

**MINUTES OF A MEETING OF THE HEARINGS COMMITTEE HELD IN THE CIVIC CENTRE,  
6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY, ON THURSDAY,  
11 AUGUST 2005 AND RECONVENED ON FRIDAY, 2 SEPTEMBER 2005,  
COMMENCING AT 9.30 AM.**

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**PRESENT:** Councillors DQ Battersby, JP (Chairperson)  
WW Flaunty, QSM, JP (Deputy Chairperson)  
PA Hulse  
JP Lawley  
VS Neeson, JP

Alternate Ward Representative  
Mr WS Bainbridge (Henderson Community Board)

**OBSERVERS:** Mrs EAG Grimmer, MNZM (Chairperson, Henderson Community Board)  
Mr SJ McDonald (Henderson Community Board)  
Mr LJF Nobilo, JP (Henderson Community Board)

**IN ATTENDANCE:** Group Manager: Planning & Community Services  
Manager: Parks and Open Spaces  
Parks Consent Planner  
Committee Secretary: O Schuster  
  
Chloe Trenouth, Consultant - Hill Young Cooper Limited

**1 APOLOGIES**

1597/2005  
MOVED by Cr Neeson, seconded Cr Flaunty:

That an apology from Cr Stone for absence be received and sustained.

**CARRIED**

**4 NOTIFIED APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE  
RESOURCE MANAGEMENT ACT 1991 BY DENVER HOLDINGS LTD TO  
CONSTRUCT A MEDIUM DENSITY HOUSING DEVELOPMENT AT 23 DENVER  
AVENUE, SUNNYVALE**

9.34 am Hearing Reconvened.

The Hearings Committee asked questions of the Applicant, arising from the Applicant's reply to matters raised in the submitter's evidence.

9.36 am Philip Brown (Group Manager: Planning and Community Services) responded to questions from Crs Flaunty and Hulse.

- 9.44 am MJ Maclean (Counsel for the Applicant) responded to questions from Crs Battersby and Hulse.
- 9.52am C Osborne (Planning Consultant for the Applicant) responded to a question from WS Bainbridge (Henderson Community Board).
- 9.53am MJ Maclean (Counsel for the Applicant) responded to questions from Cr Hulse.
- 9.58am Hearing closed and the Committee went into deliberations.

1598/2005

MOVED by Cr Hulse, seconded Cr Flaunty:

That pursuant to Sections 104,104B, 104D, 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 Denver Holdings Limited to construct a Medium Density Housing development consisting of 49 residential units on a site of 1.0874 hectares, involving earthworks and vegetation clearance at 23 Denver Avenue (aka 17 Rangeview Road), Sunnyvale, being Lot 2 DP331500 for the following reasons:

- (i) The location of the site is appropriate in relation to the Sunnyvale Rail Station and the proposed linkage between Denver Avenue and Rangeview Road would enable pedestrian access to public transport for residents of both the subject site and Denver Avenue;
- (ii) The site is not specifically identified as being significant or outstanding in the District Plan, and is not located on a sensitive ridge;
- (iii) The design quality of residential units, private open spaces, communal open spaces and amenities meet the requirements of the Living Environment and Medium Density Housing criteria of the District Plan;
- (iv) Landscaping would be provided throughout the development to mitigate the built form and provide for screening of retaining walls and privacy of adjacent neighbours;
- (v) Development would not detract from the existing character of the neighbourhood being adequately set back and landscaped, using similar materials and elements of design;
- (vi) The effects from earthworks and construction on the amenity of neighbours would be controlled by conditions and would be temporary in duration;
- (vii) The site would be appropriately engineered to ensure potential stability effects are mitigated and the health and safety of residents is protected;
- (viii) A body corporate would be established to managed and maintain the development to ensure ongoing amenity is provided;
- (ix) The proposal is consistent with the Assessment Criteria and Objectives and Policies of the District Plan.

Consent shall be subject to the following conditions:

1. The development shall proceed in accordance with the plans titled:
  - Site plan, scheme 17, prepared by Concept Design and dated 17 June 2005;
  - Floor plans/elevations, scheme 17, prepared by Concept Design and dated 13 July and 5 August 2005;
  - Garden Shed details, sheet No. B7, prepared by Concept Design and dated 16 Nov 2004;
  - Pedestrian Accessway, scheme 16 Rev B, prepared by Concept Design and dated 18 Nov 2004;
  - Scheme Plan, drawing 1 issue A, prepared by Davis Ogilvie & Partners Limited and dated September 2004;
  - Landscape Plan, prepared by Simon Ferrick Limited and dated 29 September 2004;
  - Road and Accessway Layout Plan, drawing 3 issue E, dated September 2003;
  - Public and Private Road Typical Cross-sections, dwg 5 issue B, prepared by Davis Ogilvie & Partners Limited and dated 3 September 2005;
  - Street Light Layout, dwg 10 issue A, prepared by Davis Ogilvie & Partners Limited and dated September 2003;
  - Water Reticulation Plan, dwg 8 issue C, prepared by Davis Ogilvie & Partners Limited and dated September 2003;
  - Wastewater Drainage Plan, dwg 7 issue C, prepared by Davis Ogilvie & Partners Limited and dated September 2003;
  - Stormwater Drainage Plan, dwg 6 issue D, prepared by Davis Ogilvie & Partners Limited and dated September 2003;
  - Earthworks Plan, dwg 1 issue F, prepared by Davis Ogilvie & Partners Ltd and dated September 2003;
  - Retaining Wall Layout Plan, dwg 9 issue B, prepared by Davis Ogilvie & Partners Limited and dated September 2003;
  - Sediment Control Plan, dwg 2 issue D, prepared by Davis Ogilvie & Partners Limited and dated September 2003;

and all referenced by Council as RMA20040122 and the information, including further information, submitted with the application.

2. A copy of this Resource Consent shall be held on site at all times that the works to which the consent relates to are being carried out. All personnel working on the site shall be made aware of, and have access to this consent and accompanying documentation.
3. All infrastructure relating to stormwater treatment and disposal, wastewater disposal, and water supply shall be designed and completed to the satisfaction of Councils Drainage Assets Engineer. (Compliance with the Waitakere City Council Code of Practice for City Infrastructure and Land Development is deemed to be in accordance with the above condition).
4. Pursuant to section 125 of the Resource Management Act 1991, this consent shall lapse after a period of 5 years after the commencement of the consent.
5. **Prior to the commencement of any works a pre start meeting shall be held with the Environmental Monitoring Officer on site.**

6. Prior to site works commencing signage shall be placed in appropriate locations (at Denver Avenue) to warn traffic about truck movements, to the satisfaction of the Environmental Monitoring Officer. A sign shall also be installed at both entrances to the site (Denver Avenue and Rangeview Road) providing the following information to residents:
- contractor name and contact details;
  - stage of site works;
  - hours of operation.

The Environmental Monitoring Officer shall be informed of the name and contact details of the single point of contact (ie. project manager) for each stage of the project.

7. The consent holder shall maintain the site in a clean and tidy order for the duration of construction, all refuse associated with the development is to be accumulated on site in an appropriately sized skips/or other receptacles located on the property and removed off site and replaced with a fresh skip or other receptacle when full.
8. Prior to building commencing on residential units and once the finished ground levels have been completed, height in relation to boundary shall be recalculated and a certificate from a suitably qualified surveyor submitted to Council's Monitoring Officer for confirmation that based on the ground levels the height in relation to boundary and the height would comply for all units.
9. No fencing shall be erected within the front yard areas of the residential units beyond the front building facade, adjacent to the public roading network or common access ways in order to provide for natural surveillance.
10. An acoustic fence shall be erected along the northern boundary of 22 Denver Avenue. The design and installation of the acoustic fence shall be to the satisfaction of the Council's Environmental Monitoring Officer. The consent holder shall consult with the owner of 22 Denver Avenue in determining the extent and design of the fence.
11. Application for a Unit Title Subdivision shall be applied for prior to occupancy of the development. A body corporate shall be formed to maintain the overall development, in particular, plantings in the road reserve, all communal areas and front yard plantings. The body corporate shall include a requirement for the establishment of a sinking fund to provide for the repair and renewal of significant collectively owned assets. Details of the body corporate agreement shall be subject to the approval of the Manager, Resource Consents.
12. Architectural details including colour palette and materials identified on approved elevation plans shall not be deviated from without application for variation to consent conditions, this is particularly important for end unit articulation.
13. Letterboxes shall be appropriately located on site in accordance with the requirements of the New Zealand Post, a letter from New Zealand Post confirming this fact shall be provided to the Environmental Monitoring Officer.
14. At the developed design stage of the pedestrian access way detailed drawings shall be provided to the satisfaction of the Parks Consents Planner, showing that every consideration has been given to ensuring that safe access is available to as many people as possible by incorporating short flights of steps with easy tread to rise proportions, cross contour paths where feasible, full length handrails, adequate lighting, and open landscaping.

### Traffic and Parking Conditions

15. Low level lighting to be provided in parking bays located in common access ways that are not adequately lit by street lighting.
16. All car parking areas shall be sealed and marked in accordance with the Code of Practice. Consideration shall be given to the introduction, where feasible, of permeable surfaces for parking bays, and vehicle driveways. Any such options shall be detailed on engineering plans, and will require the prior approval of the Service Manager: Transport Assets.
17. Different surface materials and colours shall be used in the construction of the public road, common access ways, parking bays and driveways to define private and public space.
18. A Construction Traffic Management Plan shall be submitted to Council for the approval of the Principal Traffic Engineer prior to the commencement of site works.
19. Within one year of the occupancy of the development a survey shall be undertaken of parking occurring on the street to determine whether no stopping lines shall be required to restrict parking. Details of the survey results, including the methodology, shall be submitted to the Service Manager: Transport Assets.

### Earthworks Conditions

20. Appropriate dust and debris control measures shall be implemented during earthworks to minimise short-term nuisance associated with land modification as detailed in the Earthworks Management Plan.
21. Earthworks and associated sediment and erosion controls shall meet at least the current **TP 90 standards**. Sediment and erosion control measures must be installed and accepted by the Environmental Monitoring Officer prior to works commencing. The Environmental Monitoring Officer can be contacted through the call centre.
22. A Construction Management Plan shall be submitted for the approval of the Environmental Monitoring Officer and Council's Transport Engineer, to manage traffic, and sediment and erosion controls. This Plan shall include an ongoing stabilisation plan and plan of a staged construction process and shall be kept updated on an ongoing basis.
23. A fully stabilised entrance/exit shall be constructed prior to construction commencing, and shall contain a wheel wash facility to be manned by a labourer. The stabilised entrance way must have Geotextile cloth under the Gap 65. The wheel wash will need its own decant.
24. In the event of archaeological features being uncovered (eg. shell middens, hangi or ovens, pit depressions, defensive ditches, artefactual material or human bones) work shall cease in the vicinity of the discovery and the area shall be secured. The Manager Resource Consents, the New Zealand Historic Places Trust, Auckland Regional Council Archaeologist and the appropriate \*Iwi authorities shall be contacted so that appropriate action can be taken. This includes such persons being given a reasonable time as determined by the Council to record and recover archaeological features discovered before work may recommence.

\* Advice Note: for advice as to the appropriate Iwi authorities contact the Manager: Maori Issues

25. All development works on the site including earthworks and the use of associated heavy machinery shall be undertaken between the following hours only -

<i>Monday to Friday:</i>	<i>7.00 am to 6.00 pm</i>
<i>Saturday:</i>	<i>8.00 am to 4.00 pm</i>
<i>Sunday and Public Holidays:</i>	<i>No Work</i>

All noise from such work shall not exceed the levels set out in Table 1 of clause 5.1.1 of NZS 6803P:1984 Measurements to be in accordance with the provisions of NZS 6801:1991 and NZS 6802:1991

		$L_{10}$	$L_{95}$	$L_{max}$
<i>Monday to Friday:</i>	<i>6.30 am to 7.30 am</i>	<i>60</i>	<i>45</i>	<i>70</i>
<i>Monday to Friday:</i>	<i>7.30 am to 6.00 pm</i>	<i>75</i>	<i>60</i>	<i>90</i>
<i>Monday to Friday:</i>	<i>6.00 pm to 8.00 pm</i>	<i>70</i>	<i>55</i>	<i>85</i>
<i>Saturday:</i>	<i>7.30 am to 6.00 pm</i>	<i>75</i>	<i>60</i>	<i>90</i>

26. Truck deliveries to the site during the period of earthworks operations shall be restricted to the following hours:

<i>Monday to Friday:</i>	<i>7.00 am - 6.00 pm</i>
<i>Saturday:</i>	<i>8.00 am - 4.00 pm</i>
<i>Sunday and Public Holidays:</i>	<i>No Deliveries</i>

A log book shall be kept on site, recording the dates, times, and numbers of deliveries made each day, and be made available for inspection at all times.

27. All excess or unsuitable excavated material shall be removed from the site before or immediately following the completion of earthworks, to an Auckland Regional Council approved disposal location. The approved disposal location is to be determined at the pre-start meeting. Written evidence demonstrating that the excavated fill has been deposited in the approved location, should be submitted to the Environmental Monitoring Officer in the form of producer statement, certification or similar.
28. All dirt tracked onto the surrounding roads (Denver Avenue and McKinley Avenue) as a result of the activities carried out under this consent shall be cleaned up on a daily basis via sweeping at the cost of the applicant. Road sweeping shall be undertaken at the end of each day.
29. Any stockpile of earth or vegetative material shall be located a minimum of 3 metres from the drip line of any vegetation or adjoining site.
30. All areas of exposed earth shall be top-soiled and grassed or otherwise stabilised against erosion as soon as practicable and in a progressive manner as works are complete but no later than one week following the completion of works.

### **Bulk Earthworks (Stage 1) Conditions**

31. Bulk earthworks shall be carried out within one earthworks season (October - April).
32. The fill going into the gully in 19 Denver Avenue shall be at the same finished fill level as the actual development site, so the gully is filled in a continual spread that does not create additional retaining on that boundary. Where this is not possible, a maximum fill height of 1.2 metres shall be required

### **Building Construction Earthworks (Stage 2) Conditions**

33. Erosion and sediment control plans shall be submitted for Council approval with each building consent application for each building stage.
34. Roof storm-water system connections shall be made prior to the laying of the roof or otherwise as soon as roof construction is complete to ensure storm-water is not able to discharge in a manner that causes soil erosion or sediment-laden run off. If this is not practicable a temporary connection shall be made until such time as the storm-water system can be connected. (For example nova coil can be used as a temporary down-pipe and discharged in an appropriate manner which does not cause soil erosion or silt laden run - off.)

### **Retaining Walls Conditions**

35. Retaining walls shall be built entirely within lot boundaries.
36. The external retaining walls shall be timber walers with galvanised steel universal beam posts or keystone. Both this form of retaining and keystone should be considered. Alternative materials of keystone and/or ponga facing shall be used on retaining walls within public areas.
37. The height of the external boundary retaining walls shall be no greater than 2 metres, and the maximum height of internal boundary retaining walls shall be no greater than 1.5 metres.
38. Retaining walls along the eastern boundary shall be a maximum height of 1.2 metres to reduce overflowing of the gully.
39. Subsoil drainage to be provided behind all retaining wall structures.
40. Fencing on external boundaries of subject site to be a maximum height of 1.2 metres and visually permeable.
41. Fencing on top of internal boundary retaining walls to be a maximum height of 1 metre, with a total maximum height of 2.5 metres when coupled with retaining walls. Internal fencing to be constructed of closed boards and any further screening to be provided by trellis and/or planting.
42. [Void]

### **Geotechnical Conditions**

43. The north side retaining wall shall not be dependent on the continuation of the existing wall at that boundary.
44. The method of construction of retained cuts on the boundaries shall minimise the risk of collapse of the cut face during construction by minimising the time cut faces are left unsupported and by excavating and building the walls in panels shorter than the wall length.
45. Barrier pile walls shall be built to the west and south boundaries as proposed in the geotechnical reports, designed to be stable in the event of loss of toe support.
46. Earthworks shall be carried out to the requirements of the report of Rock and Soil Consultants, ref 03379.1, October 2004.
47. The main under-drainage to the eastern gully fill shall be designed as a permanent feature requiring minimal maintenance and details submitted to the Council for approval by the Subdivisions Engineer prior to construction.

48. The earthworks shall be inspected by an experienced geotechnical engineer familiar with the report of Rock and Soil Consultants, ref 03379.1, October 2004 and Councils Environmental Monitoring Officer provided with an earthworks completion report, which shall include the as-built details of the groundwater drainage, cut areas and fill areas and depths and make recommendations on any restrictions on foundations which should be applied in design. The filling standards apply to all fill including that proposed in adjacent lots.
49. Install perforated Novaflow or similar drains along with scoria drainage material in base of all sanitary and stormwater sewer line trenches within western and southern areas of subdivision. Stormwater from these trenches shall discharge into the stormwater system at manhole risers.

### **Vegetation Conditions**

50. All vegetation clearance shall be undertaken in accordance with good silvicultural and arboricultural practices and carried out so as to cause no damage or destruction to other vegetation located on adjoining sites.
51. Where possible all cut vegetation shall be chipped / mulched on site and the resulting by-product shall be stock piled for reuse as part of the development. (In way of the erosion control processes or as part of the landscaping of the site, such as mulch layers over planted areas). All core wood not chipped / mulched shall be removed from the site.
52. Vegetation shall not be disposed of outside the Painted Apple Moth Vegetation Control Zone without the consent of Ministry of Agricultural and Forestry, for information about the Painted Apple Moth Vegetation Control Zone please contact Ministry of Agricultural and Forestry on 0800 969696.
53. On completion of the vegetation clearance but prior the start of any earthworks that are within 10m of any boundary of the works site area the resource consent holder shall carryout a survey of vegetation within adjacent sites that is located within 10m of the subject works sites boundaries. The consent holder shall engage a competent and experienced Arborist to do this. The objective of the survey is to accurately identify and record all protected vegetation and non-protected vegetation that maybe put at risk of being destabilised by the proposed works, and changes to hydrological flows and any vegetation considered of merit by the respective property owners of those sites.
54. Where the health and/or safety of protected or otherwise vegetation is considered to be at threat by the proposed earthworks then the applicant via his/her Arborist shall submit to Council a methodology statement that outlines how the identified vegetation shall be left with no more than a minor affect or alternatively (with consent of the property owner) indicate adequate mitigation (perhaps in the way of replanting) for the loss of that vegetation if retention is not considered viable.

### **Landscaping Conditions**

55. Landscape planting shall be undertaken in accordance with the approved landscaping plan and specifications, subject to the following additional requirements, to the satisfaction of the Manager Resource Consents. A detailed landscaping plan shall be submitted to the Council for approval by Councils Landscape Architect prior to lodgement of building consent.
56. Further planting shall be implemented which would result in plants spilling over the retaining walls, when planted at the top of the walls at spacings of 300mm to be the native species *Coprosma acerosa*, *C. kirkii*, and *C. prostrata* and the exotic species *Rosmarinus prostrata* or other species approved of by the Manager of Resource Consents. Plant sizes for these species to be a minimum size of PB5.

57. Planting at the base of the retaining walls to be *Pittosporum tenuifolium* cultivars, *Phormium cookianum* and *P. cookianum* cultivars, *Hebe* spp, *Coprosma robusta*, *Pseudopanax* spp, all at a spacing of 500 mm. Plant sizes for these species to be a minimum size of PB5.
58. The planting of retaining walls shall be completed within the first planting season (May to September) following completion of construction of the retaining walls. The consent holder shall consult the owners of adjoining properties regarding boundary planting in situations where planting is to occur around terraced retaining walls that adjoin external site boundaries and face adjoining properties.
59. The planting of garden areas shall be completed within the first planting season (May to September) following completion of building construction.
60. All planting shall be maintained for a minimum of two further planting seasons with any plant losses within this time being replaced and maintained for a further planting season from date of replacement.
61. All planting to have a medium Grade 3 size bark mulch to a depth of 100mm and maintained during the maintenance period.
62. Planting beds in front yards adjacent to lawn areas to have permanent hard garden edging to form a mowing edge, using either treated (H4) timber or poured concrete set at level which is flush with finished grass level.
63. Good quality screened topsoil must be reintroduced to the site for all garden and landscape areas to a minimum depth of 30cm.

#### **ECOWATER CONDITIONS (PUBLIC DRAINAGE)**

Please contact the Secretary, 836 8000 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.

64. 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. Advice Note: To avoid delays in processing of building consents, provide engineering plans to EcoWater for approval at least 10 working days prior to submitting plans for building consent.
65. Design, provide and install a complete public wastewater reticulation system to serve all Lots/Units in compliance with Councils Code of Practice for City Infrastructure and Land Development (Refer Section 5.0). Specific requirements:
  - (i) Locate all drainage lines in the shared driveway of medium density developments where possible to provide ease of access for future maintenance requirements.
  - (ii) Separate systems are to be provided from each Unit to the point of connection to the dry chamber. 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 one chamber. This is required to reduce infiltration to public drainage lines. Provide easements as appropriate.
  - (iii) A Registered Surveyor is required to certify the private drainage has been laid within the easements provided.
  - (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 applicant's contractor with engineering plan approval and under EcoWater's Quality Assurance supervision or by EcoWater Solutions maintenance contractor.

66. 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 trunk sewers or water mains. Provide Council with copies of correspondence with Watercare Services Limited when the engineering plans are submitted to Council for approval.
67. 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** mitigate the increase in wastewater flows from the site by providing the following flow reduction measures in all proposed Units:

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 covenant** is required to be issued and registered on the new titles for Units/Lots affected requiring the use of low water use devices to limit wastewater flows to Council's satisfaction. Council's Hazards and Special Features Register will be advised of the above requirement.

**In addition** pay to the Council pursuant to Section 407 of the Act the sum of \$102,135.82 (incl. GST at 12.5%) to further mitigate wastewater flows (main system improvements) necessary to serve the subdivision. Notes: (i) Further reductions may be possible through recycling of grey water or other innovations. (ii) If in-sink waste disposal units are proposed then the sum required will rise to \$114,530.12.

**Or** pay to Council the sum of \$182,120.40 (incl. of GST) towards the cost of mitigating the flow of wastewater from the site over and above that allowed for as a permitted activity without carrying out any mitigation measures. No encumbrance is required. Note: The above sums are based on 49 x three bedroom units. If this is to change the contribution is to be amended. The calculations of the above sums are available from EcoWater.

68. Design, provide and install a complete public stormwater drainage system to serve all Lots/Units in compliance with Council's Code of Practice for City Infrastructure and Land Development (Refer section 4.0). Specific requirements:
- (i) Provide a new stormwater outfall to the Waikumete Stream, and upgrade the existing public stormwater system under Rangeview Road as necessary to serve the development and any upstream catchment. Provide a connection to Lot 2 DP 134216 (19 Denver Avenue).
  - (ii) Written consent of the owners of the Railway Land has been given for construction of stormwater drainage to the Waikumete Stream. Obtain written evidence of their satisfaction with the restoration once works are completed.
  - (iii) Locate all drainage lines in the shared driveway of medium density developments where possible to provide ease of access for future maintenance requirements.
  - (iv) Separate systems are to be provided from each Lot/Unit to the point of connection to the dry chamber. To minimise the number of connections to the principal lines provide a dry chamber at the end of a connection and serve 2 Lots/Units from one chamber. This is required to reduce infiltration to public drainage lines. Provide easements as appropriate.

- (v) Provide a connection to the existing dwelling at 19 Rangeview Road.
  - (vi) A Registered Surveyor is required to certify the private drainage has been laid within the easements provided.
69. Provide a catchment analysis, define and form the 1 in 100 year overland flow path within roads wherever possible, and take note that a drainage easement in gross in favour of Council will be required to be issued and registered on the new titles to be issued for affected Lots, including the pedestrian right-of-way, but excluding any Lot vested in Council, 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 of one-half metre above the 1 in 100 year overland flow path for the floor levels of residential buildings. If necessary, a covenant pursuant to Section 108 of the Act will also be required to be issued and registered on any adjacent affected Lots requiring a minimum freeboard of one-half metre above the 1 in 100 year overland flow path for the floor levels of residential buildings. Provide in the construction of the pedestrian access way for materials that will not erode or damage the pathway when the overland flow path is operating. Provide an As Built plan of the overland flow path showing a long section and cross section for inclusion in Council's Hazards and Special Features Register.
70. Provide stormwater quality treatment to the site in accordance with the Auckland Regional Council's TP10 '*Stormwater Management Devices Design Guideline Manual*', and Waitakere City Council Code of Practice for City Infrastructure and Land Development (refer Section 4). A covenant is to be issued and registered on the title stating that the stormwater treatment system is privately owned and is the full responsibility of the all owners in this development to maintain in proper working order to meet the requirements of the consents issued to the satisfaction of Council.
- (i) Provide engineering plans and calculations to EcoWater for approval prior to commencing works.
  - (ii) Provide a surveyed as-built plan of the device showing all lid and invert levels, permanent water level, and contours at 200mm intervals below water level.
  - (iii) Provide a maintenance manual for the treatment device, including a copy of the relevant section of the body corporate rules requiring maintenance of the privately owned stormwater treatment device.
  - (iv) Note: Council's Hazards and Special Features Register will be advised of the above requirements.
71. Design provide and install a complete public water supply reticulation system and fire fighting services to serve all Lots/Units in compliance with Council's Code of Practice for City Infrastructure and Land Development (Refer section 6). Specific requirements:
- (i) Provide and install a private water service pipe to the boundary of each Lot as specified in Waitakere City Council COP Section 6.3.12 Case 1.
  - (ii) Pay to the Council the cost of supervising the shut down of Council's water supply mains. This service includes Council providing written advice to all affected property owners/tenants.
  - (iii) 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).
  - (iv) Provide and install a fire hydrant within 135 metres of the farthest point of fire risk and within 65m of the end of a cul-de-sac. Note: The hydrant is to be on a direct traffic route to the property. The distance specified above may not be measured as a radius.

- (v) Where the required public system is on private property, easements over the course of such system in favour of Council will be necessary.
  - (vi) Locate all water connections at the same position as the power and telephone connection to each Lot not in the centre of the Lot.
  - (vii) The provisions of section 6.3.3.6 for servicing medium density developments are to apply. All Lots/Units are to be individually metered at the road reserve boundary. Provide manifolds with banks of meters located within the public road reserve, then private lines thereafter to each Unit. Ducting of private service lines is recommended.
72. Where any drainage is to be laid through bush areas or near specimen trees (works within the drip line of vegetation protected by rules of the District Plan) the applicant shall seek a resource consent from Council for this work. Prior to seeking engineering approval for public drainage, or a minor plumbing and drainage consent for private drainage works, provide confirmation that a resource consent has been granted or that one is not required. For information please contact the Council Duty Planner on 839 0400 or talk to the Duty Planner at the customer services desk, Civic Offices, Waipareira Avenue, Henderson. Advice Note: Drainage may be required to be thrust through bush areas.
73. Provide in the design of services for the reticulation of the upstream catchment and install such reticulation to the boundary of the upstream properties.
74. Where drainage work is required to be carried out on land outside the subdivision, obtain the written consent of the owner(s) of that land prior to the approval of the drainage plans. After construction and prior to Section 224 release, obtain the written acknowledgement of the owner(s) that the property has been satisfactorily reinstated.
75. Provide an As-Built drainage plan prepared by a registered surveyor and cctv video inspection of the new public drainage, in accordance with Waitakere City Council COP. Include manufacturer, lid and invert levels in terms of Land Information New Zealand datum, and two boundary offsets to each dry chamber.

#### **Fees**

76. Pay any EcoWater engineering, works supervision, and administrative fees as incurred. These fees will be charged at Councils advertised schedule of fees.
77. Pay to the Council a financial contribution equal to the value of 20m<sup>2</sup> land of Quotable New Zealand's market values, to be obtained for Units 3-49 as of the date of issue of this consent (or as at the date of any subsequent re-approval of consent or at intervals of not greater than three years) for reserve purposes.
78. To ensure the performance of Conditions 55-60 the consent holder shall pay a performance bond of \$100,000 to the Council. The bond shall be a registered bond against the title pursuant to s108 and 109 of the Resource Management Act 1991.
- a. The bond shall be paid at the time of issue of building consent to the satisfaction of the Council Solicitor. The consent holder shall meet any costs associated with the preparation of the bond document.
  - b. The full amount of the bond shall be held, until in the opinion of the Manager, Resource Consents, conditions 55-60 have been satisfied.

The bond document shall be prepared by the consent holder at their expense and submitted to the Manager, Resource Consents for approval. The consent holder shall meet any costs incurred by Council in preparing, checking, assessing and releasing the bond, prior to repayment of the bond.

79. A consent compliance monitoring fee of \$8000.00 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 reinspection shall be required at the relevant hourly rate for the Council Officer applicable at the time the reinspection is carried out.

The \$8000.00 fee shall be paid as part of the resource consent and the resource consent holder shall be advised of the actual costs of monitoring undertaken. Upon compliance with all consent conditions any excess monitoring fees shall be reimbursed to the resource consent holder. The resource consent holder shall be advised of any further monitoring fees if they are required, and shall be charged at the current advertised fees charged for monitoring.

#### Advice Notes

1. A building consent shall be sought for such of the retaining walls integral with the earthworks reshaping the site as are within the scope of the Building Act.
2. To avoid delays in processing of building consents, provide engineering plans to EcoWater for approval at least 10 working days prior to submitting plans for building consent.
3. It is the applicant's responsibility to, if applicable, obtain from the Auckland Regional Council a discharge permit, and all other consents, on terms acceptable to the Council, pay all costs attributable to such application and comply with any conditions imposed by the Council. Provide copies of subdivision consent conditions and hydraulic or geotechnical reports to the Regional Council.
4. EcoWater policy requires any public stormwater line connections to be constructed by EcoWater Solutions maintenance contractor. Stormwater manholes or manhole connections may be constructed by the applicant's contractor with engineering plan approval and under EcoWaters Quality Assurance supervision or by EcoWater Solutions maintenance contractor.
5. Contact EcoWater's Subdivisions Assistant (phone 836 8000 extension 8248) to arrange a pre-start meeting. Plans are required to be submitted and Engineering Approval obtained before requesting a pre-start meeting.
6. The vast numbers of ponga have a value and some thought should be given to reusing these back on the site. These can be either transplanted and this is simply done by under cutting with a spade one side of the ponga root plate and physically pushing it over, whilst trying to retain some of its basal flare. The fronds are then removed back to within 150mm of the stem and the stem with a little basal flare is either taken to it new site and laid horizontally on the ground and a suitable mulch raked over it (but not completely burying it) or it is stored in an appropriate temporary storage area that is dampened (and kept this way) and shaded until ready for reuse.
7. The reuse of the ponga stems may involve them used to face timber retaining walls (fastened to the boards between posts) or to provide more conducive planting environs on steeper slopes (laid horizontal along the contours and pinned to the ground, with new plants planted behind), or to help stabilise mulch on such steeper slopes that have been planted. This is recommended.
8. Planting on sites adjacent to the western boundary proposed as mitigation of retaining wall structures shall be determined in consultation with the relevant landowner.

9. Development contributions would be payable at the uplift of building consent or s224 subsequent unit title subdivision. A preliminary calculation based on 49 units (1 household equivalent credit would be given for the vacant site) would be \$357,198.24 (excluding GST) Note the final amount payable is calculated at the date of payment.
10. Henderson Community Board to consider replacement of existing street planting in Denver Avenue.

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B. That Subdivision Consent Application Plan No [SPW22304 \(RMA20042426\)](#) being a [Limited Discretionary](#) activity and being a [3 Lot Subdivision](#) of [Lot 2 DP 331500](#) comprised in [CT 129480](#) situated at [17 Rangeview Road, Henderson](#) by [Denver Holdings Limited](#) be granted subdivision consent pursuant to Sections 93, 94, 94D, 104, 104B, 108 and 220 of the Resource Management Act 1991 and be approved pursuant to [Section 348 of the Local Government Act 1974](#), and that:-

**1: SECTION 223 REQUIREMENTS**

A survey plan of the subdivision will be approved pursuant to Section 223 of the Act within 3 years provided that the survey plan signing fee has been paid and that the following conditions have been complied with to the satisfaction of Council.

- (a) Lot 3 shall vest in the Waitakere City Council as public road pursuant to Section 238. The road to vest is to be known as Denver Avenue, include such name on the survey plan.
- (b) Lot 2 shall vest in the Waitakere City Council as Local Purpose (Access way) 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.
- (c) Provide right of way (pedestrian) easements (to protect public pedestrian access over Lot 1) 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."
- (d) As required by Condition (EW 5) below, define the 1 in 100 year overland flow 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." **Notes:**
  - i. The easement document will be prepared by Council's Solicitor at the applicant's cost.
  - ii. Prior to submitting the survey plan for Section 223 certification, obtain EcoWater's approval to the drainage easement.

Advice note: 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.

Advice note: street numbers for the lots on the survey plan will be allocated by Council subsequent to Section 223 approval, and these numbers must be used for future applications for building consent. A copy of the survey plan with the Council allocated numbers will be provided.

## **2: SECTION 224C REQUIREMENTS**

Prior to the release by the Council of the Section 224(c) compliance certificate for this subdivision the applicant shall comply with the following conditions to the satisfaction of Council:

Note: The application requesting the 224 release shall be in writing, shall include the advertised processing fee, shall address how each of the following conditions have been satisfied, and shall be accompanied with Compliance Certificates from each of Council section(s) named below.

### **ECOWATER CONDITIONS (PUBLIC DRAINAGE)**

*Please contact the Secretary, 836 8000 ext 8248 EcoWater, Development Services to arrange a pre-start meeting with EcoWater's Quality Assurance Inspector. Plans are required to be submitted and Engineering Approval obtained before work commences.*

- (EW 1) Before the commencement of any work, obtain the approval of Council of engineering plans and specifications prepared in accordance with Council's "Code of Practice for City Infrastructure and Land Development" detailing the nature and extent of any proposed work. Advice Note: To avoid delays in processing of building consents, provide engineering plans to EcoWater for approval at least 10 working days prior to submitting plans for building consent.
- (EW 2) Design, provide and install a complete public wastewater reticulation system to serve Lot 1 in compliance with Council's Code of Practice for City Infrastructure and Land Development (Refer Section 5.0).

Advice Note: any future unit title subdivision will have the following specific requirements:

- (i) Locate all drainage lines in the shared driveway of medium density developments where possible to provide ease of access for future maintenance requirements.
  - (ii) Separate systems are to be provided from each Unit to the point of connection to the dry chamber. 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 one chamber. This is required to reduce infiltration to public drainage lines. Provide easements as appropriate.
  - (iii) A Registered Surveyor is required to certify the private drainage has been laid within the easements provided.
  - (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 applicant's contractor with engineering plan approval and under EcoWater's Quality Assurance supervision or by EcoWater Solutions maintenance contractor.
- (EW 3) 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 trunk sewers or water mains. Provide Council with copies of correspondence with Watercare Services Limited when the engineering plans are submitted to Council for approval.

- (EW 4) Design, provide and install a complete public stormwater drainage system to serve all Lots/Units in compliance with Council's Code of Practice for City Infrastructure and Land Development (Refer section 4.0). Specific requirements:
- (i) Provide a new stormwater outfall to the Waikumete Stream, and upgrade the existing public stormwater system under Rangeview Road as necessary to serve the development and any upstream catchment. Provide a connection to Lot 2 DP 134216 (19 Denver Avenue).
  - (ii) Written consent of the owners of the Railway Land has been given for construction of stormwater drainage to the Waikumete Stream. Obtain written evidence of their satisfaction with the restoration once works are completed.
  - (iii) Provide a connection to the existing dwelling at 19 Rangeview Road.
  - (iv) Advice Note: EcoWater policy requires any public stormwater line connections to be constructed by EcoWater Solutions maintenance contractor. Stormwater manholes or manhole connections may be constructed by the applicant's contractor with engineering plan approval and under EcoWaters Quality Assurance supervision or by EcoWater Solutions maintenance contractor.
- (EW 5) Provide a catchment analysis, define and form the 1 in 100 year overland flow path within roads wherever possible, where they are not within the road 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 affected Lots, including the pedestrian right-of-way, 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 of one-half metre above the 1 in 100 year overland flow path for the floor levels of residential buildings. If necessary, a consent notice pursuant to Section 221 of the Act will also be required to be issued and registered on any adjacent affected Lot requiring a minimum freeboard of one-half metre above the 1 in 100 year overland flow path for the floor levels of residential buildings. Provide in the construction of the pedestrian access way for materials that will not erode or damage the pathway when the overland flow path is operating. Provide an As Built plan of the overland flow path showing a long section and cross section for inclusion in Council's Hazards and Special Features Register.
- (EW 6) Design, provide and install a complete public water supply reticulation system and fire fighting services to serve Lot 1 in compliance with Council's Code of Practice for City Infrastructure and Land Development (Refer section 6). Specific requirements:
- (viii) Provide and install a private water service pipe to the boundary of each Lot as specified in Waitakere City Council COP Section 6.3.12 Case 1.
  - (ix) Pay to the Council the cost of supervising the shut down of Council's water supply mains. This service includes Council providing written advice to all affected property owners/tenants.
  - (x) 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).

Advice Note: Provide and install a fire hydrant within 135 metres of the farthest point of fire risk and within 65m of the end of a cul-de-sac. Note: The hydrant is to be on a direct traffic route to the property. The distance specified above may not be measured as a radius.

Advice Note: Where the required public system is on private property, easements over the course of such system in favour of Council will be necessary.

- (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.
- (EW 8) Where drainage work is required to be carried out on land outside the subdivision, obtain the written consent of the owner(s) of that land prior to the approval of the drainage plans. After construction and prior to Section 224 release, obtain the written acknowledgement of the owner(s) that the property has been satisfactorily reinstated.
- (EW 9) Contact EcoWater's Subdivisions Assistant (phone 836 8000 extension 8248) to arrange a pre-start meeting. Plans are required to be submitted and Engineering Approval obtained before requesting a pre-start meeting.
- (EW 10) Provide an As-Built drainage plan prepared by a registered surveyor and cctv video inspection of the new public drainage, in accordance with Waitakere City Council COP. Include manufacturer, lid and invert levels in terms of Land Information New Zealand datum, and two boundary offsets to each dry chamber.
- (EW 11) Advice Note: Public drainage - prior to applying for a drainage test, as-builts and cctv video must be lodged with EcoWater. Prior to applying for the 224c certificate, ensure that the drainage test / field check has been applied for.

#### **TRANSPORT ASSETS CONDITIONS**

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

- (TA 1) Before the commencement of any work, pay the Works Supervision Fee for Transport Assets component of \$1250 (inclusive of GST @ 12½%). Additional work supervision fee may be required over and above the deposit fee paid by the applicant.
- (TA 2) The road vested to Council shall be designated as a local road.
- (TA 3) Provide to Council prior to the release of the 224 Certificate, all RAMM data and as built plans of the new roads formed (electronic and compatible with Waitakere City Council GIS system). This will be inclusive of kerb lines, cesspits, street lighting, footpaths, parking bays, Intersection control devices, traffic calming devices, signs, street furniture, landscaping, vehicle crossings, pedestrian access ways and property boundaries.
- (TA 4) Design, form and completely construct the proposed new roads (Lot 3) and the pedestrian access way (Lot 2) in accordance to the Code of Practice for City Infrastructure and Land Development to the satisfaction of the Council. Notes:
  - (1) The intersection geometry, street furniture and safety features will be finalised through the engineering plan approval process.
  - (2) Provide indented on street parking as shown in the site plan submitted with the consent application.
  - (3) Footpaths shall be provided full length on both sides of the road.

## PARKS CONDITIONS

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

- (PK 1) All street trees shall be planted in accordance with the Waitakere City Council parks guidelines. Street trees shall be planted following the completion of building works.
- (PK 2) The applicant shall 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 Consent Planner. A bond, based on \$7 per sq metre per annum for gardens/shrubbery, and \$75 per tree per annum, will be required to ensure the satisfaction of this condition. The applicant shall advise the Parks Consent Planner of a maintenance schedule and the name of the qualified person/company responsible for the planting maintenance.
- (PK 3) In accordance with section 108(2)(b) a bond shall be required prior to the release by Parks of the Section 224(c) compliance certificate for any uncompleted works or maintenance required to ensure the performance of parks conditions. The liability of the holder of the resource consent shall not be limited to the amount of the bond. The amount of the bond may be varied or cancelled or renewed at any time by agreement between the holder and the consent authority.
- (PK 4) The Local Purpose (Access way) Reserve shall be constructed to Parks satisfaction. The pedestrian access way shall be a 2 metre wide exposed aggregate concrete footpath / stairway with all steps constructed above ground to the specifications in the Amended Pedestrian Access to Rangeview Road Long-section dated 29-08-05 prepared by Parks Planning. The stairway shall be staggered so that the 2m wide access way zig zags up the hill to prevent water scouring out the amenity planting. The access way shall be bounded by 1.8m high visually permeable security fencing. The stairway shall also have a galvanised steel handrail installed along the middle of each section of the stairway. The pedestrian access way shall also have lighting installed as per the Street Light Layout Plan. The landscaping of the access way shall be *Phorium cookianum* (mountain flax) at 0.5m spacing planted into thick weed mat.
- (PK 5) At the developed design stage of the pedestrian access way detailed drawings shall be provided to the satisfaction of the Parks Consents Planner, showing that every consideration has been given to ensuring that safe access is available to as many people as possible by incorporating short flights of steps with easy tread to rise proportions, cross contour paths where feasible, full length handrails, adequate lighting, and open landscaping.
- (PK 6) The consent holder shall maintain the landscaping along the access way for a period of 2 years following construction.
- (PK 7) Provide public access easement over Lot 1 to provide a link between Lot 2 to Lot 3 for the purposes of public pedestrian access.
- (PK 8) Ensure that the reserves are left in a condition suitable for maintenance and mowing in accordance with Section 7.2 of the Waitakere City Council Code of Practice and to the satisfaction of the Parks Consent Planner.

- (PK 9) Provide Council with As Built drawings of the project showing all services, levels, inverts, features and facilities as per the following requirements:
- c. A scaled tracing of the construction plan is to be updated showing all finished asset locations and types.
  - d. All underground services are to be shown on the plan with sizes, types, depth to invert and invert levels based on site datum on plan and new assets scheduled on an Asset Sheet (Client to provide format of Asset Sheet).
  - e. A new scaled As Built survey plan of all irrigation systems and sand slit drainage systems showing all connections, chambers, fixtures, items and assets scheduled on an Asset Sheet.
  - f. Any planted areas to be shown to scale on the copy of the construction plan with areas sq. metres of planting, numbers of plants and type and assets schedule on Asset Sheet.
  - g. All products, fixtures, items and fittings with type, colour, model, manufacturer name and contact telephone number are to be scheduled on an Asset Sheet.
  - h. All paint colours used or graffiti coatings with name of products for graffiti removal are to be scheduled on an Asset Sheet.
  - i. Two copies of any special operating manuals for any new systems are to be provided.
  - j. Completion and supply of asset data sheets for all new or modified asset components (to be provided by the client).
  - k. Any special maintenance requirements to be scheduled and supplied.

#### **GEOTECHNICAL CONDITIONS**

- (GT 1) Provide to Council an earthworks completion report prepared by a Registered Engineer experienced in Geomechanics, which will include details of the final depth of topsoil on all allotments and that works have been undertaken in accordance with the geotechnical report. Any restrictions arising from the report may be included in a consent notice pursuant to Section 221 of the Act.
- (GT 2) Retaining walls shall be built entirely within lot boundaries.
- (GT 3) The north side retaining wall shall not be dependent on the continuation of the existing wall at that boundary.
- (GT 4) The method of construction of retained cuts on the boundaries shall minimise the risk of collapse of the cut face during construction by minimising the time cut faces are left unsupported and by excavating and building the walls in panels shorter than the wall length.
- (GT 5) Barrier pile walls shall be built to the west and south boundaries as proposed in the geotechnical reports, designed to be stable in the event of loss of toe support.
- (GT 6) Earthworks shall be carried out to the requirements of the report of Rock and Soil Consultants, ref 03379.1, October 2004.
- (GT 7) The main under-drainage to the eastern gully fill shall be designed as a permanent feature requiring minimal maintenance and details submitted to the Council for approval by the Subdivisions Engineer prior to construction.

- (GT 8) The earthworks shall be inspected by an experienced geotechnical engineer familiar with the report of Rock and Soil Consultants, ref 03379.1, October 2004 and Councils Environmental Monitoring Officer provided with an earthworks completion report, which shall include the as-built details of the groundwater drainage, cut areas and fill areas and depths and make recommendations on any restrictions on foundations which should be applied in design. The filling standards apply to all fill including that proposed in adjacent lots.
- (GT 9) Install perforated Novaflo or similar drains along with scoria drainage material in base of all sanitary and stormwater sewer line trenches within western and southern areas of subdivision. Stormwater from these trenches shall discharge into the stormwater system at manhole risers.

#### **LEGAL DOCUMENTATION**

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

- (LD 1) The Consent Notices required by Conditions (EW 5) and (GT 1) above and the drainage easement in gross if required by Condition (EW 5) above will be prepared by the City Solicitor at the applicants cost when the following information has been received:
- (i) All necessary technical information;
  - (ii) The Land Transfer plan number allocated by Land Information New Zealand, and
  - (iii) The name and address of the solicitor acting for the owner.
- (LD 2) 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 3) Road reserve to be dedicated as legal road.

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

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

- (FC 1) Pay to Council any engineering, works supervision, monitoring, 224(c) processing and administrative fees as incurred which will be charged at Councils advertised schedule of fees.
- (FC 2) Pay to Council a street damage bond of \$5000 prior to the commencement of work. This bond shall be refunded in full after inspection by Councils Construction Supervisor confirms no damage to Council's roading assets has occurred. The inspection is to take place once all work is complete.

- (FC 3) Pay a 2½% maintenance deposit (minimum \$500.00) on the value of works being taken over by Council which is refundable upon final acceptance of the works at the end of the maintenance period.
- (FC 4) In accordance with section 108(2)(b) a bond shall be required prior to the release by Parks of the Section 224(c) compliance certificate for any uncompleted works or maintenance required to ensure the performance of conditions (PK 2). The liability of the holder of the resource consent shall not be limited to the amount of the bond. The amount of the bond may be varied or cancelled or renewed at any time by agreement between the holder and the consent authority.
- (FC 5) In accordance with section 108(2)(b) a bond shall be required prior to the release by Parks of the Section 224(c) compliance certificate for any works or maintenance required for the pedestrian access way in the event that further drainage works, construction or landscaping is required to ensure the asset is transferred to the satisfaction of Parks. The liability of the holder of the resource consent shall not be limited to the amount of the bond. The amount of the bond may be varied or cancelled or renewed at any time by agreement between the holder and the consent authority.

#### **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 developer(s) representative fulfilling engineering responsibilities as detailed in section 1.4.1 of Councils Code of Practice for City Infrastructure and Land Development.

A résumé stating the qualifications and experience of the nominated representative may be required at the Council's discretion.

Note: Waitakere City Council COP requires the developer to appoint a suitably qualified and experienced person for any projects that involve development works for which standards are specified in the COP. On larger projects (those with public roading) a Registered Engineer or Registered Surveyor will be deemed to meet these criteria. The developer's representative shall have insurance liability and indemnity cover as appropriate, and be responsible for the following:

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

**CARRIED**

10.46 am

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

CONFIRMED AT A MEETING OF THE HEARINGS  
COMMITTEE HELD ON

**DATE:**.....

**CHAIRPERSON:**.....