

**MINUTES OF AN ORDINARY MEETING OF THE HEARINGS COMMITTEE HELD IN  
THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,  
ON THURSDAY, 5 DECEMBER 2002 AND RECONVENED ON FRIDAY,  
20 DECEMBER 2002, COMMENCING AT 8.05 AM.**

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**PRESENT:**

Councillors	GE	Nash, JP (Chairperson)
	DA	Yates, JP (Deputy Chairperson)
	DQ	Battersby, JP
	BA	Brady, JP
	VS	Neeson, JP

Alternate Representative  
Mr R Kernaghan (New Lynn Community Board)

**IN ATTENDANCE:** Service Manager Resource Management and Building  
Service Manager: Landscape Development  
Transportation Engineer Asset Development  
Subdivision Engineer: R Thomas  
Committee Secretary: O Schuster

**1 APOLOGIES**

There were no Apologies.

**2 URGENT BUSINESS**

There was no Urgent Business.

**3 NOTIFIED APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE  
RESOURCE MANAGEMENT ACT 1991 BY RICHMOND EDEN LIMITED  
(R MAXWELL) TO SUBDIVIDE A 6.9716HA LOT INTO 12 LOTS FOR RESIDENTIAL  
DEVELOPMENT AT 39 LANDING ROAD, TITIRANGI**

8.06 am Mr Andrew Strother (Submitter) presented evidence.

8.28 am Larry Justice (Submitter) presented evidence and responded to questions from Crs Nash, Brady and Battersby and R Kernaghan.

8.36 pm R Bartlett (Counsel for the Applicant) made closing submissions.

9.00 am Hearing closed and Committee went into deliberation.

**ADJOURNMENT**

3687/2002

MOVED by Cr Battersby, seconded Cr Neeson:

That the meeting stand adjourned until 9.06 am.

**CARRIED**

- 9.01 am      The meeting adjourned.
- 9.06 am      The meeting reconvened.
- 9.07 am      Mr Craig presented evidence on behalf of the Forest and Bird Protection Society.
- 9.07 am      The hearing was re-opened as the Forest and Bird Protection Society (Submitter) were wishing to speak to their submission as they turned up after the Hearing had closed.
- 9.20 am      R Bartlett (Counsel for the Applicant) replied to the Forest and Bird Protection Society evidence.
- 9.25 am      Hearing closed and Committee went into deliberation.

3688/2002

MOVED by Cr Neeson, seconded Cr Yates:

**(A) That pursuant to Sections 104, 105, 108 and 113 of the Resource Management Act 1991 and Section 348 of the Local Government Act 1974, and subject to additional or contrary information being presented at the hearing, consent be granted to the application (RMA 20020091 and SPW 21464) by Richmond Eden Limited (R Maxwell) to subdivide a 6.9716ha site into 12 lots ranging in size from 1.5044ha to 2475m<sup>2</sup> with 2000m<sup>3</sup> of earthworks for the formation of the carriageways on the shared access ways at 39 Landing Road, Titirangi, being Lot 8 DP207383 for the following reasons:**

- (i) A peer review of the geotechnical investigations and engineering design is satisfied that the installation of subsoil drainage on Lots 1 - 12 inclusive, prior to the development of these lots will mitigate the potential adverse effects of instability. In addition to a requirement for the monitoring of the drains for one winter prior to the completion of the subdivision Consent Notices would be required to be registered against the titles to ensure that the owners of these lots are responsible for the ongoing maintenance of the subsoil drains. Other conditions of consent would require Consent Notices for specific stability analysis prior to the issue of the building consent for Lots 6 - 10 inclusive and Lot 12 and, if necessary, for additional ground water relief drainage on these lots, and other measures to achieve hydrological neutrality including the use of stormwater detention tanks for all runoff.

- (ii) The assessment of the effects of the subdivision and subsequent development on the landscape and ecology of the site have been endorsed by independent peer reviews. Subject to conditions which would include the establishment of screen planting around the lot boundaries prior to their development, the establishment of a Bush Covenant on all lots containing native vegetation and approval and implementation of a management plan for weed control to encourage the regeneration of the existing vegetated areas on the site, potential adverse effects on the landscape and ecology from the development would be mitigated.
- (iii) Prior to any earthworks being undertaken on the site a management plan for the control of erosion and sediment during earthworks on the site, would be required to be submitted to the Council for approval, followed by written certification from a registered engineer that the controls had been installed in accordance with the approved plan to ensure that potential pollution of water bodies in the vicinity of the site is mitigated.
- (iv) The design and layout of the subdivision, which utilises two shared driveways and clusters the building platforms on the lower land behind the existing development in Landing Road would minimise the potential visual intrusion of the development in the neighbourhood and provision of a pedestrian walkway to link Grendon Road to the end of Landing Road and the future coastal walkway on Manukau Harbour would be beneficial to the wider community and would satisfy objectives and policies in both the Regional and Waitakere City Proposed Plan.
- (v) The number of lots in the proposal would not be contrary to the policies and objectives of the Proposed Plan given that most building platforms would be on existing cleared land in the existing General Natural Area of the site. Those building platforms located in the Managed Natural Area would be on degraded weed infested land in transition from pasture, close to the boundary of the General Natural Area, and there would be no edge effects or fragmentation of the bush.
- (vi) The proposed subdivision once completed would satisfy the purpose and principles of the Resource Management Act 1991 by the protection and enhancement of the natural landscape and the integration of the future residential development in a manner that would maintain amenity values.

Consent shall be subject to the following conditions:

- (1) The development shall proceed in accordance with the plans titled (Plan for Proposed Subdivision of Lot 8, D.P.207383, Landing Road, Titirangi - Sheet 1) prepared by (Jackson Clapperton & Partners Limited) and dated (Dec 2001) and all referenced by Council as RMA 20020091 and the information in the Assessment of Environmental Effects Landing Road Titirangi, including further information, submitted with the application and attached to this report in Appendix Four.
- (2) All infrastructure relating to stormwater treatment and disposal, wastewater disposal, and water supply shall be designed and completed to the satisfaction of Council's Drainage Assets Engineer. (Compliance with the Waitakere City Council Code of Practice for City Infrastructure and Land Development is deemed to be in accordance with the above condition). (The information and plans provided will be peer reviewed by Council's Geotechnical consultant to ensure that the detailed design satisfies geotechnical requirements and takes into account the stability of the site).

- (3) All buildings shall generally be contained within the designated building platforms as depicted on the original plan as submitted (Sheet 1).
- (4) The landscape planting to provide a screen around the proposed lots, and along the margins of the 4 watercourses shall be provided in accordance with the concept detailed in figure 8 Proposed Landscape Plan. A landscaping plan showing the species, their size at the time of planting, spacing and a five year maintenance programme (including replacement planting if necessary) shall be submitted for approval of the Manager: Resource Consents within three months of the date of consent. The planting shall be established once the engineering works have been completed and prior to the issue of the 224C Certificate. Native species shall be used. The landscaping shall be retained and maintained by the property owners.
- (5) A two stage weed management plan/programme shall be submitted for approval of the Manager: Resource Consents within three months of the date of consent. The first stage shall target the four areas identified in Figure 3 Appendix 5 Ecological Assessment and the second stage shall detail ongoing work within the remaining parts of the Bush Covenant. The programme shall include the species to be removed, techniques to be utilised for removal, weed disposal methods, and erosion and sediment controls if required. The first stage of the approved weed management plan shall be implemented and shall be completed prior to the issue of the Section 224C Certificate to the satisfaction of the Manager: Resource Consents.
- (6) The second stage of the weed management required by Condition 5 above would be required to be ongoing for a period of five years following the issue of the section 224C Certificate. A bond of \$10,000 (or a suitable bank surety or guarantee) to cover the implementation of the second stage of the approved weed management programme shall be paid prior to the issue of the section 224C Certificate. The bond shall be repaid after five years provided that the weed management programme has been completed to the satisfaction of the Manager: Resource Consents.
- (7) The area of bush to be protected by the Bush Covenant shall be increased on Lot 12 to a location 5m - 10m from the back of the building platform to borehole AH23 and then to AH26. The area of bush to be protected by the bush covenant shall be defined and labelled on the survey plan of the subdivision prior to its registration on the titles of Lots 1-7 and Lots 9, 10 and 12. The consent notice required by Condition (LD3) below shall also include a requirement for ongoing weed management in accordance with the second stage of the weed management plan.
- (8) Post and wire fence to the satisfaction of the Manager: Resource Consents defining the bush covenant on each lot shall be provided, where necessary, prior to the issue of the 224C Certificate (a stile or gate to provide access into the bush covenant area on each lot may be provided).
- (9) Provision for fish passage in the small culvert in the ephemeral watercourse at the top of the shared driveway (Lot 14) shall be provided. Details shall be included on the Engineering plans submitted for approval and shall be to the satisfaction of the Manager: Resource Consents.

- (10) Prior to the commencement of any work on the site, the applicant shall submit a site management plan to the Manager: Resource Consents, and shall have received written approval for this plan. The plan shall include, but not be limited to the following:
- A plan of the property showing the area to be cut and filled, including the existing and proposed final contours and extent of the cut and/or fill. This may be included as part of the engineering plans for the shared driveways.
  - An erosion and sediment control plan prepared in accordance with Auckland Regional Council Erosion and Sediment Control Guidelines For Land Disturbing Activities *Technical Publication No 90*. The erosion and sediment controls shall be provided for all earthworks on the site including the culvert for the shared driveway, shared driveways, repair of the tomo, subsoil drains, the public wastewater and water reticulation and pedestrian walkway.
  - The supervision and operation of the site.
  - The proposed sequence of operations.
  - An appraisal of the stability of the existing site both during and after the completion of works by a registered engineer experienced in geotechnical matters. The appraisal shall include recommendations for the operation of the site to ensure short and long term stability.
- (11) No earthworks shall be undertaken on the site until the consent holder has submitted a certificate signed by an appropriately qualified and experienced engineer, to certify that the erosion and sediment controls have been constructed in accordance with the approved erosion and sediment control plan (see Condition 10 above), and has been approved by the Manager: Resource Consents. The certificate shall be submitted within 7 days following the construction of the controls.
- (12) All development works including the earthworks, shared driveway formation and installation of infrastructure for the subdivision are to be carried out in accordance with NZS 6803P:1984 'The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work'.
- (13) All development works on the site including earthworks and the use of associated heavy machinery shall be undertaken between the following hours only:
- |                             |                    |
|-----------------------------|--------------------|
| Monday to Friday:           | 7.00 am to 5.00 pm |
| Saturday:                   | 8.00 am to 5.30 pm |
| Sunday and Public Holidays: | No Work            |
- (14) All earthmoving equipment, vehicles and machinery utilised on the site shall be well maintained and in good repair (particularly exhaust systems where applicable).
- (15) All necessary action shall be taken to prevent a dust nuisance to neighbouring properties. The site, or parts thereof as appropriate, shall be re-grassed or otherwise protected from wind erosion immediately on the completion of the earthworks whether or not other works are completed.
- (16) No fill associated with engineering works for the subdivision shall be deposited within the bush area. All excess fill shall be removed from the site immediately to the satisfaction of the Manager: Resource Consents.
- (17) Footpaths, berms and kerbs shall be protected from damage by crossing or parking vehicles to the satisfaction of the Manager: Resource Consents. Any damage, which is attributed to the earthworks or installation of infrastructure shall be rectified at the cost of the consent holder.

- (18) All earthworks on the site shall be undertaken during the summer earthworks season (or such extended period as may be permitted by the Auckland Regional Council) and shall be completed within that time to the satisfaction of the Manager: Resource Consents.

**(B) SECTION 223 REQUIREMENTS**

A survey plan of the subdivision will be approved pursuant to Section 223 of the Act within three years provided that the advertised survey plan fee has been paid and that the following conditions have been complied with to the satisfaction of Council.

- (a) Pursuant to Section 220(1)(b)(iv) of the Act, provide for the following condition of amalgamation to be shown in the Section 223 approval on the survey plan:

"Subject to the amalgamation condition set out hereon"

and provide for the following to be endorsed on the plan -

"That Lot 5 DP 111883 (legal access) be held as to one undivided one-half share by the owners of Lot 11 hereon as tenants-in-common in the said shares and that the individual certificates of title."

"That Lot 6 DP 207383 (legal access) be held as to eight undivided seven eighty-eighth shares by the owners of Lots 1, 2, 3, 4, 5, 6, 7 & 8 hereon as tenants-in-common in the said shares and that individual certificates of title be issued in accordance therewith."

See C S N. A636267

- (b) Pursuant to Section 220(1)(b)(iv) of the Act, provide for the following condition of amalgamation to be shown in the Section 223 approval on the survey plan:

"Subject to the amalgamation condition set out hereon"

and provide for the following to be endorsed on the plan -

"That Lot 13 hereon (legal access) be held as to eight undivided one eighth shares by the owners of Lots in the same ownership as Lots 1, 2, 3, 4, 5, 6, 7 & 8 hereon as tenants-in-common in the said shares and that individual certificates of title be issued in accordance therewith."

"That Lot 14 hereon (legal access) be held as to four undivided one quarter shares by the owners of Lots in the same ownership as Lots 9, 10, 11 & 12 hereon as tenants-in-common in the said shares and that individual certificates of title be issued in accordance therewith."

See C S N. A634859

- (c) Provide a pedestrian right-of-way easement in gross in favour of Council over Lot 14 in a Memorandum of Easements endorsed on the survey plan. Include in the Section 223 approval on the plan, "subject to the granting or reserving of the easement(s) set out in the Memorandum hereon." Note: The easement document will be prepared by Council's Solicitor at the applicant's cost.

- (d) As required by Condition (EW8) below, define the 1 in 100 year overland flood path and provide drainage easements in gross in favour of Council in a Memorandum of Easements endorsed on the survey plan. Include in the Section 223 approval on the plan, "subject to the granting or reserving of the easements set out in the Memorandum hereon." Specific Requirements:
  - (i) The easement document will be prepared by Council's Solicitor at the applicant's cost.
  - (ii) The easement should also cover the stormwater discharge off Grendon Road.
- (e) Provide for water supply easement(s) in gross in favour of Council over Lots 13 & 14 in a Memorandum of Easements endorsed on the survey plan. Include in the Section 223 approval on the plan, "subject to the granting or reserving of the easement(s) set out in the Memorandum hereon." Note: The easement document will be prepared by Council's Solicitor at the applicant's cost.
- (f) Provide drainage easements (for the shared stormwater drainage through Lot 1 and any other affected lots, to Lots 2, 3, 4, 5 & 6 to protect the proposed drainage) in a Memorandum of Easements endorsed on the survey plan. Include in the Section 223 approval on the plan, "subject to the granting or reserving of the easement(s) set out in the Memorandum hereon."
- (g) As required by Condition (LD3) below, define and letter Land Covenant areas showing the native bush which is required to be preserved and which is to be the subject of a consent notice.
- (h) On survey, widen the Access Way Lot 15 sufficiently to enable the walkway and buffer planting (adjacent to Lots 1 and 2 DP 43809) to be provided (refer Condition PK2 below).
- (i) Take note that street numbers for the lots on the survey plan will be allocated by Council subsequent to Section 223 approval, and these numbers must be used for future applications for building consent. A copy of the survey plan with the Council allocated numbers will be provided.

#### **SECTION 224C REQUIREMENTS**

Prior to the release by the Council of the Section 224(c) compliance certificate for this subdivision the applicant shall comply with the following conditions to the satisfaction of Council: Note: The application requesting the 224 release shall be in writing, shall include the S224 (c) processing fee, shall address how each of the following conditions have been satisfied, and shall be accompanied with Compliance Certificates from each of Council section(s) named below.

Before the commencement of any work, obtain the approval of Council to all engineering plans and specifications prepared in accordance with Council's Code of Practice for City Infrastructure and Land Development" detailing the nature and extent of any proposed work.

## ECOWATER CONDITIONS (PUBLIC DRAINAGE)

**Please contact Eric Williams on 025745583 to book an inspection.**

(EW1) Design, provide and install a complete public wastewater reticulation system to serve all Lots in compliance with Councils Code of Practice for City Infrastructure and Land Development (Refer section 5.0). Pay, if applicable, to the Council the cost of connecting the said reticulation to the Council's main sewer. Specific Requirements:

- (i) The cost of connections to Councils public mains will be advised under engineering approval.
- (ii) Allow in the design of the public waste water reticulation for the geotechnical constraints of the site. If necessary use PE pipe to allow for settlement, increased grades or other methods as appropriate. The proposed detailed engineering design will be subject to peer review by Councils Geotechnical consultant at the applicants expense as necessary to consider geotechnical issues relating to the infrastructure. EcoWater may require an extended maintenance period and/or bond depending upon the review.
- (iii) Advice Note: EcoWater policy requires any wastewater manholes or line connections to be constructed by EcoWater Solutions maintenance contractor. Wastewater manhole connections may be constructed by the applicants contractor with engineering plan approval and under EcoWater's Quality Assurance supervision or by EcoWater Solutions maintenance contractor.

(EW2) Design, provide and install a complete public water supply reticulation system and fire fighting services to serve all lots in compliance with Councils Code of Practice for City Infrastructure and Land Development (Refer section 6.0). Pay to the Council the cost of supervising the shut down of Council's water supply mains. This service includes EcoWorks providing written advice to all affected property owners/tenants. Specific Requirements:

- (i) Where the required public system is on private property, easements over the course of such system in favour of Council will be necessary.
- (ii) Locate all water connections at the same position as the power and telephone connection to each lot not in the centre of the lot.
- (iii) Allow in the design of the public water reticulation for the geotechnical constraints of the site. The proposed detailed engineering design will be subject to peer review by Councils Geotechnical consultant at the applicants expense as necessary to consider geotechnical issues relating to the infrastructure. EcoWater may require an extended maintenance period and/or bond depending upon the review.

(EW3) Provide and install a fire hydrant within 135 metres of the farthest point of fire risk. Note: The hydrant is to be on a direct traffic route to the property. The 135m may not be measured as a radius.

- (EW4) Design, provide and install a complete private stormwater drainage system to serve all Lots in compliance with Councils Code of Practice for City Infrastructure and Land Development (Refer section 4.0). Specific Requirements:
- (i) Provide a detailed engineering proposal in general accordance with the methodology proposed (ie. roof water re-use for toilet, laundry and outside use, above ground detention/re-use tanks with controlled discharge, sealed underground detention tanks with controlled discharge for paved areas piped to the watercourses) and show how stormwater will be mitigated on each Lot.
  - (ii) Limit stormwater flows to predevelopment levels for the 2 and 10 year storm event. Limit stormwater flows from Lots draining to the southern watercourse to predevelopment flows for the 2, 10 and 100 year storm events due to prevent increasing stormwater flows on downstream neighbours.
  - (iii) Mitigate the stormwater runoff from the shared driveways to the above levels.
  - (iv) Allow in the design of the shared private stormwater reticulation for the geotechnical constraints of the site. If necessary use PE pipe to allow for settlement, increased grades or other methods as appropriate. The proposed detailed engineering design may be subject to peer review by Councils Geotechnical consultant at the applicants expense as necessary to consider geotechnical issues relating to the infrastructure.
- (EW5) Prior to the issue of the 224c certificate, propose and establish to EcoWater's satisfaction an administrative body and programme to manage and maintain the private shared stormwater/subsoil disposal system. Such a body may be a company with affected Lot owners as shareholders, body corporate or other such entity. Provide all documentation. Refer also to (EW8) below.
- (EW6) Contact the Secretary, ext 8248 EcoWater, Development Services to arrange a pre-start meeting with EcoWater's Quality Assurance Inspector. Plans are required to be submitted and Engineering Approval obtained before work commences.
- (EW7) Provide a catchment analysis, define and form where appropriate the 1 in 100 year overland flood path, and take note that a drainage easement in gross in favour of Council will be required to be issued and registered on the new titles to be issued for Lots affected precluding placement of fill or the erection of solid walls or fences or other impediments within that flow path, and providing for a minimum freeboard in accordance with Councils Code of Practice above the 1 in 100 year overland flood path for the floor levels of residential buildings. Note: Provide an As Built plan of the overland flow path showing a long section and cross section for inclusion in Councils Hazards Register. Specify minimum floor levels for the approved building platform on each Lot.
- (EW8) In addition to (EW5) above, a consent notice pursuant to Section 221 of the Act will also be required to be issued and registered on any affected Lots advising of the stormwater disposal and mitigation requirements and the responsibility and liability to maintain the stormwater/subsoil drainage system as applicable, and to ensure that the stability of the land is not compromised.

- (EW9) Provide stormwater quality treatment to the shared driveway in accordance with the Auckland Regional Council publication TP10 and to EcoWater's satisfaction. The methodology is to take account of the geotechnical constraints of the site. The proposed detailed engineering design may be subject to peer review by Councils Geotechnical consultant at the applicants expense as necessary to consider geotechnical issues relating to the infrastructure.

In addition a consent notice pursuant to Section 221 of the Act is required, which restricts roof cladding to concrete or earthenware tiles or other roofing products that do not contain zinc (to limit possible contamination of zinc from roof runoff into the tidal estuary).

### SHARED DRIVEWAY CONDITIONS

**Please contact the Field Advisor on 836 8000 (extension 8725) to book an inspection (At least 48 hours prior to the inspection being required).**

- (SD1) Form the shared driveway over parts of Lots 13 & 14 and construct thereon a carriageway and stormwater control in compliance with Council's Code of Practice for City Infrastructure and Land Development (refer Section 3.0). Notes:
- (a) Inspection of the boxing prior to concrete pouring (or the subgrade prior to pavement construction) is required.
  - (b) The existing driveway is to be further inspected after the subdivision works have been completed and any further damage to the carriageway is to be repaired or replaced to Councils satisfaction.
  - (c) Ensure that the long section of the driveway and the vehicle crossing complies with Council's "Code of Practice for City Infrastructure and Land Development" standard detail SD 3.15.
  - (d) All bends shall have a minimum inside turning radius of not less than 6.5m.
- (SD2) Ensure hard stand area for solid waste bins complies with Council's "Code of Practice for City Infrastructure & Land Development" standard detail SD 3.7
- (SD3) The minimum width of the carriageway on shared driveways is 2.5m for 1-2 lots, 2.7m for 3-5 lots, and 3.5m for 6-10 lots, and the construction details are given in Councils "Code of Practice for City Infrastructure & Land Development." (150mm where 4 or less dwellings are served and 175mm thick with reinforcing where 5 or more dwellings are served).
- (SD4) On Lot 13 provide a 5m wide passing bays to the east of the intersection adjacent to Lot 3 to the satisfaction of the Council.

### AFTERCARE CONDITIONS

- (AC1) Install subsoil drainage (outside the Bush Covenant) on Lots 1-12 inclusive having a depth not less than 2m and spaced at an average of 12m centres. Monitor the drainage system over one winter prior to issue of the S224 Certificate to prove that the ground water table has been lowered sufficiently over the whole slope. The subsoil drainage is to be designed and built in such a way that is readily maintainable in the future and designed to avoid the effects of tree roots. Provide as built plans to Councils satisfaction.

The foundations of any dwelling houses being constructed over these drains shall be designed in such a way that the drains are not impeded or damaged. As required by condition (EW5) and (EW8) above, an administrative body is required to be set up to manage and maintain these subsoil drains and a consent notice is required to be registered on the certificate of title regarding their management and maintenance.

(AC2) Pursuant to Section 221 of the Act, provide for the following restriction to be included in the consent notice for Lots 1-12 inclusive. The owner shall not place, erect, construct or permit to remain on any land, any buildings unless the foundations of such buildings have been subject to specific design by a Registered Engineer experienced in Geomechanics and familiar with the geotechnical report by Jackson Clapperton & Partners Limited, dated 11 October 2001, and subsequent amendments, and familiar with the Peer Review by Beca Carter Hollings and Ferner Limited, and constructed in accordance with that design to the satisfaction of Waitakere City Council.

## **PARKS CONDITIONS**

**Please contact Warren Ogilvie on 836 8000 (ext 8561) to book an inspection.**

(PK1) Take note that Lot 15 shall vest in the Waitakere City Council as Access Way pursuant to Section 238 of the Resource Management Act 1991 and Section 321A of the Local Government Act 1974.

(PK2) In accordance with Section 108(c) of the Resource Management Act 1991, Lot 15 shall be developed to Access Way standard with all works complying with the Waitakere City Council Code of Practice for City Infrastructure and Land Development. A landscape plan prepared by a qualified Landscape Architect is to be submitted to the Parks Asset Planning Coordinator for approval prior to any works commencing. The plan shall detail the following specific features and provide design and engineering details where required:

- Gravel and timber edged walkway with steps where required, 1.5m in width, including drainage provision.
- The walkway should be located a minimum of 3m from the boundary of the adjacent existing property owners, with the exception of the existing entrance strip between 34 and 35 Grendon Road.
- The area between the walkway and the existing property boundaries shall be planted with appropriate species to provide a buffer between the walkway and the adjoining properties.
- Where a boundary fence does not currently exist, and subject to the agreement of the property owner, a permeable fence 1.8m high shall be installed along those existing adjoining property boundaries adjacent to the walkway. If desired by the developer, fence the boundaries between the walkway and the new lots of the proposed subdivision.
- A walkway bollard marker at each entrance to the walkway as per the parks standard detail, including the destination and time to access.

Costs for these works shall be agreed upon prior to any works being carried out.

(PK4) Ensure that the Access Way is left in a condition suitable for maintenance in accordance with Section 7.3.2 of the COP and to the satisfaction of the Parks Asset Planning Coordinator. Weed removal and revegetation is to be established within the Access Way to the satisfaction of the Parks Asset Planning Coordinator. A weed management and revegetation plan prepared by a qualified Landscape Architect in accordance with COP is to be submitted to the Parks Asset Planning Coordinator within 3 months of the issue of this consent for council approval. It is recommended that reference is made to the publication "A guide for planting and restoring the nature of Waitakere City", published by the Council.

- (PK5) The developer is to be responsible for the maintenance of reserve landscaping, features and weed control for a period of two years (from the date of its certified establishment by Council) including the replacement of any dead or dying vegetation, to the satisfaction of the Parks Asset Planning Coordinator. A bond will be required to ensure the satisfaction of this condition, alternatively a maintenance cash contribution may be paid and the maintenance will be undertaken by the Council. The contribution will be calculated at a rate of \$25 per annum per tree and \$7 per square metre of garden per annum.
- (PK6) Provide Council with As Built drawings of project showing all services, levels, inverts, features and facilities as per following requirements:
- A scaled tracing of the construction plan is to be updated showing all finished asset locations and types.
  - All underground services are to be shown on the plan with sizes, types, depth to invert and invert levels based on site datum on plan and new assets scheduled on a Asset Sheet (Client to provide format of Asset Sheet).
  - Any planted areas are to be shown to scale on the copy of the construction plan with areas sq. metres of planting, number of plants and type and assets scheduled on a Asset Sheet.
  - All products, fixtures, items and fittings with type, colour, model, manufacturer name and contact telephone number are to be scheduled on a Asset Sheet.
  - Two copies of any special operating manuals for any new systems are to be provided.
  - Any special maintenance requirements to be scheduled and supplied.

#### **LEGAL DOCUMENTATION**

##### **These conditions will be signed off by Consent Services.**

- (LD1) Take note that Council, being satisfied that adequate access to Lots 1-12 inclusive thereon is provided pursuant to a condition imposed under Section 220(1)(b)(iv) Resource Management Act 1991, therefore resolves that the provisions of Section 321(1) Local Government Act 1974 shall not apply to those Allotments by virtue of Section 321(3)(c).
- (LD2) The consent notice required by Conditions (EW8), (AC2) and (LD3) and the right-of-way, water supply, and drainage easements required by conditions (B) (c), (d) and (e) above will be prepared by the City Solicitor at the applicants cost when the following information has been received:
- (i) All necessary technical information.
  - (ii) The Land Transfer plan number allocated by Land Information New Zealand, and.
  - (iii) The name and address of the solicitor acting for the owner.
- (LD3) A consent notice pursuant to Section 221 of the Act will be required to be issued and registered on the new title for Lots 1-7 and lots 9, 10 and 12 to the effect that no building can occur within the area defined by the Land Covenants shown on the plan as required by condition 1(f) above, and requiring the maintenance and preservation of the native bush in these covenant areas. (See condition 7)

- (LD4) Where any condition imposed upon this consent to subdivision is to be complied with on an ongoing basis by the subdividing owner and subsequent owners after the deposit of a survey plan (not being a condition in respect of which a Bond is required to be entered into by the subdividing owner of a completion certificate is capable of being or has been issued) the subdividing owner shall pay the Council's Solicitors legal costs and disbursements relating to the preparation and registration of a Consent Notice pursuant to Section 221 of the Resource Management Act 1991, and shall do all acts and things necessary to enable registration of such Notice to be completed.

#### **FEES, BONDS & CONTRIBUTIONS**

**Invoices will be prepared by Consent Services. If paying by personal/company cheque the standard five days clearance will apply. If you require the 224C certificate immediately you must provide a bank cheque.**

- (FC1) Pay to Council the engineering works supervision fee as incurred, which will be charged at Council's advertised schedule of fees.
- (FC2) Pay to Council a street damage bond of \$2,500.00 prior to the commencement of work. This bond shall be refunded in full after inspection by Council's Construction Supervisor confirms no damage to Council's roading assets has occurred. The inspection is to take place once all work is complete.
- (FC3) Pay a 2½% maintenance deposit (minimum \$500.00) on the value of works being taken over by Council which is refundable upon final acceptance of the works at the end of the maintenance period. Note: The maintenance period or percentage deposit may be increased at EcoWater's discretion, subject to the peer review of the detailed engineering design by Council's geotechnical consultant.
- (FC4) Pay to the Council a financial contribution equal to 6% (plus GST at 12½%) of Quotable Value market values to be obtained for the notional building sites on Lots 1-12 inclusive as of the date of issue of this subdivision consent for reserve purposes pursuant to Section 407 of the Act for the allotments shown on the plan, such amount being reducible by a credit for the underlying title(s) and further reduced by an amount equivalent to 25% of the combined land cost (as determined by Quotable Value) and construction costs (as agreed by Council) of the pedestrian access way contained on Lot 15.
- (FC5) Prior to the issue of the Section 224 C certificate pay to the Council a cash bond or bank surety for the sum of \$10,000 (inclusive of GST) to cover the implementation of the second stage of the approved weed management programme which shall be undertaken on the site for a period of five years following the issue of the above certificate (Conditions 5 and 6). Repayment of the bond shall be made in writing, to the Manager: Resource Consents upon the satisfactory completion of the weed management programme.

#### **GENERAL**

**These conditions are to be signed off by Consent Services, fees will be charged on an hourly basis.**

- (GL1) Satisfy all requirements of the Inland Revenue Department in respect of Goods and Services Tax including any requirements that may be made in respect of proposed public services and land to vest in and be transferred to the Council.

- (GL2) Advise Council the name of the Consultant and/or person/s who will be the developers representative fulfilling engineering responsibilities as detailed in section 1.4.1 of Councils Code of Practice for City Infrastructure and Land Development. A resume stating the qualifications and experience of the nominated representative may be required at the Councils discretion.

Note: Councils “Code of Practice for City Infrastructure and Land Development” requires the developer to appoint a suitably qualified and experienced person for any projects that involve development works for which standards are specified in the Code. The developers representative shall be responsible for the following:

- (i) Investigating, designing and obtaining approvals for the works.
- (ii) Providing contract administration and engineering supervision of the works.
- (iii) Co-ordination of specialist responses eg. geotechnical, hydrology, structural reporting.
- (iv) Certification of the works upon completion.

The developers representative shall have insurance liability and indemnity cover as appropriate.

- (GL3) Obtain the reticulation of electric power to Lots 1-12 inclusive by underground methods and provide to the Council satisfactory confirmation that the completed installation has been installed in compliance with the requirements of the Electrical Network Operator (including the requirements of the Operator of the network to which the subdivision network is to be connected).
- (GL4) Obtain the reticulation of telephone services to Lots 1-12 inclusive by underground methods and provide to the Council satisfactory confirmation that the completed installation has been installed in compliance with the requirements of the Network Operator.
- (GL5) In the event of archaeological evidence being uncovered (eg. shell, middens, hangi or ovens, pit depressions, defensive ditches, artifactual material or human bones) work shall cease in the vicinity of the discovery, the area secured, and the Council (Ph 839-0400) contacted. Activity on the site will remain halted until the Manager Resource Consents gives approval for operations to recommence.
- (GL6) The resource consent holder shall take all steps necessary to avoid damaging the street, Landing Road bridge, footpath or berm area and shall reinstate any damage to those areas to the satisfaction of the Council.
- (GL7) That the consent holder shall install such road signage and road marking as is necessary at the one-lane Landing Road bridge to ensure that conflict between vehicles travelling in opposing directions does not occur. A plan indicating the proposed arrangements shall be submitted to the Transport Assets Manager for approval prior to establishment of the required works.

**ADVICE NOTES**

- Prior to submitting plans for engineering approval obtain from the Auckland Regional Council an amended stormwater discharge permit, and all other consents, on terms acceptable to the Council, pay all costs attributable to such application and comply with any conditions imposed by the Council. Provide copies of subdivision consent conditions and hydraulic or geotechnical reports to the Regional Council.
- Pursuant to Section 39 of the Auckland Metropolitan Drainage Act 1960 notify Watercare Services Limited of any building or other works to be carried out within 10 metres of their sewers. Provide Council with copies of correspondence with Watercare Services Limited when the engineering plans are submitted to Council for approval.
- Deciduous native trees such as ribbonwood and some exotic deciduous species may be used for the landscape screening where there is a need to maintain winter sun on building platforms.

**CARRIED**

10.05 am

The Chairperson thanked members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AT AN ORDINARY MEETING OF  
THE HEARINGS COMMITTEE HELD ON

**DATE:**.....

**CHAIRPERSON:**.....