Decision on applications for resource consents under the Resource Management Act 1991

Landuse s9 – Discretionary Activity
Reclamation of Watercourse s13 – Non Complying Activity
Water permit (Groundwater drawdown and diversion) s14 – Restricted Discretionary Activity
Stormwater Diversion and Discharge s15 – Restricted Discretionary Activity

Application numbers:  
LUC60331333 (s9 land use consent)  
DIS60331334 (s15 stormwater discharge permit)  
LUS60331337 (s13 streamworks consent)  
WAT60331358 (s14 water permit)

Applicant:  
Albany Estate Limited

Site address:  
461 and 473 Albany Highway, Albany

Legal description:  
Sec 1 SO 456618  
Sec 16 SO 441539  
Pt Allot 26 Parish of Paremoremo

Proposal:
The proposal is for works that include but are not limited to:

- The construction of 156 residential dwellings comprising detached, duplex and terrace house typologies.
- The construction of four apartment buildings (2x four storey and 2x three storey) (Lot 301, Lot 302, Lot 303 and Lot 306) which will provide a total of 150 residential units.
- Vegetation clearance, stream reclamation and staged bulk earthworks to accommodate building platforms, retaining walls, road networks, and utilities.
- Earthworks are proposed to be staged, with Stage 1 comprising of approximately 37,000m$^3$ of cut and fill over 4.5ha and Stage 2 comprising of approximately 13,000m$^3$ of cut and fill over 9.2ha.
- Stormwater discharge from the new impervious areas.
- Groundwater diversion associated with basement levels of the apartment buildings

Resource consents are required for the following reasons:
Land use consent (s9) – LUC60331333

Auckland Unitary Plan (Operative in part)

District land use (operative plan provisions)

Residential – Mixed Housing Suburban Zone

- Construction of four or more dwellings requires consent as a restricted discretionary activity pursuant to rule H4.4.1(A4).
  The proposal includes the construction of four apartment buildings (Lot 301, Lot 302, Lot 303 and Lot 306) which will provide a total of 150 units; and
  The proposal includes the construction of 156 residential dwellings comprising detached, duplex and terrace house typologies.

- Construction of 39 buildings which exceed the maximum building height of 8m under Standard H4.6.4(1) requires consent as a restricted discretionary activity pursuant to C1.9(2).
  The proposal involves the construction of 35 three storey dwellings (Type B-D) and four apartment buildings which exceed the height limit by varying degrees.

Albany 9 Precinct, Sub-Precinct C

- Demolition of 12 existing university buildings which are visible from and located within 10m of a road requires consent as a restricted discretionary activity pursuant to rule I501.4.1(A35).
  The buildings for demolition are located and visible from within 10m of Albany Highway.

- Construction of 16 buildings visible from and located within 10m of a road, requires consent as a restricted discretionary activity pursuant to rule I501.4.1(A35).
  The dwellings on Lots 29-41 and 171-173 will be located within 10m of Albany Highway.

- Construction of retaining walls and two apartment buildings within 10m and visible from open space land, requires consent as a restricted discretionary activity pursuant to rule I501.4.1(A35).
  The proposed retaining walls along the eastern edge of Road 4 and apartment buildings on Lot 302 and 306 will be located within 10m of Days Bridge Esplanade Reserve.

- Construction of buildings greater than 500m² gross floor area, requires consent as a restricted discretionary activity pursuant to rule I501.4.1(A36).
  The proposal includes the construction of four apartment buildings which each have a gross floor area exceeding 500m²

- Construction of six buildings located within the yard setback on the western boundary which infringes the 3m setback required under I501.6.5, requires consent as a restricted discretionary activity pursuant to C1.9(2).
  The dwellings on Lots 36-41 infringe the 3m front yard setback.

- A ‘blanket’ resource consent is sought on Lots 1-15, 23-25, to apply a 1m side yard building setback resulting in an infringement to Standard I530.6.5. Yards, where a side yard setback of 3m is required, requires consent as a restricted discretionary activity pursuant to rule C1.9(2).
• A ‘blanket’ resource consent is sought on Lots 2-9, 13-14 and 24 to apply a 1m rear yard building setback resulting in an infringement to Standard I530.6.5. Yards, where a rear yard setback of 3m is required, thereby requiring consent as a restricted discretionary activity pursuant to rule C1.9(2).

**Land Disturbance - District**

• To undertake earthworks of more than 2,500m² and 2,500m³ in a residential zone, requires consent as a restricted discretionary activity under rules E.12.4.1(A6) and (A10) respectively.

Earthworks are proposed to be staged, with Stage 1 comprising approximately 37,000m³ of cut and fill over 4.5ha and Stage 2 comprising of approximately 13,000m³ of cut and fill over 9.2ha.

• To undertake land disturbance of 2,100m² and 2,900m³ within the riparian yard of Watercourse C for the installation of new network utilities, exceeding 10m² and 5m³ under Standard E12.6.2(1)(c), thereby requiring consent as a restricted discretionary activity pursuant to rule C1.9(2).

Earthworks within the riparian yard are anticipated to be 2,900m³ over an area of 2,100m².

• To undertake land disturbance of 450m² and 185m³ within the riparian yard of Watercourses A and B for general earthworks, exceeding 5m² and 5m³ under Standard E12.6.2(1)(b), thereby requiring consent as a restricted discretionary activity pursuant to rule C1.9(2).

• The proposal involves earthworks (including filling) within the 1 per cent AEP floodplain exceeding a depth of 300mm (1.2m-2.1m), and total fill volume of 10m³ (300m³), as required under Standard E12.6.2 (11)(a), thereby requiring consent as a restricted discretionary activity pursuant to rule C1.9(2).

• The proposal involves temporary land disturbance and stockpiling of soil within overland flow paths exceeding a maximum of 28 days in any calendar year, as required under general land disturbance standard E12.6.2 (13), thereby requiring consent as a restricted discretionary activity pursuant to rule C1.9(2).

**Vegetation Management and Biodiversity**

• The proposal involves the removal of vegetation (one puriri, one tōtara, and two ngaio) within 10m of an urban stream (Watercourse C), thereby requiring consent as a restricted discretionary activity pursuant to rule E15.4.2 (A19).

• The proposal involves SEA vegetation alteration or removal not otherwise provided for within activity table E 15.4.2, with 185m² of vegetation proposed to be removed in relation to the installation of a stormwater outlet, thereby requiring consent as a discretionary activity pursuant to rule E15.4.2(A43).

**Trees in Open Space Zones**

• The proposal involves the removal of trees greater than 4m in height or greater than 400mm in girth within the Open Space - Conservation Zone, thereby requiring consent as a restricted discretionary activity under rule E16.4.1(A10).

**Transport**

• The proposed subdivision exceeds the trip generation standards set out in Standard
E27.6.1(a), as the proposed development will have the capacity to accommodate more than 100 dwellings thereby requiring consent as a restricted discretionary activity pursuant to rule E27.4.1(A3).

NB: the assessment of trip generation includes the resource consent application for the retirement village located on Lot 401 that is currently being assessed under LUC60332056.

- Pursuant to E27.4.1(A5) the “Construction or use of a vehicle crossing where a Vehicle Access Restriction applies under Standards E27.6.4.1(2) or E27.6.4.1(3)” requires consent as a restricted discretionary activity. The proposed vehicle access x 2 and the driveways for Lots 69, 74 106 and 107 are located within 10m/ or located from an Arterial Route and as such the Vehicle Access Restriction under rule E27.6.4.1(3)(c) applies.

- Pursuant to E27.4.1(A2) parking, loading and access which is an accessory activity but does not meet the relevant standards requires consent as a restricted discretionary activity. The proposal does not meet transportation standards:
  o E27.6.2(8) Number of Loading Spaces - The development overall has an estimated GFA of up to 90,000m² and hence a minimum of two loading spaces are required. There are no formal loading bays proposed throughout the entire development and hence there is an infringement.
  o E27.6.4.3 Width of Vehicle Access and Queuing Requirements - For the apartment buildings, specifically apartments on lot 303 and 306 have ramps that do not meet the minimum formed width of 5.5m that is required for the carpark of the proposed size.

Natural hazards and flooding

- The proposal involves the diversion of four existing overland flow exit points into three, thereby requiring consent as a restricted discretionary activity pursuant to rule E36.4.1(A41).

Regional land use (operative plan provisions)

Land Disturbance – Regional

- The proposal involves land disturbance greater than 50,000m² (95,000m²) where land has a slope less than 10 degrees outside the Sediment Control Protection Area, thereby requiring consent as a restricted discretionary activity pursuant to rule E11.4.1(A5).

- The proposal involves land disturbance greater than 2,500m² (12,700m²) where the land has a slope equal to or greater than 10 degrees, thereby requiring consent as a restricted discretionary activity pursuant to rule E11.4.1(A8).

- The proposal involves land disturbance greater than 2,500m² (18,500m²) within the Sediment Control Protection Area, thereby requiring consent as a restricted discretionary activity pursuant to rule E11.4.1(A9).

- The proposal involves works below the natural ground level within the SEA overlay (160m² and 230m³) for the installation of stormwater outlets (service connections and land drainage), thereby requiring consent as a restricted discretionary activity pursuant to rule E11.4.3(A23).

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESC

- The proposal involves land disturbance not meeting the requirements of regulation
(3)(c)(d)(i)(ii), with disturbance of potentially contaminated earth over an area of 5,000m² and at a volume of 7,500m³ supported by a Site Management Plan requires consent as a controlled activity under regulation s9.

NB: It has been demonstrated that no discharge of contaminants consent is required under the AUP(OP) and RMA section 15.

Streamworks consent (ss13 & 14) – LUS60331337

- Reclamation of 91m of intermittent streams comprising 11m of stream identified as Watercourse A, 26m of Watercourse B (whole length) and 54m of Watercourse C requires consent as a non-complying activity pursuant to rule E3.4.1(A49).

Water permit (s14) – WAT60331358

- Dewatering or groundwater level control associated with a groundwater diversion authorised as a restricted discretionary activity under the Unitary Plan, not meeting permitted activity standards, thereby requiring consent as a restricted discretionary activity pursuant to rule E7.4.1(A20). Specifically the proposal does not meet permitted activity standard E7.6.1.6(2) as the groundwater take for construction will exceed 30 days.
- Diversion of groundwater caused by excavation for below-ground basements, not meeting permitted activity standards E7.6.1.10(2)(b) and E7.6.1.10(4)(a)(b), thereby requiring consent as a restricted discretionary activity pursuant to rule E7.4.1(A28).

Stormwater discharge permit (ss14 & 15) - DIS60331335

- The proposal involves discharge of stormwater runoff from additional impervious areas greater than 5,000m² of road (21,200m²) (which include road ancillary areas that are part of a road) that complies with Standard E8.6.1 and Standard E8.6.4.1, thereby requiring consent as a restricted discretionary activity pursuant to rule E8.4.1(A5).
- The proposal involves discharge of stormwater runoff from impervious areas not otherwise provided for within activity table E8.4.1, with impervious surfaces greater than 50m² proposed within an urban area, thereby requiring consent as a discretionary activity pursuant to Rule E8.4.1(A10).

Decision

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

Acting under delegated authority, under sections 104D, 104, 104B, 105 and Part 2 of the RMA, the resource consents are GRANTED.

Reasons

The reasons for this decision are:

1. In accordance with an assessment under ss104(1)(a) and (ab) of the RMA, the actual and potential effects from the proposal are found to be acceptable for the following reasons:
   - The large site size provides an opportunity for a master-planned and comprehensive residential-led development that optimises the existing land resource, whilst also
ensuring that the proposal responds to the differing site interfaces and in a manner that adverse amenity effects the wider environment are able to be appropriately mitigated and managed.

- The proposal will allow for the construction of a significant number of residential units which are close to employment, education and transport links
- The site layout, including the road layout and siting of buildings has been designed in a manner that relates to each of the specific interfaces and the physical characteristics (including topography) of the site.
- Whilst the proposal includes apartment and terrace house typologies which exceed the maximum permitted height limit, it is considered that the proposal is compatible with the planned suburban context and built form of this part of Albany.
- The proposal provides for a variety of built forms (detached, duplex, terraced units and apartments) which will enable the optimisation of the existing land resource, and in a manner that achieves an overall built form, layout and set-back from the existing and planned streetscape that is appropriate to this location.
- The proposal involves the construction of 35 three storey dwellings (Type B-D) and four apartment buildings which exceed the 8m height limit by varying degrees. The location of these buildings centrally on the site will ensure these are not visually dominant when viewed from adjacent properties, as the proposed buildings have been well articulated through the range of building typologies and variations in the elevations, roof forms and the overall massing. This creates an appropriate level of visual interest whilst ensuring that they respond to the emerging built form and residential character of this part of Albany.
- Whilst the Mixed Housing Suburban zone provides for predominantly detached and duplex dwellings up to 2 storeys in height, the proposed development has sought to create a range of housing typologies and densities across a large site which are compatible with these anticipated outcomes, and to be in keeping with the amenity and future residential and neighbourhood character of the surrounding environment.
- The increased height being sought for the apartment buildings is appropriate as the adverse effects will provide additional height to enable higher density housing and further housing choice whilst also ensuring that the adverse visual effects of the building height and form are appropriately managed so that these do not create adverse effects on the wider environment.
- The potential shading caused by the additional apartment buildings height will be internal to the subject site and will not extend onto adjacent neighbouring properties with the building setbacks and massing of the buildings will allow for reasonable levels of sunlight and on those internal neighbours and will maintain adequate levels of privacy and visual dominance.
- Fencing and landscaping has been designed in an integrated manner which will ensure the proposal maintains an appropriate relationship with the streets (and laneways) and will achieve an appropriate level of streetscape amenity.
- Any loss of stream and terrestrial habitat values that have not been able to be mitigated on-site will be offset at the identified Dairy Flat site, which will allow for improved ecological values within an area which is currently farm drain and pasture.
Pursuant to Table E27.6.2.3 Parking Rates - Area 2, the proposal will comply with the minimum parking space requirements in the MHU zone. The proposed car parking has been designed to comply with the AUP(OP) provisions which seek to ensure that an appropriate and sustainable level of parking is provided in this location.

Council’s Traffic Engineer has reviewed the road layout, traffic generation and safety and on-site access arrangements and has raised no issue in respect to this.

Council’s Development Engineer, has confirmed that the proposal can be serviced by existing and proposed infrastructure and that this will not result in adverse upstream or downstream flooding effects on neighbouring properties or the wider environment.

Adverse effects during the construction stage of the proposal can be appropriately mitigated by the preparation and implementation of a Construction Management Plan and a Construction Traffic Management Plan.

As noted in section 1 above, the applicant has consulted with local Iwi. I concur with the assessment and consider that appropriate consultation has been undertaken and that any associated effects on Mana Whenua values have been considered and appropriately mitigated.

The earthworks will alter the existing landform to a less than minor degree. Whilst the proposed earthworks will result in some short term adverse visual effects, these will be appropriately mitigated in the long term by the proposed buildings, vehicle access and parking and landscaping of the site.

The duration of proposed earthwork activity over a relatively short time will mean any adverse nuisance effects including dust and noise will be minimised.

A range of erosion and sediment control measures are proposed to manage the effects of the required earthworks. These measures have been reviewed by the Council’s Regional Earthworks Specialist confirming that the control devices will be in general accordance with the Council’s guideline document.

The proposed groundwater effects on adjacent persons and the wider environment associated with the dewatering and diversion have been reviewed and assessed by Council’s Groundwater Specialist to be acceptable.

Subject to the mitigation and management techniques proposed, that any adverse Stormwater effects will be appropriately avoided and mitigated.

Adverse contamination effects on human health and the environment resulting from disturbance of soil are able to be appropriately mitigated.

2. In accordance with an assessment under s104(1)(b) of the RMA, the proposal is found to be consistent with the relevant statutory documents, including the Auckland Unitary Plan (OP) National Environmental Standard for Contaminants in Soil to Protect Human Health 2011; National Policy Statement: Freshwater Management 2014 (amended 2017) (NPS:FM); National Policy Statement on Urban Development Capacity; Hauraki Gulf Marine Park Act 2000 (HGMPA) – s104(1)(b)(iv); and Auckland Council Regional Policy Statement – s104(1)(b)(v). The proposal is consistent with these for the following reasons:

The proposal will provide an efficient and optimum use of a large site in a comprehensive and integrated manner. The design approach responds to the differing site interfaces and will provide an efficient use of the existing land resource.
• The proposed development will provide additional housing capacity, intensity and choice. The proposal will optimise the existing land resource and provide an appropriate intensity and additional housing choice in this location.

• The proposed development will provide for a scale of development that is compatible with the suburban built character. The proposal is appropriate to the suburban context of this part of Albany and will result in a built form and overall scale and intensity of development that responds positively to the characteristics of the site (including the site topography) and the adjacent / surrounding suburban environment, which comprises a range of building styles and typologies.

• The proposed development will provide an appropriate overall building form that is compatible with the existing suburban residential neighbourhood and character. The sloping nature of the site enables the building form to positively relate to the land contours and topography.

• The overall height, bulk and scale of the building will be compatible with other existing buildings in the surrounding area and the overall bulk and height of buildings that are anticipated in this location. Whilst the proposed development will be 2-3 storeys in height and the apartments up to 4 storeys in height (with the outcomes of the Residential: Mixed Housing Suburban zone “generally” seeking two storeys in height), this will be compatible with the dwellings in the immediate surrounds. This has been achieved by the proposed building platforms utilising the topography of the site as well as the distribution of height / built form to ensure the development responds to the differing site interfaces and which also enables the proposed dwellings to sit comfortably within the site.

• The overall form and bulk of the proposed dwelling maintains the existing character and amenity values that are anticipated in this location.

• The proposed dwellings will create quality on-site residential amenity for the residents through generous dwelling sizes and which captures sunlight and daylight through the orientation and layout.

• The proposal has been carefully designed to ensure that the residential amenity of adjacent sites is maintained to a level which is considered mutually acceptable.

• The proposal can be serviced by existing future proposed infrastructure including wastewater and stormwater.

• The subdivision provides for a vehicle and pedestrian transport network that integrates with the existing transport network and provides for a connect road (and pedestrian) network.

• Whilst there will be some change to the stormwater quality leaving the site due to intensification, overall the proposal does apply best practice to reduce impact on water quality of the nearby stream.

• This will provide for the site preparatory and enabling works. The installation of appropriate erosion and sediment controls will ensure sediment is appropriately managed and that sediment discharge is minimised.

• The proposal is consistent with the E3 Lakes, rivers, streams and wetlands E3.2 Objectives and E3.3 Policies that state that significant residual adverse effects on lakes, rivers, streams or wetlands that cannot be practically avoided, remedied or mitigated are offset where this will promote the purpose of the Resource Management Act 1991.
provisions state that reclamation and drainage of the bed of a lake, river, stream and wetland is avoided, unless there is no practicable alternative. The identified effects of the reclamation can be appropriately offset and that measures proposed to address the effects can be required to be implemented in accordance with the agreed conditions.

3. In accordance with an assessment under s104(1)(c) of the RMA no other matters were considered relevant or reasonably necessary to determine the applications.

4. The proposal is consistent with Sections 105 and 107 of the RMA, as there are no significant effects on the receiving environment and the proposal will not give rise to any of the effects listed in Section 107(1) because of the appropriate site management measures proposed. It is further considered the applicant’s reasons for the proposed choice of management and mitigation measures are appropriate in the circumstances, and therefore regard for alternative methods of discharge management is not deemed necessary in this case.

5. There is no prohibition under s104D of the RMA on granting this non-complying activity proposal. This is because the proposal is not contrary to the objectives and policies of the relevant plan, and will have only minor adverse effects on the environment.

6. There is no need to look to Part 2 of the RMA in making this decision, as the objectives and policies of the relevant statutory documents were prepared having regard to Part 2 of the RMA and they have captured all relevant planning considerations. They also contain a coherent set of policies designed to achieve clear environmental outcomes and provide a clear framework for assessing all relevant actual and potential effects. An assessment against Part 2 would not add anything to the evaluative exercise.

7. Overall, the proposal is considered to be consistent with the relevant matters for discretion of the AUP(OP). Any actual or potential adverse effects are assessed to be less than minor and the proposed residential development and associated works are acceptable in the context of the surrounding receiving environment. Furthermore, the application is considered to meet the relevant tests of the RMA and can be considered to provide an efficient use of an existing land resource. For these reasons, the proposal is considered to be acceptable from a resource management perspective

**Conditions**

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

These conditions apply to all resource consents LUC60331333, DIS60331334, LUS60331337, and WAT60331358

**General Conditions**

1. These consents shall be carried out in accordance with the documents and drawings and all supporting additional information submitted with the applications, detailed below, and all referenced by the council as resource consent numbers LUC60331333, DIS60331334, LUS60331337, and WAT60331358

   - Application Form and Assessment of Environmental Effects prepared by Woods V1.9 dated 10.10.2019

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0. DESIGN CONTEXT

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5. PLAN SET - LOT 301, 302, 303, & 306

Architectural Plan Set for Lot 303 (Apartment D) prepared by Construkt Rev F, dated 7 November 2019
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Architectural Plan Set for Lot 306 (Apartment A) prepared by Construkt Rev F, dated 7 November 2019

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2. Under section 125 of the RMA, these consents lapse ten years after the date they are granted unless:
   a. The consents are given effect to; or
   b. The council extends the period after which the consents lapse.
Monitoring Charge

3. 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 incurred to ensure compliance with the conditions attached to these consents.

Advice note:

*The initial monitoring deposit is to cover the cost of inspecting the site, carrying out tests, reviewing conditions, updating files, etc., all being work to ensure compliance with the resource consents. 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 consents have been met, will the council issue a letter confirming compliance on request of the consent holder.*

Specific conditions – land use consent LUC60331333

Pre-Commencement meeting

4. Prior to the commencement of the construction of any buildings and / or each stage 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 5 days before the anticipated commencement of earthworks
   c) includes the assigned Compliance Monitoring Officer or Development Engineer, Takapuna
   d) includes representation from the contractors who will undertake earthworks

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
- Construction Traffic Management Plan as required by condition 5
- Construction Management Plan as required by condition 7
- The finalised Erosion and Sediment Control Plan as required by condition 45
- The Chemical Treatment Management Plan as required by condition 47
- The Offset and Enhancement Plan required by condition 34 and 71;
- The Native Fish Capture and Relocation Plan as required by condition 76; and
- The finalised Streamworks Methodology Plan as required by condition 79.
- Confirmation from consultant acting for consent holder that contractor’s Public Liability cover, and Health & Safety Plan / policy have been viewed and found satisfactory

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

Advice Note:

*To arrange the pre-start meeting(s) required by Condition 4, please contact the Team*
Leader, Compliance Monitoring North to arrange this meeting. 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.

Construction Traffic Management Plan

5. The consent holder shall submit to the Council (Team Leader Compliance Monitoring North), prior to any works commencing, a Construction Traffic Management Plan prepared in accordance with the Council’s requirements for a Construction Traffic Management Plan and New Zealand Transport Authority’s Code of Practice for Temporary Traffic Management. No construction activity is permitted to commence until the CTMP for the work has been approved by the Council (Team Leader, Compliance Monitoring North) and all construction traffic shall be managed in accordance with the approved a Construction Traffic Management Plan.

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

Construction Management Plan

6. The consent holder shall undertake all necessary measures to ensure that adverse effects associated with construction activities are minimised as far as practicable.

7. Without limiting the generality of the foregoing, the consent holder shall, at least 10 working days prior to the commencement of earthworks activity on the site, prepare and submit a Construction Management Plan (CMP) to the Council (Team Leader, Compliance Monitoring North) for approval. This shall include details of construction noise and how the proposal will comply with the relevant noise standards. No earthworks activity shall commence until confirmation is provided from the Council that the CMP is satisfactory.

Advice note:
The Construction Management Plan required by Condition 7 should contain sufficient detail to address the following matters: measures to address dust, stockpiling, rubbish disposal etc. This should include details of construction hoardings and other measures to be adopted to maintain areas of the site that are visible from public spaces and private property in a tidy condition in terms of rubbish disposal, storage and unloading of materials, etc.

Architectural Design Plans

8. Prior to the construction of the dwellings/ apartments, a finalised set of architectural detail drawings and materials specifications shall be submitted to Council for written certification by Council’s Team Leader Compliance Monitoring North. The information shall include the following:

- details of the building’s façade treatment / architectural features;
- materials schedule and specification, sample palette of materials, surface finishes, and colour schemes (including colour swatches) referenced on the architectural elevations; and
- external / rooftop services / plant, and visual / aural screening elements

The finalised set of drawings shall ensure that the building’s proposed architectural treatment and finished appearance is consistent with the plans and information referenced at condition 1.
All works shall then be carried out with the details certified by council, and thereafter retained and maintained, to the satisfaction of Council’s Team Leader Compliance Monitoring North.

**Advice note:** As part of the condition monitoring process, Council’s monitoring inspectors will liaise with members of the Council’s Auckland Design Office to ensure that the submitted details are consistent with the approved plans and information.

**Fencing/Retaining Walls/Gates**

9. Prior to commencement of any construction works on site (other than preparatory earthworks), finalised design details of **all proposed retaining walls, fencing and gates for each stage**, including locations, heights and materials, shall be submitted to Council for written certification by Council’s Team Leader Compliance Monitoring North. Including

   a. Changes to the fencing along the western boundary of Lots 107 and 108 to reduce the dominance effects on the outdoor living spaces resulting from a 1.8m high timber fence.

**Advice note:**

This could be accomplished by staggering the retaining wall, planting and or reduction in fencing height and providing a planting strip approximately 1m in width in front of the fencing on Lots 107 and 108.

The finalised details shall be consistent with the plans and information referenced at condition 1. The finalised design details certified by Council shall be established prior to the development hereby consented being first occupied, and thereafter retained and maintained, to the satisfaction of Council’s Team Leader Compliance Monitoring North.

**Advice note:**

As part of the certification process, Council’s monitoring officers will liaise with members of the Council’s Auckland Design Office to ensure that the submitted details are consistent with the approved plans and information.

**Lighting Plans**

10. Prior to the commencement of any work on site, the consent holder shall provide a **Lighting Plan and Certification/Specifications** for each stage prepared by a qualified Lighting Engineer, to Council’s Team Leader Compliance Monitoring North for written certification. The purpose of this condition is to provide adequate lighting for the safety of people residing, working or visiting the premises and its immediate environs outside of daylight hours. The Lighting Plan shall:

   - include all accessible areas of the premises where movement of people are expected. Such locations include, but are not limited to the shared driveway, building entrances, building frontage, outdoor or undercroft carpark, footpath or common access areas and pedestrian walkways.

   - include proposed locations, lux levels and types of lighting (i.e. manufacturer’s specifications once a lighting style has been determined) and any light support structures required to control timing, level of lighting, or to minimise light spill, glare, and loss of night time viewing.

   - Demonstrate compliance with the AS/NZS 1158 P requirements and clearly specify what P Category the lighting design will achieve. The selection criteria for the chosen
lighting category should also be presented (i.e. pedestrian/cycle activity, risk of crime etc.).

- Demonstrate the vertical illuminance by means of lux contours or a similar method to assess light spill on neighbouring properties WHERE RELEVANT. The limits of the vertical illuminance should comply with Auckland Unitary Plan (Operative in Part) Standard E24.6.1.3.

- Include an executive summary of the above information in plain English that outlines the relevant requirements to their application and their design response to them.

- The lighting for the proposed public roading network shall be designed to comply with Auckland Transport lighting brief issued by their lighting team.

- The lighting proposed for the basement parking areas for the apartment buildings shall be designed to comply with Standard E27.6.3.7 Lighting.

The finalised design details certified by the qualified Lighting Engineer shall be established prior to the development hereby consented being first occupied, and thereafter retained and maintained, to the satisfaction of Council’s Team Leader Compliance Monitoring North.

**Advice Note:** The purpose of this condition is to ensure that adequate lighting is provided to frequently used areas within the proposed development for the safety of users. Adequate lighting is the amount of lighting at eye level for a person with average eyesight so they can identify any potential threat approaching them from at least a 15-metre distance.

### Finalised landscape design drawings, specifications and maintenance requirements

11. Prior to the commencement of any work on site, the consent holder shall provide to the council’s Team Leader Compliance Monitoring North for written certification, a finalised set of detailed landscape design drawings and supporting written documentation which have been prepared by a landscape architect or suitably qualified professional. The submitted information shall be consistent with the consented landscape concept plan(s) Greenwood Associates dated 10/12/2019 and, at a minimum, shall include landscape design drawings, specifications and maintenance requirements including:

- The replacement of the Ficus Tuffy hedge and redesign of the landscape planning, paving and associated fencing relating to the eastern boundary of Lot 306 (apartment A) to ensure that the interface with the walkway access way appears combined and overlook to the linkage is maintained.

- An annotated planting plan(s) which communicate the proposed location and extent of all areas of planting, including any revegetation, reinstatement planting, mitigation planting and natural revegetation (if relevant).

- Annotated cross-sections and/or design details with key dimensions to illustrate that adequate widths and depths are provided for planter boxes / garden beds.

- A plant schedule based on the submitted planting plan(s) which details specific plant species, plant sourcing, the number of plants, height and/or grade (litre) / Pb size at time of planting, and estimated height / canopy spread at maturity.

- Details of draft specification documentation for any specific drainage, soil preparation, tree pits, staking, irrigation and mulching requirements.

- An annotated pavement plan and related specifications, detailing proposed site levels
and the materiality and colour of all proposed hard surfacing.

- An annotated street furniture plan and related specifications which confirm the location and type of all seats, bins, lights, fences, walls and other structural landscape design elements.

- Details of landscape planting to provide visual softening of the Retaining Walls 02 and 03 that are located along the proposed reserve edge road.

- A landscape maintenance plan (report) and related drawings and specifications for all aspects of the finalised landscape design, including in relation to the following requirements:
  i. Irrigation
  ii. Weed and pest control
  iii. Plant replacement
  iv. Inspection timeframes
  v. Contractor responsibilities

The finalised landscape design shall be consistent with the landscape design intent / objectives identified in the conceptual plans and information referenced at condition 1 and confirm responsibilities for ongoing maintenance requirements.

**Advice note:**

*It is recommended that the consent holder consider a minimum three-year management / maintenance programme for plant establishment and provide, in particular, details of maintenance methodology and frequency, allowance for fertilising, weed removal / spraying, replacement of plants, including specimen trees in case plants are severely damaged / die over the first five years of the planting being established and watering to maintain soil moisture. As part of the approval process, the council’s monitoring team will liaise with landscape architects from the council’s Auckland Design Office to ensure that the submitted drawings and related information are consistent with the originally consented landscape concept plan(s).*

**Implementation and maintenance of approved landscape design**

12. Prior to the development being first occupied and within an appropriate planting season, the consent holder shall implement the landscape design which has been approved by the council under condition 11 and thereafter retain and maintain this landscape (planting, pavement and street furniture) in perpetuity to the satisfaction of the council’s Team Leader - Monitoring North in accordance with the maintenance plan which has been approved under condition 11.

**Streetscape landscaping**

13. At Engineering Plan Approval stage, the consent holder shall submit a detailed streetscape landscaping plan(s) for each stage (stage 1 and 2) for rain gardens, street trees and street gardens for approval by the Parks Planning Team Leader. In particular, the plans shall:

  a) Be prepared by a suitably qualified landscape architect.
c) Show all planting including details of intended species, location, plant sizes at time of planting and likely heights on maturity, tree pit specifications, the overall material palette, location of street lights and other service access points.

d) Include details of landscape planting to provide visual softening of the Retaining Walls 02 and 03 that are located along the proposed reserve edge road.

e) Ensure that selected species can maintain appropriate separation distances from paths, roads, street lights and vehicle crossings in accordance with the Auckland Transport Code of Practice.

f) Include planting methodology.

g) Comply with the Auckland Code of Practice for Land Development and Subdivision: Chapter 7: Green Assets and Landscaping.

**Park and Reserve Development**

14. At Engineering Plan Approval stage for stage 2, the consent holder shall submit for the approval of the Parks Planning Team Leader detailed engineering and landscaping plans for all hard assets / park furniture / fixtures / planting / grassing to enable reserve development to be undertaken within Lot 802. The plan(s) and supporting planting methodology, to be submitted for approval, shall;

a) Be prepared by suitably qualified person/s

b) Include a weed management plan detailing weed eradication and control methods for the park, prior to and after planting.

c) Identify all new planting to be undertaken on the site including details of the intended species, spacing, quantities, location, plant sizes at the time of planting, their likely heights on maturity and how planting will be staged and established.

d) Include specifications for plant condition and a written specification detailing the planting methodologies to be used.

e) Identify the existing species to be retained.


**Works in close proximity to Parks trees**

15. Prior to the commencement of any works, the consent holder shall erect a temporary fence outside the drip line of all trees within Days Esplanade Reserve which shall remain in place throughout the duration of the works.

**Weed control**

16. The consent holder shall submit a Weed Control Programme to the satisfaction of the Council Team Leader Compliance Monitoring North prior to any works commencing on site. The Weed Control Programme shall be implemented on the site within 1 month of approval of the Weed Control Programme to the satisfaction of the Team Leader Compliance Monitoring North. The programme needs to include:

a) An inventory of the weed species to be removed;

b) Removal techniques to be utilised; weed disposal methods

c) Time frames for work and whether the weed removal needs to be staged (particularly
relevant for sensitive areas such as coastal edges or riparian margins)
d) Any re-vegetation programme required to prevent re-infestation of weeds
e) An assessment of any ecological issues around the removal of vegetation
f) Methods for addressing stability and erosion and sediment control methods.

Reserve boundary treatment

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

All vehicle accessways including JOAL's.

18. All new vehicle crossings are to be restricted to a maximum width of 4.5m at the kerb and 3m at the boundary in accordance with Woods drawings P18-234-00-282-RD, Rev 4, dated 25 November 2019 or meet ATCOP Residential Vehicle Crossing Standards, drawing number GD017, version 1.0.1.

Advice Note: The Consent Holder is to lodge an application for an Engineering Right of Way application for construction with Auckland Council. The application is to be approved by Team Leader Regulatory Engineering prior to the works commencing.

19. The consent holder shall ensure that all JOALs have their access formed over the footpath as commercial vehicle crossings (detail GD019) but with residential dimensions. Residential vehicle crossings serving between five and ten dwellings shall be constructed to comply with the standard vehicle crossing detail GD019.

Vehicle Crossings

20. The consent holder shall ensure that all new vehicle crossings are designed and formed in accordance with the Auckland Transport Code of Practice 2013. The new crossing shall maintain an at-grade (level) pedestrian footpath across the length of the crossing, using the same materials, kerbing, pavings, patterns and finish as the footpath on each side of the crossing.

Advice Note: A vehicle crossing approval permit is required to be obtained from Auckland Transport for these works. Please visit the Auckland Transport website or contact Auckland Transport Call Centre on Ph 09 355 3553 for requirement and standards.

Ramp Signals apartment buildings located on Lots 303 and 306

21. Prior to the respective occupation of the residential apartment buildings located on Lots 303 and 306, the consent holder shall install red/green signals on the ramps connecting the basement parking level to level 1 to the satisfaction of the council’s Team Leader Compliance Monitoring North.

Roading

22. The consent holder shall form and construct the proposed new public roads (Lot 501 and 502) and Pedestrian Accessways (Lots 701, 702, 703 and 704) to the satisfaction of the Auckland Council Regulatory Engineering Team Leader – North. The design details for each stage shall be assessed during the Engineering application stage(s). The designs shall include but not be limited to:
The two roading connections from the development to the wider network shall be via the signalised intersections at Wharf Road / Albany Highway / Eastbourne Road and Bass Road / Oaklands Road / Albany Highway. The two intersections shall be modelled using traffic modelling software using the revised trip generation numbers of the proposal and optimized by the applicant. The signalised intersection design is to be approved under an EPA.

All new public roading shall include wayfinding signage installed as per ATCOP standards. All roads names are to be approved by the local board.

Access to the future retirement village shall be designed to comply with standard NZS 4121:2001 Design for access and mobility.

All speed tables are to be constructed to comply with AT standard speed table detail with a brushed finish.

Tactile paving shall be installed at all pedestrian crossing facilities and all other locations that are warranted and must comply with standard RTS 14 – Guidelines for facilities for blind and vision impaired pedestrians (2015).

All traffic calming measures shall be reviewed at EPA stage and subject to design changes as warranted by AT.

**Advice Notes:** It is Auckland Transport’s preference that a fully kerbed island is provided for this development.

The use of pre-cast and fully kerbed side islands are to be investigated at EPA stage.

All road markings and signage for all roads to be vested to Auckland Council shall be designed to comply with ATCOP standards.

Before the public roads within the development are constructed and after the two signalised intersections have received EPA approval, a traffic resolution will be required as per AT’s formal traffic resolution procedure to legalise all new public roading and the intersection upgrades.

All new intersection corners shall be designed to comply with compound corners as shown in GD005A of AT’s Transport Design Manual.

For all pedestrian accessways (lots 701, 702, 703 and 704), any adjoining property boundary (fencing, planting, activity, overlook etc) shall be consistent with the design proposal for CPTED and amenity of the path.

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

At EPA the junction of path with Albany Highway may need an additional splay, depending on detail design of path and visibility envelope protection.

**Wastewater Drainage**

23. The consent holder shall provide and install a complete wastewater system including unit/lot connections to the Council’s public wastewater standards in accordance with the Wastewater Drainage Layout Plan by Woods reference P18-234-00-400-DR, Rev 4, dated 18/11/19 and the Watercare Review Letter #86852, dated 29/01/19.
Advice Note

Any part of the reticulation to become part of the public wastewater reticulation should be submitted as an Engineering Approval application to the Development Engineer, Takapuna.

Stormwater Drainage


Advice Notes:

a) Any part of the system to become part of the public stormwater reticulation is required to be submitted as an Engineering Approval application to the Development Engineer, Takapuna.

b) The consent holder must establish the availability of a suitable SW discharge point for the anticipated site works and building development. Erosion and Sediment controls must direct clean or treated SW to this point as soon as those controls are established.

Stormwater overland flow path


Water Reticulation

26. The consent holder shall provide and install a complete water supply reticulation system to the satisfaction of the Council.

Advice Notes

Design of public works should be submitted as an Engineering Approval application addressed to Development Engineer, Takapuna. The reticulation system shall be designed and installed in accordance with the Auckland Council Code of Practice Chapter 6 (including firefighting) such that service and pressure levels are not compromised.

The consent holder shall carry out all tests required by the New Zealand Fire Service and the Council in regard to water pressure and flow testing. This testing shall be done at the consent holder’s expense.

Certification of completed overland flow path

27. Within one month of completion of finished overland flow path the consent holder shall provide written confirmation from a Licensed Cadastral Surveyor or Chartered Professional Engineer to the satisfaction of Council Team Leader Development Engineering to confirm that the finished overland flow path has been completed to the invert levels and shaping as per the recommendations of the Stormwater Overland Flow Plan reference P18-234-00-370-DR, Rev 2, dated 07/10/19 and the Stormwater Management Plan by Woods, reference P18-234, Version 3, dated 04 October 2019, including any specified requirements in respect to paved areas near or adjacent to the Flood plain / Overland Flow Path and/or the building footprint.
Post Construction CCTV Inspection (Stormwater & Wastewater)

28. The consent holder shall ensure wastewater drainage, stormwater drainage and water supply systems are made fully operative prior to occupation of the development. CCTV inspection reports shall be presented to the satisfaction of Team Leader, Compliance Monitoring North to verify compliance.

Advice Note:

Council accepts CCTV inspection as a suitable means to verify compliance

Contamination Conditions

29. Earthworks shall be undertaken in accordance with the Site Management Plan (SMP), prepared by 4Sight Consulting Ltd and dated 12 June 2018. Any variations to this SMP shall be submitted to the Team Leader for certification prior to being operative.

30. In the event of the accidental discovery of contamination during earthworks which has not been previously identified, the consent holder shall immediately cease the works in the vicinity of the contamination and notify the Team Leader and engage a Suitably Qualified and Experienced Practitioner in soil contamination (SQEP) to assess the situation (including possible sampling and testing) and decide in conjunction with a council compliance officer on the best option for managing the material.

31. Excavated material that is not re-used on site shall be disposed of at an appropriate facility licensed to accept the levels of contamination identified.

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

33. Within three months of the completion of earthworks on the site, a works completion report shall be provided to the Team Leader. The works completion report shall be prepared by a SQEP and contain sufficient detail to address the following matters:

   a. A summary of the works undertaken, including the location and dimensions of the excavations carried out and the volume of soil excavated;
   b. Copies of the disposal dockets for any material removed from the site;
   c. Details and results of any testing, including validation testing, undertaken and interpretation of the results in the context of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health;
   d. Conditions of the final site ground surface and details of any validation sampling undertaken on materials re-used on site or imported to site; and
   e. Records of any unexpected contamination encountered during the works and response actions, if applicable;
   f. Reports of any complaints, health and safety incidents related to contamination, and/or contingency events during the earthworks; and
   g. A statement certifying that all works have been carried out in accordance with the requirements of the consent and Site Management Plan, otherwise providing details of relevant breaches, if applicable.

Advice Note:
If you are demolishing any building that may have asbestos containing materials (ACM) in it:

- You have obligations under the relevant regulations for the management and removal of asbestos, including the need to engage a Competent Asbestos Surveyor to confirm the presence or absence of any ACM.
- Work may have to be carried out under the control of person holding a WorkSafe NZ Certificate of Competence (CoC) for restricted works.
- If any ACM is found, removal or demolition will have to meet the Health and Safety at Work (Asbestos) Regulations 2016.
- Information on asbestos containing materials and your obligations can be found at www.worksafe.govt.nz.

If ACM is found on site following the demolition or removal of the existing buildings, you may be required to further remediate the site and carry out validation sampling. Dependent on the amount of soil disturbance, a further consent application may be required.

**Ecological Conditions**

**Site enhancement planting plan**

34. Prior to the commencement of any earthworks the consent holder shall prepare a detailed Site Enhancement Planting Plan, in accordance with Appendix 16 of AUP(OP), that includes, but is not limited to, the following:

- Plant species, spacing/densities, planting zones (if necessary), mitigation plant numbers, and plant sizes (e.g. PB 5) of onsite and offset site planting;
- Any / all staging, related to onsite planting, that may be required due to constraints of earthworks on the development site, noting that completion of planting shall be undertaken as soon as practicably possible.
- Planting methodology (including site preparation and planting timeframes);
- Plant maintenance and weed and animal pest management for a minimum of five years, or until 90% canopy cover is achieved which ever come first, and in accordance with the Auckland Regional Pest Management Plan 2019-2029 (RPMP);
- Annual monitoring and reporting for a minimum of five years, or until 90% canopy cover is achieved which ever come first; and
- Implementation of best practice protocols of how plants are selected and where plants are sourced:
  - Dairy Flat offset location, the species selection shall be as per the Appendix B Redesign Addendum and Request for information (RFI), dated 6th December 2019. Species selection for 473 Albany Highway shall be in accordance with the locally found ecosystems.
  - Prior to any Mrytaceae species being delivered to the site, a signed Myrtle Rust Nursery Management Declaration that certifies that the plant producer has implemented the New Zealand Plan Producers Incorporated (NZPPI) Myrtle Rust Nursery Management Protocol must be obtained.
  - Ensure the Nursery Dispatch and Plant Transport Declaration documents are
delivered with the plants.

- By following the NZPPI protocols industry members will be meeting the requirements set out in MPI’s legal direction. This declaration will be proof that any Myrtaceae species have been grown and treated according to best practice protocols to reduce the spread of Myrtle rust.

**Vegetation Removal**

35. As much as practicable, all vegetation shall be removed outside of bird breeding season (bird breeding season is August to January inclusive). If vegetation clearance is undertaken within the bird breeding season this must be verified in writing by Council’s Team Leader, Compliance Monitoring North. All woody vegetation must be confirmed clear of nesting birds by a suitably qualified ecologist prior to vegetation being felled. This should ensure no nesting birds, eggs, and/or fledglings are harmed or killed during construction.

**Planting of enhancement planting on-site**

36. The consent holder shall ensure the following requirements are satisfied:

- Within the first available planting season following the start of earthworks, and where applicable in accordance with approved onsite staging, the consent holder shall carry out the enhancement planting, in accordance with the planting plan/s and associated details approved under **condition 34** above.

- Any pest plants and animals present in the proposed enhancement planting areas shall be controlled prior to planting. The advice notes referred to in **condition 38** details what pest plant and animal control means.

**Planting of native enhancement offset planting**

37. The consent holder shall ensure the following requirements are satisfied:

- Within the first available planting season following the start of earthworks, and where applicable in accordance with approved onsite staging, the consent holder shall carry out the native enhancement offset planting, in accordance with the planting plan/s and associated details approved under **condition 38** above.

- Any pest plants and animals present in the proposed enhancement planting areas shall be controlled prior to planting. The advice notes referred to in **condition 42** details what pest plant and animal control means.

**Implementation of the Pest Plant and Pest Animal Management Plan**

38. The consent holder shall carry out pest plant and animal management in accordance with certified or approved Site Enhancement Planting Plan referred to in **condition 34** to the satisfaction of the Team Leader, Compliance Monitoring North. Any chemical control (herbicides or vertebrate toxic agents) shall follow best practice methodology and be suitable for the purpose and the environment in which it is to be used. Pest plant and animal management shall be undertaken in perpetuity.

**Advice notes:**

- *Control should be demonstrated to the satisfaction of the Team Leader Compliance Monitoring or similar position.*
• **Pest plant control** means, that there are no fruiting and/or flowering individuals of pest plant species present within the enhancement planting area and any mature pest plant species present are dead. In addition there shall be no areas within the enhancement planting area where pest plant species are smothering and/or out competing native vegetation including suppressing the natural regeneration processes.

• **Pest animals** include but are not limited to possums, rats, mustelids, and ungulates (goats, pigs, deer) where appropriate. Pest Animal Control means meeting national standards best practice methods for control of these species to an acceptable level. [https://www.bionet.nz/library/n pca-publications](https://www.bionet.nz/library/n pca-publications)

**Lizard Management Plan**

39. Prior to the commencement of any vegetation removal works the Consent Holder shall submit and have certified by the Team Leader (North) Biodiversity, a Lizard Management Plan (LMP) prepared by a suitably qualified and experienced ecologist/herpetologist. The LMP Plan shall have two objectives:

• The population of each species of native lizard present on the site shall be maintained or enhanced, either on site or appropriately translocated; and

• The habitats on the site or at the translocation site post development support viable lizard populations for all species present pre-development.

The LMP shall address the following (as appropriate):

• Credentials and contact details of the ecologist/herpetologist who will implement the plan.

• Timing of the implementation of the LMP;

• A description of methodology for survey, trapping and relocation of lizards rescued including but not limited to: salvage protocols, relocation protocols, nocturnal and diurnal capture protocols, supervised habitat clearance/transfer protocols; artificial cover object protocols, and opportunistic relocation protocols;

**Advice Note:**

*Please note that it is recommended that the lizard rescue plan is undertaken in conjunction with the vegetation clearance operations (and contractor) for an integrated approach (on the same day), to enable the physical search for gecko’s following felling of trees and shrubs and to rescue any skinks from ground cover vegetation and terrestrial retreats.*

• A description of the relocation site; including discussion of:
  a) provision for additional refugia, if required e.g. depositing salvaged logs, wood particles or debris for newly released skinks that have been rescued;
  b) protection mechanisms (if required) to ensure the relocation site is maintained (e.g.) covenants, consent notices etc;
  c) any weed and pest management to ensure the relocation site is maintained as appropriate habitat.

• Monitoring methods, including but not limited to baseline surveying within the site; baseline surveys outside the site to identify potential release sites for salvaged lizard populations and lizard monitoring sites, ongoing annual
surveys to evaluate translocation success, pre and post – translocation surveys’ and monitoring of effectiveness of pest control and/or any potential adverse effects on lizards associated with pest control;

- A post-vegetation clearance search for remaining lizards.

40. A suitably qualified and experienced ecologist/herpetologist approved to oversee the implementation of the LMP shall certify that the works have been carried out according to the approved LMP within two weeks of completion of the vegetation clearance works.

41. The consent holder shall provide within one month of completion of the works that all management plans and planting required by conditions 34-40 has been implemented to the satisfaction of Team Leader (North) Biodiversity.

Earthworks (LUC60331333) specific conditions

These conditions apply to each stage of earthworks

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

*Advice Note*: 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 – Compliance Monitoring North for more details. Alternatively, please refer to Auckland Council, Guidance Document Number 005, Erosion & Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016, Incorporating Amendment 1 (GD05).

Duration of Earthworks

43. Resource consent LUC60331333 as it relates to earthworks shall expire 5 years from the date of issue for stage 1 earthworks (23 March 2025); and 10 years from the date of issue for stage 2 earthworks (23 March 2030) unless it has been surrendered or cancelled at an earlier date pursuant to the RMA.

Seasonal Restrictions

44. No earthworks and/or streamworks on the site shall be undertaken between 1 May and 30 September in any year, without the prior written approval of the Team Leader – Compliance Monitoring North. Revegetation/stabilisation is to be completed by 30 April in accordance with measures detailed in Auckland Council’s Guidance Document 005, Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016, (GD05) and any amendments to this document.

Erosion and Sediment Control Management Plan (ESCP)
45. Prior to the commencement of each stage of the earthworks activity on the subject site, a finalised Erosion and Sediment Control Management Plan (ESCP) shall be prepared for that stage and submitted to the Team Leader – Compliance Monitoring North. No earthworks activity on the subject site shall commence for that stage until confirmation from Council is provided that the ESCP is satisfactory.

The Erosion and Sediment Control Plan required for each stage shall contain sufficient detail to address the following matters:

- specific erosion and sediment control works, including those associated with construction of stormwater outfalls (location, dimensions, capacity for all controls including clean and dirty water diversions);
- confirmation that all decanting earth bunds shall achieve GD05 design requirements based on a 2% criteria (2m³ of impoundment volume for every 100m² of contributing catchment);
- confirmation that all sediment retention ponds shall achieve GD05 design requirements based on a 3% criteria (3m³ of impoundment volume for every 100m² of contributing catchment);
- supporting calculations and design drawings;
- catchment boundaries and contour information;
- details of construction methods;
- timing and duration of construction and operation of control works (in relation to the staging and sequencing of earthworks);
- details relating to the management of exposed areas (e.g. grassing, mulching); and
- monitoring and maintenance requirements.

46. Prior to earthworks commencing for each stage, a certificate signed by an appropriately qualified and experienced person shall be submitted to the Team Leader – Compliance Monitoring North, to certify that the erosion and sediment controls have been constructed in accordance with the erosion and sediment control plans for that stage as specified in condition 1 and 45 of this consent.

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

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

47. Prior to the commencement of each stage of earthworks at the site, a Chemical Treatment Management Plan (CTMP) shall be submitted for the written approval of the Team Leader – Compliance Monitoring North. The plan shall include as a minimum:

- Specific design details of the chemical treatment system based on a rainfall activated dosing methodology for the site’s sediment retention ponds and decanting earth
b) Monitoring, maintenance (including post storm) and contingency programme (including a record sheet);

c) Details of optimum dosage (including assumptions);

d) Results of initial chemical treatment trial;

e) A spill contingency plan; and

f) Details of the person or bodies that will hold responsibility for long term operation and maintenance of the chemical treatment system and the organisational structure which will support this system.

48. All sediment retention devices shall be chemically treated in accordance with the CTMP required by condition 47 above and any amendments to the CTMP shall be submitted in writing to the Team Leader – Compliance Monitoring North prior to implementation.

49. All erosion and sediment control measures shall be constructed and maintained for each stage in general accordance with GD05 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. These measures shall be maintained throughout the duration of the earthworks activity, or until the site is permanently stabilised against erosion.

50. 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 Plans or earthwork methodologies referred to in Conditions 1 and 45 shall be maintained throughout the duration of earthworks activity, or until the site is permanently stabilised against erosion.

51. 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. If 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. In accordance with GD05 a stabilised construction entrance is to be constructed on site to the approval of Council’s monitoring officer.

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

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

In no circumstances should the washing of deposited materials into drains be advised or otherwise condoned. It is recommended that you discuss any potential measures with the
Council’s monitoring officer who may be able to provide further guidance on the most appropriate approach to take. Please contact the Team Leader – Compliance Monitoring North for more details. Alternatively, please refer to Auckland Council’s Guidance Document 005, Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region (GD05).

52. The site shall be progressively stabilised against erosion through each stage of the earthworks phase of the project. Earthworks shall be sequenced to minimise the discharge of contaminants to surface water.

**Advice Note:** 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 – Compliance Monitoring North for more details. Alternatively, please refer to Auckland Council’s Guidance Document 005, Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region (GD05).

53. No sediment laden runoff shall leave the site without prior treatment via an approved sediment control device.

54. Written notice shall be given to the Team Leader – Compliance Monitoring North for each stage prior to any erosion and sediment control measures being removed or decommissioned.

55. 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, to prevent surface erosion.

56. The construction methodology shall take full account of the recommendations of the Chartered Professional Engineer observing or directing the works, the Geotechnical Investigation Report by CMW Geosciences (NZ) Ltd reference AKL2016_0639AC Rev.0 dated 29 March 2017, the Geotechnical Review of the Updated Scheme Plans by CMW Geosciences (NZ) Ltd reference AKL2018_0083AB Rev.4 dated 27 November 2018, and the Retaining Wall Deflection & Settlement Analysis by Initia Geotechnical Specialists Ltd reference P-000625 dated 14 June 2019.

57. Prior to the commencement of any earthworks the consent holder shall provide complete engineering drawings, accompanied by supporting geotechnical report. Details of proposed silt detention measures shall be shown. These drawings for bulk earthworks shall be submitted to the Development Engineering Team for Engineering Approval and written approval received before commencement of works. Design of the works shall be in accordance with the Auckland Council Code of Practice “Section 2 entitled “Earthworks and Geotechnical Requirements.”

58. Prior to the commencement of any earthworks, the Team Leader, Northern Monitoring shall be provided with written certification from a suitably qualified professional that all permanent earth bunds, retaining walls, and building foundations have been designed in accordance with the Geotechnical Investigation Report by CMW Geosciences (NZ) Ltd reference

59. All noise generating activities associated with the implementation of this resource consent on, or in the vicinity of, the subject site (which can include (but is not limited to) any demolition, earthworks and construction activities, and ancillary activities (such as deliveries, loading and unloading goods, transferring tools, etc)) shall not exceed the noise limits stipulated within NZS 6803:1999 Acoustics - Construction Noise (or any subsequent revision), and may only be carried out:

- between the hours of 7:30 am and 18:00 pm, Monday to Saturday; and
- must not be carried out on any Sunday or public holiday (and any following Monday on which that public holiday is observed)

| Table 2 - Recommended upper limits for construction noise received in residential zones and dwellings in rural areas |
|-----------------|-----------------|-----------------|-----------------|-----------------|
| Time of week    | Time period     | Duration of work | Typical duration (dBA) | Short-term duration (dBA) | Long-term duration (dBA) |
|                 |                 |                 | Leq               | Lmax               | Leq               | Lmax               |
| Weekdays        | 0630-0730       | 60              | 75               | 65                 | 75                 | 55                 | 75                 |
|                 | 0730-1800       | 75              | 90               | 80                 | 95                 | 70                 | 85                 |
|                 | 1800-2000       | 70              | 85               | 75                 | 90                 | 65                 | 80                 |
|                 | 2000-0630       | 45              | 75               | 45                 | 75                 | 45                 | 75                 |
| Saturdays       | 0630-0730       | 45              | 75               | 45                 | 75                 | 45                 | 75                 |
|                 | 0730-1800       | 75              | 90               | 80                 | 95                 | 70                 | 85                 |
|                 | 1800-2000       | 45              | 75               | 45                 | 75                 | 45                 | 75                 |
|                 | 2000-0630       | 45              | 75               | 45                 | 75                 | 45                 | 75                 |
|                 | 0630-0730       | 45              | 75               | 45                 | 75                 | 45                 | 75                 |
Sundays and public holidays

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<td>Sundays</td>
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<td>Public holidays</td>
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60. Where works on the site are creating vibrations, that in the opinion of the Team Leader Compliance Monitoring North constitute an unreasonable disturbance beyond the boundaries of the subject site, the consent holder shall cease works until a suitably qualified expert has been engaged to undertake monitoring of the works and provide confirmation that peak particle velocities measured on any foundation or uppermost full storey of any building not located on the subject site, do not exceed the limits set out in Table 1 of German Standard DIN 4150 Part 3:1986 “Structural Vibration in Buildings – Effects on Structures.

Maintain Access to Site

61. There shall be no obstruction of access to public footpaths, berms, private properties, public services/utilities, or public reserves resulting from the earthworks activity. All materials and equipment shall be stored within the subject site’s boundaries.

Dust Nuisance

62. The consent holder shall ensure that during earthworks all necessary action shall be taken to prevent dust generation and sufficient water shall be available to dampen exposed soil, and/or other dust suppressing measures shall be available to avoid dust formation. The consent holder shall ensure that dust management during the excavation works generally complies with the Good Practice Guide for Assessing and Managing Dust (Ministry for the Environment 2016).

Prevent Damage to Assets or Property

63. There shall be no damage to public roads, footpaths, berms, kerbs, drains, reserves or other public asset as a result of the earthworks activity. In the event that such damage does occur, the Team Leader, Compliance Monitoring North shall 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 North on monitoring@aucklandcouncil.govt.nz and/or 09 484 8041.

Quality of Fill

64. All imported fill used shall:

a. be solid material of a stable, inert nature and
b. not contain contaminants and  
c. not be subject to biological breakdown  

**Advice Note:**  
In addition to the characteristics for imported fill outlined in Condition 64, please refer to the relevant New Zealand Standard [e.g. NZS 4431:1989 ‘Code Of Practice for Earth Fill for Residential Development’] to ensure that all fill used is of an acceptable engineering standard.  

Background contamination levels for the site receiving clean fill can be found in the Auckland Regional Council, Technical Publication No. 153, Background concentrations of inorganic elements in soils from the Auckland Regional (2001).  

65. The construction of permanent earth bunds, retaining walls and building foundations and the placement and compaction of fill material, excavation or land remediation works shall be supervised by a suitably qualified engineering professional. In supervising the works, the suitably qualified engineering professional shall ensure that they are constructed and otherwise completed in accordance with the Geotechnical Investigation Report by CMW Geosciences (NZ) Ltd reference AKL2016_0639AC Rev.0 dated 29 March 2017, the Geotechnical Review of the Updated Scheme Plans by CMW Geosciences (NZ) Ltd reference AKL2018_0083AB Rev.4 dated 27 November 2018, the Retaining Wall Deflection & Settlement Analysis by Initia Geotechnical Specialists Ltd reference P-000625 dated 14 June 2019 and the Auckland Council Code of Practice for Land Development and Subdivision Section 2, Earthworks and Geotechnical Requirements Version 1.6 24 September 2013.  

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

67. Within 20 working days following the completion of earthworks, the suitably qualified engineering professional responsible for supervising the works shall provide to the Development Engineer a Geotechnical Completion Report in general accordance with the reporting standards set out in Section 2 of the Auckland Council Code of Practice.  

**Review Condition (Landuse Consent as it relates to Earthworks LUC60331333)**  
68. The conditions of this consent may be reviewed by the Auckland Council pursuant to Section 128 of the Resource Management Act 1991, (with the costs of the review process being borne by the Consent Holder), by giving notice pursuant to Section 129 of the Act, in one or more of the following times:  
- within one year of commencement of the earthworks; and/or  
- at yearly intervals after that time.  

The purpose of the review may be for any of the following purposes, namely:  

a) To deal with any adverse effect on the environment which may arise from the exercise of the consent or is contributed to by the exercise of the consent, or is found appropriate to deal with at a later stage, and in particular but without limiting the ambit of this clause to:  
   i. insert conditions, or modify existing conditions, to require the Consent Holder to
identify the character or nature of any discharges authorised by this Consent and to report the results of that monitoring to the Auckland Council; and/or

ii. insert conditions, or modify existing conditions to require the Consent Holder to monitor the effects of the earthworks authorised by this Consent on the local receiving environment and to report the results of that monitoring to the Auckland Council;

b) Insert conditions, or modify existing conditions, requiring the Consent Holder to adopt the Best Practicable Option to remedy, mitigate or minimise any adverse effects on the environment resulting from the earthworks authorised by this consent, including remediing or mitigating any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage.

Specific conditions – streamworks consent LUS60331337

69. Resource consent LUS60331337 shall expire 35 years from the date of issue (23 March 2055) unless it has lapsed, been surrendered or cancelled at an earlier date pursuant to the RMA.

70. Prior to any streamworks commencing at the subject site, 473 Albany Hwy, the consent holder shall have draft land covenants, prepared under section 108(2)(d) of the RMA covering the legal protection and ongoing maintenance of the offset planting for registration on the existing Certificates of Title at both the subject site, 473 Albany Hwy, Albany, Sec 1 SO 456618; and the Offset Site, 1350 Dairy Flat Highway, Pt Allot 189 So 1118A, and Lot 15 DP 65979 Dairy Flat Highway.

The covenant shall:

• Provide for the ongoing management and protection of enhancement offset planting required for all current and future owners; and:
  ▪ Shall not (without the prior written consent of the Council and then only in strict compliance with any conditions imposed by the Council) cut down, damage or destroy, or permit the cutting down, damage or destruction of the vegetation or wildlife habitats within the areas to be protected
  ▪ Shall preserve in perpetuity the indigenous flora and fauna, wildlife habitats and the natural landscape within the areas of indigenous vegetation
  ▪ Shall maintain the protected area free from earthworks or land modification
  ▪ Shall control all pest plants and pest animals within the areas to be protected, in accordance with but not limited to the approved Pest Plant and Pest Animal Control Plan
• Shall be drafted by the council’s nominated Solicitor at the consent holder’s cost; and
• Shall be registered against the Computer Register(s) (certificate(s) of title) to the affected land by the consent holder at their cost; and
• Shall require the consent holder to:
  ▪ be responsible for all legal fees, disbursements and other expenses incurred by the council in connection with the covenant, and procure its solicitor to give an undertaking to the council for payment of the same; and
  ▪ indemnify the council for costs, fees, disbursements and other expenses
incurred by the council as a direct or indirect result of the council being a party to this covenant.

The draft covenants shall be submitted to Auckland Council, Team Leader - Compliance Monitoring North for approval prior to being registered. The covenants shall be registered against the respective Certificates of Title within one month of obtaining Council approval and a copy of the updated Certificates of Title shall be provided to the Team Leader – Compliance Monitoring North.

71. Prior to streamworks commencing, a final **Offset and Enhancement Plan** shall be prepared and submitted to the Team Leader – Compliance Monitoring North. No streamworks activity on the subject site shall commence until confirmation from Team Leader – Compliance Monitoring North is provided that the Offset and Enhancement Plan is satisfactory. The Offset and Enhancement Plan shall be in general accordance with the Assessment of Ecological Effects addendum, titled: *473 Albany Highway, Auckland - Redesign Addendum and Request for information (RFI)*, by Tonkin & Taylor Ltd, dated 6 December 2019, referred to through **condition 1**. This plan shall be prepared in accordance with TP148 and include but not be limited to:

- Details the offset and enhancement measures over a stream length of no less than 80m (1,600m² riparian margin) of the remaining channel on site identified as Watercourse C; 35m (700m² riparian margin) of the remaining channel identified as Watercourse A, and 240m (4,800m² riparian margin) of the stream channel identified as the Offset Site (1350 Dairy Flat Hwy);
- Site preparation details;
- Pest plant and animal control methodologies;
- Plant species, numbers and densities to be planted;
- Planting methodologies;
- Eco-sourcing details;
- Annual planting maintenance details; and
- Confirmation that animal pest management and maintenance measures as required by the final Offset and Enhancement Plan, shall be implemented for a period of no less than 5 years or until 90% canopy closure of the riparian planting is achieved. The 5-year period shall commence once all the offset (planting) works have been completed.

**Advice Note:** the offset measures include both the terrestrial and streamworks components of the required offsetting.

72. The offset and enhancement measures outlined in the Assessment of Environmental Effects, including the Redesign Addendum referred to under condition 1, shall be undertaken within the first planting season (between May and August) following the initial reclamation of any stream channel on the subject site.

73. Written confirmation in the form of an offset and enhancement measures report, shall be provided to the Team Leader – Compliance Monitoring North, within **60 days** of completion, confirming that the offset and enhancement measures have been completed in accordance with the Offset and Enhancement Plan referred to under condition 71 above.

**Planting Bond**
74. Once Council has approved the completion of the enhancement offset planting (terrestrial),
the consent holder may enter into a surety bond being of the cost of replacing the planting
and 5yrs maintenance. The value of this bond shall be to the satisfaction of the Council’s
Team Leader, Compliance Monitoring North. The purpose of the bond is to ensure a
minimum survival rate of the plants to 90% of the original density and 80% canopy closure
through the entire enhancement offset planting area(s).

75. No machinery shall enter the wetted cross section of the bed of the stream at any time. All
machinery associated with the streamworks activity shall be operated (including
maintenance, lubrication and refuelling) in a way, which ensures no hazardous substances
such as fuel, oil or similar contaminants are discharged. If any discharge occurs, works
shall cease immediately, and the discharge shall be mitigated and/or rectified to the
satisfaction of the Team Leader – Compliance Monitoring North.

Advice Note: Refuelling, lubrication and maintenance activities associated with any
machinery should be carried out away from any water body with appropriate methods in
place so if any spillage does occur that it will be contained and does not enter the water
body.

76. Prior to the commencement of any streamworks activities authorised by the granting of this
consent, a **Native Fish Capture and Relocation Plan** shall be prepared by a suitably
qualified freshwater ecologist for written approval by the Team Leader – Compliance
Monitoring North. The Native Fish Capture and Relocation Plan shall include details of how
any native fish will be captured and relocated ahead of any physical streamworks
commencing. Streamworks shall not commence until written comment from the Team
Leader is provided confirming its suitability.

77. Stream reclamation shall only be carried out after native fish capture and relocation has
been undertaken in accordance with the approved Native Fish Capture and Relocation Plan
referred to under condition 76 above.

78. A suitably qualified freshwater ecologist shall conduct the native fish capture and relocation
as per the approved Native Fish Capture and Relocation Plan and be on site during the
dewatering of any stream channels to rescue and relocate any fish present.

79. Prior to the commencement of any streamworks activities authorised by the granting of this
consent, a finalised streamworks methodology plan shall be provided for approval by the
Team Leader – Compliance Monitoring North. No streamworks shall be undertaken until
confirmation has been provided by the Team Leader confirming the suitability of the
streamworks methodology. The streamworks methodology shall be in general accordance
with GD05 and the documents referred to under condition 1 above and may be included in
the ESCP required by condition 45. Streamworks methodologies refer to reclamation
procedures and / or any stream diversion requirements associated with outfall installations.

80. The consent holder shall provide within one month of completion of the works that all
covenants, management plans and planting required by conditions 71-80 have been
implemented to the satisfaction of Team Leader – Compliance Monitoring North.

81. During any periods of flow greater than the capacity of the diversion(s) referred to under
condition 79 above, a stabilised flow path, in accordance with GD05, shall be provided. Any
stabilised flow path shall be designed and implemented to ensure:

- No scour or erosion occurs.
• No sediment is generated or discharged to any freshwater receiving environment.

Specific conditions – stormwater discharge permit DIS60331334

Duration

82. Stormwater diversion and discharge permit DIS60331335 shall expire on 28 January 2055 unless it has lapsed, been surrendered or been cancelled at an earlier date pursuant to the RMA.

Stormwater works

83. The following stormwater management works shall be constructed for the following catchment areas and design standards and they are completed prior to construction of further impervious surfaces.

<table>
<thead>
<tr>
<th>Works to be undertaken</th>
<th>Catchment area</th>
<th>Design guideline(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dual purpose rain tanks</td>
<td>All individual building roof impervious areas</td>
<td>5mm retention through the reuse</td>
</tr>
<tr>
<td>Bio - retention rain garden X 38</td>
<td>Contributing Carriageway catchment areas between 430m² – 1678m²</td>
<td>GD01</td>
</tr>
<tr>
<td>Swale</td>
<td>All catchment OLF</td>
<td>Auckland Council Code of Practice/ Chapter 4 To convey 100 Year ARI storm event</td>
</tr>
<tr>
<td>Outlets x 3</td>
<td>All impervious areas</td>
<td>Erosion protection measures to minimise scour and erosion potential. 450 – 500mm dimeter rock score protection around scruffy dome bubble up outlet in accordance with Auckland Council TR2013/018. Wing wall rock rip-rap structure in accordance with Auckland Council TR2013/018</td>
</tr>
<tr>
<td>Outlet X 1 (swale)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roof Material</td>
<td>All roofs</td>
<td>No exposed unpainted metal surfaces</td>
</tr>
</tbody>
</table>

Modifications approval

84. In the event that any 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 affect the capacity or performance of the stormwater management system.

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

Advice Note:

All proposed changes must be discussed with the Team Leader Compliance Monitoring North, prior to implementation. Any changes to the proposal which will affect the capacity or performance of the stormwater management system will require an application to Council pursuant to Section 127 of the RMA.

Pre-construction meeting for Stormwater works.

85. A pre-construction meeting shall be held by the consent holder, prior to commencement of the construction of any stormwater work onsite, that:

a) is arranged five working days prior to initiation of any stormwater work on the site;
b) is located on the subject area;
c) includes representation from the Team Leader Compliance Monitoring North West; and
d) includes representation from the site stormwater engineer or contractors who will undertake the works and any other relevant parties

Advice Note:

To arrange the pre-construction meeting required by this consent, please contact the Team Leader Compliance Monitoring North.

Information required for Pre-construction meeting

86. The following information shall be made available prior to, or at the pre-construction meeting:

a) timeframes for key stages of the works authorised under this consent;
b) contact details of the site contractor and site stormwater engineer; and
c) construction plans approved (signed/stamped) by an Auckland Council Development Engineer.

Post-construction meeting

87. 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 Compliance Monitoring North West; and
c) includes representation from the site stormwater engineer or 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 Compliance Monitoring North.

Certification of stormwater management works (As-Built Plans)

88. As-Built certification and plans of the stormwater management works, which are certified
(signed) by a suitably qualified registered surveyor as a true record of the stormwater management system, shall be provided to the Team Leader Compliance Monitoring North for approval.

Contents of As-Built Plans

89. As-Built Plans shall be provided to the Team Leader Compliance Monitoring North 5 working days prior to the post-construction meeting required by this consent.

The As-Built plans shall display the entirety of the stormwater management system, and shall include:

a) the surveyed location (to the nearest 0.1m) and level (to the nearest 0.01m) of the discharge structure, with co-ordinates expressed in terms of NZTM and LINZ datum;

b) documentation of any discrepancies between the design plans and the As-Built plans approved by the Modifications Approval condition.

Operation and Maintenance Plan

90. An Operation and Maintenance Plan shall be provided to the Team Leader Compliance Monitoring North West 5 working days prior to the post-construction meeting required by this consent.

The Operation and Maintenance Plan shall set out how the stormwater management system is to be operated and maintained to ensure that adverse environmental effects are minimised. The plan shall include:

a) details of who will hold responsibility for long-term maintenance of the stormwater management system and the organisational structure which will support this process;

b) a programme for regular maintenance and inspection of the stormwater management system;

c) a programme for the collection and disposal of debris and sediment collected by the stormwater management devices or practices;

d) a programme for post storm inspection and maintenance;

e) general inspection checklists for all aspects of the stormwater management system.

Operation and Maintenance Plan Implementation

91. The stormwater management system shall be managed in accordance with the approved Operation and Maintenance Plan.

Amendments to the Operation and Maintenance Plan

92. Any amendments or alterations to the Operation and Maintenance Plan shall be submitted to, and approved by the Team Leader Compliance Monitoring North West, in writing prior to implementation.

The Operation and Maintenance Plan shall be updated and submitted to the Team Leader Compliance Monitoring North West for approval, upon request.

Maintenance Responsibility

93. At the time of issue of the Certificates of Title for all lots on site, a Covenant or other legal instrument to the satisfaction of the Team Leader Compliance Monitoring North shall be registered on the titles of all Lots, requiring that:
a) Dual purpose rain tanks sized for the impervious areas runoff shall be designed and constructed to achieve hydrology mitigation.

b) The bio retention rain gardens shall be maintained by a Body Corporate, Resident’s Association or similar to ensure the devices continue to operate as a stormwater management device.

**Maintenance Report**

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

A maintenance report shall be provided to the Team Leader Compliance Monitoring North West on request.

**Contents of Maintenance Report**

95. The maintenance report shall include the following information:

a) details of who is responsible for maintenance of the stormwater management system and the organisational structure supporting this process;

b) details of any maintenance undertaken; and

c) details of any inspections completed.

**Review Condition (Stormwater discharge permit DIS60331334)**

96. The conditions of this consent may be reviewed by the Auckland Council pursuant to Section 128 of the Resource Management Act 1991, (with the costs of the review process being borne by the Consent Holder), by giving notice pursuant to Section 129 of the Act, in one or more of the following times:

- within one year of construction of the stormwater works; and/or
- at five yearly intervals after that time.

The purpose of the review may be for any of the following purposes, namely:

1. To deal with any adverse effect on the environment which may arise from the exercise of the consent or is contributed to by the exercise of the consent, or is found appropriate to deal with at a later stage, and in particular but without limiting the ambit of this clause to:

   a. insert conditions, or modify existing conditions, to require the Consent Holder to identify the character or nature of any discharges authorised by this Consent and to report the results of that monitoring to the Auckland Council; and/or

   b. insert conditions, or modify existing conditions to require the Consent Holder to monitor the effects of any discharges authorised by this Consent on the local receiving environment and to report the results of that monitoring to the Auckland Council;

2. Insert conditions, or modify existing conditions, requiring the Consent Holder to adopt the Best Practicable Option to remedy, mitigate or minimise any adverse effects on the environment resulting from the discharges authorised by this consent, including remediying or mitigating any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage.

**Specific conditions – Groundwater Permit WAT60331358**
Definitions

Words in the dewatering conditions have specific meanings as outlined in the table below.

<table>
<thead>
<tr>
<th>Bulk Excavation</th>
<th>Includes all excavation that affects groundwater excluding minor enabling works, ground beams and piling less than 1.5m in diameter.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commencement of Dewatering</td>
<td>Means commencement of Bulk Excavation and/or the commencement of the taking of groundwater, other than for initial state monitoring purposes.</td>
</tr>
<tr>
<td>Completion of Dewatering</td>
<td>Means, in the case of a drained building or structure, the stage the structures external and internal support mechanisms, including basement floors have been completed, the permanent drainage system(s) are in place and no further groundwater is being taken for the construction of the basement.</td>
</tr>
<tr>
<td>Commencement of Excavation</td>
<td>Means commencement of Bulk Excavation or excavation to create perimeter walls.</td>
</tr>
<tr>
<td>Completion of Construction</td>
<td>Means when the Code Compliance Certificate (CCC) is issued by Auckland Council</td>
</tr>
<tr>
<td>Completion of Excavation</td>
<td>Means the stage when all Bulk Excavation has been completed and all foundation/footing excavations within 10 meters of the perimeter retaining wall have been completed.</td>
</tr>
<tr>
<td>Damage</td>
<td>Includes Aesthetic, Serviceability, Stability, but does not include Negligible Damage. Damage as described in the table below.</td>
</tr>
<tr>
<td>RL</td>
<td>Means Reduced Level.</td>
</tr>
<tr>
<td>Seasonal Low Groundwater Level</td>
<td>Means the annual lowest groundwater level – which typically occurs in summer.</td>
</tr>
<tr>
<td>Services</td>
<td>Include fibre optic cables, sanitary drainage, stormwater drainage, gas and water mains, power and telephone installations and infrastructure, road infrastructure assets such as footpaths, kerbs, catch-pits, pavements and street furniture.</td>
</tr>
<tr>
<td>SQEP</td>
<td>Means Suitably Qualified Engineering Professional</td>
</tr>
<tr>
<td>SQBS</td>
<td>Means Suitably Qualified Building Surveyor</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Category of Damage</th>
<th>Normal Degree of Severity</th>
<th>Description of Typical Damage</th>
<th>General Category</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td><em>(Building Damage Classification after Burland (1995), and Mair et al (1996))</em></td>
<td></td>
</tr>
</tbody>
</table>
Table 1: Building Damage Classification

<table>
<thead>
<tr>
<th>Level</th>
<th>Category</th>
<th>Typical Damage</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>Negligible</td>
<td>Hairline cracks.</td>
</tr>
<tr>
<td>1</td>
<td>Very Slight</td>
<td>Fine cracks easily treated during normal redecoration. Perhaps isolated slight fracture in building. Cracks in exterior visible upon close inspection. Typical crack widths up to 1 mm.</td>
</tr>
<tr>
<td>2</td>
<td>Slight</td>
<td>Cracks easily filled. Redecoration probably required. Several slight fractures inside building. Exterior cracks visible, some repainting may be required for weather-tightness. Doors and windows may stick slightly. Typically crack widths up to 5 mm.</td>
</tr>
<tr>
<td>3</td>
<td>Moderate</td>
<td>Cracks may require cutting out and patching. Recurrent cracks can be masked by suitable linings. Brick pointing and possible replacement of a small amount of exterior brickwork may be required. Doors and windows sticking. Utility services may be interrupted. Weather tightness often impaired. Typical crack widths are 5 mm to 15 mm or several</td>
</tr>
<tr>
<td>4</td>
<td>Severe</td>
<td>Extensive repair involving removal and replacement of walls especially over door and windows required. Window and door frames distorted. Floor slopes noticeably. Walls lean or bulge noticeably. Some loss of bearing in beams. Utility services disrupted. Typical crack widths are 15 mm to 25 mm but also</td>
</tr>
<tr>
<td>5</td>
<td>Very Severe</td>
<td>Major repair required involving partial or complete reconstruction. Beams lose bearing, walls lean badly and require shoring. Windows broken by distortion. Danger of instability. Typical crack widths are greater than 25 mm but depend on the number of cracks.</td>
</tr>
</tbody>
</table>

**Advice Note:** In the table above the column headed “Description of Typical Damage” applies to masonry buildings only and the column headed “General Category” applies to all buildings.

**Activity in accordance with plans**

97. The taking (dewatering) of groundwater associated with the proposed development allow the excavation for proposed basement and retaining walls construction 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 WAT60331358 including:


Duration of the consent
98. The groundwater take (dewatering) consent WAT60344895 shall expire on 28 Feb. 2055 unless it has lapsed, been surrendered or been cancelled at an earlier date pursuant to the RMA.

Ground Dewatering (Take) Conditions

Notice of Commencement of Dewatering
99. The Team Leader Compliance Monitoring North shall be advised in writing at least 10 working days prior to the date of the Commencement of Dewatering.

Design of building platforms and retaining walls

Excavation Limit
101. The Bulk Excavation shall not extend levels below:
   • RL 6.9m for B1, Apartment A basement.
   • RL 8.2m for B6, Apartment D basement.
   • RL 11.7m for B9, Apartment E basement.

Performance Standards

Damage Avoidance
102. All excavation, dewatering systems, retaining structures, basements and works associated with the taking of groundwater, shall be designed, constructed and maintained so as to avoid Damage to buildings, structures and Services on the site or adjacent properties, outside that considered as part of the application process unless otherwise agreed in writing with the asset owner.

Contingency Action
103. If the Consent Holder becomes aware of any Damage to buildings, structures or Services potentially caused wholly, or in part, by the exercise of this consent, the consent holder shall:

(a) Notify the Team Leader Compliance Monitoring North and the asset owner within five working days of the Consent Holder becoming aware of the Damage.

(b) Provide a report prepared by a SQEP (engaged by the Consent Holder at their cost) that describes the Damage; identifies the cause of the Damage; identifies methods to remedy and/or mitigate the Damage that has been caused; identifies the potential for further Damage to occur, and describes actions that will be taken to avoid further Damage.

(c) Provide a copy of the report prepared under (b) above, to the Team Leader Compliance Monitoring North and the asset owner within 10 working days of notification under (a) above.

Advice Note:

It is anticipated the Consent Holder will seek the permission of the damaged asset to access the property and asset to enable the inspection/investigation. It is understood that if access is denied the report will be of limited extent.

Notice of Completion

104. The Team Leader Compliance Monitoring North shall be advised in writing within 10 working days of when excavation and dewatering has been completed.

Permanent Drainage

105. After Completion of Construction, any permanent backfill or drainage systems installed behind retaining walls shall not cause groundwater levels adjacent to the site to be reduced below the calculated design levels.

Groundwater Maintenance Program

106. At the Completion of Dewatering, the Team Leader Compliance Monitoring North shall be provided with a maintenance program for any permanent groundwater drainage system used to manage groundwater levels.

These Advice notes apply to all consents

1. Any reference to number of days within this decision refers to working days as defined in s2 of the RMA.

2. For the purpose of compliance with the conditions of consent, “the council” refers to the council’s monitoring inspector unless otherwise specified. Please email monitoring@aucklandcouncil.govt.nz to identify your allocated officer.

3. For more information on the resource consent process with Auckland Council see the council’s website: www.aucklandcouncil.govt.nz. General information on resource consents, including making an application to vary or cancel consent conditions can be found on the Ministry for the Environment’s website: www.mfe.govt.nz.

4. If you disagree with any of the above conditions, and/or disagree with the additional charges relating to the processing of the application(s), you have a right of objection pursuant to sections 357A and/or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of your receipt of this decision (for
5. The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.

6. It is the responsibility of the consent holder to ensure that all necessary building consents have been obtained, and that these are consistent with the plans and information approved as part of this consent. Building consents are needed as required by the Building Act 2004, including for private wastewater and stormwater works and stormwater mitigation devices.

7. This development is situated within 5m, or over, a public drain and, as such, may require the Council drains to be re-laid around the proposed building(s) and may require special foundations may need to be designed and presented for the approval of Council with the building consent application. In respect of wastewater drains which are part of the Watercare Services Ltd network, their website www.watercare.co.nz provides further advice, contacts and forms.

8. An operation and maintenance manual will be required for all stormwater management devices as part of building consent or Engineering approval conditions and an entry in Council’s records for the site will be made regarding the stormwater device and the manual.

9. Council will record Overland flow path information against the site address.

10. The consent holder will be responsible for ensuring all necessary permits, such as Corridor Access Requests (CAR) permits for [specify aspect of the development], are obtained from Auckland Transport. See Auckland Transport’s website www.aucklandtransport.govt.nz for more information.

Delegated decision maker:

Name: Bernie Warmington
Title: Principal Project Lead
Premium Resource Consents

Signed: 

Date: 23 March 2020
Decision on an application for resource consents under the Resource Management Act 1991

Decision two – Discretionary activity subdivision consent

Application number: SUB60331334 (s11 subdivision consent)
Applicant: Albany Estate Limited
Site address: 461 and 473 Albany Highway, Albany
Legal description: Sec 1 SO 456618
Pt Allot 26 Parish of Paremoremo

Proposal:
To undertake a staged subdivision of the site with associated earthworks and reclamation of stream to enable future residential development (and subdivision) to occur which includes 2 new roads, vacant residential lots, vacant super-lots, reserves, land to be vested in lieu of reserve, pedestrian accessways, esplanade top-up and subdivision around the approved landuse consent LUC60331333.

Resource consent is required for the following reason:

Subdivision consent (s11) - SUB60331334

Auckland Unitary Plan (Operative in part)

- The proposal involves a reduction or waiver of esplanade reserves, thereby requiring consent as a restricted discretionary activity pursuant to rule E38.4.1 (A10).

- The proposal involves subdivision of land within the 1 per cent annual exceedance probability floodplain, thereby requiring consent as a restricted discretionary activity pursuant to rule E38.4.1 (A11).

- The proposal involves subdivision in accordance with an approved land use resource consent complying with Standard E38.8.2.1 (compliance with the land use consent), thereby requiring consent as a restricted discretionary activity pursuant to rule E38.4.2(A14).

- The proposal involves subdivision around existing buildings and development complying with Standard E38.8.2.2, thereby requiring consent as a restricted discretionary activity pursuant to rule E38.4.2(A15).

- The proposal involves vacant sites subdivision involving parent sites of 1ha or greater complying with Standard E38.8.3, thereby requiring consent as a discretionary activity pursuant to rule E38.4.2 (A18).
The proposal involves subdivision listed in activity table E38.4.1 not meeting Standard E38.8.1.1(1) Site shape factor in residential zones, as Lots 303-306 do not comply with Standard E27.6.4.4(3) Gradient of vehicle access, thereby requiring consent as a discretionary activity pursuant to rule E38.4.1 (A31).

Decision

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

Acting under delegated authority, under sections 104, 104B, 106 and Part 2 of the RMA, the resource consent is GRANTED.

Reasons

The reasons for this decision are:

1. In accordance with an assessment under ss104(1)(a) and (ab) of the RMA the actual and potential effects from the proposal will be acceptable as:
   - The layout of the proposed subdivision and site works including the proposed staging is keeping with the anticipated future subdivision land pattern (including its amenity values and character) on the subject land and within the Albany 9 Sub-Precinct C. The proposed layout of the subdivision and block arrangement will provide a street layout, and the block configuration and lot sizes that are appropriate for the location.
   - The proposed subdivision layout including road locations responds to the various site constraints, including the site topography and servicing. The incorporation of JOAL’s enables a reduction of the number vehicle crossings which in turn creates the opportunity for dwellings to provide frontage to the proposed roads and create additional streetscape interaction.
   - The shape and size of the new lots which contain residential dwellings (terrace houses, duplex and detached dwellings) will be around the proposed dwellings already considered as part of the land use aspect of this proposal with each considered to be aligned with the intended outcomes of the Residential Mixed Housing Suburban zone, in terms of built form, scale and intensity of development.
   - The vacant residential lots (Lots 1-10, Lots 13-16 and Lots 23-25) are all of a size that can accommodate a dwelling in a manner that is anticipated in this location.
   - The shape and size of the vacant super-lots (Lots 205, 304, 305, 401, 402, and 801) will provide a future land use pattern that enables future development and subdivision to occur in a manner that is compatible with the anticipated site sizes and the future planned character.
   - The proposed super-lots are considered to be of a shape, size and intensity which are consistent with the lot sizes anticipated in this locale and will not compromise the amenity and character of the surrounding environment.
   - The proposed road layout and alignment enables visual connections to the Fernhill escarpment and appreciation from within.
• Lots 701-702 will provide access lanes (to be vested in AT) and the location of these will provide an appropriate connection from the road to Albany Highway centrally on the site.

• The proposed subdivision layout also creates a pedestrian lane between Albany Highway to Brookfield Park which will provide additional pedestrian/ cycle opportunities and linkages through the site.

• Lot 802 will provide a 3,000m² recreation reserve located immediately adjacent to the northern road connection which has been reviewed and confirmed to be acceptable by Auckland Council Parks. This reserve will meet the minimum size, location and functionally requirements to be accepted as an acquisition as a high priority acquisition as it meets community needs, both now and in the future. The proposed park will meet the day-to-day recreational needs of the future residents as well as provide recreational opportunities for the wider community.

• Whist the proposal will not provide the full 20m in all locations, the applicant has demonstrated that the proposal will provide compensation for this, the application proposes a dedicated publicly accessible shared pathway (pedestrian/cycle link) (Lot 704) along the western edge of Days Bridge Esplanade Reserve. In addition to this, the application proposes a dedicated publicly accessible shared pathway (pedestrian/cycle link) (Lot 704) along the western edge of Days Bridge Esplanade Reserve. Additionally, provision is also made for public access within the retirement village area in the south of the site, so that continuous public access for walking and cycling is provided for through the entire development site.

• The proposed design approach including the waiver of some esplanade reserve width top-ups is acceptable with the proposed connections reflecting those anticipated in the Upper Harbour Greenways Plan, Focus Area 1, adopted in August 2019. The pathway increases public accessibility to other nearby reserves such as Fernhill Escarpment and that this provides increased permeability and passive surveillance opportunities within the development site.

• The proposed staged subdivision will create new local roads to vest in Council. These are identified as Lots 501 and 502 on the Scheme Plan. Nine Common Access Lots (laneways) labelled as Lot 601, 02, 603, 604, 605, 606, 607, 607, 608 and 609 proposed. The proposed subdivision will provide the road layout for this part of the Albany 9 sub precinct C in a staged manner and provides a clear and legible road layout and road hierarchy in a manner that is acceptable by Auckland Transport and . The proposed road layout and connectivity has been reviewed by Auckland Council Urban Designer, who has confirmed that the proposal achieves a well-connected road network and an appropriate urban design response in terms of providing pedestrian and cycle connectivity and a well-connected neighbourhood.

• Council’s Traffic Engineer’s review of the road design and layout has confirmed this provides an appropriate road layout and design that can be undertaken in a manner that does not adversely affect the safe and efficient operation of the surrounding road network or result in adverse traffic generation.

• The proposed subdivision can be appropriately serviced by the public infrastructure delivered by that consent. The Council’s Development Engineer has reviewed the
proposal and has confirmed that these consents can be granted subject to standard subdivision completion conditions. As such, any adverse effects on public infrastructure are considered to be appropriate.

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 relevant objectives, policies the Auckland Unitary Plan (Operative in Part) as it relates to subdivision in urban areas and the Residential: Mixed Housing Urban zone provisions. The proposal will provide for a subdivision in a manner that is anticipated in this location and that will maintain an appropriate level of amenity and which can be appropriately serviced by public infrastructure.

3. In terms of s106 of the RMA the proposed subdivision will not be subject to material damage by erosion, falling debris, subsidence, slippage or inundation from any source and sufficient provision has been made for legal and physical access to each allotment.

4. In the context of this discretionary activity subdivision, where the objectives and policies of the relevant statutory documents were prepared having regard to Part 2 of the RMA, they capture all relevant planning considerations and contain a coherent set of policies designed to achieve clear environmental outcomes. They also provide a clear framework for assessing all relevant potential effects and there is no need to go beyond the relevant provisions of the planning documents and look to Part 2 in making this decision as an assessment against Part 2 would not add anything to the evaluative exercise.

5. Overall, the proposal meets the provision set out in section 104 and 106 of the RMA and is acceptable.

Conditions

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

General conditions

1. This subdivision consent shall be carried out in accordance with the documents and drawings and all supporting additional information submitted with the application, detailed below, and all referenced by the council as resource consent number SUB60331334.

   - Application Form and Assessment of Environmental Effects prepared by Woods V1.9 dated 10.10.2019

<table>
<thead>
<tr>
<th>Report title and reference</th>
<th>Author</th>
<th>Rev</th>
<th>Dated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geotechnical Investigation Report</td>
<td>CMW Geosciences (NZ) Ltd</td>
<td>0</td>
<td>29/03/17</td>
</tr>
<tr>
<td>Geotechnical Review of Updated Scheme Plans</td>
<td>CMW Geosciences (NZ) Ltd</td>
<td>4</td>
<td>27/11/18</td>
</tr>
<tr>
<td>Retaining Wall Deflection &amp; Settlement Analysis</td>
<td>Initia Geotechnical Specialists</td>
<td></td>
<td>14/06/19</td>
</tr>
<tr>
<td>Infrastructure Report</td>
<td>Woods</td>
<td>V2</td>
<td>10/10/19</td>
</tr>
<tr>
<td>Drawing title and reference</td>
<td>Author</td>
<td>Rev</td>
<td>Dated</td>
</tr>
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</tr>
<tr>
<td>Overall Development Proposed Subdivision of Part Allotment 26 Parish of Paremoremo and Section 1 SO 456618 001-SC-B</td>
<td>Woods</td>
<td>4</td>
<td>27/11/2019</td>
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<tr>
<td>Overall Development Proposed Subdivision of Part Allotment 26 Parish of Paremoremo and Section 1 SO 456618 002-SC</td>
<td>Woods</td>
<td>4</td>
<td>27/11/2019</td>
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<tr>
<td>Overall Development Proposed Subdivision of Part Allotment 26 Parish of Paremoremo and Section 1 SO 456618 003-S</td>
<td>Woods</td>
<td>4</td>
<td>27/11/2019</td>
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<td>Woods</td>
<td>4</td>
<td>27/11/2019</td>
</tr>
<tr>
<td>Stage 1 Proposed Subdivision of Part Allotment 26 Parish of Paremoremo and Section 1 SO 456618 005-SC</td>
<td>Woods</td>
<td>4</td>
<td>27/11/2019</td>
</tr>
<tr>
<td>Stage 1 Proposed Subdivision of Part Allotment 26 Parish of Paremoremo and Section 1 SO 456618 006-SC</td>
<td>Woods</td>
<td>4</td>
<td>27/11/2019</td>
</tr>
<tr>
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<td>4</td>
<td>27/11/2019</td>
</tr>
<tr>
<td>Stage 1A1 Proposed Subdivision of Lot 901 from Stage 1 008-SC</td>
<td>Woods</td>
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Stage 2C Proposed Subdivision of Lot 903 from Stage 2 014-SC

Stage 2D Proposed Subdivision of Lot 904 from Stage 2 015-SC

Stage 2E Proposed Subdivision of Lot 905 from Stage 2 016-SC

Stage 2F Proposed Subdivision of Lot 906 from Stage 2 017-SC

Stage 2G Proposed Subdivision of Lot 909 from Stage 2 018-SC

Landscape Plan Set prepared by Greenwood Associates Rev B dated 10/12/2019
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### Drawing title and reference

**Roadway Lighting Plan – Isolux**

**Plots 10 Sheets (Drawings 1-10)**

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**Author**

Ibex

**Rev**

B

**Dated**

10/12/2019
Charges

2. The consent holder must, pursuant to section 36 of the Resource Management Act 1991, pay all administrative charges, being the Council’s actual and reasonable costs incurred in processing this application, to be charged as follows:

a) The consent holder must pay to the Council an administrative charge for the carrying out by the Council of its functions in relation to receiving, processing and granting this subdivision consent.

b) The consent holder must pay to the Council administrative charges for the carrying out by the Council of its functions in relation to the administration, monitoring and supervision of this consent.

c) The charges payable under (a) and (b) of this Condition must be paid upon receipt of invoice or interim invoice or before any request for a certificate under section 224(c) of the Resource Management Act.

Advice Note

The consent holder is advised that under section 134 of the Resource Management Act 1991 that where the land changes ownership the consent holder will continue to be responsible for processing costs until such time as written notice of authority is given to the Council.

3. Under section 125 of the RMA, this consent lapses ten years after the date it is granted unless:

a. A survey plan is submitted to council for approval under section 223 of the RMA before the consent lapses, and that plan is deposited within three years of the approval date in accordance with section 224 of the RMA; or

b. An application under section 125 of the RMA is made to the council before the consent lapses (ten years) to extend the period after which the consent lapses and the council grants an extension.

Staging

Staging of Consents

4. For the purposes of the s223 and s224 conditions set out below, the subdivision staging is proposed as follows:

Stage 1

The subdivision of parent site into super-lots, 17 vacant residential lots, esplanade reserve top-up and a road to vest as follows:

- Lot 901 – Stage 1A1
- Lot 907 – Stage 1A2
- Lot 9021 – Stage 1B
- Lot 9061 – Stage 1F
- Super-lots 401 and 801
- Lots 301, 302 and 303-Vacant super lots around approved apartments
- Lots 1-10, 13-16 and 23-25 as vacant freehold residential lots
- Lot 501 – Road to vest
Lot areas 1-7, I-8, I-10, I-11 - Esplanade reserve area “Top-up”
Lot 951 - Balance Lot for stage 2

Stage 1A1
The subdivision of Lot 901 (Created as part of Stage 1) into 8 freehold lots around the approved landuse consent LUC60331333 as follows:
  o Lots 11, 12 & 17-22

Stage 1A2
The subdivision of Lot 907 (Created as part of Stage 1) into 8 freehold lots around the approved landuse consent LUC60331333 as follows:
  o Lots 104-111

Stage 1B
The subdivision of Lot 9021 (Created as part of Stage 1) into 14 freehold lots and 2 JOAL’s around the approved landuse consent LUC60331333 as follows:
  o Lots 26-35 and Lots 42-45
  o Lot 601 (JOAL)
  o Lot 602 (JOAL)

Stage 1F
The subdivision of Lot 9061 (Created as part of Stage 1) into 5 freehold lots and 1 JOAL around the approved landuse consent LUC60331333 as follows:
  o Lots 151-155
  o Lot 608 (JOAL)

Stage 2
Subdivide Lot 951 (being the balanced lot created under stage 1) further into super lots and the creation of roads 1 (lot 502), reserve and pedestrian accessways.
  o Lot 9022 - Stage 2B
  o Lot 903 – Stage 2C
  o Lot 904 – Stage 2D
  o Lot 905 – Stage 2E
  o Lot 9062 – Stage 2F
  o Lot 909 – Stage 2G
  o Super lots 304, 305, and 402
  o Lots 306 -Vacant super lot around approved apartments
  o Lot 502 – (road to vest).
  o Lot 802 Land to be vested in lieu of reserve
  o Lots 703 and 704 pedestrian Accessway to vest
  o Lot areas I-2 & I-5-Esplanade reserve area “Top-up”
o  Creation of easement ZC over Lot 305 for public right of way

**Stage 2B**

The subdivision of Lot 9022 (Created as part of Stage 2) into 16 freehold lots, 1 JOAL and 2 Pedestrian Accessways to vest around the approved landuse consent LUC60331333 as follows:

- Lots 36-41 and Lots 46-55
- Lot 603 (JOAL)
- Lots 701 and 702 – Pedestrian Accessways to vest

**Stage 2C**

The subdivision of Lot 903 (Created as part of Stage 2) into 25 freehold lots and 1 JOAL around the approved landuse consent LUC60331333 as follows:

- Lots 56-80
- Lot 604 (JOAL)

**Stage 2D**

The subdivision of Lot 904 (Created as part of Stage 2) into 23 freehold lots and 1 JOAL around the approved landuse consent LUC60331333 as follows:

- Lots 81-103
- Lot 605 (JOAL)

**Stage 2E**

The subdivision of Lot 905 (Created as part of Stage 2) into 9 freehold lots and 1 JOAL around the approved landuse consent LUC60331333 as follows:

- Lots 112-120
- Lot 607 (JOAL)

**Stage 2F**

The subdivision of Lot 9062 (Created as part of Stage 2) into 30 freehold lots and 1 JOAL around the approved landuse consent LUC60331333 as follows:

- Lots 121-150
- Lot 609 (JOAL)

**Stage 2G**

The subdivision of Lot 909 (Created as part of Stage 2) into 18 freehold lots and 2 JOAL’s around the approved landuse consent LUC60331333 as follows:

- Lots 156-173
- Lot 606 (JOAL)
- Lot 610 (JOAL)

**Sequencing of Freehold Subdivision**

5. The subdivision sequencing shall be as follows:

- Stage 2 shall not be undertaken until stage 1 is complete.
• Stage 1A1, Stage 1A2, Stage 1B and Stage 1F shall not be undertaken until stage 1 is complete.

• Stage 2B, Stage 2C, Stage 2D, Stage 2E Stage 2F and Stage 2G shall not be undertaken until stage 2 is complete.

• Stage 1A1, Stage 1A2, Stage 1B and Stage 1F may be undertaken in any order.

• Stage 2B, Stage 2C, Stage 2D, Stage 2E, Stage 2F and Stage 2G may be undertaken in any order.

Survey plan approval (s223) conditions

These Conditions apply to each stage

6. The consent holder shall submit a survey plan for each stage in accordance with the approved resource consent subdivision plan. The survey plan shall show roads, pedestrian accessway to vest, esplanade reserves (top-up Lot areas I-2, I-5, 1-7, I-8, I-10, I-11), (land in lieu of reserve) and any easements, required by this subdivision consent.

7. The Survey Plan shall be in accordance with the following plans:

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8. Provide the following easements in a Memorandum of Easements endorsed on the survey plan. Include in the Section 223 approval on the plan, "subject to the granting or reserving of the easement(s) set out in the Memorandum hereon."

I. Drainage easements (drainage and water supply easements for private services that pass through adjacent lots to protect existing or proposed private drains and water supply mains)

II. Underground Services for electricity, telecommunications, computer media easements

III. Right of way easements

IV. Party wall easements

V. Easements in gross over Lots 302, 401 and 603 in favour of Auckland Council for pedestrian Right of Way

VI. Easements in Gross for Right to Drain Water (Overland Flowpath)

Road Naming

9. The consent holder shall liaise with Council to obtain road names in accordance with the council’s road naming convention for both public and private roads, common access lots and access strips that serve six or more lots within the subdivision and show on the Land Transfer Plan. The names shall be as approved by the council.

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

**These conditions apply to Stage 1 only**

10. The proposed public road shown as Lot 501 on the submitted scheme plan shall be vest in the Council as a public road. The consent holder shall meet all costs associated with the vesting of the road.

11. Lot areas I-7, I-8, I-10, I-11 shall be vest in Auckland Council as Local Purpose Reserve (Esplanade Reserve Top-up).

**These conditions apply to Stage 1B only**

Amalgamation Condition

12. Pursuant to Section 220(1)(iv) of the Act, provide for the following condition of amalgamation to be shown in the Section 223 approval on the survey plan:

- That Lot 601 (JOAL) be held as to six undivided one sixth (1/6th) shares by the owners of Lots 26-31 as tenants in common in the said shares and individual computer registers be issued in accordance therewith.

- That Lot 602 (JOAL) be held as to fourteen undivided one fourteenth (1/14th) shares by the owners of Lots 26-35 and Lots 42-45 as tenants in common in the said shares and individual computer registers be issued in accordance therewith.

**These conditions apply to Stage 1F only**

Amalgamation Condition

13. Pursuant to Section 220(1)(iv) of the Act, provide for the following condition of amalgamation to be shown in the Section 223 approval on the survey plan:

- That Lot 608 (JOAL) be held as to twelve undivided one twelfth (1/12th) shares by the owners of Lots 121-127 (to be created on Stage 2F) and Lots 151-155 and as tenants in common in the said shares and individual computer registers be issued in accordance therewith.

**These conditions apply to Stage 2 only**

14. The proposed public road shown as Lot 502 on the submitted scheme plan shall be vest in the Council as a public road. The consent holder shall meet all costs associated with the vesting of the road.

15. Lot areas I-2, I-5 shall be vest in Auckland Council as Local Purpose Reserve (Esplanade Reserve Top-up).

**For park land being acquired by agreement (but vested as the means of transfer)**

16. [Acquisition] Lot 802 shall vest in Auckland Council as land in lieu of reserve to be held by
Auckland Council as a park pursuant to Section 138 of the Local Government Act 2002 (so long as an unconditional agreement has been entered into as outlined later in this condition). Pursuant to Section 221 a Consent Notice is required to be registered against the title to Lot 802 recording this. Lot 802 shall be vested only if by the time of application for the survey plan to be approved under S223 the applicant has entered into an agreement for sale and purchase of Lot 802 or unconditional agreement in relation to the gifting of the land of Lot 802 (including appropriate rezoning obligations). Lot 802 shall vest free of easements and encumbrances and with no utility devices or structures on the land or on any of its road frontages or berms. If no agreement is in place by the time of application for the survey plan to be approved under S223 then the land will become a balance lot or part of balance Lot 305.

Advice note:

a) Lot 802 is to be “Land in lieu of Reserves” and is vesting under Section RMA 239 (1)(b)

b) The document shall be prepared by Council’s Solicitor at the applicant’s cost

c) The application will provide a copy of the new certificate of Title to the Parks Planning Team Leader following the issue of 224c.

For reserves or other land being vested as mitigation of effects of the development:

17. Lots 703 and 704 shall be vested in the Council as Local purpose [accessway] reserves, and shall vest free of easements and encumbrances and with no utility devices or structures on the land or on any of its road frontages or berms.

Advice note:

The document shall be prepared by Council’s Solicitor at the applicant’s cost

The application will provide a copy of the new certificate of Title to the Parks Planning Team Leader following the issue of 224c.

Pedestrian connection to Albany Highway

18. The consent holder shall provide an easement or other appropriate legal ‘instrument’ over Lot 305 in favour of Auckland Council in perpetuity to secure pedestrian/cycle access through Lot 305 to Albany Highway. This shall align with road Lot 502 to Lot 305’s south boundary.

The pedestrian/cycle easement shall be provided within an 8m wide access strip, or similar, or where adjoining a future vehicle accessway (JOAL) this may be reduced to 5m.

Where a pedestrian accessway is located adjoining a future vehicle accessway (JOAL) the landscape treatment should combine the JOAL and pedestrian/cycle accessway.

These conditions apply to Stage 2B only

For reserves or other land being vested as mitigation of effects of the development:

19. Lots 701 and 702 shall be vested in the Council as Local purpose [accessway] reserve, and shall vest free of easements and encumbrances and with no utility devices or structures on the land or on any of its road frontages or berms.

Advice note:

The document shall be prepared by Council’s Solicitor at the applicant’s cost

The application will provide a copy of the new certificate of Title to the Parks Planning Team Leader following the issue of 224c.
Leader following the issue of 224c.

Amalgamation Condition

20. Pursuant to Section 220(1)(iv) of the Act, provide for the following condition of amalgamation to be shown in the Section 223 approval on the survey plan:

   o That Lot 603 (JOAL) be held as thirteen undivided one thirteenth (1/13th) shares by the owners of Lots 36-41 and Lots 46-55 and as tenants in common in the said shares and individual computer registers be issued in accordance therewith.

These conditions apply to Stage 2C only

Amalgamation Condition

21. Pursuant to Section 220(1)(iv) of the Act, provide for the following condition of amalgamation to be shown in the Section 223 approval on the survey plan:

   o That Lot 604 (JOAL) be held as to seven undivided one seventh (1/7th) shares by the owners of Lots 56-62 and as tenants in common in the said shares and individual computer registers be issued in accordance therewith.

These Conditions apply to Stage 2D only

Amalgamation Condition

22. Pursuant to Section 220(1)(iv) of the Act, provide for the following condition of amalgamation to be shown in the Section 223 approval on the survey plan:

   o That Lot 605 (JOAL) be held as to seven undivided one seventh (1/7th) shares by the owners of Lots 81-87 and as tenants in common in the said shares and individual computer registers be issued in accordance therewith.

These Conditions apply to Stage 2E only

Amalgamation Condition

23. Pursuant to Section 220(1)(iv) of the Act, provide for the following condition of amalgamation to be shown in the Section 223 approval on the survey plan:

   o That Lot 607 (JOAL) be held as to nine undivided one ninth (1/9th) shares by the owners of Lots 112-120 and as tenants in common in the said shares and individual computer registers be issued in accordance therewith.

These Conditions apply to Stage 2F only

Amalgamation Condition

24. Pursuant to Section 220(1)(iv) of the Act, provide for the following condition of amalgamation to be shown in the Section 223 approval on the survey plan:

   o That Lot 609 (JOAL) be held as to twenty-three undivided one twenty-third (1/23rd) shares by the owners of Lots 128-150 and as tenants in common in the said shares and individual computer registers be issued in accordance therewith.

These Conditions apply to Stage 2G only

Amalgamation Condition

25. Pursuant to Section 220(1)(iv) of the Act, provide for the following condition of amalgamation to be shown in the Section 223 approval on the survey plan:
o That Lot 606 (JOAL) be held as to seven undivided one seventh (1/7th) shares by the owners of Lots 156-162 and as tenants in common in the said shares and individual computer registers be issued in accordance therewith.

o That Lot 610 (JOAL) be held as to three undivided one third (1/3rd) shares by the owners of Lots 171-173 and as tenants in common in the said shares and individual computer registers be issued in accordance therewith.

**Section 224(c) compliance conditions**

26. The application for a certificate under section 224(c) of the RMA for each stage shall be accompanied by certification from a professionally qualified surveyor or engineer that all the conditions of subdivision consent have been complied with, and that in respect of those conditions that have not been complied with for each stage:

   a. a completion certificate has been issued for each stage in relation to any conditions to which section 222 applies;

   b. a consent notice has been issued in relation to any conditions to which section 221 applies for each stage; and

   c. a bond has been entered into by the subdividing owner in compliance with any condition of subdivision consent imposed under section 108(2)(b) for each stage.

**These Conditions apply to all Stages**

**Design Drawings**

27. For each stage the consent holder shall ensure complete engineering drawings, accompanied with a design certificate confirming compliance with Council standards, detailing all proposed construction works, are prepared in accordance with the Auckland Council’s Code of Practice (C of P) for Land Development and Subdivision, and the legacy North Shore City Council “Infrastructure Design Standards” manual Issue 10, January 2009 (IDS) and are submitted for assessment and written Engineering Approval by the Council Development Engineer before the commencement of any works unless otherwise specified within this consent. These shall be provided for each stage of the subdivision.

**Advice Note:**

*The Auckland Council Code of Practice for Land Development and Subdivision includes the following Sections which generally supersede the IDS:*

- **Section 2 Earthworks and Geotechnical Requirements September 2013**
- **(Section 3) Auckland Transport Code of Practice 2013 (supersedes IDS Section 3 except for private assets such as shared accessways). September 2013**
- **Chapter 4 – Stormwater Version 2 November 2013**
- **Sections 5 & 6 Water and Wastewater Code of Practice for Land**
- **Development and Subdivision Version 15 May 2015**

*The Engineering Approval application (major) shall include shared access ways and bulk earthworks greater than 10,000m³*

28. The consent holder shall arrange for inspections for each stage in accordance with Auckland Council’s Development Engineering Quality Assurance Manual Version 2.0, February 2019 (“QAM”) to be carried out by a suitably qualified person during construction of all works on
the site to ensure that those works are constructed in accordance with the approved engineering
drawings or any approved amendments to those drawings, Council’s standard requirements for
the construction of subdivision engineering works, and sound engineering practice.

29. The consent holder shall ensure that inspections for each stage area undertaken in accordance
with condition 27 above are recorded in the “QAM”. The manual, including the Statement of
Certification (Appendix A, of Development Engineering As-built requirements, Version 1.2,
September 2012 (DEAR), is to be completed and forwarded to Council’s Team Leader Regulatory
Engineering North at the completion of construction of all works for each stage.

Advice Notes:

The pdf copy of the full Manual is available on request. It gives guidance on the scope of
completion documentation required, which as well as as-built plans may include operation and
maintenance manuals, relevant project reports and also digital images of works in progress.

30. Accurate as-built plans shall be submitted for contours of final topography at 0.5m intervals where
bulk earthworks are undertaken and all private and public services, including underground
services showing every lot connection (stormwater, wastewater and water supply) including any
portion of the reticulation downstream of the lot connection, roading, street lighting and
landscaping, in accordance with the Development Engineering As-Built requirements Version 1.2
September 2012. The as-built plans must be confirmed by the Council’s Team Leader Regulatory
Engineering North as compliant prior to the Public Service becoming operational or the issue of
a Section 224(c) Certificate under the Resource Management Act 1991, whichever is the earlier.

Access

31. The consent holder shall ensure the vehicle and pedestrian accessways for each stage within the
subdivision are constructed to the satisfaction of the Council’s Team Leader Regulatory
Engineering North in accordance with the Council’s Code of Practice for Land Development and
Subdivision Section 3 (C of P).

Advice Note: The Consent Holder is to lodge an application for an Engineering Right of Way
application for construction with Auckland Council. The application is to be approved by Team
Leader Regulatory Engineering prior to the works commencing

32. A separate certification is required by a Chartered Professional Engineer with the Section 224(c)
application confirming the construction and stormwater runoff management from the accessways
are in accordance with Auckland Council standards.

33. The consent holder shall ensure that all JOALs have their access formed over the footpath as
commercial vehicle crossings (detail GD019) but with residential dimensions. Residential vehicle
crossings serving between five and ten dwellings shall be constructed to comply with the standard
vehicle crossing detail GD019.

Vehicle Crossings

34. The consent holder shall ensure that all new vehicle crossings for each stage are designed and
formed in accordance with the Auckland Transport Code of Practice 2013. The new crossings
shall maintain an at-grade (level) pedestrian footpath across the length of the crossing, using the
same materials, kerbing, pavings, patterns and finish as the footpath on each side of the crossings.

Advice Note: A vehicle crossing approval permit is required to be obtained from Auckland
Transport for these works. Please visit the Auckland Transport website or contact Auckland
Transport Call Centre on Ph 09 355 3553 for requirement and standards.
Lighting Plans

35. Prior to s224c the consent holder shall provide a Lighting Plan and Certification/Specifications for each stage prepared by a qualified Lighting Engineer, to Council’s Team Leader Regulatory Engineering North. The purpose of this condition is to provide adequate lighting for the safety of people residing, working or visiting the premises and its immediate environs outside of daylight hours. The Lighting Plan shall:

- include all accessible areas of the premises where movement of people are expected. Such locations include, but are not limited to the shared driveway, footpath or common access areas and pedestrian walkways.

- include proposed locations, lux levels and types of lighting (i.e. manufacturer’s specifications once a lighting style has been determined) and any light support structures required to control timing, level of lighting, or to minimise light spill, glare, and loss of night time viewing.

- Demonstrate compliance with the relevant standards in E24.6.1 Lighting of the Auckland Unitary Plan (Operative in Part).

- Demonstrate compliance with the AS/NZS 1158 P requirements and clearly specify what P Category the lighting design will achieve. The selection criteria for the chosen lighting category should also be presented (i.e. pedestrian/cycle activity, risk of crime etc.).

- Demonstrate the vertical illuminance by means of lux contours or a similar method to assess light spill on neighbouring properties WHERE RELEVANT. The limits of the vertical illuminance should comply with Auckland Unitary Plan (Operative in Part) Standard E24.6.1.3.

- Include an executive summary of the above information in plain English that outlines the relevant requirements to their application and their design response to them.

- The lighting for the proposed public roading network shall be designed to comply with Auckland Transport lighting brief issued by their lighting team.

- The lighting proposed for the basement parking areas for the apartment buildings shall be designed to comply with Standard E27.6.3.7 Lighting.

The finalised design details certified by the qualified Lighting Engineer shall be established prior to s224 for each stage, to the satisfaction of Council’s Team Leader Regulatory Engineering North.

Advice Note: The purpose of this condition is to ensure that adequate lighting is provided to frequently used areas within the proposed development for the safety of users. Adequate lighting is the amount of lighting at eye level for a person with average eyesight so they can identify any potential threat approaching them from at least a 15-metre distance.

Wastewater

36. The consent holder must provide and install a complete wastewater system including lot connections for each stage to the Council’s public wastewater standards and generally in accordance with the Wastewater Drainage Layout Plan by Woods reference P18-234-00-400-DR, Rev 4, dated 18/11/19 and the Watercare Review Letter #86852, dated 29/01/19.

Advice Note
New lot connections should be shown on the engineering design drawings submitted for Engineering Approval (EA). Fees payments would be part of subdivision invoicing and not required at the time of EA application.

37. Watercare Certificate of Acceptance shall be provided for completion of Water and Wastewater works in support of the 224(c) application for the approved consent.

**Stormwater**


**Advice Note**

New lot connections should be shown on the engineering design drawings submitted for Engineering Approval (EA).

39. An Engineering Completion Certificate for each stage shall be provided 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.

**Operation and Maintenance Manual for Public Stormwater Management/ Treatment Devices**

40. The consent holder shall engage a suitably qualified and experienced engineering professional to prepare an Operation and Maintenance Manual for all stormwater devices for that stage, setting out the principles for the general operation and maintenance for the stormwater system, outlet channel and the associated management devices. The Operation and Maintenance Manual shall be submitted to the Council’s Team Leader Regulatory Engineering North for approval. The Operation and Maintenance plan is to include, but not be limited to:

a. a detailed technical data sheet.

b. all the requirements as defined within Auckland Council’s Guideline Document, Stormwater Management Devices in the Auckland Region (GD01).

c. details of who will hold responsibility for short-term and long-term maintenance of the stormwater devices.

d. a programme for regular maintenance and inspection of the stormwater system.

e. a programme for the collection and disposal of debris and sediment collected by the stormwater management device or practices.

f. a programme for post storm maintenance.

g. a programme for inspection and maintenance of outfall erosion.

h. general inspection checklists for all aspects of the stormwater system, including visual check of roadside catch pits, recharge pits and outfalls.

i. a programme for inspection and maintenance of vegetation, if any, associated with the stormwater devices.
j. recommended on-going control methodology to eradicate established pests and invasive weeds from both terrestrial and aquatic areas.

**Water Supply**

41. The consent holder must provide and install a complete water supply reticulation system for each stage to the satisfaction of Council’s Team Leader Regulatory Engineering North.

**Advice Note:**

> The complete system will include all portions of public water supply reticulation and any parts of the private system which are within a private access lot. The subdivision works will exclude any water meter and exclude any Watercare connection fees or Infrastructure Growth Charges; these exclusions will be addressed at the time of any building consent application on the lots associated with the construction of a dwelling or commercial building and do not form part of the subdivision works.

**Certification**

42. The consent holder must ensure wastewater drainage, stormwater drainage and water supply systems are made fully operative for each stage before a section 224(c) Certificate will be issued by Council. CCTV inspection reports shall be presented to the satisfaction of the Council’s Team Leader Regulatory Engineering North to verify compliance.

**Network Utility Services**

43. Individual private connections to the underground reticulation of electricity, gas (if applicable) and telecommunication services shall be provided and installed to all lots in each stage to the satisfaction of the appropriate network utility providers. Certificates from the network utility providers and certified ‘as-built’ plans given locations of all plinths, cables and ducts shall be supplied as part of the Section 224(c) application.

**Existing Services**

44. The consent holder must locate all existing services for each stage that are affected by the proposed site work and notify the appropriate authorities of the details of proposed works prior to the commencement of the work. Any work necessary for the protection or relocation of such services shall be undertaken at the consent holder’s expense and to the satisfaction of the Council and to the satisfaction of the authority responsible for that service.

**These Conditions Apply to Stages 1 and 2**

**Roading**

45. The consent holder shall form and construct the proposed new public roads (Lot 501 and 502) to the satisfaction of the Auckland Council Regulatory Engineering Team Leader – North. The design details for each stage shall be assessed during the Engineering application stage(s). The designs shall include but not be limited to:

- The two roading connections from the development to the wider network shall be via the signalised intersections at Wharf Road / Albany Highway / Eastbourne Road and Bass Road / Oaklands Road / Albany Highway. The two intersections shall be modelled using traffic modelling software using the revised trip generation numbers of the proposal and optimized by the applicant. The signalised intersection design is to be approved under an EPA.
- All new public roading shall include wayfinding signage installed as per ATCOP
standards. All roads names are to be approved by the local board.

- Access to the future retirement village shall be designed to comply with standard NZS 4121:2001 Design for access and mobility.
- All speed tables are to be constructed to comply with AT standard speed table detail with a brushed finish.
- Tactile paving shall be installed at all pedestrian crossing facilities and all other locations that are warranted and must comply with standard RTS 14 – Guidelines for facilities for blind and vision impaired pedestrians (2015).
- All traffic calming measures shall be reviewed at EPA stage and subject to design changes as warranted by AT.
- The use of pre-cast and fully kerbed side islands are to be investigated at EPA stage.

**Advice Note:** It is Auckland Transport’s preference that a fully kerbed island is provided for this development.

- All road markings and signage for all roads to be vested to Auckland Council shall be designed to comply with ATCOP standards.
- Before the public roads within the development are constructed and after the two signalised intersections have received EPA approval, a traffic resolution will be required as per AT’s formal traffic resolution procedure to legalise all new public roading and the intersection upgrades.
- All new intersection corners shall be designed to comply with compound corners as shown in GD005A of AT’s Transport Design Manual.

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

**At EPA the junction of path with Albany Highway may need an additional splay, depending on detail design of path and visibility envelope protection.**

**Streetscape landscaping**

46. At the Engineering Plan Approval stage for each stage, the consent holder shall submit a detailed streetscape landscaping plan(s) for rain gardens, street trees and street gardens for approval by the Council’s Team Leader Regulatory Engineering North in consultation with the Parks Planning Team Leader. In particular, the plans shall:

a. Be prepared by a suitably qualified landscape architect.


c. Show all planting including details of intended species, location, plant sizes at time of planting and likely heights on maturity, tree pit specifications, the overall material palette, location of street lights and other service access points.

d. Ensure that selected species can maintain appropriate separation distances from paths, roads, street lights and vehicle crossings in accordance with the Auckland Transport Code
of Practice.

e. Include planting methodology.


**Implementation of streetscape works**

47. Prior to lodgement of section 224(c) certification, all street landscaping shall be implemented in accordance with the approved streetscape plans and to the satisfaction of the Council’s Team Leader Regulatory Engineering North in consultation with the Parks Planning Team Leader and landscaped in accordance with the Auckland Code of Practice for Land Development and Subdivision Chapter 7: Green Assets and Landscaping, and in particular the following:

a) The street shall be cleared of any construction material, rubbish and surplus soil, and shall be maintained in a neat and tidy condition.

b) Should site factors preclude compliance with any of these conditions, the Parks Planning Team Leader must be advised in writing as soon as practicable and, in any case, prior to planting, and an alternative soil improvement methodology proposed to the satisfaction of the Advisor.

c) Grassing shall only be undertaken when the weather is suitable i.e. mild, dull and moist, and when the ground is moist and workable. Where delays occur in the agreed programme which prevents areas being planted, the consent holder shall inform Parks Planning Team Leader immediately.

**Advice note:**

*The consent holder should apply for a practical completion certificate prior to 224(c) application from the Parks Planner to demonstrate street landscaping has been satisfactorily implemented and to formalise the commencement of the maintenance period.*

**Maintenance**

48. Prior to the issue of the section 224(c) certificate, the consent holder shall provide for the approval of the Council’s Team Leader Regulatory Engineering North in consultation with the Parks Planning Team Leader a Maintenance Plan, for all planting and landscaping to be established on the streetscape. The Maintenance Plan must include:

a) Vegetation maintenance policies for the proposed planting, in particular details of maintenance methodology and dates / frequencies.

b) Details of watering, weeding, trimming, cultivation, pest and disease control, checking of stakes and ties, pruning and other accepted horticultural operations to ensure normal and healthy plant establishment and growth.

c) Vandalism eradication policies.

d) Design strategy, specification and management plans for the treatment/maintenance issue relating to the lot 501 and 502.

49. The consent holder shall undertake maintenance, in accordance with the approved Maintenance Plan for a two year period commencing on the date that the section 224(c) certificate is issued. Any maintenance issues deemed unsuitable by the Parks Planning Team Leader during this period shall be remedied by the consent holder at their expense.

50. If any damage/theft to the planting occurs during the maintenance period, the consent holder shall
replace damaged/stolen plants with the same species and height, and shall be maintained for a period of two years following the replacement planting, to the satisfaction of the Parks Planning Team Leader.

As-built plans

51. Prior to the issue of the 224(c) certificate, the consent holder will provide to the Council’s Team Leader Regulatory Engineering North and Parks Consents Planning Team Leader as built plans for landscape works (hard and soft) within all proposed parks, reserves and streets in CAD (NZTM 2000) and pdf form in accordance with the Development Engineering As-built requirements v1.3, including the following details;
   a) Asset names.
   b) All finished hard and soft landscape asset locations and type, and any planted areas must be shown to scale with the square metres of planting, species and number of plants.
   c) All underground services, irrigation and drainage.
   d) All paint colours, graffiti coatings, pavers and concrete types with names of products to be included on the assets schedule.

BONDS

Uncompleted Works Bonds

52. Prior to the lodgement of the section 224(c) certificate and in accordance with section 108(2)(b) of the RMA, an uncompleted works bond will be entered into where any landscape works required by the conditions of this consent have not been completed in accordance with the approved plans at the Council’s discretion. The bond amount shall be 1.5 x the contracted rate of any outstanding works and shall be agreed in consultation with the Parks Planning Team Leader prior to lodging the bond. The liability of the consent holder shall not be limited to the amount of the bond.

Maintenance Bonds

53. Prior to the issue of the 224(c) certificate, and in accordance with section 108(2)(b) of the RMA, the consent holder will provide the Council a refundable bond in respect of the maintenance of the landscaping works required by the conditions of this consent. The maintenance bond will be held for a period of two years from the issues of a practical completion certificate. The amount of the bond will be 1.5 x the contracted rate for maintenance and shall be agreed in consultation

These Conditions Apply to Stage 2 only

Park and Reserve Development

54. At Engineering Plan Approval stage, the consent holder shall submit for the approval of the Parks Planning Team Leader detailed engineering and landscaping plans for all hard assets / park furniture / fixtures /planting/grassing to enable reserve development to be undertaken within Lot 802. The plan(s) and supporting planting methodology, to be submitted for approval, shall;
   a) Be prepared by suitably qualified person/s
   b) Include a weed management plan detailing weed eradication and control methods for the park, prior to and after planting.
   c) Identify all new planting to be undertaken on the site including details of the intended species, spacing, quantities, location, plant sizes at the time of planting, their likely heights on maturity and how planting will be staged and established.
d) Include specifications for plant condition and a written specification detailing the planting methodologies to be used.

e) Identify the existing species to be retained.


Implementation of park landscape works

55. Prior to lodgement of section 224(c) certification, all hard and soft landscape works within the Park shall be implemented in accordance with the approved landscape plans to the satisfaction of the Parks Planning Team Leader and landscaped in accordance with the Auckland Code of Practice for Land Development and Subdivision Chapter 7: Green Assets and Landscaping, and in particular:

a) All areas of the reserve that have been grassed must have a 90 percent strike rate, in a mowable condition, and be weed and rubbish free.

b) Planted slopes to be a maximum 1:3 grade and grassed slopes to be a maximum 1:5 grade.

c) Grassing and planting shall be carried out by a suitably qualified landscape contractor in the planting season (April to September) and when the weather is suitable (mild, dull and moist) and when the ground is moist and workable. Where delays occur in the agreed programme which prevents areas being planted, the consent holder shall inform the Parks Planning Team Leader immediately.

d) At practical completion auditing, a chartered professional engineer engaged by the applicant shall provide certificates of compliance and producer statements as relevant and certify that the parks construction works have been carried out in accordance with the approved plans and comply with the requirements in condition(s) above. Written manufacturers guarantee shall be supplied for any products where warranties are available or applicable.

e) Any defects identified at the practical completion audit are to be remedied by the applicant. The practical completion of the works will be determined by the Parks Planning Team Leader to their satisfaction and this indicates the commencement of the maintenance period.

Advice note:

The consent holder shall apply for a practical completion certificate prior to 224(c) application from the Parks Planner to demonstrate reserve development has been satisfactorily implemented and to formalise the commencement of the maintenance period.

These consent notice conditions applies to Stage 1A1, Stage 1A2, Stage 1B, Stage 1F, Stage 2B, Stage 2C, Stage 2D, Stage 2E Stage 2F and Stage 2G

56. Pursuant to Section 221 a Consent Notice is required on all lots for that stage to be entered into, to record and advice any future owners of the need to comply with this condition on an on-going basis.

(a) Landuse consent

The lots have been approved based on an approved development shown by the council as consent number LUC60331333. The construction of any Residential Unit, vehicle crossing or accessway including all landscaped areas on each lot shall be in accordance with the approved landuse consent Council Reference: LUC60331333. Before approval can be given to any future development on this Lot that is not in accordance with the approved plans, the Council will have to agree to vary the
land use consent or cancel this Consent Notice. This is to be in conjunction with a Resource Consent for the proposal.

57. Pursuant to Section 221 of the Resource Management Act, the consent holder shall cause to have registered on the Certificates of Title to be issued for all Lots for that stage, a consent notice containing the following.

a) All lot development including any redevelopment and any temporary works must take full account of the recommendations and limitations set out in the Geotechnical Investigation Report by CMW Geosciences (NZ) Ltd reference AKL2016_0639AC Rev.0 dated 29 March 2017, the Geotechnical Review of the Updated Scheme Plans by CMW Geosciences (NZ) Ltd reference AKL2018_0083AB Rev.4 dated 27 November 2018, the Retaining Wall Deflection & Settlement Analysis by Initia Geotechnical Specialists Ltd reference P-000625 dated 14 June 2019.

b) The owner for the time being must ensure that the design and construction of any building or extensions to any existing building are in accordance with the recommendations of a Chartered Professional Engineer who must satisfy the Council that:

i) Adequate foundation investigations have been undertaken to ensure that foundations will reach soils that will provide adequate means of support.

ii) Related earthworks and temporary works have appropriate factors of safety.


d) The consent holder must install stormwater management devices in accordance with Stormwater Management Area-Flow (SMAF) 2 control requirements, the Stormwater Management Plan by Woods, reference P18-234, Version 3, dated 04 October 2019, and as approved by Council and these conditions taking full account of the design and construction of those devices of all criteria set out in the Auckland Unitary Plan-Operative-Chapter E10. Any proprietary stormwater management devices shall be designed to provide an eighteen month minimum maintenance interval upon the catchment served by the device becoming predominantly developed. Any bio-retention devices shall be provided with a soil mix from a Council approved commercial source.

e) Detailed design of the stormwater management devices including retention and detention devices shall be in general accordance with Auckland Council’s Guideline Document, Stormwater Management Devices in the Auckland Region (GD01).

**These consent notice conditions applies to Stage 1 only**

58. Pursuant to Section 221 a Consent Notice is required on Lots 1-10, 13-16 and 23-26 to be entered into, in favour of Council, to record and advice any future owners of the need to comply with this condition on an on-going basis:

The following yard setbacks will apply:

- Side yard: 1m

59. Pursuant to Section 221 a Consent Notice is required on Lots 2-9, 13-14 and 24 to be entered into, in favour of Council, to record and advice any future owners of the need to comply with this condition on an on-going basis:

The following yard setbacks will apply:
• Rear yards: 1m

**This consent notice condition applies to Stage 1 and Stage 2 only**

60. Pursuant to Section 221 a Consent Notice is required on all lots for Lots 302, 306 and 401 to be entered into, to record and advise any future owners of the need to comply with this condition on an on-going basis.

**Retaining Walls**

a. Any retaining wall(s) and ancillary and supporting structures shall be entirely located within the residential lots and JOAL and shall be clear of the boundary of Days Bridge Esplanade Reserve. The retaining wall shall be no higher than 1m above existing ground level.

**Reserve boundary treatment**

b. Any fencing, hedging or planting along boundaries or within 2m of boundaries of Days Bridge Esplanade Reserve must be either low height (1.2m) or at least 50% visually permeable (max height 1.8m). Landscape planting may be implemented on either side of the fence and must be maintained to ensure 50% visual permeability.

**Consent Notice Instrument**

The Consent Notice Instruments will be prepared by Auckland Council’s solicitors or Council subdivision advisor at the cost of the consent holder and will contain the terms and conditions the solicitors usually include in such documents. The owner or the consent holder’s solicitor should contact Team Leader, Compliance Monitoring North to request the Consent Notice Instrument to be prepared and registered. The following should accompany that request:

A copy of the consent condition;
A recent copy of the Certificate of Title.

**Advice notes**

1. **Any reference to number of days within this decision refers to working days as defined in s2 of the RMA.**

2. **For the purpose of compliance with the conditions of consent, “the council” refers to the council’s monitoring inspector unless otherwise specified. Please email monitoring@aucklandcouncil.govt.nz to identify your allocated officer.**

3. **For more information on the resource consent process with Auckland Council see the council’s website: www.aucklandcouncil.govt.nz. General information on resource consents, including making an application to vary or cancel consent conditions can be found on the Ministry for the Environment’s website: www.mfe.govt.nz.**

4. **If you disagree with any of the above conditions, and/or disagree with the additional charges relating to the processing of the application(s), you have a right of objection pursuant to sections 357A and/or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of your receipt of this decision (for s357A) or receipt of the council invoice (for s357B).**

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

6. All works in Days Bridge Esplanade Reserve shall require Landowner Approval prior to any works being undertaken.

Delegated decision maker:

Name: Bernie Warmington
Title: Principal Project Lead
Premium Resource Consents

Signed: 

Date: 23 March 2020
Decision on an application for resource consent under the Resource Management Act 1991

Restricted discretionary activity for a subdivision consent

Application number: SUB60333363 (s11 subdivision consent)
Applicant: BEI Group Limited
Site address: 461 Albany Highway Albany 0629
473 Albany Highway Albany 0632
Legal description: Lot 1 DP 191818 (461 Albany Highway)
Pt Allot 26 Parish of PAREMOREMO (461 Albany Highway)
Sec 1 SO 456618 (473 Albany Highway)

Proposal:
To subdivide the parent sites into three freehold lots around existing buildings within a 1 per cent annual exceedance probability floodplain. Proposed Lot 1 will have an area of 1.7594 hectares, Lot 2 of 5.0985 hectares and Lot 3 of 6.878 hectares. The existing buildings will remain, and all lots will have legal access to Albany Highway, utilities and infrastructure service connections.

Resource consent is required for the following reasons:

Subdivision consent (s11) – SUB60333363

Auckland Unitary Plan (Operative in part)
Subdivision (operative plan provisions)
Subdivision - Urban

- The subdivision of land within a 1 per cent annual exceedance probability floodplain that complies with the standards in E38.7.3.3 is a restricted discretionary activity under rule E38.4.1 (A11).
- The subdivision of a parent site into three lots, being a subdivision in a residential zone that is around existing buildings and development that complies with standard E38.8.2.2, is a restricted discretionary activity under rule E38.4.2 (A15).

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

Acting under delegated authority, under sections 104, 104C, 106 and Part 2 of the RMA, the resource consent is **GRANTED**.

**Reasons**

The reasons for this decision are:

1. The application is for restricted discretionary resource consent, and as such under s104C only those matters over which council has restricted its discretion have been considered. Those matters are:
   - E38.12.1 (1) and (6).

2. In accordance with an assessment under ss104(1)(a) and (ab) of the RMA the actual and potential effects from the proposal will be acceptable as:
   a. Auckland Council’s Consultant Development Engineer, Peter Lowe, reviewed the application and raised no concerns in regard to access, infrastructure, utilities and natural hazards. All services and utilities currently exist for the buildings on-site and no further infrastructure or land disturbance is required. Easement instruments have been proposed to make provision for the existing wastewater, telephone, telecommunication, water supply and stormwater connections within the properties. In addition, the existing access arrangement via the internal roading network will be retained through easement instruments. The proposed servicing and access are therefore considered acceptable.
   b. Lawfully established buildings are located on each of the proposed lots and no changes are proposed to the location, footprint or scale of the buildings, the design and layout of the proposed sites will therefore not result in new or increase flooding effects on the site and adjoining properties.
   c. Overall, due to the existing nature of the university activities, it is considered that the proposed subdivision is appropriate and will not result in any adverse effects on the residential character of the area and amenity of the wider environment.
   d. In terms of positive effects, the proposal will provide for the economic wellbeing of the applicant by enabling subdivision of land in keeping with the established neighbourhood.
   e. With reference to s104(1)(ab), there are no specific offsetting or environmental compensation measures proposed or agreed to by the applicant to ensure positive effects on the environment.

3. In accordance with an assessment under s104(1)(b) of the RMA the proposal is consistent with the relevant statutory documents, insofar as they relate to the matters over which discretion is restricted. In particular:

   **Auckland Unitary Plan (Operative in Part)**
The Natural hazards and flooding chapter seeks to ensure subdivision, use and development, including redevelopment in urban areas, only occurs where the risks of adverse effects from natural hazards to people, buildings, infrastructure and the environment are not increased overall and where practicable are reduced, taking into account the likely long term effects of climate change (E36.2 (2) and E36.3 (21))

- **E38. Subdivision – Urban: E38.2. Objectives / E38.3. Policies;**

The subdivision chapter seeks to enable land to be subdivided to achieve the objectives of the relevant zones, overlays and Auckland-wide provisions (i.e. flooding) in a manner that provides for the long-term needs of the community and minimises adverse effects of future development on the environment (E38.2 (1) and (2) and E38.3 (1) and (2)). Infrastructure supporting subdivision and development is planned and provided for in an integrated and comprehensive manner and provided for to be in place at the time of the subdivision or development (E38.2 (5) and E38.3 (19) and (23)). In addition, subdivision is sought to have a layout which is safe, efficient, convenient and accessible (E38.2 (6)). Policy E38.3 (13) requires subdivision to deliver sites that are of an appropriate size and shape for development intended by the zone.

- **H4. Residential – Mixed Housing Suburban: H4.2. Objectives / H4.3. Policies;**

The Residential – Mixed Housing Suburban Zone aims to enable intensification and provide housing choice, while retaining a suburban built character of generally two-storey detached and attached housing in a variety of types and sizes. According to objectives H4.2 (2) and (3), the zone seeks to allow development which is in keeping with the neighbourhood’s planned urban built character and provide quality on-site residential amenity for residents and adjoining sites and the street. In addition, under policy H4.3 (1), the intensity of development is required to enable a variety of housing types at higher densities. It is intended that the environment in these areas, while being built up, retains suitable sunlight access and privacy and minimised visual dominance effects to adjoining sites.


The Albany 9 Precinct seeks to enable tertiary education and the development and operation of a range of activities to cater for the diverse requirements of the student population, employees and visitors (I501.2 (1) and I501.3 (1)).

**Assessment**

Overall, the relevant provisions of the AUP (OP) have been considered. For the reasons and key issues discussed in detail above, I conclude that the proposal is in keeping with the relevant provisions in the AUP (OP).

Adequate infrastructure is available to serve the development. In addition, as no changes are proposed to the location, footprint or scale of the buildings and the proposed lots continue to enable tertiary education on the site, it is considered that on and inter site amenity and the established neighbourhood character will not be adversely affected by the proposal. The proposed sites are also of an appropriate size and shape for the type of development intended by the zone and precinct. In addition, flooding is not anticipated to be initiated or exacerbated by the proposal.
4. As a restricted discretionary activity, the other matters that can be considered under s104(1)(c) of the RMA must relate to the matters of discretion restricted under the plan. In this case no other matters are considered relevant.

5. In terms of s106 of the RMA, the proposal is not considered to give rise to a significant risk from natural hazards, and sufficient provision has been made for legal and physical access to the proposed allotments. Accordingly Auckland Council is able to grant this subdivision consent subject to the conditions below.

6. In the context of this restricted discretionary activity subdivision application, where the relevant objectives and policies and matters for discretion in the relevant statutory documents were prepared having regard to Part 2 of the RMA, they capture all relevant planning considerations and contain a coherent set of policies designed to achieve clear environmental outcomes. They also provide a clear framework for assessing all relevant potential effects and there is no need to go beyond these provisions and look to Part 2 in making this decision as an assessment against Part 2 would not add anything to the evaluative exercise.

7. Overall the proposal is considered to be consistent with the purpose of the RMA being the sustainable management of natural and physical resources. The proposal contributes to the social, economic and cultural wellbeing of people and their community by allowing a three-lot subdivision of the subject site while ensuring adverse effects on the wider environment are avoided.

**Conditions**

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

**General conditions**

1. This subdivision consent shall be carried out in accordance with the documents and drawings and all supporting additional information submitted with the application, detailed below, and all referenced by the council as resource consent number SUB60333363.


<table>
<thead>
<tr>
<th>Report title and reference</th>
<th>Author</th>
<th>Rev</th>
<th>Dated</th>
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<tbody>
<tr>
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<td>4 Sight Consulting</td>
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CMW Geosciences 0  29 March 2017

RE: Geotechnical Review of the Updated Scheme Plans for the Proposed Residential Development at 473 Albany Highway, Albany (AKL2018-0083AB)  
CMW Geosciences 0  12 June 2018

<table>
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</table>
2. Under section 125 of the RMA, this consent lapses five years after the date it is granted unless:
   a. A survey plan is submitted to council for approval under section 223 of the RMA before the consent lapses, and that plan is deposited within three years of the approval date in accordance with section 224 of the RMA; or
   b. An application under section 125 of the RMA is made to the council before the consent lapses (five years) to extend the period after which the consent lapses and the council grants an extension.
Survey plan approval (s223) conditions

Before Auckland Council will approve the survey plan pursuant to section 223 of the Resource Management Act 1991:

3. The consent holder shall submit a survey plan in accordance with the approved resource consent subdivision plan. The survey plan shall show any easements required by this subdivision consent.

4. The services easements over parts of Lot 2 shall be included in a memorandum of easements endorsed on the survey plan and shall be duly granted or reserved. The consent holder shall meet the costs for the preparation, review and registration of the easement instruments on the relevant records of title.

5. The survey title plan shall show and identify a right of way easement on a Memorandum of Easements attached to the cadastral survey dataset in favour of Lot 1 over Lot 2.

Section 224(c) compliance conditions

No Section 224(c) compliance conditions.

Advice notes

1. Any reference to number of days within this decision refers to working days as defined in s2 of the RMA.

2. For the purpose of compliance with the conditions of consent, “the council” refers to the council’s monitoring inspector unless otherwise specified. Please email monitoring@aucklandcouncil.govt.nz to identify your allocated officer.

3. For more information on the resource consent process with Auckland Council see the council’s website: www.aucklandcouncil.govt.nz. General information on resource consents, including making an application to vary or cancel consent conditions can be found on the Ministry for the Environment’s website: www.mfe.govt.nz.

4. If you disagree with any of the above conditions, and/or disagree with the additional charges relating to the processing of the application(s), you have a right of objection pursuant to sections 357A and/or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of your receipt of this decision (for s357A) or receipt of the council invoice (for s357B).

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

Name: Bernie Warmington
Title: Principal Project Lead, Resource Consents

Signed: 

Date: 19 July 2019
ALBANY ESTATES - 3 LOT SUBDIVISION
CONTENT INDEX AND LOCALITY PLAN

LOCALITY PLAN
NOT TO SCALE

DRAWING NO. REV. DESCRIPTION
P18-329-00-200-RD 2 EXISTING PRIVATE ROAD NETWORK PLAN OVERALL PLAN
P18-329-00-201-RD 2 EXISTING PRIVATE ROAD NETWORK PLAN SHEET 1 OF 3
P18-329-00-202-RD 2 EXISTING PRIVATE ROAD NETWORK PLAN SHEET 2 OF 3
P18-329-00-300-DR 2 EXISTING STORMWATER NETWORK PLAN OVERALL PLAN
P18-329-00-301-DR 2 EXISTING STORMWATER NETWORK PLAN SHEET 1 OF 3
P18-329-00-302-DR 2 EXISTING STORMWATER NETWORK PLAN SHEET 2 OF 3
P18-329-00-500-DR 2 EXISTING WASTEWATER NETWORK PLAN OVERALL PLAN
P18-329-00-501-DR 2 EXISTING WASTEWATER NETWORK PLAN SHEET 1 OF 3
P18-329-00-502-DR 2 EXISTING WASTEWATER NETWORK PLAN SHEET 2 OF 3
P18-329-00-600-WS 2 EXISTING WATER SUPPLY NETWORK PLAN OVERALL PLAN
P18-329-00-601-WS 2 EXISTING WATER SUPPLY NETWORK PLAN SHEET 1 OF 3
P18-329-00-602-WS 2 EXISTING WATER SUPPLY NETWORK PLAN SHEET 2 OF 3
P18-329-00-700-UT 2 EXISTING UTILITIES NETWORK PLAN OVERALL PLAN
P18-329-00-701-UT 2 EXISTING UTILITIES NETWORK PLAN SHEET 1 OF 3
P18-329-00-702-UT 2 EXISTING UTILITIES NETWORK PLAN SHEET 2 OF 3
P18-329-00-703-UT 2 EXISTING UTILITIES NETWORK PLAN SHEET 3 OF 3

AUCKLAND COUNCIL
ALBANY ESTATE - 3 LOT SUBDIVISION
DRAWING INDEX AND SITE LOCALITY PLAN

ALBANY HIGHWAY
ALBANY ESTATE - 3 LOT SUBDIVISION

NOT TO SCALE

ALBANY HIGHWAY
ALBANY ESTATE - 3 LOT SUBDIVISION

COUNCIL
REV
STATUS
SCALE
C O D I N G
D W G  N O
P 1 8 - 3 2 9 - 0 0 - 0 0 0 - G E

ALBANY
DOMAIN
MASSY UNIVERSITY
ALBANY CAMPUS
BROOKFIELD
PARK
WHARF ROAD
FERNHILL
ESCARPMENT
BASS ROAD
NOTES
1. PRIVATE ROAD LAYOUT OBTAINED FROM AUCKLAND COUNCILS GEOMAPS.

LEGEND
BOUNDARIES
EXISTING PRIVATE CARRIAGEWAY
EXISTING PRIVATE FOOTPATH
EXISTING BUILDINGS

LOT 1
LOT 2
LOT 3

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LEGEND

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LEGEND
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EXISTING PUBLIC
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ALBANY ESTATE - 3 LOT SUBDIVISION
EXISTING STORMWATER NETWORK PLAN OVERALL PLAN

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EXISTING PUBLIC WASTEWATER NETWORK
EXISTING PUBLIC WASTEWATER TRANSMISSION LINE
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EXISTING PRIVATE ROAD AND FOOTPATH

ALBANY ESTATE - 3 LOT SUBDIVISION
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EXISTING PUBLIC WASTEWATER TRANSMISSION LINE
EXISTING BUILDINGS
EXISTING PRIVATE ROAD AND FOOTPATH

EXISTING OUTLET TO OTEHA STREAM

LOT 1
LOT 2
LOT 3

ALBANY HIGHWAY
OTEHA STREAM
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EXISTING PUBLIC HYDRANT
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LEGEND

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EXISTING PRIVATE UNDERGROUND POWER - VECTOR
EXISTING PRIVATE UNDERGROUND POWER - VECTOR
EXISTING PRIVATE UNDERGROUND POWER - VECTOR
EXISTING PRIVATE UNDERGROUND GAS - VECTOR
EXISTING PRIVATE UNDERGROUND GAS - VECTOR
EXISTING PRIVATE UNDERGROUND COMMUNICATIONS - CHORUS
EXISTING BUILDINGS
EXISTING PRIVATE ROAD AND FOOTPATH

SCALE | 1:1500 @A3 | 1:750 @A1|

ABN 48 865 512 244
STREET ADDRESS 8 NUGENT STREET, GRAFTON AUCKLAND 1023
OFFICE ADDRESS LEVEL 1 BUILDING B
AUCKLAND 1023 09 308 9229

ALBANY ESTATE - 3 LOT SUBDIVISION
EXISTING UTILITIES NETWORK PLAN SHEET 1 OF 3

WOODS LTD
Level 1
Building B
8 Nugent Street
Grafton
Auckland 1023
09 308 9229

SUB60333363
Approved Resource Consent

19/07/2019