

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



Non-complying activity for a subdivision consent

Application number: SUB60237908
Applicant: Pokorua Holdings Ltd
Site address: 45 and 45A Constable Road, Waiuku
Legal description: Section 1 Survey Office Plan 65397 (NZ85A/37)

Proposal:

To subdivide the subject site to create 48 residential vacant lots, 1 rural site and road to vest

The resource consents required is:

Subdivision consent (s11) – SUB60237908

Auckland Unitary Plan (Operative in part)

Urban subdivision

- Subdivision of a site with two or more zones is a restricted discretionary activity under rule E38.4.1(A7);
- Subdivision of land within a 1 per cent annual exceedance probability floodplain is a restricted discretionary activity under rule E38.4.1(A11);
- Vacant sites subdivision involving parent sites of 1ha or greater complying with Standard E38.8.3.1 is a discretionary activity under rule E38.4.2(A18);

Rural subdivision

- Any subdivision listed in this table not meeting standards in E39.6.1 is discretionary activity under rule E39.4.1(A9);
 - E39.6.1.1(1) Specified building area – No specified building area was identified on proposed Lot 101.
- Non-Complying activity for subdivision in the Rural - Mixed Rural zone not complying with Standards E 39.6.5.1 pursuant to E39.4.2 (A13).
 - E39.6.5.1 – Minimum average site size and minimum site size for subdivision. The newly created Rural – Mixed Rural zone section is only 3.3660ha and does not comply with a minimum site size of 40ha.

Plan Change 14

- There are no relevant subdivision rules or matters which have immediate legal effect.

Decision

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

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

Reasons

The reasons for this decision are:

1. The adverse effects of the activities on the environment have been found under s95 to be no more than minor. As such, there is no prohibition under s104D on granting this resource consent.
2. In accordance with an assessment under ss104(1)(a) and (ab) of the RMA the actual and potential effects from the proposal will be acceptable as:
 - a. The pattern of development illustrated by this application is not unusual and is akin to similar developments undertaken within this area. The scale and design of the proposed lots will be compatible with the residential character and amenity values of the site and surrounding area.
 - b. The actual and potential adverse effects from the proposal will be less than minor as:
 - o The non-compliance with the minimum net size area of the newly created Rural – Mixed Rural zone lot is just a technical breached as there is no new Rural – Mixed Rural zone site created and the subdivision of this portion of the site from the rest of the site is appropriate as it will follow the zone boundary The new rural allotment will be able to contain the required 2000m² specified building area without adversely affecting the rural character and amenity of the surrounding area.
 - o The design and layout of the residential subdivision ensures that on-site amenity is maintained as the pattern and layout of the subdivision boundaries are appropriate and not out of character when compared against the immediate residential neighbourhood.
 - o The pattern of the subdivision ensures that adequate onsite amenities including vehicle manoeuvring, access and servicing can be achieved without compromising the amenity and character of the site and its surrounding residential environment.
 - o The Applicant has provided evidence that the proposed residential lots can be fully serviced. The design of the proposed utilities is appropriate and is in accordance with the Council's engineering standards. Further, a condition requiring the provision of a stormwater management plan is imposed to ensure that the raingardens and ground water retention tanks are constructed and manage properly. Overall, the proposed services will not cause risk to human health or the environment.

- Increased vehicle movements associated with the proposed activity can be accommodated by the existing road network without causing detriment to matters of road safety;
 - The proposed development will not increase the vulnerability of users to flood hazards and appropriate mitigation measures to manage flood risk have been put in place including the re-direction of the overland flow paths into the road reserve within the site and the imposition of minimum floor levels for each new lot that maybe affected by flooding. Further, the proposed works will not increase the adverse effects of flood hazards to upstream and downstream properties of the site.
- c. In terms of positive effects, the proposal is an efficient use of the existing under-utilised residential zoned parcel of land and it will contribute to creating a more compact urban form, providing housing supply and diversity.
- d. With reference to s104(1)(ab), there are no specific offsetting or environmental compensation measures proposed or agreed to by the applicant to ensure positive effects on the environment
3. In accordance with an assessment under s104(1)(b) of the RMA the proposal is consistent with the relevant statutory documents. In particular:

Auckland Unitary Plan (Operative in Part)

- The objectives and policies within E38.2, E38.3, H4.2 and H4.3 of the Auckland Unitary Plan (Operative in Part) (AUP: OP) as the proposed subdivision will achieve the outcomes sought within the Residential – Mixed Housing Suburban zone and Auckland-wide, whilst providing for the long-term needs of the community by maintaining residential intensities appropriate within the context of the site. The design and layout of the sites is consistent with the delineated areas that land use development is based on. The site size and shape of each new allotments is in accordance with E38.6.1(1)(a) and (c) as Lot 1 will be taking place around an existing dwelling, and the thirty three vacant lots are of sufficient size to accommodate the required building platform clear of any yard setback requirement. The subdivision will be adequately serviced with wastewater, water supply and stormwater infrastructure, and power and telecommunication services. Further, it will have a layout that is safe and accessible. There will be no issues with the overland flowpath as they have been addressed via mitigation measures.
 - The objectives and policies within E39.2, E39.3, H19.2 and H19.3 of the AUP: OP as the subdivision of the Rural – Mixed Rural zone portion of the site will maintain the rural character and amenity values of the site and surrounding area. The proposal is in keeping with the character and is consistent with the environmental results envisaged for the Rural- Mixed Rural zone. The subdivision will not compromise the rural landscape of the site that has capacity to accommodate additional buildings in compliance with the AUP: OP standards.
4. In accordance with an assessment under s104(1)(c) of the RMA no other matters are considered relevant.

5. In terms of s106 of the RMA the proposal is not considered to give rise to a significant risk from natural hazards, and sufficient provision has been made for legal and physical access to the proposed allotments. Accordingly council is able to grant this subdivision consent subject to the conditions below.
6. There is no prohibition under s104D of the RMA on granting this non-complying activity proposal. This is because the proposal is not contrary to the objectives and policies of the AUP: OP and will have only minor adverse effects on the environment.
7. In the context of this non-complying activity subdivision application, where the objectives and policies of the relevant statutory documents were prepared having regard to Part 2 of the RMA, they capture all relevant planning considerations and contain a coherent set of policies designed to achieve clear environmental outcomes. They also provide a clear framework for assessing all relevant potential effects and there is no need to go beyond these provisions and look to Part 2 in making this decision as an assessment against Part 2 would not add anything to the evaluative exercise.
8. Overall, the proposal is an appropriate development of the site and is considered to have less than minor effects on the surrounding environment.

Conditions

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

Stage 1, Subdivision of Section 1 Survey Office Plan 65397 to Create Lots 1-19, 37-39, 42-48, Lot 100 (Common Access Lot), Lot 101 (Rural Mixed Zone), Lot 200 (Road to Vest) and Balance Lot 300.

Activity according to Plans

1. The subdivision activity shall be carried out in accordance with the documents and drawings and all supporting additional information submitted with the application, detailed below, and all referenced by the council as resource consent number SUB60237908
 - Application Form and Assessment of Environmental Effects prepared by Tripp Andrews Surveyors Ltd, dated 23 March 2017

Report title and reference	Author	Rev	Dated
Resource Consent Application, 45 Constable Road, Waiuku	Tripp Andrews Surveyors Ltd		23/03/2017

Drawing title and reference	Author	Rev	Dated
Lots 1-18, 37-39, 42-48, 100, 200 & 300 Being a Subdivision of Section 1 SO 65397 (45 Constable Road, Waiuku), 1 of 1	Tripp Andrews Surveyors Ltd		23/04/2019

Development Layout Plan Stage 1 – 2, 1_C110	Crang Civil	A	16/04/2019
Scheme Plan, 1_C150	Crang Civil	A	16/04/2019
Roading Plan, 1_C300	Crang Civil	A	16/04/2019
Roading Longsections, 1_C310	Crang Civil	A	16/04/2019
Road 1 (18m Wide) & Accessway Typical Cross Sections, 1_C320	Crang Civil	A	16/04/2019
Road 2 (15m Wide) Typical Cross Sections, 1_C321	Crang Civil	A	16/04/2019
Constable Road Cross Sections, 1_C322	Crang Civil	A	16/04/2019
Road Marking Plan, 1_C330	Crang Civil	A	16/04/2019
Speed Table & Flush Island Details, 1_C331	Crang Civil	A	16/04/2019
Sight Visibility Plan, 1_C332	Crang Civil	A	16/04/2019
10.3m Truck Tracking Plan, 1_C350	Crang Civil	A	16/04/2019
Drainage Plan, 1_C400	Crang Civil	A	16/04/2019
Stormwater Longsections Sheet 1, 1_C401	Crang Civil	A	16/04/2019
Stormwater Longsections Sheet 2, 1_C402	Crang Civil	A	16/04/2019
Stormwater Longsections Sheet 3, 1_C403	Crang Civil	A	16/04/2019
Wastewater Longsections Sheet 1, 1_C404	Crang Civil	A	16/04/2019
Wastewater Longsections Sheet 2, 1_C405	Crang Civil	A	16/04/2019
Rain Garden Details, 1_C430	Crang Civil	A	16/04/2019
Rain Garden Catchment Plan, 1-C440	Crang Civil	A	16/04/2019
Water Supply Plan, 1_C600	Crang Civil	A	16/04/2019
Street Trees Plan, 1_C700	Crang Civil	A	16/04/2019
Services Plan, 1_C800	Crang Civil	A	16/04/2019

Lapsing of consent

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

Predevelopment Conditions

Pre-start Meeting

3. Prior to the commencement of the construction and earthworks activities, the consent holder shall hold a pre-start meeting that:
- (i) is located on the subject site.
 - (ii) is scheduled not less than 5 days before the anticipated commencement of the construction and earthworks activities.
 - (iii) includes, Regulatory Engineering South, Compliance Monitoring South and such other team representatives as Compliance Monitoring South may deem necessary by the conditions of this consent.
 - (iv) includes representation from the contractors who will undertake the works and any suitably qualified professionals if required by other conditions e.g. the appointed Arborist
 - (v) Developer's representative

The meeting shall discuss the traffic management plan and shall ensure all relevant parties are aware of and familiar with the necessary conditions of this consent.

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

- (i) Resource consent conditions;
- (ii) Timeframes for key stages of the works authorised under this consent;
- (iii) Traffic Management Plan;
- (iv) Construction Management Plan;
- (v) Landscape Plan;
- (vi) Tree protection conditions/requirements

Advice Note:

To arrange the pre-start meeting, required by condition above, please contact the Council's Regulatory Engineering South (email development.engineeringsouth@aucklandcouncil.govt.nz)

The conditions of consent will be discussed at this meeting. All information required by the council and listed in that condition should be provided 2 days prior to the meeting.

Traffic Management Plan

4. Prior to the commencement of the construction activity on the subject site, a finalised Traffic Management Plan (TMP) shall be submitted to the Team Leader Compliance Monitoring South for approval, The TMP shall address the control of the movement of vehicles to and from the site No construction on the subject site shall commence until confirmation is provided from the Council that the TMP satisfactorily meets the requirements of this consent and any required measures referred to in that plan have been put in place.

Advice Note:

It is the responsibility of the applicant to seek approval for the Traffic Management Plan from Auckland Transport. Please contact Auckland Transport on (09) 355 3553 and review www.beforeudig.co.nz before you begin works.

The Traffic Management Plan should contain sufficient detail to address the following matters:

- a) measures to ensure the safe and efficient movement of the travelling public (pedestrians, vehicle occupants, local residents etc.),*
- b) restrict hours of vehicle movements to protect amenity of surrounding environment during earthworks phase etc]*

Approved Traffic Management Plan

5. All vehicle movements to and from the site and associated with the construction activity shall be in accordance with the approved Traffic Management Plan

Engineering Plan Approval (EPA)

6. Prior to the commencement of any works related to or on site, or prior to lodgment of the survey plan pursuant to Section 223 of the RMA, the consent holder shall submit two hard copies and one PDF/CD version of complete engineering plans (including engineering calculations and specifications) to the Team Leader Regulatory Engineering South for approval. Details of the Chartered Professional Engineer who will act as the consent holder's representative for the duration of the development shall also be provided with the application for Engineering Plan Approval.

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

- Design and details of any retaining walls in the road reserve.
- Design detail including pipe sizing, cross sections and long sections for stormwater infrastructure providing each lot with a public stormwater connection. Public stormwater reticulation, including manholes and pipes, should be located within the berm. However, the final location shall be confirmed in consultation with other service providers, Auckland Transport and Auckland Council's Development Engineer.
- 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.
- Detailed design of all roads to be vested in the Council including intersections, parking, vehicle crossings, pedestrian crossings, cycle paths, Rural path and footpaths. In particular, compound corners shall be adopted throughout the development. All roads shall be designed in accordance with Auckland Transport's Code of Practice (ATCOP).
- Construction of on road bus stops and the concrete approach apron for them in positions to be defined during the engineering plan approval process to support the future bus route(s)
- Detailed design of all street lighting, street furniture and other structures/facilities on the roads to be vested in Auckland Transport (including traffic calming devices, tree pits,

raingardens and safety measurements, marking and street signs etc.) shall be designed in accordance with Auckland Transport's Code of Practice (ATCOP).

- Visibility assessment of all proposed roads; in particular the visibility at intersections and forward visibility around bends must be designed in accordance with Auckland Transport's Code of Practice (ATCOP).
- Pavement and surfacing for all proposed roads, speed calming provisions, parking areas, footpaths and pedestrian crossing points must be designed in accordance with Auckland Transport's Code of Practice (ATCOP).
- Visitor parking on Roads, and any associated changes to carriageway width, to be confirmed in consultation with Auckland Transport.
- Detailed assessment of the provision of a right turn bay into this development and the effects on the 2 adjacent intersections opposite. Such details to be in accordance with MOTSAM. These plans to be supported by a traffic Engineers report confirming compliance
- Detailed Landscape Planting Plans for all street planting and landscaping on the proposed roads and reserves, including a maintenance programme until the planting is confirmed as established.
- Detailed design of the water and wastewater system including provision for the servicing the contributing development upstream catchment. The systems shall be designed in accordance with the Council's Code of Practice for Land Development and Subdivision: Watercare section; in particular:
 - Upgrade of the water main in Constable Rd to 180mm diameter PE
- Detailed design of the stormwater system and devices for the management of both quantity and quality of the stormwater runoff from the contributing development upstream catchment (including treatment devices and all ancillary equipment/structure etc.). The stormwater system and devices shall be designed in accordance with the Council's Code of Practice for Land Development and Subdivision: Chapter 4 - Stormwater; in particular:
 - Pipes appropriately sized to accommodate 10% AEP flows – relevant calculations to be provided.
 - The proposed stormwater system shall be designed to identify health and safety risks for the public, operating personnel, contractor and Council employees.
 - The proposed stormwater system shall have an asset life of a minimum of 100 years.
 - Principles of Water-Sensitive Design and "Best Management Practices" to minimise stormwater run-off volumes and peak flow rates and to improve the quality of stormwater run-off entering the receiving environment shall be utilised for the design of the proposed stormwater system.
 - The system shall cater for stormwater run-off from the site being developed together with any run-off from upstream catchments in accordance with TP108 (Guidelines for Stormwater Runoff Modelling in the Auckland Region 1999) and allowances for

climate changes. The upstream catchment shall be considered for the Maximum Probable Development scenario (full development to the extent defined in the Proposed Auckland Unitary Plan).

- Mitigation measures (e.g. peak flow attenuations and/or velocity control) to mitigate the downstream effects shall be taken into account during the design of the stormwater system
- Details design of all raingardens including:
 - Treatment catchment plans and associated calculations showing catchment area, raingarden sizing and raingarden spacing to demonstrate individual raingardens will not be overloaded.
 - Plan and long sections of connected underdrains at the kerb, in reference to the road profile and other services within the berm.
 - Where a raingarden adjoins a road or footpath, the raingarden wall must be set behind a standard kerb.
- Details including long sections of overland flow paths along Stage 1 through the road between Lots 37 & 42 to confirm that the flow is fully contained within the proposed road reserve.
- Details of the stormwater discharge outlets including engineered erosion protection measures designed in accordance with Council's Technical Publication Number 10 (TP10).
- Details of fire hydrants to be installed. Any fire hydrants shall be designed in accordance with the Council's Water and Wastewater Code of Practice for Land Development and Subdivision.
- Details confirming that the maximum depth and velocity of overland flows in roads are to be 200mm and 0.6m/s respectively.
- Information relating to electrical and/or telecommunication reticulation including ancillary equipment.

As part of the application for Engineering Plan Approval, a registered engineer shall:

- Certify that all public roads and associated structures/facilities or access ways have been designed in accordance with the Auckland Transport's Code of Practice (ATCOP).
- Certify that the proposed stormwater system or devices proposed have been designed in accordance with the Council's Code of Practice for Land Development and Subdivision: Chapter 4 - Stormwater.
- Provide a statement that the proposed infrastructure has been designed for 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.

Advice Note:

If the Engineering Plan Application (EPA) drawings require any permanent traffic and parking restrictions e.g. broken yellow lines, then the development will require Traffic Control Committee (TCC) resolutions from Auckland Transport. The consent holder is expected to prepare and submit a resolution report to Traffic Control Committee for this.

The engineering plan application forms including fees can be found at the following Auckland Council website:

<https://www.aucklandcouncil.govt.nz/building-and-consents/engineering-approvals/Pages/default.aspx>

Overland Flow Paths

7. Prior to commencement of any works on the site, the consent holder shall design the overland flow paths within the development to the satisfaction of the Team Leader Regulatory Engineering South and in accordance with the following requirements:
 - a. The overland flow paths and ponding areas must be able to cope with flows in terms of the Auckland Council's Code of Practice for Land Development and Subdivision.
 - b. The contours surrounding the flow paths must be designed and constructed to channel the excess flow into the overland flow paths; and
 - c. The overland flow paths, where possible, must be located on roads and access ways

Development in Progress Conditions

Public Stormwater System

8. An Engineering Completion Certificate certifying that all public stormwater pipes and individual lot stormwater connections have been constructed in accordance with the approved Engineering Plan shall be provided in support of the Section 224(c) certificate application.

Advice Note:

'As-built' documentation for all assets to be vested in the Council required by these conditions shall be in accordance with the current version of the Council's 'Development Engineering As-built Requirement' (currently Version 1.2). A valuation schedule for all asset to be vested in the Council are to be included as part of the as-built documentation.
[\(<https://www.aucklandcouncil.govt.nz/building-and-consents/engineering-approvals/Documents/engineering-as-built-requirements.pdf>\)](https://www.aucklandcouncil.govt.nz/building-and-consents/engineering-approvals/Documents/engineering-as-built-requirements.pdf)

Water and Wastewater Connections

9. A Certificate of Acceptance from Watercare for completion of Water and Wastewater reticulations shall be provided in support of the Section 224(c) certificate application for the approved consent. No buildings in the development are to be occupied until confirmation has been provided to the Council.

Network Utility Services

10. Individual private connection to the underground reticulation of electricity and telecommunication services (if the telecommunication services require underground reticulation)

to the boundary of each 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 the Council's Team Leader Regulatory Engineering South as part of the Section 224(c) application.

Advice Note:

Where additional private connections are to be installed to service this development, such work is to be carried out under a Building Consent.

Recharge pits

11. A residential recharge design and pit maintenance guide shall be created by the consent holder and that guide shall be attached to the consent notice for each lot. This guide shall also include standard detail drawings for recharge pit with recommendations in terms of impervious area discharge before overflow to the public stormwater reticulation system.

A producer statement 1 (PS1) and geotechnical recommendation memo shall be included as part of the consent notice for each stage due to specific design of recharge pit.

Operation and Maintenance Manual for the Public Stormwater Management Devices

12. The consent holder shall engage a suitably qualified and experienced engineering professional who 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 be submitted to the Council's Team Leader Regulatory Engineering South 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 catch pits, recharge pits and outfalls
 - a programme for inspection and maintenance of vegetation, if any, associated with the stormwater devices.
 - recommended on-going control methodology to eradicate established pests and invasive weeds from both terrestrial and aquatic areas

Flood and Overland Flow Path Report

13. Prior to the application for the Section 224(c) certificate, the consent holder shall provide a Stormwater Report prepared by an appropriately qualified engineer to the satisfaction of the Team Leader Regulatory Engineering South identifying:

- a. The 1% AEP flood level for the site and the surrounding road reserves;
- b. A layout plan of the overland flow paths for the site and the adjacent land along the boundary in accordance with the approved Engineering Plan Approval before Section 223 approval;
- c. The overland flow path plan shall include 'as-built' cross sections of all roads including the ponding areas with levels before overtopping;
- d. 'As-built' longitudinal plan and cross sections for shall be provided for overland flow path locations;
- e. The minimum floor level of all habitable buildings must be at least 150mm for flows below 2m³ per second and 100 mm deep and where flows exceed this, the minimum floor level of habitable buildings must be increased to at least 500mm. This may be enforced through a consent notice on the property unless the building consents have already been issued;
- f. No buildings, structures or other obstructions are to be erected in the overland flow paths without prior written permission from the Council; and
- g. Where either existing or proposed overland flow paths cross lot boundaries, the consent holder is to provide the Council with plans to accompany easement(s) to be registered in favour of the Council. Any easement documentation is to be prepared by the consent holder's lawyers to the satisfaction of the Council's solicitors. All costs are to be at the consent holder's expense. The terms of these easements must prevent buildings, structures or other obstructions being erected in the overland flow path, and must require the land owner to maintain, weed and clean the overland flow paths to ensure an unobstructed flow of stormwater.

Advice Note:

The intention of the easement(s) is for the consent holder to provide finished contours that will enable OLFPs to be contained in the roads. However, this is not always possible and cannot be confirmed until site works are complete and surveyed.

Upgrading of Existing Constable Road

14. Prior to lodgement of the Section 224(c) certification for Stage 1 the consent holder shall upgrade the frontage for Constable Road to an urban road standard. The upgrade to Constable Road shall include the following elements, plus any additional specifications as required by the approved Engineering Plan Approval plans:
 - a) Footpaths shall achieve 1.8m width along the development side of the road to the western end of the school carpark unless a different start point is agreed;
 - b) A kerb and channel on the development side of the road;
 - c) Upgrade of the full carriageway of Constable Road to 6m seal width plus provision for right turn bays as per the conditions of this consent;
 - d) Undergrounding of all services;
 - e) Road side stormwater upgrading;
 - f) Street lighting;

- g) Street trees;
- h) Signage and road markings.

Roads and Traffic Conditions

- 15. All proposed roads (including upgrading to Constable Road) and ancillary facilities such as street lighting and traffic calm devices if any, marking, street signs, and street furniture to be vested in Council shall be constructed in accordance with the approved Engineering Plans to the satisfaction of the Team Leader Regulatory Engineering South.
- 16. An Engineering Completion Certificate certifying that all proposed roads and the ancillary structures on the roads to be vested in Auckland Council have been constructed in accordance with the approved Engineering Plans shall be provided in support of the Section 224(c) certificate application.
- 17. All Road Assessment and Maintenance Management (RAMM) 'as-built' plans and data for the new roads shall be provided with the Section 224(c) certificate application. This shall be inclusive of kerb lines, cesspits, footpaths, intersection control devices, pavement marking, street lighting, street furniture, street names, directional signs and landscaping etc.
- 18. A report from an appropriately qualified and registered electrician shall be supplied with the Section 224(c) certificate application. The report shall certify that all street lights have complied with the relevant safety standards and that they are connected to the network and are operational.

Road Safety Audits

- 19. The consent holder shall carry out a safety audit of the roads and intersections 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 Team Leader Regulatory Engineering South prior to the lodgement of an application for the certificate pursuant to Section 224(c) of the RMA. Any recommendations raised in the audit report shall be implemented to the satisfaction of Auckland Transport.

Street Lighting

- 20. The consent holder shall design and install street lighting in accordance with the Auckland Transport Code of Practice (ATCOP) Chapter 19 requirements.
- 21. The consent holder shall provide the following information before street lights are installed:
 - a. Street lighting drawings and plans which must be approved by the Council's Manager Regulatory Engineering South; and
 - b. A certificate from a qualified and licensed electrician confirming that the proposed street lighting complies with the relevant safety standards *AS/NZS 1158 and NZS6701*.

Installation of Signage and Road Markings

- 22. The consent holder shall install all street signs (in accordance with the street names approved by a Resolution of the Franklin Local Board), road signs and road markings [New Zealand Transport Agency's (NZTA) Traffic Control Devices (TCD) Manual which includes the Manual of Traffic Signs and Markings (MOTSAM)], associated with the road development to the

satisfaction of Team Leader Regulatory Engineering South and in accordance with the street signage standards for public roads.

Advice Note:

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

Approval of Traffic Control Committee

23. The consent holder is required to submit a resolution report for approval by the Auckland Transport Traffic Control Committee to legalise all new and proposed changes to road markings, signage and traffic control devices. A copy of the resolution by the Traffic Control Committee must be submitted with the application for the certificate pursuant to Section 224(c) of the RMA. The consent holder is to engage an Auckland Transport nominated contractor to carry out consultation with the affected landowners (if any) and to prepare the resolution report for the Traffic Control Committee (TCC) approval in order to legalise the proposed changes at the cost of the consent holder.

Advice Note:

Any permanent traffic and parking changes within the road reserve (e.g., installation of NSAAT restrictions) as a result of the development will require Traffic Control Committee (TCC) resolutions. The resolutions, prepared by a qualified traffic engineer, will need to be approved by AT Traffic Control Committee so that the changes to the road reserve can be legally implemented and enforced. The resolution process may require public consultation to be undertaken in accordance with Auckland Transport's standard procedures. It is the responsibility of the consent holder to prepare and submit a permanent Traffic and Parking Changes report to Auckland Transport Traffic Control Committee for review and approval.

Vehicle Crossings and Driveways

24. The vehicle crossings for all lots shall be shown on the engineering plans. The vehicle crossing for such lots that are restricted by the position of other structures in the road reserve shall be constructed in-accordance to Auckland Transport Code of Practice Standards (GD017A-Residential Vehicle Crossing). Vehicle crossings serving the common accessway shall be constructed to Auckland Transport's commercial vehicle crossing standard (GD019A – General business Vehicle Crossing). The berm shall be re-installed to Council's 'Code of Practice for Working in the Road' (<https://at.govt.nz/about-us/working-on-the-road/>).

The driveways and manoeuvring areas shall be constructed, with stormwater control, in compliance with Council's current Auckland Council Engineering Standards, prior to the issue of Section 224(c) certificate.

Advice Note:

A vehicle crossing permit is required to be obtained from Auckland Transport prior to the construction of the vehicle crossing on existing public roads. See Auckland Transport's website <https://at.govt.nz/about-us/working-on-the-road/vehicle-crossing-application/> for more information.

Private Way

25. The private way, Lot 100, shall be formed, paved and drained to the Council's current Local Engineering Standards, including the provision of stormwater catch pits and/or slot drains, within the boundaries of the common area and when necessary the provision of kerbing or other mechanism to prevent water flowing on to other property including footpaths. Separate Certification shall be required from a Chartered Professional Engineer with the Section 224(c) certification application confirming the construction and stormwater runoff from the common accessway is in accordance with the Council's current Local Engineering Standards.

Maintenance of Work

26. The roads, footpaths, drainage systems, street lighting, landscaping and planting, shall be maintained to the standard required by this consent and subsequent approvals to the satisfaction of the Team Leader Regulatory Engineering South for the following periods after the Section 224(c) certificate has been issued by the Council:
- a. 6 months for all roads, footpaths, drainage systems, water supply reticulation and street lighting; and
 - b. 24 months for all street trees, landscaping (including Mowing) and reserves.

Any faults, defects or damage to any of these works must be remedied at the consent holder's cost.

A bond ('maintenance bond') will need to be provided by the Consent Holder to ensure compliance with this condition. The bond will not be released until the consent holder provides evidence to the satisfaction of the Council that these requirements have been met.

Landscaping

27. Prior to the issue of the Section 224(c) certificate the street landscaping shall be implemented in accordance with the approved plans and to the following specifications to the satisfaction of the Parks Planning Team Leader as follows:
- a. Good quality topsoil, free of stones and clay lumps, shall be retained from the site for use on the street and reserve to vest. All grassed and planted areas shall be developed and completed with a minimum topsoil depth of 100mm and 400mm respectively;
 - b. If the subsoil below the required depth (300mm) is hard and compacted, it shall be ripped;
 - c. All areas of the street and reserve to vest that have been grassed shall have a 90 percent strike rate, in a mowable condition, and be weed and rubbish free.
 - d. The street shall be cleared of any construction material, rubbish and surplus soil, and shall be maintained in a neat and tidy condition.

- e. Should site factors preclude compliance with any of these conditions, the Parks Planner must be advised in writing as soon as practicable and, in any case, prior to planting, and an alternative soil improvement methodology proposed to the satisfaction of the Parks Planner.
 - f. Grassing shall only be undertaken when the weather is suitable i.e. mild, dull and moist, and when the ground is moist and workable. Where delays occur in the agreed programme which prevents areas being planted, the consent holder shall inform the Parks Planner immediately.
28. Prior to the issue of the Section 224(c) certificate, the consent holder shall undertake and complete the works in accordance with the approved landscape plans and the relevant Auckland Council Code of Practice or Specification at its sole cost, to the satisfaction of the Parks Planning Team Leader.

Road to Vest

29. The proposed road shown as Lot 200 on the plan of proposed subdivision shall vest in the council as public road. The consent holder shall meet all costs associated with the vesting of the road.

Geotechnical Completion Report

30. A Geotechnical Completion Report by a suitably qualified and Registered Engineer shall be provided to Council with the Section 224(c) certificate application in accordance with the "Auckland Council Code of Practice for Land Development and Subdivision Section 2.6". 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 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 the Land for building construction.

Advice Note:

The findings of this Geotechnical Completion Report may necessitate the requirement for a consent notice on the residential lots in respect to future development of a dwelling.

Geotechnical

31. All works on the site are to be carried out in accordance with the requirements of the geotechnical report provided with the application and the separately approved earthworks consent. Certification by an appropriately qualified engineering professional responsible for supervising the works shall be provided to the Team Leader Regulatory Engineering South, confirming that the works have been completed in accordance with the approved plans prior to lodgement of the Section 224(c) certificate application. The written certification is to be in the form of a Geotechnical Completion Report, producer statement or any other form acceptable to the Council and is to cover the following (as a minimum).
- a. That the works were undertaken in accordance with NZS4431:1989 Code of Practice for Earth Fill for Residential Subdivisions;
 - b. The suitability of the filled ground and the original unfilled ground for the erection of buildings not requiring specific design under NZS3604:1999;

- c. Recommendations for each lot, confirming adequate factors of safety, and as-built records of earthworks and drainage;
- d. The extent to which settlement of the site is expected and its impact on future construction;
- e. A statement of professional opinion as to the suitability of the site for residential development;
- f. Any related matters identified in other conditions of this consent.

Recharge Pits – Consent Notice

32. The Stormwater (detention tank and soakage/recharge pit) system manual as required by Condition 11, identifying the design requirement of the private drainage system of the dwelling/lot(s). The owner(s) and all future owners of the lot(s) will be responsible for the maintenance of the soakage/recharge pit system at all times to the satisfaction of the Team Leader Compliance Monitoring South at the consent holder's expense.

This condition shall be complied with on a continuing basis and shall be registered as a consent notice in accordance with Section 221 of the RMA on the Computer Freehold Register of the respective lots at no cost to the Council. This requirement will also be recorded on Council's Property Characteristics Register.

Geotechnical – Consent Notice

33. For any residential lots for which the Geotechnical Completion Report recommends specific engineering investigation and design, the development of such lots shall be undertaken in terms of the recommendations in that report.

This condition shall be complied with on a continuing basis and shall be registered as a consent notice in accordance with Section 221 of the RMA on the Computer Freehold Register of the respective lots at no cost to the Council. This requirement will also be recorded on Council's Property Characteristics Register.

Minimum Floor Level – Consent Notice

34. The consent holder shall provide a table of floor levels for the development of each lot against the stormwater connection, wastewater connection, sea level rise, overland flow paths and any other feature that will impact on the habitable floor level for each house site

All levels are to be in terms of the Lands & Survey Auckland Datum, 1946 and in accordance with the approved plans for this consent.

The above information (floor levels and benchmarks) shall be shown on a survey plan certified by a registered surveyor, which will be attached on the consent notice for such lots as applicable.

This condition shall be complied with on a continuing basis and shall be registered as a consent notice in accordance with Section 221 of the Resource Management Act 1991 on the Computer Freehold Register (Certificate of Title) of the respective lots at no cost to the Council. This requirement will also be recorded on Council's Property Characteristics Register.

Construction of Vehicle Crossings – Consent Notice

35. The consent holder shall register a consent notice in accordance with Section 221 of the RMA on the Computer of all lots that have not had the vehicle crossing constructed as part of this consent detailing the construction standards for the crossing and shall attach such plans as necessary to detail the construction works at no cost to the Council. This requirement shall be complied with on a continuing basis. This requirement will also be recorded on Council's Property Characteristics Register.

Infrastructure Maintenance Bond

36. The Consent holder shall enter an infrastructure bond, prepared by Council, to the value of 150% of 2.5% of the total construction value of the works under maintenance to the Council. Any costs incurred by the Council in preparing, checking, assessing and release of this bond shall be met by the consent holder.
37. The bond shall not be released until the consent holder provides evidence to the satisfaction of the Council that all assets that will vest in Council as required by this consent have been maintained to the standards required by this consent.
38. To assist in confirming that the drainage system has been maintained to the appropriate standard, the consent holder shall:
- a. complete a video inspection of the stormwater pipelines within a month of the request for release of the bond; and
 - b. provide the Council with the video inspection reports and inspection video files for approval.
39. To assist in confirming that the road remains of adequate strength and quality as required by conditions of this consent and subsequent engineering approvals, the consent holder shall, if requested by Team Leader Regulatory Engineering South:
- a. complete Benklemen beam testing of the road within a month of the request for release of the bond; and
 - b. provide the test results and report to the Council for approval.
40. If the consent holder fails to maintain the assets, as defined in the maintenance conditions, in the condition and as required by this consent, the Council may undertake the works necessary to bring the assets up to the standard required by this consent and the cost of this work may be deducted from the bond. The cost of maintenance of any replacement works for the:
- a. 6 months for all roads, footpaths, drainage systems, water supply reticulation and street lighting; and
 - b. 24 months for all street trees, landscaping (including Mowing) and reserves;
- will also be deducted from the bond.

Landscaping Maintenance Bonds

41. Prior to the issue of the 224(c) certificate, the consent holder shall provide the Council a refundable bond in respect of the maintenance of the landscaping works required by the conditions of this consent. The maintenance bond will be held for a period of two years from the

issues of a practical completion certificate. The amount of the bond will be 1.5 x the contracted rate for maintenance and shall be agreed in consultation with the Parks Planning Team Leader.

42. Any costs incurred by the Council in preparing, checking, assessing and releasing the Infrastructure and Landscaping Maintenance Bonds shall be met by the consent holder.

Post Development Conditions

Easements

43. The easement for 'Rights of Way, Right to Convey Water, Telecommunication Gas, Computer Media and Electricity over area "A" shall be shown on the plan in a memorandum of easements. The easement shall be duly granted or reserved.
44. Lot 100 (common access lot) hereon shall be held as to one undivided one fifth share by the owners of each of the Lots 9-13 hereon as tenants in common on the said shares and that individual Computer Freehold Registers be issued in accordance herewith.

Survey Plan Approval (s223) Conditions

45. The consent holder shall submit a survey plan in accordance with the approved resource consent subdivision plan. The survey plan shall show roads and reserves to vest and any easements required by this subdivision consent.
46. The consent holder shall notify the Council when the survey plan is lodged with Landonline for approval under Section 223 of the RMA. The plan will be approved if it is in accordance with this consent.

Section 224(c) Compliance Conditions

47. The application for a certificate under Section 224(c) of the RMA shall be accompanied by certification from a professionally qualified surveyor or engineer that all the conditions of subdivision consent have been complied with. The certificate under Section 224(c) of the RMA will be issued when the Council is satisfied that all the conditions of consent have been complied with.

Stage 2, Subdivision of Lot 300 (Stage 1) to Create Lots 20-36, 40, 41 and Lot 400 (Road to Vest)

Activity according to Plans

48. The subdivision activity shall be carried out in accordance with the documents and drawings and all supporting additional information submitted with the application, detailed below, and all referenced by the council as resource consent number SUB60237908
 - Application Form and Assessment of Environmental Effects prepared by Tripp Andrews Surveyors Ltd, dated 23 March 2017

Report title and reference	Author	Rev	Dated
Resource Consent Application, 45 Constable Road, Waiuku	Tripp Andrews Surveyors Ltd		23/03/2017

Drawing title and reference	Author	Rev	Dated
Lots 20-36, 40, 41 & 400 Being a Subdivision of Lot 300 (Stage 1) (45 Constable Road, Waiuku), 1 of 1	Tripp Andrews Surveyors Ltd		23/04/2019
Development Layout Plan Stage 1 – 2, 2_C110	Crang Civil	A	16/04/2019
Scheme Plan, 2_C150	Crang Civil	A	16/04/2019
Roading Plan, 2_C300	Crang Civil	A	16/04/2019
Roading Longsections, 2_C310	Crang Civil	A	16/04/2019
Road 2 (15m Wide) Typical Cross Sections, 2_C320	Crang Civil	A	16/04/2019
Road Marking Plan, 2_C330	Crang Civil	A	16/04/2019
10.3m Truck Tracking Plan, 2_C350	Crang Civil	A	16/04/2019
Drainage Plan, 2_C400	Crang Civil	A	16/04/2019
Stormwater Longsections Sheet 1, 2_C401	Crang Civil	A	16/04/2019
Wastewater Longsections Sheet 1, 1_C402	Crang Civil	A	16/04/2019
Rain Garden Details, 2_C430	Crang Civil	A	16/04/2019
Rain Garden Catchment Plan, 2-C440	Crang Civil	A	16/04/2019
Water Supply Plan, 2_C600	Crang Civil	A	16/04/2019
Street Trees Plan, 2_C700	Crang Civil	A	16/04/2019
Services Plan, 2_C800	Crang Civil	A	16/04/2019

Lapsing of consent

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

Predevelopment Conditions

Pre-start Meeting

50. Prior to the commencement of the construction and earthworks activities, the consent holder shall hold a pre-start meeting that:
- i. is located on the subject site.
 - ii. is scheduled not less than 5 days before the anticipated commencement of the construction and earthworks activities.
 - iii. includes, Regulatory Engineering South, Compliance Monitoring South and such

other team representatives as Compliance Monitoring South may deem necessary by the conditions of this consent.

- iv. includes representation from the contractors who will undertake the works and any suitably qualified professionals if required by other conditions e.g. the appointed Arborist
- v. Developer's representative

The meeting shall discuss the traffic management plan and shall ensure all relevant parties are aware of and familiar with the necessary conditions of this consent.

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

- (i) Resource consent conditions;
- (ii) Timeframes for key stages of the works authorised under this consent;
- (iii) Traffic Management Plan;
- (iv) Construction Management Plan;
- (v) Landscape Plan;
- (vi) Tree protection conditions/requirements

Advice Note:

To arrange the pre-start meeting, required by condition above, please contact the Council's Regulatory Engineering South (email development.engineeringsouth@aucklandcouncil.govt.nz)

The conditions of consent will be discussed at this meeting. All information required by the council and listed in that condition should be provided 2 days prior to the meeting.

Traffic Management Plan

51. Prior to the commencement of the construction activity on the subject site, a finalised Traffic Management Plan (TMP) shall be submitted to the Team Leader Compliance Monitoring South for approval, The TMP shall address the control of the movement of vehicles to and from the site No construction on the subject site shall commence until confirmation is provided from the Council that the TMP satisfactorily meets the requirements of this consent and any required measures referred to in that plan have been put in place.

Advice Note:

It is the responsibility of the applicant to seek approval for the Traffic Management Plan from Auckland Transport. Please contact Auckland Transport on (09) 355 3553 and review www.beforeudig.co.nz before you begin works.

The Traffic Management Plan should contain sufficient detail to address the following matters:

- a. *measures to ensure the safe and efficient movement of the travelling public (pedestrians, vehicle occupants, local residents etc.),*
- b. *restrict hours of vehicle movements to protect amenity of surrounding environment during earthworks phase etc]*

Approved Traffic Management Plan

52. All vehicle movements to and from the site and associated with the construction activity shall be in accordance with the approved Traffic Management Plan

Engineering Plan Approval (EPA)

53. Prior to the commencement of any works related to or on site, or prior to lodgment of the survey plan pursuant to Section 223 of the RMA, the consent holder shall submit two hard copies and one PDF/CD version of complete engineering plans (including engineering calculations and specifications) to the Team Leader Regulatory Engineering South for approval. Details of the Chartered Professional Engineer who will act as the consent holder's representative for the duration of the development shall also be provided with the application for Engineering Plan Approval.

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

- Design and details of any retaining walls in the road reserve.
- Design detail including pipe sizing, cross sections and long sections for stormwater infrastructure providing each lot with a public stormwater connection. Public stormwater reticulation, including manholes and pipes, should be located within the berm. However, the final location shall be confirmed in consultation with other service providers, Auckland Transport and Auckland Council's Development Engineer.
- 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.
- Detailed design of all roads to be vested in the Council including intersections, parking, vehicle crossings, pedestrian crossings, cycle paths, Rural path and footpaths. In particular, compound corners shall be adopted throughout the development. All roads shall be designed in accordance with Auckland Transport's Code of Practice (ATCOP).
- Construction of on road bus stops and the concrete approach apron for them in positions to be defined during the engineering plan approval process to support the future bus route(s)
- Detailed design of all street lighting, street furniture and other structures/facilities on the roads to be vested in Auckland Transport (including traffic calming devices, tree pits, raingardens and safety measurements, marking and street signs etc.) shall be designed in accordance with Auckland Transport's Code of Practice (ATCOP).
- Visibility assessment of all proposed roads; in particular the visibility at intersections and forward visibility around bends must be designed in accordance with Auckland Transport's Code of Practice (ATCOP).
- Pavement and surfacing for all proposed roads, speed calming provisions, parking areas, footpaths and pedestrian crossing points must be designed in accordance with Auckland Transport's Code of Practice (ATCOP).
- Visitor parking on Roads, and any associated changes to carriageway width, to be confirmed in consultation with Auckland Transport.

- Detailed Landscape Planting Plans for all street planting and landscaping on the proposed roads and reserves, including a maintenance programme until the planting is confirmed as established.
- Detailed design of the water and wastewater system including provision for the servicing the contributing development upstream catchment. The systems shall be designed in accordance with the Council's Code of Practice for Land Development and Subdivision: Watercare section; in particular:
 - Upgrade of the water main in Constable Rd to 180mm diameter PE
- Detailed design of the stormwater system and devices for the management of both quantity and quality of the stormwater runoff from the contributing development upstream catchment (including treatment devices and all ancillary equipment/structure etc.). The stormwater system and devices shall be designed in accordance with the Council's Code of Practice for Land Development and Subdivision: Chapter 4 - Stormwater; in particular:
 - Pipes appropriately sized to accommodate 10% AEP flows – relevant calculations to be provided.
 - The proposed stormwater system shall be designed to identify health and safety risks for the public, operating personnel, contractor and Council employees.
 - The proposed stormwater system shall have an asset life of a minimum of 100 years.
 - Principles of Water-Sensitive Design and “Best Management Practices” to minimise stormwater run-off volumes and peak flow rates and to improve the quality of stormwater run-off entering the receiving environment shall be utilised for the design of the proposed stormwater system.
 - The system shall cater for stormwater run-off from the site being developed together with any run-off from upstream catchments in accordance with TP108 (Guidelines for Stormwater Runoff Modelling in the Auckland Region 1999) and allowances for climate changes. The upstream catchment shall be considered for the Maximum Probable Development scenario (full development to the extent defined in the Proposed Auckland Unitary Plan).
 - Mitigation measures (e.g. peak flow attenuations and/or velocity control) to mitigate the downstream effects shall be taken into account during the design of the stormwater system
- Details design of all raingardens including:
 - Treatment catchment plans and associated calculations showing catchment area, raingarden sizing and raingarden spacing to demonstrate individual raingardens will not be overloaded.
 - Plan and long sections of connected underdrains at the kerb, in reference to the road profile and other services within the berm.
 - Where a raingarden adjoins a road or footpath, the raingarden wall must be set behind a standard kerb.

- Details of the stormwater discharge outlets including engineered erosion protection measures designed in accordance with Council's Technical Publication Number 10 (TP10).
- Details of fire hydrants to be installed. Any fire hydrants shall be designed in accordance with the Council's Water and Wastewater Code of Practice for Land Development and Subdivision.
- Details confirming that the maximum depth and velocity of overland flows in roads are to be 200mm and 0.6m/s respectively.
- Information relating to electrical and/or telecommunication reticulation including ancillary equipment.

As part of the application for Engineering Plan Approval, a registered engineer shall:

- Certify that all public roads and associated structures/facilities or access ways have been designed in accordance with the Auckland Transport's Code of Practice (ATCOP).
- Certify that the proposed stormwater system or devices proposed have been designed in accordance with the Council's Code of Practice for Land Development and Subdivision: Chapter 4 - Stormwater.
- Provide a statement that the proposed infrastructure has been designed for 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.

Advice Note:

If the Engineering Plan Application (EPA) drawings require any permanent traffic and parking restrictions e.g. broken yellow lines, then the development will require Traffic Control Committee (TCC) resolutions from Auckland Transport. The consent holder is expected to prepare and submit a resolution report to Traffic Control Committee for this.

The engineering plan application forms including fees can be found at the following Auckland Council website:

<https://www.aucklandcouncil.govt.nz/building-and-consents/engineering-approvals/Pages/default.aspx>

Overland Flow Paths

54. Prior to commencement of any works on the site, the consent holder shall design the overland flow paths within the development to the satisfaction of the Team Leader Regulatory Engineering South and in accordance with the following requirements:
- a. The overland flow paths and ponding areas must be able to cope with flows in terms of the Auckland Council's Code of Practice for Land Development and Subdivision.
 - b. The contours surrounding the flow paths must be designed and constructed to channel the excess flow into the overland flow paths; and
 - c. The overland flow paths, where possible, must be located on roads and access ways

Development in Progress Conditions

Public Stormwater System

55. An Engineering Completion Certificate certifying that all public stormwater pipes and individual lot stormwater connections have been constructed in accordance with the approved Engineering Plan shall be provided in support of the Section 224(c) certificate application.

Advice Note:

'As-built' documentation for all assets to be vested in the Council required by these conditions shall be in accordance with the current version of the Council's 'Development Engineering As-built Requirement' (currently Version 1.2). A valuation schedule for all asset to be vested in the Council are to be included as part of the as-built documentation. (<https://www.aucklandcouncil.govt.nz/building-and-consents/engineering-approvals/Documents/engineering-as-built-requirements.pdf>)

Water and Wastewater Connections

56. A Certificate of Acceptance from Watercare for completion of Water and Wastewater reticulations shall be provided in support of the Section 224(c) certificate application for the approved consent. No buildings in the development are to be occupied until confirmation has been provided to the Council.

Network Utility Services

57. Individual private connection to the underground reticulation of electricity and telecommunication services (if the telecommunication services require underground reticulation) to the boundary of each 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 the Council's Team Leader Regulatory Engineering South as part of the Section 224(c) application.

Advice Note:

Where additional private connections are to be installed to service this development, such work is to be carried out under a Building Consent.

Recharge pits

58. A residential recharge design and pit maintenance guide shall be created by the consent holder and that guide shall be attached to the consent notice for each lot. This guide shall also include standard detail drawings for recharge pit with recommendations in terms of impervious area discharge before overflow to the public stormwater reticulation system.

A producer statement 1 (PS1) and geotechnical recommendation memo shall be included as part of the consent notice for each stage due to specific design of recharge pit.

Operation and Maintenance Manual for the Public Stormwater Management Devices

59. The consent holder shall engage a suitably qualified and experienced engineering professional who 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

be submitted to the Council's Team Leader Regulatory Engineering South 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 catch pits, recharge pits and outfalls
- a programme for inspection and maintenance of vegetation, if any, associated with the stormwater devices.
- recommended on-going control methodology to eradicate established pests and invasive weeds from both terrestrial and aquatic areas

Flood and Overland Flow Path Report

60. Prior to the application for the Section 224(c) certificate, the consent holder shall provide a Stormwater Report prepared by an appropriately qualified engineer to the satisfaction of the Team Leader Regulatory Engineering South identifying:
- a. The 1% AEP flood level for the site and the surrounding road reserves;
 - b. A layout plan of the overland flow paths for the site and the adjacent land along the boundary in accordance with the approved Engineering Plan Approval before Section 223 approval;
 - c. The overland flow path plan shall include 'as-built' cross sections of all roads including the ponding areas with levels before overtopping;
 - d. 'As-built' longitudinal plan and cross sections for shall be provided for overland flow path locations;
 - e. The minimum floor level of all habitable buildings must be at least 150mm for flows below 2m³ per second and 100 mm deep and where flows exceed this, the minimum floor level of habitable buildings must be increased to at least 500mm. This may be enforced through a consent notice on the property unless the building consents have already been issued;
 - f. No buildings, structures or other obstructions are to be erected in the overland flow paths without prior written permission from the Council; and
 - g. Where either existing or proposed overland flow paths cross lot boundaries, the consent holder is to provide the Council with plans to accompany easement(s) to be registered in favour of the Council. Any easement documentation is to be prepared by the consent holder's lawyers to the satisfaction of the Council's solicitors. All costs are to be at the consent holder's expense. The terms of these easements must prevent buildings, structures or other obstructions being erected in the overland flow path, and must require the land

owner to maintain, weed and clean the overland flow paths to ensure an unobstructed flow of stormwater.

Advice Note:

The intention of the easement(s) is for the consent holder to provide finished contours that will enable OLFPs to be contained in the roads. However, this is not always possible and cannot be confirmed until site works are complete and surveyed.

Roads and Traffic Conditions

61. All proposed roads and ancillary facilities such as street lighting and traffic calm devices if any, marking, street signs, and street furniture to be vested in Council shall be constructed in accordance with the approved Engineering Plans to the satisfaction of the Team Leader Regulatory Engineering South.
62. An Engineering Completion Certificate certifying that all proposed roads and the ancillary structures on the roads to be vested in Auckland Council have been constructed in accordance with the approved Engineering Plans shall be provided in support of the Section 224(c) certificate application.
63. All Road Assessment and Maintenance Management (RAMM) 'as-built' plans and data for the new roads shall be provided with the Section 224(c) certificate application. This shall be inclusive of kerb lines, cesspits, footpaths, intersection control devices, pavement marking, street lighting, street furniture, street names, directional signs and landscaping etc.
64. A report from an appropriately qualified and registered electrician shall be supplied with the Section 224(c) certificate application. The report shall certify that all street lights have complied with the relevant safety standards and that they are connected to the network and are operational.

Road Safety Audits

65. The consent holder shall carry out a safety audit of the roads and intersections 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 Team Leader Regulatory Engineering South prior to the lodgement of an application for the certificate pursuant to Section 224(c) of the RMA. Any recommendations raised in the audit report shall be implemented to the satisfaction of Auckland Transport.

Street Lighting

66. The consent holder shall design and install street lighting in accordance with the Auckland Transport Code of Practice (ATCOP) Chapter 19 requirements.
67. The consent holder shall provide the following information before street lights are installed:
 - a. Street lighting drawings and plans which must be approved by the Council's Manager Regulatory Engineering South; and
 - b. A certificate from a qualified and licensed electrician confirming that the proposed street lighting complies with the relevant safety standards *AS/NZS 1158 and NZS6701*.

Installation of Signage and Road Markings

68. The consent holder shall install all street signs (in accordance with the street names approved by a Resolution of the Franklin Local Board), road signs and road markings [New Zealand Transport Agency's (NZTA) Traffic Control Devices (TCD) Manual which includes the Manual of Traffic Signs and Markings (MOTSAM)], associated with the road development to the satisfaction of Team Leader Regulatory Engineering South and in accordance with the street signage standards for public roads.

Advice Note:

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

Approval of Traffic Control Committee

69. The consent holder is required to submit a resolution report for approval by the Auckland Transport Traffic Control Committee to legalise all new and proposed changes to road markings, signage and traffic control devices. A copy of the resolution by the Traffic Control Committee must be submitted with the application for the certificate pursuant to Section 224(c) of the RMA. The consent holder is to engage an Auckland Transport nominated contractor to carry out consultation with the affected landowners (if any) and to prepare the resolution report for the Traffic Control Committee (TCC) approval in order to legalise the proposed changes at the cost of the consent holder.

Advice Note:

Any permanent traffic and parking changes within the road reserve (e.g., installation of NSAAT restrictions) as a result of the development will require Traffic Control Committee (TCC) resolutions. The resolutions, prepared by a qualified traffic engineer, will need to be approved by AT Traffic Control Committee so that the changes to the road reserve can be legally implemented and enforced. The resolution process may require public consultation to be undertaken in accordance with Auckland Transport's standard procedures. It is the responsibility of the consent holder to prepare and submit a permanent Traffic and Parking Changes report to Auckland Transport Traffic Control Committee for review and approval.

Vehicle Crossings and Driveways

70. The vehicle crossings for all lots shall be shown on the engineering plans. The vehicle crossing for such lots that are restricted by the position of other structures in the road reserve shall be constructed in-accordance to Auckland Transport Code of Practice Standards (GD017A-Residential Vehicle Crossing). Vehicle crossings serving the common accessway shall be constructed to Auckland Transport's commercial vehicle crossing standard (GD019A – General

business Vehicle Crossing). The berm shall be re-installed to Council' 'Code of Practice for Working in the Road' (<https://at.govt.nz/about-us/working-on-the-road/>).

The driveways and manoeuvring areas shall be constructed, with stormwater control, in compliance with Council's current Auckland Council Engineering Standards, prior to the issue of Section 224(c) certificate.

Advice Note:

A vehicle crossing permit is required to be obtained from Auckland Transport prior to the construction of the vehicle crossing on existing public roads. See Auckland Transport's website <https://at.govt.nz/about-us/working-on-the-road/vehicle-crossing-application/> for more information.

Maintenance of Work

71. The roads, footpaths, drainage systems, street lighting, landscaping and planting, shall be maintained to the standard required by this consent and subsequent approvals to the satisfaction of the Team Leader Regulatory Engineering South for the following periods after the Section 224(c) certificate has been issued by the Council:
- a. 6 months for all roads, footpaths, drainage systems, water supply reticulation and street lighting; and
 - b. 24 months for all street trees, landscaping (including Mowing) and reserves.

Any faults, defects or damage to any of these works must be remedied at the consent holder's cost.

A bond ('maintenance bond') will need to be provided by the Consent Holder to ensure compliance with this condition. The bond will not be released until the consent holder provides evidence to the satisfaction of the Council that these requirements have been met.

Landscaping

72. Prior to the issue of the Section 224(c) certificate the street landscaping shall be implemented in accordance with the approved plans and to the following specifications to the satisfaction of the Parks Planning Team Leader as follows:
- a. Good quality topsoil, free of stones and clay lumps, shall be retained from the site for use on the street and reserve to vest. All grassed and planted areas shall be developed and completed with a minimum topsoil depth of 100mm and 400mm respectively;
 - b. If the subsoil below the required depth (300mm) is hard and compacted, it shall be ripped;
 - c. All areas of the street and reserve to vest that have been grassed shall have a 90 percent strike rate, in a mowable condition, and be weed and rubbish free.
 - d. The street shall be cleared of any construction material, rubbish and surplus soil, and shall be maintained in a neat and tidy condition.
 - e. Should site factors preclude compliance with any of these conditions, the Parks Planner must be advised in writing as soon as practicable and, in any case, prior to planting, and an alternative soil improvement methodology proposed to the satisfaction of the Parks Planner.

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

73. Prior to the issue of the Section 224(c) certificate, the consent holder shall undertake and complete the works in accordance with the approved landscape plans and the relevant Auckland Council Code of Practice or Specification at its sole cost, to the satisfaction of the Parks Planning Team Leader.

Road to Vest

74. The proposed road shown as Lot 400 on the plan of proposed subdivision shall vest in the council as public road. The consent holder shall meet all costs associated with the vesting of the road.

Geotechnical Completion Report

75. A Geotechnical Completion Report by a suitably qualified and Registered Engineer shall be provided to Council with the Section 224(c) certificate application in accordance with the "Auckland Council Code of Practice for Land Development and Subdivision Section 2.6". 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 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 the Land for building construction.

Advice Note:

The findings of this Geotechnical Completion Report may necessitate the requirement for a consent notice on the residential lots in respect to future development of a dwelling.

Geotechnical

76. All works on the site are to be carried out in accordance with the requirements of the geotechnical report provided with the application and the separately approved earthworks consent. Certification by an appropriately qualified engineering professional responsible for supervising the works shall be provided to the Team Leader Regulatory Engineering South, confirming that the works have been completed in accordance with the approved plans prior to lodgement of the Section 224(c) certificate application. The written certification is to be in the form of a Geotechnical Completion Report, producer statement or any other form acceptable to the Council and is to cover the following (as a minimum).

- a. That the works were undertaken in accordance with NZS4431:1989 Code of Practice for Earth Fill for Residential Subdivisions;
- b. The suitability of the filled ground and the original unfilled ground for the erection of buildings not requiring specific design under NZS3604:1999;
- c. Recommendations for each lot, confirming adequate factors of safety, and as-built records of earthworks and drainage;
- d. The extent to which settlement of the site is expected and its impact on future construction;

- e. A statement of professional opinion as to the suitability of the site for residential development;
- f. Any related matters identified in other conditions of this consent.

Recharge Pits – Consent Notice

77. The Stormwater (detention tank and soakage/recharge pit) system manual as required by Condition 59, identifying the design requirement of the private drainage system of the dwelling/lot(s). The owner(s) and all future owners of the lot(s) will be responsible for the maintenance of the soakage/recharge pit system at all times to the satisfaction of the Team Leader Compliance Monitoring South at the consent holder's expense.

This condition shall be complied with on a continuing basis and shall be registered as a consent notice in accordance with Section 221 of the RMA on the Computer Freehold Register of the respective lots at no cost to the Council. This requirement will also be recorded on Council's Property Characteristics Register.

Geotechnical – Consent Notice

78. For any residential lots for which the Geotechnical Completion Report recommends specific engineering investigation and design, the development of such lots shall be undertaken in terms of the recommendations in that report.

This condition shall be complied with on a continuing basis and shall be registered as a consent notice in accordance with Section 221 of the RMA on the Computer Freehold Register of the respective lots at no cost to the Council. This requirement will also be recorded on Council's Property Characteristics Register.

Minimum Floor Level – Consent Notice

79. The consent holder shall provide a table of floor levels for the development of each lot against the stormwater connection, wastewater connection, sea level rise, overland flow paths and any other feature that will impact on the habitable floor level for each house site

All levels are to be in terms of the Lands & Survey Auckland Datum, 1946 and in accordance with the approved plans for this consent.

The above information (floor levels and benchmarks) shall be shown on a survey plan certified by a registered surveyor, which will be attached on the consent notice for such lots as applicable.

This condition shall be complied with on a continuing basis and shall be registered as a consent notice in accordance with Section 221 of the RMA on the Computer Freehold Register (Certificate of Title) of the respective lots at no cost to the Council. This requirement will also be recorded on Council's Property Characteristics Register.

Construction of Vehicle Crossings – Consent Notice

80. The consent holder shall register a consent notice in accordance with Section 221 of the RMA on the Computer of all lots that have not had the vehicle crossing constructed as part of this consent detailing the construction standards for the crossing and shall attach such plans as necessary to detail the construction works at no cost to the Council. This requirement shall be

complied with on a continuing basis. This requirement will also be recorded on Council's Property Characteristics Register.

Infrastructure Maintenance Bond

81. The Consent holder shall enter an infrastructure bond, prepared by Council, to the value of 150% of 2.5% of the total construction value of the works under maintenance to the Council. Any costs incurred by the Council in preparing, checking, assessing and release of this bond shall be met by the consent holder.
82. The bond shall not be released until the consent holder provides evidence to the satisfaction of the Council that all assets that will vest in Council as required by this consent have been maintained to the standards required by this consent.
83. To assist in confirming that the drainage system has been maintained to the appropriate standard, the consent holder shall:
 - a. complete a video inspection of the stormwater pipelines within a month of the request for release of the bond; and
 - b. provide the Council with the video inspection reports and inspection video files for approval.
84. To assist in confirming that the road remains of adequate strength and quality as required by conditions of this consent and subsequent engineering approvals, the consent holder shall, if requested by Team Leader Regulatory Engineering South:
 - a. complete Benklemen beam testing of the road within a month of the request for release of the bond; and
 - b. provide the test results and report to the Council for approval.
85. If the consent holder fails to maintain the assets, as defined in the maintenance conditions, in the condition and as required by this consent, the Council may undertake the works necessary to bring the assets up to the standard required by this consent and the cost of this work may be deducted from the bond. The cost of maintenance of any replacement works for the:
 - a. 6 months for all roads, footpaths, drainage systems, water supply reticulation and street lighting; and
 - b. 24 months for all street trees, landscaping (including Mowing) and reserves;will also be deducted from the bond.

Landscaping Maintenance Bonds

86. Prior to the issue of the 224(c) certificate, the consent holder shall provide the Council a refundable bond in respect of the maintenance of the landscaping works required by the conditions of this consent. The maintenance bond will be held for a period of two years from the issues of a practical completion certificate. The amount of the bond will be 1.5 x the contracted rate for maintenance and shall be agreed in consultation with the Parks Planning Team Leader.
87. Any costs incurred by the Council in preparing, checking, assessing and releasing the Infrastructure and Landscaping Maintenance Bonds shall be met by the consent holder.

Post Development Conditions

Survey Plan Approval (s223) Conditions

88. The consent holder shall submit a survey plan in accordance with the approved resource consent subdivision plan. The survey plan shall show roads and reserves to vest and any easements required by this subdivision consent.
89. The consent holder shall notify the Council when the survey plan is lodged with Landonline for approval under Section 223 of the RMA. The plan will be approved if it is in accordance with this consent.

Section 224(c) Compliance Conditions

90. The application for a certificate under Section 224(c) of the RMA shall be accompanied by certification from a professionally qualified surveyor or engineer that all the conditions of subdivision consent have been complied with. The certificate under Section 224(c) of the RMA will be issued when the Council is satisfied that all the conditions of consent have been complied with.

Advice notes

1. *Any reference to number of days within this decision refers to working days as defined in s2 of the RMA.*
2. *For more information on the resource consent process with Auckland Council see the council's website: www.aucklandcouncil.govt.nz. General information on resource consents, including making an application to vary or cancel consent conditions can be found on the Ministry for the Environment's website: www.mfe.govt.nz.*
3. *If you as the applicant disagree with any of the above conditions, or disagree with the additional charges relating to the processing of the application, you have a right of objection pursuant to sections 357A or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of your receipt of this decision (for s357A) or receipt of the council invoice (for s357B).*
4. *The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.*
5. *A vehicle crossing permit is required to be obtained from Auckland Transport prior to the commencement of the vehicle crossing works on existing public roads. See Auckland Transport's website <https://at.govt.nz/about-us/working-on-the-road/vehicle-crossing-application/> for more information.*

6. *The Stormwater, wastewater and supply of water will require engineering approval to be obtained from the council prior to applying for Building Consent. All Stormwater, wastewater and supply of water shall be constructed in accordance with Auckland Code of Practice for Land Development and Subdivision. See the council's website www.aucklandcouncil.govt.nz for more information on the engineering approval process, or call (09) 301 0101 and ask to speak to a Development Engineer from your local service centre.*
7. *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.

Delegated decision maker:

Name: Jane Masters

Title: Team Leader, Resource Consents

Signed:



Date:

23.5.19.