

## Section 95 of the Resource Management Act 1991

### Notification Decision – Discretionary Activity

#### 1 Consent Application

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<b>Council Reference</b>	LU2000161 and P115763 SD1800110.02 and PP115765
<b>Reporting Planner</b>	A Hartstone, Consultant Planner
<b>Applicant</b>	WFH Properties Limited
<b>Application</b>	A. Land use consent to construct a single residential unit on ten lots, where the proposed units will not meet various bulk, location and design standards specified in the Neighbourhood Commercial Zone.  B. Section 127 application to change conditions of a subdivision consent SD1800110 to amend the scheme plan layout in stages 4 and 5 particularly as it relates to access and services to various lots. It is recorded that the conditions to be amended are those set out in the decision SD1800110.01 granted on the 24 <sup>th</sup> September 2019.
<b>Property Address</b>	Land use - 1 – 6 Te Akau Place and 43, 45, 47, and 49 Plover Street, One Tree Point  Subdivision – One Tree Point Road, One Tree Point
<b>Legal Description</b>	Land use - Lots 456-465 DP 548998  Subdivision - Lot 1 DP 371106, Lot 1000 DP 521901, and Lot 4 DP 197696
<b>Date Lodged</b>	22 <sup>nd</sup> November 2020
<b>Site Visit</b>	N/a
<b>Environment</b>	Living 1 / Business 3 Environment (ODP)  General Residential / Neighbourhood Centre Zone (PDP)
<b>Resource Notations</b>	N/a
<b>Other</b>	N/A

#### Distributions

<i>Internal</i>	<i>Date sent</i>	<i>Amendments sent</i>	<i>Comments received</i>
Reporting Engineering Officer			17/12/2020
Waste and Drainage Asset Manager			10/12/2020

<i>External</i>	<i>Date sent</i>	<i>Amendments sent</i>	<i>Comments received</i>
N/A			

#### 2 Further Information

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##### Requested

##### Received

LU2000161 and SD1800110.02  
P115763  
WFH Properties Limited  
Plover Street and Te Akau Place  
One Tree Point

1/12/2020 Query re scope of land use application and bundling, and sewer connection design

7/12/2020 Receipt of initial Section 92 response

10/12/2020 Receipt of WDC Sewer approval

### **3 Description of Proposal**

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Section 4 of the application (as it relates to the land use consent) prepared by Barker and Associates Limited dated November 2020 ('the application') sets out a description of the proposal. The application consists of a land use consent for the construction of residential units and a Section 127 application to vary the layout of parts of the underlying subdivision consent.

The applicant has confirmed that the land use and Section 127 applications are not interdependent and therefore the consents are not to be treated as a 'bundled' application. The following report therefore addresses the land use and Section 127 components separately.

Briefly, the land use application provides for the construction of a single residential unit on ten existing lots located adjacent to Plover Street and Te Akau Place. Those lots were previously zoned Business 3 Environment, which provided for construction of a residential unit on each lot as a permitted activity with limited restrictions on bulk and location requirements.

It is understood that these lots were both approved in the underlying subdivision consent and on-sold as residential lots and were not intended to be used for any commercial purpose.

The proposed District Plan has identified the lots as Neighbourhood Centre Zone. The intended construction of a dwelling on each of the identified lots will not meet a number of rules for the Zone as identified under 5.2.2 of the application. To address this, plans of the proposed residential units to be sited on each lot have not been provided. Rather, the applicant wishes to define a building envelope based on the General Residential Zone rules and has defined specific bulk and location rules that are to apply to any building on the lots. This approach was confirmed via email dated 7/12/2020, recording that Rules GRZ-R3 to GRZ-R9 are offered as conditions of consent to control built development on each lot.

The Section 127 application addresses conditions of the underlying subdivision consent SD1800110. Briefly, the application seeks to change the subdivision layout for Stages 4 and 5 which have yet to be given effect to. The changes affect the provision of jointly owned access lot access to various lots in two locations. These changes affect access to lots 415 – 425 in Stage 4, and Lots 252 – 254 in Stage 5.

It is noted that the proposal includes a request to vary the wording of Condition 1 of the decision relating to the Comprehensive Development Plan component of the decision issued under SD1800110. It is noted that the decision was varied under SD1800110.01 to include reference to the subsequent Section 127 application granted under SD1800110. It is considered that no change is required to the decision addressing the Comprehensive Development Plan. The purpose of the decision was to provide for the area defined in the subdivision consents to adopt the overlying zoning as prescribed in the operative District Plan as it was at that time. A decision on a Comprehensive Development Plan is not intended to address matters of detail where there may be variations to the underlying subdivisions consent nor any future resource consent applications, such as the land use consent application now sought as part of this application. On that basis, the request to change the decision on the Comprehensive Development Plan is not necessary and is not considered further in this report and decision.

## 4 Site and Surroundings

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Section 3 of the application provides a description of the site and surrounding environment. That description is accepted and adopted for the purpose of this report.

## 5 Reasons for Consent

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Section 5 of the application sets out the relevant rules of the Operative and Proposed District Plans.

With regard to the land use consent, the construction of residential dwellings on each lot as proposed is a permitted activity under the Business 3 Environment. However, construction of a residential dwelling on each lot could only comply as a permitted activity in the Neighbourhood Centre Zone under Rule GRZ-R12 where *inter alia* '....the residential unit is an ancillary activity to a commercial service, general retail or food and beverage activity within the site.' No commercial or retail activity is proposed in conjunction with the residential units on each lot.

In addition, the application states that a proposed residential unit on each lot will infringe the following rules:

- *NCZ-R4 Building and Major Structure Setbacks: The residential dwellings will not meet these requirements due to the residential nature of the proposal which does not include public pedestrian entrances -**Restricted Discretionary Activity.***
- *NCZ-R6 Building Frontages: The glazing requirements will not be achieved due to the residential nature of the proposal - **Discretionary Activity***
- *NCZ-R8 Fences: Fencing up to 2m in height will be constructed along the road frontages – **Restricted Discretionary Activity***
- *NCZ-R9 Car Parking: Car parking will be required to be provided between the building frontage and road boundaries – **Discretionary Activity***
- *NCZ-R10 Verandahs: No verandahs will be provided – **Discretionary Activity***
- *NCZ-R12 Residential Unit: One Residential Unit is proposed per site, however, the Residential Units will not be ancillary to a commercial activity and will be accessed directly from the road frontage. **Restricted Discretionary***

On the basis of this assessment, the land use consent is treated as a discretionary activity.

The Section 127 application as it relates to the subdivision consent conditions is treated as a discretionary activity as per Section 127(3)(a).

The status of the proposed District Plan rules requires consideration, particularly in terms of the land use consent, as the NCZ as it relates to the site has not been challenged by appeals. Few provisions in the NCZ have subject to appeal. It is understood that the scope of the appeals will not make any of the rules more restrictive. On that basis, there is no risk of the proposed Plan rules as they relate to this proposal changing such that they may change the activity status or require consideration of adverse effects that are not already identified in the proposed rules. On this basis, it is considered that the NCZ rules, for the purpose of assessing this application, can be treated as operative under Section 86F of the Act.

### **Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ('NESCS')**

The underlying Comprehensive Development Plan and subdivision consent for the properties involved in this land use consent and Section 127 application was subject to consideration under the NESCS. No further consideration of the NESCS is required as part of this application.

## **6 Notification Assessment (Sections 95A to 95F)**

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### **Statutory Matters – Public Notification Section 95A**

Section 95A of the Resource Management Act 1991 (the Act) specifies the process to determine public notification.

Neither the land use nor Section 127 applications require public notification pursuant to s95A(3) and are not precluded from public notification under Section 95A(5)(b). It is noted that the underlying Comprehensive Development Plan and subdivision consent SD1800110 was assessed as being precluded from subdivision by virtue of Section 95A(5) as it was prior to the Resource Management Amendment Act 2020.

In terms of Section 95A(8)(a), the proposal is not subject to any rule or national environmental standard that requires public notification.

An assessment of effects is required under Section 95A(8)(b) to determine whether the land use and Section 127 applications will have or are likely to have adverse effects on the environment that are more than minor. An assessment of adverse effects in accordance with Section 95D is provided below. That assessment confirms that, for the purpose of Section 95A(8)(b), any adverse effects associated with both applications will be less than minor.

There are no known matters constituting special circumstances that would warrant public notification as per Section 95A(9).

### **Statutory Matters – Limited Notification Section 95B**

Section 95B defines the steps to determine limited notification.

Pursuant to Section 95B(2) there are no protected customary rights groups affected by the proposal.

Pursuant to Section 95B(3) no land subject to a statutory acknowledgement is affected by the proposal.

The land use and Section 127 applications are not precluded from limited notification pursuant to Section 95B(6)(a) and (b). Therefore, an assessment of affected persons under Section 95E is required. This assessment is provided further in this report.

### **Permitted Baseline**

For the purposes of addressing Sections 95D(b), 95E(2)(a) and 104(2), a permitted baseline assessment can be undertaken to determine whether there are any adverse effects that can be disregarded in terms of considering environmental effects and persons who may be adversely affected. There are three categories to the permitted baseline test, these being:

- 1 what lawfully exists on the site at present
- 2 activities (being non-fanciful activities) which could be conducted on the site as of right; i.e. without having to obtain resource consent
- 3 activities which could be carried out under a granted, but as yet unexercised, resource consent.

Firstly, in addressing the Section 127 application, the underlying subdivision consent SD1800110 provides for subdivision and provision of associated services and access. That consent forms part of the existing environment and is a relevant consideration when assessing the effects of the Section 127 application.

The permitted baseline as it relates to the land use consent application is addressed as follows:

- There are no existing activities taking place on the lots. They are currently vacant.
- Based on the current proposed Plan rules, construction of a dwelling would only be possible on each lot where it met the rule specified for the NCZ. As the lots were constructed as part of the subdivision as residential lots, and given the residential cul-de-sac access via Te Akau Place, it is unlikely that

Rule GRZ-R12 would be complied with on any or all of the lots. On this basis, it is fanciful to suggest that any one or more of the lots could contain a fully complying residential dwelling.

- There are no granted but as yet unexercised consents that are relevant.

#### **Assessment of Effects - Section 95D**

With regard to the Section 127 consent, there are no persons considered to be adjacent to the site that may be adversely affected to any extent. The proposed changes are relatively minor and relate to internal changes to the lots and access layout in Stages 4 and 5 of the subdivision consent. Council's Reporting Engineering Officer has confirmed that the changes are acceptable and approval has been received from the Council's Waste and Drainage Asset manager regarding the amended layout as it affects the pressure sewer servicing proposed for Lots 415 – 425. No further assessment of effects is therefore necessary to address the Section 127 application.

With regard to the land use consent, the owners and occupiers of the following adjacent properties are excluded from the assessment as per Section 95D(a):

- 16 O'Farrell Drive, One Tree Point (Lot 182 DP 371106)
- 18 O'Farrell Drive, One Tree Point (Lot 183 DP 371106)
- Lot 800 DP 548998

Section of the application provides an assessment of effects associated with the proposed residential units to be constructed on each of the lots 456 – 465 located on Te Akau Place. In undertaking the assessment, the background to the application as set out in Section 2.1 of the application is relevant. As a result of the granting of consent to the Comprehensive Development Plan and associated subdivision, the lots adopted a Business 3 Environment zoning under the then Operative District Plan. This was on the understanding that a residential unit could be constructed as a permitted activity in terms of both the activity and compliance with bulk and location requirements in this zone. The lot layout and access via Te Akau Place was designed to accommodate residential development.

The change of zoning provided for by the recent Urban and Services Plan Change has resulted in the NCZ and associated activity and bulk and location rules. To address this, the land use consent is now required.

Section 6.4.2 of the application addresses the extent of adverse effects associated with the construction of residential units on the lots. That assessment is accepted and adopted subject to the following comments.

The extent of any potential off-site adverse effects arising from the proposal relate to reverse sensitivity matters. This is relevant as it is not known whether any current or future purchaser of any one or more of the subject lots may choose not to utilise the land use consent, and may develop a lot in compliance with the NCZ, potentially resulting a commercial activity located within residential dwellings. In addition, Lot 800 DP 548998 is zoned NCZ. The owner of that property may have an expectation that the subject lots will be used for commercial purpose in accordance with the zone and will not contain residential units without any associated commercial activity (as per Rule GRZ-R12). The interface between commercial and residential activities does require management to ensure that reverse sensitivity effects are avoided – that management is usually achieved using the zoning and associated rules in the District Plan.

On the basis that the granting of consent may result in potential reverse sensitivity effects not anticipated by the NCZ provisions, and the extent of infringements associated with bulk and location requirements, it is considered that the granting of consent may result in a minor adverse effects on the environment. However, such effects will not extend beyond the directly adjacent properties.

On this basis, any adverse effects of the proposal on the receiving environment are considered to be minor. Public notification under Section 95A(8)(b) is therefore not required.

## Affected Persons

With regard to the Section 127 application, the changes will not have any effects on any persons.

With regard to the land use consent application, the application is supported by a written approval from the owner of Lot 800 DP 548998. As per Section 95E(3), the owner is not an affected person.

Consideration has been given as to whether any current owner (who is not the applicant) of any one or more of Lots 456 – 465, who decides not to utilise the land use consent to construct a residential unit, may be adversely affected as a result of reverse sensitivity effects. In response to the Section 92 request, the applicant has confirmed that the lots are subject to restrictive covenants which address reverse sensitivity. That includes a no complaints covenant that is intended to avoid complaints regarding implementation of any resource consent such as that now being sought. This is considered adequate to ensure that no current owner will be adversely affected by the proposal.

The owners of 16 and 18 O'Farrell Drive are not considered to be adversely affected. Both properties are residential lots containing existing dwellings. The construction of residential units on adjacent land will not give rise to any adverse effects that would not be readily anticipated under the provisions of the NCZ. IN this respect, the proposed use for residential development will generate less adverse effects on those two adjacent properties than what might otherwise be expected of complying commercial activities.

It is considered that no persons will be adversely affected to a minor or more than minor extent by the granting of consent to the proposal.

## 7 Recommendation

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That pursuant to Sections 95A- 95G of the Act, this application proceed on a non-notified basis because:

- 1 Sufficient evidence has been provided in the application to assess the potential adverse effects of both the Section 127 application and land use consent application the proposal. No adverse effects will arise from the granting of consent to the Section 127 application as all proposed changes are internal to the subdivision development.
- 2 The adverse effects of the land use consent, particularly in terms of reverse sensitivity effects, has been assessed as minor.
- 3 Where potential adverse effects of the land use consent application have been assessed as minor, particularly in terms of reverse sensitivity effects, written approval has been provided from the person deemed to be adversely affected. No other persons are considered to be adversely affected to a minor or more than minor extent by the granting of consent
- 4 There are no special circumstances to warrant public notification.



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A Hartstone, Consultant Planner

17<sup>th</sup> December 2020

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Date



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M McDonald, Manager, RMA Consents

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21/12/2020

Date



## Notice of Decision

SD1800110.02

LU2000161

P115763

IN THE MATTER of the Resource Management Act 1991

and

IN THE MATTER of applications under Section 88 & 127 of the Resource Management Act 1991 by WFH Properties Limited

## Section 104 of the Resource Management Act 1991

### Decision – Discretionary Activity

#### 1 Processing Details

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<b>Reporting Planner</b>	A Hartstone
<b>Date of Report</b>	17 <sup>th</sup> December 2020
<b>Section 37</b>	N/a

#### 2 Application Details

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The application details, including the proposal have been detailed in Section 1 of the attached Notification Assessment. In addition, the reasons for consent, and the application site and the surrounding environment have been detailed in Sections 4 and 5 respectively of the attached Notification Assessment report.

#### 3 District Plan Zoning/Environment and other Notations

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The District Plan zoning/environment and other notations affecting the site have been detailed in Section 1 of the attached Notification Assessment.

#### 4 Statutory Context

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Section 104 of the Act sets out those matters that, subject to Part 2, a consent authority must have regard to when considering an application for resource consent. These matters include any actual or potential effects on the environment of allowing the activity, any relevant provisions of a plan or proposed plan, and any other matter the consent authority considers relevant and reasonably necessary to determine the application.

Both the Section 127 application and the land sue consent application require consideration under Section 104C. Pursuant to Section 104B of the Act, a consent authority may grant or refuse an application for resource consent. If consent is granted, conditions may be imposed under Section 108.

#### 5 Actual or Potential Effects on the Environment (Section 104(1)(a))

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Section 104(2) of the Act allows the consent authority to disregard an adverse effect of the activity on the environment if the Plan permits an activity with that effect (i.e. the permitted baseline principle). This matter has been addressed in Section 6 of the Notification Assessment report and also applies to this consideration.

Section 104(3)(a)(ii) of the Act requires that no consideration may be had of any effect on a person who has provided their written approval to the application. A written approval has been provided in support of the land use consent application.

The adverse effects of this activity have been addressed in Section 6 of the Notification Assessment report.

The adverse effects associated with the Section 127 application will be minimal as the proposed layout changes are internal to the subdivision site. The application includes a set of draft conditions addressing the changes to Stages 4 and 5 of the consent. Council Reporting Engineering Officer has confirmed the engineering conditions required to be addressed as part of the Section 127 decision.



The adverse effects associated with the land use consent application have been assessed as minor.

Some minor positive effects will result from the granting of the land use consent where it is recognised that the creation of the lots and Te Akau Place that services them was intended to provide for residential activities. The need for the resource consent has been generated by the change of zoning to NCZ. Granting of the consent will provide for the lots to be developed for residential purposes as intended.

In terms of Section 108 matters, the application has offered conditions as part of the land use consent application. Those conditions set out the bulk and location parameters that any residential unit will need to comply with on Lots 456 – 465. Those conditions are considered to be appropriate to accommodate building on each lot. In addition, as the applicant is relying on restrictive covenant conditions to address reverse sensitivity matters, it is considered appropriate to include a condition to ensure that the terms of the covenant are not removed from the affected lots.

Having taken into consideration the extent of the identified adverse effects associated with the land use consent application, no other conditions are considered necessary to avoid, remedy, or mitigate any adverse effects.

## **6 Relevant Provisions of Policy Statements and Plans (Section 104(1)(b))**

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Section 10 of the application includes an assessment of the Regional Policy Statement for Northland and the provisions of the Operative and proposed District Plans.

With regard to the Section 127 application, the proposed changes do not require any greater or more detailed consideration of the relevant planning provisions than was undertaken at the time of the original CDP and subdivision consent being granted. While the proposed Plan has progressed through the Schedule 1 process significantly since the original consent was considered, the provisions contained in both the NCZ and relevant District Wide Chapters do not require further consideration given the minor scope of the amendments now sought.

With regard to the land use consent application, the application provides an assessment of the provisions contained in Chapters 5 Amenity, 6 Built Form and Development, and 22 Road Transport. The assessment and associated conclusion that the relevant Operative Plan provisions are considered to be met is accepted and adopted for the purpose of this report.

Section 10.3 of the application provides a detailed assessment of the NCZ provisions of the Proposed Plan. It is noted that residential activities in the NCZ are provided for but are to be designed and constructed in a manner which provides for residential amenity and active frontages as per Policy NCZ-P2 – Range of Activities. Policy NCZ-P5 Residential Amenity requires residential amenity to be provided for by ensuring that sufficient internal space, outdoor living courts and noise insulation is provided. It is considered that the conditions offered by the applicant requiring compliance with the General Residential Zone bulk and location rules will provide an appropriate level of residential amenity, noting that Te Akau Place has been designed and constructed as a residential cul-de-sac.

The application states that *'...the infringements are considered to be technical in nature, resulting from the dishonest zoning of a number of recently subdivided residential allotments.'* While it is agreed the infringement may be technical, there is no suggestion that the zoning has resulted from any actions by any person either inside or outside Council that could be considered as 'dishonest'. The Council has proceeded through a public process prescribed by statute to rezone the subject lots. It is recorded that the applicant did not challenge the NCZ zoning through either submissions or any appeal process.

On the basis of the above assessment, it is considered that the proposal will be consistent with the provisions of both the Operative and proposed District Plans.

## **7 Other Relevant Matters (Section 104(1)(c))**

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No other matters are considered to be relevant or reasonably necessary in making a decision on either the Section 127 of land use consent applications.

## **8 Part 2 Matters**

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As per current case law, an assessment of relevant matters under Section 104 is subject to Part 2. A council must have regard to the provisions of Part 2 when it is appropriate to do so. In this case, there are no Section

6 Matters of National Importance relevant to the proposal. The Section 127 and land use applications and the matters requiring assessment are limited primarily to Sections 7(c) and 7(f).

There is no suggestion that the effects that have been identified and assessed, and the relevant planning provisions that require assessment, do not reflect the relevant Part 2 and policy matters. On that basis, it is not considered appropriate or necessary to undertake a detailed assessment of Part 2 matters.

## **9 Conclusion and Recommendation**

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Having considered the application against the relevant provisions of the Act, the Council has discretion to grant consent to both the Section 127 and land use consent proposals as a discretionary activity under Section 104 and 104B.

Having undertaken an assessment of the relevant matters under Sections 104, it is recommended that the applications be granted, subject to the conditions identified in Part 5 of this report that will avoid, remedy or mitigate any adverse effects of the activity on the environment.

As the Section 127 and land use consent applications have not been lodged as a bundled consent, separate decisions are required for the two applications.

### **Section 127 Decision - Subdivision**

Pursuant to Sections 127, 104, and 104B of the Resource Management Act 1991, consent is granted to WFH Properties Limited to change conditions of a subdivision consent SD1800110 to amend the scheme plan layout in stages 4 and 5 particularly as it relates to access and services to various lots.

The reasons for the decision are as follows:

1. The proposed changes to the subdivision consent involve minor amendments to access and lot layout, and associated servicing. No adverse effects are considered to arise from the proposal when taking into account the effects on the environment of the underlying consented subdivision consent.
2. The proposed changes to the subdivision consent will not result in the proposal being inconsistent with any national or regional planning documents, nor with any provisions under the Operative and proposed District Plans.

The amended conditions for the subdivision consent SD1800110 are as follows, with ~~strike through~~ indicating deletions and **bold and underline** indicating additions.

1. The subdivision shall be undertaken in general accordance with the plan of subdivision DWG No 31014-00-010-GE to 31014-00-016-GE Rev 1 dated 15/01/2018 prepared by WFH Properties Limited and including the following supporting documents, documents, except where superseded by the variation to approved consent SD1800110 including the updated plans (Ref 14333-003 DWG Number DD201 and DD203, Rev C) and the AEE prepared by Barker & Associates dated July 2019, ~~and~~ the further information submitted as part of the variation dated August 2019 including the updated plans (Ref: 14333-004 DWG Number SCH01 Rev A and Drawing Number SCH02 Rev B and except **where superceded by the variation to the approved consent SD1080110 including the updated plans and the AEE prepared by Barker and Associates dated 19<sup>th</sup> November 2020** **where** further modified by any of the conditions below;
  - “Stages 3-10, One Tree Point Road Subdivision Development, Whangarei Harbour: Archaeological Assessment” by Clough & Associates Ltd dated November 2017;
  - “One Tree Point Subdivision – Acid Sulphate Soil” by OPUS reference 1-19563-00 Issue 3 dated 25/08/2016;
  - “Ground Contamination Assessment – The Landing, One Tree Point, Marsden” by Tonkin & Taylor reference 1000795-1000 dated 5 February 2017;
  - “Residential Subdivision the Landing @ Marsden – Transportation Assessment Report Stages 3-9” by Commute Transportation Consultants reference J0058 dated 14 February 2018;

- “Infrastructure Assessment Report the Landing @ Marsden Stages 3-9” by WFH Properties Limited reference 31014 dated January 2018;
- “Stormwater Management Plan the Landing @ Marsden” by WFH Properties Limited reference 31013 dated December 2017;
- “The Landing Stages 3-9: One Tree Point Geotechnical Investigation Report” by CMW Geoscience Ltd reference AKL2017-0191AB Rev 0 dated 02 February 2018;
- “The Landings – Commercial Area and Stages 3 to 9 Earthworks Report” by WFH Properties Limited reference 31014 dated 15/01/2018;
- “Marsden Cove – Existing Infrastructure Upgrade” by Airey Consultants Ltd dated 22 November 2017 (Memorandum provided as additional information in support of the application);
- Cultural Assessment Report” by Patuharakeke Te Iwi Trust Board dated March 2018; and
- Additional information provided on 15 May 2018 by WFH Properties Limited in response to a Section 92 request for further information.
- Engineering Site Suitability Letter by Cook Costello dated 24 July 2019.
- **Engineering Considerations letter prepared by Cook Costello Limited dated 13<sup>th</sup> November 2020**

**NOTE:** The subdivision application is for a staged development which is required to be undertaken in concurrent or sequential order to allow for the orderly development of infrastructure relating to each stage of the development. An application under Section 127 of the RMA will be required should the consent holder wish to alter the staging of development.

Council will accept the lodgement of all plans with stage 3, however the orderly provision of infrastructure is required with the staging of development to ensure appropriate servicing and access is provided.

2. The consent holder shall vest all lots identified in the proposed subdivision for specific use including public roads, pedestrian accesses, stormwater ponds, and recreation reserves.
3. The consent holder shall ensure all service easements are reserved or created.
4. The consent holder shall undertake the following requirements and provide the relevant authority for the Team Leader RMA Approvals and Compliance or delegated representative’s approval prior to issuing a section 224 certificate for the relevant stage under which the archaeological site is situated:
  - (a) Apply and obtain an Authority to Modify the archaeological sites within the proposed Stage 9 subdivision (Q07/1419–Q07/1423 and Q07/1433).
  - (b) Investigation and recording of Sites Q07/1419–Q07/1423 and Q07/1433 at the start of (or prior to) earthworks being carried out in that area.
  - (c) Monitoring of preliminary earthworks by an archaeologist within Stages 3, 4 and 9, so that any additional unrecorded sites can be investigated, recorded and sampled in accordance with the conditions of an Authority issued by Heritage NZ.
  - (d) Adoption of a protocol in the event of Koiwi Tangata being uncovered, i.e. work should cease immediately in the vicinity of the remains and PTB, Heritage NZ, NZ Police and Council should be contacted so that appropriate arrangements can be made.

Note - A site instruction including roles and responsibilities and areas for monitoring, and including on-call procedures for archaeological finds in unmonitored areas or when the archaeologist is not present on site, should be prepared and submitted with the archaeological authority application.

Provision to be made for a resourced Patuharakeke kaitiaki to accompany the archaeologist during any monitoring on site as per (c) above and also have input into the site induction recommended above.

**Stage 3: 76 Residential Lots (lots 67–120, 130–138, 453–465), 3 Commercial Lots (lots 800-802), Pedestrian Access (lot 601), Roads to vest (roads 10, 11, 13, 14, 16 and 18) JOAL (lots 701-703 and 711 & 716).**

**6 Prior to issue of a Section 223 certificate**

- a The consent holder must submit a detailed set of engineering plans prepared in accordance with Council's Environmental Engineering Standards 2010 Edition. The engineering plans are to be submitted to the Development Engineer or delegated representative for approval.

It is to be noted that certain designs may only be carried out by an Independently Qualified Person (IQP) or Chartered Professional Engineer (CPEng) working within the bounds of their assessed competencies. IQP's must have been assessed by Council and hold a current status to submit design work.

All work needing design/certification by a Council approved IQP/CPEng will require completion of a producer statement (design) (EES-PS1 or similar).

Plans are to include but are not limited to:

- i Design details of final earthworks and retaining to construct roads, lot platforms and ponds, in accordance with Council's Environmental Engineering Standards 2010 Edition, including existing and proposed contours and depths of cut/fill. The earthworks plan shall include;
  - Environmental Management Plan
  - Construction Management Plan
  - Specific Dust Management Plan
  - Erosion and Sediment Control Plan
- ii Design details of the construction of Joined Owned Access Lots 701 – 703, 711 and 716 in accordance with Table 3.7 and Sheet 7 of Council's Environmental Engineering Standards 2010 Edition including a typical cross section, long section, culverts, drainage flow paths, services and vehicle crossings.
- iii Design details of the construction of a new vehicle crossing for JOAL 701 – 703, 711 and 716 and residential lots where site restrictions apply, in accordance with Sheet 18 Residential Double Width Crossing also in accordance with Sheets 22 & 23 of Council's Environmental Engineering Standards 2010 Edition. Entrance crossings are to be designed and constructed in such a manner that will control stormwater run-off entering a property from the road, and that likewise prevent stormwater and detritus, including gravel, dirt and other materials, migrating onto the road reserve from a property. Urban accessways and private driveways sloping up from the road shall have a stormwater collection and disposal system at the boundary as detailed on Sheet 19.
- iv Design details of Roads 10, 11, 13, 14, 16 and 18 to vest where they front sections within the stage 3 boundaries. Road 10 shall be in accordance with Table 3.1 Class D, and the remainder on the internal Road Class B, Sheet 2 and Section 3 of Council's Environmental Engineering Standards 2010 Edition.

The design shall include pavement structural details, signage, intersection design, typical cross sections, earthworks cross sections, long sections, culverts, drainage flow paths, surfacing, pavement marking, street lighting and any proposed planting, landscaping, retaining and street furniture and a temporary metalled turning head on Roads 14 and 16 with an easement in gross in favour of Whangarei District Council.

- Typical cross sections, generally in accordance with DWG 31014-01-230-RD Rev 1
  - Recreation Reserve Lot 601 with a 2.4m wide shared concrete path.
- v Design details of the upgrade of One Tree Point Road and Plover Street to match the existing road formation, Section 3 of Council's Environmental Engineering Standards 2010 Edition including pavement structural details, signage, intersection design, typical cross sections, earthworks cross sections, long sections, culverts, drainage flow paths, surfacing, pavement marking, street lighting and any proposed planting, landscaping, retaining and street furniture. The upgrade of One Tree Point Road shall occur in accordance with DWG

31013-01-231-RD contained within Appendix B of the Transportation Assessment Report Stages 3-9, prepared by Commute dated 14 February 2018.

- vi Design details of the Pressure Sewer System reticulation including detail of the discharge point or receiving manhole with upgrades (if required) to accommodate the new connection. The sewer reticulation main shall not be constructed through private land.

Appurtenances (such as valves and flushing points) and boundary kits for all lots serviced by the pressure sewer system.

Supporting calculations in accordance with Section 5 of Council's Environmental Engineering Standards 2010 Edition.

Calculation and details of how self-cleansing velocities, residence times and odour control will be achieved prior to full build-out of the lots.

**NOTE:** During the design process the developer shall confirm with Council the nominated discharge point on the Council's existing system that the developer needs to convey sewage to.

- vii Design details of water connections for all residential and commercial lots within the stage boundary in accordance with Sheet 46 or 47 of Council's Environmental Engineering Standards 2010 Edition including firefighting coverage in accordance with Sheet 45 and Section 6.11.
- viii Design details of water main extensions inclusive of any valves, bulk water meters, fittings and connections necessary to service all residential lots, inclusive of calculations in accordance with Section 6 of Council's Environmental Engineering Standards 2010 Edition.
- ix Design details of stormwater connections for all residential and commercial lots within the stage boundary in accordance with Sheet 36 or 37 and Section 4 of Council's Environmental Engineering Standards 2010 Edition.
- x Design details of stormwater mainline reticulation inclusive of any upgrades to the existing reticulation, sumps, manholes, treatment devices, detention structures and connections necessary to service the development in accordance with Section 4 of Council's Environmental Engineering Standards 2010 Edition. The design is to include evidence that
- The existing public reticulation is capable of receiving the additional flows; and
  - The new system is capable of receiving stormwater from further upstream development (where applicable)
  - Include recommendations from the Opus Acid Sulphate Soil Report dated 25 August 2016 reference 1-19563.

**NOTE:** Stormwater discharges across Public Reserve will require specific approval in writing from the controlling authority prior to submission of engineering plans.

- b The consent holder must submit an Inspection & Test Plan (ITP) for approval prepared in accordance with Council's Environmental Engineering Standards 2010 Edition and the WDC QA/QC Manual. The ITP is to be submitted to the Development Engineer for approval and be approved prior to the pre-start meeting and prior to any works being completed on the site. Note that this ITP will be processed in conjunction with the submitted engineering plans required by condition 6(a) and Council reserves the right to withhold ITP approval until the engineering plans are approved as these documents are to be read in conjunction with each other. (Refer to the advisory clause below for the web link to the WDC QA/QC Manual document).
- c The consent holder shall provide written confirmation from the telecommunications and power utility service operator of their consent conditions in accordance with Council's Environmental Engineering Standards 2010 Edition and show necessary easements on the survey plan to the approval of the Councils' Development Engineer or delegated representative.
- d The consent holder must create easements in gross over the proposed temporary turning head(s) to the satisfaction of the Development Engineer or delegated representative. The



easements are to be sufficient to allow for the formal construction of the turning head and any associated underground services and footpaths should this become necessary. For clarity, this consent provides for the cancellation of easements (turning heads) when the future stage is lodged for Section 223 approval.

- e The consent holder must create easements over services and rights of way to the approval of the Development Engineer or delegated representative.
- f The consent holder must create easements over all proposed/existing Council services not located within 1.5m of the proposed property boundaries and/or as directed by the Development Engineer or delegated representative.
- g The consent holder must create easements in gross over all overland stormwater flow paths that fall into areas proposed for development (i.e. house site, effluent disposal site, accessway from road to house site etc.) and/or as directed by the Development Engineer. The easements are to cover the extent of the 1% Annual Exceedance Probability flows (+20% allowance for climate change) and are to the satisfaction of the Development Engineer or delegated representative.

Note: Overland flowpaths are to be assessed in accordance with Section 4.9 of Council's Environmental Engineering Standards 2010 Edition and are to be certified by an IQP/CPEng.

- h The consent holder must provide Council with three proposed street/road/access names in writing for all Roads to Vest within the stage boundaries in accordance with Council's policy, and in order of preference, giving reasons for each proposed name, for approval by Council. A clear plan detailing the route of the proposed street/road/access should also be submitted and any evidence of consultation relating to the proposed names. (Please refer to the road naming policy and guidelines available on Council's website [www.wdc.govt.nz/](http://www.wdc.govt.nz/)).

NOTE: This condition will not be deemed to be satisfied unless Council has approved the submitted names in writing.

- i The consent holder must provide Council with three proposed street/road/access names in writing for all private roads serving 5 or more lots within the stage boundaries in accordance with Council's policy, and in order of preference, giving reasons for each proposed name, for approval by Council. A clear plan detailing the route of the proposed street/road/access should also be submitted and any evidence of consultation relating to the proposed names. (Please refer to the road naming policy and guidelines available on Council's website [www.wdc.govt.nz/](http://www.wdc.govt.nz/)).

Note - This condition will not be deemed to be satisfied unless Council has approved the submitted names in writing.

- j The following conditions shall be shown on the survey plan and to be referenced LINZ 1612210:

*"That Lot 701 hereon (Legal Access) be held as to two undivided one-half shares by the owners of Lots 103 and 104 hereon as tenants in common in the said shares and that individual Computer Registers be issued in accordance therewith".*

*"That Lot 702 hereon (Legal Access) be held as to three undivided one-third shares by the owners of Lots 90, 91 and 92 hereon as tenants in common in the said shares and that individual Computer Registers be issued in accordance therewith".*

*"That Lot 703 hereon (Legal Access) be held as to four undivided one-fourths shares by the owners of Lot 85 and Lots 88 & 89 hereon as tenants in common in the said shares and that individual Computer Registers be issued in accordance therewith".*

*"That Lot 711 hereon (Legal Access) be held as to six undivided one-sixth shares by the owners of Lots 456, 457, 458, 459, 460 and 461 hereon as tenants in common in the said shares and that individual Computer Registers be issued in accordance therewith".*

*"That lot 716 hereon (legal access) be held as to three undivided one-third shares by the owners of lots 93, 94 and 99 hereon as tenants in common in the said shares and that individual computer Registers be issued in accordance therewith".*

- k A detailed Landscape Planting Plan prepared by a qualified landscape architect shall be submitted and approved by Council's Manager RMA Consents or delegated representative. The plan shall provide details of landscape materials and planting within and around the ponds, drainage reserve and road verges; and shall also include any proposed signage, walkways, boardwalks, street furniture and entry features within reserve areas or road reserves where applicable. The plan shall show as a minimum the following;
- i. Names of proposed species.
  - ii. Size of proposed stock for planting.
  - iii. Numbers, locations, spacing and staking of proposed plants and trees taking into account the need to retain suitable sight lines for traffic.
  - iv. Details of any structures including location, dimensions, materials and construction methods.
  - v. Details of any mulch or other stabilisation structures, including type, depth, and stabilisation methods; and shall include a weed management plan and a plant replacement program for maintenance of the asset for three years following the issuance of a certificate under Section 224(c).

**7 Prior to issue of a Section 224(c) certificate;**

- a The Consent Holder or its agent/contractor shall, at least 10 working days prior to the commencement of any land disturbance activities, prepare and submit a Construction Environmental Management Plan (CEMP) to the Council's Team Leader RMA Approvals and Compliance or delegated representative. Information required in this application is listed in the NRC consent granted on 28.2.2018 File :13780
- b The consent holder is to submit a Corridor Access Request application to Council's Road Corridor Co-ordinator and receive written approval for all works to be carried out within Council's Road Reserve in accordance with Council's Environmental Engineering Standards 2010 to the satisfaction of the Development Engineer or delegated representative (refer to the advisory clause below for the definition of a Corridor Access Request).
- c A pre-start meeting is required to be undertaken with the consent holders' representative (DR), contractor(s) and all other IQP's or agents for consent holder and the Development Engineer or delegated representative prior to any works being undertaken on the site to the satisfaction of the Development Engineer or delegated representative.
- d All work on the approved engineering plans in Condition 6(a) is to be carried out to the approval to the approval of the Development Engineer or delegated representative.  
  
Compliance with this condition shall be determined by site inspections undertaken as agreed in the Inspection & Test Plan in Condition 7(c) and by provision and approval of supporting documentation provided by the developers representative/s in support of the constructed works – EES PS4 and producer statements including supporting evidence of inspections by those persons, works acceptance certificate, statement of compliance of as built works and as built plans, RAMM data, management plans, operation and maintenance plans and all other test certificates and statements and supporting information required to confirm compliance of the works as required by Council's QA/QC Manual and the Council's Environmental Engineering Standards 2010.  
  
No construction works are to commence onsite until the engineering plans required in condition 7(b) have been approved and all associated plan inspection fees have been paid.
- e The consent holder shall notify Council, in writing, of their intention to begin works, a minimum of seven days prior to commencing works. Such notification shall be sent to the Development Engineer and include the following details:



- i. Name and telephone number of the project manager/ IQP.
- ii. Site address to which the consent relates.
- iii. Activities to which the consent relates.
- iv. Expected duration of works.

A copy of the approved engineering plans and a copy of the resource consent conditions, Inspection and Test Plan, approved corridor access request and the above letter are to be held onsite at all times during construction. All personnel working on the site shall be made aware of, and have access to the resource consent and accompanying documentation.

- f The consent holder shall submit written confirmation from power and telecommunications utility services operators that their conditions for this development have been satisfied in accordance with Council's Environmental Engineering Standards 2010 Edition to the approval of the Councils' Development Engineer or their delegated representative.
- g The consent holder shall ensure that spoil from the site must not be tracked out onto Council or State Highway Road formations to the satisfaction of the Development Engineer or delegated representative.
- h Dust nuisance must be controlled onsite (by use of a water cart or similar) by the applicant so as not to cause "offensive or objectionable" dust at or beyond the boundary of the development of the Development Engineer or delegated representative.
- i The consent holder must provide written confirmation from a Licensed Cadastral Surveyor that all services and accesses are located within the appropriate easement boundaries to the satisfaction of the Development Engineer or delegated representative.
- j The consent holder must reinstate Council's street footpath, stormwater kerb and channel, road carriageway formation, street berm and urban services by the demolition and construction works associated with the subdivision and land use activities shall be reinstated in accordance with Section 3 of Council's Environmental Engineering Standards 2010 Edition at the expense of the consent holder to the satisfaction of the Development Engineer or delegated representative.
- k The consent holder must submit a certified and dated 'as built' plan of completed works and services in accordance with Council's Environmental Engineering Standards 2010 Edition. This condition shall be deemed satisfied once the as-builts have been approved by Councils' Development Engineer or delegated representative.
- l The consent holder must submit certified RAMM data for all new/upgraded or extended vehicle crossing culverts prepared by a suitably qualified person in accordance with Council's Environmental Engineering Standards 2010 Edition to the satisfaction of the Development Engineer or delegated representative.
- m The consent holder must supply and erect the Public street/road/access name for all Public Roads within the stage boundary in accordance with Sheet 24 of Council's Environmental Engineering Standards 2010 Edition, inclusive of the approved street/ road/access name. The sign shall be located in a position where it is most visible for road users to the satisfaction of the Development Engineer or delegated representative.
- n The consent holder must supply and erect the Private street/road/access name for all private roads/ JOAL within the stage boundaries in accordance with Sheet 25 of Council's Environmental Engineering Standards 2010 Edition, inclusive of the approved street/ road/access name. The sign shall be located in a position where it is most visible for road users to the satisfaction of the Development Engineer or delegated representative.
- o The consent holder must submit for approval a completed Geotechnical report including a detailed site plan of any areas of filling, from a Geotechnical Engineer specifying any site restrictions, and confirmation that the land is suitable for building development to the satisfaction of the Development Engineer or delegated representative.

- p If filling were to occur on any allotment, the consent holder shall submit a Form EES PS4 compiled by a suitably qualified person including details confirming the location of such fill on the affected titles, to the satisfaction of the Development Engineer, or delegated representative. This Form EES PS4 (and associated reports, plans and similar) will be registered against the relevant titles via a consent notice.
- q Following completion of construction, the consent holder shall provide a works producer statement from the suitably qualified contractors who completed the works, certifying that the works have been completed in accordance with the approved engineering plans, Council's Environmental Engineering Standards 2010 Edition and best trade practise, to the satisfaction of Whangarei District Council's Development Engineer or delegated representative.
- r The consent holder shall complete all landscape works required by condition 6(k) of this consent to the satisfaction of the Team Leader RMA Approvals and Compliance or their delegated representative. Confirmation shall be provided by way of written evidence from a landscape architect and a site visit by a member of the Parks Department of the Council or their delegated representative.
- s Pursuant to Section 221 of the Resource Management Act 1991, a consent notice must be prepared and be registered on the Computer Freehold Register of Lots 67–120, 130–138, 453, 456–465, and 800-802 at the consent holder's expense, containing the following conditions which are to be complied with on a continuing basis by the subdividing owner and subsequent owners:
  - i At the time of building consent provide suitable evidence/design to illustrate that, stormwater attenuation will be provided for all impervious surfaces exceeding 45% of the lot size area, to ensure compliance with Council's Environmental Engineering Standards 2010 and to the satisfaction of the Whangarei District Council. The design shall be undertaken by a suitably qualified engineer or Council IQP.
  - ii Any development shall comply with the restrictions and recommendations identified in the Geotechnical completion engineering report (with appropriate references and to be dated) which is required under condition 7(n) unless an alternative engineering report prepared by a Geotechnical or Chartered Professional Engineer is approved in writing by Council.
  - iii At the time of building consent, the property owner shall arrange to supply and install (at its own cost) a pressure sewer system of an approved make, brand or type (including all its constituent components) to the satisfaction of Council. After approval by WDC Waste and Drainage Manger, and connection of the pressure sewer system to the Council's reticulated system, WDC shall own and maintain the pressure sewer system in accordance with the WDC Pressure Sewer Policy. The Owner shall continue to own and maintain the property's gravity drain to the pump chamber. The Owner shall be responsible for paying for the power consumption of the pumping unit in accordance with Council Pressure Sewer Policy.
  - iv For Commercial Building Lots 800 – 802: At building consent stage, all commercial buildings are to be fitted with a domestic sprinkler system in full compliance with the NZ Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509: 2008.
  - v At the time of building consent, the owner shall construct the vehicle entrance crossing in accordance with Sheet 18 Residential Single Width Crossing also in accordance with Sheets 22 & 23 of Council's Environmental Engineering Standards 2010 Edition unless an existing approved vehicle crossing to the site exist. Entrance crossings are to be designed and constructed in such a manner that will control stormwater run-off entering a property from the road, and that likewise prevent stormwater and detritus, including gravel, dirt and other materials, migrating onto the road reserve from a property.

**Stage 4 - 56 residential lots (lots 265–270, 319, 380- 428); Pedestrian Access (lot 604); Stormwater Pond (Lot 551); Roads to Vest (roads 4a, 5, 6, 8, and 19); and JOAL (lots 709, 712, 713, 714).**

**8 Prior to issue of a Section 223 certificate**

- a The consent holder must submit a detailed set of engineering plans prepared in accordance with Council's Environmental Engineering Standards 2010 Edition. The engineering plans are to be submitted to the Development Engineer or delegated representative for approval.

It is to be noted that certain designs may only be carried out by an Independently Qualified Person (IQP) or Chartered Professional Engineer (CPEng) working within the bounds of their assessed competencies. IQP's must have been assessed by Council and hold a current status to submit design work.

All work needing design/certification by a Council approved IQP/CPEng will require completion of a producer statement (design) (EES-PS1 or similar).

Plans are to include but are not limited to:

- i Design details of final earthworks and retaining to construct roads, lot platforms and ponds, in accordance with Council's Environmental Engineering Standards 2010 Edition, including existing and proposed contours and depths of cut/fill. The earthworks plan shall include;

- Environmental Management Plan
- Construction Management Plan
- Specific Dust Management Plan
- Erosion and Sediment Control Plan

- ii Design details of the construction of Joined Owned Access Lots 709, 712, **and** 713 & 714 in accordance with Table 3.7 and Sheet 7 of Council's Environmental Engineering Standards 2010 Edition including a typical cross section, long section, culverts, drainage flow paths, services and vehicle crossings.

- iii Design details of the construction of a new vehicle crossing for JOAL 709, 712, 713 & 714 and residential lots where site restrictions apply, in accordance with Sheet 18 Residential Double Width Crossing also in accordance with Sheets 22 & 23 of Council's Environmental Engineering Standards 2010 Edition. Entrance crossings are to be designed and constructed in such a manner that will control stormwater run-off entering a property from the road, and that likewise prevent stormwater and detritus, including gravel, dirt and other materials, migrating onto the road reserve from a property. Urban accessways and private driveways sloping up from the road shall have a stormwater collection and disposal system at the boundary as detailed on Sheet 19.

- iv Design details of Roads 4a, 5, 6, 8 and 19 to vest where they front sections within the stage 4 boundaries. Road 10 shall be in accordance with Table 3.1 Class D, and the remainder on the internal Road Class B, Sheet 2 and Section 3 of Council's Environmental Engineering Standards 2010 Edition.

The design shall include pavement structural details, signage, intersection design, typical cross sections, earthworks cross sections, long sections, culverts, drainage flow paths, surfacing, pavement marking, street lighting and any proposed planting, landscaping, retaining and street furniture and a temporary metalled turning head with an easement in gross in favour of Whangarei District Council.

- Typical cross sections, generally in accordance with DWG 31014-01-230-RD Rev 1
- Recreation Reserve Lot 604 with a 2.4m wide shared concrete path.

- v Design details of the Pressure Sewer System reticulation including detail of the discharge point or receiving manhole with upgrades (if required) to accommodate the new connection. The sewer reticulation main shall not be constructed through private land.
- Appurtenances (such as valves and flushing points) and boundary kits for all lots serviced by the pressure sewer system.
- Supporting calculations in accordance with Section 5 of Council's Environmental Engineering Standards 2010 Edition.
- Calculation and details of how self-cleansing velocities, residence times and odour control will be achieved prior to full build-out of the lots.
- Note; During the design process the developer shall confirm with Council the nominated discharge point on the Council's existing system that the developer needs to convey sewage to.
- vi Design details of water connections for all residential lots within the stage boundary in accordance with Sheet 46 or 47 of Council's Environmental Engineering Standards 2010 Edition including firefighting coverage in accordance with Sheet 45 and Section 6.11.
- vii Design details of water main extensions inclusive of any valves, bulk water meters, fittings and connections necessary to service all residential lots, inclusive of calculations in accordance with Section 6 of Council's Environmental Engineering Standards 2010 Edition.
- viii Design details of stormwater connections for all residential lots within the stage boundary in accordance with Sheet 36 or 37 and Section 4 of Council's Environmental Engineering Standards 2010 Edition.
- ix Design details of proposed Pond 2 within Local Purpose Reserve 551, inclusive of sections, construction details, planting, benching and fencing, calculations and final operations and maintenance requirements, in accordance with Section 4 of Council's Environmental Engineering Standards 2010 Edition and Stormwater Management Plan prepared by Woods V4 dated 20 December 2017. Specific additional information regarding design of public (to vest) Pond 2 shall be submitted:
- a) Details of planting layer design,
  - b) Designers risk assessment for handover of the asset to Council.
- If an impermeable liner is used, the following information shall be submitted:
- c) Details of impermeable liner anchor construction,
  - d) Proposed impermeable liner welding and installation methodology, including details of the proposed certified (where appropriate) welders and installers,
  - e) Details of design for wind and hydrostatic uplift of the impermeable liner.
- x Design details of stormwater mainline reticulation inclusive of any upgrades to the existing reticulation, sumps, manholes, treatment devices, detention structures and connections necessary to service the development in accordance with Section 4 of Council's Environmental Engineering Standards 2010 Edition. The design is to include evidence that
- The existing public reticulation is capable of receiving the additional flows; and
  - The new system is capable of receiving stormwater from further upstream development (where applicable)
  - Include recommendations from the Opus Acid Sulphate Soil Report dated 25 August 2016 reference 1-19563.
- b The consent holder must submit an Inspection & Test Plan (ITP) for approval prepared in accordance with Council's Environmental Engineering Standards 2010 Edition and the

WDC QA/QC Manual. The ITP is to be submitted to the Development Engineer for approval and be approved prior to the pre-start meeting and prior to any works being completed on the site. Note that this ITP will be processed in conjunction with the submitted engineering plans required by condition 8(a) and Council reserves the right to withhold ITP approval until the engineering plans are approved as these documents are to be read in conjunction with each other. (Refer to the advisory clause below for the web link to the WDC QA/QC Manual document).

- c The consent holder shall provide written confirmation from the telecommunications and power utility service operator of their consent conditions in accordance with Council's Environmental Engineering Standards 2010 Edition and show necessary easements on the survey plan to the approval of the Councils' Development Engineer or delegated representative.
- d The consent holder must create easements in gross over the proposed temporary turning head(s) to the satisfaction of the Development Engineer or delegated representative. The easements are to be sufficient to allow for the formal construction of the turning head and any associated underground services and footpaths should this become necessary. For clarity, this consent provides for the cancellation of easements (turning heads) when the future stage is lodged for Section 223 approval.
- e The consent holder must create easements over services and rights of way to the approval of the Development Engineer or delegated representative.
- f The consent holder must create easements over all proposed/existing Council services not located within 1.5m of the proposed property boundaries and/or as directed by the Development Engineer or delegated representative.
- g The consent holder must create easements in gross over all overland stormwater flow paths that fall into areas proposed for development (i.e. house site, effluent disposal site, accessway from road to house site etc.) and/or as directed by the Development Engineer . The easements are to cover the extent of the 1% Annual Exceedance Probability flows (+20% allowance for climate change) and are to the satisfaction of the Development Engineer or delegated representative.

Note: Overland flowpaths are to be assessed in accordance with Section 4.9 of Council's Environmental Engineering Standards 2010 Edition and are to be certified by an IQP/CPEng.

- h The consent holder must provide Council with three proposed street/road/access names in writing for all Roads to Vest within the stage boundaries in accordance with Council's policy, and in order of preference, giving reasons for each proposed name, for approval by Council. A clear plan detailing the route of the proposed street/road/access should also be submitted and any evidence of consultation relating to the proposed names. (Please refer to the road naming policy and guidelines available on Council's website [www.wdc.govt.nz/](http://www.wdc.govt.nz/)).

Note - This condition will not be deemed to be satisfied unless Council has approved the submitted names in writing.

- i The consent holder must provide Council with three proposed street/road/access names in writing for all private roads serving 5 or more lots within the stage boundaries in accordance with Council's policy, and in order of preference, giving reasons for each proposed name, for approval by Council. A clear plan detailing the route of the proposed street/road/access should also be submitted and any evidence of consultation relating to the proposed names. (Please refer to the road naming policy and guidelines available on Council's website [www.wdc.govt.nz/](http://www.wdc.govt.nz/)).

Note - This condition will not be deemed to be satisfied unless Council has approved the submitted names in writing.

- j The following conditions shall be shown on the survey plan and to be referenced LINZ 1615920:



*“That Lot 709 hereon (Legal Access) be held as to four undivided one-fourths shares by the owners of Lots 380, 381, 386 and 387 hereon as tenants in common in the said shares and that individual Computer Registers be issued in accordance therewith”.*

*“That Lot 712 hereon (Legal Access) be held as to two undivided one-half shares by the owners of Lots 410 and 412 hereon as tenants in common in the said shares and that individual Computer Registers be issued in accordance therewith”.*

~~*“That Lot 713 hereon (Legal Access) be held as to two undivided one-half shares by the owners of Lots 417 and 419 hereon as tenants in common in the said shares and that individual Computer Registers be issued in accordance therewith”.*~~

~~*“That Lot 714 hereon (Legal Access) be held as to three undivided one-third shares by the owners of Lots 420, 421 and 423 hereon as tenants in common in the said shares and that individual Computer Registers be issued in accordance therewith”.*~~

**“That Lot 713 hereon (Legal Access) be held as to seven undivided one-seventh shares by the owners of Lots 415, 417, 419, 421, 423, and 425 hereon as tenants in common in the said shares and that individual Computer Registers be issued in accordance therewith”.**

- k A detailed Landscape Planting Plan prepared by a qualified landscape architect shall be submitted and approved by Council’s Manager RMA Consents or their delegated representative. The plan shall provide details of landscape materials and planting within and around the ponds, drainage reserve and road verges; and shall also include any proposed signage, walkways, boardwalks, street furniture and entry features within reserve areas or road reserves where applicable. The plan shall show as a minimum the following;
- i. Names of proposed species.
  - ii. Size of proposed stock for planting.
  - iii. Numbers, locations, spacing and staking of proposed plants and trees taking into account the need to retain suitable sight lines for traffic.
  - iv. Details of any structures including location, dimensions, materials and construction methods.
  - v. Details of any mulch or other stabilisation structures, including type, depth, and stabilisation methods; and shall include a weed management plan and a plant replacement program for maintenance of the asset for three years following the issuance of a certificate under Section 224(c).

**9 Prior to issue of a Section 224 (c) certificate;**

- a The Consent Holder or its agent/contractor shall, at least 10 working days prior to the commencement of any land disturbance activities, prepare and submit a Construction Environmental Management Plan (CEMP) to the Council’s Team Leader RMA Approvals and Compliance or delegated representative. Information required in this application is listed in the NRC consent granted on 28.2.2018 File :13780
- b The consent holder is to submit a Corridor Access Request application to Council’s Road Corridor Co-ordinator and receive written approval for all works to be carried out within Council’s Road Reserve in accordance with Council’s Environmental Engineering Standards 2010 to the satisfaction of the Development Engineer or delegated representative (refer to the advisory clause below for the definition of a Corridor Access Request).
- c A pre-start meeting is required to be undertaken with the consent holders’ representative (DR), contractor(s) and all other IQP’s or agents for consent holder and the Development Engineer prior to any works being undertaken on the site to the satisfaction of the Development Engineer or delegated representative.
- d All work on the approved engineering plans in Condition 8(a) is to be carried out to the approval to the approval of the Development Engineer or delegated representative.

Compliance with this condition shall be determined by site inspections undertaken as agreed in the Inspection & Test Plan in Condition 9(c) and by provision and approval of supporting documentation provided by the developers representative/s in support of the

constructed works – EES PS4 and producer statements including supporting evidence of inspections by those persons, works acceptance certificate, statement of compliance of as built works and as built plans, RAMM data, management plans, operation and maintenance plans and all other test certificates and statements and supporting information required to confirm compliance of the works as required by Council's QA/QC Manual and the Council's Environmental Engineering Standards 2010.

No construction works are to commence onsite until the engineering plans required in condition 9(b) have been approved and all associated plan inspection fees have been paid.

- e The consent holder shall notify Council, in writing, of their intention to begin works, a minimum of seven days prior to commencing works. Such notification shall be sent to the Development Engineer or delegated representative and include the following details:
  - i. Name and telephone number of the project manager/ IQP.
  - ii. Site address to which the consent relates.
  - iii. Activities to which the consent relates.
  - iv. Expected duration of works.

A copy of the approved engineering plans and a copy of the resource consent conditions, Inspection and Test Plan, approved corridor access request and the above letter are to be held onsite at all times during construction. All personnel working on the site shall be made aware of, and have access to the resource consent and accompanying documentation.

- f The consent holder shall submit written confirmation from power and telecommunications utility services operators that their conditions for this development have been satisfied in accordance with Council's Environmental Engineering Standards 2010 Edition to the approval of the Councils' Development Engineer or their delegated representative.
- g The consent holder shall ensure that spoil from the site must not be tracked out onto Council or State Highway Road formations to the satisfaction of the Development Engineer or delegated representative.
- h Dust nuisance must be controlled onsite (by use of a water cart or similar) by the applicant so as not to cause "offensive or objectionable" dust at or beyond the boundary of the development of the Development Engineer or delegated representative.
- i The consent holder must provide written confirmation from a Licensed Cadastral Surveyor that all services and accesses are located within the appropriate easement boundaries to the satisfaction of the Development Engineer or delegated representative.
- j The consent holder must reinstate Council's street footpath, stormwater kerb and channel, road carriageway formation, street berm and urban services by the demolition and construction works associated with the subdivision and land use activities shall be reinstated in accordance with Section 3 of Council's Environmental Engineering Standards 2010 Edition at the expense of the consent holder to the satisfaction of the Development Engineer or delegated representative.
- k The consent holder must submit a certified and dated 'as built' plan of completed works and services in accordance with Council's Environmental Engineering Standards 2010 Edition. This condition shall be deemed satisfied once the as-builts have been approved by Councils' Development Engineer or delegated representative.
- l The consent holder must submit certified RAMM data for all new/upgraded or extended vehicle crossing culverts prepared by a suitably qualified person in accordance with Council's Environmental Engineering Standards 2010 Edition to the satisfaction of the Development Engineer or delegated representative.
- m The consent holder must supply and erect the Public street/road/access name for all Public Roads within the stage boundary in accordance with Sheet 24 of Council's Environmental Engineering Standards 2010 Edition, inclusive of the approved street/ road/access name. The sign shall be located in a position where it is most visible for road users to the satisfaction of the Development Engineer or delegated representative.



- n The consent holder must supply and erect the Private street/road/access name for all private roads/ JOAL within the stage boundaries in accordance with Sheet 25 of Council's Environmental Engineering Standards 2010 Edition, inclusive of the approved street/road/access name. The sign shall be located in a position where it is most visible for road users to the satisfaction of the Development Engineer or delegated representative.
- o The consent holder must submit for approval a completed Geotechnical report including a detailed site plan of any areas of filling, from a Geotechnical Engineer specifying any site restrictions, and confirmation that the land is suitable for building development to the satisfaction of the Development Engineer or delegated representative.
- p If filling were to occur on any allotment, the consent holder shall submit a Form EES PS4 compiled by a suitably qualified person including details confirming the location of such fill on the affected titles, to the satisfaction of the Development Engineer, or delegated representative. This Form EES PS4 (and associated reports, plans and similar) will be registered against the relevant titles via a consent notice.
- q Following completion of construction, the consent holder shall provide a works producer statement from the suitably qualified contractors who completed the works, certifying that the works have been completed in accordance with the approved engineering plans, Council's Environmental Engineering Standards 2010 Edition and best trade practise, to the satisfaction of Whangarei District Council's Development Engineer.
- r The consent holder shall complete all landscape works required by condition 8(k) of this consent to the satisfaction of the Team Leader RMA Approvals and Compliance or their delegated representative. Confirmation shall be provided by way of written evidence from a landscape architect and a site visit by a member of the Parks Department of the Council or their delegated representative.
- s The consent holder shall prepare a fencing covenant as defined under Section 2 of the Fencing Act 1978 to be registered against all residential allotments to be created adjoining the stormwater reserve to vest (excluding road reserve), specifying that Council will not be liable for any costs for future fencing of boundaries with any pond. In addition, the boundary fencing adjoining the pond to vest (excluding road reserve) above a height of 1.2m shall be constructed in visually permeable materials that allow visibility into the reserve. Details of proposed fencing shall be provided to Council's Parks and Recreation Manager or delegated representative for approval prior to construction.
- t Pursuant to Section 221 of the Resource Management Act 1991, a consent notice must be prepared and be registered on the Computer Freehold Register of **(lots 265–270, 319, and 381–428)** at the consent holder's expense, containing the following conditions which are to be complied with on a continuing basis by the subdividing owner and subsequent owners:
  - i At the time of building consent provide suitable evidence/design to illustrate that, stormwater attenuation will be provided for all impervious surfaces exceeding 45% of the lot size area, to ensure compliance with Council's Environmental Engineering Standards 2010 and to the satisfaction of the Whangarei District Council. The design shall be undertaken by a suitably qualified engineer or Council IQP.
  - ii Any development shall comply with the restrictions and recommendations identified in the Geotechnical completion engineering report (with appropriate references and to be dated) as required under condition 9(o) unless an alternative engineering report prepared by a Geotechnical or Chartered Professional Engineer is approved in writing by Council.
  - iii At the time of building consent, the property owner shall arrange to supply and install (at its own cost) a pressure sewer system of an approved make, brand or type (including all its constituent components) to the satisfaction of Council. After approval by WDC Waste and Drainage Manger, and connection of the pressure sewer system to the Council's reticulated system, WDC shall own and maintain the pressure sewer system in accordance with the WDC Pressure Sewer Policy. The Owner shall continue to own and maintain the property's gravity drain to the pump chamber. The Owner shall be

responsible for paying for the power consumption of the pumping unit in accordance with Council Pressure Sewer Policy.

- iv At the time of building consent, the owner shall construct the vehicle entrance crossing in accordance with Sheet 18 Residential Single Width Crossing also in accordance with Sheets 22 & 23 of Council's Environmental Engineering Standards 2010 Edition. Unless an existing approved vehicle crossing to the site exist. Entrance crossings are to be designed and constructed in such a manner that will control stormwater run-off entering a property from the road, and that likewise prevent stormwater and detritus, including gravel, dirt and other materials, migrating onto the road reserve from a property.

**Stage 5 - 45 residential lots (lots 250–264, 271–291, 316-318, 447–452), JOAL (lots 706 and 707) Recreation Reserve Lot 603, Roads to Vest (roads 6, 7, 10 and 19).**

**10 Prior to issue of a Section 223 certificate**

- a The consent holder must submit a detailed set of engineering plans prepared in accordance with Council's Environmental Engineering Standards 2010 Edition. The engineering plans are to be submitted to the Development Engineer or delegated representative for approval.

It is to be noted that certain designs may only be carried out by an Independently Qualified Person (IQP) or Chartered Professional Engineer (CPEng) working within the bounds of their assessed competencies. IQP's must have been assessed by Council and hold a current status to submit design work.

All work needing design/certification by a Council approved IQP/CPEng will require completion of a producer statement (design) (EES-PS1 or similar).

Plans are to include but are not limited to:

- i Design details of the construction of Joined Owned Access Lots 706 & 707 in accordance with Table 3.7 and Sheet 7 of Council's Environmental Engineering Standards 2010 Edition including a typical cross section, long section, culverts, drainage flow paths, services and vehicle crossings.
- ii Design details of final earthworks and retaining to construct roads, lot platforms and ponds, in accordance with Council's Environmental Engineering Standards 2010 Edition, including existing and proposed contours and depths of cut/fill. The earthworks plan shall include;
  - Environmental Management Plan
  - Construction Management Plan
  - Specific Dust Management Plan
  - Erosion and Sediment Control Plan
- iii Design details of the construction of a new vehicle crossing for JOAL 706 & 707 and residential lots where site restrictions apply, in accordance with Sheet 18 Residential Double Width Crossing also in accordance with Sheets 22 & 23 of Council's Environmental Engineering Standards 2010 Edition. Entrance crossings are to be designed and constructed in such a manner that will control stormwater run-off entering a property from the road, and that likewise prevent stormwater and detritus, including gravel, dirt and other materials, migrating onto the road reserve from a property. Urban accessways and private driveways sloping up from the road shall have a stormwater collection and disposal system at the boundary as detailed on Sheet 19.
- iv Design details of Roads 6, 7, 10 and 19 to vest where they front sections within the stage 5 boundaries. Road 10 shall be in accordance with Table 3.1 Class D, and the remainder on the internal Road Class B, Sheet 2 and Section 3 of Council's Environmental Engineering Standards 2010 Edition.

The design shall include pavement structural details, signage, intersection design, typical cross sections, earthworks cross sections, long sections, culverts, drainage flow paths, surfacing, pavement marking, street lighting and any proposed planting,

landscaping, retaining and street furniture and a temporary metalled turning head with an easement in gross in favour of Whangarei District Council.

- Typical cross sections, generally in accordance with DWG 31014-01-230-RD Rev 1
  - Recreation Reserve Lot 604 with a 2.4m wide shared concrete path.
- v Design details of the Pressure Sewer System reticulation including detail of the discharge point or receiving manhole with upgrades (if required) to accommodate the new connection. The sewer reticulation main shall not be constructed through private land.

Appurtenances (such as valves and flushing points) and boundary kits for all lots serviced by the pressure sewer system.

Supporting calculations in accordance with Section 5 of Council's Environmental Engineering Standards 2010 Edition.

Calculation and details of how self-cleansing velocities, residence times and odour control will be achieved prior to full build-out of the lots.

Note; During the design process the developer shall confirm with Council the nominated discharge point on the Council's existing system that the developer needs to convey sewage to.

- vi Design details of water connections for all residential lots within the stage boundary in accordance with Sheet 46 or 47 of Council's Environmental Engineering Standards 2010 Edition including firefighting coverage in accordance with Sheet 45 and Section 6.11.
- vii Design details of water main extensions inclusive of any valves, bulk water meters, fittings and connections necessary to service all residential lots, inclusive of calculations in accordance with Section 6 of Council's Environmental Engineering Standards 2010 Edition.
- viii Design details of stormwater connections for all residential lots within the stage boundary in accordance with Sheet 36 or 37 and Section 4 of Council's Environmental Engineering Standards 2010 Edition.
- ix Design details of stormwater mainline reticulation inclusive of any upgrades to the existing reticulation, sumps, manholes, treatment devices, detention structures and connections necessary to service the development in accordance with Section 4 of Council's Environmental Engineering Standards 2010 Edition. The design is to include evidence that
- The existing public reticulation is capable of receiving the additional flows; and
  - The new system is capable of receiving stormwater from further upstream development (where applicable)
  - Include recommendations from the Opus Acid Sulphate Soil Report dated 25 August 2016 reference 1-19563.

Note - Stormwater discharges across Public Reserve will require specific approval in writing from the controlling authority prior to submission of engineering plans.

- b The consent holder must submit an Inspection & Test Plan (ITP) for approval prepared in accordance with Council's Environmental Engineering Standards 2010 Edition and the WDC QA/QC Manual. The ITP is to be submitted to the Development Engineer for approval and be approved prior to the pre-start meeting and prior to any works being completed on the site. Note that this ITP will be processed in conjunction with the submitted engineering plans required by condition 10(a) and Council reserves the right to withhold ITP approval until the engineering plans are approved as these documents are to be read in conjunction with each other. (Refer to the advisory clause below for the web link to the WDC QA/QC Manual document).
- c The consent holder shall provide written confirmation from the telecommunications and power utility service operator of their consent conditions in accordance with Council's Environmental Engineering Standards 2010 Edition and show necessary easements on the survey plan to the approval of the Council's Development Engineer or delegated representative.

- d The consent holder must create easements in gross over the proposed temporary turning head(s) to the satisfaction of the Development Engineer or delegated representative. The easements are to be sufficient to allow for the formal construction of the turning head and any associated underground services and footpaths should this become necessary. For clarity, this consent provides for the cancellation of easements (turning heads) when the future stage is lodged for Section 223 approval.
- e The consent holder must create easements over services and rights of way to the approval of the Development Engineer or delegated representative.
- f The consent holder must create easements over all proposed/existing Council services not located within 1.5m of the proposed property boundaries and/or as directed by the Development Engineer or delegated representative.
- g The consent holder must create easements in gross over all overland stormwater flow paths that fall into areas proposed for development (i.e. house site, effluent disposal site, accessway from road to house site etc.) and/or as directed by the Development Engineer. The easements are to cover the extent of the 1% Annual Exceedance Probability flows (+20% allowance for climate change) and are to the satisfaction of the Development Engineer or delegated representative.

Note: Overland flowpaths are to be assessed in accordance with Section 4.9 of Council's Environmental Engineering Standards 2010 Edition and are to be certified by an IQP/CPEng.

- h The consent holder must provide Council with three proposed street/road/access names in writing for all Roads to Vest within the stage boundaries in accordance with Council's policy, and in order of preference, giving reasons for each proposed name, for approval by Council. A clear plan detailing the route of the proposed street/road/access should also be submitted and any evidence of consultation relating to the proposed names. (Please refer to the road naming policy and guidelines available on Council's website [www.wdc.govt.nz/](http://www.wdc.govt.nz/)).

Note - This condition will not be deemed to be satisfied unless Council has approved the submitted names in writing.

- i The consent holder must provide Council with three proposed street/road/access names in writing for all private roads serving 5 or more lots within the stage boundaries in accordance with Council's policy, and in order of preference, giving reasons for each proposed name, for approval by Council. A clear plan detailing the route of the proposed street/road/access should also be submitted and any evidence of consultation relating to the proposed names. (Please refer to the road naming policy and guidelines available on Council's website [www.wdc.govt.nz/](http://www.wdc.govt.nz/)).

Note - This condition will not be deemed to be satisfied unless Council has approved the submitted names in writing.

- j The following conditions shall be shown on the survey plan and to be referenced LINZ 1507490:

*"That Lot 706 hereon (Legal Access) be held as to four undivided one-fourths shares by the owners of Lots 287, 288, 289 and 290 hereon as tenants in common in the said shares and that individual Computer Registers be issued in accordance therewith".*

~~*"That Lot 707 hereon (Legal Access) be held as to three undivided one-third shares by the owners of Lots 252, 253 and 254 hereon as tenants in common in the said shares and that individual Computer Registers be issued in accordance therewith".*~~

- k A detailed Landscape Planting Plan prepared by a qualified landscape architect shall be submitted and approved by Council's Manager RMA Consents or delegated representative. The plan shall provide details of landscape materials and planting within and around the ponds, drainage reserve and road verges; and shall also include any proposed signage, walkways, boardwalks, street furniture and entry features within reserve areas or road reserves where applicable. The plan shall show as a minimum the following;
  - i. Names of proposed species.
  - ii. Size of proposed stock for planting.

- iii. Numbers, locations, spacing and staking of proposed plants and trees taking into account the need to retain suitable sight lines for traffic.
  - iv. Details of any structures including location, dimensions, materials and construction methods.
  - v. Details of any mulch or other stabilisation structures, including type, depth, and stabilisation methods; and shall include a weed management plan and a plant replacement program for maintenance of the asset for three years following the issuance of a certificate under Section 224(c).
- I The consent holder shall vest Lot 603 for Recreation Reserve under the Reserves Act 1977 and provide a detail Reserve Development Plan (RDP) for the approval of Council's Manager – Parks and Recreation. The RDP shall be prepared and developed in accordance with the latest version of Council's Environmental Engineering Standards – Reserves and Urban Design which include, but not be limited, to the following:
- (i) Design Drawing and Specifications as public spaces;
  - (ii) Streetscape design;
  - (iii) Planting design (grassing, sowing and turfing, species selection, location of tree/plants size, irrigation, etc.);
  - (iv) Design of Landscape structures and furniture (play equipment, fencing etc.);
  - (v) Landscape works (earthworks, trees, soil testing, vehicle access barriers, fencing etc.);
  - (vi) Pedestrian Accessways;
  - (vii) Irrigation and fertilising;
  - (viii) Weed control; Pruning; Mulching; staking and protection; etc.;
  - (ix) Stormwater.
  - (x) Replacement planting; and
  - (xi) Construction and implementation programme.

**11 Prior to issue of a Section 224 (c) certificate;**

- a The Consent Holder or its agent/contractor shall, at least 10 working days prior to the commencement of any land disturbance activities, prepare and submit a Construction Environmental Management Plan (CEMP) to the Council's Team Leader RMA Approvals and Compliance or delegated representative. Information required in this application is listed in the NRC consent granted on 28.2.2018 File :13780
- b The consent holder is to submit a Corridor Access Request application to Council's Road Corridor Co-ordinator and receive written approval for all works to be carried out within Council's Road Reserve in accordance with Council's Environmental Engineering Standards 2010 to the satisfaction of the Development Engineer or delegated representative (refer to the advisory clause below for the definition of a Corridor Access Request).
- c A pre-start meeting is required to be undertaken with the consent holders' representative (DR), contractor(s) and all other IQP's or agents for consent holder and the Development Engineer prior to any works being undertaken on the site to the satisfaction of the Development Engineer or delegated representative.
- d All work on the approved engineering plans in Condition 10(a) is to be carried out to the approval to the approval of the Development Engineer or delegated representative.

Compliance with this condition shall be determined by site inspections undertaken as agreed in the Inspection & Test Plan in Condition 11(c) and by provision and approval of supporting documentation provided by the developers representative/s in support of the constructed works – EES PS4 and producer statements including supporting evidence of inspections by those persons, works acceptance certificate, statement of compliance of as built works and as built



plans, RAMM data, management plans, operation and maintenance plans and all other test certificates and statements and supporting information required to confirm compliance of the works as required by Council's QA/QC Manual and the Council's Environmental Engineering Standards 2010.

No construction works are to commence onsite until the engineering plans required in condition 11(b) have been approved and all associated plan inspection fees have been paid.

- e The consent holder shall notify Council, in writing, of their intention to begin works, a minimum of seven days prior to commencing works. Such notification shall be sent to the Development Engineer and include the following details:
  - i. Name and telephone number of the project manager/ IQP.
  - ii. Site address to which the consent relates.
  - iii. Activities to which the consent relates.
  - iv. Expected duration of works.

A copy of the approved engineering plans and a copy of the resource consent conditions, Inspection and Test Plan, approved corridor access request and the above letter are to be held onsite at all times during construction. All personnel working on the site shall be made aware of, and have access to the resource consent and accompanying documentation.

- f The consent holder shall submit written confirmation from power and telecommunications utility services operators that their conditions for this development have been satisfied in accordance with Council's Environmental Engineering Standards 2010 Edition to the approval of the Councils' Development Engineer or their delegated representative.
- g The consent holder shall ensure that spoil from the site must not be tracked out onto Council or State Highway Road formations to the satisfaction of the Development Engineer or delegated representative.
- h Dust nuisance must be controlled onsite (by use of a water cart or similar) by the applicant so as not to cause "offensive or objectionable" dust at or beyond the boundary of the development of the Development Engineer or delegated representative.
- i The consent holder must provide written confirmation from a Licensed Cadastral Surveyor that all services and accesses are located within the appropriate easement boundaries to the satisfaction of the Development Engineer or delegated representative.
- j The consent holder must reinstate Council's street footpath, stormwater kerb and channel, road carriageway formation, street berm and urban services by the demolition and construction works associated with the subdivision and land use activities shall be reinstated in accordance with Section 3 of Council's Environmental Engineering Standards 2010 Edition at the expense of the consent holder to the satisfaction of the Development Engineer or delegated representative.
- k The consent holder must submit a certified and dated 'as built' plan of completed works and services in accordance with Council's Environmental Engineering Standards 2010 Edition. This condition shall be deemed satisfied once the as-builts have been approved by Councils' Development Engineer or delegated representative.
- l The consent holder must submit certified RAMM data for all new/upgraded or extended vehicle crossing culverts prepared by a suitably qualified person in accordance with Council's Environmental Engineering Standards 2010 Edition to the satisfaction of the Development Engineer or delegated representative.
- m The consent holder must supply and erect the Public street/road/access name for all Public Roads within the stage boundary in accordance with Sheet 24 of Council's Environmental Engineering Standards 2010 Edition, inclusive of the approved street/ road/access name. The sign shall be located in a position where it is most visible for road users to the satisfaction of the Development Engineer or delegated representative.
- n The consent holder must supply and erect the Private street/road/access name for all private roads/ JOAL within the stage boundaries in accordance with Sheet 25 of Council's Environmental

Engineering Standards 2010 Edition, inclusive of the approved street/ road/access name. The sign shall be located in a position where it is most visible for road users to the satisfaction of the Development Engineer or delegated representative.

- o The consent holder must submit for approval a completed Geotechnical report including a detailed site plan of any areas of filling, from a Geotechnical Engineer specifying any site restrictions, and confirmation that the land is suitable for building development to the satisfaction of the Development Engineer or delegated representative.
- p If filling were to occur on any allotment, the consent holder shall submit a Form EES PS4 compiled by a suitably qualified person including details confirming the location of such fill on the affected titles, to the satisfaction of the Development Engineer, or delegated representative. This Form EES PS4 (and associated reports, plans and similar) will be registered against the relevant titles via a consent notice.
- q Following completion of construction, the consent holder shall provide a works producer statement from the suitably qualified contractors who completed the works, certifying that the works have been completed in accordance with the approved engineering plans, Council's Environmental Engineering Standards 2010 Edition and best trade practise, to the satisfaction of Whangarei District Council's Development Engineer or delegated representative.
- r The consent holder shall complete all landscape works required by condition 10(k) of this consent to the satisfaction of the Team Leader RMA Approvals and Compliance or their delegated representative. Confirmation shall be provided by way of written evidence from a landscape architect and a site visit by a member of the Parks Division of the Council or their delegated representative.
- s The consent holder shall provide evidence from a suitably qualified professional that the Park and Recreational Development Plan approved under condition 10(l) has been implemented.
- t Pursuant to Section 221 of the Resource Management Act 1991, a consent notice must be prepared and be registered on the Computer Freehold Register of **(lots 250–264, 271–291, 316–318, 447–452)** at the consent holder's expense, containing the following conditions which are to be complied with on a continuing basis by the subdividing owner and subsequent owners:
  - i At the time of building consent provide suitable evidence/design to illustrate that, stormwater attenuation will be provided for all impervious surfaces exceeding 45% of the lot size area, to ensure compliance with Council's Environmental Engineering Standards 2010 and to the satisfaction of the Whangarei District Council. The design shall be undertaken by a suitably qualified engineer or Council IQP.
  - ii Any development shall comply with the restrictions and recommendations identified in the Geotechnical completion engineering report (with appropriate references and to be dated) as required under condition 11(o) unless an alternative engineering report prepared by a Geotechnical or Chartered Professional Engineer is approved in writing by Council.
  - iii At the time of building consent, the property owner shall arrange to supply and install (at its own cost) a pressure sewer system of an approved make, brand or type (including all its constituent components) to the satisfaction of Council. After approval by WDC Waste and Drainage Manger, and connection of the pressure sewer system to the Council's reticulated system, WDC shall own and maintain the pressure sewer system in accordance with the WDC Pressure Sewer Policy. The Owner shall continue to own and maintain the property's gravity drain to the pump chamber. The Owner shall be responsible for paying for the power consumption of the pumping unit in accordance with Council Pressure Sewer Policy.
  - iv At the time of building consent, the owner shall construct the vehicle entrance crossing in accordance with Sheet 18 Residential Single Width Crossing also in accordance with Sheets 22 & 23 of Council's Environmental Engineering Standards 2010 Edition. Unless an existing approved vehicle crossing to the site exist. Entrance crossings are to be designed and constructed in such a manner that will control stormwater run-off entering a property from the road, and that likewise prevent stormwater and detritus, including gravel, dirt and other materials, migrating onto the road reserve from a property.



**Stage 6 - 63 Residential Lots (lots 320–332, 343–360, 362–379, 429–442), Stormwater Pond Lot 552, Pedestrian Access Lot 605, Road to Vest (roads 5, 8, and 9), JOAL (lots 708 and 710)**

**12 Prior to issue of a Section 223 certificate**

- a The consent holder must submit a detailed set of engineering plans prepared in accordance with Council's Environmental Engineering Standards 2010 Edition. The engineering plans are to be submitted to the Development Engineer for approval.

It is to be noted that certain designs may only be carried out by an Independently Qualified Person (IQP) or Chartered Professional Engineer (CPEng) working within the bounds of their assessed competencies. IQP's must have been assessed by Council and hold a current status to submit design work.

All work needing design/certification by a Council approved IQP/CPEng will require completion of a producer statement (design) (EES-PS1 or similar).

Plans are to include but are not limited to:

- i Design details of final earthworks and retaining to construct roads, lot platforms and ponds, in accordance with Council's Environmental Engineering Standards 2010 Edition, including existing and proposed contours and depths of cut/fill. The earthworks plan shall include;
- Environmental Management Plan
  - Construction Management Plan
  - Specific Dust Management Plan
  - Erosion and Sediment Control Plan
- ii Design details of the construction of Joined Owned Access Lots 708 & 710 in accordance with Table 3.7 and Sheet 7 of Council's Environmental Engineering Standards 2010 Edition including a typical cross section, long section, culverts, drainage flow paths, services and vehicle crossings.
- iii Design details of the upgrade of Pyle Road East from the existing edge of seal to the cul-de-sac at the end of the Road;
- Cul-de-sac to Road 10 intersection in accordance with Table 3.1 Class B
  - Pyle Road East/ Road 10 intersection to extend of Stage 9 frontage in accordance with Table 3.1 Class D
  - Remainder of the unsealed Road in accordance with Table 3.2 Class C
- and Section 3 of Council's Environmental Engineering Standards 2010 Edition including pavement structural details, signage, intersection design, typical cross sections, earthworks cross sections, long sections, culverts, drainage flow paths, surfacing, pavement marking, street lighting and any proposed planting, landscaping, retaining and street furniture.
- iv Design details of the construction of a new vehicle crossing for JOAL 708 & 710 and residential lots where site restrictions apply, in accordance with Sheet 18 Residential Double Width Crossing also in accordance with Sheets 22 & 23 of Council's Environmental Engineering Standards 2010 Edition. Entrance crossings are to be designed and constructed in such a manner that will control stormwater run-off entering a property from the road, and that likewise prevent stormwater and detritus, including gravel, dirt and other materials, migrating onto the road reserve from a property. Urban accessways and private driveways sloping up from the road shall have a stormwater collection and disposal system at the boundary as detailed on Sheet 19.
- v Design details of Roads 5, 8 and 9 to vest where they front sections within the stage 6 boundaries. Road 10 shall be in accordance with Table 3.1 Class D, and the remainder on the internal Road Class B, Sheet 2 and Section 3 of Council's Environmental Engineering Standards 2010 Edition.

The design shall include pavement structural details, signage, intersection design, typical cross sections, earthworks cross sections, long sections, culverts, drainage flow paths, surfacing, pavement marking, street lighting and any proposed planting, landscaping, retaining and street furniture and a temporary metalled turning head with an easement in gross in favour of Whangarei District Council.

- Typical cross sections, generally in accordance with DWG 31014-01-230-RD Rev 1
- Recreation Reserve Lot 605 with a 2.4m wide shared concrete path.

- vi Design details of the Pressure Sewer System reticulation including detail of the discharge point or receiving manhole with upgrades (if required) to accommodate the new connection. The sewer reticulation main shall not be constructed through private land.

Appurtenances (such as valves and flushing points) and boundary kits for all lots serviced by the pressure sewer system.

Supporting calculations in accordance with Section 5 of Council's Environmental Engineering Standards 2010 Edition.

Calculation and details of how self-cleansing velocities, residence times and odour control will be achieved prior to full build-out of the lots.

Note; During the design process the developer shall confirm with Council the nominated discharge point on the Council's existing system that the developer needs to convey sewage to.

- vii Design details of water connections for all residential lots within the stage boundary in accordance with Sheet 46 or 47 of Council's Environmental Engineering Standards 2010 Edition including firefighting coverage in accordance with Sheet 45 and Section 6.11.

- viii Design details of water main extensions inclusive of any valves, bulk water meters, fittings and connections necessary to service all residential lots, inclusive of calculations in accordance with Section 6 of Council's Environmental Engineering Standards 2010 Edition.

- ix Design details of stormwater connections for all lots within the stage boundary in accordance with Sheet 36 or 37 and Section 4 of Council's Environmental Engineering Standards 2010 Edition.

- x Design details of proposed Pond 3 within Local Purpose Reserve 552, inclusive of sections, construction details, planting, benching and fencing, calculations and final operations and maintenance requirements, in accordance with Section 4 of Council's Environmental Engineering Standards 2010 Edition and Stormwater Management Plan prepared by Woods V4 dated 20 December 2017. Specific additional information regarding design of public (to vest) Pond 3 shall be submitted:

- a) Details of impermeable liner anchor construction,
- b) Proposed impermeable liner welding and installation methodology, including details of the proposed certified (where appropriate) welders and installers,
- c) Details of design for wind and hydrostatic uplift of the impermeable liner,
- d) Details of planting layer design,
- e) Designers risk assessment for handover of the asset to Council.

- xi Design details of stormwater mainline reticulation inclusive of any upgrades to the existing reticulation, sumps, manholes, treatment devices, detention structures and connections necessary to service the development in accordance with Section 4 of Council's Environmental Engineering Standards 2010 Edition. The design is to include evidence that:

- The existing public reticulation is capable of receiving the additional flows; and
- The new system is capable of receiving stormwater from further upstream development (where applicable)

- Include recommendations from the Opus Acid Sulphate Soil Report dated 25 August 2016 reference 1-19563.

Note - Stormwater discharges across Public Reserve will require specific approval in writing from the controlling authority prior to submission of engineering plans.

- b The consent holder must submit an Inspection & Test Plan (ITP) for approval prepared in accordance with Council's Environmental Engineering Standards 2010 Edition and the WDC QA/QC Manual. The ITP is to be submitted to the Development Engineer for approval and be approved prior to the pre-start meeting and prior to any works being completed on the site. Note that this ITP will be processed in conjunction with the submitted engineering plans required by condition 11(a) and Council reserves the right to withhold ITP approval until the engineering plans are approved as these documents are to be read in conjunction with each other. (Refer to the advisory clause below for the web link to the WDC QA/QC Manual document).
- c The consent holder shall provide written confirmation from the telecommunications and power utility service operator of their consent conditions in accordance with Council's Environmental Engineering Standards 2010 Edition and show necessary easements on the survey plan to the approval of the Council's Development Engineer or delegated representative.
- d The consent holder must create easements in gross over the proposed temporary turning head(s) to the satisfaction of the Development Engineer or delegated representative. The easements are to be sufficient to allow for the formal construction of the turning head and any associated underground services and footpaths should this become necessary. For clarity, this consent provides for the cancellation of easements (turning heads) when the future stage is lodged for Section 223 approval.
- e The consent holder must create easements over services and rights of way to the approval of the Development Engineer or delegated representative.
- f The consent holder must create easements over all proposed/existing Council services not located within 1.5m of the proposed property boundaries and/or as directed by the Development Engineer or delegated representative.
- g The consent holder must create easements in gross over all overland stormwater flow paths that fall into areas proposed for development (i.e. house site, effluent disposal site, accessway from road to house site etc.) and/or as directed by the Development Engineer. The easements are to cover the extent of the 1% Annual Exceedance Probability flows (+20% allowance for climate change) and are to the satisfaction of the Development Engineer or delegated representative.

Note: Overland flowpaths are to be assessed in accordance with Section 4.9 of Council's Environmental Engineering Standards 2010 Edition and are to be certified by an IQP/CPEng.

- h The consent holder must provide Council with three proposed street/road/access names in writing for all Roads to Vest within the stage boundaries in accordance with Council's policy, and in order of preference, giving reasons for each proposed name, for approval by Council. A clear plan detailing the route of the proposed street/road/access should also be submitted and any evidence of consultation relating to the proposed names. (Please refer to the road naming policy and guidelines available on Council's website [www.wdc.govt.nz/](http://www.wdc.govt.nz/)).

Note - This condition will not be deemed to be satisfied unless Council has approved the submitted names in writing.

- i The consent holder must provide Council with three proposed street/road/access names in writing for all private roads serving 5 or more lots within the stage boundaries in accordance with Council's policy, and in order of preference, giving reasons for each proposed name, for approval by Council. A clear plan detailing the route of the proposed street/road/access should also be submitted and any evidence of consultation relating to the proposed names. (Please refer to the road naming policy and guidelines available on Council's website [www.wdc.govt.nz/](http://www.wdc.govt.nz/)).

Note - This condition will not be deemed to be satisfied unless Council has approved the submitted names in writing.

- j The following conditions shall be shown on the survey plan and to be referenced LINZ 1507490:

*“That Lot 708 hereon (Legal Access) be held as to three undivided one-third shares by the owners of Lots 375, 378 and 379 hereon as tenants in common in the said shares and that individual Computer Registers be issued in accordance therewith”.*

*“That Lot 710 hereon (Legal Access) be held as to three undivided one-third shares by the owners of Lots 356, 357 and 362 hereon as tenants in common in the said shares and that individual Computer Registers be issued in accordance therewith”.*

- k A detailed Landscape Planting Plan prepared by a qualified landscape architect shall be submitted and approved by Council’s Manager RMA Consents or delegated representative. The plan shall provide details of landscape materials and planting within and around the ponds, drainage reserve and road verges; and shall also include any proposed signage, walkways, boardwalks, street furniture and entry features within reserve areas or road reserves where applicable. The plan shall show as a minimum the following;
- i. Names of proposed species.
  - ii. Size of proposed stock for planting.
  - iii. Numbers, locations, spacing and staking of proposed plants and trees taking into account the need to retain suitable sight lines for traffic.
  - iv. Details of any structures including location, dimensions, materials and construction methods.
  - v. Details of any mulch or other stabilisation structures, including type, depth, and stabilisation methods; and shall include a weed management plan and a plant replacement program for maintenance of the asset for three years following the issuance of a certificate under Section 224(c).

**13 Prior to issue of a Section 224 (c) certificate;**

- a The Consent Holder or its agent/contractor shall, at least 10 working days prior to the commencement of any land disturbance activities, prepare and submit a Construction Environmental Management Plan (CEMP) to the Council’s Team Leader RMA Approvals and Compliance or delegated representative. Information required in this application is listed in the NRC consent granted on 28.2.2018 File :13780
- b The consent holder is to submit a Corridor Access Request application to Council’s Road Corridor Co-ordinator and receive written approval for all works to be carried out within Council’s Road Reserve in accordance with Council’s Environmental Engineering Standards 2010 to the satisfaction of the Development Engineer or delegated representative (refer to the advisory clause below for the definition of a Corridor Access Request).
- c A pre-start meeting is required to be undertaken with the consent holders’ representative (DR), contractor(s) and all other IQP’s or agents for consent holder and the Development Engineer prior to any works being undertaken on the site to the satisfaction of the Development Engineer or delegated representative.
- d All work on the approved engineering plans in Condition 12(a) is to be carried out to the approval to the approval of the Development Engineer or delegated representative.

Compliance with this condition shall be determined by site inspections undertaken as agreed in the Inspection & Test Plan in Condition 13(c) and by provision and approval of supporting documentation provided by the developers representative/s in support of the constructed works – EES PS4 and producer statements including supporting evidence of inspections by those persons, works acceptance certificate, statement of compliance of as built works and as built plans, RAMM data, management plans, operation and maintenance plans and all other test certificates and statements and supporting information required to confirm compliance of the works as required by Council’s QA/QC Manual and the Council’s Environmental Engineering Standards 2010.

No construction works are to commence onsite until the engineering plans required in condition 13(b) have been approved and all associated plan inspection fees have been paid.

- e The consent holder shall notify Council, in writing, of their intention to begin works, a minimum of seven days prior to commencing works. Such notification shall be sent to the Development Engineer and include the following details:
  - i. Name and telephone number of the project manager/ IQP.
  - ii. Site address to which the consent relates.
  - iii. Activities to which the consent relates.
  - iv. Expected duration of works.

A copy of the approved engineering plans and a copy of the resource consent conditions, Inspection and Test Plan, approved corridor access request and the above letter are to be held onsite at all times during construction. All personnel working on the site shall be made aware of, and have access to the resource consent and accompanying documentation.

- f The consent holder shall submit written confirmation from power and telecommunications utility services operators that their conditions for this development have been satisfied in accordance with Council's Environmental Engineering Standards 2010 Edition to the approval of the Councils' Development Engineer or their delegated representative.
- g The consent holder shall ensure that spoil from the site must not be tracked out onto Council or State Highway Road formations to the satisfaction of the Development Engineer or delegated representative.
- h Dust nuisance must be controlled onsite (by use of a water cart or similar) by the applicant so as not to cause "offensive or objectionable" dust at or beyond the boundary of the development of the Development Engineer or delegated representative.
- i The consent holder must provide written confirmation from a Licensed Cadastral Surveyor that all services and accesses are located within the appropriate easement boundaries to the satisfaction of the Development Engineer or delegated representative.
- j The consent holder must reinstate Council's street footpath, stormwater kerb and channel, road carriageway formation, street berm and urban services by the demolition and construction works associated with the subdivision and land use activities shall be reinstated in accordance with Section 3 of Council's Environmental Engineering Standards 2010 Edition at the expense of the consent holder to the satisfaction of the Development Engineer or delegated representative.
- k The consent holder must submit a certified and dated 'as built' plan of completed works and services in accordance with Council's Environmental Engineering Standards 2010 Edition. This condition shall be deemed satisfied once the as-builts have been approved by Councils' Development Engineer or delegated representative.
- l The consent holder must submit certified RAMM data for all new/upgraded or extended vehicle crossing culverts prepared by a suitably qualified person in accordance with Council's Environmental Engineering Standards 2010 Edition to the satisfaction of the Development Engineer or delegated representative.
- m The consent holder must supply and erect the Public street/road/access name for all Public Roads within the stage boundary in accordance with Sheet 24 of Council's Environmental Engineering Standards 2010 Edition, inclusive of the approved street/ road/access name. The sign shall be located in a position where it is most visible for road users to the satisfaction of the Development Engineer or delegated representative.
- n The consent holder must supply and erect the Private street/road/access name for all private roads/ JOAL within the stage boundaries in accordance with Sheet 25 of Council's Environmental Engineering Standards 2010 Edition, inclusive of the approved street/ road/access name. The sign shall be located in a position where it is most visible for road users to the satisfaction of the Development Engineer or delegated representative.
- o The consent holder must submit for approval a completed Geotechnical report including a detailed site plan of any areas of filling, from a Geotechnical Engineer specifying any site



restrictions, and confirmation that the land is suitable for building development to the satisfaction of the Development Engineer or delegated representative.

- p If filling were to occur on any allotment, the consent holder shall submit a Form EES PS4 compiled by a suitably qualified person including details confirming the location of such fill on the affected titles, to the satisfaction of the Development Engineer, or delegated representative. This Form EES PS4 (and associated reports, plans and similar) will be registered against the relevant titles via a consent notice.
- q Following completion of construction, the consent holder shall provide a works producer statement from the suitably qualified contractors who completed the works, certifying that the works have been completed in accordance with the approved engineering plans, Council's Environmental Engineering Standards 2010 Edition and best trade practise, to the satisfaction of Whangarei District Council's Development Engineer or delegated representative.
- r The consent holder shall complete all landscape works required by condition 12(l) of this consent to the satisfaction of the Team Leader RMA Approvals and Compliance or their delegated representative. Confirmation shall be provided by way of written evidence from a landscape architect and a site visit by a member of the Parks Department of the Council or their delegated representative.
- s The consent holder shall prepare a fencing covenant as defined under Section 2 of the Fencing Act 1978 to be registered against all residential allotments to be created adjoining the stormwater to vest (excluding road reserve), specifying that Council will not be liable for any costs for future fencing of boundaries with any pond. In addition, the boundary fencing adjoining the pond to vest (excluding road reserve) above a height of 1.2m shall be constructed in visually permeable materials that allow visibility into the reserve. Details of proposed fencing shall be provided to Council's Parks and Recreation Manager for approval prior to construction.
- t Pursuant to Section 221 of the Resource Management Act 1991, a consent notice must be prepared and be registered on the Computer Freehold Register of **(lots 320–332, 343–360, 362–380 429-442)** at the consent holder's expense, containing the following conditions which are to be complied with on a continuing basis by the subdividing owner and subsequent owners:
  - i At the time of building consent provide suitable evidence/design to illustrate that, stormwater attenuation will be provided for all impervious surfaces exceeding 45% of the lot size area, to ensure compliance with Council's Environmental Engineering Standards 2010 and to the satisfaction of the Whangarei District Council. The design shall be undertaken by a suitably qualified engineer or Council IQP.
  - ii Any development shall comply with the restrictions and recommendations identified in the Geotechnical completion engineering report (with appropriate references and to be dated) as required under condition 13(o) unless an alternative engineering report prepared by a Geotechnical or Chartered Professional Engineer is approved in writing by Council.
  - iii At the time of building consent, the property owner shall arrange to supply and install (at its own cost) a pressure sewer system of an approved make, brand or type (including all its constituent components) to the satisfaction of Council. After approval by WDC Waste and Drainage Manger, and connection of the pressure sewer system to the Council's reticulated system, WDC shall own and maintain the pressure sewer system in accordance with the WDC Pressure Sewer Policy. The Owner shall continue to own and maintain the property's gravity drain to the pump chamber. The Owner shall be responsible for paying for the power consumption of the pumping unit in accordance with Council Pressure Sewer Policy.
  - iv At the time of building consent, the owner shall construct the vehicle entrance crossing in accordance with Sheet 18 Residential Single Width Crossing also in accordance with Sheets 22 & 23 of Council's Environmental Engineering Standards 2010 Edition. Unless an existing approved vehicle crossing to the site exist. Entrance crossings are to be designed and constructed in such a manner that will control stormwater run-off entering a property from the road, and that likewise prevent stormwater and detritus, including gravel, dirt and other materials, migrating onto the road reserve from a property.

**Stage 7 - 57 residential lots (lots 184,186, 207–209, 211-212, 235-249, 292-315, 333-342, 466), Roads to Vest (roads 7, 9, and 10), JOAL Lot 705.**

**14 Prior to issue of a Section 223 certificate**

- a The consent holder must submit a detailed set of engineering plans prepared in accordance with Council's Environmental Engineering Standards 2010 Edition. The engineering plans are to be submitted to the Development Engineer for approval.

It is to be noted that certain designs may only be carried out by an Independently Qualified Person (IQP) or Chartered Professional Engineer (CPEng) working within the bounds of their assessed competencies. IQP's must have been assessed by Council and hold a current status to submit design work.

All work needing design/certification by a Council approved IQP/CPEng will require completion of a producer statement (design) (EES-PS1 or similar).

Plans are to include but are not limited to:

- i Design details of final earthworks and retaining to construct roads, lot platforms and ponds, in accordance with Council's Environmental Engineering Standards 2010 Edition, including existing and proposed contours and depths of cut/fill. The earthworks plan shall include;
- Environmental Management Plan
  - Construction Management Plan
  - Specific Dust Management Plan
  - Erosion and Sediment Control Plan
- ii Design details of the construction of Joined Owned Access Lots 705 in accordance with Table 3.7 and Sheet 7 of Council's Environmental Engineering Standards 2010 Edition including a typical cross section, long section, culverts, drainage flow paths, services and vehicle crossings.
- iii Design details of the construction of a new vehicle crossing for JOAL 705 and residential lots where site restrictions apply, in accordance with Sheet 18 Residential Double Width Crossing also in accordance with Sheets 22 & 23 of Council's Environmental Engineering Standards 2010 Edition. Entrance crossings are to be designed and constructed in such a manner that will control stormwater run-off entering a property from the road, and that likewise prevent stormwater and detritus, including gravel, dirt and other materials, migrating onto the road reserve from a property. Urban accessways and private driveways sloping up from the road shall have a stormwater collection and disposal system at the boundary as detailed on Sheet 19.
- iv Design details of Roads 7, 9 and 10 to vest where they front sections within the stage 7 boundaries. Road 10 shall be in accordance with Table 3.1 Class D, and the remainder on the internal Road Class B, Sheet 2 and Section 3 of Council's Environmental Engineering Standards 2010 Edition.
- The design shall include pavement structural details, signage, intersection design, typical cross sections, earthworks cross sections, long sections, culverts, drainage flow paths, surfacing, pavement marking, street lighting and any proposed planting, landscaping, retaining and street furniture and a temporary metalled turning head with an easement in gross in favour of Whangarei District Council.
- Typical cross sections, generally in accordance with DWG 31014-01-230-RD Rev 1
- v Design details of the Pressure Sewer System reticulation including detail of the discharge point or receiving manhole with upgrades (if required) to accommodate the new connection. The sewer reticulation main shall not be constructed through private land.
- Appurtenances (such as valves and flushing points) and boundary kits for all lots serviced by the pressure sewer system.

Supporting calculations in accordance with Section 5 of Council's Environmental Engineering Standards 2010 Edition.

Calculation and details of how self-cleansing velocities, residence times and odour control will be achieved prior to full build-out of the lots.

Note; During the design process the developer shall confirm with Council the nominated discharge point on the Council's existing system that the developer needs to convey sewage to.

- vi Design details of water connections for all residential lots within the stage boundary in accordance with Sheet 46 or 47 of Council's Environmental Engineering Standards 2010 Edition including firefighting coverage in accordance with Sheet 45 and Section 6.11.
- vii Design details of water main extensions inclusive of any valves, bulk water meters, fittings and connections necessary to service all residential lots, inclusive of calculations in accordance with Section 6 of Council's Environmental Engineering Standards 2010 Edition.
- viii Design details of stormwater connections for all residential lots within the stage boundary in accordance with Sheet 36 or 37 and Section 4 of Council's Environmental Engineering Standards 2010 Edition.
- ix Design details of stormwater mainline reticulation inclusive of any upgrades to the existing reticulation, sumps, manholes, treatment devices, detention structures and connections necessary to service the development in accordance with Section 4 of Council's Environmental Engineering Standards 2010 Edition. The design is to include evidence that
  - The existing public reticulation is capable of receiving the additional flows; and
  - The new system is capable of receiving stormwater from further upstream development (where applicable)
  - Include recommendations from the Opus Acid Sulphate Soil Report dated 25 August 2016 reference 1-19563.

Note - Stormwater discharges across Public Reserve will require specific approval in writing from the controlling authority prior to submission of engineering plans.

- b The consent holder must submit an Inspection & Test Plan (ITP) for approval prepared in accordance with Council's Environmental Engineering Standards 2010 Edition and the WDC QA/QC Manual. The ITP is to be submitted to the Development Engineer for approval and be approved prior to the pre-start meeting and prior to any works being completed on the site. Note that this ITP will be processed in conjunction with the submitted engineering plans required by condition 14(a) and Council reserves the right to withhold ITP approval until the engineering plans are approved as these documents are to be read in conjunction with each other. (Refer to the advisory clause below for the web link to the WDC QA/QC Manual document).
- c The consent holder shall provide written confirmation from the telecommunications and power utility service operator of their consent conditions in accordance with Council's Environmental Engineering Standards 2010 Edition and show necessary easements on the survey plan to the approval of the Councils' Development Engineer or delegated representative.
- d The consent holder must create easements in gross over the proposed temporary turning head(s) to the satisfaction of the Development Engineer or delegated representative. The easements are to be sufficient to allow for the formal construction of the turning head and any associated underground services and footpaths should this become necessary. For clarity, this consent provides for the cancellation of easements (turning heads) when the future stage is lodged for s223 approval.
- e The consent holder must create easements over services and rights of way to the approval of the Development Engineer or delegated representative.

- f The consent holder must create easements over all proposed/existing Council services not located within 1.5m of the proposed property boundaries and/or as directed by the Development Engineer or delegated representative.
- g The consent holder must create easements in gross over all overland stormwater flow paths that fall into areas proposed for development (i.e. house site, effluent disposal site, accessway from road to house site etc.) and/or as directed by the Development Engineer. The easements are to cover the extent of the 1% Annual Exceedance Probability flows (+20% allowance for climate change) and are to the satisfaction of the Development Engineer or delegated representative.

Note: Overland flowpaths are to be assessed in accordance with Section 4.9 of Council's Environmental Engineering Standards 2010 Edition and are to be certified by an IQP/CPEng.

- h The consent holder must provide Council with three proposed street/road/access names in writing for all Roads to Vest within the stage boundaries in accordance with Council's policy, and in order of preference, giving reasons for each proposed name, for approval by Council. A clear plan detailing the route of the proposed street/road/access should also be submitted and any evidence of consultation relating to the proposed names. (Please refer to the road naming policy and guidelines available on Council's website [www.wdc.govt.nz/](http://www.wdc.govt.nz/)).

Note - This condition will not be deemed to be satisfied unless Council has approved the submitted names in writing.

- i The consent holder must provide Council with three proposed street/road/access names in writing for all private roads serving 5 or more lots within the stage boundaries in accordance with Council's policy, and in order of preference, giving reasons for each proposed name, for approval by Council. A clear plan detailing the route of the proposed street/road/access should also be submitted and any evidence of consultation relating to the proposed names. (Please refer to the road naming policy and guidelines available on Council's website [www.wdc.govt.nz/](http://www.wdc.govt.nz/)).

Note - This condition will not be deemed to be satisfied unless Council has approved the submitted names in writing.

- j A detailed Landscape Planting Plan prepared by a qualified landscape architect shall be submitted and approved by Council's Manager RMA Consents or delegated representative. The plan shall provide details of landscape materials and planting within and around the ponds, drainage reserve and road verges; and shall also include any proposed signage, walkways, boardwalks, street furniture and entry features within reserve areas or road reserves where applicable. The plan shall show as a minimum the following;

- i. Names of proposed species.
- ii. Size of proposed stock for planting.
- iii. Numbers, locations, spacing and staking of proposed plants and trees taking into account the need to retain suitable sight lines for traffic.
- iv. Details of any structures including location, dimensions, materials and construction methods.
- v. Details of any mulch or other stabilisation structures, including type, depth, and stabilisation methods; and shall include a weed management plan and a plant replacement program for maintenance of the asset for three years following the issuance of a certificate under Section 224(c).

- k The following condition shall be shown on the survey plan and to be referenced LINZ 1507490:

*"That Lot 705 hereon (Legal Access) be held as to three undivided one-third shares by the owners of Lots 294, 295 and 296 hereon as tenants in common in the said shares and that individual Computer Registers be issued in accordance therewith".*

#### **15 Prior to issue of a Section 224 (c) certificate;**

- a The Consent Holder or its agent/contractor shall, at least 10 working days prior to the commencement of any land disturbance activities, prepare and submit a Construction

Environmental Management Plan (CEMP) to the Council's Team Leader RMA Approvals and Compliance or delegated representative. Information required in this application is listed in the NRC consent granted on 28.2.2018 File :13780

- b The consent holder is to submit a Corridor Access Request application to Council's Road Corridor Co-ordinator and receive written approval for all works to be carried out within Council's Road Reserve in accordance with Council's Environmental Engineering Standards 2010 to the satisfaction of the Development Engineer or delegated representative (refer to the advisory clause below for the definition of a Corridor Access Request).
- c A pre-start meeting is required to be undertaken with the consent holders' representative (DR), contractor(s) and all other IQP's or agents for consent holder and the Development Engineer prior to any works being undertaken on the site to the satisfaction of the Development Engineer or delegated representative.
- d All work on the approved engineering plans in Condition 14(a) is to be carried out to the approval to the approval of the Development Engineer or delegated representative.

Compliance with this condition shall be determined by site inspections undertaken as agreed in the Inspection & Test Plan in Condition 15(c) and by provision and approval of supporting documentation provided by the developers representative/s in support of the constructed works – EES PS4 and producer statements including supporting evidence of inspections by those persons, works acceptance certificate, statement of compliance of as built works and as built plans, RAMM data, management plans, operation and maintenance plans and all other test certificates and statements and supporting information required to confirm compliance of the works as required by Council's QA/QC Manual and the Council's Environmental Engineering Standards 2010.

No construction works are to commence onsite until the engineering plans required in condition 15(b) have been approved and all associated plan inspection fees have been paid.

- e The consent holder shall notify Council, in writing, of their intention to begin works, a minimum of seven days prior to commencing works. Such notification shall be sent to the Development Engineer and include the following details:
  - i. Name and telephone number of the project manager/ IQP.
  - ii. Site address to which the consent relates.
  - iii. Activities to which the consent relates.
  - iv. Expected duration of works.

A copy of the approved engineering plans and a copy of the resource consent conditions, Inspection and Test Plan, approved corridor access request and the above letter are to be held onsite at all times during construction. All personnel working on the site shall be made aware of, and have access to the resource consent and accompanying documentation.

- f The consent holder shall submit written confirmation from power and telecommunications utility services operators that their conditions for this development have been satisfied in accordance with Council's Environmental Engineering Standards 2010 Edition to the approval of the Council's Development Engineer or their delegated representative.
- g The consent holder shall ensure that spoil from the site must not be tracked out onto Council or State Highway Road formations to the satisfaction of the Development Engineer or delegated representative.
- h Dust nuisance must be controlled onsite (by use of a water cart or similar) by the applicant so as not to cause "offensive or objectionable" dust at or beyond the boundary of the development of the Development Engineer or delegated representative.
- i The consent holder must provide written confirmation from a Licensed Cadastral Surveyor that all services and accesses are located within the appropriate easement boundaries to the satisfaction of the Development Engineer or delegated representative.
- j The consent holder must reinstate Council's street footpath, stormwater kerb and channel, road carriageway formation, street berm and urban services by the demolition and construction works



associated with the subdivision and land use activities shall be reinstated in accordance with Section 3 of Council's Environmental Engineering Standards 2010 Edition at the expense of the consent holder to the satisfaction of the Development Engineer or delegated representative.

- k The consent holder must submit a certified and dated 'as built' plan of completed works and services in accordance with Council's Environmental Engineering Standards 2010 Edition. This condition shall be deemed satisfied once the as-builts have been approved by Council's Development Engineer or delegated representative.
- l The consent holder must submit certified RAMM data for all new/upgraded or extended vehicle crossing culverts prepared by a suitably qualified person in accordance with Council's Environmental Engineering Standards 2010 Edition to the satisfaction of the Development Engineer or delegated representative.
- m The consent holder must supply and erect the Public street/road/access name for all Public Roads within the stage boundary in accordance with Sheet 24 of Council's Environmental Engineering Standards 2010 Edition, inclusive of the approved street/ road/access name. The sign shall be located in a position where it is most visible for road users to the satisfaction of the Development Engineer or delegated representative.
- n The consent holder must supply and erect the Private street/road/access name for all private roads/ JOAL within the stage boundaries in accordance with Sheet 25 of Council's Environmental Engineering Standards 2010 Edition, inclusive of the approved street/ road/access name. The sign shall be located in a position where it is most visible for road users to the satisfaction of the Development Engineer or delegated representative.
- o The consent holder must submit for approval a completed Geotechnical report including a detailed site plan of any areas of filling, from a Geotechnical Engineer specifying any site restrictions, and confirmation that the land is suitable for building development to the satisfaction of the Development Engineer or delegated representative.
- p If filling were to occur on any allotment, the consent holder shall submit a Form EES PS4 compiled by a suitably qualified person including details confirming the location of such fill on the affected titles, to the satisfaction of the Development Engineer, or delegated representative. This Form EES PS4 (and associated reports, plans and similar) will be registered against the relevant titles via a consent notice.
- q Following completion of construction, the consent holder shall provide a works producer statement from the suitably qualified contractors who completed the works, certifying that the works have been completed in accordance with the approved engineering plans, Council's Environmental Engineering Standards 2010 Edition and best trade practise, to the satisfaction of Whangarei District Council's Development Engineer.
- r The consent holder shall complete all landscape works required by condition 14(j) of this consent to the satisfaction of the Team Leader RMA Approvals and Compliance or their delegated representative. Confirmation shall be provided by way of written evidence from a landscape architect and a site visit by a member of the Parks Department of the Council or their delegated representative.
- s Pursuant to Section 221 of the Resource Management Act 1991, a consent notice must be prepared and be registered on the Computer Freehold Register of **(lots 184,186, 207-209, 211-212, 235-249, 292-315, 333-342, 466)** at the consent holder's expense, containing the following conditions which are to be complied with on a continuing basis by the subdividing owner and subsequent owners:
  - i At the time of building consent provide suitable evidence/design to illustrate that, stormwater attenuation will be provided for all impervious surfaces exceeding 45% of the lot size area, to ensure compliance with Council's Environmental Engineering Standards 2010 and to the satisfaction of the Whangarei District Council. The design shall be undertaken by a suitably qualified engineer or Council IQP.
  - ii Any development shall comply with the restrictions and recommendations identified in the Geotechnical completion engineering report (with appropriate references and to be dated) as required under condition 15(o) unless an alternative engineering report

prepared by a Geotechnical or Chartered Professional Engineer is approved in writing by Council.

- iii At the time of building consent, the property owner shall arrange to supply and install (at its own cost) a pressure sewer system of an approved make, brand or type (including all its constituent components) to the satisfaction of Council. After approval by WDC Waste and Drainage Manger, and connection of the pressure sewer system to the Council's reticulated system, WDC shall own and maintain the pressure sewer system in accordance with the WDC Pressure Sewer Policy. The Owner shall continue to own and maintain the property's gravity drain to the pump chamber. The Owner shall be responsible for paying for the power consumption of the pumping unit in accordance with Council Pressure Sewer Policy.
- iv At the time of building consent, the owner shall construct the vehicle entrance crossing in accordance with Sheet 18 Residential Single Width Crossing also in accordance with Sheets 22 & 23 of Council's Environmental Engineering Standards 2010 Edition. Unless an existing approved vehicle crossing to the site exist. Entrance crossings are to be designed and constructed in such a manner that will control stormwater run-off entering a property from the road, and that likewise prevent stormwater and detritus, including gravel, dirt and other materials, migrating onto the road reserve from a property.

**Stage 8 - 55 Residential Lots (lots 170–173, 175-183, 187-195, 198–206, 210, 213-234, 446), Recreation Reserve Lot 602, Roads to Vest (roads 12, 15 and 17), JOAL Lots 704 and 715.**

**16 Prior to issue of a Section 223 certificate**

- a The consent holder must submit a detailed set of engineering plans prepared in accordance with Council's Environmental Engineering Standards 2010 Edition. The engineering plans are to be submitted to the Development Engineer for approval.

It is to be noted that certain designs may only be carried out by an Independently Qualified Person (IQP) or Chartered Professional Engineer (CPEng) working within the bounds of their assessed competencies. IQP's must have been assessed by Council and hold a current status to submit design work.

All work needing design/certification by a Council approved IQP/CPEng will require completion of a producer statement (design) (EES-PS1 or similar).

Plans are to include but are not limited to:

- i Design details of final earthworks and retaining to construct roads, lot platforms and ponds, in accordance with Council's Environmental Engineering Standards 2010 Edition, including existing and proposed contours and depths of cut/fill. The earthworks plan shall include;
  - Environmental Management Plan
  - Construction Management Plan
  - Specific Dust Management Plan
  - Erosion and Sediment Control Plan
- ii Design details of the construction of Joined Owned Access Lots 704 & 715 in accordance with Table 3.7 and Sheet 7 of Council's Environmental Engineering Standards 2010 Edition including a typical cross section, long section, culverts, drainage flow paths, services and vehicle crossings.
 

There should be a clear discontinuity between the two access ways to deter members of the public to use it as a through road. A different pavement treatment is recommended to indicate the private road status.
- iii Design details of the construction of a new vehicle crossing for JOAL 704 & 715 and residential lots where site restrictions apply, in accordance with Sheet 18 Residential Double Width Crossing also in accordance with Sheets 22 & 23 of Council's Environmental

Engineering Standards 2010 Edition. Entrance crossings are to be designed and constructed in such a manner that will control stormwater run-off entering a property from the road, and that likewise prevent stormwater and detritus, including gravel, dirt and other materials, migrating onto the road reserve from a property. Urban accessways and private driveways sloping up from the road shall have a stormwater collection and disposal system at the boundary as detailed on Sheet 19.

- iv Design details of Roads 12, 15 and 17 to vest where they front sections within the stage 6 boundaries. Road 10 shall be in accordance with Table 3.1 Class D, and the remainder on the internal Road Class B, Sheet 2 and Section 3 of Council's Environmental Engineering Standards 2010 Edition.

The design shall include pavement structural details, signage, intersection design, typical cross sections, earthworks cross sections, long sections, culverts, drainage flow paths, surfacing, pavement marking, street lighting and any proposed planting, landscaping, retaining and street furniture and a temporary metalled turning head with an easement in gross in favour of Whangarei District Council.

- Typical cross sections, generally in accordance with DWG 31014-01-230-RD Rev 1
- Recreation Reserve Lot 602 with a 2.4m wide shared concrete path.

- v Design details of the Pressure Sewer System reticulation including detail of the discharge point or receiving manhole with upgrades (if required) to accommodate the new connection. The sewer reticulation main shall not be constructed through private land.

Appurtenances (such as valves and flushing points) and boundary kits for all lots serviced by the pressure sewer system.

Supporting calculations in accordance with Section 5 of Council's Environmental Engineering Standards 2010 Edition.

Calculation and details of how self-cleansing velocities, residence times and odour control will be achieved prior to full build-out of the lots.

Note; During the design process the developer shall confirm with Council the nominated discharge point on the Council's existing system that the developer needs to convey sewage to.

- vi Design details of water connections for all residential lots within the stage boundary in accordance with Sheet 46 or 47 of Council's Environmental Engineering Standards 2010 Edition including firefighting coverage in accordance with Sheet 45 and Section 6.11.
- vii Design details of water main extensions inclusive of any valves, bulk water meters, fittings and connections necessary to service all residential lots, inclusive of calculations in accordance with Section 6 of Council's Environmental Engineering Standards 2010 Edition.
- viii Design details of stormwater connections for all residential lots within the stage boundary in accordance with Sheet 36 or 37 and Section 4 of Council's Environmental Engineering Standards 2010 Edition.
- ix Design details of stormwater mainline reticulation inclusive of any upgrades to the existing reticulation, sumps, manholes, treatment devices, detention structures and connections necessary to service the development in accordance with Section 4 of Council's Environmental Engineering Standards 2010 Edition. The design is to include evidence that
- The existing public reticulation is capable of receiving the additional flows; and
  - The new system is capable of receiving stormwater from further upstream development (where applicable)
  - Include recommendations from the Opus Acid Sulphate Soil Report dated 25 August 2016 reference 1-19563.

Note - Stormwater discharges across Public Reserve will require specific approval in writing from the controlling authority prior to submission of engineering plans.

- b The consent holder must submit an Inspection & Test Plan (ITP) for approval prepared in accordance with Council's Environmental Engineering Standards 2010 Edition and the WDC QA/QC Manual. The ITP is to be submitted to the Development Engineer or delegated representative for approval and be approved prior to the pre-start meeting and prior to any works being completed on the site. Note that this ITP will be processed in conjunction with the submitted engineering plans required by condition 16(a) and Council reserves the right to withhold ITP approval until the engineering plans are approved as these documents are to be read in conjunction with each other. (Refer to the advisory clause below for the web link to the WDC QA/QC Manual document).
- c The consent holder shall provide written confirmation from the telecommunications and power utility service operator of their consent conditions in accordance with Council's Environmental Engineering Standards 2010 Edition and show necessary easements on the survey plan to the approval of the Councils' Development Engineer or delegated representative.
- d The consent holder must create easements in gross over the proposed temporary turning head(s) to the satisfaction of the Development Engineer. The easements are to be sufficient to allow for the formal construction of the turning head and any associated underground services and footpaths should this become necessary. For clarity, this consent provides for the cancellation of easements (turning heads) when the future stage is lodged for Section 223 approval.
- e The consent holder must create easements over services and rights of way to the approval of the Development Engineer or delegated representative.
- f The consent holder must create easements over all proposed/existing Council services not located within 1.5m of the proposed property boundaries and/or as directed by the Development Engineer or delegated representative.
- g The consent holder must create easements in gross over all overland stormwater flow paths that fall into areas proposed for development (i.e. house site, effluent disposal site, accessway from road to house site etc.) and/or as directed by the Development Engineer. The easements are to cover the extent of the 1% Annual Exceedance Probability flows (+20% allowance for climate change) and are to the satisfaction of the Development Engineer or delegated representative.
- Note: Overland flowpaths are to be assessed in accordance with Section 4.9 of Council's Environmental Engineering Standards 2010 Edition and are to be certified by an IQP/CPEng.
- h The consent holder must provide Council with three proposed street/road/access names in writing for all Roads to Vest within the stage boundaries in accordance with Council's policy, and in order of preference, giving reasons for each proposed name, for approval by Council. A clear plan detailing the route of the proposed street/road/access should also be submitted and any evidence of consultation relating to the proposed names. (Please refer to the road naming policy and guidelines available on Council's website [www.wdc.govt.nz/](http://www.wdc.govt.nz/)).
- Note - This condition will not be deemed to be satisfied unless Council has approved the submitted names in writing.
- i The consent holder must provide Council with three proposed street/road/access names in writing for all private roads serving 5 or more lots within the stage boundaries in accordance with Council's policy, and in order of preference, giving reasons for each proposed name, for approval by Council. A clear plan detailing the route of the proposed street/road/access should also be submitted and any evidence of consultation relating to the proposed names. (Please refer to the road naming policy and guidelines available on Council's website [www.wdc.govt.nz/](http://www.wdc.govt.nz/)).
- Note - This condition will not be deemed to be satisfied unless Council has approved the submitted names in writing.
- j The following conditions shall be shown on the survey plan and to be referenced LINZ 1507490:  
*"That Lot 704 hereon (Legal Access) be held as to five undivided one-fifth shares by the owners of Lots 213, 214, 215, 216, and 217 hereon as tenants in common in the said shares and that individual Computer Registers be issued in accordance therewith".*

*“That Lot 715 hereon (Legal Access) be held as to four undivided one-fourth shares by the owners of Lots 218, 219, 220 and 221 hereon as tenants in common in the said shares and that individual Computer Registers be issued in accordance therewith”.*

- k A detailed Landscape Planting Plan prepared by a qualified landscape architect shall be submitted and approved by Council’s Manager RMA Consents or delegated representative. The plan shall provide details of landscape materials and planting within and around the ponds, drainage reserve and road verges; and shall also include any proposed signage, walkways, boardwalks, street furniture and entry features within reserve areas or road reserves where applicable. The plan shall show as a minimum the following;
  - i. Names of proposed species.
  - ii. Size of proposed stock for planting.
  - iii. Numbers, locations, spacing and staking of proposed plants and trees taking into account the need to retain suitable sight lines for traffic.
  - iv. Details of any structures including location, dimensions, materials and construction methods.
  - v. Details of any mulch or other stabilisation structures, including type, depth, and stabilisation methods; and shall include a weed management plan and a plant replacement program for maintenance of the asset for three years following the issuance of a certificate under Section 224(c).
  
- l The consent holder shall vest Lot 602 for Recreation Reserve under the Reserves Act 1977 and provide a detail Reserve Development Plan (RDP) for the approval of Council’s Manager – Parks and Recreation. The RDP shall be prepared and developed in accordance with the latest version of Council’s Environmental Engineering Standards – Reserves and Urban Design which include, but not be limited, to the following:
  - (i) Design Drawing and Specifications as public spaces;
  - (ii) Streetscape design;
  - (iii) Planting design (grassing, sowing and turfing, species selection, location of tree/plants size, irrigation, etc.);
  - (iv) Design of Landscape structures and furniture (play equipment, fencing etc.);
  - (v) Landscape works (earthworks, trees, soil testing, vehicle access barriers, fencing etc.);
  - (vi) Pedestrian Accessways;
  - (vii) Irrigation and fertilising;
  - (viii) Weed control; Pruning; Mulching; staking and protection; etc.;
  - (ix) Stormwater.
  - (x) Replacement planting; and
  - (xi) Construction and implementation programme.

**17 Prior to issue of a Section 224 (c) certificate;**

- a The Consent Holder or its agent/contractor shall, at least 10 working days prior to the commencement of any land disturbance activities, prepare and submit a Construction Environmental Management Plan (CEMP) to the Council’s Team Leader RMA Approvals and Compliance or delegated representative. Information required in this application is listed in the NRC consent granted on 28.2.2018 File :13780
- b The consent holder is to submit a Corridor Access Request application to Council’s Road Corridor Co-ordinator and receive written approval for all works to be carried out within Council’s Road Reserve in accordance with Council’s Environmental Engineering Standards 2010 to the satisfaction of the Development Engineer or delegated representative (refer to the advisory clause below for the definition of a Corridor Access Request).



- c A pre-start meeting is required to be undertaken with the consent holders' representative (DR), contractor(s) and all other IQP's or agents for consent holder and the Development Engineer prior to any works being undertaken on the site to the satisfaction of the Development Engineer or delegated representative.
- d All work on the approved engineering plans in Condition 16(a) is to be carried out to the approval to the approval of the Development Engineer or delegated representative.

Compliance with this condition shall be determined by site inspections undertaken as agreed in the Inspection & Test Plan in Condition 17(c) and by provision and approval of supporting documentation provided by the developers representative/s in support of the constructed works – EES PS4 and producer statements including supporting evidence of inspections by those persons, works acceptance certificate, statement of compliance of as built works and as built plans, RAMM data, management plans, operation and maintenance plans and all other test certificates and statements and supporting information required to confirm compliance of the works as required by Council's QA/QC Manual and the Council's Environmental Engineering Standards 2010.

No construction works are to commence onsite until the engineering plans required in condition 17(b) have been approved and all associated plan inspection fees have been paid.

- e The consent holder shall notify Council, in writing, of their intention to begin works, a minimum of seven days prior to commencing works. Such notification shall be sent to the Development Engineer and include the following details:
  - i. Name and telephone number of the project manager/ IQP.
  - ii. Site address to which the consent relates.
  - iii. Activities to which the consent relates.
  - iv. Expected duration of works.

A copy of the approved engineering plans and a copy of the resource consent conditions, Inspection and Test Plan, approved corridor access request and the above letter are to be held onsite at all times during construction. All personnel working on the site shall be made aware of, and have access to the resource consent and accompanying documentation.

- f The consent holder shall submit written confirmation from power and telecommunications utility services operators that their conditions for this development have been satisfied in accordance with Council's Environmental Engineering Standards 2010 Edition to the approval of the Council's Development Engineer or their delegated representative.
- g The consent holder shall ensure that spoil from the site must not be tracked out onto Council or State Highway Road formations to the satisfaction of the Development Engineer or delegated representative.
- h Dust nuisance must be controlled onsite (by use of a water cart or similar) by the applicant so as not to cause "offensive or objectionable" dust at or beyond the boundary of the development of the Development Engineer or delegated representative.
- i The consent holder must provide written confirmation from a Licensed Cadastral Surveyor that all services and accesses are located within the appropriate easement boundaries to the satisfaction of the Development Engineer or delegated representative.
- j The consent holder must reinstate Council's street footpath, stormwater kerb and channel, road carriageway formation, street berm and urban services by the demolition and construction works associated with the subdivision and land use activities shall be reinstated in accordance with Section 3 of Council's Environmental Engineering Standards 2010 Edition at the expense of the consent holder to the satisfaction of the Development Engineer or delegated representative.
- k The consent holder must submit a certified and dated 'as built' plan of completed works and services in accordance with Council's Environmental Engineering Standards 2010 Edition. This condition shall be deemed satisfied once the as-builts have been approved by Council's Development Engineer or delegated representative.

- l The consent holder must submit certified RAMM data for all new/upgraded or extended vehicle crossing culverts prepared by a suitably qualified person in accordance with Council's Environmental Engineering Standards 2010 Edition to the satisfaction of the Development Engineer or delegated representative.
- m The consent holder must supply and erect the Public street/road/access name for all Public Roads within the stage boundary in accordance with Sheet 24 of Council's Environmental Engineering Standards 2010 Edition, inclusive of the approved street/ road/access name. The sign shall be located in a position where it is most visible for road users to the satisfaction of the Development Engineer or delegated representative.
- n The consent holder must supply and erect the Private street/road/access name for all private roads/ JOAL within the stage boundaries in accordance with Sheet 25 of Council's Environmental Engineering Standards 2010 Edition, inclusive of the approved street/ road/access name. The sign shall be located in a position where it is most visible for road users to the satisfaction of the Development Engineer or delegated representative.
- o The consent holder must submit for approval a completed Geotechnical report including a detailed site plan of any areas of filling, from a Geotechnical Engineer specifying any site restrictions, and confirmation that the land is suitable for building development to the satisfaction of the Development Engineer or delegated representative.
- p If filling were to occur on any allotment, the consent holder shall submit a Form EES PS4 compiled by a suitably qualified person including details confirming the location of such fill on the affected titles, to the satisfaction of the Development Engineer, or delegated representative. This Form EES PS4 (and associated reports, plans and similar) will be registered against the relevant titles via a consent notice.
- q Following completion of construction, the consent holder shall provide a works producer statement from the suitably qualified contractors who completed the works, certifying that the works have been completed in accordance with the approved engineering plans, Council's Environmental Engineering Standards 2010 Edition and best trade practise, to the satisfaction of Whangarei District Council's Development Engineer or delegated representative.
- r The consent holder shall complete all landscape works required by condition 16(k) of this consent to the satisfaction of the Team Leader RMA Approvals and Compliance or their delegated representative. Confirmation shall be provided by way of written evidence from a landscape architect and a site visit by a member of the Parks Department of the Council or their delegated representative.
- s The consent holder shall provide evidence from a suitably qualified professional that the Park and Recreational Development Plan approved under condition 16(l) has been implemented.
- t Pursuant to Section 221 of the Resource Management Act 1991, a consent notice must be prepared and be registered on the Computer Freehold Register of **(lots 170–173, 175-183, 187-195, 198–206, 210, 213-234, 446)** at the consent holder's expense, containing the following conditions which are to be complied with on a continuing basis by the subdividing owner and subsequent owners:
  - i At the time of building consent provide suitable evidence/design to illustrate that, stormwater attenuation will be provided for all impervious surfaces exceeding 45% of the lot size area, to ensure compliance with Council's Environmental Engineering Standards 2010 and to the satisfaction of the Whangarei District Council. The design shall be undertaken by a suitably qualified engineer or Council IQP.
  - ii Any development shall comply with the restrictions and recommendations identified in the Geotechnical completion engineering report (with appropriate references and to be dated) as required under condition 17(o) unless an alternative engineering report prepared by a Geotechnical or Chartered Professional Engineer is approved in writing by Council.
  - iii At the time of building consent, the property owner shall arrange to supply and install (at its own cost) a pressure sewer system of an approved make, brand or type (including all its constituent components) to the satisfaction of Council. After approval by WDC Waste

and Drainage Manger, and connection of the pressure sewer system to the Council's reticulated system, WDC shall own and maintain the pressure sewer system in accordance with the WDC Pressure Sewer Policy. The Owner shall continue to own and maintain the property's gravity drain to the pump chamber. The Owner shall be responsible for paying for the power consumption of the pumping unit in accordance with Council Pressure Sewer Policy.

- iv At the time of building consent, the owner shall construct the vehicle entrance crossing in accordance with Sheet 18 Residential Single Width Crossing also in accordance with Sheets 22 & 23 of Council's Environmental Engineering Standards 2010 Edition. Unless an existing approved vehicle crossing to the site exist. Entrance crossings are to be designed and constructed in such a manner that will control stormwater run-off entering a property from the road, and that likewise prevent stormwater and detritus, including gravel, dirt and other materials, migrating onto the road reserve from a property.

**Stage 9 - 40 residential lots (lots 121–129, 139–147, 153-169, 174, 196-197, 444-445), Pond Lot 553, Roads to Vest (roads 12, 14, and 16)**

**18 Prior to issue of a Section 223 certificate**

- a The consent holder must submit a detailed set of engineering plans prepared in accordance with Council's Environmental Engineering Standards 2010 Edition. The engineering plans are to be submitted to the Development Engineer for approval.

It is to be noted that certain designs may only be carried out by an Independently Qualified Person (IQP) or Chartered Professional Engineer (CPEng) working within the bounds of their assessed competencies. IQP's must have been assessed by Council and hold a current status to submit design work.

All work needing design/certification by a Council approved IQP/CPEng will require completion of a producer statement (design) (EES-PS1 or similar).

Plans are to include but are not limited to:

- i Design details of final earthworks and retaining to construct roads, lot platforms and ponds, in accordance with Council's Environmental Engineering Standards 2010 Edition, including existing and proposed contours and depths of cut/fill. The earthworks plan shall include;
  - Environmental Management Plan
  - Construction Management Plan
  - Specific Dust Management Plan
  - Erosion and Sediment Control Plan
- ii Design details of the construction of a new vehicle crossing where site restrictions apply, in accordance with Sheet 18 Residential Single Width Crossing also in accordance with Sheets 22 & 23 of Council's Environmental Engineering Standards 2010 Edition. Entrance crossings are to be designed and constructed in such a manner that will control stormwater run-off entering a property from the road, and that likewise prevent stormwater and detritus, including gravel, dirt and other materials, migrating onto the road reserve from a property. Urban accessways and private driveways sloping up from the road shall have a stormwater collection and disposal system at the boundary as detailed on Sheet 19.
- iii Design details of Roads 12, 14 and 16 to vest where they front sections within the stage 6 boundaries. Road 10 shall be in accordance with Table 3.1 Class D, and the remainder on the internal Road Class B, Sheet 2 and Section 3 of Council's Environmental Engineering Standards 2010 Edition.

The design shall include pavement structural details, signage, intersection design, typical cross sections, earthworks cross sections, long sections, culverts, drainage flow paths, surfacing, pavement marking, street lighting and any proposed planting, landscaping,

retaining and street furniture and a temporary metalled turning head with an easement in gross in favour of Whangarei District Council.

- Typical cross sections, generally in accordance with DWG 31014-01-230-RD Rev 1
- iv Design details of the Pressure Sewer System reticulation including detail of the discharge point or receiving manhole with upgrades (if required) to accommodate the new connection. The sewer reticulation main shall not be constructed through private land.  
  
Appurtenances (such as valves and flushing points) and boundary kits for all lots serviced by the pressure sewer system.  
  
Supporting calculations in accordance with Section 5 of Council's Environmental Engineering Standards 2010 Edition.  
  
Calculation and details of how self-cleansing velocities, residence times and odour control will be achieved prior to full build-out of the lots.  
  
Note; During the design process the developer shall confirm with Council the nominated discharge point on the Council's existing system that the developer needs to convey sewage to.
- v Design details of water connections for all residential lots within the stage boundary in accordance with Sheet 46 or 47 of Council's Environmental Engineering Standards 2010 Edition including firefighting coverage in accordance with Sheet 45 and Section 6.11.
- vi Design details of water main extensions inclusive of any valves, bulk water meters, fittings and connections necessary to service all residential lots, inclusive of calculations in accordance with Section 6 of Council's Environmental Engineering Standards 2010 Edition.
- vii Design details of stormwater connections for all residential lots within the stage boundary in accordance with Sheet 36 or 37 and Section 4 of Council's Environmental Engineering Standards 2010 Edition.
- viii Design details of proposed Pond 4 within Local Purpose Reserve 553, inclusive of sections, construction details, planting, benching and fencing, calculations and final operations and maintenance requirements, in accordance with Section 4 of Council's Environmental Engineering Standards 2010 Edition and Stormwater Management Plan prepared by Woods V4 dated 20 December 2017. Specific additional information regarding design of public (to vest) Pond 4 shall be submitted:
  - a) Details of impermeable liner anchor construction,
  - b) Proposed impermeable liner welding and installation methodology, including details of the proposed certified (where appropriate) welders and installers,
  - c) Details of design for wind and hydrostatic uplift of the impermeable liner,
  - d) Details of planting layer design,
  - e) Designers risk assessment for handover of the asset to Council.
- ix Design details of stormwater mainline reticulation inclusive of any upgrades to the existing reticulation, sumps, manholes, treatment devices, detention structures and connections necessary to service the development in accordance with Section 4 of Council's Environmental Engineering Standards 2010 Edition. The design is to include evidence that
  - The existing public reticulation is capable of receiving the additional flows; and
  - The new system is capable of receiving stormwater from further upstream development (where applicable)
  - Include recommendations from the Opus Acid Sulphate Soil Report dated 25 August 2016 reference 1-19563.

Note; Stormwater discharges across Public Reserve will require specific approval in writing from the controlling authority prior to submission of engineering plans.

- b The consent holder must submit an Inspection & Test Plan (ITP) for approval prepared in accordance with Council's Environmental Engineering Standards 2010 Edition and the WDC QA/QC Manual. The ITP is to be submitted to the Development Engineer for approval and be approved prior to the pre-start meeting and prior to any works being completed on the site. Note that this ITP will be processed in conjunction with the submitted engineering plans required by condition 18(a) and Council reserves the right to withhold ITP approval until the engineering plans are approved as these documents are to be read in conjunction with each other. (Refer to the advisory clause below for the web link to the WDC QA/QC Manual document).
- c The consent holder shall provide written confirmation from the telecommunications and power utility service operator of their consent conditions in accordance with Council's Environmental Engineering Standards 2010 Edition and show necessary easements on the survey plan to the approval of the Council's Development Engineer or delegated representative.
- d The consent holder must create easements in gross over the proposed temporary turning head(s) to the satisfaction of the Development Engineer. The easements are to be sufficient to allow for the formal construction of the turning head and any associated underground services and footpaths should this become necessary. For clarity, this consent provides for the cancellation of easements (turning heads) when the future stage is lodged for Section 223 approval.
- e The consent holder must create easements over services and rights of way to the approval of the Development Engineer or delegated representative.
- f The consent holder must create easements over all proposed/existing Council services not located within 1.5m of the proposed property boundaries and/or as directed by the Development Engineer or delegated representative.
- g The consent holder must create easements in gross over all overland stormwater flow paths that fall into areas proposed for development (i.e. house site, effluent disposal site, accessway from road to house site etc.) and/or as directed by the Development Engineer or delegated representative. The easements are to cover the extent of the 1% Annual Exceedance Probability flows (+20% allowance for climate change) and are to the satisfaction of the Development Engineer or delegated representative.

Note: Overland flowpaths are to be assessed in accordance with Section 4.9 of Council's Environmental Engineering Standards 2010 Edition and are to be certified by an IQP/CPEng.

- h The consent holder must provide Council with three proposed street/road/access names in writing for all Roads to Vest within the stage boundaries in accordance with Council's policy, and in order of preference, giving reasons for each proposed name, for approval by Council. A clear plan detailing the route of the proposed street/road/access should also be submitted and any evidence of consultation relating to the proposed names. (Please refer to the road naming policy and guidelines available on Council's website [www.wdc.govt.nz/](http://www.wdc.govt.nz/)).

Note - This condition will not be deemed to be satisfied unless Council has approved the submitted names in writing.

- i A detailed Landscape Planting Plan prepared by a qualified landscape architect shall be submitted and approved by Council's Manager RMA Consents or delegated representative. The plan shall provide details of landscape materials and planting within and around the ponds, drainage reserve and road verges; and shall also include any proposed signage, walkways, boardwalks, street furniture and entry features within reserve areas or road reserves where applicable. The plan shall show as a minimum the following;
  - i. Names of proposed species.
  - ii. Size of proposed stock for planting.
  - iii. Numbers, locations, spacing and staking of proposed plants and trees taking into account the need to retain suitable sight lines for traffic.



- iv. Details of any structures including location, dimensions, materials and construction methods.
- v. Details of any mulch or other stabilisation structures, including type, depth, and stabilisation methods; and shall include a weed management plan and a plant replacement program for maintenance of the asset for three years following the issuance of a certificate under Section 224(c).

**19 Prior to issue of a Section 224 (c) certificate;**

- a The Consent Holder or its agent/contractor shall, at least 10 working days prior to the commencement of any land disturbance activities, prepare and submit a Construction Environmental Management Plan (CEMP) to the Council's Team Leader RMA Approvals and Compliance or delegated representative. Information required in this application is listed in the NRC consent granted on 28.2.2018 File :13780
- b The consent holder is to submit a Corridor Access Request application to Council's Road Corridor Co-ordinator and receive written approval for all works to be carried out within Council's Road Reserve in accordance with Council's Environmental Engineering Standards 2010 to the satisfaction of the Development Engineer or delegated representative (refer to the advisory clause below for the definition of a Corridor Access Request).
- c A pre-start meeting is required to be undertaken with the consent holders' representative (DR), contractor(s) and all other IQP's or agents for consent holder and the Development Engineer prior to any works being undertaken on the site to the satisfaction of the Development Engineer or delegated representative.
- d All work on the approved engineering plans in Condition 18(a) is to be carried out to the approval to the approval of the Development Engineer or delegated representative.

Compliance with this condition shall be determined by site inspections undertaken as agreed in the Inspection & Test Plan in Condition 19(c) and by provision and approval of supporting documentation provided by the developers representative/s in support of the constructed works – EES PS4 and producer statements including supporting evidence of inspections by those persons, works acceptance certificate, statement of compliance of as built works and as built plans, RAMM data, management plans, operation and maintenance plans and all other test certificates and statements and supporting information required to confirm compliance of the works as required by Council's QA/QC Manual and the Council's Environmental Engineering Standards 2010.

No construction works are to commence onsite until the engineering plans required in condition 19(b) have been approved and all associated plan inspection fees have been paid.

- e The consent holder shall notify Council, in writing, of their intention to begin works, a minimum of seven days prior to commencing works. Such notification shall be sent to the Development Engineer and include the following details:
  - i. Name and telephone number of the project manager/ IQP.
  - ii. Site address to which the consent relates.
  - iii. Activities to which the consent relates.
  - iv. Expected duration of works.

A copy of the approved engineering plans and a copy of the resource consent conditions, Inspection and Test Plan, approved corridor access request and the above letter are to be held onsite at all times during construction. All personnel working on the site shall be made aware of, and have access to the resource consent and accompanying documentation.

- f The consent holder shall submit written confirmation from power and telecommunications utility services operators that their conditions for this development have been satisfied in accordance with Council's Environmental Engineering Standards 2010 Edition to the approval of the Councils' Development Engineer or their delegated representative.

- g The consent holder shall ensure that spoil from the site must not be tracked out onto Council or State Highway Road formations to the satisfaction of the Development Engineer or delegated representative.
- h Dust nuisance must be controlled onsite (by use of a water cart or similar) by the applicant so as not to cause "offensive or objectionable" dust at or beyond the boundary of the development of the Development Engineer or delegated representative.
- i The consent holder must provide written confirmation from a Licensed Cadastral Surveyor that all services and accesses are located within the appropriate easement boundaries to the satisfaction of the Development Engineer or delegated representative.
- j The consent holder must reinstate Council's street footpath, stormwater kerb and channel, road carriageway formation, street berm and urban services by the demolition and construction works associated with the subdivision and land use activities shall be reinstated in accordance with Section 3 of Council's Environmental Engineering Standards 2010 Edition at the expense of the consent holder to the satisfaction of the Development Engineer or delegated representative.
- k The consent holder must submit a certified and dated 'as built' plan of completed works and services in accordance with Council's Environmental Engineering Standards 2010 Edition. This condition shall be deemed satisfied once the as-builts have been approved by Council's Development Engineer or delegated representative.
- l The consent holder must submit certified RAMM data for all new/upgraded or extended vehicle crossing culverts prepared by a suitably qualified person in accordance with Council's Environmental Engineering Standards 2010 Edition to the satisfaction of the Development Engineer or delegated representative.
- m The consent holder must supply and erect the Public street/road/access name for all Public Roads within the stage boundary in accordance with Sheet 24 of Council's Environmental Engineering Standards 2010 Edition, inclusive of the approved street/ road/access name. The sign shall be located in a position where it is most visible for road users to the satisfaction of the Development Engineer or delegated representative.
- n The consent holder must submit for approval a completed Geotechnical report including a detailed site plan of any areas of filling, from a Geotechnical Engineer specifying any site restrictions, and confirmation that the land is suitable for building development to the satisfaction of the Development Engineer or delegated representative.
- o If filling were to occur on any allotment, the consent holder shall submit a Form EES PS4 compiled by a suitably qualified person including details confirming the location of such fill on the affected titles, to the satisfaction of the Development Engineer, or delegated representative. This Form EES PS4 (and associated reports, plans and similar) will be registered against the relevant titles via a consent notice.
- p Following completion of construction, the consent holder shall provide a works producer statement from the suitably qualified contractors who completed the works, certifying that the works have been completed in accordance with the approved engineering plans, Council's Environmental Engineering Standards 2010 Edition and best trade practise, to the satisfaction of Whangarei District Council's Development Engineer or delegated representative.
- q The consent holder shall complete all landscape works required by condition 16(i) of this consent to the satisfaction of the Team Leader RMA Approvals and Compliance or their delegated representative. Confirmation shall be provided by way of written evidence from a landscape architect and a site visit by a member of the Parks Department of the Council or their delegated representative.
- r The consent holder shall prepare a fencing covenant as defined under Section 2 of the Fencing Act 1978 to be registered against all residential allotments to be created adjoining the stormwater to vest (excluding road reserve), specifying that Council will not be liable for any costs for future fencing of boundaries with any pond. In addition, the boundary fencing adjoining the pond to vest (excluding road reserve) above a height of 1.2m shall be constructed in visually permeable materials that allow visibility into the reserve. Details of proposed fencing shall be provided to Council's Parks and Recreation Manager for approval prior to construction.

- s Pursuant to Section 221 of the Resource Management Act 1991, a consent notice must be prepared and be registered on the Computer Freehold Register of **(lots 121–129, 139–147, 153–169, 174, 196–197, 444–445)** at the consent holder's expense, containing the following conditions which are to be complied with on a continuing basis by the subdividing owner and subsequent owners:
- i At the time of building consent provide suitable evidence/design to illustrate that, stormwater attenuation will be provided for all impervious surfaces exceeding 45% of the lot size area, to ensure compliance with Council's Environmental Engineering Standards 2010 and to the satisfaction of the Whangarei District Council. The design shall be undertaken by a suitably qualified engineer or Council IQP.
  - ii Any development shall comply with the restrictions and recommendations identified in the Geotechnical completion engineering report (with appropriate references and to be dated) as required under condition 19(n) unless an alternative engineering report prepared by a Geotechnical or Chartered Professional Engineer is approved in writing by Council.
  - iii At the time of building consent, the property owner shall arrange to supply and install (at its own cost) a pressure sewer system of an approved make, brand or type (including all its constituent components) to the satisfaction of Council. After approval by WDC Waste and Drainage Manger, and connection of the pressure sewer system to the Council's reticulated system, WDC shall own and maintain the pressure sewer system in accordance with the WDC Pressure Sewer Policy. The Owner shall continue to own and maintain the property's gravity drain to the pump chamber. The Owner shall be responsible for paying for the power consumption of the pumping unit in accordance with Council Pressure Sewer Policy.
  - iv At the time of building consent, the owner shall construct the vehicle entrance crossing in accordance with Sheet 18 Residential Single Width Crossing also in accordance with Sheets 22 & 23 of Council's Environmental Engineering Standards 2010 Edition. Unless an existing approved vehicle crossing to the site exist. Entrance crossings are to be designed and constructed in such a manner that will control stormwater run-off entering a property from the road, and that likewise prevent stormwater and detritus, including gravel, dirt and other materials, migrating onto the road reserve from a property.

## Advice Notes

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1. Council determined that the application need not be notified as:
  - i. The adverse effects on the environment are assessed to be less than minor because the proposal will be in keeping with the established subdivision pattern within the surrounding environment. Any potential visual, amenity or land use effects have been assessed to be less than minor.
  - ii. No persons have been determined to be adversely affected.
  - iii. There are no special circumstances to warrant public notification.
  - iv. The application will have effects that are less than minor from an engineering perspective provided the development is carried out in accordance with the recommended conditions.
2. This resource consent will lapse five years after the date of commencement of this consent (being the date of this decision) unless:
  - It is given effect to before the end of that period; or
  - An application is made to Council to extend the period after which the consent lapses, and such application is granted prior to the lapse of consent. The statutory considerations which apply to extensions are set out in Section 125 of the Resource Management Act 1991.
3. Section 357 of the Resource Management Act 1991 provides a right of objection to this decision. An objection must be in writing, setting out the reasons for the objection and delivered to Council

within 15 working days of the decision being notified to you. A fee may be payable to cover the costs of processing any objection.

4. A copy of this consent should be held on site at all times during the establishment and construction phase of the activity.
5. All archaeological sites are protected under the provisions of the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence under that act to modify, damage or destroy any archaeological site, whether the site is recorded or not. Application must be made to Heritage New Zealand for an authority to modify, damage or destroy an archaeological site(s) where avoidance of effect cannot be practised.
6. The consent holder shall pay all charges set by Council under Section 36 of the Resource Management Act 1991, including any administration, monitoring and supervision charges relating to the conditions of this resource consent. The applicant will be advised of the charges as they fall.
7. To help fund additional assets or assets of increased capacity, the Local Government Act 2002 (LGA) allows a council to require development contributions if the effect of a development requires the council to provide new or upgraded infrastructure. Whangarei District Council has prepared and adopted a Development Contributions Policy. Under this policy, the activity to which this consent related is subject to a Development Contributions assessment. You will be advised of the assessment of the Development Contributions payable under separate cover in the near future. It is important to note that the Development Contributions must be paid prior to commencement of the work or activity to which consent relates or, in the case of a subdivision, prior to the issue of a Section 224(c) Certificate. Further information regarding Councils Development Contributions Policy may be obtained from the Long-Term Plan (LTP) or Council's web page at [www.wdc.govt.nz](http://www.wdc.govt.nz).
8. Please note the normal requirements of Land Information New Zealand in regard to the issuing of amalgamated titles. These include requirements for the land to be held in the same ownership, and for any existing joint family home settlements to be cancelled or extended to include all the land being amalgamated.
9. A Corridor Access Request (CAR) is defined in the new "National Code of Practice (CoP) for Utilities access to the Transport Corridors". This CoP has been adopted by Council. It provides a single application for Traffic Management Plans/Road Opening Notice applications. Enquiries as to its use may be directed to Council's Road Corridor Co-ordinator, ph 430 4230 ext 8231.
10. The WDC QA/QC Manual document can be located at the following link: <http://www.wdc.govt.nz/BuildingandProperty/GuidelinesandStandards/Pages/default.aspx>
11. Building Consents may be required for retaining structures.
12. All earthworks are required to comply with Section 32.2 (Environmental Standards for Earthworks) of the Northland Regional Council Regional Water and Soil Plan for Northland noting Erosion & sediment control and dust suppression requirements.
13. The applicant is advised that a further site inspection of completed works will be required if a period greater than 3 months has passed since the last Council inspection prior to Council issuing the 224(c) certificate.
14. Any works carried out within Council's road reserve will require an approved Corridor Access Request.
15. Section 357A(3) of the Resource Management Act 1991 provides a right of objection to this decision. Objection must be in writing, setting out the reasons for the objection, delivered to Whangarei District Council within 15 working days after the decision has been notified to you. A fee may be payable to cover the costs of processing any objection.

16. Please note that the date of the original decision being 7 August 2018 will remain the commencement date for this resource consent. Therefore the consent will still lapse five years after the date of commencement of consent unless:
- a It is given effect to before the end of that period; or
  - b An application is made to the consent authority to extend the period after which the consent lapses. The statutory considerations which apply to extensions are set out in Section 125 of the Resource Management Act 1991.

**Decision - Landuse Consent Application**

Pursuant to Sections 104, 104B, and 108 of the Resource Management Act 1991, consent is granted to WFH Properties Limited to construct a single residential unit on ten lots being Lots 456-465 DP 548998 located at Te Akau Place, One Tree Point, where the proposed units will not meet various bulk, location and design standards specified in the Neighbourhood Commercial Zone.

The reasons for the decision are as follows:

1. Subject to the conditions offered by the applicant, the effects associated with the proposed activity will be acceptable in the receiving environment.
2. The proposal is assessed as being consistent with the provisions of both the Operative and proposed District Plans, noting that construction of a residential unit on each lot as proposed is provided for as a permitted activity in the Business 3 Environment under the Operative District Plan.

The following conditions are imposed pursuant to Section 108 as part of this land use consent:

1. The construction of a residential unit on each of the lots subject to this consent shall be subject to the following restrictions:
  - a) Maximum of one residential unit per site (no minor residential unit is permitted);
  - b) Maximum 8 metre building height, where height is as defined in the District Plan as at the time of the granting of this consent;
  - c) Minimum building setback of 4.5m from roads, and 3m from side and rear boundaries allowing for one 1.5m setback (habitable buildings)
  - d) Minimum building setback of 4.5m from roads, 1.5m from any other boundary allowing for a 0m setback for a max length of 7.5m on any single boundary and a maximum total length of 10.5m on all boundaries, 2.5m from a habitable room on any other site (non habitable buildings);
  - e) All buildings and major structures do not exceed a height equal to 3m above ground level plus the shortest horizontal distance between that part of the building or major structure and any boundary that is not adjoining a road or business zone.
  - f) Every residential unit:
    - i. With one or more habitable rooms at ground floor level shall provide an outdoor living court of at least 20m<sup>2</sup> and at least 4m depth.
    - ii. With all habitable rooms above ground floor shall provide an outdoor living court of at least 8m<sup>2</sup> and at least 2m depth.
  - g) The impervious area within the site shall not exceed 60% of the net site area.
  - h) The maximum cumulative building and major structure coverage shall be 40% of the net site area.
  - i) Any fence shall a maximum height of 2m above ground level. Where any fencing is located within within 3m of the adjacent road boundary, it shall be at least 50% visually permeable for any portion above 1m high and shall not be fortified by use of sharp objects (such as broken glass or barbed wire).
2. The restrictive covenants registered against Lots 456-465 DP 548998 where the covenantor and covenantee is WFH properties Limited and referenced as 2018/6263 as provided under cover of email to the Council dated 7<sup>th</sup> December 2020 shall be registered (if not already) and shall remain registered on the affected titles for the duration of this consent.



*Note: This condition is required to ensure that the terms of the covenant that address potential reverse sensitivity effects associated with the siting and occupation of residential units in a Neighbourhood Centre Zone are suitably mitigated.*

### **Advice Notes**

1. This resource consent will lapse five years after the date of commencement of this consent (being the date of this decision) unless:
  - It is given effect to before the end of that period; or
  - An application is made to Council to extend the period after which the consent lapses, and such application is granted prior to the lapse of consent. The statutory considerations which apply to extensions are set out in Section 125 of the Resource Management Act 1991.

For completeness, where construction of a residential unit as provided for under this consent has not commenced on any one or more of the subject lots within 5 years of commencement of this consent, the consent shall be deemed to have lapsed as it relates to those/that lot/s.

2. Section 357 of the Resource Management Act 1991 provides a right of objection to this decision. An objection must be in writing, setting out the reasons for the objection and delivered to Council within 15 working days of the decision being notified to you. A fee may be payable to cover the costs of processing any objection.
3. The Consent Holder shall pay all charges set by Council under Section 36 of the Resource Management Act 1991, including any administration, monitoring and supervision charges relating to the conditions of this resource consent. The applicant will be advised of the charges as they fall.
4. The assessment of affected persons contained in this decision relies on the continued imposition of a restrictive covenant on the subject lots.
5. Any development proposed on the lots subject to this consent that is not specifically for a single residential unit cannot rely on this consent in any way. Any such development shall be required to comply with relevant District Plan rules or obtain resource consent where required.
6. To help fund additional assets or assets of increased capacity, the Local Government Act 2002 (LGA) allows a council to require development contributions if the effect of a development requires the council to provide new or upgraded infrastructure. The Whangarei District Council has prepared and adopted a Development Contributions Assessment Policy. Under this policy, the activity to which this consent related is subject to Development Contributions Assessment. You will be advised of the assessment of the Development Contributions payable (if any) under separate cover in the near future. It is important to note that Development Contributions must be paid prior to commencement of the work or the activity to which the consent relates or, in the case of a subdivision, prior to the issue of the Section 224(c) Certificate. Further information regarding Council's Development Contribution Policy may be obtained from the Long Term Plan (LTP) or Council's web page at [www.wdc.govt.nz](http://www.wdc.govt.nz).



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A Hartstone, Consultant Planner

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18<sup>th</sup> December 2020

Date

*M McDonald*

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M McDonald, Resource Consents Manager

21 December 2020

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Date