



NOTICE OF MEETING

HEARINGS COMMITTEE

I hereby give notice that an Ordinary Meeting of the Hearings Committee will be held on:-

DATE: **Thursday, 3 October 2002** **TIME:** **9.30 am**

VENUE: **Civic Centre, 6 Waipareira Avenue, Lincoln, Waitakere City**

to consider the business as set out herein and to take any necessary action connected therewith.

26 September 2002

Owena Schuster
COMMITTEE SECRETARY

Telephone (09) 836 8000 extn 8864

MEMBERSHIP:

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

Ward Representative

9.30 am Mrs EG Francke (New Lynn Community Board)

11.00 am Mr RE Taylor (Waitakere Community Board)

Alternate Representative

Mr	R	Kernaghan	(New Lynn Community Board)
Ms	DJ	Goodley	(Waitakere Community Board)

(Quorum 4 members)

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(The reports and recommendations contained in all agendas are reports and recommendations only and are not to be construed, in any way, as Council policy until adopted.)

**AGENDA FOR AN ORDINARY MEETING OF THE HEARINGS COMMITTEE TO BE HELD
IN THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,
ON THURSDAY, 3 OCTOBER 2002, COMMENCING AT 9.30 AM.**

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1 APOLOGIES



2 URGENT BUSINESS

Section 46A(7) and (7A) of the Local Government Official Information Act and Meetings Act 1987 provides that where an item of business is not on the agenda, it may only be dealt with at the meeting if:

- (i) the item is a minor matter; and
- (ii) the Chairperson has explained at the beginning of the meeting (when open to the public) that the item will be raised for discussion, why the item is not on the agenda, and why it cannot be delayed until a subsequent meeting; and
- (iii) the Committee resolves to deal with the item.

No resolution, decision, or recommendation may be made in respect of the item except to refer the item to a subsequent meeting for further discussion.

NOTE: Urgent Business need not be dealt with now and may be delayed until later in the meeting.



3 CONFIRMATION OF MINUTES

Ordinary - Wednesday, 14 August 2002

RECOMMENDATION

That the minutes of the Ordinary Meeting of the Hearings Committee held on Wednesday, 14 August 2002, as circulated, be taken as read and now be confirmed.



4 **APPLICATION FOR SPECIAL EXEMPTION - FENCING OF SWIMMING POOLS ACT 1987**

NEW LYNN WARD

PURPOSE OF THE REPORT

This report presents an application by GS and JM Perry of 51 Kohu Road for a special exemption from the requirements of the Fencing of Swimming Pools Act 1987 (The Act). Such exemptions may only be granted by resolution of Council. This power can be delegated to a Council Committee but not to Council Officer and in this case is specifically delegated to this Committee for hearing and decision.

BACKGROUND

A1-A10 Mr and Mrs Perry's application including photographs and a plan of the site as attached at pages A1 to A7. Additional photographs taken by Council Officers to show the extent of the deck as attached at pages A8 to A10.

The area being considered contains both a swimming pool and spa pool with a large adjoining timber deck that extends across the north side of the dwelling. Two sliding doors allow access from living areas in the dwelling out onto the deck while two hinged doors provide access from two bedrooms out onto the deck.

A11-A24 The Department of Internal Affairs has produced a publication called "Guidelines for Territorial Authorities on the Fencing of Swimming Pools Act 1987" that is used by Council's Officer's. Section 6 of this publication (Special Exemptions) has been reproduced as attached at pages A11 to A13 and the Committee's attention is drawn to this section as an authoritative guide for the assessment and consideration of special exemptions to the Act. The Act is also reproduced as attached at pages A14 to A24 for the committee's information.

STRATEGIC CONTEXT

Council is committed to ensuring that Waitakere City is a safe place to live and play in.

ISSUES

A25 Council Officers inspecting the site found that since the last inspection in 1996 the previously complying pool fencing had been removed, as attached at page A25 and that a deck for entertaining had been built between the dwelling and the pool and a spa pool added. There is no record of any consent for these alterations.

A26 Consequently the "immediate pool area" as defined by the Act is no longer fenced. Ideally a line of additional fencing (x-x on attachment page A26) would be required to separate the immediate pool area from the deck(s). The Perry's do not want to install such a fence and have chosen to apply for a special exemption to the Act.

In their application the Perry's state that they are confident that a child could not readily gain access to the pool or spa due to existing fences and walls on the property. The key difficulty here is that any child left unsupervised on the deck/entertainment area has direct access to the pool and spa pool, the pool being flush with the deck and the spa pool having steps to the top of it.

A26 The Perry's also believe that the installation of additional fencing will not achieve any increase in the security of the pool or spa area. Additional fencing however, as attached at page A26, will isolate the pool from all activities associated with the deck/entertainment area, where a table, chairs and barbeque are currently in place. Only activities associated with the pool should be occurring inside the immediate pool (fenced) area.

As the remainder of the property is in native bush the only area available to either entertain or for children to play is the decked area. The Perry's point out that there are no children living at the address and that the pool is not visible from the road or surrounding properties.

A12-A13

However the Department of Internal Affairs guidelines specifically point out that the absence of children as current residents, the distance of the pool from other residences and the effects of fencing on the appearance of the property are not grounds for granting a special exemption, as attached at pages A12 to A13 paragraphs 6.18 - 6.22.

Since 1 January 1980 one hundred and twenty eight children under five years of age have drowned in pools and a further seventeen children under five years of age have drowned in spa pools. (Statistics supplied by Water Safety New Zealand.)

If a special exemption from some or all of the requirements of the Act is granted by the Committee the exemption must state specifically what requirements of the Act will not apply (eg. some or all of the fencing of the immediate pool area, fencing and gate standards, latches on doors and windows).

CONCLUSION

The property in question originally had a complying pool fence that has been removed and a deck and spa pool added without consent from Council. The immediate pool area is no longer fenced as required by the Act.

In considering this application for a special exemption from the Act the Hearings Committee must be satisfied that such an exemption would not significantly increase danger to young children.

The Department of Internal Affairs has produced guidelines to assist Councils in considering applications for special exemptions to the Act. The absence of children as current residents, the distance of the pool from other residences and the effects of compliant fencing on the appearance of the property are not considered to be grounds for granting a special exemption.

RECOMMENDATIONS

1. That the information be received.
2. That pursuant to section 6 of the Fencing of Swimming Pools Act 1987 the application by GS and JM Perry of 51 Kohu Road for a special exemption from the Fencing of Swimming Pools Act 1987 **be declined** for the following reasons:
 - (a) It is considered in this case that such an exemption would significantly increase danger to young children.
 - (b) The characteristics of the pool and spa pool allow easy access from the deck and entertainment area into the pool.
 - (c) Activities will occur on the deck and entertainment area that will not be associated with the use of the pool and spa pool.
 - (d) Apart from the driveway, the deck area is the only clear area on the section that children can play on due to the rest of the section being covered in native bush.

Report prepared by: Max Wilde, Manager: Field Services.



5 NOTIFIED APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE RESOURCE MANAGEMENT ACT 1991 BY SOUTHPORT PROPERTIES LIMITED TO CONSTRUCT A MEDIUM DENSITY HOUSING DEVELOPMENT CONSISTING OF 89 UNITS AT 33-41 SEYMOUR ROAD, SUNNYVALE

WAITAKERE WARD

RMA 20020809 and RMA 20020810

N.B. This report sets out the advice of Consent Services to the Hearings Committee on the environmental issues raised by the application for resource consent. It is not the decision of the Council. The decision will be made after consideration of the application by the Hearings Committee.

APPLICATION DETAILS

Planner: Hamish Anderson

Site Address: 33-41 Seymour Road

Applicant: Southport Properties Limited

Date Received: 8 May 2002

Resource Consent No: RMA 20020809
RMA 20020810 (SPW 21526)

Building Consent No: None applied for

Ward: Waitakere

Legal Description: Lot 2 DP 186569

Address for Service: Sinclair Knight Merz Limited
PO Box 9806
Newmarket
Auckland

Site Area: 4.699ha

Unit Site Area(s): **Lot #: Lot Size (m²)**
1: 382, 2: 338, 3: 285, 4: 252, 5: 214, 6: 210, 7: 172, 8:
172, 9: 172, 10: 172, 11: 172, 12: 172, 13: 172, 14: 172,
15: 172, 16: 203, 17:4001 (balance lot), 18: 229, 19: 193,
20: 192, 21: 192, 22: 192, 23: 188, 24: 186, 25: 215, 26:
262, 27: 280, 28: 230, 29: 252, 30: 249, 31: 198, 32: 198,
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85: 227, 86: 226, 87: 296, 88: 268, 89: 184, 90: 290, 91:
8453 Local Purpose Reserve (Drainage), 93: 5906 Local
Purpose Reserve (Drainage), 100: 2609 Road, 101: 9661
(road), 102: 151 (shared access lot) 103: 560 (shared
access lot)

Transitional Plan: Zoning: Residential 2
Section: Waitemata
Hazards: None on record

Proposed Plan:
Human Environment: Living
Natural Area: General
Landscape Elements: None on record
Hazards: Property affected by flooding
Roading Hierarchy: District Arterial Road

Further Information Required: Yes

Date Requested: 16 May, 26 June, 17 July, 30 July 2002

Date Received: 17 September 2002

1.0 INTRODUCTION AND RECOMMENDATION

1.1 Nature of the Application

The applicant seeks consent to construct a medium density housing development consisting of 89 units on the vacant land located at 33-41 Seymour Road, Sunnyvale.

1.2 Resource Management Issues Raised

The Resource Management Act 1991 requires that, when considering an application for a resource consent, a consent authority shall have regard to the environmental effects of the proposed activity, together with any relevant objectives, policies and rules of the Transitional and the Proposed District Plan. The significant resource management issues associated with this proposal are related to visual amenity, neighbourhood character and natural hazards.

1.3 Planner's Recommendation

The planner who has prepared this report recommends that, subject to any contrary or additional evidence submitted at the Hearing, **consent be granted** to the application for consent to construct a medium density housing development consisting of 89 units on the property located at 33-41 Seymour Road, Sunnyvale. It is considered that the environmental effects that may be generated by the activity would be minor or could be adequately avoided, remedied or mitigated by the imposition of conditions, and that the relevant objectives and policies of both the Transitional and Proposed District Plans will be satisfied.

2.0 LOCATION PLAN



Proposed Plan Human Environment: Living
Proposed Plan Natural Area: General
Other Limitations: Property Affected by Flooding
Legal Description: Lot 2 Deposited Plan 186569

3.0 PROPOSAL

3.1 Subdivision Proposal

The applicants propose to create 97 new titles, from the existing title, ranging in area from 132m² to a maximum of 8420m². 18601m² of the proposed subdivision would be residential lots. There would be an average lot size of 209m² over the 89 proposed residential lots (the eight other lots cater for a variety of roads, drainage and recreation reserves).

3.2 Land Use Proposal

The applicant seeks consent to construct a medium density housing development consisting of 89 units. There would be eight types of unit erected:

- Type A, A1, A2, B, B1 and C: all two storey three bedroom dwellings with internal access single garages the only variance being in the floor layout and area. There would be 76 of these units with an average site area of 211m²;
- Type D and D1: both two bedroom units with an external double carport. There would be 13 of these units with an average site area of 149m².

All units would have a textured finish harditex cladding and a colorsteel roof. Unit types A-B1 would have pitched roofs while Unit types C-D1 would have flat roofs. The site occupancy would consist of the aforementioned units laid out in a mixture of detached, semi-detached and terrace type styles.

The units would be connected via proposed internal roads to the existing Seymour and Borich Roads. The applicants propose 10000m³ to 15000m³ of earthworks over the site to create building platforms, the proposed roads and stormwater treatment devices.

The applicant seeks a consent period of 5 years to complete the proposed development.

3.3 Background

The overall development is being undertaken in two stages:

1. **RMA 20020253** was granted on 18 March 2002 to clear approximately 21,000m² of vegetation.
2. **RMA 20020809/810** involves the subdivision of the subject site and construction of 89 medium density housing units.

4.0 REASONS FOR THE APPLICATION

Consent is required under those provisions of the Transitional and Proposed District Plans for the following reasons:

4.1 Proposed District Plan

Land Use

The subject site is located in the Living Human Environment and General Natural Area under the Proposed District Plan. The subject site is located predominantly within the 500m radius of the Sunnyvale Railway Station. Consent is required for the following reasons:

- Medium Density Housing within the 500m radius is considered a Limited Discretionary Activity Under **Rule 2.2** (Living Human Environment).
- Medium Density Housing located outside a radius is considered a discretionary activity under **Rule 2.3** (Living Human Environment).
- The application is considered a limited discretionary activity under **Rule 3.3** (General Natural Area) as a large percentage of the proposed 3.6ha of earthworks would be outside the approved building platforms thus would exceed the 100m² maximum.
- The application is considered a discretionary activity under **Rule 3.4** (General Natural Area) as a large percentage of the proposed 10000-15000m³ of earthworks would be outside the approved building platforms thus would exceed the 300m³ maximum.
- The subject site has been identified as being a contaminated site. Any activity involving the development, redevelopment or use of a contaminated site known to the Council is considered a discretionary activity under **Rule 2.2** (Hazardous Facilities and Contaminated Sites).
- The site is identified as being subject to flooding and as the applicants propose earthworks and building in that area of the site the proposal is considered a limited discretionary activity under **Rule 1.1** (Natural Hazards).

Subdivision

- The subject site measures 4.69 ha in area and the applicants propose to create 97 new titles with a minimum net site area of 132m². A subdivision where the minimum net site area is less than 450m² is considered a non complying activity under **Rule 4.3** (Subdivision).

4.2 Transitional District Plan

Land Use

- The proposed development is a comprehensive residential development which is considered a discretionary activity under the **Rule 7.2:3**.
- The application is considered a discretionary activity under **Rule 7.2:4.4** as a large percentage of the proposed 10000-15000m³ of earthworks would be outside the approved building platforms thus would exceed the 300m³ maximum.

Subdivision

- The subject site measures 4.699 ha in area and the applicants propose to create **97** new titles with a minimum net site area of 132m². A subdivision where the minimum net site area is less than 450m² is considered a non complying activity under **Rule 7.2:4.6**.

- 4.3** Overall, the application is considered to be a non complying activity. The proposal complies with all other development controls under the Transitional and Proposed District Plans.

4.4 Other relevant Resource Consents on the Subject Site

- 4.4.1** *A resource (RMA 20020253) was granted on 18 March 2002 to clear approximately 21,000m² of vegetation.*

- 4.4.2** Consent is sought from the Auckland Regional Council for stormwater discharge (Resource Consent 27037) and for sediment control (Resource Consent 27038).

5.0 THE SITE AND NEIGHBOURHOOD DESCRIPTION

The property at 33-41 Seymour Road is an irregular shaped site measuring 4.699 ha in area and is bordered by Seymour Road to the south-east, the Oratia Stream to the north-west, a large vacant site to the north east and private property to the south. The subject site can be accessed from the south via Seymour Road and from the west via Borich Road. Those roads are defined in the Proposed District Plan as being a District Arterial and Local Roads respectively.

The site slopes gently to the north-west where it meets the Oratia Stream and was historically used as an orchard but has since been cleared of vegetation.

The immediately surrounding area is characterised by low density residential sections occupied with a mixture of old and new single and two storey dwellings.

There is a microwave corridor designation running north east to south west across the site and that designation requires that new buildings and structures do not exceed 10m in height along that corridor.

6.0 SUBMISSIONS RECEIVED

The application was publicly notified on 15 July 2002, and the period for submissions closed on 14 August 2002.

- 11 submissions in total were received within the statutory time period.
- 5 submissions supported the application.
- 6 submissions opposed the application.
- 2 submissions were received after the closing date for submissions.

Pursuant to Section 37 of the Resource Management Act 1991 it is considered that Council should accept the 5 late submissions as:

- They have not delayed the timeframes involved with this application as they were received prior to completion of the reporting planners report.
- The nature of the late submissions (all in support of the application) is such that no new information is brought to light.
- Neither the applicant nor the submitters in opposition would be negatively affected due to the 5 being received late.

A107 - A141 Please refer to Appendix 3 for copies of the submissions that were received attached at pages A107 - A140. A map showing the location of the submitters is attached in Appendix 4 attached at page A141.

6.1 Submissions

	Name	Address	Support/Oppose	Reasons and Recommendations
<i>A108 - A110</i>	Anne Jessan (received 29/7/02)	2/102 Seymour Road	Oppose	Landscaping, traffic generation, soil contamination, earthworks
<i>A111 - A114</i>	M.A Paget (received 5/8/02)	17 Chadlington Avenue	Oppose	Number of lots. Lot size and ave lot size, narrow road carriageways, absence of footpaths on both sides of the road, insufficient visitor parking/parking bays, method of dwelling construction.
<i>A115 - A118</i>	Auckland Regional Council (received 15/8/02)		Support (with conditions)	Recognise that the applications consistent with Regional Policy Statement but have issues with contamination, stormwater, earthworks.
<i>A119 - A120</i>	James Roebeck (received 7/8/02)	59 Borich Road	Support	No reasons given.
<i>A121 - A122</i>	Phillip Roebeck (received 7/8/02)	59 Borich Road	Support	No reasons given.
<i>A123 - A125</i>	Royal Forest and Bird Protection Society (received 7/8/02)		Oppose	Pleased with restoration of Oratia Stream and vesting of reserve in Council. Issues with lack of landscape plan and financial contributions, possibility of joint hearing with Auckland Regional Council re earthworks, stormwater discharge to stream, sediment trap not mentioned, pervious surface should be used more, wetland rather than stormwater pond.
<i>A126 - A127</i>	M Nola (received 9/8/02)	43-47 Seymour Road	Support	No reasons given.

	Name	Address	Support/Oppose	Reasons and Recommendations
<i>A128 - A130</i>	E Zwart (received 9/8/02)	42 Seymour Road	Oppose	Traffic issues, suggest round-about in front of road 1.
<i>A131 - A134</i>	Yvonne (received 15/8/02)	29 Newham Place	Oppose	Crime, earthworks, traffic, water conservation, strangers in community, sewer pond not acceptable.
<i>A135 - A137</i>	Johnson Developments (received 14/8/02)		Oppose	Electricity lines on their property. Council require the removal or repositioning to the extreme southern boundary of their property (see RMA 20020128).
<i>A138 - A139</i>	Ivan and Dianne Rosandich (received 15/8/02)	73 Seymour Road	Support	Feel the proposal will upgrade the whole area and point to the quality of the proposed units.
<i>A140</i>	Te Hao o Ngati Whatua (received 22/8/02)	136 Manuka Road, Glenfield	Oppose	There was no consultation in relation to this project.

Support

Oppose

7.0 STATUTORY REQUIREMENTS

7.1 The Weighting of District Plans

The Council is obliged to administer both the Transitional District Plan and the Proposed District Plan. Once a proposed plan is notified, an application must be considered in terms of that plan as well as the existing plan. The weight to be given to a proposed plan depends on what stage the relevant provisions have reached, the weight generally being greater as a proposed plan moves through the notification and hearing process. In this case the Proposed Plan is at the stage where there are still outstanding references to the Environment Court. However, there are no outstanding references affecting this specific site or the relevant development controls. Therefore the Proposed Plan is considered to have greater weight in this particular case.

7.2 Non-Complying Activities

The relevant policies and criteria which apply under the Transitional and Proposed District Plan and the Resource Management Act 1991 are set out in more detail in Appendix 10 attached to this report. This should be referred to as the legal framework within which the application should be addressed.

As noted, the proposal requires consideration as a non-complying activity under the provisions of the Resource Management Act 1991. Section 105(2A) of the Resource Management Act 1991 sets a threshold test which all resource consent applications for non-complying activities must first pass before a consent authority has jurisdiction to grant consent, having regard to the matters specified in Section 104. In short, the proposal must be able to establish and operate without generating more than minor adverse effects on the environment, or must not be contrary to the relevant objectives and policies of either the Proposed District Plan or the Transitional District Plan.

Section 104 of the Resource Management Act 1991 sets out those matters to be considered when assessing an application for resource consent. These include consideration of any actual and potential effects on the environment arising from the proposal, together with an assessment as to whether the application is consistent with relevant objectives, policies and rules of the Transitional and Proposed District Plan. All considerations are subject to the provisions of Part II of the Resource Management Act 1991, which sets out the purpose and principles that guide this legislation.

The Proposed District Plan has been prepared with an “effects based” emphasis, in keeping with the Resource Management Act 1991. As such, consideration of the application in relation to each of the assessment criteria relating to the various infringements ensures that all the relevant matters contained in Section 104 of the Resource Management Act 1991 have been addressed (Refer section 8 of this report for this discussion). However in addition to the discussion on the Transitional and Proposed District Plan provisions, analysis of the anticipated effects on the environment generated by the application is presented below.

8.0 EVALUATION IN ACCORDANCE WITH SECTION 104 OF THE RESOURCE MANAGEMENT ACT 1991

8.1 Assessment of Environmental Effects (104(1)(a)): Actual and potential effects on the environment.

8.1.2 Water Quality and Quantity

It is recognised that the development would be located in close proximity to the Oratia Stream and a large volume of earthworks are proposed. As the subject site slopes toward that stream the potential for adverse effects exists associated with run-off of stormwater as well as erosion and sediment deposition. Those adverse effects could include: clarity, quantity, flow, flooding potential, contaminant runoff, soil/sediment runoff,/damage to riparian margins, erosion, aquatic ecosystems and habitats, alteration of natural water levels, health, Iwi concerns - degradation of mauri.

Rainfall and surface water generated by the development is to be collected in a stormwater pond adjacent to the Oratia Stream. This measure will provide a means of slowing down the movement of water into the stream, preventing flooding, and will also provide for the settlement of suspended solids. No houses are planned to be built within the 1 in 100 year flood plain.

Revegetation and restoration of the earth worked surfaces are intended to be undertaken as soon as practicable, following earthworks. These techniques are intended to minimise the impact of the earthworks upon the receiving waters.

The shallow depths of the proposed earthworks and the gentle slope of the part of the site where the earthworks are proposed to occur would mean slipping or subsidence is most unlikely to occur. Conditions of consent would require the earthworks to be undertaken in accordance with approved erosion and sediment control guidelines.

As the majority of the earthworks will be outside the floodplain, it is unlikely that the earthworks will interfere with ongoing processes at the stream bank and would not affect the natural character or mauri of the site. A landscape plan including protection of some existing plants and revegetation of the rest of the site, is included as part of the development proposal.

The goal of medium density housing, particularly in close proximity to rail transport, is to reduce vehicle trip length. That has a benefit of reducing discharges of contaminants into stormwater systems and waterways. The design and location of roads and driveways is considered appropriate for the type and scale of development proposed. Roads have been designed at minimum widths in order to reduce hard surfaces, thereby aiding natural drainage systems. Furthermore, kerbing and channelling for the proposed roads has been designed to capture run-off from the proposed roads and deliver it to the retention pond, to reduce the impact of stormwater from the impermeable road surfaces on the Oratia Stream.

Council's EcoWater Department have recommended a condition of consent requiring a financial contribution to aid in reducing the flooding potential of the Oratia Stream.

Both the Royal Forest and Bird Society and the Auckland Regional Council have expressed concerns regarding the proposal and its potential adverse effects on the Stream and the ecological sensitivity of that part of the subject site. The issue of a landscape management plan for the drainage reserve is noted and if consent is granted it would be included as a condition of this consent. The final landscape plan would be required to be submitted to the Manager of Parks and Green Assets for approval within a specified period following the granting of this consent. It is considered that condition coupled with the vesting of the drainage reserve with Council would ensure there would be no adverse affects on the Oratia Stream and the ecology of that part of the site.

8.1.3 Native Vegetation, Vegetation, Fauna Habitat and Ecosystem Stability

There is little remaining vegetation on the subject site following approved clearance as per resource consent (RMA 20020253) which was granted on 18 March 2002.

The site is not in the Restoration Natural Area but an Ecological Linkage Opportunity area runs along its north western boundary which is within the 20m riparian margin of the Oratia Stream. Only minor earthworks are proposed for that area of the site and the developer and the Council's Parks and Green Assets Department have been working together to develop a landscape plan to encourage native regeneration and improve linkages between areas of native vegetation. An appropriate landscape plan for the drainage reserve would be required to be submitted to Council as a condition of consent. There are minor amounts of earthworks proposed for the riparian margin related to proposed stormwater outfalls. Potential adverse effects arising from erosion and sedimentation would be controlled through an imposition of appropriate conditions of consent. An esplanade reserve and drainage reserve, encompassing that area of the site, are to be vested with the Council and would also mitigate adverse effects on the Oratia Stream margin by providing a large buffer between the stream and the proposed development.

The applicants have stated that vegetation along the stream margin would be removed if deemed to be an environmentally damaging plant. Such a practice would aid in the natural regeneration of native vegetation and provide linkages between existing areas of native vegetation along the stream edge. An additional benefit would be an improvement in the visual amenity of the Oratia Stream.

For these reasons it is considered the proposed development would not adversely affect native vegetation, vegetation or fauna habitat.

8.1.4 Land / Soil

The subject site is not in an area defined in the Proposed District Plan as having special soils.

A158 - A178 As the subject site was formerly an orchard the applicants were required to commission a soil assessment and contamination report for the site, as attached at pages A158 to A178. Suzanne Broadbent of "Has Expertise" undertook the soil sampling on the site. The samples taken were made in accordance with Auckland Regional Council Preliminary Soil Sampling Protocol. The findings concluded that the contaminated soil concentrations found in all areas with the exception of Hotspot 2 do not exceed recommended guideline levels. The level of DDT in Hotspot 2 (4.68mg/kg) was considered to exceed the recommended guideline level (2.89mg/kg). Following a review of the results the developer decided to remove the area of soil around Hotspot 2. On 22 August 2002 an area of approximately 5m² was removed from Hotspot 2 and taken to Redvale (Council approved deposition site) for disposal as hazardous waste. A validation sample was then taken and found that the level of DDT (0.7mg/kg) was similar to the remainder of the site showing that the removal was successful. The level of risk for this area can now be considered to be equivalent to that of the surrounding sampled areas which are below the risk based guideline.

A200 - A201 The report and findings as well as the proposed remediation measures were peer reviewed by Johan Faurie, as attached at pages A200 to A201, Senior Geologist for Environmental and Earth Sciences. Mr Faurie accepts the findings of the report. Furthermore, Mr Faurie has been in contact with the Auckland Health Board and has stated that the Board accept that the remaining levels of contamination would not pose a health risk.

A large volume of earthworks are proposed for the site and as the site slopes down toward the Oratia Stream the undertaking of those earthworks has the potential to adversely impact upon that stream. For that reason conditions of consent would require the earthworks to be undertaken in accordance with approved erosion and sediment control guidelines. Furthermore, resource consent is currently being sought from the Auckland Regional Council for stormwater discharge (Resource Consent 27037) and for sediment control (Resource Consent 27038).

A199 The applicants submitted with their application, a geotechnical report related to the proposed works. That report was peer reviewed by V Jairaj, a geotechnical consultant contracted to Council, as attached at page A199. That peer review concluded that the key site observations and geological features had been identified and adequate subsurface investigation was undertaken. Based on that information Mr Jairaj recommends that land use and subdivision consent not be refused on geotechnical grounds. In addition, conditions of consent would be imposed to ensure the proposed building platforms and other earth workings are stable and not subject to future instability. Those conditions would ensure there would be no danger to future residents, neighbouring sites or the Oratia Stream.

8.1.5 Air

The site has been cleared of all vegetation in preparation for a residential development on this site leaving a large quantity of exposed earth on the site which could become airborne after prolonged dry weather or winds. The proposed units coupled with the landscaping would consolidate and secure the soil avoiding dust nuisance. Furthermore, conditions of consent would be imposed to control any dust during development. For these reasons it is considered the proposal would not have adverse effects on air quality.

8.1.6 Outstanding Natural Features/Landscapes; Landforms, Geological Sites

The subject site is not identified in the Proposed District Plan as having outstanding landscape qualities nor is it located on a sensitive ridge. Furthermore, the site is located in an urban area of Waitakere City and has been extensively modified from its natural form.

The majority of the earthworks would be outside the floodplain and erosion and sediment control conditions would be included as conditions of consent to ensure the earthworks will not interfere with ongoing processes at the stream bank and would not affect the natural character or mauri of the site. A landscape plan including protection of some existing plants and revegetation of the rest of the site, is included as part of the development proposal.

8.1.7 Natural Character of Coast and Margins of Lakes, Rivers and Wetlands

The subject site is not on the coast but does have the Oratia Stream as its north west boundary. It is recognised the where possible it is preferable to protect the boundaries of such features for both their aesthetic and ecological value. This area of the site is within the 1 in 100 year flood path and will not be built upon but left as an area of open space (that area has been identified as proposed Lots 91 and 93 and would be vested in Council as an esplanade reserve and drainage reserve respectively). Both reserves would be planted via a landscape plan condition of this consent. It is considered that compliance with the landscape plan will enhance the natural character of the Oratia Stream margins located within the site.

See Sections 8.1.4 and 8.1.9 for a further assessment of potential effects on the Oratia Stream.

8.1.8 Amenity Values - Health and Safety, Landscapes, Local Areas and Neighbourhood Character

- *Overshadowing, loss of daylight and sunlight, scale, form, height, bulk, dominance, privacy.*

The proposed units would be located sufficiently far from off-site properties that they would not infringe height in relation to boundary rules nor would their living windows be located closer than 1.2m from the boundary. Furthermore, outdoor living areas would abut adjacent off-site properties and 1.8m high fences would be erected on those boundaries. In addition, the maximum height of the proposed units would be 7m which is less than the 8m maximum for the Living Human Environment. For these reasons it is considered the proposed units would not cause adverse privacy, shading or visual dominance effects on adjacent off-site properties.

The relief of the site has been utilised to give the units the maximum access to sunlight and daylight possible given the number of units on the site. Units 18-23 (located on the southern end of the site) are all "Unit Type A", the largest unit type, but these units are sufficiently far from other units on the site that they would not induce adverse shading effects on those properties.

Internally, the dwellings have been configured to maximise sunlight received to their living areas, for example the ground floor layout differs depending upon the orientation of the dwelling. Living rooms and the kitchen are swapped depending upon the units location on the site.

It is recognised that a medium density development is going to have less privacy for its occupants than would be the case with less dense development. The applicants have endeavoured to address visual privacy issues by creating internal walls between a number of the units. Furthermore, the desire to orient the units to receive maximum sunlight means that the living rooms of the dwellings are seldom facing each other. Furthermore, the 1st floor of the units are occupied by the bedrooms of the unit so are less likely to be in the line of site from the living areas of the adjacent units. For these reasons it is considered any adverse privacy effects would be no more than minor.

- *Visual amenity, neighbourhood character.*

The proposed development may be inconsistent with the existing built form of the area which is characterised by low density residential development but given that the subject site lies within a 500m radius of a railway station it is consistent with the type of development anticipated in the Proposed District Plan.

Medium density developments, by virtue of their definition, are a more intensive use of space than lower density suburban neighbourhoods. For that reason a development can increase the built form of an area over and above that which may have been anticipated and could be seen to be detrimental to the neighbourhood character of an area. It is noted that the immediately surrounding area is in the Living Human Environment under the Proposed District Plan and sites can have a net area of 350m² as a limited discretionary activity not requiring neighbours approval.

The development would be buffered from Seymour Road by existing dwellings along that road and the relief of the site is such that houses beyond the first row would be located at a lower level thus less visible. Furthermore, as mentioned earlier, the units would have a maximum height of 7m and the site's layout would be a mixture of semi-detached and detached units.

For these reasons it is considered the development, when viewed from Seymour Road would look little different from a development that could occur on lots measuring 350m².

There is existing landscaping adjacent to the Oratia Stream which would partially screen the development from properties located to the north of the subject site. Given that that landscaping is located in the Stream's valley it is recognised that its screening properties would be limited. In addition to that landscaping a condition of consent would require a landscape plan of the proposed drainage reserve to be submitted for Council approval. While that landscaping would not screen the proposed dwellings it is considered it would improve the appearance of the site. Furthermore, when viewing any residential subdivision from a distance built form will always dominate the appearance of the site and it is considered this site being occupied by a medium density development would not exacerbate that situation.

Dwellings located to the west of the subject site would be able to see the roofs of the proposed dwellings but it is considered a development of 350m² sites would look little different when viewed from that distance as the differences in separation distance between the dwellings is unlikely to be perceivable.

The developer has provided a landscape plan for the remainder of the development which has been assessed by Council's Parks and Green Assets Department. That Department supports it but has included conditions of consent to ensure the planting proposed is planted and maintained in a manner most likely to ensure it survives.

For the aforementioned reasons it is considered any adverse effect on visual amenity or neighbourhood character would be no more than minor.

- *On-site amenity, adequate open space.*

The applicants have endeavoured to create a high degree of amenity protection in respect of visual quality, sunlight, daylight, outlook, and landscaping in the development. It is accepted that on-site amenity in medium density developments differs from that of lower density neighbourhoods and that some tradeoffs have been necessary on some of the developmental amenity levels, for example provision of open space means sometimes placing it to the south of the dwelling with less than ideal solar orientation. The following are examples of efforts made by the developer to achieve a level of on-site amenity for prospective residents:

- Dwellings have been orientated so that outdoor courts receive good solar orientation where possible.
- There is landscaping proposed in and around the development.
- Private open space is provided for all units which is screened and located to the rear of the units.
- Local reserves provide recreation areas for use by the public.
- Use of building materials that create quiet indoor environments.
- Ensuring front doors are visible from the street so that opportunities for chance meetings are enhanced.
- Narrower front yards / short setbacks being utilised to ensure that there is opportunity for social interaction.

It is considered the aforementioned design features would maximise on-site amenity as far as is practicable and any adverse effects for prospective residents related to on-site amenity would be no more than minor.

- *Landscape modification, encroachment above ridgelines, landscape values, views.*

The applicants propose a large volume of earthworks on the site to create the building platforms for the proposed units as well as the internal and link roads. As alluded to above the site is not an outstanding landscape nor is it on a ridgeline and it is considered earthworks of the scale proposed are not inconsistent with the total required if the site were to be developed for complying sites of 450m².

- *Connectivity, accessibility, surveillance, safety, public access.*

The applicants propose internal roading and pedestrian paths within the site which would link the proposed development with both Seymour and Borich Roads and which would be direct, safe and easy to negotiate. Furthermore, it is considered there is sufficient provision for servicing activities (refuse removal, furniture removals, fire, ambulance, milk delivery etc.) to operate without disruption to residents.

It is considered the development has been designed to ensure a degree of security and safety for residents, pedestrians and cyclists. All public spaces including the reserves and streets are fronted by dwellings with the living areas of those dwelling enabling passive surveillance of that public realm. In addition, front doors are visible from the street where possible, so that would-be intruders are visible to residents in the public realm.

- *Noise, odour, dust, vibration, radio frequency, electromagnetic radiation, lighting, glare- cumulative lighting effects, hazardous materials, natural hazards, air base operations.*

A development of the size proposed coupled with the requested consent duration of five years would mean there would be vehicle and construction noise over a prolonged time period. If consent is granted conditions would be imposed controlling the day-to-day truck movements associated with the proposed earthworks as well as the machinery used on site. The condition would relate to the hours and days of operation. Once completed it is considered any noise from the proposed units would be commensurate with that expected in any residential development.

- *Infrastructural capacity and availability.*

A189 - A191

The application has been assessed by Richard Thomas of Council's EcoWater Department with regards to infrastructural issues, such as stormwater, water supply and wastewater, as attached at pages A189 to A191 for EcoWater Specialist Report.

That Department identified problems associated with the density of the development and the initial application:

- Wastewater flows from the site beyond that for which Waitakere City's wastewater system and the trunk sewers are designed.
- No mitigation of wastewater flows to mitigate the effects of development was proposed in the application.
- Initially stormwater quality treatment was not proposed for roof areas.
- Flooding on the Oratia Stream significantly effects downstream properties.

These matters were discussed with the applicant and have been resolved via:

- Use of water saving devices in the development.
- Stormwater quality treatment will be implemented for roof areas and all the development will drain through the stormwater quality treatment pond.
- The applicant has liased with the ARC in regard to their stormwater requirements and the pond/wetland has been designed in accordance with relevant Auckland Regional Council publications.
- The applicant is able to mitigate effects of their development by a financial contribution to Councils Twin Streams Project which will remedy downstream flooding problems.
- Wastewater flows will be mitigated by low flow devices and by a financial contribution.
- Public water reticulation is available at Seymour Rd and Borich Avenue.

The EcoWater Department recommended conditions of consent to ensure there are no adverse effects on the infrastructural capacity or availability and it is concluded that subject to the implementation of mitigation measures any adverse effect would be no more than minor.

- *Traffic generation, on-street parking, driver safety, pedestrian safety, roading capacity and roading network, traffic noise, vehicle movements, access and driveway manoeuvring, driveway width & gradient.*

Traffic generation and safety were issues brought up in several submissions in opposition to the application. The main concerns of those submissions related to the width of the proposed internal roads, a lack of footpaths on those roads and the potential increase in traffic levels on an already busy Seymour Road.

A192 - A194 The issues related to the internal roads were concerns shared by the Council's Roding and Traffic Department, as attached at pages A192 to A194 for the full report) in their original assessment of the application. That Department discussed those concerns with the Developer and changes were made to the parking and roading plan. The Roding and Traffic Department now support the proposal, subject to conditions of consent, and have made particular reference to the following:

- There is sufficient resident and visitor parking;
- There have been safe and durable design and construction methods; and
- Narrow road widths lead to reduced speeds and ensure pedestrian safety.

The development is largely within the 500m radius of the Sunnyvale Train Station and the road/pedestrian connectivity within the site will ensure maximum connectivity with that station and the surrounding area.

For the aforementioned reasons it is considered any adverse traffic effects from the proposed development would be no more than minor.

8.1.11 Heritage

The subject site is not recognised as having historic merit. There is no record at Council of it requiring any protection or recognition for its historic value. The previous resource consent enabling the removal of the existing trees on the site changed the site's character dramatically so any historic value the site may have had due to its orchard history is no longer there.

8.1.7 Summary

It is considered a medium density development of the type and scale proposed was anticipated in this area given its proximity to the Sunnyvale railway station. The applicants have designed a development in accordance with Council's Medium Density Housing Guidelines which has the potential to be an asset to the community.

It is the report writer's opinion that the potential adverse effects of the proposed activity are no more than minor and can be adequately mitigated through appropriate conditions of consent and can therefore meet the requirements of section 104(1)(a).

8.2 District Plan Considerations (104(1)(d)): Relevant Objectives, Policies, Rules and other provisions of a Plan or Proposed Plan

8.2.1 Proposed District Plan

The applicants propose to subdivide the subject site and erect 89 medium density housing units.

A202 - A233 The District Plan provides a range of objectives, policies, rules and assessment criteria to be considered in relation to density and medium density housing in the Living Environment, earthworks in the General Natural Area and flooding and contaminated soils in the Citywide rules of the Proposed District Plan. Those have been used as a guide in considering the proposal and are discussed below under the headings of On-site amenity, Visual Amenity and Neighbourhood Character, Infrastructure, Earthworks, Biodiversity, Contaminated site Assessment, Parking, Roding, Traffic and Connectivity and Subdivision Assessment Criteria. Reference numbers for the relevant assessment criteria, objectives and policies are set out at the beginning of each section and cited where relevant within the body of the discussion. The full assessment criteria and relevant objectives and policies are attached at pages A202 to A233.

8.2.1.1 On-Site Amenity

Assessment Criteria

Medium Density: A 1, A3-7, B3, B6, B8-11, C1, C5, C7-8, D2-3, F1-7, G1-3, G5, H1, H3-7, I1, I8

Greenfields Subdivision: 4f, i

Objectives and Policies

Objectives 1, 4, 10, 11 and Policies 1.15, 4.5, 10.2, 10.4-6 and 11.28

Buildings in the development will be configured on the individual sites to enable the efficient use of land. Small setbacks from the road enable maximisation of rear private open space (B3, C1, Obj 10, Pol 10.4). This open space will be adjacent to main living areas to ensure its maximum use and functionality (F2-4). The north orientation of dwellings, where possible, will ensure exposure to winter sunshine and adequate daylight to all habitable rooms and outdoor space (B9, C5-7, 4f, Obj 1, 4, 10, Pol 1.15, 4.5, 10.4, 10.5). Furthermore, a number of houses are terraced to allow maximum use of land and make savings in energy required for heating. Multi level dwellings also provide increased energy savings. It is noted that all structures are below the maximum height of 11m, the tallest being approximately 7.1m.

Internal amenity in the development has been achieved by ensuring dwellings are designed for enjoyable living. Criteria such as privacy, safety, sunlight, spaciousness and interest are met in the design (B9, Obj 11, Pol 11.28).

Privacy for dwellings within the development is achieved by a variety of methods, for example, planting and dwelling layout ensures appropriate visual privacy, while insulated construction materials ensure appropriate aural privacy (B6, D1, D3, Obj 10, Pol 10.6).

Dwellings fronting roads with short setbacks will allow maximum views of public spaces and ensure passive surveillance of the public realm. This increases safety by eliminating public areas that cannot be viewed by onlookers. Furthermore, dwelling entries will be visible from the road to create a sense of address for each lot and allow surveillance from the public realm (G2, 4i). In addition, dwellings will have individual garbage disposal areas and a mailbox and clothesline, with the exceptions of proposed Lots 33-47, which will share a garbage disposal area (A7, H1-9).

For the reasons outlined above it is considered the proposal meets the aforementioned Assessment Criteria and is consistent with the aforementioned Objectives and Policies.

8.2.1.2 Visual Amenity and Neighbourhood Character

Assessment Criteria

Living Environment: 2a-d

Medium Density: A2-3, A8, B2, B4, B6, B7, B11, B12, C1-3, C6, D1-6, F1-2, F8, G2, I2-5, I7-8, I10-11

Greenfields Subdivision: 4b, c, 4i-j, 4an

Objectives and Policies

Objectives 1, 3, 10 and 11 and Policies 1.15, 3.1, 10.7, 10.20, 10.22-23, 11.1, 11.3, 11.5, and 11.28

The development has been designed in accordance with urban design guidelines and achieves good neighbourhood character through the design of the units coupled with the sites uncluttered layout and the proposed landscaping (A1, A2, 4c, Obj 3, 11, Pol 3.1, 11.1, 11.28). The application has been assessed by Gordon Griffin, Council's Landscape Architect who suggested some initial changes to the proposed development which have been made. Mr Griffin now supports the proposal particularly with regard to the layout.

The diversity in the development creates interest at the street frontage. The development is a combination of semi detached and detached units all two storey in height (C3). Other elements specifically utilised to create neighbourhood character include planting of a size and style to be of interest but to ensure views from dwellings to the street are maintained (Obj 11, Pol 11.3).

The provision of a reserve area adjacent to the Oratia Stream will create recreation opportunities for local residents and the planting of section frontages will be designed to harmonise with street planting (F7, 8, I3, 4j, 4an, Obj 11, Pol 11.5).

The applicants have endeavoured to utilise the existing relief of the site in creating the unit layout for the development. A large amount of earthwork is proposed but it would be over a large area of the site and would enable the construction of the internal roads, pedestrian linkages and useable outdoor areas. The site layout follows the slope of the land and dwellings to the south-east are elevated above those closer to the Oratia Stream, which is the focal point of the site (B11). Furthermore, the layout ensures dwellings overlook the street and have short front setbacks to enhance interest in the streetscape and provide for passive surveillance of the public realm (Obj 10, Pol 10.7).

The site does not inhibit the views of adjacent off-site properties as it is in a valley and no buildings would infringe maximum height or height in relation to boundary rules (C2).

For the reasons outlined above it is considered the proposal meets the aforementioned Assessment Criteria and is consistent with the aforementioned Objectives and Policies.

8.2.1.3 Infrastructure

Assessment Criteria

Living Environment: 2e
Medium Density: C4, I6
Greenfields Subdivision: 4e, g, 4q, 4aa-aj, 4al
General Natural Area: 4d

Objectives and Policies

Objectives 1, 2, 10, and 11 and Policies 1.1, 7, 1.9-10, 1.12, 1.14, 1.19, 2.6, 10.9, 10.17, 10.27 and 11.7

The application has been assessed by Richard Thomas of Council's EcoWater Department. The main concern of that Department related to flooding of the Oratia Stream and its significant effects on downstream properties. EcoWater require a financial contribution toward Councils Twin Streams Project which will remedy downstream flooding problems and additional conditions of consent required to avoid adverse effects on the environment (Obj 10, Pol 10.27). That Department supports the application if granted with their recommended conditions (Obj 1,10, Pol 1.12, 1.14, 10.9, 10.17). The EcoWater report is included as Appendix Six of this report.

Impermeable surfaces within the site will be minimised by maximising permeable garden areas (C4, Obj 1, Pol 1.10). This will aid in minimising stormwater flows to public collection areas.

Rainfall and surface water generated by the development is to be collected in a stormwater pond adjacent to the Oratia Stream. This measure will provide a means of slowing down the movement of water into the stream, preventing flooding, and will also provide for the settlement of suspended solids (4d, 4ab, Obj 1, 2, Pol 1.7, 1.19, 2.6). The applicants have applied to the Auckland Regional Council for stormwater discharge (Resource Consent 27037) and for sediment control (Resource Consent 27038).

It is important to avoid development in flood hazard areas to avoid creating a potential hazard. No houses are planned to be built within the 1 in 100 year flood plain (4g, Obj 1, Pol 1.1). Council's EcoWater Department have recommended a condition of consent requiring a financial contribution to aid in reducing the flooding potential of the Oratia Stream (4ag, 4al).

Infrastructure for the development would be undergrounded and as there is very little infrastructure in place on site at present, it is considered there would be no adverse effects on existing infrastructure.

It is considered that Rosandich Estate is of a suitable density so as not to threaten the water quality of the Oratia Stream.

For the reasons outlined above it is considered the proposal meets the aforementioned Assessment Criteria and is consistent with the aforementioned Objectives and Policies.

8.2.1.4 Earthworks

Assessment Criteria

General Natural Area 3a-b, 3g-l, 3n-q

Objectives and Policies

Objectives 1, 2, 3, 10 and 11 and Policies 1.9, 2.1, 3.2, 3.4, 10.13 and 11.7

The proposed earthworks and development have been assessed by Council's Geotechnical Engineers and following discussions between Council and the applicant the Geotechnical experts are satisfied with the proposal including the mitigation measures that have been proposed.

The applicants propose between 10000 and 15000m³ of earthworks on the site for the proposed roads, dwellings and stormwater retention pond.

As the site features gentle contours its visual effect would not be changed significantly by the earthworks (3a, Obj 11, Pol 11.7). It is considered there will be little visual impact either on-site or off-site from the earthworks, other than minor temporary effects during the earthworks phase. As the site is low-lying the visual catchment is not great and the temporary effects would be constrained to the immediately adjacent sites and the site itself.

The shallow depths of the proposed earthworks and the gentle slope of that part of the site where the earthworks are proposed to occur are such that slipping or subsidence is most unlikely to occur. Conditions of consent would require the earthworks to be undertaken in accordance with approved erosion and sediment control guidelines. Construction of the stormwater retention pond will reduce runoff and potential for flooding downstream in the Oratia Stream catchment (3e, Obj 1, 2, 3, 10, Pol 1.9, 2.1, 3.4, 10.13). Revegetation and restoration of the earth worked surfaces are intended to be undertaken as soon as practicable, following earthworks (3b). These techniques are intended to minimise the impact of the earthworks upon the receiving waters (3c, g).

The majority of earthworks would be balanced cut and fill but a limited number of truck movements may be required to remove small amounts of surplus spoil from the site. Furthermore, a number of heavy vehicle movements would be required to transport earth working machinery to and from the site. These movements should not significantly increase the existing traffic on Seymour Road and should not create physical damage to the road, or be any more hazardous or unsafe for road users, than existing road uses. Conditions of consent would be imposed to limit the vehicle movements to and from the site and hours of operation on the site (3k).

The Auckland Regional Council is currently assessing an application for stormwater discharge (Resource Consent 27037) and for sediment control (Resource Consent 27038) on the subject site. Furthermore, conditions of consent would require the earthworks to be undertaken in accordance with approved erosion and sediment control guidelines which if adhered to would ensure there would be no danger to neighbouring sites or the Oratia Stream.

For the reasons outlined above it is considered the proposal meets the aforementioned Assessment Criteria and is consistent with the aforementioned Objectives and Policies.

8.2.1.5 Biodiversity

Assessment Criteria

Greenfields Subdivision: 4a, 4g-h, 4v, 4ac
Natural Hazards: 1a-f
General Natural Area: 3c-q

Objectives and Policies

Objectives 1, 2, 3, 5, 7, 8 and 10 and Policies 1.1, 1.5-7, 1.9-12, 1.16, 1.19, 2.1, 2.4, 2.6, 2.10, 2.12, 3.2, 3.4, 5.1, 5.3-4, 5.7, 7.1, 7.3-4, 6, 8.4, 8.6-7, 10.13 and 10.23

An ecological linkage opportunity has been identified on the site's riparian margin. It is considered there would be no more than minor effects on it from the proposed development because:

- There would be only minor earthworks in that area of the site and they would be related to the construction of 4 stormwater outfalls (3c, d, 4a, 4af, Obj 1, 7, 8, Pol 1.9, 1.12, 7.1, 7.3, 8.4).
- A 20m esplanade reserve adjacent to the Oratia Stream margin is to be vested in Council but initially revegetated and weed eradicated by the applicant. The end result would enhance the ecological linkage and improve the visual amenity (4ac Obj 1, 5, 10, Pol 1.1, 1.6, 1.16, 5.1, 5.4, 10.23).
- The drainage reserve incorporating the 1:100 year floodplain is to be the subject of weed control and a planting plan that will enhance the ecological linkage opportunity (Obj 7, Pol 7.6).
- The site has a gently sloping topography and the proposed earthworks silt control, including the on-going silt control provided by the stormwater retention pond, and erosion mitigation measures will minimise effects on the stream receiving environment (3f, 4ad, Obj 1, 2, 3 Pol 1.7, 1.19, 2.6, 3.4).

The balance of the site was the subject of exotic vegetation removal consent and there is little of value in terms of native vegetation on site. The proposed flood plain revegetation programme will enhance the site's native vegetation in the balance of the site (Obj 1, 2, Pol 1.5, 2.12).

An overall landscaping plan for the site will protect and enhance the remaining natural vegetation.

The design and location of roads and driveways is considered appropriate for the type and scale of development proposed. Roads have been designed at minimum widths in order to reduce hard surfaces, thereby aiding natural drainage systems. Furthermore, kerbing and channelling for the proposed roads has been designed to capture run-off from the proposed roads and deliver it to the retention pond, to reduce the impact of stormwater from the impermeable road surfaces on the Oratia Stream.

For the aforementioned reasons it is considered the subdivision design and proposed future development will enhance the overall resilience, bio-diversity or integrity of the Green Network and the proposal is consistent with the aforementioned assessment criteria and Objectives and Policies.

For the reasons outlined above it is considered the proposal meets the aforementioned Assessment Criteria and is consistent with the aforementioned Objectives and Policies.

8.2.1.6 Contaminated site Assessment

Assessment Criteria

Hazardous Facilities and Contaminated Sites: 2a-d
Greenfields Subdivision: 4am

Objectives and Policies

Objectives 1, 2, 3, 10 and Policies 1.13, 2.9, 3.3, 10.13, 10.19

A158 - A178 The applicants were required to commission a soil assessment and contamination report for the site, as attached at pages A158 to A178. Suzanne Broadbent of "Has Expertise" undertook the soil sampling on the site. The samples taken were made in accordance with Auckland Regional Council Preliminary Soil Sampling Protocol. The findings concluded that the contaminated soil concentrations found in all areas with the exception of Hotspot 2 do not exceed maximum permitted levels. The level of DDT in Hotspot 2 was considered to be at an unacceptable level. Following a review of the results the developer decided to remove the area of soil around Hotspot 2. On 22 August 2002 an area of approximately 5m² was removed from Hotspot 2 and taken to Redvale (Council approved deposition site) for disposal as hazardous waste (Obj 1, Pol 1.13). A validation sample was then taken and found that the level of DDT was similar to the remainder of the site showing that the removal was successful. The level of risk for this area can now be considered to be equivalent to the risk for the surrounding area which is considered below the risk based guideline (2b, 4am).

A200 - A201 The report and findings as well as the proposed remediation measures were peer reviewed by Johan Faurie, as attached at pages A200 to A201, Senior Geologist for Environmental and Earth Sciences. Mr Faurie accepts the findings of the report (2a, 2c, Obj 10, Pol 10.19). Furthermore, Mr Faurie has been in contact with the Auckland Health Board and has stated that the Board accept that the remaining levels of contamination would not pose a health risk.

For that reason it is considered the application meets the aforementioned assessment criteria and is consistent with the aforementioned Objectives and Policies.

8.2.1.7 Parking, Roothing, Traffic and Connectivity

Assessment Criteria

Medium Density: B1, B5, E1-5, F8, H9
Greenfields Subdivision: 4b-c, 4h, 4k-u, 4w-z, 4aa

Objectives and Policies

Objectives 1, 2, 3, 4, 5, 10 and 11 and Policies 1.2, 2.13, 3.1, 4.2-4.4, 5.2, 10.3, 10.6, 10.8, 10.11, 10.14, 10.16, 10.18, 11.6, 11.9, 11.12, 11.28

Council's Roothing and Traffic Department have reviewed the application and subject to the imposition of recommended conditions are satisfied with the overall design and layout of the proposed network (E5, Obj 10, Pol 10.8).

Roothing and Traffic Department discussed initial concerns with the Developer and changes were made to the parking and rooding plan. The Roothing and Traffic Department are now satisfied with the following:

- There is sufficient resident and visitor parking (E1, Obj 10, Pol 10.11);
- Some reverse manoeuvring from rear sites has been allowed;
- There have been safe and durable design and construction methods (4w, Obj 10, Pol 10.16); and
- Narrow road widths lead to reduced speeds and ensure pedestrian safety (4o, Obj 10, Pol 10.14).

The overall design with short dwelling setbacks from the streets, use of colour sprayed on concrete and proposed landscape planting will enhance the visual amenity in the area by reducing the expansion of grey asphalt and adding colour interest and variety to the streetscape (E4, 4q, 4r).

The development is largely within the 500m radius of the Sunnyvale Train Station and the road/pedestrian connectivity within the site will ensure maximum connectivity with that station and the surrounding area (B1, 4m, Obj 1, 3, 4, 11, Pol 1.2, 3.1, 4.2, 11.6, 11.28).

Cul de sacs are not normally desirable in this form of development and although two have been proposed the easternmost is will be connected to a future road within the later development of existing Lot 1.

Lighting is provided along streets and within the driveway area of lots 33-44 for vehicles and pedestrians. There are no open space entrances or pathways that require additional lighting and there is sufficient access for emergency vehicles (4t, H9).

For the reasons outlined above it is considered the proposal meets the aforementioned Assessment Criteria and is consistent with the aforementioned Objectives and Policies.

8.2.1.8 Subdivision

Assessment Criteria

General Natural Area: 3g
Greenfields Subdivision: 4b-e, 4g, 4j, 4aj, 4an

Objectives and Policies

Objectives 1, 2, 5, 8, 10 and 11 and Policies 1.16, 1.20, 2.1, 5.3-4, 8.1, 8.4-5, 10.7, 10.20, 10.22-23 and 11.5

The residential sites within the development vary in size and range from 382m² to 132m² and thereby provide for a range of residential choice for the community. Other large lots are provided for roads, flood hazard management, stormwater management and public open space. The development is not considered to be of a size warranting provision of community facilities other than the proposed public open space.

The open space within the proposed development is provided adjacent to the Oratia Stream, within approximately 250m of every proposed unit (4j). Furthermore, that open space is available by road or footpath and would be overlooked by dwellings which are adjacent to or across a road thus increasing passive surveillance (Obj 10, 11, Pol 10.7, 11.5). Whilst the Esplanade Reserve and the Drainage Reserve add to the available public open space they are not recreation reserve contributed by the development for this purpose. A reserve contribution has been requested for the development.

The proposed subdivision coupled with conditions of consent controlling erosion and sediment runoff plus the proposed drainage reserve would ensure there would be no adverse effect on the historical, cultural or spiritual significance of any site or waahi tapu of significance to iwi, water, native vegetation, fauna habitat or land (3g, 4b, Obj 1, 5, 8, Pol 1.16, 5.4, 8.1, 8.5). There are no known historical, cultural or spiritual sites or waahi tapu on the site.

The proposed subdivision provides for an esplanade reserve along the edge of the Oratia Stream and a reserve area adjacent to this both which would provide for public access to and along the stream (4an, Obj 1, 10, Pol 1.20, 10.20, 10.23).

For the aforementioned reasons it is considered the proposal meets the aforementioned assessment criteria and is consistent with the aforementioned Objectives and Policies.

8.2.2 Transitional District Plan

It is recognised that the proposal is non complying in terms of both the Transitional District Plan and Proposed District Plan. It is considered the content of the objectives and policies are similar in both Plans as both seek to control medium density developments in the residential environment. Due to the similarities of the two and as the Proposed Plan is considered to be the dominant document (as was discussed in Part 7 of the report) the discussion of the proposal in relation to the objectives, policies and rules of the District Plan has been limited to those of the Proposed Plan.

8.3 Auckland Regional Policy Statement (104(1)(c))

The Auckland Regional Policy Statement sets out a "Strategic Direction" for the Auckland Region. It seeks to ensure the Region has the capacity to accommodate growth and development, and at the same time to protect the quality and efficient use of the natural and physical resources. The Strategic Direction seeks to protect the Region's natural resources from significant adverse effects of urban development. The Strategic Direction is intended to improve the efficiency of urban Auckland by encouraging development at locations that will promote cost-effective servicing by transportation systems, utility network systems and other works and services of regional significance.

As has been mentioned earlier in this report it is considered this proposed development would be of good design and conditions would be imposed such as requiring the developers to implement approved erosion and sediment controls, so any adverse effect on the environment would be no more than minor. Furthermore, the majority of the proposed development would be located within 500m of a railway station so is considered to be within an area identified in the Proposed District Plan as being suitable for medium density housing. For these reasons it is considered the proposal is following the strategic direction of the Auckland Regional Policy Statement and is consistent with the following:

- Issues 2.3.1, 2.3.2, 2.3.4, 2.3.8, 8.2.1, 8.2.3, 11.2, 17.2, 18.2 Strategic Objective 2.5.1, Objective 8.3, 11.3, 17.3, 18.3 Strategic Policy 2.5.2, Policies: Urban Growth Management 2.6.1, Regionally Significant Infrastructure or Services 2.6.7, General 8.4.1, Development and Redevelopment 8.4.4, Stormwater and Sediment Discharges 8.4.7, Sewage Reticulation and Disposal 8.4.16, Areas Susceptible to Water Quality Degredation. 8.4.21, Significant Resource Management Issues for Tangata Whenua 8.4.24

8.4 Any Other Matters the Consent Authority Considers Relevant (104(1)(i))

8.4.1 Auckland Regional Growth Strategy

The **Auckland Regional Growth Strategy** to 2050, published by the Auckland Regional Council in November 1999 sets out a vision for the future of Auckland. In particular it sets out the proposed method of providing for expected future population growth.

The purpose of the Regional Growth Strategy is:

- *To ensure growth is accommodated in a way that meets the best interests of the inhabitants of the Auckland Region.*

One of the objectives of the Growth Strategy is to manage growth by promoting intensification of urban environments within the metropolitan urban limits. The proposed development directly fulfils this objective by providing medium density housing on a site specifically planned for this type land use.

8.4.2 Other Issues Raised by Submitters Not Covered Elsewhere in Report

In this section the individual submitter is noted followed by a summary of their concerns and comments related to those concerns.

Submitter: Anne Jessen

Issues

Landscaping: *The proposed planting would not aid in diversity of the site or create high level of amenity. There needs to be a comprehensive planting plan provided prior to approval being given. The proposed development would be significantly different to that which previously existed and there would be significantly less trees. Furthermore, the nature of medium density housing is such that built form can dominate more than in less densely developed areas.*

In this instance it is considered the design of the proposed units coupled with the proposed planting would aid in the softening of the appearance of the development. Furthermore, as was discussed earlier, the relief of the site is such that buildings will be progressively less visible further from Seymour Road and would be largely screened from the surrounding area by existing dwellings immediately surrounding the subject site. A landscape plan will be required to be submitted to Council as a condition of consent. That plan would also be subject to approval of Royal Forest and Bird Protection Society.

Soil Contamination: *Site was previously used as an orchard thus would have contaminated soils. No mention is made of remediation measures.*

This issue has been dealt with in sections 8.1.4 and 8.2.1.6 of this report.

Earthworks: *No details of the large amount of earthworks required and should be assess by Auckland Regional Council. Need to protect the stream.*

It is recognised that the earthwork issues were not discussed as fully as they could have been in the information available to submitters. Since that time more information has been supplied to Council and the applicants have applied to the Auckland Regional Council for Resource Consent related to the earthworks. The issue of earthworks has been addressed in sections 8.1.4, 8.2.1.4 and 8.2.1.5 of this report.

Traffic Generation: *There will be an increase in traffic on Seymour Rd and it is becoming increasingly dangerous. Request Council to consider a roundabout.*

The proposal was assessed by Roading and Traffic and they expressed no concerns with the increase in traffic on Seymour Road. The subject site is located in the 500m radius of the Sunnyvale Railway Station which provides for medium density housing to be established.

Submitter: MA Paget

Issues:

Density. *The number of units will lead to overcrowding and the development will be out of character with the surrounding area.*

The number of lots is consistent with the density expected in a medium density development. It is recognised that a section of the proposed development falls outside the medium density radius but that area of the site would have semi-detached units with areas of open space around the units and outdoor living areas located between those units and the adjacent off site properties.

Parking: *There is only single car parking for the residents when it is likely that residents would have two cars. Almost no allowance has been made for visitor parking.*

The parking provided for both residents and visitors to the development is consistent with the assessment criteria in the Proposed District Plan.

Roads: *The internal road will be too narrow and as there are too few parks be unit people will be parking in the front yards and on the footpath.*

The proposed roading would be a width acceptable to Council being above the minimum required for a public road in the City. Although the submitted application did not identify footpaths on both sides of the roads that matter has subsequently been addressed and there are now footpaths on both sides of the proposed roads.

Dwelling Construction: *The dwellings would be low cost and high density as the developer is only after maximum profit.*

While Council do have a measure of control over the overall appearance of the development the methods of construction fall outside the ambit of the Resource Management Act 1991 so can not be considered at the resource consent stage. Those issues would be addressed when a building consent is applied for.

Submitter: E Zwart

Issues:

Traffic: *There would be a large number of resident and visitor traffic movements to and from the site. That increase will worsen an already bad situation. There should be a roundabout in front of proposed road one.*

The proposal was assessed by Roding and Traffic and they expressed no concerns with the increase in traffic on Seymour Road. The subject site is located in the 500m radius of the Sunnyvale Railway Station which provides for medium density housing to be established.

Submitter: Yvonne

Issue: *The development will bring criminal activities to the area. There will be increase traffic in the area and pressure put on existing water supplies.*

The issue of crime in the development has been addressed in both the assessment of affects and the assessment criteria and it is considered the development has been designed appropriately. Council can have no control over the persons who purchase units upon their completion and it is not something that should be dealt with under the Resource Management Act 1991.

Council's Roding and Traffic and EcoWater Departments have assessed the application and have not raised concerns regarding adverse effects associated with increased traffic or water use.

Submitter: Johnson Developments Limited

Issue: *Object to having power lines and poles on their property without permission being given. Request removal or repositioning.*

It is considered that issue of overhead power lines is not relevant to this application as the subject lines are not on the subject site so should be addressed if that site were to be developed in the future.

Submitter: Royal Forest and Bird Protection Society

Issue: *Have concerns with discharge of roof water into Oratia Stream. Would rather a wetland than a stormwater pond or a landscape plan for the pond to give it a wetland appearance. Consider the proposal is contrary to the Resource Management Act.*

A125

Since the close of submissions the applicants have met with the Royal Forest and Bird Protection Society to discuss the concerns raised in their submissions in opposition to the application. In short, the submitters are now satisfied (see letter from Royal Forest and Bird Protection Society dated 3 September 2002 attached to the submission at page A125) that their concerns have been addressed by the applicant and no longer object to the application with the proviso that they have input into the landscape plan which is prepared for the reserves to be vested in Council. They do not wish to officially withdraw their submission for fear of losing appeal rights related to the decision on this application. They now no longer wish to appear at the hearing.

Submitter: Auckland Regional Council

Issue: *Request details of soil sampling undertaken re contamination on the site. Wish application to be suspended until ARC consent have been applied for and run concurrently.*

Since the close of submissions the applicants have met with the Auckland Regional Council to discuss their concerns. In addition they have applied for stormwater discharge (Resource Consent 27037) and for sediment control (Resource Consent 27038) consents. The Auckland Regional Council are now satisfied that their concerns have been addressed by the applicant and no longer object to the application. They do not wish to officially withdraw their submission for fear of losing appeal rights related to the decision on this application. They now no longer wish to appear at the hearing.

Submitter: Te Hao o Ngati Whatua

Issue: *Oppose the application as they were not consulted.*

It is recognised that the applicants did not consult with iwi prior to lodging the application. The applicants consider the modified state of the site coupled with no anticipated adverse effects on the Oratia Stream would ensure there would be no adverse effects on the mauri of the site or stream. Furthermore, the subject site is not identified in the Proposed District Plan as being a heritage area for either Te Kawerau A Maki or Ngati Whatua.

It is a standard Council practice to send a copy of every resource consent application to the relevant iwi and in this instance the application was sent to Te Kawerau A Maki, Ngati Whatua O Orakei Corporate Limited, Reweti Marae, and Heta Tobin and no requests for further consultation were received.

There were no other specific issues raised in the submission.

8.4.2 Bonds/Reserve Contributions/Development Levy/Financial Contributions

The reserve contribution has been considered in accordance with the Resource Management Act 1991. The sum to be paid in lieu of reserves is equal to 6% (plus GST at 12½%) of Quotable New Zealand's market values to be obtained for Lots 1-16 inclusive, and Lots 18-90 inclusive, as of the date of issue of this subdivision consent (or as at the date of any subsequent reapproval of subdivision consent or at intervals of not greater than three years) for reserve purposes. The contribution would be reduced by the agreed value of works listed in Condition (PK 9).

Stormwater

The applicant is able to mitigate effects of their development by paying the following financial contribution to Councils Twin Streams Project which will remedy downstream flooding problems. See also previous infrastructure and earthworks discussions.

- Pay to the Council pursuant to Section 407/409 of the Act the sum of \$263,579.06 (Inclusive of GST at 12.5%) towards the cost of Councils Twin Streams Project to mitigate downstream flooding and allow for development. (\$84,375.00 incl. GST per ha. of development). Note: (i) Lot 17 will attract further contribution upon development/subdivision.

Wastewater

Wastewater flows will be mitigated by low flow devices and the following financial contribution:

- Pay to Council the sum of \$25,976.99 to further mitigate wastewater flows. Note: (1) Further reductions may be possible through recycling of grey water or other innovations. (2) If in-sink waste disposal units are proposed then the sum required will rise to \$47,869.87

Or pay to Council pursuant to Section 407/409 of the Act the sum of \$167,259.06 (incl. of GST) to mitigate the increase in flows due to the density of the development. No mitigation works will be required by the developer or Consent Notices required.

Note: The above sums are based on 13 x 2 bedroom Units and 76 x 3 bedroom Units. If this is to change the contribution is to be amended. The calculations of the above sums are available from EcoWater.

8.4.3 Monitoring

The performance of the activities under this consent will be subject to Council's standard monitoring procedures. These procedures include scheduled inspections to ascertain compliance with conditions of consent, together with periodic inspections as and when required to establish whether conditions are being complied with on an ongoing basis.

8.4.4 Any Other Relevant Non-Statutory Documents

(Eg. other relevant documents such as District Plan decision notices, the Regional Growth Strategy and non-statutory documents such as reserve management plans and Council policy/strategy documents.)

8.5 Regional Plan or Proposed Regional Plan (104(1)(f))

Consent is sought from the Auckland Regional Council for stormwater discharge (Resource Consent 27037) and for sediment control (Resource Consent 27038).

8.6 Any Relevant Regulations Made Under the Resource Management Act 1991(104(1)(b), Any Relevant Designations or Heritage Orders (104(1)(b))

9.0 PART II OF THE RESOURCE MANAGEMENT ACT 1991

It is considered that the proposal would be consistent with Sections 5, 6, 7 and 8 of the Resource Management Act 1991.

The purpose and principles of the Resource Management Act 1991 have primacy over all other considerations that are set out in section 104 of the legislation. In summary, sections 5, 6 and 7 require that resources must be sustainably managed in such a way that any adverse effects on the environment can be avoided, remedied or mitigated. Furthermore, the Resource Management Act 1991 requires that amenity values and the quality of the environment are to be maintained and enhanced.

It is considered that the granting of this application would not be contrary to the purpose of the Act. The proposal will enable people and communities to provide for their economic, social and cultural well-being and their health and safety without significantly compromising the needs of future generations or the life supporting capacity of natural resources such as air, water and soils. Through the imposition of appropriate conditions of consent, it is considered that the proposed activity can sufficiently avoid, remedy or mitigate any adverse effects on the environment.

10.0 EVALUATION IN ACCORDANCE WITH SECTION 105 OF THE RESOURCE MANAGEMENT ACT 1991

The threshold test in Section 105(2A) of the Resource Management Act 1991 states that a consent authority must not grant consent to a non-complying activity unless it is satisfied that the adverse effects on the environment will be minor (105(2A)(a)) or the activity will not be contrary to the objectives and policies of a plan or proposed plan (105(2A)(b)). As discussed in Section 7.0 of this report very little weight shall be given to the objectives, policies and rules of the Transitional Plan as the Proposed Plan is considered to be the dominant document.

It is considered that the threshold test for a non-complying activity has been met as the proposal satisfies section 105(2A) in that subject to appropriate conditions of consent requiring mitigation the adverse effects on the environment of the proposal will be no more than minor and the proposal is not contrary to the relevant objectives and policies of the Proposed District Plan. Jurisdiction to grant consent has therefore been established.

CONCLUSION

The applicant seeks consent to construct a medium density housing development consisting of 89 units. The subject site is located at 33-41 Seymour Road, Sunnyvale and is zoned Residential 2 under the Waitemata section of the Transitional District Plan and is located in the Living Human Environment and General Natural Area under the Proposed District Plan.

It is considered that the proposal **meets** the criteria for granting consent as the potential adverse environmental effects are **no more than minor** and **can** adequately be mitigated through the imposition of appropriate conditions of consent. It is considered that the establishment and operation of a medium density housing development consisting of 89 units will not lead to a decline in the amenity values of the area in which it seeks to locate.

The proposal is considered to be consistent with the objectives and policies of the Proposed Plan/Transitional Plan which seek to:

- Manage the effects of land use on the environment and, in particular, avoid, remedy or mitigate effects on the quality and quantity of the City's water resource;
- Manage the effects of land use on the environment and, in particular, to maintain air quality, including contributing to the maintenance of the atmosphere at a local, national and global level; and
- Maintain and enhance those natural and physical characteristics (amenity values) that contribute to the wellbeing of residents and workers;
- Achieve a quality of settlement which is sympathetic to and protects and enhances the dominant natural and physical features which contribute to the amenity value and the neighbourhood character of an area;
- Protect processes of natural regeneration within the City and promote and maintain links between areas of significant and outstanding native vegetation and fauna habitat so that their resilience is protected and enhanced;
- Enhance the amenity of the urban area through the provision of a range of opportunities for different housing types, in a way that is consistent with the protection of other amenity values within the area;
- Medium density housing is comprehensively designed so that a high quality of internal amenity is provided to the overall development.

For the aforementioned reasons it is considered the application meets the Resource Management Act 1991 section 105 threshold.

It is considered that the issues raised by the submitters **can** be adequately addressed through the imposition of appropriate conditions.

Subject to any additional and/or contrary evidence being presented at the hearing, it is concluded that the application **merits consent** in accordance with Sections 104 and 105 of the Resource Management Act 1991.

RECOMMENDATIONS

Land Use Consent

That pursuant to Sections 104, 105, 108 and 113 of the Resource Management Act 1991, and subject to additional or contrary information being presented at the hearing, **consent be granted** to the application by Southport Properties Limited to construct a medium density housing development consisting of 89 units at 33-35 Seymour Road, being Lots 1 and 2 Deposited Plan 186569 for the following reasons:

- (i) The proposed development has been designed in accordance with guidelines for medium density housing and provides appropriate on and off site amenity.
- (ii) Conditions of consent recommended by Council specialists would ensure there would be no adverse effects on the adjacent Oratia Stream through erosion or runoff of pollutants generated on the site.
- (iii) The proposed development would be located within the medium density housing radius so is a type of development that is anticipated for this area given its proximity to the railway station.
- (iv) The proposal is in general accordance with the Objectives and Policies of the Proposed District Plan.

Conditions imposed on the consent are as follows:

1. The development by Southport Properties Limited shall proceed in accordance with the plans titled "Proposed Subdivision of Lots 1 and 2 DP 186569" dated April 2002 and prepared by Kardon Consultants Limited, "Proposed Residential Development for Southport Properties at Seymour Road, Waitakere Sheets R01-R12" dated March 2002 and prepared by Fuller Design, "Landscape Plan" dated 9 September 2002 and prepared by Simon Ferrick, "Unit Types", "Site Facilities 1 and 2" dated 23 September 2002 and prepared by Sinclair Knight Merz, "Proposed Subdivision Seymour Road: sheets 1-5" dated April, May and July 2002 and prepared by Projenz and all referenced by Council as RMA 20020809 and 20020810 and the information, including additional information, submitted with the application.
2. All truck movements to and from the site and 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 to 7.00 pm
Saturday	8.00 am to 5.30 pm
Sunday and Public Holidays:	No work
3. Before commencement of any works, adequate sediment and erosion control measures shall be constructed and maintained in accordance with Erosion and Sediment Control Measures Appendix to the Natural Area Rules of the Waitakere City Council Proposed District Plan.

4. The site shall be stabilised against erosion as soon as practicable and in a progressive manner as earthworks are finished over various areas of the site. Revegetation is to be completed by 30 April in the year of earthworks construction, in accordance with measures detailed in the Auckland Regional Council Technical Publication No 2 "Erosion and Sediment Control Guidelines for Earthworks" (updated March 1995) and any amendments to this document, unless a later date is approved in writing by the Council's Senior Subdivision Engineer at least two weeks before 30 April.
5. 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 Guideline for Earthworks" (updated March 1999) These structures are to be constructed in accordance with best practice, be operational before earthworks commence, and be maintained until the site has been adequately secured against erosion (whether by vegetative means, paving or otherwise).
6. A stabilised entranceway to the site shall be provided prior to the commencement of works and maintained for the duration of works. Additional measures such as wheel wash facilities shall be implemented as necessary to prevent the deposition of earth or other debris on the surrounding street network by vehicles accessing the site. Any material deposited on the street shall be immediately removed at the expense of the consent holder.
7. 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 operation shall be rectified at the cost of the consent holder.
8. A consent compliance monitoring fee of \$5900.00 (\$200 per 3 units) (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 a further cost of \$89.00 per hour (inclusive of GST).

The \$5900.00 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.

Subdivision Consent

That Subdivision Consent Application Plan No. SPW 21526 (RMA 20020810) being a proposed subdivision including earthworks and use of a contaminated site being Lot 2 Deposited Plan 186569 comprised in CT 116D/567 situated at 39-41 Seymour Road, Henderson by Southport Properties Limited, being a non-complying activity, be granted subdivision consent pursuant to Sections 104 and 105 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 advertised survey plan signing fee (for each concurrent set of plans) has been paid and that the following conditions have been complied with to the satisfaction of Council.

- a. Obtain the prior approval of Council to the name(s) of the new road(s) and, after obtaining New Zealand Post approval in writing, include such name(s) on the survey plan. Notes:
 - (i). Suggested names must avoid any duplication in the Auckland Region; culs-de-sac shall comprise single names only; and both shall include a recognised suffix.
 - (ii). Names will not be allocated to any shared driveway or private way.
- 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 conditions set out hereon"

and provide for the following to be endorsed on the Plan:

"That Lot 102 hereon (legal access) be held as to two undivided one-half shares by the owners of Lots 27 and 28 hereon as tenants in common in the said shares and that individual Certificates of Title be issued in accordance therewith.

That Lot 103 hereon (legal access) be held as to 15 undivided one-fifteenth shares by the owners of Lots 33 to 47 inclusive hereon as tenants in common in the said shares and that individual Certificates of Title be issued in accordance therewith. See CSN A 634859."
- c. As required by Condition (2) (EW 8) below, define the 1 in 100 year overland flood path and provide a drainage easement(s) 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 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. Provide drainage easements for any private drainage passing through adjoining sites to protect the existing or proposed connections) 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: refer to Conditions (EW 2) and (EW 5) below.
- e. Include on the survey plan as Lot 104 that area of land in the bed of the river adjacent to the Local Purpose (Esplanade) Reserve (being half the width of the bed) that is required by Section 237A of the Act to vest in Council.
- f. Take note that the street intersection geometry, street furniture and safety features will be finalised through the engineering plan approval process, and this may result in minor amendments to Lot boundaries at these locations to accommodate necessary design details.
- g. 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)

Contact the Secretary, ext 8248 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 to 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. **Specific Requirement:** To avoid delays in the issue of Building Consents submit full engineering plans to Council for approval a minimum of 15 working days prior to lodging plans for building consent.
- (EW 2) 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) To minimise the number of connections to the principal lines provide a dry chamber at the end of a connection and serve 2 Units from these chambers. This is required to reduce infiltration to public drainage lines. Provide easements as appropriate.
 - (ii) A Registered Surveyor is required to certify the private drainage has been laid within the easements provided.
 - (iii) Locate drainage lines in accessible locations for ease of access for future maintenance requirements.
 - (iv) 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 EcoWaters Quality Assurance supervision or by EcoWater Solutions maintenance contractor.
 - (v) The point of connection to the Watercare Services trunk sewer is to be to the satisfaction of Watercare Services Limited and Waitakere City Council. All costs are to be met by the applicant. Confirm the approved point(s) of connection with EcoWater prior to submitting engineering plans.
- (EW 3) 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). 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) Upgrade the ridermain from No 104 Borich Road to 180 ODPE. In Seymour Road connect to the 225 dia trunk watermain. The fire fighting main in the cul-de-sac is only required to be 125 OD. No watermain is required adjacent to the reserve.

- (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) Locate all water connections at the same position as the power and telephone connection to each lot **not** in the centre of the lot.
 - (iv) All units are to be individually metered at the road reserve boundary.
- (EW 4) 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.
- (EW 5) Design, provide and install a complete public stormwater drainage system to serve all Lots in compliance with Councils Code of Practice for City Infrastructure and Land Development (Refer section 4.0). Collect all existing discharge points. Pay, if applicable, to the Council the cost of connecting the said reticulation to the Council's main stormwater. Specific Requirements:
- (i) To minimise the number of connections to the principal lines provide a dry chamber at the end of a connection and serve 2 Units from these chambers. This is required to reduce infiltration to public drainage lines. Provide easements as appropriate.
 - (ii) A Registered Surveyor is required to certify the private drainage has been laid within the easements provided.
 - (iii) Locate drainage lines in accessible locations for ease of access for future maintenance requirements.

Advice Note: If public or private drainage is to be laid within the drip lines of trees protected by the District Plan then a Resource Consent will be required.

- (EW 6) Prior to submitting plans for engineering approval 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 7) Provide in the design of services for the reticulation of the upstream catchment and install such reticulation to the boundary of the upstream properties to the satisfaction of EcoWater.
- (EW 8) Provide a catchment analysis and define and form as applicable the 1 in 100 year overland flood paths internal to the development. If these flow paths are located wholly on the road reserve then demonstrate overland flow is contained within the carriageway. If the overland flow is not contained wholly within the carriageway then a consent notice requiring minimum freeboards to Councils Code of Practice requirements will apply to affected Lots. 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 and above the 1 in 100 year overland flood path for the floor levels of residential/commercial 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.

- (EW 9) In addition to Condition EW(12) above a consent notice pursuant to Section 221 of the Act will also be required to be issued and registered on any affected lots adjacent to the flood plain of the Oratia Stream requiring a minimum freeboard in accordance with Councils August 2002 catchment study above the 1 in 100 year overland flood path for the floor levels of residential buildings.
- (EW 10) 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.
- (EW 11) Provide stormwater quality treatment to the site in accordance with the applicable Auckland Regional Council publication and in accordance with Councils Code of Practice.
- (EW 12) Due to the density of the proposed development and resultant increase in wastewater flows mitigation is required. Therefore advise Council which of the following you will be carrying out and fulfil the requirements:

Either

- a) mitigate the increase in wastewater flows from the site by providing the following flow reduction measures in dwelling/s and advise prior to the issue of the 224c certificate that mitigation of wastewater flows will be carried out under future building consents on vacant Lots:
1. All taps over hand basins/sinks and showerheads are to be of a type that limit the flow rate to 9 litres/minute or less.
 2. All units/dwellings shall have showers
 3. All toilets shall be of 6/3 litre dual flush type.
 4. No in sink waste disposal units shall be installed.

A Consent Notice is required to be issued and registered on the new titles for Lots affected requiring the use of low water use devices to limit wastewater flows to Councils satisfaction. Provide an "EcoWater Water Saving Devices Inventory" form completed by a registered plumber to demonstrate that the above requirements are satisfied for completed dwelling/s. Councils Hazard Register will be advised of the above requirement.

In addition pay to Council the sum of \$25,976.99 to further mitigate wastewater flows. Note: (1) Further reductions may be possible through recycling of grey water or other innovations. (2) If in-sink waste disposal units are proposed then the sum required will rise to \$47,869.87

Or

- b) pay to Council pursuant to Section 407 of the Act the sum of \$167,259.06 (incl. of GST) to mitigate the increase in flows due to the density of the development. No mitigation works will be required by the developer or Consent Notices required.

Note: The above sums are based on 13 x 2 bedroom Units and 76 x 3 bedroom Units. If this is to change the contribution is to be amended. The calculations of the above sums are available from EcoWater.

PARKS AND GREEN ASSETS CONDITIONS

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

- (PK 1) Ensure that the reserves are left in a condition suitable for maintenance and mowing in accordance with Section 7.3.2 of the COP and to the satisfaction of the Parks Planner.
- (PK 2) Reserve landscaping and street tree planting, is to be established within the development to the satisfaction of the Parks Asset Planning Coordinator. A landscape plan prepared by a qualified Landscape Architect in accordance with Section 7.3.10 and the street tree and park planting zones as detailed in Figure 7.1 and Table 7.1 of the COP is to be submitted to the Parks Asset Planning Coordinator within 3 months of the issue of this consent for council approval.
- (PK 3) The developer is to be responsible for the maintenance of all street and reserve landscaping and street trees 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 Planner. 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.
- (PK 4) Construct the pathway, adjacent to and through the drainage reserve (Lot 91), as per the landscape plan.

Note the pathway does not need to be exposed aggregate concrete but should be the same as the other footpaths in the development and, 1.5 metres wide, in accordance with the Waitakere City Council code of practice.

- (PK 5) The supply and installation of two park bench seats in the drainage reserve (Lot 91) as per the Waitakere City Council code of practice standard details SD 7.07. The location of the seats are to be included in the landscape plan and to be approved by the Parks Planner.
- (PK 6) The supply and installation of a picnic table and seats in the drainage reserve (Lot 91) as per the Waitakere City Council code of practice standard details 7.05. The location of the table/seats are to be included in the landscape plan and to be approved by the Parks Planner.
- (PK 7) Removal of Environmentally Damaging Plants as listed in the Proposed District Plan, is to occur from all of the lots to be developed.
- (PK 8) Remove all dangerous trees from the Esplanade Reserve.
- (PK 9) Agreed costs for conditions PK 4-6 above will be credited against the reserve contribution
- (PK 10) Take note that Lot 93 (which shall be not less than 20m in width) shall vest in the Waitakere City Council as Local Purpose (Esplanade) Reserve and Lot 91 shall vest as Local Purpose (Drainage Reserve) pursuant to Section 239 of the Act and the owner shall supply Council with a Certificate of Title for the reserve. A solicitors undertaking to order and forward the certificate of title to Council will be required.

(PK 11) Provide Council with As Built drawings of project showing all services, levels, inverts, features and facilities as per following requirements:

1. 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).
 - 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 a 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.
 - All paint colours used or graffiti coatings with name of products for graffiti removal are to be scheduled on an Asset Sheet.
 - Two copies of any special operating manuals for any new systems are to be provided.
 - Completion and supply of asset data sheets for all new or modified asset components (to be provided by the client).
 - Any special maintenance requirements to be scheduled and supplied.

ROADING AND TRAFFIC CONDITIONS

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

(RD 1) The road vested to Council shall be designated as a local road.

(RD 2) The road reserve widths shall be as detailed in the application.

(RD 3) Design, form and completely construct the proposed new roads (Lots 100 and 101) in accordance to the Code of Practice for City Infrastructure and Land Development to the satisfaction of the Council. Notes:

- (1) Street tree planting shall be carried out (subject to prior approval of a plan showing the location and the species to be used) to the satisfaction of the Service Manager: Parks Green Assets.
- (2) The design shall include traffic calming devices.
- (3) The intersection geometry, street furniture and safety features will be finalised through the engineering plan approval process.
- (4) Provide indented on street parking at a minimum ratio of one parking space per three dwellings.
- (5) Footpaths shall be provided full length on both sides of the road.
- (6) Access to properties that have parking bays in front of them, will not be permitted to locate a driveway that intersects or interferes with the operation of the parking bay. A consent notice pursuant to section 221 of the Act, is required to be issued and registered on the new title for lots affected, restricting access to the lots to locations clear of the parking bays.

- (RD 4) Ensure, where practicable, that not less than a 150mm deep layer of topsoil free of deleterious material is replaced on all allotments, including the road berms to the satisfaction of the Council.
- (RD 5) Form the shared driveways, Lots 102 and 103 and construct thereon a carriageway and storm water control in accordance to the Code of Practice for City Infrastructure and Land Development and to the satisfaction of the Council.
Notes:
- (1) The construction shall include the vehicle crossing.
 - (2) Inspection of the boxing prior to concrete pouring (or the subgrade 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 driveway and the vehicle crossing complies with Council's "Code of Practice for City Infrastructure and Land Development" standard detail SD 3.15.
 - (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 Councils District Plan and the construction details are given in Councils "Code of Practice for City Infrastructure & Land Development."
 - (6) For Lot 103 Provide a carriageway width of 5.0m with a 1.5m service strip all to the satisfaction of Council.
- (RD 6) Obtain the reticulation of electric power to all Lots 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).
Note: The positioning of the street lights shall take into consideration the location of street tree planting.
- (RD 7) 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.
- (RD 8) Take note that Lots 100 and 101 shall vest in the Waitakere City Council as road pursuant to Section 238 of the Act.
- (RD 9) Provide to Council all RAMMS Data and as built of the new roads formed. 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.

LEGAL DOCUMENTATION

These conditions will be signed off by Consent Services.

- (LD1) Enter into a registerable fencing agreement with Council in regard to Lots 27-31 and 36-37 to the effect that the Council will not be liable to contribute towards 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.
- (LD2) Take note that Council being satisfied that adequate access to Lots 27, 28 and 36 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).
- (LD 3) The Consent Notice if required by Condition (EW 8) and (EW 9) above and the drainage easement if required by Conditions 1(c) and (EW 8) above, and the fencing agreement required by Condition (LD 1) above, and the undertaking to obtain Certificates of Title required by Condition (PK 10) above, and the cancellation of the existing Consent Notice in Condition (LD 5) below 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) The existing consent notice (D260182.3) registered on Lot 1 DP 186569 regarding future road construction is no longer needed and can be cancelled (at the applicants cost).

FEES, BONDS AND 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 the Council pursuant to Section 407 of the Act the sum of \$263,579.06 (Inclusive of GST at 12.5%) towards the cost of Councils Twin Streams Project to mitigate downstream flooding and allow for development. (\$84,375.00 incl. GST per ha. of development). Note: Lots 17 and 92 will attract further contribution upon development/subdivision.
- (FC 2) Pay to Council any engineering plan approval and works supervision fees as incurred which will be charged at Councils advertised schedule of fees.

- (FC 3) Pay a 2½% maintenance deposit 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 Council a street damage bond of \$3000.00 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 completed.
- (FC 5) Pay to Council the sum required for wastewater mitigation by Condition (EW12a or 12b) above.
- (FC 6) Pay to the Council a financial contribution equal to 6% (plus GST at 12½% of Quotable New Zealand's market values to be obtained for Lots 1-16 inclusive, and Lots 18-90 inclusive, as of the date of issue of this subdivision consent (or as at the date of any subsequent reapproval of subdivision consent or at intervals of not greater than three years) for reserve purposes, such contribution being reduced by the agreed value of works listed in Condition (PK 9) above.
- (FC 7) Provide evidence that Council's invoice for the cost of obtaining the valuation of the allotments from Valuation New Zealand (for calculating the reserve contribution) has been paid.

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 Council's Code of Practice for City Infrastructure and Land Development.
- (GL 3) Obtain the reticulation of telephone services to Lots 1 to 90 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.
- (GL 4) Before commencement of any works, adequate sediment and erosion measures shall be constructed and maintained in accordance with Erosion and Sediment Control Measures Appendix to the Natural Area Rules of the Waitakere City Council Proposed District Plan.

ADVICE NOTES

1. The Parks and Green Assets Department have suggested the supply and installation of bollard and chain along the road frontage of the drainage reserve should be discussed at a later stage when the development is near completion. Parks would prefer not to have bollard and chain if the natural slope and soft under foot conditions would deter vehicles from driving onto it.

Report prepared by: Hamish Anderson, Planner.

