

Decision on Applications for Resource Consent under the Resource Management Act 1991



Application Number(s):

- R-60831 (Combined Land Use/Subdivision)
- REG-60848 (Earthworks)
- REG-60849 (Stormwater Discharge)
- REG-60850 (Stream work)

Applicant's Name: Weiti Development Limited Partnership

Site Address: 1696 East Coast Road, Weiti

Legal Description: Lots 1, 3 and 4 DP 465984

NZTM map reference: 1753406.19, 5941997.53

Proposal: Weiti Development Limited Partnership seek consent to develop Weiti Village Policy Area 2, including works within the Greenbelt and Conservation Policy Area, within the Special 8 (Weiti Forest Park) Zone of the Auckland Council District Plan (Rodney Section). This involves the subdivision and subsequent establishment of 171 lots and 21 ancillary lots for joint access, open space, roading and drainage purposes within Weiti Village Policy Area 2; and undertaking bulk earthworks, streamworks, vegetation clearance, diversion and discharge of stormwater and new public roading within Weiti Village Policy Area 2 and the Greenbelt and Conservation Policy Area.

The resource consents required are:

Land use consents (s9) – R/LUC

Auckland Council District Plan (Rodney Section)

- The proposal seeks subdivision to create 171 lots and 21 ancillary lots for joint access, open space, roading and drainage purposes within Weiti Village Policy Area 2. Under Rule 12.8.8.20.2 this is a Restricted Discretionary activity.
- The proposal seeks to undertake an 850,000m³ cut to fill balance operation over a total area of 35 hectares, which includes earthworks within the Greenbelt and Conservation Policy area. Under Rules 12.8.8.7.2 and 7.9.4.2.2, earthworks exceeding 200m³ within the Greenbelt and Conservation Policy Area requires consideration as a Restricted Discretionary activity.
- The proposal seeks to undertake an 850,000m³ cut to fill balance operation over a total area of 35 hectares, which includes earthworks within Weiti Village Policy Area 2. Under

Rules 12.8.8.7.2 and 18.9.2 earthworks exceeding 200m³ and/or an area of 1000m² within the Weiti Village Policy Areas 1 and 2 requires consideration as a Restricted Discretionary activity.

- The proposal seeks to undertake an 850,000m³ cut to fill balance operation, which includes earthworks within 10m of a watercourse in the Greenbelt and Conservation Policy Area. Under Rules 12.8.8.7.2 and 7.9.4.2.2, earthworks within 10m of a watercourse within the Greenbelt and Conservation Policy Area require consideration as a Restricted Discretionary activity.
- The proposal seeks to undertake an 850,000m³ cut to fill balance operation which would result in wetland modification exceeding 250m² within the Greenbelt and Conservation Policy Area. Under Rules 12.8.8.7.2 and 7.9.4.3.1.1, earthworks which result in the modification of wetlands and natural watercourses by more than 250m² within the Greenbelt and Conservation Policy Area requires consideration as a Restricted Discretionary activity.
- The proposal seeks to undertake wetland modification through the realignment of the western intermittent stream and its associated riparian wetland systems within Weiti Village Policy Area 2. Under Rules 12.8.8.7.2 and 18.9.2 (wetlands) the modification of more than 150m² of any wetland not located within a Significant Natural Area (SNA) requires consideration as a Restricted Discretionary activity.
- The proposal seeks to remove vegetation in association with the realignment of the intermittent stream within the western gully of the development area within Weiti Village Policy Area 2. Under Rules 12.8.8.7.2 and 18.9.3, vegetation removal greater than 250m² within the Weiti Village Policy Areas 1 and 2 requires consideration as a Restricted Discretionary activity.
- The proposal seeks to install permanent stormwater treatment and flow attenuation ponds greater than 150m² in area within Weiti Village Policy Area 2 and the Greenbelt and Conservation Policy Area. Under Rule 19.8.4, this requires consideration as a Discretionary activity.
- The proposal seeks to undertake earthworks necessary for the establishment of stormwater wetlands within Weiti Village Policy Area 2 and the Greenbelt and Conservation Policy Area. Under Rule 19.8.4, this requires consideration as a Discretionary activity.
- The proposed jointly owned access lots would each provide access to more than three lots. Under Rule 23.8.6.2 and Rule 23.8.1.1, this requires consideration as a Restricted Discretionary activity.
- The proposed jointly owned access lots would have a legal width of 8.0 metres and a carriageway width of 4.0 metres. Under Rule 23.8.6.3, and 21.10.1.2 the jointly owned access lots will exceed the maximum permitted width of 6.0 metres, requiring consideration as a Restricted Discretionary activity.
- The proposal would provide access via an existing road to be upgraded as part of the wider Special 8 Zone development, however is not yet upgraded or maintained by the Council. Under Rule 23.8.6.1, this requires consideration as a Restricted Discretionary activity.

- The proposal would provide access to a road network via a road that has not been constructed. Under Rule 21.10.4.1, this requires consideration as a Restricted Discretionary activity.
- The proposal would result in the intersection of road 14 and road 2 comprising an angle less than 80°, and three cross-road intersections are proposed. Under Rule 23.8.7.1, this requires consideration as a Restricted Discretionary activity.

Auckland Council Regional Plan: Sediment Control

- The proposal would result in soil disturbance activities exceeding 0.25ha in a Sediment Control Protection Area (SCPA) and on land with a slope greater than or equal to 15 degrees. Under Rule 5.4.3.1 consideration is required as a Restricted Discretionary activity.

Auckland Council Regional Plan: Air, Land & Water (ACRP:ALW)

- The proposal would result in the diversion and discharge of stormwater. Under Rule 5.5.4 this requires consideration as a Discretionary activity.
- The proposal would result in the replacement of an existing culvert and placement of a new culvert within the eastern (permanent stream) resulting in a progressive encasement of 60m. Under Rule 7.5.9 consideration is required as a Restricted Discretionary activity.

Proposed Auckland Unitary Plan (PAUP)

- The proposal would result in earthworks greater than 2,500m² and 2,500m³ in the Rural and Coastal Settlement Zone. Under Rule H.4.2.1.1 consideration is required as a Restricted Discretionary activity.
- The proposal would result in earthworks greater than 2,500m² and 2,500m³ in the Rural Conservation Zone. Under Rule H.4.2.1.1 consideration is required as a Restricted Discretionary activity.
- The proposal would result in earthworks within the 100 year ARI floodplain greater than 1,000m² and 1,000m³. Under Rule H.4.2.1.2 consideration is required as a Restricted Discretionary activity.
- The proposal would result in the placement of structures (culverts) located within or over an overland flow path. Under Rule H.4.12.1 consideration is required as a Discretionary activity.
- The proposal would result in the diversion of the western intermittent stream (800m long). The diversion would occur outside of the Significant Ecological Area. Under Rule H.4.13.1, consideration is required as a Discretionary activity.
- The proposal would require new public roads to be operated by a road controlling authority exceeding 5,000m² impervious area. Under Rule H.4.14.1.1, consideration is required as a Restricted Discretionary activity.

- The proposal would result in the diversion and discharge of stormwater from impervious areas not otherwise authorised. Under Rule H.4.14.1.1, consideration is required as a Discretionary activity.
- The proposal would result in impervious areas from the development not being connected to the stormwater network, whereby permitted and controlled activity controls are not met. Under Rule H.4.14.2.1, consideration is required as a Discretionary activity.

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

Acting under delegated authority, under sections 104, 104B, 105 & 107 the application(s) are **GRANTED**.

1. Reasons

Under section 113 of the RMA the reasons for this decision are:

In accordance with an assessment under s104(1)(a) of the Resource Management Act the actual and potential adverse effects from the proposal are considered acceptable for the following reasons:

- The earthworks proposed to achieve the subdivision would ensure a suitable gradient providing for suitable roading, access, installation of infrastructure to support the development and geotechnical remediation to ensure stable ground for the ensuing built environment of Policy Area 2.
- While the earthworks proposed would generate modification to the land across a substantial area, the earthworks have been designed to retain the overall rolling landform pattern. Thereby the natural character of the area presently and landscape characteristics would not be drastically altered.
- The proposal will provide a number of public amenities. These amenities would serve the public interest and generate a range of positive social benefits, contributing to the long-term sustainability of the development. The Council's Parks and Open Space Specialist, Mr Matt Ward is supportive of the application overall, subject to conditions of consent.
- A similar density subdivision has been approved to the east of the subject site. The cumulative provision of over 300 lots would contribute positively toward helping to meet Auckland's housing needs and the developments would provide for future high quality housing in a suitable location.
- The location, form and general layout of village sites within the Weiti area were previously developed through the master planning process, which has been incorporated into the Special 8 zoning provisions comprising the Weiti Village Master Plan and the Outline Development Plan.
- The securement of open space areas, protection of existing native bush areas and the commencement of large scale enhancement planting across 182 hectares will help enrich the ecological and natural character values associated with the Weiti area and offset the future development of the site for residential purpose. The application would not compromise the Greenbelt and Conservation Policy Area.
- The proposed earthworks can be managed appropriately as to achieve the residential purpose of the site, and would generate no more than minor effects in terms of visual

amenity effects. Council specialists have reviewed the application and are supportive overall, subject to the imposition of conditions which have been accepted by the applicant accordingly.

- The Council's Development Engineer, Mr Cameron Ure has reviewed the proposed servicing for this development and considers that servicing of the development can be provided in a manner that avoids, remedies or mitigates adverse effects upon the receiving environment. I concur with these findings.
 - The proposed development is not considered to have an adverse effect upon water quality as a result of the suitable stormwater mitigation and treatment measures that have been proposed as part of the application. The Council's Consents and Compliance Advisor, Ms Justine Quinn concludes overall that "any effects of the proposed activity on the environment as identified above will be less than minor. This is based on the undertaking the proposed stormwater management system to avoid remedy or mitigate effects in accordance with application documents".
 - The proposed development is not expected to generate more than minor adverse effects upon the natural and cultural heritage values of the surrounding environment, noting the archaeological features are not located within Lot 1 (major works area) and would be suitably isolated (greater than 50m) from the earthworks proposed within Lot 1.
 - The proposed enhancement planting that would enhance the ecological integrity of the area through the permanent protection of this land, and help offset the development effects associated with the proposed subdivision of Policy Area 2 through comprehensive restoration of this area, providing ecological and biodiversity benefits.
 - Further mitigation measures (conditioned accordingly) such as the implementation of pest and weed control; staged planting; maintenance of planting and monitoring programmes will ensure the success of enhancement planting as proposed. The Council's Ecologist, Mr Shane Butland has confirmed that the implementation of proposed mitigation measures will ensure the proposal has ecological effects that are no more than minor, subject to appropriate conditions of consent ensuring these measures are adhered to.
 - With regard to the proposed stream works (as discussed above) the ecological value of the western stream is low and does not support threatened plants or animals. As such, the diversion of this stream and associated earthworks are considered to result in no more than minor effects overall.
 - It is considered that the access can operate without adversely affecting the safe and sustainable operation of the roading network, in particular that of East Coast Road. The Council's Traffic Engineer is supportive of the proposal subject to conditions.
- As outlined above, the adverse effects are considered to be no more than minor. Taking into account the existing site context, including the granted but not yet implemented consent (RMA 52447) which expires in 2016, the development of the application site for residential purpose aligns with the type of development anticipated under the District Plan within the Weiti Special 8 zone. The level of residential intensification proposed would ensure an efficient use of this land pocket which would seek to maintain ecological and natural character values associated with the area through the appropriate location, form and design of the subdivision. Provided that all proposed mitigation measures including proposed conditions of consent are implemented, it is considered that on balance the actual and potential effects of the development would be acceptable.
 - Section 125 of the RMA provides that if a resource consent is not given effect to within five years of the date of the commencement (or any other time as specified) it automatically lapses unless the consent authority has granted an extension. In this case, it is considered eight years is an appropriate period for the consent holder to implement the subdivision consent due to the scale and complexity of the application.

- In accordance with an assessment under s104(1)(b) of the Resource Management Act the proposal will be consistent with the relevant statutory documents. In particular, with the relevant objectives, policies and assessment criteria of the NPS, NZCPS, HGMPA, ACRPS, PAUP, ACRP:SC, ACRP:ALW, ACDP:RS in terms of the proposed subdivision activity within the Weiti Special 8 zone that would seek to maintain and enhance the surrounding environment and integrate with existing (but not yet implemented) intensive residential development within the area.
- In accordance with an assessment under s104(1)(c) of the Resource Management Act, other matters, such as monitoring and conditions of consent have been taken into account. In particular, conditions have been imposed to ensure that the effects generated by the development will be no greater than or significantly different to what has been assessed and considered appropriate as part of this assessment and determination. General subdivision conditions of consent apply together with regional consenting matters linked to stormwater diversion and discharge, stream works and earthworks. Conditions imposed on the subdivision consent include the requirement to provide various management plans prior to the commencement of works to address construction and health and safety amongst other matters as well as bonding for significant replanting/regeneration of the site which is to occur across four stages. In addition, further design details are to be provided in terms of urban design, traffic, stormwater management, earthworks, and discharge and infrastructure provisions.
- This application is considered to be consistent with Part 2 of the Resource Management Act because the proposal is considered an appropriate and efficient use of the land for residential purpose, in keeping with the type of development anticipated within this area under the ACDP:RS. The proposed residential subdivision would not compromise the overall character and amenity values of the surrounding environment whilst allowing for a comprehensive development that would help meeting Auckland's housing needs. The proposed conditions of consent, as agreed with the applicant, result in the proposal succeeding in sufficiently avoiding, remedying or mitigating adverse effects on the local and wider environment. Overall, the application will achieve the sustainable purpose of the Act and the resulting positive effects of this development would outweigh the adverse effects.

2. Conditions

Under section 108 of the RMA, these consents are subject to the following conditions:

WEITI VILLAGE POLICY AREA 2: SLC-60831, REG-60848, REG-60849 & REG-60850

General Conditions

1. The development shall be carried out in accordance with the plans and all information submitted with the application, and referenced by the council as SLC-60831, REG-60848, REG-60849 & REG-60850 and as outlined below (unless amended by the conditions of consent below):

Specialist Report Title	Prepared by	Rev	Dated
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Assessment of Effects	Boffa Miskell		24 September 2013
Assessment of Effects - Includes S92 changes - Includes PAUP changes/ additions	Woods	02	November 2013
Section 92 request response Reference: A12278R_003	Boffa Miskell	1	November, 2013
Architectural Code	Boffa Miskell	03	10 June 2013
Infrastructure Assessment Report	Woods	01	September 2013
Infrastructure – Wastewater Options Report	Woods		5 June 2013
Assessment of Ecological Effects	Boffa Miskell	01	31 May 2013
Transport Assessment	Beca	C	20 February 2013
Weiti Village 1: Traffic Matters (letter)	Beca		31 May 2013
Transport Assessment Addendum	Beca		13 November 2013
Assessment of Archaeological Effects	Clough & Associated Limited		May 2013
Biodiversity Management and Enhancement Planting Guidelines for Stage 1	Boffa Miskell	A	5 June 2013
Geotechnical Investigation Report	Coffey Geotechnics (NZ) Ltd		17 April 2013
Geotechnical Design Report for Village 1 of the Weiti Development Reference: GENSILV17069AA-AB	Coffey Geotechnics (NZ) Ltd		29 May 2013
Preliminary Environmental Site Investigation	Groundwater & Environmental Services Ltd.		12 June 2013
Erosion and Sediment Control Methodology	Woods		June 2013
Stormwater Design Report	Woods	05	20 December, 2013

Drawing reference number	Title	Architect / Author	Dated
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60366-01-GE-010 Rev. 6	Overall Scheme Plan	Woods	20/12/2013
60366-01-GE-011 Rev. 5	Scheme Plan (1 of 5)	Woods	20/12/2013
60366-01-GE-012 Rev. 3	Scheme Plan (2 of 5)	Woods	14/11/2013
60366-01-GE-013 Rev. 4	Scheme Plan (3 of 5)	Woods	20/12/2013
60366-01-GE-014 Rev. 3	Scheme Plan (4 of 5)	Woods	14/11/2013
60366-01-GE-015 Rev. 3	Scheme Plan (5 of 5)	Woods	14/11/2013
60366-01-GE-020, Rev. 1	Existing Titles Plan	Woods	04/06/2013
60366-01-GE-021, Rev. 2	Existing Features Plan	Woods	22/11/2013
60366-01-GE-022, Rev. 1	Zoning Plan	Woods	04/06/2013
60366-01-GE-023 Rev. 2	Vegetation Removal Plan	Woods	25/09/2013
60366-01-GE-024 and 025, Rev. 1	Archaeological Features Plan, Existing Consents Plan	Woods	04/06/2013
60366-01-RD-200 to 206, Rev. 3	Roading Plans	Woods	14/11/2013
60366-01-RD-220 to 224, Rev. 3	Typical Cross Sections	Woods	RD-220, 222, 223: 05/11/2013, RD-221: 12/11/2013, RD- 224: 06/12/2013
60366-01-RD-230 to 233, Rev. 3	Road Intersection Plans	Woods	14/11/2013
60366-01-RD-234 and 235, Rev. 1	Road Intersection Plan, Road Line Marking Plan	Woods	10/11/2013
60366-01-RD-240 to 249, Rev. 1	Road Tracking Curve Plans	Woods	12/11/2013

60366-01-RD-250 to 252 and RD-254 to 259, Rev. 2	Road Long Sections	Woods	25/09/2013
60366-01-RD-253, Rev. 3	Road Long Sections	Woods	14/11/2013
60366-01-RD-260 to 269, Rev. 1	Road Intersection Sight Lines	Woods	08/11/2013
60366-01-DR-300 to 304 and 305, Rev. 5	Drainage Plans	Woods	20/12/2013
60366-01-DR-304, 306 and 307, Rev. 4	Drainage Plans	Woods	20/12/2013
60366-01-DR-308 to 310, Rev. 3	Drainage Plans	Woods	21/11/2013
60366-01-DR-350, Rev. 5	Culvert Layout Plans	Woods	20/12/2013
60366-01-DR-351 and 352, Rev. 4	Culvert Layout Plans	Woods	21/11/2013
60366-01-DR-353, Rev. 2	Culvert Layout Plans	Woods	25/09/2013
60366-01-DR-354, 356 and 357, Rev. 3	Stormwater Culverts Layout Plan and Sections	Woods	DR-354: 08/11/2013, DR-356 and 357: 09/12/2013
60366-01-DR-360 to 362, Rev. 6	Stormwater Quality Wetland Layout	Woods	DR-360 and 362: 20/12/2013, DR-361: 06/12/2013
60366-01-DR-363, Rev. 5	Stormwater Quality Wetland Layout	Woods	20/12/2013
60366-01-DR-364, Rev. 2	Stormwater Quality Wetland Cross Sections	Woods	20/12/2013
60366-01-DR-365, Rev. 1	Stormwater Quality Wetland Cross Sections	Woods	20/12/2013
60366-01-DR-380, Rev. 4	Stormwater Quality Wetland Details Wetland Outlet Details	Woods	06/12/2013
60366-01-DR-381, Rev. 3	Stormwater Quality Wetland Details Inlet Details	Woods	06/12/2013

60366-01-DR-382, Rev. 2	Stormwater Quality Wetland Details Wetland Details	Woods	14/11/2013
60366-01-DR-383 and 384 Rev. 1	Stormwater Quality Wetland Details Wetland Details	Woods	04/06/2013
60366-01-DR-450, Rev. 4	Stormwater Catchment Plan	Woods	16/12/2013
60366-01-DR-455 and 456, Rev. 6	Overland Flow Path Plan	Woods	09/12/2013
60366-01-DR-457 and 458, Rev. 3	Overland Flow Path Plan	Woods	20/12/2013
60366-01-WS-600 to 611, Rev. 2	Water Reticulation Plans	Woods	25/09/2013
60366-01-WS-612 to 614, Rev. 1	Water Reticulation Plans	Woods	04/06/2013
60366-01-UT-711 to 721, Rev. 2	Utility Layout Plans	Woods	25/09/2013
60366-01-EW-100, Rev. 6	Overall Earthworks Plans	Woods	20/12/2013
60366-01-EW-101, 104 and 106, Rev. 5	Earthworks Plans	Woods	20/12/2013
60366-01-EW-102, 103, 105, 107, 108, 109, Rev. 4	Earthworks Plans	Woods	20/12/2013
60366-01-EW-110 and 111, Rev. 3	Earthworks Plans	Woods	21/11/2013
60366-01-EW-115, Rev. 2	Stream Realignment Sections Plans	Woods	20/12/2013
60366-01-EW-120, 121, 124, Rev. 5	Cut to Fill Plans	Woods	20/12/2013
60366-01-EW-122, 123, 125, 126, 127, 128, 129 and 131, Rev. 4	Cut to Fill Plans	Woods	20/12/2013
60366-01-EW-130, Rev. 3	Cut to Fill Plan	Woods	21/11/2013
60366-01-EW-140 Rev. 6	Erosion and Sediment Control Plan	Woods	20/12/2013

60366-01-EW-141, Rev. 5	Erosion and Sediment Control Plan	Woods	20/12/2013
60366-01-EW-142 to 144, Rev. 4	Erosion and Sediment Control Plan	Woods	20/12/2013
60366-01-EW-147, Rev. 5	Slope Area Plan – Greater than 15%	Woods	20/12/2013
60366-01-EW-160 to 162, Rev. 3	Geotechnical Remediation Plans	Woods	20/12/2013
60366-01-EW-163, Rev. 2	Geotechnical Remediation Plan	Woods	25/09/2013
60366-01-SD-800, 802, 803, 804 and 805, Rev. 1	Erosion and Sediment Control Standard Details	Woods	04/06/2013
60366-01-SD-801, Rev 2	Erosion and Sediment Control Standard Details	Woods	07/11/2013

Title	Drawing Ref	Architect/Author	Dated
A12278_001 Weiti Village 1 Masterplan	Revision 17	Boffa Miskell	20/09/13
A12278_100 Weiti Village 1 Landscape Principals	Revision 4	Boffa Miskell	08/11/13
A12278_101 Weiti Village 1 Vegetation Framework	Revision 4	Boffa Miskell	08/11/13
A12278_102 Weiti Village 1 Materials and Character	Revision 4	Boffa Miskell	08/11/13
A12278_103 Weiti Village 1 Materials and Character	Revision 4	Boffa Miskell	08/11/13
A12278_104 Weiti Village 1 Materials and Character	Revision 4	Boffa Miskell	08/11/13
A12278_110 Weiti Village 1 Concept Plan	Revision 6	Boffa Miskell	06/06/13
A12278_120 Weiti Village 1 Street Hierarchy Plan	Revision 10	Boffa Miskell	20/09/13
A12278_121 Weiti Village 1 Street Typologies	Revision 3	Boffa Miskell	06/06/13
A12278_122 Weiti Village 1 Street Typologies	Revision 4	Boffa Miskell	06/06/13
A12278_123 Weiti Village 1 Street Typologies	Revision 3	Boffa Miskell	06/06/13
A12278_124 Weiti Village 1 Street Typologies	Revision 3	Boffa Miskell	06/06/13

A12278_125 Weiti Village 1 Street Typologies	Revision 4	Boffa Miskell	06/06/13
A12278_126 Weiti Village 1 Street Typologies	Revision 4	Boffa Miskell	06/06/13
A12278_127 Weiti Village 1 Street Typologies	Revision 4	Boffa Miskell	06/06/13
A12278_128 Weiti Village 1 Street Typologies RD1	Revision 3	Boffa Miskell	06/06/13
A12278_129 Weiti Village 1 Street Typologies Laneway A	Revision A	Boffa Miskell	07/11/13
A12278_130 Weiti Village 1 Street Typologies Laneway B	Revision 0	Boffa Miskell	07/11/13
A12278_160 Weiti Village 1 Street Frontage and Access Plan	Revision 1	Boffa Miskell	07/11/13

Changes to any plans, designs or reports in the application which do not adversely affect the performance standards or environmental outcomes shall be presented to and approved in writing by the Team Leader, Northern Monitoring (Orewa) prior to such works taking place.

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.

Advice Note:

Development contributions levied under the Local Government Act 2002 are payable in relation to this application. The consent holder will be advised of the development contributions payable separately from this resource consent decision. Further information about development contributions may be found on the Auckland Council website at www.aucklandcouncil.govt.nz.

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.

Lapse of Consent

4. Pursuant to section 125 of the RMA, this consent lapses eight years after the date it is granted unless:

- a) The consent is given effect to; or
- b) The Council extends the period after which the consent lapses.

Advice Note:

i.e. for subdivision: when a survey plan in respect of the subdivision has been submitted to council under section 223 of the RMA, but shall thereafter lapse if the survey plan is not deposited in accordance with section 224 of the RMA.

Monitoring

- 5. The consent holder shall pay the Council an initial consent compliance monitoring charge of \$1500 (inclusive of GST), plus any further monitoring charge or charges to recover the actual and reasonable costs that have been incurred to ensure compliance with the conditions attached to this consent.

Advice Note:

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

Order of works

- 6. The consent holder shall comply with the conditions below at the following stages:

Stage	Relevant Conditions
Enabling works	7-16
During Works (Bulk Earthworks and Civil Works)	17-27
Prior to Section 223	28-40
Prior to Section 224c	41-88
Consent notices to apply on an ongoing basis	89

Advice Note:

'Enabling works' refers to the works necessary to prepare the site for the first stage of development, including the installation of sediment control measures, safety signage, etc. 'Bulk earthworks' refers to the substantive earthworks required to modify the land to facilitate the development of roads, lots etc. 'Civil works' refers to the works associated with the installation of utility services, construction of roads, etc.

Combined Land Use/Subdivision Conditions: SLC-60831

ENABLING WORKS

Notification of commencement

7. At least 5 working days prior to the bulk earthworks commencing, the consent holder shall notify council's Orewa Compliance Administrator by telephone (0800 426 5169) or email (ResourceConsentAdmin@aucklandcouncil.govt.nz) the expected date of work commencing.

Advice Note:

This condition requires the consent holder to notify the Council of their intention to begin earthworks a minimum of five working days prior to commencement. Such notification should be sent to the Orewa Compliance Administrator at ResourceConsentAdmin@aucklandcouncil.govt.nz or 0800 4265169 to advise of the start of works.

Pre-construction meeting

8. The Developer's Representative shall give the Team Leader, Northern Monitoring (Orewa) named in the engineering plan approval at least 5 working days' notice of the on-site pre-construction site meeting (refer section 103.15 of the "Standards for Engineering Design and Construction"). Construction work shall not commence on the site until such meeting has been held and all necessary documentation presented.

Advice Note:

Attention is drawn to the requirements of section 103.15.3 "Standards for Engineering Design and Construction" for the following documentation to be presented at the preconstruction meeting:

- *Approved engineering plans and copy of approval letter;*
- *Health and Safety Plan;*
- *Traffic Management Plan;*
- *The signed Corridor Access Request;*
- *The relevant Resource or Subdivision Consent (and all conditions attached thereto);*
- *Copies of any Auckland Council Consents necessary for the works;*
- *Signed copies of all Consents to Enter for Construction for works on land (including Council land) not owned by the consent holder.*

Developer's representative

9. Prior to the commencement of engineering design, the Consent Holder shall nominate, in writing, its Developer's Representative in terms of Council's 'Standards for Engineering Design and Construction' to be the first point of contact for all engineering matters. Any subsequent change to the nominated Developer's Representative shall be immediately notified in writing to the Consents Engineer.

Insurance and warranties for engineering works

10. Prior to the commencement of engineering design for the works required by these conditions, the Consent Holder and the Developer's Representative shall provide to the Council proof of Professional Indemnity Insurance and Warranties in full satisfaction of section 102 of the 'Standards for Engineering Design and Construction'.

Engineering plans

11. The engineering works required by this consent shall comply with the Council's "Standards for Engineering Design and Construction" as may be amended from time to time. Engineering Plans, as specified in the "Standards", shall be submitted to the Consents Engineer, and approval thereto received in writing, prior to the commencement of any works on the site.

Any variation or changes to the approved engineering plans shall be submitted for approval as an Amendment and approval received thereto prior to construction of the varied works.

The term 'engineering works' includes, but is not limited to:

- a) Earthworks,
- b) The formation of roads, the laying of pipes and other ancillary equipment to be vested in the Council for water supply, drainage or sewage disposal;
- c) Street lights, landscaping or structures on land vested, or to be vested, in the Council;
- d) The installation of gas, electrical or telecommunication reticulation including ancillary equipment;
- e) Any other works required by conditions of this consent.

Advice Notes:

Structures such as retaining walls, in-ground walls and bridges will require a separate Building Consent.

The plans required under this condition are separate to, and do not form part of, any Building Consent that may be required on the subject site.

Corridor access request

12. The Consent Holder or his Contractor shall obtain a Corridor Access Request (CAR) from the relevant Network Service Provider prior to the commencement of any works within the legal road.

Health & safety plan

13. A detailed Health & Safety plan to the requirements of the Health & Safety in Employment Act 1992, specifically addressing control of the works on and adjacent to public land, and the protection of the public, shall be submitted to the Consents Engineer prior to the commencement of any works on the site (refer s.103.11 of the "Standards for Engineering Design and Construction"). A copy of the Health & Safety Plan shall be kept on the site at all times. All measures for the protection of the public and other personnel set out in the Plan shall be maintained and complied with until such times as the works are completed.

Traffic management plan

14. A detailed Traffic Management Plan in accordance with the Code of Practice for Temporary Traffic Management specifically addressing control of construction access to the site and traffic

control adjacent to the site, and the protection of the public, shall be submitted to the Consents Engineer. Written verification that it meets the Council's requirements must be received by the consent holder prior to the commencement of any works on the site (refer s103.12 of the "Standard for Engineering Design & Construction".) A copy of the Traffic Management Plan, together with the verification letter shall be kept on the site at all times. All measures for the protection of the public and other personnel set out in the verified Plan shall be maintained and complied with at all times until such time as the works are completed.

Planting / Maintenance Plan

15. Prior to the commencement of bulk earthworks on site the consent holder shall provide, in a single document, the following:
- Details and specifications of all street and reserves planting, and maintenance schedule within Weiti Village Policy Area 2; and
 - Details and specifications of all planting within the stormwater / drainage reserves to vest in the Council (Lots 3000 to 3002), and maintenance schedule; and
 - An overall landscape concept plan that is in general accordance with the Outline Plan contained within Appendix 14 of the District Plan; and
 - Details and specifications of Stage 1 native bush enhancement and revegetation planting, and maintenance schedule; and
 - Details and specifics of any trails or tracks to be incorporated into any planting areas, for use as public access; and
 - Areas to be excluded from the landscaping including lookouts, clearings, walking tracks, etc.

All final Street / Reserves landscaping details shall be provided to the satisfaction of the Team Leader - Northern Monitoring (Orewa).

This document shall build on the biodiversity management and enhancement planting guidelines and provide a comprehensive overview of landscaping and landscaping management for the entire site. Where components of this plan are progressively proposed, (such as planting in Stages 2-4), the information contained within the document shall be sufficient to demonstrate that a collective and integrated master plan will progressively be developed for the property. The following details shall be provided in the planting and maintenance plan:

Street trees and reserve planting:

- Designs for landscape works (hard and soft) within reserves and streets; and
- Details of the remediation for any damage to the street or reserve planting that occur during the construction of dwellings; for avoidance of doubt, the damaged plants shall be replaced with the same species and similar height to surrounding street trees, and shall be maintained for two years following the replacement planting; and
- Tree pit details shall be provided with detailed construction plans for approval. Suitable growing conditions must be shown in the plans for approval at engineering approval stage and tree pits must be at least 1.5x depth of the tree bag and 3x as wide as the tree bag; and
- The stormwater wetlands shall be planted densely with the approved wetland species to reduce open un-shaded areas of water.

Native Bush Enhancement and Revegetation Planting within the Stage 1 Planting Area

- Within the Stage 1 planting area, shall meet the standards of rule 12.8.8.22.9 of the Auckland Council District Plan (Rodney Section) 2011, and be in accordance with best practice restoration techniques; and
- Contain a diverse range of species that will be planted to an established density of between 1.4m centres for former pine forest / bush enhancement / re-vegetation areas and 1m centres (10,000 stems per Ha) for kikuyu, wetlands and riparian margins, but with allowance for access tracks where designated and pre-approved with Council officers; and
- Plans shall detail each planting area and shall provide cross-sections and linear gradient changes (eco-tones) throughout the Stage 1 planting areas; and
- Mulch shall not be used in areas of revegetation that are to provide herpetofauna habitat; and
- A plan shall be submitted for approval showing how the Stage 1 bush and enhancement / revegetation planting areas shall be fenced to an appropriate standard. This shall show the design for all proposed gates and provide reasoning for the necessity of the gates. The fencing is to ensure that stock or open public access is restricted to bush/planting areas, except for agreed public only access walking trails; for avoidance of doubt, this to ensure than impacts to biodiversity values are minimised (including PTA risks); and
- All plants shall be eco-sourced from the south-eastern Rodney or north-eastern Tamaki Ecological District(s) in accordance with the approved species palette; and
- Shall give consideration to, and detail, the timing and implementation of the various planting areas.

Advice Note:

The staging, timing and extent of areas to be planted within the Special 8 Zone are set out in Rule 12.8.8.22.9.1. The condition recognises the long term timeframes in this rule by requiring a broad overall concept plan to be developed, but with the detail for the Stage 1 planting areas being fully considered. It would be beneficial for the planting and maintenance plan to incorporate potential planting regimes for the Stages 2-4 areas recognising that these areas may be subject to interim land management and revegetation proposals prior to them being planted in accordance with Rule 12.8.8.22.9.1 but that is not required by the condition and is at the consent holder's discretion.

Wildlife and Biodiversity Management Program

16. The resource consent holder shall provide a wildlife mitigation and monitoring program to ensure that any significant wildlife habitats are protected in the first instance, or where such protection is impracticable then any such habitats are replaced with similar habitat via revegetation elsewhere within the site, prior to and during the commencement of bulk earthworks and any associated vegetation removal. Significance shall be assessed by use of the criteria used to determine Significant Ecological Areas in the Proposed Auckland Unitary Plan. Copies of any DOC consents and permits that are required shall also be attached to the program. This program must be prepared by a suitably qualified ecologist and submitted for approval of the Council's Team Leader, Northern Monitoring (Orewa) prior to the commencement of any earthworks and vegetation removal.

In particular, with regards to herpetofauna, the program should be implemented in favourable weather, outside winter months, and use best practice methods such as pitfall trapping, manual searches and/or artificial covers over suitable time frames that would not interfere with a 1 October earthworks season commencement. The program shall describe the methodology intended for trapping/relocating herpetofauna; where any captured herpetofauna are to be relocated to; the nature of herpetofauna protective fencing and when and where it is to be erected; and what herpetofauna landscaping mitigation is to be undertaken if required. Included in the program must be the name of the herpetologist (who must be approved by Council), and their contact details. The named herpetologist will be responsible for the management and implementation of the program.

The resource consent holder shall provide to Council a plan outlining all practicable steps to be taken to ensure that machinery/plant and the materials are clean at the time of arriving on, or departing from, the site, so as to not be contaminated with PTA (Kauri Die Back); how all construction staff are to be advised of PTA risks; and how they shall take all practicable steps to minimise any risk of contamination or spreading the pathogen.

The capture and/or relocation of fish (if any) in any areas of standing or flowing water within the area of works shall be undertaken prior to commencement of bulk earthworks. Any fish caught shall be relocated to a suitable habitat, outside of the works footprint but as close to the impacted reach as possible.

The approved management program must be completed to the satisfaction of the Council's ecologist prior to bulk earthworks and associated vegetation removal commencing. To this end the herpetologist approved by Council shall certify that the mitigation program has been carried out according to the approved program 5 working days prior to such earthworks occurring; records will be submitted to Council's ecologist regarding any species found have been removed and relocated; the consultant herpetologist shall submit to DOC a completed Amphibian and Reptile Distribution Scheme (ARDS) card and forward a copy to Council's ecologist.

DURING WORKS (BULK EARTHWORKS AND CIVIL WORKS)

Sediment Control

17. All earthworks shall be managed to ensure that no debris, soil, silt, sediment or sediment-laden water is discharged beyond the subject site to either land, stormwater drainage systems, watercourses or receiving waters. In the event that a discharge occurs, works shall cease immediately and the discharge shall be mitigated and/or rectified to the satisfaction of the Team Leader, Northern Monitoring (Orewa),

Advice Note:

In accordance with this condition all earthworks shall be undertaken to ensure that all potential sediment discharges are appropriately managed. Such means and measures may include:

- *Catchpit protection*
- *Silt and sediment traps*
- *Silt fences*

During excavation, the ingress and accumulation of surface run-off water and/or perched groundwater can be minimised by:

- *maintaining a waterproof cover over any excavation trenches and pits outside of working hours,*
- *diversion of surface water flow around the works area, and*
- *regular disposal of the water into an appropriate sediment control device, if ponding occurs within the excavation.*

Please note that the diversion of stormwater and/or groundwater may require a consent in accordance with Chapters 5 and 6 of the Auckland Council Regional Plan (Air, Land and Water).

It is recommended that you discuss any potential measures with the Council's monitoring officer who may be able to provide further guidance on the most appropriate approach to take. Please contact the Team Leader, Northern Monitoring (Orewa) on 09 3010101 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".

18. To prevent discharge of sediment-laden water or other debris into any public stormwater drainage systems or watercourses and therefore into receiving waters, and to prevent nuisance and amenity impacts on users of the road reserve, 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. In no instance shall roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses or receiving waters.

Advice Note:

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

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

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

It is recommended that you discuss any potential measures with the Council's monitoring officer who may be able to provide further guidance on the most appropriate approach to take. Please contact the Team Leader, Northern Monitoring (Orewa), on 09 301 0101 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.

Construction Noise

19. All construction and earthworks activities on the subject site shall comply with the New Zealand Standard 6803:1999 for Acoustics – Construction Noise at all times.

Access

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

Dust

21. 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 Team Leader, Northern Monitoring (Orewa), is noxious, offensive or objectionable.

Advice Note:

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

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

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

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

It is recommended that potential measures as discussed with the Council's monitoring officer who will guide you on the most appropriate approach to take. Please contact the Team Leader, Northern Monitoring (Orewa), on 09 301 0101 for more details. Alternatively, please refer to the Ministry for the Environment publication "Good Practice Guide for Assessing and Managing the Environmental Effects of Dust Emissions".

22. The construction of retaining walls and the placement and compaction of fill material shall be supervised by a suitably qualified engineering professional. In supervising the works, the

suitably qualified engineering professional shall ensure that they are constructed and otherwise completed in accordance with the report by Coffey Geotechnics NZ Ltd reference: GENZSILV17069AA-AB. Certification shall be provided to the Team Leader Northern Monitoring (Orewa) confirming the works have been completed in accordance with engineering practice within 10 working days following completion. Written certification shall be in the form of a geotechnical completion report, producer statement or any other form acceptable to Council.

23. All earthworks shall be managed to ensure that they do not lead to any uncontrolled instability or collapse affecting either the site or adversely affecting any neighbouring properties. In the event that such collapse or instability does occur, it shall immediately be rectified.
24. Certification from a suitably qualified engineering professional responsible for supervising the works shall be provided to the Team Leader, Northern Monitoring (Orewa) confirming that the works have been completed in accordance with the above condition within ten (10) working days following completion. Written certification shall be in the form of a geotechnical completion report, producer statement or any other form acceptable to Council.

Stormwater mitigation

25. Stormwater treatment and/or attenuation devices shall be designed and constructed in accordance with the Stormwater Design Report prepared by Woods Consultants Limited, reference 60366-01, dated 12/6/2013 and the "Standards for Engineering Design and Construction".

Archaeological

26. Preliminary earthworks in the vicinity of the recorded sites in Weiti Village Policy Area 2 shall be monitored by an archaeologist to establish whether any further archaeological material / sites are present.
27. In the event of human remains being uncovered work shall cease immediately in the vicinity of the remains and the Tangata Whenua, Heritage NZ, NZ Police and the Auckland Council shall be contacted so that appropriate arrangements can be made.

TO BE COMPLETED BEFORE COUNCIL APPROVAL OF THE SURVEY PLAN

Before council will approve the survey title plan pursuant to s.223 of the Act, the following requirements are to have been satisfied:

Easements

28. The pedestrian rights of way and public car park shall be endorsed on a Schedule of Memorandum of Easements attached to the cadastral survey dataset as a supporting document. The terms of the easements shall include the following:
- i. The consent holder shall maintain the walkways generally to the standards to which they had been constructed in the first instance;
 - ii. The walkways and the Public Car park shown on the Outline Plan in Appendix 14 of the Auckland Council District Plan (Rodney Section) Planning Maps shall be open to public access at the following times:

- During New Zealand daylight time – 7:00am to 8:00pm; and
- During New Zealand standard time – 7:00am to 6:00pm

Provided that the consent holder may close all or part of the walkways to public access in circumstances where the consent holder considers (acting reasonably) that closure is appropriate due to emergency, the requirements of forestry activities or the Enhancement Planting Plan, for health and safety purposes, maintenance purposes, fire risk or security matters;

- iii. Users of the walkways shall be required to comply with conditions of access, which conditions shall be developed by the consent holder, in consultation with Council;
- iv. Such other terms as the consent holder considered appropriate (acting reasonably).

The easements shall be registered on the date of the issue of the certificate under section 224(c) of the Act.

Advice Note:

The consent holder is to confirm the locations of the walkways subject to easements as referred to in this condition by producing an appropriate plan. The indicative walkway alignments are shown on the Outline Plan contained within Appendix 14 of the Auckland Council District Plan (Rodney Section), recognising that the route of such walkways are subject to consultation and may change substantially.

29. The survey title plan shall show and identify the sanitary sewer and stormwater drainage easements on a Schedule of Memorandum of Easements attached to the cadastral survey dataset as a supporting document.

Amalgamation

30. Pursuant to section 220(1)(b)(iv) the consent holder must arrange to have endorsed on the survey plan the following conditions:
 - "That Lot 500 hereon (legal access) be held as to ten undivided one tenth shares by the owners of Lots 12 -21 hereon as tenants in common in the said shares and that individual Certificates of Title be issued in accordance therewith.
 - "That Lot 501 hereon (legal access) be held as to thirteen undivided one thirteenth shares by the owners of Lots 24 – 26, 54 – 58 & 73 – 77 hereon as tenants in common in the said shares and that individual Certificates of Title be issued in accordance therewith.
 - "That Lot 502 hereon (legal access) be held as to five undivided one fifth shares by the owners of Lots 27 – 30 and 53 hereon as tenants in common in the said shares and that Individual Certificate of Title be issued in accordance therewith.

- “That Lot 503 hereon (legal access) be held as to five undivided one fifth shares by the owners of Lots 78, 79 and 104 – 106 hereon as tenants in common in the said shares and that individual Certificates of Title be issued in accordance therewith.
- “That Lot 504 hereon (legal access) be held as to five undivided one fifth shares by the owners of Lots 107-111 hereon as tenants in common in the said shares and that individual Certificates of Title be issued in accordance therewith.
- “That Lot 505 hereon (legal access) be held as to three undivided one third shares by the owners of Lots 112, 113 & 114 hereon as tenants in common in the said shares and that individual Certificates of Title be issued in accordance therewith.
- “That Lot 506 hereon (legal access) be held as to four undivided one fourth shares by the owners of Lots 116 – 119 hereon as tenants in common in the said shares and that individual Certificates of Title be issued in accordance therewith.
- “That Lot 507 hereon (legal access) be held as to ten undivided one tenth shares by the owners of Lots 135 – 143 and 300 hereon as tenants in common in the said shares and that individual Certificates of Title be issued in accordance therewith.
- “That Lot 508 hereon (legal access) be held as to twelve undivided one twelfth shares by the owners of Lots 144 – 155 hereon as tenants in common in the said shares and that individual Certificates of Title be issued in accordance therewith.
- “That Lot 509 hereon (legal access) be held as to twelve undivided one twelfth shares by the owners of Lots 156 – 166 & 305 hereon as tenants in common in the said shares and that individual Certificates of Title be issued in accordance therewith.

Road Vesting

31. Lots 2000 and 2001 shall vest in the Auckland Council as road

Land to vest

32. Lots 3000, 3001 & 3002 shall be vested in the Council as Utility Reserves.

Provision of Reserve Land

33. The following areas as identified on the Special 8 Zone Outline Plan in the Auckland Council District Plan (Rodney Section) (or such other areas as agreed between the resource consent holder and the Team Leader, Northern Monitoring (Orewa)), shall be identified on the survey plan as areas to vest in the Auckland Council as reserve (reserve type identified in bold below):

- i. Stillwater Reserve Land (**scenic**)
- ii. Karepiro Bay Walkway Extension Land (**recreation**)
- iii. D’Acre Cottage Reserve Extension Land (**recreation**)
- iv. Haigh’s Access Road Public Park (**recreation**)

Advice Note:

On issue of a certificate pursuant to section 224 (c) on the Act, the Auckland Council District Plan (Rodney Section) requires the Auckland Council to offer the Department of Conservation

an easement over part of the Haigh's Access Public Park to establish a carpark and other facilities.

The vesting of the provision of the reserve land detailed above shall be vested to the Auckland Council at no cost.

34. The Karepiro Bay Walkway Buffer Land, as identified on the Special 8 Zone Outline Plan in the Auckland Council District Plan (Rodney Section), shall be identified on the survey plan as areas to vest in the Department of Conservation.

Greenbelt Restrictive Covenant

35. The Greenbelt Restrictive Covenant shall be submitted and signed prior to the approval of the survey plan for subdivision of the relevant portion of the Weiti Village Policy Area 2 as identified within the Overall Scheme Plan reference: 60366-01-GE-010 Revision 6, dated 20/09/2013. The Restrictive Covenant shall:

- i. Prohibit in perpetuity any further subdivision with the Policy Area, other than the limited exceptions set out in the Restrictive Covenant, or otherwise approved by Council through the Proposed Auckland Unitary Plan, or other planning processes.
- ii. Not prevent, subject to any resource consents required, Weiti Rural activities, Weiti Forestry activities, and identified Weiti Outdoor Recreation activities, Weiti Conservation activities, Conservation Institute and Gardens and associated ancillary buildings or structure to service such activities (including any golf course clubhouse), and any necessary earthworks, services, required car parking and similar.
- iii. Provide written confirmation that the Restrictive Covenant in the form set out in Appendix 12C3 of the Auckland Council District Plan (Rodney Section), is registered, taking effect on issue of the section 224(c) certificate against the land in the Greenbelt Conservation Policy Area (the 'Policy Area') (except land that is to be vested in council).

Advice Note:

The capacity of the greenbelt area to accommodate additional development is under review through the Proposed Auckland Unitary Plan process.

Native bush protection

36. The consent holder shall provide council with the calculated area(s) of native bush to be protected across Lots 1, 3 and 4 DP 465984 as shown on the approved Special 8 Zone Outline and as defined by survey. This shall include the Significant Natural Areas, Significant Enhancement Planting areas (1, 2, 3 and 4) and existing bush.

The survey title plan shall show and identify the area(s) of native bush and enhancement/revegetation planting to be protected as "areas to be subject to land covenant". The boundaries of the covenant must coincide with the proposed fence line referred to within the 'fencing of native bush' as referred to below.

Overland flow path

37. The overland flow paths which directly affect Policy Area 2 shall be defined on the survey plan as 'areas to be subject to land covenants', to ensure the ongoing protection of these overland

flow paths from physical obstructions. The boundaries of the covenant areas must coincide with the 'identification of overland flow paths' as referred to below.

Identification of overland flow paths

38. Two copies of a plan certified and dated by a registered surveyor fixing the location and finished ground profile of the overland flow paths which directly affect Policy Area 2, by offsets from surveyed boundary pegs, shall be provided to the Consents Engineer.

Stormwater mitigation area

39. Each of the utility reserves shall have legal frontage to a formed public road either directly, by a formed right of way Easement, or, subject to the prior approval of the Manager Coastal/Parks, over public reserve.

Driveway Formation

40. The provision for legal access shall be made for Lot 120.

TO BE COMPLETED BEFORE THE ISSUE OF 224(C) CERTIFICATE

Before the Council issues a certificate pursuant to section 224(c) of the Act, the consent holder shall satisfy the following conditions at the consent holder's cost:

As built record plans

41. As Built Record Plans to the requirements of s.103.5.6 of the "Standards" shall be submitted together with the relevant completed As Built Plans.

Road Upgrade

42. The East Coast Road / Weiti Station Road intersection shall be upgraded with a right turn bay, a de-acceleration lane for left turn vehicles & an acceleration taper for left turn existing vehicles from Weiti Station Road as determined in the Transport Report (Beca; ref 3391540NZ1-7454741-3 0.3; dated 31/5/13) or as otherwise approved by the Team Leader, Northern Monitoring (Orewa).

Wastewater reticulation

43. The existing public wastewater system, including any devices required to serve that system, shall be extended to the requirements of the Council's "Standard for Engineering Design and Construction" to serve all lots within the development to become part of the public services of the District. Neither Building Consents nor Title certification shall be issued until the public wastewater system is deemed operational.

Advice Note:

The wastewater trunk line proposed to provide service to this development is not consented under this resource consent. It is the responsibility of the consent holder to apply for and obtain any other consents which may be required by the Auckland Council.

Water supply reticulation

44. The existing public water supply system, including any devices required to serve that system, shall be extended to the requirements of the Council's "Standard for Engineering Design and Construction" to serve all lots within the development to become part of the public services of

the District. Neither Building Consents nor Title certification shall be issued until the public water system is deemed operational.

Advice Note:

The water supply trunk/main proposed to provide service to this development is not consented under this consent. It is the responsibility of the consent holder to apply for and obtain any other consents which may be required by the Auckland Council.

Stormwater reticulation

45. The public stormwater system, including any devices required to serve that system, shall be extended to the requirements of the Council's 'Standard for Engineering Design and Construction' to serve all lots within the development to become part of the public services of the District.

Inspection and testing

46. All engineering works required by this consent shall be subject to inspection and testing pursuant to s.103.19 of the "Standards for Engineering Design and Construction". The Developer's Representative shall make applications for the inspection and testing in writing in the form of Appendix "E" of the "Standards".

Provision of Public Access and Public Facilities

47. The following public walkways, as shown on the Outline Plan in Appendix 14 of the Auckland Council District Plan (Rodney Section) Planning Maps, shall be formed and constructed:

- i. A walkway from Haigh's Access Road to the Conservation Institute
- ii. A walkway from the Conservation institute to the Weiti Village Public Car park
- iii. A walkway from the Public Car park to the Conservation institute via road
- iv. A walkway from the Weiti Village Public Car park to D'Acre Cottage
- v. A further walkway, the exact route to be agreed between the Council and the consent holder prior to the issue of the section 224(c) certificate with termini in the following locations:
 1. At Stillwater, or alternatively at some point along the Walkway identified on the Outline Plan Appendix 12 of the Planning Maps between Stillwater and Karepiro Bay; and
 2. At the Weiti Village Public Car park or at some point along the Weiti Walkway identified in ii above.

These walkways and other walkways required to be provided shall be constructed in accordance with SNZ HB8630:2004 for Walking Tracks (1 January 2004) and shall provide all necessary stream crossings where applicable.

Advice Note:

The consent holder is to confirm the locations of the walkways subject to easements as referred to in this condition by producing an appropriate plan. The indicative walkway alignments are shown on the Outline Plan contained within Appendix 14 of the Auckland Council District Plan (Rodney Section) 2011, recognising that the route of such walkways are subject to consultation and may change substantially.

Stormwater mitigation maintenance manuals

48. The Consent Holder shall submit, and receive the approval of the Council for, two copies of the Stormwater Devices Maintenance Manual. The Manual shall include recommendations for the frequency of inspection and cleaning, copies of any relevant resource consents, and shall include the design data and detailed As Built plans.

Construction of roads

49. The roads serving the development, including the parking requirements, as determined in Wood Consultant Limited roading drawings (60366-01-RD-200 etc) shall be formed to the Council's standards comprised in the Council's "Standards for Engineering Design and Construction".

New road name

50. The consent holder shall suggest to the Council a name for any new road within the subdivision, and shall erect a nameplate in accordance with Council's "Standards for Engineering Design and Construction" upon the Council having determined the appropriateness of the name.

Advice Note:

Please contact Frank Lovering in the Orewa office at Auckland Council to receive advice on the road naming process.

Construction of Jointly Owned Access Lots (JOALs)

51. JOALs as identified in Wood Consultant's Overall Scheme Plan (60366-01-GE-010) and the vehicle crossings thereto shall be constructed to a residential concrete standard to the Council's 'Standards for Engineering Design and Construction'. All JOALs that serve 5 or more lots are to be constructed with a paved width of 5.2m exclusive of channel. The vehicle crossings for the JOALs are to be no wider than 6m.

Provide for road/amenity lighting

52. All streets and public accessways shall be lit to the requirements of the Council's "Standards for Engineering Design and Construction". The type of light fittings shall be acceptable to the electricity network supplier responsible for the area.

Provide rural road lighting

53. Street lighting to the requirements of the Council's 'Standards for Engineering Design and Construction' shall be provided at the intersection of Weiti Station Road with East Coast Road.

Vested assets

54. The consent holder shall provide a schedule of assets to be vested in Council in a form acceptable to Council.

Roading Network

55. All roading network construction shall be in accordance with the Auckland Council (Rodney District) Standards of Engineering Design and Construction.

Advice Note:

The two link roads between Road 1 and Road 4 are to be assessed as part of the future consent application for activities within the surrounding T5 area. This will include an assessment of the suitability of vehicular access.

Intersection of Roads

56. The intersection of Road 2 and Road 5 shall be constructed so that at least one vehicle can approach the limit line on Road 5 at right angles to Road 2.

Footpath formation

57. The footpath along the southern side of Road 1 shall be extended up to the intersection of Road 1 and Road 3.

58. A footpath of at least 1.8m wide is to be provided on at least one side of Road 13.

Road Reserve

59. The road reserve width of Road 2 shall be increased to 21m. The cross section of Road 2 shall include 1.6m cycle lanes on both sides of the road.

Wildlife mitigation

60. Any wildlife mitigation measures of an ongoing nature must be certified as being compliant to date.

Street tree and drainage reserve planting

61. The consent holder shall provide to the Team Leader - Northern Monitoring (Orewa), as built plans for landscape works (hard and soft) within reserves and streets in CAD and pdf form.

Fencing of Native Bush

62. The consent holder shall provide a fencing plan to the satisfaction of Council's Team Leader, Northern Monitoring (Orewa), which demonstrates that all stock shall be fenced within grazing areas using a seven wire post and batten fence (and gates) to avoid potential access into existing native vegetation or new native planting. The fencing plan shall be implemented prior to the issue of a section 224(c) certificate.

Weed and pest animal control

63. The consent holder shall carry out Weed and Pest Animal Control in accordance with the approved report (Weed and Pest Animal Section) to the satisfaction of council's Team Leader, Northern Monitoring (Orewa).

Advice Note:

Weed Control means, that there are no fruiting and / or flowering individuals of weed species present within the covenant area and any mature weed species present are dead. In addition there shall be no areas where weed species are smothering and / or out competing native vegetation including suppressing the natural regeneration processes. Control shall be demonstrated to the satisfaction of council's Team Leader, Northern Monitoring (Orewa) or similar position.

Completion report for planting area

64. All planting required to be undertaken on Lots 1, 3 and 4 DP 465984 prior to the 224c certification process shall be undertaken and completed in accordance with the Approved Planting plan(s). Following completion of the required planting in accordance with the approved Planting Plan(s) the consent holder shall submit a completion report to council's Team Leader, Northern Monitoring (Orewa) for approval.

The consent holder shall include within the completion report a master plan for all planting that has been undertaken on site (and shall identify the remaining areas of planting to be completed).

Provide for electric power

65. The consent holder shall provide written confirmation from the electricity network supplier responsible for the area, that provision of an electric supply has been made available to all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.

Advice Note:

Lines may be provided either aboveground or underground, without requiring the need for any additional resource consents in relation to the installation of such lines.

Provide for telephone

66. The consent holder shall provide written confirmation from the telecommunications network supplier responsible for the area, that provision of telephone services has been made available to all saleable lots created and that all the network supplier's requirements for making such services available have been met.

Advice Note:

Lines may be provided either aboveground or underground, without requiring the need for any additional resource consents in relation to the installation of such lines.

Public road access to the subdivision

67. Those sections of the access road outside of the Penlink Designation shall be constructed to a rural sealed standard comprised in the Council's "Standards for Engineering Design and Construction" and to the typical cross section shown on Figure C-022 presented with approved resource consent application (R-52447).

If the construction of Penlink over the section required to give access to the subdivision is not to be completed within two years (or other timeframe agreeable to the Team Leader, Northern Monitoring (Orewa)) on the day of the request for a section 224 (c) for any stage of the subdivision, then the section of the access road within the Penlink Designation shall be constructed to a rural sealed standard comprised in the Council's "Standards for Engineering Design and Construction" and to the typical cross section shown on Figure C-022 presented with the original application cited above.

In the event that it is confirmed that the section of Penlink giving access to the subdivision is to be completed within a time frame of two years or less (or other timeframe agreeable to the

Consents Manager) on the day of the request for the section 224 (c) for any stage of the subdivision, the section of the access road within the Penlink Designation is to be upgraded to a rural metalled standard, except for the first 20 metres in from East Coast Road which must be to a sealed standard. In this event, a bond prepared by Council's Solicitor shall be entered into by the developer for the additional cost to seal the full length of the road within the designation. The bond shall be released upon completion of the section of Penlink required to serve as access to the subdivision or on completion of the entire access road upgrade.

Advice Notes:

The ability to agree a new timeframe if required is to provide flexibility in project timing.

Confirmation that the section of Penlink to give access to the subdivision will be completed within the required timeframe will be deemed to have occurred when construction of Penlink has begun and the construction timeline indicates that the section of Penlink to give access to the subdivision will be completed within the required timeframe.

Road Formation

68. Weiti Station Road is to be constructed with 3.5m lanes and sealed shoulders of 1.5m on each side of the road.

Enhancement Planting

69. Enhancement planting identified as Stages 1-4 in the Special 8 Zone and the respective timing for implementation contained within Rule 12.8.8.22.9.1 shall be adhered to and those pre-planting and completion conditions that apply to the Stage 1 planting areas contained within Conditions 15 and 64 of this consent shall apply at the time that each stage is implemented. Planting is required over the following area(s).
- a. Stage 1 areas (47 hectares) – planting shall be completed within 5 years of granting consent.
 - b. Stage 2 area (17.5 hectares) – planting shall be completed within 10 years of granting consent.
 - c. Stage 3 areas (62 hectares) – planting shall commence within 10 years of granting consent and be completed within 20 years of granting consent.
 - d. Stage 4 areas (57.3 hectares) – planting shall commence within 10 years of granting consent and be completed within 20 years of granting consent. Native vegetation shall be planted over no less than 60% of this area (34.4 hectares)

The enhancement planting is subject to a bond requirement as outlined in condition 72. For the avoidance of doubt, a Section 224(C) certificate can be sought without full completion of the enhancement planting identified in this condition having been achieved, as a bond will be held until such time as enhancement planting requirements are satisfied and the bond is released in accordance with condition 77.

Enhancement Planting (maintenance)

70. Within the enhancement planting areas, plant maintenance, in accordance with the approved Planting Plans, shall occur for five years or until 75% canopy closure has occurred and a minimum survival rate of the plants (being 90% of the original density through the entire planting area(s)) has been achieved. The five year period shall commence once the completion report has been approved by council. Plant maintenance includes the ongoing replacement of plants that do not survive. All invasive weeds and animal pests shall be controlled in

accordance with the Weed and Pest Animal Control Plan both at the time of initial planting and any replacement planting if required and on an ongoing basis.

If remediation work is recommended, the consent holder shall:

- *Undertake this remediation work within six months from the start date.*
- *Provide Council with a report confirming the remediation work has been undertaken. This report shall be submitted to Council's Team Leader, Northern Monitoring (Orewa), within 6 months after the remediation work has been undertaken.*

Advice note:

The five year period can only commence once all planting, weed control and initial pest animal control has been completed to the satisfaction of Team Leader, Northern Monitoring (Orewa).

The purpose of this condition is to ensure a minimum survival rate of the plants to 90% of the original density and 75% canopy closure through the entire planting area(s).

The consent holder shall submit a Monitoring Report to council's Team Leader, Northern Monitoring (Orewa), for approval 6 monthly for the first 18 months then annually thereafter for the remaining period to make up a total minimum period of five years. The Monitoring Report shall include but is not be limited to the following information in respect of each lot:

- *Success rates, including growth rates and number of plants lost (including an analysis of the distribution of losses);*
- *Canopy closure, beginnings of natural ecological processes - natural regeneration in understorey, use by native birds etc.;*
- *A running record of any fertilisation, animal and weed pest control and replacement of dead plants;*
- *Details on the condition of, and recommendations for maintenance of, the fencing.*
- *Recommendations for replacement of dead plants and implementation of these recommendations (remediation work). Any recommended remediation work shall include a start date for replanting.*

The planting shall be carried out and maintained to the standards set out in Rule 12.8.8.22.9.2 of the Auckland Council District Plan (Rodney Section).

The enhancement planting maintenance is subject to a bond requirement as outlined in condition 72. For the avoidance of doubt, a Section 224(c) certificate can be sought without full completion of the enhancement planting maintenance identified in this condition having been achieved, as a bond will be held until such time as enhancement planting maintenance requirements are satisfied and the bond is released in accordance with condition 77.

Facilities

71. The consent holder shall construct and complete the following facilities, to a design and specification developed by the consent holder and submitted to Council for approval prior to construction. The facilities shall be constructed in the approximate location as shown on the

Outline Plan in Appendix 14 of the Auckland Council District Plan (Rodney Section) Planning Maps and includes:

1. The Conservation Institute and Gardens;
2. The Lookout
3. Three (3) sets of public toilets (in each case containing two male and two female toilets);
4. Four (4) open rest areas; and
5. The Mountain Biking Club Facility.

The construction of the facilities is subject to a bond requirement as outlined in condition 72. For the avoidance of doubt, a Section 224(c) certificate can be sought without full completion of the facilities identified in this condition having been achieved, as a bond will be held until such time as the facilities construction requirements are satisfied and the bond is released in accordance with condition 77.

Advice Note:

The consent holder is advised that Plans will need to be submitted and approved by Council at the Building Consents stage.

Bonds

72. Prior to the issue of a certificate pursuant to section 224(c) of the Act, the consent holder shall enter into an enforceable unconditional on demand bond (in a form acceptable to the Council) with the Council to ensure compliance with conditions 69, 70 and 71. The bond shall be guaranteed by a Registered New Zealand Bank or Tier One Insurance Company with a credit rating of no less than an A- and which is registered as a licenced insurer with the Reserve Bank of New Zealand who shall be bound to pay for the carrying out of any works required to meet the requirements of conditions 69, 70 and 71, on demand from the Council in accordance with condition 73. For the avoidance of doubt, there may be one or more bond instruments entered into to meet the requirements of conditions 69, 70 and 71.
73. The Council may demand payment if the Council gives the consent holder not less than one months' written notice of a failure to comply with conditions 69, 70 and 71 and the consent holder fails to rectify the non-compliance within that notice period.

Bond Quantum

74. The quantum of the bond shall initially comprise:
- a. Enhancement planting: \$35,000 per hectare required to be planted. For Stage 4 the area to be planted is 60% of the total area. The cost per hectare of the enhancement planting shall be reduced upon Council receiving, to its satisfaction, an adequate assessment including ecosystem strategy/approach and itemised costings for the enhancement planting.
 - b. Enhancement planting maintenance: Whichever is the greatest sum of 1.5 times the cost of maintenance over the bonding period, as costed in quote(s) or contract(s) to the satisfaction of Council; or 10% of the cost of planting; or \$5,000 per hectare.
 - c. Construction of facilities: The quantum of the bond shall be determined by the consent holder obtaining a quantity survey report from a suitably qualified person detailing the total construction costs of the facilities to the satisfaction of the Council's Team Leader, Northern Monitoring (Orewa).

Advice note

The assessment to review the enhancement planting bond cost per hectare could also consider an ecosystem strategy/approach of planting to maximise the use of natural native regeneration.

75. The quantum of the bond shall be reviewed and reassessed by the Council (in consultation with the consent holder) every 3 years from the date that the initial bond amount was lodged until the end of the bond term. The quantum will also be reviewed and reassessed by the Council (in consultation with the consent holder) at such time as the obligations in conditions 69, 70 and 71 are completed.
76. If at any time the quantum of the bond is varied pursuant to these conditions, then the consent holder and guarantor shall, within 30 working days of notification to the consent holder of the varied bond amount, execute and lodge a new bond (in a form acceptable to the Council) for the varied quantum or the additional quantum required in excess of the existing bond.

Bond Term

77. The bond shall remain in place for a period of 25 years, subject to condition 78 below, and may be renewed from time to time in accordance with these conditions. The bond will be released on the date of expiry of the bond term or on such earlier date as the consent holder has satisfied its obligations under conditions 69, 70 and 71 to the Council's satisfaction, in accordance with condition 78 below.

Specific Review of Bond

78. A specific review shall take place, and the bond quantum reduced accordingly, at the following times:
- a. Enhancement planting bond: The bond for each Stage, or part of a Stage, of enhancement planting shall no longer be required once the consent holder has provided a completion report to the Council's satisfaction confirming that the planting of that Stage, or part of a Stage, is completed. The consent holder shall provide the Council and the Common Body with a plan showing the completed Stage(s), or part of a Stage, of planting.
 - b. Enhancement planting maintenance bond: The bond for each Stage, or part of a Stage, of enhancement planting maintenance shall no longer be required following the expiry of a period of five years following approval by the Council of the completion report for that Stage, or part of a Stage, or once the consent holder has provided written documentation to the Council's satisfaction that a 75% canopy closure has occurred with a minimum survival rate of 90% of the original density through the relevant planting area, whichever is earlier. The consent holder shall provide the Council and the Common Body with a plan showing the completed Stage(s), or part of a Stage, of maintenance.
 - c. Construction of facilities bond: This bond shall no longer be required once the consent holder has provided a completion report to the Council's satisfaction confirming that the facilities have been constructed (and all necessary Building Act requirements have been satisfied) and certifying (by a suitably qualified arborist) that all conservation garden planting has been established and is in a sustainable condition.

All Bonds may be released in part upon completion of separate enhancement planting areas and/or separate enhancement maintenance areas and/or construction of separate facilities.

Fees

79. The consent holder shall pay:

- 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.

The common Body

80. The consent holder shall provide written evidence to Council that it has formed an incorporated society, body corporate, association or other entity or organisation (whether incorporated or not) representing the Weiti residents and the registered proprietor of the commercial lots (hereafter called the Body). The consent holder shall also provide written evidence to Council that all purchasers of lots within Policy Area 2 will be required to become a member of the Body, and that the Body will be funded by the Weiti residents and the registered proprietor of the commercial lots, who shall pay:

- i. \$0 for the first two years following the issue of a certificate of title for each lot.
- ii. For years 2-10 following the issue of a certificate of title for each lot, the lesser of.
 - a. A maximum contribution of \$1,500 per lot (adjusted to CPI); or
 - b. A proportionate share of the actual expenses of the Body, which is calculated by reference to the total number of separate residential and commercial units permitted by the zone or resource consents applying to Policy Areas 1 and 2 in the relevant year (or part thereof). For the avoidance of doubt, to the extent that there is a shortfall between the levies and the costs of complying with the Body's obligations, that shortfall will be met by the owner of lots 1000-1005, and any lots that remain with the consent holder and have not been sold to third parties.
- iii. After the expiry of the 10th year following the issue of a certificate of title to each lot, the owner shall pay the proportionate share for each lot, calculated by reference to the total number of separate residential and commercial units permitted within Policy Area 1 and 2 in the relevant year (or part thereof) by the zone or resource consents applying to Policy Areas 1 and 2.

Ongoing Obligations of the Common Body

81. The Body will be responsible for maintaining in perpetuity:
- a) The Conservation Institute and Gardens;
 - b) The Lookout
 - c) The Three (3) sets of public toilets (in each case containing two male and two female toilets);
 - d) The four (4) open rest areas;
 - e) The Mountain Biking Club Facility;
 - f) Public car park;
 - g) The Weiti walkways and any associated pedestrian bridges;
 - h) Street planting, drainage reserve plantings, park network plantings within Weiti Village Policy Area 2.

Conservation Institute and Gardens

82. The Body shall be responsible for the operation, management and governance of the Conservation Institute and Gardens required under condition 71(1), which shall function as:
- a) A base for the carrying out of the Weiti forest conversion programmes, the Weiti enhancement planting programmes and the Weiti predator and pest eradication programmes;
 - b) A building where public sector science research related to Weiti or the surrounding area can be furthered by making available office, meeting or seminar space from time to time; and
 - c) Education programmes.
83. The Body shall make the Conservation Institute required under condition 71(1) available for the activities listed in condition 82 subject to reasonable conditions (which may include the payment of a fee).
84. The Body shall make the Conservation Institute and Gardens required under condition 81(a) available for public entry, subject to reasonable control controls on hours of use, safety, operation, use and access, which may include the payment of an entry fee.

Lookout

85. The Body shall make the Lookout required under condition 71(2) available for public entry free of charge, subject to reasonable controls on hours of use, safety, operation, use and access as the Body considers appropriate.

Mountain Biking Club Facility

86. Within 6 months of issue of the section 224(c) certificate the Body shall provide evidence that it has created an incorporated society or charitable trust to operate the Mountain Biking Club Facility of approximately 20ha. Including provision for such an incorporated society to make access to the Mountain Biking Club Facility available to other mountain bike club members or the public through annual and temporary permits (at times and on such terms as shall be determined by the incorporated society / charitable trust).

Street and Drainage Reserve Planting (maintenance only)

87. The street and drainage reserve planting will be maintained for:
- (a) a minimum 24 months for any landscape planting within the drainage reserves and street trees on the road; or
 - (b) to the extent that in the opinion of Team Leader - Northern Monitoring (Orewa), that the 'maintenance - street and drainage reserve planting' conditions have been met, whichever is the lesser.

Maintenance

88. If the Body fails to maintain the above assets, as required by Conditions 'drainage reserve planting' and 'street planting' the Council may undertake the works necessary to bring the assets up to the standards required by this consent and recover the cost of the works from the Body.
- a) Upon completion of the works, the consent holder shall provide the following certifications:

- With regards to all landscape planting, the consent holder shall provide a report from a suitably qualified arborist certifying that all landscape planting has been successfully established and are in a 'sustainable' condition. The maintenance period shall be extended for a further 24 months beyond the completion of any extensive replanting that proves necessary.

Consent Notices

89. The following conditions of consent shall be complied with on a continuing basis following the issue of a survey plan under section 224 and shall be recorded in a consent notice issued pursuant to s221 of the Resource Management Act 1991 registered on the title(s) as follows:

Lots 1-166, 300-305, 1000-1005 and 3000-3002 and Lot 4 DP 465984

Cats and dogs:

- a) No cats shall be kept on the common land of Lots 1000-1005 or Lot 4 DP 465984. Dogs shall not be permitted to be kept without the approval of the Body and shall not be permitted on the common land (including the private road) unless on a leash. The body shall maintain a register of dog owners for inspection by Auckland Council officers.

Pest free covenant

- b) The owners of Lots 1-166, 300-305, 1000-1005 or 3000-3002 and Lot 4 DP 465984 and their successors in title and any occupiers, are not permitted to own, house, care or feed any domesticated pests in part 10 of the Auckland Regional Pest Management Strategy (RPMS) 2007-2012 or any successive RMPS on these site, while residing on the property.

Lots 1-166

Building Restrictions

- c) Any buildings erected on the lots 1-166 shall be subject to the requirements of the report prepared by Coffey Geotechnics NZ Ltd, reference No GENZSILV17069AA-AB, dated 29/5/2010 and any subsequent reports. Copies of the said report will be held at the offices of the Council, Centreway Road, Orewa.

Architectural Code

- d) The consent holder shall ensure that all development including earthworks and final design including measures of visual mitigation by soft landscaping be in accordance with the principles of the submitted Architectural Code prepared by Boffa Miskell Limited, dated 10 June 2013 or any subsequent revised Architectural Code approved by Council.

Lots 1000-1005

- e) Any consequential restrictions arising from the Earthworks Completion Report shall be complied with on a continuing basis.

Open Space

- f) Lots 1000-1005 shall be held in perpetuity as open space recreation areas with all recreational facilities to be located within these areas constructed to Council's recognised standards. The consent holder shall provide Council with an undertaking to complete the registration of the land covenant.

Monitoring Charges

- g) The respective owners of Lots 1000-1005 shall pay the council monitoring charge or charges to recover the actual and reasonable costs that have been incurred to ensure compliance with the conditions attached to this consent.
- h) Such charge/s shall be paid as part of the resource consent fee and the consent holder will be advised of the further monitoring charge or charges as they fall due. Such further charges are to be paid within one month of the date of invoice.

Lots 1000-1005 and Lot 4 DP 465984

Native Bush Protection

- i) The areas of native bush and enhancement/revegetation planting to be protected on Lot(s) 1000-1005 and Lot 4 DP 465984 identified by survey in accordance with the above conditions shall be protected in perpetuity to the satisfaction of the council's Team Leader, Northern Monitoring (Orewa).

The owners (or their successors in title) of lots 1000-1005 and Lot 4 DP 465984 shall:

- (i) Preserve and maintain the native vegetation, wildlife habitats and the natural landscape within the areas of native bush and riparian areas to be protected on Lots 1, 3 and 4 DP 465984;
- (ii) Maintain fish passage(s) or rights of approved public access through the covenant areas;
- (iii) Not (without the prior written consent of the council and then only in strict compliance with any conditions imposed by the council) cut down, damage or destroy, or permit the cutting down, damage or destruction of the vegetation or wildlife habitats within the areas of native bush to be protected;
- (iv) Not do anything that would prejudice the health or ecological value of the areas of native bush to be protected, their long term viability and/or sustainability;
- (v) Control all invasive plants and control pest animals within the areas of native bush to be protected, in accordance with the approved Weed and Pest Animal Control Plan.
- (vi) Maintain the seven wire post and batten fences (and gates) which avoids potential access of stock within grazing areas into existing native vegetation or new native planting.
- (vii) For the avoidance of doubt, this covenant will not be breached if any of the areas of native bush to be protected die as a result of fire and/or natural causes not attributable to any act or default on their part for which they are not responsible.

Lot 4 DP 465984

Access to facilities

- j) The owner of Lot 4 DP 465984 shall maintain public access free of charge to the walking tracks, lookout, toilets and rest areas.

Conservation Institute and Gardens and Mountain Biking Club Facility

- k) The owner of Lot 4 DP 465984 shall own the Conservation Institute and Gardens and Mountain Biking Club Facility and provide public access to those areas and facilities on such terms as set out in conditions 81 – 84, and 86.

Regional Stormwater Conditions: REG-60849

Duration

90. Stormwater diversion and discharge permit **REG-60849** shall expire 35 years after the decision date (2 June, 2015) unless it has lapsed, been surrendered or been cancelled at an earlier date pursuant to the RMA.

Stormwater works

91. The following stormwater management works are constructed for the following catchment areas and design guidelines and they are completed prior to discharges commencing from the site.
92. The detailed design of all proposed wetlands, outfalls and any overland flow paths (including any relevant drawings, plans and calculations), shall be submitted to and approved by the Team Leader, Northern Monitoring (Orewa) at the time of application for Engineering Plan Approval.

Works to be undertaken	Catchment area-impervious	Catchment area- pervious	Design guideline(s)
Wetland 1A	1.94 ha	1.61 ha	75% TSS removal Runoff from 34.5mm rainfall detained and released over 24 hours
Wetland 1B	2.51 ha	3.00 ha	75% TSS removal Runoff from 34.5mm rainfall detained and released over 24 hours
Wetland 2	2.37 ha	2.59 ha	75% TSS removal Runoff from 34.5mm rainfall detained and released over 24 hours
Wetland 3	6.58 ha	2.42 ha	75% TSS removal Runoff from 34.5mm rainfall detained and released over 24 hours

Roof material			No exposed unpainted metal surfaces
Four outfalls			Erosion protection in accordance with TP10

93. 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 Team Leader, Northern Monitoring (Orewa), prior to implementation.

Advice Note:

All proposed changes must be discussed with the Team Leader, Northern Monitoring (Orewa), prior to implementation. Any changes to the proposal which will affect the capacity or performance of the stormwater system or will result in a change to the conditions of this consent will require an application to be made in accordance with Section 127 of the RMA.

Construction meetings

94. At least five working days prior to initiation of any construction of stormwater devices on the site, a pre-construction site meeting between Stormwater Natural Resources and Specialist Input and all relevant parties, including the site stormwater engineer, shall be arranged.

95. 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.

96. Within 30 days of Practical Completion of the stormwater management works, a post construction site meeting shall be arranged and conducted between Stormwater, Natural Resources and Specialist Input and all relevant parties, including the site stormwater engineer.

Certification of construction works

97. Within 30 days of practical completion, As-Built certification and plans of the stormwater management works, which are certified (signed) by a Chartered Professional Engineer as a true record of the stormwater management system, shall be provided to the Team Leader, Northern Monitoring (Orewa).

98. 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 structures, with co-ordinates expressed in terms of NZTM and LINZ datum;
- ii) Location, dimensions and levels of any major overland flowpaths including cross sections and long sections;

- iii) Plans and cross sections of all stormwater management devices, including confirmation of the Water Quality Volume, EDV storage volumes and levels of any outflow control structures;
- iv) Documentation of any discrepancies between the design plans and the As-Built plans.

Operation and maintenance

99. A final updated Operation and Maintenance Plan shall be submitted to the Team Leader, Northern Monitoring (Orewa) within 30 days of the completion of installation of the stormwater works.

100. The Operation and Maintenance Plan shall set out how the stormwater management 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 inspection and maintenance;
- iv) A programme for inspection and maintenance of the outfalls authorised by this consent;
- v) General inspection checklists for all aspects of the stormwater management system, including visual checks of catchpits, wetlands and outfalls;
- vi) A program for inspection and maintenance of vegetation associated with the stormwater management devices; and
- vii) Details of who will hold responsibility for long-term maintenance of the stormwater management system and the organisational structure which will support this process.

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

102. Any amendments to the Operation and Maintenance Plan shall be submitted to and approved by the Team Leader, Northern Monitoring (Orewa), in writing prior to implementation.

103. The stormwater management system shall be maintained to minimise erosion, risk of obstruction of the waterway and hazards to safety.

Overland flowpaths

104. 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 from critical storms (up to the 100 year ARI event), to discharge with the minimum of nuisance and damage.

105. Major secondary flow paths shall be kept free from significant obstructions such as buildings and solid fences.

106. Roding, kerbs and channels constructed across overland flow paths shall be set at a level that maximises the capture of water by road cesspits. Other than at designated overland flow paths, driveway crossings shall be constructed in order to minimise the overflow of water from the road into private properties.

Outfall erosion

107. Any stormwater outfalls authorised by this Consent shall incorporate erosion protection measures to minimise the occurrence of bed scour and bank erosion in accordance with TP10.

Maintenance report

108. Details of all inspections and maintenance for the stormwater management system for the preceding three years shall be retained and provided to the Team Leader, Northern Monitoring (Orewa) on request. The maintenance report shall include but not be limited to the following:

- a) Details of who is responsible for maintenance of the stormwater management system and the organisational structure supporting this process;
- b) Details of any maintenance undertaken; and
- c) Details of what inspections were completed over the preceding twelve months.

Review condition

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

- a) Within one year of construction of the stormwater works
- b) And/or at five yearly intervals after that time.

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

- a) To deal with any adverse effect on the environment which may arise from the exercise of the consent or upon which the exercise of the consent may have an influence and which becomes apparent, or is found appropriate, to deal with at a later stage, and in particular but without limiting the ambit of this clause to:
 - i. Insert conditions, or modify existing conditions, to require the Consent Holder to identify the character or nature of any discharges authorised by this Consent and to report the results of that monitoring to the Auckland Council; and/or
 - ii. Insert conditions, or modify existing conditions to require the Consent Holder to monitor the effects of any discharges authorised by this Consent on the local receiving environment and to report the results of that monitoring to the Auckland Council;
- b) Insert conditions, or modify existing conditions, requiring the Consent Holder to adopt the Best Practicable Option to remedy, mitigate or minimise any adverse effects on the environment resulting from the discharges authorised by this consent, including remedying or mitigating any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage.

Advice Note:

At the time of detailed design the permitted activity criteria for dams should be assessed to determine that no additional consents are required.

Regional Earthworks Conditions: REG-60848

Duration

110. Permit REG-60848 shall expire 10 years after the date it is granted unless it has been surrendered or cancelled at an earlier date pursuant to the RMA.

Pre-commencement meeting

111. At least **5 working days** prior to the commencement of the earthworks activity as authorised by this resource consent, the Team Leader, Northern Monitoring (Orewa) shall be informed in writing of the proposed start date.

112. 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:

- *Commencement of earthworks means the time when the earthworks, including any site preparation works or bulk earthworks, are to commence.*
- *Auckland Council representatives should include, but is not limited to, a compliance officer from the Earthworks and Contaminated Land Team, NRSI or appointed consultant working on behalf of the processing officer.*
- *To arrange the pre-start meeting required by Condition (114) please contact the Team Leader, Northern Monitoring (Orewa) to arrange this meeting. The conditions of consent should be discussed at this meeting. All additional information required by the Council should be provided 2 days prior to the meeting.*

113. All decanting earth bunds utilised during earthworks shall be designed to ensure that they:

- a. have a three percent storage capacity, being at least three cubic metres of impoundment volume for every 100m² of contributing catchment;
- b. have a catchment no greater than 5,000m²;
- c. have a level invert and two layers of geotextile covering and pinned securely to the emergency spillway to prevent erosion;
- d. Use floating decant devices that discharge at a rate of 3 litres per second, per hectare of contributing catchment;
- e. Have a silt fence baffle at the midpoint of the impoundment area;
- f. Are chemically treated by a rainfall activated system.

Advice Note:

The decanting earth bunds should be constructed in accordance with Auckland Regional Council, Technical Publication No. 90, Erosion & Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region; except where additional measures have been proposed which exceed the requirements of TP90, in which case these must be implemented.

114. Upon abandonment or completion of earthworks on the subject site, all areas of bare earth shall be permanently stabilised against erosion to the satisfaction of the Team Leader, Northern Monitoring (Orewa).

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, seeding 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 (Orewa) for more details. Alternatively, please refer to Auckland Regional Council, Technical Publication No. 90, Erosion and Sediment Control: Guidelines for Land Disturbing Activities in the Auckland Region.

115. All sediment retention ponds utilised during earthworks shall be designed to ensure that they:

- a. have a three percent storage capacity, being at least three cubic metres of impoundment volume for every 100m² of contributing catchment;
- b. have a level invert and two layers of geotextile covering and pinned securely to the emergency spillway to prevent erosion;
- c. use floating decant devices that discharge at a rate of 3 litres per second, per hectare of contributing catchment;
- d. have two silt fence baffles within the impoundment area of the pond;
- e. are all chemically treated by a rainfall activated system.

Advice Note:

The sediment retention ponds should be constructed in accordance with Auckland Regional Council, Technical Publication No. 90, Erosion & Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region; except where additional measure have been proposed which exceed the requirements of TP90, in which case these must be implemented.

116. All perimeter controls shall be operational before earthworks commence. All 'clean water' runoff from stabilised surfaces including catchment areas above the site shall be diverted away from earthworks areas via a stabilised system, so as to prevent surface erosion.

117. All clean water diversion channels shall be stabilised against erosion in accordance with TP90 where constructed on gradients greater than 2%.

118. Prior to bulk earthworks commencing, a certificate signed by an appropriately qualified and experienced engineer shall be submitted to the Auckland Council (Team Leader, Northern Monitoring (Orewa)), to certify that the erosion and sediment controls have been constructed in accordance with the erosion and sediment control plans.

119. Certified controls shall include the sediment retention ponds, decanting earth bunds, silt fences and diversion channels/bunds. The certification for these subsequent measures shall be supplied immediately upon completion of construction of those measures. Information supplied if applicable, shall include:
- a. Contributing catchment area;
 - b. Shape of structure (dimensions of structure);
 - c. Position of inlets/outlets; and
 - d. Stabilisation of the structure.
120. Prior to the commencement of bulk earthworks at the site, a Chemical Treatment Management Plan (CTMP) shall be submitted for the written approval of the Team Leader, Northern Monitoring (Orewa). The plan shall include as a minimum:
- a. Specific design details of the chemical treatment system based on a rainfall activated methodology for the site's sediment retention ponds and the 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 amendments to the CTMP are required, any such amendments should be limited to the scope of this consent. Any amendments which affect the performance of the CTMP may require an application to be made in accordance with section 127 of the RMA. Any minor amendments should be provided to the Team Leader – Earthworks and Contaminated Land Team, NRSI prior to implementation to confirm that they are within the scope of this consent.

121. The site shall be progressively stabilised against erosion as soon as practicable as earthworks are finished over various areas of the site. 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.
122. Sediment control measures shall be inspected to ensure effective operation on a daily basis or immediately after a significant storm event during construction by the contractor. The engineering representative shall also inspect the sediment control measures on their regular site inspections.
123. 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. In no instance shall roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses or receiving waters.

Advice Note:

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

Seasonal Restrictions

124. 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 Team Leader, Northern Monitoring (Orewa) at least two weeks prior to 30 April of any year. Earthworks in this regard refers to bulk earthworks (cut/fill/waste) associated with the site.
125. Revegetation/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 Team Leader, Northern Monitoring (Orewa), at least two weeks before 30 April.

Construction Management Plan

126. The applicant shall submit a Construction Management Plan (CMP) to the Team Leader, Northern Monitoring (Orewa), prior to the commencement of earthworks authorised by the granting of this consent. Works shall not commence until confirmation has been received from Council that that CMP is within scope of this consent. The CMP shall include, but is not limited to the following, where relevant:
- a. Details of contractor to undertake the works on site;
 - b. Details staging and methodology for the earthworks; and
 - c. Updated erosion and sediment control plans.

Adaptive Monitoring

127. The applicant shall submit an Adaptive Environmental Monitoring and Management Response Plan (AEMMRP), to the Team Leader, Northern Monitoring (Orewa), prior to the commencement of earthworks authorised by the granting of this consent. Works shall not commence until confirmation has been received from the Team Leader, Northern Monitoring (Orewa) that that AEMMRP is within scope of this consent. For the avoidance of doubt, the proposed monitoring regime and shall include but not be limited to:
- Flow monitoring - Continuous discharge flow monitoring undertaken on the outflow from a minimum of two sediment retention ponds.
 - Sediment discharge monitoring – A mix of manual and automatic sediment sampling to measure the suspended solids concentration through a storm event of more than 25mm of rain in a 24 hour period. This monitoring is to include automated sampling of the outflow with manual sampling of the inflow at representative intervals.
 - Baseline monitoring of the receiving environment to establish thresholds for monitoring.

In addition to the measurement of water and sediment discharge from the site it is required that the environmental effects of sediment discharge are monitored. This monitoring should include but be not limited to:

- Sediment deposition monitoring.

128. In the event that ecological changes occur which exceed the thresholds for management action (as stated in the AEMMRP), the consent holder shall notify the Team Leader, Northern

Monitoring (Orewa), within 3 days detailing the types of changes identified and the subsequent action taken.

129. The results of the sampling programme shall be forwarded to the Team Leader, Northern Monitoring (Orewa), at three monthly intervals or upon request from the Team Leader, from the date of commencement of this consent.

130. The consent holder shall submit to the Team Leader, Northern Monitoring (Orewa), an Annual Report containing ecological monitoring results and an assessment of discharge compliance no later than the end of May each year. The Annual Report shall also provide details on any ecological change thresholds exceeded, management actions taken and subsequent ecological response.

131. Amendments to the AEMMRP, including cessation of any further monitoring, are required to be approved by the Team Leader, Northern Monitoring (Orewa), in writing and may be applied for after a period of monitoring which provides a series of agreed conclusions.

Regional Streamworks Conditions: REG-60850

132. Permit REG-60850 shall expire on 35 years after decision date (2 June, 2015) unless it has lapsed, been surrendered or been cancelled at an earlier date pursuant to the RMA.

133. Prior to the commencement of any streamworks authorised by the granting of this resource consent, the consent holder shall provide for the written approval of the Team Leader, Northern Monitoring (Orewa), a final Landscape Planting Plan outlining the riparian planting to be undertaken at the site, on the Karepiro Stream and tributaries. This report shall include details of the mitigation works to be carried out, including but not limited to the following:

- (i) Plans in A3 format showing the 15m margins where riparian planting of streams is to be carried out, including a list of species, numbers to be planted, their common and botanical names, method of planting, planting locations and densities;
- (ii) Details of the works to be undertaken within the streams to improve in-stream habitat;
- (iii) Details regarding timing of works and techniques of weed and plant management measures for a period of no less than 2 years within the mitigation site;
- (iv) Details of how the mitigation works will be protected in perpetuity and/or vested to Auckland Council; and
- (v) Details of a written contract with an appropriate landscape management contractor or similar, confirming the works as per points i-iii above will be carried out, including details of the required 2 year weed and plant management measures.

134. The riparian planting required by the Landscape Planting Plan above shall be undertaken within the first planting season following the completion of work permitted by consent REG-60850.

135. Any amendments to the approved Landscape Planting Plan shall be approved by the Team Leader, Northern Monitoring (Orewa), Auckland Council in writing prior to any amendment being implemented on site.

136. Written confirmation shall be provided to the Team Leader, Northern Monitoring (Orewa), within **60 days** of the riparian planting having been undertaken, confirming that the mitigation works have been completed in accordance with the general conditions and Landscape Planting Plan.
137. Plant maintenance in accordance with the approved Landscape Planting Plan shall occur for 2 years or until a minimum survival rate of the plants, being 90% of the original density though the entire planting area, has been achieved. The 2 year period shall commence once the completion report above has been submitted to and approved in writing, by the Team Leader, Northern Monitoring (Orewa).
138. Prior to the construction of the new stream channel, a Streamworks Management Plan shall be provided to the Team Leader, Northern Monitoring (Orewa), for approval. The plan should include, but not be limited to:
- a. Planting and stabilisation details of the new channel;
 - b. A geotechnical stability assessment of the new banks;
 - c. All final cross sections and long sections; and
 - d. Details of erosion monitoring for the stream channel and all outfall locations.
139. The consent holder shall take all practical measures to remove and/or relocate fish from any sections of stream to be disturbed. Appropriate relocation sites and effects on resident fish populations are to be assessed, and included in a written report, by a suitably qualified and experienced freshwater ecologist. A copy of the report shall be forwarded to the Team Leader, Northern Monitoring (Orewa), for written approval prior to any fish relocation.
140. That within 60 days of practical completion of installation the new stream channel and all structures authorised by the granting of consent REG-60850, as-built certification and plans, including cross sections, long sections and outlet details, shall be provided for the written approval of the Team Leader, Northern Monitoring (Orewa).
141. A representative(s) shall be appointed prior to the commencement of works associated with resource consent REG-60850 that shall be the Auckland Council's principal contact person(s) in regard to matters relating to this resource consent. The consent holder shall inform the Team Leader, Northern Monitoring (Orewa) of the representative's name and how they can be contacted. Should that person(s) change during the term of this resource consent, the consent holder shall immediately inform and give written notice to the Team Leader, Northern Monitoring (Orewa) and provide details of the new representatives name and how they can be contacted.
142. The consent holder shall ensure that any excavated sediment shall not be stockpiled, either on a temporary or permanent basis, within the 100 year flood plain area.

Advice Note:

Temporary stockpiling in terms of this condition refers to stockpiling for period less than 24 hours only.

143. The consent holder shall ensure that all machinery operates from the banks of the permanent watercourses at all times. No machinery shall enter the wetted cross section of the permanent watercourses at any time.
144. The consent holder shall ensure that all bare areas, including the bed of the permanent watercourses are stabilised at the end of each construction day.
145. Prior to stream flows being diverted into the new stream channel, the reconstructed stream bed and banks shall be stabilised against erosion.
146. Streamworks shall only be carried out during periods when all flows, up to the 24 hour 20 year ARI rainfall event, can be diverted around the area of works and a two day weather forecast predicts no rainfall for the site location. During periods of flow greater than the capacity of the diversion, up to the 100 year flood event, a stabilised flow path shall be provided to ensure no scour or erosion occurs and so that flows can pass safely around or through the area of works with minimum nuisance and damage and with no sediment generation or discharge.
147. All machinery shall be operated in a way, which ensures that spillages of fuel, oil and similar contaminants are prevented, particularly during stabilisation and machinery servicing and maintenance. Refuelling and lubrication activities shall be carried out away from any water body such that any spillage can be contained so it does not enter the watercourse associated with this consent. The use of grouts and concrete products shall also be limited adjacent to the watercourse with all mixing of products carried out outside the 100 year floodplain area such that any spillage can be contained so it does not enter the watercourse, associated with this consent.
148. Fish passage shall be provided for and shall be designed to ensure effective and safe passage of fish for the duration of this consent.
149. When dewatering the area of works, no sediment laden water shall be discharged directly into a watercourse. Any sediment laden discharge pumped or otherwise removed from the works area must be disposed of via suitable sediment treatment system.
150. Pursuant to section 128 of the RMA the conditions of these consents may be reviewed by the Team Leader, Northern Monitoring (Orewa), at the consent holder's cost:
- (i) Following commencement of consent in order:
 - (a) To deal with any adverse effect on the environment which may arise or potentially arise from the exercise of this consent and which it is appropriate to deal with at a later stage, in particular adverse effects on the receiving environment.
 - (b) In the case of a coastal, water or discharge permit, to provide compliance with rules in any regional plan relating to use of water, water or air quality etc (see section 128(1)(b) RMA) that have been made operative since the commencement of consent. In the case of a coastal, water or discharge permit, to provide compliance with any relevant NES that has been made since the commencement of consent.
 - (ii) At any time, if it is found that the information made available to council in the application contained inaccuracies which materially influenced the decision and the effects of the exercise of the consent are such that it is necessary to apply more appropriate conditions.

General Advice Notes:

1. *Please read the conditions of this resource consent carefully and make sure that you understand all the conditions that have been imposed before commencing the development.*
2. *The granting of this resource consent does not preclude the consent holder from the need to obtain a building consent prior to construction commencing.*
3. *The consent holder shall obtain all other necessary consents and permits, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004. Please note that the approval of this resource consent, including consent conditions specified above, may affect a previously issued building consent for the same project, in which case a new building consent may be required.*
4. *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 Compliance Administrator, Orewa Service Centre, at ResourceConsentAdmin@aucklandcouncil.govt.nz and include the following details:*
 - a. *name and telephone number of the project manager and the site owner;*
 - b. *site address to which the consent relates;*
 - c. *activity to which the consent relates; and*
 - d. *expected duration of works.*
5. *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.*
6. *The granting of this resource consent does not in any way allow the applicant to enter and construct drainage within neighbouring property, without first obtaining the agreement of all owners and occupiers of said land to undertake the proposed works. Any negotiation or agreement is the full responsibility of the applicant, and is a private agreement that does not involve council. Should any disputes arise between the private parties, these are civil matters which can be taken to independent mediation or disputes tribunal for resolution. It is recommended that the private agreement be legally documented to avoid disputes arising. To obtain sign-off for the resource consent, the services described by the conditions above are required to be in place to the satisfaction of council.*
7. *Compliance with the consent conditions will be monitored by council (in accordance with section 35(1)(2)(d) of the RMA). The initial monitoring charge is to cover the cost of inspecting the site, carrying out tests, reviewing conditions, updating files, etc, all being work to ensure compliance with the resource consent. In order to recover actual and reasonable costs, inspections, in excess of those covered by the base fee paid, shall be charged at the relevant*


hourly rate applicable at the time. Only after all conditions of the resource consent have been met, will council issue a letter on request of the consent holder.

8. *Development contributions levied under the Local Government Act 2002 are payable in relation to this application. The consent holder will be advised of the development contributions payable separately from this resource consent decision. Further information about development contributions may be found on the Auckland Council website at www.aucklandcouncil.govt.nz.*
9. *If any archaeological features are uncovered on the site, it is recommended that works cease and council's representative monitoring your application is notified immediately. For guidance and advice on managing the discovery of archaeological features contact the Team Leader Cultural Heritage Implementation on 09 301 0101. Archaeological features' may in practice include shell middens, hangi or ovens, pit depressions, defensive ditches, artefacts, or koiwi tangata (human skeletal remains). Please note in the event of a discovery, contacting Heritage New Zealand (on 09 307 9920), as well as the local iwi is recommended.*
10. *Ongoing inspections of the covenanted area will be carried out from time to time by council ecologists, in accordance with the above conditions of the consent notice. These inspections will assess how the covenant is being managed and if the consent condition is complied with. A report will be produced for the landowner to assist them in the management of the covenant. The inspections are charged at a rate in accordance with the council's schedule of fees.*
11. *Copies of the approved Weed and Pest Animal Control Plan shall be held at the offices of the council, Centreway Road, Orewa, 0931.*
12. *A list of all current pest plants and animals can be found in the Auckland Regional Pest Management Strategy (ARPS 2007-2012 or any successive ARPS), available from council, which includes all plants identified in the National Pest Plant Accord (MAF).*
13. *Any activity pertaining to maintenance of covenant areas, including any required or ancillary structure(s), i.e. culvert or fish passage, may require lodgement for a Resource Consent.*
14. *Where significant weed and animal populations persist, the consent holder may wish to consider Local Landcare Groups, or the employment of a professional contractor to assist with the ongoing management of the protected area.*
15. *Reports and limitations on the land regarding any features or characteristics of the land or works on the land, whether the subject of specific encumbrances on the land or not shall be discoverable as part of the Council's records.*
16. *As there is no decision from Auckland Transport in terms of a firm design or timing for Penlink at this stage, co-ordination between Auckland Transport and the applicant should take place during the development of the two projects.*
17. *In the event that minor modifications to the proposed erosion and sediment control measures are required, any such modifications should be in general accordance with, or exceed, the requirements of Auckland Council Technical Publication Number 90, Erosion and Sediment*

Control Guidelines for Land Disturbing Activities in the Auckland Region. Modifications should be limited to the scope of this consent and as identified in the approved plans. Any changes to the erosion and sediment control measures which affect their performance or level of treatment they provide, may require an application to be made in accordance with section 127 of the RMA. Any minor amendments should be provided to the Team Leader, Northern Monitoring (Orewa) prior to implementation to confirm that they are within the scope of this consent.

- 18 *The planting of riparian wetlands along the stream diversion shall occur as a priority and an equal quantum of riparian wetlands shall be achieved as with the existing stream. The use of additional riparian planting shall only become an option if the riparian wetlands are impractical to recreate.*

Delegated decision maker:

Name: Steve Seager
Title: Team Leader, Resource Consents
Signed: 
Date: 2/6/15