

**DRAFT CONDITIONS – SL2100046 – Hurupaki Holdings Ltd – 131 and 189
Three Mile Bush Road, Kamo**

LAND USE CONSENT

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

General Accordance Condition:

1. This resource consent shall be carried out in general accordance with the documents and drawings and all supporting additional information submitted with the application, detailed below, and all referenced by the Council as resource consent number SL2100046:
 - a. Application Form and Assessment of Environmental Effects prepared by Barker and Associates dated 1 October 2021 Revision 1;
 - b. Section 92 Further Information Responses prepared by Barkers and Associates, including:
 - 19 October 2021:
 - Gully Setback prepared by Blue Wallace Surveyors Limited reference 20183-00-PL-103 revision 1 dated May 2021;
 - Scheme Plan showing boundary extents prepared by Blue Wallace Surveyors Limited reference 20183-00-PL-102 revision 1 dated May 2021;
 - 10 November 2021:
 - Stream Crossing Plan, prepared by LDE, reference 18733-C01 revision 1 dated 26 October 2021;
 - Geotechnical Investigation Report prepared by LDE, reference 18733 Revision A Response to S92 amendments dated 5 November 2021;
 - Three Waters Design Report prepared by LDE, reference 18733 dated 13 September 2021 and RFI responses for stormwater prepared by LDE dated 4 November 2021;
 - Response to Wastewater RFI prepared by LDE dated 5 November 2021;

16 November 2021:

- Neighbourhood Café – Preliminary Concept Plans prepared by Felicity Christian Architect and Littoralis reference 1304;
- Response to the transport related items, prepared by Engineering Outcomes dated 11 November 2021;
- Biophysical analysis Hurupaki Heights, prepared by Littoralis; and
- Cross sections of proposed walking track Hurupaki Heights prepared by Littoralis;

c. Engineering Plans prepared by Blue Wallace Surveyors Limited:

- Existing site reference 20183-00-EN-200 revision 1 dated May 2021;
- Design contours site reference 20183-00-EN-201 revision 1 dated May 2021;
- Cut/fill reference 20183-00-EN-202 revision 2 dated January 2021;
- Erosion and sediment control 20183-00-EN-250 revision 1 dated September 2021;
- Roading overall layout 20183-00-RC-300 revision 2 dated July 2021;
- Road 1 long-section and layout 20183-00-RC-301 revision 2 dated July 2021;
- Road 2 long-section and layout 20183-00-RC-302, 303 and 304 revision 2 dated July 2021;
- Road 3 long-section and layout 20183-00-RC-305 and 306 revision 2 dated July 2021;
- Access lot 302 long-section and layout 20183-00-RC-307 revision 2 dated July 2021;
- Turing circles 20183-00-RC-308 revision 2 dated July 2021;
- Roading typical cross sections 20183-00-EN-350, 351, 352 and 353 revision 1 dated July 2021;
- Sanitary sewer 20183-00-RC-400 and 401 revision 2 dated May 2021;
- Stormwater plans 20183-00-RC-500 and 501 revision 2 dated May 2021;
- Water reticulation 20183-00-RC-600, 601, 602 and 603 revision 2 dated May 2021;

- Combined services 20183-00-RC- 700, 701, 702 and 703 revision 2 dated May 2021;
- Lighting and planting plan 20183-00-EN – 801 revision 2 dated May 2021;
- d. Integrated Traffic Assessment prepared by Engineering Outcomes Ltd dated 1 October 2021;
- e. Three Waters Design Report reference 18733 prepared by LDE dated 24 August 2021;
- f. Geotechnical Investigation reference 18733 prepared by LDE dated 24 June 2021;
- g. Assessment of Landscape and Neighbourhood Amenity Effects prepared by Littoralis dated September 2021;
- h. Ecological Assessment Pertaining to Proposed Subdivision prepared by Rural Design dated September 2021;
- i. Archaeological Assessment prepared by Geometria Limited dated 8 April 2021; and
- j. Amended proposal prepared by Barkers and Associates dated 2 April 2022, including:
 - Existing site reference 20183-00-RC-200 revision 2 dated March 2022;
 - Design contours site reference 20183-00-RC-201 revision 2 dated March 2022;
 - Cut/fill reference 20183-00-RC-202 revision 3 dated March 2022;
 - Design contours site reference 20183-00-RC-201 revision 2 dated March 2022;
 - Cut/fill reference 20183-00-RC-202 revision 3 dated March 2022;
 - Stonewall layout reference 20183-00-RC-202 revision 2 dated March 2022;
 - Erosion and sediment control 20183-00-EN-250 revision 2 dated March 2022;
 - Roading overall layout 20183-00-RC-300 revision 3 dated March 2022;
 - Road 1 long-section and layout 20183-00-RC-301 revision 3 dated March 2022;
 - Road 2 long-section and layout 20183-00-RC-302, 303 and 304 revision 3 dated March 2022;

- Road 3 long-section and layout 20183-00-RC-305 and 306 revision 3 dated March 2022;
- Access lot 302 long-section and layout 20183-00-RC-307 revision 3 dated March 2022;
- Turing circles 20183-00-RC-308 revision 3 dated March 2022;
- Roading typical cross sections 20183-00-RC-350, 351, 352 and 353 revision 3 dated March 2022;
- Sanitary sewer 20183-00-RC-400 and 401 revision 3 dated March 2022;
- Stormwater plans 20183-00-RC-500 and 501 revision 3 dated March 2022;
- Water reticulation 20183-00-RC-600, 601, 602 and 603 revision 4 dated March 2022; and
- Lighting and planting plan 20183-00-RC – 801 revision 2 dated March 2022.

Prior to Construction

General Engineering

2. The consent holder must submit a detailed set of engineering plans prepared in accordance with Council's Environmental Engineering Standards 2010 Edition. The engineering plans are to be submitted to the Development Engineer for certification.
3. The consent holder shall submit a producer statement (design) (EES-PS1 or similar) by a Council approved Chartered Professional Engineer for all work needing design/certification.
4. The consent holder is to submit all documentation as required by Council "Quality Assurance/Quality Control Manual – Vested Assets". This will include nomination of a Chartered Professional Engineer and an "Inspection and Test Plan" for approval by the Development Engineer or delegated representative before any works commence.

Plans are to include but are not limited to:

- a. Design details of the construction of Road 1, 2 and 3 in general accordance with:
 - Roading overall layout 20183-00-RC-300 revision 2 dated July 2021;
 - Road 1 long-section and layout 20183-00-RC-301 revision 2 dated July 2021;

- Road 2 long-section and layout 20183-00-RC-302, 303 and 304 revision 2 dated July 2021;
 - Road 3 long-section and layout 20183-00-RC-305 and 306 revision 2 dated July 2021;
 - Turing circles 20183-00-RC-308 revision 2 dated July 2021; and
 - Roading typical cross sections 20183-00-EN-350, 351, 352 and 353 revision 1 dated July 2021.
- b. Design details of the construction of access lots 300 and 302 in general accordance with Access lot 302 long-section and layout plan 20183-00-RC-307 revision 2 dated July 2021.
- c. Design details of the new intersection with Three Mile Bush Road in general accordance with:
- Figure 2 of the Integrated Transport Assessment by Engineering Outcomes Ltd; and
 - Road 1 long-section and layout plan 20183-00-RC-301 revision 2 dated July 2021.
- d. Design details of vehicle crossings for lots 1, 6, 12 – 14, 16, 17, 32, 34, 36, 37, 42, 43, 47 – 49, 60 – 62, 64 and 75 in general accordance with Scheme Plan prepared by Blue Wallace Surveyors Limited reference 20183-00-PL-100 revision 18 dated May 2021.
- e. Design details of connection and reticulation of sanitary sewer, stormwater and water services in general accordance with:
- Sanitary sewer 20183-00-RC-400 and 401 revision 2 dated May 2021;
 - Stormwater plans 20183-00-RC-500 and 501 revision 2 dated May 2021;
 - Water reticulation 20183-00-RC-600, 601, 602 and 603 revision 2 dated May 2021;
 - Combined services 20183-00-RC- 700, 701, 702 and 703 revision 2 dated May 2021.
- f. Design details of street lighting and planting in general accordance with plan 20183-00-EN – 801 revision 2 dated May 2021;

- g. Design details of earthworks and retaining walls in general accordance with the Cut and Fill Plan reference 20183-00-EN-202 revision 27 dated January 2022 shall be undertaken in general accordance with the LDE Geotechnical Investigation dated 24 June 2021.
- 5. The consent holder must submit a Construction Traffic Management Plan (CTMP) to the certification of the Development Engineer or delegated representative. The objective of the CMP is to outline the approach to be taken for the managing traffic associated with construction works to ensure that impacts that may arise from the works have been appropriately identified, managed and minimised. As a minimum, the CTMP will include the following provisions:
 - a. Heavy construction vehicles will avoid travelling along Three Miles Bush Road during school pick-up and drop-off times (between 8-9am and 3-4pm) during term time.
 - b. Details of how truck drivers will be briefed on the importance of slowing down and adhering to established speed limits when driving past Hurupaki School, and to look out for school children and reversing vehicles at all times.
 - c. The contact details of the Site Manager will be provided to Hurupaki School prior to the commencement of any earthworks to allow the school to raise any safety concerns with the Site Manager for the duration of the activity.
 - d. Details of the works, intended construction timetable (including staging) and hours of operation.
 - e. Anticipated truck movements to and from the site during construction.
 - f. Site access and exit points and how these will function.
 - g. Signage warning motorists and pedestrians of earthworks and construction related vehicle movements.
 - h. Contact details for the contractor, including a process for complaints and remedying concerns.
 - i. Adjacent land owner liaison during the construction stage.
- 6. The consent holder or its agent/contractor shall submit an Erosion and Sediment Control Plan (ESCP) to the Council for certification by the Compliance Manager. As a minimum, the ESCP shall include the following:

- a. The expected duration (timing and staging) of earthworks, and details of locations of disposal sites for unsuitable materials, and clean water diversions if required.
- b. Details of all erosion and sediment controls including diagrams and/or plans, of a scale suitable for on-site reference, showing the locations of the erosion and silt control structures/measures.
- c. A Chemical Treatment Management Plan providing details of the flocculant and/or coagulant chemical treatment methodology to be implemented to treat sediment laden stormwater entering/within the sediment retention pond and the decanting earth bund.
- d. The commencement and completion dates for the implementation of the proposed erosion and sediment controls.
- e. Details of surface revegetation of disturbed sites and other surface covering measures to minimise erosion and sediment runoff following construction.
- f. Measures to minimise sediment being deposited on public roads.
- g. Measures to prevent the discharge of sediment into the Waitaua Stream.
- h. Measures to ensure dust discharge from the earthworks activity does not create a nuisance on neighbouring properties.
- i. Measures of how dust discharge from earthworks activity is managed onsite to mitigate any effects on Hurupaki School.
- j. Measures to prevent spillage of fuel, oil and similar contaminants.
- k. Contingency containment and clean-up provisions in the event of accidental spillage of hazardous substances.
- l. Means of ensuring contractor compliance with the ESCP.
- m. The name and contact telephone number of the person responsible for monitoring and maintaining all erosion and sediment control measures.
- n. Contingency provisions for the potential effects of large/high intensity rain storm events.

Heritage Conditions

7. Prior to any works commencing on the site, the recommendations set out in the archaeological assessment prepared by Geometria Limited dated 8 April 2021 shall be adhered to, including the following:

- a. Evidence shall be provided that an Authority to modify has been sought and obtained from Heritage New Zealand Pouhere Taonga (HNZPT) under conditions contain within the HNZPT Act (2014).

Cultural Conditions

8. At least 10 working days prior to commencement of construction, the consent holder shall invite, and provide the opportunity for, Mana Whenua to perform site blessings, karakia and cultural inductions.

During Construction / Physical Works

Engineering and Services

9. The consent holder is to submit a Corridor Access Request application to Council's Road Corridor Co-ordinator and receive written approval for all works to be carried out within Council's Road Reserve in accordance with Council's Environmental Engineering Standards 2010 to the certification of the Development Engineer or delegated representative (refer to the advisory clause below for the definition of a Corridor Access Request).
10. The consent holder shall notify Council, in writing, of their intention to begin works, a minimum of seven days prior to commencing works. Such notification shall be sent to the Development Engineer and include the following details:
 - a. Name and telephone number of the project manager/ Chartered Professional Engineer.
 - b. Site address to which the consent relates.
 - c. Activities to which the consent relates.
 - d. Expected duration of works.
11. A copy of the certified engineering plans and a copy of the resource consent conditions, inspection and test plan, certified Corridor Access Request and the notification letter required under Condition 10 are to be held onsite at all times during construction. All personnel working on the site shall be made aware of and have access to the resource consent and accompanying documentation.
12. A pre-start meeting is required to be undertaken with the consent holder's representative, contractor(s) and all other Chartered Professional Engineers or agents for the consent holder and the Development Engineer not less than five days before the anticipated commencement of earthwork being undertaken on the site.

13. All work shall be implemented in accordance with the certified engineering plans in Condition 2. Compliance with this condition shall be determined by the following:
 - a. Site inspections undertaken as agreed in Council's engineering plan certification letter/ inspection and test plan.
 - b. Results of all testing, video inspection records of all wastewater and stormwater reticulation, PE pipeline pressure testing and weld data logging results.
 - c. PS4 and approval of supporting documentation provided by the consent holder's representative/s including evidence of inspections by those persons, and all other test certificates and statements required to confirm compliance of the works as required by the Council's QA/QC Manual and the Council's Environmental Engineering Standards 2010.
 - d. PS3 "Certificate of Completion of Development Works" from the contractor.
14. No construction works are to commence onsite until following have been certified:
 - a. The engineering plans required in Condition 2.
 - b. The CTMP in Condition 5.
 - c. The ESCP in Condition 6.
15. All work shall be carried out in accordance with the CTMP certified in Condition 5.

Sediment and Erosion Control

16. Sediment control measures shall be constructed and maintained in accordance with the principles and practices contained within the Auckland Council document entitled "2016/005: Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region" (GD05). Where there are inconsistencies between any part of GD05 and the conditions of these consents, then the conditions of these consents shall prevail.
17. As a minimum, the erosion and sediment control measures shall be constructed and maintained in accordance with the ESCP prepared in accordance with Condition 6 above. The consent holder may amend the ESCP at any time with the prior approval of the Council's assigned Monitoring Officer. The approved version of the ESCP shall be used for compliance purposes.
18. Sediment control measures shall include use of chemical treatment in all sediment retention ponds and decanting earth bunds.
19. Prior to the commencement of earthworks on-site, a stabilised construction entrance to the site shall be installed to minimise the tracking of spoil or debris onto off-site public

road surfaces. All material tracked onto off-site surfaces as a result of the exercise of these consents shall be removed as soon as possible, but at least daily. The stabilised construction entrance shall be maintained throughout the duration of earthworks operations.

20. Erosion and sediment controls shall be installed prior to the commencement of earthworks (other than those required for the erosion and sediment controls) within an area of works.
21. The installation of all erosion and sediment controls shall be supervised by an appropriately qualified and experienced person. The consent holder shall provide certification to the Council's assigned Monitoring Officer from the appropriately qualified and experienced person who supervised the installation of the erosion and sediment controls that they have been installed in accordance with the requirements of GD05.
22. No works may be carried out between 1 May and 30 September in any year unless the prior written agreement of the Council's Compliance Manager has been obtained.
23. Any request to undertake works between 1 May and 30 September in any year must be in writing and shall be made at least two weeks prior to the proposed date that the works are required to be undertaken. This written request shall include an amended ESCP for the works that has been prepared in accordance with Condition 11.
24. Drains and cut-offs constructed to divert stormwater shall be capable of conveying stormwater during not less than the estimated 1 in 20 year rainfall event. All channels on grades greater than 2% shall be protected to avoid erosion occurring.
25. All offsite stormwater shall be directed away from earthworks areas and no drainage pathways shall be constructed, or permitted to flow, over fill areas in a manner that creates erosion of the fill material.
26. No slash, soil, debris and detritus associated with the exercise of these consents shall be placed in a position where it may be washed into any water body.
27. All bare areas of land and fill shall be covered with aggregate, or topsoiled and established with a suitable grass/legume mixture to achieve an 80% groundcover within one month of the completion of earthworks. Temporary mulching or other suitable groundcover material shall be applied to achieve total groundcover of any areas unable to achieve the above requirements.
28. The exercise of these consents shall not give rise to any discharge of contaminants, including dust, which in the opinion of a Monitoring Officer of the Council is noxious, dangerous, offensive or objectionable at or beyond the property boundary.

Fire Fighting Water Supply

29. Where reticulated water supply cannot achieve compliance with firefighting water pressure/flow requirements of SNZ/PAS4509:2008 in accordance with Condition 1a. The consent holder shall install an additional firefighting supply consisting of water tanks containing at least 50,000 litres located within Lot 58 with suitable hydrant connections to an additional water supply to the hydrants that will be installed. Water tanks shall:
- a. Be in part buried with a maximum exposed being 1500mm.
 - b. Be marked with signage to denote 'firefighting water supply only'.
 - c. Have lid padlocks to be able to be opened with a 133 or similar fire alarm key.
 - d. Be installed so that lids are as close to roadway as possible.
30. The consent holder shall provide an easement in gross over Lot 58 to the fire service provide on-going rights to access the water.

Heritage Management

31. The proposed stonewall removal and replacement shall be undertaken and located in accordance with the recommendations set out in the archaeological assessment prepared by Geometria Limited, and the proposed landscape plans prepared by Littoralis reference [xx].
32. All existing stonewall rock shall remain onsite and be reused in the stonewall rehabilitation and relocation.
33. Where, during earthworks on the site, any archaeological feature, artefact or human remains are accidentally discovered or are suspected to have been discovered, the following protocol shall be followed:
- a. All works within 20m of the discovery site will cease immediately. The contractor/works supervisor shall shut down all equipment and activity.
 - b. The area shall be secured and the consent holder or proponent and the Council must be advised of the discovery.
 - c. HNZPT shall be notified by the consent holder or proponent so that the appropriate consent procedure can be initiated.
 - d. The consent holder or proponent shall consult with a representative of the appropriate iwi to determine what further actions are appropriate to safeguard the site of its contents.

34. In the case where human remains have accidentally been discovered or are suspected to have been discovered, the following will also be required:
- a. The area shall be immediately secured in a way which ensure human remains are not further disturbed.
 - b. The Police shall be notified of the suspected human remains as soon as practicably possible after the remains have been disturbed. The consent holder shall notify the relevant iwi and HNZPT and the Council within 12 hours of the suspected human remains being disturbed, or otherwise as soon as practically possible.
 - c. Excavation of the site shall not resume until the Police, HNZPT and the relevant iwi have each given the necessary approvals for excavation to proceed.

Advice Note: *If any land use activity (such as earthworks, fencing or landscaping) is likely to modify, damage or destroy any archaeological site (whether recorded or unrecorded) an "authority" consent from HNZPT must also be obtained for the work to lawfully proceed.*

Food and Beverage Activity

35. The Food and Beverage Activity shall be established within Lot 22 in general accordance with the Neighbourhood Café – Preliminary Concept Plans prepared by Felicity Christian Architect and Littoralis reference 1304.
36. The Food and Beverage Activity shall comply with the following permitted activity rules of the Proposed District Plan (appeals version) unless separate resource consent approval is obtained:
- a. GRZ-R3 Building and Major Structure Height;
 - b. GRZ-R4 Building and Major Structure Setbacks;
 - c. GRZ-R5 Building and Major Structure Height in Relation to Boundary;
 - d. GRZ-R7 Impervious Areas;
 - e. GRZ-R8 Building and Major Structure Coverage;
 - f. GRZ-R18 Food and Beverage Activity rules .3, .4, 8 and 9;
 - g. NAV.6.1. GRZ noise limits; and
 - h. SIGN-R3 Any sign in Residential Zone.

37. Within the first available planting season (May-October) following construction (at completion of final building consent inspection) of the Café, the consent holder shall implement the landscaping in accordance with Condition 35 and thereafter maintain and protect this planting to ensure it establishes as intended.

Post Construction

General Engineering

38. The consent holder must submit a certified and dated 'As built' plan of completed works and services in accordance with Council's Environmental Engineering Standards 2010 Edition. This condition shall be deemed satisfied once the As built plans have been certified by Council's Development Engineer or delegated representative.
39. The consent holder must submit certified RAMM data for all new/upgraded roading infrastructure prepared by a suitably qualified person in accordance with Council's Environmental Engineering Standards 2010 Edition to the satisfaction of the Development Engineer or delegated representative.
40. The consent holder shall submit written confirmation from power and telecommunication utility services operators that their conditions for this development have been satisfied in accordance with Council's Environmental Engineering Standards 2010 Edition to the certification of the Council's Post Approval Officer or their delegated representative.

SUBDIVISION CONSENT

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

General Accordance Condition:

41. This resource consent shall be carried out in general accordance with the documents and drawings and all supporting additional information submitted with the application, detailed below, and all referenced by the Council as resource consent number SL2100046:

- a. Application Form and Assessment of Environmental Effects prepared by Barker and Associates dated 1 October 2021 Revision 1;
- b. Section 92 Further Information Responses prepared by Barkers and Associates, including:

19 October 2021:

- Gully Setback prepared by Blue Wallace Surveyors Limited reference 20183-00-PL-103 dated [xx];
- Scheme Plan showing boundary extents prepared by Blue Wallace Surveyors Limited reference 20183-00-PL-102 revision 18 dated May 2021;

10 November 2021:

- Stream Crossing Plan, prepared by LDE, reference 18733-C01 revision 1 dated 26 October 2021;
- Geotechnical Investigation Report prepared by LDE, reference 18733 Revision A Response to S92 amendments dated 5 November 2021;
- Three Waters Design Report prepared by LDE, reference 18733 dated 13 September 2021 and RFI responses for stormwater prepared by LDE dated 4 November 2021;
- Response to Wastewater RFI prepared by LDE dated 5 November 2021;

November 2021:

- Neighbourhood Café – Preliminary Concept Plans prepared by Felicity Christian Architect and Littoralis reference 1304;
- Response to the transport related items, prepared by Engineering Outcomes dated 11 November 2021;

- Biophysical analysis Hurupaki Heights, prepared by Littoralis;; and
 - Cross sections of proposed walking track Hurupaki Heights prepared by Littoralis.
- c. Scheme Plan prepared by Blue Wallace Surveyors Limited reference 20183-00-PL-100 revision 18 dated May 2021;
- d. Scheme Plan showing boundary extents prepared by Blue Wallace Surveyors Limited reference 20183-00-PL-100 revision 18 dated May 2021;
- e. Engineering Plans prepared by Blue Wallace Surveyors Limited:
- Existing site reference 20183-00-EN-200 revision 1 dated May 2021;
 - Design contours site reference 20183-00-EN-201 revision 1 dated May 2021;
 - Cut/fill reference 20183-00-EN-202 revision 1 dated May 2021;
 - Erosion and sediment control 20183-00-EN-250 revision Draft dated September 2021;
 - Roading overall layout 20183-00-RC-300 revision 2 dated July 2021;
 - Road 1 long-section and layout 20183-00-RC-301 revision 2 dated July 2021;
 - Road 2 long-section and layout 20183-00-RC-302, 303 and 304 revision 2 dated July 2021;
 - Road 3 long-section and layout 20183-00-RC-305 and 306 revision 2 dated July 2021;
 - Access lot 302 long-section and layout 20183-00-RC-307 revision 2 dated July 2021;
 - Turing circles 20183-00-RC-308 revision 2 dated July 2021;
 - Roading typical cross sections 20183-00-EN-350, 351, 352 and 353 revision 1 dated July 2021;
 - Sanitary sewer 20183-00-RC-400 and 401 revision 2 dated May 2021;
 - Stormwater plans 20183-00-RC-500 and 501 revision 2 dated May 2021;
 - Water reticulation 20183-00-RC-600, 601, 602 and 603 revision 2 dated May 2021;
 - Combined services 20183-00-RC- 700, 701, 702 and 703 revision 2 dated May 2021; and

- Lighting and planting plan 20183-00-EN – 801 revision 2 dated May 2021;
- f. Integrated Traffic Assessment prepared by Engineering Outcomes Ltd dated 1 October 2021;
- g. Three Waters Design Report reference 18733 prepared by LDE dated 24 August 2021;
- h. Geotechnical Investigation reference 18733 prepared by LDE dated 24 June 2021;
- i. Assessment of Landscape and Neighbourhood Amenity Effects prepared by Littoralis dated September 2021;
- j. Ecological Assessment Pertaining to Proposed Subdivision prepared by Rural Design dated September 2021; and
- k. Archaeological Assessment prepared by Geometria Limited dated 8 April 2021.
- l. Amended proposal prepared by Barkers and Associates dated 2 April 2022, including:
 - Scheme Plan prepared by Blue Wallace Surveyors Limited reference 20183-00-PL-100 revision 20 dated March 2022;
 - Existing site reference 20183-00-RC-200 revision 2 dated March 2022;
 - Design contours site reference 20183-00-RC-201 revision 2 dated March 2022;
 - Cut/fill reference 20183-00-RC-202 revision 3 dated March 2022;
 - Design contours site reference 20183-00-RC-201 revision 2 dated March 2022;
 - Cut/fill reference 20183-00-RC-202 revision 3 dated March 2022;
 - Stonewall layout reference 20183-00-RC-202 revision 2 dated March 2022;
 - Erosion and sediment control 20183-00-EN-250 revision 2 dated March 2022;
 - Roading overall layout 20183-00-RC-300 revision 3 dated March 2022;
 - Road 1 long-section and layout 20183-00-RC-301 revision 3 dated March 2022;
 - Road 2 long-section and layout 20183-00-RC-302, 303 and 304 revision 3 dated March 2022;

- Road 3 long-section and layout 20183-00-RC-305 and 306 revision 3 dated March 2022;
- Access lot 302 long-section and layout 20183-00-RC-307 revision 3 dated March 2022;
- Turing circles 20183-00-RC-308 revision 3 dated March 2022;
- Roading typical cross sections 20183-00-RC-350, 351, 352 and 353 revision 3 dated March 2022;
- Sanitary sewer 20183-00-RC-400 and 401 revision 3 dated March 2022;
- Stormwater plans 20183-00-RC-500 and 501 revision 3 dated March 2022;
- Water reticulation 20183-00-RC-600, 601, 602 and 603 revision 4 dated March 2022; and
- Lighting and planting plan 20183-00-RC – 801 revision 2 dated March 2022.

42. That before the survey plan is certified pursuant to section 223 of the RMA, the following requirements are to be satisfied:

Survey Plan

- a. The survey plan submitted for certification of the Manager RMA Consents or delegated representative shall be in general accordance with the Scheme Plan prepared by Blue Wallace Surveyors Limited, entitled “Scheme Plan, Proposed Subdivision of Lots 2 & 3 DP 99045” reference 20183-00-PL-100 revision 18 dated May 2021. The survey plan submitted shall show:
 - i. Lot 100 as road to vest to the Council;
 - ii. Lots 200, 201, 203 and 204 as drainage reserve to vest to the Council;
 - iii. Lot 205 as recreation reserve to vest to the Council;
 - iv. Lot 300 (Legal Access) is to be held as three undivided one-third shares by the owners of Lots 12 - 14, and individual Records of Title are to be issued in accordance therewith. See LINZ Request: _____ (RMA section 220(1)(b)(iv));
 - v. Lot 301 (Legal Access) is to be held as three undivided one-third shares by the owners of Lots 33, 36 & 37, and individual Records of Title are to be issued in accordance therewith. See LINZ Request: _____ (RMA section 220(1)(b)(iv));

- vi. Lot 302 (Legal Access) is to be held as ten undivided one-tenth shares by the owners of Lots 65 - 74, and individual Records of Title are to be issued in accordance therewith. See LINZ Request: _____ (RMA section 220(1)(b)(iv));
 - vii. Easements in gross "F" and "G" for the purpose of pedestrian access in favour of the Council;
 - viii. Easements A – I in favour of the Council for the purpose of right of way, right to drain sewer, right to convey water, right to convey electricity and telecommunications and right to drain stormwater.

General Engineering

- b. The consent holder shall provide written confirmation from the telecommunications and power utility service operator of their consent conditions in accordance with Council's Environmental Engineering Standards 2010 Edition and show necessary easements on the survey plan for the approval of Council's Post Approval Officer or delegated representative.
- c. The consent holder must create easements over proposed and existing services and rights of way for the approval of the Development Engineer or delegated representative.
- d. An easement shall be provided for Council maintenance of the vested potable water line within the right of way.
- e. The consent holder must provide Council with three proposed street/road/access names in writing for (right of way) in accordance with Council's Road Naming Policy, and in order of preference, giving reasons for each proposed name, for approval by Council. A clear plan detailing the route of the proposed street/road/access should also be submitted and any evidence of consultation relating to the proposed names.

Advice Note: Please refer to the road naming policy and guidelines available on Council's website (<http://www.wdc.govt.nz/PlansPoliciesandBylaws/Policies/Pages/Road-Naming-Policy.aspx>). This condition will not be deemed to be satisfied unless the Council has approved the submitted names in writing.

- f. The consent holder shall provide certification that the reticulated water supply to all lots will achieve sufficient pressure/flow to comply with the firefighting water supply requirements of SNZ/PAS4509:2008.

- g. The consent holder shall provide evidence to confirm that all Condition 2 has been complied with.

Ecological Restoration Works, Landscape Works and Landscaping

- h. A detailed Landscape Integration and Ecological Restoration Strategy (the Strategy) is to be prepared by a suitably qualified Landscape Architect and suitably qualified Ecologist to the satisfaction of Council's Manager RMA Consents or delegated representative. The Strategy shall be for the proposed restoration and enhancement of the Waitaua Stream Corridor Enhancement Area and the Hurupaki Cone Enhancement Area and landscape improvement of proposed reserves (lots 200 – 205). The Strategy shall be generally in accordance with the following referenced documents:
- i. Assessment of Landscape and Neighbourhood Amenity Effects prepared by Littoralis dated September 2021; and
 - ii. Ecological Assessment Pertaining to Proposed Subdivision prepared by Rural Design dated September 2021.
- i. The Landscape Integration and Ecological Restoration Strategy in accordance with condition 42.h. shall include at a minimum:
- i. Detailed plans for integration and rehabilitation of Lot 205 recreation reserve to vest, including at least:
 - playground design;
 - planting plan for the Hurupaki Cone Enhancement Area; and
 - public walking tracks.
 - ii. Detailed remediation and planting of Lots 203 and 204 drainage reserve to vest, including at least:
 - planting plan for the Watiaua Stream Corridor Enhancement Area; and
 - integration of the stonewall.
 - iii. Details of landscape design and planting around the stormwater pond 205.
 - iv. Details of landscape design and planting with Lots 200 and 201, including integration of the stonewall and planting around the stormwater pond.
 - v. Planting plan/s shall schedule all species involved, their numbers, grades and the centres at which they are to be installed. Planting shall be configured with

a goal of achieving 90% canopy closure within three years for all landscape planting areas and within five years for the Waitaua Stream Corridor and Hurupaki Cone Enhancement Areas.

- vi. An Ecological Pest and Weed Control Management Plan (EPWCMP) The purpose of the EPWCMP is to ensure long term environmental benefit objectives are achieved. The EPWCMP shall be for the purpose of achieving the recommendations of the Ecological Assessment Pertaining to Proposed Subdivision prepared by Rural Design dated September 2021. The EPWCMP shall specify the pest and weed control required as part of the establishment of the landscape and ecological rehabilitation measures, as well as the on-going replacement planting and weed and pest controls following establishment works (to be given effect to post section 224(c) certification).
- vii. A monitoring programme of protection and ongoing maintenance being no less than 5-years from establishment including details on weed control, cultivation, control of plant pests and diseases, inspection of plants for losses and replacement planting during the planting season, removal of litter, checking of stakes and ties, trimming, pruning, topping up mulch as it may have been applied to amenity planting areas and other works required to ensure plantings maintain healthy growth and form.

43. Before a certificate is issued pursuant to section 224(c) of the RMA the following requirements must be satisfied:

Ecological and Landscape Planting

- a. All landscape and ecological planting and all plant and animal pest and weed management within lots 200 – 205 shall be implemented in accordance with the approved Landscape Integration and Ecological Restoration Strategy required by condition 42.i. i.to vi. Evidence of compliance with this condition shall be provided to the Council in writing from a suitably qualified Landscape Architect and suitably qualified Ecologist prior to the issue of the section 224(c) certificate.

Walking Tracks

- b. The proposed walking tracks over Lots 203 and 205 shall be constructed to the appropriate standard set out in SNZ HB 8630:2004 'Tracks and Outdoor Visitor Structures' to Parks and Recreations certification.

Bond

- c. Pursuant to sections 108(2)(b) and 108A of the RMA, a bond shall be entered into with respect to the Landscape Integration and Ecological Restoration Strategy approved by the Council under Condition 42.h. In accordance with the Landscape Integration and Ecological Enhancement Strategy the consent holder shall prepare a cost schedule setting out the maintenance costs associated with replacement planting and weed and pest controls for a period of five years plus 50% contingency shall be provided to form the basis for a bond under sections 108 and 108A of the RMA. The cost schedule is to be provided to and certified by Council's Manager RMA Consents or delegated representative. Costing for the bond shall be based on the cost of works required for the landscape maintenance requirements and pest and weed control monitoring requirements, as detailed in the Landscape Integration Plan and Ecological Enhancement Strategy certified in Condition 42 i. vi and vii above.
- d. The bond shall be prepared by the Council's solicitor at the expense of the consent holder and shall be drawn if required by the Council in a form enabling it to be registered pursuant to s109 of the RMA against the title or titles to the land to which this bond relates. Performance of the bond shall be with a cash bond or other suitable financial instruments to the satisfaction of the Council, with provision for release of a portion of bond once every year for the five year period of the bond. The bond, prepared at that new registered proprietor's expense and to the reasonable satisfaction of the Council's solicitor, shall include the same terms and conditions as are included in the bond presently securing performance of the maintenance works for the subject lot.
- e. The maximum amount of the bond registered that can be released in any one year is one fifth of the total bond amount and will only be released on receipt of suitable evidence that maintenance and failed plant replacement has been suitably carried out in accordance with Condition 42.i. vi and vii. Upon proof of transfer of the title by the consent holder to a new owner of any one or more of the lots, the Council shall accept from the new registered proprietor a bond in substitution of the existing bond.

Consent Notices

- f. Pursuant to section 221 of the RMA, a consent notice must be prepared and be registered on the Computer Freehold Register on Lot 58 at the consent

holder's expense, containing the following conditions which are to be complied with on a continuing basis by the subdividing owner and subsequent owners:

- i. Any water tanks installed in accordance with Condition 29 shall remain in place and be maintained to comply with SNZ/PAS4509:2008 until such time as reticulated water supply can achieve sufficient pressure/flow requirements of SNZ/PAS4509:2008, FW2. The water tanks shall only be removed once the consent holder has provided hydrant flow testing proving that the firefighting water supply requirements of SNZ/PAS4509:2008, FW2 have been met. The certification of the Council's Water Services Manager or delegated representative shall be obtained as part of this process.
- ii. No residential activity shall occur onsite until water tanks are removed in accordance with Condition i. once the testing results are certified by Council's Water Services Manager or delegated representative.
- iii. Any development shall comply with the restrictions and recommendations (foundation, stormwater and access) of the Geotechnical Assessment prepared by LDE dated 24 June 2022 above unless an alternative engineering report prepared by a suitably experienced Chartered Professional Engineer is certified in writing by the Council.
- iv. Any future building shall be finished in materials with a light reflectance value not exceeding 30% and using hues that relate to (but not necessarily mimic) those created by remaining and recovering indigenous vegetation. Mirrored glazed is not permitted. Such reflectance levels shall be established by comparison with recognised colour swatches such as the Resene BS 5252 chart.
- v. No building shall exceed a height of 5.5m, where the vertical distance between the natural ground level at any point and the highest part of the building immediately above shall be less than 5.5m.

Note: For the purpose of calculating height, a) Chimneys (not exceeding 1.1m in width) are excluded.
- vi. Residential development shall be limited to one Principal Residential Unit. Construction of a minor residential unit is prohibited. For the purposes of this condition, residential development is defined to include Principal Residential Unit and/or Minor Residential Unit as referenced and defined in the Whangārei District Plan.

- g. Pursuant to section 221 of the RMA, a consent notice must be prepared and be registered on the Computer Freehold Register on Lots 1 - 54 at the consent holder's expense, containing the following conditions which are to be complied with on a continuing basis by the subdividing owner and subsequent owners:

Lots 1 - 54

- i. Any development shall comply with the restrictions and recommendations (foundation, stormwater and access) of the Geotechnical Assessment prepared by LDE dated 24 June 2022 above unless an alternative engineering report prepared by a suitably experienced Chartered Professional Engineer is approved in writing by the Council.

Lots 1 – 5

- ii. Prior to occupation of any Principal Residential Unit, if the water pressure testing shows that less than the minimum 300kPa is available at the properties water connection then the land owner shall install either a small 5000 litre water tank with a pump for each Principle Residential Unit which is trickle feed off the public water main or install larger rain supply water tanks in accordance with the recommendations of the LDE Three Waters Design Report dated 24 August 2021 to boost water pressure. This lot will be affected until the Council upgrades the Three Mile Bush Road water reservoir, but once the upgrade occurs the tanks will no longer be required.

Lots 16 – 18, 20 and 21

- iii. All buildings and major structures within the lot shall be setback 10m - 5m from the top of the bank line at the head of the gully unless specific engineering foundation is provided in accordance with Geotechnical Assessment prepared by LDE dated 24 June 2022.

- h. Pursuant to section 221 of the RMA, a consent notice must be prepared and be registered on the Computer Freehold Register on Lots 55 - 73 at the consent holder's expense, containing the following conditions which are to be complied with on a continuing basis by the subdividing owner and subsequent owners:

Lots 55 – 73:

- i. Any development shall comply with the restrictions and recommendations (foundation, stormwater and access) of the Geotechnical Assessment

prepared by LDE dated 24 June 2022 above unless an alternative engineering report prepared by a suitably experienced C and is certified in writing by Council.

Lots 55 – 59, 72 and 73:

- ii. Prior to occupation of any Principal Residential Unit, if the water pressure testing shows that less than the minimum 300kPa is available at the properties water connection then the land owner shall install either a small 5000 litre water tank with a pump for each principle residential unit which is trickle feed off the public water main or install larger rain supply water tanks in accordance with the recommendations of the LDE Three Waters Design Report dated 24 August 2021 to boost water pressure. This lot will be affected until the Council upgrades the Three Mile Bush Road water reservoir, but once the upgrade occurs the tanks will no longer be required.
- vii. Any future building or major structure shall be finished in materials with a light reflectance value not exceeding 30% and using hues that relate to (but not necessarily mimic) those created by remaining and recovering indigenous vegetation. Mirrored glazed is not permitted. Such reflectance levels shall be established by comparison with recognised colour swatches such as the Resene BS 5252 chart.
- viii. Residential development shall be limited to one Principal Residential Unit. Construction of a Minor Residential Unit is prohibited. For the purposes of this condition, residential development is defined to include Principal Residential Unit and/or Minor Residential Unit as referenced and defined in the District Plan.
- ix. Any future building or major structure development shall comply with the following:
 - The maximum building height and major structure height is 8m above ground level.
 - All building and major structures are setback at least 1.5m setback from any side boundary and 3m setback from any road boundary.
 - All buildings and major structures do not exceed a height equal to 3m above ground level plus the shortest horizontal distance

between that part of the building or major structure and any boundary that is not adjoining a road.

- x. Any impervious area within the site shall not exceed 60% of the net site area and the impervious area shall be set back at least 5m from Mean High Water Springs and the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).
- xi. Any fences:
 - 1. Shall not exceed a maximum height of 2m above ground level;
 - 2. Shall not be fortified with any form of electrification or barbed wire except for stock exclusion purposes; and
 - 3. Within 3m of a road boundary, is at least 50% visually permeable for any portion above 1m high.

Lots 60 - 67

- xii. Prior to occupation of any Principal Residential Unit, if the water pressure testing shows that less than the minimum 300kPa is available at the properties water connection then the land owner shall install either a small 5000 litre water tank with a pump for each Principle Residential Unit which is trickle feed off the public water main or install larger rain supply water tanks in accordance with the recommendations of the LDE Three Waters Design Report dated 24 August 2021 to boost water pressure. This lot will be affected until the Council upgrades the Three Mile Bush Road water reservoir, but once the upgrade occurs the tanks will no longer be required.
- xiii. Any future building or major structure shall be finished in materials with a light reflectance value not exceeding 30% and using hues that relate to (but not necessarily mimic) those created by remaining and recovering indigenous vegetation. Mirrored glazed is not permitted. Such reflectance levels shall be established by comparison with recognised colour swatches such as the Resene BS 5252 chart.
- xiv. Residential development shall be limited to one Principal Residential Unit. Construction of a Minor Residential Unit is prohibited. For the purposes of this condition, residential development is defined to include Principal Residential Unit and/or Minor Residential Unit as referenced and defined in the District Plan.

- xv. No building shall exceed a height of 5.5m, where the vertical distance between the natural ground level at any point and the highest part of the building immediately above shall be less than 5.5m.

Note: For the purpose of calculating height, a) Chimneys (not exceeding 1.1m in width) are excluded.

- xvi. Any future building or major structure development shall comply with the following:

- All building and major structures are setback at least 1.5m setback from any side boundary and 3m setback from any road boundary.
- All buildings and major structures do not exceed a height equal to 3m above ground level plus the shortest horizontal distance between that part of the building or major structure and any boundary that is not adjoining a road.

- xvii. Any impervious area within the site shall not exceed 60% of the net site area and the impervious area shall be set back at least 5m from Mean High Water Springs and the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).

- xviii. Any fences:

1. Shall not exceed a maximum height of 2m above ground level;
2. Shall not be fortified with any form of electrification or barbed wire except for stock exclusion purposes; and
3. Shall be visually permeable and recessive in colour.

- xix. All buildings, major structures and earthworks shall be setback 5m from the northern site boundary.

Lots 68 - 73

- xx. All buildings and major structures shall be setback 10m - 5m from the top of the bank line at the head of the gully unless specific engineering foundation is provided in accordance with Geotechnical Assessment prepared by LDE dated 24 June 2022.

- i. A solicitor's undertaking shall be provided to Council confirming that the consent notices prepared for registration under the relevant conditions of this resource consent will be duly registered

against the new titles to be issued for the subdivision. The solicitor must provide a post registration title and instruments.

Review Condition

44. Pursuant to section 128 of the RMA, the Council may at six monthly intervals from the date of the grant of consent until the issue of a section 224(c) certificate, serve notice on the consent holder of its intention to review the conditions of this consent to deal with an effect on the environment which arises after the date of the grant of the consent where such effect is contrary to, or is otherwise not in accord with, the engineering/geotechnical assessments provided with the application for the consent.

Duration of Consent

45. Under section 125 of the RMA, this consent lapses five years after the date it is granted unless:
 - a. The consent is given effect to; or
 - b. The Council extends the period after which the consent lapses.

Advice Notes

1. The consent holder shall note that certain engineering designs may only be carried out by Chartered Professional Engineer (CPEng) working within the bounds of their assessed competencies.
2. The Consent Holder shall pay all charges set by Council under Section 36 of the Resource Management Act 1991, including any administration, monitoring, inspection and supervision charges relating to the conditions of this resource consent. The applicant will be advised of the charges as they fall.
3. Any works carried out within Council's road reserve will require an approved Corridor Access Request.
4. A Corridor Access Request (CAR) is defined in the new "National Code of Practice (CoP) for Utilities access to the Transport Corridors". This CoP has been adopted by Council. It provides a single application for Traffic Management Plans/Road Opening Notice applications. Enquiries as to its use may be directed to Council's Road Corridor Co-ordinator, ph 430 4230 ext. 8231.

5. The WDC QA/QC Manual document can be located at the following link:
<http://www.wdc.govt.nz/BuildingandProperty/GuidelinesandStandards/Pages/default.aspx>
6. The discharge across boundaries, particularly with regard to the concentration of flows, shall be managed at all times, to avoid the likelihood of damage or nuisance to other properties in accordance with the Council Stormwater Bylaw.
7. All earthworks are required to comply with the Northland Regional Council Regional Water and Soil Plan for Northland noting erosion and sediment control and dust suppression requirements.
8. All works to be carried out pursuant to Condition 1a above shall be undertaken on public land unless written right of entry is obtained from the owners of all private land upon which work is to be carried out. Where any necessary written right of entry has not been obtained, any such infrastructure work shall be re-routed to achieve compliance with this condition.
9. The applicant is advised that a further site inspection of completed works will be required if a period greater than 3 months has passed since the last Council inspection prior to Council issuing the 224(c) certificate.
10. Erosion and Sedimentation Control shall be designed and carried out in accordance with GD05 "Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region"
11. Council does not consider the expansivity classification given in the Site Suitability report to be adequately justified.
12. Please note that further laboratory testing of soils will be required prior to Building Consent being issued to determine the expansivity classification of the soils.
- 13.