

Decision on an application for resource consents under the Resource Management Act 1991



Decision on a restricted discretionary activity land use consent (s9)

Application numbers:

BUN60377149 (Council Reference)

LUC60377250 (s9 land use consent)

Applicant:

Baoman Liu

Site address:

10 Tawera Road, Greenlane, 1051

Legal description:

Part Lot 34 Deposited Plan 3317

Proposal:

To establish nine three storey terraced dwellings, a five-storey apartment building containing eight units, associated site works, notable tree works, and stormwater discharge.

Resource consent is required for the following reasons:

Land use consents (s9) – LUC60377250

Auckland Unitary Plan (Operative in part)

Residential - Terrace Housing and Apartment Buildings Zone

- To construct and use seventeen (17) dwellings is a restricted discretionary activity under rule H6.4.1(A3), subject to compliance with the relevant standards:
 - (1) Standard H6.6.5 Building Height (Complies)
 - (2) Standard H6.6.6 Height in Relation to Boundary (HIRB) (Use of AHIRB)
 - (3) Standard H6.6.7 Alternative Height in Relation to Boundary (AHIRB) (Complies)
 - (4) Standard H6.6.8 Height in Relation to Boundary adjoining Lower Density Zones (Complies)
 - (5) Standard H6.6.9 Yards (Complies)
- New buildings which do not comply with H6.6.6 HIRB but comply with H6.6.7 AHIRB is a restricted discretionary activity under rule H6.4.1(A34). The proposal complies with AHIRB.
- To develop new buildings, as the development of new buildings has the same activity status as the land use activity, is a restricted discretionary activity under rule H6.4.1(A35).

Non-core standards

The proposal for 17 dwellings does not comply with the following non-core standards that are not specified under rule H6.4.1(A3) which will be assessed in this report in terms of the extent to which or whether the proposal achieves the purposes outlined in the standards or what alternatives are provided that result in the same or better outcome. While these non-compliances do not generate any additional reasons for consent, and rule H6.4.1(1)(a)

effectively precludes consideration of infringements to these “other” standards in the s95A and s95B assessment, compliance with these standards is nevertheless relevant to the overall consideration of the application under s104, as per the matters of discretion listed in rule H6.8.1(2):

- H6.6.11 Building Coverage - The total building coverage of 909m² (51.5%) exceeds the maximum coverage of 882.5m² (50%) threshold by 26.5m² (1.5%)
- H6.6.12 Landscaped area – The total landscaped area of 423.32m² (24%) falls short of the minimum requirement of 529.5m² (30%) by 104.5m² (5.9%)
- H6.6.13 Outlook Space:
 - The area of outlook space associated with the principal living area of Terrace 9 on the first floor will not comply with the required 6m depth by a maximum of 0.6m (5.4m depth proposed).
 - The outlook space from the principal living areas from A10-2, A10-4, A10-6, and A10-7 are internally obstructed by walls for a depth ranging between 0.42-0.73m.
- H6.6.15 Outdoor Living Space:
 - Terrace 1-8 are provided with 21m² of outdoor living space in the form of ground floor and balconies, however:
 - Southeast facing secondary ground floor outdoor spaces (8m²) are 1.5m-1.702m in depth, where a minimum 4m dimension is required.
 - All ground floor outdoor living areas are located south of a building and do not comply with H6.6.15(13).
 - Terrace 9 is provided with 32.5m² of outdoor living space in the form of ground floor and balconies, however:
 - The northwest facing balcony (8.5m²) on the first floor is 1.5m in depth, where a minimum 1.8m dimension is required.
 - Southeast facing ground floor outdoor space (24m²) is 2.93m in depth, where a minimum 4m dimension is required.
 - Ground floor outdoor living area is located south of a building and does not comply with H6.6.15(13).
- H6.6.16 Front, side and rear fences and walls: The fencing along the southeast boundary does not comply with the 2m maximum height. A 0.5-0.75m fill keystone retaining wall is proposed with a 1.8m fence atop, resulting in a combined height ranging between 1.8m-2.55m.

Notable Trees Overlay

- The proposal involves works within the protected root zone of Notable Tree ID#325, Puriri Tree. Work within the protected root zone ‘not otherwise provided for’ are a restricted discretionary activity under rule D13.4.1(A9).

Land Disturbance – District

- To undertake earthworks across a total area of 1,789m² and a total volume of 361m³ as a restricted discretionary activity under rules E12.4.1(A5) and E12.4.1(A8) for earthworks greater than 1,000m² and up to 2500m² and greater than 250m³ and up to 1000m³ in a residential zone.

Transport

- The proposal involves accessory access and parking that does not meet the following access standards and is a restricted discretionary activity under rule E27.4.1(A2):
 - E27.6.4.3 Width of vehicle access and queuing requirements: the proposed vehicle crossing is one-way and 3.5m in width, where a 5.5m two-way width is required. The vehicle crossing falls short of the minimum two-way vehicle movement of 5.5m by 2m for the first 10m of the site (where 3.5m is afforded). Then for a length of 16.1m the vehicle access is formed to 4.932m, falling short of the minimum requirement by 0.568m. Then for the remainder of the site, the vehicle crossing is formed to 6.748m achieving the minimum 5.5m requirement.

Regional Consent - Stormwater Discharge and Diversion

- The proposal involves stormwater discharge to on-site soakage. Diversion and discharge of stormwater runoff from impervious areas greater than 1,000m² and up to 5,000m² within an urban area, that complies with standard E8.6.1 and E8.6.3.1 is a controlled activity under rule E8.4.1(A9).

Decision

I have read the application, supporting documents, and the report and recommendations on the application for resource consent. I am satisfied that I have adequate information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on the application.

Acting under delegated authority, under sections 104, 104C and Part 2 of the RMA, the resource consent/s is/are GRANTED

Reasons

The reasons for this decision are:

1. In accordance with an assessment under ss104(1)(a) and (ab) of the RMA, the actual and potential effects from the proposal will be acceptable as:
 - a. The adverse effects on the residential neighbourhood urban built character and amenity are considered to be acceptable as the scale and intensity of the proposal is consistent with the form development anticipated within the Residential – Terrace Housing and Apartment Building (THAB) zone. Buildings are located along the southern edge of the site, with shared space pedestrian and vehicle access along a driveway located to the northern edge of the site. The proposed apartment building will address the street, while the terraced houses are behind it, largely screened from the street by the apartment building. The bulk, form and massing has been reduced through a strong and varied roofline, diversification of materials which promote vertical lines along the extent of the elevations, modulation and articulation in façade treatment through use of louvres and balustrades to create visual interest. Within the context of the zone provisions, it has been determined that the potential adverse effects on neighbourhood urban built character and visual amenity are less than minor as those elements described above reduce any

potential adverse effects associated with building intensity, scale, location, form and appearance.

- b. The proposed redevelopment of the site is considered to be consistent with the current neighbourhood character and residential amenity, in that it provides more intensive land use outcome consistent with examples of other infill residential developments that have been completed in the surrounding neighbourhood. Whilst the proposed development is not necessarily reflective of the current predominant form of housing in the area (which still remains to be detached or semi-attached 2-3 storeys in height), it is evident that the appearance of the Greenlane neighbourhood is changing and will continue to evolve over time in line with the THAB outcomes. Recent residential developments constructed in the neighbourhood, containing three-storey dwellings, namely at 12 and 13 Tawera Road, all of which are located within proximity to the subject site. They consist of three level terrace units and detached dwellings, within the Terraced Housing and Apartment Building zone. Until the wider neighbourhood has completely undergone this intensification transition, new developments (such as the 17 dwellings currently proposed by the applicant) which apply the THAB provisions may remain to be a minority of their surrounds, however this does not mean that they cannot be compatible. By undertaking a thoughtful design that remains domestic in character, and is sympathetic to the established environment, the resultant built form can minimise effects on existing properties during this transitional period. The site layout and design of buildings has been carefully reached in response to a thorough and detailed analysis of the characteristics of the site and its relationship to the wider environment. As a result, the proposal is compatible with its existing surrounding environment, the planned urban built character is demonstrated, the attractiveness of the streetscape is retained. Therefore, the effects on the character and amenity of the surrounding environment are considered acceptable.
- c. In respect to the effects associated with the intensity of the proposal, it is noted that it is relevant to both its built form, as well as the effects of building intensity on neighbourhood character and residential amenity. In the THAB zone, there is no permitted activity for residential activity, however there are core standards to be complied with for dwellings, and on that basis the relevant development control standards are complied with. Each of the proposed dwellings is modest in size, and contains 2-5 bedrooms, an open plan living area and upper floor outdoor living space. Each dwelling is designed to accommodate an average sized family, and based on the Auckland average of three people per household (statistics from the 2018 Census), we expect the planned development will result in around 51 people on the site overall, from 17 households. Whilst the increased intensity of residential activities on the site will be appreciated by the occupiers of the surrounding area, the design, size and layout of the buildings is such that a sense of space, separation and privacy between the proposed dwellings and adjacent properties will be provided. The buildings are punctuated along the site by their semi-detached nature (three blocks containing two terraced blocks and one apartment building), and consolidation of outlook from habitable spaces or outdoor living spaces is considered to be appropriately managed within the site boundaries. The proposal has ensured that the 6m outlook from a principal habitable space is afforded from all dwellings, and is equally dispersed along the entire length of the site. The proposal will result in no particular intensification of outlook into any particular area of the neighbouring sites (where there is an infringement, it is at ground floor and appropriately screened by perimeter fencing). Building intensity

effects have therefore been appropriately considered, and determined not to create adverse intensity and residential amenity effects persons on the surrounding or immediate environment owing to the combination of building setback, building separation and mitigation measures. On this basis, the building intensity effects resulting from 17 additional dwellings are considered acceptable.

- d. The building is located approximately 10m from the street front therefore there is a significant landscaped courtyard (approximately 9.75m x 16.7m) surrounding the heritage notable Puriri tree. This area will screen the ground floor of the building so that a softer planted interface provides for improved visual and green amenity while sustaining and supporting the protected Puriri Tree within the front yard of the site. The space will also be utilised as a communal area for the residents and contains low 1.2m aluminium permeable fencing to ensure security is maintained for residents while passive surveillance and an interface to the public front is achieved. Planting is used to good effect in front of the building with Star Jasmine climbers, Cherry Trees and Magnolia hedging to assist with screening the apartment ground floor and establishing planted amenity within this front yard space. This provides a planted amenity and a planted setting for the apartment building when viewed from the street. Proposed planting offsets the otherwise inactive ground floor due to garage carparking. Overall, it is considered that the front yard landscaped area is optimised to achieve an attractive street front.
- e. The 'Alternative Height in Relation to Boundary' has been utilised appropriately, particularly to the street front, where the units provide for direct pedestrian access points, habitable rooms and outdoor living areas which contribute to passive surveillance and street activation, and no parking or garage doors which dominant the streetscape. Front yard landscaping as described above has been optimised which in turn aids in breaking up the appearance of the blocks/buildings, and permeable fencing which enhances visibility while delineating between public vs private fronts. The general architectural aesthetic of the apartment building street facing is consistent and provides visual interest for the wider and immediate environments and does not appear as an incongruous feature. In regard to the immediate sites, and in particular to the southern boundary, the terraced dwellings and apartment building have been appropriately designed to reduce any adverse effects associated with overlooking/privacy and visual dominance.
- f. While anticipating and providing for a high-density residential environment, the provisions of the Residential: Terrace Housing and Apartment Zone also seek to ensure that such development is designed to meet the day to day needs of residents. In particular providing privacy, outlook and access to daylight and sunlight. The proposal is considered to generally deliver on these outcomes with acceptable effects, specifically it is noted that:
 - The proposal presents different bedroom typologies (one-five bedrooms) which include a range of layouts and room sizes for various household compositions, all of which achieve a dual aspect. This is detailed further below:
 - There are two apartments per floor, as a result, there is at least a double aspect achieved for all apartments. Most apartments are two-bedroom in size (typical footprint is 6.5m wide and 13.1m deep), however the top floor accommodates two one-bedroom apartments within a smaller footprint. All habitable rooms have access to natural daylight, achieve the outlook space requirements and outdoor

living via balconies facing north and access to the ground floor communal courtyard.

- Terraces on Lots 1-8 contain four bedrooms (one on ground floor, and three on the second floor), and a kitchen, dining and living area on the first floor. The primary outlook spaces are compliant and are north facing, while the primary outdoor living spaces (13m², and minimum dimension of 2.115m) are in the form of balconies, north facing and accessed on the first floor from the principal living area. Secondary outdoor living spaces (8m²) are afforded on the ground floor to the rear of the terraces (south facing) and accessed from the bedroom. These outdoor living spaces are south of a building and do not meet the minimum 4m dimension (where 1.5m is afforded). The net internal floor area for each dwelling is 150m², and the total gross floor area is 208.4m². While the outdoor living area falls short, as technically the upper floor balcony will be mostly utilised, I do not consider that the residential amenity for these units is compromised. The Council Urban Designer has the following concerns regarding the ground floor outdoor living areas:
 - Preferred communal access via hallway or laundry to ground floor outdoor living as opposed to via bedroom
 - Lack of amenity due to shade casted being located south of the terraces
 - Deficient outdoor living afforded to a four-bedroom terrace

As such, to offset these potential effects in regard to residential amenity, the applicant has proposed pedestrian access (via an easement) for the terraces on Lots 1-8 (and for the terrace on Lot 9 as described below) to the communal green space located in front of the apartment building. This is considered to sufficiently supplement the lack of outdoor living space on the ground floor afforded to the terraces, as future occupants have a space to enjoy for recreational purposes (i.e., picnics, outdoor yoga, kicking a ball). The additional green amenity space afforded via this access is considered to mitigate any potential adverse effects associated with residential amenity to be less than minor.

- In regard to the terraced units (2, 3, 6, 7, and 8), the internally located bedrooms on the second floor do not have windows and will not receive natural daylight. The applicant has proposed 2m² skylights for these bedrooms, and given there are no windows, the bedrooms may lack natural ventilation which is not supported by urban design. However, the applicant has confirmed that the building consent stage, the bedrooms may meet the building code requirements. An advice note is included in the decision requiring these building consent checks to be undertaken for the internal bedrooms on the second floor. This is relied on to conclude that these bedrooms will receive natural daylight and a visual awareness of the outside environment. These rooms could also be used as offices by future occupants if preferred.
- All other internal rooms will receive daylight with most rooms oriented to receive good levels of solar access, particularly living areas.
- The terraced unit on Lot 9 includes 2-bedrooms and secondary living area on the ground floor and 3-bedrooms, and a primary living area on the upper floors. There are three outdoor living areas afforded, an outdoor living area (24m², minimum dimension of 2.933m) on the ground floor south of the building accessed from a bedroom, an upper floor outdoor living area (8.5m², minimum dimension of 1.5m) north facing and accessed from the principal living area on the first floor, and an

outdoor living area (7.7m², minimum dimension of 1.933m) north facing accessed from the bedroom on the second floor. The outlook space from the principal living area on the first floor extends over the north-western boundary by a depth of 0.6m. In total 40.2m² of outdoor living area is afforded for this unit, and while the ground floor outdoor living area is south of the building and accessed from a bedroom, this area provides for access to daylight and air. While the principal living outdoor living area falls short of the minimum dimensions as a functional space, overall, the outdoor living area afforded to this unit is acceptable for on-site amenity as the principal spaces are north facing with solar access. It is also noted that this terrace will have access to the communal green space located in front of the apartment building as described above.

- The units are all provided with some storage on each level in the form of wardrobes or cupboards. The apartment units are afforded with additional storage on the ground floor in the basement garage.
 - The development complies with daylight access requirements as there is sufficient separation between blocks on the site and all windows facing each other between buildings are secondary windows.
 - Rubbish bin areas are appropriately screened with 1.2m fencing and vegetation. The location of the enclosures will not be visible from off site and are appropriately screened and separated from habitable rooms, to retain visual amenity within the common space.
- g. The purpose of the Landscaped Area control is to provide for quality living environments consistent with the planned urban built character of buildings surrounded by open space and to create a landscaped urban streetscape character within the zone. The proposal provides 425m² of landscaped area or 24.1% of the 529.5m² or 30% required. It is considered the proposal provides sufficient landscaped area and amenity when viewed from the street given the street edge garden courtyard in front of the apartment building and protected Puriri tree. This satisfies the urban streetscape character outcomes associated with the control, however there is much less landscaped area afforded throughout the site due to the general 'upper floor living' style proposed for the development. At least 14 specimen trees are proposed along the south-eastern boundary, and climbing plants are proposed along the north-western boundary adjoining the driveway to soften the hard surface and provide a green appearance as viewed internally and externally. While there is a landscaping shortfall, this is considered acceptable and appropriate mitigation has been provided to enhance on-site amenity.
- h. Overall, the design and appearance of the units is positive, incorporating a simple material palette, which varies within the blocks but creates distinct architectural rhythm and character for the proposed developments façade strategy. In general, the combined use of vertical shiplap timber weatherboard, light grey bevel back weatherboards, light grey and brown horizontal precast concrete panels, charcoal titan boards, opaque glass for balcony balustrades, vertical aluminium louvres and aluminium joinery for all windows provides a cohesive mix of colours and material treatment across the development. This provides each unit with a distinguishable identity from adjoining units whilst using the materials palette as another tool in creating cohesive character across the development and enhancing visual interest of the overall proposal. In addition, the proposal utilises form-variation via roof design which also aids in character definition in contribution to the broader urban realm while avoiding a visually monotonous roofscape.

- i. In regard to the notable Puriri Tree, this will be retained and a landscaped lawned area will surround the tree in the front yard of the site. The tree is in a good state of health and stable in the ground. The proposed apartment building and hard surfaces are appropriately set back to maintain and protect the tree, with works limited within its protected root zone. A detailed assessment prepared by the applicant's arborist has been provided with the application, and the recommendations for works within the protected root zone have been accepted by the Council arborist. Conditions of consent are imposed in regard to site works to manage any potential adverse effects on the protected tree. Subject to the protection measures and appropriate work methods being implemented, any potential adverse effects on the tree are considered to be appropriately managed.
- j. The proposal is compliant with all relevant standard of Chapter E27 with the exception of the vehicle crossing and access width due to the setback required from the Notable Puriri Tree. The vehicle crossing could have been located on the southeast end of the frontage; however, this was not considered feasible due to the presence of two existing stormwater catchpits in the road reserve. It is concluded that given the flat topography of the site and low permeable fencing within the front yard, a good line of sight is achieved within the entire access which aids visibility of vehicles entering and exiting the subject site and potential conflict with pedestrians. As such, the shortfall in the vehicle access width can be adequately accommodated on the site to avoid any potential vehicle and pedestrian conflicts, and the potential effects on the safety and efficient operation of the transport network are considered acceptable.
- k. A conceptual lighting plan has been provided with the application to determine any CPTED effects. The lighting plan is considered to sufficiently address CPTED purposes, where lighting is provided for common space, the COAL and pedestrian footpaths. A more comprehensive lighting plan will be imposed through a condition of consent and will comply with the relevant lighting rules and standards.
- l. Rubbish collection will occur via public kerbside pickup for the terraced dwellings, whereas private collection via roadside is proposed for the apartment building. It is anticipated that the private contractor will park on the street and manually wheel the bins. A condition of consent requiring a Waste Management Plan has been imposed. The location of the rubbish storage on site is conveniently accessible for the future occupants and is sufficiently screened from the street. As such, the adverse effects on the safety and efficient operation of the receiving transport network are considered to be acceptable.
- m. A construction traffic management plan will be developed to ensure suitable arrangements are in place for loading, delivery, and contractor parking (and manage the effects of noise and hours of operation for earthworks). This plan is considered necessary given the scale of the proposed development and a condition of consent is imposed.
- n. The engineering infrastructure report submitted with the application sets out the proposed response to infrastructure and servicing. In summary the report concludes that there is adequate provision within the existing networks with respect to water and wastewater required to service the proposed development and that provision has been made for connections to telecommunications and electricity. The disposal of stormwater to on-site soakage devices are required, with sufficient capacity to accommodate the anticipated runoff. Treatment will be provided via cesspits prior to being discharged to the reticulated

network and this is considered appropriate as there are no uncovered car parking and roofing will be inert. As such, adequate mitigation has been proposed and any adverse effects in regard to stormwater discharge are considered to be acceptable.

- o. Earthworks proposed are considered to be appropriate to the scale of development proposed and the size of the application site. The earthworks are required to construct the level building platforms, access, areas of outdoor space, landscaping and services. From a visual perspective any effects associated with land disturbance will be temporary in nature. The earthworks will not result in a discernible change in landform or topography when viewed from off site as it will generally follow the existing contours of the site (generally flat) and is not considered to significantly modify the landform (minimal cuts/fill proposed). The earthworks will not create or exacerbate instability of the site or surrounding area. This is because the land is not identified as being subject to significant natural hazards (with OLFP discussed further below) and no significant cut or fill depths are required (maximum cut/fill depths being 1m). As such, the building site of the proposed construction is considered stable with a low risk and is unlikely to accelerate, worsen, or result in instability of the land or any other property.
- p. There is an overland flow path traversing the site with a catchment area of 2,593m². An Infrastructure Report prepared by Landworks Consulting Ltd notes that as part of the development at 12 Tawera Road (BUN60360513), these flows will be diverted to the road. Given the catchment area is below the threshold of 4,000m² to be considered an overland flow path, it is considered that Chapter E36 does not apply. However, for completeness, a brief Hazard Risk Assessment has been undertaken and of note, the dwellings and access have been designed to be a minimum of 150mm above the OLFP level along with a designed channel (for potential flood depths of less than 0.08m in the accessway) to mitigate potential safety issues and damage to property. The hazard is minor, and the proposal will not result in any changes to the flow path and does not trigger a reason for consent.
- q. In terms of positive effects, the proposal:
 - Constitutes development that is consistent with the anticipated character and amenity values associated with the Residential – Terrace House and Apartment Zone and is of a scale that will assimilate with existing and proposed development within the locality.
 - Is of a design and appearance that has been deemed by council's urban design specialists to positively contribute to the establishing neighbourhood and will provide opportunities for passive surveillance over public land being Tawera Road.
 - Will contribute to the increase in housing supply in a location that supports active modes of transport
 - Is an efficient use of land with the proposed development achieving a density that is expected within the zone.
- r. With reference to s104(1)(ab), there are no specific offsetting or environmental compensation measures proposed or agreed to by the applicant to ensure positive effects on the environment and/or within the relevant matters of discretion.

2. In accordance with an assessment under s104(1)(b) of the RMA the proposal is consistent with the relevant statutory documents, insofar as they relate to the matters over which discretion is restricted. In particular the proposal is considered to be consistent with the relevant objectives and policies of the AUP(OP). These include:

- D13 Notable Trees Overlay: Objective D13.2 and Policies E13.3 (2) and (2)

The objectives and policies for Notable Trees seeks to ensure trees are retained and protected from inappropriate subdivision, use and development. The specific attributes and values of the tree are to be identified (and whether these are lost) and trimming, pruning or works within the protected root zone are to be necessary to accommodate the development with alternative methods identified. It is considered that the design has respected the tree and an acceptable degree of alteration is proposed. There is no alternative to avoid the alteration, and the alteration proposed is minor in nature. Any proposal for a notable tree is to adopt best arboricultural practice and is it considered that the proposed works within the protected root zone have followed this practice. Councils' arborist has adopted the recommendations prepared by the applicant's arborist for protection measures and work methods during site works. As such, the proposed alterations to the notable Puriri Tree are considered to be in accordance with the objectives and policies of Chapter D13.

- E8 Stormwater Discharge and Diversion: Objectives & Policies contained in Chapter E1 and E2

The objectives and policies for stormwater discharge is contained in Chapter E1 – Water Quality and Integrated Management, and Chapter E2 Water Quantity, Allocation and Use. The objectives and policies seek to ensure that freshwater and sediment quality is maintained and improved over time, the mauri of freshwater is maintained and improved over time to enable the traditional and cultural use of this resource by Mana Whenua, stormwater networks are managed to protect public health and safety, and to prevent or minimise adverse effects of contaminants on freshwater and coastal water quality. The discharge of stormwater to rock bore soakage pits via new private connections from each lot and the driveway are proposed (and maintained through a common ownership entity). Three pits are proposed and shared amongst the lot owners with Soakage 1 serving the driveway and apartment building runoff, Soakage 2 serving Lots 1-4 runoff, and Soakage 3 serving Units 5-9 runoff. The soakage pits have enough capacity to accommodate the development and detention is not required. The runoff will be pre-treated by the enviropod littatrap cesspits before discharge, however as the proposal involves impervious areas greater than 1,000m² with on-site discharge, a stormwater discharge consent is required. Te Aakitai Waihohua have shown interest in the proposal given the mauri of the freshwater and consider that a higher level of pre-treatment is provided and integrated over and above the current environment. Enviropod LittaTrap treatment devices for the SW cesspits within the driveway are therefore considered satisfactory and protect the mauri of the freshwater. As such, the proposed treatment of the stormwater prior to being discharge to the ground is considered to be acceptable and appropriate mitigation to maintain or improve the freshwater and is therefore in accordance with the objectives and policies for Chapter E8 (and subsequently E1 and E2).

- E12 - Land disturbance - District: Objective E12.2(1) and Policies E12.3(1), (2), (3) and (6).

The objectives and policies for land disturbance seek to ensure that earthworks activity is undertaken in a manner that protects the safety of people and avoids or mitigates adverse effects on the environment (such as sediment runoff). The proposal will be consistent with these provisions as:

- The works will be controlled through the implementation of erosion and sediment control measures that have been reviewed and accepted by Council's Development Engineer and undertaken over a short-period of time in one stage. These include peripheral and site sediment control measures i.e., silt fences, clean water bunds, maintain drains and stabilised entranceways. This will ensure that there are no sediment discharge/runoff into any receiving water bodies. As works are progressing on site, they will be progressively stabilised.
 - The effects of noise, vibration, odour, dust, lighting and traffic on the surrounding environment will be adequately mitigated through conditions of consent.
 - The earthworks are of a scale and extent that is appropriate for the site and necessary to enable development of the site for the intended residential purpose.
- E27 – Transport: Objective E27.2 and Policy E27.3

The proposed vehicle crossing achieves sufficient visibility at the road interface and safe sight distances are provided along Tawera Road. The assessment provided has taken into account the existing and future traffic conditions and does not compromise the efficient operation of the roading network. Safe manoeuvring can be achieved on site and separate pedestrian access has been provided along the driveway to the terraces at the rear and separately for the apartment building along the eastern leg. Low permeable fencing is proposed at the street interface to enhance visibility for pedestrians, as well as landscaping throughout the site to improve the amenity of the streetscape and prominence of the vehicle crossing. The vehicle crossing does not interfere or conflict with any existing street furniture (bus stops, lamps, traffic islands) but will require the relocation of a power pole (outside of RMA scope). As such, the effects of the proposal on the road network and intersection with Tawera Road are considered acceptable and in accordance with the objectives and policies of Chapter E27.

- H6 Residential – Terrace Housing and Apartment Buildings zone: Objectives H6.2 (1), (2) and (3) and Policies H6.3 (1)-(3), (5), (6), and (7)

The Terrace Housing and Apartment Building (THAB) zone is a high-intensity zone the objectives and policies of which seek to ensure that dwellings achieve the urban built character of the zone, attractive and safe streets, manage effects on adjoining sites, and provide high quality on-site amenity. The proposed development seeks to establish higher density terraced housing and apartment building to yield 17 new units which responds to the site's proximity to the Greenlane commercial urban centre and public transport accessibility. The proposal has been considered against the relevant objective, policies and assessment criteria for the zone and deemed to be consistent with these provisions for the following reasons:

- An acceptable level of amenity will be maintained for the neighbouring properties through compliance with key design standards including building setback, height in relation to boundary with lower intensity zones, and building height. Compliance with the alternative height to boundary control is provided on site and the use of this alternative is considered acceptable and will not result in visual dominance or adverse privacy effects.
 - The proposed development has been subject to a robust urban design assessment which has concluded that the proposed development will achieve quality on and off-site amenity. In particular the proposal is of a design and scale that is consistent with the residential amenity and character values anticipated for the Residential: Terrace Housing and Apartment Zone. The proposed buildings have been designed and located to ensure that the development responds appropriately to the streetscape and provides an adequate level of passive surveillance of the adjacent roading networks. Soft and hard landscaping (including fencing) will provide screening and also contribute to on and off-site amenity. The proposed layout and orientation of the units will mitigate overlooking and dominance effects.
 - The combined factors of the building height, typology, materiality, façade modulation and articulation will ensure that the proposed development will be able to provide an acceptable level of on-site amenity.
 - The development contributes positively to the visual quality and safety of the local neighbourhood and streets through the use of fencing and landscaping on site and high-quality design and materials of the proposed dwellings.
 - A landscape plan has been provided and shows that it will be of high quality and use of species which are best suited to the site and development., it is noted that the building coverage is beyond the permitted levels of the plan and will be appropriately mitigated through landscaping to achieve on site amenity.
 - Where there is an increase in the hardstand areas on the site and runoff associated with these will be adequately mitigated through the use of tanks and treatment prior to being discharged via boreholes. Landscape planting has been provided to soften any visual impacts of the hardstand areas and ensure that onsite amenity is not compromised as a result.
3. As a restricted discretionary activity, the other matters that can be considered under s104(1)(c) of the RMA must relate to the matters of discretion restricted under the plan. In this case no other matters are considered relevant. However, it is noted that the proposal will provide housing choice and introduces a housing typology (in the form of a terraced housing and apartment building arrangement) that provides for the changing needs of people and communities and makes efficient use of the land resource and infrastructure. The proposed development therefore considered to be consistent with the objectives and policies of the National Policy Statement for Urban Development 2020.
4. In the context of this proposal for restricted discretionary activity land use, where the relevant objectives and policies and other relevant provisions in the relevant statutory documents were prepared having regard to Part 2 of the RMA, they capture all relevant planning considerations and contain a coherent set of policies designed to achieve clear environmental

outcomes. They also provide a clear framework for assessing all relevant potential effects and there is no need to go beyond these provisions and look to Part 2 in making this decision as an assessment against Part 2 would not add anything to the evaluative exercise.

- Overall, the proposal is appropriate for the site and location as it will achieve a form and appearance of residential development that is broadly consistent with the provisions of the AUP(OP) and will not detract from the planned urban built character of the surrounding neighbourhood. The adverse effects of the proposal, including both on and off-site effects, are considered to be less than minor and can be appropriately mitigated through the measures set out in the application and conditions of consent.

Conditions

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

- This consent must be carried out in accordance with the documents and drawings and all supporting additional information submitted with the application, detailed below, and all referenced by the Council as resource consent number BUN60377149; LUC60377250:

Report title and reference	Author	Rev	Dated
Application form and Assessment of Environment effects - Terraced Housing and Apartment Development, Assessment of Environmental Effects and Statutory Analysis (Ref. 18278)	Barker & Associates Ltd		27/04/2021
Rules Assessment, Terraced Housing and Apartment Development, 10 Tawera Road, Greenlane	Barker & Associates Ltd		April 2021
Resource Consent Report on Proposed Works affecting Notable Tree at 10 Tawera Road, Greenlane	Peers Brown Miller Ltd		07/04/2021
Infrastructure Capacity Assessment for Residential Development (Ref. P20-082)	Landworks Consulting Ltd	D	07/07/2021
Request for further information under s92 of the Resource Management Act 1991 [Transportation Memo]	The Transport Group Ltd		25/08/2021

Drawing title and reference	Author	Rev	Dated
Architectural Plans			
3D View (Sheet No. A01)	Artitect Design Ltd	E	25/11/2021
Survey Plan (Sheet No. A02)	Artitect Design Ltd	E	25/11/2021

Proposed Site Plan (Sheet No. A03)	Artitect Design Ltd	E	25/11/2021
Floor Plans 1 (Sheet No. A04)	Artitect Design Ltd	E	25/11/2021
Floor Plans 2 (Sheet No. A05)	Artitect Design Ltd	E	25/11/2021
Floor Plans 3 (Sheet No. A06)	Artitect Design Ltd	E	25/11/2021
Elevations 1 (Sheet No. A07)	Artitect Design Ltd	E	25/11/2021
Elevations 2 (Sheet No. A08)	Artitect Design Ltd	E	25/11/2021
Sections (Sheet No. A09)	Artitect Design Ltd	E	25/11/2021
Outlook Space Plan (Sheet No. A10)	Artitect Design Ltd	E	25/11/2021
Outdoor Living Space Plan (Sheet No. A11)	Artitect Design Ltd	E	25/11/2021
Critical Points Section 1 (Sheet No. A12)	Artitect Design Ltd	E	25/11/2021
Critical Points Section 2 (Sheet No. A13)	Artitect Design Ltd	E	25/11/2021
Critical Points Section 3 (Sheet No. A14)	Artitect Design Ltd	E	25/11/2021

Landscape Plans

Landscape Concept Plan (Sheet No. 210205/1)	Greenwood Associates Ltd		22/04/2021
Planting Plan (Sheet No. 210205/2)	Greenwood Associates Ltd	C	26/11/2021
Hardscape Plan (Sheet No. 210205/3)	Greenwood Associates Ltd	C	26/11/2021
Fencing Plan (Sheet No. 210205/4)	Greenwood Associates Ltd	C	26/11/2021
Planting Palette (Sheet No. 210205/5)	Greenwood Associates Ltd		22/04/2021
Planting Detail (Sheet No. 210205/6)	Greenwood Associates Ltd		22/04/2021
Fencing Detail (Sheet No. 210205/7)	Greenwood Associates Ltd		22/04/2021
Fencing Detail (Sheet No. 210205/8)	Greenwood Associates Ltd		22/04/2021
Southern Fencing Elevation (Sheet No. 210205/9)	Greenwood Associates Ltd	C	26/11/2021

Engineering Plans

General Notes (Sheet No. 000)	Landworks Consulting Ltd	A	11/04/2021
Existing Features Plan (Sheet No. 100)	Landworks Consulting Ltd	A	11/04/2021
Accessway Layout Plan (Sheet No. 200)	Landworks Consulting Ltd	B	26/11/2021
Proposed Cut and Fill Plan (Sheet No. 210)	Landworks Consulting Ltd	A	11/04/2021
Erosion and Sediment Control Plan (Sheet No. 220)	Landworks Consulting Ltd	A	11/04/2021
Erosion and Sediment Control Details (Sheet No. 221)	Landworks Consulting Ltd	A	11/04/2021
Proposed Driveway Long Section and Cross Section (Sheet No. 310)	Landworks Consulting Ltd	A	11/04/2021
Proposed Stormwater Plan (Sheet No. 400)	Landworks Consulting Ltd	B	01/06/2021
Proposed Wastewater and Water Supply Plan (Sheet No. 500)	Landworks Consulting Ltd	A	11/04/2021
Proposed Wastewater Pipe Long Section (Sheet No. 510)	Landworks Consulting Ltd	A	11/04/2021
Proposed Wastewater Pipe Long Section Two (Sheet No. 511)	Landworks Consulting Ltd	A	11/04/2021

2. Under section 125 of the RMA, this consent lapses five years after the date it is granted unless:
 - a. The consent is given effect to; or
 - b. The council extends the period after which the consent lapses.
3. The consent holder must pay the council an initial consent compliance monitoring charge of \$1,026 (inclusive of GST), plus any further monitoring charge or charges to recover the actual and reasonable costs incurred to ensure compliance with the conditions attached to this consent.

Advice note:

- *The initial monitoring deposit is to cover the cost of inspecting the site, carrying out tests, reviewing conditions, updating files, etc., all being work to ensure compliance with the resource consent(s). In order to recover actual and reasonable costs, monitoring of conditions, in excess of those covered by the deposit, shall be charged at the relevant hourly rate applicable at the time. The consent holder will be advised of the further monitoring charge. Only after all conditions of the resource consent have been met, will the council issue a letter confirming compliance on request of the consent holder.*

Pre-Site Works Conditions

Architectural Design Plans

4. Prior to the approval of Building Consent, other than for foundations and structural works, a finalised set of architectural detail drawings with material specifications must be submitted to Council for approval by the Council. The information shall include the following:
 - Drawings that show all proposed building materials, cladding, joinery, glazing and finishes, including colour.

The finalised set of drawings must ensure that the building's proposed architectural treatment and finished appearance is consistent with the plans and information submitted.

All works must then be carried out with the details certified by council, and thereafter retained and maintained, to the satisfaction of the Council.

Advice note:

- *As part of the condition monitoring process, Council's monitoring inspectors will liaise with members of the Council's urban design team to ensure that the submitted details are consistent with the approved plans and information.*

Services Plan

5. Prior to commencement of any work on site (prior to the approval of Building Consent other than demolition, earthworks, foundations and structural works), the consent holder must provide a final set of Services Plans, including details / locations of the proposed servicing i.e. vents, transformers, A/C units, water meters, electric meters, water tanks etc. The purpose of this condition is to ensure any unsightly servicing components are adequately screened and/or located so that they will not be visible from the public and common realm e.g. streets, laneways, common space etc. The finalised design details certified by Council must be established prior to the development hereby consented being first occupied, and thereafter retained and maintained, to the satisfaction of the Council.

Advice note:

- *As part of the certification process, Council's monitoring officers will liaise with the Council's Urban Design Unit to ensure that the submitted details are consistent with the approved plans and information.*

Construction Traffic Management Plan to be provided

6. Prior to the commencement of any works on the subject site, the consent holder must submit to and have approved by the Council's Team Leader Central Monitoring, a Construction Traffic Management Plan (CTMP). The CTMP must be prepared in accordance with the Council's requirements for traffic management plans or CTMPs (as applicable) and New Zealand Transport Authority's Code of Practice for Temporary Traffic Management and must address the surrounding environment including pedestrian and bicycle traffic, including the movement of earthmoving vehicles to and from the site. No construction must commence until the CTMP has been approved by the Council Team Leader Central and all construction traffic must be managed at all times in accordance with the approved CTMP.

Advice Note:

- *It is the responsibility of the applicant to seek approval for the Traffic Management Plan from Auckland Transport. Please contact Auckland Transport on (09) 355 3553 and review www.beforeudig.co.nz before you begin works.*

Waste Management Plan to be provided

7. Prior to the commencement of any works on the subject site, other than demolition, earthworks, foundations and structural works, the consent holder shall submit a Waste Management Plan (WMP) to the Team Leader Central Monitoring for certification, to confirm that the activities undertaken in accordance with the WMP will achieve the objectives of the plan and compliance with the relevant consent conditions. Any subsequent review of the WMP shall also be submitted to the Team Leader Monitoring for certification. The consent holder shall meet the costs of the production, certification, monitoring and review of the WMP.

Requirement for a pre-start meeting

8. Prior to the commencement of the construction and earthworks activity, the consent holder must hold a pre-start meeting that:
 - a) is located on the subject site
 - b) is scheduled not less than 5 days before the anticipated commencement of construction and earthworks
 - c) includes all required officer(s)
 - d) includes representation from the contractors who will undertake the works and any suitably qualified professionals if required by other conditions i.e. appointed arborist.

Representatives of Te Ākitai Waiohua must be given five working days' notice of the meeting and reasonable endeavours must be made to accommodate their attendance.

The following matter shall be discussed at the meeting:

- Relevant cultural induction material as determined by Te Ākitai Waiohua, and whether cultural monitoring is required.

The following information shall be made available at the pre-start meeting:

- Timeframes for key stages of the works authorised under this consent
- Resource consent conditions
- Erosion and Sediment Control Plan
- Construction Traffic Management Plan
- Lighting Plan
- Landscape Plan
- Tree protection conditions/requirements

Advice Note:

- *To arrange the pre-start meeting required by condition 8, please contact the Team Leader Central Monitoring to arrange this meeting or email monitoring@aucklandcouncil.govt.nz. The conditions of consent should be discussed at this meeting. All information required by the council and listed in that condition should be provided 2 days prior to the meeting.*

Earthworks conditions

Noise associated with construction & earthwork activities

9. All noise generating activities associated with the implementation of this resource consent on, or in the vicinity of, the subject site (which can include (but is not limited to) any demolition, earthworks and construction activities, and ancillary activities (such as deliveries, loading and unloading goods, transferring tools, etc)) shall not exceed the noise limits stipulated within Table E25.6.27(1) of the AUP (OP) subject to a minus 5 dBA adjustment in accordance with E25.6.27 (4) when measured or assessed at 1m from occupied buildings, and may only be carried out:
- between the hours of 7:30 am and 16:00 pm, Monday to Saturday; and
 - must not be carried out on any Sunday or public holiday (and any following Monday on which that public holiday is observed)

General sediment control measures

10. All earthworks must be managed to ensure that no debris, soil, silt, sediment or sediment-laden water is discharged beyond the subject site to either land, stormwater drainage systems, watercourses or receiving waters. In the event that a discharge occurs, works shall cease immediately, and the discharge shall be mitigated and/or rectified to the satisfaction of the Team Leader Central Monitoring.

Advice Note:

In accordance with condition 10 all earthworks shall be undertaken to ensure that all potential sediment discharges are appropriately managed. Such means and measures may include:

- *Catchpit protection*
- *run-off diversions*
- *sediment retention ponds*
- *silt and sediment traps*
- *decanting earth bunds*
- *silt fences*

During excavation, the ingress and accumulation of surface run-off water and/or perched groundwater can be minimised by:

- *maintaining a waterproof cover over any excavation trenches and pits outside of working hours,*
- *diversion of surface water flow around the works area, and*
- *regular disposal of the water into an appropriate sediment control device, if ponding occurs within the excavation.*

Please note that the diversion of stormwater and/or groundwater may require a consent in accordance with Chapters 5 and 6 of the Auckland Council Regional Plan (Air, Land and Water) or the Proposed Auckland Unitary Plan.

It is recommended that you discuss any potential measures with the council's monitoring officer who may be able to provide further guidance on the most appropriate approach to take. Please contact the Team Leader Central Monitoring on monitoring@aucklandcouncil.govt.nz for more details. Alternatively, please refer to "Auckland Regional Council, Technical Publication No. 90, Erosion & Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region".

Accidental Discovery Protocol

11. If, at any time during site works, potential koiwi (human remains), archaeology or artefacts are discovered, then the following discovery protocol is to be followed:

- a) All earthworks will cease in the immediate vicinity (at least 10m from the site of the discovery) while a suitably qualified archaeologist is consulted to establish the type of remains.

If the material is identified by the archaeologist as human, archaeology or artefact, earthworks must not be resumed in the affected area (as defined by the archaeologist). The consent holder must immediately advise the Team Leader Central Monitoring, Heritage New Zealand Pouhere Taonga and Police (if human remains are found) and arrange a site inspection with these parties.

If the discovery contains koiwi, archaeology or artefacts of Maori origin, representatives from Te Aakitai Waiohua are to be provided information on the nature and location of the discovery.

The consent holder shall not recommence works until approved by the Team Leader Central Monitoring.

The Te Aakitai Waiohua are to be given the opportunity to monitor the earthworks (and in particular for topsoil stripping) and conduct karakia and other such religious or cultural ceremonies and activities as are appropriate.

Advice Note:

If any archaeological features are uncovered on the site, works should cease and the Team Leader Central Monitoring and Heritage New Zealand Pouhere Taonga (09 307 9920) should be notified immediately. The Heritage New Zealand Pouhere Taonga Act 2014 provides for the identification, protection, preservation and conservation of the historic and cultural heritage of New Zealand. It is an offence under this Act to destroy, damage or modify any archaeological site without an authority from Heritage New Zealand Pouhere Taonga. An archaeological site is defined as a place associated with pre-1900 human activity where there may be evidence relation to history of New Zealand. Archaeological features' may include old whaling stations, ship wrecks, shell middens, hangi or ovens, pit depressions, defensive ditches, artefacts, or koiwi tangata (human skeletal remains), etc. For guidance and advice on managing the discovery of archaeological features, contact the Team Leader Cultural Heritage Implementation on 09 301 0101.

Progressive stabilisation during earthworks

12. The site must be progressively stabilised against erosion at all stages of the earthwork activity.

Advice Note:

- *Notice shall be provided to the Team Leader, Compliance & Monitoring Central, at least two (2) working days prior to the removal of any erosion and sediment control works.*

Ensure the quality of fill used on the site is acceptable.

13. All imported fill used must:

- a) comply with the definition for 'cleanfill' in the Ministry for the Environment publication 'A Guide to the Management of Cleanfills' (2002)
- b) be solid material of a stable, inert nature and
- c) not contain hazardous substances or contaminants above recorded natural background levels of the receiving site.

Advice Note:

- *In addition to the characteristics for imported fill outlined in condition 13, please refer to the relevant New Zealand Standard [e.g. NZS 4431:1989 'Code of Practice for Earth Fill for Residential Development'] to ensure that all fill used is of an acceptable engineering standard.*
- *Background contamination levels for the site receiving clean fill referred to by condition 13 can be found in the Auckland Council, Technical Publication No. 153, Background concentrations of inorganic elements in soils from the Auckland Region (2001)*

Avoid damaging assets during construction and earthworks

14. Unless specifically provided for by this consent approval, there must be no damage to public roads, footpaths, berms, kerbs, drains, reserves or other public assets as a result of the earthworks and construction activity. In the event that such damage does occur, the Council will be notified within 24 hours of its discovery. The costs of rectifying such damage and restoring the asset to its original condition must be met by the consent holder.

Advice Note:

- *In order to prevent damage occurring during the earthwork activity, the consent holder should consider placing protective plates over footpaths, kerbs and drains. Where necessary, prior to works commencing, photographing or video recordings of roads, paths and drains may be appropriate.*
- *If you would like further details or suggestions on how to protect public assets during the earthwork phase, please contact the Team Leader, Compliance & Monitoring Central on +64 9 301 0101*

Ensure dust does not cause adverse effects during construction and earthworks

15. There must be no airborne or deposited dust beyond the subject site as a result of the earthworks, construction and demolition activity, that in the opinion of the Team Leader Central Monitoring, is noxious, offensive or objectionable.

Advice Note:

In accordance with condition 15 in order to manage dust on the site consideration should be given to adopting the following management techniques:

- *stopping of works during high winds*
- *watering of haul roads, stockpiles and manoeuvring areas during dry periods*
- *installation and maintenance of wind fences and vegetated strips*
- *grassing or covering of stockpiles*
- *retention of existing shelter belts and vegetation*
- *positioning of haul roads, manoeuvring areas and stockpiles or the staging of works (in relation to sensitive receptors such as dwellings)*

In assessing whether the effects are noxious, offensive or objectionable, the following factors will form important considerations:

- *The frequency of dust nuisance events*
- *The intensity of events, as indicated by dust quantity and the degree of nuisance*
- *The duration of each dust nuisance event*
- *The offensiveness of the discharge, having regard to the nature of the dust*
- *The location of the dust nuisance, having regard to the sensitivity of the receiving environment.*

It is recommended that potential measures as discussed with the council's monitoring officer who will guide you on the most appropriate approach to take. Please contact the Team Leader Central Monitoring on monitoring@aucklandcouncil.govt.nz for more details. Alternatively, please refer to the Ministry for the Environment publication "Good Practice Guide for Assessing and Managing the Environmental Effects of Dust Emissions".

Prevent sediment-laden water in stormwater/ waterways from roads.

16. There must be no deposition of earth, mud, dirt or other debris on any public road or footpath resulting from earthworks activity on the subject site. In the event that such deposition does occur, it must immediately be removed. In no instance shall roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses or receiving waters.

Advice Note:

In order to prevent sediment laden water entering waterways from the road, the following methods may be adopted to prevent or address discharges should they occur:

- *provision of a stabilised entry and exit(s) point for vehicles*
- *provision of wheel wash facilities*
- *ceasing of vehicle movement until materials are removed*
- *cleaning of road surfaces using street-sweepers*
- *silt and sediment traps*
- *catchpits or environpods*

In no circumstances should the washing of deposited materials into drains be advised or otherwise condoned.

It is recommended that you discuss any potential measures with the council's Monitoring Inspector who may be able to provide further guidance on the most appropriate approach to take. Please contact the Team Leader Central Monitoring on monitoring@aucklandcouncil.govt.nz for more details. Alternatively, please refer to Auckland Regional Council, Technical Publication No. 90, Erosion & Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region.

Geotechnical conditions in relation to Earthworks

Ensure supervision of geotechnical works.

17. The construction of permanent retaining walls and building foundations and the placement and compaction of fill material must be supervised by a suitably qualified engineering professional. In supervising the works, the suitably qualified engineering professional must ensure that they are constructed and otherwise completed in accordance with documents and drawings contained in condition 1.

Ensure stability of the site/neighbouring sites.

18. All earthworks must be managed to ensure that they do not lead to any uncontrolled instability or collapse either affecting the site or adversely affecting any neighbouring properties. In the event that such collapse or instability does occur, it must immediately be rectified.

Surveyor foundation check

19. No building works for the apartment building must proceed beyond the foundation stage until a registered surveyor or licensed cadastral surveyor, engaged by the consent holder, has provided written certification to Council that the works completed:
 - have been completed in accordance with the approved plans as referred to in condition 1 of this consent; or
 - do not exceed the vertical or horizontal extent of any breach, infringement, or non-compliance approved under this consent.

Advice Note:

The person providing the written certification should ensure that the finished floor level is clearly marked on the subject site before the foundations are put in place.

The purposes of certification at the foundation stage of construction are to:

- *provide assurance that the building works, to that point, have been undertaken in accordance with the consent*
- *reduce the risk of non-compliance as the works continue.*

Written certification should include the following:

- *the finished ground level is clearly marked on the subject site*
- *the relevant consent reference number and site address*
- *levels, calculations, plans and drawings of the structure(s) that are the subject of certification*
- *the quantification of the extent of any breach, infringement or non-compliance identified at the time of survey, where this has occurred.*

Written certification is to be provided directly to the officer specified in this condition.

Surveyor Roof Framing Check

20. No building works for the terraced dwellings must proceed beyond the roof framing stage until a registered surveyor or licensed cadastral surveyor, engaged by the consent holder, has provided written certification to the Team Leader Central Monitoring that the works completed:
- have been completed in accordance with the approved plans as referred to in condition 1 of this consent, or
 - do not exceed the vertical or horizontal extent of any breach, infringement, or non-compliance approved under this consent.

Advice Note:

The purposes of certification at the roof framing stage of construction are to:

- *provide assurance that the building works, to that point, have been undertaken in accordance with the consent*
- *reduce the risk of non-compliance as the works are completed.*
- *Written certification should include the following:*
- *the finished ground level is clearly marked on the subject site*
- *the relevant consent reference number and site address*
- *levels, calculations, plans and drawings of the structure(s) that are the subject of certification*
- *the quantification of the extent of any breach, infringement or non-compliance identified at the time of survey, where this has occurred.*

Written certification is to be provided directly to the officer specified in this condition.

Arboricultural conditions

21. All works must be undertaken in strict accordance with the *Resource Consent Report on Proposed Works Affecting Notable Tree at 10 Tawera Road, Greenlane by Richard Peers for Peers Brown Miller and dated 7th April 2021.*
22. Prior to any earthworks or construction, the greatest possible extent of the proposed permeable surface within the protected root zone of the notable Puriri tree shall be mulched to a minimum depth of 100mm with well-aged organic wood mulch, to be retained in situ and maintained.
23. The beginning of the driveway, pedestrian access from the road, and paved surfaces within the front yard shall all be permeable and established above grade to the greatest possible extent.
24. All pruning shall be undertaken by competent professional arborists, in a controlled manner and in accordance with best arboricultural practices to afford building clearance, deadwood removal, the removal of damaged and compromised branches, raising the canopy and to achieve a well balanced and rounded canopy. All pruning shall be subject to the explicit instructions of Auckland Council's Senior Heritage Arborist at a pre-start meeting.

Landscape Conditions

Preparation of finalised landscape plan

25. A finalised landscape planting and management plan (with supporting specifications) must be prepared and submitted to Council for certification prior to construction commencing.

The landscape planting and management plan must contain:

- Reference to the written description/concept plan
- A plan of the planted area detailing the proposed plant species, plant sourcing, plant sizes at time of planting, plant locations, density of planting, and timing of planting.
 - As agreed with Te Aakitai Waiohua, all plantings are to align with the Urban Ngahere (forest) Strategy.
- A programme of establishment and post establishment protection and maintenance (fertilising, weed removal/spraying, replacement of dead/poorly performing plants, watering to maintain soil moisture, length of maintenance programme
- the extent, materiality and finished levels of paving;
- the location, materiality, height and design of fencing and retaining walls;
- the details of drainage, soil preparation, tree pits, staking, irrigation;
- the construction details of all hard landscape elements (paving, fencing, gates, lighting etc);
- An irrigation system; and
- Vandalism response and graffiti eradication policy and methodology.

These plans must be supported by specifications that describe in a written form the more specific technical landscape matters such as quality of materials.

Landscape Planting

26. Prior to the development first being occupied and within the first planting season (May to September), the planting/hard landscaping must be fully implemented in accordance with the certified Landscape Planting and Management Plan and must be maintained for the duration of the consented development, being 17 new residential dwellings, to the satisfaction of Council.

Lighting Condition

Lighting Plan (Common Space)

27. Prior to the approval of Building Consent, other than for foundations and structural works, the consent holder must provide a Lighting Plan and Certification/ Specifications prepared by a qualified Lighting Specialist, to the Council. The purpose of this condition is to provide adequate lighting for the safety of people residing, working or visiting the premises and its immediate environs outside of daylight hours. The Lighting Plan must:
- include all accessible areas of the premises where movement of people are expected. Such locations include but are not limited to the shared driveway and lot/unit entrances.
 - include proposed locations, lux levels and types of lighting (i.e., manufacturer's specifications once a lighting style has been determined) and any light support

structures required to control timing, level of lighting, or to minimise light spill, glare, and loss of night-time viewing.

- Demonstrate compliance with the relevant standards in E24.6.1 Lighting of the Auckland Unitary Plan (Operative in Part).
- Demonstrate compliance with the AS/NZS 1158 P requirements and clearly specify what P Category the lighting design will achieve. The selection criteria for the chosen lighting category should also be presented (i.e., pedestrian/cycle activity, risk of crime etc.).
- Demonstrate the vertical illuminance by means of lux contours or a similar method to assess light spill on neighbouring properties where relevant. The limits of the vertical illuminance should comply with Auckland Unitary Plan (Operative in Part) Standard E24.6.1.3
- Include an executive summary of the above information in plain English that outlines the relevant requirements to their application and their design response to them.

The finalised design details certified by the qualified Lighting Engineer must be established prior to the development hereby consented being first occupied, and thereafter retained and maintained, to the satisfaction of the Council.

Advice Note:

- *The purpose of this condition is to ensure that adequate lighting is provided to frequently used areas within the proposed development for the safety of users. Adequate lighting is the amount of lighting at eye level for a person with average eyesight so they can identify any potential threat approaching them from at least a 15-metre distance.*
- *COAL Lighting shall not be connected to the public metre.*

Traffic and Parking Conditions

Vehicle Access

28. The consent holder must design and construct a vehicle accessway to serve the development in accordance with the approved plans noted in Condition 1 and with the requirements of Auckland Council.

Advice Note:

- *Right of ways, Commonly Owned Access Lots and common access ways require a Common Access Way Plan Approval prior to construction.*
- *Please contact Auckland Council to obtain the current engineering requirements for the construction of the type of vehicle accessway proposed.*

Vehicle Crossing

29. The consent holder must upgrade the existing vehicle crossing to serve the development. The crossing(s) must be designed and formed in accordance with the requirements of Auckland

Transport Code of Practice 2013. The new crossing must maintain an at-grade (level) pedestrian footpath across the length of the crossing, using the same materials, kerbing, pavings, patterns and finish as the footpath on each side of the crossing.

Advice Note:

- *Works within the road reserve require prior approval from Auckland Transport. The consent holder should contact Auckland Transport as soon as possible to ensure any required approvals are issued prior to construction.*
- *An approval letter and completion certificate from Auckland Transport is required to be submitted to Auckland Council as a verification that Auckland Transport has completed approval and a final vehicle crossing inspection before this condition is considered fulfilled.*

Reinstatement of kerbing

30. Within 20 working days following the completion of works on site, the redundant vehicle crossing must be removed and reinstated as kerbing and verge/footpath to Auckland Transport Code of Practice 2013. This must be undertaken at the consent holder's expense and to the satisfaction of the Team Leader Central Monitoring.

Advice note:

- *Works within the road reserve require prior approval from Auckland Transport. This includes vehicle crossings, reinstatement of kerbing and temporary occupation of the footpath/verge/berm during construction. The consent holder should contact Auckland Transport as soon as possible to ensure any required approvals are issued prior to construction.*

Completion of accessway and parking areas

31. Prior to the occupation of residential units all access, parking, manoeuvring and pedestrian areas must be formed, sealed with an all-weather surface, marked out, and drained in accordance with the approved plans, to the satisfaction of Council's Team Leader Compliance Monitoring Central. The surface finish of the driveways, surface parking areas and pedestrian routes shall be in accordance with the approved plans noted in Condition 1

Advice notes

1. *Any reference to number of days within this decision refers to working days as defined in s2 of the RMA.*
2. *For the purpose of compliance with the conditions of consent, "the council" refers to the council's monitoring officer unless otherwise specified. Please email monitoring@aucklandcouncil.govt.nz to identify your allocated officer.*
3. *For more information on the resource consent process with Auckland Council see the council's website: www.aucklandcouncil.govt.nz. General information on resource consents, including making an application to vary or cancel consent conditions can be found on the Ministry for the Environment's website: www.mfe.govt.nz.*

4. *If you disagree with any of the above conditions, and/or disagree with the additional charges relating to the processing of the application(s), you have a right of objection pursuant to sections 357A and/or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of your receipt of this decision (for s357A) or receipt of the council invoice (for s357B).*
5. *The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.*
6. *The granting of this resource consent does not in any way allow the applicant to enter and construct drainage within neighbouring properties, without first obtaining the agreement of all owners and occupiers of said land to undertake the proposed works. Any negotiation or agreement is the full responsibility of the consent holder, and is a private agreement that does not involve the council. Should any disputes arise between the private parties, these are civil matters which can be taken to independent mediation or the disputes tribunal for resolution. It is recommended that the private agreement be legally documented to avoid disputes arising.*
7. *The council acknowledges that the Construction Traffic Management Plan(s) are intended to provide flexibility both for the consent holder and the council for the management of the land use activity. Accordingly, the Management Plan(s) may need to be reviewed over time. Any reviews should be in accordance with the stated objectives of the management plan and limited to the scope of this consent.*
8. *Certification of the Construction Traffic Management Plan by the council relates only to those aspects of the management plan that are relevant under the Resource Management Act 1991. The certification does not amount to an approval or acceptance of suitability by the council of any elements of the management plan that relate to other legislation, for example, but not limited to, the Building Act 2004, the Heritage New Zealand Pouhere Taonga Act 2014, or the Health and Safety in Employment Act 1992.*
9. *This consent is to be read in conjunction with any other relevant approved resource consent(s) and does not negate the consent holder's requirement to continue to comply with the conditions of any previously granted resource consents that have been implemented.*
10. *The consent holder will be responsible for ensuring all necessary permits, such as Corridor Access Requests (CAR) permits for the new vehicle crossing are obtained from Auckland Transport. See Auckland Transport's website www.aucklandtransport.govt.nz for more information.*
11. *This development involves new connections to Watercare's water and wastewater networks. The consent holder will be responsible for contacting Watercare regarding the connection, construction and acceptance testing. See Watercare's website (www.watercare.co.nz) for more information.*

12. *The onsite stormwater system, wastewater, water, and COAL will require engineering approval(s) to be obtained from the council prior to the applying for Building Consent. All works shall be constructed in accordance with Condition 1. See the council's website (www.aucklandcouncil.govt.nz) for more information on the engineering approval process, or call (09) 301 0101 and ask to speak to a Development Engineer from your local service centre.*
13. *Should the residential units be proposed to be subdivided in the future, fire rating requirements of buildings will apply.*
14. *The terrace on Lot 9 is not consented as two dwellings and can be only used as one dwelling for residential purposes.*

Delegated Decision Maker

Name: Benjamin Cunningham

Title: Team Leader

Signed:



Date: 21 December 2021

Decision on an application for resource consents under the Resource Management Act 1991



Decision two – Discretionary activity subdivision consent (s11)

Application numbers: BUN60377149 (Council Reference)
SUB60377251 (s11 subdivision consent)

Applicant: Baoman Liu
Site address: 10 Tawera Road, Greenlane, 1051
Legal description: Part Lot 34 Deposited Plan 3317

Proposal:

To establish ten residential freehold lots (9 around each terraced unit, and 1 around the apartment building) around an approved land use consent (LUC60377250) and the creation of a COAL (Lot 100) which falls to achieve the minimum dimensions for driveways serving 9 rear lots.

Resource consent is required for the following reason:

Subdivision consent (s11) – SUB60377251

Auckland Unitary Plan (Operative in part)

Subdivision (operative plan provisions)

- To subdivide the parent site into ten (10) lots and one commonly owned access lot (Lot 100) which is a subdivision in a residential zone that is in accordance with an approved land use resource consent that complies with standard E38.8.2.1, is a restricted discretionary activity under rule E38.4.2(A14).
- Any subdivision that does not meet the E38.6 General Standards for Subdivision is a discretionary activity under rule E38.4.1(A30). The proposal does not comply with E38.8.1.25 for access to rear sites, where a minimum legal width of 6.5m and formed width of 5.5m is required. The vehicle crossing falls short of the minimum two-way vehicle movement of 5.5m by 2m for the first 10m of the site (where 3.5m is afforded). Then for a length of 16.1m the vehicle access is formed to 4.932m, falling short of the minimum requirement by 0.568m. As such, the legal width of 6.5m is not achieved.

Decision

I have read the application, supporting documents, and the report and recommendations on the application for resource consent. I am satisfied that I have adequate information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on the application.

Acting under delegated authority, under sections 104, 104B, 106 and Part 2 of the RMA, the resource consent/s is/are GRANTED

Reasons

The reasons for this decision are:

1. In accordance with an assessment under ss104(1)(a) and (ab) of the RMA, the actual and potential effects from the proposal will be acceptable as:
 - a. The subdivision layout and lot sizes are in accordance with an approved land use consent which includes specific building designs and will integrate into the existing and planned neighbourhood character.
 - b. The proposed development can be serviced with respect to water, wastewater and stormwater.
 - c. The disposal of stormwater to on-site soakage devices are required, with sufficient capacity to accommodate the anticipated runoff. Treatment will be provided via cesspits prior to being discharged to the ground and this is considered appropriate as there are no uncovered car parking and roofing will be inert. In particular the measures set out in the application relating to stormwater discharge to ground have been reviewed by Council's Development Engineer and determined to meet the requirements of the Stormwater Discharge and Diversion standards in terms of treatment prior to discharge.
 - d. The proposal has been reviewed by WaterCare Limited (WSL) and approved in principle. Refer to peer reviewed memo from Romeo Pena (Development Engineer – Developer Services; Ref no: RC - 80588 dated 16th June 2021) and confirms the feasibility and their ability to service the proposed development subject to their conditions. There are also no known downstream network capacity issues.
 - e. The application proposes the establishment of a common entity to jointly own, and be responsible and liable for the ongoing operation, maintenance, and repair of shared assets. This requirement has also been included as a condition of consent.
 - f. The proposed level of building coverage, landscaped area and impervious surface area has been deemed acceptable in terms of the underlying parent site. To ensure that no further adverse residential amenity effects result, future development consent notices are imposed on Lot 10 to ensure that the impervious area being 46% is not further increased (where it is compliant and could topple the parent site). A future development consent notice is also imposed on Lot 10 in regard to maintaining the landscaped area 82% to ensure that the non-complying parent site landscaped area is not further reduced.
 - g. The proposed lots will have vehicular access to Tawera Road via the proposed commonly owned access lot (Lot 100). Further pedestrian access is provided within the COAL and separately along the eastern leg, that will provide an alternative, convenient and direct access to Tawera Road.
 - h. Each lot will be allocated a car parking space in the form of internally accessed garages for the terraced dwellings or via the basement garage for the apartment building, that is

capable of achieving complying manoeuvring to ensure that vehicles exiting the site can do so in a forward direction.

- i. In terms of positive effects the proposed subdivision provides:
 - o For individual ownership via fee simple lots for future occupants which supports housing choice in line with the underlying anticipated residential development in the THAB zone.
2. In accordance with an assessment under s104(1)(b) of the RMA the proposal is consistent with the relevant statutory documents, insofar as they relate to the matters over which discretion is restricted. In particular the proposal is considered to be consistent with the relevant objectives and policies set out under the Urban Subdivisions Chapter of the AUP(OP). These include:
 - Subdivision – Urban: Objectives E38.2 (1), (4), (6) and (10) and Policies E38.3 (1), (2), (6), (13), (19) and (20).

These provisions seek to ensure that land is subdivided in a way that achieves the zone’s objectives, provides infrastructure services, creates a safe and efficient layout for movement, and protects or enhances natural landscape features. The proposal is considered to be consistent with these provisions for the following reasons:

 - o A comprehensive assessment of the proposal has determined that it will provide for a form of development that is consistent with the higher density of residential development anticipated for the Residential – Terrace Housing and Apartment zone while also achieving a high standard of on and off-site residential amenity.
 - o The development has been designed to avoid natural hazards. There are no overland flow paths, flood plains or flood prone areas affecting the site. The site is not subject to any instability concerns.
 - o The proposed accessway design provides for a safe environment for vehicles and pedestrians.
 - o The subdivision will provide suitable connections to the public stormwater, wastewater and potable water networks. The stormwater discharge to ground has also been designed to protect the quality and capacity of the downstream freshwater environment.
3. In accordance with an assessment under s104(1)(c) of the RMA no other matters are considered appropriate for the proposed subdivision.
4. In terms of s106 of the RMA the proposal is not considered to give rise to a significant risk from natural hazards, and sufficient provision has been made for legal and physical access to the proposed allotments. Accordingly, council is able to grant this subdivision consent subject to the conditions below.
5. In the context of this discretionary activity subdivision, where the objectives and policies of the relevant statutory documents were prepared having regard to Part 2 of the RMA, they capture all relevant planning considerations and contain a coherent set of policies designed to achieve clear environmental outcomes. They also provide a clear framework for assessing all relevant potential effects and there is no need to go beyond these provisions and look to

Part 2 in making this decision as an assessment against Part 2 would not add anything to the evaluative exercise.

- Overall, the proposed subdivision will result in a form of development as anticipated and provided for under the approved land use consent (LUC60377250) and the provisions of the AUP(OP). The adverse effects of the subdivision (including both on and off-site effects) will be acceptable and the proposal will be consistent with the relevant objectives and policies of the plan.

Conditions

All conditions contained in this decision must be complied with at time of s224(c). The conditions have been separated into 'General', 'section 223' and 'section 224(c)' conditions in order to assist the consent holder in identifying the conditions that must be completed at the respective stages of implementing the resource consent for subdivision.

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

General conditions

- The subdivision around an approved land use consent (LUC60377250) to create ten (10) freehold residential lots and a commonly owned access (COAL) must be carried out in accordance with the documents and drawings, and all supporting additional information submitted with the application, detailed below, and all referenced by the Council as consent number SUB60377251 of BUN60377149.

Report title and reference	Author	Rev	Dated
Terraced Housing and Apartment Development, Assessment of Environmental Effects and Statutory Analysis (Ref. 18278)	Barker & Associates Ltd		27/04/2021
Rules Assessment, Terraced Housing and Apartment Development, 10 Tawera Road, Greenlane	Barker & Associates Ltd		April 2021
Infrastructure Capacity Assessment for Residential Development (Ref. P20-082)	Landworks Consulting Ltd	D	07/07/2021
Request for further information under s92 of the Resource Management Act 1991 [Transportation Memo]	The Transport Group Ltd		25/08/2021
Drawing title and reference	Author	Rev	Dated
<i>Scheme Plan</i>			
Lots 1-10 & 100 Being a Proposed Subdivision of Part Lot 34 DP 3317	Northern Land Ltd	C	17/11/2021

Engineering Plans

General Notes (Sheet No. 000)	Landworks Consulting Ltd	A	11/04/2021
Existing Features Plan (Sheet No. 100)	Landworks Consulting Ltd	A	11/04/2021
Accessway Layout Plan (Sheet No. 200)	Landworks Consulting Ltd	B	26/11/2021
Proposed Cut and Fill Plan (Sheet No. 210)	Landworks Consulting Ltd	A	11/04/2021
Erosion and Sediment Control Plan (Sheet No. 220)	Landworks Consulting Ltd	A	11/04/2021
Erosion and Sediment Control Details (Sheet No. 221)	Landworks Consulting Ltd	A	11/04/2021
Proposed Driveway Long Section and Cross Section (Sheet No. 310)	Landworks Consulting Ltd	A	11/04/2021
Proposed Stormwater Plan (Sheet No. 400)	Landworks Consulting Ltd	B	01/06/2021
Proposed Wastewater and Water Supply Plan (Sheet No. 500)	Landworks Consulting Ltd	A	11/04/2021
Proposed Wastewater Pipe Long Section (Sheet No. 510)	Landworks Consulting Ltd	A	11/04/2021
Proposed Wastewater Pipe Long Section Two (Sheet No. 511)	Landworks Consulting Ltd	A	11/04/2021

Advice Note:

- *This consent has been granted on the basis of all the documents and information provided by the consent holder, demonstrating that the new lot(s) can be appropriately serviced (infrastructure and access).*
- *Details and specifications for the provision of infrastructure (e.g., public/ private drainage, location, and types of connections) and access (including drainage of accessways, construction standards etc) are subject to a separate Engineering Plan Approval (EPA) and/or Building Consent approval process.*
- *Should it become apparent during the EPA and/or Building Consent process that a component of the granted resource consent cannot be implemented (e.g., detailed tests for soakage fail to achieve sufficient soakage rates, or sufficient gradients for drainage cannot be achieved in accordance with engineering standards/ bylaws etc), changes to the proposal will be required. This may require either a variation to this subdivision consent (under section 127 of the Resource Management Act 1991) or a new consent.*
- *Similarly, should the detailed design stage demonstrate that additional reasons for consent are triggered (e.g., after detailed survey the access gradient increases to now infringe or increase an approved infringement to a standard in the plan), a new or varied resource consent is required.*

- *It is the responsibility of the consent holder to ensure that all information submitted and assessed as part of the subdivision consent is correct and can be implemented as per the subdivision consent (without requiring additional reasons for consent). Any subsequent approval processes (such as the EPA) do not override the necessity to comply with the conditions of this resource consent*
- *This subdivision consent has not included any assessment with regards to section 224(f) of the Resource Management Act 1991 (as it relates to s116A of the Building Act) as this is outside of the matters of control under the AUP. A section 224(f) assessment will be initiated by the relevant Subdivision Advisor when application is made for section 223/s224(c) certificates. This may trigger fire rating requirements for any buildings shown on the survey plan, and this in turn may require you obtain a confirming report from a Fire Engineer. For more information, please contact your Licensed Cadastral Surveyor.*

When the consent lapses

2. Under section 125 of the RMA, this consent lapses five years after the date it is granted (“the lapse date”) unless:
 - a. A survey plan is submitted to Council for approval under section 223 of the RMA before the lapse date, and that plan is deposited within three years of the date of approval of the survey plan in accordance with section 224(h) of the RMA; or
 - b. An application under section 125 of the RMA is made to the Council before the lapse date to extend the period after which the consent lapses and the Council grants an extension.

Survey plan approval (s223) conditions

Survey plan approval

3. The consent holder must submit a survey plan in accordance with the approved resource consent subdivision scheme plan(s) titled ‘Lots 1-10 & 100 being a proposed subdivision of Part Lot 34 DP 3317, prepared by Northern Land Ltd, dated 17/11/2021. The survey plan must show all easements required by this subdivision consent.

Memorandum of Easements

4. The COAL (Lot 100) and any services easements, party walls and/or easements in gross over parts of Lots 1-10 & Lot 100 must be included in a memorandum of easements endorsed on the survey plan and must be created, granted or reserved as necessary. The consent holder must meet the costs for the preparation, review, and registration of the easement instruments on the relevant records of title.

Easements in gross – Telecommunications

5. Easements in gross in favour of the Chorus New Zealand Limited for the purpose of providing telecommunications, shall be created over parts of Lot 100 and Lots 1-10 and shall be included in a memorandum of easements endorsed on the survey plan and be granted or reserved. The consent holder shall meet the costs for the preparation, review and registration of the easement instruments on the relevant computer registers (record of title).

Amalgamation conditions – COAL

6. Pursuant to section 220(1)(b)(iv), the appropriate amalgamation condition for the COAL (Lot 100) being held by Lot(s) 1-10 must be shown on the survey plan.

Section 224(c) compliance conditions

Advice Note:

- *A certificate pursuant to section 224(c) of the Resource Management Act will not be issued until all conditions in the decision have been met to the satisfaction of the Council and at the consent holder's expense.*
- *The consent holder shall install the approved Road Name Plates at appropriate locations approved by the Council Traffic Engineer.*
- *The consent holder shall provide to Council Incorporated Society Rules for the management of all shared devices, any shared access lots, prior to the issue of S224C.*
- *Where any services that have not been installed at the time of S223 approval, a certification shall be provided from a Licensed Cadastral Surveyor to confirm that all services are located within the easements shown on the survey plan.*

Section 224(c) certificate

7. The application for a certificate under section 224(c) of the RMA must be accompanied by certification from a suitably qualified surveyor and experienced surveyor or engineering professional that all the conditions of subdivision consent (SUB60377251) have been complied with, and identify all those conditions that have not been complied with and are subject to the following:
 - a) a consent notice has been issued in relation to any conditions to which section 221 applies;
 - b) a bond, as required by conditions of this consent, to be entered into by the subdividing owner in compliance with the relevant conditions of this subdivision consent; and
 - c) a completion certificate has been issued in relation to any conditions to which section 222 applies.

Engineering Conditions

Connection to Public Wastewater Network for Lots 1-10

8. The consent holder must design and construct connections to the public wastewater reticulation network to serve Lots 1-10 in accordance with the requirements of the wastewater utility provider. Certification from the utility provider that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.

Advice Note:

- *Acceptable forms of Evidence from the Utility Providers include a Certificate of Acceptance.*
- *Alterations to the public wastewater reticulation network require Engineering Plan Approval. Additional approval is required from Watercare/Veolia as part of the Engineering Plan Approval Process.*
- *Public connections are to be constructed in accordance with the Water and Wastewater Code of Practice.*
- *Works over approval may be required for any works within 2m (or build over) of the public drainage system.*
- *Any redundant connections are to be capped off and the public assets reinstated.*
- *Plans approved under Resource Consent do not constitute an Engineering Plan Approval and **should not be used** for the purposes of constructing public reticulation works in the absence of that approval.*

Connection to Public Water Network for Lots 1-10

9. The consent holder must make provision for a water connection to be made to the public water reticulation network for Lots 1-10 in accordance with the requirements of the water utility provider. Certification from a suitably qualified and experienced surveyor or engineering professional that this provision has been made must be provided when applying for a certificate under the section 224(c) of the RMA

Advice Note:

- *Acceptable forms of evidence include an engineering plan showing the proposed location of the connection to the main and as-built plans of the service conduits and private service pipes including within a COAL.*
- *Public connections are to be constructed in accordance with the Water and Wastewater Code of Practice.*
- *Public water supply is required to ensure an acceptable water supply for each lot, including for fire-fighting purposes.*
- *Plans approved under Resource Consent do not constitute an Engineering Plan Approval and **should not be used** for the purposes of constructing public reticulation works in the absence of that approval.*

Onsite Stormwater Disposal – Infiltration and Soakage

10. Lots 1-10 and Lot 100 are reliant on infiltration/soakage as means of stormwater disposal. The consent holder must design and construct an on-site stormwater management system as a disposal point for stormwater runoff from the lot(s) in accordance with the *Stormwater Disposal via Soakage in the Auckland Region (Guide Document 2021/007 or GD07)* & the *Infrastructure Capacity Assessment for Residential Development, prepared by Peter Lowe of Landworks Consulting Ltd, dated 11/07/2021, Rev D*. Certification that works have been satisfactorily undertaken must be provided when applying for a certification under section 224(c) of the RMA.

Advice Note:

- *Acceptable forms of evidence include Code Compliance Certificates.*
- *A building consent for these works will be required.*

Utilities for Lots 1-10

11. The consent holder must make provision for telecommunications and electricity to Lots 1-10 in accordance with the requirements of the respective utility operators. These utilities must be underground. Certification from the utility providers that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.

Advice Note:

- *The consent holder may also provide gas servicing to the lot(s), but this is not a requirement of the AUP(OP) and no proof is required at time of section 224(c). Any gas lines are required to be installed underground.*

Vehicle Access (Commonly Owned Access Land)

12. The consent holder must design and construct a commonly owned access lot (Lot 100) to serve Lot(s) 1-10 in accordance with the approved plans noted in Condition 1. Certification from a suitably qualified and experienced surveyor or engineering professional that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.

Advice Note:

- *Right of ways, Commonly Owned Access Lots and common access ways require a Common Access Way Plan Approval prior to construction. For more details refer to Common access way approval (aucklandcouncil.govt.nz)*
- *Please contact the Council to obtain the current engineering requirements for the construction of the type of vehicle accessway proposed.*
- *Plans approved under Resource Consent do not constitute a Common Access Way/ Engineering Plan Approval and should not be used for the purposes of constructing common access ways.*

- *The consent holder is advised that the New Zealand Addressing Standard (AS/NZS 4819:2011) and the LINZ Guidelines for Addressing In-fill Developments 2019 – LINZ OP G 01245 require consideration to be given to the naming of any private roads (rights of way or Commonly Owned Access Lots / common access ways) that serve six or more lots that are being created under a subdivision consent. All road names must be approved by the Council. In order to minimise disruption to construction and survey works, the consent holder is advised to take advice from their surveyor as to whether a road name will be required for any private roads and obtain any road name before applying for a section 223 certificate.*

Vehicle Crossing

13. The consent holder must upgrade the existing vehicle crossing to serve the COAL (Lot 100) and Lot(s) 1-10. The crossing must be designed and formed in accordance with the requirements of Auckland Transport Code of Practice 2013. The new crossing must maintain an at-grade (level) pedestrian footpath across the length of the crossing, using the same materials, kerbing, pavings, patterns and finish as the footpath on each side of the crossing. Certification that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.

Advice Note:

- *An approval letter and completion certificate from Auckland Transport is required to be submitted to Auckland Council as a verification that Auckland Transport has completed approval and a final vehicle crossing inspection before this condition is considered fulfilled.*
- *Works within the road reserve require prior approval from Auckland Transport. The consent holder should contact Auckland Transport as soon as possible to ensure any required approvals are issued prior to construction.*
- *A vehicle crossing approval permit is required to be obtained from Auckland Transport for these works. For more details refer to Vehicle crossing application (Auckland Transport)*
- *Please note that any redundant vehicle crossings are required to be reinstated as berm and/or footpath and the kerbs replaced.*

Reinstatement of kerbing

14. Prior to the operation of the activity, all redundant vehicle crossings must be removed and reinstated as kerbing and verge/footpath to Auckland Transport Code of Practice 2013. This must be undertaken at the consent holder's expense and to the satisfaction of the Council.

Advice note:

Works within the road reserve require prior approval from Auckland Transport. This includes vehicle crossings, reinstatement of kerbing and temporary occupation of the footpath/verge/berm during construction. The consent holder should contact Auckland Transport as soon as possible to ensure any required approvals are issued prior to construction.

Consent notices

Subdivision in accordance with an approved land use resource consent LUC60377813

15. The subdivision of Lot(s) 1-10 & Lot 100 must be undertaken in accordance with the land use resource consent referenced as BUN60377149/ LUC60377250.

To ensure that this condition is complied with on a continuing basis, the following text must be registered as a consent notice on the Record(s) of Title to be issued for Lot(s) 1-10 & Lot 100:

“This Lot has been created in accordance with approved land use resource consent BUN60377149 / LUC60377250. All development on this lot must be in accordance with the approved land use resource consent referenced as BUN60377149 / LUC60377250 including all its conditions. If this land use resource consent lapses prior to being given effect to, then a new land use resource consent will be required, unless the proposed use and development of the lot is otherwise able to be undertaken as a permitted activity.”

Common ownership of Soakage/infiltration System for Stormwater Disposal

16. Lot(s) 1-10 share a common infiltration/soakage system (where Soakage 1 serves the runoff from part of Lot 100 (COAL owned by Lots 1-10) and Lot 10; Soakage 2 serves the runoff from part of Lot 100 (COAL owned by Lots 1-10) and Lots 1-4; and Soakage 3 serves the runoff from Lots 5-9), which is located within Lot 100. To ensure that Lot(s) 1-10 remain adequately serviced and connected, the consent holder must create a common entity to represent and ensure that future owners of Lot(s) 1-10 are jointly responsible and liable for the ongoing operation, maintenance and repair of the shared drainage systems.

A copy of the document(s) describing the functions, powers, duties and liabilities of the common entity must be provided to the Council for certification. The document(s) must evidence that the ongoing operation, maintenance and repair obligations of this condition will be adequately provided for.

Further, to ensure that future owner(s) maintain membership of the common entity, the following must be registered as a consent notice on the record(s) of title to be issued for Lot(s) 1-10:

“Lot(s) 1-10 are served or serviced by a common infiltration/soakage system (where Soakage 1 serves the runoff from part of Lot 100 (COAL owned by Lots 1-10) and Lot 10; Soakage 2 serves the runoff from part of Lot 100 (COAL owned by Lots 1-10), Lots 1-4; and Soakage 3 serves the runoff from Lots 5-9), which is located within Lot 100. For so long as they are a registered proprietor of that Lot, the owners of Lot(s) 1-10 must be members of the established common entity that is jointly responsible and liable for the ongoing operation, maintenance and repair of the shared common assets located within Lot 100.”

Common ownership of Infrastructure/assets for Lot 10

17. Lot(s) 10 share a common water supply 40mm bulk meter and other common property (such as the vehicle parking, bicycle parking, storage and waste room on the ground floor and the front yard courtyard) which is located within Lot 10. To ensure that Lot(s) 10 remain adequately serviced and connected, the consent holder must create a common entity to represent and ensure that future owners of Lot 10 are jointly responsible and liable for the ongoing operation, maintenance and repair of the shared infrastructure and common property.

A copy of the document(s) describing the functions, powers, duties and liabilities of the common entity must be provided to the Council for certification. The document(s) must evidence that the ongoing operation, maintenance and repair obligations of this condition will be adequately provided for.

Further, to ensure that future owner(s) maintain membership of the common entity, the following must be registered as a consent notice on the record(s) of title to be issued for Lot(s) 10:

“Lot(s) 10 are served or serviced by common infrastructure and property located on Lot 10. For so long as they are a registered proprietor of that Lot, the owners of Lot 10 must be members of the established common entity that is jointly responsible and liable for the ongoing operation, maintenance and repair of the shared common asset located within Lot 10.”

Overland Flow Path

18. The consent holder shall cause to be registered against the Record of Title for Lots 1-9 & Lot 100; a Consent Notice under Section 221 of the Resource Management Act 1991, recording the following condition, which must be complied with on a continuing basis:

“The OFLP entry & exit point should not be blocked, altered or modified at all times.”

“The proposed driveway should be constructed with dish and kerb to allow water to flow and should not be removed.”

Future Development

19. The consent holder must cause to have registered against the Record of Title for Lot 10 a consent notice under section 221 of the Resource Management Act 1991, recording the following condition, which must be complied with on a continuing basis:

“The impervious area on Lot 10 must not exceed 207m² (46%) to ensure that the aggregate impervious area on Part Lot 34 Deposited Plan 3317 does not further exceed the AUP(OP) maximum impervious area standard that would otherwise apply to the parent Lot.”

“The landscaped area on Lot 10 must be maintained at a minimum of 248m² (82%)”

Advice notes

1. Any reference to number of days within this decision refers to working days as defined in s2 of the RMA.
2. For the purpose of compliance with the conditions of consent, “the council” refers to the council’s monitoring officer unless otherwise specified. Please email monitoring@aucklandcouncil.govt.nz to identify your allocated officer.
3. For more information on the resource consent process with Auckland Council see the council’s website: www.aucklandcouncil.govt.nz. General information on resource consents, including making an application to vary or cancel consent conditions can be found on the Ministry for the Environment’s website: www.mfe.govt.nz.
4. If you disagree with any of the above conditions, and/or disagree with the additional charges relating to the processing of the application(s), you have a right of objection pursuant to sections 357A and/or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of your receipt of this decision (for s357A) or receipt of the council invoice (for s357B).
5. The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.
6. The consent holder must, pursuant to section 36 of the RMA, pay all administrative charges, being the Council’s actual and reasonable costs incurred in processing this application, to be charged as follows:
 - The consent holder must pay to the Council an administrative charge for the carrying out by the Council of its functions in relation to receiving, processing, and granting this subdivision consent.
 - The consent holder must pay to the Council administrative charges for the carryout out by the Council of its functions in relation to the administration, monitoring and supervision of this consent.
 - The charges payable under (a) and (b) of this condition must be paid upon receipt of invoice or interim invoice or before any request for a certificate under section 224(c) of the Resource Management Act.
7. The consent holder is advised that under section 134 of the Resource Management Act 1991 that where the land changes ownership the consent holder will continue to be responsible for processing costs until such time as written notice of authority is given to the Council.
8. In accordance with Auckland Council’s adopted Development Contributions Policy, you have been assessed for development contributions. An assessment summary and invoice will be forwarded to you shortly.

9. *This subdivision consent has not included any assessment with regards to section 224(f) of the Resource Management Act 1991 (as it relates to s116A of the Building Act) as this is outside of the matters of control under the AUP. A section 224(f) assessment will be initiated by the relevant Subdivision Advisor when application is made for section 223/s224(c) certificates. This may trigger fire rating requirements for any buildings shown on the survey plan, and this in turn may require you obtain a confirming report from a Fire Engineer. For more information, please contact your Licensed Cadastral Surveyor.*
10. *The FFL of any future dwellings on the lot/s are required to comply with 1.2 m head requirement of Watercare standards for wastewater connection. If this is not complying, a private wastewater pump may be required at building consent stage.*
11. *Development may involve building over or adjacent to a Council Public wastewater drain. A building consent will be required for this work. A CCTV is required to be submitted to Auckland Council as a part of building consent application. Diversion / replacement / bridging of the old public wastewater drain may be required at the building consent stage. Works on public drains require an engineering plan approval*
12. *All retaining walls higher than 1m will require a building consent*
13. *Works within the road reserve require prior approval from Auckland Transport. The consent holder should contact Auckland Transport as soon as possible to ensure any required approvals are issued prior to construction.*
14. *The consent holder is responsible for obtaining Right of Entry or Landowner Approval for drainage works through neighbouring properties, including publicly owned land.*
15. *The consent holder is advised that a deposit fee is payable upon lodgement of an application for the issue of a certificate pursuant to section 224(c) of the Resource Management Act 1991 relating to this application. Please contact Auckland Council for the current fee.*
16. *Land Information New Zealand (LINZ) requires that proposed roads, private roads within common access lots or lot accesses comprising panhandle access strips and/or reciprocal rights of way easements that serve six (6) or more lots are to be named. LINZ has indicated that a name for the road or private road should be in place before the survey plan of subdivision is approved by the council under section 223 of the RMA and advises that if no name is in place this could be problematic when titles are later requested. The consent holder should obtain evidence of acceptance from LINZ that the proposed names are not duplicated within the Auckland Council area before submitting the names to the council for reporting to the relevant Local Board for approval. In giving its approval, the Local Board will have regard to the relevance of the road names to the locality or determine that the names are otherwise appropriate.*

Delegated Decision Maker

Name: Benjamin Cunningham

Title: Team Leader

Signed:



Date:

21 December 2021



Resource Consent Notice of Works Starting

Please email this form to monitoring@aucklandcouncil.govt.nz at least 5 days prior to **work starting** on your development or post it to the address at the bottom of the page.

Site address:				
AREA (please tick the box)	Auckland CBD <input type="checkbox"/>	Auckland Isthmus <input type="checkbox"/>	Hauraki Gulf Islands <input type="checkbox"/>	Waitakere <input type="checkbox"/>
Manukau <input type="checkbox"/>	Rodney <input type="checkbox"/>	North Shore <input type="checkbox"/>	Papakura <input type="checkbox"/>	Franklin <input type="checkbox"/>
Resource consent number:			Associated building consent:	
Expected start date of work:			Expected duration of work:	

Primary contact	Name	Mobile / Landline	Address	Email address
Owner				
Project manager				
Builder				
Earthmover				
Arborist				
Other (specify)				

Signature: Owner / Project Manager (indicate which)	Date:
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Once you have been contacted by the Monitoring Officer, all correspondence should be sent directly to them.

SAVE \$\$\$ minimise monitoring costs!

The council will review your property for start of works every three months from the date of issue of the resource consent and charge for the time spent. You can contact your Resource Consent Monitoring Officer on 09 301 0101 or via monitoring@aucklandcouncil.govt.nz to discuss a likely timetable of works before the inspection is carried out and to avoid incurring this cost.