

### Attachment 3

## CONDITIONS OF CONSENT – QUALIFYING DEVELOPMENT

### GENERAL CONDITIONS

#### Activity in Accordance with Plans

1. The qualifying development is to be carried out in accordance with the plans and all information submitted with the application, detailed below, all referenced by the Council as consent numbers 47541, P47541, 47542 and P47542 and as amended by the conditions of this consent:
  - Qualifying development application (Ref. R002v1-136537-QD-Final-wsp-alm) and application form AA, prepared by Harrison Grierson and dated June 2015; and
  - Drawings and specialist reports as detailed below (*Note: while these were labelled as “Sub-Precinct D” at the time of lodgement, the approved precinct is sub-precinct E of the Mangere Gateway precinct area*):

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

<b>Drawing Ref. No.</b>	<b>Title</b>	<b>Architect / Author</b>	<b>Date</b>
1150-136537-01	Mangere Gateway Sub-Precinct D : Zoning Plan	Harrison Grierson	10.06.15
1150-136537-01	Mangere Gateway Sub-Precinct D : Precinct Plan	Harrison Grierson	10.06.15
1150-136537-01	Mangere Gateway Sub-Precinct D : Precinct Plan Overlays	Harrison Grierson	10.06.15
1150-136537-01	Mangere Gateway Sub-Precinct D : Road Typologies (Page 1 of 4)	Harrison Grierson	10.06.15
1150-136537-01	Mangere Gateway Sub-Precinct D : Road Typologies (Page 2 of 4)	Harrison Grierson	10.06.15
1150-136537-01	Mangere Gateway Sub-Precinct D : Road Typologies (Page 3 of 4)	Harrison Grierson	10.06.15
1150-136537-01	Mangere Gateway Sub-Precinct D : Road Typologies (Page 4 of 4)	Harrison Grierson	10.06.15
1150-136537-01	Mangere Gateway Sub-Precinct D : Fence Typologies	Harrison Grierson	10.06.15
136537-SS110 Rev A	Overall Topographical Survey Plan of Allotment 175 & 176 Parish of Manurewa NA758/49 - Overall Sheet	Harrison Grierson	09.06.15
136537-SS111 Rev A	Topographical Survey Plan of Allotment 175 & 176 Parish of Manurewa NA 758/49 Sheet 1	Harrison Grierson	09.01.15
136537-SS112 Rev A	Topographical Survey Plan of Allotment 175 & 176 Parish of Manurewa NA 758/49 Sheet 2	Harrison Grierson	09.01.15

136537-SS113 Rev A	Topographical Survey Plan of Allotment 175 & 176 Parish of Manurewa NA 758/49 Sheet 3	Harrison Grierson	09.01.15
136537-SS114 Rev A	Topographical Survey Plan of Allotment 175 & 176 Parish of Manurewa NA 758/49 Sheet 4	Harrison Grierson	09.01.15
136537-SS115 Rev A	Topographical Survey Plan of Allotment 175 & 176 Parish of Manurewa NA 758/49 Sheet 5	Harrison Grierson	09.01.15
136537-SS116 Rev A	Topographical Survey Plan of Allotment 175 & 176 Parish of Manurewa NA 758/49 Sheet 6	Harrison Grierson	09.01.15
136537-SS117 Rev A	Topographical Survey Plan of Allotment 175 & 176 Parish of Manurewa NA 758/49 Sheet 7	Harrison Grierson	09.01.15
136537-SS118 Rev A	Topographical Survey Plan of Allotment 175 & 176 Parish of Manurewa NA 758/49 Sheet 8	Harrison Grierson	09.01.15
136537-SS119 Rev A	Topographical Survey Plan of Allotment 175 & 176 Parish of Manurewa NA 758/49 Sheet 9	Harrison Grierson	09.01.15
136537-SS120 Rev A	Topographical Survey Plan of Allotment 175 & 176 Parish of Manurewa NA 758/49 Sheet 10	Harrison Grierson	09.01.15
136537-01-100 Rev 2	Overall Subdivision Plan of Lot 1 and 2 DP 481169	Harrison Grierson	21.09.15
136537-01-101 Rev 2	Stage 1 Subdivision Plan of Lot 1 and 2 DP 481169	Harrison Grierson	21.09.15
136537-01-102 Rev 1	Stage 2 Subdivision Plan of Lot 1000 Stage 1	Harrison Grierson	24.06.15
136537-01-150 Rev 2	Proposed Development Plan – Overall Site	Harrison Grierson	12.06.2015
136537-01-200 Rev 4	Earthworks Plan Overall Site	Harrison Grierson	22.09.15
136537-01-201 Rev 3	Earthworks Plan Sheet 1 of 6	Harrison Grierson	08.09.15
136537-01-202 Rev 3	Earthworks Plan Sheet 2 of 6	Harrison Grierson	08.09.15
136537-01-203 Rev 3	Earthworks Plan Sheet 3 of 6	Harrison Grierson	08.09.15
136537-01-204 Rev 4	Earthworks Plan Sheet 4 of 6	Harrison Grierson	22.09.15
136537-01-205 Rev 3	Earthworks Plan Sheet 5 of 6	Harrison Grierson	08.09.15
136537-01-206 Rev 3	Earthworks Plan Sheet 6 of 6	Harrison Grierson	08.09.15
136537-01-210 Rev 3	Stage 1 and 2 Concept Retaining Wall Plan Overall Site	Harrison Grierson	22.09.15
136537-01-211 Rev 3	Stage 1 and 2 Concept Retaining Wall Plan	Harrison	22.09.15

	Sheet 1 of 3	Grierson	
136537-01-212 Rev 1	Stage 1 and 2 Concept Retaining Wall Plan Sheet 2 of 3	Harrison Grierson	25.06.15
136537-01-213 Rev 3	Stage 1 and 2 Concept Retaining Wall Plan Sheet 3 of 3	Harrison Grierson	22.09.15
136537-01-220 Rev 4	Earthworks Cut-Fill Plan	Harrison Grierson	22.09.15
136537-01-230 Rev 5	Erosion and Sediment Control Overall Plan	Harrison Grierson	08.09.15
136537-01-231 Rev 5	Erosion and Sediment Control Plan Stage 1 – Sequence 1	Harrison Grierson	08.09.15
136537-01-232 Rev 5	Erosion and Sediment Control Plan Stage 1 – Sequence 2	Harrison Grierson	08.09.15
136537-01-233 Rev 5	Erosion and Sediment Control Plan Stage 2	Harrison Grierson	08.09.15
136537-01-234 Rev 5	Erosion and Sediment Control Plan Stage 3	Harrison Grierson	08.09.15
136537-01-235 Rev 5	Erosion and Sediment Control Sediment Pond Details	Harrison Grierson	08.09.15
136537-01-236 Rev 3	Erosion and Sediment Control Detail Sheet 1 of 6	Harrison Grierson	08.09.15
136537-01-237 Rev 3	Erosion and Sediment Control Detail Sheet 2 of 6	Harrison Grierson	08.09.15
136537-01-238 Rev 3	Erosion and Sediment Control Detail Sheet 3 of 6	Harrison Grierson	08.09.15
136537-01-239 Rev 3	Erosion and Sediment Control Detail Sheet 4 of 6	Harrison Grierson	08.09.15
136537-01-240 Rev 3	Erosion and Sediment Control Detail Sheet 5 of 6	Harrison Grierson	08.09.15
136537-01-241 Rev 3	Erosion and Sediment Control Detail Sheet 6 of 6	Harrison Grierson	08.09.15
136537-01-270 Rev 1	Concept Overland Flowpath Plan	Harrison Grierson	24.06.15
136537-01-300 Rev 2	Roading Plan Overall Site	Harrison Grierson	24.06.15
136537-01-301 Rev 2	Roading Plan Sheet 1 of 4	Harrison Grierson	24.06.15
136537-01-302 Rev 2	Roading Plan Sheet 2 of 4	Harrison Grierson	24.06.15
136537-01-303 Rev 2	Roading Plan Sheet 3 of 4	Harrison Grierson	24.06.15
136537-01-304 Rev 2	Roading Plan Sheet 4 of 4	Harrison Grierson	24.06.15
136537-01-320 Rev 2	Road Long section Sheet 1 of 6	Harrison Grierson	17.06.15
136537-01-321 Rev 2	Road Long section Sheet 2 of 6	Harrison Grierson	17.06.15

136537-01-322 Rev 2	Road Long section Sheet 3 of 6	Harrison Grierson	17.06.15
136537-01-323 Rev 2	Road Long section Sheet 4 of 6	Harrison Grierson	17.06.15
136537-01-324 Rev 2	Road Long section Sheet 5 of 6	Harrison Grierson	17.06.15
136537-01-325 Rev 2	Road Long section Sheet 6 of 6	Harrison Grierson	17.06.15
136537-01-340 Rev 4	Typical Road Cross Section Sheet 1 of 2	Harrison Grierson	25.06.15
136537-01-341 Rev 4	Typical Road Cross Section Sheet 2 of 2	Harrison Grierson	25.06.15
136537-01-390 Rev 2	Standard Road Detailing Sheet 1 of 4	Harrison Grierson	17.06.15
136537-01-391 Rev 2	Standard Road Detailing Sheet 2 of 4	Harrison Grierson	17.06.15
136537-01-392 Rev 2	Standard Road Detailing Sheet 3 of 4	Harrison Grierson	17.06.15
136537-01-393 Rev 2	Standard Road Detailing Sheet 4 of 4	Harrison Grierson	17.06.15
136537-01-400 Rev 2	Concept Drainage Plan Overall Site	Harrison Grierson	17.06.15
136537-01-401 Rev 2	Concept Stormwater Drainage Plan Sheet 1 of 7	Harrison Grierson	17.06.15
136537-01-402 Rev 2	Concept Stormwater Drainage Plan Sheet 2 of 7	Harrison Grierson	17.06.15
136537-01-403 Rev 2	Concept Stormwater Drainage Plan Sheet 3 of 7	Harrison Grierson	18.06.15
136537-01-404 Rev 2	Concept Stormwater Drainage Plan Sheet 4 of 7	Harrison Grierson	17.06.15
136537-01-405 Rev 2	Concept Stormwater Drainage Plan Sheet 5 of 7	Harrison Grierson	17.06.15
136537-01-406 Rev 2	Concept Stormwater Drainage Plan Sheet 6 of 7	Harrison Grierson	17.06.15
136537-01-407 Rev 2	Concept Stormwater Drainage Plan Sheet 7 of 7	Harrison Grierson	17.06.15
136537-01-410 Rev 2	Concept Wastewater Drainage Plan Sheet 1 of 4	Harrison Grierson	17.06.15
136537-01-411 Rev 2	Concept Wastewater Drainage Plan Sheet 2 of 4	Harrison Grierson	17.06.15
136537-01-412 Rev 2	Concept Wastewater Drainage Plan Sheet 3 of 4	Harrison Grierson	17.06.15
136537-01-413 Rev 2	Concept Wastewater Drainage Plan Sheet 4 of 4	Harrison Grierson	17.06.15
136537-01-430 Rev 2	Concept Stormwater Long sections Sheet 1 of 2	Harrison Grierson	17.06.15
136537-01-431 Rev 2	Concept Stormwater Long sections Sheet 2	Harrison	17.06.15

	of 2	Grierson	
136537-01-450 Rev 3	Concept Wastewater Long sections	Harrison Grierson	17.06.15
136537-01-480 Rev 1	Wingwall Discharge to Oruarangi Creek	Harrison Grierson	17.06.15
136537-01-480 Rev 2	Wingwall Details Outlet to Oruarangi Creek	Harrison Grierson	27.06.15
136537-01-481 Rev 1	Wingwall Details Outlet to Oruarangi Rd Culvert	Harrison Grierson	27.06.15
136537-01-490 Rev 1	Standard Drainage Detail Sheet 1 of 9	Harrison Grierson	17.06.15
136537-01-491 Rev 1	Standard Drainage Detail Sheet 2 of 9	Harrison Grierson	17.06.15
136537-01-492 Rev 1	Standard Drainage Detail Sheet 3 of 9	Harrison Grierson	17.06.15
136537-01-493 Rev 1	Standard Drainage Detail Sheet 4 of 9	Harrison Grierson	17.06.15
136537-01-494 Rev 1	Standard Drainage Detail Sheet 5 of 9	Harrison Grierson	17.06.15
136537-01-495 Rev 1	Standard Drainage Detail Sheet 6 of 9	Harrison Grierson	17.06.15
136537-01-496 Rev 1	Standard Drainage Detail Sheet 7 of 9	Harrison Grierson	17.06.15
136537-01-497 Rev 1	Standard Drainage Detail Sheet 8 of 9	Harrison Grierson	17.06.15
136537-01-498 Rev 1	Standard Drainage Detail Sheet 9 of 9	Harrison Grierson	17.06.15
136537-01-500 Rev 2	Concept Water Layout Plan Overall Site	Harrison Grierson	17.06.15
136537-01-502 Rev 2	Water Layout Plan Sheet 2 of 6	Harrison Grierson	17.06.15
136537-01-503 Rev 2	Water Layout Plan Sheet 3 of 6	Harrison Grierson	17.06.15
136537-01-504 Rev 1	Water Layout Plan Sheet 4 of 6	Harrison Grierson	17.06.15
136537-01-505 Rev 2	Water Layout Plan Sheet 5 of 6	Harrison Grierson	17.06.15
136537-01-506 Rev 2	Water Layout Plan Sheet 6 of 6	Harrison Grierson	17.06.15
136537-01-590 Rev 1	Standard Water Detail Sheet 1 of 5	Harrison Grierson	17.06.15
136537-01-591 Rev 1	Standard Water Detail Sheet 2 of 5	Harrison Grierson	17.06.15
136537-01-592 Rev 1	Standard Water Detail Sheet 3 of 5	Harrison Grierson	17.06.15
136537-01-593 Rev 1	Standard Water Detail Sheet 4 of 5	Harrison Grierson	17.06.15

136537-01-594 Rev 1	Standard Water Detail Sheet 5 of 5	Harrison Grierson	17.06.15
136537-01-1000 Rev 1	Remediation Works Plan for Contaminated Site	Harrison Grierson	18.06.15
136537-01-SK#035 Rev B	Swale Conveyance Channel	Harrison Grierson	22.06.15
136537-01-SK#023	Appendix 2: Hydraulic Grade Line Analysis Results (With Blockage Factors)	Harrison Grierson	03.02.15
136537-01-SK#045 Rev A	Road Long section Sheet 1 of 6	Harrison Grierson	24.08.15
137855-01-100 R1	Proposed Wastewater Rising Main Design Index Plan	Harrison Grierson	22.05.15
137855-01-101 R1	Proposed Wastewater Rising Main Design Plan & Long section (Page 1 of 3)	Harrison Grierson	22.05.15
137855-01-102 R1	Proposed Wastewater Rising Main Design Plan & Long section (Page 2 of 3)	Harrison Grierson	22.05.15
137855-01-103 R1	Proposed Wastewater Rising Main Design Plan & Long section (Page 3 of 3)	Harrison Grierson	22.05.15
136537-01-071 R1	Existing Onsite Trees	Harrison Grierson	17.06.15
136537-01-074 R2	Existing Street Trees along Ihumatao Quarry Road	Harrison Grierson	17.06.15
136537-01-075 R2	Existing Street Trees along Oruarangi Road	Harrison Grierson	17.06.15

<b>Specialist Report / Info</b>	<b>Title</b>	<b>Prepared by</b>	<b>Ref</b>	<b>Date</b>
Assessment of Environmental Effects	Qualifying Development Application	Harrison Grierson	R002v1-136537-QD-Final-wsp-alm	June 2015
Assessment of Environmental Effects	Remediation of Contaminated Land	Harrison Grierson	R004v1-AA136537-01	June 2015
Infrastructure Report, Plans and Calculations	Qualifying Development Civil Infrastructure Report, Plans and Calculations (Appendix 5)	Harrison Grierson	R002v4-MA136537-01-CIR-der and various plans	September 2015
Construction Management Plan	Technical Memo Oruarangi Road Special Housing Area - Environmental Management Plan (Appendix 6)	Harrison Grierson	1150-136537-01	23/06/2015
Dust Management Plan	Technical Memo Oruarangi Road Special Housing Area - Dust Management Plan (Appendix 7)	Harrison Grierson	1150-136537-01	June 2015
Urban Design Statement	Qualifying Development Design Statement	Harrison Grierson	1150-136537-01	June 2015

	(Appendix 8)			
Traffic Report	Integrated Transport Assessment (Appendix 9)	Traffic and Transportation Engineers Ltd (T2)	J00070 Oruarangi SHA Peer Review 6 July 2015	17/06/2015
Traffic Report	Oruarangi Qualifying Development (Appendix 10)	Traffic and Transportation Engineers Ltd (T2)	1200399\150510	10/06/2015
Urban Design Statement	Oruarangi Road SHA Urban Design Statement (Appendix 11)	Harrison Grierson	1150-136537-01	June 2015
Cultural Impact Assessment	Cultural Impact Assessment (Appendix 12)	Te Kawerau Iwi Tribal Authority	TKITA-2014-0083	June 2015
Cultural Impact Assessment	Cultural Impact Assessment (Appendix 13)	Te Ākitai Waiohū		2015
Ecological Report	Oruarangi Road SHA Preliminary Ecological Assessment (Appendix 14)	Mitchell Partnerships and Fresh Water Solutions		June 2015
Arboricultural Report and Plans	Arboricultural Implication Report and Plans (Appendix 15)	The Specimen Tree Company	136537-01-071-Rev R1, 136537-01-074-Rev R2 and 136537-01-075-Rev R2	June 2015
Geotechnical Report	Geotechnical Investigation Report (Appendix 16)	Soil & Rock Consultants	14179	06/03/15
Contamination Report - Detailed Site Assessment	Environmental Site Assessment - Soil Contamination Assessment (Version C) (Appendix 17)	Soil & Rock Consultants	14761	05.05.2015
Contamination Report - Site Management Plan	Site Management Plan (Appendix 18)	Soil & Rock Consultants	14761	29.05.15
Heritage Report	Historic Heritage Assessment (Appendix 19)	Clough & Associates		May 2015
Landscape Report	Landscape and Visual Effects Assessment (Appendix 20)	DJ Scott Landscape Architect		May 2015
Assessment Criteria	PAUP Subdivision Assessment Criteria (Appendix 21)	Harrison Grierson		
Stormwater Report	Stormwater Management Plan (Appendix 22)	Harrison and	R003v6-AK136537-01	August 2015

		Grierson		
Section 28 (s92 RMA) Further Information	Various correspondence between Harrison Grierson, Vector, The Subdivision Group, Lend Lease, the Auckland Council, Clough & Associates, DJ Scott Landscape Architect, LA4 Landscape Architects, Soil & Rock and T2	Numerous		13/03/15-03/09/15
Section 28 (s92 RMA) Further Information	Outlet to CMA drawings/sketches	Harrison Grierson		17.08.15

## Charges

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

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

## Monitoring Charges

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 of this consent.

## Land Use and Subdivision - Lapse of Consent (47541 and 47542)

4. Under section 51 of the HASHAA (section 125 of the Resource Management Act 1991 ("RMA")), these consents will lapse two years after the date they are granted unless the consent is given effect to or on application the Council extends the period after which the consent will lapse.

## Stormwater Coastal Outlet - Lapse of Consent (P47541)

5. Under section 51 of the HASHAA (section 25 of the RMA), consent to construct the stormwater outfall and the rip-rap structure will expire two years after the date it is granted, unless the consent is given effect to or on application the Council extends the period after which the consent will lapse.

### **Contamination Discharge - Consent Duration (P47542)**

6. Under section 50 of the HASHAA (s.123 of the RMA), the permit for discharge of contaminants to land and water will expire two years after the date it is granted unless it has lapsed, been surrendered or been cancelled at an earlier date.

### **PRE-CONSTRUCTION CONDITIONS**

#### **Historic Heritage Management Plan**

7. Prior to commencement of any earthworks on the site, an Historic Heritage Management Plan (“HHMP”) must be prepared by an appropriately qualified archaeologist and submitted to the Senior Compliance Advisor, SHA Consenting for approval in consultation with the Heritage Manager, Auckland Council prior to works commencing. The HHMP shall include, but not be limited to:
- a) Description of the development area (including location plan and development map);
  - b) Summary of historic heritage sites within the development area;
  - c) Identification of direct and indirect effects on historic heritage within the development area;
  - d) Identification of proposed management processes for each indirect and direct effect on historic heritage;
  - e) Measures to conserve the drystone walls, including preservation, restoration in situ, reconstruction and adaptive re-use (with reference to the International Council on Monuments and Sites - New Zealand charter)
  - f) Details on any protocols to be followed;
  - g) Description of project team roles and responsibilities;
  - h) Identification of which project team members will be on site and when they will be on site during the earthwork phase;
  - i) Training requirements of the project team (i.e. how will this occur, who will provide the training and who will receive the training) and how these will be documented; and
  - j) Details on the storage and curation of the site archive and dissemination of the results of any fieldwork investigations undertaken in relation to historic heritage.

No earthworks activity on the site shall commence until confirmation from the Council has been provided that the HHMP is satisfactory. The development must then be undertaken in accordance with the approved HHMP to the satisfaction of the Senior Compliance Advisor, SHA Consenting.

#### **Kintyre House**

8. Prior to any works commencing within the extent of place for Kintyre House, a Conservation Plan shall be prepared by an appropriately qualified built heritage specialist and submitted to the Senior Compliance Advisor, SHA Consenting for approval (in consultation with the Heritage Manager, Auckland Council). The Conservation Plan shall include details for an interpretation panel and reinstatement of a gate in the north-east corner. No activity in the extent of place for Kintyre House is to commence until confirmation from the Council is provided that the Conservation Plan is satisfactory. The development shall then be undertaken in accordance with the approved Conservation Plan to the satisfaction of the Senior Compliance Advisor, SHA Consenting.
9. Prior to any earthworks works commencing adjacent to the extent of place for Kintyre House, the detailed design of the proposed retaining, batters and landscaping shall be submitted to the Senior Compliance Advisor, SHA Consenting for approval (in consultation with the Heritage Manager, Auckland Council). The consent holder shall use its best endeavours to minimise the amount of retaining required and provide screening with vegetation and/or stone walls. The development shall then be undertaken in accordance with this approved detailed design to the satisfaction of the Senior Compliance Advisor, SHA Consenting.

### **Lizard Management Plan**

10. Prior to commencement of any earthworks activity on the site, a Lizard Management Plan ("LMP") is to be prepared by an appropriately qualified ecologist and submitted for approval to the Senior Compliance Advisor, SHA Consenting. As a minimum, the LMP shall include:
  - a) The appointment of a project herpetologist with Department of Conservation authority to relocate native lizards in the project area;
  - b) A lizard capture-relocation programme, including methodology and timeframe details for pre-construction and during construction lizard salvage, to be undertaken outside of winter months;
  - c) Identification of appropriate on-site release sites for captured lizards;
  - d) Provision for post-release monitoring, on-site habitat enhancement and predator management at any release sites utilised. This is to include details on the frequency and period of time involved;
  - e) Reporting on the results of the lizard relocation and any follow-up management and monitoring. This is to include details on the frequency and period of time to be undertaken.

No earthworks activity on the site shall commence until confirmation from the Council has been provided that the LMP is satisfactory. All works are to be undertaken in accordance with the approved LMP prior to works commencing on the relevant stage to ensure that any native lizards present in areas affected by works are relocated to suitable protected habitat elsewhere on the site.

### **Erosion and Sediment Control Plan**

11. Prior to commencement of any earthworks activity on the site (or prior to each stage of earthworks commencing as may be agreed with the Senior Compliance Advisor, SHA Consenting, a finalised Erosion and Sediment Control Plan (“ESCP”) including a Universal Soil Loss Equation is to be prepared and submitted for approval to the Senior Compliance Advisor, SHA Consenting. No earthworks activity on the site shall commence until confirmation from the Council has been provided that the ESCP is satisfactory. All works are to be undertaken in accordance with the approved ESCP. The ESCP must contain sufficient detail to address the following matters:
- a) Details of specific erosion and sediment controls to be utilised, (location, dimensions, capacity);
  - b) Supporting calculations including a USLE and design drawings;
  - c) Catchment boundaries and contour information;
  - d) Details of construction methods;
  - e) Timing and duration of construction and operation of control works (in relation to staging and sequencing earthworks);
  - f) Details relating to management of exposed areas (e.g. grassing, mulching); and
  - g) Monitoring and maintenance requirements.

In the event that minor amendments to the erosion and / or sediment controls are required, any such amendments must be limited to the scope of this consent. Any minor amendments are to be provided to the Senior Compliance Advisor prior to implementation to confirm that they are within the scope of this consent.

### **Chemical Treatment Management Plan**

12. Prior to commencement of any earthworks activity on the site, a Chemical Treatment Management Plan (“Chem MP”) is to be prepared by an appropriately qualified and experienced person and submitted to the Senior Compliance Advisor, SHA Consenting for approval. No earthwork activities are to commence until written confirmation has been provided by the Senior Compliance Advisor, SHA Consenting, that the Chem MP is approved.

The Chem MP is to include as a minimum:

- a) Specific design details of the chemical treatment system based on a rainfall activated methodology for the site’s sediment retention pond(s) and a batch dosing system for the sites decanting earth bunds;
- b) Monitoring, maintenance (including post-storm) and contingency programme (including a record sheet);
- c) Details of optimum dosage (including assumptions);
- d) Results of initial chemical treatment trial and bench testing;
- e) A spill contingency plan; and

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

In the event that minor amendments to the Chem MP are required, any such amendments must be limited to the scope of this consent. Any minor amendments are to be provided to the Senior Compliance Advisor, SHA Consenting prior to implementation to confirm that they are within the scope of this consent.

### **Pre-Construction Meeting**

13. Prior to commencement of the construction and/or earthworks activity, the consent holder is to arrange and conduct a pre-construction meeting that:
  - a) is located on the site
  - b) is scheduled not less than 5 days before the anticipated commencement of earthworks
  - c) includes the Senior Compliance Advisor, SHA Consenting
  - d) includes the Council's heritage arborist and the project archaeologist/heritage expert
  - e) includes the engineer/s to the contract
  - f) includes representation from the contractors who will undertake the works

The following information is to be made available by the consent holder for discussion at the pre-construction meeting:

- (a) Timeframes for key stages of the works authorised by this consent
- (b) Resource consent conditions
- (c) Extent and nature of the pruning works to the retained Pohutukawa tree at Kintyre House
- (d) Staging programme
- (e) Approved Erosion and Sediment Control Plan
- (f) Approved Chemical Treatment Management Plan
- (g) Approved Traffic Management Plan
- (h) Approved Site Management Plan
- (i) Approved Historic Heritage Management Plan
- (j) Approved Lizard Management Plan

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

#### Advice Note:

*To arrange the pre-construction meeting please contact the Senior Compliance Advisor, SHA Consenting, on [specialhousingarea@aucklandcouncil.govt.nz](mailto:specialhousingarea@aucklandcouncil.govt.nz) or 09 373 6392 and the Council's arborist West Fynn on 021 824 708.*

### **Heritage Briefing**

14. Prior to commencement of any of the earthworks activity on the site, a contractors briefing is to be undertaken by the project archaeologist/historic heritage expert. This briefing shall provide information to contractors regarding:
- a) What constitutes archaeological/historic heritage materials;
  - b) The legal requirements for unexpected archaeological discoveries;
  - c) The procedures to follow if archaeological/historic heritage materials are uncovered while the project archaeologist is not on the site to safeguard materials; and
  - d) The contact information of the relevant agencies (including the project archaeologist/historic heritage expert, the Auckland Council Senior Compliance Advisor - SHA Consenting, the Auckland Council Heritage Unit, Heritage NZ Pouhere Taonga) and Mana Whenua.

Documentation demonstrating that the contractor briefing has occurred is to be provided to the Senior Compliance Advisor, SHA Consenting at the pre-start meeting required by this condition.

### **Certification of Erosion and Sediment Controls**

15. Prior to bulk earthworks commencing, a certificate signed by an appropriately qualified and experienced engineer is to be submitted to the Senior Compliance Advisor, SHA Consenting, to certify that the erosion and sediment controls have been constructed in accordance with the approved Erosion and Sediment Control Plan.

The certified controls shall include the, approved sediment retention ponds, decanting earth bunds, runoff diversion bunds, contour drains, clean water diversions, and silt fences. The certification for these subsequent measures is to be supplied immediately on completion of construction of those measures. The information supplied if applicable, must include:

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

### **Road and Traffic Management**

16. Prior to commencement of the earthworks or construction activity on the site, a Traffic Management Plan (“TMP”) is to be prepared by a qualified site traffic management supervisor and submitted for approval by the Senior Compliance Advisor, SHA Consenting. No earthworks or construction on the site shall commence until confirmation is provided by the Council that the TMP is satisfactory and any required measures referred to in that plan have been put in place. The TMP must ensure that the following matters are included as a minimum:
- a) the control of the movement of earthmoving vehicles to and from the site
  - b) a designated heavy vehicle entry and exit point or points
  - c) a designated haulage route on the public road network for heavy vehicles accessing the site
  - d) signage proposed to warn pedestrians and road users of heavy vehicle movements
  - e) measures to ensure that any mud, dirt or debris tracked on to the surrounding roads by heavy vehicles accessing the site is avoided and/or cleaned up if it occurs
  - f) any restrictions on the hours of site access due to traffic concerns.

Advice Note:

*It is the responsibility of the consent holder to seek approval for the Traffic Management Plan from Auckland Transport if required. Please contact Auckland Transport on (09) 355 3553 and review [www.beforeudig.co.nz](http://www.beforeudig.co.nz) before commencing works.*

## **CONSTRUCTION**

### **Earthworks**

17. If, at any time during site works, potential koiwi (human remains), archaeology or artefacts are discovered, then the following discovery protocol is to be followed:
- a) All earthworks are to cease in the immediate vicinity (at least 10m from the site of the discovery) while an appropriately qualified archaeologist is consulted to establish the nature of the remains.
  - b) If the material is identified by the archaeologist as human, archaeological or artefact, the consent holder must immediately advise the Senior Compliance Advisor - SHA Consenting, Heritage New Zealand Pouhere Taonga, and the Police (if human remains are found) and arrange a site inspection with these parties. Earthworks must not be resumed in the affected area (as defined by the archaeologist) until a statement in writing is provided to the Senior Compliance Advisor - SHA Consenting from Heritage New Zealand Pouhere Taonga that appropriate action has been undertaken in relation to the material discovered.
  - c) If the discovery contains koiwi, archaeology or artefacts of Maori origin, representatives from Te Kawerau a Maki and Te Ākitai Waiohū are to be provided information on the nature and location of the discovery prior to earthworks in the affected area (as defined by the archaeologist) resuming.

- d) Te Kawerau a Maki and Te Ākitai Waiohua are to be given an opportunity to monitor the earthworks and conduct karakia and other such religious or cultural ceremonies and activities as they consider appropriate.
18. If any unrecorded historic heritage site (being any site that meets the RMA definition of historic heritage) is exposed as a result of any activity associated with the exercise of the consent then these sites must be recorded on the Council's Cultural Heritage Inventory by the project archaeologist/ historic heritage expert.
19. Earthworks on the site are to be staged in accordance with the Qualifying Development Civil Infrastructure Report - 2.1.3 Earthworks Methodology, prepared by Harrison Grierson and dated September 2015, so that no more than one stage (Stages 1 to 3) is disturbed at any one time, and are to be sequenced to minimise the discharge of contaminants to groundwater and/or surface water.
20. There shall be no deposition of earth, mud, dirt or other debris on any road or footpath resulting from earthworks activity on the site. In the event that such deposition does occur, it is to be immediately removed by the consent holder. In no instance are roads or footpaths to be washed down with water without adequate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses or receiving waters.

Advice Note:

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

- *provision of a stabilised entry and exit(s) point for vehicles;*
  - *provision of wheel wash facilities;*
  - *ceasing vehicle movement until materials are removed;*
  - *cleaning road surfaces using street-sweepers;*
  - *silt and sediment traps; and*
  - *catchpits or enviropods.*
21. The operational effectiveness and efficiency of all erosion and sediment control measures specifically required as conditions of consent, or by the approved Erosion and Sediment Control Plan, must be maintained throughout the duration of earthworks activity, or until the site is permanently stabilised against erosion.
22. All excavation in the work areas must be managed to minimise any discharge of debris, soil, silt, sediment or sediment-laden water from beyond the site to either land, stormwater drainage systems, watercourses or receiving waters. All sediment and erosion controls are to be installed in accordance with the Council's Guidelines for Land Disturbing Activities in the Auckland Region, Technical Publication TP90. The excavation areas are to be dampened during the day to suppress the generation of dust during the works.
23. The site must be progressively stabilised against erosion at all stages of the earthwork activity, and works are to be sequenced to minimise the discharge of contaminants to groundwater and/or surface water.

Advice Note:

*Interim stabilisation measures may include:*

- *the use of waterproof covers, geotextiles, or mulching*
  - *top-soiling and grassing of otherwise bare areas of earth*
  - *aggregate or vegetative cover that has obtained a density of more than 80% of a normal pasture sward*
24. No earthworks on the site are to be undertaken between 30 April and 1 October in any year without the prior written approval of the Senior Compliance Advisor, SHA Consenting, at least two weeks prior to 30 April of any year. Revegetation/stabilisation is to be completed by 30 April in accordance with measures detailed in the Council's Guidelines for Land Disturbing Activities in the Auckland Region, Technical Publication TP90 and any amendments to that document.
25. On abandonment or completion of earthworks on the site all areas of bare earth must be permanently stabilised against erosion to the satisfaction of the Senior Compliance Advisor, SHA Consenting. Should the earthworks be completed, abandoned or inactive, bare areas of earth are to be permanently stabilised against erosion and precautions taken to avoid roosting sea birds.

Advice Note:

*Measures may include:*

- *The use of mulch.*
- *Top-soiling, grassing and mulching otherwise bare areas of earth.*
- *Aggregate or vegetative cover that has obtained a density of more than 80% of a normal pasture sward.*

**Dust Management**

26. There is to be no airborne or deposited dust beyond the site as a result of the earthworks and/or construction activity that, in the opinion of the Senior Compliance Advisor, SHA Consenting, is noxious, offensive or objectionable.

**Noise**

27. All construction and earthworks activities on the site must comply with the New Zealand Standard 6803:1999 for Acoustics - Construction Noise, at all times. The use of noise generating tools, motorised equipment, and vehicles associated with construction and/or earthworks activity on the site is restricted to between the following hours to comply with this Standard:
- Mondays to Saturdays: 7:30am to 6.00pm
  - Sundays or Public Holidays: No works

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

## ENGINEERING PLAN REQUIREMENTS AND APPROVALS

28. Prior to commencement of any civil construction works, or prior to lodgement of the survey plan pursuant to section 45 of the HASHAA (section 223 of the RMA), whichever is earlier, the consent holder is to submit two hard copies and one PDF/CD version of complete engineering plans (including engineering calculations and specifications) to the SHA Programme Director Consenting, Development Programme Office for approval. Details of the chartered professional engineer who will act as the consent holder's representative for the duration of the development are also to be provided with the application for engineering plan approval.

The engineering plans shall include, but not be limited to, information regarding the following engineering works:

- a) Earthworks and any retaining walls in accordance with the Geotechnical Investigation Report prepared by Soil & Rock Consultants, dated 6 March 2015 (Ref. 14179) and Qualifying Development Civil Infrastructure Report, prepared by Harrison Grierson, dated September 2015 (Ref. R002v4-MA136537-01-CIR-der) and associated plans and calculations.
- b) Design and location of any counterfort and/or subsoil land drainage required and the proposed ownership and maintenance of the counterfort and/or subsoil land drainage.
- c) Detailed design of all roads to be vested in the Council including intersections, bus bays, parking, traffic lights, roundabout, cycling routes, pedestrian crossings, footpaths (4kg/m<sup>3</sup> black oxide along Ihumatao Quarry Road) and final threshold treatment options. All roads are to be designed in accordance with Auckland Transport's Code of Practice ("ATCOP") or any amendments/updates to that document.
- d) Details of the temporary pedestrian path (compacted aggregate) on the western side of Oruarangi Road linking the Stage 1 application site to the north.
- e) Detailed design of all street lighting, street furniture and other structures/facilities on the roads to be vested in Auckland Transport (including street furniture, traffic calming devices and safety measurements, marking and street sign etc.) shall be designed in accordance with ATCOP including any amendments/updates to that document. Street lighting and outdoor lighting must be designed so that any light spill does not adversely affect aircraft operations or Maori cultural values.
- f) Details of any entry/gateway features such as road surfaces, unique planting, signage, public art, street furniture, etc.
- g) Visibility assessment of all proposed roads, in particular visibility at intersections and forward visibility around bends must meet design standards.
- h) Design of the Jointly Owned Access Lot ("JOAL") 400 (including paving, drainage, lighting and landscaping details including the stone wall restoration) and vehicle crossings. Shared paths on Oruarangi Road are to be continuous in their levels and materials across the vehicle crossings.
- i) Final indented parking bay locations with street lighting design and landscaping plans to be overlaid.

- j) Detailed Landscape Planting Plan and maintenance programmes for all street planting and landscaping on the proposed roads and reserves.
- k) Details of any services to be laid including pipes and other ancillary equipment to be vested in the Council for water supply and wastewater disposal systems. The water supply and wastewater disposal systems are to be designed in accordance with the Water and Wastewater Code of Practice for Land Development and Subdivision, May 2015 prepared by Watercare Services Limited.
- l) Details of any proposed upgrades of the existing water supply, stormwater and wastewater systems and approval from the relevant utility owner of the asset(s).
- m) Details of finished floor levels and freeboard compliance with the Council's Code of Practice for Land Development and Subdivision: Chapter 4 - Stormwater.
- n) Non-standard raingarden structures that effectively retain critical infrastructure must have a producer statement 1 verification for structural design and subsequent producer statement 4 for construction observation.
- o) Detailed design of the stormwater system and devices for the management of both quantity and quality of the stormwater runoff from the contributing development upstream catchment (including treatment devices and all ancillary equipment/structure etc.). The stormwater system and devices are to be designed in accordance with the Council's Code of Practice for Land Development and Subdivision: Chapter 4 - Stormwater and in particular:
  - i. The stormwater system is to be designed to identify health and safety risks during the life of the asset and must ensure the safety of the public, property and to operating personnel, contractor and Council employees.
  - ii. The stormwater system shall have an asset life of a minimum of 100 years.
  - iii. The principles of water-sensitive design and "best management practices" to minimise stormwater run-off volumes and peak flow rates and to improve the quality of stormwater run-off entering the receiving environment are to be utilised for the design of the stormwater system.
  - iv. The system shall cater for stormwater run-off from the site together with any run-off from upstream catchments in accordance with TP108 "Guidelines for Stormwater Runoff Modelling in the Auckland Region 1999" and allowances for climate changes. The upstream catchment shall be considered for the Maximum Probable Development scenario (full development to the extent defined in the Proposed Auckland Unitary Plan)..
  - v. Mitigation measures (e.g. peak flow attenuations and/or velocity control) to mitigate the downstream effects are to be taken into account in the design of the stormwater system.
- p) Details of fire hydrants to be installed. Any fire hydrants must be designed in accordance with the Water and Wastewater Code of Practice for Land Development and Subdivision, May 2015 prepared by Watercare Services Limited.
- q) Details of the hydrology mitigation measures in accordance with the Stormwater Management Plan dated August 2015 (and any subsequent agreed revisions).

- r) Details of any future drainage reserve including the post development contour, walkways, signboard, lighting and reserve furniture (e.g. seating and rubbish bins, etc).
- s) Approval from the Council's Stormwater Unit and Watercare Services Limited for any structure located within 2 metres of a pipe or manhole.
- t) Information relating to gas, electrical or telecommunications infrastructure including ancillary equipment (assuming hard-wired telecommunications services are required).

As part of the application for engineering plan approval, a chartered professional engineer shall:

- a) Certify that all public roads and associated structures/facilities or accessways have been designed in accordance with the ATCOP including any amendments/updates to that document.
- b) Certify that the proposed stormwater system or devices proposed have been designed in accordance with the Council's Code of Practice for Land Development and Subdivision: Chapter 4 - Stormwater.
- c) Certify that all water supply and wastewater systems have been designed in accordance with the Water and Wastewater Code of Practice for Land Development and Subdivision, May 2015 prepared by Watercare Services Limited.
- d) Provide a statement that the proposed infrastructure has been designed with the long term operation and maintenance of the asset in mind.
- e) Confirm that all practical measures are included in the design to facilitate safe working conditions in and around the asset.

Advice Note:

*Marking and signage plans for road reserves will need to be legalised by way of a resolution process at the consent holder's expense. A qualified traffic engineer should be engaged to carry out the consultation with the affected landowners (if any) and to prepare the resolution report for Auckland Transport's Traffic Control Committee ("TCC") approval. The consent holder should contact Auckland Transport to initiate the resolution process at least 8 weeks prior to installation of the marking and signage. No installation of any road markings will be permitted before the resolution has been approved by Auckland Transport's TCC.*

*Access to JOAL 400 on Oruarangi Road is to be designed to standard vehicle crossings at 90 degrees preferably and not worse than 70 degrees.*

*The Ihumātao Quarry Road cross-section is to include a 3m wide shared path on the northern side of the road and 1.8m wide footpaths on the southern side of the road in accordance with Road Typology B - Ihumatao Quarry Road and Table 4 (Road construction standards) of the Mangere Gateway Sub-Precinct E provisions.*

*In the event that the upstream catchment includes areas outside the Rural Urban Boundary, the Maximum Probable Development scenario is to be agreed with the Council.*

## STORMWATER

### Stormwater Management Devices in Road Reserve

29. The road reserve stormwater management devices shall be designed and sized to meet the following requirement to mitigate runoff from all impervious areas in the road reserves prior to discharge to the primary network:

- Treatment of 10mm of runoff depth by volume

The stormwater management shall generally follow the proposed layout shown on the stormwater plans referenced 136537-01-270- Rev 1, 136537-01-400-Rev 2 to 136537-01-407-Rev 2 and the Stormwater Management Plan (Ref. R003v6-AK136537-01), prepared by Harrison Grierson and dated August 2015.

The design of the devices is to meet the following criteria:

- a) Be set offline from the primary stormwater reticulation network
- b) The footpath or grass berm level adjacent to the rain gardens or tree pits shall be set minimum of 100mm above the kerb inlet or at the same height at the top of kerb level
- c) Mulch or bark specification shall take account of floating mulch potentially blocking outlets. This may require a higher density and specific weight of mulch or use of other media such as stone.

### Overland Flowpaths

30. At the engineering plan approval stage, the consent holder shall submit detailed engineering plans and calculations showing the location, depth, width and velocity of overland flowpaths ("OLFP") through and on the site.

- a) Calculation and designs shall show compliance with the Council's Code of Practice for Land Development and Subdivision: Chapter 4 - Stormwater. Where there will be deviation from the Code of Practice, it is to be noted and reasons given for this deviation.
- b) Where the OLFPs pass adjacent or through private residential lots, consent notices (and easements if necessary) are to be recorded on the relevant Certificates of Title requiring minimum floor levels based on the flood depth plus the freeboard requirements of the Proposed Auckland Unitary Plan.

### Two Stage Stormwater Channel and Coastal Outlet

31. The two stage channel and coastal outlet is to be constructed in general accordance with Appendix 2 of the Stormwater Management Plan (August 2015).

Full engineering plans and calculations must be provided to the Council for approval as part of the engineering plan approval. These shall include:

- a) Approved landscaping plans
- b) Draft operation and maintenance manual(s).

The design of the channel must ensure that no safety fencing is required except where necessary at culvert headwalls.

The outfall to the Coastal Marine Area is to be implemented to blend into the surrounding landscape and is to utilise soft batters rather than hard retaining structures.

32. Within one week following completion of works on the stormwater outlet, the consent holder must remove all construction materials from the Coastal Marine Area to the satisfaction of the Senior Compliance Advisor, SHA Consenting.
33. Within one month following completion of works on the stormwater outlet, the consent holder must supply a copy of the "as built" plans to the Hydrographic Office (Chief Hydrographer, National Topo/Hydro Authority, Land Information New Zealand, Private Box 5501, Wellington).

### **CONTAMINATION REMEDIATION**

34. The site remediation works must be supervised by an appropriately qualified and experienced contaminated land practitioner who is to ensure that the management options and contingency measures outlined in the Site Management Plan prepared by Soil & Rock Consultants Ltd and dated 29 May 2015 (Ref. 14761) are followed.

*Advice Note:*

*The Council acknowledges that the Site Management Plan is intended to provide flexibility for management of the works and contaminated site discharge. Accordingly, it may need to be updated. Any updates should be limited to the scope of this consent and consistent with the conditions of this consent.*

35. All sampling and testing of contamination on the site shall be overseen by an appropriately qualified and experienced contaminated land practitioner. All sampling is to be undertaken in accordance with the *Contaminated Land Management Guidelines, No.5 - Site Investigation and Analysis of Soils*, published by the Ministry for the Environment, revised 2011.
36. The contaminated soils identified for off-site disposal are primarily to be loaded directly into trucks and covered during transportation off site. If required, temporary stockpiles are to be located within an area protected by erosion and sediment controls and covered with tarpaulins anchored at the edges outside working hours and during periods of heavy rain. All soil removed from the land disturbance area must be deposited at a disposal site that holds a consent to accept the relevant level of contamination.

Where it can be demonstrated that the soil has been fully characterised in accordance with the Ministry for the Environment's '*Guide to the Management of Cleanfills*' (2002) and meets the definition of 'cleanfill' in that document, removal to a consented disposal site will not be required. In such circumstances, the Senior Compliance Advisor, SHA Consenting, must be advised prior its removal from the site.

37. Any perched groundwater or surface run-off water encountered within the excavation area requiring removal is to be considered potentially contaminated, and must either:
  - a) be disposed of by a licensed liquid waste contractor; or
  - b) pumped to sewer, provided the relevant permits are obtained; or

- c) discharged to the stormwater system or surface waters provided testing demonstrates compliance with the Australian and New Zealand Environment Conservation Council (ANZECC) Guidelines for Fresh and Marine Water Quality (2000) for the protection of 95% of freshwater species.

38. Any imported fill must:

- a) Comply with the Council's cleanfill criteria
- b) Comply with the definition of 'cleanfill', in '*A Guide to the Management of Cleanfills*', published by the Ministry for the Environment (2002)
- c) Be solid material of an inert nature
- b) Not contain hazardous substances or contaminants above natural background levels of the receiving site.

### Validation

- 39. On completion of the proposed remediation works, site validation testing is to be undertaken. This must include testing the soil remaining within the excavation areas for heavy metals and polycyclic aromatic hydrocarbons. The site validation testing is to be undertaken in accordance with the Ministry for the Environment's Contaminated Land Management Guidelines, No.5: Site Investigation and Analysis of Soils, revised 2011.
- 40. Within three months following completion of the remediation works, a Site Validation Report ("SVR") must be provided to the satisfaction of the Senior Compliance Advisor, SHA Consenting and the Manager Regional Environmental Control, Licensing and Compliance Services. The SVR is to be prepared by an appropriately qualified and experienced contaminated land practitioner and must include details of any soil sampling undertaken. The SVR is to contain sufficient detail to address the following:
  - a) A summary of the works undertaken, including a statement confirming whether the excavation of the site has been completed in accordance with the application reports listed in condition 1.
  - b) The location and dimensions of the excavations carried out, including a relevant site plan.
  - c) A summary of any testing undertaken, including tabulated analytical results, and interpretation of the results in the context of the contaminated land rules in the Proposed Auckland Unitary Plan ("PAUP").
  - d) Total volume of excavated soil disposed off-site.
  - e) Copies of the disposal dockets for the material removed from the site.
  - f) Evidence that all imported fill material complies with the definition of 'cleanfill', in '*A Guide to the Management of Cleanfills*', published by the Ministry for the Environment (2002).
  - g) Records of any unexpected contamination encountered during the works, if applicable.
  - h) Details regarding any complaints and/or breaches of the procedures set out in the Site Management Plan, and the conditions of this consent.

41. Where contaminants are identified that have not been anticipated by the application documents, works in the area containing the unexpected contamination must cease and be immediately notified to the Senior Compliance Advisor, SHA Consenting. Works are not to recommence until confirmation is received from the Senior Compliance Advisor, SHA Consenting, that disturbance of the unexpected contamination is within the scope of this consent. Any unexpected contamination and contingency measures must be documented in the Site Validation Report.

## LANDSCAPING

### Landscape Planting Plans (Reserves)

42. A finalised Landscape Planting Plan for planting on the proposed reserves, Lots 500, 501 and 502, is to be provided to the Council's SHA Programme Director Consenting for approval prior to commencement of any construction works on those lots. The Landscaping Plan is to include the species and sizes of trees/vegetation at the time of planting and associated improvements in the reserves (e.g. play features, seating, footpath, pavement and rubbish disposal bins etc) as agreed with the Council's Parks Department and is to demonstrate that the species proposed are suitable and appropriate with regard to the purpose of the proposed reserves. All indigenous plants is to be eco-sourced from the Manukau Ecological District. A Maintenance Plan for all planting to be established is to be included. The Maintenance Plan must include:
- a) Vegetation maintenance policies for the proposed planting, in particular details of maintenance methodology and dates / frequencies for the first two years of the grant of consent by an appointed contractor with arboricultural experience;
  - b) An irrigation system
  - c) Vandalism eradication policies; and
  - d) Design strategy, specification and management plans for the maintenance of the reserves.
43. A seven wire stock-proof post and wire fence with farm style self-closing gate is to be provided on the boundary between Lots 500 and 501 and the Council land at 619 Oruarangi Road.

#### Advice Note:

*The seven wire fence is outlined in the technical memo by Harrison Grierson (Andrew McCarthy to Lauren White) on 31 July 2015 (HG Ref 1120-136537-01) which was provided as part of the application material in response to a section 64 further information request.*

### Landscape Planting Plan (Street Trees)

44. A Landscape Planting Plan for street planting (including rain gardens, tree pits, and formation of the berm to an urban standard) on Ihumātao Quarry Road, Oruarangi Road and the proposed qualifying development roads is to be provided for approval by the Council's SHA Programme Director Consenting prior to commencement of any construction works.. The Street Tree Planting Plan must include final species and planting sizes, details of tree pits and planting methodology and the maintenance programmes of the street planting.

## TREES

45. The consent holder must ensure that no trees are removed between September and December, inclusive unless it has been demonstrated to the satisfaction of the Senior Compliance Advisor, SHA Consenting, that no active native bird nests are located in the trees.
46. The consent holder is to engage an appropriately experienced works arborist to supervise and monitor all works that may impact on the retained trees and to ensure that appropriate arboriculturally sensitive construction methodologies are employed and root treatment where required is appropriate.
47. Any alterations to the boundary wall fronting Oruarangi Road adjacent to Kintyre House must be undertaken with appropriate materials and under the supervision of, and to the satisfaction of, the works arborist and the Council's heritage arborist.
48. All tree removals, pruning and transplanting works are to be undertaken by appropriately qualified arborists in accordance with best arboricultural practice.
49. The Pohutukawa tree at the front of Kintyre homestead identified as #6880 in the Arboricultural Implication report prepared by the Specimen Tree Company and dated June 2015) is to be retained and no earthworks, activities or associated works (including traffic of any kind or storage of materials, or sources of contamination), are to occur within the delineated area of its root zone (as identified on the plan titled 'Proposed Finished Levels, Kintyre Homestead, Plan', SK#064R2, dated 18.01.16). The delineated root zone area of this tree must be protected through isolation fencing to exclude all works. Signage is to be attached to this isolation fencing at 10m minimum centres stating that this is a tree protection zone.
50. Pruning of the Pohutukawa tree (identified as #6880 in the Arboricultural Implication report prepared by the Specimen Tree Company and dated June 2015), is to be restricted to, and in accordance with, the explicit directions of the heritage arborist at the pre-commencement meeting, and restricted to natural target pruning and reductive-cut pruning, as appropriate, to achieve the following:
  - a) Removal of dead wood;
  - b) Removal/reduction of identified problematic crossing branches and compromised/hazard branches;
  - c) Removal of small lower secondary branches to achieve a minor canopy lift of around 1m;
  - d) Light thinning of epicormic growth;
  - e) Not generating any pruning wounds exceeding 100mm in diameter;
  - f) Removal of no more than 5% of the total live growth of the tree.

## **GENERAL SUBDIVISION CONDITIONS**

### **Staging**

51. The conditions below apply where relevant to all stages of the subdivision to be implemented in the two stages as detailed below:
  - Stage 1 – Lots 1-63, 300, 400, 500, 600, 601 and 602

- Stage 2 – Lots 64-93, 301-305, 501, 502 and 605

At the time an application is made for issue of a section 224(c) certificate for each stage, the consent holder or the consent holder's representative must provide a letter to the Senior Compliance Advisor, SHA Consenting setting out how each of the conditions of this consent relevant to each stage have been met.

### **Retaining Walls**

52. All retaining walls must be constructed in accordance with the approved engineering plans. Any ancillary and supporting structures (e.g. post, rail and subsoil drain) of a retaining wall must be clear of the proposed lot boundary immediately parallel to the wall. A certificate from a licensed cadastral surveyor is to be provided certifying the compliance with this requirement at the lodgement of the section 224(c) for approval.
53. In the event that a retaining wall is to be constructed in order to retain a public road, Council owned land or a lot to be vested in the Council on completion of the subdivision, the retaining wall must be located wholly within the road reserve or the lot that is owned or to be vested in the Council.

### **Street Naming**

54. The consent holder is to submit a road naming application for proposed new roads for approval by the Mangere Otahuhu Local Board prior to lodgement of the land transfer plan for the subdivision for the associated stage.

#### Advice Note:

*In accordance with Council policy, the road naming application is to provide suggested street names (one preferred and two alternative names) and include evidence of meaningful consultation with local Iwi groups. The street naming approval for the proposed roads is to be obtained from the Local Board prior to approval of the survey plan pursuant to section 45 of the HASHAA. The road naming process currently takes approximately two or three months and the consent holder is therefore advised to submit the road naming application for approval by the Council as soon as practicable after approval of this consent.*

55. The new footpath along Ihumatao Quarry Road shall be be coloured with 4kg/m<sup>3</sup> black oxide.

### **Reserve Development**

56. Subject to Council acquisition approval of the Reserve Lots 500, 501 and 502, the consent holder is to develop, at its own cost, the reserve areas to the following specifications:
  - a) Good quality topsoil, free of stones and clay lumps, is to be retained from the site for use on the reserves. All grassed and planted areas are to be developed and completed with a minimum topsoil depth of 300mm unless otherwise agreed in writing with the Senior Compliance Advisor, SHA Consenting;
  - b) Where any existing ground levels are excavated, a minimum topsoil depth of 300mm must be achieved. If the subsoil at the required depth is hard and compacted, it is to be ripped to break up the under layer;

- c) Only if required, natural fertile topsoil capable of sustaining vigorous and healthy plant growth are to be imported in order to meet the necessary minimum depth of topsoil. All imported topsoil is to be uniformly composed of medium loam texture and shall be easily workable. It must be free of clay lumps and non-soil material including bricks and other building/construction material and contamination. It is to be free of weeds, straw or herbicide residues. Topsoil is to have an acidity range of ph 5.5 to 7.5 and be suitable for the plant species being used.
- d) Any topsoil that is deemed not to meet these requirements must be replaced at the consent holder's expense with complying topsoil;
- e) The reserve lots are to be cleared of any construction material, rubbish and surplus soil, and must be maintained in a neat and tidy condition for one year after the works are completed to the satisfaction of the Senior Compliance Advisor, SHA Consenting);
- f) Grassed areas of the reserve are to be free of weeds and achieve full and sustainable coverage of grass.

Details for the proposed works, including development and planting, must be submitted at the engineering approval stage for approval of the Senior Compliance Advisor, SHA Consenting (in consultation with the Council's Parks Department).

Prior to issue of the section 224(c) certificate pursuant to section 46 of the HASHAA for Stage 2, a certificate from the Manager of Local and Sports Parks (South) confirming that lots 500, 501 and 502 have been developed in accordance with the relevant landscape conditions is to be provided by the consent holder.

## **SECTION 223 CONDITION REQUIREMENTS (SECTION 45 OF THE HASHAA)**

### **Land Transfer Plan - Stage 1**

57. The consent holder is to submit a land transfer plan of the subdivision to the Council for approval pursuant to section 45 of the HASHAA (section 223 of the RMA). The survey plan is to be generally in accordance with the approved subdivision plans listed in condition 1 and include the following information to the satisfaction of the Council's SHA Programme Director Consenting:
- a) Lots 600, 601, 602, 603 and 604 are to be vested in the Council as public roads without compensation
  - b) Lot 500 is to be vested in the Council as a local purpose reserve (accessway) without compensation or alternatively as a public road (accessway)
  - c) If vested as a local purpose reserve, an overland flow path easement over lot 500 must be duly granted or reserved
  - d) Amalgamation condition for lot 400
  - e) An easement in gross over lots 1000 and 1001 in favour of the Council for the stormwater channel, overland flows and associated pipe lines
  - f) A certificate from a licensed cadastral surveyor confirming that the new boundaries for the existing dwelling on lot 39 are clear of any existing structures, building, vegetation or service connections provided for the dwelling. The

certificate must also confirm that the existing power and telecommunications services for the dwelling will not cross over any private lot

- g) A certificate from a licensed cadastral surveyor demonstrating that any retaining wall on a residential site and its ancillary and supporting structure(s) (e.g. post, rail and subsoil drain) is clear of the proposed lot boundaries immediately parallel to the wall where any retaining wall adjoins a public space or road.

In the event that the pump station at 562 Oruarangi Rd is not vested in Watercare Services Limited prior to issue of the section 224(c) certificate for Stage 1, an easement in gross in favour of Watercare Services Limited for the pump station and the associated pipelines or devices is to be created by the consent holder as a Memorandum of Easement as part of the section 223 application for Stage 1.

## **Land Transfer Plan - Stage 2**

58. The consent holder is to submit a land transfer plan of the subdivision to the Council for approval pursuant to section 45 of the HASHAA. The survey plan is to be generally in accordance with the approved subdivision plans in condition 1 and include the following information to the satisfaction of the Council's SHA Programme Director Consenting:

- a) Lot 605 is to be vested in the Council as a public road without compensation
- b) Lot 501 is to be vested in the Council as a local purpose reserve (accessway) without compensation or alternatively as a public road (accessway)
- c) If vested as a local purpose reserve, an overland flow path easement over lot 501 is to be duly granted or reserved
- d) Lot 502 is to be vested in the Council as recreation reserve only if an unconditional agreement for the sale and purchase of that lot has been agreed between the consent holder and the Council prior to the consent holder's request for the survey plan to be approved under section 45 of the HASHAA (section 223 of RMA). If there is no such agreement at that time, lot 502 is to remain as a balance lot held by the consent holder for which further applications for consent are to be made.
- e) A certificate from a licensed cadastral surveyor demonstrating that any retaining wall on a residential site and its ancillary and supporting structure(s) (e.g. post, rail and subsoil drain) is clear of the proposed lot boundaries immediately parallel to the wall where any retaining wall adjoins a public space or road.

Prior to approval of the land transfer plan for Stage 2, the consent holder is to submit a copy of the Meeting Resolution from the Regional Development and Operations Committee and a sale and purchase agreement or other written approval confirming that lot 502 is able to be vested in the Council to the Council's SHA Programme Director Consenting. As the vesting of lot 502 will be subject to an unconditional agreement for sale and purchase of land, no compensation or development contributions offsets, other than those which may be expressly set out in the agreement, are available to the consent holder.

## **Overland Flowpaths**

59. Prior to issue of the section 223(c) a registered surveyor or chartered professional engineer is to provide an as-built survey plan of the overland flowpaths and required minimum finished floor levels (“FFLs”) for all private lots in or adjacent to an overland flow path (“OLFP”).
- a) The minimum FFLs are to be entered onto the relevant Certificates of Title to ensure they are complied with on an ongoing basis.
  - b) Easements are required where OLFPs pass through private lots to protect those areas from future development including altering ground levels.

## **SECTION 224 CONDITION REQUIREMENTS (SECTION 46 OF THE HASHAA)**

### **Roads**

60. All roads and ancillary facilities such as raingardens, grass berms, traffic light, street lighting, and traffic calming devices, marking, street sign, and street furniture to be vested in the Council must be constructed in accordance with the approved engineering plans to the satisfaction of the Council’s SHA Programme Director Consenting.
61. An engineering completion certificate certifying that all proposed roads and the ancillary structures on the roads to be vested in the Council have been constructed in accordance with the approved engineering plans, must be provided in support of the section 224 application.
62. All RAMM as-built plans and data for the new roads must also be provided with the section 224(c) application. These are to include kerb lines, cesspits, footpath, intersection control devices, pavement marking, street lighting, street furniture, street name, directional signs and landscaping etc.
63. A report from an appropriately qualified and registered electrician is to be supplied with the section 224(c) application. The report is to certify that all street lightings have complied with the relevant safety standards, that they are connected to the network, and are operational.

### **Reinstatement of Existing Roads**

64. Any damaged footpath, kerb, crossing resulting from the construction work must be repaired, reinstated or reconstructed by the consent holder in accordance with Auckland Transport’s Code of Practice, or any amendments/updates to that document, to the satisfaction of the Council’s SHA Programme Director Consenting. An engineering completion certificate certifying that this condition has been met is to be provided in support of the section 224 application.

### **Jointly Owned Access Lot**

65. Details of paving, drainage, lighting and landscaping, including stone wall restoration, of the Jointly Owned Access Lot (“JOAL”) 400 is to be provided for approval in conjunction with the engineering plan to the satisfaction of the SHA Programme Director Consenting.
66. JOAL 400 is to be formed, paved, drained, landscaped and lit in accordance with the approved engineering plans to the satisfaction of the Council’s SHA Programme Director Consenting.

67. The stone wall on the boundary of JOAL 400 is to be restored in accordance with the approved engineering plans to enhance the Mangere Gateway Heritage Route.
68. An engineering completion certificate certifying that JOAL 400 has been constructed in accordance with the approved engineering plans is to be provided in support of the section 224 application.

### **Stormwater Connections**

69. The consent holder is to install a complete public stormwater system to serve all lots in accordance with the approved engineering plans listed in condition 1 to the satisfaction of the SHA Programme Director Consenting.
70. Individual private stormwater connections to the public stormwater systems for each residential lot at the lowest point inside the boundary are to be installed in accordance with the approved engineering plans to the satisfaction of the SHA Programme Director Consenting.
71. An engineering completion certificate certifying that all public stormwater pipes and individual stormwater connections have been constructed in accordance with the approved engineering plans and the Council's Code of Practice for Land Development and Subdivision - Chapter 4: Stormwater is to be provided in support of the section 224(c) application.
72. Video inspections of all public stormwater pipes and as-built plans for all public and individual private stormwater lines are to be supplied with the section 224(c) application. The video inspections must be carried out for the associated stages within one month of lodgement of the application for the section 224(c) certificate.

#### Advice Note:

*As-built documentation for all assets to be vested in the Council required by these conditions is required to be in accordance with the current version of the 'Development Engineering - As-built Requirements' published by Auckland Council (currently Version 1.2, revised Sep 2012). A valuation schedule for all assets to be vested in the Council must be included as part of the as-built documentation.*

### **Wastewater Connection**

73. The consent holder is to provide a complete public wastewater system to serve all lots in accordance with the approved engineering plans to the satisfaction of the Senior Compliance Advisor, SHA Consenting.
74. Individual wastewater connections to the public wastewater systems for each residential lot are to be provided in accordance with the approved engineering plans.
75. An engineering completion certificate certifying that the wastewater pump station at 562 Oruarangi Road, rising main and pipe bridge, all public wastewater pipes and individual wastewater connections have been constructed in accordance with the approved engineering plans and the Water and Wastewater Code of Practice for Land Development and Subdivision, May 2015 prepared by WSL is to be provided for the associated stages in support of the section 224(c) application.
76. As-built plans for public wastewater pipes for all public and individual private wastewater lines are to be supplied for the associated stages with the section 224(c) application.

77. A certificate from Watercare Services Limited confirming that separate wastewater connections have been provided for each residential lot must be provided in support of the section 224(c) application.

### **Water Supply**

78. The consent holder is to provide a complete water supply reticulation system to serve all lots in accordance with the approved engineering plans to the satisfaction of the Senior Compliance Advisor, SHA Consenting.
79. The consent holder is to complete a successful pressure test for all new watermains prior to connection to the existing public water supply reticulation system to the satisfaction of Watercare Services Limited. Evidence of undertaking a successful pressure test for new watermains in accordance with the Water and Wastewater Code of Practice for Land Development and Subdivision, May 2015 prepared by WSL is to be supplied for the associated stages with an application for section 224(c) certificate.
80. Individual private water connections to the public water reticulation system for each residential lot are to be provided in accordance with the approved engineering plans. Each lot shall have an individual water connection at the road reserve boundary.
81. An engineering completion certificate certifying that all public water pipes and individual water supply connections have been constructed in accordance with the approved Engineering Plan and the Water and Wastewater Code of Practice for Land Development and Subdivision, May 2015 prepared by WSL is to be provided for the associated stages in support of the section 224(c) application.
82. As-built plans for all public and individual private water supply lines and a certificate from Watercare Services Limited confirming that separate water supply connections have been provided for each residential lot are to be supplied with the section 224(c) application for the associated stages.

### **Kintyre House**

83. Individual connections to the public stormwater, wastewater and water supply reticulation system are to be provided for the dwelling on lot 39. An engineering completion certificate certifying that all the services have been provided is to be provided in support of the section 224(c) application pursuant to s.46 of the HASHAA.

### **Fire Hydrants**

84. Fire hydrants are to be designed, provided and installed within 135m of the furthest point on any property, and within 65m of the end of a cul-de-sac, in accordance with Water and Wastewater Code of Practice for Land Development and Subdivision, May 2015 prepared by WSL to the satisfaction of Watercare Services Limited. Detailed design and location of fire hydrant must be submitted to the Council for approval through the engineering plans.
85. The consent holder is to undertake a comprehensive hydrant flow test result to confirm or otherwise that the existing public water supply system can meet the fire flow requirement for the development as stipulated in the New Zealand Fire Service Code of Practice and domestic supply can meet the minimum 250 kPa residual pressure at the proposed connection to the public main.
86. Evidence of undertaking the hydrant flow test and compliance with the standards above is to be provided with the section 224 application.

## Reserves

87. The reserve lots, lots 500, 501, 502, must be developed to the following specifications to the satisfaction of the Manager, Local and Sports Parks (South):
- a) Good quality topsoil, free of stones and clay lumps, is to be retained from the site for use on the reserves. All grassed and planted areas are to be developed and completed with a minimum topsoil depth of 300mm, unless otherwise agreed in writing by the Manager, Local and Sports Parks (South).
  - b) Where any existing ground levels are excavated, a minimum topsoil depth of 300mm must be achieved. If the subsoil at the required depth is hard and compacted, it is to be ripped to break up the under layer.
  - c) If required, natural fertile topsoil capable of sustaining vigorous and healthy plant growth are to be imported in order to meet the necessary minimum depth of topsoil. All imported topsoil must be uniformly composed of medium loam texture and easily workable. It is to be free of clay lumps and non-soil material including bricks and other building/construction material and contamination as well as free of weeds, straw or herbicide residues. Topsoil is to have an acidity range of ph 5.5 to 7.5 and suitable for the plant species to be used.
  - d) Any topsoil that does not meet these requirements is to be replaced with complying topsoil at the consent holder's expense.
  - e) The reserve lots are to be cleared of any construction material, rubbish and surplus soil, and shall be maintained in a neat and tidy condition for one year after the works are completed, to the satisfaction of the Manager, Local and Sports Parks (South).
  - f) Grassed areas of the reserve are to be free of weeds and achieve full and sustainable coverage of grass

The reserve is to be constructed in accordance with the specifications outlined in the landscaping conditions to the satisfaction of the Manager, Local and Sports Parks (South). A written statement from the Manager, Local and Sports Parks (South) stating that all reserves have been developed in accordance with the landscaping conditions must be submitted as part of the section 224(c) application.

## Landscape Planting (Private)

88. A PB95 tree is to be planted in the rear yards of lots 2-9 and 64-73. The species of tree must be approved by the Council's SHA Programme Director Consenting prior to planting. A statement confirming that the tree has been planted is to be supplied to the Senior Compliance Advisor, SHA Consenting prior to issue of the section 224(c) certificate for the associated stage.

## Retaining Walls

89. A landscape plan for any mid-block and lot-to-lot retaining walls 1.5m in height or greater is to be submitted to the Senior Compliance Advisor, SHA Consenting for approval in conjunction with the engineering plan approval. The approved landscape plan is to be implemented to the satisfaction of the Senior Compliance Advisor, SHA Consenting prior to the issue of the section 224(c) certificate.

## Maintenance Bond

90. Prior to the issue of the section 224(c) certificate the consent holder is to enter into a maintenance bond with the Auckland Council to ensure compliance with the landscaping conditions for land to be vested in the Council. A completed valuation schedule of land and assets to be vested in the Council must be submitted with lodgement of the application for a certificate pursuant to section 46 of the HASHAA and section 224(c) of the RMA.

The rationale for the amount of the bond is to be based on:

- 2.5% of 150% the cost of the civil works for the site(s);

Plus

- 20% of 150% of the cost of any landscaping work which is to be vested in the Council or is located in the public domain. This includes, but is not limited to, street trees, as well as any proposed vegetation for stormwater reserves, devices including rain gardens and grassed swales.

The bond is to be paid in cash or in a way of bank bond at the time of the issue of the section 224(c) certificate for the subdivision and full amount of the bond shall be held for:

- a minimum 24 months for any landscape planting within reserves and planting street trees on the roads;
- a minimum 24 months for the stormwater system/devices on lot 501; and
- a minimum 12 months for any other asset including hard landscape work.

The bond will be prepared by the Auckland Council at the cost of the consent holder. Any costs incurred by the Council in preparing, checking, assessing and release of this bond must be met by the consent holder prior to repayment of the bond. Any faults, defects or damage to any of the landscaping works on land to be vested in the Council must be remedied at the consent holder's cost. The bond will not be released until the consent holder provides evidence to the satisfaction of the Council that the landscaping requirements have been met.

If the consent holder fails to maintain the landscaping works on the land to be vested in the Council, the Council may undertake the works necessary to bring the landscaping up to the standards required by the landscaping conditions of this consent and the cost of this work may be deducted from the bond. The cost of maintenance of any replacement works will also be deducted from the bond.

## Implementation of Landscaping on Reserves

91. All street trees and landscaping in reserves (including drainage reserves) are to be implemented in accordance with the approved landscape planting plans in the first planting season following completion of the construction works for the particular stage.
92. The consent holder is to continue to maintain all plantings on the proposed roads or within all reserves, lots 500, 501 and 502, for a period of two planting seasons following written approval from the Manager of Local and Sports Parks (South) stating that the planting has been implemented in accordance with the approved landscape planting plans.

93. A maintenance bond is payable if a sections 224(c) certificate is to be issued within the maintenance period.
94. Where any plants fail within the first two planting seasons of maintenance, replacement planting is to be provided by the consent holder within two weeks of the consent holder becoming aware of the failure unless alternative arrangements are made with the approval of the Council's Parks Arboricultural and Landscape Specialist.

### **As Built Plans**

95. The consent holder is to provide certified as built plans in Dwg or Pdf as part of the section 224(c) application for all trees, planted areas, grassed areas, and all hard structures on the land to be vested in the Council.

### **Network Utility Services**

96. Certificates from the network utility providers and certified 'as-built' given locations of all plinths, cables and ducts are to be supplied to the Senior Compliance Advisor, SHA Consenting as part of the section 224 application for the associated stages.

### **Geotechnical Completion Report**

97. Prior to lodgement of the section 224(c) application for each stage, a geotechnical completion report in accordance with the "*Council's Code of Practice for Land Development and Subdivision Section 2.6*" signed by the chartered professional engineer who designed and supervised the works, is to be provided to the SHA Programme Director Consenting. The geotechnical completion report must also include all associated as-built plans for earthworks and subsoil drains and a statement of professional opinion on suitability of land for building construction in accordance with Schedule 2A of the Code of Practice.

### **Consent Notices and Easements**

98. Where stormwater devices and discharges associated with the subdivision are constructed on land which is not intended to be vested with the Council as part of this development, easements and consent notices are to be placed on the Titles for the balance land. These easements and consent notices in favour of the Council shall protect the areas associated with these devices and flows from future development or earthworks, and:
  - a) The easement area is to include a 5m buffer from the edge of the device or flow.
  - a) The easement document is to include the following parameters:
    - i) The landowner is responsible for the operation and maintenance of the devices and discharge channels in generally accordance with the operation and maintenance manuals required to be developed at engineering plan approval stage and finalised as part of the section 224(c) process.
    - ii) The landowner accepts the stormwater flows to and from these devices.

- iii) No development or earthworks are to take place within these easement areas without the approval of the Council as the dominant party to the easement(s).
    - c) The easements are to be surrendered at the time the land and devices vest in the Council.
      - i) No compensation (financial or otherwise) will be paid by the Council to acquire these devices or the land associated with them.
99. A consent notice pursuant to section 44 of HASHAA (section 221 of the RMA) is to be registered on the Certificates of Title for all residential lots to ensure that the following conditions are complied with on a continuing basis:
- a) The stormwater management requirements for all impervious surfaces, namely:
    - i. On site treatment of 10mm of stormwater runoff depth by volume for roof area only.
    - ii. The sizing and layout of the devices is to be in generally accordance with the approved Stormwater Management Plan (August 2015) and Civil Infrastructure Report (September 2015) prepared by Harrison Grierson.
    - iii. On-going operation and maintenance of devices by the lot owner(s).
  - b) The recommendations contained in the geotechnical completion report (required by these conditions) or any addendums produced as part of the development, specifying information and recommendations relating to foundation design, retaining walls and stormwater disposal plus any additional restrictions are to be continually upheld.
100. A consent notice pursuant to section 44 of HASHAA (section 221 of the RMA) is to be registered on the Certificates of Title for lots 39 and 59-63 to ensure that the following conditions are complied with on a continuing basis:
- a. The owner(s) of the lot is responsible for maintaining one specimen tree in the yards fronting Ihumātao Quarry Road in perpetuity to the satisfaction of the Council. In the event that the tree fails, the owner(s) of the lot must replace it with the same species of tree within six months and maintain the replacement tree in perpetuity.
101. A consent notice pursuant to section 44 of HASHAA (section 221 of the RMA) is to be registered on the Certificates of Title for lots 7, 8, 72 and 73 to ensure that the following conditions are complied with on a continuing basis:
- a) Any fence constructed along the interface between lots 7, 8, 72 and 73 and the adjoining local purpose reserves (accessway) at lots 500 and 501 is not to exceed 1.5m in height, be graffiti resistance and at least 50% permeable to provide adequate surveillance of the accessway. The owner(s) of the lot is responsible for maintaining the fence in perpetuity.
102. A consent notice pursuant to section 44 of HASHAA (section 221 of the RMA) is to be registered on the Certificate of Title for lot 39 to ensure that the following condition is to be complied with on a continuing basis unless a suitable alternative has been approved by the SHA Programme Director Consenting:

- a) The on-site protection/retention of Kintyre House (excluding all existing ancillary buildings within Lot 39) and adjacent Pohutukawa tree (identified as #6880 in the Arboricultural Implication report prepared by the Specimen Tree Company and dated June 2015) until such time as it is protected under other mechanisms.
103. A consent notice pursuant to section 44 of HASHAA (section 221 of the RMA) is to be registered on the Certificates of Title for lots 303 and 304 to ensure that future development and subdivision of those lots provides 15 affordable dwellings in accordance with Criteria A of the affordability criteria set out in Schedule 9AB of the Order in Council of the Housing Accords and Special Housing Areas (Auckland) Amendment Order 2014 - Oruarangi Road Special Housing Area.

Advice Note:

*This application has been granted for creation of 92 vacant residential lots, one residential lot containing Kintyre House and six vacant residential super-lots that together are expected to yield approximately 47 dwellings. It is anticipated that a total of 140 residential dwellings will be constructed on the site during stages 1 and 2, however if lot 502 is ultimately not vested as a reserve then the yield may increase slightly. As part of the application, the consent holder has advised that 15 "affordable dwellings" are to be provided on two super lots.*

**Affordable Housing Criteria**

104. Before Titles for the lots that are deemed to be for affordable dwellings under Criteria A of the affordability criteria set out in the Housing Accords and Special Housing Areas (Auckland) Amendment Order 2014 - Oruarangi Road Special Housing Area, are transferred, the consent holder must provide the Senior Compliance Advisor, SHA Consenting with a statutory declaration from the purchaser of the lot that the purchaser meets all the following criteria:
- a) The purchaser's gross household income, as at the date of the declaration, does not exceed 120% of the Auckland median household income
  - b) The value of the finished dwelling and land is not more than that defined under Criteria A of the affordability criteria set out in the Housing Accords and Special Housing Areas (Auckland) Amendment Order 2014 - Oruarangi Road Special Housing Area
  - c) The purchaser has the legal right to and intends to own and occupy the affordable dwelling exclusively as their own residence
  - d) The purchaser is a first home buyer and has never owned any other real property
  - e) The purchaser is a natural person and is purchasing the lot in their own name and not in the name of any other person.

These obligations are to be subject to a consent notice under section 221 of the Resource Management Act 1991 and registered on computer freehold registers for the lots that are provided to meet the relevant Special Housing Area affordability criteria. The consent notice is to specify that it will cease to have effect 3 years after the date of transfer of Title to the first purchaser.

**Solicitor's Undertaking**

105. Prior to issue of the section 224(c) certificate, an undertaking from the solicitor acting for the consent holder is to be supplied to the Senior Compliance Advisor, SHA Consenting to confirm that non-complaints covenants addressing potential reverse sensitivity issues for the Auckland International Airport have been prepared and will be registered on the Certificates of Title for all residential lots.
106. A solicitor's undertaking from the solicitor acting for the consent holder must be provided as part of the application for the section 224(c) certificate. The undertaking shall confirm that the solicitor acting for the consent holder will undertake the following actions at the consent holder's expense:
- a) Register all legal documents (including consent notices and/or easement instruments, etc) relating to the specific stage;
  - b) Complete the legal processes to vest the proposed roads and reserves in the Council; and
  - c) Provide a post-registration copy of relevant Certificates of Title to the Council within one month of the Titles being issued.

#### **ADVICE NOTES**

1. *In accordance with section 44(a) of the Heritage New Zealand Pouhere Taonga Act 2014, the consent holder is advised to obtain an authority from Heritage New Zealand Pouhere Taonga to modify or destroy recorded and unrecorded archaeological features in the development area.*
2. *Prior to demolishing existing buildings on the site, the consent holder is reminded of the provisions of the Health and Safety in Employment (Asbestos) Regulations 1998 and the New Zealand Guidelines for the Management and Removal of Asbestos, New Zealand Demolition and Asbestos Association, March 2011.*
3. *Where demolition is proposed the consent holder should engage a person who hold a Certificate of Competence for restricted work to inspect existing buildings in order to confirm the presence or absence of asbestos containing materials in the buildings.*
4. *If asbestos containing materials are identified in any buildings, the consent holder should prepare a site specific asbestos management plan detailing the asbestos identification process, removal and disposal procedures, risk assessment and mitigation measures, air monitoring, health and safety procedures for protection of site workers and the public.*
5. *Should asbestos containing materials are found on a site following the demolition/removal of existing buildings, remediation and validation sampling for asbestos are likely to be required.*
6. *If you disagree with any of the above conditions, and/or disagree with the additional charges relating to processing of the application you have a right of objection pursuant to sections 81 and/or 82 of the HASHAA. Any objection must be made in writing to the Council within 15 working days of notification of this decision.*
7. *This resource consent does not in any way allow the consent holder, or anyone of its behalf, to enter and construct drainage and/or otherwise on neighbouring properties, without first obtaining the agreement of all owners and occupiers of said land to*

*undertake the proposed works. Any negotiation or agreement is the full responsibility of the consent holder, and is a private agreement that does not involve the Council in any capacity whatsoever.*