

Report for an application for resource consents under the Resource Management Act 1991



Non-complying activity – land use (s9)

Non-complying activity – subdivision (s11)

Non-complying activity – water permit (s14)

Non-complying activity – discharge permit (s15)

1. Application description

Application numbers: BUN60393007 (Council Reference)
LUC60393008 (s9 land use consent)
SUB60393009 (s11 subdivision consent)
WAT60407691 (s14 water permit)
DIS60393060 (s15 discharge permit)

Applicant: NORTHWEST DEVELOPMENTS LIMITED

Site address: 18 Scott Road Hobsonville 0618

Legal description: LOT 3 DP 89750

Site area: 3.5516 ha

Auckland Unitary Plan (Operative in part)

Zoning and precinct: Residential - Mixed Housing Suburban Zone
Residential - Single House Zone
Scott Point, Precinct

Overlays, controls, special features, designations, etc: Natural Resources: High-Use Aquifer Management Areas Overlay [rp] - Kumeu Waitemata Aquifer
Controls: Macroinvertebrate Community Index – Rural
Designations: Airspace Restriction Designations - ID 4311, Defence purposes - protection of approach and departure paths (Whenuapai Air Base), Minister of Defence

2. Locality Plan



Source: Auckland Council GIS

3. The proposal, site and locality description

Proposal, site and surrounding environment description

Yujie Gao of Campbell Brown has provided a description of the proposal and subject site on pages 12-29 of the Assessment of Environmental Effects (AEE) titled: “Northwest Developments Ltd Proposed 122-lot residential development and associated subdivision 18 Scott Road, Scott Point” dated 24/08/2022.

Having undertaken a site visit on 16 February 2022, I concur with that description of the proposal and the site and have the following comments on the surrounding environment description;

As noted in the notification decision for BUN60393014 (a consent for bulk earthworks at the subject site), an unlawful coastal protection structure is located within the existing esplanade reserve. At this stage, we are unable to confirm when exactly was built, who it was built by and its effectiveness as a coastal erosion mitigation measure.

The applicant’s amended site-specific assessment did not consider any erosion protection offered by the existing unlawful erosion protection structure on site. We consider this is a correct approach.

The applicant proposes to remove this structure and construct a new coastal revetment to mitigate the erosion and instability risk for their development.

Land use

Buildings and landscaping

- To develop a framework plan for the subject site;
- To construct 112 dwellings, comprised of two to three storeys terraced and standalone buildings.
- A total of 12 units are proposed to be affordable units.
- To remove existing vegetation within the adjacent esplanade reserve owned by Council, LOT 3 DP 206422, LOT 4 DP 89750, LOT 3 DP 91914, LOT 3 DP 128652, (“the Scott Esplanade”). This is subject to a Landowner Approval.
- Comprehensive soft and hard landscape treatment plans have been prepared for the residential units, public and private roads, pedestrian walkways, and the Scott Esplanade. Revegetation within the Scott Esplanade will be subject to a Landowner Approval.

Transport

- Two new public roads are proposed as part of the development.
 - Road 1, Limestone Drive, extends from Scott Road, running south-west. Road 2 extends from Picnic Point Road to the east of the site, looping around to connect to Road 1.
 - Each road will have the same layout and design as the existing Limestone Drive and Picnic Point Road and be in accordance with the Auckland Transport’s standards.
 - A detailed roading design is to be submitted at the Engineering Plan Approval process and 224(c) stage.
 - The intersections of Road 1 and Road 2 and Scott Road and Road 1 are to be raised intersection.
 - A temporary turning head, designed in accordance with AT standards, is proposed at the end of Road 1. The turning head will remain in place until such time that the adjoining site, 16 Scott Road, is developed as per the Precinct Plan and the road is connected through.
- Five Commonly Owned Access Lots are proposed, providing access to a mix of open parking areas and garaged parking spaces. COAL 205 will have a pedestrian access easement.
- A total of 176 allocated parking spaces are contained within the residential lots, in the form of parking pads or internally accessed garages.
- The development includes 31 further car parking spaces available as indented parking spaces.
- All dwellings will have one cycle parking provided and 6 visitor cycle parking spaces will be provided.

Rubbish collections

- Except for Units 1-11, 54-85, and 119-122, the proposed dwellings are proposed to be served by public waste collection. The site has sufficient frontage for each unit to locate the waste bin, recycle bin, and future food waste bin. Units 1-11, 54-85, and 119-122 are proposed to be served by private waste collection.

Infrastructure and flooding

- The proposed stormwater system has been designed to meet the requirements of the Scott Point SMP. A new primary stormwater system has been designed to have a capacity of 10-year rainfall event.
- Stormwater runoff from the proposed roads and the COALs will be directed to stormwater treatment devices for treatment, and to provide retention as per the SMP requirements before discharging to the primary stormwater network. The applicant proposes raingardens and proprietary stormwater treatment devices for treatment. It is noted that some of the raingardens do not meet the Auckland Transport's standards. It is understood that the applicant will apply for a Departure from Standards approval from Auckland Transport in this regard at an Engineering Plan Approval stage.
- A new stormwater outlet structure for the development will be constructed in the Scott Esplanade area.
- Extension of the public wastewater system is proposed to serve the dwellings. The wastewater is proposed to be pumped to the north-west before discharging into the gravity transmission main located at 2 Scott Road, Hobsonville.
- Extension of the public watermain from the existing 180mm line within Scott Road to service the site. Individual connections and meters will be provided to serve each Lot from the proposed main.
- There are a number of existing hydrants available at 42 Picnic Point Road, 9 Aviation Drive, 17B Scott Road, and 16A Scott Road. A new hydrant is proposed in the southern portion of the site (lot 38) to provide accessibility in accordance with Fire Fighting Requirements.
- Power and telecommunications service will be provided to all dwellings.
- The existing overland flow paths will be diverted to the proposed roads. The applicant had identified a minimum freeboard level for each dwellings, which is proposed to be met.

Earthworks

- The majority of earthworks would occur as part of the approved bulk earthworks consent, BUN60393014. Some further earthworks would be required to establish the building platform levels, retaining walls across the site and for works within Scott Road and the Scott Esplanade.
- Erosion and sediment controls are proposed and will be in accordance with the Council's guide, GD05, "Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region"

Works within the Scott Esplanade

- The proposal includes a rock revetment structure at the coastline of the Scott Esplanade. The structure would be located fully outside of the CMA. The revetment structure comprises an armoured rock wall. One set of stairs are proposed through the revetment in order to

provide access to the water. Additional access point(s) may be provided if required at a Landowner Approval stage. This is subject to a Landowner Approval.

- Revegetation is proposed within the esplanade. This is subject to a Landowner Approval. Bird management by avoiding vegetation clearance during the bird breeding/nesting season. A Lizard Management Plan to be prepared and implemented. A new stormwater outlet structure for the development will be constructed in the Scott Esplanade area. This is subject to a Landowner Approval.

Subdivision

- It is also proposed to undertake a subdivision to place each dwelling on a freehold lot, and to create 10 vacant lots in accordance with an approved land use consent and the Framework Plan.
- A number of easements are proposed as outlined in the memorandum on the scheme plan. These relate to access, provisions of services, parking, and stormwater disposal arrangements.
- The proposed roads and pedestrian pathway constructed under the land use consent will be vested to Council.

4. Background

Specialist Input

The proposal has been reviewed and assessed by the following specialists:

- Development Engineer: Ethan Fu
- Geotechnical Engineer: Jin Lee
- Healthy Waters Specialist: Richard Challis
- Watercare Service Limited Engineer: Nita Dharmadhikari
- Traffic Engineer: Sam Shumane
- Auckland Transport: Michael Hamerton & Shahriar Tehrani
- Regional Earthworks and Freshwater/wetland Specialist: Glenn Pope
- Ecologist: Brent Henry & Carol Bergquist
- Arborist: Rhys Caldwell
- Contaminated Soil Specialist: Fiona Rudsits
- Heritage Advisor: Mica Plowman
- Urban Design Specialist: Jerson Valenzuela
- Landscape Architect: Paul Murphy
- Parks Planner: Sean Sterling
- Parks – Coastal Specialist: Christoph Soltau
- Coastal Specialist: Kala Sivaguru
- Subdivision Specialist: Nitya Reddy
- Waste Solution: Elizabeth Driver

Relevant plan changes

Proposed Plan Change 78

This proposed plan change responds to the government's National Policy Statement on Urban Development 2020 (amended in 2022) and requirements of the Resource Management Act. The plan change includes provision to enable more development in the city centre and at least six-storey buildings within walkable catchments, enable development in and around neighbourhood, local and town centres, incorporate Medium Density Residential Standards (MDRS) that enable three storey housing in relevant residential zones, implement qualifying matters, where full intensification is not appropriate.

The subject site, however, is excluded for this proposed plan change, given that the Scott Point Precinct is a Special Housing Area. No further assessment is required in this regard.

With regard to the policies and objectives under PC 78, which has immediate legal effects, I consider that the provisions in PC 78 are liberalising provisions when compared to the operative plan provision contemplate. Further discussion will be provided at the s104 assessment.

Proposed Plan Change 79

It is a proposal that seeks to manage the impacts of development on Auckland's transport network, with a focus on pedestrian safety, accessible car parking, loading and heavy vehicle management, and catering for EV-charging and cycle parking. It is a plan change that is complementary to PC 78. Similar to PC 78, the rules under the PC 79 that are relevant to the proposal do not have immediate legal effect. I do not consider that the proposed objectives and policies are liberalising provisions, unlike PC 78. Further assessment is to be provided under s104 assessment.

Iwi consultation

Iwi comment on the proposed application was invited from Edward Ashby, Te Kawerau Iwi Tiaki Trust, the spokesperson for Te Kawerau ā Maki, and has been received by the applicant on the 9th of December 2021, which has been submitted to the Council on the 10th of December 2021. The iwi notes 'that while cultural impacts will occur, and we advocate certain mitigations over-and-above the existing design, they are not opposed to the development proceeding as designed'. They note 'further engagement is required in the form of confirmation of the outcome of the consent application, and opportunity to undertake a site visit during the construction phase including cultural monitoring for potential archaeological sites'. Further feedback in relation to the coastal revetment was received on the 7th July 2022, supporting the proposal, if it leads to said stabilisation and ecological enhancement and public access.

Iwi comment on the proposed application was invited from Andrew Cave, Nga Maunga Whakahii o Kaipara Development Trust, the spokesperson for Ngāti Whātua o Kaipara, and has been received by the applicant on the 12 February 2022, which has been submitted to the Council on the 25th of March 2022. The iwi noted a number of potential effects from the development, including affecting archaeological sites or sites of cultural significance; removal of established natural land cover; impacts on native species including coastal bird species and lizards; and sediment pollution from works. They recommended a number of mitigation measures including; Adherence to accidental discovery processes; the inclusion of references to Maori heritage where appropriate in names, signage, and seating; Karakia or blessing over the area prior to any excavations and earthworks; The planting of eco-sourced vegetation; Mechanisms to improve the quality of stormwater and the elimination of adverse effects from

discharges; Robust control systems to ensure water quality is not compromised; and retaining topsoil in the development where practicable. Further feedback in relation to the coastal revetment was received on the 21st July 2022, supporting the proposal. They recommended that any adverse effects from the proposed earthworks and revetment construction must be adequately mitigated. They also expect the development to result in mitigation and that includes coastal vegetation enhancement (weed control, replacement with native species, and nurturing to maturity). Valuable habitats for native birds should be provided.

The applicant will adopt all the mitigation measures noted in the CIAs from Te Kawerau ā Maki and Ngāti Whātua o Kaipara. As noted in the proposal, the applicant confirms that the consent holder will undertake further engagement with the iwi groups in relation to arranging site visits prior to or during the earthworks. The email correspondence will form part of condition 1 to ensure that further engagements are undertaken by the consent holder.

Further assessment in this regard will be provided as part of my limited notification assessment below.

Scott Point Precinct

As per the precinct description, the purpose of the Scott Point Precinct chapter is to provide for the comprehensive and integrated development of Scott Point, to increase the supply of housing (including affordable housing), and to make efficient use of land and infrastructure. To ensure this the Scott Point Precinct generally requires a Framework Plan that aligns with the Precinct Plans 1, 2, 3, and 4.

Key Roads

As shown in the Precinct plan, there are two roads going through the subject site, a “secondary Road” (marked as red dashed lines), Scott Road and Craigs Way Extension, and two “critical local road (16m width) (flexible location)” (marked as blue arrows), extending Picnic Point Road and a vertical connection from Scott Road to the Scott Esplanade, being an ecological corridor extending the existing Roa Avenue. At the intersection of Scott Road, Roa Avenue and the local road within the subject site, an on-street pocket park is shown.

The Precinct, zones and uses

It is a common character in this neighbourhood that properties located south of Scott Road have a split zoning or show a transition from Mixed Housing Suburban Zone to Single House Zone as per Policy 5 of the Precinct chapter.

As shown in the Precinct Plan, the Scott Esplanade will play an important role in the community as it will provide for coastal walking and cycling connections to provide public access, being a key public open space, and a positive interface between residential development and the significant open space and coastal areas (Policy 21.c). This is well shown in the Precinct Plan 1, with the sky blue line (shown as “Walking Connection”) and yellow dotted line (shown as “Coastal Enhancement Area”) going through this reserve.

Although the AEE noted that the proposal is consistent with the Precinct Plans, I disagree with this because the proposed vertical local road continues Kokowai Parade (Local Road – 16m width), whereas the “Local Road shown in the Precinct Plan is to continue Roa Avenue

(Secondary Road - 20m width). Although I note the wording “flexible location” and this has already been somewhat compromised by the Framework Plan at 17B Scott Road under BUN60306421 as Road Avenue finishes opposite to 16A Scott Road, I do not consider that the proposal is consistent with the Framework Plan, as shown in the diagrams below.

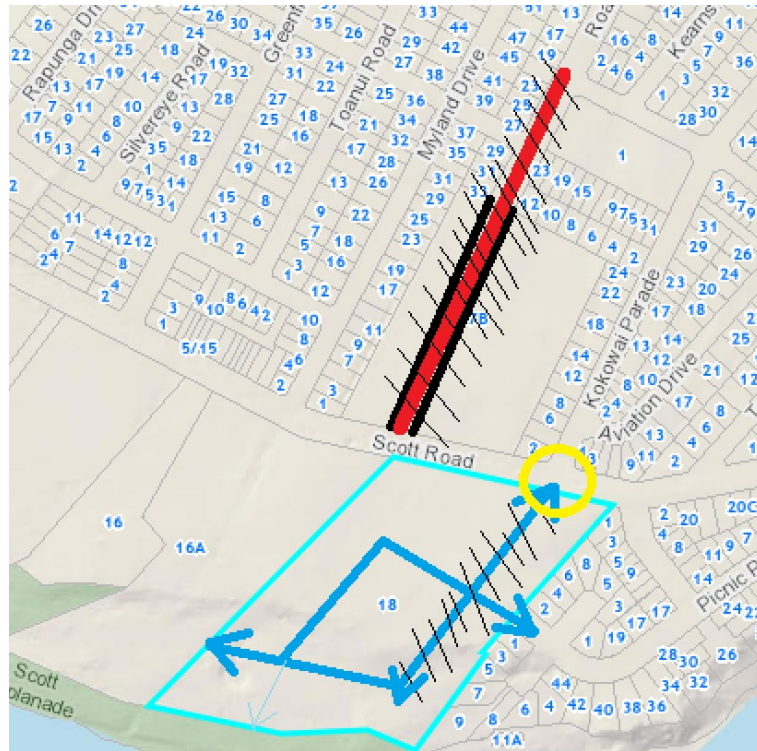


Figure 1. The proposed development and Roa Avenue extension as shown in BUN6030642 (indicative only)



Figure 2. Precinct Plan 2, showing the location of desired road connections and the pocket park.



Figure 3. Precinct Plan 3, showing the continuation of the ecological corridor.

The on-street communal pocket park, where the proposed bus route goes through, will not be created as Roa Avenue and the proposed road do not intersect. The Precinct Plan shows the local road extends to the esplanade reserve. This had been proposed up to the Suburban Zone boundary and a pedestrian path has been proposed instead. No continuation of the ecological corridor is provided as Roa Avenue and the proposed vertical road do not intersect.

I also note that due to the location of the proposed horizontal connection and the fixed location of the open space adjacent to 16A Scott Road, it will be challenging for 16A Scott Road to continue this to the west part of the community. This is however not within the scope of this application. A horizontal connection, although indirect, has been provided.

Further assessment on the proposal's alignment with the Precinct Plans will be provided in the below notification and s104 assessments.

From the 400m radius circles provided in the Precinct Plan and Policy 15 of the Precinct chapter, "*Establish neighbourhood reserves within walking distance for all residents*", it is understood that these roads are designed to connect all residential area within the Precinct to public open spaces within a 5 minutes-walking distance.

Framework Plan

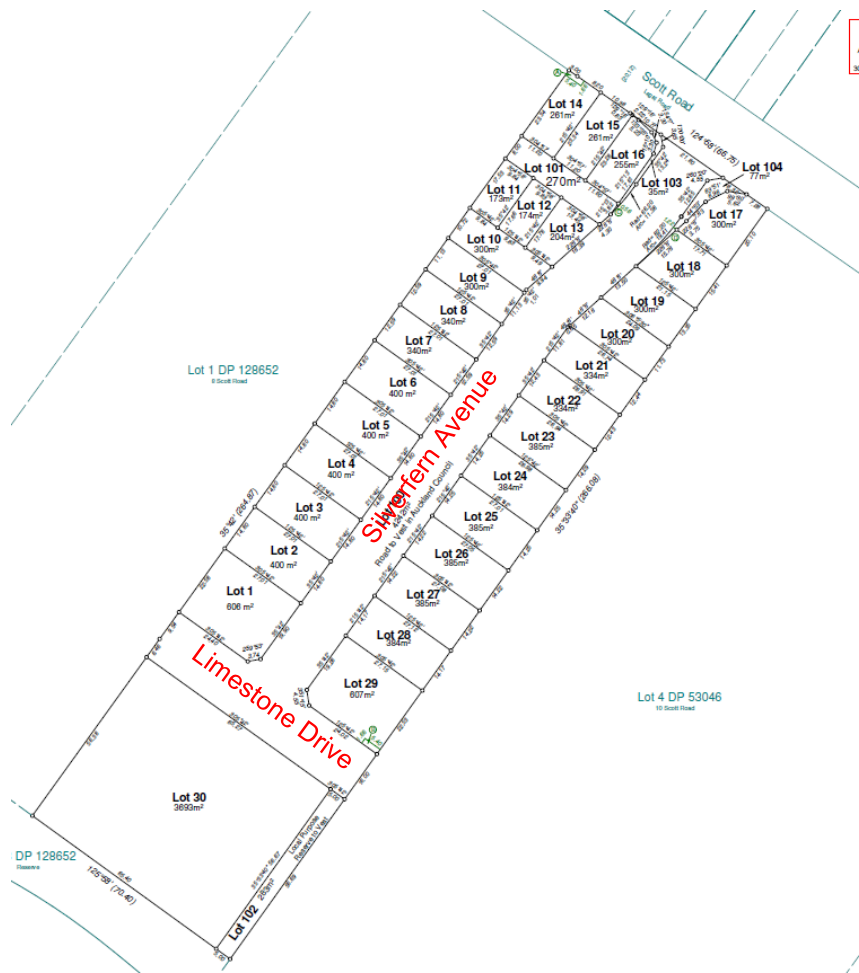
I note that traditionally in this Precinct, the framework plans were created prior to any residential development or include few buildings as part of the framework plans, showing the types or number of dwellings permitted per site. This was mainly because at the time of the formal framework plans being created, the precinct had no proper infrastructural connections and roading and each site contained over 100 lots per framework plans. The main purpose of the framework plans was to deliver vacant lots and infrastructural services including public roadings that match with the adjacent sites' layout and services and the Precinct Plans.

The southern part of Scott Road, where the subject site sits in, is relatively underdeveloped, when compared to the northern part. However, there are a number of resource consents that have recently been implemented, are currently being implemented or likely to be implemented. This includes the following;

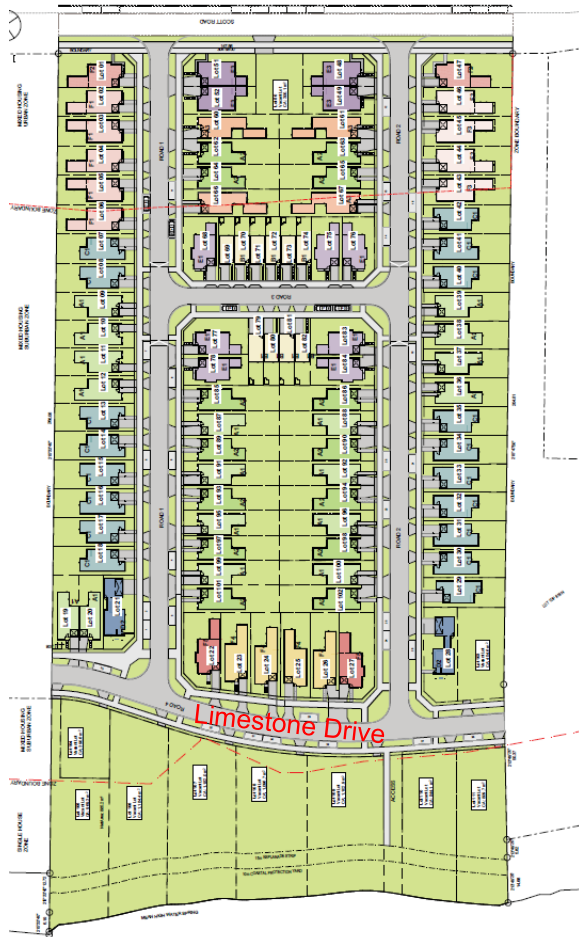
- 4 Scott Road: Brickfields, Scott Road Development - Fastrack consent under Schedule 27 to the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020; for construction and use of 418 dwellings, with supporting infrastructure and roads, as well as creating an esplanade reserve with a coastal walkway and associated coastal erosion mitigation works and subdivision.



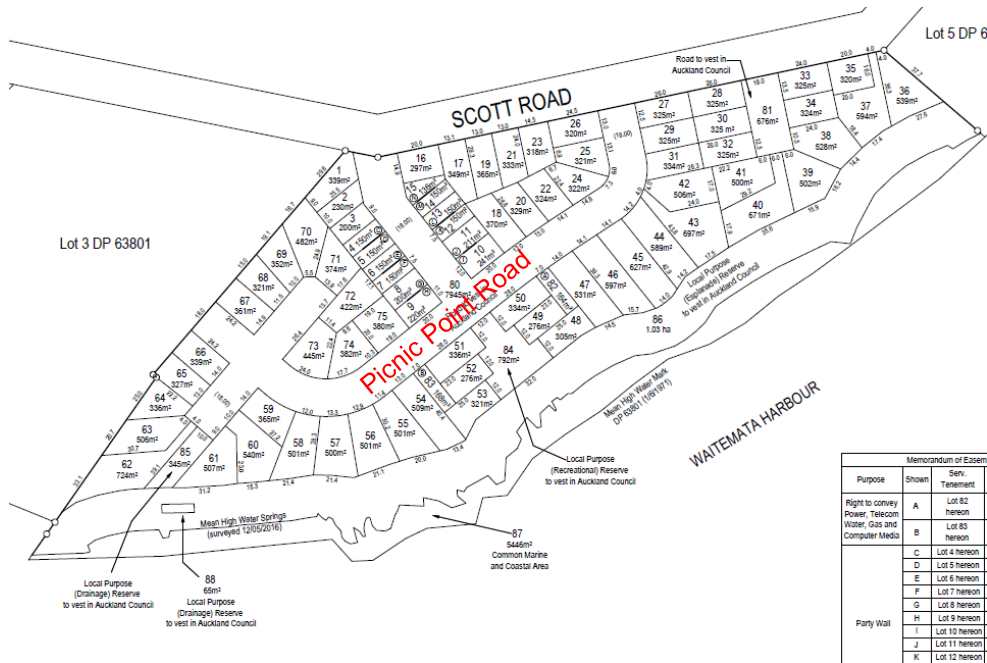
- 8A Scott Road (BUN60322357): a residential subdivision development at 8A Scott Road in Hobsonville, comprising the creation of 30 fee simple residential lots with 10 dwellings constructed. Two public roads, including Limestone Drive, are to be under this consent. Coastal erosion mitigation works were also proposed.



- The former 10 Scott Road (BUN60315456): construction and use of 96 new dwellings and associated works, including coastal erosion mitigation works., construction of public roads, Limestone Drive, Coast Garden Drive, Pilot Drive and Landing Path Drive, and infrastructural services, and creating an esplanade strip.

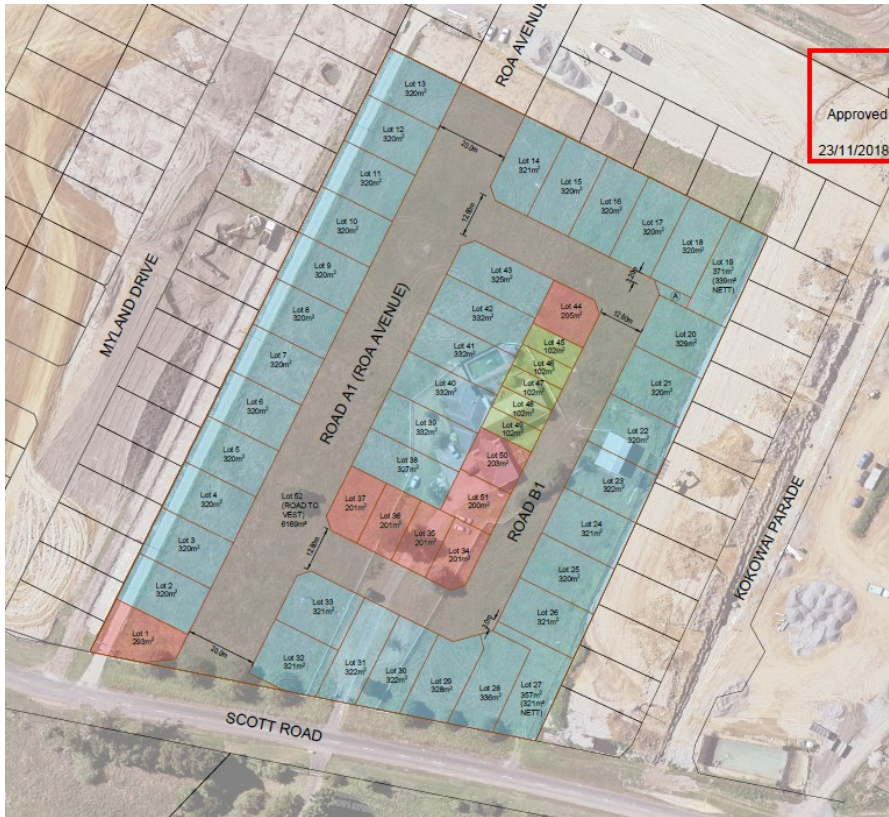


- The former 20 Scott Road: Subdivision of the site into 75 residential lots, with the establishment of dwellings on 15 of these lots. It also included construction of public road, including Picnic Point Road and coastal erosion mitigation works. Originally an esplanade strip was proposed, however, this was further amended under its variation consents and is now an esplanade reserve.



Memorandum of Easement		
Purpose	Shown	Serv. Tenement
Right to convey	A	Lot 82 hereon
Power, Telecom Water, Gas and Computer Media	B	Lot 83 hereon
	C	Lot 4 hereon
	D	Lot 5 hereon
	E	Lot 6 hereon
	F	Lot 7 hereon
	G	Lot 8 hereon
	H	Lot 9 hereon
	I	Lot 10 hereon
	J	Lot 11 hereon
	K	Lot 12 hereon

- 17B Scott Road (BUN60306421): Consent was granted for construction of 13 new dwellings and creating 51 freehold residential lots. Extension of Road Avenue and establishment of a Framework Plan were proposed.



Permitted activities

E30

- Council's Contamination Specialist, Fiona Rudsits, considers that the rules of AUP(OP) Chapter E30 do not apply to the proposal as the PSI/DSI identified that there is lead present on site elevated above the levels scheduled in Table E30.6.4.1 of the AUP(OP). However, less than 200 m³ of this contaminated soil is proposed to be disturbed as part of the RAP, which complies with the Permitted Activity threshold of E30.6.1.2.
- The RAP includes proposed management measures to minimise discharges of contaminants to the environment in accordance with standard E30.6.1.2(2). Further, contaminated soils are proposed to be disposed of at a facility authorised to accept such material, in accordance with standard E30.6.1.2(5).
- Provided that the SVR demonstrates that the site has been adequately remediated in accordance with the goals of the RAP, so that soil contaminant levels comply with the Permitted Activity criteria in Table E30.6.1.4.1, a long-term discharge consent under Chapter E30 of the AUP(OP) is not required for this site

E25

- The applicant's agent, Ms Gao, confirmed that the proposed works would comply with E25 of the AUP:OP standards via email dated 01/08/2022. This effectively forms part of the proposal.

E8 and the National Environmental Standards for Freshwater (NES:FW) Regulations 2020

- The Regionwide Network Discharge Consent (NDC) authorises the diversion and discharge of stormwater from the current and future stormwater network and although it does not identify specific future discharge locations it has specific processes in place for the assessment of future discharges to ensure those still meet the authorised outcomes. In this case, the original stormwater diversion and discharge consent for Scott Point has not yet (even though the Stormwater Management Plan has been adopted into the Regionwide NDC) been surrendered so it is very clear that the discharge of stormwater from development of that particular catchment is already authorised.
- The NDC (being a discharge permit) prevails over the NES:FW because the NDC allows for future discharges and diversions, these will be covered (provided they meet the terms of the NDC). This will be the case until, pursuant to section 43B(6A)(b), a review of the conditions of the permit or consent under section 128(1)(ba) results in some or all of the NES:FW prevailing over the NDC."
- Mr Challis confirmed that the proposal meets the NDC requirements and therefore I consider no consents are required for the proposed stormwater discharge via the proposed stormwater outlet. However, the Regionwide NDC only authorises the diversion and discharge of stormwater. Any other activities in relation to physical works such as outfall construction in or near a wetland or stream are not authorised by the NDC so assessments against the AUP and NES in this regard are still required.

F2 – General Coastal Marine Zone

- The applicant's agent confirmed that the proposed rock revetment, the stormwater outlet and their associated structures are located landward of mean high water springs (MHWS) and therefore no coastal permit under s12 of the RMA. I however note that the structure is very close to the CMA boundary. If it is identified that the structure extends below MHWS into the common marine and coastal area at the engineering plan stage, the applicant must apply for a coastal permit and/or other associated resource consent(s). At this stage, given the applicant confirmed that the works will be entirely outside of the CMA, no assessment in this regard is required.

Standard H4.6.4 Building height under H4 – Mixed Housing Suburban Zone

- The standards states that buildings must not exceed 8m in height except that 50 per cent of a building's roof in elevation. Chapter J Definitions allows two methods to measure the height, the rolling height method and the average ground level method. The applicant showed that the proposal meets the standard when using the average height method but not meeting it when using the rolling height method. Given the Plan gives an option to choose the height measuring method and that the buildings meet the height rule using the average ground level method, I consider the proposal meets Standard H4.6.4 Building height.

Landowner Approval and Departure from Standards

As noted in the proposal section, some of the proposed works require additional approvals, including a Landowner Approval for works within the Scott Esplanade and a Departure from Standards approval for the assets to be vested to Auckland Transport.

With regards to works within the Scott Esplanade, as noted above, this esplanade will provide key open/recreational spaces for the community, and a critical consideration in determining the appropriateness of any proposed revetment within the existing esplanade reserve will be required at a Landowner Approval (LoA). Council, as a landowner, may have certain outcomes they wish to achieve on this land, with regard to a number of aspects, including but not limited to; its function and use, and visual, ecological, recreational, financial and funding aspects and to allow such structures to be constructed within their land, Council may request a certain design to meet their envisioned outcomes of this land.

The need for LoA has been expressly communicated to the applicant who accepts that any consent to establish coastal revetment within the esplanade reserve cannot be given effect to until such Approval has been obtained. This is a critical consideration as failure to secure Land Owner Approval through the Local board will necessitate a variation to the consent.

Similarly, Auckland Transport indicated that the bioretention devices proposed were small concrete raingardens that do not comply with the Transport Design Manual (TDM) and will require a Departure from Standards (DFS) approval at EPA stage from AT, which must demonstrate other alternatives being infeasible. It was conveyed further to the applicant that there may be a risk of non-approval at EPA stage which could lead the applicant to apply for new resource consent or a variation to the consent. The applicant confirmed that they accept this risk in an emailed dated 06/07/2022.

Relevant consents and earthworks

With this application, the applicant applied for resource consents (Council reference no. BUN60393014) for earthworks across the site. The application details are available on Pages 2-6 of the Planner's report of BUN60393014. This includes associated groundwater dewatering and diversion that will occur as part of the proposed activity under this application.

An auger condition has been added and accepted by the applicant to ensure that the site preparatory works as well as the groundwater dewatering and diversion occur in a comprehensive manner with the proposed works under this application.

National Environmental Standard for Freshwater Management (NES:FW)

The NES:FW was approved by the Governor-General under section 52(2) of the Resource Management Act 1991 on 3 August 2020. Given that it is relatively new standard, the natural wetland delineation tools are not tailored to identify and delineate natural wetlands within the Coastal Marine Area (CMA), which have different vegetation, hydrology, and soil characteristics. Auckland Council has raised this with MfE, who are investigating how to best manage natural wetlands within CMA under the NES:FW. Until such time further information is received from MfE, we take a precautionary approach and consider any vegetation, salt marsh, mudflats or estuarine environment within the CMA should be treated as a natural wetland for the purpose of

applying the NES:FW. Given this, the CMA adjacent to the subject site is considered as a natural wetland.

Airspace Restriction Designations - ID 4311, Defence purposes - protection of approach and departure paths (Whenuapai Air Base), Minister of Defence

The above designation applies to the subject site, which includes the following two conditions:

- i. The approval in writing of the New Zealand Defence Force is required prior to the erection of any building, change in use of any land or building, or any subdivision of land, and prior to any building or resource consent application for such works/activities, within the areas of the designation shown on the planning maps as 'land use and subdivision subject to NZDF approval'. These areas are generally within 1,000 metres of the runways.
- ii. No obstacle must penetrate the approach and departure path obstacle limitation surfaces shown on the planning maps and explained by the text "Explanation of Protection Surfaces Whenuapai Airfield" and Diagram MD1A below without the prior approval in writing of the New Zealand Defence Force. This restriction must not apply to any building being erected which has a height of not more than 9.0 metres above natural ground level.

The subject site is located within the Inner Horizontal Surface with a maximum RL limit of 76.3m and the proposed buildings have a height of not more than this and will not protrude through the Inner Horizontal Surface limit.

5. Reasons for the application

The relevant operative plan and proposed plan provisions

In assessing an application for resource consent, the relevant provisions requiring consideration are:

- those provisions of the AUP(OP) that are not subject to appeal and are operative (including treated as operative under s86F of the RMA);
- those provisions of the AUP(OP) that are identified as subject to appeal and therefore remain proposed plan provisions;
- the relevant provisions of any relevant plan that remain operative as a consequence of the appeals against certain provisions of the AUP(OP); and
- the relevant provisions of a plan change to the AUP(OP) (including a private plan adopted by the Council) or a variation to a plan change to the AUP(OP) where the relevant provisions have legal effect.
- those district plan provisions that have immediate legal effect under s86B and 86BA.

The task of identifying the relevant provisions as described above requires individual analysis of the provisions of the AUP(OP) and the relevant appeals, within the context of the specific resource consent application.

In this instance, there are no rules that apply to the proposal that are operative under PC 78 or PC 79.

Accordingly, resource consents are required for the following reasons:

Land use consent (s9) – LUC60393008

Auckland Unitary Plan (Operative in part)

District land use (operative plan provisions)

Scott Point Precinct

- A framework plan, amendments to a framework plan, or a replacement framework plan not complying with clause 3.2 below is a non-complying activity under Activity Table I.5.61.1 as the proposal is not consistent with the Precinct Plan.
- Buildings on a site complying with an approved framework plan requires consent as a restricted discretionary activity under Activity Table I.5.61.1.

Residential – Mixed Housing Suburban

- To develop four or more dwellings per site is a restricted discretionary activity under H4.4.1 (A4). The proposed development seeks to establish a total of 112 dwellings.
- H4.4.1 (A33): Unit 7 does not comply with H4.6.5 Height in Relation to Boundary, but comply with H4.6.6 Alternative Height in Relation to Boundary requires consent as a restricted discretionary activity.
- To develop new buildings (and/or any additions to existing), as the development of new buildings or any additions has the same activity status as the land use activity, is a restricted discretionary activity under rule H4.4.1(A34).
- The proposal involves use and development under rules H4.4.1(A4) and H4.4.1(A34) that fails to meet the following core standards and is a restricted discretionary activity under rule C.1.9(2):
 - H4.6.5 - Height in relation to boundary
 - Lot 8 infringes standard HIRB setback by a maximum vertical extent of 1.31m by a maximum horizontal length of 11.16m.
 - Lot 16 infringes standard HIRB setback by a maximum vertical extent of 1.10m by a maximum horizontal length of 11.16m.
 - Lot 34 infringes standard HIRB setback by a maximum vertical extent of 1.76m by a maximum horizontal length of 4.34m.
 - H4.6.7 – Yards
 - Units 2-7, 58, 59, 74 & 75 would have portions of building located within the 3m front yard from Scott Road.

Other matters:

Whilst the following non-compliances do not form part of the reasons for consent, they form part of the proposal and assessments:

- Standard H4.6.11 Outlook space (Units 2-6, 8-10, 12, 14-16, 17-24, 60-65, 77, 78 80-84): the principal outlook spaces are partially obstructed by the buildings or do not have the required width, if they are measured from the centre of the windows.

- H4.6.13 outdoor living space: Units 2, 3, 4, 8, 9, 10, 60-65, 76-85, 89-92, 102-110, 120-122 have their outdoor living spaces located south to a building and do not meet the required separation rule (3).

Trees in open space zones

- Tree removal of any tree greater than 4m in height or greater than 400mm in girth within an Open Space Zone is a restricted discretionary activity E16.4.1 (A10).

Transport

- The proposal involves accessory parking and access that does not meet the following parking and access standards and is a restricted discretionary activity under rule E27.4.1(A2).
 - The development has a GFA of more than 5,000m² and no loading bay is proposed. This does not meet E27.6.2.8.
 - Five vehicle crossings serving two parking spaces will be provided with a width of 6.0 to 7.45m. This does not meet E27.6.4.3.2
 - JOAL E will have a platform gradient of 1 in 10 (10%).
- Any activity or subdivision which exceeds the trip generation standards set out in Standard E27.6.1 requires consideration as a restricted discretionary activity under E27.4.1(A3). The proposal involves the development of more than 100 dwellings.

Natural hazards and flooding

- E36.4.1 (A4): Dwellings and rock revetment on land in the coastal erosion hazard area is a Restricted Discretionary Activity.
- E36.4.1 (A22): Hard protection structures not otherwise provided for, is a Discretionary Activity.
- E36.4.1 (A41): Diverting the entry or exit point, piping or reducing the capacity of any part of an overland flow path requires consideration as a restricted discretionary activity. The proposed development would alter the entry and exit points of the overland flow path.
- E36.4.1 (A56): All infrastructure structures within the coastal erosion hazard area not otherwise provided for, is a Restricted Discretionary Activity.

Land Disturbance - District

- Activity table E12.4.1 (A6) requires that general earthworks greater than 2,500m² and 2,500m³ within a residential zone and the Open Space Zone is a restricted discretionary activity. A total earthworks area of up to 30,200m³ over 38,043m² is proposed. This is a restricted discretionary activity under rules E.12.4.1(A6) and (A10) respectively.

Regional land use (operative plan provisions)

Land Disturbance - Regional

- Earthworks greater than 2,500m² where the land has a slope equal to or greater than 10 degrees requires consent as a restricted discretionary activity under E11.4.1(A8). The

proposal involves earthworks exceeding 2,500m² over land with a slope of greater than 10 degrees in the southern part of the site.

- Earthworks greater than 2,500m² within the Sediment Control Protection Area requires consent as a restricted discretionary activity under E11.4.1(A9). The proposal involves earthworks exceeding 2,500m² within the Sediment Control Protection Area.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES:CS)

- Consent for a restricted discretionary activity is required under Regulation 10 of the NES as the proposed change of use, subdivision and soil disturbance do not meet the requirements of a permitted activity under Regulation 8 of the NES:CS.

National Environmental Standard for Freshwater Management (NES:FW)

- Vegetation clearance within, or within a 10 m setback from, a natural wetland requires a non-complying activity consent under 54(a) of the NES:FW.
- Earthworks within, or within a 10 m setback from, a natural wetland requires a non-complying activity consent under 54(b) of the NES:FW.

Water permit (s14) - WAT60407691

National Environmental Standard for Freshwater Management (NES:FW)

- The proposed temporary diversion of surface water for the purpose of undertaking earthworks within 100m of a natural wetland. As such, the activity is a non-complying activity under 54(c) of the NES:FW.

Discharge permit (s15) - DIS60393060

National Environmental Standard for Freshwater Management (NES:FW)

- The proposed temporary discharge of treated sediment-laden water for the purpose of undertaking earthworks within 100m of a natural wetland. As such, the activity is a non-complying activity under 54(c) of the NES:FW.

Subdivision consent (s11) – SUB60393009

Auckland Unitary Plan (Operative in part)

Subdivision (operative plan provisions)

Subdivision - Urban

- Subdivision of a site with two or more zones requires consent as a restricted discretionary activity under E38.4.1 (A7).

- Subdivision of land within the 1 per cent AEP flood plain, the coastal erosion hazard area, and land which may be subject to land instability requires consent as a restricted discretionary activity under E38.4.1 (A11).
- Vacant sites subdivision involving parent sites of 1ha or greater not complying with Standard E38.8.3.1 requires consent as a non-complying activity under E38.4.2 (A10).
- Subdivision that does not meet E38.8.1.2 as the proposed Commonly Owned Access Lots serve more than 10 proposed rear lots requires a discretionary activity consent under E38.4.2(A31)
- Subdivision not otherwise provided for in Tables E38.4.1 and E38.4.2 is a discretionary activity. The proposed subdivision is not in accordance with an approved land use resource consent as it creates new infringements to Standard H4.6.11 Outlook space.

Scott Point Precinct

- Subdivision on a site complying with an approved framework plan requires consent as a restricted discretionary activity under Activity Table I.5.61.1.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES:CS)

- Consent for a restricted discretionary activity is required under Regulation 10 of the NES as the proposed change of use, subdivision and soil disturbance do not meet the requirements of a permitted activity under Regulation 8 of the NES:CS

The reasons for consent are considered together as a non-complying activity overall.

6. Status of the resource consents

Where a proposal:

- consists of more than one activity specified in the plan(s); and
- involves more than one type of resource consent or requires more than one resource consent; and
- the effects of the activities overlap;

The activities may be considered together.

Where different activities within a proposal have effects which do not overlap, the activities will be considered separately.

In this instance, the applicant has proposed subdivision around an approved development and therefore the land use component of this application needs to be granted and given effect to before the subdivision can proceed on the basis proposed.

The effects of the two resource consent types do not overlap. The land use consent could be given effect to without a subsequent subdivision. While the subdivision as applied for is reliant on the land use consent being granted, it is not a pre-requisite to apply for the two consents concurrently, and they could be applied for and considered separately.

Therefore, the activities will be considered separately for notification under s95 and decision-making under s104.

The activity status of the activities are as follows:

- Land use (s9): non-complying activity
- Water permit (s14): non-complying activity
- Discharge permit (s15): non-complying activity
- Subdivision (s11): non-complying activity

Land use consent, water permit & discharge permit (s9, s14 & s15) – LUC60393008 & DIS60393060 & WAT60407691

All references below to application shall be taken as relating only to the proposed land use consent and water and discharge permits.

7. Public notification assessment (sections 95A, 95C-95D)

Section 95A specifies the steps the council is to follow to determine whether an application is to be publicly notified. These steps are addressed in the statutory order below.

Step 1: mandatory public notification in certain circumstances

No mandatory notification is required as:

- the applicant has not requested that the application is publicly notified (s95A(3)(a));
- there are no outstanding or refused requests for further information (s95C and s95A(3)(b));
and
- the application does not involve any exchange of recreation reserve land under s15AA of the Reserves Act 1977 (s95A(3)(c)).

Step 2: if not required by step 1, public notification precluded in certain circumstances

The application is not precluded from public notification as:

- the activities are subject to a rule or national environmental standard (NES being the NESCS for soil disturbance which precludes public notification (s95A(5)(a)); however
- the application does not exclusively involve one or more of the activities specified in s95A(5)(b).

Step 3: if not precluded by step 2, public notification required in certain circumstances

The application is not required to be publicly notified as the activities are not subject to any rule or a NES that requires public notification (s95A(8)(a)).

The following assessment addresses the adverse effects of the activities on the environment, as public notification is required if the activities will have or are likely to have adverse effects on the environment that are more than minor (s95A(8)(b)).

Adverse effects assessment (sections 95A(8)(b) and 95D)

Effects that must be disregarded

Effects on persons who are owners and occupiers of the land in, on or over which the application relates, or of land adjacent to that land

The council is to disregard any effects on the persons who own or occupy the land in, on, or over which the activity will occur, and on persons who own or occupy any adjacent land (s95D(a)). The land adjacent to the subject site is listed in the following table:

Table 1

Address

- 2, 4, 6 & 8 Nightfall Way Hobsonville
- 1, 3, 5, 7, 9 & 11 Seawind Way Hobsonville
- 1 & 3 Ocean Breeze Avenue Hobsonville
- 1, 3 & 9 Aviation Drive Hobsonville
- 2 Turret Lane Hobsonville
- 2 Kokowai Parade Hobsonville 0618
- 16A, 17B, 17C, 17D & 18 Scott Road Hobsonville
- The Scott Esplanade



Any effect on a person who has given written approval to the application

No persons have given written approval to the application.

Effects that may be disregarded

Permitted baseline

The permitted baseline refers to the effects of permitted activities on the subject site. The permitted baseline may be taken into account and the council has the discretion to disregard those effects where an activity is not fanciful. In this case the permitted baseline is not considered relevant for the assessment of the application because any development within Scott Point Precinct requires resource consent.

With regard to construction noise, the applicant's agent, Ms Gao confirmed via email dated 01/08/2022, that the proposed works will comply with all the relevant permitted activity standards under E25 Noise and Vibration in the AUP. I therefore consider that the effects from such activities are anticipated by the Plan. I applied my discretion under s95E(2)(a) of the RMA to disregard the associated adverse effects in this regard. Any non-compliance would be subject to enforcement action and require additional consent(s) from the Council.

Assessment

Receiving environment

The receiving environment beyond the subject site includes permitted activities under the relevant plans, lawfully established activities (via existing use rights or resource consent), and any unimplemented resource consents that are likely to be implemented. The effects of any unimplemented consents on the subject site that are likely to be implemented (and which are not being replaced by the current proposal) also form part of this reasonably foreseeable receiving environment. This is the environment within which the adverse effects of this application must be assessed.

Cumulative effects

BUN60393014 forms part of the receiving environment. Cumulative effects must be taken into account.

Plan context

Case law has established that an effects assessment on a resource consent application under the RMA must be made in the "context of the legislation and the district plan" (*Discount Brands Ltd v Westfield (New Zealand) Ltd*). Particularly comments above in relation to the permitted baseline and receiving environment, where all new dwellings in the Precinct (including both the use and development aspects) require resource consent as a restricted discretionary activity, it is helpful to set out what I consider to be the correct plan context for my assessment.

The Scott Point Precinct:

The precinct is to be developed as a sustainable community with a compatible mix of residential and ancillary activities (Objective 1) that seeks to enable different types of housing and varying levels of intensification to provide a choice of living environments for a range of household needs (Objective 2). New residential development is expected to occur and will alter the existing character of these areas. The Precinct rules allow much higher density in the Mixed Housing Urban Zone and the Terraced Housing and Apartment Zone than their zone rules (for example, the maximum building coverage allows in this precinct for the Mixed Housing Urban Zone is 75% of a site whereas the zone rule allows only up to 45% building coverage). This shows a clear expectation that in this Precinct, these zones are to be developed with a higher density

than what the zones allow for as the precinct rule takes precedence over the zone rules (under 5.61.4 of the Scott Point Precinct chapter).

Whereas for the Single House Zone and Mixed Housing Suburban Zone, there are no rules other than the garage rules in the precinct plans and therefore the underlying zone rules apply. The Precinct, however, encourages higher density when it is appropriate (Objective 6). I consider the appropriate settings are the followings;

- When it is inland (away from the coast), or in central locations or adjacent to amenity features and public transports routes (Objective 5 and Policies 9 and 10);
- When the higher density is integrated with public transport networks, cycle and pedestrian networks (Policy 6)
- When it is complementary to the character of adjacent development and maintaining amenity (adequate sunlight access and minimised bulk and dominance) for adjoining sites (Policies 7 and 9).

Mixed Housing Suburban:

As noted in the background section, no rules or objectives and policies under the Proposed Plan Change 78 which have immediate legal effects are relevant to the proposal as the Scott Point Precinct is excluded from this plan change provision.

The zone also enables intensification, while retaining the neighbourhood's suburban built character (Objective 1 and 2). The followings are how I interpret what the planned suburban built character means in the context of the zone rules;

- Height:
 - Predominantly two storey building, in a variety of forms (attached and detached) and provides quality on-site residential amenity for residents and adjoining sites and the street (Objective 2 and 3 and Policy 2). By the definition from the Oxford Dictionary, “predominantly” means; “Mainly”; “For the most part”.
 - The wording, “predominantly”, are commonly used in the Plan in other residential zones, namely the Single House Zone (“predominantly one to two storeys buildings” H3.2.2.), the Mixed Housing Urban Zone (“predominantly three-storey buildings” H5.2.2.), and the Terraced Housing and Apartment Zone (“predominantly five, six or seven storey buildings” H6.2.2).
 - It is also understood that the Plan does not preclude three-storeys buildings development in the Mixed Housing Suburban Zone. For example, the zone rule allows a building height of 8m with an additional 1m for the roof area. Generally, a residential dwelling has a floor-to-floor height of 2.7m and therefore with the additional roof area, a three storeys building can comfortably meet the height rule, being 8.1m in height. Although the objectives and policies specify that 2 storeys buildings are of a character of the zone, the height rule is more generous, allowing 3 storeys in height.
 - This explains the wording “predominantly”. In many situations, with the Height in relation to boundary rule (HIRB), 2 storeys buildings safely fit in

the zone. However, where the contour allows or if designed appropriately (using the roof height rule), a three-storey building can be built by right and this forms part of the receiving environment.

- In addition to this, Standard H4.6.6 Alternative height in relation to boundary provides more flexibility to the building height to the buildings located close to the street frontage. The Plan does not require to assess any visual dominance effects to neighbours (as per the purpose of the standard and H4.8.2 Assessment criteria 4). This gives an indication that higher buildings with narrower separations from the side boundaries are encouraged when the sites are close to the street frontage.
- Other built form controls:
 - Other built form controls also play important roles in what makes a proposal achieve the look of “the planned suburban built character”. The standards that directly relate to the planned suburban character, other than the height-related rules, are; Standard H4.6.7 Yards; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area, evident by the purpose of the standards directly referring to the planned suburban character.
- Intensity:
 - Up to three dwellings per site is permitted under the zone rule H4.4.1 (A3). However, noting the site size, other approved framework plans, development patterns as well as the precinct’s description, objectives and policies and the precinct plans, it is reasonable to expect that the site will be developed with more than 3 dwellings and will have a similar pattern of residential development to that of recent developments in the neighbourhood, noted in the Background section.
- Site context:
 - This is addressed in the Background section of the report. There are a number of unimplemented consents that are being or likely to be implemented on the neighbouring sites. This forms part of the receiving environment.
 - The neighbourhood has a mixture of detached and attached building typologies, which are mostly 2-storeys.

Adverse effects

Framework plan

- Given the location of Roa Avenue proposed at 17B Scott Road, it would be challenging for this site to provide the continuation of Roa Avenue down to the southern side of Scott Road, unless a comprehensive development with 16A Scott Road is proposed. This is beyond the scope of this application, and I do not wish to comment further. Whether this road is going to be continued through 16A Scott Road is unknown, and this shall be assessed at its own consenting process. At this stage, I am comfortable with the current site layout, even though this is not entirely consistent with the Framework plan. I consider the applicant appropriately responded to the fixed location of Roa Avenue for the following reasons:

- The proposal will create a small on-street pocket park on their side, which will integrate with the existing Kokowai Parade intersection. The on-street pocket park will be appropriately designed as the applicant offered a consent condition to provide detailed design at an engineering plan approval stage.
- Similarly, the applicant has provided the required ecological corridor on their side. The Council's landscape architect and Parks planner have reviewed the application and have not raised any issues with regard to the proposed landscaping. Although there will be no sense of continuation, the proposal instead extends this road horizontally, connecting east to west. A well-landscaped pedestrian path that connects the site and the neighbourhood to the existing esplanade reserve will also be provided, as confirmed by the Council's landscape architect. This will provide a long ecological corridor throughout the site to the existing esplanade.
- There will be less than minor adverse effects walkability of the neighbourhood. The proposed roading layout still adequately connects north to south and east to west. The above-mentioned pedestrian path will further extend the vertical connection to the esplanade reserve. I consider this is acceptable, given the Precinct's emphasis on walking and cycling connections.

Overall, I consider there will be less than minor adverse effects from the proposed layout and roading connections to the public.

Streetscape and neighbourhood character

- The proposal is for mostly two storey units with some three storey units. Although the Council's urban design specialist, Mr Valenzuela, notes that this is not generally envisioned in the Mixed Housing Suburban Zone which is predominantly for two storey buildings, as noted in my Plan Context assessment, I consider that three storeys buildings are of the scale and form which in some circumstances can be anticipated in the zone, when they are designed appropriately. In this case the development proposed three level dwellings for Units 34 – 38 and Units 102 -111, being only 15 dwellings out of the 112 proposed. It is considered the overall development maintains a predominant two level form. With respect to Units 34 – 38 these will only be viewed as three levels internally from proposed the shared accessway (future COAL D). When viewed from future Limestone Drive they will maintain a two level appearance to the future public streetscape. For Units 102 -111, they will appear as three levels when viewed from the future Limestone Drive, however, this is managed through compliance with the average height 8m standard. Mr Valenzuela notes that the building bulk and overall residential appearance will be commensurate with its neighbourhood environment, considering the receiving environment described in the background section.
- Good street activations have been provided through location of the living rooms and the garages, as confirmed by Mr Valenzuela. Where the garages are visible, they are recessed and mostly limited to a single garage. Most of the proposed parking spaces are visible from the Commonly Owned Access lots. This will further mitigate any adverse effects from the proposed bulk on the existing and future streetscape.
- It is noted that the extent of the front yard (as well as the future infringements after the roads are created) is not minimal. However, I do not consider that the buildings will visually dominate the streetscape, given that good street activations are provided, and these units are similar to the developments that are likely to be implemented within the surrounding

environment and will therefore not appear out of character, as confirmed by Mr Valenzuela. Mr Valenzuela also notes that most of the retaining walls will not be visible or where visible, they are up to 1m high from the ground with timber materials, which will visually integrate with the proposed fences. The only exception is for the retaining wall around unit 101 which will have a maximum height of 2.1m and will decrease to 1.4m. This will partially front future Picnic Point Road, whilst the greatest height will be internal to the shared accessway (future COAL D). Where it does front future Picnic Point Road fencing above will be kept to low 1.2m pool style fence and the corner is to feature a specimen tree (Nestegis Apetala) and hedging. I consider that any associated visual effects will be less than minor as this is only limited to one corner of the lot and the wall will be built with keystone, which is visually more pleasing when compared to timber retaining walls. I adopt Mr Valenzuela's assessment.

- With regard to the height and height in relation to boundary infringements, I note the following;
 - Mr Valenzuela notes that most of the infringements will unlikely to be discernible as the infringement relates to a height between 1m – 1.5m for the upper section of the roofs.
 - The height infringements relate to units 35 – 38 which are located in the south – western corner of the site and will be located across the road from the vacant lots located in the Single House Zone. I however note that a good transition is provided from the upper part of the site to the lower part given its natural contours. The setback provided by the proposed vacant lots and Limestone Road from the coastal environment will ensure a gradual transition in height is achieved.
 - The subject units present a well-articulated architectural response facing the street with appropriate landscaping. I consider that the proposal will not look out of character and sit comfortably within the soon-to-be established neighbourhood.
- With regard to the site layout, from an urban design perspective, it is understood that the site layout is logical with buildings generally fronting the street with connections provided to the wider public street network.
- Appropriate street landscaping has been proposed, as confirmed by Mr Sterling.
- As noted in the receiving environment, up to three dwellings is permitted per site, it is reasonable to expect that the site will be developed with more than 3 dwellings and will have a similar pattern of residential development to that of recent developments in the neighbourhood, noted in the Background section. Whilst it will increase the intensity in traffic movements and general residential noise and activities, these will remain residential in nature with the additional activities being able to be absorbed within the road network (this is discussed in the below section). Given that the neighbourhood's character has not been fully established yet and there is a clear plan provision's direction on intensification and other developments have been given effect to it, the proposed intensity will comfortably sit in the receiving environment. With the generous size of the lots and their locations, it is considered that the proposal provides opportunities for a gradual transition from the suburban environment as well as passive surveillance over the public spaces, including Limestone Drive, the proposed public accessway and the esplanade reserve. I note that any building within the Precinct requires a resource consent, which will ensure that any development within these lots responses positively to the public spaces.

Effects to the public infrastructure and the receiving freshwater bodies

- The Council's development engineer, Mr Fu, has reviewed the application materials and confirmed that appropriate public infrastructure connections have been proposed. Mr Fu also confirmed in his memo that the asset owner, Watercare Services Limited, has confirmed that the existing network can cater the proposed development. From the discussions Council had with WSL, it is understood that there may not be enough capacity for future developments in the surrounding area after servicing this development. However, the WSL notes that they have a first-in-first-serve policy and provided their approval. I therefore adopt their assessment and will not comment further.
- In addition, the applicant has proposed a number of mitigation measures, including the provision of raingarden and stormwater mitigation tanks, to mitigate the adverse effects from stormwater runoff from the newly proposed impervious area. Mr Fu and the Healthy Waters specialist, Mr Challis, have confirmed that this has been designed in accordance with the Scott Point Stormwater Management Plan and the underlying Regionwide Stormwater Network Discharge Consent requirements.
- With regard to the stormwater treatment devices for the roads, the applicant proposed consolidated downstream bioretention device for this development. Mr Tehrani, Auckland Transport's Development Planner, noted that the bioretention devices proposed were small concrete raingardens that do not comply with the Transport Design Manual (TDM) and will require a Departure from Standards (DFS) approval at EPA stage from AT, which must demonstrate other alternatives being infeasible. Mr Tehrani also notes that he does not support proposed such devices due to health and safety effects and costs to the asset owner (being AT). There is no further explanation on why they consider such devices have health and safety effects.
- There are no rules under the Auckland Unitary Plans that require the proposal to meet the Auckland Transport's design manual. It is understood that obtaining a DfS is a separate process and as the asset owner, AT will be assessing its compliance with their TDM at their own approval stage. Looking at this issue within the scope of the RMA, I consider the currently proposed stormwater devices will appropriately mitigate any adverse effects to receiving freshwater bodies from the stormwater runoff because the proposal aligns with the Scott Point SMP and the NDC, as confirmed by Mr Challis and Mr Fu. The applicant is well aware of the AT's position on the proposed raingardens and potential risks of not being able to give effect to this consent and will require a new resource consent(s), if AT does not approve this at the EPA and DfS stage, as an asset owner. Given that the applicant accepted a consent condition requiring an EPA at the s224c stage, I consider that any associated adverse effects can be effectively managed through these approval stages and therefore will be less than minor.

Given the above, I consider that the proposal is appropriately designed in a way any adverse effects to the existing public infrastructural system and the receiving freshwater systems will be less than minor.

Effects on transport networks and connectivity

Traffic generation, road safety and Scott Road upgrade

- Both AT and the Council's traffic engineer, Mr Shumane, reviewed the provided Integrated Transport Assessment and consider that the adjacent transport network has the capacity to accommodate the anticipated vehicle movements during peak hours (between 95 and 110 peak hour movements).
- With regard to the road safety, Mr Shumane notes that the design and location of the vehicle accesses and crossings are acceptable, if a clear visibility is achieved in both directions. He notes that the vehicle crossings for future COAL A, Unit 11 / 12, 75 / 76, Units 13 to 16, 17 to 33, 39-53, COAL D and Units 86 to 88, which could potentially have a visibility issue. Although the ITA states that all crossings comply with the visibility platform (4.0 m long with a gradient not steeper than 5.0%) requirement, we consider that some of the fences and landscaping proposed could potentially hinder intervisibilities between cars and pedestrians, especially for young children. Mr Shumane notes that the height of the fences and landscaping should be restricted to 900mm where there is a safety concern. Given the applicant accepted the conditions, I consider any adverse effects from the proposal will have less than minor adverse effect to pedestrian and road safety.
- Private refuse trucks will not be able to manoeuvre within the shared accessways and they will reverse out to the street. Mr Shumane examined the geometry of roads outside all shared accessway's (as well as visibility) and considers that this is acceptable as the recommended consent conditions are accepted by the applicant.
- It is also confirmed by AT and Mr Shumane that appropriate intersection treatment, a raised intersection, will be provided to ensure safe and efficient movement within this intersection.
- The proposal provides at least one parking space per unit and 35-40% of the units will have two parking spaces. This is considered appropriate and will ensure that any parking overspill effects are less than minor. The applicant proposes a number of on-street parking bays and some visitor parking spaces within the proposed shared accessway (future COAL B). Any potential demand, including for visitors, will sufficiently be accommodated within the proposed streets.
- For the loading spaces, given that for residential areas, loading spaces are generally for rubbish collections or moving trucks, I consider that the proposed public roads can accommodate any potential loading space demand.
- Detailed designs for the public roads will be provided at an Engineering Plan Approval stage. The applicant noted that the proposed road cross sections will be generally in accordance with the existing roads. This will be reviewed and assessed against the relevant Code of Practice at the EPA stage. At the resource consent stage, I consider sufficient information has been provided to consider that there will be less than minor adverse effects to the transport networks. As mentioned above, any potential safety and maintenance issues with the proposed raingardens will be addressed at the EPA stage.

Overall, I adopt Mr Shumane and AT's assessments and consider that any adverse effects to the transport networks will be less than minor.

Natural hazards and the coastal revetments

Flooding/overland flow path

- In terms of the flooding hazard, the flood flow for 100 years ARI (Average Recurrence Interval) rainfall event will be directed to the public roads and discharge to the coast environment through a formed channel reserved along the shared boundaries of Lot 30 and

31. Mr Fu considers that the proposed roads and their associated stormwater network systems will be designed to cater such overland flows and therefore the flood hazard of the neighbourhood will not be exacerbated.

Land instability issue

- The Council's geotechnical specialist, Ms Lee, has reviewed the provided geotechnical assessment and considers that the site can be safely developed from a geotechnical/stability perspective, if the recommended conditions are adopted. The applicant accepted the consent conditions. Further details are to be checked at a later stage through the consent conditions. An augier condition is added to ensure that this consent has been written on the basis that the works outlined within BUN60393014 including bulk earthworks, slope stabilisation retaining have been implemented.

Coastal erosion hazard and effects to the coastal environment

The Regulatory Coastal Specialist, Ms Sivaguru, the Parks team's coastal advisor, from Coastal Management Practice, Mr Soltau, and the Parks specialist, Mr Stirling, have reviewed the proposal and supporting documents.

Coastal erosion hazard

- The site is within a Coastal Erosion Hazard Area (CEHA) and the applicant proposes dwellings, public infrastructure, including the public roads, and subdivision within this CEHA. In order to mitigate any coastal erosion hazard issues, the applicant proposes to construct a rock revetment within the CEHA but outside of the Coastal Marine Area. This will be located within the existing esplanade reserve and is subject to a Landowner Approval. It is understood that if no approval is given by the landowner, i.e. Council, the applicant will not be able to give effect to the consent fully.
- It is considered that subject to appropriate design and construction and ongoing maintenance, the proposed rock revetment will reduce the erosion and instability risk area such that the proposed development is likely to be outside the ASCIE line calculated for the 100-year period to 2130.
- The detailed design and specific inputs and outcomes that are necessary for appropriate coastal solution will be necessary to refine through the Detailed Engineering Design review process which will need to incorporate any design implications triggered by a Landowners Approval. Given this, we have imposed a set of consent conditions to make sure that the structures are designed, constructed and maintained appropriately and therefore mitigate any coastal hazard erosion issues. No works (excluding earthworks) within the area that is susceptible to the coastal hazard erosion hazard can commence prior to receiving an approval from Council on the detailed designs. The applicant has accepted these consent conditions and therefore I consider that any adverse coastal hazard erosion effects to the public will be less than minor.

Provision of public access to the Coastal Marine Area

- The current proposal provides one access point (a staircase) from the top of the revetment to the foreshore. It is clear from the RMA and the Policy Statement that maintaining and providing public access to and along the coastal marine area is a matter of the national significance and any development in the coastal environment must,

- enhance public access to and along the coastal marine area;
 - be designed to minimise impacts on public use of and access to and along the coastal marine area; be set back to protect public open space values and access;
 - and not compromise access for future generations. It is acknowledged that the proposal is providing one access point, which is an enhancement when compared to the status quo where no formed access point is provided.
- Mr Stirling considers that protection of the esplanade reserve as well as the private allotments provides public benefit due to the preservation of appropriate topography and useable esplanade reserve enabling the development and enjoyment of pedestrian and recreational connections along the coastal margin, when compared to the status quo. He however notes that given this is to be built within the Council's land, as the landowner and that the esplanade reserve will be a key public open space for the community, Council may have the desired recreational outcomes with regard to access to the foreshore and the revetment may restrict what Council wants to do in the future in this area. This is to be discussed at a Landowner Approval (LoA) stage. The need for an LoA has been expressly communicated to the applicant who accepts that any consent to establish coastal revetment within the esplanade reserve cannot be given effect to until such Approval has been obtained. This is a critical consideration as failure to secure Landowner Approval through the Local board may necessitate a new consent/variation to the consent.
 - I agree with Mr Stirling and further note that the stairwell access has been provided at a point which is adjacent to the pedestrian access to Scott Esplanade, such that one clear and legible public access route is provided from the intersection of future Limestone Drive and Picnic Point Road to Scott Esplanade and down onto the foreshore. The site is located adjacent to the future neighbourhood reserve (part of Scott Esplanade) and this will be the primary access point into the Scott Esplanade for the general public and onto the foreshore. I consider that any adverse effects to the public in this regard will be less than minor.

Stormwater Outfall

- Mr Sterling also notes that the proposed stormwater management design includes the construction and continued operation of a stormwater outlet that will discharge all primary stormwater catchments to the Coastal area within the existing esplanade reserve.
- The proposed outlet design incorporates a wingwall and riprap structure into the proposed coastal rock revetment. Parks Planning has no concern with the proposed outlet in the context of any potential effects on the recreational and pedestrian access functionality of the esplanade reserve.
- Ms Sivaguru notes that the stormwater outlet is within the future ASCIE, but the risk for that structure from the coastal hazard is low and it can be relocated if necessary.
- No concerns were raised by the Council's ecologist and the Healthy Waters specialist with regard the structure. They note that further details are to be reviewed at a later stage, (LOA and EPA).

Ecological effects

- As the entire site will be cleared of vegetation and other debris, all lizard and birds habitat will be altered or destroyed, if they are any. The Council's ecologist, Ms Bergquist, concurs

with the provided ecological assessment and appropriate mitigations, including Lizard management and avoiding bird nesting seasons, will be adopted.

- The Council's arborist, Mr Caldwell, notes that there does not appear to be any trees of particular merit within the coastal area, with in being dominated by pest plants and Pine trees. There does not appear to be any native trees greater than 3m in height being removed and he does not believe that the vegetation on site would meet the definition for contiguous.

Visual effects

- The Council's landscape architect, Mr Murphy, notes the following with regard to the proposed landscaping;
 - The plant palette has been amended to include more suitable coastal native species and the ratio of native to exotic trees has been increased. This will contribute to the character sought by the Precinct Plan and therefore is acceptable.
 - Both hard and soft landscape elements are in keeping with the typical response for such a development and achieve the outcomes sought by the Plan. the proposal is reflective of the coastal harbour edge setting.
 - The nine coastal edge lots do not include dwellings for the purpose of this application therefore there are no potential adverse visual effects to consider. Any potential adverse effects should be considered when an application for these properties is lodged.
 - The proposed rock revetment will be in keeping with the existing coastal environment where other similar walls are found. The visibility of the wall will be limited to a small viewing audience and generally not visible from inland.

I agree with the assessment provided by Mr Murphy and consider any visual adverse effects from the proposal, including the proposed rock revetments.

Contaminated land and effects to human health

- The Council's contamination specialist, Ms Rudsits, has confirmed that the provided Detailed Site Investigation report is prepared in a manner that accepted by Council and fulfils the requirement of Regulation 9(1) of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES:CS). She further notes that the soil contamination profile of the site is suitable for the proposed development and there will be a low risk to human health of human as a result of disturbing soils. Due to a number of reported soil concentrations exceeding the applicable background concentrations, Remediation Action Plan responds to many of the risks posed by soil contamination and outlines a general approach to the works that is sufficient to control these risks.
- Appropriate sediment and erosion controls will be in place.
- I adopt Ms Rudsits's professional opinion and consider that any adverse effects to human health and to the wider environment, including the receiving waterbodies, will be less than minor.

Construction effects

- The proposal is to undertake additional earthworks within the site, Scott Road and the esplanade reserve to provide stable platforms for the roads, buildings and the coastal revetment structures. Appropriate mitigation measures will be provided to ensure that any construction effects to the environment are less than minor. A number of consent conditions are recommended to ensure that the erosion and sediment controls and other mitigation measures, including the provision of CTMP, are prepared and in place in a comprehensive manner.
- As explained in the receiving environment section, any actual and potential cumulative effects from BUN60393014 and this application must be assessed. The Council's specialists, Mr Pope and Ms Lee, have reviewed the application in this regard and consider that the conditions imposed under BUN60393014 and the conditions for this application accepted by the applicant will effectively mitigate any actual and cumulative adverse effect to a less than minor level. In a scenario where the applicant gives effect to the two consents at the same time, an augier condition and pre-start meeting requirement requesting how the associated effects will be managed.
- Dust, noise and vibration effects will be effectively managed through the recommended conditions. The site will be progressively stabilised against erosion at all stages of the earthwork activity.
- The proposal will result in temporary discharge of treated sediment-laden water and diversion of surface water within 100m the coastal environment and includes earthworks within a 10m setback from the natural wetland, which triggers consents under the National Environmental Standard for Freshwater Management (NES:FW). Mr Pope considers that a number of mitigation measures, such as utilising super silt fence and cleanwater diversion and undertaking works in staged "cut and cover" basis.
- Given the current complex roading situation due to a large number of construction activities happening in the neighbourhood, it was agreed that a finalised construction traffic management plan approved by Auckland Transport is to be submitted to Council by way of condition of consent.

As such, considering the receiving environment, I consider that any adverse construction effects from the proposed works will be appropriately mitigated to a less than minor level through a set of consent conditions.

Adverse effects conclusions

In summary, the adverse effects of the proposed development on the wider environment are considered to be less than minor given the reasons above.

Step 4: public notification in special circumstances

If an application has not been publicly notified as a result of any of the previous steps, then the council is required to determine whether special circumstances exist that warrant it being publicly notified (s95A(9)).

Special circumstances are those that are:

- Exceptional, abnormal, or unusual, but something less than extraordinary or unique;

- outside of the common run of applications of this nature; or
- circumstances which make notification desirable, notwithstanding the conclusion that the activities will not have adverse effects on the environment that are more than minor.

In this instance I have turned my mind specifically to the existence of any special circumstances and conclude that there is nothing exceptional or unusual about the application, and that the proposal has nothing out of the ordinary run of things to suggest that public notification should occur.

Public notification conclusion

Having undertaken the s95A public notification tests, the following conclusions are reached:

- Under step 1, public notification is not mandatory.
- Under step 2, there is no rule or NES that specifically precludes public notification of the activities, and the application is for activities other than those specified in s95A(5)(b).
- Under step 3, public notification is not required as the application is for activities that are not subject to a rule that specifically requires it, and it is considered that the activities will not have adverse effects on the environment that are more than minor.
- Under step 4, there are no special circumstances that warrant the application being publicly notified.

It is therefore recommended that this application be processed without public notification.

8. Limited notification assessment (sections 95B, 95E-95G)

If the application is not publicly notified under s95A, the council must follow the steps set out in s95B to determine whether to limited notify the application. These steps are addressed in the statutory order below.

Step 1: certain affected protected customary rights groups must be notified

There are no protected customary rights groups or customary marine title groups affected by the proposed activities (s95B(2)).

In addition, the council must determine whether the proposed activities are on or adjacent to, or may affect, land that is subject of a statutory acknowledgement under schedule 11, and whether the person to whom the statutory acknowledgement is made is an affected person (s95B(3)).

Within the Auckland region the following statutory acknowledgements are relevant:

- Te Uri o Hau Claims Settlement Act 2002
- Ngāti Manuhiri Claims Settlement Act 2012
- Ngāti Whātua Ōrākei Claims Settlement Act 2012
- Ngāti Whātua o Kaipara Claims Settlement Act 2013
- Te Kawerau ā Maki Claims Settlement Act 2015
- Ngāti Tamaoho Claims Settlement Act 2018

- Ngāi Tai Ki Tāmaki Claims Settlement Act 2018

In this instance, the proposal will occur adjacent to land that is subject to a statutory acknowledgement, however the proposal will not result in adversely affected persons in this regard because the applicant will adopt all the recommendations suggested by the relevant iwi groups. As noted in the background, Te Kawerau ā Maki and Ngāti Whātua o Kaipara note a number of potential effects from the development, however, are not opposed to the development if the recommendations are adopted.

An Archaeological survey has also been conducted which concludes that the risk of encountering any new archaeological sites is reasonably low, and can be managed by the Accidental Discovery Protocol (ADP). The Council's heritage specialist, Ms Plowman, generally concurs with the provided assessment and note that the recommended conditions and meeting the Accidental Discovery Rule will minimise the potential effects on known archaeological sites within the application area.

In addition, the Council's regional earthworks specialist, Mr Pope, has reviewed the proposal and considers that the proposed earthworks will be appropriately managed by the proposed mitigation measures and the consent conditions.

The applicant has accepted sets of consent conditions recommended by the iwi groups, Ms Plowman, and Mr Pope. I therefore consider that no persons in this regard are considered affected person under section 95E of the RMA.

Step 2: if not required by step 1, limited notification precluded in certain circumstances

The application is not precluded from limited notification as:

- the application is not for one or more activities that are exclusively subject to a rule or NES which preclude limited notification (s95B(6)(a)); and
- the application is not exclusively for a controlled activity, other than a subdivision, that requires consent under a district plan (s95B(6)(b)).

Step 3: if not precluded by step 2, certain other affected persons must be notified

As this application is not for a boundary activity, there are no affected persons related to that type of activity (s95B(7)).

The following assessment addresses whether there are any affected persons that the application is required to be limited notified to (s95B(8)).

In determining whether a person is an affected person:

- a person is affected if adverse effects on that person are minor or more than minor (but not less than minor);
- adverse effects permitted by a rule in a plan or NES (the permitted baseline) may be disregarded; and

- the adverse effects on those persons who have provided their written approval must be disregarded.

Adversely affected persons assessment (sections 95B(8) and 95E)

No persons are considered to be adversely affected by the proposal because:

Amenity effects:

- There will be less than minor visual effects to persons at the neighbouring sites. The proposed dwellings are in a form and scale that is anticipated within the neighbourhood and the Precinct, as confirmed by Mr Valenzuela. As mitigations, the proposed architectural strategies, use of glazing, different materials and colours for the façade, and different roof forms, as well as soft and hard landscaping are designed to appropriately respond to the adjacent sites.
- With regard to the proposed retaining walls, they are mostly cut retaining walls and therefore they will not be visible from the neighbouring sites. I note that some of the cut retaining walls could still be visible. Appropriately fencing and landscaping are proposed to screen the retaining walls when viewed from the neighbouring sites.
- Whilst the development of residential units will introduce associated activity that occurs alongside, including traffic movements and general residential noise and activities, these will remain residential in nature with the additional activities being able to be absorbed within the road network (as noted in the public notification assessment) and compliant with residential noise standards. Given that the neighbourhood's character has not been fully established yet and that the proposal is consistent with the Precinct's desired outcome, with the provided services and new roads. Such development pattern is easily observed in the Precinct as the neighbouring sites were also developed through a number of framework plans, creating more than 50-100 vacant lots/dwellings per site, namely the former 4, 8A, 10 and 20 Scott Road developments.
- While Unit 7 utilises the Alternative HIRB standards, any associated adverse effects to 1 Ocean Breeze Avenue will have less than minor adverse effects. The provided shading diagram shows that the shading will only occur around 1-4pm at the September equinox, with a very minimal shading over the boundary. Given the location and the size (being more than 20m²) of the outdoor living space shown in the latest building consent of this site (BCO10295815), any associated shading effects will be less than minor as the shading diagram demonstrates that there will be at least four hours of access to sunlight over the outdoor living space of this property. With regard to any visual dominance effects, the building is a two-storey building and in the zone's anticipated scale and form. The windows facing this property have an appropriate setback from the boundary and are high sill windows and therefore any associated privacy effects will be less than minor.
- Similarly for Units 8 and 16, infringing the HIRB standard, I do not consider that any persons at 2 and 6 Nightfall Way, will have minor or more than minor adverse effects. The shading diagram shows that at the September Equinox, most of the outdoor space will be free from any shading until 2pm. In winter seasons, it is expected to have a shorter access to sunlight, however this considered acceptable, given the size of the outdoor living spaces of these properties. In addition, these units do not have any windows facing these adjacent sites. With the proposed fencing, I consider that there will be less than minor privacy effects

associated with the subject units. The buildings are two-storey and with the use of a range of architectural and landscaping strategies, I consider any visual adverse effects to persons at the adjacent sites will be less than minor.

- 16A Scott Road is currently vacant and therefore there will be no immediate adverse effects from Unit 34 infringing the HIRB standard. In the context of any future development which may occur it is noted that, 16A Scott Road is located to the west of the proposed Unit 34. The shading diagram shows that at the September Equinox, that 16A Scott Road would be free from shading from 10am. In winter seasons, it is expected to have a shorter access to sunlight, however this considered acceptable and would be negligible compared to a compliant building bulk, noting only the roof and gable are infringing. No glazing is proposed within the infringement areas and the building will have an elevated two-level from built into the topography of the land with the basement third level beneath.

Construction effects

- I note that works within Scott Road may require detours for the residents of these sites, however, this will be temporary in nature and will eventually benefit those residents as the Scott Road upgrade will provide safe and efficient connections to their properties. The CTMP will be submitted to Auckland Transport and Council for review at the monitoring stage.
- The proposed earthworks and construction works will be expected to be undertaken in accordance with the citywide and best practice construction noise standards and any potential adverse noise effects are anticipated to be less than minor. The level of construction work is anticipated by the AUP (OIP) within the area given the urban zoning.
- Appropriate site management methods to mitigate any adverse effects from disturbing potentially contaminated soil will be implemented during the construction work to ensure that any adverse effects to persons' at the adjacent sites are less than minor.

Natural hazards

- The existing overland flowpaths will be appropriately diverted within the site and discharged through the proposed public system. There will be no flooding hazards effects exacerbated by the proposal.
- With regard to the land stability, Ms Lee confirms that there are significant excavations and retaining proposed along the site boundary. The applicant has provided a Letter by ENGEO (dated: 25 July 2022) which assesses the effects and reports the effects on neighbouring structures and services to be negligible or outside the zone of influence. Recommendations have been provided for foundation design, retaining wall design and considerations, pavement design and monitoring of works. ENGEO have also recommended for specific retaining wall construction methodology and advised continuous flight auger methods may be adopted and casing for bored piles. She notes that preliminary assessments are acceptable however further detail is necessary as part of project progression and undertaking. Therefore, a detailed construction methodology is required to support this consent prior to undertaking any works. A consent condition in this regard is imposed and accepted by the applicant.
- The applicant proposes a permanent structure and revegetation within Council's land, Scott Esplanade. At this stage, the Council's Parks Planner, Mr Sterling does not have any issues with the proposed structures. As discussed in the public notification assessment, further

discussion and investigation on the revetment structures and the replanting are to be undertaken at a separate approval stage. When viewed from the adjacent sites, the structure will not be visible and with the proposed revegetation, removing the existing pest and undesired plants, there will be less than minor visual effects to persons at the adjacent site. The adverse effects to the landowner of this land, i.e. Council are addressed in the public notification assessment.

Infrastructure capacity

- Mr Fu confirms that Watercare Services Ltd has reviewed the application and confirmed that the proposal is supported with adequate capacity of wastewater network and water supply system. Other infrastructure networks are also considered appropriate and therefore there will be less than minor adverse effects to persons at the neighbouring sites in this regard.

Effects to the relevant iwi groups

- As discussed in Step 1, the applicant had consulted with the relevant iwi groups and have received their Cultural Impact Assessments, which address that they do not oppose the proposal. The applicant agreed to adopt the measures requested by the relevant iwi groups and therefore any adverse effects to the mana whenua values would be less than minor.

Step 4: further notification in special circumstances

In addition to the findings of the previous steps, the council is also required to determine whether special circumstances exist in relation to the application that warrant it being notified to any other persons not already determined as eligible for limited notification (excluding persons assessed under section 95E as not being affected persons).

Special circumstances are those that are:

- Exceptional, abnormal, or unusual, but something less than extraordinary or unique;
- outside of the common run of applications of this nature; or
- circumstances which make limited notification to any other person desirable, notwithstanding the conclusion that no other person has been considered eligible.

In this instance I have turned my mind specifically to the existence of any special circumstances under s95B(10) and conclude that there is nothing exceptional or unusual about the application, and that the proposal has nothing out of the ordinary run of things to suggest that notification to any other persons should occur.

Limited notification conclusion

Having undertaken the s95B limited notification tests, the following conclusions are reached:

- Under step 1, limited notification is not mandatory.
- Under step 2, there is no rule or NES that specifically precludes limited notification of the activities, and the application is for activities other than that specified in s95B(6)(b).
- Under step 3, limited notification is not required as it is considered that the activities will not result in any adversely affected persons.

- Under step 4, there are no special circumstances that warrant the application being limited notified to any other persons.

It is therefore recommended that this application be processed without limited notification.

9. Notification recommendation – LUC60393008

Non-notification

For the above reasons under section 95A this application may be processed without public notification.

In addition, under section 95B, limited notification is not required.

Accordingly, I recommend that this application is processed non-notified.



Hailey Kim
Senior Planner
Resource Consents

Date: 8 September 2022

10. Notification determination – LUC60393008

Acting under delegated authority, and for the reasons set out in the above assessment and recommendation, under sections 95A and 95C to 95D, and 95B and 95E to 95G of the RMA this application shall be processed non-notified.



Brogan McQuoid
Team Leader
Resource Consents

Date: 8 September 2022

Subdivision consent (s11) – SUB60393009

All references below to application shall be taken as relating only to the proposed subdivision consent.

11. Public notification assessment (sections 95A, 95C-95D)

Section 95A specifies the steps the council is to follow to determine whether an application is to be publicly notified. These steps are addressed in the statutory order below.

Step 1: mandatory public notification in certain circumstances

No mandatory notification is required as:

- the applicant has not requested that the application is publicly notified (s95A(3)(a));
- there are no outstanding or refused requests for further information (s95C and s95A(3)(b)); and
- the application does not involve any exchange of recreation reserve land under s15AA of the Reserves Act 1977 (s95A(3)l).

Step 2: if not required by step 1, public notification precluded in certain circumstances

The application is not precluded from public notification as:

- the activities are not subject to a rule or national environmental standard (NES) which precludes public notification (s95A(5)(a)); and
- the application does not exclusively involve one or more of the activities specified in s95A(5)(b).

Step 3: if not precluded by step 2, public notification required in certain circumstances

The application is not required to be publicly notified as the activities are not subject to any rule or a NES that requires public notification (s95A(8)(a)).

The following assessment addresses the adverse effects of the activities on the environment, as public notification is required if the activities will have or are likely to have adverse effects on the environment that are more than minor (s95A(8)(b)).

Adverse effects assessment (sections 95A(8)(b) and 95D)

Effects that must be disregarded

Effects on persons who are owners and occupiers of the land in, on or over which the application relates, or of land adjacent to that land

The council is to disregard any effects on the persons who own or occupy the land in, on, or over which the activity will occur, and on persons who own or occupy any adjacent land (s95D(a)).

This is addressed in the notification assessment of LUC60393008 and will not be repeated here.

Any effect on a person who has given written approval to the application

No persons have given written approval to the application.

Effects that may be disregarded

Permitted baseline

The permitted baseline refers to the effects of permitted activities on the subject site. The permitted baseline may be taken into account and the council has the discretion to disregard those effects where an activity is not fanciful.

In regard to the proposed subdivision, there is no relevant permitted baseline as all subdivision activities (with the exception of some long-term leases, and subdivision around a network utility) require resource consent under the Auckland Unitary Plan (Operative in Part)].

Assessment

Receiving environment

The receiving environment beyond the subject site includes permitted activities under the relevant plans, lawfully established activities (via existing use rights or resource consent), and any unimplemented resource consents that are likely to be implemented. The effects of any unimplemented consents on the subject site that are likely to be implemented (and which are not being replaced by the current proposal) also form part of this reasonably foreseeable receiving environment. This is the environment within which the adverse effects of this application must be assessed.

This is addressed in the notification assessment of LUC60393008 and will not be repeated here.

Adverse effects

- Appropriate services and a physical and legal access with appropriate easements have been provided to each lot.
- The provided roading and pedestrian connections are considered appropriate. Both Auckland Transport and Mr Shumane support the proposed roading layout. The proposed roads will be appropriately designed to ensure the road safety and cater the expected traffic volumes of the neighbourhood.
- The proposed subdivision will occur around a proposed residential development, the amenity values and character of which have been assessed above and found to be consistent with the anticipations of the precinct and the AUP (OP). The proposed subdivision with residential lot sized between 80m² and 301m², in a form and layout that comfortably sit within the Precinct.

- The vacant lots within the Single House Zone meet the minimum lot size and average net site size and the shape factor requirements, with the exception of Lot 25 assessed below.
- Lot 25 is with a split zone (the Single House Zone (SHZ) and the Mixed Housing Suburban Zone (MHSZ)) and is 416m², which meets the minimum lot size for the MHSZ but not the SHZ's rule. It is understood that the Single House Zone buffer was provided to protect the coastal environment. With the proposed layout, its adjacent lot, Lot 26 provides an adequate buffer from the coastal environment. When viewed from the street, given its split zone, I do not consider that the lot will look out of character. Any associated adverse effects will be less than minor.
- Lot 39 is the only vacant lot proposed within the MHSZ. Given its patterns of the other created MHSZ lots in this development and the surrounding area, the lot size is considered acceptable and will not look out of character. The lot will comfortably accommodate a dwelling, similar to the dwellings to be established under LUC60393008.
- Although the proposed subdivision will result in new non-compliance with the zone rules (outlook spaces), any associated adverse effects have been addressed and assessed as a whole under the LUC60393008, which concluded that any adverse effects to the planned streetscape and character of the area would be less than minor.
- Adequate infrastructure including roads, water, stormwater, and wastewater networks will be provided to support development and would be in place and vested at the time of subdivision and creation of new lots, as confirmed by Mr Fu and the Council's subdivision specialist, Mr Reddy.
- The risks of the known natural hazards, of the site including the coastal erosion, flooding and land instability, will not be exacerbated by the proposed subdivision as confirmed by the Council's specialists. The applicant accepted a set of consent condition to ensure that the required mitigation works are completed prior to issue of a title for the lots and vesting the proposed roads. This will ensure that any adverse effects to the public from the natural hazards are adequately mitigated.
- There are no effects to public from subdividing a land with contaminated soil. A Site Validation Report will be submitted prior to issue of a title for the lots. This will ensure that required mitigation works under LUC60393008 are completed.

Adverse effects conclusions

Any adverse effects from the proposed subdivision will be less than minor.

Step 4: public notification in special circumstances

If an application has not been publicly notified as a result of any of the previous steps, then the council is required to determine whether special circumstances exist that warrant it being publicly notified (s95A(9)).

Special circumstances are those that are:

- Exceptional, abnormal, or unusual, but something less than extraordinary or unique;
- outside of the common run of applications of this nature; or
- circumstances which make notification desirable, notwithstanding the conclusion that the activities will not have adverse effects on the environment that are more than minor.

In this instance I have turned my mind specifically to the existence of any special circumstances and conclude that there is nothing exceptional or unusual about the application, and that the proposal has nothing out of the ordinary run of things to suggest that public notification should occur.

Public notification conclusion

Having undertaken the s95A public notification tests, the following conclusions are reached:

- Under step 1, public notification is not mandatory.
- Under step 2, there is no rule or NES that specifically precludes public notification of the activities, and the application is for activities other than those specified in s95A(5)(b).
- Under step 3, public notification is not required as the application is for activities that are not subject to a rule that specifically requires it, and it is considered that the activities will not have adverse effects on the environment that are more than minor.
- Under step 4, there are no special circumstances that warrant the application being publicly notified.

It is therefore recommended that this application be processed without public notification.

12. Limited notification assessment (sections 95B, 95E-95G)

If the application is not publicly notified under s95A, the council must follow the steps set out in s95B to determine whether to limited notify the application. These steps are addressed in the statutory order below.

Step 1: certain affected protected customary rights groups must be notified

There are no protected customary rights groups or customary marine title groups affected by the proposed activities (s95B(2)).

In addition, the council must determine whether the proposed activities are on or adjacent to, or may affect, land that is subject of a statutory acknowledgement under schedule 11, and whether the person to whom the statutory acknowledgement is made is an affected person (s95B(3)).

Within the Auckland region the following statutory acknowledgements are relevant:

- Te Uri o Hau Claims Settlement Act 2002
- Ngāti Manuhiri Claims Settlement Act 2012
- Ngāti Whātua Ōrākei Claims Settlement Act 2012
- Ngāti Whātua o Kaipara Claims Settlement Act 2013
- Te Kawerau ā Maki Claims Settlement Act 2015
- Ngāti Tamaoho Claims Settlement Act 2018
- Ngāi Tai Ki Tāmaki Claims Settlement Act 2018

In this instance, the proposal will occur adjacent to land that is subject to a statutory acknowledgement, however the proposal will not result in adversely affected persons as noted

in LUC60393008. The relevant iwi groups did not raise any specific concerns on the proposed subdivision.

Step 2: if not required by step 1, limited notification precluded in certain circumstances

The application is not precluded from limited notification as:

- the application is not for one or more activities that are exclusively subject to a rule or NES which preclude limited notification (s95B(6)(a)); and
- the application is not exclusively for a controlled activity, other than a subdivision, that requires consent under a district plan (s95B(6)(b)).

Step 3: if not precluded by step 2, certain other affected persons must be notified

As this application is not for a boundary activity, there are no affected persons related to that type of activity (s95B(7)).

The following assessment addresses whether there are any affected persons that the application is required to be limited notified to (s95B(8)).

In determining whether a person is an affected person:

- a person is affected if adverse effects on that person are minor or more than minor (but not less than minor);
- adverse effects permitted by a rule in a plan or NES (the permitted baseline) may be disregarded; and
- the adverse effects on those persons who have provided their written approval must be disregarded.

Adversely affected persons assessment (sections 95B(8) and 95E)

No persons are considered to be adversely affected by the proposal because:

- The proposed public roads and infrastructural systems will be appropriately vested by Council. The design and location of these infrastructures are considered to be appropriate. Further design details will be reviewed by the relevant asset owners, who will determine if these assets are designed up to their standards.
- The amenity values and character of which have been assessed above in the land use consent assessment and found to be consistent with the anticipations of the precinct and the AUP (OP). The sites will be integrated with the wider residential developments anticipated within the zone. As noted in the above public notification assessment, I do not consider that Lot 25 complying with the MHSZ minimum lot size but not meeting the SHZ's size will adversely affect the adjacent neighbour, 9 Seawind Way. When the future lot is viewed from this property, the proposed subdivision pattern will not appear out of character as it has a similar patterns with the underlying subdivision at 20 Scott Road which created Seawind Way.

- Appropriate and safe access is provided for each lot with all lots having access from the public roads and this will not adversely affect persons at the adjacent sites.
- As assessed under LUC60393008, the Council's specialists have confirmed that the proposal will not exacerbate the risks of the natural hazards of the area or the neighbouring sites. The subdivision will only occur if the required mitigation measures are in place and therefore there will be less than minor adverse effects to persons at the adjacent site in this regard.

Step 4: further notification in special circumstances

In addition to the findings of the previous steps, the council is also required to determine whether special circumstances exist in relation to the application that warrant it being notified to any other persons not already determined as eligible for limited notification (excluding persons assessed under section 95E as not being affected persons).

Special circumstances are those that are:

- Exceptional, abnormal, or unusual, but something less than extraordinary or unique;
- outside of the common run of applications of this nature; or
- circumstances which make limited notification to any other person desirable, notwithstanding the conclusion that no other person has been considered eligible.

In this instance I have turned my mind specifically to the existence of any special circumstances under s95B(10) and conclude that there is nothing exceptional or unusual about the application, and that the proposal has nothing out of the ordinary run of things to suggest that notification to any other persons should occur.

Limited notification conclusion

Having undertaken the s95B limited notification tests, the following conclusions are reached:

- Under step 1, limited notification is not mandatory.
- Under step 2, there is no rule or NES that specifically precludes limited notification of the activities, and the application is for activities other than that specified in s95B(6)(b).
- Under step 3, limited notification is not required as it is considered that the activities will not result in any adversely affected persons.
- Under step 4, there are no special circumstances that warrant the application being limited notified to any other persons.

It is therefore recommended that this application be processed without limited notification.

13. Notification recommendation – SUB60393009

Non-notification

For the above reasons under section 95A this application be processed without public notification.

In addition, under section 95B, limited notification is not required.

Accordingly, I recommend that this application processed non-notified.



Hailey Kim
Senior Planner
Resource Consents

Date: 8 September 2022

14. Notification determination – SUB60393009

Acting under delegated authority, and for the reasons set out in the above assessment and recommendation, under sections 95A and 95C to 95D, and 95B and 95E to 95G of the RMA this application shall be processed non-notified.



Brogan McQuoid
Team Leader
Resource Consents

Date: 8 September 2022

Decision on an application for resource consents under the Resource Management Act 1991



Decision one – non-complying activity land use consent (s9), water permit (s14) & discharge permit (s15)

Application numbers: BUN60393007 (Council Reference)
LUC60393008 (s9 land use consent)
WAT60407691 (s14 water permit)
DIS60393060 (s15 discharge permit)

Applicant: NORTHWEST DEVELOPMENTS LIMITED

Site address: 18 Scott Road Hobsonville 0618

Legal description: LOT 3 DP 89750

Proposal:

Buildings and landscaping

- To develop a framework plan for the subject site;
- To construct 112 dwellings, comprised of two to three storeys terraced and standalone buildings.
- A total of 12 units are proposed to be affordable units.
- To remove existing vegetation within the adjacent esplanade reserve owned by Council, LOT 3 DP 206422, LOT 4 DP 89750, LOT 3 DP 91914, LOT 3 DP 128652, (“the Scott Esplanade”). This is subject to a Landowner Approval.
- Comprehensive soft and hard landscape treatment plans have been prepared for the residential units, public and private roads, pedestrian walkways, and the Scott Esplanade. Revegetation within the Scott Esplanade will be subject to a Landowner Approval.

Transport

- Two new public roads are proposed as part of the development.
 - Road 1, Limestone Drive, extends from Scott Road, running south-west. Road 2 extends from Picnic Point Road to the east of the site, looping around to connect to Road 1.
 - Each road will have the same layout and design as the existing Limestone Drive and Picnic Point Road and be in accordance with the Auckland Transport’s standards.
 - A detailed roading design is to be submitted at the Engineering Plan Approval process and 224(c) stage.
 - The intersections of Road 1 and Road 2 and Scott Road and Road 1 are to be raised intersection.
 - A temporary turning head, designed in accordance with AT standards, is proposed at the end of Road 1. The turning head will remain in place until such time that the adjoining site, 16 Scott Road, is developed as per the Precinct Plan and the road is connected through.
- Five Commonly Owned Access Lots are proposed, providing access to a mix of open parking areas and garaged parking spaces.
- A total of 176 allocated parking spaces are contained within the residential lots, in the form of parking pads or internally accessed garages.
- The development includes 31 further car parking spaces available as indented parking spaces.
- All dwellings will have one cycle parking provided and 6 visitor cycle parking spaces will be provided.

Rubbish collections

- Except for Units 1-11, 54-85, and 119-122, the proposed dwellings are proposed to be served by public waste collection. The site has sufficient frontage for each unit to locate the waste bin, recycle bin, and future food waste bin. Units 1-11, 54-85, and 119-122 are proposed to be served by private waste collection.

Infrastructure and flooding

- The proposed stormwater system has been designed to meet the above requirements of the Scott Point SMP. All new primary stormwater system has been designed to have a capacity of 10-year rainfall event.
- Stormwater runoff from the proposed roads and the COALs will be directed to stormwater treatment devices for treatment, and to provide retention as per the SMP requirements before discharging to the primary stormwater network. The applicant proposes raingardens and proprietary stormwater treatment devices for treatment. It is noted that some of the raingardens do not meet the Auckland Transport's standards. It is understood that the applicant will apply for an Departure from Standards approval from Auckland Transport in this regard at an Engineering Plan Approval stage.
- A new stormwater outlet structure for the development will be constructed in the Scott Esplanade area.
- Extension of the public wastewater system is proposed to serve the dwellings. The wastewater is proposed to be pumped to the north-west before discharging into the gravity transmission main located at 2 Scott Road, Hobsonville.
- Extension of the public watermain from the existing 180mm line within Scott Road to service the site. Individual connections and meters will be provided to serve each Lot from the proposed main.
- There are a number of existing hydrants available at 42 Picnic Point Road, 9 Aviation Drive, 17B Scott Road, and 16A Scott Road. A new hydrant is proposed in the southern portion of the site (lot 38) to provide accessibility in accordance with Fire Fighting Requirements.
- Power and telecommunications service will be provided to all dwellings.
- The existing overland flow paths will be diverted to the proposed roads. The applicant had identified a minimum freeboard level for each dwellings, which is proposed to be met.

Earthworks

- The majority of earthworks would occur as part of the approved bulk earthworks consent, BUN60393014. Some further earthworks would be required to establish the building platform levels, retaining walls across the site and for works within Scott Road and the Scott Esplanade.
- Erosion and sediment controls are proposed and will be in accordance with the Council's guide, GD05, "Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region"

Works within the Scott Esplanade

- The proposal includes a rock revetment structure at the coastline of the Scott Esplanade. The structure would be located fully outside of the CMA. The revetment structure comprises an armoured rock wall. One set of stairs are proposed through the revetment in order to provide access to the water. Additional access point(s) may be provided if required at a Landowner Approval stage. This is subject to a Landowner Approval.

- Revegetation is proposed within the esplanade. Bird management by avoiding vegetation clearance during the bird breeding/nesting season. A Lizard Management Plan to be prepared and implemented.

Resource consents are required for the following reasons:

Land use consent (s9) – LUC60393008

Auckland Unitary Plan (Operative in part)

District land use (operative plan provisions)

Scott Point Precinct

- A framework plan, amendments to a framework plan, or a replacement framework plan not complying with clause 3.2 below is a non-complying activity under Activity Table I.5.61.1 as the proposal is not consistent with the Precinct Plan.
- Buildings on a site complying with an approved framework plan requires consent as a restricted discretionary activity under Activity Table I.5.61.1.

Residential – Mixed Housing Suburban

- To develop four or more dwellings per site is a restricted discretionary activity under H4.4.1 (A4). The proposed development seeks to establish a total of 112 dwellings.
- H4.4.1 (A33): Unit 7 does not comply with H4.6.5 Height in Relation to Boundary, but comply with H4.6.6 Alternative Height in Relation to Boundary requires consent as a restricted discretionary activity.
- To develop new buildings (and/or any additions to existing), as the development of new buildings or any additions has the same activity status as the land use activity, is a restricted discretionary activity under rule H4.4.1(A34).
- The proposal involves use and development under rules H4.4.1(A4) and H4.4.1(A34) that fails to meet the following core standards and is a restricted discretionary activity under rule C.1.9(2):
 - H4.6.5 - Height in relation to boundary
 - Lot 8 infringes standard HIRB setback by a maximum vertical extent of 1.31m by a maximum horizontal length of 11.16m.
 - Lot 16 infringes standard HIRB setback by a maximum vertical extent of 1.10m by a maximum horizontal length of 11.16m.
 - Lot 34 infringes standard HIRB setback by a maximum vertical extent of 1.76m by a maximum horizontal length of 4.34m.
 - H4.6.7 – Yards
 - Units 2-7, 58, 59, 74 & 75 would have portions of building located within the 3m front yard from Scott Road.

Other matters:

Whilst the following non-compliances do not form part of the reasons for consent, they form part of the proposal and assessments:

- Standard H4.6.11 Outlook space (Units 2-6, 8-10, 12, 14-16, 17-24, 60-65, 77, 78 80-84): the principal outlook spaces are partially obstructed by the buildings or do not have the required width, if they are measured from the centre of the windows.
- H4.6.13 outdoor living space: Units 2, 3, 4, 8, 9, 10, 60-65, 76-85, 89-92, 102-110, 120-122 have their outdoor living spaces located south to a building and do not meet the required separation rule (3).

Trees in open space zones

- Tree removal of any tree greater than 4m in height or greater than 400mm in girth within an Open Space Zone is a restricted discretionary activity E16.4.1 (A10).

Transport

- The proposal involves accessory parking and access that does not meet the following parking and access standards and is a restricted discretionary activity under rule E27.4.1(A2).
 - The development has a GFA of more than 5,000m² and no loading bay is proposed. This does not meet E27.6.2.8.
 - Five vehicle crossings serving two parking spaces will be provided with a width of 6.0 to 7.45m. This does not meet E27.6.4.3.2
 - Shared accessway 'COAL E' will have a platform gradient of 1 in 10 (10%).
- Any activity or subdivision which exceeds the trip generation standards set out in Standard E27.6.1 requires consideration as a restricted discretionary activity under E27.4.1(A3). The proposal involves the development of more than 100 dwellings.

Natural hazards and flooding

- E36.4.1 (A4): Dwellings and rock revetment on land in the coastal erosion hazard area is a Restricted Discretionary Activity.
- E36.4.1 (A22): Hard protection structures not otherwise provided for, is a Discretionary Activity.
- E36.4.1 (A41): Diverting the entry or exit point, piping or reducing the capacity of any part of an overland flow path requires consideration as a restricted discretionary activity. The proposed development would alter the entry and exit points of the overland flow path.
- E36.4.1 (A56): All infrastructure structures within the coastal erosion hazard area not otherwise provided for, is a Restricted Discretionary Activity.

Land Disturbance - District

- Activity table E12.4.1 (A6) requires that general earthworks greater than 2,500m² and 2,500m³ within a residential zone and the Open Space Zone is a restricted discretionary activity. A total earthworks area of up to 30,200m³ over 38,043m² is proposed. This is a restricted discretionary activity under rules E.12.4.1(A6) and (A10) respectively.

Regional land use (operative plan provisions)

Land Disturbance - Regional

- Earthworks greater than 2,500m² where the land has a slope equal to or greater than 10 degrees requires consent as a restricted discretionary activity under E11.4.1(A8). The proposal involves earthworks exceeding 2,500m² over land with a slope of greater than 10 degrees in the southern part of the site.
- Earthworks greater than 2,500m² within the Sediment Control Protection Area requires consent as a **restricted discretionary activity** under E11.4.1(A9). The proposal involves earthworks exceeding 2,500m² within the Sediment Control Protection Area.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES:CS)

- Consent for a restricted discretionary activity is required under Regulation 10 of the NES as the proposed change of use, subdivision and soil disturbance do not meet the requirements of a permitted activity under Regulation 8 of the NES:CS.

National Environmental Standard for Freshwater Management (NES:FW)

- Vegetation clearance within, or within a 10 m setback from, a natural wetland requires a non-complying activity consent under 54(a) of the NES:FW.
- Earthworks within, or within a 10 m setback from, a natural wetland requires a non-complying activity consent under 54(b) of the NES:FW.

Water permit (s14) - WAT60407691

National Environmental Standard for Freshwater Management (NES:FW)

- The proposed temporary diversion of surface water for the purpose of undertaking earthworks within 100m of a natural wetland. As such, the activity is a non-complying activity under 54(c) of the NES:FW.

Discharge permit (s15) - DIS60393060

National Environmental Standard for Freshwater Management (NES:FW)

- The proposed temporary discharge of treated sediment-laden water for the purpose of undertaking earthworks within 100m of a natural wetland. As such, the activity is a non-complying activity under 54(c) of the NES:FW.

Decision

I have read the application, supporting documents, and the report and recommendations on the application for resource consents. I am satisfied that I have adequate information to consider

the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on the application.

Acting under delegated authority, under sections 104, 104D, 104B, 105 and 107 and Part 2 of the RMA, the resource consents are **GRANTED**.

Reasons

The reasons for this decision are:

1. In accordance with an assessment under ss104(1)(a) and (ab) of the RMA the actual and potential effects from the proposal will be acceptable as:
 - a. The framework plan is prepared in a manner that is accepted by Council. The proposal is to create a framework plan and construct the proposed buildings and the public infrastructures at the same time. Although I note that the proposed site layout is not entirely consistent with the Precinct Plan, however, I consider that the proposal appropriately responds to the current situation in the Precinct and achieves the Plan's desired outcomes. The on-street pocket park will be provided and a pedestrian path from Limestone Drive to the esplanade reserve is provided. An ecological corridor is provided within their site, along Limestone Drive.

To ensure that the pedestrian path is safe, usable and legible and the pocket park is created, a number of consent conditions has been added, including a detailed lighting, pedestrian and landscaping design are to be submitted to Council. The applicant has accepted the consent conditions and therefore I consider that any adverse effects from not being entirely consistent with the Precinct Plan will be adequately mitigated to an acceptable level.
 - b. The nature and intensity of the proposed development is of the intended use and design of the zone and in keeping with the planned suburban characters for the following reasons:
 - i. The area is in transition from rural to residential and currently contains a number of vacant lots and therefore the character of this neighbourhood has not been fully established. This provides flexibilities on the form and scale of developments where appropriate.
 - ii. The zone's objectives and policies and rules do not preclude the opportunity for three-storey buildings development. When the buildings are designed appropriately at an appropriate location, three storey buildings can comfortably sit in a suburban neighbourhood. Overall, a predominant two level form is proposed across the development with a small portion of dwellings being three stories. An acceptable height transition following the natural contours are proposed. Good opportunities for passive surveillance over the public spaces and the common driveways are provided, as confirmed by Mr Valenzuela.
 - iii. It was found in the notification assessment that the proposal's infringements to the HIRB standard (Units 8, 16, 34) and use of the AHIRB standard (Unit 7) will have less than minor effects. The associated shading, overlooking and privacy effects and

visual dominance effects (for Units 8, 16 and 34 only) were assessed and considered to be less than minor. The buildings are appropriately designed and with the proposed landscaping, any amenity-related effects to persons at the neighbouring sites will be within an acceptable level.

- iv. A number of consent conditions are recommended by the Council's urban design and landscape specialists to ensure that the architectural and landscaping strategies are in place to effectively mitigate any adverse effects from the proposed development's bulk and scale. The applicant has accepted the consent conditions.
 - v. Also, to ensure that the buildings are built in accordance with the approved plans, consent conditions requiring surveyor's certificate at the foundation and roof framing stage will form part of the recommendation.
 - vi. The proposed dwellings are appropriately set back from the coastal environment by the existing esplanade reserve, the proposed Single House Zone lots and the proposed road.
 - vii. The proposed landscaping across the site is considered acceptable, as confirmed by Mr Sterling and Mr Murphy. A detailed plan is to be provided to Council at the monitoring stage. In addition, Ms Bergquist, the Council's ecologist has reviewed the submitted ecological assessment and concurs with their recommendations and consider that avoiding bird nesting seasons and providing a Lizard Management Plan will effectively mitigate any potential adverse effects to the existing ecological values within the esplanade reserve. It is noted that further planting details and works will be finalised at a separate Landowners Approval stage. With the offered conditions, it is considered that any adverse effects to the ecological value of the site and its surrounding area will be appropriately mitigated to an acceptable level. Mr Cardwell, the Council's arborist also notes that there does not appear to be any trees of particular merit within the coastal area, with in being dominated by pest plants and Pine trees. The proposal is to replant the area with more desired and native plants. This will mitigate any adverse effects to the ecological system while enhancing the area's aesthetic and cultural values.
 - viii. A good pedestrian access from the site to the Scott Esplanade has been provided. Further details are to be reviewed at the EPA stage. Mr Sterling, Mr Valenzuela and Mr Murphy did not raise any issues with it.
- c. The proposed layout and design and location of the vehicle access and roads were reviewed by the Council's traffic engineer and Auckland Transport, who consider the development's appropriateness for the site for the following reasons;
- i. All the dwellings are served by at least one vehicle parking and a cycle parking space. The drivers from these dwellings will be able to safely manoeuvre onto the public roads or their shared driveways. Clear sightlines will be achieved at the vehicle access, any adverse effects from the proposed vehicle access arrangement will be acceptable.
 - ii. With regard to the road safety, Mr Shumane notes that the design and location of the vehicle accesses and crossings are acceptable, if a clear visibility is achieved in

both directions. He notes that the vehicle crossings for future COAL A, Unit 11 / 12, 75 / 76, Units 13 to 16, 17 to 33, 39-53, COAL D and Units 86 to 88, which could potentially have a visibility issue. Although the ITA states that all crossings comply with the visibility platform (4.0 m long with a gradient not steeper than 5.0%) requirement, we consider that some of the fences and landscaping proposed could potentially hinder intervisibilities between cars and pedestrians, especially for young children. Mr Shumane notes that the height of the fences and landscaping should be restricted to 900mm where there is a safety concern. This had formed part of the decision under s104 and it is therefore considered that any adverse effects from the proposed development to road safety will be managed to a less than minor level.

- iii. The proposed extension of the public roads will extend the current roading layouts and a half of the Scott Road frontage will be upgraded. A detailed design of these roadings will be provided at the Engineering Plan Approval stage, which was agreed by Council and Auckland Transport.
 - iv. The volume of vehicle movements generated from the proposed development is anticipated in this area. Auckland Transport and the Council's traffic engineer consider that the existing transport system can cater such increase in volume.
 - v. For the loading spaces, the proposed public roads and the common driveways can accommodate any potential loading space demand.
 - vi. As noted above, the design details of the public roads are to be provided at the Engineering Plan Approval stage. This is mainly because an extensive number of rules and standards apply to roading designs that are not subject to the RMA and enforcing such design criteria is considered outside of the RMA matters. Auckland Transport expressed their concerns on some of the proposed raingardens not meeting their Code of Practice. The applicant acknowledges that such devices may not be accepted by the AT at the EPA stage and accepts the associated risks. I therefore consider that the level of information provided by the applicant is adequate to assess the associated effects to persons at the adjacent sites and the wider environment and therefore I consider the consent conditions will suffice the purpose of mitigating adverse effects to a known and acceptable level.
- d. Any actual and potential adverse effects to persons at the neighbouring sites and on the wider environment were found to be less than minor for the following reasons;
- i. In terms of any erosion and sediment effects, appropriate mitigation measures have been proposed.
 - ii. A number of consent conditions were recommended by the Council's specialists to mitigate any construction effects, including effects from noise, vibration, dust and traffic movements. These were accepted by the applicant.
 - iii. A Remediation Action Plan is proposed. This will ensure that the proposed land disturbance activities do not pose a risk to human health. The Council's specialist, Ms Rudsits, has recommended a number of consent conditions to manage the risks. These were also accepted by the applicant.

- iv. The diverted overland flowpaths will be contained within the site and appropriately discharged to the coast. In addition, it was found that the proposed earthworks will have less than minor adverse effects to persons at the neighbouring sites and to the wider environment, as confirmed by Ms Lee, the Council's geotechnical engineer. Therefore, the proposal will not exacerbate the risks of natural hazard in the neighbouring sites or the wider area. Mr Fu, the Council's development engineer and Ms Lee have recommended consent conditions to ensure that the risks of natural hazards from the proposed works within an acceptable level. The applicant accepted the consent conditions.
- v. An acceptable coastal hazard mitigation has been provided to mitigate any adverse effects from potential coastal erosion for at least a 100-year time. Further details of the proposed rock revetment are subject to a Landowners Approval and Engineering Plan Approval. Given that this structure will be located within the neighbour's land (i.e. Council's esplanade reserve), the owner of the site has not agreed to the proposal (through a LOA process), and therefore there is a risk that the proposed mitigation structure cannot be built, a consent condition restricting any works within the land subject to the Coastal Erosion Hazards forms part of the decision. This will ensure that no dwellings or road are constructed before the Council has an assurance that the structure can be built and mitigate the effects as per its proposal. If the landowner agrees this structure to be built on their land, a set of consent conditions recommended by the Council's coastal specialists will ensure that the structure is appropriately designed, installed and maintained. These conditions will also form part of the decision.
- vi. It is understood that a hard structure along the coastal edge is not ideal as this permanently changes the natural look of the coastal environment and restricts access to the foreshore. With regard to the visual effects, the Council's landscape architect, Mr Murphy, had reviewed the provided visual assessment and considers that it will be in keeping with the existing coastal environment where other similar walls are found. The visibility of the wall will be limited to a small viewing audience and generally not visible from inland. Also, as explained in the public notification decision, the proposal will provide an access (one set of staircases) from the top of the esplanade to the foreshore. This is a positive effect, when compared to the status quo, where the foreshore is currently not accessible. A legible public access route is provided from the intersection of future Limestone Drive and Picnic Point Road to Scott Esplanade and down onto the foreshore. The site is located adjacent to the future neighbourhood reserve (part of Scott Esplanade) and this will be the primary access point into the Scott Esplanade for the general public and onto the foreshore and therefore, overall, I consider any adverse effects from constructing a hard protection structure will be acceptable.
- vii. The Council's waste management specialist has reviewed the proposal and consider that the proposed rubbish collection method, a mixture of public and private, where no berms are available, is considered appropriate. Where public collection is proposed, Ms Driver confirms that there will be adequate space within the future berms for bins on the collection days.

- viii. Appropriate stormwater mitigation devices will be designed, installed and maintained. A number of consent conditions will form part of the recommendation in this regard.
- e. The proposal will achieve a reasonable level of on-site living amenity because;
- i. The proposed outdoor living spaces are considered to be usable and functional and have adequate access to the daylight and sunlight. Where infringements to the outdoor living space rules occur or do not receive adequate access to daylight and sunlight, a secondary outdoor living space is provided in a form of balconies to ensure that the outdoor living spaces meet the day to day needs of future residents, as confirmed by Mr Valenzuela. He also notes that the internal amenity is optimal. I adopt his assessment.
 - ii. No principal outlook spaces are directly facing each other and if they do, they have an adequate setback from their boundaries. The principal living room will have dual aspects, which will provide a sense of space and sense of privacy (as they can close their curtains on one side and they can still enjoy the view from the other window). Similarly, Lot 72- 74 have their outlook space going over the future boundary of Lot 71, however, it is considered that any associated adverse effects will be less than minor. This is because, the subject bedrooms are not a principal bedroom and will have additional window facing the east/west. The windows of Units 71-74 are designed in a way that they do not directly face each other. In addition, some of the outlook spaces will not have the required width if measured from the centre of the window or partially obstructed by the buildings. This will not adversely affect the amenity of residents as the obstruction by buildings is limited to the party walls/wing walls and a sense of space can still be achieved from non-centred outlook spaces. In addition, as noted above, these dwellings will have a secondary window to mitigate any associated effects. Mr Valenzuela has not raised any issues with it.
 - iii. Adequate landscaping will be provided. The common driveway will also be landscaped and maintained so they are visually pleasing.
 - iv. The proposed dwellings will have an easy access to the Scott Reserve (a within 5 minute walking distance). This will positively affect future residential amenity.
 - v. As confirmed by the Watercare Services Limited and Mr Fu, the proposed dwellings are serviceable.
- f. An augier condition has been added and accepted by the applicant to ensure that the site preparatory works as well as the groundwater dewatering and diversion under BUN60393014 occur in a comprehensive manner with the proposed works under this application.
- g. In terms of positive effects, the proposal will provide 112 new dwellings and provide protection against coastal erosion of the site as well as the Scott Esplanade. One set of staircases is proposed from the top of the esplanade to the foreshore. When compared to the current situation, where an illegal structure is occupied and preventing access to the foreshore, this is a positive effect to the community. As mentioned above, however,

there may be additional requirement for Council to fulfil the desired recreational outcome of this esplanade. This is to be requested and resolved at a Landowners Approval stage.

- h. With reference to s104(1)(ab), there are no specific offsetting or environmental compensation measures proposed or agreed to by the applicant to ensure positive effects on the environment.
2. In accordance with an assessment under s104(1)(b) of the RMA the proposal is consistent with the relevant statutory documents, insofar as they relate to the matters over which discretion is restricted. In particular, the objectives and policies of the Auckland Unitary Plan Operative in Part, National Policy Statement for Freshwater Management 2020, and New Zealand Coastal Policy Statement 2010 (NZCPS) are considered relevant.

5.61 Scott Point Precinct

This chapter requires the precinct is developed in a comprehensive and integrated way to provide for a compatible mix of residential living and ancillary activities in order to increase housing supply. The proposal is consistent with the objectives (O) and policies (P) of this chapter for the following reasons;

- a. The application involves the implementation of framework plans over the site as set out in the architectural plans, landscape plans, subdivision plans, roading layout and infrastructure plans, which matches with the existing roading and site layout existing infrastructural systems (P1, P2 and P4).
- b. The proposal contributes to establishment of new dwellings including provision of affordable dwellings in the Precinct (O1, O2, O15, O16, P24, and P25).
- c. With the reasons addressed above, the development is in a form, scale and design that is accepted within the Precinct. The architectural and landscaping strategies were reviewed by the Council's specialists who consider the development to the suburban character anticipated by the zone (O2, O3, P9 and P11).
- d. The provided public roads are generally in accordance with the Precinct Plans, except for the direct connection between Observation Green and Scott Road. A good pedestrian/cycle connection between these roads are provided, which connect the neighbourhood to the public open space. Good level of opportunities for passive surveillance is provided over the public spaces. Safe and efficient roading and vehicle access arrangement are proposed (O8, O14, P1, P11, P15 and P21).
- e. Stormwater mitigation measures meeting the underlying NDC and SMP are proposed. Appropriate infrastructural connections will be provided. The service provider confirmed that there is adequate capacity within the existing system to cater the proposed density (O6, O7, O13 P1, P5, P18, P22, P23).
- f. The on-street pocket park and ecological corridor are provided within their site. This is acceptable given that the location of Roa Avenue through 17B Scott Road is unlikely to be changed from its Framework Plan. (P18 & P20).
- g. The proposal is to remove an illegal structure within the existing esplanade reserve and replace it with a new coastal erosion prevention device. At least one access point from

the top of the esplanade to the foreshore will be provided. This is however subject to the Landowner, who may have envisioned what this area should look like in the future and therefore is to be dealt under a separate approval stage. A good buffer from the coastal environment to the proposed dwellings are proposed by the Single House Zone lots and the road. (O4, O5, P16, P17, P19, P21).

H4 Mixed Housing Suburban Zone

- a. The proposal contributes to establishment of new dwellings, increasing housing capacity, intensity and choice of the area while in keeping with the neighbourhood's planned suburban built character of predominantly two-storey buildings in both attached and detached forms (O1, O2, P1, P2 and P4)
- b. As explained above, the proposal will provide quality on-site residential amenity for residents and adjoining sites, by maintaining a reasonable standard of sunlight access and privacy and providing outlooks and outdoor living spaces. Visual dominance effects to adjoining sites are minimised through architectural and landscaping strategies (O3, P2, P4 and P5).
- c. Good landscaping strategies and good level of opportunities for engagement with the public streets are provided along the front yards. By utilising common driveways, any visual dominance effects of garage doors have been minimised where appropriate (P3)
- d. The use of impervious area is mostly limited to roads, driveways and buildings. Appropriate stormwater mitigation measures and landscaping are provided to mitigate any adverse effects on water quality, quantity and amenity values. (P7)

H3 Single House Zone

- a. The proposal will provide attractive and safe streets and public open spaces by providing good opportunities for passive surveillance through the architectural and landscaping strategies. The applicant also proposes a good pedestrian connection via providing a public pedestrian path and roads. (P3)

Proposed Plan Change 78 (PC 78) for H4 and H3

- a. As noted in the above assessment, it is considered that the proposed development responds logically to the site's context as well as the urban built form character sought within the zone and precinct. Given residential activities are anticipated in this neighbourhood, I consider the proposal contributes to creating a well-function urban environment, by proposing appropriate use of the site. The objectives and policies under the PC 78 are considered liberalising provisions when compared to the operative plan provision contemplate. Given that the proposal is consistent with the current provisions under H3 and H4, I consider that the proposal is also consistent with the provisions under PC 78 and therefore no further assessment or weighting exercise is required.

AUP: E12 – Land disturbance – district & E11 – Land disturbance – regional and The National Policy Statement for Freshwater Management 2020

Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES:CS)

O1 & 2 and P1, 2, 4, 5, 6, and 7 of E11

O1 and P1, 2, 3, 5, and 6 of E12

- a. These objectives and policies seek to ensure that earthworks are undertaken in a manner that protects people and the environment, does not exacerbate natural hazards and minimises sediment generation. The proposal provides for preparatory earthworks on a site which is to be developed in the future. Mr Fu, who consulted with Ms Lee, notes that the proposed earthworks will not cause any stability effects to the neighbouring sites as well as the roads. Erosion and sedimentation will be appropriately managed through various sediment control measures as confirmed by Mr Pope. The proposed mitigation controls will be in accordance with Auckland Council's Guidance Document 05 – Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region (GD05). Any noise, vibration, traffic and dust effects will be effectively managed by the recommended consent conditions, which had been accepted by the applicant.
- b. The applicant prepared for an Archaeological Survey, noting that the risk of encountering archaeology is reasonably low. Accidental Discovery Rule will be applied during the construction phase. The applicant accepted a set of consent conditions, recommended by the Council's heritage specialist and the relevant iwi groups to ensure that any adverse effects to cultural values are avoided and managed

E36 – Natural Hazards and flooding and the New Zealand Coastal Policy Statement 2010 (NZCPS)

- a. The existing overland flows will be appropriately diverted, conveyed, and drained within the proposed road carriageway. The proposal will not exacerbate any adverse effects to people, property and the environment resulting from land instability, coastal erosion and flooding hazards (O1-O5, P1-P9 P13-15, P21-33).
- b. The development should avoid hazard risk in the first instance and the likely future impact of coastal erosion and sea level change needs to be taken into account when considering the appropriate width of reserves and setbacks from the coastal edge, particularly for new greenfield development. There is otherwise a risk that coastal reserves will erode, and access will be lost, or that coastal erosion protection works will be required, if reserves are to be retained in the long term.

With regard to Policy 25 (e), which notes that “discourage hard protection structures and promote the use of alternatives to them, including natural defences”, I note that the applicant's coastal specialist has assessed the viability of alternatives to a rock revetment, including an artificial beach with or without control structures, and conclude that:

- Site characteristics and coastal processes are not conducive to creation of a beach;
- A beach would require importation of a large volume of sand, as well as control structures such as groynes or offshore breakwaters for it to function;
- A beach would provide access and amenity to the coast;
- The do-nothing option would exacerbate erosion risk due to end-effects (presumably the end-effects from revetments at adjacent sites);

- The adjacent coastline is already extensively protected by (revetment) structures;
- A rock revetment is the most suitable option.

Council's Coastal specialist, Mr Soltau, notes that;

- The accuracy of some of these comments can be debated as they are currently based on opinion; However, more accurate assessment would require considerable additional engineering investigation and design. However, notwithstanding the outcomes of such additional work, the most cost effective erosion protection option would likely still be a rock revetment.
- Other options, such as an artificial beach with control structures, may better satisfy policy objectives and create additional positive outcomes for the community, but they would come with additional costs for investigations, design, and construction, and maintenance.

At this stage, it is probable that the Landowner, the Council, have their own envisioned outcomes with regard to the reserve's recreational function, maintenance cost and so on. Undertaking options analysis is more difficult, especially because Council will need to accommodate a future coastal walkway through this reserve, which also needs to be safe from the coastal erosion hazard, however there are no detailed designs or plans on what this should look like. It was therefore agreed that this will be further investigated and assessed at a separate approval stage.

I therefore consider that the proposal will be consistent with the relevant objectives and policies, with the imposed conditions, which the applicant has accepted to adopt.

E27 – Transport

- a. Safe and efficient roading, parking and access arrangements are proposed. Walking and cycling are encouraged. Recognising the limited alternatives to private vehicle travel in the area, on-site and on-street car parking spaces will be provided (O1-O5, P2, P4, P8, P14, P17, P18, P20 and P21).
- b. With regard to the Proposed Plan Change 79, weighting only becomes relevant in the event different outcomes arise from assessments of objectives and policies under both the operative and proposed plans. Outcomes under both plans are similar, other than the EV charging and accessible parking related objective and policy, under E27, recognising that the quality and compact urban environment and that cycling, and walking are encouraged (E24 and E27). Furthermore, the preceding assessment has already concluded that any adverse effects will be acceptable as the scale and design of the proposed development will be in keeping with the context of existing development on the site and in the locale.

I note that the proposal is inconsistent with the objective and policy related to electric vehicle and accessible parking spaces. I do not think it is appropriate to give any weight to this provision at this stage, given that the Proposed Plan Change 79 was notified only a few weeks ago (at the time of writing the report) and it is a significant shift in Council's policy as provisions for EV had never been included in the past and current Council's plan provisions. With regard to the provision for accessible parking, this was previously included under E27 but removed from it via a Plan Change process. It is also noted that the associated rules

are not operative, and there are no guidelines and rules for decision makers to assess or applicants to follow to give effect to such objective and policy.

On this basis, I am satisfied with the proposal being not consistent with some of the PC 79 provision and consider that it is consistent with the relevant statutory documents.

Hauraki Gulf Marine Park Act (HGMPA) 2000

As the receiving environment of the proposed activity is the Hauraki Gulf, the HGMPA is considered relevant to this application. For the coastal environment of the Hauraki Gulf, sections 7 and 8 of the HGMPA must be treated as the New Zealand Coastal Policy Statement. Section 7 seeks to recognise the national significance of the Hauraki Gulf, its islands and catchments. Section 8 outlines the management objectives of the Hauraki Gulf, intended to protect, maintain and where possible enhance the life-supporting capacity of the Hauraki Gulf along with enhancing its natural, historic and physical resources.

Similar to above, the proposal is consistent with the Act as any erosion and sediment effects will be effectively mitigated by the proposed controls.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES:CS)

The submitted Detailed Site Investigation report has been prepared in a manner that accepted by Council and demonstrated that the proposal meets Regulation 9 of the NES:CS. Given the low level of contamination identified, it is considered unlikely that the proposed land disturbance activities will pose a risk to human health, if the conditions recommended by Ms Rudsits are implemented. The applicant has accepted the conditions and therefore the proposal is consistent with the NES:CS.

National Policy Statement: Freshwater Management (2020) (NPS:FM)

As this application relates to works adjacent to natural wetlands, the NPS:FM is considered relevant. The objective of the NPS:FM is to:

- (a) First, the health and well-being of water bodies and freshwater ecosystems
- (b) Second, the health needs of people (such as drinking water), and
- (c) Third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future

The objective is reflected in 13 policies, of which (1), (3), (5) and (9) are of most relevance to the consideration of the potential sediment related effects of this proposal.

3. In accordance with an assessment under s104(1)(c) of the RMA no other matters are considered relevant.
4. It is considered that the provisions of section 105 of the RMA have been met subject to appropriate conditions of consent to ensure there is no significant effect on the receiving environment. Regard has been had to the nature of the discharge and the sensitivity of the environment. It is considered the applicant's reasons for the proposed choice are appropriate in the circumstances and regard has been had to alternative methods of discharge applicable in this case.

5. It is considered the proposal satisfies the provisions of section 107 of the RMA because the proposed discharge will not result in discharge to water that will cause, after reasonable mixing, any of the effects listed in Section 107(1) (c – g).
6. In accordance with s123 of the RMA a duration of consent for the regional earthworks component of the land use consent LUC60393008 of five years from the date of issue is deemed appropriate and commensurate with the activity proposed.
7. In accordance with s123 of the RMA a duration of consent for the water permit WAT60407691 of five years from the date of issue is deemed appropriate and commensurate with the activity proposed.
8. In accordance with s123 of the RMA a duration of consent for the discharge consent DIS60393060 of five years from the date of issue is deemed appropriate and commensurate with the activity proposed.
9. There is no prohibition under s104D of the RMA on granting this non-complying activity. This is because the proposal is not contrary to the objectives and policies of the relevant plan and/or proposed plan, and will have only minor adverse effects on the environment as per the reasons addressed above.

In the context of this proposal for a non-complying activity land use, discharge of contaminants, and diversion of water consent, where the objectives and policies of the relevant statutory documents were prepared having regard to Part 2 of the RMA, they capture all relevant planning considerations and contain a coherent set of policies designed to achieve clear environmental outcomes. They also provide a clear framework for assessing all relevant potential effects and there is no need to go beyond these provisions and look to Part 2 in making this decision as an assessment against Part 2 would not add anything to the evaluative exercise.

10. Overall, the proposal is consistent with the relevant statutory frameworks and any associated adverse effects will be acceptable.

Conditions

Under sections 108 and 108AA, of the RMA, these consents are subject to the following conditions:

General conditions

These conditions apply to all resource consents.

1. These consents must be carried out in accordance with the documents and drawings and all supporting additional information submitted with the application, detailed below, and all referenced by the council as resource consent numbers BUN60393007
 - Application Form and Assessment of Environmental Effects prepared by Ms Gao, Campbell Brown, dated 24 August 2022.

- All email correspondences with attachments from Ms Gao via email dated between 30/03/2022 and 08/09/2022

Report title and reference	Author	Rev	Dated
Urban Design Statement + Framework Plan	Holistic Urban Environments	5.0	23.03.2022
Civil Infrastructure Report and Stormwater Management Plan	Envelope	-	November 2021
Geotechnical Investigation Report	ENGEO	3	25/07/2022
Integrated Transport Assessment	TPC Traffic	B	November 2021
Ecological Impact Assessment: 18 Scott Road	Bioresearches	1	December 2021
Assessment of Ecological Values and Effects of Updated Design on the Coastal Area and Esplanade	Bioresearches	-	13/07/2022
Recommended Coastal/Esplanade Planting	Bioresearches	-	13/07/2022
Landscape Visual Assessment	Greenwood Associates	0	27 July 2022
18 Scott Road Coastal Erosion Hazard Risks – Updated Information Following Meeting with the Auckland Council 28 April 2022	eCoast	-	04/07/2022
Email correspondences (with attachments)	Olivia Ellis-Garland	-	29/08/2022 26/08/2022

Drawing title and reference	Author	Rev	Dated
Sheet List	A000 Walker Residential Architects	B	09/03/2022
Site Location Plan	A001 Walker Residential Architects	B	09/03/2022
Site Plan	A002 Walker Residential Architects	B	09/03/2022
Site Plan Overall – Part 1	A003 Walker Residential Architects	B	09/03/2022
Site Plan Overall – Part 2	A004 Walker Residential Architects	B	09/03/2022

Compliance Schedule Lots 1 to 61	A005	Walker Residential Architects	B	09/03/2022
Compliance Schedule Lots 61 to 122	A006	Walker Residential Architects	B	09/03/2022
Ground Floor – Lot 1 – 7	A007	Walker Residential Architects	B	09/03/2022
Upper Floor – Lot 1 – 7	A008	Walker Residential Architects	B	09/03/2022
Ground Floor – Lot 8 – 16	A009	Walker Residential Architects	B	09/03/2022
Upper Floor – Lot 8 – 16	A010	Walker Residential Architects	B	09/03/2022
Ground Floor – Lot 17 – 22	A011	Walker Residential Architects	B	09/03/2022
Upper Floor – Lot 17 – 22	A012	Walker Residential Architects	B	09/03/2022
Ground Floor – Lot 20 – 25	A013	Walker Residential Architects	B	09/03/2022
Upper Floor – Lot 20 – 25	A014	Walker Residential Architects	B	09/03/2022
Ground Floor – Lot 75 – 85	A015	Walker Residential Architects	B	09/03/2022
Upper Floor – Lot 75 – 85	A016	Walker Residential Architects	B	09/03/2022
Ground Floor – Lot 59 – 74	A017	Walker Residential Architects	B	09/03/2022
Upper Floor – Lot 59 – 74	A018	Walker Residential Architects	B	09/03/2022
Ground Floor – Lot 49 – 58	A019	Walker Residential Architects	B	09/03/2022

Upper Floor – Lot 49 – 58	A020	Walker Residential Architects	B	09/03/2022
Ground Floor – Lot 45 – 53	A021	Walker Residential Architects	B	09/03/2022
Upper Floor – Lot 45 – 53	A022	Walker Residential Architects	B	09/03/2022
Ground Floor – Lot 40 – 46	A023	Walker Residential Architects	B	09/03/2022
Upper Floor – Lot 40 – 46	A024	Walker Residential Architects	B	09/03/2022
Ground Floor – Lot 34 – 38	A025	Walker Residential Architects	B	09/03/2022
Upper Floor – Lot 34 – 38	A026	Walker Residential Architects	B	09/03/2022
Ground Floor – Lot 86 – 93	A027	Walker Residential Architects	B	09/03/2022
Upper Floor – Lot 86 – 93	A028	Walker Residential Architects	B	09/03/2022
Ground Floor – Lot 112 – 118	A029	Walker Residential Architects	B	09/03/2022
Upper Floor – Lot 112 – 118	A030	Walker Residential Architects	B	09/03/2022
Ground Floor – Lot 102 – 111	A031	Walker Residential Architects	B	09/03/2022
Upper Floor – Lot 102 – 111	A032	Walker Residential Architects	B	09/03/2022
Ground Floor – Lot 94-101, 119 to 122	A033	Walker Residential Architects	B	09/03/2022
Upper Floor – Lot 94-101, 119 to 122	A034	Walker Residential Architects	B	09/03/2022

Fencing Plan Part 1	A035	Walker Residential Architects	B	09/03/2022
Fencing Plan Part 2	A036	Walker Residential Architects	B	09/03/2022
Fencing Type	A037	Walker Residential Architects	B	09/03/2022
Fencing Type	A037b	Walker Residential Architects	A	25/07/2022
Sun Study – Eastern Bdy	A038	Walker Residential Architects	B	09/03/2022
Sun Study – Western Bdy	A039	Walker Residential Architects	B	09/03/2022
Sun Study – Outdoor Living	A040	Walker Residential Architects	A	25/07/2022
Sun Study – Outdoor Living	A041	Walker Residential Architects	A	25/07/2022
Elevations Lot 1 - 7	A301	Walker Residential Architects	B	09/03/2022
Elevations Lot 8 – 11	A302	Walker Residential Architects	B	09/03/2022
Elevations Lot 11 – 13	A303	Walker Residential Architects	B	09/03/2022
Elevations Lots 13 – 16	A304	Walker Residential Architects	B	09/03/2022
Elevations Lots 17 – 25	A305	Walker Residential Architects	B	09/03/2022
Elevations Lot 75 – 85	A306	Walker Residential Architects	B	09/03/2022
Elevations Lot 66 – 72	A307	Walker Residential Architects	B	09/03/2022

Elevations Lot 72 – 74	A308	Walker Residential Architects	B	09/03/2022
Elevations 59 – 65	A309	Walker Residential Architects	B	09/03/2022
Elevations 54 – 65	A310	Walker Residential Architects	B	09/03/2022
Elevations Lot 40 – 53	A311	Walker Residential Architects	B	09/03/2022
Elevations Lots 94 – 101 & 119 – 122	A312	Walker Residential Architects	B	09/03/2022
Elevations Lot 34 – 38	A313	Walker Residential Architects	B	09/03/2022
Elevations Lots 86 – 93	A314	Walker Residential Architects	B	09/03/2022
Elevations Lot 112 – 118	A315	Walker Residential Architects	B	09/03/2022
Elevations Lot 102 – 111	A316	Walker Residential Architects	B	09/03/2022
Site Section East Bdy 1	A401	Walker Residential Architects	B	09/03/2022
Site Sections East Bdy 2	A402	Walker Residential Architects	B	09/03/2022
Site Sections West Bdy 1	A403	Walker Residential Architects	B	09/03/2022
Site Sections West Bdy 2	A404	Walker Residential Architects	B	09/03/2022
Site Sections OA1	A405	Walker Residential Architects	B	09/03/2022
Site Sections OA2	A406	Walker Residential Architects	B	09/03/2022

Site Sections OA3	A407	Walker Residential Architects	A	25/07/2022
Compliance	A411	Walker Residential Architects	B	09/03/2022
Perspectives	A701	Walker Residential Architects	B	09/03/2022
Perspectives	A702	Walker Residential Architects	B	09/03/2022
Perspectives	A703	Walker Residential Architects	B	09/03/2022
Perspectives	A704	Walker Residential Architects	B	09/03/2022
Perspectives	A705	Walker Residential Architects	B	09/03/2022
Perspectives	A706	Walker Residential Architects	B	09/03/2022
Floor Plans	A1.1-A200	Walker Residential Architects	B	09/03/2022
Elevations	A1.1-A300	Walker Residential Architects	B	09/03/2022
Floor Plans	A1.2-A200	Walker Residential Architects	B	09/03/2022
A-4 Elevations	A1.2-A300	Walker Residential Architects	B	09/03/2022
Plans	A2-A200	Walker Residential Architects	B	09/03/2022
Elevations	A2-A300	Walker Residential Architects	B	09/03/2022
Plans	B1.1-A200	Walker Residential Architects	B	09/03/2022

Elevations	B1.1-A300	Walker Residential Architects	B	09/03/2022
Plans	B1.2-A200	Walker Residential Architects	B	09/03/2022
Elevations	B1.2-A300	Walker Residential Architects	B	09/03/2022
Plans	B2.1-A200	Walker Residential Architects	B	09/03/2022
Elevations	B2.1-A300	Walker Residential Architects	B	09/03/2022
Plans	B2.2-A200	Walker Residential Architects	B	09/03/2022
Elevations	B2.2-A300	Walker Residential Architects	B	09/03/2022
Plans	C1-A200	Walker Residential Architects	B	09/03/2022
Elevations	C1.1-A300	Walker Residential Architects	B	09/03/2022
Elevations	C1.2-A300	Walker Residential Architects	B	09/03/2022
Plans	C2-A200	Walker Residential Architects	B	09/03/2022
Elevations	C2-A300	Walker Residential Architects	B	09/03/2022
Plans	D1.1-A200	Walker Residential Architects	B	09/03/2022
Elevations	D1.1-A300	Walker Residential Architects	B	09/03/2022
Plans	D1.2-A200	Walker Residential Architects	B	09/03/2022

Elevations	D1.2-A300	Walker Residential Architects	B	09/03/2022
Plans	E1.1-A200	Walker Residential Architects	B	09/03/2022
Elevations	E1.1-A300	Walker Residential Architects	B	09/03/2022
Plans	E1.2-A200	Walker Residential Architects	B	09/03/2022
Elevations	E1.2-A300	Walker Residential Architects	B	09/03/2022
Plans	F-A200	Walker Residential Architects	B	09/03/2022
Elevations	F-A300	Walker Residential Architects	B	09/03/2022
Plans	G1-A200	Walker Residential Architects	B	09/03/2022
Elevations	G1-A300	Walker Residential Architects	B	09/03/2022
Plans	H1-A200	Walker Residential Architects	B	09/03/2022
Elevations	H1.1-A300	Walker Residential Architects	B	09/03/2022
Elevations	H1.2-A300	Walker Residential Architects	B	09/03/2022
Plans	H2-A200	Walker Residential Architects	B	09/03/2022
Elevations	H2.1-A300	Walker Residential Architects	B	09/03/2022
Elevations	H2.2-A300	Walker Residential Architects	B	09/03/2022

Plans	I1-A200	Walker Residential Architects	C	25/07/2022
Elevations	I1-A300	Walker Residential Architects	C	25/07/2022
Plans	I2-A200	Walker Residential Architects	B	09/03/2022
Elevations	I2-A300	Walker Residential Architects	B	09/03/2022
Elevations	E-1-A300	Walker Residential Architects	B	09/03/2022
Plans	H-A200	Walker Residential Architects	B	09/03/2022
Elevations	H-A300	Walker Residential Architects	B	09/03/2022
Plans	G1.2-A200	Walker Residential Architects	B	09/03/2022
Elevations	G1-A300	Walker Residential Architects	B	09/03/2022
Cover Page	-	LASF Landscape Architects	-	-
Overall Streetscape Landscape Plan	002	LASF Landscape Architects	B	30/06/2022
Detail 1 - Streetscape Landscape Plan	003	LASF Landscape Architects	B	30/06/2022
Detail 2 – Private Lot Landscape Plan	004	LASF Landscape Architects	B	30/06/2022
Detail 3 – Private Lot Landscape Plan	005	LASF Landscape Architects	B	30/06/2022
Detail 4 – Private Lot Landscape Plan	006	LASF Landscape Architects	B	30/06/2022
Detail 5 – Private Lot Landscape Plan	007	LASF Landscape Architects	B	30/06/2022
Detail 6 – Private Lot Landscape Plan	008	LASF Landscape Architects	B	30/06/2022
Detail 7 – Private Lot Landscape Plan	009	LASF Landscape Architects	B	30/06/2022

Detail 8 – Private Lot Landscape Plan	010	LASF Landscape Architects	B	30/06/2022
Detail 9 – Private Lot Landscape Plan	011	LASF Landscape Architects	B	30/06/2022
Detail 10 – Private Lot Landscape Plan	012	LASF Landscape Architects	B	30/06/2022
Detail 11 – Private Lot Landscape Plan	013	LASF Landscape Architects	B	30/06/2022
Detail 12 – Private Lot Landscape Plan	014	LASF Landscape Architects	B	30/06/2022
Detail 13 – Private Lot Landscape Plan	015	LASF Landscape Architects	B	30/06/2022
Detail 14 – Private Lot Landscape Plan	016	LASF Landscape Architects	B	30/06/2022
Detail 17 – Private Lot Landscape Plan	017	LASF Landscape Architects	B	30/06/2022
Overall Tree & Shrub Planting Legend	018	LASF Landscape Architects	B	30/06/2022
Overall Tree & Shrub Planting Schedule	019	LASF Landscape Architects	B	30/06/2022
Overall Tree & Shrub Planting Schedule Continued	020	LASF Landscape Architects	B	30/06/2022
Landscape Plan – Detail	021	LASF Landscape Architects	B	30/06/2022
Proposed Contours Overall Layout	210	Envelope Engineers	R6	18/08/2022
Proposed Contours Sheet 1	211	Envelope Engineers	R3	05/07/2022
Proposed Contours Sheet 2	212	Envelope Engineers	R3	05/07/2022
Proposed Contours Sheet 3	213	Envelope Engineers	R4	18/08/2022
Proposed Contours Sheet 4	214	Envelope Engineers	R4	18/08/2022
Rock Retention Wall Erosion & Sediment Control Plan Overall Plan	244	Envelope Engineers	R1	18/08/2022
Rock Retention Wall Erosion and Sediment Control Plan Sheet 1 of 2	245	Envelope Engineers	R1	18/08/2022

Rock Revetment Wall Erosion and Sediment Control Plan Sheet 2 of 2	246	Envelope Engineers	R1	18/08/2022
Proposed Retaining Walls Overall Layout Plan	260	Envelope Engineers	R4	10/03/2022
Proposed Retaining Walls Sheet 1	261	Envelope Engineers	R4	10/03/2022
Proposed Retaining Walls Sheet 2	262	Envelope Engineers	R4	10/03/2022
Proposed Retaining Walls Sheet 3	263	Envelope Engineers	R4	10/03/2022
Proposed Retaining Walls Sheet 4	264	Envelope Engineers	R4	10/03/2022
Proposed Retaining Wall Long Section Sheet 1 of 3	270	Envelope Engineers	R1	08/07/2022
Proposed Retaining Wall Long Section Sheet 2 of 3	271	Envelope Engineers	R1	08/07/2022
Proposed Retaining Wall Long Section Sheet 3 of 3	272	Envelope Engineers	R1	08/07/2022
Proposed Rooding Plans Overall Layout	300	Envelope Engineers	R2	14/07/2022
Proposed Rooding Plans Sheet 1	301	Envelope Engineers	R3	22/03/2022
Proposed Rooding Plans Sheet 2	302	Envelope Engineers	R3	14/07/2022
Proposed Rooding Plans Sheet 3	303	Envelope Engineers	R3	07/07/2022
Proposed Rooding Plans Sheet 4	304	Envelope Engineers	R2	01/12/2021
Proposed Rooding Plans Sheet 4	305	Envelope Engineers	R1	17/05/2022
Proposed Rooding Plans Long-Sections Sheet 1	330	Envelope Engineers	R2	02/12/2021
Proposed Rooding Plans Long-Sections Sheet 2	331	Envelope Engineers	R2	02/12/2021
Proposed Rooding Plans Long-Sections Sheet 3	332	Envelope Engineers	R2	02/12/2021

Proposed Rooding Plans Long-Sections Sheet 4	333	Envelope Engineers	R2	17/05/2022
Proposed Rooding Plans Long-Sections Sheet 5	334	Envelope Engineers	R2	17/05/2022
Proposed Public Drainage Overall Layout Plan	400	Envelope Engineers	R4	06/07/2022
Proposed Public Drainage Layout Plan Sheet 1 of 4	401	Envelope Engineers	R4	15/06/2022
Proposed Public Drainage Layout Plan Sheet 2 of 4	402	Envelope Engineers	R2	17/05/2022
Proposed Public Drainage Layout Plan Sheet 3 of 4	403	Envelope Engineers	R4	06/07/2022
Proposed Public Drainage Layout Plan Sheet 4 of 4	404	Envelope Engineers	R4	06/07/2022
Proposed Public Stormwater Long Section Sheet 1 of 5	430	Envelope Engineers	R3	29/04/2022
Proposed Public Stormwater Long Section Sheet 2 of 5	431	Envelope Engineers	R3	29/04/2022
Proposed Public Stormwater Long Section Sheet 3 of 5	432	Envelope Engineers	R2	29/04/2022
Proposed Public Stormwater Long Section Sheet 4 of 5	433	Envelope Engineers	R2	29/04/2022
Proposed Public Stormwater Long Section Sheet 5 of 5	434	Envelope Engineers	R2	29/04/2022
Proposed Public Wastewater Long Section Sheet 1 of 4	450	Envelope Engineers	R2	29/04/2022
Proposed Public Wastewater Long	451	Envelope Engineers	R2	29/04/2022

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Proposed Public Wastewater Long Section Sheet 3 of 4	452	Envelope Engineers	R2	29/04/2022
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Proposed OLFP Catchments	470	Envelope Engineers	R2	05/07/2022
Proposed OLFP Extent Plan	471	Envelope Engineers	R3	21/07/2022
Proposed Public Drainage Details Sheet 1	490	Envelope Engineers	R2	02/12/2021
Proposed Public Drainage Details Sheet 2	491	Envelope Engineers	R2	02/12/2021
Proposed Public Drainage Details Sheet 3	492	Envelope Engineers	R2	02/12/2021
Proposed Public Drainage Details Sheet 4	493	Envelope Engineers	R2	02/12/2021
Proposed Wingwall Detail	494	Envelope Engineers	R3	15/06/2022
Typical Raingarden Detail	495	Envelope Engineers	R2	02/12/2021
Proposed Water & Services Overall Layout	500	Envelope Engineers	R3	06/12/2021

Drawing title and reference		Author	Rev	Dated
Resource Consent Plan Sheet 1 of 5	RC1_S1	Boundary Consultants	03	29/08/2022
Resource Consent Plan Sheet 2 of 5	RC1_S2	Boundary Consultants	04	07/09/2022
Resource Consent Plan Sheet 3 of 5	RC1_S3	Boundary Consultants	04	07/09/2022
Resource Consent Plan Sheet 4 of 5	RC1_S4	Boundary Consultants	04	29/08/2022
Resource Consent Plan Sheet 5 of 5	RC1_S5	Boundary Consultants	05	29/08/2022

Advice Note:

- *The engineering assessment of this resource consent is limited to an effects-based assessment allowed by the Unitary Plan. Plans approved under Resource Consent do not constitute an Engineering Plan Approval. A separate engineering approval will be required for the design of any infrastructure that is to vest in council.*
 - *The scheme plans should be used for the location of the latest boundaries of the future lots.*
2. Under section 125 of the RMA, these consents lapse five years after the date they are granted unless:
 - a. The consents are given effect to; or
 - b. The council extends the period after which the consents lapse.
 3. The consent holder must pay the council an initial consent compliance monitoring charge of \$1,026) (inclusive of GST), plus any further monitoring charge or charges to recover the actual and reasonable costs incurred to ensure compliance with the conditions attached to these consents.

Advice note:

The initial monitoring deposit 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(s). In order to recover actual and reasonable costs, monitoring of conditions, in excess of those covered by the deposit, must be charged at the relevant hourly rate applicable at the time. The consent holder will be advised of the further monitoring charge. Only after all conditions of the resource consent have been met, will the council issue a letter confirming compliance on request of the consent holder.

Specific conditions – DIS60393060 & WAT60407691**Duration of the consents**

4. DIS60393060 must expire five (5) years from the date of issue unless they have been surrendered or cancelled at an earlier date pursuant to the RMA.
5. WAT60407691 must expire five (5) years from the date of issue unless they have been surrendered or cancelled at an earlier date pursuant to the RMA.

Specific conditions – land use consent LUC60393008

6. LUC60396008 in relation to the regional earthworks component of the consent must expire five (5) years from the date it has been granted unless it has been surrendered or cancelled at an earlier date pursuant to the RMA

Before works

Augier condition

7. The consent holder must not undertake any works proposed under this consent prior to giving effect to the associated bulk earthworks consent BUN60393014 (LUC60393015 & WAT60393016 & WAT60406471 & DIS60406472).

The works can occur concurrently with the works proposed under BUN60393014. The consent holder must meet all the conditions under BUN60393014 and the conditions under BUN60393007 below. The consent holder must submit a statement at the pre-start meeting required by condition 8 demonstrating that the earthworks have been carried out in accordance with the conditions of BUN60393014. If the proposed works are to be undertaken concurrently, the consent holder must provide a statement of how the conditions under both BUN60393014 and BUN60393007 (LUC60393008 & DIS60393060 & WAT60407691) will be met.

Advice note:

Staged earthworks and construction may occur subject to the written approval of the Council, further details such as plans showing the intended staged works may be required.

Pre-start meeting

8. Prior to the commencement of the earthworks, the consent holder must hold a pre-start meeting that:
 - is located on the subject site;
 - is scheduled **not less than five days** before the anticipated commencement of earthworks;
 - includes representation from the Council's Compliance Monitoring Team; and
 - includes representation from the contractors who will undertake the works.

The meeting must discuss the erosion and sediment control measures and must ensure all relevant parties are aware of and familiar with the necessary conditions of this consent.

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

- Timeframes for key stages of the works authorised under this consent;
- Construction Traffic Management Plan;
- Construction Methodology;
- Earthworks and Construction Management Plan;
- Lizard Management Plan;
- Settlement Monitoring and Contingency Plan;
- Resource consent conditions; and
- Erosion and Sediment Control Plans.

Advice note:

To arrange the pre-construction meeting please contact the Council to arrange this meeting on email at monitoring@aucklandcouncil.govt.nz.

9. No earthworks on the subject site must be undertaken between 01 May and 30 September in any year, without the submission of a 'Request for winter works' for approval to Council. All requests must be renewed annually prior to the approval expiring and no works must occur until written approval has been received from Council. All winter works will be re-assessed monthly or as required to ensure that adverse effects are not occurring in the receiving environment and approval may be revoked by Council upon written notice to the consent holder.

Construction Traffic Management Plan to be provided

10. Prior to the commencement of any works on the site, the consent holder must submit to and have approved by the Council, a Construction Traffic Management Plan (CTMP) must be prepared in accordance with the Council's requirements for traffic management plans or CTMPs (as applicable) and New Zealand Transport Authority's Code of Practice for Temporary Traffic Management, and must address the surrounding environment including pedestrian and bicycle traffic. No construction activity must commence until the CTMP has been approved by the Council and all construction traffic must be managed at all times in accordance with the approved CTMP.
 - a. Provide a parking management plan for construction traffic.
 - b. Address the transportation and parking of oversize vehicles (if any).
 - c. Provide appropriate loading / working areas to minimise disruption to traffic.
 - d. Provide cleaning facilities within the site to thoroughly clean all vehicles prior to exit to prevent mud or other excavated material from being dropped on the road. In the event that material is dropped on the road, resources should be on hand to clean-up as soon as possible.
 - e. Provide traffic management plans in compliance with the latest edition of the NZTA "Code of Practice for Temporary Traffic Management" (COPTTM) document.
 - f. Ensure the site access point must be clearly sign-posted.
 - g. Include measures that are to be adopted to ensure that pedestrian access on the public footpaths in the vicinity of the site is safe during construction works.
 - h. Detail how the works will be undertaken to maintain access to properties adjacent to the work site during construction and address the duration time frame for sites with no-vehicle access during the works.
 - i. Identify proposed numbers and timing of heavy vehicle movements throughout the day.
 - j. Identify the location of vehicle and construction machinery access during the period of site works.

- k. Identify the storage and loading areas for materials and vehicles.
- l. Identify the relevant Auckland Transport approvals.

Advice note:

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

Construction Management Plan to be provided

- 11. Prior to the commencement of construction on site, a finalised Earthworks and Construction Management Plan (CMP) must be submitted to the Council. No construction activity must commence until confirmation is provided from the council that the CMP satisfactorily meets the Council's requirements, and all measures identified in that plan as needing to be put in place prior to commencement of works have been.

Geotechnical conditions

- 12. Earthworks, foundations, construction of retaining walls and the coastal revetment and slope remediation works must be supervised by a suitably qualified geotechnical engineering professional (who is familiar with the Geotechnical Investigation Revision 1 by ENGeo (reference: 19243.000.001, revision: 1, dated: 25 March 2022) and Letter RE: Assessment of Effects Revision 3 - 18 Scott Road, Hobsonville, Auckland (reference: 19243.000.001_11) by ENGeo (dated: 25 July 2022)). In supervising the works, the suitably qualified geotechnical engineering professional must ensure that they are constructed and otherwise completed in accordance with the engineering plans and geotechnical recommendations, relevant engineering codes of practice and detailed plans forming part of the application. The supervising engineer's contact details must be provided in writing to the Council at least two weeks prior to earthworks commencing on site.
- 13. The consent holder must provide a detailed construction methodology written by a Chartered Geotechnical Engineer or Chartered Engineering Geologist for the contractor to undertake the earthworks and construction of the coastal revetment and include the recommendations provided within Geotechnical Investigation Revision 1 by ENGeo (reference: 19243.000.001, revision: 1, dated: 25 March 2022) and Letter RE: Assessment of Effects Revision 3 - 18 Scott Road, Hobsonville, Auckland (reference: 19243.000.001_11) by ENGeo (dated: 25 July 2022). This must be required to ensure boundary stability is maintained throughout the civil works stage of the development. The construction methodology must be provided in writing to the for the Council's approval at least two weeks prior to earthworks commencing on site. No works onsite are permitted prior to written approval that the construction methodology has been reviewed and accepted by the Council.
- 14. The consent holder must engage an engineer to advise the Council of timeframes for unsupported cuts adjacent to boundaries at least one week prior to excavations on boundaries being undertaken.

15. The consent holder must provide a written statement from a suitably qualified geotechnical engineering professional supporting that stormwater discharges (including but not limited to the public outfall and retention pond outlets) are located in a geotechnically suitable location. This must be provided prior to the commencement of earthworks and to the satisfaction of the Council.

Settlement Monitoring and Contingency Plan (SMCP)

16. At least 10 working days prior to the commencement of excavations, a Settlement Monitoring and Contingency Plan (SMCP) must be submitted to the Council for written approval. The SMCP must be prepared by a suitably qualified engineering professional. Any proposed amendment to the SMCP must also be submitted to the Council for written approval and must include, as a minimum, the following information:
 - a) A monitoring location plan showing the layout and type of all Monitoring Stations and ground movement pins. The layout must ensure that all potentially affected areas of neighbouring property above proposed excavations are monitored for deformation.
 - b) The identification of services susceptible to damage and all building/service condition surveys undertaken to date and required by conditions in this consent.
 - c) The timing and frequency of condition surveys, visual inspections and survey of ground movement pins.
 - d) All Alert and Alarm Level triggers.
 - e) Details of the contingency actions to be implemented if Alert or Alarm Levels are exceeded.

Building, Structure, and Services Surveys and Inspections

17. A copy of all pre-excavations building, structure condition surveys, and Service condition surveys required by this consent must be submitted to the Council with the SMCP. All other records required by this consent must be provided to the Council upon request.
18. Prior to commencement of any proposed works within the land subject to the coastal erosion hazard area shown in the plan *“Figure 1. Future mean ASCIE of 69.39 m overlaid on AC Geomaps. Note the red line denotes the future ASCIE extent from the toe-of-cliff/shoreline (green line) (Images retrieved from AC Geomaps). Also presented are the minimum (26.5 m) and maximum (40.4 m) distances from property boundary to the future mean ASCIE”* in the provided Coastal Erosion Hazard Risks assessment dated 4th July 2022, prepared by eCoast Marine Consulting and Research, the consent holder must submit an Engineering Plan Approval (EPA) application for the proposed coastal revetment to the Council. The EPA application must include detailed engineering plans for the coastal revetment structures to enable development of the proposed coastal protection within the Esplanade Reserve to be undertaken.

The structure will be required to have a service life of 50 years in terms of the Building Code and at least 100 years in terms of planning horizons for the hazard under the RMA.

The proposed revetment must mitigate the erosion and instability risk over the required 100-year assessment period and render the roads and dwellings outside the 2130 ASCIE line. The plan(s) and supporting assessments, to be submitted for approval, must include;

- (i) Detailed engineering design of the proposed coastal revetment structure within the esplanade reserve that is consistent with applicable standards, such as AS 4997-2005, and international guidelines.
- (ii) Be prepared by a suitably qualified chartered engineer.
- (iii) Producer Statements (PS1) provided by the designer, with council reserving the right to appoint a Design Reviewer (PS2).
- (iv) Safe public access to and from the Esplanade Reserve and the foreshore.

The consent holder must not undertake any works, including earthworks, within the area subject to the coastal erosion hazard prior to receiving the EPA approval for the coastal revetment structure.

Advice note:

The proposed works within the esplanade reserve and construction are subject to a Landowner Approval. If the Landowner Approval is not provided for the proposed works, the applicant should apply for a new resource consent or an amendment to this resource consent under section 127 of the RMA to address the coastal erosion hazards issue.

Lizard management plan required

19. The Consent Holder must, prior to the commencement of any vegetation removal works, submit and have certified by Council, a Lizard Management Plan (LMP) prepared by a suitably qualified and experienced ecologist/herpetologist. The LMP Plan must be designed so as to achieve the following two objectives.
 - a. The population of each species of native lizard present on the site at which vegetation clearance is to occur must be maintained or enhanced, either on the same site or at an appropriate alternative site; and
 - b. The habitat(s) that lizards are transferred to (either on site or at an alternative site, as the case may be) will support viable native lizard populations for all species present pre-development.

The LMP must address the following (where relevant):

- Credentials and contact details of the ecologist/herpetologist who will implement the plan.
- Timing of the implementation of the LMP.
- A description of methodology for survey, trapping and relocation of lizards rescued including but not limited to: salvage protocols, relocation protocols (including method used to identify suitable relocation site(s)), nocturnal and diurnal capture protocols, supervised habitat clearance/transfer protocols, artificial cover object protocols, and opportunistic relocation protocols.
- A description of the relocation site(s); including discussion of:

- provision for additional refugia, if required e.g. depositing salvaged logs, wood or debris for newly released native skinks that have been rescued;
- any protection mechanisms (if required) to ensure the relocation site is maintained (e.g.) covenants, consent notices etc;
- any weed and pest management to ensure the relocation site is maintained as appropriate habitat.
- Monitoring methods, including but not limited to: baseline surveying within the site; baseline surveys outside the site to identify potential release sites for salvaged lizard populations and lizard monitoring sites; ongoing annual surveys to evaluate translocation success; pre and post – translocation surveys; and monitoring of effectiveness of pest control and/or any potential adverse effects on lizards associated with pest control;
- A post-vegetation clearance search for remaining lizards.

Advice Note:

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

Architectural Design Plans

20. Prior to commencement of works (other than preparatory earthworks and civil infrastructure works), the consent holder must submit to Council for confirmation of design compliance a finalised set of architectural detail drawings and materials specifications. The information must include the following:

- details of the building's façade treatment / architectural features including, but not limited to:
- materials schedule and specification, sample palette of materials, surface finishes, and colour schemes (including colour swatches) referenced on the architectural elevations;
- and external / rooftop services / plant, and visual / aural screening elements.

The finalised set of drawings must ensure that the building's proposed architectural treatment and finished appearance is consistent with the plans and information referenced at condition 1.

All works must then be carried out with the details certified by council, and thereafter retained and maintained, to the satisfaction of the Council.

Advice note:

As part of the condition monitoring process, Council's monitoring inspectors will liaise with members of the Council's Urban Design Unit to Provide confirmation of design compliance in relation to architectural drawings and materials specifications under this condition. The confirmation of design compliance does not relate to Building Act 2004 or Building Code compliance. A separate building consent application is required, and all building work must comply with the provisions of the Building Act and Building Code. We recommend that you seek appropriate specialist advice to ensure coordination between compliance with design requirements and Building Act and Building Code compliance.

Fencing/Retaining Walls/Gates

21. Prior to commencement of works (other than preparatory earthworks and civil infrastructure works), the consent holder must submit to Council for confirmation of design compliance a finalised set of finalised design details of all proposed retaining walls, fencing and gates, including locations, heights and materials. The finalised details must be consistent with the plans and information referenced at condition 1. The finalised design details certified by Council must be established prior to the development hereby consented being first occupied, and thereafter retained and maintained, to the Council. In particular, the finalised retaining wall design details must confirm the following:

- The type of materials for all retaining walls.
- Confirmation that the retaining wall around unit 101 will be built with keystone.
- Any landscaping or fencing within 2m from both sides of the vehicle crossings for future COAL A, Unit 11 / 12, 75 / 76, Units 13 to 16, 17 to 33, 39-53, future COAL D and Units 86 to 88 must be limited to no more than 900mm in height above ground level or must be 80% visually permeable.

Advice note:

As part of the design compliance process, Council's monitoring officers will liaise with the Council's Urban Design Unit to ensure that the submitted details are consistent with the approved plans and information. The confirmation of design compliance does not relate to Building Act 2004 or Building Code compliance.

Finalised Private accessways plan

22. Prior to the commencement of any work on site (other than preparatory earthworks), the consent holder must provide to the Council for approval, a finalised set of private accessway plan for shared accessways (future commonly owned access lots) A, B, C, D and E. The submitted information must be consistent with the private accessway surface treatment as shown on the consented landscape concept plans prepared by LASF Landscape Architects, titled "18 Scott Road Residential Subdivision Hobsonville Auckland, Resource Consent Landscape Proposal", and dated June 2022.

Lighting Plans

23. Prior to commencements of works on the site (other than preparatory earthworks and civil infrastructure works), the consent holder must provide a Lighting Plan and Certification/ Specifications prepared by a qualified Lighting Engineer, to the Council. The purpose of

this condition is to provide adequate lighting for the safety of people residing, working or visiting the premises and its immediate environs outside of daylight hours. Lighting for pedestrian areas must be calculated in accordance with the methods described in the AS/NZS1158 series of standards, and certified in a statement by a suitably qualified and experienced professional. The lighting design must demonstrate compliance with the following:

- a. Lighting must comply fully with the requirements of AS/NZS1158.3.1.
- b. Lighting must as a minimum provide the lighting subcategory performance determined in accordance with AS/NZS1158.3.1, but not less than the following minimums lighting subcategories:
 - (i) PR2 minimum for driveways and accessways.
 - (ii) PC3 is the minimum for car parking.
 - (iii) PP3 minimum for paths.
 - (iv) PA3 minimum for connecting elements, steps, stairways and ramps.
- c. Detail compliance of the design as required by AS/NZS1138.3.1.
- d. All light fittings when installed must not project any light at or above the height of their light source.
- e. All light emitted from light fittings must have a correlated colour temperature of 3000K (Kelvin) or less.
- f. Spill light and glare from the lighting to comply with E24 Lighting requirements and these requirements must include windows of all lawfully established dwellings within the site.
- g. The lighting is to have automatic daylight controls such that the lights are on from dusk to dawn.
- h. Lighting to be supplied from a common supply which cannot be disabled by residents.
- i. The lighting installation is to be maintained in accordance with AS/NZS1158.3.1.
- j. Demonstrate compliance with the relevant standards in E24.6.1 Lighting of the Auckland Unitary Plan (Operative in Part).

Advice Note:

The purpose of this condition is to ensure that adequate lighting is provided to frequently used areas within the proposed development for the safety of users. Adequate lighting is the amount of lighting at eye level for a person with average eyesight so they can identify any potential threat approaching them from at least a 15-metre distance.

Solar lighting is not recommended as it is not long lasting. A more durable option is preferred.

The consent holder must ensure that the bollards at the entrance of the central three parking spaces are located in a way that avoids them being run over for entering or exiting vehicles.

Lighting should not be placed within footpaths where it narrows the overall width of the footpath.

Finalised landscape design drawings, specifications and maintenance requirements

24. Prior to the approval of building consent, the consent holder must provide to the Council for certification, a finalised set of detailed landscape design drawings, based on drawings prepared by LASF landscape architects, dated June 2022, and supporting written documentation which have been prepared by a landscape architect. The submitted information must be consistent with the approved landscape concept plan(s) as referenced in condition 20 and, at a minimum, must include landscape design drawings, specifications and maintenance requirements including:
- An annotated planting plan(s) which communicate the proposed location and extent of all areas of planting.
 - A plant schedule based on the submitted planting plan(s) which details specific plant species, spacing, the number of plants, plant sourcing and the height and/or grade (litre) / Pb size at time of planting.
 - An annotated driveway and hard landscape plan and related specifications, detailing proposed site levels and the materiality and colour of all proposed hard surfacing and retaining walls.
 - An annotated plan detailing all fences, storage areas, retaining walls and fences in line with the landscape and architectural plans submitted at resource consent stage.
 - A landscape maintenance plan (report) and related drawings and specifications for all aspects of the finalised landscape design covering a minimum three years, including in relation to the following requirements:
 - Soil preparation, staking, watering, drainage, mulching and fertiliser requirements.
 - Weed removal and pest control.
 - Plant replacement covering a minimum three years for poorly performing or dead plants, including specimen trees.
 - Maintenance methodology and frequencies, inspection timeframes
 - Contractor responsibilities for ongoing maintenance.
25. Prior to the commencement of any engineering works, the consent holder must submit engineering plans (including engineering calculations and specifications) to the Council for approval in writing. The engineering plans must include, but not be limited to, the information regarding the detailed design of all roads and road network activities provided

for by this resource consent approval. In particular, detailed design of the following should be provided:

- a) The proposed raised intersection between Limestone Drive, Scott Road, and Kokowai Parade;
 - b) The proposed intersection between Limestone Drive, and Picnic Road;
 - c) Drawings illustrating the proposed mountable kerbs on the inside of parking bays will be revised to a vertical kerb level;
 - d) Traffic calming devices outside Lot 119 (blind corner) and Lot 122;
 - e) Vehicle tracking for all roads and intersections. Detailed design of rubbish collection trackings and movement
 - f) Detailed design of stormwater management devices (such as communal devices and/ or Stockholm tree pits)
 - g) Pedestrian facilities across the proposed road network, including pedestrian refuge, footpath width, alignment, surface treatment and pram crossings.
 - h) Location of service lines. Services must be located outside of the carriageway and service lids must not be located within footpaths.
 - i) Provision of front berms and back berms within the road reserve.
 - j) Detailed design of any street lighting, future and other structures / facilities on the roads to be vested with Auckland Transport, including any traffic calming devices, road markings and street signs.
 - k) Vehicle tracking for all roads and intersections.
 - l) Visibility assessment of all proposed roads, in particular, the visibility at intersections and forward visibility around bends must be designed in accordance with Auckland Transport's current code of practice.
26. When submitting the engineering plans under condition 25, a registered engineer must:
- a. Certify that all public roads and associated structures/facilities or access ways have been designed in accordance with the Auckland Transport's current code of practice.
 - b. Provide a statement that the proposed infrastructure has been designed for the long-term operation and maintenance of the asset.
 - c. Confirm that all practical measures are included in the design to facilitate safe working conditions in and around the asset.
 - d. Certify that the proposed stormwater system or devices proposed have been designed in accordance with the Council's Code of Practice for Land Development and Subdivision: Chapter 4 - Stormwater.

Advice Note:

If the EPA drawings require any permanent traffic or parking restrictions, then the consent holder must submit a resolution report for approval by Auckland Transport Traffic Control Committee to legalise these restrictions. The resolutions, prepared by a qualified traffic engineer, will need to be approved so that the changes to the road reserve can be legally implemented and enforced. The resolution process requires external consultation to be undertaken in accordance with Auckland Transport's standard procedures. It is the responsibility of the consent holder to prepare and submit a permanent Traffic and Parking Changes report to Auckland Transport Traffic Control Committee (TCC) for review and approval. A copy of the resolution from Traffic Control Committee must be submitted to Council prior to any civil works.

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

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

Pre-construction condition survey

27. Prior to the commencement of any works onsite, a detailed pre-construction condition survey of the surrounding ground, driveways and neighbouring buildings and structures must be completed. This must be prepared by a suitably qualified engineering professional and must be submitted for certification by the Council. The consent holder must allow a minimum of ten (10) working days for a response from the owner of the property. This condition does not apply where written evidence is provided to the Council that the owner of a property has confirmed they do not require a condition survey. The pre-construction condition survey must include:
 - a. A description of the type of structure foundations.
 - b. A description of internal and external existing levels of damage considered to be of an aesthetic or superficial nature.
 - c. A description of internal and external existing levels of damage considered to affect the serviceability of the building where visually apparent without recourse to intrusive or destructive investigation.
 - d. An assessment as to whether existing damage may or may not be associated with actual structural damage and an assessment of the susceptibility of the buildings/structures to further movement and damage, to the extent predicted.
 - e. Photographic evidence of existing observable damage.
28. Prior to the commencement of any works onsite, a pre-condition survey (CCTV) of potentially affected utilities must be undertaken in consultation with the relevant service provider. The CCTV must be provided to the satisfaction of Council.

During works

Erosion and sediment controls

29. The erosion and sediment controls at the site must be constructed and maintained in accordance with Auckland Council Guideline Document 2016/005 'Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region' throughout the duration of the earthwork activity, or until the site is permanently stabilised against erosion. A record of any maintenance work must be kept and be supplied to the Council on request.
30. The site must be progressively stabilised against erosion in accordance with Auckland Council Guideline Document 2016/005 'Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region', as soon as practicable as earthworks are finished over various areas of the site, and must be sequenced to minimise the discharge of contaminants to groundwater or surface water in accordance with approved Erosion and Sediment Control Plan.
31. Earthworks must be managed to avoid the 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 must immediately be removed. In no instance must 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.

Minimise any discharge beyond the site

32. All earthworks must be managed to minimise any discharge of debris, soil, silt, sediment or sediment-laden water beyond the subject site to either land, stormwater drainage systems, watercourses or receiving waters. In the event that a discharge occurs, works must cease immediately, and the discharge must be mitigated and/or rectified to the satisfaction of the Council.

Avoid any deposition resulting from earthworks on public road or footpath

33. Earthworks must be managed to avoid 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 must immediately be removed. In no instance must 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*
- *catchpit protection*

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

Operational effectiveness and efficiency of all erosion and sediment control measures

34. The operational effectiveness and efficiency of all erosion and sediment control measures specifically required by the approved Erosion and Sediment Control Plan must be maintained throughout the duration of earthworks activity, or until the site is permanently stabilised against erosion. A record of any maintenance work must be kept and be supplied to the Council on request.

Including Unrecorded Archaeological Sites within the Cultural Heritage Inventory

35. If any unrecorded archaeological sites are exposed as a result of consented work on the site, then these sites must be recorded by the consent holder for inclusion within the Auckland Council Cultural Heritage Inventory. The consent holder must prepare documentation suitable for inclusion in the Cultural Heritage Inventory and forward the information to the Team Leader (for the Manager: Heritage Unit, heritageconsents@aucklandcouncil.govt.nz) within twenty working days of discovery of these sites.

Noise associated with construction activities

36. All noise generating activities associated with the implementation of this resource consent on, or in the vicinity of, the subject site (which can include (but is not limited to) any demolition, earthworks and construction activities, and ancillary activities (such as deliveries, loading and unloading goods, transferring tools, etc)) must not exceed the noise limits stipulated within NZS 6803:1999 Acoustics - Construction Noise (or any subsequent revision), and may only be carried out:
- between the hours of 7:30 am and 18:00 pm, Monday to Saturday; and
 - must not be carried out on any Sunday or public holiday (and any following Monday on which that public holiday is observed)

Ensure construction and earthworks activities do not obstruct access.

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

Avoid damaging assets

38. There must be no damage to public roads, footpaths, berms, kerbs, drains, reserves or other public asset as a result of the earthworks and construction activity. In the event that such damage does occur, the Council will be notified within 24 hours of its

discovery. The costs of rectifying such damage and restoring the asset to its original condition must be met by the consent holder

Vibration during earthworks/demolition

39. Where works on the site are creating vibrations, that in the opinion of the Council, constitute an unreasonable disturbance beyond the boundaries of the subject site, the consent holder must cease works until a suitably qualified expert has been engaged to undertake monitoring of the works and provide confirmation that peak particle velocities measured on any foundation or uppermost full storey of any building not located on the subject site, do not exceed the limits set out in Table 1 of German Standard DIN 4150 Part 3:1986 "Structural Vibration in Buildings – Effects on Structures."

Geotechnical conditions

40. All earthworks must 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 must immediately be rectified.
41. Earthworks, foundations, construction of retaining walls and the coastal revetment and slope remediation works must be supervised by a suitably qualified geotechnical engineering professional (who is familiar with the Geotechnical Investigation Revision 1 by ENGeo (reference: 19243.000.001, revision: 1, dated: 25 March 2022) and Letter RE: Assessment of Effects Revision 3 - 18 Scott Road, Hobsonville, Auckland (reference: 19243.000.001_11) by ENGeo (dated: 25 July 2022)). In supervising the works, the suitably qualified geotechnical engineering professional must ensure that they are constructed and otherwise completed in accordance with the engineering plans and geotechnical recommendations, relevant engineering codes of practice and detailed plans forming part of the application. The supervising engineer's contact details must be provided in writing to the Council at least two weeks prior to earthworks commencing on site.

Contingency Actions

42. If the Consent Holder becomes aware of any damage to buildings, structures or Services potentially caused wholly, or in part, by the exercise of the Earthworks, the consent holder must:
- a) Notify the council and the asset owner within five working days of the Consent Holder becoming aware of the Damage.
 - b) Provide a report prepared by a SQEP (engaged by the Consent Holder at their cost) that describes the Damage and identifies the cause of the Damage. If it is determined that this Damage was caused by works on the subject site, the consent holder must identify and immediately implement appropriate methods to remedy and/or mitigate the Damage that has been caused; identifies the potential for further Damage to occur and describes actions that will be taken to avoid further Damage.
 - c) Provide a copy of the report prepared under (b) above, to the Council and the asset owner within 10 working days of notification under (a) above.

Reporting of Monitoring Data

43. At monthly intervals, a report containing all monitoring data required by conditions of this consent must be submitted to the Council. This report must include a construction progress timeline, the monitoring data recorded in that period, and a comparison of that data with previously recorded data and with the Alert and Alarm Levels for each Monitoring Station.

Access to third party property

44. Where any monitoring, inspection or condition survey specified in this consent requires access to property/s owned by a third party, and access is declined or subject to what the consent holder considers to be unreasonable terms, the Council must be notified by the consent holder and provided with all relevant details relating to access problems as soon as is practicable. If access cannot be reasonably obtained, then a report prepared by a suitably qualified engineering professional identifying whether reasonably available alternative monitoring options are possible, must be provided by the consent holder to the Council. The report must state whether the alternative monitoring options will provide sufficient early detection of deformation / damage to enable measures to be implemented to prevent damage to buildings, structures or services. Written approval from the Council must be obtained by the consent holder before any alternative monitoring option is implemented.

Remediation Action Plan

45. Earthworks must be undertaken in accordance with the Remediation Action Plan – 18 Scott Road, Hobsonville, prepared by ENGEO Limited, dated 12 November 2021 ('the RAP'). Any substantial variations to the RAP must be submitted to the council for review and certification that it appropriately manages actual and potential soil contamination effects and is within the scope of this consent, prior to implementation.

Advice Note:

The council acknowledges that the RAP is intended to provide flexibility of the management of the works and contaminant discharges. Accordingly, the management plan may need to be updated. Any updates should be limited to the scope of this consent and be consistent with the conditions of this consent. If you would like to confirm that any proposed updates are within scope, please contact the council. The council's certification of the RAP relates only to those aspects of the plans that are relevant under the RMA. The certification does not amount to an approval or acceptance of suitability by the council of any elements of the management plan that relate to other legislation, for example, the Building Act 2004 or the Health and Safety at Work Act 2015.

46. Discharges of dust must not cause offensive or objectionable effects at any location beyond the boundary of the Site, in the opinion of an enforcement officer when assessed in accordance with the Good Practice Guide for Assessing and Managing Dust (Ministry for the Environment, 2016). The consent holder must ensure that dust management during the works generally complies with the recommendations of this Good Practice Guide and minimises dust generation as far as practicable. This

includes having sufficient water to dampen exposed soil and unsealed areas, and/or other dust suppressing measures, available as necessary.

Accidental discovery of contamination

47. In the event of the accidental discovery of contamination during earthworks which has not been previously identified, including asbestos material, the consent holder must immediately cease the works in the vicinity of the contamination, notify the council, and engage a Suitably Qualified and Experienced contaminated land Practitioner (SQEP) to assess the situation (including possible sampling and revision of the RAP) and decide on the best option for managing the material.

Advice Note:

Where unanticipated contamination is discovered during the works, a revision of the RAP may be required to ensure that the contamination is appropriately managed. Any revision of the RAP is required to be submitted to Council for certification prior to its implementation.

48. Any excavated material that is not re-used on site must be disposed of at an appropriate facility or site authorised to accept the levels of contamination identified. Evidence of the locations where excavated material has been disposed of must be retained by the consent holder during the works and made available to the council on request.
49. The contamination level of any soil imported to the site must comply with the definition of 'Cleanfill material', as set out in the AUP(OP). Evidence of the locations where imported material has been sourced from must be retained by the consent holder during the works and made available to the council on request.

Ensure dust does not cause adverse effects

50. There must be no airborne or deposited dust beyond the subject site as a result of the earthworks and demolition activity, that in the opinion of Council, is noxious, offensive or objectionable.

Advice Note:

In accordance with condition 50 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 Council on monitoring@aucklandcouncil.govt.nz 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

Lizard Management Plan

51. All works on site must comply with the certified Lizard Management Plan under condition 19.

Bird management

52. If vegetation clearance is unavoidable during nesting season, an experienced ecologist should inspect all vegetation proposed for removal within 24 hours of felling. Should any nesting be identified, a 10 metre buffer should be required to remain around the nest site until the ecologist has confirmed that the nest has failed or the chicks have fledged.

Implementation and maintenance of approved landscape design

53. Within the first planting season following the completion of works and prior to occupation of any dwellings, the consent holder must implement the landscape design which has been certified by Council under condition 24 and thereafter retain and maintain this landscape in accordance with the landscape management and maintenance plan which has been certified under condition 24, and thereafter maintain this to the satisfaction of Council.

Advice note:

Should the landscape planting be implemented outside of the recognised planting season (May-September) the consent holder must provide to Council a programme detailing irrigation, maintenance and replacement of any plant losses to reflect the out of season works.

Landscape planting implementation:

As part of the condition monitoring process, Council's monitoring inspectors will liaise with members of the Council's Urban Design Unit to Provide confirmation of design compliance in relation to landscape drawings and materials specifications under this condition. The

confirmation of design compliance does not relate to Building Act 2004 or Building Code compliance.

Hard Landscape elements:

As part of the design compliance process, Council's monitoring officers will liaise with the Council's Urban Design Unit to ensure that the submitted details are consistent with the approved plans and information. The confirmation of design compliance does not relate to Building Act 2004 or Building Code compliance.

A separate building consent application is required, and all building work must comply with the provisions of the Building Act and Building Code. We recommend that you seek appropriate specialist advice to ensure coordination between compliance with design requirements and Building Act and Building Code compliance.

Streetscape landscaping

54. The consent holder must submit a detailed streetscape landscaping plan(s) and engineering plans for rain gardens, street trees and street gardens at the an Engineering Plan Approval for an approval provided by the Parks Planning Team Leader. In particular, the plans must:

- Be prepared by a suitably qualified landscape architect.
- Be in general accordance with the "Landscape Plan" prepared LASF ref: NWSR 003 Rev: B - dated 30/06/2022.
- Must include hard and soft landscaping details for accessways.
- Show all planting including details of intended species, location, plant sizes at time of planting and likely heights on maturity, tree pit specifications, the overall material palette, location of street lights and other service access points.
- Ensure that selected species can maintain appropriate separation distances from paths, roads, street lights and vehicle crossings in accordance with the Auckland Transport Code of Practice.
- Include planting methodology.
- Comply with the Auckland Code of Practice for Land Development and Subdivision: Chapter 7: Green Assets and Landscaping.

Local Purpose Reserve (Accessway) landscaping (Lot 203)

55. At Engineering Plan Approval stage, the consent holder must submit for the approval of the Parks Planning Team Leader detailed Engineering and Landscape Plans for all hard assets /park furniture / fixtures /planting/grassing to enable reserve development to be undertaken. The plan(s) and supporting planting methodology, to be submitted for approval, must include;

- A plan will be provided to Council in general accordance with the "Landscape Plan" prepared LASF ref: NWSR 003 Rev: B - dated 30/06/2022 with due

consideration of any amendments to the scheme plan included after the issue of this document.

- Be prepared by suitably qualified person/s
- Include a Weed Management and Plan detailing weed eradication and control methods prior to and after planting.
- Identify all new planting to be undertaken on the site including details of the intended species, spacing, quantities, location, plant sizes at the time of planting, their likely heights on maturity and how planting will be staged and established.
- Include specifications for plant condition and a written specification detailing the planting methodologies to be used.
- Identify the existing species to be retained.
- Demonstrate the proposed gradient of the pedestrian walkway.
- Comply with the Auckland Code of Practice for Land Development and Subdivision: Chapter 7: Green Assets and Landscaping.

Alert Level Actions

56. In the event of any Alert Level, as specified in the Settlement Monitoring and Contingency Plan (SMCP) under condition 16 being exceeded the Consent Holder must:
- a) Notify the Council within 24 hours of the alert level exceedance being detected.
 - b) Re-measure all Monitoring Stations to confirm the extent of apparent movement.
 - c) Ensure the data is reviewed, and advice provided by a Suitably Qualified Engineering Professional (SQEP) on the need for mitigation measures or other actions necessary to avoid further deformation. Where mitigation measures or other actions are recommended those measures must be implemented.
 - d) Submit a written report, prepared by the SQEP responsible for overseeing the monitoring, to the Council within five working days of Alert Level exceedance. The report must provide an analysis of all monitoring data relating to the exceedance, actions taken to date to address the issue, recommendations for additional monitoring (i.e., the need for increased frequency or repeat condition survey(s) of building or structures) and recommendations for future remedial actions necessary to prevent Alarm Levels being exceeded.
 - e) Measure and record all Monitoring Stations every two days until such time the written report referred to above has been submitted to the Council.

57. In the event of any Alarm Level being exceeded at any ground or building Monitoring Station the Consent Holder must:
- a) Immediately halt construction activity, including excavation or any other works that may result in increased deformation, unless halting the activity is considered by a SQEP to likely be more harmful (in terms of effects on the environment) than continuing to carry out the activity.
 - b) Notify the Council within 24 hours of the Alarm Level exceedance being detected and provide details of the measurements taken.
 - c) Undertake a condition survey (this could comprise either a detailed condition survey or an external visual inspection at the discretion of the SQEP responsible for overseeing the monitoring) by a SQEP or suitably qualified building surveyor (SQBS) of any building or structure located adjacent to any Monitoring Station where the Alarm Level has been exceeded.
 - d) Take advice from the author of the SMCP on actions required to avoid, remedy, or mitigate adverse effects on ground, buildings or structures that may occur as a result of the exceedance.
 - e) Not resume construction activities (or any associated activities), halted in accordance with paragraph (a) above, until any mitigation measures (recommended in accordance with paragraphs (d) above) have been implemented to the satisfaction of a SQEP.
 - f) Submit a written report, prepared by the SQEP responsible for overseeing the monitoring, to the satisfaction of the Council, on the results of the condition survey(s), the mitigation measures implemented and any remedial works and/or agreements with affected parties within five (5) working days of recommencement of works.
 - g) Re-measure all Monitoring Stations to confirm the extent of apparent movement.

Activities to be Carried Out in Accordance with the Settlement Monitoring and Contingency Plan (SMCP)

All construction, monitoring and contingency actions must be carried out in accordance with the approved SMCP. No bulk excavation activities must commence until the SMCP is approved in writing by the Council.

External Visual Inspections

58. Regular external visual inspections must be undertaken of the surrounding ground, and neighbouring buildings and structures for the purpose of detecting any new external damage or deterioration of existing external damage. Inspections are to be carried out monthly from the commencement to completion of works. A photographic record is to be kept of the time and date of each inspection and all observations made during the inspection and must be of a quality standard that is fit for purpose. This condition does not apply to any land, building or structure where written evidence is provided to the Council confirming that the owner of the land, building or structure does not require visual inspections to be carried out.
59. Within 24 hours of the consent holder being made aware of any damage to neighbouring land and structures and/or existing services, which may have occurred as a result of the works on the site, the consent holder must notify the Council. If it is

determined that this damage was caused by works on the subject site, the consent holder must immediately rectify the damage.

Traffic and parking conditions

60. Prior to the occupation of residential units, all access, pedestrian paths, parking and manoeuvring areas and speed-calming measures must be formed, sealed with an all-weather surface, marked out, sign posted and drained in accordance with the approved plans in Condition 1, to the satisfaction of the Council.
- a. Design, form and construct the common accessways in accordance with Council's "Code of Practice for City Infrastructure and Land Development". The design is to provide for stormwater catchpits and/or slot drains within the boundaries of the common area (or elsewhere within the site, if appropriate). Where necessary the provision of kerbing or similar to prevent water flowing on to other properties must be provided.
 - b. Provide an "as built" plans from a Licensed Cadastral Surveyor identifying and certifying that all services and common area formations have been located in accordance with the locations on registered easements, or within legal boundaries to the satisfaction of the Council.
 - c. A 1.0 m wide walkway must be provided on the western and northern edge of shared accessway 'COAL D' from Limestone Drive to Unit 122. The walkway may be designed to be part of the trafficable pavement.
 - d. A 1.0 m wide walkway must be provided on the western edge of shared accessway 'COAL C' from Picnic Point Road to Scott Road. The walkway may be designed to be part of the trafficable pavement.
 - e. Two speed calming devices must be installed on shared accessway 'COAL D' near Units 119 and 122. Details of these must be included in the engineering approval application.
 - f. Streetlighting of all shared accessway's must be provided at the engineering approval stage.

Advice note:

Parking areas should be marked out in accordance with the approved site plan to ensure appropriate parking supply, access, signage, directions and vehicle manoeuvring. This includes the allocation of specific parking spaces to each dwelling where relevant.

Please note that the proposed accessways are subject to an application for Engineering Common Access Way (CAW) Approval.

Reinstatement of kerbing

61. Prior to the operation of the activity, all redundant vehicle crossings must be removed and reinstated as kerbing and verge/footpath to the most recent version of Auckland Transport Code of Practice, including a regrade of the footpath along the entire frontage of the site

to 2% cross-fall. This must be undertaken at the consent holder's expense and to the satisfaction of the Council.

Advice note:

Works within the road reserve require prior approval from Auckland Transport. This includes vehicle crossings, reinstatement of kerbing and temporary occupation of the footpath/verge/berm during construction. The consent holder should contact Auckland Transport as soon as possible to ensure any required approvals are issued prior to construction.

New Vehicle Crossings

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

Advice note:

Works within the road reserve require prior approval from Auckland Transport. The consent holder should contact Auckland Transport as soon as possible to ensure any required approvals are issued prior to construction.

63. Any landscaping or fencing within 2m from both sides of the vehicle crossings for future COAL A, Unit 11 / 12, 75 / 76, Units 13 to 16, 17 to 33, 39-53, future COAL D and Units 86 to 88 must be limited to no more than 900mm in height above ground level or be 80% visually permeable.

Bicycle Parking Areas

64. The units that do not have a dedicated garage must provide at least one bicycle parking space. In addition, 6 bicycle parking spaces must be provided. A confirmation must be provided to Council that the location, layout, quantity, design and security of bicycle parking facilities located either in public or private areas, meet the minimum requirements of the most recent version of Auckland Transport Code of Practice, Part 13.6 for Cycle Parking.

Stormwater Network

65. The consent holder must design and construct an extension of the public stormwater reticulation network to serve the development in accordance with the requirements of the stormwater utility service provider. Certification from the utility provider that works have been satisfactorily undertaken must be provided.

Advice notes:

- *Alterations to the public stormwater reticulation network require Engineering Approval.*
- *Acceptable forms of evidence include Engineering Approval Completion Certificates.*

- *Public drainage is to be constructed in accordance with the Stormwater Code of Practice.*
 - *Stormwater utility provider is the Auckland Council Healthy Waters Department.*
 - *Plans approved under Resource Consent do not constitute an Engineering Approval and should not be used for the purposes of constructing public reticulation works in the absence of that approval.*
66. The consent holder must provide and install an on-site stormwater management system to serve the proposed development in accordance with the Auckland Council standards and approved "Engineering Infrastructure Report" prepared by Envelope.

Advice note:

Final stormwater management designs must be submitted through Building Consent process. The consent holder must also provide a final operation and maintenance manual for the system including an as-built plan.

52. The stormwater management device or system must be fully operational before the use of the impervious area.

Water Supply

53. The consent holder must design and construct an extension of the water supply network to provide potable water and fire supply the proposed dwellings in accordance with the requirements of the water utility provider. Certification from the utility provider that works have been satisfactorily undertaken must be provided.

Advice notes:

- *Alterations to the public water reticulation network require Engineering Approval. Additional approval is required from Watercare as part of the Engineering Approval Process.*
- *Acceptable forms of evidence include an Engineering Approval Completion Certificate.*
- *Public water supply is required to ensure an acceptable water supply for each lot, including for fire-fighting purposes.*
- *Public connections are to be constructed in accordance with the Water and Wastewater Code of Practice.*

Plans approved under Resource Consent do not constitute an Engineering Approval and should not be used for the purposes of constructing public reticulation works in the absence of that approval.

Wastewater

54. The consent holder must design and construct an extension of the public wastewater reticulation network to serve the development in accordance with the requirements of the wastewater utility provider. Certification from the utility provider that works have been satisfactorily undertaken must be provided. The consent holder must ensure that all

practical steps are taken to ensure that the network design provides gravity service to all dwellings, or as many dwellings as possible.

Advice notes:

- *Alterations to the public wastewater reticulation network require Engineering Approval. Additional approval is required from Watercare as part of the Engineering Approval Process.*
- *Acceptable forms of evidence include an Engineering Approval Completion Certificate.*
- *Public connections are to be constructed in accordance with the Water and Wastewater Code of Practice.*
- *Plans approved under Resource Consent do not constitute an Engineering Approval and should not be used for the purposes of constructing public reticulation works in the absence of that approval.*

Resolutions

55. The consent holder must submit a Resolution report for approval by Auckland Transport Traffic Control Committee to legalise the proposed traffic control devices (e.g. (No stopping at all time (**NSAAT**) road markings, intersections and traffic calming measures throughout the development). A copy of the Resolution from Traffic Control Committee must be submitted to the Council prior to the commencement the activity provided for by this consent approval.

Advice note:

Further information on the resolution process can be found in the following the link: <https://at.govt.nz/about-us/working-with-at/traffic-and-parking-controls>.

56. Specific details of the turning facility at the end of Limestone Drive must be provided demonstrating that a 10.3 m refuse truck can complete the turn safely for Council's approval.

Advice note:

The applicant must submit the details as part of their Engineering Plan Approval process.

57. There must be no retaining / palisade walls within the road reserve.

Corridor Access Request

58. It will be the responsibility of the applicant to determine the presence of any underground services that may be affected by the applicants work in the road reserve. Should any services exist, the applicant must contact the owners of those and agree on the service owner's future access for maintenance and upgrades. Services information may be obtained from <http://www.beforeudig.co.nz/>
59. All work in the road reserve must be carried out in accordance with the general requirements of The National Code of Practice for Utility Operators' Access to Transport

Corridors <http://nzuaq.org.nz/national-code/ApprovedNationalCodeFeb13.pdf> and the Transport Design Manual.

Overland flowpaths

60. The consent holder must divert and form the 1% Annual Exceedance Probability overland flow path in accordance with the approved infrastructure report. Changes to the overland flowpath design must be submitted to Council for approval prior to construction.
61. Units 1, 11-13, 17-31, 75-86, 102-118 are subject to 1 in 100-year overland flow. There must be no obstruction of the constructed overland flow path with any fencing, object, impermeable landscaping, building, or structure.
62. The Minimum finished floor levels must be as outlined below.

Lot Number	Reduced Levels						Actual freeboard provided
	Flood RL (m)	Road Crown Level (m)	Proposed FGL (m)	Min. Freeboard required (m)	Minimum FFL	Actual min. FFL as per FGL.	
1	15.37	15.23	15.85	0.50	15.87	16.10	0.73
11	15.22	15.08	15.60	0.50	15.72	15.85	0.63
12	15.15	15.01	15.50	0.50	15.65	15.75	0.60
13	15.06	14.92	15.40	0.50	15.56	15.65	0.59
17	14.81	14.67	15.20	0.50	15.31	15.45	0.64
18	14.27	14.24	14.65	0.50	14.77	14.90	0.63
19	13.69	13.66	14.05	0.50	14.19	14.30	0.61
20	12.83	12.80	13.20	0.50	13.33	13.45	0.62
21	12.00	11.97	12.35	0.50	12.50	12.60	0.60
22	11.12	11.09	11.50	0.50	11.62	11.75	0.63
23	10.28	10.25	10.65	0.50	10.78	10.90	0.62
24	9.45	9.42	9.80	0.50	9.95	10.05	0.60
25	8.81	8.78	9.10	0.50	9.31	9.35	0.54
26	8.37	8.34	8.69	0.50	8.87	8.94	0.57
27	8.40	8.25	8.61	0.50	8.90	8.86	0.46
28	8.32	8.17	8.53	0.50	8.82	8.78	0.46
29	8.26	8.11	8.38	0.50	8.76	8.63	0.37
30	8.20	8.05	8.24	0.50	8.70	8.49	0.29
31	8.07	7.92	8.26	0.50	8.57	8.51	0.44
75	15.39	15.25	15.85	0.50	15.89	16.10	0.71
76	15.28	15.14	15.55	0.50	15.78	15.80	0.52
77	15.25	15.11	15.55	0.50	15.75	15.80	0.55
78	15.22	15.08	15.55	0.50	15.72	15.80	0.58
79	15.19	15.05	15.55	0.50	15.69	15.80	0.61

80	15.14	15.00	15.30	0.50	15.64	15.55	0.41
81	15.11	14.97	15.30	0.50	15.61	15.55	0.44
82	15.08	14.94	15.30	0.50	15.58	15.55	0.47
83	15.05	14.91	15.30	0.50	15.55	15.55	0.50
84	15.02	14.88	15.30	0.50	15.52	15.55	0.53
85	14.98	14.84	15.30	0.50	15.48	15.55	0.57
86	14.73	14.59	15.30	0.50	15.23	15.55	0.82
102	8.04	7.89	8.40	0.50	8.54	8.65	0.61
103	8.08	7.93	8.40	0.50	8.58	8.65	0.57
104	8.12	7.97	8.40	0.50	8.62	8.65	0.53
105	8.15	8.00	8.40	0.50	8.65	8.65	0.50
106	8.18	8.03	8.40	0.50	8.68	8.65	0.47
107	8.21	8.06	8.45	0.50	8.71	8.70	0.49
108	8.24	8.09	8.45	0.50	8.74	8.70	0.46
109	8.27	8.12	8.45	0.50	8.77	8.70	0.43
110	8.30	8.15	8.45	0.50	8.80	8.70	0.40
111	8.33	8.18	8.45	0.50	8.83	8.70	0.37
112	9.58	9.55	10.40	0.50	10.08	10.65	1.07
113	10.25	10.22	10.90	0.50	10.75	11.15	0.90
114	10.88	10.85	11.40	0.50	11.38	11.65	0.77
115	11.47	11.44	11.90	0.50	11.97	12.15	0.68
116	12.08	12.05	12.40	0.50	12.58	12.65	0.57
117	12.66	12.63	12.90	0.50	13.16	13.15	0.49
118	13.42	13.39	13.70	0.50	13.92	13.95	0.53

Surveyor foundation check

63. No building works on dwellings must proceed beyond the foundation stage until a registered surveyor or licensed cadastral surveyor, engaged by the consent holder, has provided written certification to the Council that the works completed:
- have been completed in accordance with the approved plans as referred to in condition 1 of this consent; or
 - do not exceed the vertical or horizontal extent of any breach, infringement, or non-compliance approved under this consent.

Advice Note:

The person providing the written certification should ensure that the finished floor level is clearly marked on the subject site before the foundations are put in place.

The purposes of certification at the foundation stage of construction are to:

- provide assurance that the building works, to that point, have been undertaken in accordance with the consent*

- *reduce the risk of non-compliance as the works continue.*

Written certification should include the following:

- *the finished ground level is clearly marked on the subject site*
- *the relevant consent reference number and site address*
- *levels, calculations, plans and drawings of the structure(s) that are the subject of certification*
- *the quantification of the extent of any breach, infringement or non-compliance identified at the time of survey, where this has occurred.*

Written certification is to be provided directly to the officer specified in this condition.

Surveyor roof framing check

66. No building works must proceed beyond the roof framing stage until a registered surveyor or licensed cadastral surveyor, engaged by the consent holder, has provided written certification to Council that the works completed:

- have been completed in accordance with the approved plans as referred to in condition 1 of this consent, or
- do not exceed the vertical or horizontal extent of any breach, infringement, or non-compliance approved under this consent.

Advice Note:

The purposes of certification at the roof framing stage of construction are to:

- *provide assurance that the building works, to that point, have been undertaken in accordance with the consent*
- *reduce the risk of non-compliance as the works are completed.*

Written certification should include the following:

- *the finished ground level is clearly marked on the subject site*
- *the relevant consent reference number and site address*
- *levels, calculations, plans and drawings of the structure(s) that are the subject of certification*
- *the quantification of the extent of any breach, infringement or non-compliance identified at the time of survey, where this has occurred.*

Written certification is to be provided directly to the officer specified in this condition.

Coastal revetment structures(Lot 4, Scott Esplanade Reserve)

67. Prior to occupation of any dwellings and operation of the public roads, the consent holder must construct the coastal revetment structure in accordance with the approved design

under condition 18 and provide to Council Producer Statements PS1, PS2, and PS3 together with construction monitoring records satisfying Construction Monitoring level CM3, as defined by Engineering New Zealand.

After works

67. Within ten (10) working days following implementation and completion of the erosion and sediment controls and prior to commencement of the earthwork activity, the consent holder must provide to Council written certification prepared by a suitably qualified and experienced person confirming that the erosion and sediment control measures have been constructed in accordance with the conditions of this consent.

Advice note:

Certification of the erosion and sediment control structures must contain sufficient details to address the following matters:

- *Details on the contributing catchment areas*
 - *Dimensions and shape of structure*
 - *Position of inlets/outlets*
 - *Confirmation that the clean water diversion pipes are sized to convey the 5% AEP.*
 - *Details regarding stabilisation of the structure*
 - *Location of stabilised entranceways*
 - *Final alignment of super silt fences and spacing of returns.*
68. Immediately upon completion or abandonment of earthworks on the subject site, all areas of bare earth must be permanently stabilised against erosion in accordance with Auckland Council's Guideline Document 2016/005 'Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region' (GD05).

Ensure controls are in place until approved to be removed.

69. Notice must be provided to the Council at least two (2) working days prior to the removal of any erosion and sediment control works specifically required by condition 17.

Manage erosion if work stopped/completed.

70. Immediately upon completion or abandonment of earthworks on the subject site all areas of bare earth must be permanently stabilised against erosion to the satisfaction of Council.

Advice Note:

In accordance with condition 6 measures to stabilise against erosion may include

- *the use of mulching*
- *top-soiling and grassing of otherwise bare areas of earth*

- *aggregate or vegetative cover that has obtained a density of more than 80% of a normal pasture sward.*

The on-going monitoring of these measures is the responsibility of the consent holder.

It is recommended that you discuss any potential measures with Council who will guide you on the most appropriate approach to take. Please contact Council on monitoring@aucklandcouncil.govt.nz for more details. Alternatively, please refer to “GD05 Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland region”

Site Validation Report

71. Within three months of the completion of all earthworks on the site, a Site Validation Report (SVR) must be submitted to the council for review and certification. The SVR must be prepared by a suitably qualified and experienced practitioner, in accordance with the Contaminated Land Management Guidelines No. 1: Reporting on Contaminated Sites in New Zealand, Ministry for the Environment (revised 2021) and must contain sufficient detail to address the following matters:
- summary of the works undertaken, including the location and dimensions of the excavations carried out and the volume of soil excavated.
 - Details and results of any testing, including validation testing, undertaken and interpretation of the results in the context of the NES:CS and the AUP(OP);
 - Records/evidence of the appropriate disposal for any material removed from the site;
 - Records of any unexpected contamination encountered during the works and response actions, if applicable;
 - Conditions of the final site ground surface and details of any validation sampling undertaken on materials re-used on site or imported to site;
 - Reports of any complaints, health and safety incidents related to contamination, and/or contingency events during the earthworks; and
 - A statement certifying that all works have been carried out in accordance with the requirements of the RAP and consent, otherwise providing details of relevant breaches, if applicable.

Advice note:

The SVR enables the council to update the property file information relating to soil contamination, including the files of any newly created lots. If newly created lots have differing soil contamination profiles, the SVR should specifically detail this. Until an SVR is submitted and certified by the council, the Land Information Memorandum for the property will not be updated to reflect any soil contamination remediation work undertaken.

If any contamination exceeding the Permitted Activity soil acceptance criteria, set out in Chapter E30 of the AUP(OP), is retained within the site upon the completion of the proposed land-disturbance activity, a long-term contaminant

discharge consent under Chapter E30 of the AUP(OP) may be required for the site.

Post-construction condition surveys

72. Within 4 weeks following the completion of works, the Consent Holder must provide post-construction condition survey of the existing buildings, structures, land and/or services surveyed in the precondition survey and a written report prepared by the suitably qualified engineering professional responsible for overseeing the surveys which must include comment on any changes to the existing building(s), structure(s) and/or service(s) within the area and completed remedial works to the satisfaction of the Council.

Work Completion Report

68. Within 20 working day from completion of the works, a Coastal Erosion Protection Works Report, signed by a Chartered Engineer, must be provided to Council. The report must include:

- As built drawings
- Construction monitoring reports (Level CM3 as defined by Engineering New Zealand)
- Rock testing certificates, including density, durability, and size grading.
- Photographic records of construction progress.
- Records, such as interim surveys, of toe excavation depth and earthworks slopes.
- Producer statements PS1 and PS3.
- Records of defects and rectifications undertaken during the works.

As-built plans

69. The consent holder must provide to the Council as built plans survey of the coastal erosion protection works, including revetment, including at least the following details;
- Plan layout with contours and all features labelled;
 - Cross-sections surveyed and plotted at maximum 25m intervals, more frequently, where there is significant change in section detail.
 - Survey shots to be at 1m interval, or less, on sections.
 - Cross sections to show: detail of cut slope; detail of fill slope; detail of final trimmed slope prior to placement of rock layers; surface of underlayer (or secondary layer) rock; surface of final armour layer rock.
 - The survey staff or target must include a spherical end of diameter equal to 0.5Dn50 of the armour being surveyed. Zero on the staff or target must be at the base of the sphere. The sphere on the staff or target must be inserted between rocks when surveying.

Notice of Completion

73. The council must be advised in writing within 10 working days of when excavation has been completed.

Stormwater management device

74. Within three months of the practical completion of the works, the consent holder must provide the following to the council:
- a. Written evidence in the form of a validation report that the stormwater management device or system was installed or built generally in accordance with the design specifications condition 37, and by a suitably qualified service provider; and
 - b. As-built plans of the stormwater management device or system, certified (signed) by a suitably qualified service provider as a true record of the stormwater management system.
75. The stormwater management device or system must be operated and maintained in accordance with best practice for the device or system.
76. Details of all inspections and maintenance for the stormwater management system, for the preceding three years, must be retained by the consent holder. These records must be provided to the council on request.

Implementation of street landscaping

77. Prior to occupation of any dwelling, all street landscaping must be implemented in accordance with the approved streetscape plans and to the satisfaction of the Parks Planning Team Leader and landscaped in accordance with the Auckland Code of Practice for Land Development and Subdivision Chapter 7: Green Assets and Landscaping, and in particular the following:
- a. The street must be cleared of any construction material, rubbish and surplus soil, and must be maintained in a neat and tidy condition.
 - b. Should site factors preclude compliance with any of these conditions, the Parks Planning Team Leader must be advised in writing as soon as practicable and, in any case, prior to planting, and an alternative soil improvement methodology proposed to the satisfaction of the Advisor.
 - c. Grassing must only be undertaken when the weather is suitable i.e. mild, dull and moist, and when the ground is moist and workable. Where delays occur in the agreed programme which prevents areas being planted, the consent holder must inform the Council immediately.

Advice note:

The consent holder must apply for a practical completion certificate prior to occupation of any dwelling from the Parks Planner to demonstrate development has been satisfactorily implemented and to formalise the commencement of the maintenance period.

Maintenance

78. Prior to occupation of any dwelling, the consent holder must provide for the approval of the Parks Planning Team Leader a Maintenance Plan, for all planting and landscaping to be established on the streetscape. The Maintenance Plan must include:
- a. Vegetation maintenance policies for the proposed planting, in particular details of maintenance methodology and dates / frequencies.
 - b. Details of watering, weeding, trimming, cultivation, pest and disease control, checking of stakes and ties, pruning and other accepted horticultural operations to ensure normal and healthy plant establishment and growth.
 - c. Vandalism eradication policies.
 - d. Design strategy, specification and management plans for the treatment/maintenance issue relating to all lots fronting Scott Road
79. The consent holder must undertake maintenance, in accordance with the approved Maintenance Plan for a two year period commencing on the date that the landscaping works required by Condition 38 are completed and practical completion certificate issued by the Parks Department. Any maintenance issues deemed unsuitable by the Parks Planning Team Leader during this period must be remedied by the consent holder at their expense.
80. If any damage/theft to the planting occurs during within the maintenance period, the consent holder must replace damaged/stolen plants with the same species and height, and must be maintained for a period of two years following the replacement planting, to the satisfaction of the Parks Planning Team Leader.

As-built plans

81. The consent holder must provide to the Development Engineer and Parks Consents Planning Team Leader as built plans for landscape works (hard and soft) within all proposed streets in CAD (NZTM 2000) and pdf form in accordance with the Development Engineering As-built requirements v1.3, including the following details;
- a. Asset names.
 - b. All finished hard and soft landscape asset locations and type, and any planted areas must be shown to scale with the square metres of planting, species and number of plants.
 - c. All underground services, irrigation and drainage.
 - d. All paint colours, graffiti coatings, pavers and concrete types with names of products to be included on the assets schedule.

Rubbish collections

82. Any private waste and recycle collection must be carried outside the morning and evening peak hours (7am-9am and 3pm-6pm).

Completion of roading works

83. Prior to the occupation of any residential unit, all proposed public roads, pedestrian path and Scott Road upgrade works must be completed to the satisfaction of the Council.

Covenant to be registered – visibility splay

84. The consent holder must enter into a section 108 Resource Management Act 1991 covenant in favour of Auckland Council for LOT 3 DP 89750. The consent holder must contact Council to initiate the preparation of the covenant. A copy of the updated Computer Register (Record of Title) showing that the covenant has been registered must be provided to Council prior to commencement of the activity.

The covenant must:

- Ensure Any landscaping or fencing within 2m from both sides of the vehicle crossings for future COAL A, Unit 11 / 12, 75 / 76, Units 13 to 16, 17 to 33, 39-53, future COAL D and Units 86 to 88 must be limited to no more than 900mm above ground level or be 80% visually permeable.
- be drafted by the council's nominated Solicitor at the consent holder's cost; and
- be registered against the [Computer Register](#)(s) (record of title) to the affected land by the consent holder at their cost; and
- require the consent holder to:
 - be responsible for all legal fees, disbursements and other expenses incurred by the council in connection with the covenant, and procure its solicitor to give an undertaking to the council for payment of the same; and
 - indemnify the council for costs, fees, disbursements and other expenses incurred by the council as a direct or indirect result of the council being a party to this covenant.

Advice note:

Should the subdivision consent proceed and be given effect to simultaneously with the land use consent, then the Covenant required by Condition 84 above must be superseded by the respective Consent Notice as required under SUB60393009 Condition 52;

Covenant to be registered – landscaping

85. The consent holder must enter into a section 108 Resource Management Act 1991 covenant in favour of Auckland Council for LOT 3 DP 89750. The consent holder must contact Council to initiate the preparation of the covenant. A copy of the updated Computer Register (Record of Title) showing that the covenant has been registered must be provided to Council prior to commencement of the activity.

The covenant must:

- Ensure that the landscaping on this site is maintained in perpetuity in accordance with the maintenance plan approved under condition 24 of LUC60393008;
- be drafted by the council's nominated Solicitor at the consent holder's cost; and

- be registered against the [Computer Register](#)(s) (record of title) to the affected land by the consent holder at their cost; and
- require the consent holder to:
 - be responsible for all legal fees, disbursements and other expenses incurred by the council in connection with the covenant, and procure its solicitor to give an undertaking to the council for payment of the same; and
 - indemnify the council for costs, fees, disbursements and other expenses incurred by the council as a direct or indirect result of the council being a party to this covenant.

Advice note:

Should the subdivision consent proceed and be given effect to simultaneously with the land use consent, then the Covenant required by Condition 85 above must be superseded by the respective Consent Notice as required under SUB60393009 Condition 50;

Advice notes

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

Delegated decision maker:

Name: Brogan McQuoid

Title: Team Leader, Resource Consents

Signed: 

Date: 8 September 2022

Decision on an application for resource consents under the Resource Management Act 1991



Decision two – non-complying activity subdivision consent (s11)

Application numbers: BUN60393007 (Council Reference)
SUB60393009 (s11 subdivision consent)

Applicant: NORTHWEST DEVELOPMENTS LIMITED

Site address: 18 Scott Road Hobsonville 0618

Legal description: LOT 3 DP 89750

Proposal:

To subdivide the land around the approved development under LUC60393008 and create 10 vacant lots.

To create two public roads and a local reserve (pedestrian path) vested to Council.

Resource consent is required for the following reasons:

Subdivision consent (s11) – SUB60393009

Auckland Unitary Plan (Operative in part)

Subdivision (operative plan provisions)

Subdivision - Urban

- Subdivision of a site with two or more zones requires consent as a restricted discretionary activity under E38.4.1 (A7).
- Subdivision of land within the 1 per cent AEP flood plain, the coastal erosion hazard area, and land which may be subject to land instability requires consent as a restricted discretionary activity under E38.4.1 (A11).
- Vacant sites subdivision involving parent sites of 1ha or greater not complying with Standard E38.8.3.1 requires consent as a non-complying activity under E38.4.2 (A10).
- Subdivision that does not meet E38.8.1.2 as the proposed Commonly Owned Access Lots serve more than 10 proposed rear lots requires a discretionary activity consent under E38.4.2(A31)
- Subdivision not otherwise provided for in Tables E38.4.1 and E38.4.2 is a discretionary activity. The proposed subdivision is not in accordance with an approved land use resource consent as it creates new infringements to Standard H4.6.11 Outlook space.

Scott Point Precinct

- Subdivision on a site complying with an approved framework plan requires consent as a restricted discretionary activity under Activity Table I.5.61.1.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES:CS)

- Consent for a restricted discretionary activity is required under Regulation 10 of the NES as the proposed change of use, subdivision and soil disturbance do not meet the requirements of a permitted activity under Regulation 8 of the NES:CS

Decision

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

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

Reasons

The reasons for this decision are:

1. In accordance with an assessment under ss104(1)(a) and (ab) of the RMA the actual and potential effects from the proposal will be acceptable as:
 - a. The potential adverse effects with respect to earthworks and geotechnical matters, flooding, stormwater and natural hazards, transport networks and infrastructure matters, have been assessed by the relevant specialists and are considered acceptable under the notification assessment.
 - b. The proposal does result in a new non-compliance with the zone rules, however, any potential adverse effects on the environment in terms of pedestrian and vehicle safety and amenity values, have been assessed and determined to be acceptable and subsequently LUC60393008 has been granted to establish 112 dwellings on the proposed lots. A consent notice condition requiring future development to be in accordance with the land use consent forms part of the recommendation to ensure that any effects from the subdivision remains the same as assessed under the land use consent.
 - c. The proposal's non-compliance with the minimum lot size rules will be indiscernible when viewed from the public spaces or the adjacent sites, when compared to a compliant scenario. The two subject lots will be located adjacent to the lands with similar lot sizes and patterns. Lot 25 will have an adequate setback from the coastal environment. I consider that these lots can adequately accommodate a dwelling. It is also noted that any dwelling in this Precinct requires a resource consent. This will ensure that future dwellings on these lots are appropriately designed to meet the desired outcomes of the Precinct and the Zone.

- d. The proposed subdivision will not exacerbate the risks of flooding, land instability and coastal hazards. Any associated adverse effects from the physical works were assessed in LUC60393008 and considered acceptable.
- Ms Sivaguru and Mr Soltau, the Council's coastal specialists, note that the subdivision will occur within an area susceptible to coastal erosion and instability. Subject to appropriate construction and ongoing maintenance, the rock revetment proposed in LUC60393008 will reduce the erosion and instability risk area such that the proposed private lots and roads are likely to be outside the ASCIE line calculated for the 100 year period to 2130. Consent conditions to ensure that the mitigation structure is designed, constructed and maintained will form part of the decision.
 - Mr Fu, the Council's development engineer, notes that the existing overland flowpath will be appropriately diverted and discharged as part of LUC60393008. The proposed subdivision will ensure that these diverted overland flowpaths are appropriately diverted via public drainages. The proposed finished floor level for each dwelling was reviewed by Mr Fu, who confirms that sufficient freeboard will be provided to ensure that any future dwellings are free from any flooding hazards. Mr Fu. A consent condition is added in this regard.
 - It is noted that the proposed subdivision cannot be fully given effect without completing the required geotechnical works under LUC60393008. A Geotechnical Completion Report will be registered under each title as a consent notice to inform future owners of lots on any potential geotechnical issues. This will effectively manage any associated adverse effects to an acceptable level.
 - The recommended consent conditions by Ms Sivaguru, Mr Soltau, Mr Fu and Ms Jin have been accepted by the applicant and therefore it is considered that future buildings and the mitigation structures/measures are designed, installed and maintained to mitigate any adverse effects from the known hazards.
- e. The proposed roadings and the reserve will be vested and the pedestrian path. Further details are to be reviewed, assessed and approved at a separate Engineering Approval stage, as per each relevant asset owner's standards.
- f. As per precinct requirement for affordability, affordable units will be created as part of the subdivision and consent notice relating to this matter is imposed on the consent.
- g. In terms of positive effects, the proposal will enable the creation of residential lots to provide and prepare for future residential development for the area, and to ultimately increase the housing supply and land for Auckland Region.
- h. With reference to s104(1)(ab), there are no specific offsetting or environmental compensation measures proposed or agreed to by the applicant to ensure positive effects on the environment.
2. In accordance with an assessment under s104(1)(b) of the RMA the proposal is consistent with the relevant statutory documents. In particular, the proposal is consistent with the objectives and policies of E38 Subdivision - Urban and 5.61 Scott Point chapters under the Auckland Unitary Plan Operative in Part, given the reasons addressed above.

3. Having reviewed the proposed Plan Change 78, I consider that the objectives and policies under the plan change are not relevant as the changes are to reflect land use development permitted under the recent Medium Density Residential Standards Policies. The site is excluded from such plan change and therefore no further assessment is required in this regard.
4. In accordance with an assessment under s104(1)(c) of the RMA no other matters are considered relevant.
5. There is no prohibition under s104D of the RMA on granting this non-complying activity. This is because the proposal is not contrary to the objectives and policies of the relevant plan and/or proposed plan, and will have only less than minor adverse effects on the environment.
6. In terms of s106 of the RMA, the proposal is not considered to give rise to a significant risk from natural hazards, and sufficient provision has been made for legal and physical access to the proposed allotments as addressed above. Accordingly, council is able to grant this subdivision consent subject to the conditions below.
7. In the context of this non-complying activity subdivision, where the objectives and policies of the relevant statutory documents were prepared having regard to Part 2 of the RMA, they capture all relevant planning considerations and contain a coherent set of policies designed to achieve clear environmental outcomes. They also provide a clear framework for assessing all relevant potential effects and there is no need to go beyond these provisions and look to Part 2 in making this decision as an assessment against Part 2 would not add anything to the evaluative exercise.
8. Overall, the proposal is considered acceptable and will meet the relevant provisions of the statutory documents. Conditions

Conditions

All conditions contained in this decision must be complied with at time of s224(c). The conditions have been separated into 'General', 'section 223' and 'section 224(c)' conditions in order to assist the consent holder in identifying the conditions that must be completed at the respective stages of implementing the resource consent for subdivision.

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

General conditions

1. The subdivision must be as described in the application form and assessment of environmental effects prepared by Ms Yujie Gao, Campbell Brown dated 24/08/2022 and all email correspondences from Ms Gao, with attachments, via emails, received between 30/03/2022 and 08/09/2022 and must be carried out in accordance with the plans and information detailed below, and all referenced by the Council as consent number *SUB60393009*

Report title and reference	Author	Rev	Dated
Urban Design Statement + Framework Plan	Holistic Urban Environments	5.0	23.03.2022
Civil Infrastructure Report and Stormwater Management Plan	Envelope	-	November 2021
Geotechnical Investigation Report	ENGEO	3	25/07/2022
Integrated Transport Assessment	TPC Traffic	B	November 2021
Ecological Impact Assessment: 18 Scott Road	Bioresearches	1	December 2021
Assessment of Ecological Values and Effects of Updated Design on the Coastal Area and Esplanade	Bioresearches	-	13/07/2022
Recommended Coastal/Esplanade Planting	Bioresearches	-	13/07/2022
Landscape Visual Assessment	Greenwood Associates	0	27 July 2022
18 Scott Road Coastal Erosion Hazard Risks – Updated Information Following Meeting with the Auckland Council 28 April 2022	eCoast	-	04/07/2022
Email correspondences (with attachments)	Olivia Ellis-Garland	-	29/08/2022 26/08/2022

Drawing title and reference	Author	Rev	Dated
Resource Consent Plan Sheet 1 of 5	RC1_S1 Boundary Consultants	03	29/08/2022
Resource Consent Plan Sheet 2 of 5	RC1_S2 Boundary Consultants	04	07/09/2022
Resource Consent Plan Sheet 3 of 5	RC1_S3 Boundary Consultants	04	07/09/2022
Resource Consent Plan Sheet 4 of 5	RC1_S4 Boundary Consultants	04	29/08/2022
Resource Consent Plan Sheet 5 of 5	RC1_S5 Boundary Consultants	05	29/08/2022
Proposed Contours Overall Layout	210 Envelope Engineers	R6	18/08/2022
Proposed Contours Sheet 1	211 Envelope Engineers	R3	05/07/2022
Proposed Contours Sheet 2	212 Envelope Engineers	R3	05/07/2022
Proposed Contours Sheet 3	213 Envelope Engineers	R4	18/08/2022

Proposed Contours Sheet 4	214	Envelope Engineers	R4	18/08/2022
Rock Revetment Wall Erosion & Sediment Control Plan Overall Plan	244	Envelope Engineers	R1	18/08/2022
Rock Revetment Wall Erosion and Sediment Control Plan Sheet 1 of 2	245	Envelope Engineers	R1	18/08/2022
Rock Revetment Wall Erosion and Sediment Control Plan Sheet 2 of 2	246	Envelope Engineers	R1	18/08/2022
Proposed Retaining Walls Overall Layout Plan	260	Envelope Engineers	R4	10/03/2022
Proposed Retaining Walls Sheet 1	261	Envelope Engineers	R4	10/03/2022
Proposed Retaining Walls Sheet 2	262	Envelope Engineers	R4	10/03/2022
Proposed Retaining Walls Sheet 3	263	Envelope Engineers	R4	10/03/2022
Proposed Retaining Walls Sheet 4	264	Envelope Engineers	R4	10/03/2022
Proposed Retaining Wall Long Section Sheet 1 of 3	270	Envelope Engineers	R1	08/07/2022
Proposed Retaining Wall Long Section Sheet 2 of 3	271	Envelope Engineers	R1	08/07/2022
Proposed Retaining Wall Long Section Sheet 3 of 3	272	Envelope Engineers	R1	08/07/2022
Proposed Roding Plans Overall Layout	300	Envelope Engineers	R2	14/07/2022
Proposed Roding Plans Sheet 1	301	Envelope Engineers	R3	22/03/2022
Proposed Roding Plans Sheet 2	302	Envelope Engineers	R3	14/07/2022
Proposed Roding Plans Sheet 3	303	Envelope Engineers	R3	07/07/2022
Proposed Roding Plans Sheet 4	304	Envelope Engineers	R2	01/12/2021
Proposed Roding Plans Sheet 4	305	Envelope Engineers	R1	17/05/2022
Proposed Roding Plans Long-Sections Sheet 1	330	Envelope Engineers	R2	02/12/2021
Proposed Roding Plans Long-Sections Sheet 2	331	Envelope Engineers	R2	02/12/2021
Proposed Roding Plans Long-Sections Sheet 3	332	Envelope Engineers	R2	02/12/2021

Proposed Roding Plans Long-Sections Sheet 4	333	Envelope Engineers	R2	17/05/2022
Proposed Roding Plans Long-Sections Sheet 5	334	Envelope Engineers	R2	17/05/2022
Proposed Public Drainage Overall Layout Plan	400	Envelope Engineers	R4	06/07/2022
Proposed Public Drainage Layout Plan Sheet 1 of 4	401	Envelope Engineers	R4	15/06/2022
Proposed Public Drainage Layout Plan Sheet 2 of 4	402	Envelope Engineers	R2	17/05/2022
Proposed Public Drainage Layout Plan Sheet 3 of 4	403	Envelope Engineers	R4	06/07/2022
Proposed Public Drainage Layout Plan Sheet 4 of 4	404	Envelope Engineers	R4	06/07/2022
Proposed Public Stormwater Long Section Sheet 1 of 5	430	Envelope Engineers	R3	29/04/2022
Proposed Public Stormwater Long Section Sheet 2 of 5	431	Envelope Engineers	R3	29/04/2022
Proposed Public Stormwater Long Section Sheet 3 of 5	432	Envelope Engineers	R2	29/04/2022
Proposed Public Stormwater Long Section Sheet 4 of 5	433	Envelope Engineers	R2	29/04/2022
Proposed Public Stormwater Long Section Sheet 5 of 5	434	Envelope Engineers	R2	29/04/2022
Proposed Public Wastewater Long Section Sheet 1 of 4	450	Envelope Engineers	R2	29/04/2022
Proposed Public Wastewater Long Section Sheet 2 of 4	451	Envelope Engineers	R2	29/04/2022
Proposed Public Wastewater Long Section Sheet 3 of 4	452	Envelope Engineers	R2	29/04/2022
Proposed Public Wastewater Long Section Sheet 4 of 4	453	Envelope Engineers	R2	29/04/2022
Proposed OLFP Catchments	470	Envelope Engineers	R2	05/07/2022
Proposed OLFP Extent Plan	471	Envelope Engineers	R3	21/07/2022
Proposed Public Drainage Details Sheet 1	490	Envelope Engineers	R2	02/12/2021
Proposed Public Drainage Details Sheet 2	491	Envelope Engineers	R2	02/12/2021
Proposed Public Drainage Details Sheet 3	492	Envelope Engineers	R2	02/12/2021
Proposed Public Drainage Details Sheet 4	493	Envelope Engineers	R2	02/12/2021

Proposed Wingwall Detail	494	Envelope Engineers	R3	15/06/2022
Typical Raingarden Detail	495	Envelope Engineers	R2	02/12/2021
Proposed Water & Services Overall Layout	500	Envelope Engineers	R3	06/12/2021

Advice Note:

- *This consent has been granted on the basis of all the documents and information provided by the consent holder, demonstrating that the new lot(s) can be appropriately serviced (infrastructure and access).*
 - *The engineering assessment of this resource consent is limited to an effects-based assessment allowed by the Unitary Plan. Plans approved under Resource Consent do not constitute an Engineering Plan Approval. A separate engineering approval will be required for the design of any infrastructure that is to vest in council.*
 - *Details and specifications for the provision of infrastructure (e.g., public/ private drainage, location, and types of connections) and access (including drainage of accessways, construction standards etc) are subject to a separate Engineering Plan Approval (EPA) and/or Building Consent approval process.*
 - *Should it become apparent during the EPA and/or Building Consent process that a component of the granted resource consent cannot be implemented (e.g., detailed tests for soakage fail to achieve sufficient soakage rates, or sufficient gradients for drainage cannot be achieved in accordance with engineering standards/ bylaws etc), changes to the proposal will be required. This may require either a variation to this subdivision consent (under section 127 of the Resource Management Act 1991) or a new consent.*
 - *Similarly, should the detailed design stage demonstrate that additional reasons for consent are triggered (e.g., after detailed survey the access gradient increases to now infringe or increase an approved infringement to a standard in the plan), a new or varied resource consent is required.*
 - *It is the responsibility of the consent holder to ensure that all information submitted and assessed as part of the subdivision consent is correct and can be implemented as per the subdivision consent (without requiring additional reasons for consent). Any subsequent approval processes (such as the EPA) do not override the necessity to comply with the conditions of this resource consent.*
2. Under section 125 of the RMA, this consent lapses five years after the date it is granted (“the lapse date”) unless:
- a. A survey plan is submitted to Council for approval under section 223 of the RMA before the lapse date, and that plan is deposited within three years of the date of approval of the survey plan in accordance with section 224(h) of the RMA; or

- b. An application under section 125 of the RMA is made to the Council before the lapse date to extend the period after which the consent lapses and the Council grants an extension.

Survey plan approval (s223) conditions

3. The consent holder must submit a survey plan in accordance with the approved resource consent subdivision scheme plan(s) titled 'Resource Consent Plan', Sheets 1 - 5, prepared by Boundary Consultants, dated 07/09/2022. The survey plan must show all lots to vest in Council (including roads and accessway), all easements and any amalgamation conditions required by this subdivision consent.
4. The right(s)-of-way, construction and maintenance, overhanging eaves, party walls, any services easements and easements in gross over parts of Lot(s) 1-122, 202, and 204-207, and lots 130-134 must be included in a memorandum of easements endorsed on the survey plan and must be created, granted or reserved as necessary. The consent holder must meet the costs for the preparation, review, and registration of the easement instruments on the relevant records of title.

Amalgamation condition (COAL)

5. Pursuant to section 220(1)(b)(iv) of the RMA, the appropriate amalgamation condition for the COAL, Lot 202, being held by Lot(s) 1-10 must be shown on the survey plan.
6. Pursuant to section 220(1)(b)(iv) of the RMA, the appropriate amalgamation condition for the COAL, Lot 204, being held by Lot(s) 34-38 must be shown on the survey plan.
7. Pursuant to section 220(1)(b)(iv) of the RMA, the appropriate amalgamation condition for the COAL, Lot 205, being held by Lot(s) 54-65 must be shown on the survey plan.
8. Pursuant to section 220(1)(b)(iv) of the RMA, the appropriate amalgamation condition for the COAL, Lot 206, being held by Lot(s) 66-74 and 77-85 must be shown on the survey plan.
9. Pursuant to section 220(1)(b)(iv) of the RMA, the appropriate amalgamation condition for the COAL, Lot 207, being held by Lot(s) 89-93, 99, 100 & 102-122 must be shown on the survey plan.

Amalgamation condition (Parking)

10. Pursuant to section 220(1)(b)(iii) of the RMA, Lot 130 (parking lot) must be amalgamated with Lot 74 (residential lot) and one record of title must be issued to include both parcels.
11. Pursuant to section 220(1)(b)(iii) of the RMA, Lot 131 (parking lot) must be amalgamated with Lot 73 (residential lot) and one record of title must be issued to include both parcels.
12. Pursuant to section 220(1)(b)(iii) of the RMA, Lot 132 (parking lot) must be amalgamated with Lot 72 (residential lot) and one record of title must be issued to include both parcels.
13. Pursuant to section 220(1)(b)(iii) of the RMA, Lot 133 (parking lot) must be amalgamated with Lot 77 (residential lot) and one record of title must be issued to include both parcels.

14. Pursuant to section 220(1)(b)(iii) of the RMA, Lot 134 (parking lot) must be amalgamated with Lot 78 (residential lot) and one record of title must be issued to include both parcels.

Roads to vest

15. All of the proposed roads shown as Lot(s) 200 and 201 on the approved plan(s) plan(s) titled 'Resource Consent Plan', Sheets 1 - 5, prepared by Boundary Consultants, dated 07/09/2022 must vest in the Council as public roads. The consent holder must meet all costs associated with the vesting of the roads.

Reserves and/or land in lieu of reserves to vest

16. Proposed Lot 203 must vest in the Council as local purpose (accessway) reserve(s) OR as land in lieu of reserve(s). The consent holder must meet all costs associated with the vesting of the reserve(s) or the land in lieu of reserve(s). Lot 203 must be vest free of easements and encumbrances and with no utility devices or structures on the land or on any of its road frontages or berms.

Easement in gross

17. Easements in gross in favour of the Council for the purpose of providing public access must be created over parts of Lot 205 and must be included in a memorandum of easements endorsed on the survey plan and be granted or reserved. The consent holder must meet the costs for the preparation, review, and registration of the easement instruments on the relevant records of title.

Section 224(c) compliance conditions

18. The application for a certificate under section 224(c) of the RMA must be accompanied by certification from a suitably qualified and experienced surveyor or engineering professional that all the conditions of subdivision consent SUB60393009 have been complied with, and identify all those conditions that have not been complied with and are subject to the following:
 - a. a consent notice to be issued in relation to any conditions of this consent to which section 221 applies.
 - b. a bond, as required by conditions of this consent, to be entered into by the subdividing owner in compliance with the relevant conditions of this subdivision consent.
 - c. a completion certificate has been issued in relation to any conditions to which section 222 applies.

Infrastructural connections

Stormwater Network

19. The consent holder must design and construct an extension of the public stormwater reticulation network to serve Lots 1-122, 202, and 204-207 in accordance with the

requirements of the stormwater utility service provider. Certification from the utility provider that works have been satisfactorily undertaken must be provided.

Advice notes:

- *Alterations to the public stormwater reticulation network require Engineering Approval.*
- *Acceptable forms of evidence include Engineering Approval Completion Certificates.*
- *Public drainage is to be constructed in accordance with the Stormwater Code of Practice.*
- *Stormwater utility provider is the Auckland Council Healthy Waters Department.*
- *Plans approved under Resource Consent do not constitute an Engineering Approval and should not be used for the purposes of constructing public reticulation works in the absence of that approval.*

Water Supply

20. The consent holder must make provision for a water connection to be made to the public water reticulation network for to Lots 1-122, 202, and 204-207 in accordance with the requirements of the water utility provider. Certification from a suitably qualified and experienced surveyor or engineering professional that this provision has been made must be provided when applying for a certificate under the section 224(c) of the RMA.

Advice notes:

- *Alterations to the public water reticulation network require Engineering Approval. Additional approval is required from Watercare as part of the Engineering Approval Process.*
- *Acceptable forms of evidence include an Engineering Approval Completion Certificate.*
- *Public water supply is required to ensure an acceptable water supply for each lot, including for fire-fighting purposes.*
- *Public connections are to be constructed in accordance with the Water and Wastewater Code of Practice.*
- *Plans approved under Resource Consent do not constitute an Engineering Approval and should not be used for the purposes of constructing public reticulation works in the absence of that approval.*

Wastewater

21. The consent holder must design and construct an extension of the public wastewater reticulation network to serve Lots 1-122, 202, and 204-207 in accordance with the requirements of the wastewater utility provider. Certification from the utility provider that works have been satisfactorily undertaken must be provided. The consent holder must

ensure that all practical steps are taken to ensure that the network design provides gravity service to all lots, or as many lots as possible.

Advice notes:

- *In accordance with the above condition, it is expected that the consent holder will take all necessary steps to investigate a public pump station solution such that wastewater drainage internal to the site is provided by gravity. This should include documented discussions with Watercare and the neighbour at 2 Falcon Crescent.*
- *Alterations to the public wastewater reticulation network require Engineering Approval. Additional approval is required from Watercare as part of the Engineering Approval Process.*
- *Acceptable forms of evidence include an Engineering Approval Completion Certificate.*
- *Public connections are to be constructed in accordance with the Water and Wastewater Code of Practice.*
- *Plans approved under Resource Consent do not constitute an Engineering Approval and should not be used for the purposes of constructing public reticulation works in the absence of that approval.*

Utilities

22. The consent holder must make provision for telecommunications and electricity to Lots 1-122, 200, 201, 202, and 204-207 in accordance with the requirements of the respective utility operators. If reticulated, these utilities must be underground. Certification from the utility providers that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.

Advice Note:

The consent holder may also provide gas servicing to the lot(s), but this is not a requirement and no proof is required at time of section 224(c). Any gas lines are required to be installed underground, or they may otherwise require a further resource consent.

Transport

Vehicle Access

23. The consent holder must design and construct vehicle accessways to serve Lot(s) 1- 10 (being COAL Lot 202), Lots 34 – 38 (being COAL Lot 204), Lots 54 - 65 (being COAL Lot 205), Lots 66 – 74 and 77 -85 (being COAL Lot 206), and Lots 89 -93, 99, 100, and 102 - 122 (being COAL Lot 207) in accordance with the approved plans noted in Condition 1. Certification from a suitably qualified and experienced surveyor or engineering professional that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA. The proposed accessways must meet the followings;

- i) Design, form and construct the common accessways in accordance with Council's "Code of Practice for City Infrastructure and Land Development". The design is to provide for stormwater catchpits and/or slot drains within the boundaries of the common area (or elsewhere within the site, if appropriate). Where necessary the provision of kerbing or similar to prevent water flowing on to other properties must be provided.
- ii) The access lots must be subject to an application for Engineering Common Access Way (CAW) Approval.
- iii) Provide an "as built" plans from a Licensed Cadastral Surveyor identifying and certifying that all services and common area formations have been located in accordance with the locations on registered easements, or within legal boundaries to the satisfaction of the Council.
- iv) A 1.0 m wide walkway must be provided on the western and northern edge of COAL D from Limestone Drive to Lot 122. The walkway may be designed to be part of the trafficable pavement.
- v) Two speed calming devices must be installed on COAL D near Lots 119 and 122. Details of these must be included in the engineering approval application.
- vi) Streetlighting of all COAL's must be provided at the engineering approval stage.

Advice Note:

- *Right of ways, Commonly Owned Access Lots and common access ways require a Common Access Way Plan Approval prior to construction. For more details refer to [Common access way approval \(aucklandcouncil.govt.nz\)](http://aucklandcouncil.govt.nz)*
- *Please contact the Council to obtain the current engineering requirements for the construction of the type of vehicle accessway proposed.*
- *Plans approved under Resource Consent do not constitute a Common Access Way/ Engineering Plan Approval and should not be used for the purposes of constructing common access ways.*
- *The consent holder is advised that the New Zealand Addressing Standard (AS/NZS 4819:2011) and the LINZ Guidelines for Addressing In-fill Developments 2019 – LINZ OP G 01245 require consideration to be given to the naming of any private roads (rights of way or Commonly Owned Access Lots / common access ways) that serve six or more lots that are being created under a subdivision consent. All road names must be approved by the Council. In order to minimise disruption to construction and survey works, the consent holder is advised to take advice from their surveyor as to whether a road name will be required for any private roads and obtain any road name before [applying for a section 223 certificate](#).*
- *The engineering approval for the accessway can also be included in the Engineering Plan Approval application required for the installation of public assets (wastewater, water, stormwater and public roads).*

24. The consent holder must provide a Lighting Plan and Certification/ Specifications prepared by a qualified Lighting Engineer, to the Council, and must include the matters set out below. The purpose of this condition is to provide adequate lighting for the safety of people residing or visiting the site and its immediate environs outside of daylight hours (but excludes any lighting within public streets). The Lighting Plan must:
- a. Detail appropriate artificial outdoor lighting to all accessible areas of the site where movement of people are expected. Such locations include, but are not limited to the shared driveways/COALs, carparking areas and pedestrian accessway to Scott Road in between 52 & 53.
 - b. Lighting must comply fully with the requirements of AS/NZS1158.3.1.
 - c. Lighting must as a minimum provide the lighting subcategory performance determined in accordance with AS/NZS1158.3.1, but not less than the following minimums lighting subcategories:
 - PR2 minimum for driveways and accessways.
 - PC3 is the minimum for private car parking areas.
 - PP3 minimum for pedestrian paths including the connection from Observation Green through the COAL and down the stair case in between units 52 &53.
 - PA3 minimum for connecting elements, steps, stairways and ramps.
 - d. Compliance of the design as required by AS/NZS1138.3.1. must be detailed in the specifications.
 - e. All light fittings when installed must not project any light at or above the height of their light source.
 - f. All light emitted from light fittings must have a correlated colour temperature of 3000K (Kelvin) or less.
 - g. Spill light and glare from the lighting must comply with E24 Lighting requirements and these requirements must include windows of all lawfully established dwellings within the site. Compliance must be detailed as part of the lighting certification/specification.
 - h. The lighting must have automatic daylight controls such that the lights are on from dusk to dawn, except that automatic presence detection may be included to ensure the lights are only on when presence is detected, maximum off delay of 5 minutes.
 - i. Lighting must be supplied from a common supply which cannot be disabled by residents, and must be managed and maintained by a resident's society or similar.
 - j. The lighting installation must be maintained in accordance with AS/NZS1158.3.1.
 - k. Compliance of the installed lighting scheme as required by AS/NZS1138.3.1. must be provided within 3 months of implementation of the lighting.

Vehicle Crossing

25. The consent holder must provide new vehicle crossing(s) to serve COAL Lot 202, COAL Lot 204, COAL Lot 205, COAL Lot 206, COAL Lot 207, and individual Lots 11 – 33, 39 - 53, 67 – 73, 75, 76, 86 – 88, 90 – 92, 94 – 98, 101 and 103 -121. The crossing(s) must be designed and formed in accordance with the requirements of Auckland Transport under the most recent version of Auckland Transport Code of Practice. The new crossing(s) must maintain an at-grade (level) pedestrian footpath across the length of the crossing, using the same materials, kerbing, pavings, patterns and finish as the footpath on each side of the crossing. Certification that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.

Advice Note:

- *An approval letter and completion certificate from Auckland Transport is required to be submitted to the Council as a verification that Auckland Transport has completed approval and a final vehicle crossing inspection before this condition is considered fulfilled.*
- *Works within the road reserve require prior approval from Auckland Transport. The consent holder should contact Auckland Transport as soon as possible to ensure any required approvals are issued prior to construction.*
- *A vehicle crossing approval permit is required to be obtained from Auckland Transport for these works. For more details refer to [Vehicle crossing application \(Auckland Transport\)](#)*
- *Please note that any redundant vehicle crossings are required to be reinstated as berm and/or footpath and the kerbs replaced.*

Engineering Plans required

26. The consent holder must submit engineering plans (including engineering calculations and specifications) to the Council for approval in writing. The engineering plans must include, but not be limited to, the information regarding the detailed design of all roads and road network activities provided for by this resource consent approval. Specifically, the consent holder must include the following elements as part of the engineering plans submitted for approval:

- i) A Stage 3 Road Safety Audit must be completed for the Scott Road / Kokowai Parade / Limestone Drive intersection, which must also be followed by a Stage 4 audit following completion of construction and prior to EACC sign off.
- ii) No parking at all time (NSAAT) parking restrictions must apply to both sides of all public roads outside the parking bays, vehicle crossings and intersections.
- iii) Specific details of the turning facility at the end of Limestone Drive must be provided demonstrating that a 10.3 m refuse truck can complete the turn safely.
- iv) As part of the application for EPA, a registered engineer must:

- Certify that all public roads and associated structures / facilities or access ways have been designed in accordance with the Auckland Transport's Transport Design Manual.
 - Provide a statement that the proposed infrastructure has been designed for the long-term operation and maintenance of the asset.
 - Confirm that all practical measures are included in the design to facilitate safe working conditions in and around the asset.
- v) The proposed intersection between Limestone Drive, and Picnic Road;
- vi) Drawings illustrating the proposed mountable kerbs on the inside of parking bays will be revised to a vertical kerb level;
- vii) Traffic calming devices outside Lot 119 (blind corner) and Lot 122;
- viii) Vehicle tracking for all roads and intersections. Detailed design of rubbish collection trackings and movement
- ix) Detailed design of stormwater management devices (such as communal devices and/ or Stockholm tree pits)
- x) Pedestrian facilities across the proposed road network, including pedestrian refuge, footpath width, alignment, surface treatment and pram crossings.
- xi) Location of service lines. Services must be located outside of the carriageway and service lids must not be located within footpaths.
- xii) Provision of front berms and back berms within the road reserve.
- xiii) Detailed design of any street lighting, future and other structures / facilities on the roads to be vested with Auckland Transport, including any traffic calming devices, road markings and street signs.
- xiv) Vehicle tracking for all roads and intersections.
- xv) Visibility assessment of all proposed roads, in particular, the visibility at intersections and forward visibility around bends must be designed in accordance with Auckland Transport's current code of practice.
- xvi) Coastal Erosion Protection works: Plan with details of structure, including armour rock sizes, layer works, slopes, crest and toe details.

An engineering completion certificate certifying that the proposed roads, the ancillary structures on the roads to be vested in Auckland Council and the coastal erosion protection have been constructed in accordance with EPA requirements must be provided when applying for a certificate under section 224(c) of the RMA to Council.

Certification that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.

27. When submitting the engineering plans under condition 28, a registered engineer must:

- a. Certify that all public roads and associated structures/facilities or access ways have been designed in accordance with the Auckland Transport's current code of practice.
- b. Provide a statement that the proposed infrastructure has been designed for the long-term operation and maintenance of the asset.
- c. Confirm that all practical measures are included in the design to facilitate safe working conditions in and around the asset.
- d. Certify that the proposed stormwater system or devices proposed have been designed in accordance with the Council's Code of Practice for Land Development and Subdivision: Chapter 4 - Stormwater.

Advice Note:

If the EPA drawings require any permanent traffic or parking restrictions, then the consent holder must submit a resolution report for approval by Auckland Transport Traffic Control Committee to legalise these restrictions. The resolutions, prepared by a qualified traffic engineer, will need to be approved so that the changes to the road reserve can be legally implemented and enforced. The resolution process requires external consultation to be undertaken in accordance with Auckland Transport's standard procedures. It is the responsibility of the consent holder to prepare and submit a permanent Traffic and Parking Changes report to Auckland Transport Traffic Control Committee (TCC) for review and approval. A copy of the resolution from Traffic Control Committee must be submitted to Council prior to any civil works.

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

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

The consent holder is advised that this resource consent does involve engineering plan approval (EPA) / Departure for Standard Approval (DfS) and both of these are required to be applied for and approved before the resource consent can be given effect to.

Public Roads and pedestrian path

28. The consent holder must design and construct a new public road, Lots 200 and 201, in accordance with the requirements of Auckland Transport Code of Practice. Certification from Auckland Transport that the works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.

Advice Note:

- Acceptable forms of evidence include Engineering Approval Completion Certificates.
- Construction of public roading requires an Engineering Plan Approval.
- Design of public roads must include (but is not limited to), road pavement, pedestrian footpaths, cycle ways, street lighting, street furniture, road marking, traffic calming devices, road stormwater drainage, raingardens, etc. where required.

- Plans approved under Resource Consent do not constitute an Engineering Plan Approval and should not be used for the purposes of constructing public works in the absence of that approval.
 - The consent holder is advised that the New Zealand Addressing Standard (AS/NZS 4819:2011) requires all new public roads and all extensions to existing roads to have a road name. All road names must be approved by the Council. In order to minimise disruption to construction and survey works, the consent holder is advised to obtain any road name approval before applying for a section 223 certificate.
29. The vesting of Limestone Drive and Picnic Point Road must involve a formal Resolution for all associated new or changed traffic and parking controls as detailed in the engineering plans provided at the EPA stage. A copy of the Resolution from the Traffic Control Committee must be submitted to the Council prior to the commencement of the activity provided for by this consent approval

Advice Notes:

Permanent traffic and parking controls as per the conditions are subject to a Resolution approval from Auckland Transport. Changes to traffic / parking controls on the road reserve will require Auckland Transport Traffic Control Committee (TCC) resolutions. The resolutions, prepared by a qualified traffic engineer, will need to be approved so that the changes to the road reserve can be legally implemented and enforced.

The resolution process requires external consultation to be undertaken in accordance with Auckland Transport's standard procedures. It is the responsibility of the consent holder to prepare and submit a permanent Traffic and Parking Changes report to Auckland Transport's TCC for review and approval. No changes to the traffic and parking controls will be allowed before the resolution is approved by the TCC. All costs must be borne by the Consent Holder.

Application details and can be found from the following Auckland Transport website link: <https://at.govt.nz/about-us/working-with-at/traffic-and-parking-controls>.

Given the concerns identified with square parking bays elsewhere, it is possible that AT or Council may require adjustments to the design of the parking bays requiring different ends.

Although detailed audits of the submitted designs have been completed, issues may be identified at the EPA stage that will result in the need to adjust any aspect of the design including those relating to the raingardens.

30. The consent holder must provide the proposed public roads, pedestrian path and Scott Road upgrade works to the satisfaction of the Council.

As-built plans

31. Prior to the issue of the 224(c) certificate, the consent holder must provide to the Council as built plans survey of the coastal erosion protection works, including revetment, including at least the following details;
- Plan layout with contours and all features labelled;

- Cross-sections surveyed and plotted at maximum 25m intervals, more frequently, where there is significant change in section detail.
- Survey shots to be at 1m interval, or less, on sections.
- Cross sections to show: detail of cut slope; detail of fill slope; detail of final trimmed slope prior to placement of rock layers; surface of underlayer (or secondary layer) rock; surface of final armour layer rock.
- The survey staff or target must include a spherical end of diameter equal to 0.5Dn50 of the armour being surveyed. Zero on the staff or target must be at the base of the sphere. The sphere on the staff or target must be inserted between rocks when surveying.

Public Outfalls

32. The consent holder must design and construct a stormwater outfall structure in accordance with the requirements of the utility service provider. Certification from the utility provider that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.

Advice Note:

- *Acceptable forms of evidence include Engineering Approval Completion Certificates.*
- *Utility service provider is the Auckland Council Healthy Waters Department*
- *Construction of public outfall structures require Engineering Plan Approval.*
- *Engineering Plans approved under Resource Consent do not constitute an Engineering Plan Approval and **should not be used** for the purposes of constructing public reticulation works in the absence of that approval.*
- *Please be aware of any other conditions and requirements pertaining to this outfall, including regional consenting conditions and requirements.*
- *A stormwater outfall within the Council's reserve is subject to a Landowner Approval.*

Streetscape landscaping

33. At Engineering Plan Approval stage, the consent holder must submit a detailed streetscape landscaping plan(s) and engineering plans for rain gardens, street trees and street gardens for approval by the Parks Planning Team Leader. In particular, the plans must:
- Be prepared by a suitably qualified landscape architect.
 - Be in general accordance with the "Landscape Plan" prepared LASF ref: NWSR 003 Rev: B - dated 30/06/2022.
 - Must include hard and soft landscaping details for accessways.
 - Show all planting including details of intended species, location, plant sizes at time of planting and likely heights on maturity, tree pit specifications, the overall material palette, location of street lights and other service access points.

- Ensure that selected species can maintain appropriate separation distances from paths, roads, street lights and vehicle crossings in accordance with the Auckland Transport Code of Practice.
- Include planting methodology.
- Comply with the Auckland Code of Practice for Land Development and Subdivision: Chapter 7: Green Assets and Landscaping.

Local Purpose Reserve (Accessway) landscaping (Lot 203)

34. At Engineering Plan Approval stage, the consent holder must submit for the approval of the Parks Planning Team Leader detailed Engineering and Landscape Plans for all hard assets / park furniture / fixtures /planting/grassing to enable reserve development to be undertaken. The plan(s) and supporting planting methodology, to be submitted for approval, must include;

- A plan will be provided to Council in general accordance with the “Landscape Plan” prepared LASF ref: NWSR 003 Rev: B - dated 30/06/2022 with due consideration of any amendments to the scheme plan included after the issue of this document.
- Be prepared by suitably qualified person/s
- Include a Weed Management and Plan detailing weed eradication and control methods prior to and after planting.
- Identify all new planting to be undertaken on the site including details of the intended species, spacing, quantities, location, plant sizes at the time of planting, their likely heights on maturity and how planting will be staged and established.
- Include specifications for plant condition and a written specification detailing the planting methodologies to be used.
- Identify the existing species to be retained.
- Demonstrate the proposed gradient of the pedestrian walkway.
- Comply with the Auckland Code of Practice for Land Development and Subdivision: Chapter 7: Green Assets and Landscaping.

Implementation of Accessway landscaping works (Lot 203)

35. Lot 203: Prior to the issue of the section 224(c) certification, all hard and soft landscape works within the accessway must be implemented in accordance with the approved Landscape plans to the satisfaction of the Parks Planning Team Leader and landscaped in accordance with the Auckland Code of Practice for Land Development and Subdivision Chapter 7: Green Assets and Landscaping, and in particular:

- Removal of all organic and inorganic rubbish from Accessway (Lot 203);
- Removal of all invasive weed species as listed in the Regional Pest Management Strategy (Auckland Regional Council) which are located within the boundary of lot [insert lot number/s] (may trigger replanting and maintenance obligations – approved plans to be provided prior to 224C, uncompleted works bonds, maintenance bonds etc.)
- All areas of the reserve that have been grassed must have a 90 percent strike rate, in a mow-able condition, and be weed and rubbish free.

- Planted slopes to be a maximum 1:3 grade and grassed slopes to be a maximum 1:5 grade.
- Topsoil must be of no less than 100mm depth in grass areas and 400mm depth in planted areas.
- Grassing and planting must be carried out by a suitably qualified landscape contractor in the planting season (April to September) and when the weather is suitable (mild, dull and moist) and when the ground is moist and workable. Where delays occur in the agreed programme which prevents areas being planted, the consent holder must inform the Parks Planning Team leader immediately.
- At practical completion auditing, a chartered professional engineer engaged by the applicant must provide certificates of compliance and producer statements as relevant and certify that the parks construction works have been carried out in accordance with the approved plans and comply with the requirements in condition (s) – above). Written manufacturers guarantee must be supplied for any products where warranties are available or applicable.
- Any defects identified at the practical completion audit are to be remedied by the applicant. The practical completion of the works will be determined by the Parks Planning Team Leader to their satisfaction and this indicates the commencement of the maintenance period.

Implementation of streetscape works

36. Prior to the issue of the section 224(c) certification, all street landscaping must be implemented in accordance with the approved Landscape Plans and to the satisfaction of the Parks Planning Team Leader and in accordance with the Auckland Code of Practice for Land Development and Subdivision Chapter 7: Green Assets and Landscaping, and in particular the following:
- The street must be cleared of any construction material, rubbish and surplus soil, and must be maintained in a neat and tidy condition.
 - Should site factors preclude compliance with any of these conditions, the Parks Planning Team Leader must be advised in writing as soon as practicable and, in any case, prior to planting, and an alternative soil improvement methodology proposed for approval.
 - Grassing must only be undertaken when the weather is suitable i.e. mild, dull and moist, and when the ground is moist and workable.

Maintenance of landscape works

37. Prior to the issue of the section 224(c) certificate, the consent holder must provide for the approval of the Parks Planning Team Leader a Maintenance Plan, for all planting and landscaping within the reserves to vest and the streetscape/accessways. The Maintenance Plan must include:
- Vegetation maintenance policies for the proposed planting, in particular details of maintenance methodology and dates / frequencies.

- Details of watering, weeding, trimming, cultivation, pest and disease control, checking of stakes and ties, pruning and other accepted horticultural operations to ensure normal and healthy plant establishment and growth.
 - Vandalism eradication policies.
38. The consent holder must undertake maintenance of the street landscaping and accessway landscaping, in accordance with the approved Maintenance Plan for a two-year period commencing on the date that the section 224(c) certificate is issued or at the completion of the landscaping works on issue of the Parks Completion Certificate, whichever is the later. Any maintenance issues deemed unsuitable by the Parks Planning Team Leader during this period must be remedied by the consent holder at their expense.
39. If any damage/theft to the planting occurs during within the maintenance period, the consent holder must replace damaged/stolen plants with the same species and height and must be maintained for a period of two years following the replacement planting, to the satisfaction of the Parks Planning Team Leader.

As-built plans

40. Prior to the issue of the 224(c) certificate, the consent holder will provide to the Development Engineer and Parks Planning Team Leader as built plans for landscape works (hard and soft) within all proposed parks, reserves and streets in CAD (NZTM 2000) and pdf form in accordance with the Development Engineering As-built requirements v1.3, including the following details;
- Asset names.
 - All finished hard and soft landscape asset locations and type, and any planted areas must be shown to scale with the square metres of planting, species and number of plants.
 - All underground services, irrigation and drainage.
 - All paint colours, graffiti coatings, pavers and concrete types with names of products to be included on the assets schedule.

Retaining Walls

41. Prior to the release of 224c the consent holder must certify that any retaining wall(s) and ancillary and supporting structures must be entirely located within the residential lots or road and must be clear of the boundary of any existing or proposed reserve(s). A certificate from a licensed cadastral surveyor must be provided certifying the compliance with this requirement at the lodgement of the survey plan for approval.

Maintenance Bonds

42. Prior to the issue of the 224(c) certificate, and in accordance with section 108(2)(b) of the RMA, the consent holder will provide the Council a refundable bond in respect of the maintenance of the landscaping works required by the conditions of this consent. The maintenance bond will be held for a period of two years for lots streetscapes, and five years for reserves from the issue of a practical completion certificate. The amount of the bond will be 1.5 x the contracted rate for maintenance and must be agreed in consultation with the Parks Planning Team Leader.

Engineering Plans required

43. Prior to the lodgement of a s224 application, the consent holder must submit engineering plans (including engineering calculations and specifications) to the Council for approval in writing. The engineering plans must include, but not be limited to, the information regarding the detailed design of the coastal revetment structures provided for by this resource consent approval. Specifically, the consent holder must include the following elements as part of the engineering plans submitted for approval:
- i) Detailed engineering design of the proposed coastal revetment structure within the esplanade reserve that is consistent with applicable standards, such as AS 4997-2005, and international guidelines.
 - ii) Be prepared by a suitably qualified chartered engineer.
 - iii) Producer Statements (PS1) provided by the designer, with council reserving the right to appoint a Design Reviewer (PS2).
 - iv) Construction monitoring must be undertaken to at least level CM3
 - v) Safe access from within the Esplanade Reserve to the foreshore;
 - vi) An engineering completion certificate certifying that the coastal revetment and / or the ancillary structures have been constructed to mitigate adverse effects from the coastal erosion hazard for at least a 100 years time period (2130) must be provided when applying for a certificate under section 224(c) of the RMA to Council.

Certification that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.

Advice note:

The proposed works within the esplanade reserve and construction and taking the ownership of the proposed revetment are subject to a Landowner Approval and an Engineering Plan Approval. If the Landowner Approval and/or Engineering Plan Approval is not provided for the proposed works, the applicant should apply for a new resource consent or an amendment to this resource consent under section 127 of the RMA to address the coastal erosion hazards issue.

Site Validation Report

44. Within three months of the completion of remediation earthworks on the site and prior to issuing approval for the subdivision under s224(c) of the RMA, a Site Validation Report (SVR) must be submitted to the council for review and certification. The SVR must be prepared by a suitably qualified and experienced practitioner, in accordance with the Contaminated Land Management Guidelines No. 1: Reporting on Contaminated Sites in New Zealand, Ministry for the Environment (revised 2011) and must contain sufficient detail to address the following matters:
- o A summary of the works undertaken, including the location and dimensions of the excavations carried out and the volume of soil excavated.

- Details and results of any testing, including validation testing, undertaken and interpretation of the results in the context of the NES:CS and the AUP(OP);
- Records/evidence of the appropriate disposal for any material removed from the site;
- Records of any unexpected contamination encountered during the works and response actions, if applicable;
- Conditions of the final site ground surface and details of any validation sampling undertaken on materials re-used on site or imported to site;
- Reports of any complaints, health and safety incidents related to contamination, and/or contingency events during the earthworks; and
- A statement certifying that all works have been carried out in accordance with the requirements of the RAP and consent, otherwise providing details of relevant breaches, if applicable.

Advice Note:

The SVR enables the council to update the property file information relating to soil contamination, including the files of any newly created lots. If newly created lots have differing soil contamination profiles, the SVR should specifically detail this. Until an SVR is submitted and certified by the council, the Land Information Memorandum for the property will not be updated to reflect any soil contamination remediation work undertaken.

If any contamination exceeding the Permitted Activity soil acceptance criteria, set out in Chapter E30 of the AUP(OP), is retained within the site upon the completion of the proposed land-disturbance activity, a long-term contaminant discharge consent under Chapter E30 of the AUP(OP) may be required for the site.

Asset(s) owned by Incorporated Society

45. Lot(s) 1-10 share common assets (a private road, landscaping, stormwater collection, treatment and detention system, all lighting infrastructure located within the private road, the water main and associated fittings) which are located within Lot 202. To ensure that Lot(s) 1-10 remain adequately serviced and connected and appropriately maintained, an Incorporated Society must be created by the consent holder to own, and be responsible and liable for the ongoing operation, maintenance and repair of the common asset(s) within Lot 202. The following requirements must be met in order to satisfy this condition:
- a. Ownership of the common assets must be transferred to the Incorporated Society before any Lots 1-10 are transferred to new owners. The assets are required to remain in the ownership of the Incorporated Society, except with the prior approval of the Council.
 - b. The Incorporated Society must not be disestablished without the prior written consent of the Council.
 - c. The structure, functions and rules of the Incorporated Society must include provision for the following items:

- Requirements for all lot owners to automatically be and remain a member of the Incorporated Society for so long as they are a registered proprietor of a Lot;
 - Requirement that the Incorporated Society must not be disestablished without the prior written consent of the Council;
 - Requirements for all lot owners to fulfil the obligations of a member, as set out in the Rules of the Incorporated Society;
 - Details of how the common assets will be managed and maintained, including reference to any operation manuals or management plans;
 - Ongoing compliance with the relevant resource consent, bylaw, or other requirements of Auckland Council;
 - An acceptable method of management of the Incorporated Society's future affairs, and for the raising of funds from members from time to time to adequately finance any future maintenance and renewal obligations. The Rules should identify a process for setting, collecting and enforcing the payment of levies;
- d. All costs associated with the establishment and maintenance of the Incorporated Society must be borne by the consent holder.
- e. A copy of the document(s) describing the functions, powers, duties and liabilities of the Incorporated Society must be provided to the Council for certification. The document(s) must evidence each of the requirements above and that the ongoing operation, maintenance and repair obligations of this condition will be adequately provided for.

Further, to ensure that future owner(s) maintain membership of the Incorporated Society, the following must be registered as a consent notice on the record(s) of title to be issued for Lots 1-10.

“Lots 1-10 by a private road, landscaping, stormwater collection, treatment and detention system, all lighting infrastructure located within the private road, the water main and associated fittings, communal open space, bicycle parking spaces, communal rubbish bin areas, which are located within Lot 202. For so long as they are a registered proprietor of that Lot, the owners of Lots 1-10 must be members of the established Incorporated Society that jointly owns and is responsible and liable for the ongoing operation, maintenance and repair of the common assets located within Lot 202.”

46. Lot(s) 54-65 share common assets (a private road, landscaping, stormwater collection, treatment and detention system, all lighting infrastructure located within the private road, the water main and associated fittings) which are located within Lot 205. To ensure that Lot(s) 54-65 remain adequately serviced and connected and appropriately maintained, an Incorporated Society must be created by the consent holder to own, and be responsible and liable for the ongoing operation, maintenance and repair of the common asset(s) within Lot 205. The following requirements must be met in order to satisfy this condition:
- a. Ownership of the common assets must be transferred to the Incorporated Society before any Lot(s) 54-65 are transferred to new owners. The assets are required to remain in the ownership of the Incorporated Society, except with the prior approval of the Council.

- b. The Incorporated Society must not be disestablished without the prior written consent of the Council.
- c. The structure, functions and rules of the Incorporated Society must include provision for the following items:
- Requirements for all lot owners to automatically be and remain a member of the Incorporated Society for so long as they are a registered proprietor of a Lot;
 - Requirement that the Incorporated Society must not be disestablished without the prior written consent of the Council;
 - Requirements for all lot owners to fulfil the obligations of a member, as set out in the Rules of the Incorporated Society;
 - Details of how the common assets will be managed and maintained, including reference to any operation manuals or management plans;
 - Ongoing compliance with the relevant resource consent, bylaw, or other requirements of Auckland Council;
 - An acceptable method of management of the Incorporated Society's future affairs, and for the raising of funds from members from time to time to adequately finance any future maintenance and renewal obligations. The Rules should identify a process for setting, collecting and enforcing the payment of levies;
- d. All costs associated with the establishment and maintenance of the Incorporated Society must be borne by the consent holder.
- e. A copy of the document(s) describing the functions, powers, duties and liabilities of the Incorporated Society must be provided to the Council for certification. The document(s) must evidence each of the requirements above and that the ongoing operation, maintenance and repair obligations of this condition will be adequately provided for.

Further, to ensure that future owner(s) maintain membership of the Incorporated Society, the following must be registered as a consent notice on the record(s) of title to be issued for Lots Lot(s) 54-65.

“Lots 54-65 by a private road, landscaping, stormwater collection, treatment and detention system, all lighting infrastructure located within the private road, the water main and associated fittings which are located within Lot 205. For so long as they are a registered proprietor of that Lot, the owners of Lots 54-65 must be members of the established Incorporated Society that jointly owns and is responsible and liable for the ongoing operation, maintenance and repair of the common assets located within Lot 205.”

47. Lot(s) 66-74 and 77-85 share common assets (a private road, landscaping, stormwater collection, treatment and detention system, all lighting infrastructure located within the private road, the water main and associated fittings) which are located within Lot 206. To ensure that Lot(s) 66-74 and 77-85 remain adequately serviced and connected and appropriately maintained, an Incorporated Society must be created by the consent holder to own, and be responsible and liable for the ongoing operation, maintenance and repair of the common asset(s) within Lot 206. The following requirements must be met in order to satisfy this condition:

- a. Ownership of the common assets must be transferred to the Incorporated Society before any Lot(s) 66-74 and 77-85 are transferred to new owners. The assets are required to remain in the ownership of the Incorporated Society, except with the prior approval of the Council.
- b. The Incorporated Society must not be disestablished without the prior written consent of the Council.
- c. The structure, functions and rules of the Incorporated Society must include provision for the following items:
 - Requirements for all lot owners to automatically be and remain a member of the Incorporated Society for so long as they are a registered proprietor of a Lot;
 - Requirement that the Incorporated Society must not be disestablished without the prior written consent of the Council;
 - Requirements for all lot owners to fulfil the obligations of a member, as set out in the Rules of the Incorporated Society;
 - Details of how the common assets will be managed and maintained, including reference to any operation manuals or management plans;
 - Ongoing compliance with the relevant resource consent, bylaw, or other requirements of Auckland Council;
 - An acceptable method of management of the Incorporated Society's future affairs, and for the raising of funds from members from time to time to adequately finance any future maintenance and renewal obligations. The Rules should identify a process for setting, collecting and enforcing the payment of levies;
- d. All costs associated with the establishment and maintenance of the Incorporated Society must be borne by the consent holder.
- e. A copy of the document(s) describing the functions, powers, duties and liabilities of the Incorporated Society must be provided to the Council for certification. The document(s) must evidence each of the requirements above and that the ongoing operation, maintenance and repair obligations of this condition will be adequately provided for.

Further, to ensure that future owner(s) maintain membership of the Incorporated Society, the following must be registered as a consent notice on the record(s) of title to be issued for Lots 66-74 and 77-85.

“Lots 66-74 and 77-85 by a private road, stormwater collection, treatment and detention system, all lighting infrastructure located within the private road, the water main and associated fittings) which are located within Lot 206. For so long as they are a registered proprietor of that Lot, the owners of Lots 66-74 and 77-85 must be members of the established Incorporated Society that jointly owns and is responsible and liable for the ongoing operation, maintenance and repair of the common assets located within Lot 206.”

48. Lot(s) 89-93, 99, 100 & 102-122 share common assets (a private road, landscaping, stormwater collection, treatment and detention system, all lighting infrastructure located within the private road, the water main and associated fittings) which are located within Lot 207. To ensure that Lot(s) 89-93, 99, 100 & 102-122 remain adequately serviced and

connected and appropriately maintained, an Incorporated Society must be created by the consent holder to own, and be responsible and liable for the ongoing operation, maintenance and repair of the common asset(s) within Lot 207. The following requirements must be met in order to satisfy this condition:

- a. Ownership of the common assets must be transferred to the Incorporated Society before any Lot(s) 89-93, 99, 100 & 102-122 are transferred to new owners. The assets are required to remain in the ownership of the Incorporated Society, except with the prior approval of the Council.
- b. The Incorporated Society must not be disestablished without the prior written consent of the Council.
- c. The structure, functions and rules of the Incorporated Society must include provision for the following items:
 - Requirements for all lot owners to automatically be and remain a member of the Incorporated Society for so long as they are a registered proprietor of a Lot;
 - Requirement that the Incorporated Society must not be disestablished without the prior written consent of the Council;
 - Requirements for all lot owners to fulfil the obligations of a member, as set out in the Rules of the Incorporated Society;
 - Details of how the common assets will be managed and maintained, including reference to any operation manuals or management plans;
 - Ongoing compliance with the relevant resource consent, bylaw, or other requirements of Auckland Council;
 - An acceptable method of management of the Incorporated Society's future affairs, and for the raising of funds from members from time to time to adequately finance any future maintenance and renewal obligations. The Rules should identify a process for setting, collecting and enforcing the payment of levies;
- d. All costs associated with the establishment and maintenance of the Incorporated Society must be borne by the consent holder.
- e. A copy of the document(s) describing the functions, powers, duties and liabilities of the Incorporated Society must be provided to the Council for certification. The document(s) must evidence each of the requirements above and that the ongoing operation, maintenance and repair obligations of this condition will be adequately provided for.

Further, to ensure that future owner(s) maintain membership of the Incorporated Society, the following must be registered as a consent notice on the record(s) of title to be issued for Lot(s) 89-93, 99, 100 & 102-122.

“Lot(s) 89-93, 99, 100 & 102-122 by a private road, landscaping, stormwater collection, treatment and detention system, all lighting infrastructure located within the private road, the water main and associated fittings, which are located within Lot 207. For so long as they are a registered proprietor of that Lot, the owners of Lot(s) 89-93, 99, 100 & 102-122 must be members of the established Incorporated Society that jointly owns and is

responsible and liable for the ongoing operation, maintenance and repair of the common assets located within Lot 207.”

49. Lot(s) 34-38 share common assets, *a private road, landscaping, stormwater collection, treatment and detention system, all lighting infrastructure located within the private road, the water main and associated fittings*, which is/are located within Lot(s) 204. To ensure that Lot(s) 204 remain adequately serviced and connected, the consent holder must create a common entity to represent and ensure that future owners of Lot(s) 34-38 are jointly responsible and liable for the ongoing operation, maintenance and repair of the shared drainage systems.

A copy of the document(s) describing the functions, powers, duties and liabilities of the common entity must be provided to the Council for certification. The document(s) must evidence that the ongoing operation, maintenance and repair obligations of this condition will be adequately provided for.

Further, to ensure that future owner(s) maintain membership of the common entity, the following must be registered as a consent notice on the record(s) of title to be issued for Lot(s) 34-38:

“Lot(s) 34-38 are served or serviced by common assets, a private road, landscaping, stormwater collection, treatment and detention system, all lighting infrastructure located within the private road, the water main and associated fittings, which are located within Lot(s) 204. For so long as they are a registered proprietor of that Lot, the owners of Lot(s) 34-38 must be members of the established common entity that is jointly responsible and liable for the ongoing operation, maintenance and repair of the shared common assets located within Lot(s) 204.”

Subdivision in accordance with an approved land use resource consent

50. The subdivision of Lot(s) 1-122 must be undertaken in accordance with the land use resource consent referenced as BUN60393007 and LUC60393008. To ensure that this condition is complied with on a continuing basis, the following must be registered as a consent notice on the record(s) of title to be issued for Lots 1-122;

“This Lot has been created in accordance with approved land use resource consent BUN60393007 and LUC60393008. All development on this lot must be in accordance with the approved land use resource consent referenced as BUN60393007 and LUC60393008 (unless varied by any subsequent consent), including all its conditions. If this land use resource consent lapses prior to being given effect to, then a new land use resource consent will be required, unless the proposed use and development of the lot is otherwise able to be undertaken as a permitted activity.”

“The landscaping on this lot must be maintained in perpetuity in accordance with the maintenance plan approved under condition 24 of LUC60393008.”

Consent notice – fencing and landscaping

51. Reserve boundary treatment: Any fencing, hedging or planting along boundaries or within 2 metres of boundaries of the accessway (Lot 203) or the esplanade reserve (Lot 4 DP

89750) must be either low height (1.2m) or at least 50% visually permeable (max height 1.8m). Landscape planting may be implemented on either side of the fence and must be maintained to ensure 50% visual permeability. The council is exempt from sharing costs.

This condition must be registered as a consent notice on the record(s) of title to be issued for Lots 26 to 33 to ensure that it is complied with on a continuing basis.

52. Any landscaping or fencing within 2m from both sides of the vehicle crossings for Lot 202, 207 and vehicle crossings serving Lots 11 / 12, 75 / 76, 13 - 33, 39-53, and 86 - 88 must be limited to no more than 900mm in height above ground level or be 80% visually permeable.

This condition must be registered as a consent notice on the record(s) of title to be issued for Lots 1, 11, 12 – 33, 39-53, 75, 76, 86-88, 93, 34, 101, 102, 202, and 207 to ensure that it is complied with on a continuing basis.

Consent notice – obstruction of the overland flow path and minimum finished floor levels

53. Lot(s) 1, 11-13, 17-31, 75-86, 102-118 are subject to 1 in 100-year overland flow. There must be no obstruction of the constructed overland flow path with any fencing, object, impermeable landscaping, building, or structure.

The Minimum finished floor levels must be as outlined below and are to be complied with;

Lot Number	Reduced Levels						Actual freeboard provided
	Flood RL (m)	Road Crown Level (m)	Proposed FGL (m)	Min. Freeboard required (m)	Minimum FFL	Actual min. FFL as per FGL.	
1	15.37	15.23	15.85	0.50	15.87	16.10	0.73
11	15.22	15.08	15.60	0.50	15.72	15.85	0.63
12	15.15	15.01	15.50	0.50	15.65	15.75	0.60
13	15.06	14.92	15.40	0.50	15.56	15.65	0.59
17	14.81	14.67	15.20	0.50	15.31	15.45	0.64
18	14.27	14.24	14.65	0.50	14.77	14.90	0.63
19	13.69	13.66	14.05	0.50	14.19	14.30	0.61
20	12.83	12.80	13.20	0.50	13.33	13.45	0.62
21	12.00	11.97	12.35	0.50	12.50	12.60	0.60
22	11.12	11.09	11.50	0.50	11.62	11.75	0.63
23	10.28	10.25	10.65	0.50	10.78	10.90	0.62
24	9.45	9.42	9.80	0.50	9.95	10.05	0.60
25	8.81	8.78	9.10	0.50	9.31	9.35	0.54
26	8.37	8.34	8.69	0.50	8.87	8.94	0.57
27	8.40	8.25	8.61	0.50	8.90	8.86	0.46

28	8.32	8.17	8.53	0.50	8.82	8.78	0.46
29	8.26	8.11	8.38	0.50	8.76	8.63	0.37
30	8.20	8.05	8.24	0.50	8.70	8.49	0.29
31	8.07	7.92	8.26	0.50	8.57	8.51	0.44
75	15.39	15.25	15.85	0.50	15.89	16.10	0.71
76	15.28	15.14	15.55	0.50	15.78	15.80	0.52
77	15.25	15.11	15.55	0.50	15.75	15.80	0.55
78	15.22	15.08	15.55	0.50	15.72	15.80	0.58
79	15.19	15.05	15.55	0.50	15.69	15.80	0.61
80	15.14	15.00	15.30	0.50	15.64	15.55	0.41
81	15.11	14.97	15.30	0.50	15.61	15.55	0.44
82	15.08	14.94	15.30	0.50	15.58	15.55	0.47
83	15.05	14.91	15.30	0.50	15.55	15.55	0.50
84	15.02	14.88	15.30	0.50	15.52	15.55	0.53
85	14.98	14.84	15.30	0.50	15.48	15.55	0.57
86	14.73	14.59	15.30	0.50	15.23	15.55	0.82
102	8.04	7.89	8.40	0.50	8.54	8.65	0.61
103	8.08	7.93	8.40	0.50	8.58	8.65	0.57
104	8.12	7.97	8.40	0.50	8.62	8.65	0.53
105	8.15	8.00	8.40	0.50	8.65	8.65	0.50
106	8.18	8.03	8.40	0.50	8.68	8.65	0.47
107	8.21	8.06	8.45	0.50	8.71	8.70	0.49
108	8.24	8.09	8.45	0.50	8.74	8.70	0.46
109	8.27	8.12	8.45	0.50	8.77	8.70	0.43
110	8.30	8.15	8.45	0.50	8.80	8.70	0.40
111	8.33	8.18	8.45	0.50	8.83	8.70	0.37
112	9.58	9.55	10.40	0.50	10.08	10.65	1.07
113	10.25	10.22	10.90	0.50	10.75	11.15	0.90
114	10.88	10.85	11.40	0.50	11.38	11.65	0.77
115	11.47	11.44	11.90	0.50	11.97	12.15	0.68
116	12.08	12.05	12.40	0.50	12.58	12.65	0.57
117	12.66	12.63	12.90	0.50	13.16	13.15	0.49
118	13.42	13.39	13.70	0.50	13.92	13.95	0.53

This condition must be registered as a consent notice on the record(s) of title to be issued for Lot(s) 1, 11-13, 17-31, 75-86, 102-118 to ensure that it is complied with on a continuing basis.

Affordable Units

54. Lots 2, 3, 4, 5, 6, 60, 61, 62, 63, 64, 77, 78 and their associated accessway and parking spaces are deemed to form part of the affordable dwellings/units that meet the required percentage of affordable dwellings set out in the affordability criteria in the Scott Point Precinct of Auckland Unitary Plan Operative in Part.

The price at which these units (both principle and accessory) may be sold must not exceed 75% of the Auckland Region Median House Price published by the Real Estate Institute New Zealand for the most recent full month of September of the year at the time of signing the statutory Declaration. Any changes to the particular affordable house allocation must be to the approval of the Council.

This condition must be registered as a consent notice on the record(s) of title to be issued for Lots 2, 3, 4, 5, 6, 60, 61, 62, 63, 64, 77, 78 to ensure that it is complied with on a continuing basis.

Geotechnical Completion Report

55. A Geotechnical Completion Report from a suitably qualified and experienced geotechnical professional to confirm that Lots 1 - 122 are stable and suitable for development must be provided when applying for a certificate under section 224(c) of the RMA.

Development on Lots 1 - 122 must be undertaken in accordance with the recommendations of this Geotechnical Completion Report.

This condition must be registered as a consent notice on the record(s) of title to be issued for Lots 1 - 122 to ensure that it is complied with on a continuing basis. The specific name and date of the Geotechnical Completion Report provided must be referenced in the consent notice.

Advice notes

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

5. *All works within the esplanade reserve (Lot 4 DP 89750) must require Landowner Approval prior to any works being undertaken. This is of paramount importance to the proposed coastal revetment proposed within the esplanade reserve.*

Delegated decision maker:

Name: Brogan McQuoid

Title: Team Leader, Resource Consents

Signed: 

Date: 8 September 2022

Resource Consent Notice of Works Starting

Please email this form to monitoring@aucklandcouncil.govt.nz at least **5 days** prior to **work starting** on your development or post it to the address at the bottom of the page.

Site address:				
AREA (please tick the box)	Auckland CBD <input type="checkbox"/>	Auckland Isthmus <input type="checkbox"/>	Hauraki Gulf Islands <input type="checkbox"/>	Waitakere <input type="checkbox"/>
Manukau <input type="checkbox"/>	Rodney <input type="checkbox"/>	North Shore <input type="checkbox"/>	Papakura <input type="checkbox"/>	Franklin <input type="checkbox"/>
Resource consent number:			Associated building consent:	
Expected start date of work:			Expected duration of work:	

Primary contact	Name	Mobile / Landline	Address	Email address
Owner				
Project manager				
Builder				
Earthmover				
Arborist				
Other (specify)				

Signature: Owner / Project Manager (indicate which)	Date:
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Once you have been contacted by the Monitoring Officer, all correspondence should be sent directly to them.

SAVE \$\$\$ minimise monitoring costs!

The council will review your property for start of works every three months from the date of issue of the resource consent and charge for the time spent. You can contact your Resource Consent Monitoring Officer on 09 301 0101 or via monitoring@aucklandcouncil.govt.nz to discuss a likely timetable of works before the inspection is carried out and to avoid incurring this cost.