sections 357A or 357B of the RMA. Any objection must be made in writing to Council within 15 working days of notification of the decision.*

Delegated decision maker:

Name:

Title: Team Leader, Resource Consents

Signed:

Date:

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R65350A

Approved by Delegated Officer

17/02/2016

Decision on an application for a change / cancellation of consent condition(s) under the Resource Management Act 1991



Application number(s): R63530B
Applicant's name: Highgate Commercial Ltd
Site address: 187 Wainui Road, Silverdale
Legal description: Pt Lot 1 DP 105961; Sec 1 SO 70732; Sec 2 SO 70732;
Sec 3 SO 70732; Sec 4 SO 70732; Sec 7 SO 70732;
Lot 4 DP 85630; Lot 2 DP 85630; Lot 1 DP 114318;
Lot 2 DP 114318; Pt Lot 2 DP 98968; Lot 1 DP 145917;
Sec 1 SO 70750; Lot 4 DP 83197; Lot 1 DP 211452;
State Highway 1

Proposal:

To change the conditions 1, 7, 8 and 9 (q) and a consent notice condition of R63530 to enable changes to the staging provisions and the lots to be created.

I have read the application, supporting documents, and the report and recommendations on the section 127 application. I am satisfied that I have sufficient information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on this application.

Acting under delegated authority, under sections 104, 104B, 108 and 127 this application to change conditions is **GRANTED**.

1. Reasons

Under section 113 of the RMA the reasons for this decision are:

- In terms of section 104(1)(a) of the RMA, the actual and potential adverse effects of the proposal have been assessed as being acceptable. The proposed variation is within the scope of the original consent, and any additional effects beyond those already consented to will be less than minor. The increase in the number of Lots gained access via Lot 120 will have less than minor effects in terms of traffic safety and convenience.
- In terms of section 104(1)(b) of the RMA, the proposal is consistent with the relevant objectives and policies of the Auckland Council District Plan (Rodney Section) and the Proposed Auckland Unitary Plan.
- In terms of section 104(1)(c) of the RMA, no other matters are considered relevant in the determination of the application.
- This proposal achieves the sustainable management purpose of the RMA under Part 2.

2. Conditions

Under section 108 of the RMA, the consent, as varied, is subject to the following conditions (**Bold underlined text** denotes new text. ~~Strikethrough text~~ denotes deleted text. The conditions 1, 7, 8 and 9 (q) and the consent notice condition of landscaping are varied):

1. The subdivision, earthworks, stream reclamation, dam and wetland activity shall be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the council as consent numbers R63530 (District Consent), REG-63532 (Regional Dam Consent), REG-63533 (Regional Streamworks Consent), REG-64051 (Regional Stormwater Discharge Consent) and as varied by R63530A **and R63530B**.

- *'Land Use, Subdivision, Dam Permit, and Stream Works Resource Consent Application – Highgate Commercial Limited – Assessment of Environmental Effects & Statutory Assessment'* prepared by Planning Focus limited and dated November 2014 and Letter entitled "187 Wainui Road Silverdale, Stage 1 Subdivision (R63530) Section 127 Application" prepared by Planning Focus dated 18th December 2015 **and "Section 127 Application Highgate Business Park – 187 Wainui RD, Silverdale" prepared by Woods & Partners Consultants Ltd and dated June 2016.**

Report title and reference	Author	Dated
Stage 1 Infrastructure Report	Woods	
Stage 1 Earthworks Report, Stream Erosion & Sediment Control Methodology	Woods	13 November 2014
Stormwater Report	Woods	15 December 2014
Stream Ecological Valuation	Boffa Miskell Ltd	14 November 2014
Geotechnical Report 7739	Engineering Geology Ltd	17 November 2014
Cultural Impact Assessment	Fiona McKenzie Manuhiri Kaitiaki Charitable Trust	November 2014

Plan title and reference	Author	Rev	Dated
60160-01-GE-001-002 Zoning Plans	Woods		November 2014
60160-01-GE-003 Existing Title Boundary Plan	Woods	2	November 2014
60160-01-GE-024 Reserve & Open Space	Woods		November 2014
60160-01-GE-025 Scheme Plan	Woods	2	November 2014
<u>60160-01-GE-025 Scheme Plan</u>	<u>Woods</u>	<u>3</u>	<u>13/6/2016</u>
60160-01-GE-0026 Staging Plan – Stage 1A	Woods	2	November 2014
<u>60160-01-GE-0026 Staging Plan – Stage 1A</u>	<u>Woods</u>	<u>3</u>	<u>10/6/2016</u>
60160-01-GE-0027 Staging Plan – Stage 1B	Woods	2	November 2014
<u>60160-01-GE-0027 Staging Plan – Stage 1B</u>	<u>Woods</u>	<u>3</u>	<u>10/6/2016</u>
60160-01-GE-0028 Staging Plan – Stage 1C	Woods	2	November 2014
60160-01-GE-0029 Staging Plan – Stage 1D	Woods	2	November 2014
<u>60160-01-GE-0029 Staging Plan – Stage 1D</u>	<u>Woods</u>	<u>3</u>	<u>10/6/2016</u>
60160-01-GE-0029a Staging Plan – Stage 1E	Woods	2	December 2015
60160-01-GE-030 Road Hierarchy Plan	Woods		November 2014

Plan title and reference	Author	Rev	Dated
60160-01-GE-031-033 Road Typical Cross Sections	Woods		November 2014
60160-01-EW-100 Proposed Final Contour Plan	Woods		November 2014
60160-01-EW-120 Earthworks – Land Form Layout Plan	Woods		November 2014
60160-01-EW-121 & 122 Land Form Cross Sections	Woods		November 2014
60160-01-EW-150 Retaining Wall Plan	Woods		November 2014
60160-01-RD-200-202 Roding Layout Plans	Woods		November 2014
60160-01-RD-260-264 Road Longitudinal Sections	Woods		November 2014
60160-01-DR-300-305 Stormwater Drainage Plans	Woods		November 2014
60160-01-DR-350 Stormwater Wetlands Plan	Woods	1	11/02/15
60160-01-DR-360-365 Rain Garden Plan & Details	Woods	1	11/02/15
60160-01-DR-390 Overland Flow Path	Woods		November 2014
60160-01-DR-391 Catchments Plan	Woods		November 2014
60160-01-DR-400 Overall Wastewater Drainage Plans	Woods		November 2014
60160-01-WS-600-605 Water Reticulation Plans	Woods		November 2014
Stream Earthworks	Woods		November 2014
60160-E01-GE-001 Existing Title Boundary Plan			
Stream Earthworks	Woods		November 2014
60160-E01-GE-002 Scheme Plan			
Stream Earthworks	Woods		November 2014
60160-E01-EW-100 Existing Contour Plan			
Stream Earthworks	Woods		November 2014
60160-E01-EW-101 Proposed Final Contour plans			
Stream Earthworks	Woods		November 2014
60160-E01-EW-102 Cut and Fill Plan			
Stream Earthworks	Woods		November 2014
60160-E01-EW-103 Existing Slope Analysis Plan			
Stream Earthworks	Woods		November 2014
60160-E01-EW-104 Design Slope Analysis Plan			
Stream Earthworks	Woods		November 2014

Plan title and reference	Author	Rev	Dated
60160-E01-EW-120 Earthworks – Land Form Layout Plan			
Stream Earthworks	Woods		November 2014
60160-E01-EW-121 Land Form Cross Sections			
Stream Earthworks	Woods		November 2014
60160-E01-EW-130 Erosion & Sediment Control Plan			
Stream Earthworks	Woods		November 2014
60160-E01-EW-131-132 Erosion & Sediment Details			
Stormwater Wetland Design Plans	Woods		November 2014
Proposed Landscape Concept Plans	Boffa Miskell Ltd		14 Nov 14
Proposed Landscape Concept Plan with Contours	Boffa Miskell Ltd		14 Nov 14
Proposed Planting Plan – Draft	Boffa Miskell Ltd		14 Nov 14
Indicative Stream Planting Sections	Boffa Miskell Ltd		14 Nov 14
Indicative Wetland Planting Sections	Boffa Miskell Ltd		14 Nov 14
Indicative Planting – Long Sections	Boffa Miskell Ltd		14 Nov 14
Proposed Planting Schedule	Boffa Miskell Ltd		14 Nov 14

Other additional information	Author	Rev	Dated
Email Correspondence (as on file)			
S92 Response including:			
Highgate Water Network Report	Woods	Rev 2	22/01/15
Highgate Pressure Sewer Servicing Concept Report	GHD		6 may 14
Water Supply Planning Assessment Form	Woods		27/01/15
Watercare Peer Review	Watercare		4 Feb 15
Emails clarifying Watercare's position re upgrades to Wainui Road & limits of extending the network extension (relates to condition 9(j) below)	Colin Dryland (Woods), Melanie Skeen (Watercare)		24 th /26th Feb 15

2. This consent (or any part thereof) shall not commence until such time as the following charges, which are owing at the time the council's decision is notified, have been paid in full:
 - a) All fixed charges relating to the receiving, processing and granting of this resource consent under section 36(1) of the Resource Management Act 1991 (RMA); and
 - b) All additional charges imposed under section 36(3) of the RMA to enable the council to recover its actual and reasonable costs in respect of this application, which are beyond challenge.
3. The consent holder shall pay any subsequent further charges imposed under section 36 of the RMA relating to the receiving, processing and granting of this resource consent within 20 days of receipt of notification of a requirement to pay the same, provided that, in the case of any additional charges under section 36(3) of the RMA that are subject to challenge, the consent holder shall pay such amount as is determined by that process to be due and owing, within 20 days of receipt of the relevant decision.
4. 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 submitting a survey plan in respect of the subdivision that has been submitted to Council under s223, but shall thereafter lapse if the survey plan has not been deposited in accordance with s224 of the RMA or;
 - b) The council extends the period after which the consent lapses.
5. The consent holder shall pay the council an initial consent compliance monitoring charge of \$810 (inclusive of GST), plus any further 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.
6. (new road names) The Consent Holder shall suggest to the Council a name for the new road shown on the Scheme Plan after consulting the local iwi for comment, together with clearance from Addresses@linz.govt.nz so that duplication of the name in any other part of the Auckland region is avoided. The Council Surveyor should be consulted in the first instance in regard to the appropriateness of the name and road type. 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".
7. The consent is to be undertaken in ~~5 Stages (Stage 1A to Stage 1E) as shown on Plans 60160-01-GE-0026 Staging Plan – Stage 1A; 60160-01-GE-0027 Staging Plan – Stage 1B; 60160-01-GE-0028 Staging Plan – Stage 1C; 60160-01-GE-0029 Staging Plan – Stage 1D; 60160-01-GE-0029a Staging Plan – Stage 1E by Woods, November 2014 and December 2015~~ **3 Stages (Stages 1A, 1B and 1D) as shown on 60160-01-GE-026 Staging Plan – Stage 1A (Rev 3), 60160-01-GE-027 Staging Plan – Stage 1B (Rev 3) and 60160-01-GE-029 Staging Plan – Stage 1D (Rev 3) by Woods and dated 10/06/2016.**

Survey Plan Approval (s223) Conditions

8. (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 undertake to give effect and to show on the survey plan:

Amalgamation

- a) Pursuant to s220 (1)(b)(iv) of the Act, have endorsed on the survey plan the following condition of amalgamation:
 - i. “That Lot 120 hereon (legal access) be held as to ~~3 undivided one-third shares by the owners of Lots 5, 6 and 7~~ **4 undivided one-fourth shares by the owners of Lots 5, 6, 15 and 16** hereon as tenants in common in the said shares and that individual Computer Registers be issued to in accordance therewith.”
- b) Pursuant to s220 (1)(b)(i) of the Act, have endorsed on the survey plan the following condition of amalgamation:
 - i. “That Lot 13 hereon be transferred to the owner of Lot 2 DP 98969 (CT 53D/814) or proposed Lot 500 (Balance Lot) and that one computer register be issued to include both parcels”.

Vesting

- c)
 - i. (vesting of roads) Show Lots 102, 104, **105** ~~406, 408, 110, 444~~ **and 115** to vest in Auckland Council as road.
 - ii. (vesting of reserves) Show Lot 100 to vest in Auckland Council as Local Purpose (Drainage) Reserves.

Easement

- d) The right of way easements labelled A, B, ~~C & D~~ **& E** on the scheme plan are to be endorsed on a Memorandum of Easements attached to the cadastral survey dataset as a supporting document.

Advice Note: Easement E is to be cancelled at Stage 1D.

Section 224(c) Compliance Conditions

Subdivision Conditions (District) R63530

9. (conditions to be complied with prior to s224(c)) Before the Council will issue a certificate pursuant to section 224(c) of the Act, the Consent Holder shall satisfy the following conditions at their full cost:

Engineering

- a) (developer's representative) Prior to the commencement of engineering design, 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.
- b) (insurance and warranties for engineering works) 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".

- c) (engineering plans) 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 Consents Engineer, and approval thereto received in writing, prior to the commencement of any works on the site.

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;
 - Street lights, landscaping or structures on land vested, or to be vested, in the Council;
 - The installation of gas, electrical or telecommunication reticulation including ancillary equipment;
 - Any other works required by conditions of this consent.
- d) (as built record plans) As Built record plans to requirements of the Council's "Standards for Engineering Design and Construction" shall be submitted to the Consents Engineer, and approval thereof received in writing.
- e) (vested assets) provide a schedule of assets to be vested in Council in a form acceptable to Council.
- f) (Traffic Management Plan) An approved Traffic Management Plan in accordance with the Code of Practice for Temporary Traffic Management specifically addressing control of construction access to the site and traffic control adjacent to the site, and the protection of the public, shall be submitted to the Consents Engineer. A copy of the Traffic Management Plan, together with the verification letter shall be kept on the site at all times. All measures for the protection of the public and other personnel set out in the verified Plan shall be maintained and complied with at all times until such time as the works are completed.
- g) (earthworks certification) On completion of earthworks, an Earthworks Completion Report and a Certificate in the form of Appendix A of the "Standards for Engineering Design and Construction" signed by the Chartered Professional Engineer who designed and supervised the works shall be provided to the Consents Engineer.
- h) (stormwater reticulation) The existing public stormwater system which lies within or is contiguous to the land in the development shall be extended to the requirements of the Council's "Standards for Engineering Design and Construction" to serve all Lots within the development to become part of the public services of the District.
- i) (wastewater reticulation) The existing public pressure wastewater system which lies within or is contiguous to the land in the development shall be extended to the requirements of the Council's "Standards for Engineering Design and Construction" to serve all Lots within the development to become part of the public services of the District.

- j) (water reticulation) The existing public water system which lies within or is contiguous to the land in the development shall be extended to the requirements of the Council's "Standards for Engineering Design and Construction" to serve all Lots within the development to become part of the public services of the District, including the works required by the Watercare Peer Review Application, reference 36817, dated 4 February 2015
- k) (road construction) The proposed new roads shall be constructed to the standards comprised in the Council's "Standards for Engineering Design and Construction". Maintenance manuals shall be provided for the rain gardens located within the road reserve.
- l) (provide for road/amenity lighting) All streets and public accessways shall be lit to the requirements of the Council's "Standards for Engineering Design and Construction". The type of pole and light fittings shall be acceptable to Auckland Transport.
- m) (provide for electric power) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an electric supply has been made available by underground means 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.
- n) (provide for telephone) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of telephone services has been made available by underground means 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.
- o) (stormwater mitigation) A stormwater treatment wetland shall be designed and constructed in general accordance with the plans provided, TP 10 and the "Standards for Engineering Design and Construction". The proposed wetland shall be fully landscaped and have adequate access for future maintenance purposes. As built drawings of the facility including a site survey and geotechnical completion report shall be provided to the Council upon completion.
- p) (stormwater mitigation maintenance) The developer shall maintain the stormwater treatment wetland until either 80% of the building sites within the subdivision discharging to it, have been developed or for a period of 2 years from the date of the final 224(c) for the subdivision, whichever is the shortest period. The developer shall remove sediment from the ponds resulting from the development of the subject site, if required by the Council, prior to final handover of the facility to the Council for maintenance. At the time of handover there shall be a 95% plant survival rate. Updated operation and maintenance manuals for the pond shall be provided to the Council at the time of the handover of the pond. Unless otherwise agreed to, a bond may be required at the time of application for the 224(c) certificate to ensure the ongoing maintenance of the pond. The bond will be based on the cost to maintain the pond over the two year period plus 50% of the cost.

- q) (landscape plan) Final Landscape Plans (including road reserve landscaping), with an implementation and maintenance programme shall be submitted to and approved by Council's Resource Consents Team Leader (or nominated party) within 3 months of the commencement of works on the site. The following conditions relating to the Landscape Plans must be adhered to by the Consent Holder:
- i. The plans shall include details of the tree and plant sizes at the time of planting and intended species. Such a plan shall include appropriate measures to ensure that amenity landscape and cultural values are maintained within the submitted Landscape Plans prepared by Boffa Miskell and dated 14 November 2014 and recommendations of the CIA referred to in Condition 1
 - ii. The plans shall include details of riparian planting along the permanent stream margin within Lot 100 including a planting and maintenance schedule
 - iii. The plans shall include details on planting within the Landscape Buffer Area adjacent to State Highway 1A on Lots 2, 3, 5, 6, 7, 8, ~~9 & 10~~ **14, 15 & 16** in accordance with Rule 12.8.19.23.6 (c)
 - iv. The landscaping for the Drainage Reserve to be vested, street planting and planting referred to in iii. above shall be implemented by the Consent Holder (or nominated party) in accordance with the approved planting plan within the first planting season (May to October) following the completion of each stage of development. The vegetation/trees shall be maintained for at least 3 years in accordance with the landscape planting plans.
 - v. A planting specification and maintenance plan shall be provided for approval prior to planting, to include mulching, staking, fertiliser application, weeding and replacement planting.
- r) (landscaping bond) The Consent Holder shall enter into a bond or cash deposit for the value of the planting and the maintenance of the landscaping including replacing 5% of the plants over a 3 year period prior to the granting of the s224(c) certificate being issued to ensure compliance with Condition (q) above. The bond/cash deposit shall be released by Council on receipt of evidence that the tree planting has been completed and maintained in accordance with the approved Landscaping Plans for at least 3 years.
- s) The consent holder shall provide to the Stormwater Assets/Parks and Open Space Specialist 'as built' plans for landscape works (hard and soft) within the drainage reserve (Lot 100) and road reserves in CAD and pdf form including the following details:
- i. Grades of batter slopes associated with the drainage reserve
 - ii. All finished hard and soft landscape asset locations and type, and any planted areas must be shown to scale with the square metres of planting, species and number of plants
 - iii. All underground services, irrigation and drainage
 - iv. All paths, pavers and concrete types with names of products to be included on the assets schedule

- v. Evidence of consultation with iwi as recommended in the CIA (recommendation 5.11 - see condition 1)
- t) (fencing) Any fencing along boundaries or within 2m of boundaries of open spaces (reserves) must be either low height (1.2m or at least 25% visually permeable (max height 1.8m). Landscape planting may be implemented on either side of the fence and must be maintained to ensure 25% visual permeability.

Note: this condition does not require fencing to be constructed

General conditions – District Land Use Consent SLC-63530

Landscaping/Ecology

- 10. The 80m of permanent stream on Lot 100 is to be retained in its natural alignment.

Transportation/Traffic

- 11. The grade for Road 7 must be increased to a minimum of 1% or as agreed with Auckland Transport.
- 12. Pedestrian crossings are provided within the development. The details of these are to be provided at Engineering Plan Approval stage.
- 13. Details of street lighting are to be provided at the Engineering Plan Approval stage.
- 14. Details of planting within the road reserve are to be provided within 3 months of the commencement of works on the site, or at the request of Auckland Transport at engineering stage.
- 15. All construction is in accordance with the RDC Standards for Engineering Design and Construction.

Specific conditions – District & Regional Earthworks Consent SLC-63530 & REG-63533 (NRSI 43797)

- 16. The earthwork activity shall be carried out in accordance with the plans and all information submitted with the application and under section 92, outlined in condition 1 above, all referenced by council as SLC-63530 & REG-63533 including but not limited to:

Reports

'Land Use, Subdivision, Dam Permit, and Stream Works Resource Consent Application – Highgate Commercial Limited – Assessment of Environmental Effects & Statutory Assessment' prepared by Planning Focus limited and dated November 2014.

Cultural Impact Assessment – Fiona McKenzie, Manuhiri Kaitiaki Charitable Trust, November 2014

Plans

'Stream Earthworks Erosion and Sediment Control Plan', Drawing No. 160160-E01-EW-130, prepared by Woods, dated November 2014.

17. Upon abandonment or completion of earthworks on the subject site all areas of bare earth shall be permanently stabilised against erosion to the satisfaction of the Team Leader, Northern Monitoring.
18. Prior to the pre-start meeting a finalised Erosion and Sediment Control Plan (ESCP) which includes super silt fences shall be prepared and submitted to Team Leader, Northern Monitoring.

Pre-commencement meeting

19. 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 officer[s]
 - d) Includes representation from the contractors who will undertake the works

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

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.

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

- e) Timeframes for key stages of the works authorised under this consent
- f) Resource consent conditions
- g) All updated plans in accordance with conditions 1 and 9.

Seasonal Restrictions

20. No earthworks or streamworks on the site shall be undertaken between 30 April and 1 October in any year, without the prior written approval of the Team Leader Northern Monitoring at least two weeks prior to 30 April of any year. Revegetation/stabilisation is to be completed by 30 April in accordance with measures detailed in TP90 and any amendments to this document.

Specific Conditions - Earthworks

21. Resource consent SLC-63530 shall expire five years from the date of issue unless it has been surrendered or cancelled at an earlier date pursuant to the RMA.
22. 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, Northern Monitoring. The plan shall include as a minimum:
 - a) Specific design details of the chemical treatment system based on a rainfall activated methodology for the DEBS

- 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
- 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.

23. Prior to bulk earthworks commencing, a certificate signed by an appropriately qualified and experienced engineer shall be submitted to the Team Leader, Northern Monitoring, to certify that the erosion and sediment controls have been constructed in accordance with the erosion and sediment control plans as specified in condition 9 and 12 of this consent.

Certified controls shall include the decanting earth bunds, diversion channels/bunds and super silt fences. The certification for these subsequent measures shall be supplied immediately upon completion of construction of those measures. Information supplied if applicable, shall include:

- a) Contributing catchment area;
- b) Shape of structure (dimensions of structure);
- c) Position of inlets/outlets; and
- d) Stabilisation of the structure.

24. There shall be no deposition of earth, mud, dirt or other debris on any road or footpath resulting from earthworks activity on the subject site. In the event that such deposition does occur, it shall immediately be removed. In no instance shall roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses or receiving waters.
25. 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 9 and 12 shall be maintained throughout the duration of earthworks activity, or until the site is permanently stabilised against erosion.
26. The site shall be progressively stabilised against erosion at all stages of the earthwork activity, and shall be sequenced to minimise the discharge of contaminants to groundwater or surface water.
27. All perimeter controls shall be operational before earthworks commence. All 'cleanwater' runoff from stabilised surfaces including catchment areas above the site shall be diverted away from earthworks areas via a stabilised system, so as to prevent surface erosion.

28. Erosion and sediment control measures shall be constructed and maintained in accordance with Auckland Regional Council's Technical Publication 90; Erosion and Sediment Control Guidelines for Soil 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.
29. No sediment laden runoff shall leave the site without prior treatment via an approved sediment control device.

Specific conditions – Regional Streamworks Consent REG-63533 (NRSI 43798)

30. Pursuant to 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.
31. The consent holder shall ensure that all exposed areas, including the bed of the stream and the area within the 100 year flood plain are stabilised at the end of each construction day.
32. Streamworks shall be carried out only during periods when all flows, up to the 24 hour 20 year return period storm event, can be diverted around the area of works and a two day weather forecast predicts no rainfall for the site location. During periods of flow greater than the capacity of the diversion, up to the 100 year flood event, a stabilised flowpath shall be provided to ensure no scour or erosion occurs and so that flows can pass safely around or through the area of works with minimum nuisance and damage and with no sediment generation or discharge.
33. There shall be no discharge of contaminants (e.g. oil, diesel, petrol, effluent) to the stream as a result of the exercise of this consent.
34. All machinery shall be operated in a way which ensures that spillages of fuel, oil and similar contaminants are prevented, particularly during stabilisation and machinery servicing and maintenance. Refuelling and lubrication activities shall be carried out away from any water body such that any spillage can be contained so it does not enter the stream associated with this consent. The formation of the scour resistant auxiliary spillway from the adjacent Wetland into the stream channel should be managed such that any concrete or grout products required to prevent scour are used so with robust provisions to prevent contamination to the existing stream, to the satisfaction of the Team Leader, Northern Monitoring. A methodology should be submitted prior to construction of the spillway scour protection.
35. Sediment shall not be stockpiled within the 100 year flood plain area.

Specific conditions –REG-63532 (Damming of Water) & REG-64051 (Diversion & Discharge of Stormwater)

Stormwater works

36. Stormwater diversion and discharge and the damming of water permit shall expire on 24th February 2050 (35 years) unless it has lapsed, been surrendered or been cancelled at an earlier date pursuant to the RMA.
37. The following stormwater management works are constructed for the following catchment areas and design standards and they are completed prior to construction of further impervious surfaces.

Works to be undertaken	Catchment area	Design specifications
<i>Stormwater Wetland</i>	39.76ha	TP10, TP108

38. In the event that any minor modifications to the stormwater management system are required, the following information shall be provided:
- Plans and drawings outlining the details of the modifications; and
 - Supporting information that details how the proposal does not detrimentally affect the capacity or performance of the stormwater management system.

All information shall be submitted to, and verified by the Team Leader – Northern Monitoring, prior to implementation.

Advice note: All proposed changes must be discussed with the Team Leader – Northern Monitoring, prior to implementation. Any changes to the proposal which will affect the capacity or performance of the stormwater system or will result in a change to the conditions of this consent will require an application to be made in accordance with Section 127 of the RMA.

Construction meetings

39. Five working days prior to initiation of the construction of the wetland, a pre-construction site meeting between the Team Leader - Northern Monitoring and all relevant parties, including the site stormwater engineer, shall be arranged.
40. The following information shall be provided at the pre-construction meeting:
- Timeframes for key stages of the works authorised under this consent;
 - Contact details of the site contractor and site stormwater engineer; and
 - Approved (signed/stamped) construction plans.

Advice Note: To arrange the pre-construction meeting required by this consent, please contact the Team Leader - Northern Monitoring.

Post-construction meeting

41. A post-construction meeting shall be held by the consent holder, within 20 working days of completion of the stormwater management works, that:
- is located on the subject area;
 - includes representation from the Team Leader - Northern Monitoring; and

- c) includes representation from the site stormwater engineer and contractors who have undertaken the works and any other relevant parties.

Advice Note: To arrange the post-construction meeting required by this consent, please contact the Team Leader - Northern Monitoring.

Certification of construction works

- 42. Within 30 days of practical completion, As-Built certification and plans of the stormwater management works, which are certified (signed) by a suitably qualified registered surveyor or engineer as a true record of the stormwater management system, shall be provided to the Team Leader – Northern Monitoring.
 - a) The As-Built plans shall include, but not be limited to:
 - a) Location and dimensions of stormwater treatment device (wetland, discharge point to stream);
 - b) Documentation of any discrepancies between the design plans and the As-Built plans.

Operation and maintenance

- 43. An Operation and Maintenance Plan for the stormwater management and treatment system shall be developed and sent to the Team Leader – Northern Monitoring 5 days prior to the post-construction meeting required by this consent.
- 44. The Operation and Maintenance Plan shall set out how the stormwater management and treatment system is to be operated and maintained to ensure adverse environmental effects are minimised. The plan shall include, but not be limited to:
 - a) A programme for regular maintenance and inspection of the stormwater management system;
 - b) A programme for the collection and disposal of debris and sediment collected by the stormwater management devices or practices;
 - c) A programme for post storm maintenance;
 - d) General inspection checklists for all aspects of the stormwater management system, including visual checks;
 - e) Details of who will hold responsibility for long-term maintenance of the stormwater management system;
- 45. The stormwater management and treatment system shall be managed in accordance with the Operation and Maintenance Plan.

Maintenance report

- 46. A maintenance report shall be provided to the Team Leader – Northern Monitoring on request. The maintenance report shall include but not be limited to the following:
 - a) Details of who is responsible for maintenance of the stormwater management system;
 - b) Details of any maintenance undertaken; and

c) Details of what inspections were completed over the preceding twelve months.

47. Details of all inspections and maintenance for the stormwater management system for the preceding three years shall be retained.

Overland flow paths

48. For stormwater flows in excess of the capacity of the primary drainage systems, major secondary flow paths shall be provided and kept free from significant obstructions such as buildings and solid fences to allow surplus stormwater from critical storms to discharge with the minimum of nuisance and damage.

Ongoing Conditions/Consent Notices

The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notices pursuant to s.221 of the Act.

(building restrictions) Any buildings erected on the Lots shall be subject to the requirements of the report required by condition 9(g), copies of which are held at the offices of the Council, Centreway Road, Orewa.

(building restrictions - stormwater control and treatment) All stormwater from buildings and paved areas shall be collected and disposed of in accordance with Appendix J & K of the stormwater design report prepared by Woods, reference 60160, dated December 2014. The collection and disposal system shall be installed in conjunction with the erection of any buildings and shall thereafter be maintained to the specified capacity and standard in perpetuity.

(landscaping) Lots 1 – 42 **16** shall comply with the Landscape Plan(s) and requirements as approved under SLC-63530 & LAN-62751 (including Development Concept Plans and Framework Plans). Council will require bonds to ensure compliance and ongoing maintenance to achieve the landscape outcome proposed in the Landscape Plan(s)

3. Advice notes

1. *Please read the conditions of this resource consent carefully and make sure that you understand all the conditions that have been imposed before commencing the development.*
2. *The consent holder shall obtain all other necessary consents and permits, 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), 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. Please note that the approval of this resource consent, including consent conditions specified above, may affect a previously issued building consent for the same project, in which case a new building consent may be required.*
3. *A copy of this consent should be held on site at all times during the establishment and construction phase of the activity.*

4. *Compliance with the consent conditions will be monitored by Council in accordance with section 35(d) of the Resource Management Act. This will typically include site visits to verify compliance (or non compliance) and documentation (site notes and photographs) of the activity established under the Resource Consent. In order to recover actual and reasonable costs, inspections, in excess of those covered by the base fee paid, shall be charged at the relevant hourly rate applicable at the time. Only after all conditions of the Resource Consent have been met, will Council issue a letter on request of the consent holder.*
5. *Development contributions levied under the Local Government Act 2002 are payable in relation to this application. The consent holder will be advised of the development contributions payable separately from this resource consent decision. Further information about development contributions may be found on the Auckland Council website at www.aucklandcouncil.govt.nz.*
6. *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, Northern Monitoring prior to implementation to confirm that they are within the scope of this consent.*
7. *To arrange the pre-start meeting required by Condition 19 please contact the Team Leader, Northern Monitoring on kerry.flynn@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.*
8. *Should the earthworks be completed or abandoned, bare areas of earth shall be permanently stabilised against erosion. Measures may include:*
 - *The use of mulching.*
 - *Top-soiling, grassing and mulching of otherwise bare areas of earth.*
 - *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, Northern Monitoring for more details. Alternatively, please refer to Auckland Regional Council, Technical Publication No. 90, Erosion & Sediment Control: Guidelines for Land Disturbing Activities in the Auckland Region.

9. *In the event that minor amendments to the CTMP (see Condition 22) are required, any such amendments should be limited to the scope of this consent. Any amendments which affect the performance of the CTMP 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, Northern Monitoring prior to implementation to confirm that they are within the scope of this consent.*
10. *In order to prevent sediment laden water entering waterways from the road, the following methods may be adopted to prevent or address discharges should they occur:*

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

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, Northern Monitoring for more details. Alternatively, please refer to Auckland Regional Council, Technical Publication No. 90, Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region.

11. *In accordance with Condition (26) earthworks shall be progressively stabilised against erosion during all stages of the earthwork activity. Interim stabilisation measures may include:*

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

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, Northern Monitoring for more details. Alternatively, please refer to Auckland Regional Council, Technical Publication No. 90, Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region.

12. *perimeter controls include cleanwater diversions, silt fences and any other erosion control devices that are appropriate to divert stabilised upper catchment runoff from entering the site, and to prevent sediment-laden water from leaving the site.(refer condition 27)*

- *The Heritage New Zealand Pouhere Taonga Act 2014 (the Act) provides for the identification, protection, preservation and conservation of the historic and cultural heritage of New Zealand. All archaeological sites are protected by the provisions of the Act (section 42). It is unlawful to modify, damage or destroy an archaeological site without prior authority from Heritage New Zealand. An authority is required whether or not the land on which an archaeological site may be present is designated, a resource or building consent has been granted, or the activity is permitted under regional or district plan.*
- *According to the Act (section 6) archaeological site means, subject to section 42(3),—*

(a) any place in New Zealand, including any building or structure (or part of a building or structure), that—

(i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and

(ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and

(b) includes a site for which a declaration is made under section 43(1)

13. *If any archaeological features are uncovered on the site, it is recommended that works cease and council's representative monitoring your application is notified immediately. For guidance and advice on managing the discovery of archaeological features contact the Team Leader Cultural Heritage Implementation on 09 301 0101. Archaeological features' may in practice include shell middens, hangi or ovens, pit depressions, defensive ditches, artefacts, or koiwi tangata (human skeletal remains). Please note in the event of a discovery, contacting New Zealand Historic Places Trust (on 09 307 9920), as well as the local iwi Manuhiri Kaitiaki Charitable Trust, Fiona McKenzie – f.mckenzie@ngatimanuhiri.iwi.nz is recommended.*
14. *If you disagree with any of the above conditions, or disagree with the additional charges relating to the processing of the application you have a right of objection pursuant to sections 357A or 357B of the RMA. Any objection must be made in writing to Council within 15 working days of notification of the decision.*

Delegated decision maker:

Name: Steve Seager

Title: Team Leader, Resource Consents

Signed:

Date:

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SUB 63530B

Approved by Delegated Officer

15/07/2016

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



Discretionary Activity

Application number(s): LAN-66586
Applicant: Argosy Property No 1 Limited
Site address: Wainui Road, Upper Orewa - Proposed Lot 8, Highgate Parkway (Stage 1 Highgate Business Park)
Legal description: Lot 4 DP 85630 and Sec 2 SO 308837
Proposal:

To erect a large building, containing a warehouse and ancillary office activity, in accordance with an approved Development Concept Plan, within the Highgate Business Park area.

The resource consents required are:

Land use consents (s9) – LAN 66586

Auckland Council District Plan (Rodney Section) 2011

- Rule 12.8.19.22.1 / Activity Table – The erection of a building (being a large single building containing approximately 9000m² of warehouse space and 1500m² of office space) in accordance with an approved Development Concept Plan (DCP), as a restricted discretionary activity.
- Rule 12.8.19.22.1 / Activity Table – To establish and operate an Industry Activity with outdoor storage (being warehousing for a distribution centre), as a discretionary activity.
- Rule 21.10.3.4 – To establish loading spaces associated with a warehouse/distribution activity which are not individually marked out and identified in a permanent manner; as a restricted discretionary activity.

Decision

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

Acting under delegated authority, under sections 104 and 104B, the application(s) are **GRANTED**.

1. Reasons

The reasons for this decision are:

1. In accordance with an assessment under s104(1)(a) of the RMA the actual and potential effects from the proposal will be acceptable as:
 - The design, shape and scale of the proposal, is considered to be in line with the type of development which could reasonably be expected to occur on the development site, in accordance with the provisions of the ACDP:RS for development in the Special 19: Silverdale North (Knowledge Economy Business Park Policy Area) zone, and the approved Development Concept Plan. As such the proposal will not result in adverse visual effects on the character and amenity values of the surrounding environment.
 - The proposed development adequately satisfies the relevant parking, access and loading provisions, and as it is an activity which could reasonably be expected to occur in the Knowledge Economy Business Park Policy Area, and any associated traffic effects are in accordance with this. As such the proposal will not affect the safe and efficient operation of roading network.
 - It has sufficiently demonstrated by the applicant, and confirmed by assessment undertaken by Auckland Council's Development Engineer, that the proposal will not result in adverse stormwater effects on water quality and/or quantity.
 - The proposal will be adequately serviced, and will not result in adverse effects on utilities.

In terms of positive effects:

- The proposal will provide for the commercial development of the development site in accordance with the provisions of the ACDP:RS.
2. In accordance with an assessment under s104(1)(b) of the RMA the proposal is consistent with the relevant statutory documents. In particular the Auckland Council District Plan (Rodney Section) 2011 (specifically Chapter 12: Special 19 (Silverdale North) - Obj: 12.8.19.4.3, 12.8.19.4.6, 12.8.19.4.9, 12.8.19.4.12, 12.8.19.4.47 and 12.8.19.4.48 Pol: 12.8.19.5.3, 12.8.19.5.4, 12.8.19.5.5, 12.8.19.5.6, 12.8.19.5.18, 12.8.19.5.20, 12.8.19.5.27, 12.8.19.5.92 and 12.8.19.5.106 and the Proposed Auckland Unitary Plan (specifically General Business zone and Precincts - Silverdale North (sub-precinct A) Obj: D.3.9.3, F.5.44.3, F.5.44.7 and F.5.44.11 Pol: D.3.9.6, F.5.44.8, F.5.44.10 and F.5.44.15 The proposal is consistent with the relevant objectives and policies of the Auckland Regional Policy Statement and the regional plan.

The proposal will facilitate the commercial development of the subject site in accordance with the provisions of the District Plan(s) and in line with the approved Development Concept Plan, providing for a high quality commercial development in keeping with the anticipated character and amenity values of the surrounding environment. The development will not result in adverse stormwater and/or traffic related effects.

3. In terms of section 104(1)(c) of the RMA, other relevant matters, including monitoring have been considered in the determination of the application.

4. This proposal achieves the sustainable management purpose of the RMA under Part 2 by facilitating the commercial development of the subject site providing economic opportunities and benefit to the wider community, and appropriately avoid, remedy or mitigate its adverse effects. Cultural heritage matters have been suitably considered and no issues of concern in relation to the Treaty of Waitangi are known to be present.

2. Conditions

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

General conditions

1. The land use activity shall be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the council as consent number L66586
 - Application Form, and Assessment of Environmental Effects prepared by: KOA Ltd, Holly Jenkins, dated: 12th January 2016, ref: 114366 – LTO 01’.
 - Stormwater detention calculations sheets, prepared by Kevin O'Connor & Associates Ltd

Plan title and reference	Author	Rev	Dated
Site Layout - Sk01 / Job No. 114366	KOA	15	7-01-16
B-Train Turning Analysis - Sk01.1 / Job No. 114366	KOA	4	7-01-16
Proposed Plan – A200 / Project No. A524	designgroup – stapleton elliot		
Proposed Office Plan L0 – A210 / Project No. A524	designgroup – stapleton elliot		January 2015
Proposed Office Plan L1 – A211 / Project No. A524	designgroup – stapleton elliot		-
Proposed Warehouse Elevations – A300 / Project No. A524	designgroup – stapleton elliot		-
Proposed Office Elevations – A301 / Project No. A524	designgroup – stapleton elliot		7 January 2016
Perspective – View from Motorway travelling south – A900 / Project No. A524	designgroup – stapleton elliot		7 January 2016
Perspective – View from Motorway travelling south – A901 / Project No. A524	designgroup – stapleton elliot		-
Site Layout - Proposed Swales - Sk01 / Job No. 114366	KOA	14	22-12-14

Term of Consent / Duration

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.

Monitoring

3. The consent holder shall pay the council an initial consent compliance monitoring charge of \$280 inclusive of GST), plus any further monitoring charge or charges to recover the actual and reasonable costs incurred to ensure compliance with the conditions attached to this consent/s.

Advice note:

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

Pre-works Conditions

4. At least seven (7) working days prior to the commencement of works the consent holder shall notify Team Leader – Northern Resource Consenting and Compliance, Auckland Council, the expected start date of work commencing.

Advice Note:

Condition (4) requires the consent holder to notify Council of their intention to begin works a minimum of seven working days prior to commencement. Please contact the Team Leader, Compliance Monitoring Orewa to advise of the start of works, resourceconsentadmin@aucklandcouncil.govt.nz.

5. (pre-construction meeting) The Developer's Representative shall give the Consents Field Supervisor at least 5 working days notice of the on-site pre-construction site meeting (refer section 103.15 of the "Standards for Engineering Design and Construction"). Construction work shall not commence on the site until such meeting has been held and all necessary documentation presented.

Advice Note: *Attention is drawn to the requirements of section 103.15.3 "Standards for Engineering Design and Construction" for the following documentation to be presented at the preconstruction meeting:*

- *Health and Safety Plan;*
- *The Signed Corridor Access Request;*
- *The written approval of Transit New Zealand;*
- *The relevant Resource or Subdivision Consent (and all conditions attached thereto);*

6. (health and safety plan) A detailed Health and Safety Plan to the requirements of the Health and Safety in Employment Act 1992, specifically addressing control of works on and adjacent to public land, and the protection of the public, shall be submitted to the Team Leader, Compliance Monitoring, Orewa prior to the commencement of any works on the site. A copy of the Health and Safety Plan shall be kept on the site at all times. All measures for the

protection of the public and other personnel set out in the Plan shall be maintained and complied with at all times until such time as the works are completed.

7. (Traffic Management Plan) An approved Traffic Management Plan in accordance with the Code of Practice for Temporary Traffic Management specifically addressing control of construction access to the site and traffic control adjacent to the site, and the protection of the public, shall be submitted to the Consents Engineer. A copy of the Traffic Management Plan, together with the verification letter shall be kept on the site at all times. All measures for the protection of the public and other personnel set out in the verified Plan shall be maintained and complied with at all times until such time as the works are completed.
8. (materials/colours) Prior to the commencement of construction a sample palette of materials and colours should be submitted to Council for approval in consultation with the Auckland Council Design Office.
9. (landscaping) Prior to the commencement of construction the final site and landscaping plans, prepared in accordance with the approved Development Concept Plan (L62751) should be submitted to Council for approval in consultation with the Auckland Design Office. The landscaping plans shall address, but not be limited to, the following matters;
 - a) The front yard/street frontage planting.

Advice Note: This planting should follow the guidelines and planting materials set out in Sections 4.4 – 4.6 of the Development Concept Plan, which are aimed at achieving full screening of the car parking areas.
 - b) The outdoor staff eating area to the north of the office block.

Advice Note: This area should be fully landscaped with trees, planting and possibly a pergola or other shade structures.
 - c) Details of the establishment and maintenance regime of the plants along the benched batters alongside the motorway.
 - d) Details of any site lighting.

Advice Note: Consideration should be given to the provisions of discrete low-level lighting to enhance personal safety when the premises are not occupied
 - e) Details of the planting specification and schedules, paving, furniture, construction, and maintenance regime for the site. This should be detailed by an experienced landscape architect, or other suitably qualified professional.

During Works

10. (developer's representative) 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.
11. (engineering works) 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.

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

12. (construction of crossings) The vehicle crossings, car parking, loading and manoeuvring areas shall be constructed to the industrial/commercial standards of the "Standards for Engineering Design and Construction".
13. (landscaping) Within the current or next planting season (i.e. autumn to spring) immediately following completion of construction works on the site, the consent holder shall implement the proposed landscaping in accordance with the plans submitted for approval under Condition 9 of this consent. The landscaping shall be maintained thereafter in accordance with the approved plans, unless otherwise approved by Council.
14. (landscaping) An implementation and maintenance programme for the proposed landscaping shall be submitted to the Team Leader, Compliance Monitoring Orewa for approval prior to works commencing on the site.

3. Advice notes

1. *Please read the conditions of this resource consent carefully and make sure that you understand all the conditions that have been imposed before commencing the development.*
2. *These consents do not remove the need to comply with all other applicable Acts (including the Building Act 2004, the Heritage New Zealand Act 2014 and the Property Law Act 2007), regulations, relevant Bylaws, and rules of law. These consents do not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004. Please note that the approval of these resource consents, including consent conditions specified above, may affect a previously issued building consent for the same project, in which case a new building consent may be required.*
3. *A copy of this consent should be held on site at all times during the establishment and construction phase of the activity.*
4. *If you disagree with any of the above conditions, or disagree with the additional charges relating to the processing of the application you have a right of objection pursuant to sections 357A or 357B of the RMA. Any objection must be made in writing to Council within 15 working days of notification of the decision.*
5. *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.*
6. *Compliance with the consent conditions will be monitored by Council in accordance with section*

35(d) of the Resource Management Act. This will typically include site visits to verify compliance (or non-compliance) and documentation (site notes and photographs) of the activity established under the Resource Consent. In order to recover actual and reasonable costs, inspections, in excess of those covered by the base fee paid, shall be charged at the relevant hourly rate applicable at the time. Only after all conditions of the Resource Consent have been met, will Council issue a letter on request of the consent holder.

7. (corridor access request) The Consent Holder or his Contractor shall obtain a Corridor Access Request from the relevant Network Service Provider prior to the commencement of any works within the legal road.

Delegated decision maker:

Name: Nicola Broadbent

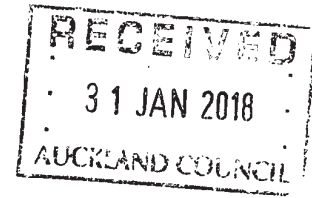
Title: Senior Planner, Resource Consents

Signed: 

Date:

7-3-2016

As built underslab plumbing / drainage plan



This as-built plan must be made available at time of inspection

☐ Underslab ☒ Drainage

Building consent number: BCO 13060228

Owner: _____

Street address: 12 Toia Lome Silverdale

Lot number: Lot 67

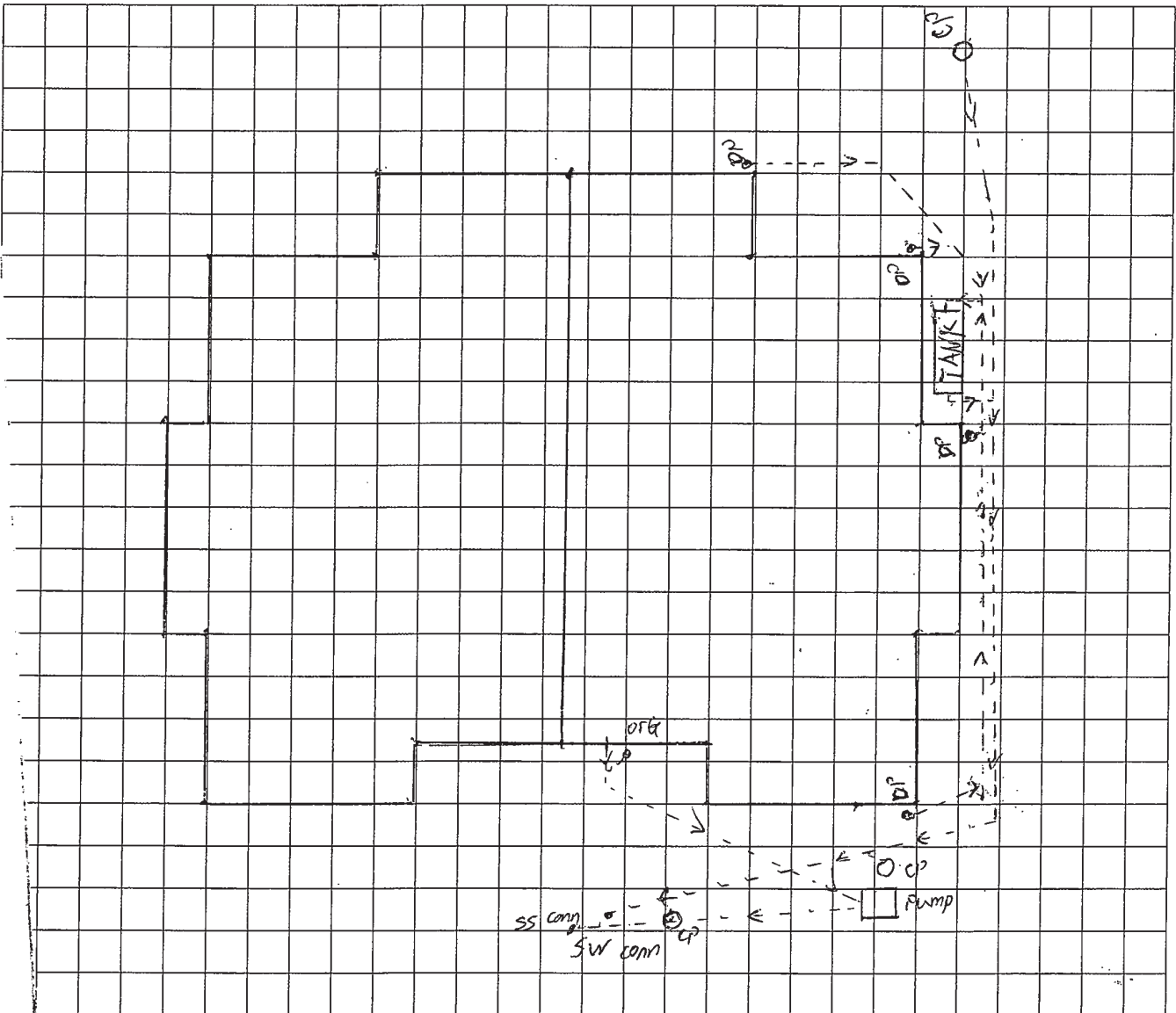
DP number: 492775

Drainlayer: Laurie Yan, Liye Zhang Registration number: 17322 30659

Note: Please provide figures/measurements from a defined point of reference.

Date submitted: _____

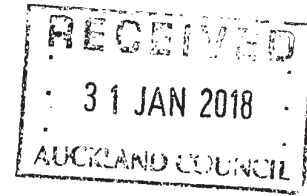
Note: Use black ink for building outline. Denote stormwater as S/W..... and sanitary sewer as S/S.....



As built underslab plumbing / drainage plan

This as-built plan must be made available at time of inspection

☒ Underslab ☐ Drainage



Building consent number: Bco1006c228

Owner: _____

Street address: 12 Toia Lane Silverdale

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