

**MINUTES FOR AN ORDINARY MEETING OF THE HEARINGS COMMITTEE HELD IN THE
CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,
ON THURSDAY, 10 JUNE 2004, COMMENCING AT 11.05 AM.**

PRESENT:

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

Ward Representative
Mr RE Taylor (Waitakere Community Board)

IN ATTENDANCE:

Group Manager: Planning & Community Services
Senior Resource Planner: J Ibrahim
Committee Administrator: 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 CASSEL HOLDINGS LIMITED TO
UNDERTAKE A 10-LOT FREEHOLD SUBDIVISION (AMENDED FROM 12-LOTS)
REQUIRING EARTHWORKS AND VEGETATION ALTERATION ON LAND AT
KITEWAHO ROAD, SWANSON**

11.10 am Peter Fuller (Counsel for the Applicant) presented submissions to the application.

11.25 am Karen Walker (Applicant) presented evidence in support of the application.

11.33 am Claudine Chalton (Senior Resource Planner for the Applicant) presented evidence in relation to the application.

ADJOURNMENT

1025/2004

MOVED by Cr Battersby, seconded Cr Brady:

That the meeting stand adjourned until 1.15 pm.

CARRIED

12.25 pm The meeting adjourned.

1.21 pm The meeting reconvened.

- 1.22 pm Phillip Brown (Traffic Engineer for the Applicant) presented evidence in relation to the application and responded to questions from Cr Brady.
- 1.41 pm Melean Absolum (Landscape Architect for the Applicant) presented evidence in relation to the application and responded to questions from RE Taylor.
- 2.09 pm Denise Diehl (submitter) presented evidence in relation to the application and responded to a question from Cr Brady.
- 2.14 pm Mark Hart (submitter) presented evidence in relation to the application and responded to questions from Crs Brady and Hulse.
- 2.35 pm Thelma Chamberlain (witness for Mark Hart) presented evidence.
- 2.42 pm Pauline Rennie (submitter) presented evidence in relation to the application and responded to a question from Philip Brown (Group Manager: Planning & Community Services) that was permitted by the Chairperson.
- 2.46 pm Michael Marygold (on behalf of his sister Jacqueline Marygold) presented evidence.
- 2.51 pm Debbie Wingate (on behalf of the Auckland Regional Council) presented evidence.

ADJOURNMENT

1026/2004

MOVED by Cr Yates, seconded Cr Hulse:

That the meeting stand adjourned until 3.00 pm.

CARRIED

- 3.55 pm The meeting adjourned.
- 3.05 pm The meeting reconvened.
- 3.08 pm Claudine Chalton (Senior Resource Planner for the Applicant) outlined a number of changes that were sought to the Council Officer's recommended conditions that appeared in the agenda report.
- 3.19 pm Philip Brown (Group Manager: Planning & Community Services) outlined several recommended changes to the proposed conditions in the agenda report, and responded to questions from Cr Brady and RE Taylor.
- 3.29 pm Peter Fuller (Counsel for the Applicant) tabled a letter from Claudine Chalton to the Auckland Regional Council regarding suitable covenants and consent notices and an email from Gary Taylor, Waitakere Ranges Protection Society Incorporated with regards to proposed covenants on each of the proposed new titles.
- 3.30 pm Peter Fuller (Counsel for the Applicant) made comments regarding the sealing of the right of way and responded to questions from Crs Hulse and Battersby.

- 3.45 pm Phillip Brown (Traffic Engineer for the Applicant) made comments regarding the control of speed on Scenic Drive North in the vicinity of the subject site.
- 3.58 pm Claudine Chalton (Senior Resource Planner for the Applicant) made comments on the consultation that occurred in relation to the application.
- 4.00 pm Phillip Brown (Traffic Engineer for the Applicant) and Peter Fuller (Counsel for the Applicant) responded to questions from Cr Hulse.
- 4.07 pm Hearing closed and Committee went into deliberations.

1027/2004

MOVED by Cr Brady, seconded Cr Battersby:

A. That pursuant to Sections 104,104B, 104D, 108 and 113 of the Resource Management Act 1991, **consent be granted** to the application by Cassel Holdings Limited to undertake a proposed 10-lot 'bush lot' subdivision requiring up to 4,730m² of vegetation alteration over an area of approximately 14.7526 hectares, re-vegetation of 1.0925 hectares and up to 1,216m³ earthworks over 4,514m² for building platform, access and infrastructure development at Kitewaho Road, Swanson, being Pt Lots 1 & 2 DP 64489, Pt Lot 2 DP 20522, and Lot 1 DP 211994 for the following reasons:

- (i) It is considered that the proposal would have no more than a minor adverse effect on the environment as the earthworks are at a level necessary to provide suitable building sites and access, and the sediment/erosion measures imposed as conditions of consent are considered appropriate to protect the soil and water quality, the trees being removed are largely unprotected under the District Plan and would be more than adequately replaced by required re-vegetation within the proposed sites,
- (ii) The proposal is considered to be consistent with the relevant assessment criteria for Earthworks, Vegetation Alteration and Shared Driveways.
- (iii) The proposal is generally consistent with the Objectives and Policies of the Operative District Plan and Part II of the Resource Management Act and the design (and conditions below) will ensure the amenity of the area is maintained.
- (iv) The proposal is consistent with the relevant objectives and policies of the Auckland Regional Policy Statement and the requirements of the Auckland Regional Plan: Sediment Control.

Conditions imposed on the consent are as follows:

GENERAL

1. The development shall proceed in accordance with the plans for proposed 10-Lot Subdivision - prepared by Davis Ogilvie and Partners Limited and variously dated and titled:
 - Scheme Plan of Proposed 10-Lot Subdivision at Kitewaho Road for Cassel Holdings Sheet 1N;
 - Topographical Survey of Lot 1 DP 211994, Pt Lot 2 DP 20522 & Pt Lots 1 & 2 DP 64489 - Sheet 2B;
 - Earthworks and Sediment Control Plan. Sheets 3 - 7 (Sheet 3 to be amended in line with revised Sheet 8A);

- Access way and Drainage Layout ... Sheets 8A, 9 - 12;
- Access way Long & Typical Sections ... Sheets 13A,14A,15A and 16A;
- Water & Utilities Layout Plan ... Sheets 17 - 21 (Sheet 17 to be amended in line with amended Sheet 8A);
- Overland Flowpath Details - Sheet 22A;
- Retaining Wall Details - Sheet 23

and all referenced by Council as Resource Management Act 20032562/2563 and the information, including further information, submitted with the application, all plans to be appended to this decision as Attachment 1.

2. Pursuant to Section 125 of the Resource Management Act 1991, this consent shall lapse after a period of three (3) years from date of issue of the consent
3. All personnel working on the site shall be made aware of, and have access to the contents of this consent document and the associated Erosion and Sediment Control Plans and methodology.

INFRASTRUCTURE

4. All infrastructure relating to stormwater treatment and disposal, wastewater disposal, and water supply shall be accepted by EcoWater. 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.

EARTHWORKS

5. Erosion and sediment control measures shall be carried out in accordance with those referred to in the Earthworks Management Plan and the Sediment Control Plan, submitted as part of this application and prepared by Davis Ogilvie & Partners Limited as Appendix F (appended to this decision as Attachment 2), and in accordance with Auckland Regional Council's Technical Publication No. 90, 1999 and Auckland Regional Council conditions of consent.
6. All sediment laden runoff from the site shall be treated by sediment control measures in accordance with the Auckland Regional Council Technical Publication No 90 "Erosion and Sediment Control Guidelines for Earthworks". These structures are to be constructed in accordance with best practice, be operational before earthworks commence, and be maintained to perform at full operation capacity until the site has been adequately secured against erosion.
7. Council's Environmental Monitoring Officer (phone 8368000 extension 8685) is to be contacted prior to any bulk earthworks commencing, to inspect the sediment control measures constructed, and then again before the erosion and sediment control measures are removed.
8. Roads, footpaths, berms and kerbs, including access to the site, are to be kept clear of mud and debris at all times, to the satisfaction of Council's Field/Monitoring Officers. Any mud/site debris (from the site and associated site activities) deposited on the road reserve will be removed immediately at the expense of the consent holder and in a manner that prevents environmental or infrastructure degradation.
9. All 'cleanwater' runoff from stabilised surfaces including catchment areas above the site shall be diverted away from the earthworks area via a stabilised system, so as to prevent surface erosion.

10. Stockpiles of earth shall be located as far as practicable from the stream and existing residents, to the satisfaction of the Manager: Resource Consents, and refer condition 15 regarding dust control.
11. All excess or unsuitable excavated material shall be removed from the site immediately following the completion of the earthworks or sooner, to an approved disposal location, to the satisfaction of the Manager: Resource Consents. Evidence of where the excavated fill has been deposited is to be submitted to the Environmental Monitoring Officer in the form of an invoice or similar.
12. The applicant is responsible for ensuring the site is stabilised against erosion as soon as practicable and in a progressive manner as earthworks are finished over various areas of the sites. Re-vegetation/stabilisation of all earth-worked areas is to be completed in the first planting season following the completion in accordance with measures detailed in the Auckland Regional Council Technical Publication No. 90, 1999.
13. Regular inspection and ongoing maintenance of all sediment control measures are to be undertaken. Any problems identified are to be rectified immediately.
14. All planting shall be implemented and maintained in accordance with the approved re-vegetation plan (appended as Attachment 3) within the first planting season ie. 1 May to 7 September, following completion of any ground development works including earthworks or placement of services on the site. This revegetation plan shall include weed clearance by a qualified operator (with hand held options preferred) in all zones to be planted prior to carrying out the planting, and ongoing weed control with this maintenance for a minimum period of three years. All planting is to be maintained for a minimum of one further planting season. Any plant losses within this time are to be replaced, with the equivalent, and maintained for a further planting season from the date of replacement.
15. All necessary action shall be taken to prevent a dust nuisance to neighbouring properties. Should these not prove satisfactory, the contractor shall cease the work until conditions are suitable for the recommencement of the works.
16. Provide to Council, an earthworks completion report prepared by a Registered Engineer, which will include details of fill location and depth; the final depth of topsoil on all allotments; and areas requiring special design.
17. All earthmoving equipment, vehicles and machinery utilised on the site shall be well maintained and in good repair (particularly exhaust systems where applicable).
18. Prior to the commencement of works, the applicant shall obtain all consents, permits and authorisations for the work as may be required by the Auckland Regional Council.
19. Truck deliveries to the site during the period of the earthworks operations shall not exceed 10 deliveries in one day.
20. The consent holder shall implement use and maintain a suitable wheel wash facility to prevent the deposition of earth or other site material on the surrounding streets from vehicles entering or leaving the site to the satisfaction of the Manager, Resource Consents. The sediment-laden runoff from the wheel wash facility shall be channelled into the sediment pond.

21. All access ways to the site shall be stabilised and maintained over the entire construction period to the satisfaction of the Manager: Resource Consents.
22. 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	7.30 am - 7.00 pm
Saturday	8.00 am - 5.30 pm
Sunday and Public Holidays	NO WORK
23. Prior to the commencement of site works an ecological assessment is to be undertaken of the overland flow paths affected by site works in order to ascertain whether any native fish are present. Any native fish found within the works area are to be relocated to a suitable environment within the site. A report addressing the findings of the ecological assessment is to be submitted to the Manager: Resource Consents prior to the commencement of site works.

GEOTECHNICAL

24. Earthworks in forming building platforms shall be carried out to NZS 4431.
25. On lot 1 cuts and fills in forming building platforms shall not exceed 1 m in height without further specific investigation and design.
26. On lot 1 retaining walls exceeding 1m in height shall be subject to specific investigation and design.
27. On lots 2 to 12 any cuts and fills in forming building platforms shall have further specific investigation and design.
28. On lots 2 to 12 any retaining walls shall have further specific investigation and design.
29. Foundations of buildings on lot 1 and 6 - 12:
 - (a) for buildings to NZS 3604, shall be to the requirements of that standard, but with specific investigation and design of the footing depths for expansive soils., or
 - (b) if to other than NZS 3604, have foundations subject to specific design by an experienced geotechnical engineer familiar with the report of Meritec - Reference 19 903 35, September 2003 with specific investigation in respect of the expansive properties of the soils.
30. Foundations of buildings on lots 2, 4 and 5 and any necessary subsoil drainage shall be subject to specific investigation and design by an experienced geotechnical engineer familiar with the report of Meritec Reference 19 903 35, September 2003.
31. Placement of irrigation fields for stormwater and effluent shall be subject to specific design by an experienced geotechnical engineer familiar with the report of Meritec Reference 19 903 35, September 2003.
32. An experienced geotechnical engineer familiar with the report of Moss Engineering, reference 1283G, August 2001, shall be engaged to inspect the earthworks, foundations and retaining walls and shall provide the Council with a Producer Statement - Construction Review for this part of the work.

VEGETATION ALTERATION

33. All work involving vegetation removal or work within the drip line of protected vegetation shall be undertaken in strict accordance with the procedure laid down in Appendix A of the Treecare Services Report for the subdivision proposal and appended to this decision as Attachment 3.
34. All vegetation clearance shall be undertaken by a competent arborist in accordance with modern arboricultural practice.
35. The cleared areas for building platforms shall not exceed the following areas of clearance on any one lot;
- | | |
|--|--|
| <i>Lot 1, 504 m²</i> | <i>Lot 7, 654 m²</i> |
| <i>Lot 2, 613m² (Option A) or 743m² (Option B)</i> | <i>Lot 8, 622 m²</i> |
| <i>Lot 4, 720 m²</i> | <i>Lot 9, 692 m²</i> |
| <i>Lot 5, 1000 m²</i> | <i>Lot 10, 776 m² (Option B)</i>
<i>780 m² (Option A)</i> |
| <i>Lot 6, 658 m²</i> | <i>Lot 12, 1000 m²</i> |
36. Building Materials and colours of buildings shall be chosen to merge harmoniously with the bush setting. Use of light or highly reflective colours that have high contrast with the bush setting shall be avoided.
37. Vegetation clearance including weed removal within building platforms or driveways may proceed from the time of granting of this consent but all cleared areas shall be stabilised and re-grassed until building and development works shall proceed.

MONITORING

38. A consent compliance monitoring fee of \$410.00 (inclusive of GST) shall be paid to the Council. This fee is to recover the actual and reasonable costs incurred ensuring compliance with the conditions of this consent. If, on inspection all conditions have not been satisfactorily met, a re-inspection shall be required at the relevant hourly rate applicable at the time the re-inspection is carried out.

The monitoring fee shall be paid as part of the resource consent and the resource consent holder shall be advised of any further monitoring fees if they are required.

Advice Notes

1. Where indicated in the conditions it is the consent holder's responsibility to inform the Environmental Monitoring Officer at least 48 hours before inspection is required. Inspections can be requested through the Call Centre on 839 0400.
2. When any approved site clearing is being carried out, no fires are permitted unless consent has been obtained from Council under the appropriate By Law.
3. Further foundation design conditions may be required by consent notice imposed on new certificates of title upon receipt of the earthworks completion report.
4. Weed management of all environmentally damaging species within the subject site including those areas not required for re-vegetation shall be carried out on an ongoing basis as per the covenants established on the title.

5. The Plan's objectives for the Waitakere Ranges Environment and for the Managed Natural Area seeks to protect and maintain the natural bush covered environment and natural landscape character associated with the bush-clad ranges. Use of exotic species and native bush clearance is therefore inappropriate in this area.

- B.** That Subdivision Consent Application Plan No SPW21955 (RMA20032562) being a Non-complying activity and being a 10 Lot subdivision of Pt Lots 1 & 2 DP 64489, Pt Lot 2 DP 20522, Lot 1 DP 211994 comprised in CT 50B/1475 situated at Kitewaho Road, Swanson by Cassel Holdings Limited be granted subdivision consent pursuant to Sections 104, 104B, 104D and 108 of the Resource Management Act 1991 and be approved pursuant to Section 348 of the Local Government Act 1974, and that:-

1: SECTION 223 REQUIREMENTS

A survey plan of the subdivision will be approved pursuant to Section 223 of the Act within 3 years provided that the survey plan signing fee has been paid and that the following conditions have been complied with to the satisfaction of Council. If not complied with, the survey plan will be declined pursuant to Section 223 (1A) of the Act.

- (a) If required by Condition EW3(iii) below, provide drainage easements (over Lots 1, 2, 5, 9, 12 as required to protect the stormwater outlet(s) serving the JOAL(s)) 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."
- (b) Provide for water supply easement(s) in gross in favour of Council over Lots 100, 103 & 104 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.

- (c) If required by Condition (CS 1) below, define and letter Land Covenant areas showing any restricted areas identified in the final geotechnical report on any affected lots which will be subject to a consent notice pursuant to Section 221 of the Act.
- (d) 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 100 hereon (legal access) be held as to three undivided one-third shares by the owners of Lots 9, 10 and 12 hereon as tenants in common in the said shares and that individual Certificates of Title be issued in accordance therewith."

"That Lot 101 hereon be held as to two undivided half shares by the owners of Lots 9 and 10 hereon and that individual Certificates of Title be issued in accordance therewith."

“That Lot 102 hereon be held as to two undivided one-half shares by the owners of Lots 6 and 7 hereon and that individual Certificates of Title be issued in accordance therewith”.

“That Lot 103 hereon be held as to four undivided one-fourth shares by the owners of Lots 5, 6, 7 and 8 hereon and that individual Certificates of Title be issued in accordance therewith”.

“That Lot 104 hereon be held as to three undivided one-third shares by the owners of Lots 1, 2 and 4 hereon and that individual Certificates of Title be issued in accordance therewith”.

See CSN: A634859.

- (e) Pursuant to Section 220(3) 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 301 hereon be transferred to the owners of Lot 61 DP 44433 (CT16D/139) and that one Certificate of Title be issued to include both parcels”.

“That Lot 302 hereon be transferred to the owners of Lot 162 DP 44433 (CT69A/959) and that one Certificate of Title be issued to include both parcels”.

“That Lot 303 hereon be transferred to the owners of Lot 31 DP 44433 (CT11D/1183) and that one Certificate of Title be issued to include both parcels”.

See CSN: 291380.

- (f) As required by Condition (LD 6) below, define and letter Land Covenant areas showing the native bush which is required to be preserved.
- (g) Provide services easements through Lot 1 DP 86441 and Lot 10 (to serve Lots 9, 10 and 12) in a Memorandum of Easements endorsed on the survey plan. Include in the Section 223 approval on the plan, “subject to the granting of or reserving of the easement(s) set out in the Memorandum hereon”.
- (h) Provide for right-of-way easement in gross in favour of Council over Lots 103 and 104 [as required by Condition (PK 1) below] 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 documents will be prepared by Council's Solicitor at the applicant's cost.

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.

2: 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 advertised 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.

ECOWATER CONDITIONS (PUBLIC DRAINAGE)

Please contact the Secretary, 836 8000 extension 8428 EcoWater, Development Services to arrange a pre-start meeting with EcoWaters Quality Assurance Inspector. Plans are required to be submitted and Engineering Approval obtained before work commences.

- (EW 1) Before the commencement of any work, obtain the approval of Council of 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.
- (EW 2) A consent notice is to be issued and registered on the new titles for Lots 1, 2, 4 - 10 and 12 stating that the wastewater treatment and disposal system from any development on the site shall be designed to meet the recommendations of the 'Wastewater Assessment for Kitewaho Road and Scenic Dr North' report prepared by Davis Ogilvie & Partners Limited, dated February 2004. In particular, the irrigation fields and reserve area are required to be located at least 15m away from any watercourse, wetland, or overland flow path.
- (EW3) Design, provide and install a complete public stormwater drainage system to service the public road, and a private stormwater drainage system to service the joint-owned access Lots (JOALs), in compliance with Council's Code of Practice for City Infrastructure and Land Development (Refer Section 4.0), and EcoWater's Countryside and Foothills Stormwater Management Code of Practice. Specific requirements:
- (i) The proposal for a piped stormwater system along Access Lot 100 discharging to the existing pond is **not acceptable**. This pond is considered a significant and sensitive feature of the property and it shall be protected from any discharges. Provide in the engineering plans for an alternative design and outfall(s) for the runoff from Access Lot 100. The decant from the earthworks bund is not to discharge to this pond either. It is recommended that small amounts of runoff be discharged at regular intervals along the driveway.
 - (ii) Remove the existing culvert from the watercourse running through proposed Lot 4, and restore the stream banks to the satisfaction of Council, as stated in the consent application report by Davis Ogilvie & Partners Limited.
 - (iii) Stormwater outlets from JOALs are required to be, either, located within the JOAL boundary, or, within an easement over the individual Lot in favour of the JOAL. Amend boundaries or provide easements as required.
 - (iv) Reposition the outfall from JOAL 104 so it is located entirely within Lot 1, not Lot 200 (the reserve to vest to Auckland Regional Council).
 - (v) Minimise the length of the outfall, and excavations for the overland flow path, on the boundary of Lots 2. There is existing wetland vegetation in this area that should be protected and enhanced as much as possible. It is recommended that wetland species in this location are carefully removed, stored and replanted within the newly formed flow path.

- (EW 4) To prevent increasing downstream flooding and/or increased channel erosion on the Swanson Stream, stormwater disposal is required to comply with EcoWater's Countryside and Foothills Stormwater Management Code of Practice. A consent notice is to be issued and registered on the new titles for Lots 1, 2, 4 - 10 and 12 stating that the stormwater disposal system from any development on the site shall be designed to incorporate the following requirements in accordance with the design by Davis Ogilvie & Partners Limited, dated December 2003, to the satisfaction of EcoWater:
- (i) Maintain stormwater runoff flows, volumes, and timing to pre-development levels for the 2 & 10 year storm events.
 - (ii) Mimic natural runoff patterns, and not to discharge directly to a watercourse, open drain or piped system.
 - (iii) Rainwater to be reused for toilet, laundry and gardening use to reduce runoff volumes and minimise water importation. Backflow prevention is required if mains supply top-up is used. Note rainwater reuse mitigates half the roof area up to a maximum of 100m².
 - (iv) A stormwater detention tank to be provided to limit the rate of runoff.
 - (v) Design and location to be approved by EcoWater prior to carrying out mitigation measures. Additional mitigation measures such as permeable paving are recommended.
 - (vi) The construction of impermeable areas on Lots 1, 2 4 - 10 and 12 is to be limited to no more than 400m² unless further stormwater mitigation (of the 2, 10 & 100 year storm events) is provided to EcoWater's satisfaction.
 - (vii) The property owner is required to maintain any devices to meet the above requirements, and all bush planting areas to the satisfaction of Council. The planted areas are to be covered by restrictive covenants.
 - (viii) Note: Council's Hazards and Special Features Register will be advised of the above requirements.
- (EW 5) To ensure that the owners of each Lot are made aware of their responsibilities with regard to stormwater drainage from the development, a consent notice is to be issued and registered on the new titles for Lots 1, 2, 4 - 10 and 12 stating that the stormwater disposal system from any development on the site shall be designed to incorporate the following requirements to the satisfaction of EcoWater:
- (i) The 1 in 100 year overland flow path(s) on the site are to be assessed at the time building consent application is made. Dwellings are required to be located clear of any flow path with a minimum floor level to EcoWater's satisfaction.
 - (ii) All stormwater drainage serving the joint-owned access Lot(s) is privately joint-owned by all owners of the access Lot(s) serving the site. The owners of an individual Lot shall accept the discharge of stormwater as required from the joint-owned access Lot(s) over their property.
 - (iii) Maintenance of the stormwater drainage, including culverts, water table drains, rock check dams, and outlets, serving the joint-owned access Lot(s) is the responsibility of all owners of that access Lot.
 - (iv) Note: Council's Hazards and Special Features Register will be advised of the above requirements.

- (EW 6) The stormwater mitigation measures proposed in the Application for Subdivision & Land Use Consent Report for Kitewaho Road prepared by Davis Ogilvie & Partners Limited dated December 2003 are acceptable to EcoWater. Bush planting is to be carried out over a 1.1215Ha area which effectively mitigates the 1 in 100 year event for all proposed paved areas (including public road, JOALs, and private driveways). Rain water re-use within the dwellings will further mitigate up to 100m² of roof area, while tanks will provide the attenuation required to keep the flows to pre-development levels for the 2 & 10 year storm events. The proposed stormwater quality treatment via existing and proposed bush planting, water table drains (swales) with check dams, and rain water tanks, is acceptable to EcoWater. Specific Requirements:
- (i) Provide a certified plan from a registered surveyor and a report from a suitably qualified person to demonstrate that the 1.1215 Hectare area of planting to mitigate stormwater runoff has been planted in accordance with the approved proposal.
 - (ii) Provide for restrictive covenants over the bush areas to ensure ongoing protection and continuity of stormwater mitigation effects.
- (EW 7) Advice Note: It is the applicant's responsibility to, if applicable, obtain from the Auckland Regional Council a 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.
- (EW 8) Design, provide and install a complete public water supply reticulation system and fire fighting services to serve all Lots in compliance with Council's Code of Practice for City Infrastructure and Land Development (Refer section 6). Specific requirements:
- (i) Pay to the Council the cost of supervising the shut down of Council's water supply mains. This service includes Council providing written advice to all affected property owners/tenants.
 - (ii) Provide a detail showing the proposed connection to the existing Council watermain/s. The detail is to include all flanges, joints and applicable details. In addition any water reticulation plan is to show all necessary design details to inform construction (eg. thrust blocks etc).
 - (iii) Provide and install a fire hydrant within 135 metres of the farthest point of fire risk and within 65m of the end of a cul-de-sac. Note: The hydrant is to be on a direct traffic route to the property. The distance specified above may not be measured as a radius.
 - (iv) Where the required public system is on private property, easements over the course of such system in favour of Council will be necessary. Public water mains are to be located within Access Lots 100, 103 & 104 only. All water meters are to be located within these Access Lots also.
 - (v) Locate all water connections at the same position as the power and telephone connection to each Lot not in the centre of the Lot.
 - (vi) Design, provide and install individual 25mm PE80 private water supply lines to serve all rear Lots (6, 7, 9 & 10) in compliance with Council's Code of Practice for City Infrastructure and Land Development (Refer Section 6). The service lines are required to be laid within the services berm along the ROW from the proposed meter location (with a 50mm minimum overlap) at the road reserve boundary to not less than 300mm into the body of each Lot, terminating with an acuflow valve. The individual private lines shall be coiled up out of the ground in the ROW at the joint-owned access Lot boundary and each line shall identify which Lot it will serve. Provide an As-Built plan of the private water supply service lines to EcoWater.

- (vii) Ducting of private service lines is recommended.
- (EW 9) Where any drainage is to be laid through bush areas or near specimen trees (works within the drip line of vegetation protected by rules of the District Plan) the applicant shall seek a resource consent from Council for this work. Prior to seeking engineering approval for public drainage, or a minor plumbing and drainage consent for private drainage works, provide confirmation that a resource consent has been granted or that one is not required. For information please contact the Council Duty Planner on 839 0400 or talk to the Duty Planner at the customer services desk, Civic Offices, Waipareira Avenue, Henderson. Advice Note: Drainage may be required to be thrust through bush areas.
- (EW 10) Contact EcoWater's Development Services Secretary (extension 8248) to arrange a pre-start meeting with EcoWater's Quality Assurance Inspector. Plans are required to be submitted and Engineering Approval obtained before requesting a pre-start meeting.
- (EW 11) Provide an As-Built drainage plan prepared by a registered surveyor and cctv video inspection of the new public drainage, in accordance with Waitakere City Council COP.
- (EW 12) Advice Note: Public drainage - prior to applying for a drainage test, as-builts and cctv video must be lodged with EcoWater. Prior to applying for the 224c certificate, ensure that the drainage test / field check has been applied for.

TRANSPORT ASSETS CONDITIONS

Please contact the Transportation Engineer on 836-8000 (extension 8740) to book an inspection.

- (RD 1) Design, form and completely construct the proposed new road / cul-de-sac turning head (Lot 300) in accordance to the Code of Practice for City Infrastructure and Land Development to the satisfaction of the Council. Note:
 - (i) The intersection geometry, street furniture and safety features will be finalised through the engineering plan approval process.
 - (ii) Remove and reconstruct existing vehicle crossings at Lots 61 & 162 DP 44433 (47 & 64 Kitewaho Road) using standard detail SD 3.12 Residential Vehicle Crossing (Un-kerbed Roads).
- (RD 2) Provide one flag streetlight at the end of the proposed new road/cul-de-sac turning head to the satisfaction of the Service Manager Transport Assets.
- (RD 3) Prior to the release of the 224 Certificate, provide Council with all RAMM and as-built plan data of the new road / cu-de-sac head formed (electronic and compatible with Council's GIS system). This will be inclusive of edge of seal, swale drains and culverts etc., streetlight pole and property boundaries.
- (RD 4) The road vested to Council shall be designated as a "Local" road.

SHARED DRIVEWAYS & VEHICLE CROSSING

(SD1) Form and seal the shared driveway over the existing ROW driveway off Scenic Drive North and over Lots 100, 101, 102, 103, & 104. Construct thereon a carriageway and storm water control in accordance to the Code of Practice for City Infrastructure and Land Development or otherwise to the satisfaction of the Council if there is no legal ability to insist on a sealed driveway due to the lack of consent from all owners of the right-of-way. Plans providing detailed design for all aspects of the shared driveways and vehicle crossings (including the establishment of a landscaped bund across the existing Scenic Drive North vehicle crossing) shall be submitted for the approval of the Service Manager: Transport Assets prior to any such works commencing on the site. Notes:

1. The construction shall include the vehicle crossings; using standard details 3.12 Residential Vehicle Crossing (Un-kerbed Roads) or SD 3.14 High Volume/Speed Vehicle Crossing as required.
2. Inspection of the boxing prior to concrete pouring (or the sub-grade prior to pavement construction) is required. Contact 836-8000 ext. 8725, at least 48 hours prior to the inspection being required.
3. Ensure that the long section of the driveways and the vehicle crossings comply with Council's "Code of Practice for City Infrastructure and Land Development" standard detail SD 3.15 Maximum Vehicle Crossing Profile.
4. All bends shall have a minimum inside turning radius of not less than 6.5m.
5. The minimum width of the carriageway on shared driveways is specified in Council's District Plan and the construction details are given in Council's "Code of Practice for City Infrastructure & Land Development".
Notes:

Provide a carriageway width for

- (i) 1-2 lots, 2.5m wide with 0.7m services strip (Lots 100, 101, 102)
- (ii) 3-5 lots, 2.7m with passing bays and 1.3m services strip (Lots 103, 104)
- (iii) 6-10 lots, 3.5m with passing bays and 1.5m services strip (Existing ROW)
- (iv) All to the satisfaction of Council.

(SD2) Provide a passing bay at the road entrance of the existing ROW driveway, the width and length of which shall be determined by design using tracking curves, and 5m wide passing bays along the course of the shared driveways at an interval not exceeding 50 metres, and remove the entrance of the existing vehicle crossing, all to the satisfaction of the Council.

PARKS AND GREEN ASSETS CONDITIONS

Please contact the Parks Assets Planning Co-ordinator on 836-8000 (extension 8768) to book an inspection.

(PK 1) That a right-of-way easement, in gross in favour of Council, is created over lots 103 and 104, for the purposes of reserve maintenance.

(PK 2) That all retaining walls in the development be located on private lots.

- (PK 3) That all development entry statements/subdivision name signs, be located on private lots.
- (PK 4) The removal of environmentally damaging plants from all lots, as listed in the Waitakere City Council Operative District Plan. Work carried out on Lot 200 shall be undertaken in consultation with the Auckland Regional Council.
- (PK 5) Enter into a registerable fencing agreement with Council in regard to Lots 4, 5 and 301 to the effect that the Council will not be liable to contribute toward the cost of creating or maintaining any dividing fence between any reserve or other land vested in or administered by the Council. Also that any fences facing the reserve shall be of visually permeable construction, in order to ensure good surveillance of the reserve, and to reduce the chance of graffiti.
- (PK 6) Ensure that the reserves are left in a condition suitable for maintenance and mowing in accordance with Section 7.2 of the Waitakere City Council Code of Practice and to the satisfaction of the Parks Consent Planner.
- (PK 8) Provide Council with As Built drawings of project showing all services, levels, inverts, features and facilities as per the following requirements:
- (a) A scaled tracing of the construction plan is to be updated showing all finished asset locations and types.
 - (b) 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 an Asset Sheet (Client to provide format of Asset Sheet).
 - (c) A new scaled As Built survey plan of all irrigation systems and sand slit drainage systems showing all connections, chambers, fixtures, items and assets scheduled on an Asset Sheet.
 - (d) Any planted areas to be shown to scale on the copy of the construction plan with areas sq. metres of planting, numbers of plants and type and assets schedule on Asset Sheet.
 - (e) All products, fixtures, items and fittings with type, colour, model, manufacturer name and contact telephone number are to be scheduled on an Asset Sheet.
 - (f) All paint colours used or graffiti coatings with name of products for graffiti removal are to be schedule on an Asset Sheet.
 - (g) Two copies of any special operating manuals for any new systems are to be provided.
 - (h) Completion and supply of asset data sheets for all new or modified asset components (to be provided by the client).
 - (i) Any special maintenance requirements to be scheduled and supplied.

CONSULTANCY SERVICES CONDITIONS

Please contact the Design Engineer on 836-8000 (extension 8718) to book an inspection.

- (CS 1) Arising from **GEOTECHNICAL CONDITIONS 23 - 33** in Part A above, further foundation design conditions may be applicable on receipt of the earthworks completion report. A consent notice pursuant to Section 221 of the Act may be required to be issued and registered on the new titles to be issued for any affected lots.

LEGAL DOCUMENTATION

These conditions will be signed off by Consent Services. If you are required to obtain a geotechnical report as a condition of consent, please provide your account manager with a copy so that we can initiate Legal documentation and hasten the Section 224C procedure.

(LD 1) Take note that Lot 300 shall vest in the Waitakere City Council as road and Lot 202 shall vest as access way pursuant to Section 238 of the Act.

(LD 2) Take note that Lot 201 shall vest in the Waitakere City Council as Recreation Reserve pursuant to Section 239 of the Act and the owner shall supply Council with a copy of the certificate of title for this reserve. A Solicitors undertaking to order and forward a copy of the certificate of title to Council will be required.

(LD 3) Provide for the following documents:

The Consent Notice required by Conditions (EW 2), (EW 4), (EW 5), (CS 1), (LD 6) and (LD8) below;

and the water supply easement required by Condition 1(b) above;

and the fencing agreement required by Condition (LD 5) below;

and the right-of-way easement in gross required by Condition (PK 1) 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.

(LD 4) 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.

(LD 5) Enter into a registerable fencing agreement with Council in regard to Lots 4, 5 and 301 required by Condition (PK 5) above to the effect that the Council will not be liable to contribute toward the cost of creating or maintaining any dividing fence between any reserve or other land vested in or administered by the Council.

(LD 6) The areas of native vegetation and the re-vegetation areas on Lots 1, 2, 4 - 10 and 12 which are required to be preserved shall be suitably defined on the survey plan. A consent notice pursuant to Section 221 of the Act will be required to be issued and registered on the new titles for the affected lots. The consent notices shall be drafted to advise future owners that they are prevented from removing native vegetation in the defined areas.

(LD 7) Take note that Lot 200 shall vest in the Auckland Regional Council. Any expense incurred in the vesting of Lot 200 shall be met by the consent holder.

- (LD8) A consent notice pursuant to Section 221 of the Resource Management Act 1991 is to be issued and registered on the new titles for Lots 1, 2, 4-10 and 12 restricting the further subdivision of these lots in perpetuity. The consent notice shall be in favour of both Waitakere City Council and the Auckland Regional Council.

FEES, BONDS & CONTRIBUTIONS

Invoices will be prepared by Consent Services. If paying by personal/company cheque the standard 5 days clearance will apply. If you require the 224C certificate immediately, you must provide a bank cheque.

- (FC 1) Pay to Council any engineering, works supervision, monitoring, 224(c) processing and administrative fees as incurred. These fees will be charged at Councils advertised schedule of fees.
- (FC 2) Pay to Council a street damage bond of \$5,000 prior to the commencement of work. This bond shall be refunded in full after inspection by Councils Construction Supervisor confirms no damage to Council's roading assets has occurred. The inspection is to take place once all work is completed.
- (FC 3) 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.
- (FC 4) Pay to the Council pursuant to Section 407 of the Act the sum of \$1,320.00 (incl. GST at 12.5%) towards the cost of upgrading the stormwater drainage system (Swanson Stream Catchment main system improvements) necessary to serve the subdivision. (\$120.00 per additional Lot).
- (FC 5) The vesting of Lot 201 as Recreation Reserve shall be accepted in full satisfaction of the reserve contribution.

GENERAL

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

- (GL 1) 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.
- (GL 2) 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.
- (GL 3) Remove all non-complying building and structures.
- (GL 4) Obtain the reticulation of electric power to Lots 1, 2, 4 - 10 and 12 by underground methods and design and provide each street light and standard necessary at the discretion of Council to serve the subdivision; 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).
- (GL 5) Obtain the reticulation of telephone services to Lots 1, 2, 4 - 10 and 12 by underground methods and provide to Council satisfactory confirmation that the completed installation has been installed in compliance with the requirements of the Network Operator.

- (GL 6) Provide to Council prior to the release of the 224 certificate, all RAMMS Data and as built of the new roads formed (electronic and compatible with Waitakere City Council GIS system). This will be inclusive of kerblines, cesspits, street lighting, footpaths, parking bays, Intersection control devices, traffic calming devices, signs, street furniture, Landscaping, vehicle crossings, pedestrian access ways and property boundaries.

Advice Notes:

1. Where indicated in the conditions it is the consent holders responsibility to inform the Environmental Monitoring Officer when inspection is required. Inspections can be requested through the Call Centre on 839 0400.

CARRIED

4.10 pm

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:.....