

Decisions following the hearing of concurrent applications for a variation to the Proposed Auckland Unitary Plan and a qualifying development under the Housing Accords and Special Housing Areas Act 2013

Subject

- A. Application for a variation (Plan Variation 16) to the Proposed Auckland Unitary Plan under section 61 of the Housing Accords and Special Housing Areas Act 2013 by Drury South Ltd for the Quarry Road Special Housing Area at 49 Harrison Road and McEldownie Road, Drury, legally described as Pt Allot 160 Parish of Opaheke, Pt Allot 176 2 Parish of Opaheke, Allot 159 2 Parish of Opaheke, Allot 46 2 Parish of Opaheke, Allot 48 2 Parish of Opaheke, Allot 49 Parish OPAHEKE, PT Allot 51 SUB SEC 2 PARISH OF OPAHEKE BLK VIII DRURY SD, Lot 52 DP 85118, Lot 2 DP 444593, Lot 2 DP 209433, Part Allot 160 SBSC 2 PSH of Opaheke and Allot 208 SBSC 2 PSH of Opaheke.
- B. Application for a qualifying development resource consent under section 25 of the Housing Accords and Special Housing Areas Act 2013 by Drury South Ltd for a vacant lot subdivision of 50 residential lots (including 5 lots for affordable housing) and two balance lots, associated earthworks, roads and infrastructure, the reclamation of parts of an existing permanent and intermittent stream, a private stormwater discharge permit for the QD development area involving a temporary stormwater pond/wetland at McEldownie Road.

The hearing was held on the 2nd and 5th of September 2016 at Pukekohe.

Pursuant to Section 61 of the Housing Accords and Special Housing Areas Act 2013, Proposed Plan Variation 16 to the Proposed Auckland Unitary Plan is APPROVED SUBJECT TO MODIFICATIONS.

Pursuant to Section 25 of the Housing Accords and Special Housing Areas Act 2013, resource consent for the qualifying development application (Council references R/JSL/2016/2423, R/REG/2016/3719, R/REG/2016/3718 and R/REG/2016/3720) is GRANTED SUBJECT TO CONDITIONS.

The full decisions are set out below.

Accord Territorial Authority Hearings Panel of Independent Commissioners:

Kitt Littlejohn (Chair)

David Hill

Bill McEntee (Local Board Member)

Council Officers and Technical Advisers

Ms Alina Wimmer – Manager, Development Programmes (Plan Variation)

Mr Mark Thode – Lead Project Planner

Mr Stuart Bracey – Manager, Special Developments (AT)

Mr Rod Albertyn – Principal Planner (policy) AT

Mr Chris Allen – Wastewater Manager, Watercare Services Ltd

Mr Phil Jaggard – Consultant Stormwater Engineer

Mr Shane Maelzer – Development Engineer

For the Applicants

Mr Daniel Minhinnick – Legal Counsel

Mr Nick Roberts – Planner, Director - Barker and Associates

Mr Stephen Hughes – CEO Stevensons Property

Ms Bridget Gilbert – Landscape Architect

Mr John Dakin – CEO Goodman (NZ) Ltd

Ms Dale Paice – Civil Engineer, Beca Consultants Ltd

Mr Joseph Phillips – Traffic Engineer, Beca Consultants Ltd

Mr Scott McIntyre – Civil Engineer, LCE Ltd

Dr Ian Boothroyd – Ecologist, Senior Principal Boffa Miskell

Mr Curt Robinson – Acoustic Consultant, Associate Marshall Day & Associates

Mr Edward Hosken – Associate Director, DKO Architecture

For Submitters

Mr Andrew Beatson – Legal Counsel for Transpower Ltd

Ms Sylvia Allen – Planner for Transpower Ltd

Ms Jenna McFarlane – Environmental Planner for Transpower Ltd

Mr Jitesh Raniga- Transpower lines engineer

Mr Michael Wood – Principal Planning Advisor NZTA

Ms Angela Crafer – Traffic Engineer for NZTA

Mr Brian Waddell – Consultant Planner for NZTA

Decisions of the Commissioners

Introduction

These decisions follow a public hearing of concurrent applications made on behalf of Drury South Ltd (**DSL**) under the Housing Accords and Special Housing Areas Act 2013 (**HASHAA**) for a variation to the Proposed Auckland Unitary Plan (**PAUP**) and a qualifying development (**QD**) resource consent in the Quarry Road Special Housing Area (**SHA**) at Drury. Ultimately this development will provide new residential land capacity for approximately 900+ dwellings, with 50 proposed for the first QD.

The current zoning of the land is Light Industry. The zoning arises from the Drury South Structure Plan process advanced by Stevenson Group Limited in 2007 which led to Plan Change 12 to the Papakura District Plan, Plan Change 38 to the Franklin District Plan, Plan Change 19 to the ARPS and Plan Change 3 to the Regional Plan: Air, Land and Water being approved in August 2013 allowing some 361 ha of land to be rezoned for Light and Heavy Industrial activities, with detailed land development provisions put in place.

The Quarry Road SHA was approved as part of the Auckland Council's tranche 10 special housing areas and formally established by an Order in Council on May 17 2016 (**Order**). The applications under consideration in these decisions are confined to the approved SHA site.

The proposed Plan Variation (**PV**) seeks to re-zone 101ha of land from Light Industry Zone to a combination of Terrace Housing and Apartment Buildings, Mixed Housing Urban, and Mixed Housing Suburban zones and to establish the Drury South Residential Precinct over the rezoned area.

The associated QD application is made under section 25 of the HASHAA and relies on the PV being approved. Both applications satisfy the criteria for "qualifying developments" in Schedule 4A of the Order for the purposes of the HASHAA – which states as follows:

Maximum number of storeys that buildings may have:	6
Maximum calculated height that buildings must not exceed:	27 metres
Minimum number of dwellings to be built:	50, for developments on land zoned Future Urban in the proposed Auckland combined plan; or
Percentage of dwellings that must be affordable dwellings:	For developments relating to 15 or more dwellings only — (a) 10%, according to criteria A; or (b) 5%, according to criteria B.

The QD application is made under Criterion (a), and satisfies that criterion.

Section 71 of the HASHAA requires that when concurrent PV and resource consent applications are heard together, a decision on the variation must be made before any decision on the resource consent can be made (mainly because the zoning of the land and/or classification of some of the proposed activities could change if the variation is approved). We confirm that is the process we have followed both in making our decision and in the recording of it.

After the introductory and descriptive sections, which are common to both applications, this decision document is then generally divided into two parts: first the discussion and decision relating to the PV, followed by consideration of and a decision on the QD consent application. As the applications are interconnected, with the QD consent aspects being wholly reliant on the PV being approved, we consider it appropriate to issue one decision covering both. This format also avoids duplication.

In the same manner, the Council planners' report prepared by Ms Wimmer and Mr Thode of the Development Project Office (**DPO**) addressed the applications with, where appropriate, a combined commentary and assessment of certain issues. For convenience we refer to their combined document as "the Council's report".

The applications, along with the reasons for them, were described in considerable detail in the application materials and again in some depth in the Council's report. As a result it is not necessary for much of that detail to be repeated except to the extent that it relates directly to the issues under discussion.

References in this decision to zones or other provisions in the PAUP are to the provisions in the Decisions Version of that document released by the Council on 19 August 2016. Despite the PV and QD applications being lodged at a time when the PAUP provisions to be considered were the September 2013 notified provisions, by virtue of the definition of "proposed plan" in section 6 of the HASHAA (which refers to section 43AAC and clause 10(5) of Schedule 1 of the Resource Management Act 1991 (**RMA**)) it is the Decisions Version of the PAUP that is now to be considered as the relevant proposed plan.¹

The release of the Decisions Version of the PAUP has necessitated some refinement and referencing updates to the proposed provisions in the PV to ensure they align with the most recent version of the PAUP within which they will have to 'sit'.

The site and surrounding area

Chapter 3.1 of the Council's report describes the general locality and area of the site.

There are a range of rural and peri-urban activities in the area including "lifestyle" rural residential activities, factory farming of poultry, a Tegal chicken processing factory, horticultural glasshouses and pack houses/stores. The western portion of the

¹ Refer also section 152(2) Local Government (Auckland Transitional Provisions) Act 2010.

area is traversed in a north-south direction by high voltage electricity transmission towers and lines operated by Transpower as part of the National Grid. A major Transpower switching yard is also located north of the SHA, in the Harrisons Road area. The Vector high pressure gas line is located to the north of the SHA in an east-west alignment, and the Telecom fibre optic cable is located east of the SHA in a north-south direction along the Ramarama Road alignment.

To the east is Stevenson's Drury Quarry. In addition to aggregate processing and stockpiling activities, the Drury Quarry accommodates a concrete block manufacturing plant, laboratory facilities and offices. The SHA is located between the Ramarama and Drury interchanges with State Highway 1. The closest rail station is at Papakura, around 9km away.

The main streams in the area are the Hingaia and Maketu streams. Tributaries of these streams flow from the southern slopes of the Hunua foothills and make their way across the SHA area to the southern reaches of the Pahurehure Inlet (Manukau Harbour) via Drury Creek. There is an identified Significant Ecological Area within the SHA, which comprises of a stand of Kahikatea trees. The area also contains the Roslyn Stream which is significantly degraded due to stock exposure.

The proposals

PV16

The proposed PV seeks to re-zone 101ha of land from Light Industry Zone (subject to the Drury South Industrial Precinct) to a combination of Terrace Housing and Apartment Buildings, Mixed Housing Urban, Mixed Housing Suburban zones, all to be subject to a new, Drury South Residential Precinct.

It is proposed to vary the proposed underlying PAUP zones to:

- Introduce the Drury South Residential Precinct (DSRP) comprising three sub-precincts: A, B and C.
 - Sub-precinct A generally enables development in accordance with the underlying residential zones. Additional criteria apply to subdivision and development works, other than for buildings permitted in the underlying residential zones.
 - Sub-precinct B incorporates the land to be set aside for public open space/stormwater management purposes and is consistent with sub-precinct D in the PAUP (Drury South Industrial Precinct).
 - Sub-precinct C which is an area currently modelled as being subject to flooding in the 1% AEP event, and it is a restricted discretionary activity to develop for residential purposes.
- Classify commercial services as a restricted discretionary activity and individual retail, food and beverage tenancies over 200m² gfa as a non-complying activity.

- Introduce a notification rule that provides for non-notification of restricted discretionary activities, but limited notification to persons listed in PAUP Rule C1.13(4) where those persons have not provided written approval to any such application.
- Introduce four new 'bespoke' rules limiting the total amount of retail gross floor area to 2,500m².
- Introduce a rule requiring any new bedroom, sleeping area, habitable room or classroom to be designed to achieve minimum internal noise levels.
- Require a restrictive no complaints covenant in favour of Drury Quarry to be registered on new titles issued within the precinct.
- Introduce a new rule relating to all development within the precinct. This rule has a road noise standard and regulate light emissions. The rule also provides for evergreen shelterbelt species to be planted adjacent to the southern motorway for screening and noise attenuation. Any earthworks must not change the flood characteristics upstream or downstream of the Drury South Industrial or Residential precincts.
- Introduce affordable housing provisions that "carry across" the HASHAA provisions and which are intended to apply to applications made after HASHAA expires.
- Introduce 3 precinct diagrams and related road cross-sections.

Further details of what is sought are contained in the PV16 application and final proposed provisions.

QD

A description of the proposed works is set out in full in Section 5.0 of the QD subdivision and associated works application (hereafter referred to as the AEE) prepared by Ms Catherine Reaburn, and reviewed by Mr Nick Roberts (refer Attachment 2 of the Agenda).

The QD comprises the following:

- Creation of 50 vacant residential lots:
 - 45 standard residential lots ranging in size from 480m²-710m²
 - Creation of 5 lots for affordable housing.
- Creation of two large balance lots (Lots 300 and 301) to be subdivided in future stages.
- Creation of three small balance lots along structure plan area adjacent to McEldownie Road.

- Earthworks of 277,000m³ over an area of 10.8ha to establish a ground level above the existing flood plain.
- Associated discharge of contaminated land to land (R/REG/2016/3718).
- Culverting 410m of the 'Roslyn C' permanent stream and Culverting 370m of Intermittent Stream IS1(R/REG/2016/3719).
- Construction of stage1 Spine Road to service QD development, and construction of the eastern Ramarama interchange.
- Landscaping and establishment of services.
- A private stormwater discharge permit from the QD development area involving a temporary stormwater pond/wetland (R/REG/2016/3720).

Notification and Submissions

Limited notification of proposals under the HASHAA is required by each of sections 67 and 29. The proposal (both PV and QD) was limited notified on the 22nd of June 2016 and submissions closed on 22nd of July 2016.

At the close of the initial submission period, a total of 7 submissions were received. There were no late submissions.

One submission opposed the application, six submissions were in support. These are summarised in the Council's report.

On 1 September Counties Power advised Council, the Panel and the applicant that it no longer wished to appear at the hearing as its concerns had been addressed in the updated precinct provisions. Similarly, NZTA also advised us prior to the hearing that their concerns had been addressed by further amendments to the PV provisions proposed by the applicant. NZTA representatives attended the hearing on the second day to speak to NZTA's issue of concern and describe how it had been accommodated.

Council Report Issues Identified

Ms Wimmer proposed a number of amendments to the PV provisions in the Council's report. We were advised that the amendments identified in that report (and subsequent further refinements suggested by the applicant before the hearing) were jointly agreed between the applicant and Ms Wimmer as the Council's reporting planner in relation to the PV. This was confirmed by Mr Minhinnick in his opening legal submissions for the applicant. The upshot of this was that the hearing proceeded on the basis that there were no outstanding issues between the reporting planner and the applicant in respect of the PV provisions.

Similarly, we were advised that full agreement had been reached on the proposed QD conditions as between Mr Thode and Mr Roberts (on behalf of the applicant).

The proposed variation to the PAUP

Section 61 provides a framework for consideration of a plan variation in the context of the HASHAA. Under sub-section (4) these considerations, in order of priority, are:

- (a) the purpose of the HASHAA;
- (b) Part 2 of the RMA;
- (c) the matters in section 74(2)(a) of the RMA (namely: any proposed regional policy statement (**RPS**), any proposed regional plan with respect to any matter of national significance, any management plans and strategies prepared under other statutes, any relevant entry in the Historic Places register, and the extent to which the district plan needs to be consistent with plans or proposed plans of adjacent territorial authorities);
- (d) other matters set out in sections 74 to 77D of the RMA (with some exceptions);
- (e) any other relevant provision or relevant statute.

The purpose of the HAASHA is stated in section 4 as being to enhance housing affordability by facilitating an increase in land and housing supply in certain regions or districts, listed in Schedule 1 to that Act, identified as having housing supply and affordability issues. By virtue of section 16 of the HASHAA and the threshold matters of which the Minister must have been satisfied in order to recommend to the Governor-General that an area be declared as a special housing area, we find that enabling residential development in this SHA meets the purpose of the HASHAA. In that sense, despite the discretion reserved to us by section 70(3)(c) of the HASHAA, our role is best described as ensuring the provisions of a proposed PV are the most appropriate for the location in question, rather than a high level determination of whether the land ought to be rezoned for residential activity.

We record that the application materials, Council reporting and evidence satisfied us that the proposed Mixed Housing Urban, Mixed Housing Suburban, Terrace Housing and Apartment Buildings zonings for this SHA are appropriate for the location and will provide for a variety of housing forms, including higher density development around the local centre, which will increase the potential yield of this land. Consequently, it is not necessary for us to discuss section 4 of the HASHAA further.

Part 2 of the RMA encompasses the purpose and principles of that statute in sections 5 to 8. Section 5 sets out the purpose of the RMA, namely the promotion of sustainable management (as that expression is defined in section 5(2) RMA). Section 6 of the RMA requires that all persons exercising functions and powers under the Act in relation to managing the use, development and protection of natural and physical resources are to recognise and provide for seven matters of national importance, which are listed.

We have found the relevant requirements of section 6 satisfied by the PV (and the related QD application) making express provision for riparian management and avoiding development that would detract from the importance of existing streams.

Furthermore, provision is made for both enhancement of the natural character of the streams and their margins and for public pedestrian and cycle access alongside them.

In section 7, other matters are to be paid 'particular regard' and these include: the efficient use and development of natural and physical resources; maintenance and enhancement of amenity values; any finite characteristics of natural and physical resources; and the intrinsic values of ecosystems. We confirm that we have paid particular regard to those matters in reaching our decisions.

Section 8 requires that the principles of the Treaty of Waitangi are to be taken into account. Cultural Impact Assessments (**CIAs**) were provided with the applications. No issues were raised in the CIAs that would preclude consideration of the applications or result in a finding that they should be declined.

Principal issues in contention – Approach to Hearing

Our approach to the hearing of these applications has been to focus on and determine the issues in contention between the applicant and Council specialist reporting staff, or between the applicant and submitters. That does not mean we have not reviewed the application materials, Council reporting, submissions and evidence in detail. We confirm that we have, and that we have asked questions for clarification etc on matters arising from that review.

However, in circumstances where all of the advice and evidence to us in relation to technical matters is that the proposed provisions are appropriate, or conditions acceptable to manage effects on the environment, we have relied on that advice and not attempted to 're-think' everything. Put another way, in the absence of any contrary expert evidence on technical matters relating to the proposal, we must necessarily rely on the jointly expressed opinions to us, which we do.

Accordingly, it is the unresolved issues in contention, and the evidence in relation to them, that we focus on and determine in the body of this decision.

As reported to us by legal counsel for the applicant, no issues in contention remain between Mr Roberts, Mr Thode and Ms Wimmer. The amendments agreed between the planners were included in Attachment 1 to Mr Robert's evidence.

From our review of the submissions and Council specialist advisors' reports, the outstanding matters of contention in relation to the PV are:

- The approach to the treatment of the National Grid/overhead transmission lines within the precinct.
- Whether there is a need for vehicle access to McEldownie Road and certain other transport work 'triggers', as sought by Auckland Transport.
- The acceptability of the applicant's stormwater approach generally as raised by Mr Phil Jaggard on behalf of Healthy Waters (formerly Auckland Council Stormwater Unit).

Transpower

Transpower's transmission lines bisect the SHA site. While Transpower is not opposed in principle to the PV, it has sought that bespoke provisions be included in the Precinct to protect against the potential reverse sensitivity effects that could arise from residential development (and associated works) being located in proximity to its transmission lines. We note that this issue does not arise specifically in relation to the QD application, as it is located sufficiently distant from the transmission lines as to not require any specific design response. Transpower's legitimate concern is that as development within the SHA progresses to the north, residential activities would interact with the transmission lines in their present position.

Since the PV application and submissions were lodged, the PAUP has incorporated a specific National Grid Corridor Overlay (**Overlay**), at Transpower's request (but not to the specifications sought), which Council considers protects and provides for the operation of the National Grid by way of requiring certain building and activity set back distances from the conductors and pylons. We understand that the Overlay now applies to the PV area, and there is no proposal in the PV to vary it.

Transpower's submissions and evidence to us at the hearing were that it was not content with the extent of the protection provided by the Overlay in the PAUP, preferring instead the IHP's recommended provisions which were not wholly accepted by the Council, a decision we were advised it intends to appeal. Until such time as the appeal is resolved and the PAUP is made operative in respect of the Overlay, Transpower seeks that interim provisions apply to the SHA, which reflect (but do not mirror) the relief sought by Transpower on the PAUP. A "sunset clause" is proposed by Transpower so that the DSRP provisions revert to the Overlay provisions once the PAUP is made operative.

If Transpower's interim provisions are adopted in the Precinct, this will effectively result in a situation where there will be two sets of provisions applying to the same transmission line in Auckland and within the immediate geographic area. A similar issue arose in the Unitary Plan hearings relating to the Drury South Industrial Precinct whereby Transpower also sought bespoke provisions within that Precinct along with the Overlay provisions. On that issue, the IHP stated that the overlay prevailed and there was no need to consider this matter further.

Section 61 of the HASHAA requires us to have regard to section 74(2) of the RMA, which imposes an obligation on territorial authorities changing their district plan to "give effect to" any national policy statement, such as the NPS on Electricity Transmission (**NPSET**). In this regard, we are in the fortunate position of considering this PV after the Council has resolved objectives, policies and provisions for inclusion in the PAUP related to the NPSET. In including those provisions in the PAUP we must conclude that the Council complied with its obligation in section 75(3) of the RMA to give effect to the NPSET. Although we understand that Transpower disagrees with that conclusion, we are obliged to prefer the provisions of the RPS (and their accompanying lower order district plan overlay rules) so recently decided

to Transpower's preferred provisions. In the event that Transpower persuades the Environment Court that the Overlay provisions should be amended, then that outcome will follow in relation to this SHA. In the meantime, we see no basis to provide for additional (and inconsistent) overlay provisions in the PV.

On a practical note, we understand from the applicant that it has no intention of developing the areas close to the transmission lines until it has relocated them. This will require the agreement of Transpower, and the protection of the relocated National Grid Corridor to the extent required by Transpower at that time. Transpower will be able to use that process to achieve its preferred level of protection, in the event that it is unsuccessful in amending the PAUP Overlay on appeal.

Transportation Matters

A consistent theme in the submissions and relevant technical reports was the need to ensure that the transportation network is upgraded (as necessary) so that it can adequately support the level of demand generated by residential development in the SHA. In particular, NZTA, the Penney Family Trust and Auckland Transport have sought a number of changes, including upgrades to the roading network.

Upgrade of McEldownie Road

Auckland Transport and the Penney Family Trust seek the upgrade of McEldownie Road for network resilience and connectivity purposes as part of the PV and QD application. The applicant agrees that this Road will be upgraded for full vehicle access at the appropriate stage of development, which will be determined as part of any subdivision consent applications having regard to the Precinct plan and specified assessment criteria. In the meantime, as part of the current QD, the applicant proposes to provide for pedestrian and cyclist access from the QD roads to McEldownie Road, which could also operate to provide access for emergency vehicles in the event the main access road into the QD was closed for whatever reason.

Notwithstanding this, Auckland Transport want to ensure that full vehicle access to and an upgrade of McEldownie Road occurs as part of the QD. This issue was the subject of detailed evidence and questioning at the hearing (Mr Phillips, for the applicant, and Mr Bracey, for Auckland Transport).

In the end, we do not need to determine the merits of this issue, because we find that there is no lawful scope within the current QD application to amend it to require a new road connection and upgrade to be incorporated at this stage because:

- (a) Adopting basic RMA principles of scope, those potentially affected must have been adequately informed and offered a real opportunity for participation.
- (b) The original scheme plan lodged with the QD shows a 'pedestrian/cycle access only' to McEldownie Road. This was the plan that was provided as part of the limited notification package.

- (c) Potentially affected persons who were served with the application would not have been aware of the possibility of a vehicular connection to McEldownie Road.
- (d) Given the narrow opportunities for public involvement, we should therefore be cautious to broaden the scope of the application before us.

We note Auckland Transport's criticisms of how 'emergency vehicle only' access would operate over McEldownie Road. We are confident that such an access can be made to work with co-operation between the parties. In the end though, Auckland Transport holds the key' as it retains rights of approval (and disapproval) of any works in the road corridor, and if it is not satisfied such access can be made to work, it can simply not allow it.

Upgrade of Ramarama Interchange

NZTA considered that the assessment criteria in the Precinct should include performance indicators with targets in order to provide greater certainty around the delivery of this upgrade. Auckland Transport raised similar concerns. The applicant has agreed to include assessment criteria in the PV provisions to address this issue. The Council reporting planner agrees with the proposed outcome.

Upgrade of the Great South Road / State Highway 22 (Karak Road)

NZTA supported the recommendation within the Auckland Transport specialist report for a rule requiring the upgrade of the Great South Road / State Highway 22 (Karak Road) intersection prior to the Spine Road connecting with the road network within the Drury South Industrial Precinct. The applicant has also agreed to applicable assessment criteria on this matter.

Spine Road Access activity status

Auckland Transport's specialist report suggested that full discretionary activity status ought to be imposed on any activity accessing the Spine Road. The applicant and the Council reporting planner consider however, that restricted discretionary activity status is appropriate. The evidence of Mr Phillips outlines how the relevant effects of concern are all listed as assessment matters.

We find that providing for this design outcome by way of restricted discretionary activity status is appropriate and efficient, and we prefer that outcome to such matters as this. We note that a restricted discretionary activity status for this matter is also consistent with the corresponding provisions within the DSIP.

Additional road network upgrade triggers

Auckland Transport's specialist report also seeks additional rules requiring the delivery of specific transport infrastructure upgrades at certain thresholds of development within the SHA. There is general agreement between the applicant and Auckland Transport as to the upgrade works that will be required over time. The applicant's position is that the more appropriate way of achieving delivery of those

upgrades is for them to be identified as matters for assessment in the context of future development proposals in the DSRP. Linked with notification requirements requiring limited notification to infrastructure providers who have not given written approval to development applications, the applicant submits that a suitable balance will be achieved between ensuring certainty (for Auckland Transport) while providing flexibility for future applications to respond to the transportation environment existing at the time of consent.

We prefer the applicant's approach in relation to this matter, as does the Council reporting officer. We note that these matters are addressed in a similar manner in the DSIP, which applies to the balance of the land – another reason to prefer consistency and achieve integration.

Stormwater

Due to the nature of the subject land (i.e. the Hingaia Stream and its floodplain bisect the site and there is a known flooding history in the downstream Drury Township), a key issue to be addressed as part of the development of the SHA is providing for stormwater management and avoiding exacerbating flooding upstream or downstream of the site by the extensive filling works required in the floodplain to make the land useable for development.

These issues have been the subject of significant debate and work in the development of the current provisions that apply to the DSIP. The evidence before us is that extensive modelling and assessments were undertaken in relation to the Drury South plan changes, and methods to address flood risk were a major focus of that hearing process. Ms Paice's evidence to us is the approach to stormwater management (and flood hazard) for the residential development will generally follow the same approach as the DSSP (which also forms the basis of the DSIP in the PAUP). That is that treatment and detention is to be provided within the identified stormwater management areas or wetlands. We were advised that the Hearing Commissioners on the Drury South Plan Changes were satisfied that this approach would "achieve the best practicable option for stormwater management in the DSSP area".

Council's Stormwater Specialist, Mr Jaggard, however, has raised a number of concerns with the proposed stormwater approach (including flows to the Roslyn Stream and inundation of wetlands), and has proposed additional controls relating to the retention and detention of stormwater. We are satisfied by the evidence of Ms Paice and Mr Roberts that the overall outcomes sought by Mr Jaggard in relation to these matters can be appropriately achieved through the Precinct provisions. The key outstanding issue appears to relate to the location of detention devices.

The proposed Precinct provisions allow for detention of stormwater to be provided in two centralised common wetlands. However, Mr Jaggard considers that on-site detention devices should also be required at the time of site development.

The applicant's evidence (Ms Paice), is that the proposed wetlands take up an area equivalent to 2 - 3% of the contributing impervious area, whereas to 6% of that area would be required if Mr Jaggard's approach is followed.

We are satisfied with the applicant's centralised wetland system approach. We agree that it is a more efficient use of land as it will be located within the floodplain (which is land that is unsuitable for other development) and will provide a range of amenity benefits, which is an important consideration in the context of a residential development.

We do however acknowledge Mr Jaggard's concerns, particularly in the context of ensuring resilience of the stormwater system in a world of changing climatic conditions. But we are satisfied that there is suitable provision within the assessment criteria that are to apply to all subdivision and development within the Precinct that will ensure sufficient, reliable and future-proofed detention is able to be incorporated as required at each stage of development. The criteria provide guidance as to the appropriate level of detention to achieve environmental outcomes and also enable consideration of alternative stormwater management approaches if it were subsequently determined at the detailed design stage that an alternative approach should be adopted.

We note that this approach is consistent with the Hearings Commissioners' conclusion on the Drury South Plan Changes that:

It is clear that the most appropriate time to consider the integration of on-site [Low Impact Design] systems with the centralised approach for stormwater treatment and retention via wetlands is at the subdivision consent stage.

After having heard from the applicant, submitters and the Council's officers at the hearing we did not identify any other matters that were in issue or a matter that needed further determination in the context of considering the PV.

One final matter we did raise with the applicant concerned its proposed notification rules and how they were 'out-of-step' with the notification provisions included in the PAUP, in that they provided bespoke provisions for identifying who would be notified and in what circumstances. The applicant reconsidered its position on these aspects of the PV and proposed revised notification rules in reply. We find that these revised provisions achieve the intent of the originally proposed rules (essentially preserving the position of key infrastructure providers on future development), but now sit more comfortably within the framework of the PAUP.

Section 32AA of the Resource Management Act

An evaluation report as required by section 32 of the RMA (as required by section 61(3)(b) of the HASHAA) was included with the PV application. Following processing of the PV, a number of modifications to its provisions were proposed, and these were the subject of a further evaluation report. As the PV provisions to be approved incorporate minor further changes from those we were presented at the outset of the

Hearing, section 70(2) of HASHAA (which engages the requirement in clause 10(2)(ab) of the RMA) requires us to undertake a further evaluation under section 32AA of the RMA).

Our analysis of the matters in contention and determinations in that regard have considered the requirements of this further evaluation.

Purpose of the HASHAA and Part 2 of the Resource Management Act

We have concluded that the purpose of the HASHAA is satisfied by the PV provisions as modified by Ms Wimmer and Mr Roberts to the close of the Hearing.

We have taken account of Part 2 of the RMA in the course of reaching our decision. Overall we have found that the PV, as modified, meets the purpose of the RMA in section 5 as well as the matters to which regard must be paid, or may be paid, in sections 6 to 8.

The proposed Precinct development provides for the sustainable use of the land and enables a net environmental benefit in terms of riparian and stream enhancement. Open space areas have been planned as an integral part of the development and will benefit the health and wellbeing of the new community. Use of transport modes is actively encouraged by the proposal, and walking and cycling are promoted by the provisions. The views of tangata whenua have been incorporated in the overall Drury South Structure Plan and the applicant continues to have an on-going relationship with local iwi.

Decision on the plan variation application

Application for Variation 16 to the Proposed Auckland Unitary Plan

The application to vary the Proposed Auckland Unitary Plan by Drury South Ltd within the Quarry Road SHA made under section 61 of the Housing Accords and Special Housing Areas Act 2013 is **ACCEPTED WITH MODIFICATIONS** pursuant to section 71. The Plan provisions shall be deemed operative on the date of public notice of this decision (section 73 of the HASHAA) for the following land:

Street Address	Legal Description	CT Number
49 Harrison Road, Drury	Lot 1 DP 107430	NA59D/930
65 Harrison Road, Drury	Lot 2 DP 107430	NA59D/931
56 Harrison Road, Drury	Lot 2 DP 116776	NA66B/859
76 Harrison Road, Drury	Pt Allotment S79 PSH OF Opaheke	NA64D/990
	Pt Allotment S79 PSH OF Opaheke	
	Pt Allotment 224 PSH OF Opaheke	
79 Harrison Road, Drury	Lot 1 DP 116776	NA66B/858
McEldownie Road, Drury	Pt Allotment 160 SBSC 2 PSH OF Opaheke	NA40C/922
	Pt Allotment 176 SBSC 2 PSH OF Opaheke	
	Allotment 159 SBSC 2 PSH OF Opaheke	
McEldownie Road, Drury	Allotment 46 SBSC 2 PSH OF Opaheke	535341
	Allotment 47 SBSC 2 PSH OF Opaheke	
	Allotment 48 SBSC 2 PSH OF Opaheke	

51 McEldownie Rd, Drury	Allotment 49 SBSC 2 PSH OF Opaheke	NA40C/927
37 McEldownie Rd, Drury	Lot 11 DP 207377	NA135C/688
35 McEldownie Rd, Drury	Allotment 51 SBSC 2 PSH OF Opaheke	NA52B/831
23 McEldownie Road, Drury (Part)	That part of Lot 52 DP 85118 that is zoned Future Urban	NA41B/831 (Pt)
McEldownie Road, Drury	Lot 2 DP 444593	557883
Part of 5A McEldownie Road, Drury	That part of Lot 2 DP 209433 that is zoned Future Urban	NA137B/707 (Pt)
McEldownie Road, Drury	Lot 1 DP 209433	NA137B/706
McEldownie Road, Drury	Pt Allotment 160 SBSC 2 PSH OF Opaheke	NA26C/558
Ararimu Road, Drury	Allotment 208 SBSC 2 PSH OF Opaheke	NA51D/817
34 McEldownie Rd, Drury	Lot 9 DP 207377	NA135C/686
38 McEldownie Rd, Drury	Lot 10 DP 207377	NA135C/687
52 McEldownie Rd, Drury	Allotment 10 SBSC 2 PSH OF Opaheke	NA40C/923
McEldownie Road, Drury	Lot 3 DP 32653	NA844/216
	Lot 2 DP 32653	
McEldownie Road, Drury	Lot 1 DP 32653	NA1079/68
McEldownie Road, Drury	Lot 2 DP 35941	NA924/191
263 Quarry Road, Drury	Allotment 393 PSH OF Opaheke	NA78D/876
	Allotment 392 PSH OF Opaheke	
309 Quarry Road, Drury	Allotment 59 PSH OF Opaheke	NA19C/214
355 Quarry Road, Drury	Allotment 60 PSH OF Opaheke	NA8D/930
	Allotment NW80 PSH OF Opaheke	
385 Quarry Road, Drury	Lot 1 DP 98449	NA53C/1000
49 Maketu Road, Drury	Allotment 189 SBSC 2 PSH OF Opaheke	NA580/1
71 Maketu Road, Drury	Lot 2 DP 128376	NA74D/703
ESPLND RES 75 Maketu Road, Drury	Lot 3 DP 128376	NA
73 Maketu Road, Drury	Lot 1 DP 128376	569670
73 Maketu Road, Drury	Lot 4 DP 196298	NA125C/98

The land within the PV16 area is zoned Mixed Housing Urban, Mixed Housing Suburban and Terrace Housing and Apartment Buildings as shown on **Attachment 1**.

The modified plan variation text and precinct provisions is attached to this decision as **Attachment 2**.

The submissions lodged on the plan variation are accepted.

The reasons for this decision are:

- (a) Overall the proposed plan variation is consistent with the purpose of the HASHAA, as it will enable the efficient development of houses, including affordable houses, in a location where residential activity would otherwise not be enabled.
- (b) The plan variation provides for net benefits in the context of Part 2 of the RMA by enabling social and economic wellbeing, protecting the identified Significant Ecological Area, providing a net improvement in ecological values and enabling the on-going involvement of mana whenua in the management and development of the Drury South Structure Plan Area.
- (c) It will meet the objectives and policies of the RPS and Regional Plan and is consistent with the PAUP.

- (d) Relevant section 74 - 77D RMA matters have been taken into account in reaching this decision.
- (e) Other matters raised by submitters and specialists are addressed in other parts of the PAUP, and the variation incorporates only those matters considered necessary or appropriate to tailor solutions for this site - such as additional access and transport provisions, provisions governing infrastructure, development in the 1%AEP and changes to aid interpretation.

The Qualifying Development Application

An Assessment of Environmental Effects (AEE) was prepared pursuant to section 27 of the HASHAA and submitted with the QD application. PV16 was required in order to rezone the land to enable development of the type sought to occur. As we have approved the variation with modifications (as reflected in that decision and the attached PAUP variation text) we have jurisdiction to consider the QD applications in terms of the new zonings it applies.

The QD proposal has been described above.

Notification and submissions on the QD application

As noted earlier, this application was limited notified to the same parties as the variation application.

The principal issues in contention for the QD applications

Section 6.0 of the Council report reviews matters relating to the QD. In summary the Council report finds no significant issues that cannot be managed through appropriate conditions - either as proposed by the applicant/s or as amended by Council. A draft set of conditions, agreed between the applicant the reporting planner, was circulated prior to the hearing.

Outstanding matters of contention prior to the hearing were:

- Whether there is a need for vehicle access to McEldownie Road, as sought by Auckland Transport.
- The acceptability of the applicant's stormwater approach generally as raised by Mr Phil Jaggard on behalf of Healthy Waters (formerly Auckland Council Stormwater Unit).

A set of proposed QD conditions were appended to the evidence of Mr Roberts. Since lodgement of that evidence, the applicant has continued to engage with the Council on the proposed QD conditions and has reached full agreement with the Council reporting planner. The outstanding issues with Council experts and Auckland Transport in relation to the QD conditions are:

- (a) the temporary stormwater solution;
- (b) the McEldownie Road connection; and

(c) the safety audit and upgrade of Davies Road;

An additional matter for consent has also been identified.

Temporary stormwater solution

Mr McIntyre's evidence is that the long term stormwater management for the QD is dependent on the implementation of the Drury South Network Discharge Consent and associated wetlands. This will be prepared and lodged separately.

Until such time as that has been approved, an interim stormwater solution has been proposed to enable land to be subdivided prior to approval of the network discharge consent. The interim solution is comprised of a stormwater management wetland located to the northwest of the subdivision, conservatively sized to achieve full hydraulic neutrality for the QD site area, in a full run-off with no on-site mitigation scenario.

Mr Roberts explains that this interim approach will achieve detention and retention and water quality treatment, thereby also meeting the relevant objectives and policies of the PAUP.

We record that this approach is now accepted by the Council reporting planner, and the applicant and the Council's reporting planner have reached agreement on the proposed stormwater conditions.

McEldownie Road connection

We have addressed (and determined) this issue in relation to the PV request (see above).

Davies Road

Auckland Transport has sought a safety audit and upgrade of Davies Road as a condition of the QD consent. However, the SHA does not have direct access to Davies Road and therefore there are unlikely to be any direct traffic effects generated on that road. We agree with the applicant that it would be inappropriate to require it to upgrade this road. Mr Phillips notes that upgrades to this road could have the reverse effect of attracting industrial traffic to this road, which is an outcome that should be avoided. We also record that those affected landowners were not served notice of the application.

The Council reporting planner agrees with the applicant's position in this regard. We record that Auckland Transport, abandoned this request at the hearing.

Additional matter for consent

Mr McIntyre presented evidence which identified (following more recent modelling) a small potential increase in flood ponding across 23 and 35 McEldownie Road, in the unlikely event that the proposed culvert to the Roslyn C stream becomes blocked. A secondary flow path is provided through the QD road network.

The diversion and discharge of surface water into an artificial watercourse is a permitted activity in the PAUP (E7.4.1.A11), provided the standards of E7.6.1.2 are met. The proposal does not meet one of these standards which requires that “*the diversion of surface water and the associated discharge of water must not cause or worsen the flooding of any property in a range of flood events*” [emphasis added].

Mr Minhinnick noted in legal submissions that consent is now sought for this infringement, while also noting that some ponding already occurs in this location. Mr McIntyre also noted that the small increase in ponding (0.1-0.2m) will not approach existing dwellings or buildings on either site.

The Council’s reporting officer has assessed the proposal in relation to the relevant assessment criteria and considers that the minor increase in potential flood impacts on parts of these properties that do not contain dwellings or buildings is acceptable. We agree and find accordingly.

Section 34 HASHAA

Section 34 of the HASHAA states the following matters:

34. Consideration of applications

- (1) An authorised agency, when considering an application for a resource consent under this Act and any submissions received on that application, must have regard to the following matters, giving weight to them (greater to lesser) in the order listed:
 - (a) the purpose of this Act:
 - (b) the matters in Part 2 of the Resource Management Act 1991:
 - (c) any relevant proposed plan:
 - (d) the other matters that would arise for consideration under—
 - (i) sections 104 to 104F of the Resource Management Act 1991, were the application being assessed under that Act:
 - (ii) any other relevant enactment (such as the Waitakere Ranges Heritage Area Act 2008):
 - (e) the key urban design qualities expressed in the Ministry for the Environment’s New Zealand Urban Design Protocol (2005) and any subsequent editions of that document.
- (2) An authorised agency must not grant a resource consent that relates to a qualifying development unless it is satisfied that sufficient and appropriate infrastructure will be provided to support the qualifying development.
- (3) For the purposes of subsection (2), in order to be satisfied that sufficient and appropriate infrastructure will be provided to support the qualifying development, the matters that the authorized agency must take into

account, without limitation, are —

- (a) compatibility of infrastructure proposed as part of the qualifying development with existing infrastructure; and
- (b) compliance of the proposed infrastructure with relevant standards for infrastructure published by relevant local authorities and infrastructure companies; and
- (c) the capacity for the infrastructure proposed as part of the qualifying development and any existing infrastructure to support that development.

We confirm that we have given due consideration to the matters required of us by section 34 of the HASHAA, and the explicit priority hierarchy therein.

In particular, we note that no infrastructural issues of significance were raised for our consideration and we are satisfied that sufficient and appropriate infrastructure will be provided to support the QD (and conditions are imposed to that effect).

Relevant Planning Instruments

The most relevant planning instrument for present purposes is the PAUP as amended by our decision on PV16, because that contains the most recent provisions for this land. We are satisfied that those provisions are met and present no obstacle to consents being granted.

While the provisions of a district plan are technically a matter to which regard must be had under section 34(1)(d) of the HASHAA, the status of development activities in this area has been changed substantially by the approved PV16 to the PAUP. Accordingly, we give the greatest weight to the PAUP provisions as varied by our decision on PV16.

The National Policy Statement for Freshwater Management 2011 (NPSFM) is also relevant to this proposal. The PAUP provides for adoption of the directions of the NPSFM in the Water section of that plan. Appropriate riparian mitigation planting is required as part of the consent conditions proposed and imposed.

We also note that the on-going involvement of iwi in the development process should ensure that appropriate consideration is had and provision made for tangata whenua roles and interests.

Furthermore, any future land use, development or subdivision will need to comply with the PAUP overlay rules.

Resource Consent Requirements

The QD requires resource consent as follows.

Resource Consents for the Qualifying Development

Based on the provisions of the applicant's PV request, consent is required for the QD for the following reasons:

Proposed Auckland Unitary Plan – Decision Version 2016

Land use and Subdivision - R/JSL/2016/2423

Based on the applicant's plan variation request, the consents required for the QD are:

- Under Rule 1 (activity Table 1) of the Drury South Residential Precinct, subdivision in accordance with the Drury South Residential Precinct Plans is a **restricted discretionary** activity.
- Subdivision of a vacant site in accordance with standard E38.8.3.1 (site size) is a **discretionary** activity under Rule E38.4.2.A18.
- General earthworks not otherwise listed in the activity table for volumes greater than 2,500m³ in residential zones, is a **restricted discretionary** activity under E12.4.1.A10 (district rule). The applicant proposes 277,000m³ of over an area of 10.8ha.
- General earthworks not expressly either permitted or requiring resource consent for volumes greater than 2,500m² or 2,500m³ in residential zones is a **restricted discretionary** activity under E11.4.1.A18 (regional rule). The applicant proposes 277,000m³ of over an area of 10.8ha.
- Construction of other land drainage works, stormwater management devices or flood mitigation works in the 1 per cent annual exceedance probability (AEP) floodplain is a **restricted discretionary** activity under E36.4.1.A33.
- Diverting the entry or exit point, piping or reducing the capacity of any part of an overland flow path is a **restricted discretionary** activity under E36.4.1.A41.

Stream works Consents – R/REG/2016/3719

The applicant proposes the following stream works:

- Culverting and reclaiming (410m) of the 'Roslyn C' intermittent stream
- Culverting 425m Intermittent Stream IS1 and reclaiming 370m.

These works require consent for the following reasons:

- Culverts more than 30m in length are a **discretionary** activity under E3.4.1.A33 (regional rule);
- New reclamation or drainage (including filling and piping) of a stream is a **non-complying** activity under E3.4.1.A49, Activity Table 1 (regional rule);

Diversion and Discharge of Surface Water – R/REG/2016/4030

- The proposal involves the diversion of existing overland flows into an artificial watercourse (pipe/culvert) for the Roslyn C and IS1 streams. This is a discretionary activity under E7.4.1.A13 (regional rule).

Contaminated Land Discharge - R/REG/2016/3718

- The proposal involves land disturbance exceeding the permitted activity standards, where a detailed site investigation does not exist to confirm levels of potential contaminants on sites containing current and previous activities on the Hazardous Activities and Industries List (HAIL). This is a **discretionary** activity under E30.4.1.A7 (regional discharge permit).

Stormwater Discharge Permit – R/REG/2016/3720

- The diversion and discharge of stormwater from impervious areas (not otherwise authorised by stormwater discharge and diversion rules) is a **discretionary** activity under E8.4.1.A9 (regional discharge permit).

National Environmental Standard (NES)

- The proposal involves earthworks, the subdivision of land and a change in land use across land that is identified in the supplied preliminary site investigation as containing HAIL activities (crops/agriculture, market gardening and pasture land) where a detailed site investigation does not exist. Therefore, the proposal does not meet regulation 8, 9 and 10 of the NES and is therefore a **discretionary** activity under the NES for changing of use and soil disturbance (regulation 11).

Overall the QD is a non-complying activity under the relevant plan, being the PAUP as modified by PV16.

Section 104D of the RMA

Non-complying status arises in this case due to the extensive stream alteration works proposed to enable the site to be developed for residential activities. The policy provisions at the regional level discourage the degree of work proposed, without appropriate mitigation. At the more specific policy level provided in PV16, the approach to the streams is integral to achieving the purpose of the QD and the Precinct as a whole. Accordingly, the QD cannot be considered as contrary to the relevant objectives and policies.

We find that section 104D of the RMA does not impose a barrier to considering approval of the QD application.

Part 2 of the RMA

The future provision of affordable housing and comprehensive development of a residential community will contribute to and enable the social, economic, and cultural wellbeing of people and communities. We have found that any adverse effects of the

development will be adequately avoided, remedied, or mitigated. Overall the proposals are consistent with the purpose of the RMA.

The relevant matters of national importance provided in section 6 of the RMA as they relate to this application are appropriately provided for, particularly the protection of riparian stream margins including the avoidance of any inappropriate development.

The relevant 'other matters' set out in section 7 of the RMA have been considered and in particular the amenity values of this area will be maintained, the proposal is consistent with the efficient use and development of the site, and no ecosystems will be adversely affected by the proposed subdivision.

The proposal is consistent with the principles of the Treaty of Waitangi because it has taken account of iwi values and there are no waahi tapu that will be affected as a result of the subdivision. Consultation with iwi has been undertaken and the applicable iwi management plan has been taken into account when reaching the decision on the application.

Accordingly, the QD can be granted consent.

Decision on the QD Application

Pursuant to sections 34 to 38 HASHAA and also, as referred to in those sections, sections 104, 104B, 104D, 105, 106, 107, 108 and 220 of the RMA, consent is **granted** to the non-complying activity application by Drury South Limited to create 50 vacant residential lots and 5 balance lots involving earthworks of 277,000m³ of over an area of 10.8ha, discharge of contaminated land, to land, the piping and reclamation (and associated culverting) of 410m of the 'Roslyn C' permanent stream and 370m of Intermittent Stream IS1, diversion and discharge of surface water, landscaping and establishment of services and a private stormwater discharge permit from the QD development area involving a temporary stormwater pond/wetland; at McEldownie Road, Drury legally described as Pt Allot 160 Parish of Opaheke, Pt Allot 176 2 Parish of Opaheke, Allot 159 2 Parish of Opaheke, Allot 46 2 Parish of Opaheke, Allot 48 2 Parish of Opaheke, Allot 49 Parish OPAHEKE, PT Allot 51 SUB SEC 2 PARISH OF OPAHEKE BLK VIII DRURY SD, Lot 52 DP 85118, Lot 2 DP 444593, Lot 2 DP 209433, Part Allot 160 SBSC 2 PSH of Opaheke and Allot 208 SBSC 2 PSH of Opaheke.

The reasons for these decisions are:

The proposal is consistent with the purpose of the HASHAA and also with the intent of Part 2 of the RMA;

- The proposal is consistent with the purpose of the HASHAA and the intent of Part 2 of the RMA. In particular, the proposal achieves the purpose of the HASHAA in a manner that balances the effects of development by compensation for stream loss (as a result of piping/reclamation) while maintaining overland flows to permanent streams to maintain hydrological function. Earthworks and the overall disturbance of land can be managed

through conditions and further detailed investigation, to ensure any adverse effects in relation to contamination, human health, flooding and stability are less than minor. In addition, the provision of significant transportation infrastructure enables the future-development of the residential precinct and connectivity of the transportation network.

- The proposal is consistent with the objectives and policies of the Drury South Residential Precinct (Variation 16) to the Proposed Auckland Unitary Plan and is generally consistent with the outcomes sought by those relevant provisions.
- The proposal is consistent with, and will enable, the outcomes of the Urban Design Protocol to be met.
- Sufficient information is supplied by the applicant to demonstrate appropriate infrastructure will be provided to service the QD.
- No issues arise for the purpose of sections 105, 106 and/or 107 of the Resource Management Act 1991.

Conditions of Consent

Under sections 37 and 38 of the Housing Accords and Special Housing Areas Act 2013 and sections 108 and 220 of the Resource Management Act 1991, consents are granted for the application, subject to the conditions included as **Attachment 3**.

Kitt Littlejohn



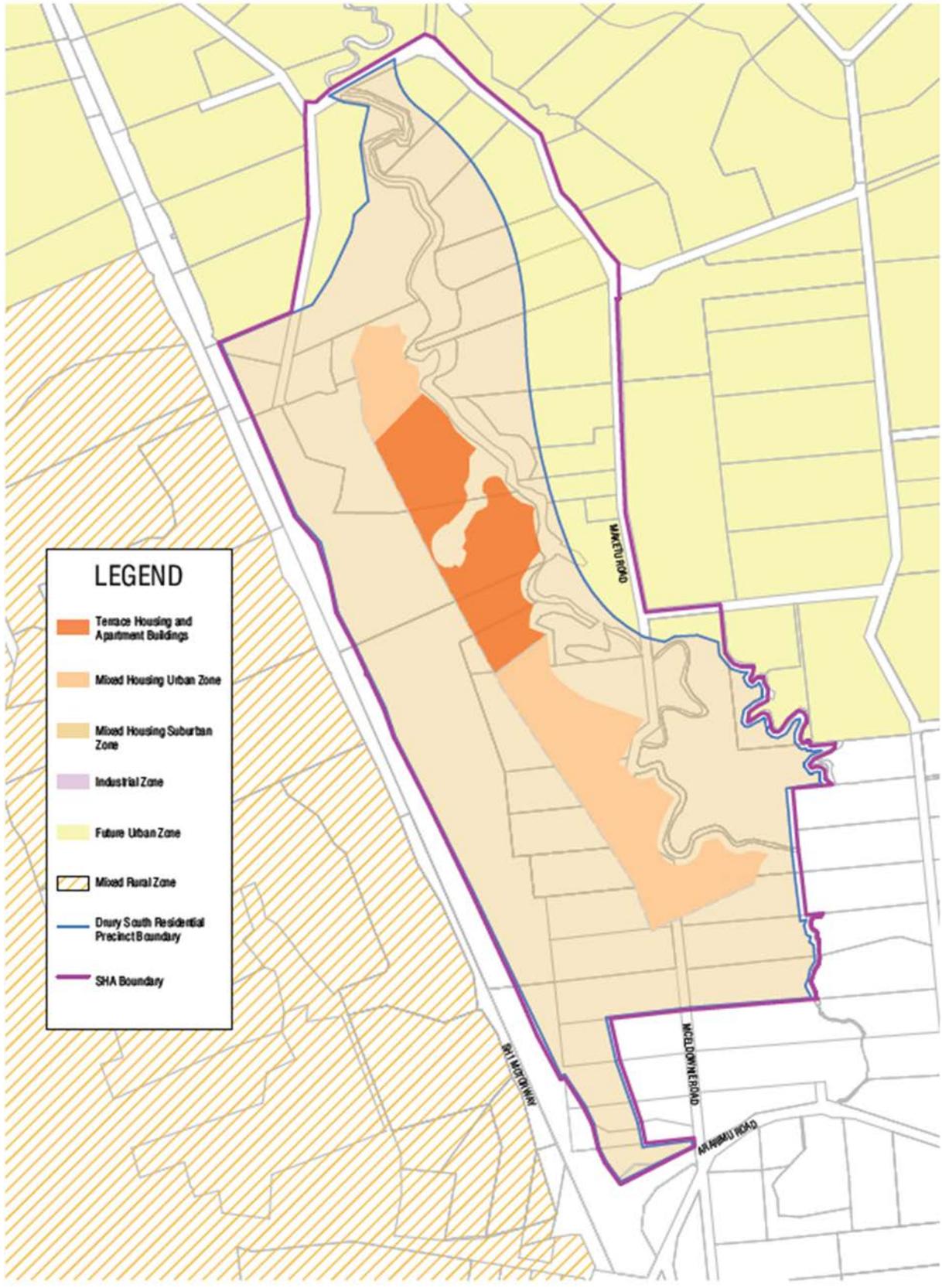
Chairperson

Sitting with Commissioners Hill and McEntee

13 September 2016

Attachment 1

PROPOSED AUCKLAND UNITARY PLAN, VARIED ZONING MAP (SHA AREA ONLY)



Attachment 2

PROPOSED AUCKLAND UNITARY PLAN, CHAPTER F: PRECINCT OBJECTIVES, POLICIES, RULES AND OTHER PROVISIONS

1443. Drury South Residential Precinct

1443.1. Precinct description

The Drury South Residential precinct applies to approximately 101ha of land, bounded by State Highway 1 in the west, Maketu Road in the east, the rural areas of Quarry Road in the north and Ararimu Road in the south, as shown on Precinct Plan 1. The precinct is characterised by a flat to subdued contour, with the Hingaia, Maketu and Roslyn streams running from south to north, and a number of other streams and tributaries. Land which surrounds and defines the precinct has more pronounced topographical contours. The precinct lies between the Drury and Ramarama interchanges on State Highway 1 and local traffic patterns are dominated by truck traffic accessing the Drury Quarry.

The zones underlying the Drury South Residential precinct are Mixed Housing Suburban, Mixed Housing Urban and Terrace Housing and Apartment Building. Refer to the planning maps for the location and extent of the precinct.

The purpose of the Drury South Residential precinct is to provide land for the comprehensive and integrated development of land in Drury South for residential and ancillary purposes, as well as provide for areas of stormwater management, existing and proposed network utility infrastructure, public open space and proposed roads, while recognising the ecological, cultural, landscape and other environmental constraints of the locality.

The Drury South Residential precinct is divided into the following sub-precincts as shown in the Drury South Residential precinct plan on Precinct Plan 1:

- Sub-precinct A: Mixed Housing Suburban, Mixed Housing Urban and Terraced Housing and Apartment Building
- Sub-precinct B: Mixed Housing Suburban
- Sub-precinct C: Mixed Housing Suburban

Sub-precinct A is approximately 45ha and provides the main residential development area of the precinct. It has an underlying zoning of Mixed Housing Suburban, Mixed Housing Urban and Terraced Housing and Apartment building zone. Activities within

the sub-precinct are subject to additional development controls and assessment criteria addressing matters such as landscaping and building layout.

Sub-precinct B has an underlying zoning of Mixed Housing Suburban but provides for recreational uses and stormwater management. It is anticipated that this land will be rezoned to an appropriate zone (e.g. Public Open Space - Informal Recreation and / or Green Infrastructure) once the Public Open Space / Stormwater Management Areas are developed and vested.

Sub-precinct C has an underlying zoning of Mixed Housing Suburban but provides for recreational uses. As with sub-precinct B, it is anticipated that this land will be rezoned to an appropriate zone (e.g. Public Open Space - Informal Recreation and / or Green Infrastructure) once the Public Open Space / Stormwater Management Areas are developed and vested. This sub-precinct also provides for development of the land as a discretionary activity, provided that flooding is adequately mitigated. This provides an opportunity for the land to be developed for residential purposes on an efficient and integrated basis with Sub-precinct A, subject to a full assessment of effects on the environment.

I443.2. Objectives [dp]

The objectives of the underlying Residential - Mixed Housing Suburban Zone, Residential - Mixed Housing Urban Zone and Residential - Terrace Housing and Apartment Building Zone apply in sub-precinct A, the objectives of the Open Space – Informal Recreation zone apply in sub-precinct B, the objectives of the underlying Mixed Housing Suburban zone and the Open Space – Informal Recreation zone apply in sub-precinct C and the Auckland-wide objectives as well as the precinct objectives below apply throughout in this precinct, unless there is a conflict between the precinct objectives and the Auckland-wide objectives or underlying zone objectives, in which case the precinct objectives prevail.

1. Increased housing supply, variety and choice by creating a well-designed residential development comprised of a range of housing densities, choice of typologies, and affordable price options.
2. Appropriately scaled retail and ancillary commercial activities in one or more neighbourhood centres serve the needs of local residents, without detracting from the vitality and vibrancy of other existing or planned centres.

3. A reasonable level of residential amenity is provided, including air quality, acoustic and other amenity values.
4. Adequate provision of open space is provided for recreational and passive uses for residents.
5. Development maintains and enhances the ecology of identified streams and the natural vegetation and habitat values within the Drury South Residential Precinct.
6. The cultural heritage values of the Drury South Residential Precinct are maintained and enhanced.
7. Landscape and visual amenity values are maintained and enhanced (particularly when viewed from State Highway 1).
8. Landscaping themes are complementary, consistent and coherent throughout the precinct.
9. The timely and co-ordinated provision of robust and sustainable road, stormwater, water, wastewater, energy and communications infrastructure networks are provided.
10. The transport network facilitates the safe and efficient movement of people, goods and services and manages effects on the safe and efficient operation of the surrounding transport network.
11. Development and land use within the precinct avoids or minimises adverse effects on existing high voltage electricity, natural gas and communications infrastructure.
12. Subdivision and development avoids or mitigates the adverse effects of stormwater runoff on surface and groundwater quality and avoids increased flood risks to habitable buildings upstream and downstream of the Drury South Structure Plan area (comprised of the Drury South Residential and Drury South Industrial precincts).
13. The strategic freight network (Spine Road and New Quarry Access Road) serving the Drury Quarry is protected from reverse sensitivity effects associated with surrounding new or altered activities sensitive to noise.
14. New and altered activities sensitive to noise, are protected from unreasonable levels of land transport noise.

I443.3. Policies [dp]

The policies of the underlying Residential - Mixed Housing Suburban Zone, Residential - Mixed Housing Urban Zone and Residential - Terrace Housing and Apartment Building Zone apply in sub-precinct A, the policies of the Open Space – Informal Recreation zone apply in sub-precinct B, the policies of the underlying Mixed Housing Suburban zone and the Open Space – Informal Recreation zone apply in sub-precinct C and the Auckland-wide policies as well as the precinct policies below apply throughout in this precinct, unless there is a conflict between the precinct policies and the Auckland-wide policies or underlying zone policies, in which case the precinct policies prevail.

Residential activity

1. Provide for a mix of housing typologies and densities which respond to the local context, including areas of proposed or existing public open space and the Spine Road.
2. Enable appropriately scaled retail and ancillary commercial activities in one or more neighbourhood centres to serve the needs of local residents and to provide a focus for the new community while minimising adverse effects on the vitality and vibrancy of other existing or planned centres.

Affordable Housing

3. New residential developments containing 15 or more dwellings, or involving the creation of 15 or more vacant sites, require either:
 - a. 10 per cent of new dwellings to be relative affordable, with the purchase price to be set relative to the median house price in the Auckland region and sold to first home buyers and owned for at least three years; or
 - b. 5 per cent to be retained affordable, with the purchase price to be set relative to the median household income in Auckland region and sold to Community Housing providers or Housing New Zealand and owned for long term retention.
4. New residential developments containing 15 or more dwellings/sites provide for affordable housing that is distributed throughout the development.

Ecology

5. Maintain or enhance the biodiversity of ecological resources and linkages and restore degraded ecosystems while reducing stream bank erosion through riparian planting along retained watercourses.
6. Mitigate any diversion or piping of existing degraded or modified watercourses by the ecological enhancement and landscape planting of identified existing natural and diverted watercourses within and immediately adjacent to the Drury South Structure Plan area (comprised of the Drury South Residential precinct and the Drury South Industrial precinct).

Landscape and open space

7. Maintain a sense of openness and naturalness on open space land adjacent to State Highway 1.
8. Maintain visual and physical links to the surrounding area within the Drury South Residential and Drury South Industrial precincts.
9. Utilise complementary, consistent and coherent landscaping themes throughout the Drury South Residential precinct which also integrates with the adjacent Drury South Industrial precinct.
10. Design and construct wetland areas for stormwater treatment and detention that also provide reserve and visual amenity opportunities.
11. Provide a range of high quality public open spaces that result in opportunities for passive surveillance and provide active and passive recreation opportunities.

Transport and infrastructure

12. Provide for adequate transport infrastructure and connections including the spine road to support the safe and efficient movement of motor vehicles (including quarry trucks), cyclists and pedestrians within the precinct and to and from the surrounding transport network.
13. Co-ordinate required transport network (including the state highway) improvements both within and outside the precinct with development within the precinct to manage adverse effects on the safe and efficient operation of the surrounding road network and the adjacent development the Drury South Industrial Precinct.

14. Provide adequate stormwater, water, wastewater, communications and energy networks in a timely and co-ordinated manner to service residential activities within the Drury South Residential precinct.

Stormwater and flooding

15. Make adequate provision within sub-precinct B to detain the 1%AEP event without adverse effects on the extent of flooding of areas upstream and downstream of the Drury South Structure Plan area (comprised of the Drury South Residential precinct and the Drury South Industrial precinct).
16. Provide sufficient floodplain storage within sub-precinct B to avoid increasing flood risk upstream and downstream, and manage increased flood risk within the Drury South Industrial and Drury South Residential precincts, to habitable rooms for all flood events from the 50% and up to the 1% AEP.
17. Undertake earthworks to form the modified floodplain in a manner which ensures flood effects on downstream or upstream areas of the Drury South Structure Plan area are not exacerbated.
18. Avoid locating buildings within the 1%AEP modified floodplain or otherwise mitigate the potential flooding risks.
19. Avoid locating infrastructure within the 1%AEP floodplain unless it can be designed to be resilient to flood related damage and does not exacerbate flood risks for upstream or downstream activities.
20. Identify overland flowpaths in a stormwater management plan or discharge consent and ensure that that they remain unobstructed and able to convey surface water runoff safely into the reticulated stormwater network.
21. Avoid or mitigate adverse effects on surface or groundwater quality from stormwater runoff within the precinct through on-site stormwater management and containment and the provision of catchment based wetlands.

Reverse sensitivity

22. Manage development and subsequent land use to minimise adverse effects on the efficient and safe operation of Drury Quarry, existing high voltage electrical transmission and distribution lines, fibre optic cables and the Vector natural gas pipeline.
23. Require new and altered activities sensitive to noise to be setback from the strategic freight network (including the Spine Road) serving Drury Quarry, and/or to be designed and constructed so that occupants are not exposed to

unreasonable levels of transport noise, particularly in bedrooms and other noise-sensitive rooms.

Cultural

24. Reflect the cultural heritage values of the Hingaia and Maketu streams as cultural linkages between historical hill top pa and coastal areas in the development of sub-precinct B.

I443.4. Activity tables

The provisions in any relevant overlays, zone and the Auckland-wide apply in this precinct unless otherwise specified below.

In the event of a conflict between the zone or Auckland-wide rules the Drury South Industrial Precinct Rules and the Drury South Residential precinct rules, the Drury South Residential precinct rules prevail.

Table I443.4.1 specifies the activity status of development and subdivision activities in the sub-precincts A-C and E pursuant to sections 9(3) and 11 of the Resource Management Act 1991.

Table I443.4.1 Activity table 1 – Sub-precincts A to C

Activity		Activity Status
Development		
(A1)	Subdivision or any development of land which complies with Standards I443.6.4 and I443.6.5 below. (Note that for the purposes of this rule "development" means the carrying out of any work on the land including any earthworks or site preparation activities and the construction or alteration of any building, other than as provided for as a permitted activity in the underlying zone)	RD
(A2)	Subdivision or any development of land which does not comply with Standard I443.6.3 and I443.6.4(e) below.	D
(A3)	Subdivision or any development of land which does not comply with Standards I443.6.4(a) – (d) and I443.6.5 below.	NC

(A4)	The creation of vehicle access to any site from the Spine Road	RD
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Table I443.4.2 specifies the activity status of land use activities in Sub-precinct A pursuant to section 9(3) of the Resource Management Act 1991.

Table I443.4.2 Activity table 2 – Sub-precinct A

Activity		Activity Status
Commerce		
(A5)	Commercial services	RD
(A6)	Individual food and beverage tenancies not exceeding to 200m ² GFA	RD
(A7)	Individual retail tenancies not exceeding 200m ² GFA	RD
(A8)	Individual retail and food and beverage tenancies over 200m ² GFA	NC
(A9)	Retail activity that does not comply with Standard I443.6.1 (Retail threshold) below	NC
Community		
(A10)	Care centres	RD
(A11)	Healthcare facilities	RD
Residential		
(A12)	Residential activity that does not comply with Standard I443.6.5.2 (No-complaint covenant) below	D

Table I443.4.3 specifies the activity status of land use activities in Sub-precincts B and C pursuant to section 9(3) of the Resource Management Act 1991.

Table I443.4.3 Activity table 3 – Sub-Precinct B (Open Space – Informal Recreation Zone / Stormwater Management) and Sub-Precinct C

Activity		Activity Status
Community		
(A12)	Any activity listed as a permitted activity in the Informal Recreation zone	P
(A13)	Stormwater Management Devices	RD

I443.5. Notification

- (1) Any application for resource consent for a restricted discretionary activity listed in Tables I410.4.1 - I410.4.3 will not be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991, except that limited notification to affected parties may be undertaken where their written approval has not been obtained.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

I443.6 Standards

The underlying zone and Auckland-wide standards apply in this precinct, unless otherwise specified below.

In the event of a conflict between the zone or Auckland-wide standards, the Drury South Industrial Precinct standards and the Drury South Residential precinct standards, the Drury South Residential precinct standards prevail.

I443.6.1 Retail threshold

Purpose: To ensure that the cumulative effects of retail activities in the Drury South Residential precinct minimises adverse effects on the vitality and vibrancy of other existing or planned centres.

- (1). The total GFA of retail in the Drury South Residential precinct must not exceed 2,500m².

I443.6.2 Noise and ventilation

Purpose: To ensure that activities sensitive to noise are not exposed to unreasonable levels of transport noise, particularly in bedrooms and other noise-sensitive rooms and to minimise adverse effects on the efficient and safe operation of Drury Quarry.

- (1) Any new bedroom, sleeping area habitable room or classroom in new activities sensitive to noise, and any new bedroom, sleeping area, habitable room or classroom added to existing activities sensitive to noise within the precinct must be designed and/or insulated, or screened by suitable barriers so that the design internal noise levels in those rooms do not exceed 40 dB LAeq(24 hours) based on the following road traffic noise:
 - (2)(a) Road traffic noise from State Highway 1 shall be predicted based on the Average Annual Daily Traffic Flow, for a minimum period of 10 years after the building has been constructed, incident on the façade(s) of the noise sensitive space to be constructed or altered.
 - (b) Road traffic noise for the Spine Road shall be based on a road traffic noise level of 75 dB $L_{Aeq(24\ hour)}$ at 10m from the nearest traffic lane.
- (3) For residential dwellings, where the internal noise levels in Rule 1 can only be complied with when doors or windows to those rooms are closed, those rooms must be mechanically ventilated and/or cooled to achieve either:
 - a. An internal temperature no greater than 25 degrees Celsius based on external design conditions of dry bulb conditions 25.1 degrees celsius and wet bulb 20.1 degrees celsius or;
 - b. A high volume of outdoor air supply to all habitable rooms with an outdoor air supply rate of no less than:
 - Six air changes per hour (ACH) for rooms with less than 30 percent of the façade area glazed; or
 - Fifteen air changes per hour (ACH) for rooms with greater than 30 percent of the façade area glazed; or
 - Three air changes per hour for rooms with façades only facing south (between 120 degrees and 240 degrees) or where the glazing in the façade is not subject to any direct sunlight

- (4) For all other noise sensitive spaces, where the internal noise levels in Standard I443.6.2(1) above can only be complied with when doors or windows to those rooms are closed, those rooms must be mechanically ventilated and/or cooled to achieve an internal temperature of no greater than 25 degrees celsius based on external design conditions of dry bulb conditions 25.1 degrees celsius and wet bulb 20.1 degrees Celsius; and
- a) Provide relief for equivalent volumes of spill air; and
 - b) Be individually controllable across the range of airflows and temperatures by the building occupants in the case of each system; and
 - c) have a mechanical ventilation and/or cooling system that generates a noise level of no greater than L_{Aeq} 35dB when measured 1 m from the diffuser at the minimum air flows required to achieve the design temperatures and air flows.

I443.6.3 Affordable dwellings

I443.6.3.1 Affordable dwellings - General

Purpose: To ensure that the precinct contains affordable housing to help address Auckland's housing affordability needs.

1. New residential developments containing 15 or more dwellings/vacant sites must provide for affordable dwellings/ vacant sites that are either relative affordable or retained affordable that will meet the requirements of clauses 2-8 below.
2. All resource consent applications requiring the provision of affordable dwellings/vacant sites must be accompanied by details of the location, number and percentage of relative and/or retained affordable dwellings/vacant sites.
3. Affordable dwellings/vacant sites must be spread throughout the development, with no more than six in any one cluster.
4. For staged developments, a proportionate number of affordable dwellings and/or vacant sites must be provided at each respective stage on a pro rata basis and spread throughout the development in accordance with clause 3 above.
5. For apartments, no more than one-third of the total number of identified affordable dwellings shall be located on a single building level/storey, unless

the development is two levels, in which case no more than half of the identified affordable dwellings shall be located on a single building level.

6. If the calculation of the percentage of dwellings (and/or vacant sites) that must be affordable dwellings (and/or vacant sites) results in a fractional dwelling (or vacant site) of one-half or more, that fraction is counted as 1 dwelling (or vacant site), and any lesser fraction may be disregarded.
7. For avoidance of doubt, this standard does not apply to resource consent applications processed under the Housing Accords and Special Housing Areas Act 2013 (HASHAA) as the provisions specified within the relevant Order in Council amendment to the HASHAA apply. The above provisions apply to consents that are not processed under HASHAA.

I443.6.3.2 Relative Affordable

I443.6.3.2.1 Number of Relative Affordable Dwellings or Sites

Purpose: To ensure that the precinct contains price relative affordable housing available to first home buyers to help address Auckland's housing affordability needs.

1. For new residential developments containing 15 or more dwellings or involving the creation of 15 or more vacant sites, (or a mixture of both with the total cumulative number of dwellings and/or vacant sites being 15 or more), at least 10% of the total number of dwellings/vacant sites must be relative affordable and meet the following criteria:
 - a. The price at which a dwelling may be sold does not exceed 75 per cent of the Auckland region median house price (calculated as an average of 3 calendar months previous to the date the application for 224c is lodged with Council) that is published by the Real Estate Institute of New Zealand.
 - b. If the application is for a subdivision consent, the applicant must identify the sites of the subdivision allocated for the building of relative affordable dwellings and must specify the mechanism (consent notice for example) for ensuring that the combined value of the building and the land upon completion will meet that criterion or is a building associated with such a dwelling.
 - c. Dwellings must be sold to first home buyers who intend to reside in the dwelling and retain ownership for three years from the date of first

transfer. Any dwellings built on vacant sites identified for affordable housing must be sold to first home buyers who intend to reside in the dwelling and retain ownership for 3 years from the date of transfer.

1443.6.3.2.2 Eligibility for Relative Affordable Housing

Purpose: To ensure relative affordable housing is purchased by appropriate persons

1. Prior to the first transfer of affordable dwellings (including new dwellings that have never been occupied and are built on vacant sites that are identified for affordable dwellings), the consent holder shall provide to the Council a statutory declaration that confirms the sale complies with the following eligibility requirements:
 - a. the purchaser has a gross household income, as at the date of the statutory declaration, that does not exceed 120 per cent of the Auckland median household income as set at the date of signing the unconditional sale and purchase agreement.
 - b. the consent holder has sold the dwelling (and any associated parking that is required by resource consent and storage) at a price which is not more than that defined by the 75 percent median price in accordance with Standard 1443.6.3.2.1(1)(a) above.
 - c. the purchaser intends to own and occupy the affordable dwelling exclusively as their residence for no less than three years from the date of purchase.
 - d. the purchaser is a first home buyer and has never owned any other real property.
 - e. the purchaser is a natural person purchasing the affordable dwelling in their own name and not in the name of any other person or entity.
2. Prior to the transfer of a vacant site identified for affordable dwellings, the purchaser shall be made aware of the mechanism eg a consent notice required to ensure any building built on the site is a dwelling that will meet the relative affordable criteria above or is a building associated with such a dwelling.
3. Prior to the transfer of a vacant site identified for an affordable dwelling to a purchaser that intends to develop, own and occupy the affordable dwelling themselves, the consent holder shall provide to Council a statutory declaration

executed by the intended purchaser that confirms the sale complies with the following eligibility requirements:

- a. the purchaser has a gross household income, as at the date of the statutory declaration, that does not exceed 120 per cent of the Auckland median household income as set at the date of signing the unconditional sale and purchase agreement.
 - b. Any development of the site shall be such that the combined value of the dwelling and the land upon completion, as confirmed by a valuation carried out by a registered valuer, shall be no more than that defined by the 75 percent median price in accordance with Standard I443.6.3.2.1(1)(a) above.
 - c. the purchaser intends to own and occupy the affordable dwelling exclusively as their residence for no less than three years from the date of purchase.
 - d. the purchaser is a first home buyer and has never owned any other real property.
 - e. the purchaser is a natural person purchasing the affordable dwelling in their own name and not in the name of any other person or entity.
4. A consent notice shall be placed on the computer freehold register for the respective affordable dwellings/vacant sites requiring the above eligibility criteria be met for 3 years from the date of the transfer to the eligible purchaser.

I443.6.3.3 Retained Affordable

I443.6.3.3.1 Eligibility for Retained Affordable Housing

Purpose: To ensure that the precinct contains income related retained affordable housing to help address Auckland's housing affordability needs and to ensure retained housing is appropriately managed by Community Housing Providers to achieve ongoing provision and availability where required.

1. Purchasers in respect of retained affordable housing must be a registered community housing provider or Housing New Zealand Corporation. This rule does not apply to Retirement villages.

1443.6.3.3.2 Number of Retained Affordable Dwellings or Sites

1. For new residential developments containing 15 or more dwellings or involving the creation of 15 or more vacant sites, (or a mixture of both with the total cumulative number of dwellings and/or vacant sites being 15 or more), at least 5% of the total number of dwellings, or vacant sites, in any development must be retained affordable and meet the following criteria:
 - (a) The price at which a dwelling may be sold would mean that the monthly mortgage payments for a household receiving the Auckland median household income (as published by Statistics New Zealand for the most recent June quarter before the date the application for resource consent is approved or the date on which all appeals on the resource consent application are finally resolved, whichever is the later) would not exceed 30 per cent of the household's gross monthly income, based on the assumptions that:
 - (i) the dwelling is purchased with a 10 per cent deposit; and
 - (ii) the balance of the purchase price is financed by a 30-year reducing loan, secured by a single mortgage over the property, at a mortgage interest rate equal to the most recent average two-year fixed rate. This interest rate used is that published most recently by the Reserve Bank of New Zealand, in relation to the date application for resource consent is made.
2. As part of the resource consent application evidence shall be provided to demonstrate a community housing provider will purchase the dwellings/sites. Prior to the transfer of the retained affordable dwellings/sites a Council approved statutory declaration must be returned by the consent holder to demonstrate the dwellings/sites are sold at the price point outlined in clause 1 above.

1443.6.4 Development within the sub-precincts A-C

- a. All new roads shall be designed and constructed to comply with the provisions of New Zealand Standard NZS6806:2010 "Acoustics – Road Traffic Noise – New and Altered Roads".
- b. The upward waste light ratio from any luminaire must not be more than 3 per cent. The upward waste light ratio is defined as: *"The ratio of the light flux*

emitted above the horizontal by a luminaire to the total light flux emitted, expressed as a percentage, evaluated for the upcast angle".

- c. Where sites with side or rear boundaries abut State Highway 1 all such boundaries shall be planted with a double row of *Leyland Cypress* or similar fast growing evergreen shelterbelt species with 2 metres between rows and trees within each row planted at 3 metre centres. Tree rows are to be staggered and the first row is to be located 1.5 metres in from the side or rear boundary and buildings shall be setback from the relevant boundary by a minimum of 5.5 metres accordingly. Any noise attenuation wall or fence designed to deflect noise arising from State Highway 1 shall be fully screened by planting in views from the motorway.
- d. Any land modification to form the 1% AEP modified flood plain must:
 - (i) Not reduce flood storage capacity in the Drury South Residential and Drury South Industrial precincts; and
 - (ii) Not change the flood characteristics upstream or downstream of the Drury South Residential and Drury South Industrial precincts for all flood events from the 50% and up to the 1% AEP flood event in ways that cause or exacerbate flooding of existing habitable floors.
- e. Any land modification to form the 1% AEP modified flood plain must not change the flood characteristics upstream or downstream of the Drury South Residential and Drury South Industrial precincts in ways that results in an increase in peak flood levels for all flood events from the 50% and up to the 1% AEP flood event.

I443.6.5 Subdivision within sub-precincts A-C

I443.6.5.1 General subdivision standards

- a. The Spine Road and Collector Road (including pedestrian and cycle routes) identified on the Precinct Plan 2 must be located generally in the position indicated on Precinct Plan 2. An alternative roading layout may be proposed provided that an integrated approach to land use and transportation is demonstrated to be achieved throughout the Drury South Residential and Drury South Industrial precincts.
- b. Proposed stormwater management wetland areas must be located generally in the position indicated on Precinct Plan 3.

- c. Native riparian margins of 10m must be planted along either side of the edges of identified existing and realigned streams shown on Precinct Plan 3 within stormwater management areas. A total width of 40m riparian planting shall be achieved across both sides of stream edges within stormwater management areas.
- d. Off-site stormwater management services including wetlands and the primary and secondary stormwater conveyance system must be offered to the council.
- e. The Ramarama Interchange (East) Upgrade must be constructed and operational prior to s224(c) being approved for the first subdivision consent approved within this precinct.

1443.6.5.2 Restrictive non-complaint covenant

Purpose: To minimise adverse effects on the efficient and safe operation of Drury Quarry.

- 1. Accommodation and non-permanent accommodation in the Drury South Residential precinct shall be subject to a restrictive non-complaint covenant* in favour of the operator of Drury Quarry.

**For the purposes of the Drury South Residential precinct and of this rule a 'restrictive non-complaint covenant' is defined as a restrictive covenant registered on the Title to the property or a binding agreement to covenant, in favour of the operator of Drury Quarry, by the landowner (and binding any successors in title) not to complain as to effects generated by the lawful operation of the quarry, including heavy vehicle movement noise. The restrictive non-complaint covenant is limited to the effects that could be lawfully generated by the quarry activities at the time the agreement to covenant is entered into. This does not require the covenantor to forego any right to lodge submissions in respect of resource consent applications or plan changes in relation to quarry activities (although an individual restrictive non-complaint covenant may do so.) Details of the existence of covenant documents may be obtained from the Quarry Operator, its solicitors, or in the case of registered covenants by searching the Title to the property.*

I443.7. Assessment – restricted discretionary activities

I443.7.1. Matters of discretion

The Council will consider the relevant matters of discretion below for restricted discretionary activities, in addition to the assessment criteria specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions.

In the event of a conflict between the overlay, Auckland wide, zone provisions or the Drury South Industrial precinct matters of discretion and the Drury South Residential precinct matters of discretion, the Drury South Residential precinct matters of discretion prevail.

- (1) Any subdivision or any development of land that is a restricted discretionary activity
 - i. The relevant council and Auckland Transport development code or codes of practice
 - ii. geotechnical and seismic;
 - iii. servicing and development sequencing;
 - iv. earthworks;
 - v. transportation network improvements;
 - vi. ecology;
 - vii. Counties Power 110 Kv sub-transmission lines; and
 - viii. stormwater management.
- (2) the creation of vehicle access from the Spine Road shown on Precinct Plan 2
 - i. effect of the location and design of the access on the safe and efficient operation of the adjacent transport network; and
 - ii. adequacy of access arrangements.
- (3) New buildings:
 - i. retention of existing vegetation
 - ii. planting
 - iii. vehicular access
 - iv. building design – neighbourhood centres

- (4) Commercial services; Food and beverage up to 200m² GFA; Individual retail tenancies not exceeding 200m² GFA; Care centres; Healthcare facilities;
- i. location
 - ii. signs
 - iii. service area location
 - iv. vehicular access
 - v. mitigation of traffic noise
 - vi. air quality effects on activities within 150m from SH1 or the indicative Spine Road
- (5) Infringement of Standard I443.6.2 Noise and ventilation
- i. The effects of land transport noise on the activity
 - ii. The potential reverse sensitivity effects of the infringement.

I443.7.2. Assessment Criteria

The Council will consider the following matters when assessing a restricted discretionary activity resource consent application, in addition to the assessment criteria specified for the relevant restricted discretionary activities in the overlay, Auckland-wide or zone provisions.

In the event of a conflict between the overlay, Auckland wide, zone provisions or the Drury South Industrial Precinct assessment criteria and the Drury South Residential precinct assessment criteria, the Drury South Residential precinct assessment criteria.

- (1) Any subdivision or development that is a restricted discretionary activity
- a) The subdivided lots or the land on which the development is to be undertaken should be geotechnically suitable for the development of a permitted activity or an activity for which resource consent has been obtained. This may include an assessment of the following:
 - i. Any proposed fill materials.
 - ii. Stability in areas of deep cut particularly adjacent to the boundaries of the Precinct.
 - iii. Settlement and stability issues associated with streams
 - iv. Time dependent settlement.

- v. Ground seismicity and buffer zone.
 - vi. Liquefaction.
- b) Subdivision and development should occur in a logical and sequential manner in relation to:
- i. The implementation of improvements and/or upgrades to the roading network.
 - ii. The establishment of the stormwater management areas within sub-precinct B and wetlands identified on Precinct Plan 3 and catchment wide stormwater management devices as identified in the relevant discharge consent and/or stormwater management plan required by the special information requirements below.
 - iii. The provision for overland flowpaths identified in an approved discharge consent and/or stormwater management plan required by the special information requirements below.
 - iv. The provision of wastewater facilities, water supply, electricity, gas and telecommunications, including the protection and /or relocation of any existing local electricity, gas and communications assets.
- c) The earthworks required by the subdivision or development should:
- i. Avoid or mitigate adverse effects on land stability, existing above ground or underground infrastructure facilities (such as the Counties Power electricity lines and support structures, Vector gas pipeline and Telecom telecommunications cables), and groundwater quantity and quality.
 - ii. Avoid or mitigate adverse effects on the visual quality of the landscape or natural landforms, watercourses, habitats or vegetation.
 - iii. Avoid or mitigate adverse effects on traffic management within the area or create damage, danger, or nuisance to surrounding residents or the Ramarama School.
 - iv. Consider opportunities to recharge the aquifer using treated stormwater where permeable soils are available.
 - v. Ensure that the creation of level development platforms are contoured to integrate with the surrounding street environment and open space corridors.

- vi. Screen retaining walls visible from roads or public open spaces.
 - vii. Provide and maintain continuity of overland flow paths both within the site, as well as upstream and downstream; and where overland flow paths are diverted and/or altered show how:
 - i. Potential effects on other properties from the diversion or alteration is avoided or mitigated.
 - ii. Effects from scouring and erosion are mitigated.
 - iii. Further changes to the overland flow path will be limited, when appropriate through an easement in favour of Council.
 - viii. If devices are located in the 1% AEP modified flood plain, including earthworks for the formation of stormwater management devices such as wetlands and/or for necessary infrastructure (including associated landscaping and accessways), whether:
 - i. The design of the device, including associated earthworks, landscaping and accessways avoids impeding flood flows or otherwise exacerbating flood risk upstream or downstream of the site and how such effects can be avoided.
 - ii. The design of the device or mitigation works is resilient to damage from the full range of flood events.
 - iii. Access to the device for maintenance is provided and maintenance plans address potential effects that may result from the proposed access route.
- d) The following transportation network improvements will be considered by the Council, to ensure the subdivision or development provides for the safe and efficient operation of the transportation network:
- i. Whether subdivision or development results in the central 'Spine Road' being progressively constructed on an alignment generally consistent with that indicated in Precinct Plan 2. An alternative roading layout may be proposed provided that an integrated approach to land use and transportation is demonstrated to be achieved throughout the Drury South Residential and Drury South Industrial precincts.

- ii. Whether the 'Spine Road' is demonstrated to be located outside the modified flood plain (as provided as Special Information Requirement – refer Standard I443.8.1 (1)(c));
- iii. Whether new collector and local roads are generally in the location indicated in Precinct Plan 2 unless an alternative, integrated approach to roading is provided.
- iv. Whether shared pedestrian/cycle paths are progressively provided generally in the location indicated in Precinct Plan 2 unless an alternative, integrated approach to the pedestrian/cycle network is provided.
- v. Whether a new shared pedestrian/cycle facilities are provided on the Ararimu Road to enable safe access to the Ramarama School prior to the occupation of the first residential dwellings.
- vi. Whether an upgrade to McEldownie Road is provided to enable the safe movement of pedestrians and cyclists along McEldownie Road and improved pedestrian and cycle connectivity when development of land bordering McEldownie Road occurs.
- vii. Whether State Highway 1 Ramarama Interchange is capable of accommodating, in a safe and efficient manner, the traffic from the subdivided and developed portion of the precinct including the predicted traffic from the land which is the subject of the application. To enable assessment of this criterion, applications for subdivision or development must include a transport assessment of the effects of the subdivision or development on the interchange prepared by a qualified and experienced traffic engineer. Any traffic assessment should clearly demonstrate that the following performance indicators and associated targets for the State Highway 1 Ramarama interchange can be met:

Indicator	Target
Level of Service (Delay) for all turning movements	Level of Service D.
Proximity of queue length to motorway	Maximum queue length must not extend within 140m of the physical nose of the ramp.

Proximity of queue length to upstream intersections	Maximum queue length should not extend to the upstream intersection.
All turning movements and short land queues	Maximum queue length should not impede movements at upstream intersections.

Advice note: This criterion will be considered to be met where such an assessment includes a review undertaken by or on behalf of NZTA which confirms that there is sufficient capacity or planned capacity at this interchange to safely accommodate the predicted increase in traffic.

- viii. In the event the Spine Road is connected to Quarry Road in the north prior to any buildings within the Drury South Industrial Precinct being occupied, whether the provision of traffic signals or an alternative upgrade which achieves equivalent transport performance at the existing Great South Road/State Highway 22 (Karaka Road) intersection is required to enable the safe and efficient operation of the transport network;
 - ix. Whether the above transport network improvements or any of the Transport Network Development Requirements of the Drury South Industrial precinct are required at each and any stage of subdivision or development, based on the existing, or approved developments within both the Drury South Residential precinct and the Drury South Industrial precinct as well as any other development affecting the transport network in this location.
- e) In respect of those new areas of planting in riparian enhancement, stormwater management and wetland areas in sub-precinct B:
- i. Native plants should be eco-sourced as close as possible to the developed area.
 - ii. A weed and pest management programme should be developed for areas of new planting.

- f) An appropriate level of infrastructure should be provided to service the scale of development proposed. This should include consideration of the following:
 - i. Reticulated water services must be supplied to the development. Such services shall be provided to the relevant part of the precinct in advance of or concurrent with a resource consent for subdivision and development provided that any necessary resource consents or designations for the reticulated water services have been granted.
 - ii. Wastewater services are to be provided to the Drury South Residential precinct by the construction of a connection to Watercare's existing wastewater network and any necessary upgrading of that network that is required to service the Precinct; Wastewater services shall be provided to the relevant part of the Precinct in advance of or concurrent with a resource consent for subdivision and development provided that any necessary resource consents or designations for the reticulated water services have been granted.
- g) Whether the existing 110kV Counties Power electricity lines are provided for in the existing positions in any subdivision or whether the existing lines can be relocated in agreement with Counties Power.
- h) A stormwater management plan and works proposed as part of the subdivision or development should:
 - i. Comply with any approved discharge consent.
 - ii. Be effective in avoiding, remedying or mitigating the potential adverse effects of stormwater discharge on water quality, stream erosion, bank stability, and flood hazards. In the case of stormwater management facilities within private land this assessment will include how the operation and maintenance of such facilities is to be secured by way of appropriate covenants or consent notices.
 - iii. Effectively contain all the natural and diverted streams and their margins, wetlands, and other off-site stormwater management devices.
 - iv. Provide for required overland flowpaths.
 - v. Where necessary, require a bond or other security to be provided to ensure that the stormwater management works will be completed, with

such bond to be released when the works are completed and the stormwater management areas and their devices are vested in council.

- vi. Ensure that subdivision and development does not result in increased flood risk to habitable rooms for all flood events from the 50% and up to 1% AEP flood event downstream and upstream of the Drury South Residential and Drury South Industrial precincts.
- vii. Where necessary, provide for stormwater to be discharged to the Roslyn Stream, to enable sufficient water flow to retain, and where possible enhance, stream naturalness, biodiversity, and bank stability.
- viii. Provide for the detention of runoff from impervious surfaces through either catchment based stormwater devices, on-site stormwater devices, or a combination. As a guideline, detention should achieve 0.023m³/m² of impervious surfaces created in each stage of development.
- ix. Provide for stormwater retention through providing water reuse tanks, to mitigate potential adverse effects on the receiving environment. As a guideline, water reuse tanks should be provided for sites containing single dwellings, and should provide a minimum retention of 0.005m³/m² of roof area.

Note: The appropriateness of requiring for water retention tanks for each development should be considered alongside the other stormwater management criteria, including the general environmental outcomes sought under clause (b) above.

- i) Landscaping proposed as part of subdivision or development should:
 - i. Provide for complementary, consistent and coherent landscaping themes throughout the Drury South Residential precinct which also integrates with the adjacent Drury South Industrial precinct;

- ii. Intergrade Sub precincts A and B through landscape design, including a minimum of three open space 'fingers' coinciding with the low points between the Southern Motorway boundary hillocks, that link between the motorway edge open space network and the Hingaia Stream corridor open space network.
 - iii. Provide a minimum 5m wide evergreen shelter planting buffer along the Motorway corridor where the Spine Road adjoins the Southern Motorway corridor.
 - iv. Provide a minimum 10m wide planting buffer along the that part of the south boundary of the Drury South Residential precinct which adjoins land with frontage to McEldownie Road.
 - v. Ensure that planting does not restrict access to the electricity infrastructure for maintenance, and will not compromise the safe and reliable operation of the electricity network. *Advice note: This criterion will be considered to be met where such an assessment includes a review undertaken by or on behalf of Counties Power which confirms that the proposed planting will not affect the safe and reliable operation and maintenance of the electricity network.*
- j) The extent to which ecological mitigation and enhancement undertaken for any diversion and/or reclamation of streams required to enable development in accordance with the Precinct Plans is in accordance with the Stream and Wetland Rehabilitation Guidelines (2013) or to an equivalent specification and standard.

(2) The creation of vehicle access from the Spine Road shown on Precinct Plan 2

- a) Any adverse effect from the location and design of the access on the safe and efficient operation of the adjacent transport network, including public transport, cyclists and general traffic, having regard to:
 - i. The number of other access points to or from the Spine Road in the vicinity of the proposed access;
 - ii. Whether conflicts will be reduced by the presence of a raised central median which prevents right turning in the vicinity of the site;

- iii. Visibility and safe sight distances particularly the extent to which vehicles entering/exiting the site can see, and be seen by, pedestrians, cyclists and other vehicles on the footpath and road carriageway;
 - iv. Existing and future traffic conditions including speed, volume, type, current accident rate, and the need for safe manoeuvring in all weathers;
 - v. Existing pedestrian numbers, and estimated future pedestrian numbers having regard to the level of development provided for within the Drury South Residential and Drury South Industrial precincts ; and
 - vi. Existing community or public infrastructure located in the adjoining road, such as bus stops, bus lanes and cycleways.
 - vii. Whether alternative access to the site is available from another public road.
- b) Whether the access arrangements are practicable and adequate having regard to site limitations and layout, and arrangement of buildings and activities, users and operational requirements, and having regard to whether the site can reasonably be served by shared or amalgamated access with another site or sites on the Spine Road where the sites in question are held in the same ownership.

(3) New buildings:

- a) Retention of existing vegetation
 - i. Layouts should retain and protect existing mature trees, particularly those of indigenous species, where these contribute to the site character and amenity.
- b) Building design – Neighbourhood Centre Locations
 - i. Buildings on corner lots should be designed to provide for a quality architectural response to the corner. Appropriate design responses would be provision of additional height at the corner, windows and activities addressing both street frontages and avoiding blank walls to one or both sides of the corner.
 - ii. Built development should front the street with a quality recognisable pedestrian entry to the street.

- c) Planting
 - i. Planting should be designed to have a large scale landscape effect and combine native as well as appropriate exotic species to provide seasonal change, winter sun penetration and quality amenity.
 - ii. Where public open space land adjoins the motorway, boundary planting that creates a continuous visual barrier to eastward views from the State Highway 1 corridor should be avoided and landscape design should emphasise the current sequence of intermittent views to the Hunua Ranges from the State Highway 1 corridor and the pattern of variable depth of such views.
 - d) Vehicular access
 - i. Proposed vehicle access to sites adjoining the Spine Road shown on the Precinct Plan 2 should minimise any conflict with safety and efficiency of these routes as part of the strategic freight network.
 - e) Reverse sensitivity
 - i. Dwellings should be oriented to minimise potential noise effects from the spine road on the amenity of primary outdoor living courts
- (4) Commercial services; Food and beverage up to 200m² GFA; Individual retail tenancies not exceeding 200m² GFA; Care centres; Healthcare facilities
- a) Location
 - i. Whether the location of the activity will be in the indicative neighbourhood centre locations identified on Precinct Plan 2;
 - ii. If an alternative location is proposed, whether the activity will serve as a focal point for the residential community.
 - b) Signs
 - i. Signs for each neighbourhood centre development should be coordinated including the physical location of signs, their type-face, style and content.
 - c) Service area location

- i. Service areas should be located so as to avoid observation from a public road with access either from a service lane, incorporation within the main building or full screening of service/storage and dock areas.
 - d) Vehicular access
 - i. Proposed vehicle access to sites adjoining the Spine Road and New Quarry Access Road shown on the Precinct Plan 2 should minimise any conflict with safety and efficiency of these routes as part of the strategic freight network.
 - e) Mitigation of traffic noise
 - i. Premises offering food and beverages, health professional rooms and care centres should be designed to mitigate traffic noise effects. Mitigation measures may include acoustic treatment of buildings and arranging site layout so noise sensitive activities are screened from the heavy traffic noise.
 - f) Air quality effects on activities within 150m from SH1 or the indicative spine road
 - i. How adverse health effects on children within a care centre, or people within a healthcare facilities will be avoided.
 - ii. For care centres, whether there is adequate separation from the roadway to any outdoor play areas to provide an appropriate level of air quality.
- (5) Infringement of Standard I443.6.2 Noise and ventilation
- a) The extent to which the type of activity proposed is likely to be adversely affected by the expected levels of transport noise.
 - b) The extent to which any characteristics of the proposed use or area make compliance with of New Zealand Standard NZS6806:2010 "Acoustics – Road Traffic Noise – New and Altered Roads" unnecessary.
 - c) Whether the building and any outdoor living areas are appropriately located, and/or setback an appropriate distance from the Spine Road and/or State Highway 1 to minimise the potential for adverse effects from land transport noise.

I443.8. Special information requirements

I443.8.1 Earthworks plans

- (1) Any application for subdivision or development shall be accompanied by detailed earthworks plans. Such plans must:
 - a. Describe the nature and scale of the proposed earthworks, such as the extent of cut and/or fill, sources of fill and how the cut and fill is to be transported.
 - b. Describe the construction management and communication methods to be followed to minimise nuisances and disruption to surrounding residents and Ramarama School (in particular, dust, traffic and noise impacts) during the construction period.
 - c. Provide detailed design of the modified flood plain.

I443.8.2 Ecological management plans

- (1). In respect of any new areas of planting in sub-precinct B the following must be provided:
 - a. A weed and pest management programme for any new areas of planting within the stormwater management areas, riparian margins and wetland areas and remaining indigenous forest fragments in sub-precinct B.
 - b. A herpetofaunal mitigation/rehabilitation plan which targets only potentially suitable lizard habitat for relocation searches.
 - c. In respect to any works that will impact areas of potential herpetofauna habitat as identified by an experienced herpetologist, a herpetofauna management plan must be provided, outlining lizard survey, capture and relocation methodologies and any recommended mitigation or rehabilitation measures.
- (2). In respect of the relocation of streams indicated on Precinct Plan 3, an Ecological Mitigation Plan should be developed for each diversion and/or mitigation stream site to, at a minimum, provide detail on:
 - a. Detailed design of stream diversion channels, describing how anticipated hydrological, hydraulic and ecological functions will be achieved.
 - b. Any intervention proposed to reduce or restore erosion potential within mitigation sites.
 - c. Plant species selection of riparian margins to improve biodiversity values.

- d. Weed and pest control provisions.
- e. Details of post-construction ecological monitoring of stream diversion channels.
- f. A programme for the capture, transport and relocation of native fish; and the capture and (humane) killing and disposal of pest fish.
- g. Methods to provide for the maintenance of fish passage upstream and downstream through culverts, and into and out of any stormwater wetland, where practicable;
- h. Any other appropriate measures to mitigate or offset ecological effects.
Note: The Stream Evaluation Valuation (“SEV”) methodology set out in Auckland Council Technical Report 2011/009 is an accepted approach in quantifying the appropriate extent of ecological mitigation works.

I443.8.3 Stormwater management report and plans

- (1) Any application for subdivision or development shall be accompanied by detailed stormwater management report and plans. Such report and plans must:
 - a. Describe how the plans comply with the conditions of any relevant discharge consent.
 - b. Identify overland flow paths.
 - c. Describe the nature and extent of any off-site stormwater management devices and how these devices are to be delivered if they are on land outside the application site.
 - d. If stormwater management devices are to be located within the modified 1% AEP floodplain, describe how these devices are to be designed to be resilient to flood-related damage while not exacerbating flood risks for activities upstream or downstream of the Drury South Structure Plan area (comprised on the Drury South Residential Precinct and Drury South Industrial Precinct).
 - e. Where streams are to be diverted and/or recreated as identified on Precinct Plan 3, describe how this is to be achieved in a way that ensures that they function in a manner similar to natural stream systems. Detailed landscape treatment plans will be required to demonstrate:
 - i. The proposed long section and cross sections.

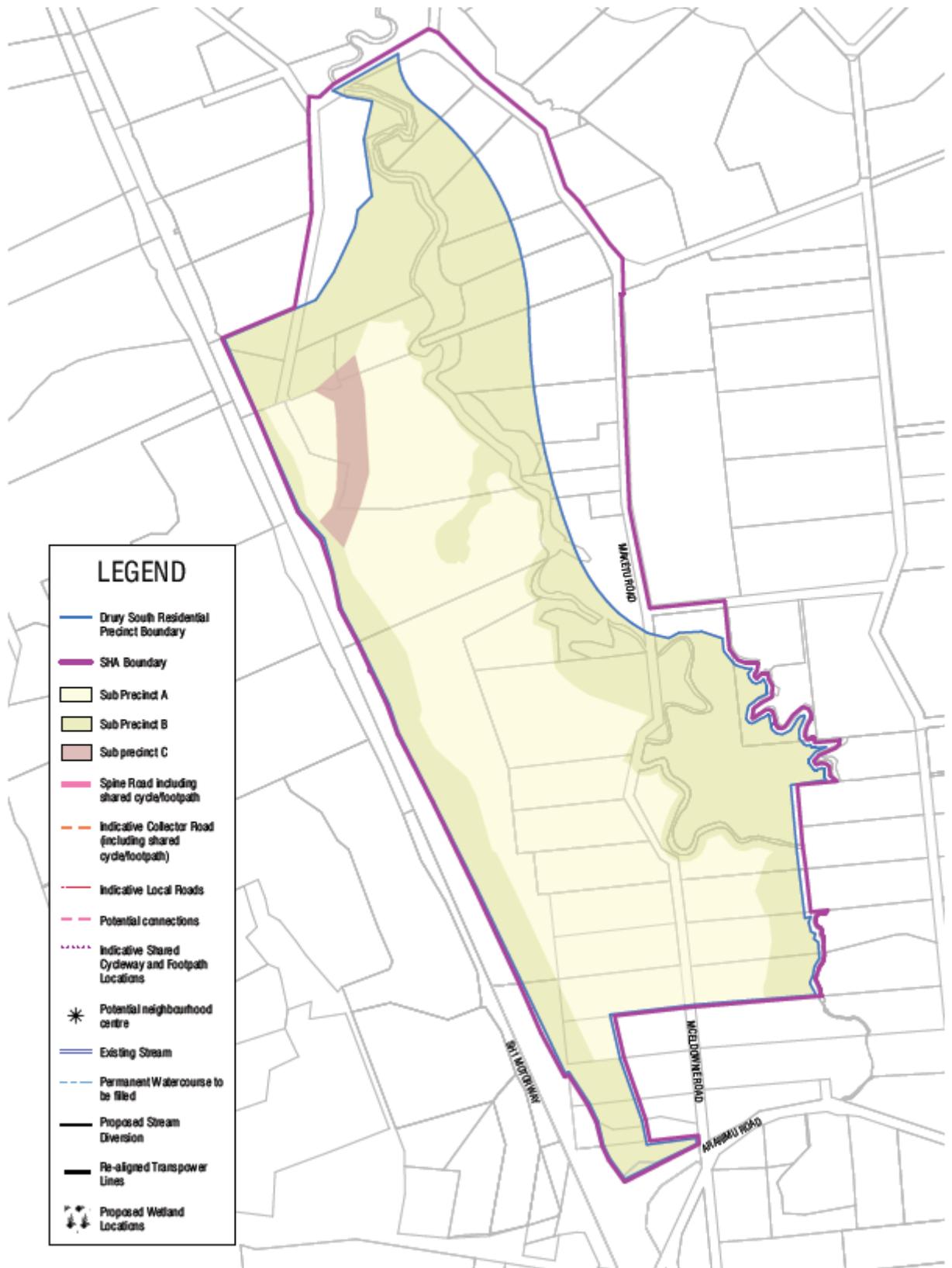
- ii. How the new stream banks are to be stabilised.
- iii. How pool – riffles - run sequences are to be formed.
- iv. How stormwater outlets are controlled.

I443.8.4 Noise and ventilation

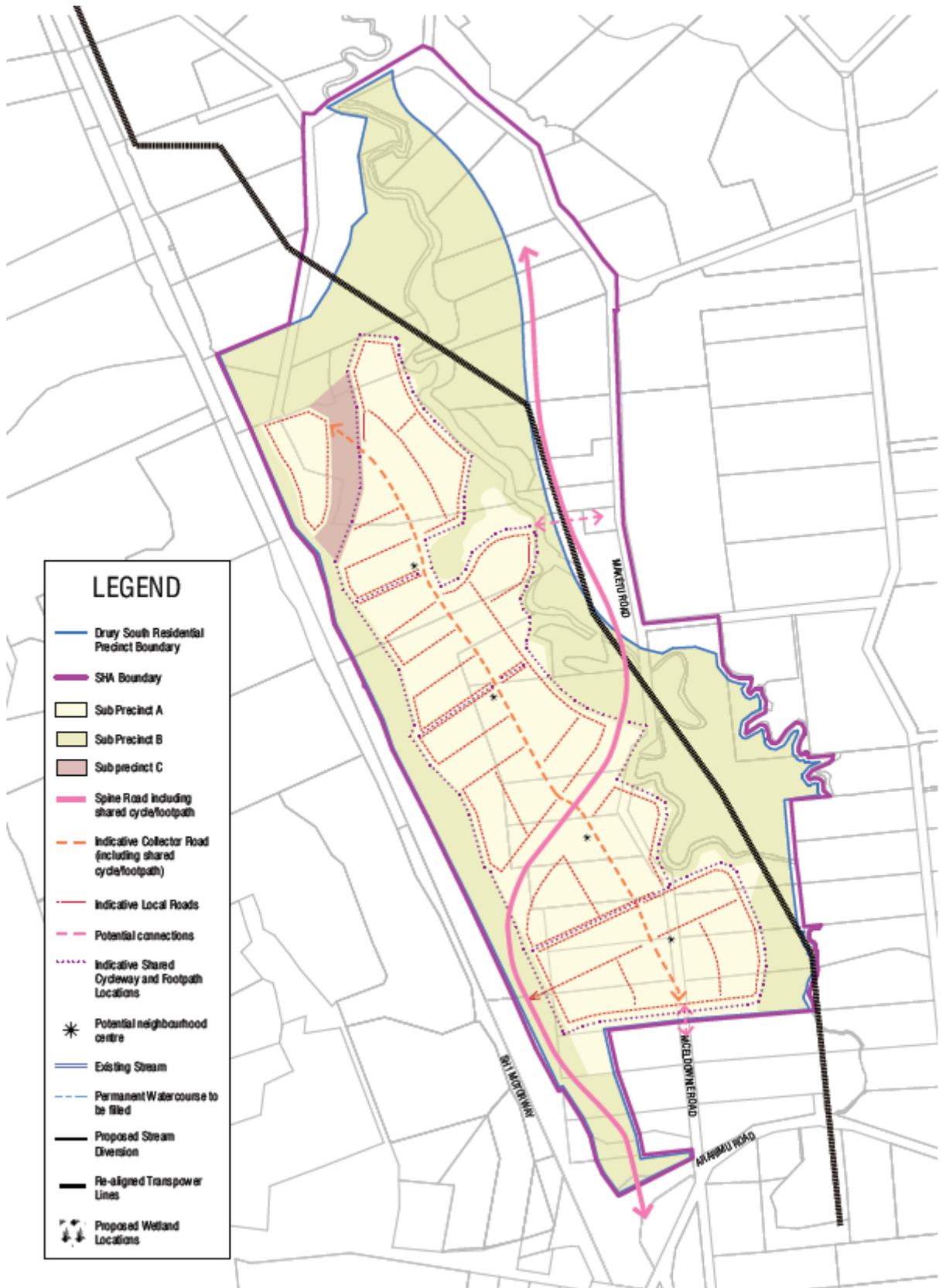
A report prepared by a suitably qualified and experienced person demonstrating compliance with Standard I443.6.2 Noise and ventilation must be provided to the council with the building consent application prior to the construction of any building or room subject to the rule.

I443.9 Precinct Plans

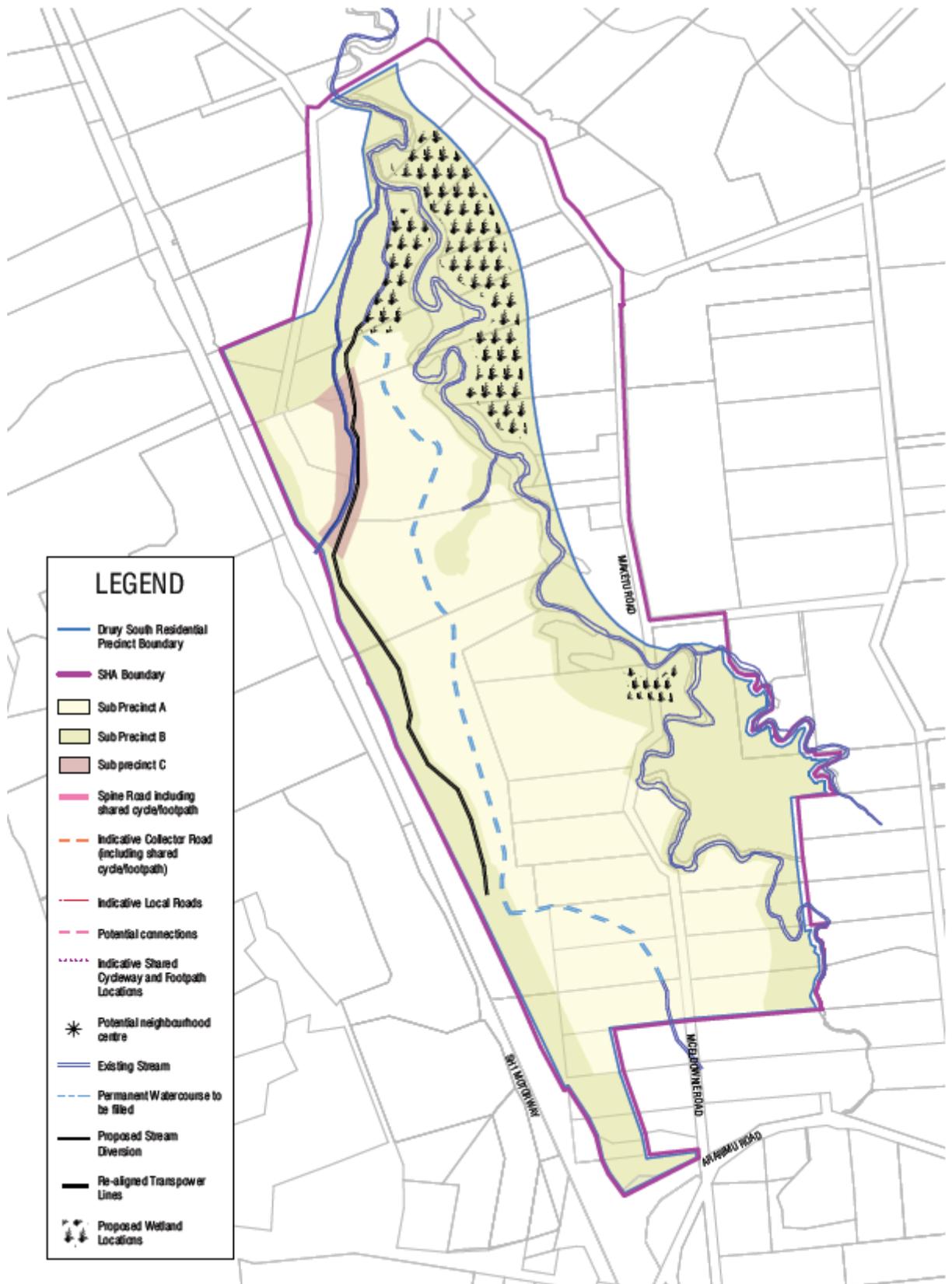
I443.9.1 Drury South Residential – Precinct Plan 1



1443.9.2 Drury South Residential – Precinct Plan 2



1443.9.3 Drury South Residential – Precinct Plan 3



Attachment 3:

Under sections 37 and 38 HASHAA and sections 108 and 220 of the RMA, this consent is subject to the following conditions:

GENERAL CONDITIONS

Activity in accordance with Plans and Information

1. The 50 vacant residential lot and 5 balance lot subdivision involving earthworks of 277,000m³ of over an area of 10.8ha, discharge of contaminated land to land, the culverting 410m of the 'Roslyn C' permanent stream and Culverting 370m of Intermittent Stream IS1, landscaping and establishment of services and a private stormwater discharge permit from the QD development area involving a temporary stormwater pond/wetland shall be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the authorising agency as consent numbers:
 - **R/JSL/2016/2423 (Subdivision & Land Use)**
 - **R/REG/2016/4030 (Surface Water Diversion Permit)**
 - **R/REG/2016/3719 (Stream Works)**
 - **R/REG/2016/3718 (Contaminated Land Discharge)**
 - **R/REG/2016/3720 (Stormwater Discharge)**
 - The Assessment of Environmental Effects (AEE) prepared by Catherine Raeburn, and reviewed by Nick Roberts, of Barker and Associates Ltd, dated 24 August 2016.
 - Drawings, specialist reports and additional information below:

Specialist Reports and Information				
Specialist Report	Title	Prepared by	Ref	Date
Earthworks and Sediment Control Report	Drury SHA – Qualifying Development – Earthworks and Sediment Control	Scott McIntyre of Land & Civil Engineering Ltd	0010-QD	18 August 2016
Stormwater and Servicing Report	Drury SHA – Qualifying Development – Hydraulic Summary and Servicing	Scott McIntyre of Land & Civil Engineering Ltd	0010	16 August 2016
Landscape Report	Drury SHA, Landscape Report Addendum	Bridget Gilbert	16127	July 2016
Ecological Report	Ecological Assessment Prepared for Stevensons Group	Eddie Sides of Boffa Miskell Ltd	n/a	14 June 2016
Urban Design Report	Drury South – Urban Design Report	DKO Architecture Ltd	n/a	July 2016
Geotechnical Report	Geotechnical Earthworks Design	Gaia Engineers Ltd	n/a	August 2016

	Report for Ararimu Development, Drury, Auckland			
Desktop Contamination Study	Drury South Business Project – Contaminated Land Assessment	BECA Ltd	n/a	December 2010
Preliminary Site Investigation	Preliminary Site Investigation 2015 update Stage 1	Pattle Delamore Partners Ltd	n/a	September 2015
Preliminary Site Investigation	Preliminary Site Investigation 2015 update Stage 2	Pattle Delamore Partners Ltd	n/a	September 2015
Site Management Plan (SMP)	Drury South – Qualifying Development – Soil Disturbance Site Management Plan	Pattle Delamore Partners Ltd	A02426101	30 August 2016
Integrated Transportation Assessment	Quarry Road SHA – Transport Assessment	Joe Phillips of BECA Ltd	3910474	16 June 2016
Transportation Addendum Report	Quarry Road SHA – Addendum to Transport Assessment	Joe Phillips of BECA Ltd	3910474	15 July 2016

Drawings			
Drawing Ref. No.	Title	Architect / Author	Date
1000, revision B	Drury South SHA Qualifying Development – Scheme Plan	Land & Civil Engineering Ltd	August 2016
1001, revision A	Drury South SHA Qualifying Development – Scheme Plan	Land & Civil Engineering Ltd	August 2016
1003	Drury South SHA Qualifying Development – Road Stopping Plan	Land & Civil Engineering Ltd	August 2016
110, rev A	Proposed Contours	Land & Civil Engineering Ltd	July 2016
111, rev A	Proposed Borrow Area, Proposed Finished Contours	Land & Civil Engineering Ltd	July 2016
120, rev A	Cut Fill Plan	Land & Civil Engineering Ltd	August 2016
121, rev A	Proposed Borrow Area – Cut Fill Plan	Land & Civil Engineering Ltd	August 2016
150-1, rev A	Sediment Control Plan Phase 1	Land & Civil Engineering Ltd	July 2016
150-2.1, rev C	Sediment Control Plan Phase 2	Land & Civil Engineering Ltd	July 2016
150-2.2, rev A	Sediment Control Plan Phase 2	Land & Civil Engineering Ltd	July 2016
150-3, rev B	Sediment Control Plan Phase 3	Land & Civil Engineering Ltd	July 2016
151, rev A	Sediment Control Construction Details	Land & Civil Engineering Ltd	July 2016
152, rev B	Sediment Control Construction Details	Land & Civil Engineering Ltd	July 2016
200, rev C	Concept Drainage Layout	Land & Civil Engineering Ltd	July 2016

240	Flood Mitigation Plan	Land & Civil Engineering Ltd	July 2016
270, rev B	Stormwater Catchment Plan	Land & Civil Engineering Ltd	August 2016
230, rev A	Sections Through Stormwater Quality Pond	Land & Civil Engineering Ltd	July 2016
LANDSCAPE	Drury Masterplan	DKO Ltd	12/7/2016
A16104 Quarry Road SHA, revision C	Figure 1: Location of Streams and Porposed Streamworks	Boffa Miskell Ltd	19 August 2016

Other Additional Information	
Referenced	Date
The 'further information response' cover letter from Catherine Raeburn of Barker and Associates Ltd	26 July 2016
The 'comprehensive further information response' (appended to cover letter)	26 July 2016
The letter "Drury South SHA – Qualifying Development Ecological Effects – Revised", from Eddie Sides of Boffa Miskell Ltd	19 August 2016
The 'Stormwater and Flooding Letter' from Catherine Raeburn of Barker and Associates Ltd	19 August 2016

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

Lapse of Consents (R/JSL/2016/2423 (Subdivision & Land Use); R/REG/2016/3719 (Stream Works); R/REG/2016/3718 (Contaminated Land Discharge); R/REG/2016/4030 (Surface Water Diversion Permit))

- Under section 51 of the Housing Accords and Special Housing Area Act (HASHAA) 2013, this consent lapses 3 years after the date it is granted, unless given effect-to prior to this date or the Council extends the period after which the consent lapses.

Duration of Consent (R/REG/2016/3720 (Stormwater Discharge Permit))

- Under section 50 of the Housing Accords and Special Housing Area Act (HASHAA) 2013 and section 123 of the RMA, the stormwater discharge permit shall expire 5 years after it commences unless it has lapsed, been surrendered or been cancelled at an earlier date.
- The consent holder shall pay the Council an initial consent compliance monitoring charge of \$1,500 (inclusive of GST), plus any further monitoring charge or charges to recover the actual and reasonable costs that have been incurred to ensure compliance with the conditions attached to this consent.

Advice Note:

The initial monitoring charge is to cover the cost of inspecting the site, carrying out tests, reviewing conditions, updating files, etc, all being work to ensure compliance with the resource consent. In order to recover actual and reasonable costs, inspections, in excess of those covered by the base fee paid, shall be charged at the relevant hourly rate applicable at the time. The consent holder will be advised of the further monitoring charge or charges as they fall due. Such further charges are to be paid within one month of the date of invoice. Only after all conditions of the resource

consent have been met, will Council issue a letter confirming compliance on request of the consent holder.

Further specific ground investigations and laboratory testing

6. The consent holder is required to undertake further geotechnical investigation in areas where access was restricted (near SH1, Area A, B, D as per Gaia Geotechnical report) in order to complete the ground model and further-assess the re-usability of deeper soils that were not tested, if it is intended to re-use this material. The update to the investigation ground model shall be included to the specific geotechnical reporting to each designated stage of the Drury Development.

Geotechnical Supervision and Certification

7. All earthworks, excavations, retaining and foundation construction on the site shall be supervised by a suitably qualified and registered engineering professional. In supervising the works, the engineering professional shall ensure that they are constructed and otherwise completed in accordance with the geotechnical and engineering reports listed in Condition 1 of this consent.

The engineer or his representative shall carry out sufficient and regular inspections and shall provide to the Council certification that the works have been carried out in accordance with the standards as required by this consent, and in accordance with the conditions of approved Engineering Plans and good engineering practice under Condition 8.

This may be in the form of a Producer Statement – PS4 Construction Review or Engineer Statement outlining the level and details of Construction Monitoring undertaken (as defined by IPENZ). The supervising engineer's contact details shall be provided in writing to the Team Leader, Southern Monitoring, Resource Consenting and Compliance at least two weeks prior to earthworks commencing on site.

8. All earthworks and excavations shall be managed to ensure that they do not lead to any uncontrolled instability or collapse either affecting the site or adversely affecting any neighbouring properties. In the event that such collapse or instability does occur, it shall immediately be rectified to the satisfaction of the Team Leader, Southern Monitoring, Resource Consenting and Compliance.

Settlement Monitoring Procedure

9. The consent holder shall prepare a settlement monitoring procedure to ensure earthworks with potential geotechnical risk or risk to adjacent important infrastructure or structures as highlighted in the geotechnical report by Gaia Ltd (such as, stream works, works near SH1 or dwellings), are suitably monitored for the duration of earthworks, and for the allocated preloading time and/or surcharge following establishment of final ground level as per Gaia's geotechnical report.
10. The settlement monitoring results shall be assessed and included into the geotechnical completion report stating whether the final ground levels are suitable for residential use. Further geotechnical assessment is required if it is found that the settlement monitoring indicate unfavourable results as per the settlement and monitoring procedure.

Outfall structures

11. The design of the stormwater outfalls/culverts shall be submitted to and approved by the Team Leader, Southern Monitoring, Resource Consenting and Compliance (in liaison with the Stormwater Unit and Parks Department). The approved design shall be submitted as part of the Engineering Plan Approval Application.

Ecological Mitigation Plan

12. Prior to earthworks commencing, an Ecological Mitigation Plan, in accordance with the Ecology Report prepared by Boffa Miskell referenced in condition (1), shall be provided to Council for approval in conjunction with the Engineering Plan Approval. The Ecological Mitigation Plan shall include final species and planting sizes, details of tree pits and planting methodology and the maintenance programmes of the planting. The Ecological Mitigation Plan should specifically provide for:
 - a) Restoration of 800m length of the Hingaia Stream;
 - b) Fish capture and relocation for the streams to be culverted; and
 - c) Fish passage in the Roslyn C culvert.
 - d) Calculations of environmental compensation requirements for stream loss, consistent with the methodology recommended in Auckland Council Technical Report 2011/009: "Stream Ecological Valuation (SEV): a method for assessing the ecological functions of Auckland Streams". Calculations should be based on site-specific assessment of the affected streams.
 - e) Location of the mitigation site.
 - f) Any intervention proposed to reduce or restore erosion potential within mitigation sites.
 - g) Weed and pest control provisions.

The planting plan shall be implemented in the first planting season following completion of earthworks.

Lizard Management Plan

13. Prior to the commencement of any vegetation removal works the Consent Holder shall present, to the Team Leader Southern Monitoring, information (based on industry best practice survey methods), from a suitably qualified and experienced ecologist/herpetologist employed by the consent holder and who has been approved by the council, that identifies whether there are sufficient numbers of native lizards, geckos or skinks (or both) present on site to trigger a requirement that a Lizard Management Plan (LMP) be prepared, certified and implemented.

A LMP will need to be prepared if the survey results in the detection of:

- 1 or more individuals of a threatened native lizard species or;
- 3 or more individuals of a common native lizard species.

14. If the survey in condition 13, detects native lizards in sufficient numbers to trigger the need for a LMP, the Consent Holder shall, prior to the commencement of any vegetation removal works, submit and have certified by the Team Leader Southern Monitoring, a Lizard Management Plan (LMP) prepared by a suitably qualified and experienced ecologist/herpetologist. The LMP Plan shall be designed so as to achieve the following two objectives:
 - i. The population of each species of native lizard present on the site at which vegetation clearance is to occur shall be maintained or enhanced, either on the same site or at an appropriate alternative site; and

- ii. The habitat(s) that lizards are transferred to (either on site or at an alternative site, as the case may be) will support viable native lizard populations for all species present pre-development.

The LMP shall address the following (where relevant):

- Credentials and contact details of the ecologist/herpetologist who will implement the plan.
- Timing of the implementation of the LMP.
- A description of methodology for survey, trapping and relocation of lizards rescued including but not limited to: salvage protocols, relocation protocols (including method used to identify suitable relocation site(s)), nocturnal and diurnal capture protocols, supervised habitat clearance/transfer protocols, artificial cover object protocols, and opportunistic relocation protocols.
- A description of the relocation site(s); including discussion of:
 - provision for additional refugia, if required e.g. depositing salvaged logs, wood or debris for newly released native skinks that have been rescued;
 - any protection mechanisms (if required) to ensure the relocation site is maintained (e.g.) covenants, consent notices etc;
 - any weed and pest management to ensure the relocation site is maintained as appropriate habitat.
- Monitoring methods, including but not limited to: baseline surveying within the site; baseline surveys outside the site to identify potential release sites for salvaged lizard populations and lizard monitoring sites; ongoing annual surveys to evaluate translocation success; pre and post – translocation surveys; and monitoring of effectiveness of pest control and/or any potential adverse effects on lizards associated with pest control;
- A post-vegetation clearance search for remaining lizards.

Advice note:

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

15. A suitably qualified and experienced ecologist/herpetologist approved to oversee the implementation of the Lizard Management Plan (LMP) shall certify that the lizard related works have been carried out according to the certified LMP within two weeks of completion of the vegetation clearance works.
16. All works on site must comply with the certified Lizard Management Plan.

Landscape Planting Plan

17. A Landscape Planting Plan for street planting on the proposed roads and balance lots, in general accordance with the Landscape Concept Plan prepared by Bridget Gilbert, shall be provided to Council for approval in conjunction with the Engineering Plan Approval. The Landscape Planting Plan shall include final species and planting sizes, details of tree pits and planting methodology and the maintenance programmes of the planting.

ENGINEERING PLAN REQUIREMENTS AND APPROVALS

18. Prior to the commencement of any civil construction works or prior to the lodgement of the survey plan pursuant to s.45 of the HASHAA (s.223 of the RMA), whichever is the earlier, the consent holder shall submit 2 hard copies and one PDF/CD version of complete engineering plans (including engineering calculations and specifications) to the Council's Principal Development Engineer, SHA Consenting, Natural Resources and Specialist Input, Resource Consenting and Compliance. Details of the chartered professional engineer who shall act as the developer's representative for the duration of the development shall also be provided with the application for Engineering Plan Approval.

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

- Earthworks in accordance with the Geotechnical Investigation Report prepared by Gaia Engineers.
- Where earthworks are proposed within the 1% AEP floodplain, a flood effects assessment addressing potential effects on upstream and downstream properties in the 50% and 10% AEP events, and potential effects on habitable floor levels in the 1% AEP event, shall be submitted as part of the EPA approval. The assessment may make use of the Auckland Council's hydrodynamic model for the Hingaia Stream, or other accepted methods.
- 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
- Finalised Construction Management Plan as per Condition 5.
- Detailed design of all roads to be vested in Council or NZTA including intersections, Ramarama East interchange/roundabout, cycling routes, pedestrian crossings and footpaths. This shall include a shared cycle and pedestrian path along the east of the Spine Road, along Ararimu Road and pedestrian crossing design for Ararimu Road to provide safe access to Ramarama School. All roads shall be designed in accordance with the Auckland Transport Code of Practice.
- A cycling and pedestrian connection from the subdivision (via balance lot 301 to McEldownie Road) shall be provided. A footpath or shared path shall be provided along the eastern side of McEldownie Road, supported by modest berms (if a shared path is provided) to ensure the safety of all users, designed in accordance with the Auckland Transport Code of Practice.
- An emergency vehicle access shall be provided between the road to vest, and the formed section of McEldownie Road, via balance lot 301.
- Detailed design of all street lighting and other structures/facilities on the roads to be vested in Auckland Transport shall be designed in accordance with the Auckland Transport Code of Practice.
- Visibility assessment of all proposed roads; in particular the visibility at intersections and forward visibility around bends must meet design standards.
- Detailed Landscape Planting Plan and maintenance programmes for all street planting and landscaping on the proposed roads in accordance with Condition 9.

- Details of any services to be laid including pipes and other ancillary equipment to be vested in Council for water supply and wastewater disposal systems. The water supply and wastewater disposal systems shall be designed in accordance with the Water and Wastewater Code of Practice for Land Development and Subdivision
- 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. The stormwater system and devices shall be designed in accordance with the Auckland Council Code of Practice for Land Development and Subdivision: Chapter 4 – Stormwater; in particular:
 - The proposed stormwater system shall be designed to identify health and safety risk during the life of the asset and shall ensure safety to the public, property and to operating personnel, contractor and Council employee. This shall include fencing of the stormwater wetland to be retained on Lot 300.
 - The proposed stormwater system shall have an asset life of a minimum of 100 years
 - The wetland shall be sized to detain 0.022m³/m² and provide for 0.018m³/m² dead storage treatment of impervious surfaces created through the subdivision, plus 60% of the area of the vacant residential sites (being the maximum permitted impervious area in the MHS and MHU zones);
 - Any services to be laid including culverts accommodating the 1% AEP for the IS1 and Roslyn C streams; and pipes and other ancillary equipment to be vested in Council for water supply, stormwater and wastewater disposal, in accordance with the relevant Code of Practice for Land Development and Subdivision.
 - Secondary overland flow paths to be retained within roads.
 - Outlet structures should be designed to minimise erosion and scouring at the discharge point.
- The consent holder shall submit Over Land Flow Path calculations showing the extent of the 100yr + Climate Change rainfall event associated with the upstream catchment. A drainage easement in favour of Council shall be placed over the extent of the OLFP as it relates to the subdivision site.
- If stormwater management devices are to be located within the modified 1% AEP floodplain, describe how these devices are to be designed to be resilient to flood-related damage while not exacerbating flood risks for activities upstream or downstream of the Drury South Structure Plan area (comprised on the Drury South Residential Precinct and Drury South Industrial Precinct).
- Details of fire hydrants to be installed. Any fire hydrants shall be designed in accordance with the Water and Wastewater Code of Practice for Land Development and Subdivision.
- Information relating to gas, electrical or telecommunication reticulation including ancillary equipment
- The design of all culverts/outfall structures in accordance with condition 9 above.

- At engineering works approval stage the consent holder will submit for the approval of the Manager Local Parks a detailed streetscape landscaping plan and material palette including all planting, trees, landscape works, and lighting proposed within the streetscape. In particular the plans shall:
 - Be prepared by a suitably qualified landscape architect.
 - Illustrate the location of street lights and other service access points noting that street trees should be planted a minimum of 5 metres from street lights and 2 metres from other service boxes.
 - Provide tree pit details.
 - Show shrub species to be planted at 400mm from footpath edges.
 - Ensure that species are able to maintain appropriate separation distances from paths, roads, street lights and vehicle crossings in accordance with the Auckland Transport Code of Practice.
 - Include planting methodology.

As part of the application for Engineering Plan Approval, a Chartered Professional Engineer shall:

- Certify that all public roads and associated structures/facilities or accessways have been designed in accordance with the Auckland Transport Code of Practice
- Certify that the proposed stormwater system or devices proposed have been designed in accordance with the Auckland Council Code of Practice for Land Development and Subdivision: Chapter 4 – Stormwater
- 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 (WSL)
- Provide a statement that the proposed infrastructure has been designed with the long term operation and maintenance of the asset
- Confirm that all practical measures are included in the design to facilitate safe working conditions in and around the asset

PRE-CONSTRUCTION CONDITIONS

Pre-Construction Meeting with Compliance and Monitoring Staff

19. Prior to the commencement of the construction and / or earthworks activities, the consent holder shall hold a pre-construction meeting that:
 - a) is located on the subject site
 - b) is scheduled not less than 5 days before the anticipated commencement of earthworks
 - c) includes the Team Leader, Southern Monitoring, Resource Consenting and Compliance etc.
 - d) includes the supervising Registered Engineer
 - e) includes representation from the contractors who will undertake the works

- f) any other suitably qualified professionals required to fulfil the conditions of this consent.

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

- Timeframes for key stages of the works authorised under this consent
- Resource consent conditions
- Finalised Site Specific Erosion and Sediment Control Plan for all earthworks; and all streamworks, culvert construction/piping
- Pumping Management Plan
- Chemical Treatment Management Plan
- Construction Traffic Management Plan
- Landscaping Plan
- Final approved Corridor Access Request (incorporating traffic management plans – if required)

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

Advice Note:

To arrange the pre-construction meeting please contact the Team Leader, Southern Monitoring, Resource Consenting and Compliance through the Council website www.aucklandcouncil.govt.nz. The conditions of consent should be discussed at this meeting. All additional information required by the Council should be provided 3 days prior to the meeting.

Preparation of a Construction Management Plan

20. Prior to the commencement of construction and / or any earthworks activity, a finalised Construction Management Plan (CMP) shall be submitted to the Team Leader, Southern Monitoring, Resource Consenting and Compliance for approval. No construction activity shall commence until written confirmation of the CMP has been obtained from the Team Leader, Southern Monitoring, Resource Consenting and Compliance and all measures identified in that plan as needing to be established prior to commencement of works have been. The Construction Management Plan shall contain sufficient detail to address the following matters (where relevant):
- Who the site or project manager is and contact details (phone, facsimile, postal address).
 - The location of notice boards that clearly identify the name, telephone number and address for service of the site or project manager.
 - Measures to be adopted to ensure that pedestrian access past the works is provided where practicable and that such access is safe.
 - Procedures for controlling sediment runoff and removal of debris and construction materials from public roads or places
 - The location and design of all hoardings and gantries.

- Measures to be adopted to maintain the site in a tidy condition in terms of disposal/storage of rubbish, storage and unloading of building materials and similar construction activities.
- Control procedures for delivery and removal of construction materials from public roads or places.
- Location of workers conveniences (e.g. portaloos).
- Ingress and egress to and from the site for construction vehicles.
- Hours of operation and days of the week for construction activities (in accordance with any other specific condition in this consent relating to construction hours).

Specific requirements for this consent:

- Erosion and Sediment Control Plan including the location of any proposed stabilised construction access ways
- Staging considerations, including vehicle access to the site in advance of the new Spine Road and Spine Road / Ararimu Road intersection being constructed and operational
- Construction Traffic Management Plan to address the effects of heavy vehicle movements to and from the site, particularly associated with removal or importation of fill materials and topsoil (as required by any other specific condition of this consent).
- Any required contractor car parking and construction material delivery areas
- Dust management procedures
- Stockpile locations
- Construction waste management
- Construction noise management

All ongoing construction (including associated traffic) related activities shall be undertaken in accordance with the approved management plan

Advice Note:

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

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

The above management plan can be prepared in conjunction with the other management plans required by this consent, to avoid any duplication of information.

Advice note:

When demolishing (or substantially disturbing in the process of moving) a building that due to its age may have asbestos-containing materials (ACM) in it:

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

Preparation of a Construction Traffic Management Plan

21. Prior to the commencement of the earthworks /construction activity on the subject site, a finalised Traffic Management Plan (TMP) shall be prepared and shall address the control of the movement of earthmoving vehicles to and from the site. The TMP shall be submitted to the Team Leader, Southern Monitoring, Resource Consenting]. No earthworks / construction on the subject site shall commence until confirmation is provided from council that the TMP satisfactorily meets the requirements of ATCOP and any required measures referred to in that plan have been put in place.

Advice Note:

The CTMP should be prepared in accordance with the Council's requirements for CTMPs and New Zealand Transport Authority's Code of Practice for Temporary Traffic Management.

It is the responsibility of the applicant to seek approval for the Construction Traffic Management Plan from Auckland Transport if it is required. Please contact Auckland Transport on (09) 355 3553 and <https://www.submitica.co.nz/> before commencement of works.

Construction Noise Management Plan

22. Prior to works commencing, the consent holder shall prepare and submit, to the satisfaction of the Team Leader, Southern Resource Consents Compliance and Monitoring, a Construction Noise Management Plan (CNMP) prepared by a suitably qualified person. The CNMP shall include specific details relating to the control of noise associated with all project works. The objective of the CNMP is to set out the measures required to minimise the construction noise effects. The CNMP shall, as a minimum, address the following matters:
- a) a description of noise sources, including machinery, equipment and construction techniques to be used;
 - b) predicted construction noise levels and minimum safe distances;
 - c) specific hours of operation, including times and days when noisy construction work would occur;
 - d) the identification of activities and locations that will require the design of noise mitigation measures such as temporary barriers or enclosures and the details of such measures where (without them) the noise limits are predicted to be exceeded;

- e) the measures that will be undertaken (if required) by the Consent Holder to communicate noise management measures to affected stakeholders;
- f) methods for monitoring and reporting on construction noise; and
- g) methods for receiving and responding to complaints about construction noise.

Earthworks

Specifications for Decanting Earth Bunds

23. All Decanting Earth Bunds utilised during earthworks shall be designed to ensure that they:
- a) have a three percent storage capacity, being at least three cubic metres of impoundment volume for every 100m² of contributing catchment;
 - b) be constructed to a 3:1 to 5:1 rectangular shape;
 - c) have a T/bar floating decant which decants at a rate of 3 litres per second, per hectare of contributing catchment.

Advice Note:

The Decanting Earth Bunds should be constructed in accordance with Auckland Regional Council, Technical Publication No. 90, Erosion & Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region.

Finalised Erosion and Sediment Control Plan

24. Prior to the commencement of any earthworks, all streamworks, culvert construction/piping works on the subject site; a Final Site Specific Erosion and Sediment Control Plan shall be prepared and submitted for approval prior to those works commencing to the Team Leader Southern Monitoring. No earthworks or streamworks, culvert construction/piping activity on the subject site shall commence until confirmation from council is provided that the final management plan is approved.

Advice Note:

The Erosion and Sediment Control Plan required by this Condition should contain sufficient detail to address the following matters:

- *Details of specific erosion and sediment controls to be utilised, (location, dimensions, capacity)*
- *supporting calculations including design drawings*
- *catchment boundaries and contour information*
- *details of construction methods*
- *timing and duration of construction and operation of control works (in relation to the staging and sequencing of earthworks)*
- *details relating to the management of exposed areas (e.g. grassing, mulching)*
- *monitoring and maintenance requirements.*

Chemical Treatment Plan

25. Prior to the commencement of bulk earthworks at the site, a Chemical Treatment Management Plan (CTMP) shall be submitted for the written approval of the Team Leader Southern Monitoring, Compliance, Auckland Council. The plan shall 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 Ponds and 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 that will hold responsibility for long term operation and maintenance of the chemical treatment system and the organisational structure which will support this system.

Advice Note:

In the event that minor amendments to the CTMP are required, any such amendments should be limited to the scope of this consent. Any amendments which affect the performance of the CTMP may require an application to be made in accordance with section 52 of the HASHAA (section 127 of the RMA). Any minor amendments should be provided to the Team Leader Southern Monitoring, Compliance, Auckland Council prior to implementation to confirm that they are within the scope of this consent.

Pumping Management Plan for the Pipe Construction/Watercourse Excavation

26. Prior to the commencement of the streamworks activity, the consent holder shall submit a Pumping Management Plan (PMP) to the Team Leader Southern Monitoring, Compliance, Auckland Council for approval. The PMP shall describe how sediment laden flows from drainage operations will provide a clarity standard of more than 100mm prior to being discharged to the receiving environment.

Advice Note:

The Pumping of Treated Flows from the drainage operations should consider the following matters:

- *No pumping of any flows from the watercourse excavation works unless the appropriate standard of more than 100mm prior to discharge to the receiving environment is achieved. Flocculation may also need to be considered to assist in achieving the required discharge clarity standard (>100mm).*

IN-PROGRESS CONDITIONS

Construction Noise and Hours

27. All construction and earthworks activities on the subject site shall comply with the New Zealand Standard 6803:1999 for Acoustics - Construction Noise, at all times. The use of noise generating tools, motorised equipment, and vehicles that are associated with construction and/or earthworks activity on the subject site shall be restricted to between the following hours to comply with this standard:

- Monday to Saturday: 7:30am to 6.00pm
- Sundays or Public Holidays: No works

No earthworks or construction activities on the site or use of noise generating tools, motorised equipment, and vehicles that are associated with construction and/or earthworks activities shall be undertaken outside the above hours/days, without the prior written approval of the Team Leader, Southern Monitoring, Resource Consenting and Compliance.

Advice Note:

Works may be undertaken outside these hours solely under the written approval of Team Leader, Southern Monitoring, Resource Consenting and Compliance. This will only be granted under exceptional circumstances, for example in the event of urgent stabilisation works or in the event of inclement weather preventing work Monday to Saturday. Any work outside these hours will be subject to the approval of any neighbouring residents or other affected parties as may be identified by the Team Leader, Southern Monitoring, Resource Consenting and Compliance.

No Obstruction of Access or Damage

28. There shall be no obstruction of access to public footpaths, berms, private properties, public services/utilities, or public reserves resulting from the construction and/or earthworks activity on the subject site. All materials and equipment shall be stored within the subject site's boundaries to the satisfaction of the Team Leader, Southern Monitoring, Resource Consenting and Compliance.

29. Any damage to the footpath, berm of road as a result of any construction activities, shall be repaired at the consent holder's expense.

Restricted access to the Site during Construction

30. The site must be secured from unauthorised public access during the construction period. In particular, at the point where proposed roads or access ways connect with existing public roads, an appropriately secure and suitably signed barrier or fence must be erected to prevent any unauthorised vehicle access prior to the commencement of any construction work. The barrier or fence must remain in place until the certificate pursuant to sections 46 of HASHAA and 224(c) of RMA for this subdivision is issued by the Council.

Dust Control

31. There shall be no airborne or deposited dust beyond the subject site as a result of the earthworks or construction activity that in the opinion of the Team Leader, Southern Monitoring, Resource Consenting and Compliance is noxious, offensive or objectionable.

Advice Note:

In accordance with this condition, in order to manage dust on the site consideration should be given to adopting the following management techniques:

- *stopping of works during high winds*
- *watering of haul roads, stockpiles and maneuvering areas during dry periods*
- *installation and maintenance of wind fences and vegetated strips*
- *grassing or covering of stockpiles*
- *positioning of haul roads, maneuvering areas and stockpiles or the staging of works (in relation to sensitive receptors such as dwellings)*

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

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

It is recommended that potential measures as discussed with the Team Leader, Southern, Resource Consenting and Compliance who will guide you on the most appropriate approach to take. Alternatively, please refer to the Ministry for the Environment publication "Good Practice Guide for Assessing and Managing the Environmental Effects of Dust Emissions".

Earthworks

32. Prior to earthworks commencing, a certificate signed by an appropriately qualified and experienced engineer shall be submitted to the Team Leader Southern Monitoring, Compliance to certify that the erosion and sediment controls have been constructed in accordance with the erosion and sediment control plans as specified in condition 1 of this consent.

Certified controls shall include the Sediment Retention Ponds, Decanting Earth Bunds, Sediment Diversion Channels, Clean Water Diversions and Silt Fences. The certification for these subsequent measures shall be supplied immediately upon completion of construction of those measures. Information supplied if applicable, shall include:

- a) Contributing catchment area;
 - b) Shape of structure (dimensions of structure);
 - c) Position of inlets/outlets; and
 - d) Stabilisation of the structure.
33. The operational effectiveness and efficiency of all erosion and sediment control measures specifically required as a condition of resource consent or by the Erosion and Sediment Control Plan referred to in Condition 1 shall be maintained throughout the duration of earthworks activity, or until the site is permanently stabilised against erosion.
34. The site shall be progressively stabilised against erosion at all stages of the earthwork activity, and shall be sequenced to minimise the discharge of contaminants to groundwater or surface water.

Advice Note:

In accordance with Condition 27 earthworks shall be progressively stabilised against erosion during all stages of the earthwork activity. Interim stabilisation measures may include:

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

It is recommended that you discuss any potential measures with the Council's monitoring officer who may be able to provide further guidance on the most appropriate approach to take. Team Leader, Southern Monitoring, Resource Consenting and Compliance. Alternatively, please refer to Auckland Regional Council, Technical Publication No. 90, Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region.

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

Advice Note:

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

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

The on-going monitoring of these measures is the responsibility of the consent holder. It is recommended that you discuss any potential measures with the Council's monitoring officer who will guide you on the most appropriate approach to take.

Please contact the Team Leader, Southern Monitoring, Resource Consenting and Compliance for more details. Alternatively, please refer to Auckland Regional Council, Technical Publication No. 90, Erosion & Sediment Control: Guidelines for Land Disturbing Activities in the Auckland Region.

Seasonal Earthworks Restrictions

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

No Deposition of Soils or Debris on the Road

37. There shall be no deposition of earth, mud, dirt or other debris on any public road or footpath resulting from the construction and/or earthworks activity on the subject site. In the event that such deposition does occur, it shall immediately be removed. In no instance shall roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses or receiving waters.

Advice Note:

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

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

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

It is recommended that you discuss any potential measures with the Team Leader, Southern Monitoring, Resource Consenting and Compliance who may be able to provide further guidance on the most appropriate approach to take.

Operation of machinery

38. All machinery associated with the earthworks activity shall be operated in a way, which ensures that spillages of hazardous substances such as fuel, oil, grout, concrete products and any other contaminants are prevented.

Advice Note:

Refuelling and lubrication activities associated with earthworks machinery should be carried out away from any water body and using methods so that any spillage that does occur can be contained and does not enter the water body.

Geotechnical Completion Report

39. Within one (1) month of the completion of earthworks, a Geotechnical Completion Report in accordance with the "Auckland Council Code of Practice for Land Development and Subdivision Section 2.6" signed by the registered engineer who designed and supervised the works, shall be provided to the Manager, Resource Consenting and Compliance. The Geotechnical Completion Report shall also include all associated as-built plans for earthworks and the stream culverts, and a Statement of Professional Opinion on Suitability of Land for Building Construction as per Schedule 2A of the Code of Practice.

Vehicle Crossing

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

CONTAMINATION CONDITIONS

Detailed Site Investigation (DSI)

41. Following demolition of the existing buildings and prior to any soil excavation works, the consent holder shall submit to the satisfaction of the Team Leader, Southern Monitoring, Resource Consenting and Compliance, a Detailed Site Investigation report (DSI) prepared by a suitably qualified and experienced practitioner, in accordance with the requirements of the National Environmental Standard (NES) for Assessing and Managing Contaminants in Soil to Protect Human Health and the Contaminated Land rules of the Unitary Plan.
42. All sampling and testing of contamination on the site, shall be overseen by a suitably qualified and experienced contaminated land practitioner. All sampling shall be undertaken in accordance with Contaminated Land Management Guidelines, No.5 - Site Investigation and Analysis of Soils, Ministry for the Environment, revised 2011.

Site Management Plan (SMP)

43. All earthworks and investigations shall be carried out in accordance with the Site Management Plan referenced in condition 1, to the satisfaction of the Team Leader Earthworks and Contaminated Land, Natural Resources and Specialist Input, Auckland Council.
44. Should the results of the DSI required by Condition 41 identify contamination above the permitted activity criteria in Table E30.6.1.4.1 of the Proposed Auckland Unitary Plan Decisions Version, either an updated version of the Site Management Plan in condition 1 shall be provided to Auckland Council prior to earthworks commencing, or confirmation of the adequacy of the Site Management Plan shall be provided by the Team Leader Earthworks and Contaminated Land, Natural Resources and Specialist Input, Auckland Council.
45. All works in areas identified as contaminated including any remediation works shall be monitored by a suitably qualified and experienced contaminated land practitioner, who shall ensure that all management options and contingency measures outlined in

the Site Management Plan outlined in Condition 1, or if updated by Condition 44 and all relevant consent conditions are adhered to.

Conditions relating to Human Health (NES Contamination)

46. If soil contamination levels are found above background levels, the consent holder shall submit to the satisfaction of the Team Leader, Southern Monitoring, Resource Consenting and Compliance a site management plan, or a remedial action plan if the levels exceed the applicable NES (soil) standards prior to any soil excavation works.
47. If evidence of contamination, which has not been identified through the DSI required under condition 41, is discovered during excavation, the consent holder shall immediately cease the works and notify the Team Leader, Southern Monitoring, Resource Consenting and Compliance and provide a site contamination report and a remedial action plan if necessary to the satisfaction of the Team Leader, Southern Monitoring, Resource Consenting and Compliance.
48. The consent holder shall ensure excavated materials, when removed from the site, are disposed of in an appropriate landfill or an alternative site approved by council, and provide landfill receipts to the Team Leader, Southern Monitoring, Resource Consenting and Compliance on completion of the earthworks.

Conditions relating to Regional Discharges

49. All excavation in the work areas shall be managed to minimise any discharge of debris, soil, silt, sediment or sediment-laden water from beyond subject site to either land, stormwater drainage systems, watercourses or receiving waters.

Erosion and sediment controls shall be installed along the boundaries of the disturbance areas in accordance with the Auckland Regional Council Guidelines for Land Disturbing Activities in the Auckland Region, Technical Publication TP90. The excavation areas shall be dampened during the day to suppress the generation of dust during the works. Filter cloths or cover mats shall be installed over the stormwater cesspits in the vicinity of the excavation areas.

50. The soils and/or fill material identified for off-site disposal shall primarily be loaded directly into trucks and shall be covered during transportation off site. If required, temporary stockpiles shall be located within an area protected by erosion and sediment controls, and be covered with tarpaulins anchored at the edges outside working hours and during periods of heavy rain. All soil removed from the land disturbance area shall 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 '*A guide to the management of cleanfills*' (2002) and meets the definition of 'cleanfill', the removal to a consented disposal site is not required. In such circumstances, the Team Leader Earthworks and Contaminated Land, Natural Resources and Specialist Input, Auckland Council shall be advised prior its removal from the subject site.

51. Any perched groundwater, or surface water encountered within the excavation area requiring removal shall be considered potentially contaminated, and shall either:
 - a. be disposed of by a licenced liquid waste contractor; or

- b. pumped to sewer, providing 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 percent of freshwater species.

Site Validation Report

52. Within 3 months of the completion of contamination remediation earthworks on the site, and regardless of whether a Remedial Action Plan (RAP) is required by these conditions, a Site Validation Report (SVR) shall be provided to the Team Leader, Southern Monitoring, Resource Consenting and Compliance. The SVR shall be prepared by a suitably qualified contaminated land professional. The person preparing the report shall also provide a statement certifying that all works have been carried out in accordance with the requirements of the consent.

Advice Note:

The Site Validation Report (SVR) required by these conditions should contain sufficient detail to address the following matters:

- *a summary of the works undertaken, including a statement confirming whether the excavation of the site has been completed in accordance with the approved Assessment of Environmental Effects and Environmental Management Plan*
- *the location and dimensions of the excavations carried out, including a relevant site plan*
- *a summary of any testing undertaken, including tabulated analytical results, and interpretation of the results in the context of the contaminated land rules of the Unitary Plan*
- *copies of the disposal dockets for the material removed from the site*
- *records of any unexpected contamination encountered during the works, if applicable*
- *details of the validation sampling undertaken on materials re-used on site*
- *a description of additional monitoring undertaken (if applicable)*

Unexpected contamination

53. Where contaminants are identified that have not been anticipated by the application, works in the area containing the unexpected contamination shall cease until the contingency measures outlined in the CMMP have been implemented, and have been notified to the Team Leader, Southern Monitoring, Resource Consenting and Compliance. Any unexpected contamination and contingency measures shall be documented in the Site Validation Report required by these conditions.

Advice Note:

In accordance with these conditions any unexpected contamination, may include contaminated soil, perched water, groundwater, or underground tanks. The consent holder is advised that where unexpected contamination is significantly different in extent and concentration from that anticipated in the original site investigations, handling the contamination may be outside the scope of this consent. Advice should

be sought from the Team Leader, Southern Monitoring, Resource Consenting and Compliance prior to carrying out any further work in the area of the unexpected contamination to ensure this is within scope of this consent.

Imported fill

54. All imported fill used shall:
- a) Comply with the definition for 'cleanfill' in the Ministry for the Environment publication 'A Guide to the Management of Cleanfills' (2002)
 - b) Be solid material of a stable, inert nature and
 - c) Not contain hazardous substances or contaminants above recorded natural background levels of the receiving site.

Advice Note:

In addition to the characteristics for imported fill outlined in Condition (28), please refer to the relevant New Zealand Standard [e.g. NZS 4431:1989 'Code of Practice for Earth Fill for Residential Development'] to ensure that all fill used is of an acceptable engineering standard.

Background contamination levels for the site receiving clean fill referred to by condition (28) can be found in the Auckland Regional Council, Technical Publication No. 153, Background concentrations of inorganic elements in soils from the Auckland Region (2001)

GENERAL SUBDIVISION CONDITIONS

Street Naming

55. The consent holder shall submit a road naming application for proposed new roads for approval by the Local Board prior to the lodgement of the survey plan for the associated stage. The road naming application shall provide suggested street names (one preferred plus two alternative names) and include evidence of meaningful consultation with local Iwi groups.

Advice Note:

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

SECTION 223 CONDITION REQUIREMENTS (S.45 of HASHAA)

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

57. The consent holder shall ensure that the following conditions (but not limited to) have been met to the satisfaction of Council's Manager, Resource Consenting and Compliance:
- The Memorandum of Easements and Memorandum of Easements in Gross in accordance with the approved subdivision scheme plans shall be duly granted or reserved
 - An easement in gross over the balance lot (Lot 300) in favour of Auckland Council for a purpose to drain water into the temporary stormwater pond shall be created and shall be duly granted and reserved.
 - An easement in gross over the balance lot (Lot 301) in favour of Auckland Council for a purpose to provide public pedestrian and cycling access to Ararimu Road and McEldownie Rd shall be created and shall be duly granted and reserved.
 - An easement in gross over the balance lot (Lot 301) in favour of Auckland Council for a purpose to provide emergency vehicle access to McEldownie Rd shall be created and shall be duly granted and reserved.
 - Where either existing or proposed overland flow paths cross lot boundaries, the consent holder shall provide to Council plans to accompany easement(s) in favour of the Council as required in condition 58 below. As-built plans shall be provided to confirm that the overland flow is located entirely within the easement proposed.
 - Identify the native bush area to be protected on the survey plan and show it as 'Area subject to Covenant'

Drainage Easement

58. A drainage easement for the temporary stormwater pond shall be prepared in favour of Auckland Council, by Council's solicitors at the cost of the consent holder. The easement instrument shall advise:
- The owner of the lot will own and provide the temporary stormwater pond and ancillary devices until the public stormwater reticulation system is constructed and fully operational.
 - The owner is responsible to keep the easement unobstructed by buildings, earthworks, solid walls, fences, or any other impediments to prevent access onto the lot for the maintenance of the stormwater ponds and their ancillary devices. The owner of the lot is responsible to maintain the pond in accordance with Operation and Maintenance Manual until the public stormwater system is fully operational and new connection to the public stormwater reticulation system is provided for the development.
 - The easement instrument would only be cancelled when the new connection to be public stormwater reticulation system is provided to the satisfaction of Auckland Council. The owner of the lot is responsible for the costs associated with the cancellation of the easement.

Removal of Limited as to Parcels Limitation

59. The limited as to parcels limitation over the Certificates of Title of the application site shall be removed. The consent holder shall provide evidence to confirm that such limitation has been or will be removed prior to the approval of the survey plan under Section 45 of the HASHAA.

Road Stopping

60. Prior to the approval of the survey plan for the subdivision pursuant to s45 of the HASHAA, the consent holder shall provide evidence that the part of the McEldownie Road affected by the development has been stopped and form part of the application site.
61. The consent holder shall provide evidence to confirm that legal and physical access have been provided for the site at 52 McEldownie Rd, Drury prior to the approval of the survey plan under Section 45 of the HASHAA.

Temporary Public Access Easement to McEldownie Road

62. A public access easement in favour Auckland Council shall be prepared by Council's solicitor at the cost of the consent holder. The easement instrument shall advise that the owner of the balance Lot 301 is responsible to form and maintain an easement to provide public pedestrian and cycling access, and emergency vehicle access, between the subdivision and McEldownie Road. The easement shall be available for public access at any time and unobstructed by buildings, earthworks, solid walls, fences, or any other impediments.

Overland Flow Path (OLFP) Easement/s

63. The consent holder shall submit OLFP calculations showing the extent of the 100yr + Climate Change rainfall event associated with the upstream catchment. A drainage easement in favour of Council shall be placed over the extent of the OLFP as it relates to the subdivision site. The easement instrument/s shall include but not be limited to, as follows:
 - a) the owner of the lot is responsible to keep the easement unobstructed by buildings, earthworks, solid walls, vegetation, fences, or any other impediments to prevent free flow of water.
 - b) the owner of the lot is responsible to repair and maintain the overland flow path and to prevent it from becoming a danger or nuisance;
 - c) the owner of the lot is responsible for the cost of all required repair and maintenance works associated with the overland flow path easement.

Services to Existing Buildings

64. Prior to the approval of the survey plan pursuant to s45 of the HASHAA, a statement from a licensed cadastral surveyor shall be provided to the satisfaction of Council's Manager Compliance, Resource Consents. The statement shall confirm that all existing services to the buildings are located entirely within the proposed lot boundaries or an appropriate easement has been in place to protect any service across a boundary of the proposed lots.

SECTION 224 CONDITION REQUIREMENTS (S.46 of HASHAA)

Prior to the release by the Council of the Section 224(c) certificate (Section 46 of the HASHAA) for this subdivision the consent holder shall comply with the following conditions to the satisfaction of Council:

Geotechnical Completion Report and Certification

65. A Geotechnical Completion Report by a suitably qualified and Registered Engineer shall be provided to Council with the 224 application. The report shall confirm the stability of the land for residential development, including any special conditions/requirements to be met for any future development on the site.

The report shall set minimum habitable building floor level on all residential lots and define any development restriction on these lots that may be subject to flood hazard or overland flows in the 1% AEP storm event. The minimum habitable floor levels shall be at least 500mm above the 1% AEP flood level. The defined minimum floor level and other restrictions shall be in tabulated form (showing lot number, minimum habitable floor level and other restrictions) and also identified on each lot shown on the final survey plan. The recommendations of the report shall be based on the finished road and site ground levels and the likely future stormwater flow at the completion of the construction works for the subdivision.

The report shall also verify ground water level, soil permeability, water flow rates, water level, evaporate rates during dry period and pond liner of the proposed wetland.

66. Certification of the final proposed earthworks formation levels shall be provided by a suitably qualified engineer familiar with the technical documentation of the site. Results from the embankment trails shall be included. A peer review from a suitably qualified professional shall be provided.

Roads and Traffic

67. All roads and ancillary facilities such as (but not limited to) grass berms, traffic light, street lighting, and traffic calm devices, marking, street sign, and street furniture to be vested in Council shall be constructed in accordance with the approved Engineering Plans to the satisfaction of the Council's Manager, Resource Consenting and Compliance.

An Engineering Completion Certificate certifying that all proposed roads and the ancillary structures on the roads to be vested in Council have been constructed in accordance with the approved Engineering Plans, shall be provided in support of the 224 application.

All RAMM as-built plans and data for all new roads shall also be provided with the 224(c) application. This shall be inclusive of kerb lines, cesspits, footpath, intersection control devices, pavement marking, bus bays, street lighting, street furniture, street name, directional signs and landscaping etc.

A report from a suitably qualified and registered electrician shall be supplied with the 224(c) application. The report shall certify that all street lightings have complied with the relevant safety standards and that they are connected to the network and are operational.

Reinstatement of Existing Roads

68. Any damaged footpath, kerb, crossing as a result of the construction work shall be repaired, reinstated or reconstructed in accordance with the Auckland Transport Code of Practice to the satisfaction of the Council's Manager, Resource Consenting and Compliance.

An Engineering Completion Certificate certifying that the above condition has been met shall be provided in support of the s224 application.

Road Safety Audit

69. The consent holder shall carry out a safety audit of roads and intersections, at the Ramarama East Interchange and Ararimu Road in the vicinity of the existing school where a pedestrian crossing is proposed, in accordance with the New Zealand Transport Agency Procedure Manual by an independent and appropriately qualified safety auditor. The Road Safety Audits Report shall be provided to Council's Manager, Resource Consenting and Compliance prior to the lodgement of an application for the certificate pursuant to sections 46 of HASHAA and 224(c) of the RMA. Any recommendations raised in the audit report shall be implemented to the satisfaction of Auckland Transport and at the consent holder's expense unless otherwise agreed.

Ramarama Interchange Upgrade

70. Prior to the issue of the 224c certificate pursuant to s46 of the HASHAA, the Ramarama Interchange (East) upgrade shall be constructed and operation to the satisfaction of Auckland Council.

Advice Note:

The Ramarama Interchange (East) upgrade is not part of the QD application but will need to be implemented prior to the issue of the s224c certificate. Further resource consents may be required for the Ramarama Interchange (East) upgrade.

Spine Road

71. Prior to the issue of the 224c certificate pursuant to s46 of the HASHAA, the Spine Road (Lot 100) shall be constructed and in operation to the satisfaction of Auckland Council.

Ararimu Road/Spine Road Shared Path and Pedestrian Crossing

72. Prior to the issue of the 224c certificate pursuant to s46 of the HASHAA, the Ararimu Road Shared Path that connects the Spine Road with Ramarama School (including shared path and appropriate crossing facility) shall be constructed and in operation to the satisfaction of Auckland Council.

Temporary Public Access (Pedestrian and Cycling) to McEldownie Road

73. Prior to the issue of the 224c certificate pursuant to s46 of the HASHAA, the consent holder shall ensure that the cycling and pedestrian connection, and emergency vehicle access, from the subdivision (via balance lot 301 to McEldownie Road) is provided and operational in accordance with the approved EPA to the satisfaction of the Team Leader, Southern Monitoring, Resource Consenting and Compliance. A footpath or shared path shall be provided along the eastern side of McEldownie

Road, supported by modest berms (if a shared path is provided) to ensure the safety of all users, designed in accordance with the Auckland Transport Code of Practice (or as otherwise agreed through the EPA process).

Approval of Traffic Control Committee

74. The consent holder shall submit a Resolution report for approval by Auckland Transport Traffic Control Committee to legalise and proposed traffic control devices (e.g. traffic signs, road marking and traffic calming devices). A copy of the Resolution from the Traffic Control Committee shall be submitted with the lodgement of the application for the certificate pursuant to sections 46 of HASHAA and 224(c) of the RMA.

Stormwater System

75. Accurate as-built plans for the stormwater management wetland/pond, associated devices (including but not limited to piped streams and subsoil drains) and a engineering completion certificate certifying that the stormwater system has been constructed in accordance with the approved Engineering Plan, shall be provided with the s.224 application (s.46 of the HASHAA).
76. The consent holder is responsible for the maintenance of the stormwater system/devices in accordance with the approved Operation and Maintenance Manual under the relevant consent condition below for 24 months following the issue of the s.224(c) certificate pursuant to s46 of the HASHAA. A maintenance bond is payable as per the relevant consent condition.

Fencing of Stormwater Wetland/Pond

77. Prior to the issue of the 224c certificate pursuant to s46 of the HASHAA, the consent holder shall ensure fencing is installed to prevent access to the stormwater wetland/pond from the public.

Operation and Maintenance Manual for the Stormwater Management Devices

78. The consent holder shall prepare an Operation and Maintenance Manual for all stormwater devices, setting out the principles for the general operation and maintenance for the stormwater system, outlet channel and the associated management devices. The Operation and Maintenance Manual shall submit to the Manager, Resource Consenting and Compliance for approval. The Operation and Maintenance plan is to include, but not be limited to:
- a detailed technical data sheet
 - all the requirements as defined within the Stormwater Management Device Design Guidelines Manual (TP 10);
 - details of who will hold responsibility for short-term and long-term maintenance of the stormwater devices
 - a programme for regular maintenance and inspection of the stormwater system
 - a programme for the collection and disposal of debris and sediment collected by the stormwater management device or practices
 - a programme for post storm maintenance

- a programme for inspection and maintenance of outfall erosion
- general inspection checklists for all aspects of the stormwater system, including visual check of roadside catchpits, wetlands and outfalls
- a programme for inspection and maintenance of vegetation associated with the stormwater devices.
- recommended on-going control methodology to eradicate established pests and invasive weeds from both terrestrial and aquatic areas

Stormwater Connections

79. The consent holder shall provide and install a complete stormwater system to serve all lots in accordance with the approved Engineering Plans to the satisfaction of the Principal Development Engineer, SHA Consenting, NRSI, Resource Consenting and Compliance.

All impermeable road surfaces shall drain to devices within the roading corridor in accordance with the approved engineering plans.

Individual private stormwater connections to the existing or proposed public stormwater systems for each lot at the lowest point within the boundary shall be provided and installed in accordance with the approved Engineering Plans to the satisfaction of the Principal Development Engineer, SHA Consenting, NRSI, Resource Consenting and Compliance.

An Engineering Completion Certificate certifying that all public stormwater pipes and individual stormwater connections have been constructed in accordance with the approved Engineering Plan and the Auckland Council Code of Practice for Land Development and Subdivision - Chapter 4: Stormwater shall be provided in support of the 224(c) application pursuant to Section 46 of HASHAA.

Video inspections of all public stormwater pipes and as-built plans for all public and individual private stormwater lines shall be supplied with the 224(c) application pursuant to Section 46 of the HASHAA. The video inspections shall be carried out within one month prior to the lodgement of the application for the 224(c) certificate.

Advice Note:

As-built documentation for all assets to be vested in Council required by the conditions above shall be in accordance with the current version of the Development Engineering As-built Requirement' (currently Version 1.2). A valuation schedule for all asset to be vested in Council shall be included as part of the as-built documentation.

Wastewater Connections

80. The consent holder shall provide and install a complete public wastewater system to serve all lots in accordance with the approved Engineering Plans to the satisfaction of the Principal Development Engineer, SHA Consenting, NRSI, Resource Consenting and Compliance.

Individual private wastewater connections to the proposed public wastewater systems for each residential lot within the lot boundary shall be provided in accordance with the approved Engineering Plans.

An Engineering Completion Certificate certifying that all public wastewater pipes and individual wastewater connections have been constructed in accordance with the approved Engineering Plan and the Water and Wastewater Code of Practice for Land Development and Subdivision, May 2015 prepared by Watercare Services Limited shall be provided in support of the 224(c) application pursuant to s.46 of the HASHAA.

Wastewater pipes as-built plans for all public and individual private wastewater lines shall be supplied with the 224(c) application pursuant to s.46 of the HASHAA.

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

Water Supply

81. The consent holder shall provide and install a complete water supply reticulation system to serve all lots in accordance with the approved Engineering Plans to the satisfaction of Principal Development Engineer, SHA Consenting, NRSI, Resource Consenting and Compliance.

The consent holder shall complete a successful pressure test for all new water mains prior to the connection to the existing public water supply reticulation system to the satisfaction of Council. Evidence of undertaking a successful pressure test for new water mains in accordance with the Water and Wastewater Code of Practice for Land Development and Subdivision, May 2015 prepared by Watercare Services Limited shall be supplied with an application for 224(c) certificate pursuant to s.46 of the HASHAA.

Individual private water connections to the proposed public water reticulation system for each residential lot shall be provided in accordance with the approved Engineering Plans. Each lot shall have an individual water connection at the road reserve boundary. Ducting of provide lines is recommended where they cross driveways.

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

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

Fire Hydrants

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

The consent holder shall undertake a comprehensive hydrant flow test result to confirm or otherwise that the existing public water supply system can meet the fire flow requirement for the development as stipulated in the NZFS COP; and domestic supply can meet the minimum 250 kPa residual pressure at the proposed connection to the public main.

Evidence of undertaking the hydrant flow test and compliance with the standards above shall be provided with the s.224 application, pursuant to s.46 of the HASHAA.

Network Utility Services

83. Individual private connection to the underground reticulation of electricity, and telecommunication services to the boundary of each residential lot, shall be provided and installed to the satisfaction of the appropriate network utility providers.

Certificates from the network utility providers and certified 'as-built' given locations of all plinths, cables and ducts shall be supplied to Council as part of the 224 application.

Street Trees and Landscape Planting

84. Prior to lodgement of section 224(c) certification, all street tree planting and any road reserve landscaping shall be implemented in accordance with the approved landscaping plan to the satisfaction of the Parks Consent Planner.

- a) All works shall be undertaken in accordance with the relevant Auckland Council Code of Practice or Specification.
- b) Any defects identified at the practical completion audit are to be remedied by the consent holder. The practical completion of the works will be determined by the Parks Consent Planner to their satisfaction and indicates the commencement of the (2) year maintenance period.

Planting shall occur within the recognised planting season May to September. All street trees shall be good quality specimens and planted and staked to the satisfaction of the Parks Consents Planner.

If any damage to the streetscape planting occurs during construction, the consent holder shall replace damaged plants with the same species and height, and shall be maintained for two years following the replacement planting, to the satisfaction of the Manager Local Parks.

Landscaping Maintenance plan

85. The consent holder shall provide a landscaping maintenance and management plan (in reference to the landscaping plans approved under these conditions). The maintenance plan shall include:

- a) Vegetation maintenance policies for the proposed planting, in particular details of maintenance methodology and dates / frequencies.
- b) Maintenance shall include watering, weeding, trimming, cultivation, insect and disease control, pest control, checking of stakes and ties, pruning and other accepted horticultural operations to ensure normal and healthy plant establishment and growth.
- c) As a precautionary measure, vandalism eradication policies.
- d) Design strategy, specification and management plans for the treatment/maintenance issue relating to the park.

The maintenance plan shall be certified by the Team Leader, Southern Monitoring, Resource Consenting and Compliance (in liaison with the Manager Local Parks) prior to completion of all landscaping on the site.

Landscaping Maintenance

86. All planting and establishment maintenance shall be carried out in accordance with the specifications provided within the approved plans and approved maintenance plan in these conditions.

The consent holder shall continue to maintain all plantings on the proposed roads and within balance Lots 300 and 301 for a period of two years or three planting seasons whichever is the longer following written approval from the Manager, Local and Sports Parks (Southern) stating that the planting has been implemented in accordance with the approved Landscape Planting Plan (Street Trees). Any dead or dying trees and/or plants must be replaced as required throughout this period.

A maintenance bond is payable if a 224(c) Certificate pursuant to s46 of the HASHAA is to be issued within the maintenance period.

A written statement from the Manager, Local and Sports Parks (Southern) stating that the street trees and landscape planting within road side reserve have been implemented in accordance with the approved Landscape Planting Plan (Street Trees).

Maintenance Bonds - Landscaping

87. Prior to the issue of the Certificate pursuant to s.46 of HASHAA and 224(c) of the RMA the consent holder shall enter into a maintenance bond with Auckland Council to ensure the compliance with the landscaping conditions. Two quotations from contractors for the maintenance of the landscape planting shall be submitted with the lodgement of the application for a certificate pursuant to s.46 of the HASHAA and s.224(c) of the RMA.

The rationale for the amount of the bond shall be based:

- 1.5 x the contracted rate for maintenance of the landscape planting which is to be vested with 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 the proposed drainage reserves, devices including rain gardens and grassed swales.

The bond shall be paid in cash or in a way of bank bond at the time of the issue of the 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 the proposed drainage reserves, street trees and rain gardens on the roads;
- a minimum 12 months for any other asset including hard landscape work.

The bond shall be prepared by Auckland Council at the cost of the consent holder. Any costs incurred by the Council in preparing, checking, assessing and release of this bond must be met by the consent holder prior to repayment of the bond. Any faults, defects or damage to any of these works 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 these requirements have been met.

If the consent holder fails to maintain the above assets, the Council may undertake the works necessary to bring the assets up to the standards required by 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.

Maintenance Bond – Ecological Mitigation

88. The 'ecological mitigation planting area' identified on the ecology report required by these consent conditions shall be planted by the consent holder with the species listed in the ecology report to achieve a 90% vegetation coverage within the first planting season following the completion of the construction work on the site. The consent holder shall notify Council's Manager, Resource Consenting and Compliance once the planting is completed.

The consent holder shall thereafter maintain the planting for a minimum of 5 years or until such time as canopy closure has been reached, whichever is the longer. The consent holder shall also replace any planting that fails within the maintenance period.

A maintenance bond shall be payable if a certificate pursuant to sections 46 of HASHAA and 224(c) of the RMA is to be issued within the maintenance period. The bond will be held by Council for a period of 5 years from the date of the release of the 224(c) certificate pursuant to section 46 of the HASHAA and shall cover the cost of implementation of the maintenance plan and replacement planting.

The consent holder shall provide a report from a suitably qualified and experienced ecologist to the satisfaction of Council's Manager, Resource Consenting and Compliance certifying that this condition has been met. The report shall be submitted to Council as part of the 224(c) application.

Certification for Licensed Cadastral Surveyor

89. The consent holder shall provide a certificate from a licensed cadastral surveyor that all services and ROWs have been constructed in accordance with the as-built plans submitted and have been located entirely within the easements created.

Solicitor Undertaking

90. A solicitor undertaking from the solicitor acting for the consent holder shall be provided prior to the issue of the Certificate pursuant to Sections 46 of HASHAA and 224(c) of the RMA. The undertaking shall confirm that the solicitor will undertake the following action at the consent holder's expense:
- Register all legal documents (including all consent notices, the easement instrument, or covenant etc.) against the Certificates of Title of the relevant lots
 - Provide a post registration copy of all relevant Certificate(s) of Title to Auckland Council

Covenant (Drainage)

91. Prior to the issue of the 224c certificate for the development, a covenant shall be registered over the Certificates of Title of all residential lots and the balance lot where the temporary stormwater pond is located. The covenant shall specify that
- The temporary stormwater pond on Lot 300 is to collect stormwater runoff from the development granted by Auckland Council (reference R/JSL/2016/2423 and R/REG/2016/3720 (Stormwater Discharge)).
 - The temporary stormwater pond is owned and maintained by the owner of Lot 300. Auckland Council is not responsible for the maintenance of the temporary stormwater pond.
 - The owner of Lot 300 is responsible to maintain the temporary stormwater pond to its approved states in accordance with the approved Operation and Maintenance Manual to the satisfaction of Auckland Council at the cost of the owner.
 - The owner of Lot 300 is responsible for the decommissioning of the temporary stormwater pond to the satisfaction of Auckland Council prior to any further development on the balance lot unless approval is obtained from Auckland Council. A Geotechnical Completion Report in accordance with the "Auckland Council Code of Practice for Land Development and Subdivision Section 2.6" signed by the registered engineer who designed and supervised the works, shall be provided to the Manager Compliance, Resource Consents confirming that the temporary stormwater pond has been decommissioned. The Geotechnical Completion Report shall 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 as per Schedule 2A of the Code of Practice
 - Once the permanent stormwater system is constructed, operational and vested in Auckland Council, the owner(s) of Lot 300 shall provide new connection to the permanent stormwater system in accordance with the approved EPA to the satisfaction of Team Leader, Development Engineer (North).
 - The owner(s) of Lot 300 is responsible for all costs associated with the decommissioning work and the connection to the new public system.

Non-compliant covenant

92. Prior to the issue of the 224c certificate, a draft non-complaint covenant in favour of Drury Quarry shall be submitted to Manager Compliance, Resource Consents to

confirm that Rule 3.3 of the Drury South Residential Precinct has been complied. A solicitors undertaking from the solicitor acting on behalf of the consent holder shall be submitted with the application. The solicitor's understanding shall confirm that the solicitor is undertaking to register the non-compliant covenant over Lots 1-50.

Ecological Mitigation Plan Implementation

93. Prior to the issue of the 224c certificate, the consent holder shall implement the Ecological Mitigation Plan approved under condition (12), to the satisfaction of the Team Leader, Southern Monitoring, Resource Consenting and Compliance.

Native Bush Covenant (Proposed Hingaia Mitigation site)

94. The owner(s) of the lot upon where ecological mitigation planting has taken place shall maintain a covenant area to meet the following standards to the satisfaction of Auckland Council. The covenant area(s) marked as "ecological mitigation planting area" on the survey plan shall be protected in perpetuity and the owner(s) shall:

- Remove and control all invasive pest plants and control pest animals within the covenant area(s), in accordance with the approved Weed and Animal Control Plan in perpetuity
- Manage and maintain all plantings within the 'ecological mitigation planting area' in accordance with the ecology report
- preserve the native vegetation, wildlife habitats and the natural landscape within the covenant area(s)
- Not (without the prior written consent of the council and then only in strict compliance with any conditions imposed by the council) cut down, damage or destroy, or permit the cutting down, damage or destruction of the vegetation or wildlife habitats within the covenant area(s)
- Not do anything that would prejudice the health or ecological value of the areas to be protected, their long term viability and/or sustainability

Advice Note:

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

Consent Notice – Geotechnical Recommendations

95. Pursuant to s44 of the HASHAA and s221 of the RMA, the following consent notices shall be registered against the Certificates of Title of each relevant residential lot:
- (i) The recommendations contained in the approved Geotechnical Completion Report 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 (such as minimum habitable floor levels for flood protection) shall be continually upheld.

Advice Note:

If the approved Geotechnical Completion Report or any addendums do not contain any special conditions/requirements to be met, then no such consent notice will be required

Consent Notice – Stormwater Hydrology Mitigation (Lots 1-50)

96. Pursuant to s44 of the HASHAA and 221 of the RMA, consent notices shall be registered against all residential lots to ensure that the following requirements will be complied on a continual basis:
- (i) Any development of this lot shall provide a water reuse tank providing for retention of 0.005m³/m² of roof area, designed in accordance with TP10 or its successor (GD001). Alternatively, a first flush type device(s) capable of diverting the first 2mm of runoff from any rain event to ground or proposed alternative quality treatment device sized to meet the above requirement.
 - (ii) The stormwater device(s) shall be operated and maintained in accordance with the approved Operation and Maintenance Manual, which shall be provided to Council for approval at the specific design stage (at building consent).
 - (iii) Stormwater device/s on private land must be operated and maintained by the site owner(s) in perpetuity
 - (iv) A proposal may use more than one device to achieve compliance with (i)

Consent Notice – Stormwater Wetland (Lot 300)

97. Pursuant to s44 of the HASHAA and 221 of the RMA, consent notices shall be registered against all residential lots to ensure that the following requirements will be complied on a continual basis:
- (i) The stormwater wetland on Lot 300 shall be maintained in accordance with the Operation and Maintenance Plan approved under the conditions of this consent, until such time as an alternative stormwater management device for the subdivision has been approved by Council and is constructed and operational.

Consent Notice - Subsoil Drains

98. Pursuant to s44 of the HASHAA and 221 of the RMA, Consent Notices shall be placed on all residential Lots and access Lots located above reclaimed watercourses with subsoil drains installed, requiring continued operation and maintenance of the drains by the land owner.

Consent Notices - landscaping/planting/trees to be protected within balance lots

99. Pursuant to s44 of the HASHAA and 221 of the RMA, consent notices shall be registered against balance Lots 300 and 301 to ensure that the following requirements will be complied on a continual basis:

- (i) The owner(s) of Lots 300 and 301 is responsible for the maintenance of the existing landscaping/planting/trees in accordance with the approved Landscaping Plan and Specification (insert condition reference) to a sustainable condition in perpetuity to the satisfaction of Auckland Council. The owner(s) shall replace or replant if any tree/planting/landscaping fails.

Consent Notice – future access to sites

100. Pursuant to s44 of the HASHAA and 221 of the RMA, consent notices shall be registered against balance Lots 300 and 301 to ensure that the following requirements will be complied on a continual basis:

- (i) The vehicle access arrangement for any future development and/or subdivision of Lots 300 and 301 shall be assessed and determined by Council, NZTA and Auckland Transport when the resource consent application(s) are lodged for any such development and/or subdivision. Alternative arrangements may be required and/or conditions may be imposed.

Consent Notice - Affordability

101. Before titles to five (5) nominated lots that are deemed to be for affordable dwellings under Criteria A of the affordability criteria set out in Schedule 30 of the Order in Council of the Housing Accords and Special Housing Areas (Auckland New May 2016 Areas) Amendment Order 2016 – Quarry Road, Drury Special Housing Area, are transferred, the consent holder shall provide to the Council's Manager, Resource Consenting and Compliance a statutory declaration from the purchaser of the lot that the that the purchaser meets all the following criteria:

- a) This lot is deemed to be for the provision of an affordable dwelling in accordance with the affordability criteria set out in Criteria A of Schedule 30 of the Order in Council of the Housing Accords and Special Housing Areas (Auckland New May 2016 Areas) Amendment Order 2016 – Quarry Road, Drury Special Housing Area. Before any dwelling in the development is occupied, or title to that dwelling is transferred, the consent holder shall provide to the Team Leader, Southern Monitoring, Resource Consenting and Compliance a statutory declaration from the purchaser of the Affordable Dwelling that the purchaser meets all the following criteria:
 - i. The purchaser's gross household income, as at the date of the declaration, does not exceed 120% of the Auckland median household income;
 - ii. The purchaser has paid a price for the affordable dwelling which is not more than that defined under Criteria A of the affordability criteria set out in Schedule 30 of the Order in Council of the Housing Accords and Special Housing Areas (Auckland New May 2016 Areas) Amendment Order 2016– Quarry Road, Drury Special Housing Area, which is \$578,250.
 - iii. The purchaser has the legal right to and intends to own and occupy the affordable dwelling exclusively as their residence for not less than 3 years after gaining title to the dwelling;

- iv. The purchaser is a first home buyer and has never owned any other real property;
- v. The purchaser is a natural person and is purchasing the affordable dwelling in their own name and not in the name of any other person.

The consent notice shall specify that it ceases to have effect 3 years after the date of transfer of title to the purchaser of the dwelling who meets the above criteria. In the event that the lot is first sold to a builder or a building company for the purposes of constructing a dwelling that is to be on sold and not occupied by that builder or building company, the statutory declaration shall be provided from the builder or buildings company to the Team Leader, Southern Monitoring, Resource Consenting and Compliance when the Certificate of Title of the dwelling is transferred to the subsequent purchaser of the dwelling.

Advice Notes

1. *Development contributions levied under the Local Government Act 2002 are payable in relation to this application. The consent holder will be advised of the development contributions payable separately from this resource consent decision. Further information about development contributions may be found on the Auckland Council website at www.aucklandcouncil.govt.nz.*
2. *In the event that any archaeological features are uncovered on the site, it is recommended that works cease and the Team Leader, Southern Monitoring, Resource Consenting and Compliance. Archaeological features' may in practice include shell middens, hangi or ovens, pit depressions, defensive ditches, artefacts, or koiwi tangata (human skeletal remains). Please note in the event of a discovery, contacting Heritage New Zealand (on 09 307 9920).*
3. *Prior to demolishing any existing structures on site, attention of the consent holder is drawn to the provisions of the Health and Safety at Work (Asbestos) Regulations 2016 and the New Zealand Guidelines for the Management and Removal of Asbestos, New Zealand Demolition and Asbestos Association, March 2011;*
4. *This consent does not constitute authority to build or undertake private drainage works and it may be necessary for you to apply for a Project Information Memorandum and Building Consent if you have not already done so.*
5. *Watercare Services Limited have advised that at the time of application for a water and/or wastewater connection (or application for demand increase), completed in conjunction with a building consent, a water and wastewater Infrastructure Growth Charge per additional equivalent unit shall apply. Details of the charge are available on the website, www.watercare.co.nz.*
6. *The granting of this application does not constitute a guarantee from the Watercare Services Limited to provide a fire fighting capability in accordance with the Fire Service Code of Practice at any given point in time. If the development is to be sprinklered to certain flow and pressure, the applicant need to be aware that the flow and pressure in the public main can change, and periodic test need to be carried out and, if required, upgrade the sprinkler system to meet the development demand at no cost to Watercare.*
7. *Watercare approval is required prior to connecting any individual dwelling / building to the public water and/or wastewater network. This application is generally made at the same time as the building consent application.*

8. *The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety in Employment Act 1992), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.*
9. *The granting of this resource consent does not in any way allow the consent holder to enter and undertake works within neighbouring properties, without first obtaining the agreement of all owners and occupiers of said land to undertake the proposed works. Any negotiation or agreement is the full responsibility of the consent holder, and is a private agreement that does not involve Council. Should any disputes arise between the private parties, these are civil matters which can be taken to independent mediation or disputes tribunal for resolution. It is recommended that the private agreement be legally documented to avoid disputes arising. To obtain sign-off for the resource consent, the services described by the conditions above are required to be in place to the satisfaction of Council.*
10. *If you disagree with any of the above conditions, or disagree with the additional charges relating to the processing of the application you have a right of objection pursuant to sections 81 or 82 of the HASHAA. Any objection must be made in writing to Council within 15 working days of notification of the decision.*