

Rhonda G. Evans Solicitor
PO Box 19-196
Avondale
AUCKLAND 1746



Applicant	Rhonda G. Evans Solicitor
LIM address	181 Gills Road Albany Heights 0632
Application number	8270017539
Customer Reference	10636
Date issued	11-May-2017
Legal Description	Lot 2 DP 50891
Certificates of title	NA2108/88

Disclaimer

This Land Information Memorandum (LIM) has been prepared for the applicant for the purpose of section 44A of the Local Government Official Information and Meetings Act 1987.

The LIM includes information which:

- Must be included pursuant to section 44A of the Local Government Official Information and Meetings Act 1987
- Council at its discretion considers should be included because it relates to land
- Is considered to be relevant and reliable

This LIM does not include other information:

- Held by council that is not required to be included
- Relating to the land which is unknown to the council
- Held by other organisations which also hold land information

Council has not carried out an inspection of the land and/or buildings for the purpose of preparing this LIM. Council records may not show illegal or unauthorised building or works on the land.

The applicant is solely responsible for ensuring that the land or any building on the land is suitable for a particular purpose and for sourcing other information held by the council or other bodies. In addition, the applicant should check the Certificate of Title as it might also contain obligations relating to the land.

The text and attachments of this document should be considered together.

This Land Information Memorandum is valid as at the date of issue only.

s44A(2)(a) Information identifying any special feature or characteristics of the land

This information should not be regarded as a full analysis of the site features of this land, as there may be features that the Council is unaware of. The applicant is solely responsible for ensuring that the land is suitable for a particular purpose including development.

Site Contamination

No land contamination data are available in Council's regulatory records.

Wind Zones

Wind Zone(s) for this property: Unknown or unassessed wind zone

The wind zones are based on wind speed data specific to all building sites as outlined in NZS 3604:2011. Other factors such as topographic classes, site exposure and ground roughness determine the actual wind bracing demands and bracing elements required for the building.

For further information refer to NZS 3604:2011 Section 5 — Bracing Design

Soil Issues

The Auckland Council is not aware of any soil issues in relation to this land. If any soil information/reports have been prepared in relation to this property, they will be available for viewing at an Auckland Council Service Centre or via the property file product services.

Watercourses

This site has a watercourse passing through or beside it, as shown on the attached public drainage and water services map. Watercourses are generally the responsibility of the occupier(s)/owner(s) of the land they pass through or alongside of.

Exposure Zones

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

This property is classified as: Unknown or Unassessed Corrosion Zone

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

s44A(2)(b) Information on private and public stormwater and sewerage drains

Information on private and public stormwater and sewerage drains is shown on the **underground services map** attached.

Note: Private drainage is the responsibility of the land owner up to and including the point of connection to the public sewer or drain.

s44(2)(ba) Information notified to Council by a drinking water supplier under Section 69ZH of the Health Act 1956

Prospective purchasers should be aware of other drinking water systems connected to this property. There may also be private drinking water supply systems such as rainwater tanks or private water bores. You are advised to clarify the drinking water supply with the current landowner.

No Information has been notified to Council.

s44A(2)(bb) Information Council holds regarding drinking water supply to the land

For metered water information, please contact **Watercare (09) 422 2222** for services provided to this property.

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


Billing Number/ Rate Account:	12340545867
Rates levied for the Year 2016/2017 :	\$6,884.62
Total rates to clear for the current year (including any arrears):	\$1,721.17

The rates figures are provided as at 8 a.m. 11/05/2017. It is strongly advised these are not used for settlement purposes.

Retrofit Your Home Programme

The Retrofit Your Home programme provides financial assistance, advice and information to householders wanting to create an improved home environment.

The scheme contributes to the achievement of the Air Quality National Environmental Standards encouraging the installation of clean heat and insulation in homes as well as supporting access to central government grants and subsidies. The programme offers homeowners a retrofit plan for their homes and financial assistance up to \$5000 repaid through a targeted rate.

 Auckland Council (09) 890 7898 if you require further information

 retrofit@aucklandcouncil.govt.nz

s44A(2)(d) Consents, Certificates, Notices, Orders or Requisitions affecting the land or any buildings on the land(da) the information required to be provided to a territorial authority under section 362T(2) of the Building Act 2004:s44A and (2)(e) Information concerning any Certificate issued by a Building Certifier pursuant to the Building Act 1991 or the Building Act 2004

Note: if the land is part of a cross lease title or unit title, consents and permits for the other flats or units may be included in this LIM. If the land has been subdivided there may be consents and permits included that relate to the original property.

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

Financial / development contributions

Financial and development contributions are relevant for recently subdivided land, vacant lots, new residential unit(s) or where there is further development of a site. If any financial or development contribution has not been paid, Council can recover outstanding amount(s) from a subsequent owner of the land.

Please note that financial contributions and development contributions may be paid in land, cash or a combination of these. The form of payment of contributions may be subject to negotiation but final discretion remains with the Council.

Resource Management

Planning

181 Gills Road Albany Heights 0632

Application No.	Description	Decision	Decision Date
R10580A	R10580A - To construct a carport which will infringe the side yard control.	Granted	05/01/1996

Subdivisions

181 Gills Road Albany Heights 0632

Application No.	Description	Decision	Decision Date
SA-3022732	Subdivision Consent Lots 1-11 & 100-103 being a proposed subdivision of Lot 2 DP 343027	Granted	13/08/2015

Engineering Approvals

There are **NO** Engineering approvals recorded.

If there are any conditions, then only that portion of the consent will be included in the attachments section. The applicant should satisfy themselves as to whether all conditions of resource consents for this property have been met.

Further Information

The Council may hold additional information for this property, for example concerning resource consents for discharges to air, land or water issued by the former Auckland Regional Council prior to 1 November 2010. If you would like Auckland Council to search for this type of information, please contact us.

Building

181 Gills Road Albany Heights 0632

Application No.	Description	Issue Date	Status
3339	3339 - Garage	11/09/1963	Issued (See Note 1)
2299	2299 - Extension to Dwelling	08/05/1968	Issued (See Note 1)
18384	18384 - Garage	28/06/1972	Issued (See Note 1)
A10279	A10279 - Carport	30/01/1996	CCC Not Issued (See Note 3)

Note	Description
1	Permit issued prior to the Building Act 1991 taking effect. Code Compliance Certificates (CCC) were not required.
3	Consent approved but a final Code Compliance Certificate (CCC) for this consent has not been issued. To obtain a CCC an inspection to confirm compliance with the approved plans and standards may be sought.

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

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

Compliance Schedules (Building Warrant of Fitness)

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

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

Swimming/Spa Pool Barriers

The Council has no record of a swimming pool or spa pool being registered on this property. Swimming

pools and spa pools must have a barrier that complies with the Building Act 2004.

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

Licences

There are NO current licences recorded

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

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

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

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

Zoning:	Structure Plan Area Area A: Environmental Protection (Albany
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Proposed Modifications	No site specific modification recorded
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Notified District Plan Changes

From time to time changes to the District Plan are proposed through Plan Changes. Plan changes are publicly notified so that people can make submissions on the proposed changes. These Plan Changes may propose to alter the zone or policies or rules that apply to land or sites in a particular locality. Plan changes may affect particular land, sites or development rights and obligations in many and varied ways. Please refer to the District Plan for information on any proposed Plan Changes or see the Auckland Council website at: <http://www.aucklandcouncil.govt.nz/EN/planspoliciesprojects/plansstrategies/DistrictRegionalPlans/Pages/proposedamendmentstoplans.aspx>.

Annotation(s)

This site is affected by an Open Space Linkage Annotation - Refer to the Auckland Council District Plan (North Shore Section) - Designation and Special Provisions Plan Map 13.

District Plans (including appendices) and any proposed changes to them are available to view at all Council offices or on-line at Councils' website: www.aucklandcouncil.govt.nz. Please note the District Plan attached is relevant to the property of the LIM. Where a property abuts a Legacy Council boundary, only the District Plan details of that property are shown.

Proposed Unitary Plan

Please note that the **Auckland Unitary Plan - Operative in part** applies to this property and should be carefully reviewed and considered, as it may have implications for how this property can be developed and/or

used. As from 15 November 2016 parts of the Auckland Unitary Plan are operative. Where that is the case, those parts of the Auckland Unitary Plan replace the corresponding parts of legacy regional and district plans. Certain parts of the Auckland Unitary Plan have not become operative. Where this is the case, both the Auckland Unitary Plan and the legacy regional and district plans will need to be considered.

The relevant planning maps from the Auckland Unitary Plan and legacy district plans are attached.

The Auckland Unitary Plan can be viewed online at:

<http://www.aucklandcouncil.govt.nz/EN/planspoliciesprojects/plansstrategies/unitaryplan/Pages/home.aspx>

and the (legacy) regional and district plans can be viewed online at

<http://www.aucklandcouncil.govt.nz/EN/planspoliciesprojects/plansstrategies/DistrictRegionalPlans/Pages/Home.aspx>

Unitary plan documentation on last attachment.

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

<http://www.aucklandcouncil.govt.nz/EN/planspoliciesprojects/plansstrategies/unitaryplan/Pages/paupappeals.asp>

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

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

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

No information has been notified to Council.

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

Underground Services and District Plan maps are attached.

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

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

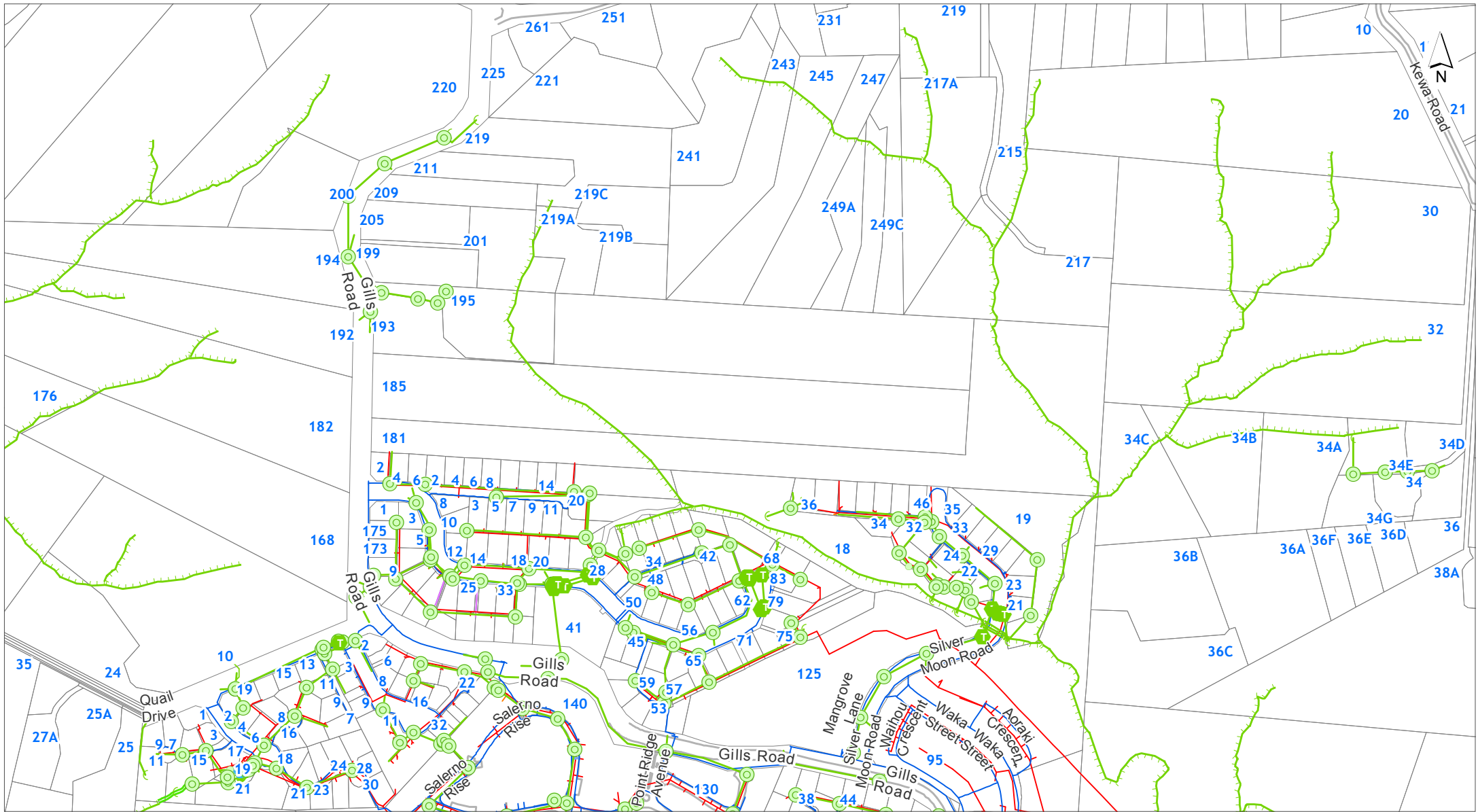
Attachments

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

- Underground Services & Utilities Map and Map Legend
- Special Land Features Map and Map Legend
- The Proposed Auckland Unitary Plan - Decisions version
- District Plan Excerpt Map and Map Legend
- Proposed Auckland Unitary Plan Property Summary Report

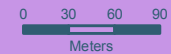
Please note Map Legends have been created for use across the region and may contain features which were not captured by the previous legacy Councils; therefore the information may not be available for these maps. Please contact the Resource Management Planning Team in your area for further information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

- Consent Conditions : SA-3022732
- Consent Conditions : R10580A
- As Built Drainage Plan : A10279 - Drainage Plan
- Consent Conditions : 193 Gills Rd - s127 Decision letter



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Underground Services
181 Gills Road Albany Heights 0632
Lot 2 DP 50891



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 11/05/2017



Stormwater

Note: Unless otherwise specified, Stormwater feature status is represented by the following colour scheme:

Public, **Private** or **Abandoned**

- | | | | |
|--|-------------------------------|--|---|
| | Treatment Device | | Overland Flowpath (Public) |
| | Septic Tank | | Overland Flowpath (Private) |
| | Septic Tank (Hi-Tech) | | Forebay (Public) |
| | Soakage System | | Forebay (Private) |
| | Inspection Chamber | | Treatment Facility (Public) |
| | Manhole (Standard / Custom) | | Treatment Facility (Private) |
| | Inlet & Outlet Structure | | Pump Station |
| | Inlet & Outlet (No Structure) | | Planting |
| | Catchpit | | Embankment |
| | Spillway | | Viewing Platform |
| | Safety Benching | | Bridge |
| | Culvert / Tunnel | | Erosion & Flood Control (Other Structure) |
| | Subsoil Drain | | Erosion & Flood Control (Wall Structure) |
| | Gravity Main | | |
| | Rising Main | | |
| | Connection | | |
| | Fence | | |
| | Channel | | |
| | Watercourse | | |

Water

- | | |
|--|--------------------------------------|
| | Valve |
| | Hydrant |
| | Fitting |
| | Other Watercare Point Asset |
| | Other Watercare Linear Asset |
| | Local Pipe (Bulk) |
| | Local Pipe (In Service) |
| | Local Pipe (Abandoned) |
| | Transmission Pipe (In Service) |
| | Transmission Pipe (Out of Service) |
| | Transmission Pipe (Proposed) |
| | Pump Station |
| | Reservoir |
| | Other Structure (Local) |
| | Chamber (Transmission) |
| | Water Source (Transmission) |
| | Other Watercare Structures and Areas |

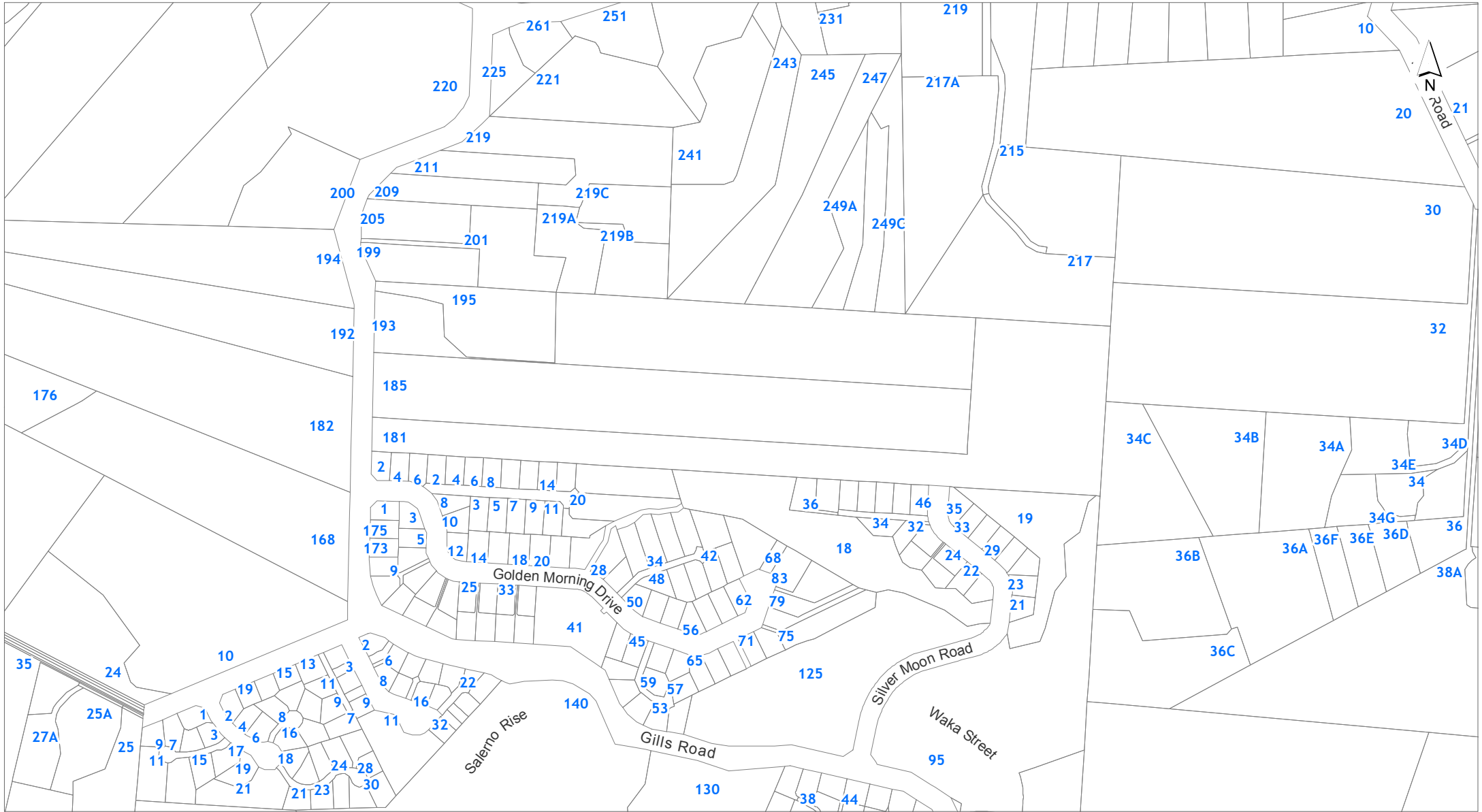
Wastewater

- | | |
|------------------------------|------------------------------------|
| | Fitting |
| | Fitting (Non Watercare) |
| | Manhole |
| | Pipe (Non Watercare) |
| | Local Pipe (Main / Service Line) |
| | Local Pipe (Abandoned) |
| | Local Pipe (Future) |
| | Transmission Pipe (In Service) |
| | Transmission Pipe (Out of Service) |
| | Transmission Pipe (Proposed) |
| | Chamber |
| | Structure (Non Watercare) |
| | Pump Station |
| | Wastewater Catchment |
| Waitakere (WCC) only: | |
| | Septic Tank Hi-Tech |
| | Septic Tank Standard |
| | Caravan Dumping Point |
| | Chemical System |
| | Composting Toilet |
| | DEVONBLUE - Treatment Plant |
| | Recirculation Textile Filter |
| | Wastewater Disposal Bed or Field |

Utilities

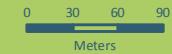
- | | |
|--|---|
| | Transpower Site |
| | Pylon (Transpower) |
| | 220kv Line (Transpower) |
| | 110kv Line (Transpower) |
| | 33kv Line (Transpower) & Underground Line (Mercury) |
| | Transmission Line (Vector) |
| | Oil Services Pipeline [Wiri] |
| | Liquid Fuels Pipeline [Wiri to Marsden] |
| | High-Pressure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

Legend updated: 30/11/2016



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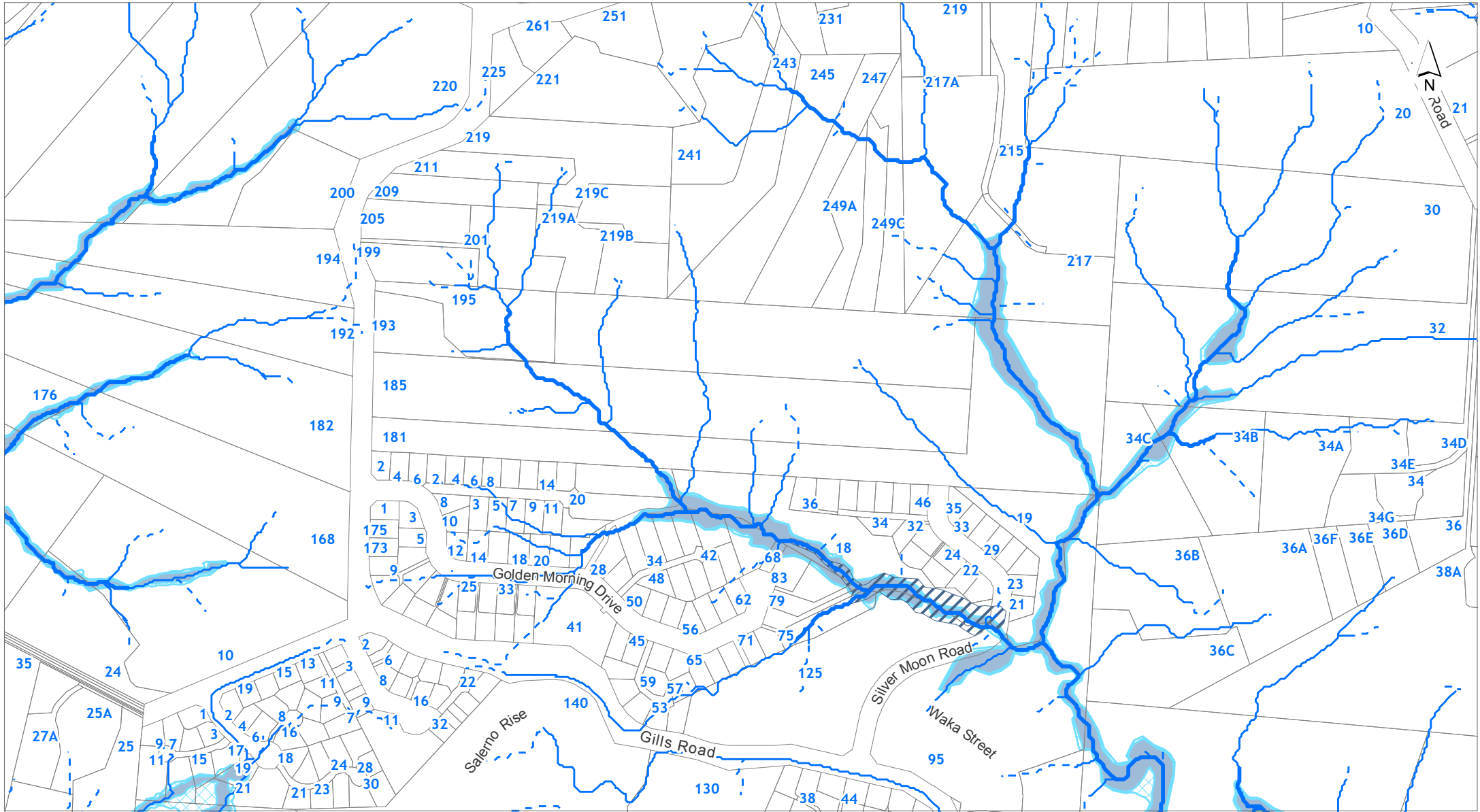
1 - Hazards
181 Gills Road Albany Heights 0632
 Lot 2 DP 50891



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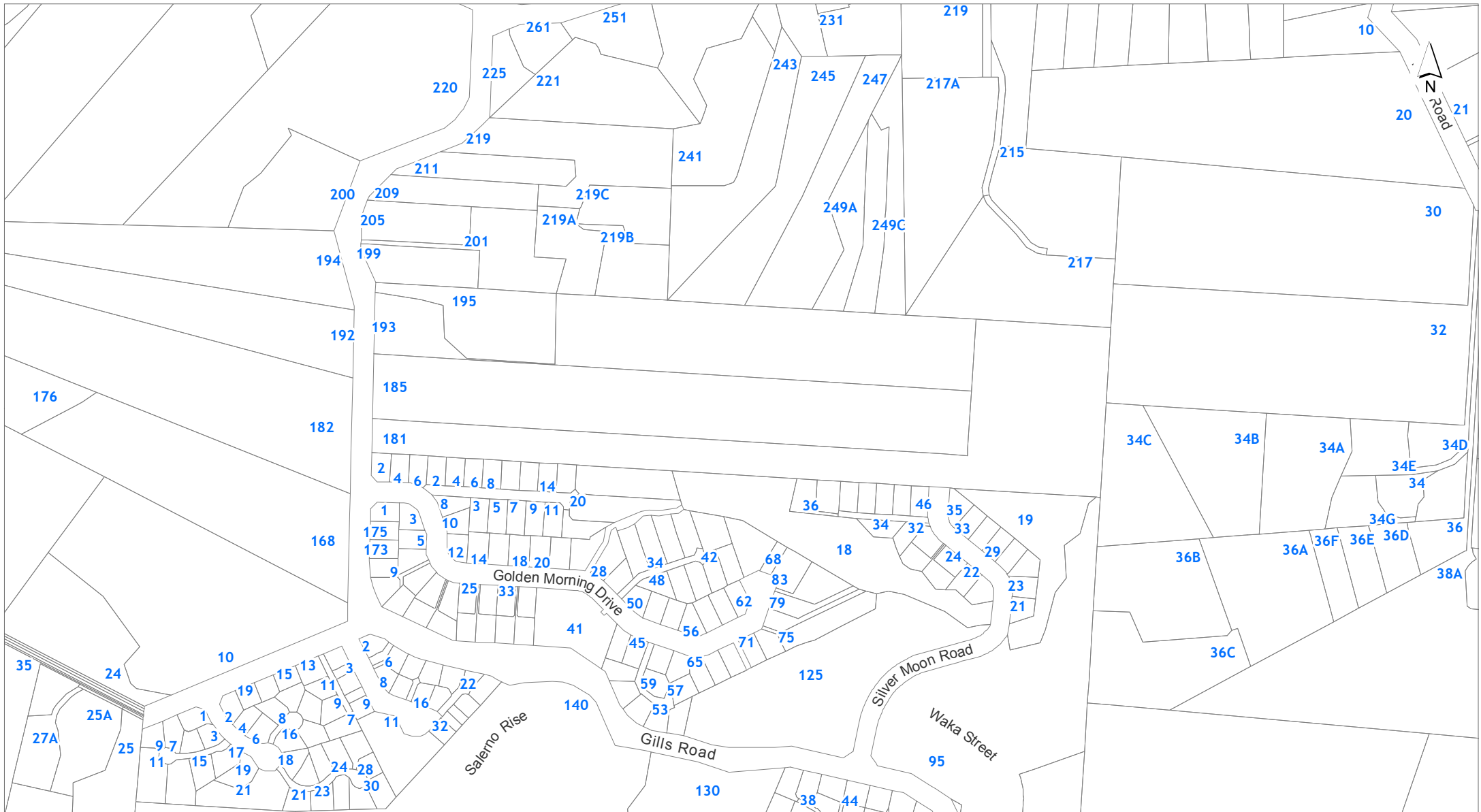
2 - Natural Hazards
181 Gills Road Albany Heights 0632
Lot 2 DP 50891



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3 - Other
181 Gills Road Albany Heights 0632
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Other












Special Housing Areas

Cultural Heritage Index

-  Archaeological Site
-  Hayward and Diamond
-  Historic Botanical Site
-  Historic Structure
-  Maori Heritage Area
-  Maritime Site
-  Reported Historic Site
























Natural Hazards

Overland Flow Path

-  2000m² to 4000m²
-  4000m² to 3ha
-  3ha and above
-  Flood Plains
-  Flood Prone Area
-  Flood Sensitive Area
-  Coastal Inundation
-  Sea Spray
-  Volcanic Cones

Hazards

Soil Warning Area

-  Fill (Franklin District only)
-  Advisory (Franklin District only)
-  Contamination (Franklin District only)
-  Erosion (Franklin District only)
-  Hazardous Activities & Industries List (HAIL) (Franklin District only)
-  Inundation (Franklin District only)
-  Rainfall Event (Franklin District only)
-  Slippage (Franklin District only)
-  Subsidence (Franklin District only)
-  Slippage / Subsidence / Erosion etc (Auckland City and Papakura District only)
-  Uncertified Fill (Auckland City and Papakura District only)
-  Organic Soil (Auckland City and Papakura District only)
-  Filled / Weak Ground (Auckland City and Papakura District only)
-  Refuse Tips Site / Weak Area (Auckland City and Papakura District only)
-  Unstable / Suspected Ground (Auckland City and Papakura District only)
-  Allochthon Waitemata (Rodney District only)
-  Motatau Complex (Rodney District only)
-  Puriri Mudstone (Rodney District only)
-  Mahurangi Limestone (Rodney District only)
-  Mangakahia Complex (Rodney District only)
-  Hukerenui Mudstone (Rodney District only)
-  Whangai Formation (Rodney District only)
-  Tangihua Complex (Rodney District only)
-  within 150m of Northland Allochthon (Rodney District only)

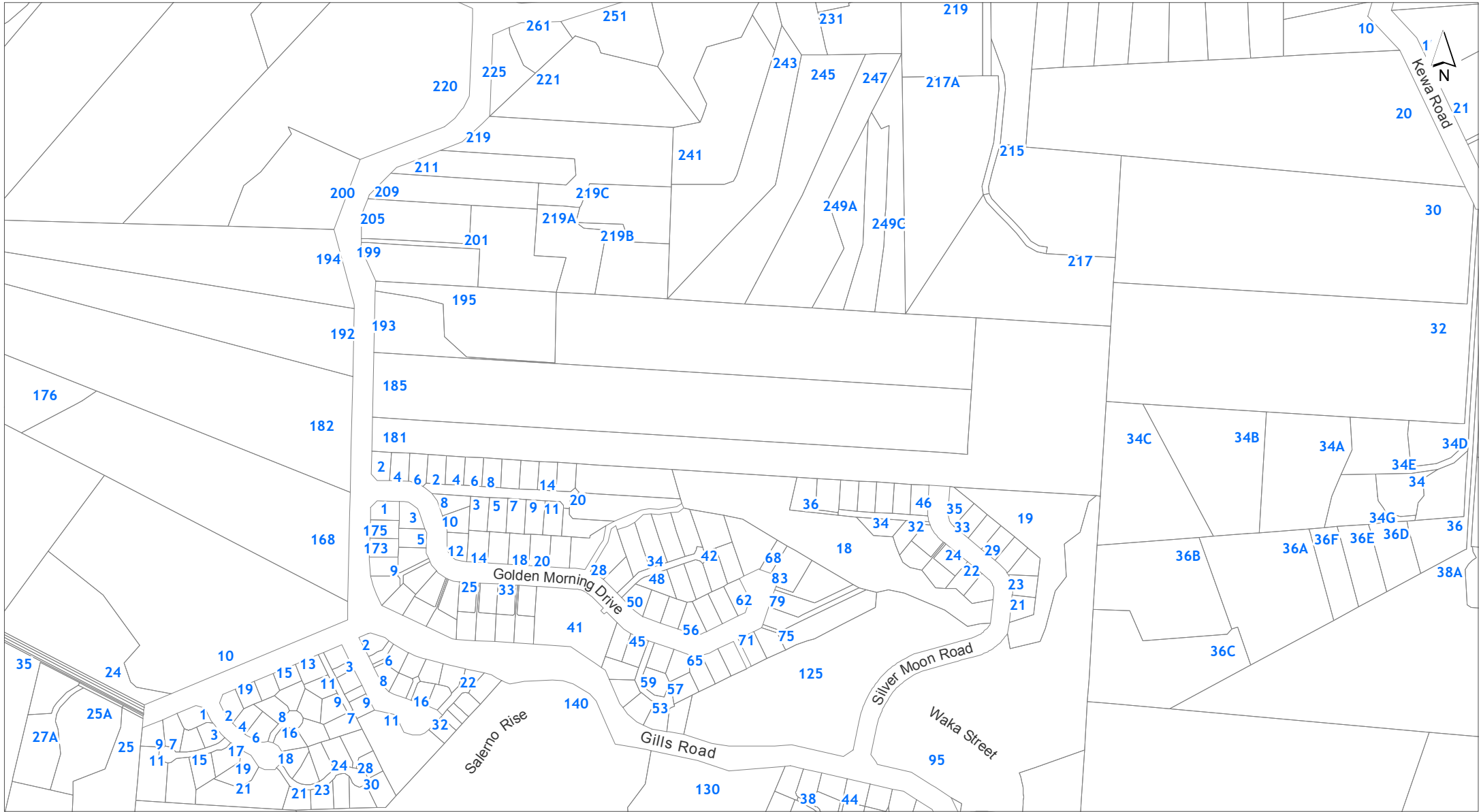
Hazards

Soil Warning Area continued

-  Soil D (Rodney District only)
-  within 150m of Soil D (Rodney District only)
-  Soil C (Rodney District only)
-  within 150m of Soil C (Rodney District only)
-  Soil B (Rodney District only)
-  within 150m of Soil B (Rodney District only)
-  Soil A (Rodney District only)
-  Gas Main Pipeline
-  Petroleum Pipeline
-  Closed Landfill (Auckland Council owned)
-  Closed Landfill (Privately owned)
-  Air Discharge (Franklin District only)
-  No Soakage (Franklin District only)
-  Indicative Steel Mill Slurry Line 20m Buffer (Franklin District only)
-  Indicative Steel Mill Water Line 20m Buffer (Franklin District only)

Legend updated: 9/03/2016

The information Council holds in relation to Special Land Features differs based on the area a property is located in. Those areas where information is held on a Special Land Feature is denoted in the legend above.

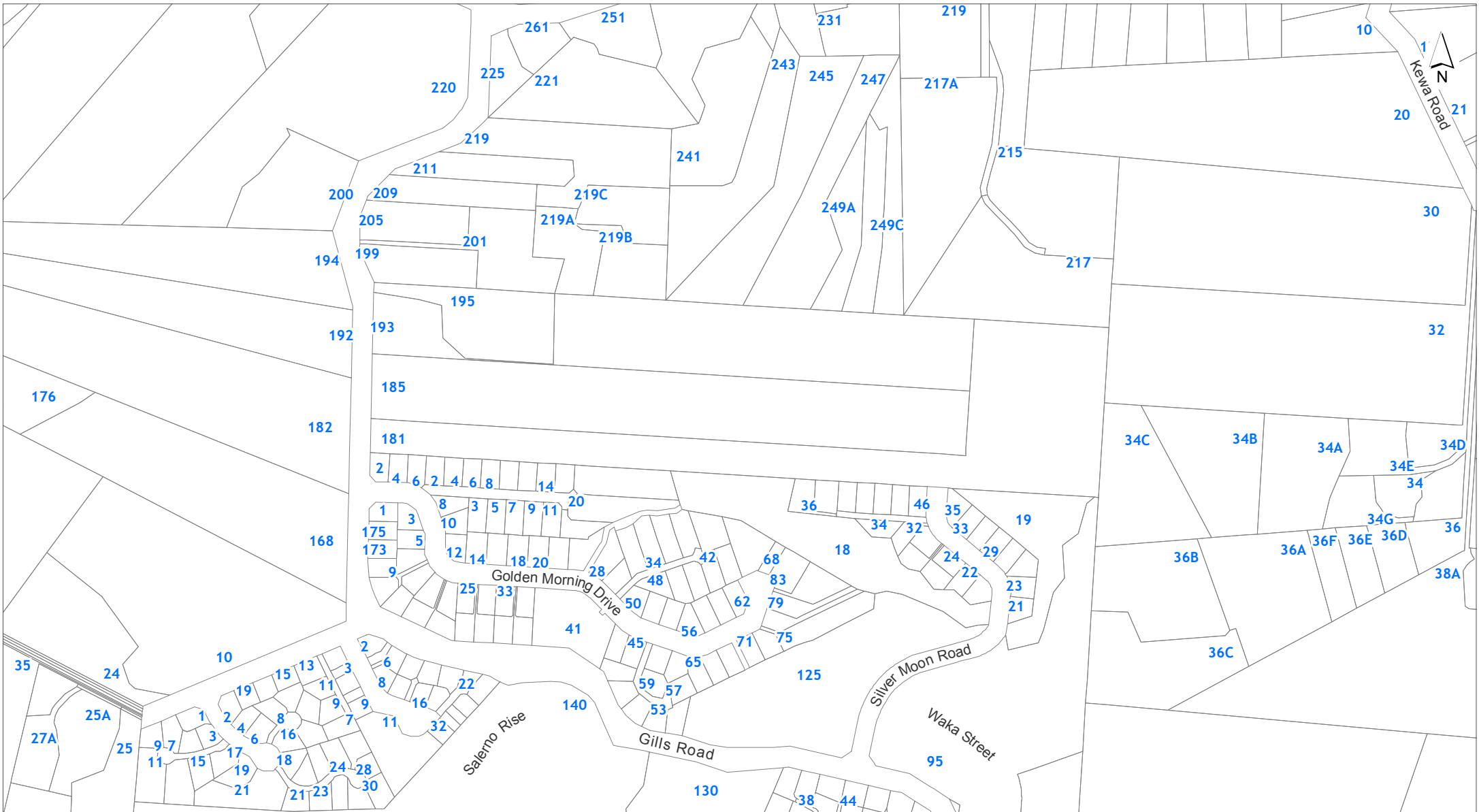


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Built Environment
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0 30 60 90
 Meters
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Built Heritage and Character

181 Gills Road Albany Heights 0632

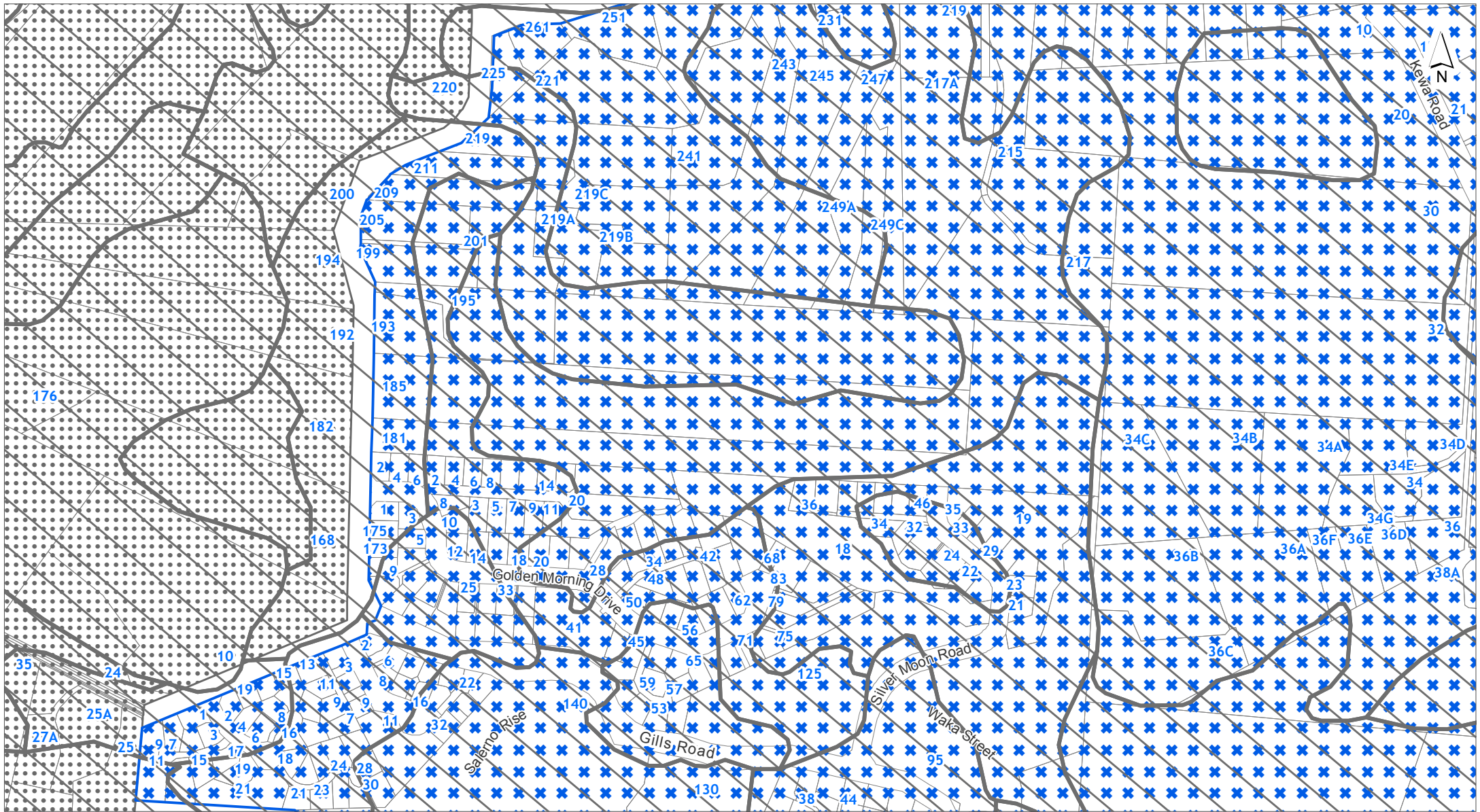
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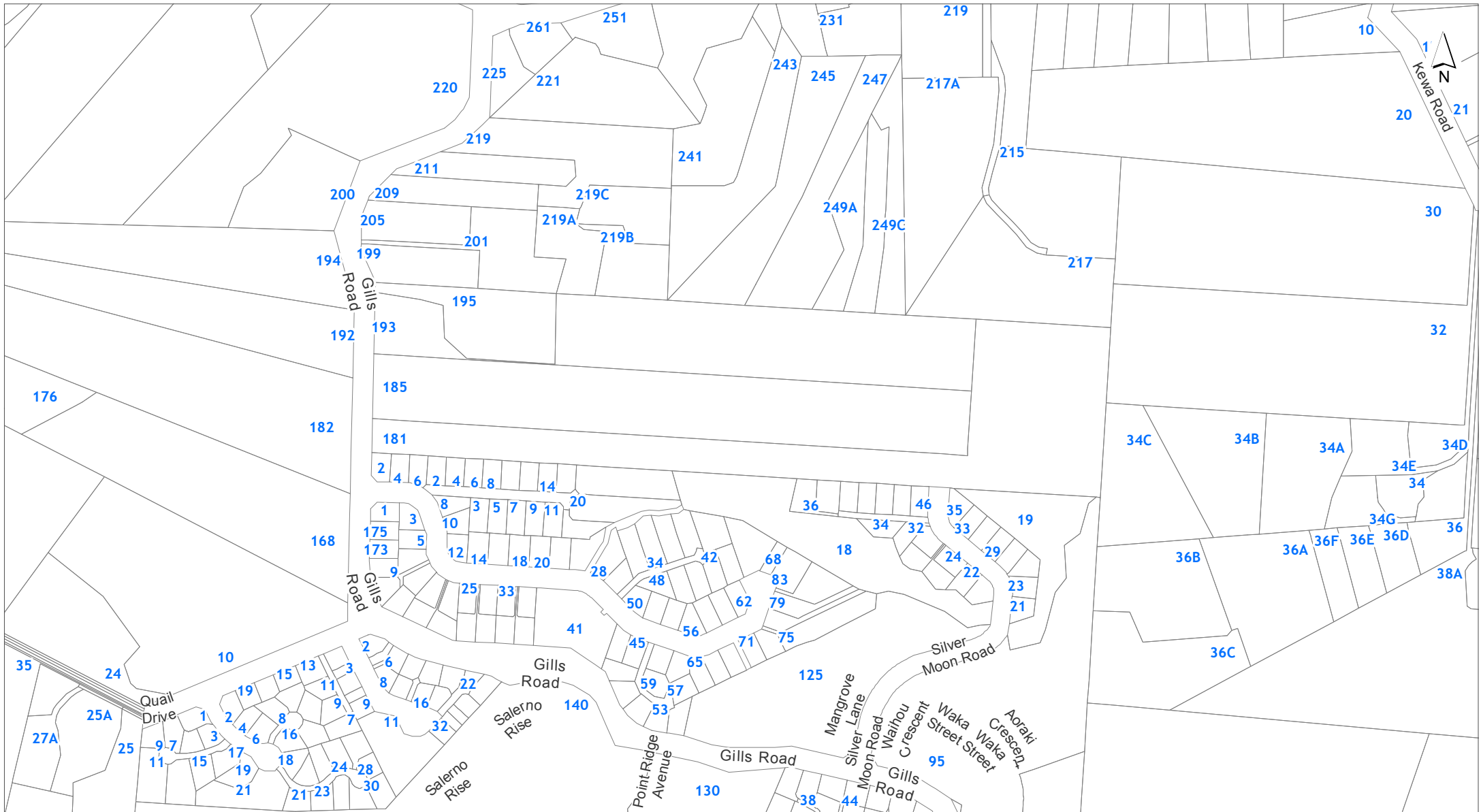


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Controls
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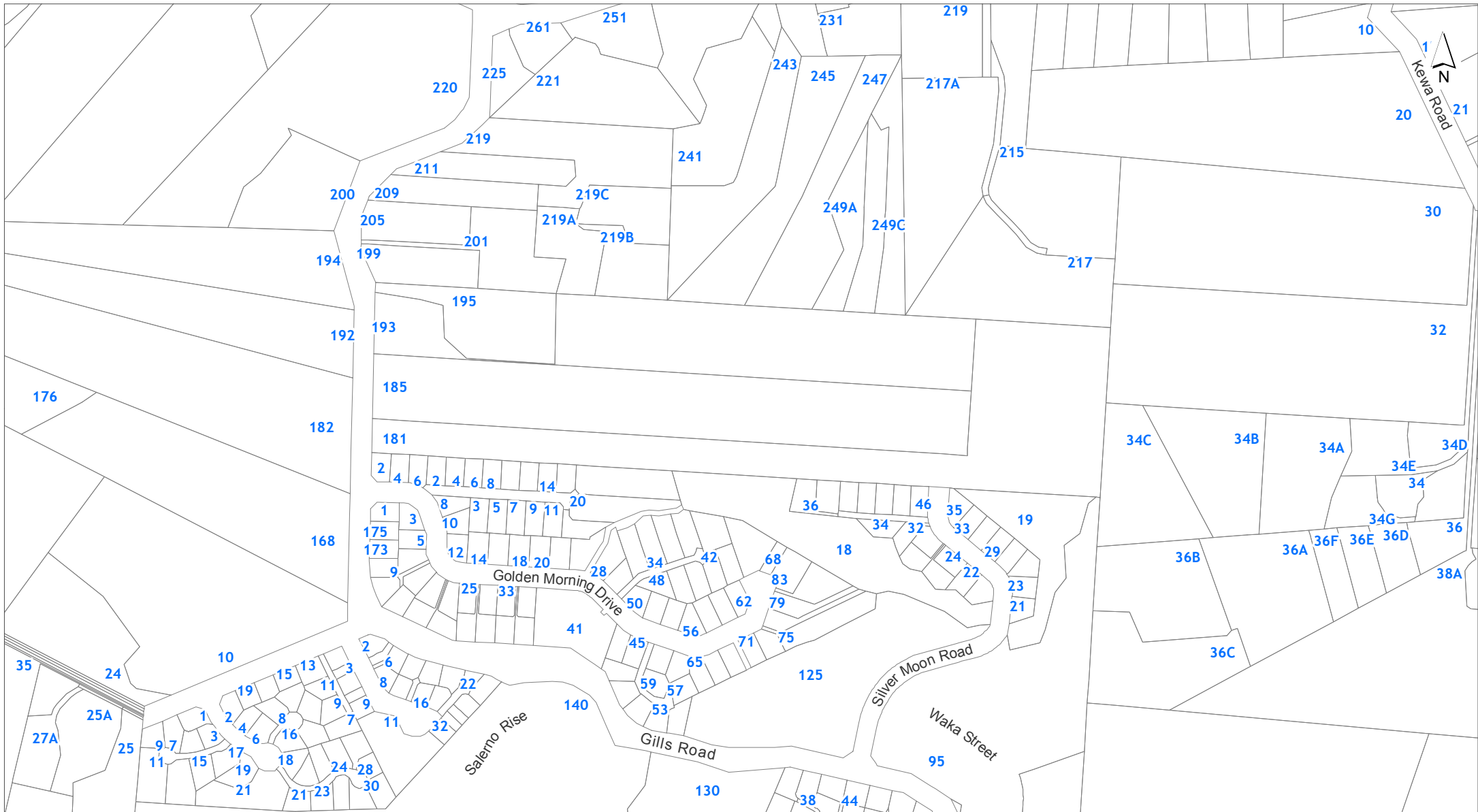


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Designations
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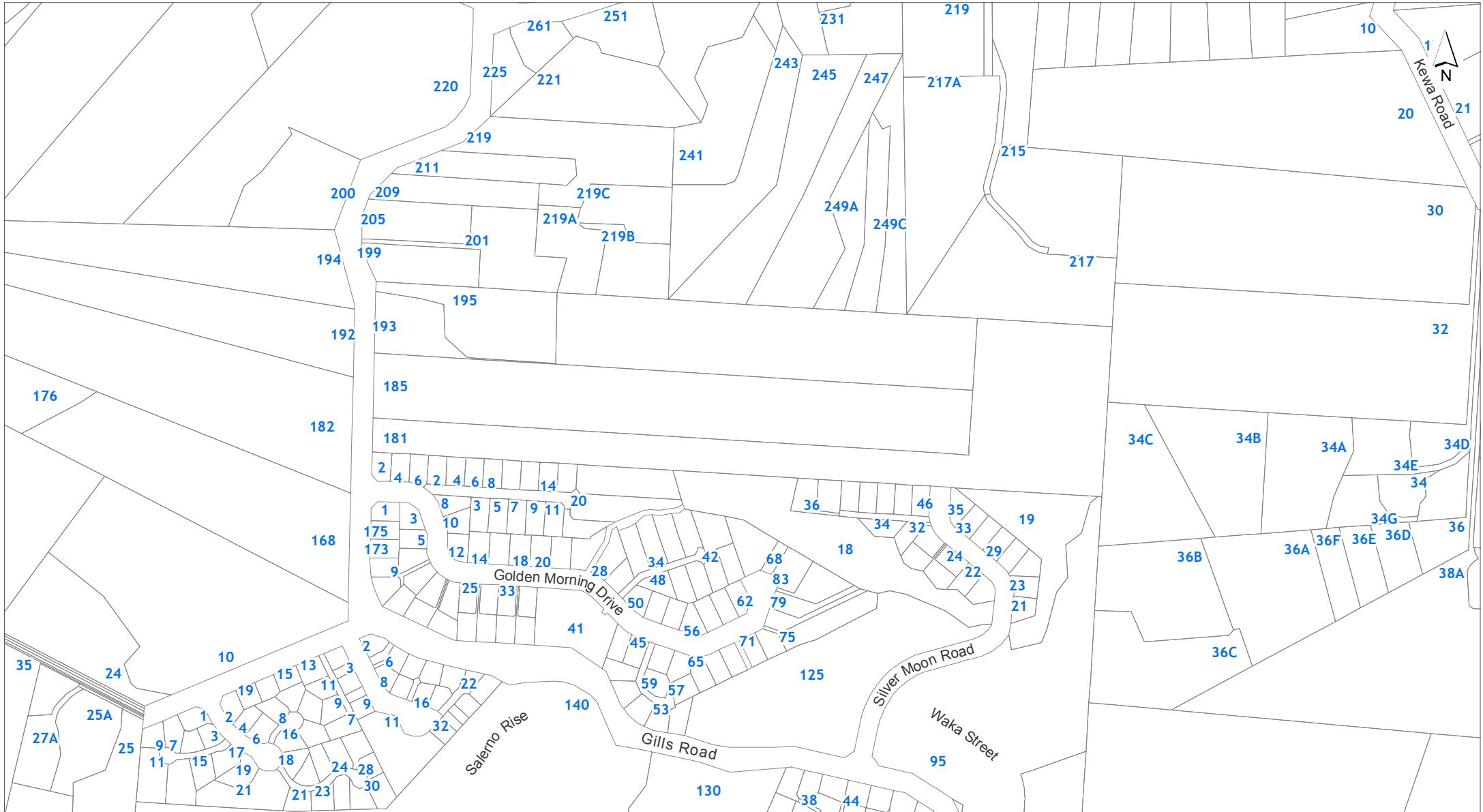


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Infrastructure
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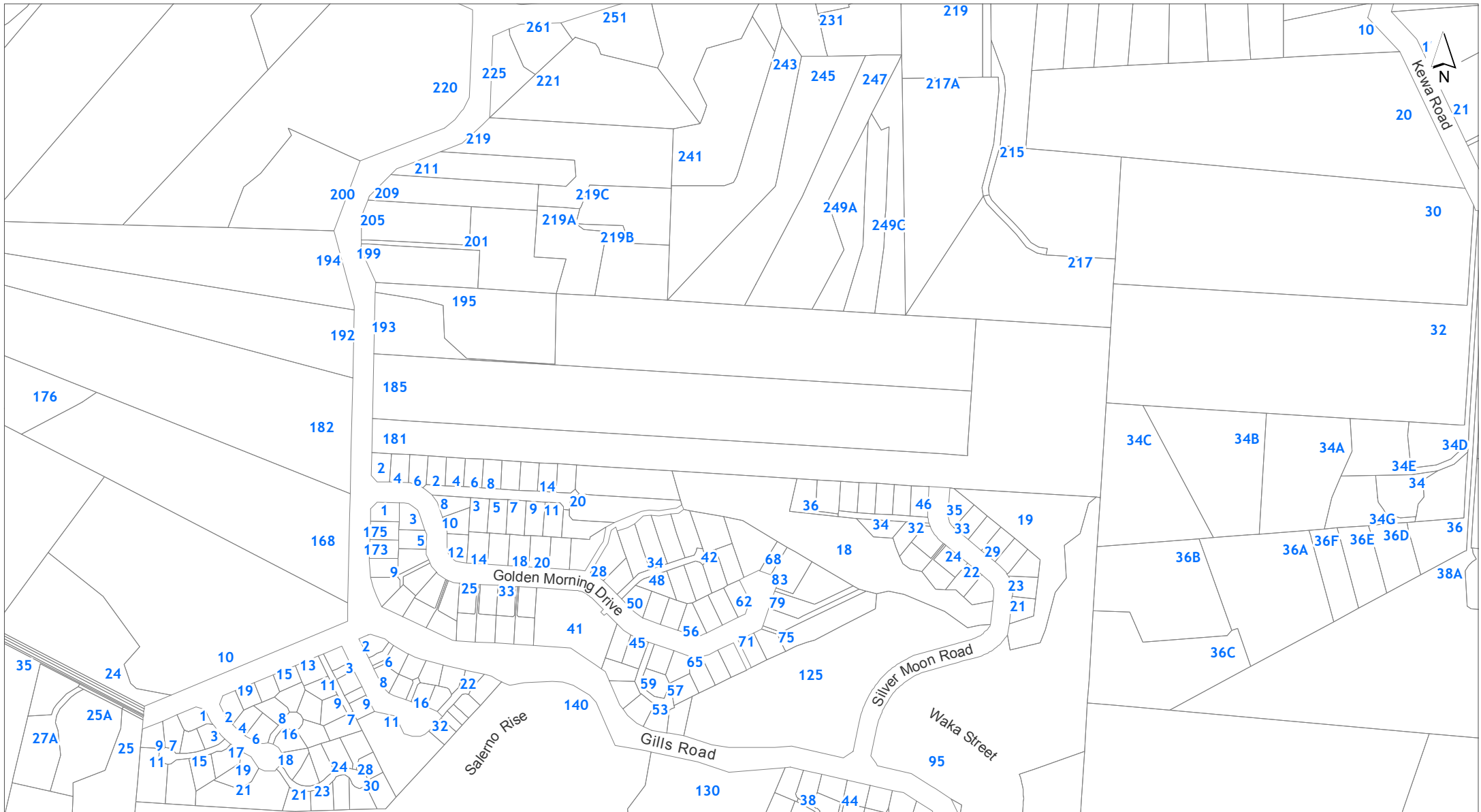
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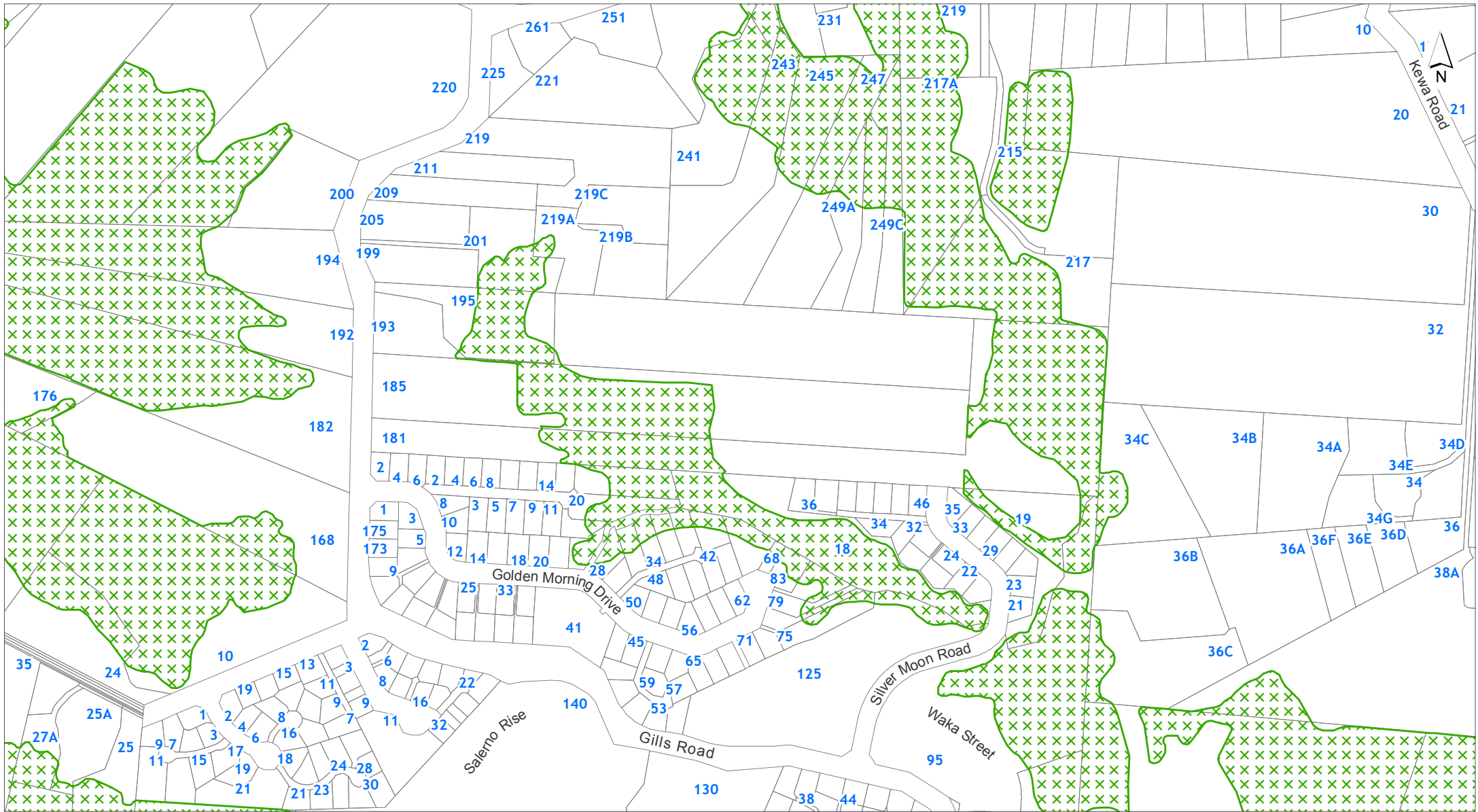


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Natural Heritage
181 Gills Road Albany Heights 0632
Lot 2 DP 50891

0 30 60 90
Meters
Scale @ A4
= 1:5,000
Date Printed:
11/05/2017



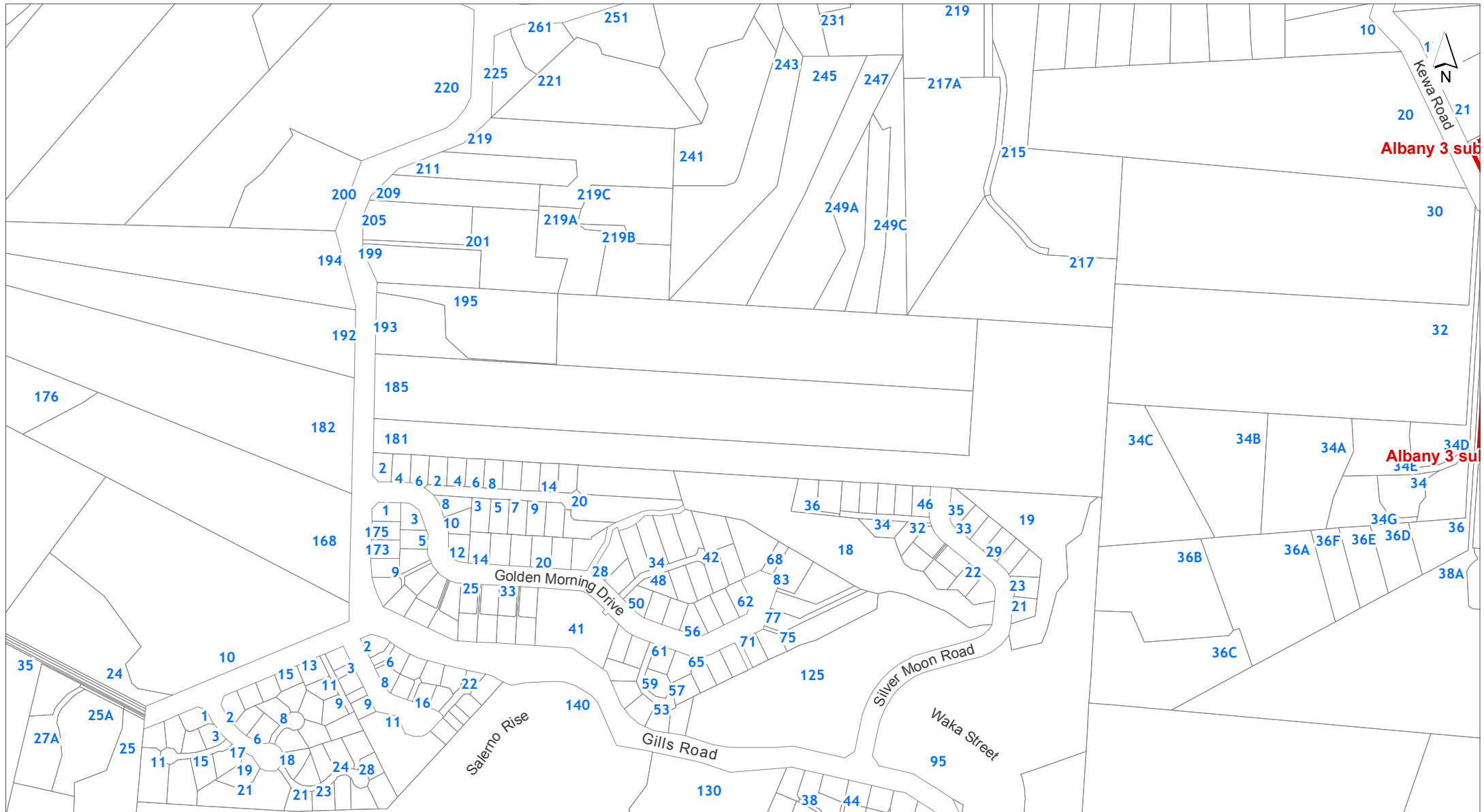


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Natural Resources
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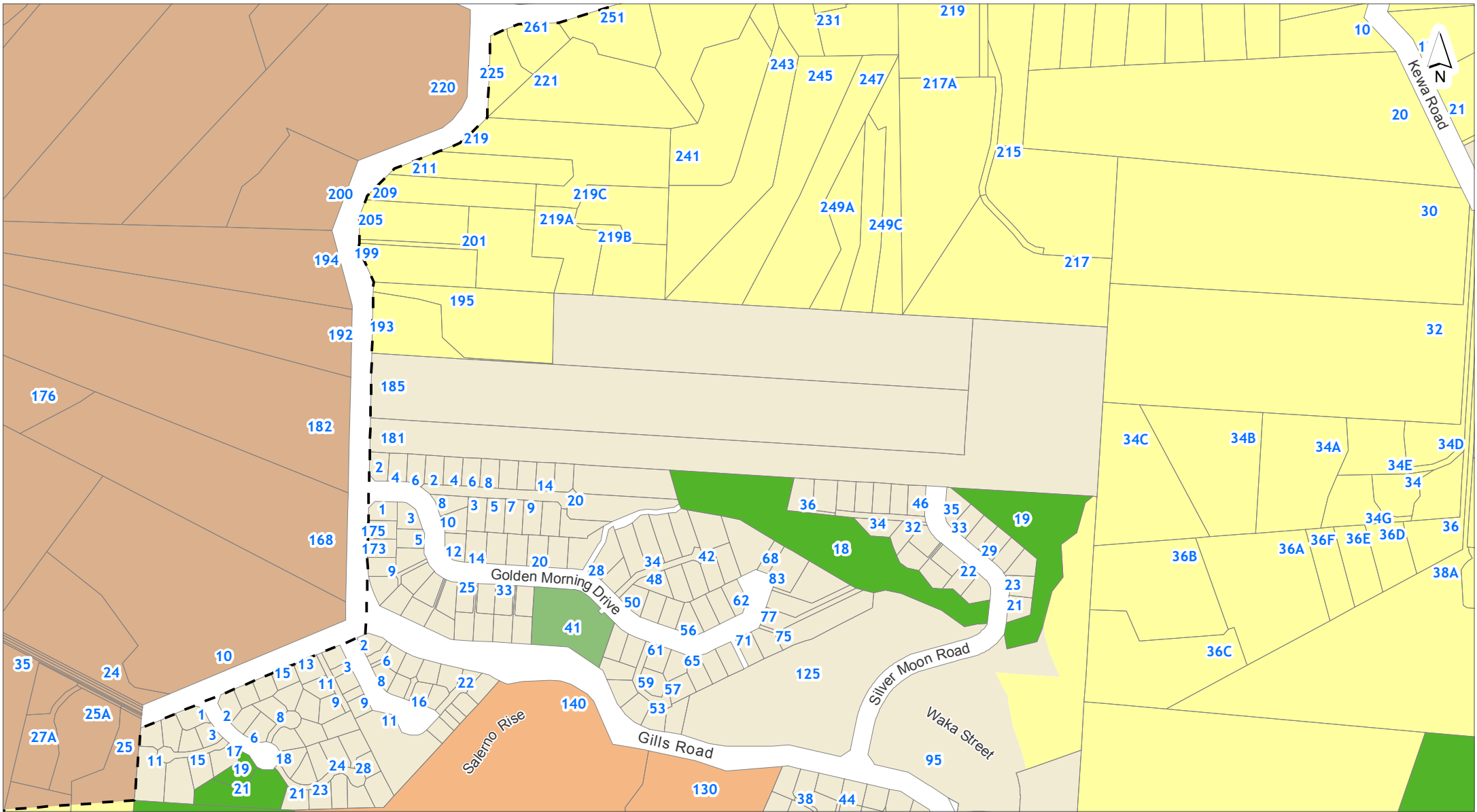




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Precincts
 181 Gills Road Albany Heights 0632
 Lot 2 DP 50891

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Zones and Rural Urban Boundary
 181 Gills Road Albany Heights 0632
 Lot 2 DP 50891



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Date Printed:
 11/05/2017



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

Appeals

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

Plan Modifications

- Notice of Requirements
- Plan Changes

	Residential - Large Lot Zone
	Residential - Rural and Coastal Settlement Zone
	Residential - Single House Zone
	Residential - Mixed Housing Suburban Zone
	Residential - Mixed Housing Urban Zone
	Residential - Terrace Housing and Apartment Buildings Zone
	Business - City Centre Zone
	Business - Metropolitan Centre Zone
	Business - Town Centre Zone
	Business - Local Centre Zone
	Business - Neighbourhood Centre Zone
	Business - Mixed Use Zone
	Business - General Business Zone
	Business - Business Park Zone
	Business - Heavy Industry Zone
	Business - Light Industry Zone
	Open Space - Conservation Zone
	Open Space - Informal Recreation Zone
	Open Space - Sport and Active Recreation Zone
	Open Space - Civic Spaces Zone
	Open Space - Community Zone

DESIGNATIONS

- Designations
- Airspace Restriction Designations

	Terrestrial [rp/dp]	Significant Ecological Areas Overlay
	Marine 1 [rcp]	
	Marine 2 [rcp]	
	Natural	Lake Management Areas Overlay (Natural Lake and Urban Lake)
	Urban	
	Water Supply Management Areas Overlay [rp]	
	Natural Stream Management Areas Overlay [rp]	
	High-Use Stream Management Areas Overlay [rp]	
	High-Use Aquifer Management Areas Overlay [rp]	
	Quality-Sensitive Aquifer Management Areas Overlay [rp]	
	Wetland Management Areas Overlay [rp]	
	Airport Approach Surface Overlay [rcp/dp]	Infrastructure
	Aircraft Noise Overlay	
	City Centre Port Noise Overlay	
	Quarry Buffer Area Overlay	
	National Grid Corridor [rcp/dp]	National Grid Corridor Overlay
	National Grid Yard [rcp/dp]	
	Sites & Places of Significance to Mana Whenua Overlay [rcp/dp]	Mana Whenua

	Key Retail Frontage	Building Frontage Control
	General Commercial Frontage	
	Adjacent to Level Crossings	Vehicle Access Restriction Control
	General	
	Motorway Interchange Control	
	Business Park Zone Office Control	
	Cable Protection Areas Control [rcp]	
	Centre Fringe Office Control	
	Coastal Inundation Control [rcp/dp]	
	Height Variation Control	
	Arterial Roads	

	Rural - Rural Production Zone
	Rural - Mixed Rural Zone
	Rural - Rural Coastal Zone
	Rural - Rural Conservation Zone
	Rural - Countryside Living Zone
	Rural - Waitakere Foothills Zone
	Rural - Waitakere Ranges Zone
	Future Urban Zone
	Green Infrastructure Corridor (Operative in some Special Housing Areas)
	Coastal - General Coastal Marine Zone [rcp]
	Coastal - Marina Zone [rcp/dp]
	Coastal - Mooring Zone [rcp]
	Coastal - Minor Port Zone [rcp/dp]
	Coastal - Ferry Terminal Zone [rcp/dp]
	Coastal - Defence Zone [rcp]
	Coastal - Coastal Transition Zone
	Special Purpose Zone - Airports & Airfields, Cemetery, Quarry, Healthcare Facility & Hospital, Tertiary Education, Maori Purpose, Major Recreation Facility, School
	Strategic Transport Corridor Zone
	Water [i]

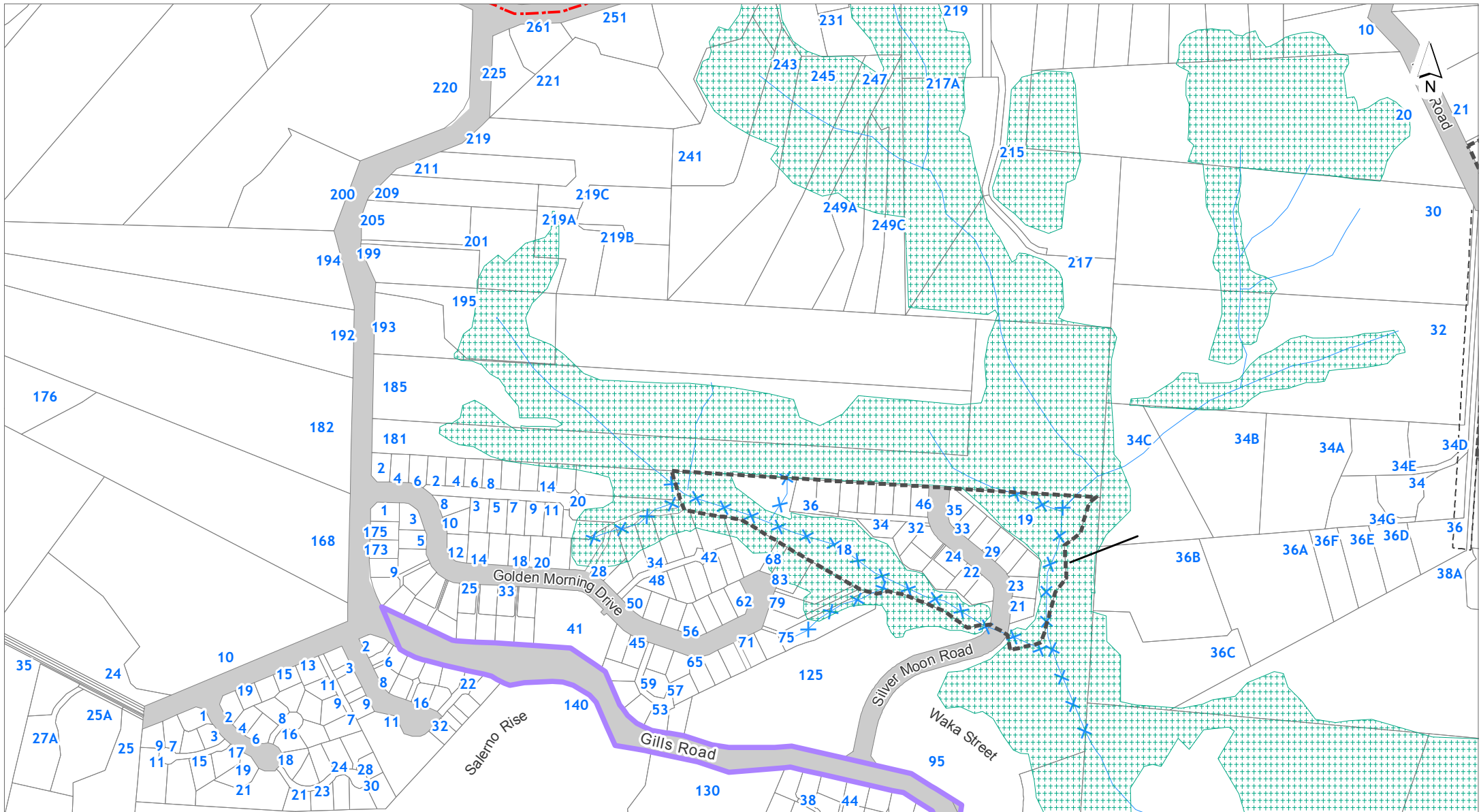
- Tagging of Provisions:**
- [i] = Information only
 - [rp] = Regional Plan
 - [rcp] = Regional Coastal Plan
 - [rps] = Regional Policy Statement
 - [dp] = District Plan (only noted when dual provisions apply)

- Precincts
- Indicative Coastline [i]
- Rural Urban Boundary

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

	Historic Heritage Overlay Place [rcp/dp]	Built Heritage & Character
	Historic Heritage Overlay Extent of Place [rcp/dp]	
	Special Character Areas Overlay Residential and Business	
	Auckland War Memorial Museum Viewshaft Overlay [rcp/dp]	
	Auckland War Memorial Museum Viewshaft Overlay Contours [rcp/dp]	
	Dilworth Terrace Houses Viewshaft Overlay	
	Dilworth Terrace Houses Viewshaft Overlay Contours	

	Identified Growth Corridor Overlay	Built Environment
	Hazardous Facilities	
	Infrastructure	
	Flow 1 [rp]	Stormwater Management Area Control
	Flow 2 [rp]	
	Level Crossings With Sightlines Control	
	Macroinvertebrate Community Index [rcp/dp]	
	Parking Variation Control	
	Subdivision Variation Control	
	Surf Breaks [rcp]	

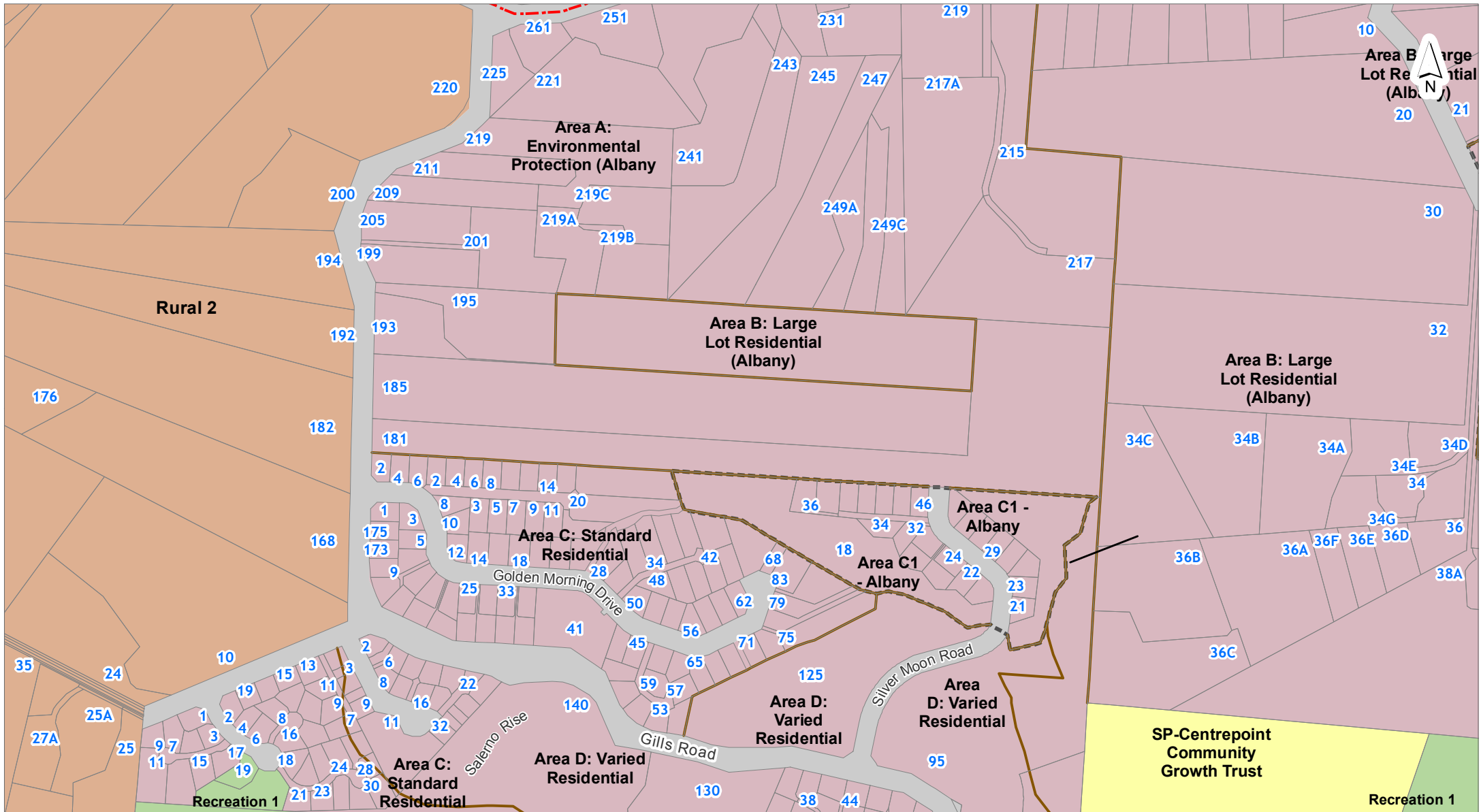


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181 Gills Road Albany Heights 0632
Lot 2 DP 50891

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Zones

-  Business 1 - 12
-  Recreation 1 - 4
-  Residential 1 - 8
-  Residential Expansion
-  Rural 1 - 4
-  Wharf
-  Special Height Restriction
-  Special Purpose 1 - 15
-  Zone Boundary
(Indicates the boundary between two different zones of the same type, or; where a zone does not follow a cadastral boundary)

General Overlays

-  Building Line Restriction
-  Designation
-  Road, Service Lane, Accessway
-  Road to be Closed
-  Preferred Road
-  Dairy Flat Runway Approach





Natural Features

- Reserve / Open Space**
-  Stream
-  Stormwater Ponds (location indicative)
-  Reserve / Open Space Linkages
-  Proposed Reserve
-  Small Geological Site
-  Large Geological Site
-  Site of Special Wildlife Interest
-  Significant Landscape Features
-  Coastal Conservation Area
-  Coastal Marine Area Boundary
-  Foreshore Yard (Measured from either; Mean High Water Spring or a surveyed reference line)















Long Bay

-  Ridgeline Height Control
-  Long Bay Streams
-  Riparian Margin (Long Bay 6 Zone)
-  Service Utility (location indicative)
-  10m Vaughans Road Setback
-  Piripiri Point Protection Area
-  Park Interface Protection Area
-  Landscape Protection Area - Conservation
-  Landscape Protection Area - Enhancement
-  Landscape Protection Area - Restoration
-  Heritage Management Plan Area
-  Ecology / Stormwater Management Area
-  Stream Interface Management Area
-  Proposed Road or Service Lane

Heritage

-  Archaeological Site
-  Historic Building, Object or Place
-  Notable Trees
-  Notable Grove of Trees

Structure Plan Zones

-  A(A) - Area A : Environmental Protection (Albany)
-  A(G) - Area A : Environmental Protection (Greenhithe)
-  B(A) - Area B : Environmental Protection (Albany)
-  B(G) - Area B : Environmental Protection (Greenhithe)
-  C - Area C : Standard Residential (Albany & Greenhithe)
-  D - Area D : Standard Residential (Albany & Greenhithe)
-  MX - Area MX : Mixed Use Overlay Area (Albany & Greenhithe)
-  LB1A - Long Bay 1A (Large Lot Residential 2500m2)
-  LB1B - Long Bay 1B (Rural Residential 5000m2)
-  LB1C - Long Bay 1C (Piripiri Point Rural)
-  LB2 - Long Bay 2 (Suburban Neighbourhood)
-  LB3A/B - Long Bay 3A & 3B (Urban Neighbourhood)
-  LB4 - Long Bay 4 (Urban Village)
-  LB5A/B - Long Bay 5A & 5B (Village Centre)
-  LB7 - Long Bay 7 (Heritage Protection)
-  LB6 - Long Bay 6 (Stormwater Management)

Legend updated: 4/11/2016

This property may be affected by designations not shown on this map due to scaling or represented on this Legend. Please refer to the Auckland Council District Plan (North Shore Section)

Auckland Unitary Plan Operative in part (15th November 2016) Property Summary Report

Address

181 Gills Road Albany Heights 0632

Legal Description

Lot 2 DP 50891

Appeals

Seeking reinstatement of management layers - CIV-2016-404-002343 - Significant Ecological Areas Overlay - [View PDF](#)

Modifications

Zones

Residential - Single House Zone

Precinct

Controls

Controls: Macroinvertebrate Community Index [rcp/dp] - Native

Controls: Macroinvertebrate Community Index [rcp/dp] - Rural

Controls: Macroinvertebrate Community Index [rcp/dp] - Urban

Controls: Stormwater Management Area Control - LUCAS CREEK 2 - Flow 1

Overlays

Natural Resources: Significant Ecological Areas Overlay - SEA_T_8299 - Terrestrial

Designations

Decision following the hearing of an application for resource consent under the Resource Management Act 1991



Proposal

To subdivide 193A Gills Road into 22 lots, with road access provided over 181 and 183 Gills Road and associated earthworks.

This resource consent is **GRANTED**. The reasons are set out below.

Application numbers	SA-3022732 (subdivision and land use consents) REG-2138265/1 (regional land use consents for earthworks) REG-2138429 (discharge permits)
Site address	193A Gills Road, Albany
Applicant	M and A Perkinson
Hearing commenced	9.30am, Wednesday 27 May 2015 at Crosslands Room, Ground Floor, Mary Thomas Centre, 3 Gibbons Road, Takapuna.
Independent Hearing Commissioners	Mr Dave Serjeant (Chair) Ms Justine Bray Mr Michael Parsonson
Appearances	<p><u>For the Applicant</u></p> <p>Mr Jeremy Brabant (Legal Counsel) Mr Martin Perkinson (Applicant) Mr Shannon Bray (Urban Design/Landscape) Dr Tim Martin (Ecologist) Mr Warwick Marshall (Development Engineer) Mr John Parlane (Traffic Engineer) Mr David Hay (Planner)</p> <p><u>Submitters</u></p> <p>Mr Malcolm Maclean (Legal Counsel for Chitty Family Trust and Nuttall Family Trust) Mrs Sue Tyrell (resident of 35 Silver Moon Road)</p> <p><u>For the Council</u></p> <p>Mr Mark Ross (Consultant Reporting Planner) Mr Tim Errington (Arborist) Mr Sam Shumane (Traffic Engineer)</p>

	Mr Nanayakkara Amarasiri (Development Engineer) Ms Carol Bergquist (Ecologist) Ms Tracy Odgen-Cork (Urban Design/Landscape Architect) Ms Emma Petrenas (Democracy Advisor – Hearings)
Commissioners' site visit	10:30am, Tuesday 26 May and Thursday 4 May 2015
Hearing closed	21 July 2015

Introduction

1. This decision is made on behalf of the Auckland Council (**Council**) by Independent Hearing Commissioners Dave Serjeant, Justine Bray and Michael Parsonson, appointed and acting under delegated authority under sections 34 and 34A of the Resource Management Act 1991 (**RMA**).
2. This decision contains the findings from our deliberations on the application for resource consent and has been prepared in accordance with section 113 of the RMA.
3. The applications were limited notified on 24 June, 2014. A total of 20 submissions were received, all of which were in opposition.

Site and locality

4. Section 2 of the application documentation titled "*Amendment to the Current Consent Applications (SA 3022732) plus Additional Resource Consent Applications*" (which also refers to the Landscape, Visual and Urban Design Assessment prepared by Boffa Miskell (October 2013) in support of the application attached as Appendix 2) and Section 2.2 of the planning report describe the site and locality. Important to this decision are the following features:
 - The topography and vegetation of the site, which the planning report succinctly described in this way:

The subject site is fully covered by pine plantation which was established in the 1970's and is now ready for harvesting. The site has a rolling topography and is moderately sloping with two deep gullies containing two ephemeral watercourses that run north-south through the property into a stream which eventually discharges into Lucas Creek. The gullies are protected by means of bush covenants, which were placed on the title of the property as a condition of a previous subdivision consent. Council's ecologist and arborist have advised that the undergrowth in the covenanted gully areas contain good quality native vegetation without weeds.
 - The surrounding area has undergone rapid urbanisation over the last 10 years, with the former farming and lifestyle properties now predominantly a mix of larger residential lots (such as the properties immediately to the north of the subject site), suburban residential (such as the nearest properties to the south on

Silvermoon Road and the developing Golden Morning Drive to the west) and higher density housing developments, such as the Point Ridge development to the south on Gills Road).

- The proposed access to the site in terms of the Auckland Council District Plan – North Shore Section (**ODP**) is via an extension of Silvermoon Road.
 - Inherent in the land development processes on neighbouring land has been the protection of the upper heads of the streams that feed Lucas Creek by covenanting and a reserves system.
5. The zoning of the site and surrounding land is described in the planning report as follows:
6. *The immediately surrounding properties are zoned Area A: Environmental Protection under the Albany Structure Plan which provides for minimum lot sizes of 4,000m². Further to the south the area is standard residential with Silver Moon Road and Golden Morning Drive having been completed as part of the recent subdivision of that area. Most of the sites along these roads now contain recently constructed dwellings, most of which are large in size and almost all containing at least two stories. The site at 125 Gills Road is zoned Area D: Varied Residential, as is Point Ridge on the southern side of Gills Road. This zone allows for higher density residential development, with the intensity of development on these sites being reflective of that.*
7. *The subject site and surrounds have been subject to a recent Plan Change (Plan Change 32), which is now operative and forms part of the Auckland Council District Plan (North Shore Section). The Plan Change provides for a residential subdivision of the subject site subject to a minimum lot size of 1,500m² and an average of 2000m².*
8. We also note that property is bounded to the east and north-east, south and west by areas mapped as a Significant Landscape Feature overlay in the ODP, and a corresponding Significant Ecological Area overlay in the PAUP. The mapped extent of those overlays represent native vegetated gullies, and impose various development limitations.

Proposal

9. Section 3 of the application documentation and Section 2.1 of the planning report describe the proposal for which consent is sought. The main activity for which consent is sought is the subdivision of the subject site, being 193A Gills Road into 22 lots. We note here that the scheme plan accompanying the application showed 23 lots, being 22 residential lots and Lot 23 being for the purposes of bush protection pursuant to the existing covenants and a new covenant applying to the land in between these covenants. However we were provided with an updated scheme plan at the hearing that had combined Lots 22 and 23, with the existing and new covenanted area as described above.
10. In order to enable the subdivision and development of the land the existing mature pine plantation must be harvested. The subdivision requires the clearance of between

1.3ha and 1.7ha of plantation, the process of which would effectively clear all vegetation on this part of the site. Approximately 850 tonnes of logs would be harvested and then removed from the site over a period of 15 working days, generating approximately five truck movements per day. Pine trees within the covenanted area were proposed to be retained with the exception of a small number of pine trees along the eastern edge of this area which were to be removed to ensure the safety of the future residents of Lots 1 and 22. Pine harvesting was not proposed to the west of the covenanted area.

11. The pine tree removal, site and subdivision access is proposed by a vested road over 181 and 185 Gills Road, and thence via Silvermoon Road.
12. The pine tree removal and subdivision formation require ancillary earthworks and the construction of retaining walls.

Additional pine tree removal

13. During the course of the hearing we raised the matter of whether the clearance of all pine trees on the property should be undertaken. This includes the pine trees throughout proposed Lot 22, within and to the west of the existing covenanted areas. The reasons for our interest in total clearance were that all the pines are at or beyond maturity and those not felled now on the western part of the property would be likely to be isolated by urban development and access in the future would be very difficult.
14. Such an addition to the proposal raised a number of matters as follows:
 - Do the Commissioners have the authority to grant consent to the clearance of vegetation which is subject to a covenant?
 - Was the addition within the scope of the original application?
 - Is the sustainable management of natural resources on the site and neighbouring property best served by the retention of the pine trees or their removal?
15. As noted, part of the proposed harvesting operation would be within an area subject to a covenant for bush protection. Part of the additional harvesting area is subject to the same covenant. The covenant is with the Council and Mr Ross advised us that in considering the resource consent for removing the understorey vegetation we also had the power to approve the “cutting down, damaging or destruction of any of that natural landscape” to use the words of the covenant.
16. In relation to scope, we were advised that the removal of the pine trees within the property is a permitted activity, but that the related, and unavoidable, removal of the associated understorey vegetation within a covenanted area was a discretionary activity (Rule 8.4.6.1.3 of the ODP). Essentially then, the additional activity we considered would be the additional destruction of understorey vegetation within the balance of the covenanted area, beyond the limited extent of disturbance of that area proposed by the applicant.

17. We sought the view of the parties as to the scope of that matter. Both Mr Brabant, for the applicant, and Mr MacLean, counsel for the Chitty and Nuttall families, considered that there was no issue as to scope that would prevent us from including the additional harvesting activity. We largely agree with that advice, with the exception of the effects on the owners of 195, 201, 219A and 219B Gills Road, who are direct neighbours of the additional harvesting area and who did not submit on the application.
18. In relation to the sustainable management question, this includes both on and off-site effects of harvesting the additional area. We are clearly of the view that the additional harvesting has off-site benefits in terms of avoiding future disruption to residents. However, we considered that we did not have enough information on ecological and other public amenity effects of removing the pine trees or leaving them to decay and fall over at some time in the future. As detailed below, Ms Bergquist, the Council ecologist, was of the view that it was better for the local ecology that the trees fate be left to natural causes over time. While the random falling over of trees might damage the understorey, this would still be better than the almost total removal of that understorey as would occur with harvesting. Ms Bergquist's advice was in contrast to the applicant's ecological advice on this matter also recorded below, and took into account the applicant's offer of a regeneration programme. We noted that minimising disturbance in the covenanted area was a component of the mitigation that Ms Bergquist and Mr Ross took account of when considering the total removal of vegetation over the area to be subdivided.
19. We acknowledge the validity of the two ecologist's views, which compare slow evolution towards a more native ecology against the removal of pine trees and understorey followed by enhanced native restoration. However, these views were offered in the absence of detailed analysis and for that reason, we are inclined to proceed with caution on this matter.
20. With respect to legal scope, we are mindful that neighbours to the north of the site, or any other interested person, did not have an opportunity to consider the full harvesting option. While they could not legally oppose the removal of pine trees, they may well have valid concerns about the ecological impacts of that activity on the understorey of the covenanted area adjacent to their properties. For that reason we again proceed with caution.
21. In summary, while there are good reasons for the total removal of the pines in concept, we consider that this additional removal should be subject to a separate application. We consider that we do not have enough information to fully understand the implications of total removal, or the effects of this removal on the immediate neighbours. A separate consent process would provide for this more comprehensive assessment.

Relevant plan provisions

22. Section 3 of the planning report sets out the reasons for the application, detailing the provisions of the ODP, Auckland Council Regional Plan: Air, Land Water (**ACRPSC**),

Auckland Council Regional Plan: Sediment Control (**ACRPSC**) and Proposed Auckland Unitary Plan (**PAUP**) which specified the consents required and their respective activity status. The report concluded that, as there is an overlap between the consents required and their effects, and that as the consideration of one consent would likely affect the outcome of other consents, the applications should be considered together, with a common activity status of a non-complying activity. The applicant agreed with this activity status.

Summary of evidence

Applicant's Submissions and Evidence

23. Mr Jeremy Brabant presented opening submissions for the applicant, providing an overview of the site's history, in particular the access and zoning issues over recent years. Mr Brabant also provided details of the discussions with the Chitty and Nuttall families in relation to access across their land at 181 and 185 Gills Road to the subject site. Mr Brabant briefly described the application and then provided the panel with some recent case law on the interpretation of the section 104D 'gateway tests'.
24. Mr Martin Perkinson, the applicant, explained that he and his wife had purchased the property in 1970 before selling the freehold interest in 2005, retaining a leasehold interest. Mr Perkinson tabled a written submission which set out the background for the need for the application. In particular he explained their long involvement with planning process relating to the site and locale, and the evolution of the access route now proposed to be constructed, which is indicated on the ODP maps. The outcomes they are seeking are to finally log the pine plantation and to subdivide the site.
25. Mr Shannon Bray, a Landscape Planner, had prepared the Landscape, Visual and Urban Design Assessment noted previously. In his written statement of evidence he explained his role in the development of the design and his opinion as the potential effects of the proposal. Mr Bray summarised the landscape and urban design process he went through in order to arrive at the clustered 22 lot development for the application. He noted that the wider Albany landscape context has been subject to significant residential intensification, with many of the lots of approximately 500m² in size, located amongst remnant valleys of largely native vegetation. The site constraints he took into account included the covenanted valley in the upper western part of the site and steeper slopes to the east, which led to the identification of the 'development envelope'. By limiting development to this envelope the ephemeral watercourse tributaries of Lucas Creek could be avoided. Mr Bray explained how the subdivision design had larger lots along the northern boundary with the adjacent rural residential subdivision.
26. Mr Warwick Marshall provided engineering evidence relating to the design and construction of roading, stormwater management, wastewater reticulation, water supply, other utility services and associated earthworks. Mr Marshall also noted the location of the three retaining walls proposed; being at the eastern end of the

development, the south side of Lots 7 and 8, and on the eastern side of the Silvermoon Road extension.

27. Mr Marshall explained that earthworks will be required in two stages; firstly to establish access to the site for the logging operation and associated landing for loading trucks; and then the main civil works associated with the construction of the permanent extension of Silvermoon Road, the two branch roads within the development, building platforms, stormwater management and utilities. The earthworks will achieve a cut-to-fill balance, and will be managed in accordance with the erosion and sediment control plan submitted and accepted by the Auckland Council technical reviewer, Mr Byrne.
28. Stormwater will be treated through a combination of on-site retention tanks, bio-retention devices, proprietary filters devices and engineered outfalls to avoid erosion at the discharge points. Discharges of treated stormwater will be at two locations within the gully east of the site, within Lot 2 DP50891. The owner of that property has been consulted during the design of those outfalls and the stormwater management proposal has been accepted by the Auckland Council technical reviewer Mr Sunich.
29. In response to questioning by commissioners, Mr Marshall agreed that the logging access road could be stabilised and that if a wheel wash is to be utilised during the logging operation, it could be located within the site rather than adjacent to the existing Silvermoon Road. Mr Marshall also agreed that aside from the initial works to be undertaken at the entry point from the existing Silvermoon Road, all parking associated with construction vehicles and personnel could be located within the site. Mr Marshall also confirmed that the retaining wall on the southern side of Lots 7 and 8 could be moved northwards so as to avoid any earthworks within the intermittent stream at that location.
30. Dr Tim Martin provided evidence of the potential ecological effects of the proposal, focussing on the ecological context and values of the site, potential adverse effects, potential for avoidance, remedy and mitigation of effects, and the overall likely effects of the proposal. Dr Martin identified the various terrestrial habitats of the site, which include radiata pine forest, a small pocket of maritime pine forest, stands of manuka, and mamaku tree fern. The aquatic habitats within the site include the stream through the covenanted area to the west of the proposed development, and the watercourse to the south-east and east of the site. Various indigenous and exotic bird species were identified within these habitats. Dr Martin indicated that the habitat was suitable for indigenous skinks. Dr Martin did not consider the habitat to be specifically suitable for bats roosts, but acknowledged that long-tailed bats may forage in the area.
31. Dr Martin recognised the generally permitted activity status of removing the radiata pine forest from the development area and in that context, considered that the ecological effects of the proposal would be no more than minor, provided a range of recommendations were followed to minimise effects.
32. Commissioners questioned Dr Martin regarding the potential ecological effects of harvesting all of the pines within the site, including those located within the covenanted area. Dr Martin considered that the harvesting, if followed by assisted re-generation of

native species, would result in the covenanted area achieving higher quality indigenous ecological values faster than if the area was left to evolve under the mature pine forest.

33. In relation to the removal of vegetation along the access road through 181 and 185 Gills Road, Dr Martin considered that the loss of vegetation combined with the fragmentation of the SEA resulted in moderate adverse effects.
34. Mr John Parlane addressed the potential traffic generation and safety, parking and servicing aspects of the development, including construction traffic. Mr Parlane's conclusion regarding traffic safety and capacity is that there will be no noticeable traffic effects on Gills Road or at its intersections with Silvermoon Road and Dairy Flat Highway. Nor did he consider that the traffic generated by the development would impact on traffic safety for existing residents on Silvermoon Road. In Mr Parlane's opinion, the additional traffic that will be generated by the development will be well within the design capacity of the adjoining roads.
35. Mr Parlane considered that a Construction Traffic Management Plan should be prepared and submitted prior to construction. He accepted the recommendation by Auckland Council reviewer (Mr Shumane) that construction traffic management should avoid peak periods and suggested that truck movements should be restricted to the period of 9am to 3pm.
36. Mr Parlane also agreed with Mr Shumane's suggestion that refuse collection be undertaken by smaller trucks provided by a private contractor.
37. Mr David Hay has been the planning consultant for the applicant since 2011, so he had considerable background on the application, which he summarised for us. Mr Hay was in general agreement with the planning report and the proposed conditions of consent, however, he suggested additional conditions in relation to the height in relation to boundary and site coverage non-compliances and an alternative to the rubbish collection method condition for our consideration.
38. Mr Hay provided a summary of the actual and potential environmental effects of the various land use activities, earthworks, the diversion and discharge of stormwater, and the proposed subdivision. This summary drew on the expert opinion of the other applicant witnesses, and to some extent the assessment of the Council experts. He agreed with Mr Ross' overall assessment that the effects of the proposal will be no more than minor.
39. An important element of this assessment was his consideration of the expert opinion of Dr Martin that the adverse effects of the vegetation removal in the SEA was moderate (i.e. more than minor). Mr Hay based his 'no more than minor' conclusion on the fact the Council had relatively recently determined that the alignment of the access to 193A Gills Road should be through the SEA area. Further, he noted that "the bush is not unique and nor is it regionally or nationally significant.

40. We agree with Mr Hay, and Mr Ross' conclusions about the level of adverse effects being no more than minor, and in doing so observe that this is Ms Bergquist's conclusions on ecological effects also, as recorded below.
41. Mr Hay agreed with Mr Ross' assessment of the relevant ODP and Regional Plan provisions and attached the assessment he had provided with the application, which helpfully had all the relevant planning provisions. Mr Hay concluded that the proposal was generally consistent with these provisions.

Submitters

42. Mr Malcolm Maclean, Counsel for Chitty Family Trust and Nuttall Family Trust addressed the Hearings Panel on the trusts' behalf. The Chitty Family Trust is the owner 181 Gills Road directly to the north of the terminus of the Silver Moon Road. The Nuttall Family Trust owns the property immediately to the north, located between the Chitty property and the applicant's site. The proposed extension of Silvermoon road crosses the Chitty and Nuttall land and the applicant is seeking access across both properties. Mr Maclean spoke briefly to the submission he prepared on the trusts' behalf which were in opposition to the proposal for various reasons. However he was able to update the Hearings Panel that the trusts no longer opposed the application as they had reached agreement with the applicant based on amendments to the plans and information provided. This position was provided in writing subsequent to the hearing. Mr Maclean also suggested an amendment to the proposed harvesting plan that would allow for the harvesting of some pines within his client's property, if such trees were deemed to be a danger to the occupants of the proposed subdivision.
43. Mrs Sue Tyrell, is a resident of 35 Silver Moon Road. Her house lies directly to the east of the cul-de-sac. She provided a joint presentation with Mr Kent Dapiere who is a resident of 21 Silver Moon Road and also a submitter. They tabled a presentation in which they firstly addressed the non-complying aspects of the proposed activity. They secondly went on to address their concerns in respect of the potential adverse effects. They had a particular concern with the traffic impact assessment by the applicant and Council. Finally, they presented alternative access options which they believed the applicant should have addressed as they were valid options to consider.

Council officer reports

44. Mr Sam Shumane, of Shumane Consultancy, reviewed the potential traffic generation and safety, parking and servicing aspects of the proposal on behalf of Auckland Council. Mr Shumane provided a range of recommendations and conditions that have been adopted by the applicant.
45. Mr Shumane concluded that the "traffic generation effects of the proposal will be acceptable on the immediate road network". With respect to construction traffic, Mr Shumane considered the likely traffic will be adequately accommodated within the existing road network, subject to the approval and implementation of a satisfactory Construction Traffic Management Plan.

46. With respect to servicing, Mr Shumane expressed reservations regarding whether the development could accommodate sufficient space for refuse bins and a turn-around area for a standard Council contractor service. Mr Shumane recommended that a private contractor be required to service the lots.
47. Mr Shumane accepted that the proposed on-site and roadside parking will be sufficient for the anticipated demand.
48. Ms Carol Bergquist, Auckland Council ecologist, reviewed the ecological aspects of the proposal. Ms Bergquist considered the potential effects of pine removal within the covenanted area, destruction of understorey associated with pine harvesting, sediment discharges and vegetation clearance through the Significant Ecological Area (SEA), associated with the extension of Silvermoon Road. Ms Bergquist concluded that ecological effects should have no more than minor effects, provided that areas of disturbance are minimised, pest plant control is implemented, and indigenous vegetation restoration is undertaken, including opportunities to enhance vegetation within canopy gaps. Ms Bergquist finding was subject to recommended conditions.
49. When questioned, Ms Bergquist did not favour clear felling of all pines including those across the balance of the covenanted area, based on the likely impacts of machinery and understorey destruction. Ms Bergquist considered that on balance the least impact would be achieved by leaving the pines to mature and senesce naturally rather than disturbing the understorey by logging. She conceded that it may take longer to establish a high quality indigenous environment in that location, but the existing vegetation (including understorey) did provide good quality habitat. Ms Bergquist suggested that if all pines were to be removed, the full balance of the property beyond the development area should be covenanted.
50. Ms Tracy Ogden provided a report as the Council's consultant Urban Designer. She considered that the removal of the pine trees will result in a visual change but that will be a view of "transition". In her opinion the character of the change is in keeping with the change generally occurring in the Albany area. Ms Ogden was also of the view that the protection of the gully and covenanted areas is in line with the future character of the Albany. Overall she supported the proposed density and the departure from the height in relation to boundary constraint in order to enable more efficient use of the land.
51. Mr Nanayakkara Amarasiri, Auckland Council development engineer, reviewed the engineering aspects of the proposal, including geotechnical and services. Mr Amarasiri noted that the wastewater and water supply design had been approved by Watercare Services Limited, the stormwater design had been accepted by the Auckland Council Stormwater Unit, and that the transport aspects have been assessed by Auckland Transport (and Mr Shumane). Mr Amarasiri accepted the findings of the applicant's geotechnical report and overall supported the proposal, subject to recommended conditions.
52. Mr Matthew Byrne of Babington Associates had reviewed the erosion and sediment control aspects of the proposal, on behalf of Auckland Council. Mr Byrne concluded

that the proposed erosion and sediment control methodology is consistent with Auckland Council Technical Publication 90. Provided that methodology is implemented, Mr Byrne did not expect that the earthworks would result in sediment effects that would be more than minor.

53. Mr Trent Sunich of Andrew Stewart reviewed the stormwater management aspects of the proposal. Mr Sunich concluded that, based on the proposed stormwater management principles and design, the effects of the diversion and discharge of stormwater from the completed development would be less than minor, subject to recommended conditions.
54. Mr Mark Ross prepared the planning report for the application. Mr Ross informed us that he had taken over the job from Mr Owen Taylor, who was not able to complete the task due to personal circumstances. Mr Ross had utilised Mr Taylor's existing work to date, which he agreed with. The Commissioners would like to record their thanks to Mr Taylor for his input.
55. Mr Ross provided us with a comprehensive coverage of the provisions from each of the relevant plans (ODP, ACRPALW, ACRPSC and PAUP). We refer to his findings below in relation to the principle issue in contention on the proposed density and the key planning provisions in relation to section 104D of the RMA.

Principal issues in contention and other matters of concern

56. We considered the principal issues in contention to be as follows:
 - Whether Silvermoon Road was the appropriate point of access to the site, taking into account traffic generation from the pine plantation harvest operation and the proposed subdivision.
 - Whether the proposed density of development generated adverse environmental effects (including landscape, visual and traffic) that were not sufficiently avoided, remedied or mitigated.
57. Other matters of concern included:
 - The potential adverse effects on ecological values from vegetation removal.
 - The potential adverse effects on water quality from logging, earthworks and the proposed subdivision development.
 - The potential adverse effects on amenity values including dust and noise from logging and construction activity.

Main findings

Access to the Proposed Subdivision and Forest Harvest Operation

58. One of the main matters covered in the evidence of the applicant and a key submission point of the resident submitters of Silvermoon Road was the appropriateness of access to the subdivision via Silvermoon Road.
59. Mr Perkinson, and other witnesses for the applicant, provided us with a detailed background of the history of access to the site. The key point of this was that the current ODP Planning Map 12 has a notation on it showing a "Preferred Road" extending from the end of Silvermoon Road into the subject site. That notation was a specific outcome of Plan Change 32 which became operative in 2013.
60. Many of the Silvermoon Road written submissions, and Mrs Tyrell in her presentation, identified congestion and road width issues which they considered already adversely affected the safety and efficiency of the road for current users. Consequently, it was their view that additional traffic movements over the road would exacerbate these effects. As noted, we visited the road twice. On the first occasion, the road was very congested with trucks and other trade vehicles related to the construction activity for the large multi-unit development at 125 Gills Road. On the second occasion the road was less congested. We also noted that some houses appeared to have vehicles parked on the roadside, instead of, or as well as, within the property.
61. As noted above, Mr Parlane's evidence was that Silvermoon Road was designed to carry in the order of 2000 vehicles per day, even with cars parked on one side of the street, whereas the actual demand would be less than 400 vehicles per day.
62. We consider that our key guidance comes from the ODP which has indicated that the development of the site is to be accessed from Silvermoon Road. While we acknowledge, and witnessed, some of the congestion caused by current construction activities on the road, we anticipate that these will pass over time. We cannot do anything about the parking of cars by current residents on the road. We accept Mr Parlane's assessment as to the adequacy of the road.
63. Mr Parlane also considered the potential traffic effects at the intersection of Silvermoon Road and Gills Road, and the intersection of Gills Road and Dairy Flat Highway at Albany Village. He also considered potential effects at the one lane bridge on Gills Road. We accept the conservatism in his findings that the predicted increase in traffic as a result of the proposed development will be within the capacity of those intersections. We also accept that the development would not have an appreciable adverse effect on traffic flows across the one lane bridge.
64. In relation to the forestry harvesting operation access, it makes sense that this also be via Silvermoon Road. This operation will be over approximately 15 working days at five trucks per day, well able to be catered for by the road. We gave consideration to alternative routes for this operation as the effect of the logging operation was a matter raised in submissions. However, in the absence of agreement from any third party

there are no feasible alternative routes to consider. The amenity issues relating to logging trucks on Silvermoon Road are given further consideration below.

The proposed density of development

65. The applicant proposes 22 lots, each providing for a single dwelling, whereas the current zoning of the site, Area B: Large Lot Residential, provides for residential subdivision to a minimum lot size of 1,500m² and an average of 2000m², which would permit 14 lots. The question therefore is whether the additional 8 lots generate adverse effects, such as landscape, visual and traffic effects, that are not able to be sufficiently avoided, remedied or mitigated?
66. The matter of density was identified as a concern by many of the submitters due to the generated effects and the inconsistency of the proposed density with the ODP provisions.
67. We have already addressed traffic effects, so the following paragraphs focus on landscape and visual amenity. As noted above, the surrounding properties are all zoned Area A: Environmental Protection which provides for minimum lot sizes of 4000m², so that the subject land is a zoning 'island' of higher density. This situation reflects the presence of the pine plantation on the property and the inevitable logging of it, thereby creating a different environment baseline for development. That difference was recognised in the Plan Change 32 process which resulted in the current zoning.
68. The applicant's approach to density, as described by Mr Bray and Mr Hay, and summarised above, was to define a development envelope which avoided significant natural features and minimised alteration to the natural landform, and which contained a clustering of houses at similar densities to the development within other nearby subdivisions. Mr Ross expressed some reservation about the increase in density over the permitted limits of the zoning, although taking into account the overall design process, he concluded that "any adverse character and amenity effects would [be] minor in scale and acceptable in nature". We accept the combined expert advice of these witnesses that the proposal sits well within the wider environment. It was also our observation from various vantage points that the development would not be an obvious visual anomaly amongst the existing patterns and densities of development extending from Lucas Creek to Lonely Track Road.
69. On the matter of potential effects on immediate neighbours we note that the Chitty Family Trust and Nuttall Family Trust no longer oppose the subdivision. That leaves the property owners to the north. We received written submissions from 217, 217A, 243, 245, and 247 Lonely Track Road. All of these submitters opposed the density of development, and while indicating that they wished to be heard, none attended the hearing so we are only able to respond to their written submissions.
70. Mr Ross advised us, and we noted in our site inspection, that these properties are large lots, the dwellings on them are located at least 50m from their common boundary with the subject site, that they are generally in more elevated positions and have existing screening vegetation on the intervening land. Our finding is that the

separation distances and vegetation will limit any adverse effects on visual amenity, privacy or the feeling of spaciousness for these properties.

71. Overall, our conclusions on this matter are that while there is a 50% increase in the number of dwellings proposed over the anticipated zone limit, the lot sizes are not out of keeping with development in the area, the clustering of development has enabled mitigating aspects of the development in terms of vegetation retention and earthworks minimisation, and there will be only minor adverse effects on immediate neighbours.

Other matters of concern

The potential adverse effects on ecological values from vegetation removal

72. We have already addressed some of the matters relating to potential adverse effects on ecological values, particularly in relation to extending the pine harvesting operation. However, the application, as lodged, entails the following interface with the natural environment:
- The removal of all pine trees from the area to be subdivided and from within the border of the covenanted area as described above. This removal has the consequent effect of removing most, if not all, of the understorey vegetation.
 - The removal of vegetation and related earthworks from an area with a Significant Landscape Features overlay (ODP) and SEA (PAUP) along the alignment of the access road through 181 and 185 Gills Road. The extent of earthworks and disturbance within the riparian area adjacent to proposed Lots 7 and 8 and the SEA also required consents as either a discretionary activity (ODP) or a non-complying activity (PAUP).
73. As previously noted, the removal of the pine trees is a permitted activity. Consequently, when considering the removal or damage of the understorey vegetation, and the consequent adverse effects on its ecological values, is not a question of avoiding adverse effects, but of minimising and mitigating these effects. We consider that the mitigation proposals of the applicant, as expressed by Dr Martin, will all provide effective mitigation for the damage to the understorey.
74. We also consider that the final forest harvesting plan should have as an objective the minimisation of damage to the understorey. What we mean by this is if the land was to be developed and it did not have pine trees then much focus would be on the retention of some trees or groups of trees, particularly around the boundary of the site. Consequently, while we recognise the inevitable damage that will occur, the forest harvesting plan should endeavour to retain trees or groups of trees along the eastern, northern and southern boundaries, in the same way as extraction would take care within the covenanted area to the west.

The potential adverse effects on water quality from logging, earthworks and the proposed subdivision development

75. This is not a matter upon which the granting or declining of this consent would turn, however protecting the upper catchments of Lucas Creek from sediment laden water is a significant site management matter. In this regard we note that a principle of subdivision design had been the avoidance of watercourses, either permanent or ephemeral. A discussion point at the hearing had been that proposed Lots 7 and 8 intruded into one of the ephemeral watercourse areas. However, on our site visit we walked to the boundary of the site at this point and noted that the watercourse was dry (although there had been significant overnight rainfall), so that it is possible for any works, including the proposed retaining walls (as relocated) to be undertaken during a low rainfall season and not increase the risk of runoff directly to the watercourse.
76. More generally, we were advised by the applicant of the sediment control measures that they proposed, and we note that these were reviewed by experienced Council staff. As noted above, Mr Byrne concluded that provided his recommended conditions of consent were implemented, the potential sediment related effects on the environment would be no more than minor.

The potential adverse effects on amenity values including dust and noise from logging and construction activity

77. In addition to the traffic effects of the logging and construction activity there will be the inevitable adverse effects on amenity values including dust and noise. The residents of Silvermoon Road identified these effects in their submissions, and experience them on a day to day basis with the ongoing building activity that comes with a new subdivision. As with sediment effects above, they are not a reason to decline consent, but they need conditions, and the application of the best practicable option in order to minimise them.
78. We note the recommended construction related noise and dust conditions. We also consider, as discussed at the hearing, that the wheel wash should be located as soon as possible on what is 193A Gills Road, not at the Silvermoon Road end of the access road. We appreciate that cannot physically happen on Day One, however the revised Forestry Roding Plan (13008.03 RD11 Issue 4) from the applicant after the hearing depicts the wheel wash in the location we consider appropriate, and it should be located there as soon as practicable.
79. With these conditions in place we consider that these effects will be minimised to the greatest extent practicable.
80. A final matter on amenity values relates to a matter raised by Mrs Tyrell in her submission in relation to parking and traffic movements outside her house at 35 Silvermoon Road. Mrs Tyrell pointed out the shortage of parking in Silvermoon Road generally, but did not want to have additional parking outside her house, as proposed in the applicant's changes to the road formation in Plan 13008.03 RD01 Issue 7. This plan shows the removal of the existing cul-de-sac and the installation of additional 75 - 90 degree parking along both the eastern and western roadside.

81. The proposed changes would provide for approximately 6 – 7 cars on the western side, and 10 – 11 cars on the eastern side. While we recognise the opportunity to provide for more on-street parking in Silvermoon Road, we consider that to locate up to 18 carparks in one location detracts from the amenity of the nearest dwellings. Consequently we agree with Mrs Tyrell on this matter and consider that no further parking should be installed on the eastern side of the road. The additional parking can be installed on the western side as proposed, as the dwelling on this side is elevated above the parking area and the interface is less sensitive. The additional road berm area to be created on the eastern side as a result of the cul-de-sac removal should be landscaped to be consistent with the proposals along the new road extension.

Conclusions

82. Our overall conclusion on the principal issues in contention and the other matters of concern is that the actual and potential environmental effects of the proposal can be satisfactorily resolved in favour of granting the consent subject to the proposed conditions.

Relevant standards, policy statements and plan provisions considered

83. Mr Hay and Mr Ross both provided us with a comprehensive analysis of the key plan provisions; Mr Hay in the AEE he prepared and Mr Ross in his planning report. We have reviewed each report and consider that the two planners have reviewed a similar set of provisions and come to similar conclusions. For the purposes of our assessment we adopt Mr Ross' report, but that is not to discount Mr Hay's views, as they were in general agreement.
84. We asked Mr Ross what he considered to be the key provisions in relation to the principle issue of the density of development and he directed us to Section 17A.2.2 on Landscape Protection, in particular 17A.2.2.2.1, the policies for development within Areas A and B. Of these policies we considered that there was definitely some tension in respect of Policy 6 which is:

To require a low and low-moderate density form of development to provide a transition from the higher density development close to the Albany centre, to the more natural patterns and themes of the Albany Hills...

85. The pattern of zoning indicates that this transition commences along the northern boundary of the Silvermoon Road subdivision, whereas the proposal before us effectively extends the higher density further into the Albany Hills. However, in terms of the other policies, and taking into account two important factors, the existing right to harvest the pine forest and that the ODP effectively creates the applicant's site as an island of higher large-lot density (B(A)) serviced by the a preferred access route across surrounding lower large-lot density (A(A)), we consider that the proposal is generally consistent with what the plan seeks.

86. With reference to the other plan provisions referred to us on tree protection, stormwater management, sediment control, landscape values and residential amenity we consider that the proposal is consistent with these plan provisions.
87. Finally, we find that there are no national policy statements which are relevant to our decision, and that the Auckland Council Regional Policy Statement (ACRPS) policies on natural environmental matters have been given effect within the regional and district plans and that the applicant is consistent with the overarching objectives and policies of the ACRPS.

Relevant statutory provisions considered

88. In accordance with section 104 of the RMA, we have had regard to the relevant statutory provisions including sections 104B and 104D as these apply to non-complying activities. For the reasons set out below we find that the application passes the tests of section 104D, and that consent should be granted subject to the conditions set out below. We consider that the relevant plans appropriately encompass the purpose and principles of the RMA, as expressed in Part 2, and for that reason the application is also consistent with the purpose of the RMA being sustainable management of natural and physical resources.
89. Sections 105, 106 and 107 raise specific matters in relation to discharges and subdivision. The matter of physical and legal access in section 106(1)(c) has been satisfactorily addressed and we consider that the proposals for stormwater discharge from the site meet the requirements of Sections 105 and 107.

Decision

90. In exercising our delegation under sections 34 and 34A of the RMA and having regard to the foregoing matters, sections 104, 104B and 104D and Part 2 of the RMA, this resource consent is **GRANTED**.
91. We also confirm that we grant consent to the applicant in terms of the removal of vegetation required for the development that is restricted by the covenant registered against the title of the land on DP 199226.

Reasons for the decision

92. The reasons for this decision are as follows:
 - a. The proposed development passes both 'gateway tests' of section 104D and so the merits can be considered. Specifically:
 - The adverse effects of the proposal will be no more than minor.
 - The proposal will not be contrary to the objectives and policies of the relevant Plans for the reasons set out below.

- b. In terms of section 104(1)(a) of the RMA, the proposed development would result in actual and potential adverse effects in respect of earthworks, stormwater, traffic, ecology, landscape, character and amenity, future development, engineering and construction matters that, when viewed in the context of the subject environment and balanced against the positive effects that would result, are of a nature that are acceptable in the circumstances and no more than minor in scale.
- c. In terms of section 104(1)(b) of the RMA, the proposal is consistent with, and not contrary to, the relevant objectives and policies of the Auckland Council District Plan – North Shore Section, the Auckland Council Regional Plan – Sediment Control and the Auckland Council Regional Plan – Air, Land and Water because the level of development would be of an appropriate scale and intensity and would be in keeping with the form of development considered acceptable within the Area B – Large Lot Residential zone, with adverse effects in respect ecological and landscape matters, environmental quality (including sedimentation and water quality and quantity), traffic safety and character and amenity values either avoided, or suitably remedied or mitigated.
- d. In terms of section 104(1)(b) of the RMA, the objectives and policies in sections C.5.2 Earthworks, C.5.3 Vegetation Management, C.5.15 Water and D.1.2 Large Lot zone of the Proposed Auckland Unitary Plan replicate and reinforce those within the current District and Regional Plans and while some do expand on them, none result in a new direction being taken or seek to achieve different outcomes. Accordingly, for the reasons outlined in c) above, the proposed development would be consistent with the relevant objectives and policies of the Proposed Auckland Unitary Plan.
- e. The proposed development would promote the sustainable management of natural and physical resources by allowing for the harvesting of the existing pine forest and subsequent redevelopment of the cleared area for residential purposes in a manner generally consistent with the requirements of its residential zoning and which ensures that the ecological and landscape qualities and character and amenity values of the surrounding environment are maintained and enhanced through the implementation of appropriate mitigation measures.

Conditions

GENERAL

The following conditions are applicable to all resource consents, being SA-3022732 for subdivision and land use consents, REG-2138265/1 for regional land use consents for earthworks, and REG-2138429 for discharge permits for diversion and discharge of stormwater).

1. The proposed development shall be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the Council as consent numbers SA-3022732, REG-2138265 and REG-2138429, including the following:

- Application Form, and Assessment of Effects prepared by Osborne Hay, dated August 2012 as amended in October 2013.
- Section 92 response, prepared by Osborne Hay, dated 26 February 2014, as amended in October 2013.
- Letter on Road Alignment, prepared by Osborne Hay, dated 13 February 2015
- Specialist Reports as detailed below:

Specialist Report Title	Prepared by	Rev	Dated
Geotechnical Investigation Report	Soil and Rock Consultants	12104, Rev A	18 April 2012
Harvesting Plan	Appendix One Osborne Hay AEE	-	25 September 2013
Landscape, Visual and Urban Design Assessment	Boffa Miskell Ltd	Revision 1	4 October 2013
Response to s92 letter – Subdivision Road Design (Urban Design Matters)	Boffa Miskell Ltd	A13077	12 February 2014
Infrastructure Assessment Report	Acclaim Consultants Ltd	Issue C	January 2014
Arboriculture Assessment	Greenscene NZ	G13206	February 2013
Ecological Assessment 193A Gills Road	Wildlands : Tim Martin Peer Review Shona Myers	3097	February 2013
Ecological Assessment 181-185 Gills Road	Wildlands : Tim Martin and Jamie MacKay	3598b	February 2015
Traffic Impact Assessment	Parlane & Associates		16 August 2013 and 4 October 2013

- Plans as detailed below:

Drawing reference number	Title	Architect / Author	Dated
LA-04 Rev. B	Proposed Subdivision (site only)	Boffa Miskell	19 June 2015
13008.03-SP01a-Issue 4	Scheme Plan – Sheet 1 of 2	Acclaim Consultants	17/06/2015
13008.03-SP01b-Issue 5	Scheme Plan – Sheet 2 of 2	Acclaim Consultants	06/07/2015
13008.03-SP02-Issue 2	Existing Contours	Acclaim Consultants	12/02/2015
13008.03-DR01-Issue 7	Drainage Plan	Acclaim Consultants	06/07/2015
13008.03-DR02-Issue 2	Catchment Plan	Acclaim Consultants	12/02/2015
13008.03-DR03-Issue 4	Outlet Structure	Acclaim Consultants	02/07/2015
13008.03-DR04-Issue 4	Counterfort and Under Fill Drains	Acclaim Consultants	02/07/2015
13008.03-EW01-Issue 4	Earthworks Plan	Acclaim Consultants	02/07/2015
13008.03-EW02-Issue 5	Earthworks Plan Showing Slope gradients	Acclaim Consultants	30/06/2015
13008.03-EW03-Issue 5	Depth of Cut & Fill Plan	Acclaim Consultants	30/06/2015
13008.03-EW04-Issue 4	Erosion and Sediment Control Plan	Acclaim Consultants	02/07/2015
13008.03-EW05-Issue 4	Secondary Erosion and Sediment Control Plan	Acclaim Consultants	02/07/2015
13008.03-EW06-Issue 4	Sediment Control Details – Sheet 1	Acclaim Consultants	02/07/2015

13008.03-EW07-Issue 4	Sediment Control Details – Sheet 2	Acclaim Consultants	02/07/2015
13008.03-DR05-Issue 5	Stormwater Longitudinal Sections - Sheet 1	Acclaim Consultants	30/06/2015
13008.03-DR06-Issue 5	Stormwater Longitudinal Sections - Sheet 2	Acclaim Consultants	30/06/2015
13008.03-DR07-Issue 5	Stormwater Longitudinal Sections - Sheet 3	Acclaim Consultants	30/06/2015
13008.03-DR08-Issue 4	Wastewater Longitudinal Sections - Sheet 1	Acclaim Consultants	30/06/2015
13008.03-DR09-Issue 4	Wastewater Longitudinal Sections - Sheet 2	Acclaim Consultants	30/06/2015
13008.03-DR10-Issue 4	Wastewater Longitudinal Sections - Sheet 3	Acclaim Consultants	30/06/2015
13008.03-RD01-Issue 7	Roading Plan	Acclaim Consultants	30/06/2015
13008.03-RD02-Issue 4	Roading Longitudinal Sections Sheet 1	Acclaim Consultants	17/06/2015
13008.03-RD03-Issue 4	Roading Longitudinal Sections Sheet 2	Acclaim Consultants	17/06/2015
13008.03-RD05-Issue 4	Road Typical Cross Sections Sheet 1 of 2	Acclaim Consultants	02/07/2015
13008.03-RD06-Issue 4	Road Typical Cross Sections Sheet 2 of 2	Acclaim Consultants	02/07/2015
13008.03-RD11-Issue 4	Forestry Roading Plan	Acclaim Consultants	02/07/2015
13008.03-RW01 & RW02 Issue 4	Retaining Wall Long Sections	Acclaim Consultants	27/06/2015
13008.03-WR01-Issue 4	Water Reticulation Plan	Acclaim Consultants	27/06/2015

2. This consent (or any part thereof) shall not commence until such time as the following charges, which are owing at the time the Council's decision is notified, have been paid in full:
 - a. All fixed charges relating to the receiving, processing and granting of this resource consent under section 36(1) of the Resource Management Act 1991 (RMA); and
 - b. All additional charges imposed under section 36(3) of the RMA to enable the Council to recover its actual and reasonable costs in respect of this application, which are beyond challenge.
3. The consent holder shall pay any subsequent further charges imposed under section 36 of the RMA relating to the receiving, processing and granting of this resource consent within 20 days of receipt of notification of a requirement to pay the same, provided that, in the case of any additional charges under section 36(3) of the RMA that are subject to challenge, the consent holder shall pay such amount as is determined by that process to be due and owing, within 20 days of receipt of the relevant decision.
4. A surveyed 20m riparian margin within areas a and b shown on Scheme Plan 13008.03-SP01a shall be fenced for the duration of the works for protection from any encroachment by machinery, construction materials or debris except that required for the removal of any pine trees within this riparian margin.
5. No trees or vegetation shall be removed, apart from the removal of the pine trees and understorey identified in Condition 9 (a) and (b) below, beyond the southern boundary, or within the western riparian margin except for the purpose of hand placement of rip-rap around the counterfort drain outlets. The counterfort drains shall be installed by directional drilling from outside the riparian margin.
6. All dwellings on Lots 1 to 22 shall comply with the relevant District Plan development controls except:
 - (a) The height in relation to boundary controls along the front and side boundaries (except against Lot 2 DP 50891 which shall still apply); and
 - (b) The maximum building coverage shall not exceed 35% of the lot area and up to a maximum of 175m².
7. Condition 6 shall be complied with on a continuing basis and shall be registered as a covenant in accordance with Section 108 of the Resource Management Act 1991 on the Computer Freehold Register of the respective lots (and recorded on Council's Land Information Register) both at no cost to the Council.

Before Construction Starts

8. Prior to commencement of the pine harvesting operation, a final Forestry Harvesting Plan (FHP) shall be submitted to Council for approval.
9. The FHP must achieve the following objectives and outcomes:

- a) Identify individual pines that are to be removed from covenanted areas a and b within Lots 1 and 22 in order to avoid the future risk of tree fall on these two properties.
 - b) Identify individual pine trees that are located within Lot 1 DP 54049 (being the property currently belonging to the Nuttall Family Trust) that in the opinion of the a qualified forestry consultant may pose a health and safety risk to future occupiers of Lot 2 DP 343027 (being the applicant's property).
 - c) Provide detail of a best practicable option approach (BPO) of harvesting pine trees around the boundaries of the site so that where possible existing trees or groups of trees are able to be retained where these trees do not compromise the building of a dwelling in the indicative house footprints shown on Scheme Plan 13008.03-SP01a and SP01b. The BPO approach shall incorporate the safety requirements of the harvesting operation.
 - d) Detail how any retained trees and vegetation identified in (c) will be protected for the duration of the forestry operation and site works construction activity on site. Protection measures shall include tree protection fencing
10. Prior to commencement of any pine tree removal within the covenanted areas a and b within Lots 1 and 22, a replanting plan for the balance of the affected covenant area shall be submitted to the Council's Monitoring Inspector for approval following consultation with the Council's Ecologist and shall be implemented as required by Condition 19.
 11. A Planting and Weed Management Plan shall be prepared by a suitable qualified person for restoration plantings along the exposed cleared edge of retained vegetation within the access site (181 and 185 Gills Road) to provide an enhanced buffer between the retained and cleared areas and to mitigate potential adverse edge effects, including the drying out of litter, direct sunlight and wind burn to ferns and seedlings and wind damage to larger understory and exposed extant trees and shrubs. The plan shall be submitted to the Council's Monitoring Inspector for approval following consultation with the Council's Ecologist and shall be implemented as required by Condition 19. This Planting and Weed Management Plan shall be implemented within one month of the works being completed or within the first planting season after the completion of works.
 12. Prior to the commencement of any works, a Lizard Management Plan (LMP) shall be provided to the Council's Ecologist for written approval. The LMP shall identify a receptor site for release of any captured native lizards together with lizard habitat enhancement e.g. logs and cut discs salvaged from the vegetation clearance sites within the receptor site. Capture and rescue of native lizards shall commence only under favourable weather conditions, at least eight weeks prior to any earthworks or vegetation clearance works, or when pre-works activities occur e.g. temporary establishment of site storage buildings, road access and equipment/machinery parking space. Such works shall only commence between 1 September and May 31 (as seasonal periods can seriously impact on the presence and movements of lizards e.g.

cold and wet periods) unless otherwise agreed in writing with the Council's Monitoring Inspector following consultation with the Council's Ecologist.

13. To ensure that the LMP is appropriately implemented, a herpetologist or suitably qualified ecologist shall be present (subject to appropriate health and safety procedures) when vegetation clearance and/or earthworks commence. This is to ensure that opportunities are maximised to capture and rescue native lizards.

During Construction

14. There shall be no discharge of contaminants (e.g. oil, diesel, petrol, effluent, leachate of cement) to any riparian margins as a result of the exercise of this resource consent.
15. Where considered appropriate by the consent holder's appointed arborist and under the direction of the Council's Monitoring Inspector, woody debris as a consequence of vegetation clearance works shall be transferred to surrounding indigenous vegetation to provide and enhance habitat for wildlife.
16. All machinery shall be operated in a way that ensures that spillages of fuel, oil and similar contaminants are prevented, particularly during machinery servicing and maintenance. Refuelling and lubrication activities and the mixing of all grouts and concrete products shall be carried out away from any riparian margin such that any spillage can be contained.
17. All works activity on the subject site shall comply with the New Zealand Standard 6803 P: 1999 'The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work' for Acoustics – Construction Noise.
18. There shall be no airborne or deposited dust beyond the subject site as a result of the earthworks activity that in the opinion of the Council's Monitoring Inspector, is noxious, offensive or objectionable.

Following Completion of Construction

19. For the replanting works required by Conditions 10 and 11, the consent holder shall ensure that plants are eco-sourced (from the Tamaki or Rodney Ecological Districts if possible). The consent holder shall maintain all new plantings and carry out weed management for a minimum of two years (for planting under Condition 10) and three years (for planting under Condition 11) from the time of first planting. Any plants that die or decline within this time period to a point that they are of no value (in the opinion of the Council's Monitoring Inspector) shall be replaced.

CONDITIONS RELATING TO SA-3022732 (SUBDIVISION AND LAND USE CONSENTS)

20. Under sections 108 and 220 of the RMA, this consent is subject to compliance with the following conditions prior to the issuing of a certificate in terms of Section 224(c) of the said Act.

General Conditions

21. The consent holder shall ensure complete engineering drawings, accompanied with a

design certificate in the form of Schedule 1A of NZS 4404:2010, detailing all proposed construction works including details of proposed silt detention and erosion control measures, are prepared in accordance with the Auckland Council's legacy North Shore City Council "Infrastructure Design Standards" manual Issue 10, January 2009 and are submitted for assessment and written approval by the Development Engineer before the commencement of any works unless otherwise specified within this consent.

Advice Note:

(a) *Construction works that require a building consent should be included in the engineering drawings.*

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

Section 2 Earthworks and Geotechnical Requirements (supersedes IDS Section 2) September 2013

Section 3 Auckland Transport Code of Practice 2013 (supersedes IDS Section 3 except for private assets such as shared accessways) September 2013

Chapter 4 – Stormwater Version 1 (supersedes IDS Section 4 although IDS 4.17 gives guidance for drafting operation and maintenance manuals) October 2013

Sections 5 & 6 Water and Wastewater Code of Practice for Land Development and Subdivision Version 1.6 (supersedes respectively IDS Sections 6 & 5) September 2013

(c) *Construction works that require a building consent should be included in the engineering drawings.*

22. The consent holder shall arrange for inspections in accordance with Auckland Council's Development Engineering Quality Assurance Manual Version 1.0, April 2012 (**QAM**) to be carried out by a suitably qualified person during construction of all works on the site to ensure that those works are constructed in accordance with the approved engineering drawings or any approved amendments to those drawings, Council's standard requirements for the construction of subdivisional engineering works, and sound engineering practice.
23. The consent holder shall ensure that inspections undertaken in accordance with Condition 22 above are recorded in the QAM. The manual, including the Statement of Certification (Appendix A, of Development Engineering As-built requirements, Version 1.2, September 2012 (DEAR), is to be completed and forwarded to the Development Engineer at the completion of construction of all works. If a public service is to become operational prior to the completion of all works then a Statement of Certification for that service must be completed and forwarded to the Development Engineer dealing with the consent prior to that public service becoming operational.

Advice Note:

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

21. Accurate as-built plans must be submitted for all public services, including underground services showing every lot connection including any portion of the reticulation downstream of the lot connection which may be of private status, in accordance with the Development Engineering As-Built requirements Version 1.2 September 2012. The as-built plans must be confirmed by the Development Engineer as compliant prior to the Public Service becoming operational or the issue of a Section 224(c) Certificate under the Resource Management Act 1991, whichever is the earlier.

Advice Note:

The Water and Wastewater Code of Practice for Land Development and Subdivision refers to the "lot connection" as "Point of Supply".

Geotechnical

22. The consent holder shall provide a supplementary report (Geotechnical Design Report) including investigation of new elements of the work since the investigation report dated 2 July 2012. The Geotechnical Design Report shall accompany the application for Engineering Approval.
23. The consent holder shall ensure all earthworks are carried out in such a manner as to protect land not forming part of the subdivision against erosion, subsidence and slippage arising or likely to arise as a result of the subdivision.
24. The consent holder must ensure that prior to the completion of the subdivision a Geotechnical Completion Report compliant with the requirements of the Code of Practice Section 2, from a suitably experienced Chartered Professional Engineer, and who has Professional Indemnity and Public Liability Insurance each with a minimum limit of indemnity of \$2,000,000, shall be provided attesting to the suitability of all lots, including Roads and Reserves, for their intended purpose. One bound copy and one pdf copy of this report are to be submitted to the Council.
25. Where the report provides that any area of the land relating to the subdivision possesses development limitations, the consent holder shall rework that area to remove the limitations if required to do so by the Council's Team Leader, Resource Consents. Alternatively, Council may require a consent notice to be registered giving notice of the limitations or specific development requirements related to that land.

Bonding

26. In terms of s108A of the Resource Management Act 1991, a general lot performance bond shall be provided equal to \$200 per lot excluding any road lots and paid in cash

prior to the issue of the related 224(c) certificate under the Resource Management Act 1991. This shall be held for a period of twelve months following the issue of the related 224(c) certificate, or until work required under any consent condition has been completed to Council's satisfaction, or until any adverse effect that became apparent during or within twelve months after the expiry of the consent is mitigated.

Transportation

27. The consent holder shall construct an internal haulage road of 300mm pavement depth with permanent tipping head for the harvesting and construction. To ensure Silvermoon Road is not damaged or impacted by the works the following shall be provided or allowed for:
- a) A wheel-wash with a high pressure hose, to be located within Lot 2 DP 343027 as soon as practicable following the construction of the internal haulage road.
 - b) The immediate removal of any mud or dirt tracked into the existing carriageway of Silvermoon Road.
 - c) A construction traffic management plan (CTMP) for the tree harvesting, earthworks and construction; this shall include, but not be limited to:
 - i) any temporary traffic management measures;
 - ii) a restriction on logging trucks movements along Silvermoon Road such that they will only occur between 9am and 3pm Monday to Friday;
 - iii) methods showing how plant / machinery will get to the site and be unloaded / loaded without affecting access and casual parking for residents of Silvermoon Road;
 - iv) how access to the site will be managed - including ensuring trucks are not waiting in the road reserve for a vehicle to exit the site;
 - v) expected number of trucks and routes to be used;
 - vi) length and details of the stabilised entrance; and
 - vii) location of wheel wash and on-site construction vehicle parking, within Lot 2 DP 343027.

Advice Note:

A CTMP can be provided as part of the Corridor Access Request (CAR) process through Auckland Transport.

Separate CTMP's may be submitted for the forestry harvesting and then the site earthworks/construction.

28. Notwithstanding the requirements of Condition 27, a pre works survey of Silvermoon Road, including the intersection with Gills Road, shall be provided to the Council prior to the undertaking of harvesting works. Upon completion of this operation, a post works survey shall be undertaken, with any subsequent damage to be repaired to the

satisfaction of Council within one month of the completion of harvesting works.

29. Design of the shared space and Roads 1 and 2 (proposed lots 101, 102 and 103) shall achieve the following criteria:
 - a) The design shall ensure safe access and use for all user types including pedestrians, cyclists, vehicles and emergency vehicles and rubbish collection.
 - b) The design shall create a low speed environment of under 10 kph where the design modifies driver behaviour to slow down. This shall include some physical deflection to discourage linear, uninhibited vehicle movements.
 - c) On-street parking spaces shall be clearly delineated and easily identifiable.
 - d) Vehicle crossing shall be placed in fixed positions in terms of the subdivision as shown on the submitted drawings.
 - e) The design shall provide safe and legible use for disabled and visually impaired users – particularly for shared zones that provide clear links through multiple blocks linking important community destinations. This includes appropriate measures in place at the entrances to the garden streets.
 - f) The materials pallet used in the construction of the Garden Streets must be consistent throughout and be low maintenance.
 - g) The incorporation of larger species of street trees to define the character of the street and reflect the surrounding vegetated setting.
30. The shared zones shall be made legally enforceable. A resolution report shall be submitted for approval by Auckland Transport's Traffic Control Committee.
31. The consent holder shall ensure the proposed roads within the subdivision are constructed to the satisfaction of the Council in accordance with the Council's Code of Practice for Land Development and Subdivision Section 3 (C of P).

Advice Note:

When the design drawings are submitted, the Council may require minor variations to the roading design as indicated on the scheme plan in order to ensure compliance with the C of P. The Development Engineer would forward the application for Engineering Approval to Auckland Transport for their peer review and assessment

32. Plans submitted for Engineering Approval shall include the removal of the existing cul-de-sac on Silvermoon Road and the reinstatement of berm, footpath, kerb and channel as shown on Roding Plan 13008.03-RD01-Issue 7, except that no additional angled parking is to be formed on the eastern side of the road.
33. All new retaining walls shall be subject building Consent processes and PS1 and PS4 shall be provided to Council. Retaining Wall 3 shall be placed fully inside the road reserve.
34. Batters to or from Silvermoon Road (extension) shall not exceed a gradient of 1:3.

35. A 1.8 metre wide footpath shall be provided on the western side of the Silvermoon Road extension and that ties into existing footpath.
36. Detention tanks at chainage 20-30 of Silvermoon Road (extension) shall be placed within the berm area and not under the carriageway.
37. Unless otherwise approved in writing by Auckland Transport, rubbish collections shall be undertaken by a private contractor with vehicles of a size that can safely navigate and manoeuvre within the proposed turnaround areas within the development. Written confirmation shall be provided to the Council of the appointed contractor that they are able to comply with the requirements of this condition.

Landscaping

38. The consent holder shall submit to the Council for approval a finalised detailed set of Landscape and Pavement Plans prepared by a suitably qualified landscape architect. The plans shall include:
 - A detailed landscape plan to scale and specifications that aide in the biodiversity of the local environment
 - A planting schedule, detailing the specific planting species, the number of plants provided, locations, heights/Pb sizes. Trees within the proposed group planting along external site boundaries should be larger species to visually fit within the surrounding vegetative context.
 - A pavement plan and specifications, detailing materiality and colour throughout the development site
 - Annotated sections with key dimensions to illustrate that adequate widths and depths are provided for tree pits / planter boxes.

This information shall detail the finalised design of any specific design changes required e.g. boundary interface treatment along street frontage, and specific planting proposed;

Advice note:

Building footprints on individual lots should allow sufficient distance from planted trees to allow for growth to a large size without interfering with building foundations / services etc.

39. A bond shall be required for the on-going maintenance of the landscape works required by condition 38 for a period of two years and at least twelve months after vesting of the related road or lots.

Advice Note:

The minimum basis for bonding evaluations shall be a cash bond for the actual costs of the contractor who is undertaking the maintenance for a period of two years. The maintenance bonds are to include the labour, materials/product costs used for undertaking the maintenance, including at least 10% for the replacement of plant

losses and costs associated with the maintenance of areas of turf. A cash bond multiplier of 1.5 (specific to planting maintenance) is applied to the cost estimate net of GST.

Wastewater

40. The consent holder shall provide and install a complete wastewater system to serve all Lots generally in accordance with the approved drawings by Acclaim Consultants Ltd and to the Council's public wastewater standards.
41. The consent holder shall provide and install wastewater connections to serve all Lots to the Council's standards.

Advice Note:

New lot connections (Point of supply, Watercare definition) shall be shown on the engineering design drawings submitted for Engineering Approval (EA). Fees payments would be part of subdivision invoicing and not required at the time of EA application.

Stormwater

42. The consent holder shall provide and install a complete stormwater drainage system to serve all lots generally in accordance with the approved drawings by Acclaim Consultants Ltd and to the Council's public stormwater standards to the satisfaction of the Council. Stormwater connections shall be provided at the boundaries to cater adequately for run-off from catchment areas above the subdivision.
43. The consent holder shall provide and install stormwater connections to serve all Lots to the Council's standards for private drainage. Easements shall be created and granted or reserved over any private drains traversing lots other than those being served unless written advice to the contrary is received from the Development Engineer.

Advice Notes

- i) New lot connections shall be shown on the engineering design drawings submitted for Engineering Approval (EA). Fees payments would be part of subdivision invoicing and not required at the time of EA application. The DE would advise of any portion of the works requiring a building consent application.*
 - ii) Easements for overland flow paths may be created for smaller catchment areas than 4000m².*
 - iii) Overland Flow Paths are designed for 100 year ARI flows taking account of blockages in the primary system as set out in 4.3.2 of the Infrastructure Design Standards.*
44. The consent holder shall provide stormwater management devices as approved by Council and these conditions taking full account in the design and construction of those devices of all criteria set out in Auckland Council's legacy North Shore City

Council “Infrastructure Design Standards” manual Issue 10, 4.14. Any proprietary stormwater management devices shall be designed to provide an eighteen month minimum maintenance interval upon the catchment served by the device becoming predominantly developed. Any bio-retention devices shall be provided with a soil mix from a Council approved commercial source.

Water Supply

45. The consent holder shall provide and install a complete water supply reticulation system generally in accordance with the approved drawings by Acclaim Consultants Ltd to the satisfaction of the Council. The final design is subject to clarification and assessment at the time of submission for Engineering Approval. Works may commence in accordance with the Engineering Approval issued by the Development Engineer, Takapuna.

Advice Note:

- i) *The complete system will include all portions of public water supply reticulation and any parts of the private system which are within a private access lot. The subdivisional works will exclude any water meter and exclude any Watercare connection fees or Infrastructure Growth Charges; these exclusions will be addressed at the time of any building consent application on the lots associated with the construction of a dwelling or commercial building and do not form part of the subdivisional works.*
- ii) *Development Engineer will forward the application for Engineering Approval to Watercare Services Ltd for their peer review and assessment*

Certification

46. The consent holder must ensure wastewater drainage, stormwater drainage and water supply systems are made fully operative before a section 224(c) Certificate will be issued by Council.
47. The consent holder must ensure wastewater drainage, stormwater drainage and water supply systems are tested and approved by Council. The systems shall be connected to existing systems.

Power and Street Lighting

48. The consent holder shall provide and install to the satisfaction of the Council and appropriate electricity network utility operator:
- a) The reticulation of electric power underground, including the installation of ducts beneath any proposed street within the subdivision and beneath any existing street adjacent thereto where required by the authority and;
 - b) the installation of street lights to serve the subdivision and
 - c) the installation of private lighting to serve privateways or common areas where the conditions of this consent so require.

The consent holder is fully responsible for design, construction and commissioning of all street lighting and any lighting of public accessways necessary for this subdivision.

49. The consent holder shall submit complete design drawings for written approval of the Development Engineer before the commencement of street lighting works. The design shall comply with the Auckland Council's Code of Practice Section 4 (ATCOP Chapter 19) and the works constructed and commissioned in compliance with those standards and the written approval. An as-built plan shall be submitted upon completion of the works.
50. A Clearance Certificate for the completed work from the network utility operator shall be provided to Council.

Advice Note:

The Network utility operator is responsible to specify the capacity of new works or upgrading works necessary to serve the subdivision. Council require a clearance certificate that connections can be made available and is not responsible for the business decisions of any network utility operator nor require that any particular level of service is available.

51. Where reticulation is to be deferred, the consent holder shall either provide evidence that full payment has been made to the appropriate utility operator for the installation or enter into a bond with the Council securing the payment of the cost of installation.

Telecommunication and Power

52. The consent holder shall provide and install reticulation of telecommunication services underground together with plinths to serve each lot and to the satisfaction of the Council, and the appropriate telecommunications network utility operator/s. A Clearance Certificate for the completed work from the network utility operator must be provided to Council.

Advice notes.

- i) *In the case of private accessways serving two or three lots, any ducting provided under carriageways for future service lead-ins must also be covered by the clearance certificate of the network utility operator.*
 - ii) *The Network utility operator is responsible to specify the capacity of new works or upgrading works necessary to serve the subdivision. Council require a clearance certificate that connections can be made available and is not responsible for the business decisions of any network utility operator nor require that any particular level of service is available.*
53. Where reticulation is to be deferred, the consent holder must either provide evidence that full payment has been made to the appropriate utility operator for the installation or enter into a bond with the Council securing the payment of the cost of installation.

Existing Services

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

Topsoil

55. The consent holder shall reinstate topsoil over all residential lots to a minimum loose depth of 100mm.

Street Name

56. The consent holder must, before the survey plan of subdivision is approved under section 223 of the Act, provide a name for each/the new road and shall obtain evidence of acceptance by NZ Post Ltd before submitting the name/s to the Council for approval. In giving its approval the Council will require to be satisfied that each road name is relevant to the locality, or is otherwise appropriate. The consent holder must provide and install the appropriate street signs to Council's standard.

Survey Plan

57. The consent holder may submit a survey plan generally in accordance with the application plan provided that the Council is satisfied that any changes are minor and will have no effect on compliance with the District Plan or other parties adjoining the subdivision. The surveyor is to certify that all private drains are contained within the easements shown on the survey plan.

Advice Note:

This resource consent will expire five years after the date of commencement of consent unless:

- A Survey Plan is presented to Council for approval under Section 223 of the Resource Management Act 1991 and that plan is deposited within three years of the approval date, or*
- Upon an application made prior to the expiry of consent period, the statutory considerations which apply to extensions are set out in Section 125(1)(b) of the Resource Management Act 1991.*

Consent Notice

58. Pursuant to Section 221 of the Resource Management Act, the consent holder shall cause to have registered on the Certificates of Title to be issued for all lots a consent notice containing the following text:

- a) All lot development including any redevelopment and any temporary works must take full account of the recommendations and limitations set out in the

Geotechnical Completion Report.

- b) Rain tanks and rain gardens for each lot shall be designed and constructed in accordance with the Performance Standards stipulated in Appendix 8H.2.2.1 of the Auckland Council District Plan - North Shore Section.
- c) The raingardens and raintanks for each lot shall be maintained by their respective owners in accordance with the Operation and Maintenance Plan prepared in accordance with Approved Resource Consent REG-2138429.
- d) All roofs and cladding materials for Lots 1-22 shall be clad using inert materials where there are no unpainted metal surfaces.
- e) All lot development shall ensure that:
 - i) Garaging is recessed back a minimum of one metre from the front face of dwelling so they do not dominate the streetscape.
 - ii) Each dwelling has either a kitchen or living area located along the front façade to provide for visual surveillance of the street.
 - iii) All front boundary fencing shall be limited in height to 1.2m to provide for visual surveillance of the street.
- f) The protection of landscaped vegetation required by condition 38 from removal, alteration or works within their rootzone unless otherwise authorised in writing from the consent authority.

Advice Note:

In reference to condition 58 a) the Council may include any specific requirements or recommendations contained within the geotechnical report submitted pursuant to Condition 22 above within the text of this consent notice.

Charges

59. Further to Condition 3, the consent holder must, pursuant to Section 36 of the Resource Management Act 1991, pay all administrative charges, being the Council's actual and reasonable costs incurred in processing this application, to be charged as follows:
- (a) The consent holder must pay to the Council administrative charges for the carrying out by the Council of its functions in relation to the administration, monitoring and supervision of this consent.
 - (b) The charges payable under (a) and (b) of this Condition must be paid upon receipt of invoice or interim invoice or before any request for a certificate under section 224(c) of the Resource Management Act.

Advice Note:

The consent holder is advised that under Section 134 of the Resource Management Act 1991 that where the land changes ownership the consent holder will continue to

be responsible for processing costs until such time as written notice of authority is given to the Council.

CONDITIONS RELATING TO REG-2138265 (REGIONAL LAND USE CONSENT FOR EARTHWORKS)

General

60. 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 Council's Monitoring Inspector.

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

Duration

61. Pursuant to section 123 of the Act, consent REG-2138265 (earthworks) shall expire 5 years after date consent is granted unless it has been surrendered or been cancelled at an earlier date pursuant to the RMA.

Pre-commencement

62. At least five working days prior to the commencement of the earthworks activity as authorised by this resource consent, the Council's Monitoring Inspector shall be informed in writing of the proposed start date.
63. Prior to any earthworks commencing on the site in each period between October 1 and April 30 that this consent is exercised, a pre-construction site meeting between Auckland Council and all relevant parties, including the primary contractor shall be arranged and conducted. The meeting shall discuss the erosion and sediment control measures, the earthworks methodology and shall ensure all relevant parties are aware of and familiar with the necessary conditions of this consent.

Advice Notes:

1. *Commencement of earthworks means the time when the earthworks, including any site preparation works or bulk earthworks, are to commence.*

2. *Auckland Council representatives should include, but is not limited to, a monitoring officer from the Northern Monitoring Team or appointed consultant working on behalf of the Team Leader.*

64. Prior to bulk earthworks commencing, a certificate signed by an appropriately qualified and experienced person shall be submitted to the Council's Monitoring Inspector, to certify that the erosion and sediment controls have been constructed and or updated in accordance with the erosion and sediment control plan as specified in condition 1 of this consent.

Certified controls shall include decanting earth bunds and diversion channels / bunds. Certification for these 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.

65. All perimeter controls shall be operational before earthworks commence. All 'cleanwater' runoff from stabilised surfaces shall be diverted away from earthworks areas via a stabilised system, so as to prevent surface erosion.

Advice Note:

Perimeter controls include cleanwater diversions, silt fences and any other erosion control devices that are appropriate to divert stabilised upper catchment runoff from entering the site, and to prevent sediment-laden water from leaving the site.

66. There shall be no deposition of earth, mud, dirt or other debris on any public road or footpath resulting from earthworks activity on the subject site. In the event that such deposition does occur, it shall immediately be removed to the satisfaction of the Council's Monitoring Inspector, or delegated representative. 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.

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

68. The operational effectiveness and efficiency of all erosion and sediment control measures shall be maintained throughout the duration of the earthworks activity, or until the site is permanently stabilised against erosion. A record of any maintenance work shall be kept and be supplied to the Council's Monitoring Inspector on request.

69. The site shall be progressively stabilised against erosion at all stages of the earthwork activity, and shall be sequenced to minimise the discharge of sediment to surface water in accordance with the approved Erosion and Sediment Control Plan. Site stabilisation shall mean when the site is covered by a permanent erosion proof ground cover such as aggregate and includes vegetative cover which has obtained a density of more than 80% of a normal pasture sward.

70. Prior to the commencement of earthworks activity on the subject site, a Chemical Treatment Management Plan (**CTMP**) shall be prepared and submitted to the Team Leader – Northern Monitoring, and implemented on site. No earthwork activities shall commence until confirmation is provided from the Council’s Monitoring Inspector that the CTMP is within the scope of works as detailed in the application documents listed in Condition 1 of this consent.

If a draft plan has been provided, a final plan shall be prepared and submitted to include the following as a minimum:

- a. Specific design details of the chemical treatment system based on an automatic rainfall driven dosing methodology for the site’s 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;
- 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 modifications to the CTMP are required, such modifications should be limited to the scope of this Consent. Any changes to the CTMP which affect the level of treatment provided may require an application to be made in accordance with s127 of the RMA.

Seasonal Restrictions

71. No vegetation removal or earthworks on the site shall be undertaken between 30 April and 1 October in any year, without the prior written approval of the Council’s Monitoring Inspector at least two weeks prior to 30 April of any year.
72. Re-vegetation / stabilisation is to be completed by 30 April in the year of bulk earthworks in accordance with measures detailed in TP90 and any amendments to this document, unless a later date is approved in writing by the Council’s Monitoring Inspector at least two weeks before 30 April.

CONDITIONS RELATING TO REG-2138429 (DISCHARGE PERMITS)

Duration

73. Pursuant to section 123 of the Act, consent REG-2138429 (stormwater diversion and discharge) shall expire on 35 years after date consent is granted unless it has lapsed, been surrendered or been cancelled at an earlier date pursuant to the RMA.

Stormwater works

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

Works to be undertaken	Catchment area-	Design guideline(s)/Performance Standards
Catchment A0 Road Detention Tank	0.24ha	<ul style="list-style-type: none"> Peak flow attenuation of the 2 and 10 Year ARI Rainfall events Extended Detention of the 34.5mm rainfall event
Catchment B0 Road Detention Tank	0.6ha	
Catchment A0 Upflo Filter	0.24ha	<ul style="list-style-type: none"> 75% TSS Removal
Catchment B0 Upflo Filter	0.6ha	
Lot Roof Water Harvesting and Detention Tanks	All Roofs	<ul style="list-style-type: none"> Harvesting and detention volume to be determined by the Performance Standards stipulated in Appendix 8H.2.2.1 of the Auckland District Plan (North Shore Section).
Lot Rain Gardens	Lot Paved Areas	<ul style="list-style-type: none"> Raingarden sizing to be determined by the Performance Standards stipulated in Appendix 8H.2.2.1 of the Auckland District Plan (North Shore Section).
All roofs and cladding materials	All Lots	<ul style="list-style-type: none"> No exposed unpainted metal surfaces

75. In the event that any minor modifications to the stormwater management system are required, the following information shall be provided:

- Plans and drawings outlining the details of the modifications; and
- Supporting information that details how the proposal does not affect the capacity or performance of stormwater management system.

All information shall be submitted to, and verified by the Council's Monitoring Inspector Monitoring, prior to implementation.

Construction meetings

76. Five working days prior to initiation of any construction of stormwater devices on the site, a pre-construction site meeting between the Council's Monitoring Inspector and all relevant parties, including the site stormwater engineer, shall be arranged.

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

Any resulting modifications to the stormwater management system may be reviewed by Auckland Council at this time and shall be verified in accordance with condition 57 above.

78. Within 30 days of Practical Completion and prior to operation of the stormwater management works, a post construction site meeting shall be arranged and conducted between the Council's Monitoring Inspector and all relevant parties, including the site stormwater engineer. As-Built certification and plans shall be available for this meeting, as specified in Condition 79.

Certification of construction works

79. Within 30 days of practical completion, As-Built certification and plans of the public stormwater management works, which are certified (signed) by a suitably qualified registered surveyor or engineer as a true record of the stormwater management system, shall be provided to the Council's Monitoring Inspector.
80. The As-Built plans shall include, but not be limited to:
- i) The surveyed location (to the nearest 0.1m) and level (to the nearest 0.01m) of the discharge structure, with co-ordinates expressed in terms of NZTM and LINZ datum;
 - ii) Plans and cross sections of all public stormwater management devices, including confirmation of the storage volumes and levels of any outflow control structure
 - iii) Documentation of any discrepancies between the design plans and the As-Built plans.

Operation and maintenance

81. An Operation and Maintenance Plan for the stormwater management and treatment system shall be submitted to the Council's Monitoring Inspector within 60 days of this consent being granted.
82. The Operation and Maintenance Plan shall set out how the stormwater management and treatment system is to be operated and maintained to ensure adverse environmental effects are minimised. The plan shall include, but not be limited to:
- i) A programme for regular maintenance and inspection of the stormwater management system;
 - ii) A programme for the collection and disposal of debris and sediment collected by the stormwater management devices or practices;

- iii) A programme for post storm maintenance;
 - iv) General inspection checklists for all aspects of the stormwater management system, including visual checks;
83. The stormwater management and treatment system shall be managed in accordance with the approved Operation and Maintenance Plan.
84. Any amendments to the Operation and Maintenance Plan shall be submitted to and approved by the Team Leader – Northern Monitoring, in writing prior to implementation.
85. Notwithstanding conditions 74 and 83, the stormwater management system shall be maintained to minimise erosion and hazards to safety.

Overland Flow

86. For stormwater flows in excess of the capacity of the primary drainage systems, overland flow paths shall be provided and maintained to allow surplus stormwater to discharge with the minimum of nuisance and damage.

ADVICE NOTES

1. *It is the responsibility of the consent holder to ensure that all necessary building consents have been obtained, and that these are consistent with the plans and information approved as part of this consent.*
2. *In accordance with Auckland Council's adopted development contributions policy you have been assessed for development contributions. An assessment summary and invoice will be forwarded to you shortly.*
3. *Under the Wildlife Act, all native lizards and passerine birds (including their nests and eggs) are protected and it is an offence to disturb, harm or kill them without authorisation from the Minister of Conservation.*
4. *The development is required to comply with the Council's Bylaws.*
5. *A copy of this consent should be held on site at all times during the establishment and construction phase of the activity. The consent holder is requested to notify Council, in writing, of their intention to begin works, a minimum of seven days prior to commencement. Such notification should be sent to the Takapuna Resource Consent Compliance and Monitoring Team, by Email Takapuna.RCCompliance@aucklandcouncil.govt.nz, Fax (09) 301 0100 or post Private Bag 92300, Auckland 1142 and include the following details:*
 - *name and telephone number of the project manager and the site owner;*
 - *site address to which the consent relates;*
 - *activity to which the consent relates; and*
 - *expected duration of works.*

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

A handwritten signature in blue ink, appearing to read 'D Serjeant', written in a cursive style.

Dave Serjeant
Chairperson

13 August 2015

23 January 1996

Mr Chitty
181 Gills Road
Albany
ALBANY

Dear Sir/Madam

LAND USE CONSENT (LIMITED DISCRETIONARY ACTIVITY) - 181 GILLS ROAD, R10580A

The above application was considered by the Albany Community Board Town Planning Sub-Committee on 5 January 1996 whereby it was resolved:

That the Limited Discretionary Activity application by My Chitty to construct a carport which will infringe the side yard control of 2.4 metres for the zone by 1.2 metres at 181 Gills Road, Albany being Lot 2 DP 50891 (A) **NOT BE NOTIFIED** pursuant to Section 94 of the Resource Management Act 1991 and (B) **BE GRANTED** pursuant to Rule 2.4:6.2 of the Operative Takapuna District Plan, Rule 17.10.1 of the Proposed North Shore City District Plan and Sections 104, 105 and 108 of the Resource Management Act 1991 for the reasons that:

1. Written consent has been obtained from every person who may be adversely affected by the proposal.
2. There will be no adverse effect on any person beyond the site as the development is not visible from the road and a row of trees screens the development from adjoining properties.
3. Any adverse effects on the surrounding environment will be no more than minor as the development will cover an existing impermeable surface area which is at present used for car parking.

Consent is granted subject to the following conditions:

1. That development proceed in accordance with the plans submitted.
2. That the extent of infringement be limited to that applied for.
3. Site development shall comply with all other requirements of the Operative/Proposed District Plans.
4. That development comply with Council's Bylaws and other relevant requirements including the obtaining of all necessary Building Consents before the commencement of any work.

90 Bentley Avenue
Glenfield

Postal Address
Private Bag 9350
Takapuna
North Shore City
New Zealand

Telephone
0-9-486 8400
Facsimile
0-9-486 8404

The planning consent is not an authority to commence work. To proceed further you will be required, if you have not already done so, to lodge a building consent application which can only be granted providing that the engineering, building and bylaw requirements are met.

That unless a specific time limit is stated in the conditions imposed by the Council when granting this consent, all conditions must be complied with before the use to which the consent relates is established.

Your attention is drawn to the provisions of Section 283 and 125 of the Resource Management Act 1991, that the consent shall lapse after the expiration of two years from the date when the consent was given unless the use has been established within that period or an application has been made to the Council under Section 125 of the Resource Management Act 1991.

Your attention is drawn also to the provisions of Section 120 of the Resource Management Act 1991 which sets out the rights of appeal against the Council's decision.

If you have any queries regarding this matter, please do not hesitate to contact Lee in the Resource Consents Department of the Development Services Office, telephone 486-8400.

Would you kindly present this letter when applying for the necessary building consent.

Yours faithfully

Lee Beattie
**ASSISTANT RESOURCE CONSENT PLANNER
DEVELOPMENT SERVICES**

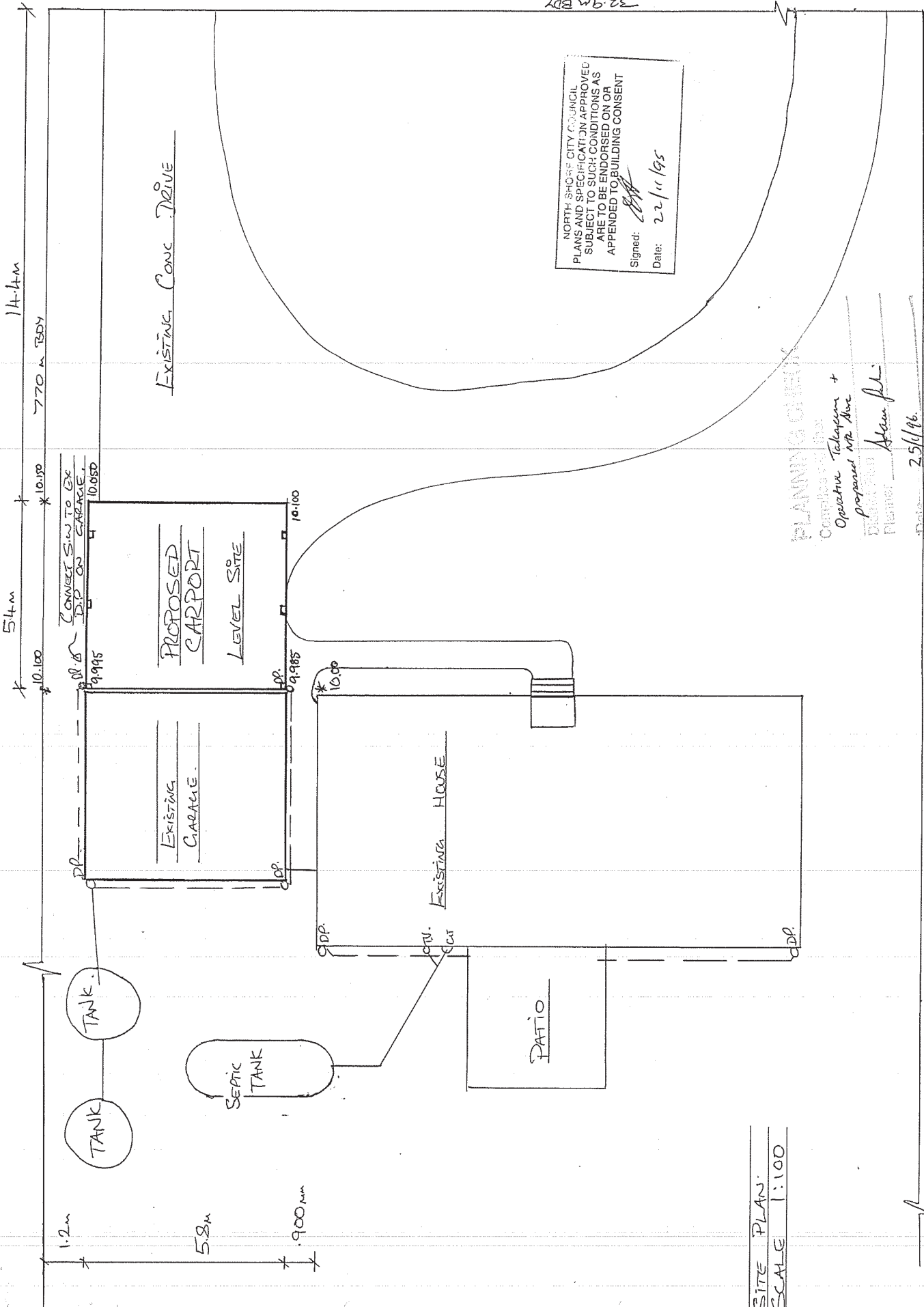
90 Bentley Avenue
Glenfield

Postal Address
Private Bag 9350
Takapuna
North Shore City
New Zealand

Telephone
0-9-486 8400
Facsimile
0-9-486 8404

GILL'S RD.

32.9m BDR



NORTH SHORE CITY COUNCIL
 PLANS AND SPECIFICATION APPROVED
 SUBJECT TO SUCH CONDITIONS AS
 ARE TO BE ENDORSED ON OR
 APPENDED TO BUILDING CONSENT
 Signed: *[Signature]*
 Date: 22/11/95

PLANNING CHECK
 Completed by:
 Operative Telegrapher +
 Proposed M.A. Mac
 District and
 Planner: *[Signature]*
 Date: 25/6/96

SITE PLAN
 SCALE 1:100

Approved by Delegated Officer

27/03/2017

Our Ref: SUB60032102-A
Your Ref: 16137

27 March 2017

Axis Survey Consultants
PO Box 34658
Birkenhead
Northshore City 0746

Attention: Andrew Stirling

Dear Andrew

**SECTION 127 APPLICATION TO CHANGE CONDITIONS OF SA-3022732 GRANTED FOR THE
SUBDIVISION AT 1181, 185 193 AND 193A GILLS ROAD ALBANY HEIGHTS
REFERENCE: SUB60032102-A**

Thank you for lodging the application. Please find attached the Council's resolution in relation to the above matter.

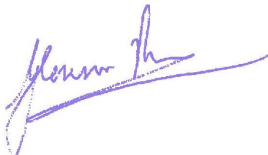
This planning consent is not an authority to commence work. To proceed further you may be required, if you have not already done so, to lodge a building consent application which can only be granted providing that the engineering, building and bylaw requirements are met.

Your attention is drawn also to the provisions of Sections 120 and 357 of the Resource Management Act 1991 which set out the rights of appeal against the Council's decision.

Please note that the final cost of processing the application will be assessed shortly. This may result in an invoice being sent to you detailing additional charges not covered by the base fee already paid.

If you have any queries regarding this matter, please do not hesitate to contact the writer on telephone (09) 484-8246.

Yours sincerely



Glenmo Perera
Subdivision Advisor
Auckland Council – Takapuna Service Centre

**AUCKLAND COUNCIL
DECISION ON S127 APPLICATION REFERENCE SUB-60032102-A**

The application by Axis Consultants on behalf of Martin and Anne Perkinson to change conditions of the approved resource consent SA-3022732 for the property at 193 and 193A Gills Road, Albany Heights (being Lot 1 DP 199226, Lot 1 DP54049 and Lot 2 DP 50891) was considered by the Delegated Officer on 24 March 2017 whereby it was resolved:

- A.** That the application be considered as a **NON-NOTIFIED** Discretionary activity, pursuant to Sections 95, 95A-D and 127 of the Resource Management Act 1991 for the reasons that:
1. The adverse effects on the environment as a result of the change would be less than minor because:
 - This s127 application, which seeks to undertake the approved subdivision SA3022732 in three stages, does not propose to undertake any additional physical works or create any additional residential lots over and above the already approved works on these lots.
 - Having regard to the permitted baseline, it is considered that the proposed staging of the already approved consent will not generate any additional physical effects on the environment.
 2. There are no special circumstances that warrant notification because the proposal is conventional in nature and represents no significant deviation from the range of effects anticipated by the Plan.
 3. There are no other persons considered to be adversely affected by the change because the effects on the environment are considered to be less than minor.
- B.** That the application **BE GRANTED** pursuant to Sections 104, 104B and 127 of the Resource Management Act 1991 for the following reasons:
1. The actual and potential effects on the environment as a result of the change would be acceptable and less than minor.
 2. The proposed change is consistent with the relevant provisions of the District Plan that relate to the subdivision of land that were previously considered when granting the original consent.
- C.** That the conditions **21 to 59** of the approved subdivision consent SA-3022732 be **DELETED and REPLACED with the following conditions** (in three stages) pursuant to section 127 of the Resource Management Act 1991 in order to allow the subdivision to be undertaken in three stages as follows:

STAGE 1 : LOTS 201-203 & LOTS 301-303 BEING A SUBDIVISION OF
LOT 1 DP54049 & LOT 2 DP50891

100. Under sections 108 and 220 of the RMA, this consent is subject to compliance with the following conditions prior to the issuing of a certificate in terms of Section 224(c) of the said Act.

General Conditions

101. The consent holder shall ensure complete engineering drawings, accompanied with a design certificate in the form of Schedule 1A of NZS 4404:2010, detailing all proposed construction works including details of proposed silt detention and erosion control measures, are prepared in accordance with the Auckland Council's legacy North Shore City Council "Infrastructure Design Standards" manual Issue 10, January 2009 and are submitted for assessment and written approval by the Development Engineer before the commencement of any works unless otherwise specified within this consent.

Advice Note:

(a) Construction works that require a building consent should be included in the engineering drawings.

(b) The Auckland Council Code of Practice for Land Development and Subdivision includes the following Sections which generally supersede the IDS:Section 2 Earthworks and Geotechnical Requirements (supersedes IDS Section 2) September 2013

Section 3 Auckland Transport Code of Practice 2013 (supersedes IDS Section 3 except for private assets such as shared accessways) September 2013

Chapter 4- Stormwater Version 1 (supersedes IDS Section 4 although IDS 4.17 gives guidance for drafting operation and maintenance manuals) October 2013

Sections 5 & 6 Water and Wastewater Code of Practice for Land Development and Subdivision Version 1.6 (supersedes respectively IDS Sections 6 & 5) September 2013

102. The consent holder shall arrange for inspections in accordance with Auckland Council's Development Engineering Quality Assurance Manual Version 1.0, April 2012 (QAM) to be carried out by a suitably qualified person during construction of all works on the site to ensure that those works are constructed in accordance with the approved engineering drawings or any approved amendments to those drawings, Council's standard requirements for the construction of subdivisional engineering works, and sound engineering practice.

103. The consent holder shall ensure that inspections undertaken in accordance with Condition 102 above are recorded in the QAM. The manual, including the Statement of Certification (Appendix A, of Development Engineering As-built requirements, Version 1.2, September 2012 (DEAR), is to be completed and forwarded to the Development Engineer at the completion of construction of all works. If a public service is to become operational prior to the completion of all works then a Statement of Certification for that service must be completed and forwarded to the Development Engineer dealing with the consent prior to that public service becoming operational.

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

104. Accurate as-built plans must be submitted for all public services, including underground services showing every lot connection including any portion of the reticulation downstream of the lot connection which may be of private status, in accordance with the Development Engineering As-Built requirements Version 1.2 September 2012. The as-built

plans must be confirmed by the Development Engineer as compliant prior to the Public Service becoming operational or the issue of a Section 224(c) Certificate under the Resource Management Act 1991, whichever is the earlier.

Advice Note: The Water and Wastewater Code of Practice for Land Development and Subdivision refers to the "lot connection" as "Point of Supply".

Geotechnical

105. The consent holder shall provide a supplementary report (Geotechnical Design Report) including investigation of new elements of the work since the investigation report dated 2 July 2012. The Geotechnical Design Report shall accompany the application for Engineering Approval.

106. The consent holder shall ensure all earthworks are carried out in such a manner as to protect land not forming part of the subdivision against erosion, subsidence and slippage arising or likely to arise as a result of the subdivision.

107. The consent holder must ensure that prior to the completion of the subdivision a Geotechnical Completion Report compliant with the requirements of the Code of Practice Section 2, from a suitably experienced Chartered Professional Engineer, and who has Professional Indemnity and Public Liability Insurance each with a minimum limit of indemnity of \$2,000,000, shall be provided attesting to the suitability of all Roads and completed earthworks for their intended purpose. One bound copy and one pdf copy of this report are to be submitted to the Council.

108. Where the report provides that any area of the land relating to the subdivision possesses development limitations, the consent holder shall rework that area to remove the limitations if required to do so by the Council's Team Leader, Resource Consents. Alternatively, Council may require a consent notice to be registered giving notice of the limitations or specific development requirements related to that land.

Transportation

In the event any tree removal/harvesting is undertaken in conjunction with the construction of roads (being stage 1) then the conditions 109 and 110 below shall apply:

109. The consent holder shall construct an internal haulage road of 300mm pavement depth with permanent tipping turning head for the harvesting and construction. To ensure Silvermoon Road is not damaged or impacted by the works the following shall be provided or allowed for:

- a) A wheel-wash with a high pressure hose, to be located within Lot 2 DP 343027 as soon as practicable following the construction of the internal haulage road.
- b) The immediate removal of any mud or dirt tracked into the existing carriageway of Silvermoon Road.
- c) A construction traffic management plan (CTMP) for the tree harvesting, earthworks and construction; this shall include, but not be limited to:
 - i) any temporary traffic management measures;
 - ii) a restriction on logging trucks movements along Silvermoon Road such that they will only occur between 9am and 3pm Monday to Friday;

- iii) methods showing how plant & machinery will get to the site and be unloaded & loaded without affecting access and casual parking for residents of Silvermoon Road;
- iv) how access to the site will be managed - including ensuring trucks are not waiting in the road reserve for a vehicle to exit the site;
- v) expected number of trucks and routes to be used;
- vi) length and details of the stabilised entrance; and
- vii) location of wheel wash and on-site construction vehicle parking, within Lot 2 DP 343027.

Advice Note: A CTMP can be provided as part of the Corridor Access Request (CAR) process through Auckland Transport.

Separate CTMP's may be submitted for the forestry harvesting and then the site earthworks/construction.

110. Notwithstanding the requirements of Condition 27, a pre works survey of Silvermoon Road, including the intersection with Gills Road, shall be provided to the Council prior to the undertaking of harvesting works. Upon completion of this operation, a post works survey shall be undertaken, with any subsequent damage to be repaired to the satisfaction of Council within one month of the completion of harvesting works.

111. The consent holder shall ensure the proposed roads within the subdivision are constructed to the satisfaction of the Council in accordance with the Council's Code of Practice for Land Development and Subdivision Section 3 (C of P).

Advice Note: When the design drawings are submitted, the Council may require minor variations to the roading design as indicated on the scheme plan in order to ensure compliance with the C of P. The Development Engineer would forward the application for Engineering Approval to Auckland Transport for their peer review and assessment.

112. Plans submitted for Engineering Approval shall include the removal of the existing cul-de-sac on Silvermoon Road and the reinstatement of berm, footpath, kerb and channel as shown on Roding Plan 13008.03-RD01-Issue 7, except that no additional angled parking is to be formed on the eastern side of the road.

113. All new retaining walls shall be subject building Consent processes and PS1 and PS4 shall be provided to Council. Retaining Wall 3 shall be placed fully inside the road reserve.

114. Batters to or from Silvermoon Road (extension) shall not exceed a gradient of 1:3.

115. A 1.8 metre wide footpath shall be provided on the western side of the Silvermoon Road extension and those ties into existing footpath.

116. Detention tanks at chainage 20-30 of Silvermoon Road (extension) shall be placed within the berm area and not under the carriageway.

Landscaping

117. The consent holder shall submit to the Council for approval a finalised detailed set of Landscape and Pavement Plans prepared by a suitably qualified landscape architect. The plans shall include:

- A detailed landscape plan to scale and specifications that aid in the biodiversity of the local environment

- A planting schedule, detailing the specific planting species, the number of plants provided, locations, heights including Pb sizes. Trees within the proposed group planting along external site boundaries should be larger species to visually fit within the surrounding vegetative context.
 - A pavement plan and specifications, detailing materiality and colour throughout the development site
 - Annotated sections with key dimensions to illustrate that adequate widths and depths are provided for tree pits I planter boxes.
- This information shall detail the finalised design of any specific design changes required e.g. boundary interface treatment along street frontage, and specific planting proposed;

Advice note: Building footprints on individual lots should allow sufficient distance from planted trees to allow for growth to a large size without interfering with building foundations I services etc.

118. A bond shall be required for the on-going maintenance of the landscape works required by condition 117 for a period of two years and at least twelve months after vesting of the related road or lots.

Advice Note: The minimum basis for bonding evaluations shall be a cash bond for the actual costs of the contractor who is undertaking the maintenance for a period of two years. The maintenance bonds are to include the labour, materials/product costs used for undertaking the maintenance, including at least 10% for the replacement of plant losses and costs associated with the maintenance of areas of turf. A cash bond multiplier of 1.5 (specific to planting maintenance) is applied to the cost estimate net of GST.

Wastewater

119. The consent holder shall provide and install a complete wastewater system to serve all Lots generally in accordance with the approved drawings by Acclaim Consultants Ltd and to the Council's public wastewater standards.

Stormwater

120. The consent holder shall provide and install a complete stormwater drainage system to serve all lots generally in accordance with the approved drawings by Acclaim Consultants Ltd and to the Council's public stormwater standards to the satisfaction of the Council. Stormwater connections shall be provided at the boundaries to cater adequately for run-off from catchment areas above the subdivision.

121. The consent holder shall provide stormwater management devices as approved by Council and these conditions taking full account in the design and construction of those devices of all criteria set out in Auckland Council's legacy North Shore City Council "Infrastructure Design Standards" manual Issue 10, 4.14. Any proprietary stormwater management devices shall be designed to provide an eighteen month minimum maintenance interval upon the catchment served by the device becoming predominantly developed. Any bio-retention devices shall be provided with a soil mix from a Council approved commercial source.

Water Supply

122. The consent holder shall provide and install a complete water supply reticulation system generally in accordance with the approved drawings by Acclaim Consultants Ltd to the satisfaction of the Council. The final design is subject to clarification and assessment at the time of submission for Engineering Approval. Works may commence in accordance with the Engineering Approval issued by the Development Engineer, Takapuna.

Advice Note:

- i) The complete system will include all portions of public water supply reticulation and any parts of the private system which are within a private access lot. The subdivisional works will exclude any water meter and exclude any Watercare connection fees or Infrastructure Growth Charges; these exclusions will be addressed at the time of any building consent application on the lots associated with the construction of a dwelling or commercial building and do not form part of the subdivisional works.
- ii) Development Engineer will forward the application for Engineering Approval to Watercare Services Ltd for their peer review and assessment

Certification

123. The consent holder must ensure wastewater drainage, stormwater drainage and water supply systems are made fully operative before a section 224(c) Certificate will be issued by Council.

124. The consent holder must ensure wastewater drainage, stormwater drainage and water supply systems are tested and approved by Council. The systems shall be connected to existing systems.

Power and Street Lighting

125. The consent holder shall provide and install to the satisfaction of the Council and appropriate electricity network utility operator:

- a) The reticulation of electric power underground, including the installation of ducts beneath any proposed street within the subdivision and beneath any existing street adjacent thereto where required by the authority and;
- b) the installation of street lights to serve the subdivision and
- c) the installation of private lighting to serve private ways or common areas where the conditions of this consent so require.

The consent holder is fully responsible for design, construction and commissioning of all street lighting and any lighting of public accessways necessary for this subdivision.

126. The consent holder shall submit complete design drawings for written approval of the Development Engineer before the commencement of street lighting works. The design shall comply with the Auckland Council's Code of Practice Section 4 (ATCOP Chapter 19) and the works constructed and commissioned in compliance with those standards and the written approval. An as-built plan shall be submitted upon completion of the works.

127. A Clearance Certificate for the completed work from the network utility operator shall be provided to Council.

Advice Note: The Network utility operator is responsible to specify the capacity of new works or upgrading works necessary to serve the subdivision. Council require a clearance certificate that connections can be made available and is not responsible for the business decisions of any network utility operator nor require that any particular level of service is available.

128. Where reticulation is to be deferred, the consent holder shall either provide evidence that full payment has been made to the appropriate utility operator for the installation or enter into a bond with the Council securing the payment of the cost of installation.

Telecommunication and Power

129. The consent holder shall provide and install reticulation of telecommunication services underground together with plinths to serve each lot and Lot 1 DP199226 to the satisfaction of the Council, and the appropriate telecommunications network utility operator/s. A Clearance Certificate for the completed work from the network utility operator must be provided to Council.

Advice notes.

- i) In the case of private accessways serving two or three lots, any ducting provided under carriageways for future service lead-ins must also be covered by the clearance certificate of the network utility operator.
- ii) The Network utility operator is responsible to specify the capacity of new works or upgrading works necessary to serve the subdivision. Council require a clearance certificate that connections can be made available and is not responsible for the business decisions of any network utility operator nor require that any particular level of service is available.

130. Where reticulation is to be deferred, the consent holder must either provide evidence that full payment has been made to the appropriate utility operator for the installation or enter into a bond with the Council securing the payment of the cost of installation.

Existing Services

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

Topsoil

132. The consent holder shall reinstate topsoil over all residential lots to a minimum loose depth of 100mm.

Survey Plan

133. The consent holder may submit a survey plan showing the subdivision in three stages generally in accordance with the application plan (Acclaim Consultants Scheme Plan Drawing # SP01b5) provided that the Council is satisfied that any changes are minor and will have no effect on compliance with the District Plan or other parties adjoining the subdivision. The staged survey plan shall show **Stage 1 being Lots 201, 202, 203, 301, 302 and 303**. The surveyor is to certify that all private drains are contained within the easements shown on the survey plan.

The plan shall be subject to amalgamation conditions as follows:

- i) Lots 201 & 203 shall be held together and one Computer Freehold Register shall be

issued to include both parcels.

- ii) Lots 301 & 303 shall be held together and one Computer Freehold Register shall be issued to include both parcels.

Advice Note:

This resource consent will expire five years after the date of commencement of consent unless:

- A Survey Plan is presented to Council for approval under Section 223 of the Resource Management Act 1991 and that plan is deposited within three years of the approval date, or
- Upon an application made prior to the expiry of consent period, the statutory considerations which apply to extensions are set out in Section 125(1)(b) of the Resource Management Act 1991.

Charges

134. Further to Condition 3, the consent holder must, pursuant to Section 36 of the Resource Management Act 1991, pay all administrative charges, being the Council's actual and reasonable costs incurred in processing this application, to be charged as follows:

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

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

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

STAGE 2 : LOTS 1 & 100 BEING A SUBDIVISION OF LOT 1 DP199226

200. Under sections 108 and 220 of the RMA, this consent is subject to compliance with the following conditions prior to the issuing of a certificate in terms of Section 224(c) of the said Act.

Survey Plan

201. The consent holder may submit a survey plan showing the subdivision in stages generally in accordance with the application plan Acclaim Consultants Scheme Plan Drawing # SP01b5) provided that the Council is satisfied that any changes are minor and will have no effect on compliance with the District Plan or other parties adjoining the subdivision. The staged survey plan shall show **Stage 2 being Lot 1 and Lot 100**. The surveyor is to certify that all private drains are contained within the easements shown on the survey plan.

Advice Note:

The subdivision of Lot 1 DP199226 into two lots is implied in the consent and on the approved plans. The subject site for the consent is 193A Gills Rd which is not a "site" according to definition and relates only to the leasehold interest in Computer Interest Register 212254 (Lot 2 on lease plan DP343027).

Reference to Lot 100 is made in the panel on the approved plans but Lot 100 is not shown on the plan. Reference to Pt Lot 1 DP199226 is shown on the plan.

The second stage survey plan will show a two lot subdivision of Lot 1 DP199226 into Lot 1 and Lot 100. Lot 100 will be the spatial extent of the leasehold interest in CIR 212254.

This resource consent will expire five years after the date of commencement of consent unless:

- A Survey Plan is presented to Council for approval under Section 223 of the Resource Management Act 1991 and that plan is deposited within three years of the approval date, or
- Upon an application made prior to the expiry of consent period, the statutory considerations which apply to extensions are set out in Section 125(1)(b) of the Resource Management Act 1991.

Charges

202. Further to Condition 3, the consent holder must, pursuant to Section 36 of the Resource Management Act 1991, pay all administrative charges, being the Council's actual and reasonable costs incurred in processing this application, to be charged as follows:

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

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

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

STAGE 3 : LOTS 1-22 & 101-103 BEING A SUBDIVISION OF LOT 100 DPXXXXXX

300. Under sections 108 and 220 of the RMA, this consent is subject to compliance with the following conditions prior to the issuing of a certificate in terms of Section 224(c) of the said Act.

General Conditions

301. The consent holder shall ensure complete engineering drawings, accompanied with a design certificate in the form of Schedule 1A of NZS 4404:2010, detailing all proposed construction works including details of proposed silt detention and erosion control measures, are prepared in accordance with the Auckland Council's legacy North Shore City Council "Infrastructure Design Standards" manual Issue 10, January 2009 and are submitted for assessment and written approval by the Development Engineer before the commencement of any works unless otherwise specified within this consent.

Advice Note:

(a) Construction works that require a building consent should be included in the engineering drawings.

(b) The Auckland Council Code of Practice for Land Development and Subdivision includes the following Sections which generally supersede the IDS:Section 2 Earthworks and Geotechnical Requirements (supersedes IDS Section 2) September 2013
 Section 3 Auckland Transport Code of Practice 2013 (supersedes IDS Section 3 except for private assets such as shared accessways) September 2013
 Chapter 4- Stormwater Version 1 (supersedes IDS Section 4 although IDS 4.17 gives guidance for drafting operation and maintenance manuals) October 2013
 Sections 5 & 6 Water and Wastewater Code of Practice for Land Development and Subdivision Version 1.6 (supersedes respectively IDS Sections 6 & 5) September 2013

302. The consent holder shall arrange for inspections in accordance with Auckland Council's Development Engineering Quality Assurance Manual Version 1.0, April 2012 (QAM) to be carried out by a suitably qualified person during construction of all works on the site to ensure that those works are constructed in accordance with the approved engineering drawings or any approved amendments to those drawings, Council's standard requirements for the construction of subdivisional engineering works, and sound engineering practice.

303. The consent holder shall ensure that inspections undertaken in accordance with Condition 302 above are recorded in the QAM. The manual, including the Statement of Certification (Appendix A, of Development Engineering As-built requirements, Version 1.2, September 2012 (DEAR), is to be completed and forwarded to the Development Engineer at the completion of construction of all works. If a public service is to become operational prior to the completion of all works then a Statement of Certification for that service must be completed and forwarded to the Development Engineer dealing with the consent prior to that public service becoming operational.

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

304. Accurate as-built plans must be submitted for all public services, including underground services showing every lot connection including any portion of the reticulation downstream of the lot connection which may be of private status, in accordance with the Development Engineering As-Built requirements Version 1.2 September 2012. The as-built plans must be confirmed by the Development Engineer as compliant prior to the Public Service becoming operational or the issue of a Section 224(c) Certificate under the Resource Management Act 1991, whichever is the earlier.

Advice Note: The Water and Wastewater Code of Practice for Land Development and Subdivision refers to the "lot connection" as "Point of Supply".

Geotechnical

305. The consent holder shall provide a supplementary report (Geotechnical Design Report) including investigation of new elements of the work since the investigation report dated 2 July 2012. The Geotechnical Design Report shall accompany the application for Engineering Approval.

306. The consent holder shall ensure all earthworks are carried out in such a manner as to protect land not forming part of the subdivision against erosion, subsidence and slippage arising or likely to arise as a result of the subdivision.

307. The consent holder must ensure that prior to the completion of the subdivision a Geotechnical Completion Report compliant with the requirements of the Code of Practice Section 2, from a suitably experienced Chartered Professional Engineer, and who has Professional Indemnity and Public Liability Insurance each with a minimum limit of indemnity of \$2,000,000, shall be provided attesting to the suitability of all lots, including Roads and Reserves, for their intended purpose. One bound copy and one pdf copy of this report are to be submitted to the Council.

308. Where the report provides that any area of the land relating to the subdivision possesses development limitations, the consent holder shall rework that area to remove the limitations if required to do so by the Council's Team Leader, Resource Consents. Alternatively, Council may require a consent notice to be registered giving notice of the limitations or specific development requirements related to that land.

Bonding

309. In terms of s108A of the Resource Management Act 1991, a general lot performance bond shall be provided equal to \$200 per lot excluding any road lots and paid in cash prior to the issue of the related 224(c) certificate under the Resource Management Act 1991. This shall be held for a period of twelve months following the issue of the related 224(c) certificate, or until work required under any consent condition has been completed to Council's satisfaction or until any adverse effect that became apparent during or within twelve months after the expiry of the consent is mitigated.

Transportation

In the event any tree removal/harvesting is undertaken in conjunction with stage 3 works, then the conditions 310 and 311 below shall apply:

310. The consent holder shall construct an internal haulage road of 300mm pavement depth with permanent turning head for the harvesting and construction. To ensure Silvermoon Road is not damaged or impacted by the works the following shall be provided or allowed for:

- a) A wheel-wash with a high pressure hose, to be located within Lot 2 DP 343027 as soon as practicable following the construction of the internal haulage road.
- b) The immediate removal of any mud or dirt tracked into the existing carriageway of Silvermoon Road.
- c) A construction traffic management plan (CTMP) for the tree harvesting, earthworks and construction; this shall include, but not be limited to:
 - i) any temporary traffic management measures;
 - ii) a restriction on logging trucks movements along Silvermoon Road such that they will only occur between 9am and 3pm Monday to Friday;
 - iii) methods showing how plant / machinery will get to the site and be unloaded / loaded without affecting access and casual parking for residents of Silvermoon Road;
 - iv) how access to the site will be managed - including ensuring trucks are not waiting in the road reserve for a vehicle to exit the site;
 - v) expected number of trucks and routes to be used;
 - vi) length and details of the stabilised entrance; and
 - vii) location of wheel wash and on-site construction vehicle parking, within Lot 2 DP 343027.

Advice Note: A CTMP can be provided as part of the Corridor Access Request (CAR) process through Auckland Transport.

Separate CTMP's may be submitted for the forestry harvesting and then the site earthworks/construction.

311. Notwithstanding the requirements of Condition 27, a pre works survey of Silvermoon Road, including the intersection with Gills Road, shall be provided to the Council prior to the undertaking of harvesting works. Upon completion of this operation, a post works survey shall be undertaken, with any subsequent damage to be repaired to the satisfaction of Council within one month of the completion of harvesting works.

312. Design of the shared space and Roads 1 and 2 (proposed lots 101, 102 and 103) shall achieve the following criteria:

- a) The design shall ensure safe access and use for all user types including pedestrians, cyclists, vehicles and emergency vehicles and rubbish collection.
- b) The design shall create a low speed environment of under 10 kph where the design modifies driver behaviour to slow down. This shall include some physical deflection to discourage linear, uninhibited vehicle movements.
- c) On-street parking spaces shall be clearly delineated and easily identifiable.
- d) Vehicle crossing shall be placed in fixed positions in terms of the subdivision as shown on the submitted drawings.
- e) The design shall provide safe and legible use for disabled and visually impaired users-particularly for shared zones that provide clear links through multiple blocks linking important community destinations. This includes appropriate measures in place at the entrances to the garden streets.
- f) The materials pallet used in the construction of the Garden Streets must be consistent throughout and be low maintenance.
- g) The incorporation of larger species of street trees to define the character of the street and reflect the surrounding vegetated setting.

313. The shared zones shall be made legally enforceable. A resolution report shall be submitted for approval by Auckland Transport's Traffic Control Committee.

314. The consent holder shall ensure the proposed roads within the subdivision are constructed to the satisfaction of the Council in accordance with the Council's Code of Practice for Land Development and Subdivision Section 3 (C of P).

Advice Note: When the design drawings are submitted, the Council may require minor variations to the roading design as indicated on the scheme plan in order to ensure compliance with the C of P. The Development Engineer would forward the application for Engineering Approval to Auckland Transport for their peer review and assessment.

315. All new retaining walls shall be subject building Consent processes and PS1 and PS4 shall be provided to Council. Retaining Wall 3 shall be placed fully inside the road reserve.

316. Batters to or from Silvermoon Road (extension) shall not exceed a gradient of 1:3.

317. A 1.8 metre wide footpath shall be provided on the western side of the Silvermoon Road extension and those ties into existing footpath.

318. Unless otherwise approved in writing by Auckland Transport, rubbish collections shall be undertaken by a private contractor with vehicles of a size that can safely navigate and manoeuvre within the proposed turnaround areas within the development. Written confirmation shall be provided to the Council of the appointed contractor that they are able to comply with the requirements of this condition.

Landscaping

319. The consent holder shall submit to the Council for approval a finalised detailed set of Landscape and Pavement Plans prepared by a suitably qualified landscape architect. The plans shall include:

- A detailed landscape plan to scale and specifications that aide in the biodiversity of the local environment
- A planting schedule, detailing the specific planting species, the number of plants provided, locations, heights including Pb sizes. Trees within the proposed group planting along external site boundaries should be larger species to visually fit within the surrounding vegetative context.
- A pavement plan and specifications, detailing materiality and colour throughout the development site
- Annotated sections with key dimensions to illustrate that adequate widths and depths are provided for tree pits I planter boxes.

This information shall detail the finalised design of any specific design changes required e.g. boundary interface treatment along street frontage, and specific planting proposed;

Advice note: Building footprints on individual lots should allow sufficient distance from planted trees to allow for growth to a large size without interfering with building foundations I services etc.

320. A bond shall be required for the on-going maintenance of the landscape works required by condition 319 for a period of two years and at least twelve months after vesting of the related road or lots.

Advice Note: The minimum basis for bonding evaluations shall be a cash bond for the actual costs of the contractor who is undertaking the maintenance for a period of two years. The maintenance bonds are to include the labour, materials/product costs used for undertaking the maintenance, including at least 10% for the replacement of plant losses and costs associated with the maintenance of areas of turf. A cash bond multiplier of 1.5 (specific to planting maintenance) is applied to the cost estimate net of GST.

Wastewater

321. The consent holder shall provide and install a complete wastewater system to serve all Lots generally in accordance with the approved drawings by Acclaim Consultants Ltd and to the Council's public wastewater standards.

322. The consent holder shall provide and install wastewater connections to serve all Lots to the Council's standards.

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

Stormwater

323. The consent holder shall provide and install a complete stormwater drainage system to serve all lots generally in accordance with the approved drawings by Acclaim Consultants Ltd and to the Council's public stormwater standards to the satisfaction of the Council. Stormwater connections shall be provided at the boundaries to cater adequately for run-off from catchment areas above the subdivision.

324. The consent holder shall provide and install stormwater connections to serve all Lots to the Council's standards for private drainage. Easements shall be created and granted or reserved over any private drains traversing lots other than those being served unless written advice to the contrary is received from the Development Engineer.

Advice Notes

i) *New lot connections shall be shown on the engineering design drawings submitted for Engineering Approval (EA).* Fees payments would be part of subdivision invoicing and not required at the time of EA application. The DE would advise of any portion of the works requiring a building consent application.

ii) Easements for overland flow paths may be created for smaller catchment areas than 4000m²

iii) Overland Flow Paths are designed for 100 year ARI flows taking account of blockages in the primary system as set out in 4.3.2 of the Infrastructure Design Standards.

325. The consent holder shall provide stormwater management devices as approved by Council and these conditions taking full account in the design and construction of those devices of all criteria set out in Auckland Council's legacy North Shore City Council "Infrastructure Design Standards" manual Issue 10, 4.14. Any proprietary stormwater management devices shall be designed to provide an eighteen month minimum maintenance interval upon the catchment served by the device becoming predominantly developed. Any bio-retention devices shall be provided with a soil mix from a Council approved commercial source.

Water Supply

326. The consent holder shall provide and install a complete water supply reticulation system generally in accordance with the approved drawings by Acclaim Consultants Ltd to the satisfaction of the Council. The final design is subject to clarification and assessment at the time of submission for Engineering Approval. Works may commence in accordance with the Engineering Approval issued by the Development Engineer, Takapuna.

Advice Note:

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

ii) Development Engineer will forward the application for Engineering Approval to Watercare Services Ltd for their peer review and assessment

Certification

327. The consent holder must ensure wastewater drainage, stormwater drainage and water supply systems are made fully operative before a section 224(c) Certificate will be issued by Council.

328. The consent holder must ensure wastewater drainage, stormwater drainage and water supply systems are tested and approved by Council. The systems shall be connected to existing systems.

Power and Street Lighting

329. The consent holder shall provide and install to the satisfaction of the Council and appropriate electricity network utility operator:

- a) The reticulation of electric power underground, including the installation of ducts beneath any proposed street within the subdivision and beneath any existing street adjacent thereto where required by the authority and;
- b) the installation of street lights to serve the subdivision and
- c) the installation of private lighting to serve private ways or common areas where the conditions of this consent so require.

The consent holder is fully responsible for design, construction and commissioning of all street lighting and any lighting of public accessways necessary for this subdivision.

330. The consent holder shall submit complete design drawings for written approval of the Development Engineer before the commencement of street lighting works. The design shall comply with the Auckland Council's Code of Practice Section 4 (ATCOP Chapter 19) and the works constructed and commissioned in compliance with those standards and the written approval. An as-built plan shall be submitted upon completion of the works.

331. A Clearance Certificate for the completed work from the network utility operator shall be provided to Council.

Advice Note: The Network utility operator is responsible to specify the capacity of new works or upgrading works necessary to serve the subdivision. Council require a clearance certificate that connections can be made available and is not responsible for the business decisions of any network utility operator nor require that any particular level of service is available.

332. Where reticulation is to be deferred, the consent holder shall either provide evidence that full payment has been made to the appropriate utility operator for the installation or enter into a bond with the Council securing the payment of the cost of installation.

Telecommunication and Power

333. The consent holder shall provide and install reticulation of telecommunication services underground together with plinths to serve each lot and to the satisfaction of the Council,

and the appropriate telecommunications network utility operator/s. A Clearance Certificate for the completed work from the network utility operator must be provided to Council.

Advice notes.

i) In the case of private accessways serving two or three lots, any ducting provided under carriageways for future service lead-ins must also be covered by the clearance certificate of the network utility operator.

ii) The Network utility operator is responsible to specify the capacity of new works or upgrading works necessary to serve the subdivision. Council require a clearance certificate that connections can be made available and is not responsible for the business decisions of any network utility operator nor require that any particular level of service is available.

334. Where reticulation is to be deferred, the consent holder must either provide evidence that full payment has been made to the appropriate utility operator for the installation or enter into a bond with the Council securing the payment of the cost of installation.

Existing Services

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

Topsoil

336. The consent holder shall reinstate topsoil over all residential lots to a minimum loose depth of 100mm.

Street Name

337. The consent holder must, before the survey plan of subdivision is approved under section 223 of the Act, provide a name for each/the new road and shall obtain evidence of acceptance by NZ Post Ltd before submitting the name/s to the Council for approval. In giving its approval the Council will require to be satisfied that each road name is relevant to the locality, or is otherwise appropriate. The consent holder must provide and install the appropriate street signs to Council's standard.

Survey Plan

338. The consent holder may submit a survey plan showing the subdivision in stages generally in accordance with the application plan Acclaim Consultants Scheme Plan (Drawing # SP01b5) provided that the Council is satisfied that any changes are minor and will have no effect on compliance with the District Plan or other parties adjoining the subdivision. The staged survey plan shall show Stage 3 being Lots 1-22 and Lots 101 - 103. The surveyor is to certify that all private drains are contained within the easements shown on the survey plan.

Advice Note:

This resource consent will expire five years after the date of commencement of consent unless:

- A Survey Plan is presented to Council for approval under Section 223 of the Resource Management Act 1991 and that plan is deposited within three years of the approval date, or
- Upon an application made prior to the expiry of consent period, the statutory considerations which apply to extensions are set out in Section 125(1)(b) of the Resource Management Act 1991.

Consent Notice

339. Pursuant to Section 221 of the Resource Management Act, the consent holder shall cause to have registered on the Certificates of Title to be issued for all lots a consent notice containing the following text:

- All lot development including any redevelopment and any temporary works must take full account of the recommendations and limitations set out in the Geotechnical Completion Report.
- Rain tanks and rain gardens for each lot shall be designed and constructed in accordance with the Performance Standards stipulated in Appendix 8H.2.2.1 of the Auckland Council District Plan - North Shore Section.
- The raingardens and rain tanks for each lot shall be maintained by their respective owners in accordance with the Operation and Maintenance Plan prepared in accordance with Approved Resource Consent REG-2138429.
- All roofs and cladding materials for Lots 1-22 shall be clad using inert materials where there are no unpainted metal surfaces.
- All lot development shall ensure that:
 - Garaging is recessed back a minimum of one metre from the front face of dwelling so they do not dominate the streetscape.
 - Each dwelling has either a kitchen or living area located along the front facade to provide for visual surveillance of the street.
 - All front boundary fencing shall be limited in height to 1.2m to provide for visual surveillance of the street.
- The protection of landscaped vegetation required by condition 319 from removal, alteration or works within their root zone unless otherwise authorised in writing from the consent authority.

Advice Note: In reference to condition 339 a) the Council may include any specific requirements or recommendations contained within the geotechnical report submitted pursuant to Condition 305 above within the text of this consent notice.

Charges

340. Further to Condition 3, the consent holder must, pursuant to Section 36 of the Resource Management Act 1991, pay all administrative charges, being the Council's actual and reasonable costs incurred in processing this application, to be charged as follows:

- The consent holder must pay to the Council administrative charges for the carrying out by the Council of its functions in relation to the administration, monitoring and supervision of this consent.
- The charges payable under (a) and (b) of this Condition must be paid upon receipt of invoice or interim invoice or before any request for a certificate under section 224(c) of the Resource Management Act.

Advice Note: The consent holder is advised that under Section 134 of the Resource Management

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