

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



## Decision one – restricted discretionary activity land use consent (s9)

<b>Application numbers:</b>	BUN60419343 (Council Reference) LUC60419344 (s9 land use consent)
<b>Applicant:</b>	Phuoc Thuan Lam
<b>Site address:</b>	2 Halifax Avenue Epsom Auckland 1051
<b>Legal description:</b>	Lot 1 DP 410159
<b>Proposal:</b>	

To construct and use three (3) two-storey standalone dwellings and associated site works to establish building platforms, access, and landscaping.

Resource consent is required for the following reasons:

### Land use consents (s9) – LUC60419344

#### Auckland Unitary Plan (Operative in part)

##### **District land use (operative plan provisions)**

###### *Land Disturbance – District*

- To undertake general earthworks of 10m<sup>3</sup> over 209m<sup>2</sup> under rules E12.4.1(A3) and (A7) that fail to meet the following standard and is a restricted discretionary activity under rule C.1.9(2):
  - The proposal will raise the ground level by up to 400mm within the 1 per cent annual exceedance probability ('AEP') which infringes the standard E12.6.2(11)(a) as the ground level will be raised by more than 300mm.

###### *Trees in Roads*

- To undertake works within the protected root zone of street tree that do not comply with standard E17.6.3 is a restricted discretionary activity under rule E17.4.1(A8). In this instance, works are proposed within the protected root zone of Water Gum street tree located in front of the subject site at the eastern end of the grass berm.

###### *Natural hazards and flooding*

- To construct stormwater management devices in the 1 per cent AEP floodplain is a restricted discretionary activity under rule E36.4.1(A33). In this instance, underground detention tanks are proposed within the 1 per cent AEP floodplain.
- To construct new structures and buildings within the 1 per cent AEP floodplain are a restricted discretionary activity under rule E36.4.1(A37).

- To use new buildings to accommodate dwellings being more vulnerable activities located within the 1 per cent AEP floodplain is a restricted discretionary activity under rule E36.4.1(A38).
- To construct Infrastructure on land which is subject to 1 per cent AEP is a restricted discretionary activity under rule E36.4.1(A56).

#### *Residential – Mixed Housing Suburban Zone*

- To construct new buildings that do not comply with standard H4.6.5 Height in relation to boundary but comply with standard H4.6.6 Alternative height in relation to boundary within the 20m of the site frontage is a restricted discretionary activity under rule H4.4.1(A33).
- The proposal involves use and development under rules H4.4.1(A3) and H4.4.1(A34) that fails to meet the following core standards and is a restricted discretionary activity under rule C1.9(2):
  - Standard H4.6.9: Building coverage
    - The proposed building coverage is 43% (322.5m<sup>2</sup>) of the net site area which exceeds the maximum allowance of 40%.
  - Standard H4.6.10: Landscaped area
    - The proposed landscaped area is 36% (270.6m<sup>2</sup>) of the net site area which is below the minimum requirement of 40%.

## Decision

I have read the application, supporting documents, and the report and recommendations on the application for resource consents. 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 is **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 avoided, remedied or mitigated as:
  - a. Adverse effects upon streetscape and residential character will be suitably mitigated and are acceptable. In particular, the layout and treatment of the proposed built form seeks to break down the overall form and appearance of the development and its resulting bulk and massing as viewed from the street and mitigates adverse effects from all built form infringements to an acceptable level. Successful implementation of various architectural techniques is effective in minimising any perceived visual dominance and monotony. Furthermore, the design of the street facing façades helps to activate the street and achieve a good degree of passive surveillance to the street.

- b. Appropriate measures are proposed ensuring that any resulting adverse effects (access to sunlight, visual dominance and privacy) on residential amenity values are suitably mitigated to an acceptable level for all persons, especially those on adjoining sites.
  - c. An acceptable level of on-site amenity is achieved noting compliance with outlook and outdoor living space requirements.
  - d. Conditions have been offered and accepted to ensure works within the protected root zone of street tree are suitably managed in accordance with arboricultural best practice, meaning any adverse effects associated with streetscape amenity and ecological values will be mitigated to an acceptable level.
  - e. In terms of flooding effects, the proposal has been assessed by Council's Development Engineers, who confirmed that the proposed development will be suitably protected from flooding hazard. People will generally be able to gain access unaided to and from the proposed dwellings in the 1% AEP event with some assistance needed for children and elderly. The proposed dwellings also provide a safe location until water levels subside if evacuation is not a preferred option. While the proposed earthworks require filling and a resulting increase in ground level within the flood plain, the volume of cut exceeds fill and therefore no storage loss is expected during 100-year ARI storm event. Overall, it has been demonstrated that the proposal will not result in exacerbation of the extent of flood risk on site, any adjacent land, or infrastructure, meaning any adverse effects on site, adjacent land or the wider environment will be mitigated to an acceptable level.
  - f. In terms of positive effects, the proposal provides for a more efficient use of existing urban residential land for housing and increases housing supply and intensity within the existing urban environment as envisaged by the AUP(OP), contributing to increasing housing variety and choice.
  - g. 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.
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:

Auckland Unitary Plan Operative in part

- As it relates to the earthworks within the 1 per cent AEP floodplain, the matters of discretion, assessment criteria, objectives and policies that are of relevance in the consideration of this proposal include those outlined under Section E12 – "*Land disturbance – District*". The general approach of this assessment framework as it relates to the proposed land disturbance seeks to enable necessary land disturbance on the basis that adverse instability, amenity, and cultural heritage amenity effects on any persons and the environment are avoid where practicable, and otherwise, mitigated, or where appropriate, remedied. It has been demonstrated that the earthworks can be undertaken in a manner that does not compromise stability and does not exacerbate flooding hazard affecting the site. Overall, the outcome is consistent with the relevant assessment framework.

- The proposal is consistent with the relevant matters of discretion, assessment criteria, objectives, and policies outlined in *Section E17 – “Trees in Roads”*. The general thrust of this assessment framework sets out to preserve the visual amenity, ecological values, and cultural values of trees that are located within the road reserve, whilst recognising operational constraints around particular activities and any mitigation proposed in support of the proposal. Conditions have been offered and adopted by the applicant to ensure works within the protected root zone of street tree are suitably managed in accordance with arboricultural best practice, meaning any adverse effects associated with streetscape amenity and ecological values will be sufficiently mitigated.
  - The proposal is consistent with the relevant matters of discretion, assessment criteria, objectives, and policies outlined within *Section E36 – “Natural Hazards and Flooding”*. Sufficient provisions have been made to ensure that the habitable floor spaces are located above the 1 per cent AEP with safe evacuation routes provided. The proposal does not increase adverse effects from flood hazards or increased flood depths and velocities to other properties upstream or downstream of the site. Overall, the proposal can be undertaken in a manner that the risks of adverse effects from flooding hazard to people, buildings, infrastructure and the environment are not increased overall and where practicable are reduced, taking into account the likely long-term effects of climate change.
  - The proposal is consistent with the relevant matters of discretion, assessment criteria, objectives, and policies outlined within *Section H4 – “Residential Mixed Housing Suburban”*. The relevant policy framework in the context of this application includes reference to policies H4.3(2) – (5). The proposal is consistent with these policies as the design and layout of the proposed development is considered to achieve planned suburban build character of predominantly two-storeys in a variety of forms and meet day to day needs of the occupants, while maintaining a reasonable standard of sunlight access and privacy and minimising visual dominance effects to adjoining sites.
  - Nothing the above, the proposal is also consistent with policies contained in clause 6 of Schedule 3A of the RMA as well as the proposed objectives and policies under PC 78. The design and layout of the proposed development contribute to housing typologies with a mix of densities within the zone, while contributing to the attractiveness and safety of the street and providing high quality on-site residential amenity meeting day-to-day needs of residents. As the policy framework are similar in both instances no weighting is considered required.
3. As a restricted discretionary activity, no other matters are considered relevant under s104(1)(c) of the RMA.

In the context of this proposal for a restricted discretionary activity land use consent, 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.

4. Overall, the proposal is an appropriate development in this locality, resulting in an outcome that is consistent with the provisions of the Auckland Unitary Plan Operative in part and which results in adverse effects on the environment being suitably mitigated and acceptable.

## Conditions

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

### Activity in accordance with application

1. 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 LUC60419344 of BUN60419343.
  - Application Form and Assessment of Environmental Effects prepared by Terry Chen of TLT Design Limited titled: "Construction of four [three] residential dwellings and three-lot freehold subdivision at 2 Halifax Ave, Epsom", Rev B, dated 18 July 2023.

Report title and reference	Author	Rev	Dated
Flood Assessment Report, ref. FP210b	Eighty6 Engineering	A	20/04/2023
Infrastructure Assessment Report, ref. FP210b	Eighty6 Engineering	A	20/04/2023
Arboricultural Assessment Report, ref. FP210b	Arbor Connect Ltd	-	14/11/2023

Drawing title and reference	Author	Rev	Dated
A-02: Site Plan	TLT Design Ltd	B	22/07/2023
A-04: Site Information	TLT Design Ltd	B	22/07/2023
A-05: Landscape Plan	TLT Design Ltd	B	22/07/2023
A-05a: Landscape Palette	TLT Design Ltd	B	22/07/2023
A-06: Ground Floor Outlook Space	TLT Design Ltd	A	18/03/2023
A-07: First Floor Outlook Space	TLT Design Ltd	A	18/03/2023
A-11: Lot 1 – Ground Floor Plan	TLT Design Ltd	A	18/03/2023
A-12: Lot 1 – First Floor Plan	TLT Design Ltd	A	18/06/2020
A-14: Lot 1 – Elevations	TLT Design Ltd	C	09/08/2023
A-15: Lot 1 – Elevations	TLT Design Ltd	C	09/08/2023
A-21: Lot 2 – Ground Floor Plan	TLT Design Ltd	A	18/03/2023
A-22: Lot 2 – First Floor Plan	TLT Design Ltd	A	18/06/2020
A-24: Lot 2 – Elevations	TLT Design Ltd	B	22/07/2023
A-25: Lot 2 – Elevations	TLT Design Ltd	B	22/07/2023
A-31: Lot 3 – Ground Floor Plan	TLT Design Ltd	A	18/03/2023
A-32: Lot 3 – First Floor Plan	TLT Design Ltd	A	18/06/2020
A-34: Lot 3 – Elevations	TLT Design Ltd	B	22/07/2023
A-35: Lot 3 – Elevations	TLT Design Ltd	B	22/07/2023
FP210b-20: Earthworks Plan Finished Contours	Eighty6 Engineering	A	17/04/2023

FP210b-21: Earthworks Plan Cut Fill	Eighty6 Engineering	A	17/04/2023
FP210b-22: Sediment and Erosion Control	Eighty6 Engineering	A	17/04/2023
FP210b-30: Common Accessway Layout Details	Eighty6 Engineering	A	17/04/2023
FP210b-31: Common Accessway Longitudinal Section	Eighty6 Engineering	A	17/04/2023
FP210b-33: Porous Paving Details	Eighty6 Engineering	A	17/04/2023
FP210b-40: Drainage Layout Plan	Eighty6 Engineering	C	14/09/2023
FP210b-41: Stormwater and Wastewater Longitudinal Sections	Eighty6 Engineering	B	14/09/2023
FP210b-45: Existing Overland Flow Path and 100YR Flood Plain	Eighty6 Engineering	A	17/04/2023
FP210b-50: Water Plan	Eighty6 Engineering	A	17/04/2023
FP210b-60: Utility Services Trench	Eighty6 Engineering	A	17/04/2023
Other additional information	Author	Rev	Dated
S92 Response Email Correspondence	Terry Chen of TLT Design Limited	-	19/07/2023 09/08/2023
S92 Response Letter – Engineering	Eighty6 Engineering	-	13/09/2023

#### **Advice Note:**

*The engineering assessment of this resource consent is limited to an effects-based assessment allowed by the Unitary Plan. Plans approved under Resource Consent do not constitute an Engineering Plan Approval. A separate engineering approval will be required for the design of any infrastructure that is to vest in council.*

#### **Lapsing of Consent**

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.

#### **Monitoring Deposit**

3. The consent holder must pay the council an initial consent compliance monitoring charge of \$744 (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.*

**Construction Noise**

4. 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)) must not exceed the noise limits stipulated within NZS 6803:1999 Acoustics - Construction Noise (or any subsequent revision), and may only be carried out:
  - between the hours of 7:30 am and 18:00 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).

**Earthworks Management Conditions**

5. 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.
6. All earthworks must be managed to minimise any discharge of debris, soil, silt, sediment, or sediment-laden water beyond the subject site to land, stormwater drainage systems, watercourses, or receiving waters. In the event that a discharge occurs, works must cease immediately, and the discharge must be mitigated and/or rectified to the satisfaction of the council.
7. Earthworks must be managed to avoid 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 must 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 who may be able to provide further guidance on the most appropriate approach to take. Please contact the council on [monitoring@aucklandcouncil.govt.nz](mailto:monitoring@aucklandcouncil.govt.nz) for more details. Alternatively, please refer to "[GD05 Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland region](#)"*

8. There must be no airborne or deposited dust beyond the subject site as a result of the earthworks, that in the opinion of the council, is noxious, offensive or objectionable.

**Advice note:**

*In accordance with Condition 10 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 council on [monitoring@aucklandcouncil.govt.nz](mailto: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"*

9. There must be no obstruction of access to public footpaths, berms, private properties, public services/utilities, or public reserves, unless otherwise authorised by council and/or Auckland Transport, resulting from the construction and/or earthworks activity. All materials and equipment must be stored within the subject site's boundaries.
10. Except as authorised by this consent, there must be no damage to public roads, footpaths, berms, kerbs, drains, reserves, or other public asset as a result of the earthworks, demolition, and construction activity. In the event that such damage does occur, the council



must be notified within 24 hours of its discovery. The costs of rectifying such damage and restoring the asset to its original condition will be met by the consent holder.

### **Tree Works**

11. A suitably experienced arborist ('nominated arborist') must be employed by the consent holder, at the consent holder's expense, to monitor, supervise, and direct all works within the drip line or in the vicinity of the two street trees to be retained outside 2 Halifax Ave, Epsom.
12. Before any works commences on site, including demolition works, a pre-commencement site meeting must be held so that the consent holders nominated arborist can explain the tree protection measures that pertain to the retained vegetation to all contractors or subcontractors who will be working on-site within the root zone of, or adjacent to, any trees implicated by the project. The Nominated Arborist must be familiar with the Arborist report written by Stuart Barton, (Arbor Connect), For Thuam Lam, dated 14 November 2023, titled "Development of site, 2 Halifax Avenue, Epsom" referenced in Condition 1.
13. A copy of this arboricultural assessment report above must be held on-site at all times.
14. A fundamental requirement for protecting the retained street trees must be documented and monitored throughout the construction process. The consent holders nominated arborist must maintain a log of visits to the site and works undertaken on those visits. Dates and times inclusive.
15. Any demolition, including removing concrete surfaces, or excavation works within the root zone of either street tree outside 2 Halifax Ave, Epsom must be undertaken under the supervision of the consent holders nominated arborist. The nominated arborist must approve the construction methodology before the commencement of works. Any method selected must have minimal impact on the trees.
16. All pruning of the street trees must be carried out by Auckland Council approved qualified arborists and comply with accepted arboricultural standards and code of practice.
17. Silt control must utilize filter socks rather than dug-in materials in the protected root zone of the two street trees.
18. All excavations within the protected root zone of the two street trees must be undertaken by an excavator under the supervision of the consent holders nominated arborist.
19. All roots encountered during excavations that require severance, must be cleanly cut back to the excavation face using a handsaw or secateurs by the nominated arborist following documented arboricultural standards. Roots must be permitted to be severed if, in the opinion of the nominated arborist, it will not adversely impact the long-term health or stability of the trees.
20. All exposed roots and root ends must be covered over with hessian (or an acceptable alternative) to prevent them from drying out. The hessian must be kept damp until the excavated area can be backfilled. Any exposed roots that are likely to come into contact with wet concrete must be covered with a permanent barrier such as polythene, to protect contact.

21. Temporary protective fencing to protect the street trees from damage must be installed prior to any works commencing on site, including demolition works. The purpose of the temporary protective fencing is to provide an area around the street trees that will facilitate their successful retention during the construction process. The fencing must encompass the grass berm within the protected root zone or tree protection zone (greater of the two). Although temporary, the fence must be constructed so that it is not easily moved and be fit for purpose.
22. The area within the temporary protective fencing is to be considered a total exclusion zone as follows:
  - No storage of diesel, cement, building materials, site huts, spoil, etc. within the delineated area.
  - No spillages of substances, likely to be detrimental to tree health, within seepage distance of the delineated area.
  - No alteration to the dimensions of the delineated area without the prior approval of the nominated arborist.
  - No access into or works within the delineated area without the prior approval of the nominated arborist.
23. The consent holder is responsible for maintaining the condition of the temporary protective fencing. The temporary protective fencing's condition, repair, and location must be regularly inspected as part of the routine tree-monitoring program.
24. During the construction process, the consent holder's nominated arborist may recommend installing irrigation systems, mulch, or remedial pruning works if required to improve the health of the trees. The consent holder must adhere to the recommendations of the nominated arborist.

### **Stormwater Discharge**

25. The discharge of stormwater from the new development must be via 1400L underground detention tank for Units 1 and 2 and 1750L underground detention tank for Unit 3 in accordance with design carried by Eighty 6 Engineering Ltd as shown in the drainage layout plan Ref:FP210b-40-Rev C dated 14th September 2023. As built plan demonstrating the location of the detention tanks and compliance with this condition must be supplied to the Council within one month of works being completed.
26. The stormwater management device must be installed or built generally in accordance with the design specifications by a suitably qualified service provider.
27. The stormwater management device must be fully operational before the use of the impervious area.
28. Within three months of the practical completion of the works, the consent holder must provide the following to the Council:
  - Written evidence that the stormwater management device was installed or built generally in accordance with the design specification, and by a suitably qualified service provider; and

- As-built plans of the stormwater management device, certified (signed) by a suitably qualified service provider as a true record of the stormwater management system.
29. The stormwater management device must be operated and maintained in accordance with best practice for the device.
  30. Details of all inspections and maintenance for the stormwater management device, for the preceding three years, must be retained by the consent holder. These records must be provided to the Council on request.

### **Flooding**

31. The consent holder must provide a statement from an engineer or building professional certifying that the finished floor levels stated in the 2 Halifax Avenue Architectural Drawings by TLT Design Ltd (reference: A2089-A14 &15, A24 &A25 & A34 &A35-Rev B dated 22nd July 2023) to the Council within 20 working days from the completion of the works.
32. Boundary fencing at the locations identified within the extent of the flood waters as illustrated within Flood Risk Assessment carried out by Eighty 6 Engineering Ltd and additional information under S92 response must be constructed as such a minimum of 70 % permeability is achieved or that there is an opening at ground level which is 150 mm above the finish ground level. This is to ensure conveyance of the floodwaters and minimize obstruction of floodwaters. This must be an ongoing requirement in perpetuity.
33. All habitable and not habitable areas must be constructed on poles with suspended subfloor system to allow the flood water flow freely through the building without any obstruction.

### **Height in Relation to Boundary – Surveyors Certification**

34. No building works 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 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 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.*

### **Landscape Plan Implementation**

35. Prior to the development being first occupied and within an appropriate planting season, (1 May to 31 August of any year), the consent holder must implement the Landscape Plans prepared by TLT Design Ltd, rev. B, dated 22/07/2023 and referenced in Condition 1. The landscaping (planting, pavement, fencing etc.) must be maintained thereafter for the duration of the life of the consented development.

### **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](mailto: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](http://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](http://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. *Development may involve building over or adjacent to a Council Public Stormwater / wastewater drain. A CCTV shall be required to be submitted to Auckland Council as a part of building consent application. Diversion / replacement / bridging of the old public stormwater/wastewater drain may be required at the building consent stage. A building consent shall be required for this work. Works on public drains require an engineering plan approval.*
7. *The FFL of the house has to comply with 1.2 m head requirement of Watercare standards for wastewater connection. If this is not complying, private wastewater pump may be required at building consent stage.*

8. *All water supply connections for all the lots to the Water Care supply main and shall be designed in accordance with Water Care Ltd's "Standards" and be made by a Water Care Services Ltd approved contractor. For details, please contact Water Care Services.*
9. *A CAR application is required from Auckland Transport for any works within the road reserve that affects the normal operation of the road, footpath, or berm.*
10. *The consent holder is advised that there is an obligation to comply with the Waste Management and Minimisation Bylaw 2019.*
11. *If you are demolishing any building that may have asbestos containing materials (ACM) in it:*
  - *You have obligations under the relevant regulations for the management and removal of asbestos, including the need to engage a Competent Asbestos Surveyor to confirm the presence or absence of any ACM.*
  - *Work may have to be carried out under the control of person holding a WorkSafe NZ Certificate of Competence (CoC) for restricted works.*
  - *If any ACM are found, removal or demolition will have to meet the Health and Safety at Work (Asbestos) Regulations 2016.*
  - *Information on asbestos containing materials and your obligations can be found at [www.worksafe.govt.nz](http://www.worksafe.govt.nz)*

*If ACM are found on site following the demolition or removal of the existing buildings you may be required to remediate the site and carry out validation sampling. Dependent on the amount of soil disturbance a further consent application may be required.*

12. *The consent holder is responsible for ensuring that all development and associated works (including mobile plant and scaffolding) complies with the minimum safe distances from overhead electric lines in compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) (NZECP34). Resource consent does not confirm compliance with NZECP34. The consent holder should ensure that minimum safe distances are achieved before commencing construction where there are overhead electrical lines nearby.*

*You can search your site address at <https://www.ena.org.nz/lines-company-map/> to identify your local lines company.*

*Vector network: <https://www.vector.co.nz/personal/help-safety/near-our-network/building-near-overhead-lines>*

*Counties Energy network: <https://www.countiesenergy.co.nz/forms/close-approach-permit>*

Delegated decision maker:

Name: Tommy Ma

Title: Team Leader, Resource Consents

Signed: 

Date: 4 March 2024

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



## Decision two – restricted discretionary activity subdivision consent (s11)

**Application numbers:** BUN60419343 (Council Reference)  
SUB60419345 (s11 subdivision consent)

**Applicant:** Phuoc Thuan Lam

**Site address:** 2 Halifax Avenue Epsom Auckland 1051

**Legal description:** Lot 1 DP 410159

**Proposal:**

To undertake a three-lot residential subdivision around the development approved in the land use consent referenced as LUC60419344 to create the freehold titles as follows:

Lot	Gross site area	Net site area	Building coverage (max 40%)	Impervious area (max 60%)	Landscaped area (min 40%)
1	222.5m <sup>2</sup>	174.4m <sup>2</sup>	<b>93.2m<sup>2</sup> (53.4%)</b>	<b>145.8m<sup>2</sup> (64.7%)</b>	78m <sup>2</sup> (44.7%)
2	226m <sup>2</sup>	174.4m <sup>2</sup>	<b>100.5m<sup>2</sup> (57.6%)</b>	<b>153.4m<sup>2</sup> (67.9%)</b>	70.5m <sup>2</sup> (40.4%)
3	299.5m <sup>2</sup>	299.5m <sup>2</sup>	<b>128.8m<sup>2</sup> (43%)</b>	142.8m <sup>2</sup> (47.7%)	122.1m <sup>2</sup> (40.8%)

Resource consent is required for the following reasons:

### Subdivision consent (s11) – SUB60419345

#### Auckland Unitary Plan (Operative in part)

#### **Subdivision (operative plan provisions)**

##### *Subdivision – Urban*

- To subdivide land (creation of proposed lots 1 and 2) that is located within the one per cent annual exceedance probability floodplain natural hazard is a restricted discretionary activity under rule E38.4.1(A11).
- To subdivide the parent site into three lots, 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).

### Decision

I have read the application, supporting documents, and the report and recommendations on the application for resource consents. 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, 106 and Part 2 of the RMA, the resource consent is **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 avoided, remedied or mitigated as:
  - a. The development proposed is consistent with the intensity envisaged throughout the AUP(OP) and its respective zoning, noting that the development and use of three (3) dwellings within the parent site has been assessed as having acceptable effects under the associated land use consent (LUC60419344) and no new infringements arise as a result of this subdivision.
  - b. Appropriate provisions will be made for infrastructure and servicing in terms of stormwater and wastewater disposal, and water supply. Conditions have been offered, and accepted by the applicant, to ensure that servicing works are completed prior to the issuing of the titles. Overall, the subdivision can be appropriately serviced so that any adverse infrastructure effects are acceptable.
  - c. Each lot will have legal and physical access to the public road via proposed vehicle crossing and appropriate right-of-way easements in place. The access arrangements to each proposed lot are safe, convenient, and accessible.
  - d. The flooding hazard has been appropriately addressed and assessed in the associated land use consent (LUC60419344) and the proposal is not anticipated to give rise to or exacerbate any adverse flooding effects on the wider environment or neighbouring properties. The proposed subdivision will be undertaken in a manner that will be able to manage the risk of adverse effects resulting from flooding hazard.
  - e. Consent notices have been imposed to ensure that all future allotments are maintained at the calculated and assessed building coverage, landscaped, and/or impervious areas as assessed under LUC60419344 where the corresponding permitted standards of coverage have not been exceeded. This is essential to ensure that the layout and design of the subdivision does not materially affect the underlying land use consent.
  - f. In terms of positive effects, the subdivision will create legal boundaries between three (3) residential dwellings and will give each owner a freehold ownership of their own individual lot.
  - g. 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.
2. In accordance with an assessment under s104(1)(b) of the RMA the proposal is consistent with the relevant statutory documents. In particular:

Auckland Unitary Plan Operative in part



- The proposal is consistent with the relevant matters of discretion, assessment criteria, and policies outlined in *Section E38 – “Subdivision – Urban”*. The relevant assessment framework seeks to ensure compliance with an approved resource consent, suitable design and layout, and the appropriate consideration of the effects of infrastructure provision and the site design. In this instance, the proposed freehold subdivision is appropriate for the context of the subject site, where the layout is safe, efficient, convenient, and accessible. The outcome of the subdivision will not change what is consented through the land use consent in any material way. As such, the proposal seeks to achieve the directives set out in both this section and the underlying zone.
  - The proposed subdivision will be undertaken in a manner that will be able to manage the risk of adverse effects resulting from flooding hazard in accordance with the objectives and policies outlined in *Section E36 – “Natural hazards and flooding”*, and to provide safe and stable building platforms and vehicle access.
3. As a restricted discretionary activity, there are no other relevant matters that can be considered under s104(1)(c) of the RMA.
  4. In terms of s106 of the RMA, despite being located in the flood plain, the proposal is not considered to give rise to a significant risk from flooding or other natural hazards on site or to surrounding properties, 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 restricted 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.
  6. Overall, the proposal is an appropriate subdivision in this locality, resulting in an outcome that is consistent with the provisions of the Auckland Unitary Plan Operative in part and which results in adverse effects on the environment being acceptable.

## 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, this consent is subject to the following conditions:

### General conditions

#### Activity in accordance with application

- The three (3) residential lot subdivision must be as described in the application form and Assessment of Environmental Effects prepared by Terry Chen of TLT Design Limited titled: "Construction of four [three] residential dwellings and three-lot freehold subdivision at 2 Halifax Ave, Epsom", Rev B, dated 18 July 2023, and must be carried out in accordance with the plans and information detailed below, and all referenced by the Council as consent number SUB60419345 of BUN60419343.

Report title and reference	Author	Rev	Dated
Flood Assessment Report, ref. FP210b	Eighty6 Engineering	A	20/04/2023
Infrastructure Assessment Report, ref. FP210b	Eighty6 Engineering	A	20/04/2023
Drawing title and reference	Author	Rev	Dated
A-01: Scheme Plan	TLT Design Ltd	C	22/02/2024
FP210b-30: Common Accessway Layout Details	Eighty6 Engineering	A	17/04/2023
FP210b-31: Common Accessway Longitudinal Section	Eighty6 Engineering	A	17/04/2023
FP210b-40: Drainage Layout Plan	Eighty6 Engineering	C	14/09/2023
FP210b-41: Stormwater and Wastewater Longitudinal Sections	Eighty6 Engineering	B	14/09/2023
FP210b-45: Existing Overland Flow Path and 100YR Flood Plain	Eighty6 Engineering	A	17/04/2023
FP210b-50: Water Plan	Eighty6 Engineering	A	17/04/2023
FP210b-60: Utility Services Trench	Eighty6 Engineering	A	17/04/2023
Other additional information	Author	Rev	Dated
S92 Response Email Correspondence	Terry Chen of TLT Design Limited	-	19/07/2023 09/08/2023
S92 Response Letter – Engineering	Eighty6 Engineering	-	13/09/2023

**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).*
- The engineering assessment of this resource consent is limited to an effects-based assessment allowed by the Unitary Plan. Plans approved under Resource Consent do not constitute an Engineering Plan Approval. A separate engineering approval will be required for the design of any infrastructure that is to vest in council.*

- *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.*

### **Lapsing of Consent**

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 ‘Scheme Plan’, Rev. C, prepared by TLT Design Ltd, dated 22/02/2024. The survey plan must show all easements required by this subdivision consent.

### **Memorandum of Easements**

4. The right(s)-of-way and any services easements or easements in gross over parts of Lots 1, 2, and 3 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.

## Section 224(c) compliance conditions

### Section 224(c) certificate

5. The application for a certificate under section 224(c) of the RMA must be accompanied by certification from a suitably qualified and experienced surveyor or engineering professional that all the conditions of subdivision consent SUB60419345 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 to be issued in relation to any conditions of this consent to which section 221 applies.

### Connection to Stormwater Public Reticulation Network

6. The consent holder must design and construct connections to the public stormwater reticulation network to serve Lots 1, 2, and 3 in accordance with the requirements of the stormwater utility service 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 include Engineering Approval Completion Certificates.*
- *Stormwater utility provider is Auckland Council Healthy Waters.*
- *Public connections are to be constructed in accordance with the Stormwater Code of Practice.*
- *Alterations to the public stormwater reticulation network require Engineering Plan Approval.*
- *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.*
- *Development may involve building over or adjacent to a Council Public stormwater drain. A CCTV shall be required to be submitted to Auckland Council as a part of building consent application. Diversion / replacement / bridging of the existing public stormwater drain may be required at the building consent stage/ EPA stage. A building consent shall be required for this work. Works on public drains require an engineering plan approval. Healthy Water technical review approval is required for the diversion of existing stormwater system and the buildover/closer to the proposed public stormwater pipes at the time of EPA/building consent stage.*

### Connection to Wastewater Public Reticulation Network

7. The consent holder must design and construct connections to the public wastewater reticulation network to serve Lots 1, 2, and 3 in accordance with the requirements of the wastewater utility service 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 notes:**

- *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 as part of the Engineering Plan Approval Process.*
- *Public connections are to be constructed in accordance with the Water and Wastewater Code of Practice. Where the required gravity fall cannot be met, a reduced gravity fall may be acceptable to Watercare in some circumstances.*
- *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*
- *This development involves building or other construction works over public wastewater lines. The consent holder will be responsible for ensuring all necessary approvals are obtained from Watercare. See Watercare's website ([www.watercare.co.nz](http://www.watercare.co.nz)) for more information.*

### **Connection to Public Water Reticulation Network**

8. The consent holder must design and construct connections to the public water reticulation network to serve Lots 1, 2, and 3 in accordance with the requirements of the water utility provider. Certification from the utility provider that works have been satisfactorily undertaken must be provided when applying for a certificate under the section 224(c) of the RMA.

#### **Advice notes:**

- *Acceptable forms of evidence of connection include a Certificate of Acceptance from the Utility Providers.*
- *Alterations to the public water reticulation network require Engineering Plan Approval. Additional approval is required from Watercare/ Veolia as part of the Engineering Plan Approval Process.*
- *Public water supply is required to ensure an acceptable water supply for each lot, including for fire-fighting purposes.*
- *Public connections are to be constructed in accordance with the Water and Wastewater Code of Practice.*
- *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.*

### **Utilities**

9. The consent holder must make provision for telecommunications and electricity to Lots 1, 2, and 3 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**

10. The consent holder must design and construct a vehicle accessway to serve Lots 1, 2, and 3 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 \(aucklandcouncil.govt.nz\)](http://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**

11. The consent holder must provide new vehicle crossing to serve Lots 1, 2, and 3. The crossing must be designed and formed in accordance with the requirements of Auckland Transport (GD017A-Residential Vehicle Crossing). 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 the 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.*

### **Private stormwater management devices**

12. Lots 1, 2, and 3 contain individual stormwater management devices that are required to mitigate the additional stormwater runoff from the development. The owners of Lots 1, 2, and 3 are responsible and liable for the ongoing operation, maintenance and repair of the stormwater mitigation device located within their individual site.

As such, pursuant to Section 221 of the Resource Management Act, the consent holder must have registered on the Record of Titles to be issued for Lots 1, 2, and 3 a consent notice, recording the following condition(s) to be complied with on a continued basis:

*“The owner(s) of this lot is advised that stormwater runoff from the site is disposed of into the public stormwater system via a private inground stormwater retention/detention device. The on-going operation and maintenance of the device is the responsibility of the Lot owner(s).”*

### **Flooding**

13. The site is subject to 1 in 100-year flood plain. As such, pursuant to Section 221 of the Resource Management Act, the consent holder must have registered on the Record of Titles to be issued for Lots 1, 2, and 3 a consent notice, recording the following condition(s) to be complied with on a continued basis:

*“The lot owner must provide, construct and maintain a means of conveying unobstructed flow through the lot in accordance with Flood Risk Assessment carried out Eighty6 Engineering Ltd Ref:FP201b-Rev A dated 20th April 2023 and additional information provided under S92 response and must not obstruct the flow or divert flood water through the property with any fencing, object, impermeable landscaping, building, or structure.”*

### **Subdivision in accordance with an approved land use resource consent**

14. The subdivision of Lot 1 DP 410159 must be undertaken in accordance with the land use resource consent referenced as LUC60419344 of BUN60419343. To ensure that this condition is complied with on a continuing basis, the following must be registered as a consent notice on the records of title to be issued for Lots 1, 2, and 3:

*“This Lot has been created in accordance with approved land use resource consent LUC60419344 of BUN60419343. All development on this lot must be in accordance with the approved land use resource consent referenced as LUC60419344 of BUN60419343 or as varied by any subsequent resource consent applications, 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.”*

### **Future Development Rights**

15. Lots 1, 2, and 3 are created as part of a subdivision of parent site Lot 1 DP 410159. In order to avoid future adverse amenity and stormwater runoff effects related to landscaped and impervious areas, the landscaped and impervious area on these Lots must be maintained at the levels proposed under the approved land use resource consent referenced as LUC60419344 of BUN60419343.

To ensure that this condition is complied with on a continuing basis, the following must be registered as a consent notice on the records of title to be issued for Lots 1, 2, and 3:

- Lot 1: *“The landscaped area on this Lot must be maintained at a minimum of 44.7% or 78 sqm.”*
- Lot 2: *“The landscaped area on this Lot must be maintained at a minimum of 40.4% or 70.5 sqm.”*
- Lot 3: *“The landscaped area on this Lot must be maintained at a minimum of 40.8% or 122.1 sqm.”*
- Lot 3: *“The impervious area on this Lot must be maintained at a maximum of 47.7% or 142.8 sqm.”*

### **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 more information on the resource consent process with Auckland Council see the council’s website: [www.aucklandcouncil.govt.nz](http://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](http://www.mfe.govt.nz).*
3. *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).*
4. *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.*



Delegated decision maker:

Name: Tommy Ma

Title: Team Leader, Resource Consents

Signed: 

Date: 4 March 2024

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## Resource Consent Notice of Works Starting

Please email this form to [monitoring@aucklandcouncil.govt.nz](mailto: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.

<b>Site address:</b>				
<b>AREA (please tick the box)</b>	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"/>
<b>Resource consent number:</b>			<b>Associated building consent:</b>	
<b>Expected start date of work:</b>			<b>Expected duration of work:</b>	

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

<b>Signature:</b> Owner / Project Manager (indicate which)	<b>Date:</b>
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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](mailto:monitoring@aucklandcouncil.govt.nz) to discuss a likely timetable of works before the inspection is carried out and to avoid incurring this cost.